



# **CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

**MINUTES  
REGULAR MEETING  
OF MUNICIPAL COUNCIL  
MONDAY, FEBRUARY 20, 2012**

**7:00 P.M.  
COUNCIL CHAMBERS**

**PRESENT:** Acting Mayor Meagan Brame  
Councillor Dave Hodgins  
Councillor Lynda Hundleby  
Councillor Robert McKie  
Councillor Tim Morrison  
Councillor David Schinbein

**REGRETS:** Mayor Barbara Desjardins

**STAFF:** Jeff Miller, Acting Chief Administrative Officer  
Barbara Snyder, Director of Development Services  
Louise Payne, Recording Secretary

**1. CALL TO ORDER**

Acting Mayor Brame called the Regular Meeting of Council to order at 7:00 p.m.

**2. LATE ITEMS**

The following late items were added to the Agenda:

- Added to Item 9. Communications – (6) Catch the Wave 100 – Tristan Taylor Trust Fund and Benefit; and
- Add to Item 12. Motion to go *In Camera* – Pursuant to Section 90 of the *Community Charter* to discuss:
  - Labour relations or other employee relations; and
  - The security of the property of the municipality; in accordance with Section 90 (1) c) and (d) of the *Community Charter*, and that the general public be excluded.

**3. APPROVAL OF THE AGENDA**

**MOTION:** Moved by Councillor Hodgins/Councillor McKie:  
That the Agenda be approved as amended.

**CARRIED UNANIMOUSLY.**

**4. MINUTES**

**MOTION:** Moved by Councillor Schinbein/Councillor McKie:  
That the minutes of the following meetings be approved as circulated:  
(a) Special Meeting of Council, February 6, 2012;  
(b) Regular Meeting of Council, February 6, 2012; and  
(c) Special Meeting of Council, February 13, 2012.

**CARRIED UNANIMOUSLY.**

**5. PUBLIC INPUT**

There was no public input.

**6. STAFF REPORTS**

*Administration*

- (1) Committee Appointment – Extensions, Staff Report No. ADM-12-016

**MOTION:** Moved by Councillor Hundleby/Councillor Brame:  
That Council extend the terms of all existing members of the community currently appointed to any of the Township's existing Committees, the Advisory Planning Commission and the Board of Variance to March 31<sup>st</sup>, 2012.

**Council comments:**

- Concern with number of applications – 30 vacancies but only 25 applications to date;
- May be one or two committees not attracting interest but don't want to hold up all committee recruitment;

- Concerned about APC not meeting and delaying development applications;
- Chamber of Commerce has sent out requests for applicants;
- Option to allow residents to sit on more than one committee;
- Those who have applied have not heard anything about the recruitment process; therefore need to let everyone know that the recruitment deadline has been extended;
- Consider an honorarium for committee participants.

**MOTION:** That the motion be amended to add the following:  
*“and that Council proceed with the interview and selection process scheduled for February 27<sup>th</sup> and 28<sup>th</sup>, and fill unappointed positions on committees at a later date.”*

**CARRIED** (Acting Mayor Brame and Councillor Hundleby opposed).

The question was called on the motion as amended and declared **CARRIED**, with Acting Mayor Brame opposed.

*Development Services*

- (2) Rezoning Application and Development Permit, 856 Esquimalt Road, [Lot A, Section 11, Esquimalt District, Plan VIP80973], 858 Esquimalt Road, [Lot 2, Section 11, Esquimalt District, Plan 23904], Staff Report No. DEV-12-011

**MOTION:** Moved by Councillor Hundleby/Councillor Hodgins:

1. That Zoning Bylaw, 1992, No. 2050, Amendment Bylaw [No. 205], 2011, No. 2772 which provides for changes to the zoning of Lot A, Section 11, Esquimalt District, Plan VIP80973 [856 Esquimalt Road] and Lot 2, Section 11, Esquimalt District, Plan 23904 [858 Esquimalt Road] shown cross-hatched on Schedule 'A', attached hereto, from C-6 [Licensed Liquor Establishment] and C-2 [Neighbourhood Commercial] respectively to CD No. 80 [Comprehensive Development District No. 80], be **adopted**; and
2. That Development Permit No. 16/2011, limiting the form and character of the proposed development to that shown on architectural plans provided by Douglas P. J. Millar Architect, stamped “Received October 5, 2011”, and on the landscape plan prepared by Eckford and Associates Landscape Architecture, stamped “Received October 5, 2011”, and sited as detailed on the survey plan prepared by Richard J. Wey and Associates Land Surveyors Inc., stamped “Received October 5, 2011”, be **approved, issued and registered** on the property titles of Lot A, Section 11, Esquimalt District, Plan VIP80973 [856 Esquimalt Road] and Lot 2, Section 11, Esquimalt District, Plan 23904 [858 Esquimalt Road].

**CARRIED UNANIMOUSLY.**

- (3) Comprehensive Economic Development Planning, Staff Report No. DEV-12-014

**MOTION:** Moved by Councillor Hundleby/Councillor Hodgins:  
 That the issue of tax exemptions (incentives) be considered in the

context of a comprehensive economic development plan developed in consultation with the business community.

**Council comments:**

- Important how economic development is encouraged in the community;
- Consultation process with business community is important; however the public should have an opportunity to participate;
- Concern that revenue forfeited, to stimulate economic development, must be found elsewhere;
- New Director of Development Services will aid Council with development of a comprehensive economic development plan;
- Need to maintain a level playing field so that new businesses (given tax incentives) are not in competition with existing businesses.

**CARRIED UNANIMOUSLY.**

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

There were no reports.

**8. REPORTS FROM COMMITTEES**

(1) Committee of the Whole Report, February 13, 2012

**MOTION:** Moved by Councillor Hodgins/Councillor McKie:  
That Council ratify and confirm the following recommendations from the Committee of the Whole meeting of February 13, 2012:

1. Posting of Agendas on Website, Staff Report No. ADM-12-012

That staff continue with their current practice of posting complete Agenda packages for Council and Committee of the Whole meetings on the Township's website, severing personal information as appropriate in compliance with the *Freedom of Information and Protection of Privacy Act*.

In addition to posting the full Agenda packages online prior to meetings, Council directs staff to also provide options for the videotaping of full Council and Committee of the Whole meetings for the purpose of allowing for meetings to be viewed by the general public online.

2. Fire Services Mutual Aid Agreement with DND, Staff Report No. FIRE-12-003

That Council approve entering into a Memorandum of Understanding (MOU) between the Department of National Defence (as represented by Canadian Forces Base Esquimalt) and the Township of Esquimalt, and authorizes the execution of the MOU substantially in the form attached to Staff Report No. FIRE-11-009.

3. Amendment to Subdivision and Development Control Bylaw No. 2175, Staff Report No. DEV-12-008
  - (a) That Bylaw No. 2175, cited as “Subdivision and Development Control Bylaw 1997” be amended by the addition of the following words and figures in Part 4 – Approvals:

*“7.04 Each application for subdivision shall include Civil Engineering drawings showing the proposed location of any required works and services and demonstrating that the servicing can be achieved in accordance with the Municipality’s standards. This requirement for Civil Engineering drawings also applies to building permit applications where any new works and services are required.”*
  - (b) That staff be directed to prepare the necessary amending bylaw, information brochure and policy document on Page 2 of Staff Report No. DEV-12-008.
4. Development Permit, 521-529 Comerford Street [Lot 266, Suburban Lot 40, Esquimalt District, Plan 2854], [Lot 267, Suburban Lot 40, Esquimalt District, Plan 2854], Staff Report No. DEV-12-012

That the application for a Development Permit limiting the form and character of development to that shown on architectural plans provided by Vic Davies Architect stamped “Received January 10, 2012”, and sited as detailed on the survey plan prepared by Powell and Associates, BC Land Surveyors, stamped “Received December 2, 2011”, and including the following relaxations to Zoning Bylaw, 1992, No. 2050 and Parking Bylaw, 1992, No. 2011, for the proposed development located at Lot 266, Suburban Lot 40, Esquimalt District, Plan 2854 and Lot 267, Suburban Lot 40, Esquimalt District, Plan 2854 [521-529 Comerford Street], be forwarded to Council with a recommendation of approval subject to appropriate notification being completed, a Variance Hearing being held, and a Development Permit being returned to Council for consideration:

Zoning Bylaw, 1992, No. 2050, Section 24(1) – Visibility at Intersections – an exemption from the requirement that there shall be no obstruction to the line of vision by Buildings, Structures or vegetation between the heights of 1 metre and 3 metres above the established grade of streets within an area bounded by the centre lines of intersecting streets and a line joining a point on each of the centre lines 25 metres from their intersection;

Parking Bylaw, 1992, No. 2011, Section 11(1) – Visitor Parking – a reduction in the required number of dedicated visitor parking

spaces from 1 of every 4 to 1 of every 8 [i.e. from a total of 12 visitor spaces to 6 visitor spaces]; and

Parking Bylaw, 1992, No. 2011, Section 13(1)(a)(v) – Number of Off-Street Parking Spaces – a reduction in the required number of parking spaces from 1.3 spaces per dwelling unit to 0.64 spaces per dwelling unit [i.e. from a total of 45 spaces to 22 spaces].

5. Limiting Certain Types of Commercial Businesses, Staff Report No. DEV-12-002

That the recommendation set out in Staff Report No. DEV-12-002, as follows, **not be approved**:

*“That Council direct staff to prepare the bylaws necessary to amend Zoning Bylaw No. 2050 to define ‘commercial use’, ‘cheque cashing facility’, and ‘financial institution’ so as to prohibit additional cheque cashing businesses from locating in Esquimalt’s commercial core.”*

**CARRIED UNANIMOUSLY.**

- (2) Draft minutes from the Advisory Planning Commission meeting, December 20, 2011

**MOTION:** Moved by Councillor Hundleby/Councillor McKie:  
That the draft minutes from the Advisory Planning Commission meeting, December 20, 2011 be received.

**CARRIED UNANIMOUSLY.**

- (3) Draft minutes from the Access Awareness Advisory Committee meeting, January 22, 2012

**MOTION:** Moved by Councillor Hodgins/Councillor Schinbein:  
That the draft minutes from the Access Awareness Advisory Committee meeting, January 22, 2012 be received.

**CARRIED UNANIMOUSLY.**

- (4) Memorandum from the Access Awareness Advisory Committee, dated February 6, 2012, Re: Request for Proclaim Access Awareness Day

**MOTION:** Moved by Councillor Morrison/Councillor Hundleby:  
That the memorandum from the Access Awareness Advisory Committee dated February 6, 2012 be received; and  
That the request to proclaim *Access Awareness Day*, on a yearly basis, as the first Saturday in June, be approved.

**CARRIED UNANIMOUSLY**

- (5) Draft minutes from the Environmental Advisory Committee meeting, January 25, 2012

**MOTION:** Moved by Councillor McKie/Councillor Hodgins:  
That the draft minutes from the Environmental Advisory Committee meeting, January 25, 2012 be received.

**CARRIED UNANIMOUSLY.**

Councillors Hodgins and Hundleby declared a conflict of interest with the next Agenda item, as retired BC Government employees, and left the meeting at 7:43 p.m.

**9. COMMUNICATIONS**

- (1) Letter from Sarjit K Manhas, BC Government Retired Employees Association, dated February 6, 2012, Re: Request to Pass Resolution

**MOTION:** Moved by Councillor McKie/Councillor Morrison:  
That the letter from the BC Government Retired Employees Association dated February 6, 2012 regarding a request to pass a resolution regarding MSP premiums be received for information.

**CARRIED UNANIMOUSLY.**

Councillors Hodgins and Hundleby rejoined the meeting at 7:45 p.m.

- (2) Email from Lily Wallace, Creative Peace Mural Society, dated February 14, 2012, Re: Invitation to Mural Exhibition at Westminster Hall, London, England

**MOTION:** Moved by Councillor Hundleby/Acting Mayor Brame:  
That the email from the Creative Peace Mural Society dated February 14, 2012 regarding an invitation to the Mural Exhibition at Westminster Hall, London, England, be received for information.

**CARRIED UNANIMOUSLY.**

- (3) Email from John Rowlandson, Velo Village Team Lead, dated February 15, 2012, Re: Provincial Investment in Rural Cycling Infrastructure

**MOTION:** Moved by Councillor Schinbein/Councillor Hundleby:  
That the email from Velo Village Team Lead dated February 15, 2012 regarding Provincial Investment in Rural Cycling Infrastructure be received for information.

**CARRIED UNANIMOUSLY.**

- (4) Letter from Peter Ronald, Local Government Program Services, UBCM, dated February 3, 2012, Re: 2012 Age-friendly Community Projects & Planning Grant – Approval and Terms & Conditions

**MOTION:** Moved by Councillor Hodgins/Councillor Schinbein:  
That the letter from Local Government Program Services, UBCM dated February 3, 2012 regarding the 2012 Age-friendly Community Projects and Planning Grant's approval and terms and conditions be received.

**CARRIED UNANIMOUSLY.**

- (5) Letter from CA Baines, Captain (Navy), Base Commander, National Defence, dated February 13, 2012, Re: Request for Freedom of the City – Township of Esquimalt Centennial 2012

**MOTION:** Moved by Councillor McKie/Councillor Schinbein:  
That the letter from the Base Commander, National Defence dated February 13, 2012 accepting the Township's invitation to exercise their right to Freedom of the Township on June 7<sup>th</sup>, 2012 be received.

**CARRIED UNANIMOUSLY.**

- (6) Catch the Wave 100 – Tristan Taylor Trust Fund and Benefit

**MOTION:** Moved by Councillor Hundleby/Councillor Hodgins:  
That the information brochure entitled "Catch the Wave 100" for the Tristan Taylor Trust Fund and Benefit be received for information.

**CARRIED UNANIMOUSLY.**

## 10. RISE AND REPORT

- (1) Report from the Special *In Camera* Meeting of Council, February 13, 2012, Re: Esquimalt Policing and Law Enforcement Panel

At the Special *In Camera* meeting of Council held on February 13, 2012, Council passed the following resolution:

"That Council direct the Esquimalt Policing and Law Enforcement Advisory Panel to add a public input component to their meeting agenda, and further direct that the public notification process followed for committees of Council also be followed for all further Panel meetings; and

That Council issue a media advisory outlining the updated timeline for 2012 and advising of the changes to the Esquimalt Policing and Law Enforcement Advisory Panel meeting agendas and public notification process."

## 11. PUBLIC QUESTION AND COMMENT PERIOD

*Rod Lavergne, resident*, expressed concern over the loss of the Director of Financial Services and requested that the municipality keep a record of any resulting legal costs. He also expressed concern with the conflict of interest statements for Agenda Item 9(1), noting that the letter from the BC Government Retired Employees Association stated that the Association's resolution requested the Provincial Government remove MSP premiums for seniors and all citizens of British Columbia.

*Peter Ryan, resident*, stated his understanding regarding Agenda Item 9(1) was that the Association's resolution was for all seniors, not just BC Government retired employees. He pointed out that British Columbia is the only province in Canada that makes seniors pay MSP premiums, and he asked for Council's support of this initiative.



*Muriel Dunn, resident*, expressed her concern for residents in their 40's and 50's not getting relief on medical or dental premiums. She also stated that tax exemptions were a difficult issue for a small community, and expressed her confusion in light of last week's resolution against prohibiting additional cheque cashing businesses.

**12. MOTION TO GO *IN CAMERA***

**MOTION:** Moved by Councillor Schinbein/Councillor Hundleby:  
That Council convene *In Camera* pursuant to Section 90 of the *Community Charter* to discuss:

- Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and
- Labour relations or other employee relations; and
- The security of the property of the municipality; and
- The acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality; and
- Litigation or potential litigation affecting the municipality;

in accordance with Section 90(1) (a), (c), (d), (e), and (g) of the *Community Charter*, and that the general public be excluded.

**CARRIED UNANIMOUSLY.**

**16. ADJOURNMENT**

**MOTION:** Moved by Councillor Schinbein/Councillor Hundleby:  
That the Regular Meeting of Council be adjourned at 7:53 p.m.

**CARRIED UNANIMOUSLY.**

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MAYOR OF THE CORPORATION OF THE  
TOWNSHIP OF ESQUIMALT  
THIS 5<sup>TH</sup> DAY OF MARCH, 2012

CERTIFIED CORRECT:

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ANJA NURVO  
CORPORATE OFFICER