



**CORPORATION OF THE
TOWNSHIP OF ESQUIMALT**
Minutes - Draft
Special Meeting of Council

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

Monday, July 11, 2016

5:45 PM

Esquimalt Council Chambers

Present 6 - Councillor Meagan Brame
 Councillor Beth Burton-Krahn
 Councillor Lynda Hundleby
 Councillor Olga Liberchuk
 Councillor Susan Low
 Councillor Tim Morrison

Absent 1 - Mayor Barbara Desjardins

Staff: Laurie Hurst, Chief Administrative Officer
 Blair McDonald, Director of Community Safety Services
 Anja Nurvo, Director of Corporate Services
 Chris Jancowski, Fire Chief
 Darrell McLean, Bylaw Management Officer
 Rachel Dumas, Recording Secretary

Others: Jason Laidman, Acting Inspector, VicPD, Esquimalt Division
 Dana Goodfellow, Municipal Solicitor

1. CALL TO ORDER

Councillor Low, Acting Mayor, called the Special Council meeting to order at 5:45 PM.

2. LATE ITEMS

**Pertaining to Agenda Item 5. STAFF REPORT (1) Unsightly Property - 1106
Lockley - Request for Remedial Action, Staff Report CSS-16-008**

- (1) Email dated June 10, 2016 from Ian Irvine, Director of Financial Services, to Ms. Spilka
- (2) Email dated June 11, 2016 from Brian Blackwell to Blair McDonald, Director of Community Safety Services
- (3) Notes by Laurie Hurst, CAO, of telephone conversation on June 13, 2016 between Anja Nurvo, Director of Corporate Services, Ms. Spilka and Mr. Daniel Evans
- (4) Email dated June 14, 2016 from Ms. Spilka confirming email address of ruzenka7@yahoo.com [<mailto:ruzenka7@yahoo.com>](mailto:ruzenka7@yahoo.com)
- (5) Email dated June 16, 2016 from Anja Nurvo to Brian Blackwell re service of documents on Ms. Spilka
- (6) Email dated June 17, 2016 from Anja Nurvo to Brian Blackwell re Agency and Authorization form
- (7) Affidavit of Service dated June 17, 2016 from Brian Blackwell re service of

- documents on Mr. Daniel Evans on behalf of Ms. Spilka
- (8) Agency Appointment and Authorization, dated June 17, 2016, signed by Ms. Spilka appointing Daniel Evans as her agent for the purposes of 1106 Lockley Road, along with fax cover sheet
 - (9) Email dated June 30, 2016 from Darrell McLean, Bylaw Management Officer, to Ms. Spilka
 - (10) Email dated June 29, 2016 to Darrell McLean re complaint about 1106 Lockley Road (redacted)
 - (11) Property Tax Reports re 1106 Lockley Road:
 - 2015 Property Taxes (Home Owner Grant claimed June 19, 2015, \$4,766.09 taxes paid in full July 2, 2015);
 - 2016 Property Taxes (Home Owner Grant claimed June 26, 2016, \$4,766.09 taxes paid June 27, 2016, outstanding balance \$1,625.06)
 - 2016 Property Tax Notice (which was mailed to Ms. Spilka to her Seattle address)

3. APPROVAL OF THE AGENDA

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

4. PUBLIC INPUT (On items listed on the Agenda) Excluding items which are or have been the subject of a Public Hearing.

Councillor Low, Acting Mayor, called three times and there was no public input.

5. STAFF REPORT

Community Safety Services

- 1) [16-167](#) Unsightly Property - 1106 Lockley - Request for Remedial Action, Staff Report CSS-16-008

Director of Community Safety Services played 5 videos of the subject property for Council's information and responded to questions from Council. Mr. Daniel Evans, owner representative, advised the owner, Ms. Spilka, would like to sell the property "as is" with the intention that the house will be demolished, and responded to questions from Council. Ms. Goodfellow responded to questions from Council on options available for Council to deal with the property and timelines.

The meeting recessed at 6:40 PM and reconvened at 6:51 PM with all members of Council present except Mayor Desjardins.

Director of Community Safety Services reviewed the proposed revised Resolution with Council and responded to questions from Council .

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council initiate the remedial action process outlined in sections 72 through 80 as well as sections 17, 80 and 258 of the Community Charter, SBC 2003, c. 26, and make/pass the following declarations and resolutions:

The building on the property with a civic address of 1106 Lockley Road, Esquimalt, British Columbia, V9A 4S3 and with a legal description of Lot 7, Block 3, Section 10, Esquimalt District, Plan 5240, Parcel Identifier Description: 000-329-339 (the "Property") is so unclean as to be offensive to the community, is hazardous to those persons who may enter or occupy the building, and is a nuisance;

The building on the Property (the "Building") is in an unsanitary condition or creates an unsafe condition in that the Building fails to comply with the Township's Maintenance of Property and Nuisance Regulation Bylaw, 2014, No. 2826 and the Township's Fire Protection and Control Bylaw, 2014, No. 2783 which contraventions relate to unsanitary conditions and safety of the Building;

Doubrovka Bohumila Spilka, the registered owner of the Property, is required to remediate the Property by:

(1) baiting and trapping of rodents, vermin or other destructive animals by professional exterminator within the Building;

(2) removal of feces of rodents, vermin or other destructive animals within the Building;

(3) cleaning and sanitizing all surfaces and items within the Building;

(4) removal of the unsanitary/soiled/rodent infested or rodent feces and urine saturated items, spoiled foods and food containers and other items that are rodent, vermin or other noxious or destructive animal attractants; and

(5) demolition of the Building and installation of chain link fence around the perimeter of the Property

within 30 days of the resolution being served in accordance with section 77 of the Community Charter.

In the event that Ms. Spilka fails to comply with the order of Council, Council further orders and thereby authorizes the Township's Director of Community Safety Services or his designate to conduct or cause to have conducted, including engagement of contractors, tradespeople and other resources for:

(1) the necessary remediation, demolition of the Building and installation of chain link fence as previously specified in accordance with section 17 of

the Community Charter, and at the owners' expense; and

(2) the sale of any salvageable items on the Property in accordance with sections 17 and 80 of the Community Charter, and at the owner's expense; and

If Ms. Spilka fails to comply with the order of Council, and the Township fulfills the requirements of the order of the Council, the costs that the Township incurs in so doing will be at the expense of Ms. Spilka, and in the event of Ms. Spilka's default of paying the costs by December 31 in the year in which the Township fulfills the requirements of the order of Council, the costs will be added to the owner's property taxes and deemed to be taxes in arrears, in accordance with sections 17 and 258 of the Community Charter.

Carried.

In Favour: 5 - Councillor Brame, Councillor Burton-Krahn, Councillor Hundleby, Councillor Liberchuk, and Councillor Morrison

Opposed: 1 - Councillor Low

Absent: 1 - Mayor Desjardins

6. ADJOURNMENT

Moved by Councillor Burton-Krahn, seconded by Councillor Brame: That the Special Council meeting be adjourned at 7:11 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS date DAY OF month, 2016

ANJA NURVO, CORPORATE OFFICER
CERTIFIED CORRECT