



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Minutes - Draft

Council

Monday, May 2, 2016

7:00 PM

Esquimalt Council Chambers

Present: 6 - Mayor Barbara Desjardins
Councillor Meagan Brame
Councillor Beth Burton-Krahn
Councillor Lynda Hundleby
Councillor Olga Liberchuk
Councillor Susan Low

Absent: 1 - Councillor Tim Morrison

Staff: Laurie Hurst, Chief Administrative Officer
Bill Brown, Director of Development Services
Ian Irvine, Director of Financial Services
Chris Jancowski, Fire Chief
Anja Nurvo, Director of Corporate Services
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.

2. LATE ITEMS

There were no late items.

3. APPROVAL OF THE AGENDA

Moved by Councillor Liberchuk, seconded by Councillor Hundleby: That the agenda be approved as circulated. Carried Unanimously.

4. MINUTES

- 1) [16-186](#) Minutes of the Special Meeting of Council, April 13, 2016
- 2) [16-187](#) Minutes of the Special Meeting of Council, April 18, 2016
- 3) [16-188](#) Minutes of the Regular Meeting of Council, April 18, 2016
- 4) [16-195](#) Minutes of the Special Meeting of Council, April 27, 2016

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Minutes of the Special Meeting of Council, April 13, 2016, Minutes of the Special Meeting of Council, April 18, 2016, Minutes of the Regular Meeting of Council, April 18, 2016 and Minutes of the Special Meeting of Council, April 27, 2016 be adopted as circulated. Carried Unanimously.

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

Mayor Desjardins called three times and there was no public input.

6. STAFF REPORTS

Fire

- 1) [16-179](#) Regional Tower Crane Rescue Services Agreement, Staff Report No. FIRE-16-002

Fire Chief provided a brief overview of Regional Tower Crane Rescue Services Agreement and responded to questions from Council.

Council comments included (Staff response in italics):

Do other Municipalities charge developers for this service? *No agreements in place to date.*

Moved by Councillor Liberchuk, seconded by Councillor Hundleby: That the Corporation of the Township of Esquimalt enter into a Regional Tower Crane Rescue Services Agreement with the Corporation of the District of Saanich and the Corporation of the City of Victoria for an additional five (5) year term commencing on May 1, 2016. Carried Unanimously.

Finance

- 2) [16-177](#) 2015 Audited Financial Statements, Staff Report FIN-16-006

Moved by Councillor Low, seconded by Councillor Hundleby: That Council receive and approve the Township's audited financial statements for the year ended December 31, 2015 attached to Staff Report No. FIN-16-006. Carried Unanimously.

Development Services

- 3) [16-153](#) Development Variance Permit - 1188 Esquimalt Road, [PID 006-074-448, Lot 9, Block 4, Section 11, Esquimalt District, Plan 83], Staff Report DEV-16-025

Moved by Councillor Burton-Krahn, seconded by Councillor Liberchuk: That Council resolves that Development Variance Permit No. DVP00044 [Appendix A], authorizing the construction as shown on the architectural plans prepared by Joe Newell Architect Inc., stamped "Received February 16, 2016", and sited as detailed on the survey plans prepared by Powell and Associates, BCLS stamped "Received April 14, 2016" and including the following relaxations to Zoning Bylaw, 1992, No. 2050, be approved, and staff be directed to issue the permit and register the notice on the title of the property located at PID 006-074-448, Lot 9, Block 4, Section 11, Esquimalt District, Plan 83 [1188 Esquimalt Road]:

Zoning Bylaw, 1992, No. 2050, Section 44.1 (4)(a) - Lot Coverage An 8.0% increase to the requirement that all principal buildings, accessory buildings and structures combined shall not cover more than 30% of the area of a parcel [i.e. increase from 30% to 38% lot coverage]. Carried Unanimously.

- 4) [16-176](#) Guiding Principles - Wastewater Treatment in Esquimalt, Staff Report DEV-16-028

Chief Administrative Officer advised the deadline to receive public comment should be May 10, 2016 and not May 16, 2016 as stated in the recommendation.

Comments from Council included:

* Add "...reduction of green house gas emissions in the region" to Principle 4.

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council authorize staff to post the "Draft Ten Guiding Principles for the siting of a Wastewater Treatment Plant in Esquimalt" (with any amendments approved by Council), attached to Staff Report DEV-16-028 on the Township's website, by social media and ask for comments by May 10, 2016. Carried Unanimously.

- 5) [16-180](#) Rezoning Application, 826 Esquimalt Road, PID 006-075-495, Lot 2, Section 11, Esquimalt District, Plan 4225, Staff Report DEV-16-029

Director of Development Services advised a Section 219 covenant has been registered on title.

Moved by Councillor Brame, seconded by Councillor Low: That Council resolves that Amendment Bylaw No. 2864, attached as Schedule 'A' to Staff Report DEV-16-029, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 006-075-495, Lot 2, Section 11, Esquimalt District, Plan 4225 [826 Esquimalt Road] shown cross hatched on Schedule 'A' of Bylaw No. 2864, from RD-3 [Two Family/Single Family Residential] to CD No. 96 [Comprehensive Development District No. 96], be adopted. Carried Unanimously.

- 6) [16-184](#) Council consultation with persons, organizations, and authorities it considers may be affected by proposed amendment to OCP for Esquimalt Village Project, 1235 Esquimalt Road (Lot 1, Section 11, Suburban Lot 40, Esquimalt District, Plan EPP32782), Staff Report DEV-16-030

Moved by Councillor Brame, seconded by Councillor Hundleby: That Council, having considered Sections 475 and 476 of the Local Government Act, authorize staff to invite those persons, organizations and authorities identified in the "OCP Amendment Circulation List" attached to Staff report DEV-16-030 to provide comments on the proposed amendment to the Official Community plan for the Esquimalt Village Project.

Moved by Councillor Brame, seconded by Councillor Low: That the Main Motion be amended to add Esquimalt Early Years Coalition to the proposed consultation list. Carried Unanimously.

Moved by Councillor Liberchuk, seconded by Councillor Brame: That the Main Motion be amended to extend the adjacent buildings boundary to Comerford Street. Carried Unanimously.

Moved by Councillor Hundleby, seconded by Councillor Brame: That the Main Motion be amended to add the Esquimalt Healthcare Unit and Daycare Facilities to the proposed consultation list. Carried Unanimously.

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

7. **BYLAWS**

- 1) [16-171](#) Bylaw Notice Enforcement Bylaw, 2014, No. 2839, Amendment Bylaw [No. 4], 2016, No. 2869 - for Adoption

Moved by Councillor Brame, seconded by Councillor Hundleby: That Bylaw Notice Enforcement Bylaw, 2014, No. 2839, Amendment Bylaw [No.4], 2016 be adopted. Carried Unanimously.

- 2) [16-172](#) Building Code Bylaw, 2002, No. 2538, Amendment Bylaw [No. 8], 2016, No. 2870 - for Adoption

Comments from Council included:

* Secondary Suite registry

Moved by Councillor Hundleby, seconded by Councillor Brame: That Building Code Bylaw, 2002, No. 2538, Amendment Bylaw [No. 8], 2016, No. 2870 be adopted. Carried Unanimously.

- 3) [16-173](#) Financial Plan Bylaw, 2016, No. 2871 - for Adoption

Moved by Councillor Brame, seconded by Councillor Hundleby: That Financial Plan Bylaw, 2016, No. 2871 be adopted. Carried Unanimously.

- 4) [16-174](#) Tax Rates Bylaw, 2016, No. 2872 - for Adoption

Moved by Councillor Liberchuk, seconded by Councillor Brame: That Tax Rates Bylaw, 2016, No. 2872 be adopted. Carried Unanimously.

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

- 1) [16-169](#) Association of Vancouver Island Coastal Communities 2016 Conference, Councillor Lynda Hundleby

Moved by Councillor Hundleby, seconded by Councillor Brame: That Councillor Hundleby's Report Re: Association of Vancouver Island Coastal Communities, 2016 Conference be received. Carried Unanimously.

Councillor Hundleby advised of her attendance at two other events: Earth Day at Highrock Park on April 20, 2016 and Esquimalt Emergency Management

Stakeholder Forum at Municipal Hall on April 28, 2016.

9. REPORTS FROM COMMITTEES

- 1) [16-170](#) Adopted Minutes from the Advisory Planning Commission, January 21, 2016
- 2) [16-175](#) Adopted Minutes from the Advisory Planning Commission, March 15, 2016

Moved by Councillor Burton-Krahn, seconded by Councillor Liberchuk: That the Adopted Minutes from the Advisory Planning Commission, January 21, 2016 and Adopted Minutes from the Advisory Planning Commission, March 15, 2016 be received. Carried Unanimously.

10. COMMUNICATIONS

- 2) [16-190](#) Email from Cathy Leahy, Capital Regional District, dated April 12, 2016, Re: Correspondence from Minister of Environment Re: CRD Core Area Liquid Waste Management Plan Amendment No. 10
- 3) [16-191](#) Letter from Brad Desmarais, Vice President, Casino and Community Gaming, BCLC, dated April 14, 2016, Re: Expression of Interest - Gaming Facility
- 4) [16-192](#) Letter from Stephanie Smith, President, BCGEU, dated April 14, 2016, Re: Sale of Wine in Grocery Stores and Distance Rule

Moved by Councillor Liberchuk, seconded by Councillor Brame: That the Email from Cathy Leahy, Capital Regional District, dated April 12, 2016, Re: Correspondence from Minister of Environment Re: CRD Core Area Liquid Waste Management Plan Amendment No. 10, Letter from Brad Desmarais, Vice President, Casino and Community Gaming, BCLC, dated April 14, 2016, Re: Expression of Interest - Gaming Facility and Letter from Stephanie Smith, President, BCGEU, dated April 14, 2016, Re: Sale of Wine in Grocery Stores and Distance Rule be received. Carried Unanimously.

- 1) [16-189](#) Letter from Minister Peter Fassbender, Ministry of Community, Sport and Cultural Development, dated April 8, 2016, Re: Availability and Provision of Transportation and Accommodation Services

Moved by Councillor Hundleby, seconded by Councillor Liberchuk: That the Letter from Minister Peter Fassbender, Ministry of Community, Sport and Cultural Development, dated April 8, 2016, Re: Availability and Provision of Transportation and Accommodation Services be received and referred to Committee of the Whole meeting for discussion including public engagement options. Carried Unanimously.

- 5) [16-193](#) Email from Citizen Engagement, dated April 25, 2016, Re: Community Meeting: Proposed Gorge Waterway Zoning

Amendment

Councillor Burton-Krahn will attend the Community Meeting Re: Proposed Gorge Waterway Zoning Amendment scheduled for May 5, 2016 and provide a report for Council review.

Moved by Councillor Hundleby, seconded by Councillor Burton-Krahn: That the Email from Citizen Engagement, dated April 25, 2016, Re: Community Meeting: Proposed Gorge Waterway Zoning Amendment be received and Council consider Public Consultation. Carried Unanimously.

- 6) [16-194](#) Letter from Minister Shirley Bond, Ministry of Jobs, Tourism and Skills Training and Walt Judas, Chief Executive Officer, Tourism Industry Association of BC, dated April 26, 2016, Re: Tourism Week

Moved by Councillor Hundleby, seconded by Councillor Brame: That the Letter from Minister Shirley Bond, Ministry of Jobs, Tourism and Skills Training and Walt Judas, Chief Executive Officer, Tourism Industry Association of BC, dated April 26, 2016, Re: Tourism Week be received and refer to staff to prepare a report Re: Tourism Week communication options for Council consideration. Defeated.

In Favour: 3 - Mayor Desjardins, Councillor Brame, and Councillor Hundleby

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

Absent: 1 - Councillor Morrison

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Letter from Minister Shirley Bond, Ministry of Jobs, Tourism and Skills Training and Walt Judas, Chief Executive Officer, Tourism Industry Association of BC, dated April 26, 2016, Re: Tourism Week be received. Carried Unanimously.

Moved by Councillor Low, seconded by Councillor Brame: That Council Proclaim National Tourism Week - May 29 to June 4, 2016 and post to the Municipal website. Carried Unanimously.

11. NOTICE OF MOTION

- 1) [16-154](#) Notice of Motion - Councillor Brame - Parental Rights for Elected Officials

Moved by Councillor Brame, seconded by Councillor Hundleby: WHEREAS: the BC Employment Standards Act guarantees the rights of parents to maternity and parental leave;

AND WHEREAS: the Local Government Act and Community Charter fail to protect parental rights of local government elected officials, requiring council or regional district board approval of leave for elected officials who become parents;

THEREFORE BE IT RESOLVED: that the Township of Esquimalt support

the resolution that was carried at the April 2016 AVICC Conference requesting that UBCM encourage the Provincial government to amend the Local Government Act and the Community Charter to guarantee maternity and parental leave for elected officials to be consistent with the Employment Standards Act provisions following the birth or adoption of a child;

AND THEREFORE BE IT FURTHER RESOLVED: that the legislation be amended to permit the elected official to return to work on the same terms that were in place at the start of their leave, and that any changes in the elected official's appointments to committees, boards or commissions will not be made as a result of the maternity or parental leave. Carried Unanimously.

12. PUBLIC QUESTION AND COMMENT PERIOD

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

Mayor Desjardins called three times and there was no public input.

13. ADJOURNMENT

Moved by Councillor Brame, seconded by Councillor Hundleby: That the Regular Council meeting be adjourned at 7:38 PM. Carried Unanimously.