



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

## Minutes - Draft Council

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

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Monday, May 16, 2016	7:00 PM	Esquimalt Council Chambers
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**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  
Jeff Miller, Director of Engineering & Public Works  
Bill Brown, Director of Development Services  
Anja Nurvo, Director of Corporate Services / Recording Secretary  
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 with respect that we are within the Traditional Territories of the Esquimalt and Songhees First Nations.

Mayor Desjardins acknowledged the success of Buccaneer Days and thanked all volunteers and participants.

### 2. LATE ITEMS

The following late items were added to the agenda:

- Pertaining to Agenda Item 7. STAFF REPORTS (5) Public Feedback to the Draft Guiding Principles Wastewater Treatment in Esquimalt, Staff Report DEV-16-034 • Email from J Gibson dated May 11, 2016 re Draft Guiding Principles
- Pertaining to Agenda Item 7. STAFF REPORTS (9) Rezoning Application, Zoning Amendment Bylaw No. 2873, Staff Report DEV-16-036 • Revised Schedule "A" Zoning Amendment Bylaw No. 2873
- New Item 7. STAFF REPORTS (9) Exemption to Minimum Frontage for proposed two-lot subdivision, 1038 Colville Road, pursuant to Section 512 Local Government Act, Staff Report DEV-16-037 • Staff Report from Bill Brown, Director of Development Services

**3. APPROVAL OF THE AGENDA**

Moved by Councillor Burton-Krahn, seconded by Councillor Liberchuk: That the agenda be approved as amended. Carried Unanimously.

**4. MINUTES**

- 1) [16-221](#) Minutes of the Special Meeting of Council, May 2, 2016
- 2) [16-222](#) Minutes of the Regular Meeting of Council, May 2, 2016

Moved by Councillor Brame, seconded by Councillor Liberchuk: That the Minutes of the Special Meeting of Council, May 2, 2016 and Minutes of the Regular Meeting of Council, May 2, 2016 be adopted as circulated. Carried Unanimously.

**5. DELEGATIONS**

- 1) [16-223](#) Joe Buczkowski, Re: Installation of Memorial Marker / Plaque in Memorial Park to Honour Veteran

Joe Buczkowski, provided a brief overview of his request Re: Installation of memorial marker/plaque in Memorial Park to honour veteran LT Robert Hampton Gray, VC DSC RCNVR.

Mayor Desjardins advised Mr. Buczkowski of Council Policy HER - 06 - Selection and Placement of Monuments and requested he liaise with staff to provide further documentation to proceed with the request.

**6. PUBLIC INPUT (On items listed on the Agenda)**

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

There was no public input.

**7. STAFF REPORTS*****Administration***

- 1) [16-209](#) Fees and Charges Bylaw Update, Staff Report  
ADM-16-015

Director of Corporate Services responded to questions from Council.

Council comments included (Staff response in italics):

\* What is a comfort letter? *Previously provided to third parties as confirmation the Municipality has no concerns or outstanding notices on land title documents pertaining to a specific property.*

\* Are copies of documents available on floppy discs, therefore seeking clarity of the word "disc"? *It pertains to all discs including floppy, compact, CD and DVD. We do not provide USB sticks, however the requester can provide their own to transfer information obtained.*

\* Clarity of copy charges for agenda? *Copying is 50 cents a page up to a*

*maximum fee of \$10.00, with a proposal to provide an agenda cover page at no cost, however printing of agenda package will follow the Fees and Charges Bylaw. The agenda package is also available on the website.*

*\* Is there a charge for Municipal Pins? Yes, currently available at the Main Reception for sale at a cost of \$1.00 and given to Organizations and groups at Council's discretion.*

*\* Have an Agenda Package available for the public prior to and during the Council meeting for reference with further agenda cover pages available.*

*\* Possibility of agenda available on the screens in Council Chambers during the meeting.*

Moved by Councillor Low, seconded by Councillor Hundleby: That Council give first, second and third reading to Fees and Charges (Miscellaneous) Bylaw, No. 2874.

Moved by Councillor Brame, seconded by Councillor Liberchuk: That the Main Motion be amended to strike the fee for Municipal pins and pins be distributed at Councils' discretion. Carried Unanimously.

Moved by Councillor Burton-Krahn, seconded by Councillor Morrison: That the Main Motion be amended to separate items in Schedule "B" of draft Fees and Charges Bylaw, No. 2874 pertaining to fees for photo copying agendas, from the Main Motion. Defeated.

In Favour: 3 - Mayor Desjardins, Councillor Burton-Krahn, and Councillor Morrison

Opposed: 4 - Councillor Brame, Councillor Hundleby, Councillor Liberchuk, and Councillor Low

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

In Favour: 4 - Councillor Brame, Councillor Hundleby, Councillor Liberchuk, and Councillor Low

Opposed: 3 - Mayor Desjardins, Councillor Burton-Krahn, and Councillor Morrison

**2) 16-214 Heritage Initiatives Alternatives, Staff Report ADM-16-016**

Moved by Councillor Low, seconded by Councillor Burton-Krahn: That Council:

1. direct staff in Development Services, Archives, and Parks and Recreation to continue with review and implementation of Council Policies dealing with Heritage;

2. direct staff to include for future Committee recruitment when relevant requirements for knowledge or experience in heritage, cultural resource management, and heritage conservation; and

3. rescind Council Policy ADMIN-50 Terms of Reference - Heritage Advisory Committee. Carried.

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

Opposed: 1 - Councillor Hundleby

3) [16-218](#) Appointment of a municipal representative to the Greater Victoria Labour Relations Association (GVLRA), Staff Report ADM-16-017

Moved by Councillor Burton-Krahn, seconded by Councillor Brame: That Council appoint Councillor Lynda Hundleby as the Township of Esquimalt representative to the Greater Victoria Labour Relations Association (GVLRA) and that Council also choose an alternate to attend GVLRA meetings in Councillor Hundleby's absence.

Moved by Councillor Morrison, seconded by Councillor Liberchuk: That the Main Motion be amended to appoint Councillor Low as the alternate to the Greater Victoria Relations Association. Carried Unanimously.

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

### ***Engineering and Public Works***

4) [16-210](#) Uganda Ave Traffic Order 1232, Staff Report EPW-16-015

Mayor Desjardins acknowledged receipt of public comments pertaining to proposed stop sign to be installed on Uganda Avenue. Director of Engineering and Public Works provided an overview of Uganda Avenue Traffic Order No.1232 and responded to questions from Council.

Comments from Council included:

- \* The recommendation is a result of an ICBC Traffic Study.
- \* Alternate options including only one stop sign or four way stop sign.
- \* Staff to review one year after implementation.

Moved by Councillor Low, seconded by Councillor Brame: That Council approve Traffic Order 1232 that "Stop" signs and road markings be installed on Uganda Avenue at the intersection of Uganda Avenue and McNaughton Avenue. Carried.

In Favour: 5 - Mayor Desjardins, Councillor Brame, Councillor Hundleby, Councillor Liberchuk, and Councillor Low

Opposed: 2 - Councillor Burton-Krahn, and Councillor Morrison

### ***Development Services***

5) [16-216](#) Approval of Request for Proposals for Esquimalt Road Urban Design Guidelines, Staff Report DEV-16-033

Director of Development Services responded to questions from Council.

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Comments from Council included:

\* Graffiti concerns pertaining to street art and potential vandalism

Moved by Councillor Burton-Krahn, seconded by Councillor Brame: That Council approve the Request for Proposals for the Esquimalt Road Urban Design Guidelines, as attached as Schedule "A" to Staff Report DEV-16-033, and authorize staff to post them on the appropriate websites.

Moved by Councillor Hundleby, seconded by Mayor Desjardins: That the Main Motion be amended to strike the words "street art" from Item 1. Carried.

In Favour: 4 - Mayor Desjardins, Councillor Brame, Councillor Hundleby, and Councillor Morrison

Opposed: 3 - Councillor Burton-Krahn, Councillor Liberchuk, and Councillor Low

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

**6) 16-217 Public Feedback to the Draft Guiding Principles Wastewater Treatment in Esquimalt, Staff Report DEV-16-034**

Moved by Councillor Low, seconded by Councillor Hundleby: That Council receive the five responses attached as Schedule "B" for information and consider whether or not to amend the Draft Guiding Principles prior to their adoption, as attached as Schedule "A" to Staff Report DEV-16-034.

Moved by Councillor Low, seconded by Councillor Morrison: That the Main Motion be amended to strike Item (6) of the Draft Guiding Principles. Defeated.

In Favour: 2 - Councillor Low, and Councillor Morrison

Opposed: 5 - Mayor Desjardins, Councillor Brame, Councillor Burton-Krahn, Councillor Hundleby, and Councillor Liberchuk

Moved by Councillor Liberchuk, seconded by Councillor Low: That The Main Motion be amended to add wording "publicly owned and operated" in the preamble after "distributed system" in the last sentence. Defeated.

In Favour: 3 - Councillor Brame, Councillor Liberchuk, and Councillor Low

Opposed: 4 - Mayor Desjardins, Councillor Burton-Krahn, Councillor Hundleby, and Councillor Morrison

Moved by Councillor Morrison, seconded by Councillor Low: That the Main Motion be amended to read in Item (6) "No anaerobic digestion to be located in Esquimalt". Carried.

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

Opposed: 1 - Councillor Burton-Krahn

Moved by Councillor Low, seconded by Councillor Hundleby: That the Main Motion be amended to add the wording "Best value for taxpayers" to the preamble. Defeated.

In Favour: 1 - Councillor Low

Opposed: 6 - Mayor Desjardins, Councillor Brame, Councillor Burton-Krahn, Councillor Hundleby, Councillor Liberchuk, and Councillor Morrison

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

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

Opposed: 1 - Councillor Burton-Krahn

7) [16-220](#) Initial Review of Version 1.5 (March 2016) of Draft Regional Growth Strategy, Staff Report DEV-16-035

The Director of Development Services responded to questions from Council and advised the deadline to submit comments on Version 1.5 of the Draft Regional Growth Strategy to the CRD Board is May 18, 2016.

Comments from Council included:

- \* Clarity pertaining to Regional Context Statement
- \* Role of First Nations
- \* Collaboration with third parties including CRD and First Nations
- \* Water Servicing beyond urban boundaries concerns
- \* Sewage Treatment
- \* Train service
- \* Equity for access to Regional green space
- \* Address land use to ensure density sets aside space for a blend of housing types and cost
- \* Under "Goals" add *Esquimalt as one of the major employment centres* due to CFB Esquimalt

Moved by Councillor Brame, seconded by Councillor Low: That Council send a letter to the Capital Regional District Board outlining their initial comments on Version 1.5 of the Draft Regional Growth Strategy. Carried Unanimously.

8) [16-219](#) Rezoning Application,  
468 Head Street [Lot 8, Block H, Section 11, Esquimalt District, Plan 292]  
470 Head Street [Lot 5, Block H, Section 11, Esquimalt District, Plan 292]

472 Head Street [Lot 4, Block H, Section 11, Esquimalt District, Plan 292]  
515 Gore Street [Lot 1, Block H, Section 11, Esquimalt District, Plan 292]  
509 Gore Street [Lot 2, Block H, Section 11, Esquimalt District, Plan 292]  
922 Lyall Street [Strata Lot 1, Section 11, Esquimalt District, Strata Plan 509]  
920 Lyall Street [Strata Lot 1, Section 11, Esquimalt District, Strata Plan 509]  
918 Lyall Street [Lot 6, Block H, Section 11, Esquimalt District, Plan 292]  
912 Lyall Street [Lot 7, Block H, Section 11, Esquimalt District, Plan 292], Staff Report DEV-16-036

Senior Planner provided a overview of rezoning application of 468 Head Street, presented a PowerPoint Presentation and responded to questions from Council.

Peter Hardcastle, Hillel Architecture Inc., provided an overview of rezoning application, presented a PowerPoint Presentation and responded to questions from Council.

Comments from Council included:

- \* Bike racks and stands available
- \* Public art proposal with development
- \* Units will be part of a Strata and available for rent by owner
- \* Parking for residents and visitors and size of spaces
- \* Shadowing of building and impact on neighbouring properties
- \* Height, design and set backs of building
- \* Sidewalk revitalization as part of application
- \* Traffic Study results pertaining to surrounding roads and impact on neighbours
- \* Electric vehicle charging stations

Director of Development Services advised a Public Hearing would be prior to Council's Summer Recess.

Moved by Councillor Brame, seconded by Councillor Liberchuk: 1. That Council resolves that Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2873, attached to Staff Report DEV-16-036 as Schedule "A", which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 001-843-991 Lot 8, Block H, Section 11, Esquimalt District, Plan 292 [468 Head Street], PID 006-720-439, Lot 5, Block H, Section 11, Esquimalt District, Plan 292 [470 Head Street], PID 000-036-722, Lot 4, Block H, Section 11, Esquimalt District, Plan 292 [472

Head Street], PID 009-175-024, Lot 1, Block H, Section 11, Esquimalt District, Plan 292 [515 Gore Street], PID 009-175-016, Lot 2, Block H, Section 11, Esquimalt District, Plan 292 [509 Gore Street], PID 000-704-580, Strata Lot 1, Section 11, Esquimalt District, Strata Plan 509, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1 [922 Lyall Street], PID 000-704-598, Strata Lot 2, Section 11, Esquimalt District, Strata Plan 509, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1 [920 Lyall Street], PID 009-175-008, Lot 6, Block H, Section 11, Esquimalt District, Plan 292 [918 Lyall Street], and PID 009-174-885, Lot 7, Block H, Section 11, Esquimalt District, Plan 292 [912 Lyall Street] all of which are shown cross hatched on Schedule 'A' of Amending Bylaw No. 2873, from their current zoning designation, detailed on Schedule 'B' of Amending Bylaw No. 2873, to CD No. 98 [Comprehensive Development District No. 98] be given first and second reading; and

2. That Council authorizes the Corporate Officer to schedule a Public Hearing for Zoning Amendment Bylaw No. 2873, send mail notices and advertise for same in the local newspaper; and
3. That prior to the adoption of Bylaw No. 2873, the owner register a Section 219 Covenant on the titles to the properties in favour of the Township of Esquimalt, restricting use and development opportunities without the consolidation of the nine property titles, identified in Staff Report DEV-16-036, into one legal parcel and restricting the buildable area on the two adjacent properties to the southeast, 460 Head Street and 464 Head Street, to ensure an appropriate setback is provided between buildings along Lyall Street; and
4. That prior to the adoption of Bylaw No. 2873, the owner reimburse the Township of Esquimalt, for all legal fees incurred by the Township related to the preparation of Bylaw No. 2873, the Section 219 Covenant, and any other legal fees directly associated with this application. Carried Unanimously.

The meeting recessed at 9:05 PM and reconvened at 9:10 PM with all members of Council present. Council amended the order of the agenda to accommodate Mr. O' Hara's time constraints by moving Item. 9 (1)(2)(3) before Item 7. (9).

## 9. REPORTS FROM COMMITTEES

- 1) [16-224](#) Draft Minutes from the Environmental Advisory Committee, April 21, 2016
- 2) [16-225](#) Memorandum from the Environmental Advisory Committee, dated May 9, 2016, Re: Green Event Planning Guide - Measurable Activities and Visual Aids
- 3) [16-226](#) Memorandum from the Environmental Advisory Committee, dated May 9, 2016, Re: Request for Local

Government Input - Climate Action and Climate Leadership Plan

Patrick O'Hara, Vice Chair, Environmental Advisory Committee, responded to questions from Council. Council thanked the Committee for their hard work and commitment.

Council comments included (Staff response):

\* Council inquired whether reduction in Green House Gas emissions was included in the Township's purchasing policy. (Director of Development Services is to report back to Council).

Moved by Councillor Burton-Krahn, seconded by Councillor Liberchuk: That Council receive the Draft Minutes from the Environmental Advisory Committee, April 21, 2016 and receive and support the Memorandum from the Environmental Advisory Committee, dated May 9, 2016, Re: Green Event Planning Guide - Measurable Activities and Visual Aids and Memorandum from the Environmental Advisory Committee, dated May 9, 2016, Re: Request for Local Government Input - Climate Action and Climate Leadership Plan. Carried Unanimously.

**7. STAFF REPORTS continued**

9) [16-235](#) Exemption to Minimum Frontage Requirements for two proposed lots, 1038 Colville Road, Section 512 (2) Local Government Act, Staff Report DEV-16-037

Director of Development Services responded to questions from Council.

Moved by Councillor Low, seconded by Councillor Brame: That Council grant an exemption to the proposed minimum frontage on a highway for proposed Lots 1 and 2, Plan EPP59333 (1038 Colville Road) from 10 percent to 9.7 percent. Carried Unanimously.

**8. MAYOR'S AND COUNCILLORS' REPORTS**

There were no Mayor or Councillors' reports.

**10. COMMUNICATIONS**

1) [16-227](#) Letter from David Screech, Mayor, Town of View Royal, dated April 25, 2016, Re: BC Lottery Corporation's Interest in an Additional Casino in South Vancouver Island

Moved by Councillor Hundleby, seconded by Councillor Low: That Letter from David Screech, Mayor, Town of View Royal, dated April 25, 2016, Re: BC Lottery Corporation's Interest in an Additional Casino in South Vancouver Island and Email from Kelly Thorsteinson, City of Cranbrook, dated May 10, 2016, Re: City of Cranbrook Resolution Re: Fort McMurray be received.

Moved by Councillor Liberchuk, seconded by Councillor Burton-Krahn: That the Main Motion be separated and Council receive the Letter from

David Screech, Mayor, Town of View Royal, dated April 25, 2016, Re: BC Lottery Corporation's Interest in an Additional Casino in South Vancouver Island. Carried Unanimously.

2) [16-228](#) Letter from Gail Willson, dated April 26, 2016, Re: Garden Suite Policy

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council receive the Letter from Gail Willson, dated April 26, 2016, Re: Garden Suite Policy, refer to OCP review for discussion and Council direct staff to respond to Ms. Willson. Carried Unanimously.

3) [16-211](#) Email from Marlene Schaly, dated May 7, 2016, Re: Canada 150 Art Tree Project

Council comments included (Staff response in italics):

\* Is there representation from the Municipality participating in the Canada 150 Art Tree project? *Staff will research and advise Council.*

Moved by Councillor Brame, seconded by Councillor Low: That Council receive the Email from Marlene Schaly, dated May 7, 2016, Re: Canada 150 Art Tree Project and refer the English Version to Township Community Arts Council. Carried Unanimously.

4) [16-229](#) Email from Kelly Thorsteinson, City of Cranbrook, dated May 10, 2016, Re: City of Cranbrook Resolution Re: Fort McMurray

Moved by Councillor Liberchuk, seconded by Councillor Burton-Krahn: That Council approves a donation of \$1000 from the Contingency Fund for the City of Fort McMurray. Defeated.

In Favour: 2 - Councillor Brame, and Councillor Liberchuk

Opposed: 5 - Mayor Desjardins, Councillor Burton-Krahn, Councillor Hundleby, Councillor Low, and Councillor Morrison

## 11. NOTICE OF MOTION

1) [16-208](#) Task Force on Housing Policy, Councillors Low and Liberchuk

This Notice of Motion was referred to the Regular Council meeting scheduled for June 13, 2016 for discussion.

## 12. RISE AND REPORT

1) [16-207](#) Rise and Report - 2016 Committee Re-appointments and appointments, from May 2, 2016 In Camera meeting

Council passed the following Motion at its In Camera meeting held on May 2, 2016:

That Council make the following re-appointments and appointment:

1. Casey Brant is appointed to the Environmental Advisory Committee for an additional two year term from September 1, 2016 to June 30, 2018;

2. Gillian Larsen is appointed to the Parks & Recreation Advisory Committee for an additional two year term from September 1, 2016 to June 30, 2018;
3. Matteo Ferri is appointed as the Youth Representative to the Parks & Recreation Advisory Committee for an additional one year term from September 1, 2016 to June 30, 2017; and
4. Robert Shindelka is appointed to the Design Review Committee to replace Carl Rupp, as recommended by the Architectural Institute of BC, for the term effective May 12, 2016 to June 30, 2018.

2) Council passed the following Motion at its In Camera meeting held on May 16, 2016:

WHEREAS Council has established a strategic priority to enhance the health and liveability of the community and;

WHEREAS Council has also established a strategic priority to promote positive relationships and advance issues impacting the community;

THEREFORE BE IT RESOLVED that the Council of the Township of Esquimalt hereby authorizes the execution of the Fire Services Agreement which includes five participating municipalities to provide integrated fire services within the Capital Regional District.

**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.**

Marilyn Day, *resident*, expressed concern regarding a potential fire hazard at Macaulay Point due to campers, cigarette disposal and the length of grass and graffiti at Memorial Park. She also advised of Jacks Walk event scheduled for May 28 at Macaulay Fort.

**14. ADJOURNMENT**

Moved by Councillor Hundleby, seconded by Councillor Liberchuk: That the Regular Council meeting be adjourned at 9:30 PM. Carried Unanimously.

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MAYOR BARBARA DESJARDINS  
THIS date DAY OF month, 2016

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ANJA NURVO, CORPORATE OFFICER  
CERTIFIED CORRECT