



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C. V9A 3P1
Telephone (250) 414-7100 Fax (250) 414-7111

File 0550-06

January 17, 2013

N O T I C E

**A REGULAR MEETING OF COUNCIL WILL BE HELD ON
MONDAY, JANUARY 21, 2013 AT 7:00 PM, IN THE
COUNCIL CHAMBERS, ESQUIMALT MUNICIPAL HALL,
1229 ESQUIMALT ROAD.**

**ANJA NURVO
CORPORATE OFFICER**



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

A G E N D A **REGULAR MEETING OF COUNCIL** Monday, January 21, 2013 7:00 p.m. Esquimalt Council Chambers

1. CALL TO ORDER

2. LATE ITEMS

3. APPROVAL OF THE AGENDA

4. MINUTES

- | | |
|--|-----------|
| (1) Minutes of the Regular Meeting of Council, January 7 , 2013 | Pg. 1 – 5 |
| (2) Minutes of the Special Meeting of Council, January 14 , 2013 | Pg. 6 – 8 |

5. PRESENTATION

- (1) Carolyn Stewart, Park Planner and Jeff Ward, Planning, Resource Management and Development, Capital Regional District, Re: E & N Rail Trail Update
- (2) Edward Pulman, President and Ryan Mijker, Director at Large, Greater Victoria Cycling Coalition, Re: 2020 Vision

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

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

7. BYLAWS

For Adoption

- | | |
|--|-------------|
| (1) Advisory Planning Commission Bylaw, 2012, No. 2792 | Pg. 9 – 13 |
| (2) Installation of Lock-Boxes Bylaw, 2013, No. 2797 | Pg. 14 – 15 |

8. MAYOR'S AND COUNCILLORS' REPORTS

- | | |
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| (1) Report from Mayor Barbara Desjardins, Re: New Year's Levee Review – Select Committee | Pg. 16 |
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9. REPORTS FROM COMMITTEES

- | | |
|--|-------------|
| (1) Adopted minutes from the Advisory Planning Commission meeting, October 16, 2012 | Pg. 17 – 23 |
| (2) Adopted minutes from the Advisory Planning Commission meeting, December 18, 2012 | Pg. 24 – 28 |

10. **COMMUNICATIONS**

- | | | |
|-----|---|-------------|
| (1) | Letter from The Honourable Mobina S.B. Jaffer, British Columbia Senator, dated January 4, 2013, Re: Senate Human Rights Committee Study on Cyberbullying | Pg. 29 – 30 |
| (2) | Letter from Barry Smith, Environment Canada, dated January 8, 2013, Re: Consultation on SARA Listing Process for Terrestrial Species 2012 and 2013 (Batch 10) | Pg. 31 – 32 |

11. **PUBLIC QUESTION AND COMMENT PERIOD**

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

12. **ADJOURNMENT**



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES REGULAR MEETING OF MUNICIPAL COUNCIL MONDAY, JANUARY 7, 2013 7:00 P.M. COUNCIL CHAMBERS

PRESENT:

Mayor Barbara Desjardins
Councillor Meagan Brame
Councillor Dave Hodgins
Councillor Lynda Hundleby
Councillor Robert McKie
Councillor Tim Morrison
Councillor David Schinbein

STAFF:

Laurie Hurst, Chief Administrative Officer
Bill Brown, Director of Development Services
Ian Irvine, Director of Financial Services & IT
David Ward, Fire Chief
Anja Nurvo, Manager of Corporate Services
Louise Payne, Recording Secretary

OTHER:

Keith Lindner, Inspector, West Division, VicPD

1. **CALL TO ORDER**

Mayor Desjardins called the meeting to order at 7:00 pm.

2. **LATE ITEMS**

The Agenda was amended as follows:

- delete Item 5 (2) Tammy Percival, Esquimalt Representative, Victoria Family Court and Youth Justice Committee presentation;
- add Item 8 (1) Verbal Report by Mayor Barbara Desjardins – Update on Concerns regarding New Business on Esquimalt Road.

3. **APPROVAL OF THE AGENDA**

MOTION: Moved by Councillor Brame/Councillor Hundleby:
That the Agenda be approved as amended.

CARRIED UNANIMOUSLY.

4. **MINUTES**

MOTION: Moved by Councillor Brame/Councillor Hundleby:
That the following minutes be adopted as circulated:

- (1) Minutes of the Special Meeting of Council, December 17, 2012;
- (2) Minutes of the Regular Meeting of Council, December 17, 2012.

CARRIED UNANIMOUSLY.

5. **PRESENTATION**

- (1) Introduction of Franco Bruschetta, Victoria Police West Division Community Resource Officer

Inspector Lindner introduced Constable Franco Bruschetta, the new Community Resource Officer with Victoria Police West Division.

- (2) Chief Jamie Graham and Scott Seivewright, Controller, Victoria Police Department Budget Presentation

Chief Jamie Graham introduced Scott Seivewright, Controller to present the 2013 Victoria Police Department Budget. Mr. Seivewright reviewed a PowerPoint presentation. He stated that due to salary and benefit increases and a new crime analyst position, the Victoria Police Department was requesting a 2.17% increase for 2013, which includes \$450,000 in Budget cuts, and he answered questions from Council.

6. **PUBLIC INPUT**

There was no public input.

7. **STAFF REPORTS**

Fire Rescue

- (1) Installation of Lock-Boxes Bylaw, Staff Report No. FIRE-13-001

Fire Chief Ward presented Staff Report No. FIRE-13-001 and answered questions from Council.

MOTION: Moved by Councillor Hundleby/Councillor Brame:
That Council gives 1st, 2nd and 3rd Readings to the Installation of Lock-Boxes Bylaw, 2013, No. 2797.

CARRIED UNANIMOUSLY.

- (2) Replacement of 1988 Mack Pumper (Unit F300), Staff Report No. FIRE-13-002

Fire Chief Ward presented Staff Report No. FIRE-13-002 and answered questions from Council.

MOTION: Moved by Councillor Hodgins/Councillor McKie:
That the Township of Esquimalt enter into negotiations with Wholesale Fire & Rescue for the supply and delivery of a new Pierce Arrow XT Pumper Apparatus for \$589,600 (plus net HST for a total amount of \$600,000), including trade-in of the 1988 Mack Pumper (Unit F300).

CARRIED UNANIMOUSLY.

8.

MAYOR'S AND COUNCILLORS' REPORTS

- (1) Verbal Report from Mayor Barbara Desjardins – Update on Concerns re: New Business on Esquimalt Road

Mayor Desjardins provided an update on staff's enforcement activities regarding a new business on Esquimalt Road and staff answered questions from Council.

MOTION: Moved by Councillor Brame/Councillor Hundleby:
That Mayor Desjardins' verbal report on concerns with a new business on Esquimalt Road be received.

CARRIED UNANIMOUSLY.

9.

REPORTS FROM COMMITTEES

- (1) Notes from Town Hall meeting, November 8, 2012

MOTION: Moved by Councillor Hodgins/Councillor McKie:
That the notes for the Town Hall meeting held November 8, 2012 be received, with a copy to be sent to the Victoria Police Board.

CARRIED UNANIMOUSLY.

MOTION: Moved by Councillor Hundleby/Councillor McKie:
That the following draft minutes be received for information:

- (2) Draft Minutes from the Environmental Advisory Committee Meeting, November 22, 2012
(3) Draft Minutes from the Centennial Celebrations Select Committee meeting, November 27, 2012

CARRIED UNANIMOUSLY.

- (4) Memorandum from the Centennial Celebrations Select Committee, dated January 3, 2013, re: Future of Centennial Legacy Projects

MOTION: Moved by Councillor McKie/Councillor Brame:

That the memorandum from the Centennial Celebrations Select Committee dated January 3, 2013 regarding Future of Centennial Legacy Projects be received; and

That the following recommendations from the Centennial Celebrations Select Committee be ratified by Council:

a) Memorial Walkway:

- That the Centennial Walkway project in Memorial Park continue as an Esquimalt Legacy Project upon disbandment of the Centennial Celebrations Select Committee on January 31, 2013;
- That the Esquimalt Parks and Recreation Department assume responsibility for sales, coordination and installation of future pavers in the Centennial Walkway; and
- That funds acquired through the sale of future pavers be used to maintain the Centennial Walkway in Memorial Park.

b) Centennial Website/Book:

- That Ritchie Morrison, Communications Coordinator, Township of Esquimalt, be responsible for archiving and transitioning of Centennial online assets to corporate web pages and social media sites, and the continued coordination of marketing and sales of the Centennial Book.

c) Esquimalt Shines:

- That the Esquimalt Shines concept, or a similar initiative, be supported by Mayor and Council and developed for 2013.

CARRIED UNANIMOUSLY.

10. COMMUNICATIONS

- (1) Letter from Mayor Dean McKerracher, District of Elkford, dated December 12, 2012, Re: Persons with Disabilities Benefit

MOTION: Moved by Councillor Brame/Councillor Hundleby:

That the letter from Mayor Dean McKerracher, District of Elkford dated December 12, 2012 regarding Persons with Disabilities Benefit be received for information; and

That the Mayor write a letter to the District of Elkford regarding the Union of British Columbia Municipalities Resolution process.

CARRIED UNANIMOUSLY.

- (2) Letter from Mayor Nils Jensen, District of Oak Bay, dated December 12, 2012, Re: Letter of Appreciation and Congratulations

MOTION: Moved by Councillor Brame/Councillor Schinbein:

That the letter from Mayor Nils Jensen, District of Oak Bay dated December 12, 2012 regarding a Letter of Appreciation and Congratulations on recent opening of the Centennial Walkway at

Memorial Park and Esquimalt's celebration of its 100th year of incorporation be received.

CARRIED UNANIMOUSLY.

11. PUBLIC QUESTION AND COMMENT PERIOD

Muriel Dunn, resident, expressed her appreciation to the emailing of Council Agendas.

12. MOTION TO GO IN CAMERA

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

- Law enforcement, if the Council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment; and
- Litigation or potential litigation affecting the municipality; and
- Negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public

In accordance with Section 90 (1) (f), (g) and (k) of the *Community Charter*, and that the general public be excluded.

CARRIED UNANIMOUSLY.

13. ADJOURNMENT

MOTION: Moved by Councillor McKie/Councillor Brame:
That the Regular Meeting of Council be adjourned at 9:20 p.m.

CARRIED UNANIMOUSLY.

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS DAY OF , 2013

CERTIFIED CORRECT:

ANJA NURVO
CORPORATE OFFICER



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
SPECIAL MEETING
OF MUNICIPAL COUNCIL
MONDAY, JANUARY 14, 2013**

**7:31 P.M.
COUNCIL CHAMBER, MUNICIPAL HALL**

PRESENT:

Acting Mayor Lynda Hundleby
Councillor Megan Brame
Councillor Dave Hodgins
Councillor Tim Morrison
Councillor David Schinbein

REGRETS:

Mayor Barbara Desjardins
Councillor Robert McKie

STAFF:

Laurie Hurst, Chief Administrative Officer
Anja Nurvo, Manager of Corporate Services
Louise Payne, Recording Secretary

1. **CALL TO ORDER**

Acting Mayor Hundleby called the Special Meeting of Council to order at 7:31 p.m.

2. **LATE ITEMS**

There were no late items.

3. **APPROVAL OF THE AGENDA**

MOTION: Moved by Councillor Brame/Councillor Morrison:
That the Agenda be approved as circulated.

CARRIED UNANIMOUSLY.

4. **COMMUNICATIONS**

- (1) Letter from President Joe Stanhope, Association of Vancouver Island Coastal Communities (AVICC) dated November 1, 2012,
Re: Resolutions Notice/Request for Submission Call for
Nomination for AVICC Executive

Councillor Brame reminded Council that the deadline for submission of Resolutions to the AVICC is February 25, 2013 and that issues should be brought forward to a Council meeting for consideration. These Resolutions would then be forwarded to the Union of British Columbia Municipalities' Annual 2013 Convention.

5. **MOTION TO GO IN CAMERA**

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

- Labour relations or other employee relations; and
- Security of the property of the municipality; and
- Litigation or potential litigation affecting the municipality; and
- Discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 (*annual municipal report*)

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

CARRIED UNANIMOUSLY.

6.

ADJOURNMENT

MOTION: Moved by Councillor Brame/Councillor Hodgins:
That the Special Meeting of Council be adjourned at 7:33 p.m.

CARRIED UNANIMOUSLY.

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS DAY OF , 2013

CERTIFIED CORRECT:

ANJA NURVO, CORPORATE OFFICER

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2792

A Bylaw to establish an Advisory Planning Commission and to provide
for its composition and procedures

THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF
ESQUIMALT, in open meeting assembled, enacts as follows:

Establishment of Commission

1. This bylaw may be cited as the "ADVISORY PLANNING COMMISSION BYLAW, 2012, No. 2792".
2. The Council establishes an advisory planning commission to perform the functions set out in this bylaw, referred to hereafter as the Commission.
3. Council shall include in its annual budget such sums as are necessary to defray the expenses of the Commission.

Commission Membership

4. The Commission shall consist of fourteen members appointed by Council who are not members of Council or officers or employees of the Township, and of whom at least ten are residents of the Township of Esquimalt. In making appointments the Council shall have regard to the qualifications of design review subcommittee members set out in section 8.
5. At the establishment of the Commission, Council shall appoint members as follows:
 - a. Seven members shall be appointed for a term expiring on December 31, 2013; and
 - b. Seven members shall be appointed for a term expiring December 31, 2014.
6. Upon the expiry of the initial terms, all new appointments shall be made for a term of two years.
7. At the establishment of the Commission, and at all times thereafter, the Council shall designate seven members as members of a design review subcommittee of the Commission, referred to hereafter as the Design Review Committee.
8. The Design Review Committee shall, to the extent that appropriately qualified members have been appointed to the Commission under section 4, be composed of two members of the Architectural Institute of BC, two members of the BC Society of Landscape Architects, and three members with knowledge or experience in heritage conservation, building access for persons with disabilities, crime prevention through environmental design, energy conservation, environmentally sustainable building design and construction or another field relevant to urban design.

9. No member of the Commission shall serve for more than three consecutive terms, including any term on any advisory planning commission of the Township established prior to the enactment of this bylaw.
10. At any time, the Council may revoke the appointment of any member of the Commission and appoint another member in that member's place, having regard to the qualifications of Design Review Committee members set out in section 8.
11. If a member of the Commission is absent, except with leave of the Council, from three consecutive meetings of the Commission, the member's appointment shall be deemed to have been terminated.
12. If a member of the Commission has received Council's permission for a leave from the Commission's meetings, Council may appoint a replacement member for the period of the approved absence.
13. Whenever a vacancy arises on the Commission, Council shall within thirty days of such vacancy or such longer period as may be required to identify an eligible replacement member, appoint a person to fill such vacancy for the balance of the term.
14. All members of the Commission shall serve without remuneration, but any Commission member may be paid by the Township for reasonable and necessary expenses that are reimbursable according to policies adopted by the Council from time to time.

Commission Procedure

15. At its first meeting each calendar year, the Design Review Committee shall elect from among its members a Chairperson who shall preside over the meetings of the Committee, and the remaining members of the Commission, referred to hereafter as the "APC", shall elect from among their number a Chairperson who shall preside over the meetings of the APC.
16. All meetings of the APC shall be at the call of the Chairperson, and shall be held monthly on the third Tuesday of each month unless, in any particular month, a quorum of four cannot be assembled on that day, in which case the meeting may be on another day on which a quorum is available.
17. All meetings of the Design Review Committee shall be at the call of the chairperson and shall be held as required to deal with matters that have been referred to the Committee. A quorum of the Design Review Committee is four.
18. Subject to the provisions of subsections (a) and (b), the APC and the Design Review Committee may each adopt rules for their procedure and may from time to time vary such rules by the affirmative vote of a majority of all their members. Where no rule has been made then the rules of procedure of Esquimalt Council shall apply except that:

- a. all questions except the adoption or varying of procedural rules as heretofore provided shall be decided by a simple majority vote of the members present at the meeting. In the case of a tie vote the question shall be defeated; and
 - b. if during a meeting any ruling of the Chairperson is challenged by a member, the Chairperson's ruling shall immediately be put to a vote without debate and the result of such vote shall govern.
19. All meetings shall be open to the public and where the APC or Design Review Committee is considering an amendment to a plan or bylaw or the issuance of a permit, the applicant is entitled to be heard. The public will be given an opportunity to speak to the application at a Council meeting but will not be given an opportunity to speak to an application during an APC or Design Review Committee meeting.
20. The APC and Design Review Committee shall cause proper minutes to be kept of their respective proceedings. The Township shall provide a recording secretary for the meetings of the APC and Design Review Committee.
21. Resource persons may attend APC and Design Review Committee meetings as follows:
- a. Any Council member, employee or officer of the Township, or the Approving Officer for the Township, may attend a meeting in a resource capacity and may be invited to speak by the Chair.
 - b. Other persons may, by invitation, attend meetings in an advisory capacity and may be invited to speak by the Chair.
 - c. Persons attending meetings in a resource or advisory capacity shall not vote on matters under consideration.
22. Neither an amendment to the Zoning Bylaw or Official Community Plan nor any permit shall be invalid by reason of non-compliance on the part of the APC or the Design Review Committee with the provisions of this bylaw dealing with procedure.

Duties and Referrals

23. The APC shall advise Council on all matters respecting land use, community planning and proposed bylaws and permits under the *Local Government Act*, other than matters referred to the Design Review Committee under Section 24, which are referred by Council or by Township staff pursuant to the Township's development application procedures and fees bylaw.
24. The Design Review Committee shall advise Council on matters of urban design arising with respect to:
- a. applications for development permits in development permit areas for the establishment of objectives for the form and character of development, other than Development Permit Area No. 5 unless the Council refers the application to the Design Review Committee, and not including applications that are within the jurisdiction of the Director of Development Services unless the Director refers the application to the Design Review Committee;

- b. applications for amendments to official community plans or zoning bylaws that establish or amend form and character guidelines, including applications initiated by the Township;
 - c. applications for zoning bylaw amendments in connection with which the applicant proposes a specific building design, that are referred to the Design Review Committee by Council or by the Director of Development Services; and
 - d. applications for heritage alteration permits.
25. The APC and Design Review Committee shall deal expeditiously with all matters referred to it and shall submit a recommendation, with reasons, to the Council or the Director of Development Services, as the case may be, within 30 days of the referral or such shorter period of time as the Council or Director may specify in the referral.
26. Each APC and Design Review Committee agenda and the minutes of each meeting shall be forwarded to Council and the Director for information. Once the minutes of a meeting have been received by Council, they shall be made available to the public for inspection, upon request.
27. The APC shall before making a recommendation to the Council consider any applicable official community plan or local area plan and may consult the Director of Development Services or other staff of the Township, and in relation to any rezoning application shall recommend approval or rejection of the application, approval of the application subject to conditions recommended by the APC, or postponement of Council consideration of the application pending receipt of additional information from the applicant.
28. The Design Review Committee in relation to any application for a development permit or heritage alteration permit may recommend the approval of the application subject to any condition or requirement that the Committee recommends, having regard to the relevant provisions of the *Local Government Act*, or postponement of Council consideration of the application pending receipt of additional information from the applicant including changes in the proposed design that are in the Committee's opinion necessary for compliance with the applicable development permit guidelines or heritage protection, as the case may be.
29. A recommendation of the APC or Design Review Committee shall be made available to the applicant or their agent, in writing, within 48 hours of consideration of the application.

Repeal

30. The Township of Esquimalt Advisory Planning Commission Bylaw, 1997, No. 2268 is repealed and the appointments made pursuant to that bylaw are rescinded.

Read a first time by the Municipal Council on 19th day of November, 2012.

Read a second time by the Municipal Council on 19th day of November, 2012.

Read a third time by the Municipal Council on 19th day of November, 2012.

ADOPTED by the Municipal Council on day of , 2013.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2797

A bylaw to provide for the installation of Lock-Boxes

WHEREAS having access keys readily available for commercial buildings containing residential units, residential apartment buildings and strata complexes in the event of emergencies reduces the likelihood of fire fighter injuries and property damage, and increases the efficiency and effectiveness of emergency responses;

AND WHEREAS the Council deems it beneficial for residents and emergency response personnel to implement a Lock-Box Program;

NOW THEREFORE the Council of the Corporation of the Township of Esquimalt, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as the "Installation of Lock-Boxes Bylaw, 2013, No. 2797."
2. For the purposes of this Bylaw, the following terms shall have the following meanings:
 - (a) "Lock-Box" means a Mul-T-Lock cylinder or tube lock or other key deposit device approved by the Fire Department.
 - (b) "Fire Department" means the Township of Esquimalt Fire Rescue Department.
 - (c) "Commercial building", "residential apartment building" and "strata building" shall mean as defined in the Township of Esquimalt Zoning Bylaw, 1992, No. 2050, as amended.
3. This Bylaw shall be applicable to all commercial buildings containing any residential units, residential apartment buildings and strata buildings located with the Township of Esquimalt.
4.
 - (a) Prior to the issuance of an occupancy permit by the Township, the owner of a newly constructed building to which this Bylaw applies shall ensure that a Lock-Box is installed in such new building.
 - (b) The owner of a commercial building or residential apartment building in existence as of the date of the adoption of this Bylaw shall ensure that a Lock-Box is installed in such building prior to December 31st, 2015.
 - (c) A Permit shall be required for the installation of a new Lock-Box or for the relocation or modification of an existing Lock-Box within a building to which this Bylaw applies.
5.
 - (a) Prior to the installation, relocation or modification of the Lock-Box, the owner shall submit an application for a Lock-Box Permit to the Fire Department.
 - (b) The owner shall ensure that an approved Lock-Box is installed in accordance with the requirements of this Bylaw by a qualified locksmith approved by the Fire Department.
 - (c) Upon completion of the installation of the Lock-Box, the owner shall notify the Fire Department and the Fire Department shall conduct an inspection.

- (d) If the installed Lock-Box complies with all of the terms and conditions of this Bylaw, the Permit shall be approved by the Fire Department.
 - (e) In the event of any deficiencies, the owner shall correct such deficiencies at its cost and shall notify the Fire Department to conduct a re-inspection.
6. The owner of a building that is subject to this Bylaw shall ensure that:
- (a) updated keys are available in the Lock-Box at all times for all floor areas and roof areas of the building for fire fighting and other emergency response purposes; and
 - (b) all keys within the Lock-Box are clearly marked to indicate the unit number or area of the building that the key is for.
7. Only Lock-Boxes approved by the Fire Department shall be installed.
8. Lock-Boxes shall be:
- (a) recessed into the building wall or pillar;
 - (b) located as close as possible to the main entrance of the building and in clear view when doing a 360 degree turn while standing at the main entrance;
 - (c) located at a height of not less than 450 mm and not higher than 1.8 m; and
 - (d) labelled with a "FD" marking or other marking acceptable to the Fire Department.
9. The Fire Department Fire Prevention Officer and their designate within the Fire Department are authorized to administer and enforce this Bylaw.
10. Any person who contravenes any provision of the Bylaw commits an offence and on summary conviction is liable to a fine of not less than Two Hundred Dollars (\$200) and not more than Two Thousand Dollars (\$2,000).

READ a first time on the 7th day of January, 2013.

READ a second time on the 7th day of January, 2013.

READ a third time on the 7th day of January, 2013.

ADOPTED on the day of , 2013.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MAYOR'S AND COUNCILLORS' REPORTS

Report from: Mayor Barbara Desjardins

Subject: New Year's Levee Review – Select Committee

Council Agenda: January 21st, 2013

Background:

Like many other municipalities, the Township of Esquimalt has at least since 1947 adopted a practice of holding a New Year's Levee. However, recently some municipalities have ceased this practice entirely and some have adopted another public event in its place. It would be prudent for Esquimalt to also review this practice to confirm the value and benefit of continuing to hold a New Year's Levee or to consider alternatives.

Recommendation:

I respectfully request that Council consider passing the following Resolution:

"That Councillor Lynda Hundleby and Councillor David Schinbein be appointed to a Select Committee known as the 'New Year's Levee Review Select Committee,' which Committee shall have the following mandate:

1. To review the practice of the Township of Esquimalt holding a New Year's Levee, and in particular:
 - (i) the value and benefit of continuing to hold a New Year's Levee in its current format;
 - (ii) whether an alternative form of New Year's public event should be implemented;
 - (iii) whether to discontinue holding a New Year's Levee;
2. To obtain input from the Mayor and Councillors;
3. To obtain input from staff on resources, expenditures and issues with previous Levees;
4. To obtain input from the residents of Esquimalt;
5. To research options from other local municipalities; and
6. To prepare a report to Council in the Spring of 2013 on the options and recommendations, for implementation in 2013, including budget implications if applicable."

Respectfully submitted,

Mayor Barbara Desjardins

VI. STAFF REPORTS

(1) **DEVELOPMENT VARIANCE PERMIT**
904 Carlton Terrace
Lot A, Section 11, Esquimalt District, Plan 15294

Carl Peterson, architect, on behalf of the owner, outlined the history of the property explaining that there have been not been significant changes over the years. The owner proposes to convert an existing multi-purpose room within the building to a one bedroom dwelling unit. With the addition of this unit, the parking requirements must be met. The owner is requesting a relaxation to the Parking Bylaw in order to authorize the parking situation that currently exists on site, with the addition of marked visitor spaces and a disabled parking space.

In response to a question from a Commission member commenting that this is a busy area and asking whether there will be any parking in front of the building Carl Peterson explained that the parking is all behind the building with access to the left of the building and is not visible from the street.

Comments APC Members

Commission members had no issues with this proposal. They were pleased to note that there was bicycle storage provided.

RECOMMENDATION:

Moved by Bill Lang, seconded by Joy Palmeter, that the Esquimalt Advisory Planning Commission resolved that the application for a Development Variance Permit authorizing the construction as shown in the plan prepared by Carle E. Peterson Architect Inc., stamped "Received September 19, 2012", and sited as detailed on the survey plan prepared by Richard J. Wey & Associates Land Surveying Inc., stamped "Received September 19, 2012", and including the following relaxations to Parking Bylaw, 1992, No. 2011, for the building located at Lot A, Section 11, Esquimalt District, Plan 15299 and Lot 7, Section 11, Esquimalt District Plan 13060 [904 Carlton Terrace]. be forwarded to Council with a **recommendation of approval**.

Parking Bylaw No. 2011, Section 11(1) – Visitor Parking – a reduction in the required number of dedicated visitor parking spaces from 1 of every 4 spaces to 1 of every 5.2 required spaces [i.e. from a total of 12 visitor spaces to 9 visitor spaces].

Parking Bylaw No. 2011, Section 13(1)(a)(iv) – Number Of Off-Street Parking Spaces – a reduction in the required number of parking spaces from 1.3 spaces per dwelling unit to 1.17 spaces per dwelling unit [i.e. from a total of 47 spaces to 42 spaces].
The Motion **Carried Unanimously**

(2) **DEVELOPMENT PERMIT and DEVELOPMENT VARIANCE PERMIT**
1382 Treebank Road West
[Lot 1, Section 2, Esquimalt District, Plan VIS1903]

Trevor Parkes, Staff Liaison advised, as indicated in his report, this property is located on the Gorge Waterway it is subject to the guidelines of Development Permit Area No. 4 – Gorge Waterway, and a Development Permit is required before a Building Permit can be issued. Unlike the majority of properties within the DPA No. 4, this parcel is located adjacent to waterfront park land. As the property owner does not control the lands within 7.5 metres of the Gorge Waterway the guidelines requiring rehabilitation of the shoreline cannot be applied to this application. Accordingly, the only requirement the applicant must satisfy is to ensure no buildings or structures are located within 20 metres of the High Water Mark of the Gorge Waterway. The applicant has

provided a survey and a landscape plan for the property which confirm this requirement has been met.

The proposed custom home has been designed to accommodate the owner's needs as well as the steep terrain of this site. The design calls for a secondary driveway arcing down the eastern side of the site accessing a single car garage and motorcycle storage area located on the lower floor. The applicant is requesting a Development Variance Permit authorizing a relaxation to the Parking Bylaw requirement that ramp grades not exceed 15% gradient to allow the 21.5% gradient required to link the lower garage to the street.

Michael Moody, MWM Architecture, and Michael Miller, Abstract Developments were in attendance to outline the proposal and answer any questions.

Michael Moody, outlined the difficulties of design for this sloping lot and the reason for the requested variances.

He outlined that they had canvassed the neighbours, door to door and received 100% support from those canvassed, one neighbor was out of town.

A Commission member inquired if the unit was solar ready?

Michel Miller replied that in the future an independent contractor can be brought in to install solar power as the home will incorporate a framing permitting access to the roof. Mr. Miller also stated the home is designed to capture passive solar energy.

APC Comments:

Commission Members complimented the architecture and the developer on the unique design of the home for a challenging site. The general consensus was that the home would be a good addition to the area.

Members inquired whether the proposed driveway would have a heating system installed to address colder winter conditions. The applicant responded that this feature was under consideration.

RECOMMENDATION:

Moved by Lorne Argyle, seconded by Bill Lang, that the Advisory Planning Commission resolves that the application for a Development Permit limiting siting of the principal building to that shown on the survey plan prepared by Glen Mitchell Land Surveying Inc., stamped "Received October 10, 2012" for the proposed development located at Lot 1, Section 2, Esquimalt District, Plan VIS1903 [1382 Treebank Road West], be forwarded to Council with a **recommendation of approval**; and

also the Advisory Planning Commission resolves that the application for a Development Variance Permit as shown on architectural plans provided by MJM Architect Inc, stamped "Received October 10, 2012", and including the following relaxation to Parking Bylaw, 1992, No. 2011 for the proposed driveway located at Lot 1, Section 2, Esquimalt District, Plan VIS1903 [1382 Treebank Road West], be forwarded to Council with a **recommendation of approval**

Parking Bylaw, 1992, No. 2011, Section 10(1) - Design of Parking Areas – a 6.5% increase to the permitted 15% gradient for a ramp [i.e. from 15% to 21.5% gradient].
The Motion **CARRIED UNANIMOUSLY.**

(3) REZONING APPLICATION "Triangle Estates" in West Bay

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]

PURPOSE:

The applicant is requesting a change in zoning from the current mix of RS-1 [Single Family Residential], RD-2 [Two Family Small Lot Residential], and C-7 [West Bay Commercial] zoning which currently regulates the 9 subject properties to a Comprehensive Development zone [CD] to facilitate the consolidation of the subject properties and authorize a new 10 storey, commercial mixed use building containing one retail commercial space with second floor office space above, 4 live/work units containing commercial space at grade, and 85 residential units.

Bill Brown, Director of Development Services, advised the APC members that new review process is being introduced for the larger, complex planning applications coming before the Commission. The application will first come in the form of a "workshop" no recommendations to be presented, just information and also to promote an open dialogue. This is the intent of the application for the Triangle Lands this evening. Mr. Brown conformed that there will be another presentation at a later date regarding this application. He advised the newly proposed APC Bylaw was proceeding through the adoption process.

Director Brown advised the members that the role of the APC would be to consider, rezoning applications, some smaller development permits, and policy, and land use issues. The proposed Design Panel would review Development Permits, and comment on height, massing, form and character.

Bill Lang, Commission member, stated to the Chair that he was sitting in as an observer only for this portion of the meeting.

Mark Lindholm, owner/applicant, John Crowhurst and Daniel Boot, architects, Roger Tinney, planning consultant, and Gene Mazza, landscape architect, were in attendance to present the proposal.

Mark Lindholm, outlined the history of the property and ownership by his family.

Roger Tinney, planning consultant, indicated he came late into the process. He stated that he had completed a review of the relevant planning documents, consulted with local interest groups and residents. He commented on the following topics as part of the analysis for this proposal.

- Head and Esquimalt Road commercial area;
- Craigflower Road and Tillicum Road commercial area;
- Allowable densities contained in OCP and in the local area;
- Is West Bay appropriate for this type of development?
- Look at isolation; West Bay has characteristics distinctly different than other commercial areas in Esquimalt
- West Bay is an established 1950s vintage neighbourhood;
- Future of area; What is going to happen to the RV Park?
- Victoria Harbour character; should high rises terminate at Swallows Landing?
- Is there an acceptance of high rises now that Swallows Landing has been completed;
- Should high rise uses carry around to West Bay Marina & RV park?
- Unknown is DND lands subject to federal regulations however most federal agencies try to comply with local planning rules while not obligated;

- Is it more appropriate to create a "Cook Street type" of development?
- Terracing down and up to the walkway;
- Will increase in traffic be significant to area?
- Opportunities; Harbour Ferries- set up for tourism; Others?
- Possibility of Phase 2 on Marina site compliments proposal.

John Crowhurst, architect, used a power point presentation to outline the history of the proposal including previous concepts that lead to current design. His presentation explored the following topics:

- Comprehensive review of the building siting, uses, exterior form and character, height, density and shadowing impacts of the proposed building;
- Discussed intersection of Gore Street and Head Street and the streetscape environment adjacent to the building.
- Outline of the parking area including the underground parking entrances & exits as well as the Live/work unit dedicated parking spaces;
- Stated that building will not be LEED accredited but will incorporate sustainable features.
- Outlined future ideas, i.e. reconfiguration of street;
- Outlined details of street furniture – nautical theme?

Gene Mazza, landscape architect, presented the proposed landscape plan.

- He explained the merit of the rooftop garden located on the 3rd floor as a focal point when viewed by all the units above and a passive refuge for residents of the building;
- He reviewed proposed streetscape improvements on all three sides of the development including installation of new sidewalk/curbs/gutters and street trees and boulevards.
- He commented on the proposed Open space located at the intersection of Lyall Street and Gore Street.
- He discussed proposed Public Art;
- He highlighted that each Live/Work unit would have a private outdoor patio area adjacent to the common access rooftop garden space.
- He outlined use of perennials, in roof garden to ensure it changes with the seasons.

APC Comments:

Lorne Argyle inquired about the handi-dart parking, absence of dedicated parking out front, no covered parking area.

Mark Lindholm responded there could be a pull out on Head Street, also on Lyall Street, he referenced the Commercial component of the project.

Joy Palmeter inquired if the parking lot that is there now if it is staying.

Mark Lindholm responded, yes.

Joy Palmeter inquired about a pathway to the park.

The applicant responded that it was already there, a gravel path, along Hidden Harbour which is the formal connection.

James Harada-Down inquired if there were any changes to the plan since the Open House.

Mark Lindholm, responded that there are no changes to the towers.

James Harada-Down commented that there are not many examples of the live/work in Greater Victoria and questioned whether it is difficult to get live/work space occupied.

Paul Newcombe commented that the live/work is ideal for persons in wheelchairs. He inquired about wheelchair access for the building.

Mark Lindholm explained that the Lyall Street level is at grade and will be able to accommodate wheelchairs, and there are interior elevators, also there is access to the feature gardens. The internal layouts can accommodate persons with disabilities.

Heida Bada comment that once user of Handi-dart and persons requiring attendance care settle into a neighbourhood they have a tendency to stay.

Mark Lindholm commented on "way-finding" signage stating that more signage with a consistent concept through West Bay is desirable and that more work is to be done.

Mark Lindholm also discussed the use of private streetscape space along the Head Street façade as an opportunity to display public art. He stated that he would commission one piece for inclusion on the development.

Mark Salter referred to page 3, item 23 of the Green Check List regarding the storm water re-charge.

Mark Salter commented on the walkway, create way-finding to re-direct pedestrians to meaningful way.

Nick Kovacs inquired if the harbor Ferries had been approached regarding opportunities associated with this proposal.

RECOMMENDATION:

Moved and seconded that the Esquimalt Advisory Planning Commission resolved that the Rezoning application prepared by John Crowhurst Architect, stamped in part "Received July 31, 2012" and in part "Received October 9, 2012" be **received for information**.

VII. PLANNER'S STATUS REPORT

Trevor Parkes, Staff Liaison reported on:

- 478 Fraser Street - Development Variance Permit approved by Council September 17, 2012
- 518 Joffre Street – Development Variance Permit approved by Council September 17, 2012

VIII. COUNCIL LIAISON

Councillor McKie commented that he was impressed with the questions being asked, there were good questions. He commended the APC on their input and that it is needed.

Councillor Schinbein stated he echoed Councillor McKie's comments. He found the meeting informative and is looking forward to the new format.

IX. NEW BUSINESS

No new business presented

X. NEXT REGULAR MEETING

The next regularly scheduled meeting is Tuesday, November 20th, 2012

ADVISORY PLANNING COMMISSION MINUTES
MEETING OCTOBER 16, 2012

7

XI. ADJOURNMENT

On motion the meeting adjourned at 10:00 p.m.

CHAIR, ADVISORY PLANNING COMMISSION
THIS DAY OF , 2013

CERTIFIED CORRECT:

ANJA NURVO, CORPORATE OFFICER



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

ADVISORY PLANNING COMMISSION MINUTES HELD ON DECEMBER 18, 2012 ESQUIMALT COUNCIL CHAMBERS

MEMBERS PRESENT:	Nick Kovacs, Chair	
	Lorne Argyle	Blair Bouchier
	Heidi Bada	James Harada-Down
	Bill Lang	Joy Palmeter
	Paul Newcombe	Mark Salter
STAFF LIAISON:	Trevor Parkes, Senior Planner	
COUNCIL LIAISON:	Councillor Robert McKie - Regrets	
	Councillor David Schinbein	
SECRETARY:	Marie Letham	

There were 6 members of the Public in attendance.

I. CALL TO ORDER

The meeting was called to order by the Chair at 7:00 p.m. The Chair advised that the Advisory Planning Commission is a public meeting, but there is no opportunity for any public input at the meeting. All public input on applications can be presented at Council.

II. LATE ITEMS

There were no late items.

III. ADOPTION OF AGENDA

Moved Joy Palmeter, seconded by Bill Lang that the agenda be adopted as distributed.
The Motion **CARRIED UNANIMOUSLY**.

IV. ADOPTION OF MINUTES – Regular Meeting held October 16, 2012

Staff Liaison advised that the minutes of the October 16, 2012 were not available for adoption this evening, they were prepared by the Secretary, but due to his absence resulting from an illness, he did not have an opportunity to review them in time for inclusion in the agenda. Staff intend to include these minutes in the January agenda for adoption.

V. BUSINESS FROM MINUTES

There was no outstanding business from the Minutes.

VI. STAFF REPORTS

The Chair excused himself from the presentation of the application, citing a conflict of interest. Blair Bouchier acted as Chair for the consideration of this application.

(1) **DEVELOPMENT VARIANCE PERMIT**
963 Shearwater Street
Strata Lot A, Section 11, Esquimalt District, Strata Plan 1044

Trevor Parkes, Staff Liaison, gave an overview of this application for a variance. The owner has converted the existing garage into a combination multi-purpose room and storage space without obtaining a building permit, and without relocating the required parking space to another area of the property. The owner is requesting a Development Variance Permit to authorize the parking situation that currently exists on site; which is one parking space located in the front yard.

Paula McHale, owner/applicant was in attendance to present the application. The applicant presented a power point presentation. She pointed out the damage done to the garage by a dryer vent not being properly hooked up [i.e. damaged roof, moisture built up over several years] causing damage to the garage, mold, etc., which they were compelled to fix. As repair work had to be done, they decided to use the space as a multi-purpose family room.

The applicant indicated to the Commission members that she canvassed the neighbourhood with a letter explaining the project. She indicated that several of the properties had tenants, and she was not able to contact all the owners. She indicated that she had received 17 letters in support.

Paula McHale showed pictures of the driveway, which she stated was a large driveway. She indicated that there is no negative effect on parking on the cul-de-sac and that parking on the driveway meets the intent of the parking bylaw, except for the location.

The applicant indicated that she had commissioned a survey which showed a distance of 2.4 m on the north side of the building which fails to meet the minimum width for a residential parking space.

The applicant outlined the gain to the neighbourhood if variance allowed:

- neighbourhood parking remains the same as is;
- their family continues to enjoy their family room;
- meets intent of bylaw;
- no practical parking changes.

In response to a question from a Commission member, Trevor Parkes advised that no survey had been provided with the application. The plans presented indicated a north setback of 3 metres. He advised the Commission members that there were 3 options: grant the variance; applicant provided parking behind the front face of the building; convert the garage back to a garage.

RECOMMENDATION:

Moved by Lorne Argyle, seconded by Bill Lang, that the application for a Development Variance Permit including the following relaxation to Parking Bylaw, 1992, No. 2011, for the proposed development including located at Strata Lot A, Section 11, Esquimalt District, Plan VIS1044 [963 Shearwater Street], be forwarded to Council with a **recommendation of approval.**

The Motion Carried Unanimously.

Parking Bylaw No. 2011, Section 9(4) – Provision and Maintenance of Off-Street Parking and Loading Areas – an exemption from the requirement that “Parking Spaces in Residential zones shall be located no closer to the Front Lot Line than the front face of the Principal Building.”

The Chair also excused himself from the presentation of this application, citing a conflict of interest.

2. REZONING APPLICATION AND DEVELOPMENT PERMIT APPLICATION

622 Admirals Road

[Lot 155, Suburban Lot 43, Esquimalt District, Plan 2854]

[Lot 156, Suburban Lot 43, Esquimalt District, Plan 2854]

[Lot 157, Suburban Lot 43, Esquimalt District, Plan 2854]

[Lot 158, Suburban Lot 43, Esquimalt District, Plan 2854, Except Part in Red on Plan 312 BL]

Trevor Parkes, Staff Liaison, stated that this application was for the rezoning of the site, therefore issues surrounding siting of the building, massing, height, density and parking should be considered. Should the rezoning be approved, a Development Permit application would be presented at a later date. He commented that the project "Legion Rise" consisted of 3 separate stratas. The application is to rezone the property to permit a 12-storey mixed-use building incorporating 140 "seniors supportive housing" units and assorted ancillary uses, a retail commercial unit and 12 "veterans" units and a new Legion facility.

The proposal is consistent with the Official Community Plan policy regarding height, however the proposed density exceeds the OCP stated 3.0 FAR for Commercial Mixed use Developments. As the project would provide special needs [seniors] and accessible housing units the proposed density can be considered.

Michael Levin, Architect, and Christ Fitzpatrick, Developer, were in attendance to outline the proposal.

Michael Levin, using a power point presentation explained the aspects of the project including location, surrounding uses, commercial component height and massing. He advised that the project is on the edge of the Esquimalt Village Project, well served by public transit. He outlined the survey and the site plan for the members demonstrating the intend flow of uses on the site. He also advised that there will be a dedication to the Township of a 3.2 metre strip for road widening and a bicycle path.

He also expanded on the street trees, bus lay-by and underground parking layout. The underground parking has 11 scooter spaces for the residents' use. He also explained the visitors parking area for the new Legion.

He explained the multi-use space, dining area, kitchen, and outdoor space. Loading zone will be off Miles Street.

Michael Levin outlined the landscape details of the roof garden, and the Legion patio area.

Using the shadow study plan, the architect further expanded on the shadow impacts of the proposed building.

APC Discussion

In response to a question from a Commission member, as to the type of commercial activity would go in on the ground floor. Mike Levin responded, probably businesses like, hair salon or doctor's office. Tenancy has not yet been determined.

A brief discussion took place regarding parking when the Legion has entertainment and functions, where would everyone park.

The Commission members were advised that the parking study would clarify where everyone would park.

In response to a question regarding parking facilities for accessibility. Mike Levin stated that there is disabled parking allotted, and that, yes, if persons wanted to put their scooters in their suites they would fit.

Upon request from the Chair, the Staff Liaison explained the parking requirements for disabled and seniors housing.

Concern was expressed by members of the Commission regarding the traffic pattern and concerns that the parking will be pushed back into the surrounding neighbourhood. Also questioned where staff would park.

In response to a question regarding electric vehicle parking, the architect responded that there were 3 spots provided.

In response to questions regarding how deliveries would be managed with large trailers bringing supplies, Mike Levin responded that the timing of services and garbage pickup would have to be set up, many business arrange for these services to be early in the business day.

Chris Fitzpatrick, developer, advised the Commission of some parking and driving statistics, of seniors. He also advised that the cost of underground parking is expensive. It all comes down to an economy of scale.

In response to questions regarding emergencies and fire fighting, Trevor Parkes responded that the plans have been reviewed by the Esquimalt Fire Department.

The Commission members advised that they liked the project, concern was expressed about the lack of parking information.

RECOMMENDATION:

Moved by Joy Palmeter, seconded by Bill Lang that the Advisory Planning commission resolves to recommend to Council that the application to rezone Lots 155 to 157, Suburban Lot 43, Plan 2854, and Lot 158 Suburban Lot 43, Plan 2854 except part in red on Plan 312 BL to allow for a 12 storey mixed-use building incorporating 140 "seniors supportive housing" units and 12 "veterans" units as well as a new Legion facility and assorted ancillary uses that the application be **"approved subject to provision of a detailed parking study indicating that the proposed parking variances are acceptable"**.

Nick Kovas, Chair returned to the meeting and resumed the Chair.

VII. PLANNER'S STATUS REPORT

Trevor Parkes reported that it was quiet at the moment, no updates at this time.

In response to a question regarding the project at the Cambie (856 Esquimalt), Trevor Parkes responded that since the approval of the rezoning, there has been no discussions with the owner and no application for a Building Permit has been received for this project.

VIII. COUNCIL LIAISON

Councillor Schinbein commented that there has been some good discussions this evening, commented to the members they were doing a good job.

IX. NEW BUSINESS

(i) Amendment to Minutes – Special Meeting October 2, 2012

Trevor Parkes advised the Commission members that the Director of Development Services has requested an amendment to Item 2) Public Input at APC Meeting, which reads:

"Trevor Parkes clarified that the current APC bylaw prohibits public input at APC meetings and the proposed bylaw will also prohibit public input. He also stated that recent legal review of the APC bylaw and procedures resulted in municipal lawyers recommending the practice of allowing public comments at APC meetings end immediately." be amended by removing the word "immediately".

Moved by Bill Lang, seconded by Blair Bouchier that Item 2) Public Input at APC meetings be amended to read: *"Trevor Parkes clarified that the current APC bylaw prohibits public input at APC meetings and the proposed bylaw will also prohibit public input. He also stated that recent legal review of the APC bylaw and procedures resulted in municipal lawyers recommending the practice of allowing public comments at APC meetings end."*

The Motion **CARRIED UNANIMOUSLY**.

(ii) Appointments

Trevor Parkes reminded the membership that new appointments for Commission and Committee membership would be advertised shortly, and those members who wish to continue servicing should notify the Corporate Administrator.

X. NEXT REGULAR MEETING

The next regularly scheduled meeting is January 15, 2013.

XI. ADJOURNMENT

On motion the meeting adjourned at 9:35 P.M.

CHAIR, ADVISORY PLANNING COMMISSION
THIS DAY OF _____, 2013

CERTIFIED CORRECT:

ANJA NURVO, CORPORATE OFFICER



CANADA

Friday 4 January 2013

Her Worship Barbara Desjardins
Mayor of Esquimalt
1229 Esquimalt Road
Esquimalt BC V9A 3P1

Dear Madam Mayor:

CORPORATION OF THE TOWNSHIP OF ESQUIMALT
For Information:
☐ CAO ☐ Mayor/Council
☐ _____
RECEIVED: JAN 14 2013
Referred: _____
☐ For Action ☐ For Response ☐ COTW
☐ For Report ☒ Council Agenda ☐ IC
letter report in reader

Re: Senate Human Rights Committee Study on Cyberbullying

Our Senate Human Rights committee recently studied cyberbullying in Canada. Our committee unanimously adopted a rights-based approach to examining this issue. Our study focused on Canada's international human rights obligations under the United Nations Convention on the Rights of the Child, of which Canada is a signatory. Article 19 of the Convention affirms the state's obligation to protect children from physical and mental violence.

Our report found that a whole-of-community approach is necessary to prevent and confront cyberbullying. The report's recommendations call for young people, parents, teachers, federal and provincial governments, industry stakeholders, academics, and community organizations to all be involved in stopping cyberbullying.

Our recommendations call on the federal government to work with provincial and territorial governments to coordinate a strategy to address cyberbullying. The committee stressed that young people must be involved in the development of this strategy, and that human rights education and digital citizenship should be among its key components.

'Digital citizenship,' or a code of conduct related to online behaviour, is a term that the committee heard repeatedly during hearings. We learned from teachers, students, and others that parents and teachers need to help enable youth to define and elaborate this concept themselves.

Witnesses, especially young people, told our committee that our focus should be on prevention and education, and to resort to the justice system only in extreme cases. When cyberbullying does occur, restorative justice initiatives are more effective in repairing relationships and restoring inclusive cultures. Many youth simultaneously play the role of the bully, the victim, and the bystander—a rights-based approach to confronting cyberbullying should empower youth to own both their rights and their responsibilities.

Our committee also recommended that the federal government partner with industry stakeholders to find ways to remove cyberbullying content from the internet in a manner that respects privacy and freedom of expression.

We also called for a task force to define and monitor cyberbullying nationally, and for the federal, provincial, and territorial governments to support long-term research on the gender differences, risk factors, and protective factors linked to cyberbullying.

Our committee heard from youth witnesses that adults need to do a better job of communicating with young people on this issue, so we also produced two companion guides: one for parents, and one for youth. I have enclosed copies of the report, the two guides, and the text of the speech that I delivered in the Senate on cyberbullying. I hope that you will review the report and guides and share them with your colleagues and friends, through social media and other networks.

Thank you for your consideration of the report, and for your help in sharing it with our constituents.

Kind regards,

A handwritten signature in dark ink, appearing to read 'Mob - Jaffer', written in a cursive, flowing style.

The Honourable Mobina S.B. Jaffer, Q.C.
Senator for British Columbia

Enclosures (4)



Environment
Canada

Environnement
Canada

January 8, 2013

Canadian Wildlife Service
5421 Robertson Road, RR #1
Delta, BC V4K 3N2

LH

CORPORATION OF THE TOWNSHIP OF ESQUIMALT	
For Information:	
<input type="checkbox"/> CAO	<input type="checkbox"/> Mayor/Council
<input type="checkbox"/>	
RECEIVED: JAN 14 2013	
Reference:	
<input type="checkbox"/> For Action	<input type="checkbox"/> For Response
<input type="checkbox"/> Report	<input type="checkbox"/> Other
<input type="checkbox"/> COTW	

Re: Consultation on SARA Listing Process for Terrestrial Species 2012 and 2013 (Batch 10)

letter
#report in reader

Environment Canada is seeking comments on the potential impacts of amending the List of Wildlife Species at Risk. On October 5, 2012, the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) submitted 55 assessments of species at risk and two of species no longer at risk to the federal Minister of the Environment. On January 3, 2013, the Government of Canada posted the Ministerial Response Statements for these species on the Species at Risk Act (SARA) Public Registry, launching public consultations on the amendment of Schedule 1, the List of Wildlife Species at Risk under SARA. A complete set of statements are available at: www.registrelep-sararegistry.gc.ca/default.asp?lang=En&n=387BD042-1. Twenty-eight of these species at risk (19 terrestrial and 9 aquatic) have had their current Schedule 1 status confirmed. These are not included in this consultation process, as no regulatory amendment is required.

In the Pacific and Yukon Region, Environment Canada is seeking comment on the proposed amendment of Schedule 1 resulting from assessments of the 9 terrestrial species and populations whose ranges occur in the Region, and are listed on the Table that accompanies this letter. You may provide comments to me directly at the address above, or through the instructions found in the document "Consultation on Amending the List of Species under the Species at Risk Act Terrestrial Species December 2012." This document is available on the SARA Public Registry at: http://www.registrelep-sararegistry.gc.ca/document/default_e.cfm?documentID=2318

More detailed information on individual species is also included in the COSEWIC status reports, which are also available on the SARA Public Registry, as is more general information about SARA.

Your comments will be considered and will inform the Minister's recommendation to Cabinet. Please provide remarks by **March 4, 2013** for species under a normal consultation process and by **October 4, 2013** for species under an extended consultation process. Following the **March 4, 2013** deadline there will also be an opportunity to provide comments during the 30-day public consultation period associated with pre-publication in Canada Gazette Part I. This is expected to occur in the fall of 2013.

Yours sincerely,

Barry Smith
Regional Director
Canadian Wildlife Service
Pacific and Yukon Region

Canada

www.ec.gc.ca

Terrestrial species recently assessed by COSEWIC eligible for addition to Schedule 1 or reclassification in the Pacific and Yukon Region, Canada

Taxon	Species	Scientific Name	Range
Newly Assessed Species			
Endangered			
Vascular Plants	Yukon Draba	<i>Draba yukonensis</i>	YT
Arthropods	Okanagan Efferia	<i>Efferia okanagana</i>	BC
Special Concern			
Molluscs	Magnum Mantleslug	<i>Magnipelta mycophaga</i>	BC
Birds	Buff-breasted Sandpiper	<i>Tryngites subruficollis</i>	AB BC MB NT NU ON QC SK YT
Mammals	Collared Pika	<i>Ochotona collaris</i>	BC NT YT
Mammals	Grizzly Bear (Western population)	<i>Ursus arctos</i>	AB BC MB NT NU SK YT
Up-lists			
From Special Concern to Threatened (2)			
Birds	Western Screech-Owl <i>kennicottii</i> subspecies	<i>Megascops kennicottii kennicottii</i>	BC
From Threatened to Endangered (1)			
Arthropods	Behr's Hairstreak	<i>Satyrium behrii</i>	BC
Down-lists or de-lists (6)			
Birds	Western Screech-Owl <i>macfarlanei</i> subspecies	<i>Megascops kennicottii macfarlanei</i>	BC