



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Draft

Council

Municipal Hall
1229 Esquimalt Road
Esquimalt, B.C. V9A 3P1

Monday, October 5, 2015

7:00 PM

Esquimalt Council Chambers

Present: 7 - Mayor Barbara Desjardins
Councillor Meagan Brame
Councillor Beth Burton-Krahn
Councillor Lynda Hundleby
Councillor Olga Liberchuk
Councillor Susan Low
Councillor Tim Morrison

Staff: Laurie Hurst, Chief Administrative Officer
Bill Brown, Director of Development Services
Ian Irvine, Director of Financial Services
Blair McDonald, Director of Community Safety Services
Anja Nurvo, Director of Corporate Services
Trevor Parkes, Senior Planner
Rachel Dumas, Recording Secretary

1. CALL TO ORDER

Mayor Desjardins called the Regular Council meeting to order at 7:00 PM.
Mayor Desjardins acknowledged the success of the Tour De Rock event held October 2, 2015. The Community was well represented with Riders including Members of the Military Police, Victoria Police Department and an Esquimalt Resident & future Member of the RCMP.

Mayor Desjardins acknowledged with respect that we are within the Traditional Territories of the Esquimalt and Songhees First Nations.

2. LATE ITEMS

The following late item was added to the agenda:

(1) Add to Agenda as a new Item 4. (1) **MOTION TO GO IN CAMERA**

That Council convene *In Camera* pursuant to Section 90 of the Community Charter to discuss:

- (1) Information that is prohibited, or information that if it were presented in a document would be prohibited from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*; and
- a matter that, under another enactment, is such that the public must be excluded from the meeting.

In accordance with section 90(1) (j) and (2)(d) of the Community Charter, and that the general public be excluded

(2) And that the balance of the Agenda be renumbered accordingly.

3. APPROVAL OF THE AGENDA

Moved by Councillor Brame, seconded by Councillor Burton-Krahn: That the Agenda be approved as amended with the inclusion of the late agenda item. Carried Unanimously.

4. MOTION TO GO IN CAMERA

Moved by Councillor Burton-Krahn, seconded by Councillor Hundleby: That Council convene In Camera pursuant to Section 90 of the Community Charter to discuss:

- **Information that is prohibited, or information that if it were presented in a document would be prohibited from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act; and**
- **a matter that, under another enactment, is such that the public must be excluded from the meeting.**

In accordance with section 90(1) (j) and (2)(d) of the Community Charter, and that the general public be excluded. Carried Unanimously.

The Meeting Recessed at 7:03 PM with all Members of Council, Chief Administrative Officer, Director of Corporate Services and Director of Development Services leaving Council Chambers and proceeding to the Wurtele Room.

The Meeting Reconvened at 7:15 PM with all Members of Council and staff returning to Council Chambers.

5. MINUTES

- 1) [15-448](#) Minutes of the Regular Meeting of Council, September 14, 2015

Moved by Councillor Low, seconded by Councillor Liberchuk: That the Minutes of the Regular Meeting of Council, September 14, 2015 be adopted as circulated. Carried Unanimously.

6. PRESENTATIONS

- 1) [15-442](#) Bryan Gates and Kristy Kilpatrick, Urban Wildlife Stewardship Society, Management of Deer Population and Education

Bryan Gates, President, and Kristy Kilpatrick, Vice-President, Urban Wildlife Stewardship Society presented a Powerpoint Presentation and responded to questions from Council. They advised of the Organization objectives, including immo-contraceptive, Spay Vac, as a way to manage the deer population and promote awareness with public education for the Community, in co-existing with deer.

Moved by Councillor Morrison, seconded by Councillor Brame: That staff prepare a report with options for a Pilot Project in Esquimalt Re: Urban Deer Management and Education, including costs, options for partnership with Urban Wildlife

Stewardship Society and Department of National Defence, and any funding support and requirements the Provincial Government may have. Carried Unanimously.

7. DELEGATIONS

- 1) [15-443](#) Chris Dunham and Me-Kon Hayes, Binkadi Human Services, Exemption of Bylaw 2841 as it Relates to Urban Hens

Chris Dunham & Me-Kon Hayes, Binkadi Human Services, addressed Council, seeking an exemption to Animal Control Bylaw, No. 2841, to allow up to 21 Urban Hens at 602-614 Nelson Street.

Moved by Councillor Low, seconded by Councillor Morrison: That Staff prepare a report for Council consideration Re: To allow Urban Hens at 602-614 Nelson Street. Carried Unanimously.

8. PUBLIC INPUT (On items listed on the Agenda)

Excluding items which are or have been the subject of a Public Hearing.

Muriel Dunn, resident, acknowledged the requirement for Urban Deer Management in the Community, however expressed concerns regarding the timeline of presented Spay-Vac proposal.

Peter Ryan, resident, expressed concerns regarding traffic flow and proposed road alterations at the entrance to Saxe Point Park and supports a review of options.

9. STAFF REPORTS

Development Services

- 1) [15-440](#) Rezoning Application, 865 Kindersley Street, PID 004-671-961 Lot A, Section 10, Esquimalt District, Plan 12881, Staff Report DEV-15-048

Senior Planner provided an overview of Rezoning Application Re: 865 Kindersley Street and responded to questions from Council.

Council discussed parking concerns, secondary suites and Section 219 Covenants.

Rus Collins, Zebra Designs and Shaun Wedick, applicant, were invited to address Council and present an overview of the application and responded to questions from Council.

Moved by Councillor Burton-Krahn, seconded by Councillor Liberchuk: 1. That Council resolves that Amendment Bylaw No. 2858, attached as Schedule 'A' to Staff Report DEV-15-048, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 004-671-961 Lot A, Section 10, Esquimalt District, Plan 12881 [865 Kindersley Street] shown cross hatched on Schedule 'A' of Bylaw No. 2858, from RD-1 [Two Family Residential] to CD No. 94 [Comprehensive Development District No. 94], be given first and second reading; and

2. That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Amendment Bylaw No. 2858 and to advertise for same in the local newspaper. Carried.

In Favour: 6 - Mayor Desjardins, Councillor Brame, Councillor Burton-Krahn, Councillor Liberchuk, Councillor Low, and Councillor Morrison

Opposed: 1 - Councillor Hundleby

Administration

2) [15-441](#) Medical Marijuana Dispensaries, Staff Report ADM-15-035

Director of Corporate Services advised that Health Canada had sent correspondence to several businesses advising them to cease operations.

Council discussed the importance of enforcing to the current Federal law regarding Medical Marijuana Dispensaries and until Legislation is amended, such businesses are illegal and therefore the Municipality has no jurisdiction to issue a Business Licence to operate. Council suggested that the upcoming Federal Election may bring change to the matter.

Moved by Councillor Morrison, seconded by Councillor Hundleby: That Council direct staff to:

- 1. deny all applications for a business licence for a medical marijuana dispensary in the Township of Esquimalt on the grounds that they are illegal under Federal law; and**
- 2. refer any medical marijuana dispensaries operating within the Township of Esquimalt to Bylaw Enforcement staff and to Victoria Police Department for appropriate enforcement. Carried.**

In Favour: 6 - Mayor Desjardins, Councillor Brame, Councillor Burton-Krahn, Councillor Hundleby, Councillor Low, and Councillor Morrison

Opposed: 1 - Councillor Liberchuk

The Meeting went into Recess at 8:22 PM.

The Meeting Reconvened at 8:30 PM with all Members of Council present.

Finance

3) [15-439](#) Local Grant - L'Ecole Victor Brodeur

Daniele Riendeau, teacher, L'Ecole Victor Brodeur, provided an overview of Local Grant Application and responded to questions from Council.

Moved by Councillor Brame, seconded by Councillor Liberchuk: That Council approve the local grant request of \$1,750.00 for L'Ecole Victor Brodeur Team Funding as provided in Council Policy No. ADMIN-52. Carried Unanimously.

10. BYLAWS

- 1) [15-449](#) Building Code Bylaw, 2002, No. 2538, Amendment Bylaw [No. 7], 2015, No. 2856 - For Adoption

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council adopt Building Code Bylaw, 2002, No. 2538, Amendment Bylaw [No. 7], 2015, No. 2856. Carried Unanimously.

11. MAYOR'S AND COUNCILLORS' REPORTS

- 1) [15-446](#) Councillor Lynda Hundleby - Union of British Columbia Municipalities 2015 Convention

Councillor Hundleby provided an overview of the Union of British Columbia Municipalities 2015 Convention she attended in September.

Moved by Councillor Brame, seconded by Councillor Liberchuk: That Councillor Hundleby's Report Re: Union of British Columbia Municipalities 2015 Convention be received. Carried Unanimously.

- 2) [15-447](#) Councillor Olga Liberchuk - UBCM Report

Councillor Liberchuk provided an overview of the Union of British Columbia Municipalities 2015 Convention she attended in September.

Moved by Councillor Liberchuk, seconded by Councillor Hundleby: That Councillor Liberchuk's Report Re: Union of British Columbia Municipalities 2015 Convention be received. Carried Unanimously.

Mayor Desjardins shared the Community of Excellence Award, Partnership Category, that was presented to the Township in recognition of the implementation of the Small Business Training Program.

- 3) [15-450](#) Reconsideration of Motion re Proposed Crosswalk at Saxe Point Park, Councillor Beth Burton-Krahn

Council discussed options including the installation of a traffic circle, sidewalks, signal lights, and reducing the speed limit and directed staff to include Public Input and Financial options in the requested staff report.

Moved by Councillor Burton-Krahn, seconded by Councillor Low: That Council reconsider the Motion, passed at the September 28, 2015 Regular Council meeting; and further amend the Main Motion, as amended, to add an Option 4: the consideration of installation of a traffic circle at the intersection of Bewdley Avenue, Fraser Street and Munro Street.

Moved by Councillor Liberchuk, seconded by Councillor Brame: That the Main Motion be amended to include a review of all other options to address traffic issues including sidewalks, signal lights, speed limit and costs. Carried

Unanimously.

The vote was called on the Main Motion as amended and declared Carried Unanimously.

12. COMMUNICATIONS

- 1) [15-444](#) Letter from Sylvia Vink, The Royal Canadian Legion, Esquimalt Dockyard Branch No. 172, dated September 23, 2015, Re: Remembrance Day Ceremony and Distribution of Poppies

Moved by Councillor Hundleby, seconded by Councillor Liberchuk: That Council receive Letter from Sylvia Vink, The Royal Canadian Legion, Esquimalt Dockyard Branch No. 172, dated September 23, 2015, Re: Remembrance Day Ceremony and Distribution of Poppies; and further approve the Annual Remembrance Day Ceremony in Memorial Park, Esquimalt Road on Wednesday, November 11, 2015; and furthermore allow The Esquimalt-Dockyard Branch 172 Legion to distribute poppies within the Township of Esquimalt from October 30 - November 10, 2015. Carried Unanimously.

- 2) [15-445](#) Email from Alex Rueben, Association of British Columbia Marine Industries, dated September 26, 2015, Re: Letter of Invitation to Join Membership

Moved by Councillor Morrison, seconded by Councillor Burton-Krahn:

- 1) That Council receive Email from Alex Rueben, Association of British Columbia Marine Industries, dated September 26, 2015, Re: Letter of Invitation to Join Membership;**
2) That Council approve the Township of Esquimalt becoming a Member of the Association of British Columbia Marine Industries (ABCMI); and
3) That the Mayor canvas Council and appoint a Council Liaison to the Association. Carried Unanimously.

- 3) [15-451](#) Letter from Samantha Howard, Canadian Federation of Independent Business, dated September 30, 2015, Re: Small Business Saturday

Moved by Mayor Desjardins, seconded by Councillor Liberchuk: That Council receive the Letter from Samantha Howard, Canadian Federation of Independent Business, dated September 30, 2015, Re: Small Business Saturday, promote the event as requested, and Proclaim Saturday October 24, 2015, as Small Business Day. Carried Unanimously.

13. PUBLIC QUESTION AND COMMENT PERIOD

**Excluding items which are or have been the subject of a Public Hearing.
Limit of two minutes per speaker.**

No Public Input.

14. ADJOURNMENT

Moved by Councillor Burton-Krahn, seconded by Councillor Hundleby: That the Regular Council meeting be adjourned at 8:51 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS [insert date] DAY OF [insert month] , 2015

ANJA NURVO, CORPORATE OFFICER
CERTIFIED CORRECT