



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Minutes - Final Council

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

Monday, October 26, 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 with respect that we are within the Traditional Territories of the Esquimalt and Songhees First Nations.

Mayor Desjardins acknowledged the success of the Japanese Cultural Fair at the Esquimalt Recreation Center on Saturday 24th October, 2015 and thanked the Japanese Consulate Representative who attended the event and visited the Community. Mayor Desjardins also attended the Canada/China Friendship Association Dinner.

2. LATE ITEMS

The following late items were added to the agenda:

Pertaining to Agenda Item 7. DELEGATIONS (1) Delegation was cancelled.

Add to Agenda Item 9. STAFF REPORTS (4) Development Variance Permit No. DVP00037, 8-300 Plaskett Place, Staff Report DEV-15-052

- (1) Letter dated October 23, 2015 from David and Karen James, 6-300 Plaskett Place, Re: Development Variance Permit Notice for the deck built at #8-300 Plaskett Place
- (2) Email dated October 23, 2015 from Mary and Gerry Madden, 7-300 Plaskett

Place, Re: Deck at 8-300 Plaskett Place

- (3) Package of documents received October 26, 2015 from Gary Brennan, 10-300 Plaskett Place, Re: Variance Application for #8-300 Plaskett Place

3. APPROVAL OF THE AGENDA

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

4. MINUTES

- 1) [15-460](#) Minutes of the Regular Meeting of Council, September 28, 2015
- 2) [15-472](#) Minutes of the Regular Meeting of Council, October 5, 2015
- 3) [15-473](#) Minutes of the Special Meeting of Council, October 13, 2015

Moved by Councillor Morrison, seconded by Councillor Liberchuk: That the Minutes of the Regular Meeting of Council, September 28, 2015, Minutes of the Special Meeting of Council, October 13, 2015 and Minutes of the Meeting of Council, October 5, 2015 as amended for Item 9.(1), be adopted. Carried Unanimously.

5. PUBLIC HEARING

The Public Hearing is to afford all persons who deem their interest in property affected by the Bylaw an opportunity to be heard or to present written submissions before the Municipal Council on matters contained in the Bylaw.

- 1) [15-474](#) Notice of Public Hearing - Rezoning Application, 865/ 867 Kindersley Road, PID 004-671-961, Lot A, Section 10, Esquimalt District, Plan 12881

2) Background Information - Available for Viewing Separately

3) Director of Development Services - Overview of Application

The Senior Planner provided an overview of the Rezoning Application for 865/867 Kindersley Road, reviewed a Powerpoint Presentation and responded to questions from Council.

4) Applicant or Authorized Representative - Overview of Application

Shaun Wedick, Developer, provided a further Design Overview of the application and responded to questions from Council.

5) Public Input

There was no Public Input.

Mayor Desjardins called three times for additional input and there was none.

6) Adjournment of Hearing

Mayor Desjardins declared the Public Hearing closed at 7:25 PM.

7) *Consideration of Staff Recommendation*

- a) [15-464](#) Rezoning Application, 865/ 867 Kindersley Road, PID 004-671-961, Lot A, Section 10, Esquimalt District, Plan 12881, Staff Report DEV-15-051

Moved by Councillor Liberchuk, seconded by Councillor Morrison: That Council, upon considering the comments made at the Public Hearing, resolves that Amendment Bylaw No. 2858, attached as Schedule 'A' to Staff Report DEV-15-051, 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 [865/867 Kindersley Road] 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 read a third time and adopted. Carried Unanimously.

6. PRESENTATIONS

- 1) [15-476](#) Presentation of Volunteer Spirit Award to the Esquimalt Kiwanis Club

Mayor Desjardins presented the Volunteer Spirit Reward to Members of the Esquimalt Kiwanis Club for their outstanding contribution to serve the Community by improving the quality of life directly through activities promoting health and education and encouraging leadership and service among youth. The Mayor acknowledged that their dedication, time and fundraising will be missed, as the Club disbands and wishes them the best with their next endeavours.

7. DELEGATIONS

- 1) [15-475](#) Sam Yehia, The Cambie Malone's Corporation, Re: Application to Expand Existing Liquor Retail Store 852 - 858 Esquimalt Road

This item was deleted from the agenda.

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, expressed concerns regarding the hedge at Lampson Street and Head Street. The signage is hidden, due to overgrown foliage which reduces sightlines and creates an unsightly area.

Karen James, resident, expressed concerns and opposition to Development Variance Permit (DVP) Application for 8- 300 Plaskett Place being approved.

Jane Frindt, resident, expressed concerns of depreciation of property value, if DVP00037 Application for 8- 300 Plaskett Place was approved.

Gary Brennan, resident, expressed privacy, social and structural concerns and opposition to DVP00037 Application for 8- 300 Plaskett Place being approved, as water view sightlines would be disrupted for Strata residents.

Teodora Kristof, resident, expressed concerns regarding traffic flow on Admirals Road, between Fraser Street and Lyall Street and suggested restricting parking to one side of the road only. She also requested that Council approve DVP00037 Application for 8- 300 Plaskett Place, Re: Deck.

Mark Eraut, Owner Bingo Esquimalt, encouraged Council to support Esquimalt hosting a Community Casino, due to the community benefits.

Bill Rowe, resident, expressed concerns Re: Development Variance Permit (DVP) Application process for 8- 300 Plaskett Place and opposition to application being approved.

9. STAFF REPORTS

Finance

- 1) [15-461](#) Local Grant - Esquimalt High School Athletics Program, Staff Report FIN-15-018

Director of Finance advised the applicant was in attendance.

Mike Thompson, teacher, and 4 students addressed Council, provided an overview of Local Grant application for Esquimalt High School Athletics Program and responded to questions from Council.

Moved by Councillor Brame, seconded by Councillor Burton-Krahn: That Council approve the request for the local grant amount of \$2,750.00 for the Esquimalt High School Athletics Program as provided in Council Policy No. ADMIN-29. Carried Unanimously.

Administration

- 2) [15-470](#) Repeal of "Building Repair or Demolition Bylaw (973 Lampson Place), 2000, No. 2440", Staff Report ADM-15-039

Moved by Councillor Hundleby, seconded by Councillor Low: That Council repeal the "Building Repair or Demolition Bylaw (973 Lampson Place), 2000, No. 2440" and direct staff to cancel the Notice registered against the title to the subject property. Carried Unanimously.

Community Safety Services

- 3) [15-466](#) Boulevard Maintenance Bylaw, 2015, No. 2860 - Staff Report CSS-15-019

Director of Community Safety Services clarified liability, public education and weed concerns and responded to questions from Council.

Council suggested educating residents regarding the use of pesticides to eliminate weeds on the boulevard and negative affect on Storm Water Management, including Gorge Waterway.

Moved by Councillor Low, seconded by Councillor Hundleby: That Council give first, second and third readings to the Boulevard Maintenance Bylaw, 2015, No. 2860. Carried Unanimously.

Development Services

- 4) [15-465](#) Development Variance Permit No. DVP00037, 8-300 Plaskett Place, Staff Report DEV-15-052

Director of Development Services advised, Building Schemes are enforced by the Strata and not Municipality and responded to questions to Council. Director of Community Safety services responded to questions from Council.

Council comments included (Staff response in italics):

* Was a Stop Work Order issued for the construction of the deck? *Yes.*

* Did the existing deck replace another deck? *No.*

* Official Community Plan. *Development Permit Guidelines do not apply.*

* What are the Strata Council Enforcement actions? *Do not know.*

* Referenced Regional Context Statement and Shoreline Guidelines.

* Contravention of Building and Zoning Bylaws and impact on neighbours.

Moved by Councillor Liberchuk, seconded by Councillor Low: That Council permit the applicant to address Council. Carried.

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

Opposed: 1 - Councillor Burton-Krahn

The applicant addressed neighbours' concerns, requested Council visit the property and responded to questions from Council.

Moved by Councillor Morrison, seconded by Councillor Brame: That Council deny Development Variance Permit No. DVP00037 application, as attached to Staff Report DEV-15-052. Carried Unanimously.

- 5) [15-467](#) 2016 Age-friendly Community Planning & Project Grants Application, Staff Report No. DEV-15-053

Moved by Councillor Liberchuk, seconded by Councillor Low: That Council support an application to the 2016 Age-friendly Community Planning & Project Grant for \$20,000 to conduct a needs assessment of seniors living in Esquimalt and direct staff to provide overall management of the grant. Carried Unanimously.

10. BYLAWS

- 1) [15-452](#) Tax Exemption (Non-Profit Organizations) Bylaw, 2015, No. 2857, for Adoption

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council adopt the Tax Exemption (Non-Profit Organizations) Bylaw, 2015, No. 2857. Carried Unanimously.

11. MAYOR'S AND COUNCILLORS' REPORTS

- 1) [15-459](#) Councillor Susan Low, UBCM Convention 2015

Council acknowledged the endorsement of C35, Optional Electric Vehicle Infrastructure at UBCM 2015.

Moved by Councillor Low, seconded by Councillor Burton-Krahn: That Councillor Lows' Report Re: UBCM Convention 2015 be received. Carried Unanimously.

- 2) [15-477](#) Councillor Meagan Brame - School Liaison Report

Councillor Brame provided a Verbal Report, as Council School Liaison and advised of her recent meeting with the Principal of Rockheights Middle School. The school currently has 210 students enrolled and advised that the Schools' upcoming Remembrance Day Service, "No Stone Left Alone" will be held November 6. This will be the last year for the Hockey Academy due to lack of attendance. The school recently received a \$4000 Farm to School Grant, bringing local food to school by developing a Community Garden. Council suggested the Student Council attend a Council meeting and address Council.

Moved by Councillor Brame, seconded by Councillor Liberchuk: That Councillor Brame's Verbal Report Re: School Liaison, be received. Carried Unanimously.

- 3) [15-478](#) Mayor Barbara Desjardins - Appointment of Council Liaison to Association of BC Marine Industries

Mayor Desjardins advised that, Councillor Hundleby is to be appointed as the Council Liaison to the Association of BC Marine Industries.

Moved by Councillor Hundleby, seconded by Councillor Brame: That Mayor Desjardins' Verbal Report Re: Appointment of Council Liaison to Association of BC Marine Industries be received and that Council approve Councillor Hundleby as Council Liaison to the Association of BC Marine Industries. Carried Unanimously.

12. COMMUNICATIONS

- 1) [15-479](#) Letter from Greg Walker, BCLC, dated September 20, 2015, Re: Gaming Market Potential

Comments from Council included:

- * Benefits and risks of having a casino located in Esquimalt.
- * Addiction concerns.
- * Employment opportunities.
- * Public Input.
- * Non - binding, support further information now and can withdraw later at any time.

Moved by Councillor Brame, seconded by Councillor Morrison: That Council receive the Letter from Greg Walker, BCLC, dated September 20, 2015, Re: Gaming Market Potential and direct staff to prepare a draft expression of interest for submission to BCLC for Council's review. Carried.

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

Opposed: 2 - Councillor Hundleby, and Councillor Low

- 2) [15-480](#) Email from Derek Sturko, Deputy Minister, Ministry of Agriculture, dated October 6, 2015, Re: Draft Minister's Bylaw Standards on Agri-tourism and Farm Retail Sales

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council receive the Email from Derek Sturko, Deputy Minister, Ministry of Agriculture, dated October 6, 2015, Re: Draft Minister's Bylaw Standards on Agri-tourism and Farm Retail Sales and forward to the Environmental Advisory Committee for review and input. Carried Unanimously.

- 3) [15-481](#) Email from Laurie Gourlay, President, Vancouver Island and Coast Conservation Society, dated October 13, 2015, Re: Proclamation Request

Moved by Councillor Burton-Krahn, seconded by Councillor Liberchuk: That Council Proclaim and receive the Email from Laurie Gourlay, President, Vancouver Island and Coast Conservation Society, dated October 13, 2015, Re: Proclamation Request. Carried Unanimously.

- 4) [15-482](#) Letter from Sandra Richardson, CEO, Victoria Foundation, dated October 8, 2015, Re: Random Act of Kindness Day

Moved by Councillor Low, seconded by Councillor Brame: That Council Proclaim and receive the Letter from Sandra Richardson, CEO, Victoria Foundation, dated October 8, 2015, Re: Random Act of Kindness Day. Carried Unanimously.

- 5) [15-483](#) Email from Micha Menczer, Vice President, Victoria Holocaust Remembrance and Education Society, dated October 20, 2015, Re: Invitation to Kristallnacht Commemoration Event

Moved by Councillor Burton-Krahn, seconded by Councillor Hundleby: That Council receive the Email from Micha Menczer, Vice President, Victoria Holocaust Remembrance and Education Society, dated October 20, 2015, Re: Invitation to Kristallnacht Commemoration Event and send a letter advising

regrets and acknowledgement of event. Carried Unanimously.

13. NOTICE OF MOTION

- 1) [15-463](#) Notice of Motion re Derelict Boats, Councillor Burton-Krahn

The Notice of Motion Re: Derelict Boats, was introduced to Council.

14. RISE AND REPORT

- 1) [15-462](#) Rise and Report from Special In Camera Council meeting held October 13, 2015

Mayor Desjardins read the following:

- 1) Release of the Request for Proposals re Esquimalt Village Project, as soon as possible, as attached as Schedule "A" to Staff Report DEV-15-050, as amended; and
- 2) That staff prepare a letter to West Side Solutions Committee advising that the Esquimalt Village Project site is not to be considered further for a sewage treatment plant.

15. PUBLIC QUESTION AND COMMENT PERIOD

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

Limit of two minutes per speaker.

Peter Ryan , resident, expressed support for seeking more information regarding a possible casino in Esquimalt. and suggested the Cambie Liquor Store undergo esthetic maintenance, if the proposed expansion of the store is approved.

16. ADJOURNMENT

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Regular Council meeting be adjourned at 8:49 PM. Carried Unanimously.

MAYOR BARBARA DESJARDINS
THIS 16TH DAY OF NOVEMBER, 2015

ANJA NURVO, CORPORATE OFFICER
CERTIFIED CORRECT