



## CORPORATION OF THE TOWNSHIP OF ESQUIMALT

### COUNCIL POLICY

TITLE: Requests for Access to Records – Development Services			NO. ADMIN – 78	
<p><b><u>POLICY:</u></b></p> <p>The process for accessing more routine building, inspections and development services records shall comply with the requirements of the <i>Freedom of Information and Protection of Privacy Act</i>, <i>Local Government Act</i>, <i>Community Charter</i>, and other related enactments as appropriate.</p> <p><b><u>SCOPE:</u></b></p> <p>This policy delegates authority for responding to requests for access to records held in building, inspections, development, permit, and other Development Services files to the Director of Development Services to streamline the process for requesting and responding to such requests and serves as a companion policy to “Freedom of Information Bylaw, 2012, No. 2795”. The FOI Head retains administrative oversight for the program as outlined in Bylaw No. 2795.</p> <p><b><u>GUIDELINES:</u></b></p> <p>The attached document “Guide to Access to Records Requests for Development Services”, as amended from time to time, will serve as the process for responding to requests for routine records related to files such as building, inspections, property, development, and permits.</p> <p>Non-routine requests shall be forwarded to the FOI Head for review and direction or response.</p> <p><b><u>ROLES AND RESPONSIBILITIES:</u></b></p> <p>Council:</p> <ul style="list-style-type: none"><li>• Approves the policy</li></ul> <p>CAO:</p> <ul style="list-style-type: none"><li>• Approves the related procedures and ensures adherence to the policy</li></ul> <p>FOI Head:</p> <ul style="list-style-type: none"><li>• Advises staff on the correct and consistent application of the policy</li><li>• Administers the policy and related procedures</li><li>• Conducts an annual review of the policy to ensure continued compliance with applicable legislation proposes amendments as required</li></ul> <p>Director of Development Services:</p>				
EFFECTIVE DATE: April 25, 2022	APPROVED BY: Council	REFERENCE: Bylaw No. 2795	AMENDS:	PAGE 1 OF 2

- Reviews requests for routinely available records as indicated on the Township's List of Routinely Available Material
- Receives and responds to requests within legislated timelines and in accordance with the attached Guidelines
- Ensures all staff within the department are familiar with the Policy and Guidelines
- Conducts internal review of responses for compliance with FOIPPA requirements prior to release of information
- Maintains sufficient records of requests received on the form prescribed by the FOI Head and submits the request log on the first business day of the month to the Head for routine review

Departmental Staff:

- Adhere to the Policy and associated Guidelines

<b>EFFECTIVE DATE:</b> April 25, 2022	<b>APPROVED BY:</b> Council	<b>REFERENCE:</b> Bylaw No. 2795	<b>AMENDS:</b>	<b>PAGE 2 OF 2</b>
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## Guide to Access to Records Requests for Development Services

### Purpose of the Guide:

This Guide is intended to streamline the release of information contained in the respective files that can be disclosed without the need to undertake a formal request for access to records (FOI Request).

Records contained in building, inspections, development, and permit files are subject to the *Freedom of Information and Protection of Privacy Act* which prohibits the disclosure of personal information unless authorized under the Act. Where the consent of the owner is provided, records containing the owner's personal information can be released; where consent is not provided, certain records may still be released with the personal information redacted, or where the release of personal information is not considered an unreasonable invasion of privacy under the Act.

### Processing Requests:

Before a formal written request for a record is accepted and processed, it should be established that the record being searched for is not "routinely available" (Attachment 1 Township's Routinely Available Records List).

### Routine Requests:

Routine requests are for records that are easily accessible and do not include information subject to the Act and normally do not require the involvement of the FOI Head. A fee, if established by bylaw, may be charged for this information. Routine requests can be verbal rather than written.

### Information Requests:

Information requests include records that are generally routinely available but requires an information review of the records, usually by a departmental supervisor or administrative assistant. This can also be a request for records that are not readily at hand, such as records stored in semi-active or archived permanent files off-site. Requests can be made in writing using the Building Plans Request Form (Attachment 2) available on the website or at the Development Services counter, or by letter or email. As with routine requests, applicable fees may be charged, if permitted by bylaw. These requests must be logged and tracked in accordance with the template prescribed by the FOI Head (Attachment 3). Information requests must be responded to within 30 days. All reasonable efforts will be made to provide the information to requestors as quickly as possible. The request log must be submitted to the FOI Head on the first business day of each month for review.

### Formal Requests:

Formal requests are reserved for records that are neither routinely available, nor available through more informal procedures. Under the Act, formal requests must be made in writing. The Access to Records Request form (Attachment 4) is available online and from the Administration counter, but a letter or email is also acceptable for submitting formal requests. Formal requests are to be directed to the FOI Head as soon as received, as the Act prescribes a 30-day timeline for response.

**Notes:** Just because an applicant provides a request in writing or makes a request for records "pursuant to the *Freedom of Information and Protection of Privacy Act*" does not make it a formal request. If the information is routinely available, then staff should provide it to the applicant routinely. It is the substance of the request that is prioritized and not the form in which the request was made.

The Act includes a "duty to assist clause" that requires Township staff to "make every reasonable effort to assist applicants and to respond without delay to each applicant openly, accurately and completely."

A file containing the requested records could contain personal information that may need to be redacted prior to disclosure, but the file itself is not the homeowner's personal information.

### Redactions:

All records should be reviewed prior to disclosure to determine whether information must be severed (redacted) before the records can be provided as requested. Routine redactions should be undertaken by departmental staff. Questions about severing can be directed to the FOI Head.

### **Guideline for Release of Information – Routine Redaction:**

<b>Information Requested</b>	<b>Releasable</b>	<b>Not Releasable</b>	<b>Legislation</b>
Building Inspection Reports	Yes	<ul style="list-style-type: none"><li>Owner's name, address, phone number, and if related to a bylaw complaint</li></ul>	s. 15, 21 & 22 FOIPPA
Building, Plumbing and Development Applications and Permits	Yes - including owner's name	<ul style="list-style-type: none"><li>Owner's address if different from subject property</li><li>Owner's email address and phone number</li><li>Contractor's home address and phone number</li><li>How long the owner has owned the property and other supporting information</li></ul>	s. 21 & 22 FOIPPA
Building Plans	Yes	<ul style="list-style-type: none"><li>Information on security systems</li><li>Building interiors without the consent of the owners</li><li>Plans that are copyright designs without applicable copyright information stamp</li></ul>	s. 15 & 19 FOIPPA <i>Federal Copyright Act</i>
Engineers Certificate	Yes		
Legal Lot Surveys, Site Surveys, Site Survey Certificates	Yes – Bound by copyright and must be stamped accordingly		s. 15 & 19 FOIPPA <i>Federal Copyright Act</i>
Proposed Development or Subdivision Plans (if no official application is yet received)	Yes – Drawings for viewing only	<ul style="list-style-type: none"><li>If submitted in confidence and prior to In Camera meeting</li></ul>	s. 21, 22 & 23 FOIPPA
<p><b>Note:</b> Pursuant to FOIPPA s. 22(4)(i), it is <u>not</u> an unreasonable invasion of privacy to disclose the name of the permit applicant.</p> <p>It is critical that staff take the time to review the information contained in the requested files to ensure that no personal information or other information exempted from disclosure is released, even to those requesting to review the records at Municipal Hall. If required, staff can request that an individual come back at a later time to view the records after they have been vetted.</p>			

### Building Plans:

Proposed or existing building plans that show the site layout and exterior elevations may be viewed routinely. Staff should review plans for personal information prior to public viewing.

Detailed floor plans or interior plans require the written consent of the owner before they can be viewed or copied. Written consent can be obtained using the Agent Authorization Form included in the Building Plans Request Form.

One copy of the plan(s) will be provided only:

- with the submission of a completed Building Plans Request Form, or other written request;
- with the written consent of the Property Owner(s); and
- in accordance with the federal *Copyright Act* marked or stamped with the appropriate *Copyright Act* disclaimer as described under the Development Services Reference Sheet section of this Guide (pg. 5-6).

Additional copies of the plans may be made only with the express consent of the copyright holder.

### Permits:

Issued permits are routinely available to any interested party. The permit should be reviewed for any personal information and that all such information must be redacted consistent with the guidelines noted above. Questions regarding redactions can be directed to the FOI Head. The application and supporting materials for the building permit are not routinely available and should be subject to an information request, or a formal request depending on the nature of the information contained within the particular record(s).

Copies of the approved building, development, engineering, mechanical, occupancy, sign, plumbing, and any other permits that provide a discretionary benefit are routinely available to the public, including:

- Name of the person or company to whom the permit or licence was issued
- Name and address of the business connected with the licence or permit (i.e. contractor)
- Location where the work is being performed
- Value of construction
- Size of the building and use of property

The following information may be contained within the licence or permit and should be severed prior to disclosure:

- Home or cell phone number and personal email address of the applicant
- Applicant's address, if different from the permit property address
- How long the owner has owned the property

**Note:** Lists of permits issued (weekly, monthly, or other interval) may be made routinely available to the public but must not contain personal information that is supplied in support of the permit or licence application.

### Property Information:

Routine access to property files is granted upon request only to the registered owner(s) or individual(s) who have obtained written permission from the registered owner(s) to access the property files (see Building Plan Request Form). Staff may still disclose information from building or other related property permits in accordance with this Guide.

## Guideline for Release of Development Services Records:

Routine Requests			
Record	Action	Owner Consent	Prior to Release
Building Permits – Site Plans+	View	Not required	
Development Permits – Site Plans+	View	Not required	
Survey Certificates	View	Not required	

+ Must not include detailed floor plans or interior designs that could compromise the security of the building

Information Requests			
Record	Action	Owner Consent	Prior to Release
Building Inspection Report*	View Copy	Not required	*Personal information must be severed
Building Permit Application*	View Copy	Not required	*Personal information must be severed
Development Permit Application*	View Copy	Not required	*Personal information must be severed
Occupancy Permit Issued*	View Copy	Not required	*Personal information must be severed
OCP/Zoning Amendment Application*	View Copy	Not required	*Personal information must be severed
Permits Issued* (Building, Demo, Sign, Plumbing, Development, Development Variance)	View Copy	Not required	*Personal information must be severed
Survey Certificate**	View Copy	Not required	**Subject to Copyright and must be marked or stamped accordingly
Applications (Building Permit*, Demo Permit*, Development Permit*, Development Variance Permit*, Grading Plans*, Sign Permit*, Plumbing Permit*, Servicing Plans**)	View Copy	Required	*Personal information must be severed  ** Subject to Copyright and must be marked or stamped accordingly
Building Permit Application*	View Copy	Required	*Personal information must be severed
Building Plans**	View Copy	Required	*Personal information must be severed  **Subject to Copyright and must be marked or stamped accordingly

Formal Requests			
Record	Action	Owner Consent	Prior to Release
Bylaw Enforcement Files	View Copy	TBD	Subject to review by FOI Head
Correspondence, Emails, Letters, Memorandums	View Copy	TBD	Subject to review by FOI Head

## Development Services Reference Sheet

### 1. Can building plans be released routinely?

Building plans are copyrighted and may contain some information that may be exempted from disclosure under FOIPPA such as internal security systems or floor plans, the disclosure of which could threaten the security of the building.

#### Processing a Request for Access to Building Plans:

Building plans illustrating exterior elevations, site layout, or other external features and building height can be made available:

- To view in person at Municipal Hall under staff supervision (must not take photos or record the plan in any way)
- Copied with either written permission of the property owner or the professional associated with the plans as appropriate
  - ❖ An applicant receiving a copy of the building or site plan is bound by copyright law. They are not authorized to make further copies or use it without the permission of the copyright holder. If a copy is provided, the building or site plan must be stamped or marked with the appropriate **Copyright Act Information Disclaimer:**

This plan is copyright, [date] by [name]; and is disclosed subject to the *Copyright Act*. You may not modify, publish, transmit, participate in the transfer of sale of, reproduce, create derivative works from, distribute, display, or in any way use or exploit the plan(s) in whole or in part without the express consent of the copyright holder.

- Disclosed under an Information or Formal Request, in accordance with the *Copyright Act*. Exceptions may apply to the release of some of the requested records such as detailed floor plans or interior designs that could compromise the security of the building. In addition, third party notice to the registered owner of the plan or associated professional requesting comment on releasing the information may be required.
  - ❖ An applicant who obtains a copy of the building or site plan is bound by copyright law. They are not authorized to make further copies or use it without the permission of the copyright holder. If a copy is provided, the building or site plan must be stamped or marked with the appropriate **Copyright Act and FOIPPA Information Disclaimer:**

This plan is copyright, [date] by [name]; and is disclosed subject to the *Copyright Act* and in accordance with the *Freedom of Information and Protection of Privacy Act*. You may not modify, publish, transmit, participate in the transfer of sale of, reproduce, create derivative works from, distribute, display, or in any way use or exploit the plan(s) in whole or in part without the express consent of the copyright holder.

### 2. Can a building or development application be released routinely?

Partially. Contents of the permit including property location, value of construction, size of the building, use of the property, and the name of the applicant can be released routinely. Personal information including email address, phone number or home address, if different from the subject property, would be released only with the consent of the applicant. Other personal information or supporting materials should be subject to a Formal FOI Request.

### 3. Can BC Land Surveyor (BCLS) Location and Form Certificates be released routinely?

Building location and form certificates are the work of the respective surveyor who prepared them and are subject to copyright law. BCLS certificates can be made available as follows:

- To view in person at Municipal Hall under staff supervision (must not take photos or record the document in any way)
- Provide one copy of the survey marked or stamped with the **Copyright Act Information Disclaimer**
- Additional copies may be provided with the express written consent of the appropriate surveyor. If the Township has obtained consent, prior to disclosure the survey should be stamped or marked with the **Copyright Act Information Disclaimer**

This plan is copyright, [date] by [land surveyor]; and is disclosed subject to the *Copyright Act*. You may not modify, publish, transmit, participate in the transfer of sale of, reproduce, create derivative works from, distribute, display, or in any way use or exploit the plan(s) in whole or in part without the express consent of [land surveyor].

- Disclosed under an Information or Formal Request, in accordance with the *Copyright Act*. Exceptions may apply to the release of some of the requested records such as personal information or information that would disclose commercial, financial, or technical information of a third party. If a copy is provided, the survey must be stamped or marked with the **Copyright Act and Freedom of Information and Protection of Privacy Act Information Disclaimer** for building location and form certificates as follows:

This plan is copyright, [date] by [land surveyor]; and is disclosed subject to the *Copyright Act* and in accordance with the *Freedom of Information and Protection of Privacy Act*. You may not modify, publish, transmit, participate in the transfer of sale of, reproduce, create derivative works from, distribute, display, or in any way use or exploit the plan(s) in whole or in part without the express consent of [land surveyor].

### 4. What are routinely available documents prepared by Architects, Designers, or Engineers?

Documents such as architectural or engineering schedules, field reports, or design guidelines should be routinely available.

### 5. Can BC Assessment view and take pictures of floor plans or view property files without owner authorization?

There is legislation that authorizes the release of information to BC Assessment so that they fulfill their mandate. There are additional agencies such as WorkSafe BC, Revenue Canada, and the Insurance Corporation of British Columbia that are also authorized.

### 6. Can the Township provide monthly (or other time interval) listings of issued building permits to the public? \*\*\* **Excludes permits not yet issued** \*\*\*

These listings are considered routinely available. The listing can include information regarding property location, value of construction, size of the building, property use (SFD, MFD, COM, IND). The included information must be property information and not personal information. The names and addresses of businesses associated with the permits such as contractors or subcontractors responsible for the work can be released. Business contact information is not included under the exception for protection of personal privacy.

### 7. How much information can be released regarding property tags?

Staff can state what the tags attached to properties are but must not go into detail about the property tags.

Tags about the presence of a “heritage conservation site” or “archaeology site” can only be released to someone who can establish a “need to know” reason to obtain the information such as a property owner, developer, realtor, or lawyer. Someone with a general interest in collecting this material should be refused to preclude people interested in collecting artifacts from plundering the known sites. Questions should be referred to the BC Archaeology Branch at 250-953-3334.



## LIST OF ROUTINELY AVAILABLE RECORDS

SUBJECT HEADING	DEPT OF RECORD	ROUTINE	REQUEST REQUIRED
<b>A</b>			
Access to Information Requests (FOIPPA)	Admin		√
Accident Reports – Employees	Human Resources		√
Accident Reports – Other	Human Resources		√
Accounts Payable – General Information	Finance	√	
Accounts Payable – Individual Vendors Case Files	Finance		√
Accounts Payable – Invoices	Finance		√
Accounts Receivable – General Information	Finance	√	
Accounts Receivable – Individual Account Case Files	Finance		√
Administration – Organization Charts	Admin	√	
Advertising – Statutory Notices for Public Hearings, DVP, etc.	Admin	√	
Advertising – Other		√	
Agendas – Advisory Committees, Boards and Commissions of Council		√	
Agendas – Council, Special Committees, etc. – Open Meetings	Admin	√	
Agendas – Council, Special Committees, etc. – Closed Meetings	Admin		√
Agreements	Admin		√
Agricultural Land Commission (ALC) – Individual Case Files	Planning		√
Annual Reports	Admin	√	
Application Forms (completed) – Various			√
Arbitration Decisions	Human Resources		√
Assessment Roll/Information – <b>The public is to contact BC Assessment directly</b>	Finance	N/A	N/A
Audits/Auditor's Reports	Finance		√
Awards – Nomination Forms/Applications	Admin		√

SUBJECT HEADING	DEPT OF RECORD	ROUTINE	REQUEST REQUIRED
<b>B</b>			
Benefits – Employee	Human Resources		√
Board of Variance – Applications and supporting documents	Planning		√
Board of Variance – Minutes and Agendas	Planning	√	
Bonds and Letters of Credit	Finance		√
Budgets – General Information	Finance	√	
Budgets – Annual	Finance	√	
Budgets – Capital	Finance	√	
Budgets – Draft	Finance		√
Budgets – Operating – Final	Finance	√	
Budgets – Yearly Financial Report	Finance	√	
Building Permits (including Plumbing, Heating & Electrical, Occupancy) – General Information	Building	√	
Building Permits – Applications (Businesses)	Building	√	
Building Permits – Applications (Individuals)	Building		√
Building Permits – Inspection Reports/Notices of Rejection	Building		√
Building Plans/Drawings – Exterior Views & Site Plans	Building	√	
Building Plans/Drawings – Interior Views & Plans	Building		√
Building Regulations and General Information	Building	√	
Buildings – Individual Case Files	Building		√
Buildings – Municipally Owned – Individual Case Files			√
Burial Permits		√	
Burning Permits	Fire	√	
Business Licenses – General Information	Business Licensing	√	
Business Licenses – Applications	Business Licensing		√
Business Licenses – Individual Case Files	Business Licensing		√
Bylaws	Admin	√	
Bylaws – Draft	Admin		√
Bylaw – Enforcement/Complaints	Bylaw Enforcement		√

SUBJECT HEADING	DEPT OF RECORD	ROUTINE	REQUEST REQUIRED
<b>C</b>			
Chauffeurs' Permits – see Commercial Vehicle Licenses/Permits			
Cheques/Cheque Requisitions	Finance		√
Circulars, Directives, Orders	Admin	√	
Claims – General Information	Legal	√	
Claims – Individual Case Files	Legal		√
Classifications – Jobs	Human Resources		√
Collective Agreements – Draft	Human Resources		√
Collective Agreements – Final		√	
Committee Appointments – Applications	Admin		√
Committee, Commission, Board Membership (Names only)		√	
Committee, Commission, Board Membership (Personal Information)			√
Committees, Commissions, Boards – Agendas/ Minutes	Admin	√	
Competitions – Jobs	Human Resources		√
Complaints			√
Contracts/Agreements/Leases	Admin		√
Council – Financial Disclosure Forms	Admin	√	
Council – Indemnities/Remuneration	Admin	√	
Council – Personal Information (i.e., home address)	Admin		√
Council Meetings – Minutes/Agendas/Reports – Closed (In Camera) Meetings	Admin		√
Council Meetings – Minutes/Agendas/Reports – Open Meetings	Admin	√	
Council Resolutions – Closed (In Camera) Meetings	Admin		√
Council Resolutions – Open Meetings	Admin	√	
Court of Revision – Elections – Agendas/Minutes	Admin	√	
Court of Revision – Frontage Tax – Agendas/ Minutes	Admin	√	
Covenants/Restrictive Covenants	Planning	√	
Criminal Record Checks – Staff and Volunteers	Human Resources		√

SUBJECT HEADING	DEPT OF RECORD	ROUTINE	REQUEST REQUIRED
<b>D</b>			
Debt and Debenture	Finance		√
Demographic Data	Planning	√	
Design Guidelines	Planning	√	
Development – Individual Area Plans	Planning	√	
Development Cost Charges	Planning	√	
Development Guidelines	Planning	√	
Development Permits & Development Variance Permits (Businesses)	Planning	√	
Development Permits & Development Variance Permits (Individuals)	Planning		√
Development Permits & Development Variance Permits – Applications	Planning		√
Development Permits & Development Variance Permits – Individual Case Files	Planning		√
Dog Licenses			√
<b>E</b>			
Easements/Rights of Way/Encroachments/Restrictive Covenants	Engineering	√	
Elections – List of Registered Electors (Requires completion of declaration form)	Admin	√ Inspection Only	
Elections – Campaign Financing Disclosure Forms (Requires completion of declaration form)	Admin	√ Inspection Only	
Elections – Nomination Papers	Admin	√	
Elections – Results	Admin	√	
Electrical Permits/Certificates – see Building Permits	Building		
Emergency Measures – Business Recovery Plans	Emergency		√
Emergency Measures – Township’s Emergency Plan	Emergency		√
Employee Benefits	Human Resources		√
Employee Classification		√	
Employees – Individual Case Files – Union Employees – Current	Human Resources		√
Employees – Individual Case Files – Union Employees – Terminated	Human Resources		√

SUBJECT HEADING	DEPT OF RECORD	ROUTINE	REQUEST REQUIRED
Employees – Individual Case Files – Non-Union Employees	Human Resources		√
Employment Applications/Resumes	Human Resources		√
Engineering Project Files	Engineering		√
Expense Accounts – Council/Staff	Finance	√	
Expense Claim Summaries (Included in SOFI)	Finance	√	
Expense Claims – Individual Case Files	Finance		√
<b>F</b>			
Facilities – Municipally – Owned			√
Filming Permits		√	
Financial Audits	Finance		√
Financial Disclosure Forms – Council	Admin	√	
Financial Disclosure Forms – Employees	Admin		√
Financial Statements	Finance	√	
Fire Incident Reports	Fire		√
Fire Cause Determination Reports	Fire		√
Fire Inspection Reports	Fire	√	
First Aid/WCB Reports	Human Resources		√
Freedom of Information and Protection of Privacy – Individual Requests for Information/ Change of Personal Information	Admin		√
<b>G</b>			
Garbage Collection/Recycling Calendar	Engineering	√	
Geographic Information System (GIS) – Database and Mapping Information	Engineering	√	
Government Protocols and Cost-Sharing Agreements	Admin		√
Grants from the Township – General Information	Admin	√	
Grants from the Township – Requests/Applications	Admin		√
Grants to the Township – General Information	Admin	√	
Grievances – Individual Case Files	Human Resources		√
<b>H</b>			
Heating Permits – see Building Permits	Building		
Heritage Inventory	Planning	√	

SUBJECT HEADING	DEPT OF RECORD	ROUTINE	REQUEST REQUIRED
Heritage Revitalization Agreements	Planning	√	
Heritage Sites – Individual Case Files	Planning		√
Homeowner Grants – Provincial	Finance		√
<b>I</b>			
Illegal Suites – Complaints	Bylaw Enforcement		√
Illegal Suites – Lists	Bylaw Enforcement		√
Inspection Reports – Building (includes Electrical, Heating and Plumbing)	Building		√
Inspection Reports – Fire	Fire	√	
Inspections – WorkSafe BC	Human Resources		√
Insurance Policies	Finance		√
Insurance – Employee Benefits	Human Resources		√
Inventories – Heritage	Planning	√	
Inventories and Asset Control	Finance		√
Invoices	Finance		√
<b>J</b>			
Job Competitions – Individual Case Files	Human Resources		√
Job Competitions – Postings	Human Resources	√	
Job Descriptions	Human Resources	√	
Job Evaluations	Human Resources		√
<b>K</b>			
<b>L</b>			
Labour Negotiations	Human Resources		√
Land Sale/Options/Exchange/Transfer	Admin		√
Leases	Admin		√
Legal Opinions	Legal		√
Legal Opinions – Invoices/Costs	Legal		√
Letters of Credit/Bonds	Development Services		√
Licenses – General Information	Business Licensing	√	
Licenses – Applications	Business Licensing		√
Licenses – Individual Case Files	Business Licensing		√
Liquor License – Municipal Input	Admin	√	
Litigation – Individual Case Files	Legal		√

SUBJECT HEADING	DEPT OF RECORD	ROUTINE	REQUEST REQUIRED
Litigation – Invoices/Costs	Legal		√
Long Term Disability – Individual Case Files	Human Resources		√
<b>M</b>			
Management Reviews	Human Resources		√
Minutes – Advisory Committees, Boards and Commission of Council	Admin	√	
Minutes – Council, Special Committees, etc., – Open Meetings	Admin	√	
Minutes – Council, Special Committees, etc., – Closed Meetings	Admin		√
Mission Statement	Admin	√	
<b>N</b>	Admin		
News/Media Releases	Admin	√	
Newsletter – Township	Admin	√	
Nomination Papers – Elections	Admin	√	
Notice of Intent and Demolition	Bylaw Enforcement		√
<b>O</b>			
Occupancy Permits – see Building Permits	Building		
Official Community Plan (OCP)	Planning	√	
Operating Budgets – see Budgets	Finance		
Organization Reviews/Audits	Human Resources	√	
<b>P</b>			
Parade and Banner Permits	Engineering	√	
Parking Permits	Engineering	√	
Parking Tickets/Enforcement	Bylaw Enforcement		√
Payroll	Finance		√
Performance Planning and Review	Human Resources		√
Permits – All Types		√	
Pesticide Use Permits	Engineering	√	
Proclamations	Admin	√	
Property Taxes – General Information (Levies and Balances)	Finance	√	
Properties – Municipally Leased	Various		√

SUBJECT HEADING	DEPT OF RECORD	ROUTINE	REQUEST REQUIRED
Properties – Municipally Owned	Various		√
Proposals	Admin		√
Public Hearings – Minutes/Agendas/Notices	Planning	√	
Purchase Orders	Finance		√
<b>Q</b>			
Quotations	Finance		√
<b>R</b>			
Reclassifications	Human Resources		√
Recreation Programs – General Information	Recreation	√	
Recreation Programs – Applications/Registrations	Recreation		√
Recreation Surveys	Recreation		√
Remuneration – Council	Admin	√	
Remuneration – Staff	Human Resources	√	
Reports – Annual	Admin	√	
Reports – Financial	Finance	√	
Reports and Statistics	Admin	√	
Reports to Council – Open Meetings	Admin	√	
Reports to Council – Closed (In Camera) Meetings	Admin		√
Rezoning – Applications	Planning		√
Rezoning – General Information	Planning	√	
Rezoning – Individual Case Files	Planning	√	
Rezoning – Notifications	Planning	√	
Rights of Way, Easements	Engineering	√	
<b>S</b>			
Salaries – Employees	Human Resources	√	
Secondary Suites – Complaints	Bylaw Enforcement		√
Secondary Suites – List	Bylaw Enforcement		√
Sign Permits	Planning	√	
Signing Authorities – List	Finance	√	
Signs – Inspections	Planning	√	
Special Events/Occasion Permits	Admin	√	
Speeches	Admin	√	
Staff Meetings (by department) – Minutes and Agendas			√



SUBJECT HEADING	DEPT OF RECORD	ROUTINE	REQUEST REQUIRED
Staff Reports – Open Meeting		√	
Staff Reports – Closed (In Camera) Meetings			√
Street Use Permits	Engineering	√	
Street Vendor Permits	Engineering	√	
Subdivisions – Applications	Planning		√
Subdivisions – Plans	Planning		√
Survey Certificates	Engineering	√	
<b>T</b>			
Tax Exemptions	Finance	√	
Taxation Assessments – General	Finance	√	
Taxes Paid	Finance	√	
Taxi Licenses – see Commercial Vehicle Licenses/Permits			
Telephone Bills	Finance		√
Tenders	Finance	√	
Timesheets (payroll)	Finance		√
Traffic Control – Complaints	Engineering		√
Training and Development – General Information	Human Resources	√	
Training and Development – Individual Employee	Human Resources		√
Travel Advances			√
Travel Allowances and Expenses		√	
Tree Cutting Applications	Planning		√
Tree Cutting Permits	Planning	√	
<b>U</b>			
Unightly Premises – Complaints	Bylaw Enforcement		√
<b>V</b>			
Variance Permits – see Development and Development Variance Permits	Planning		
Vendors/Suppliers – Individual Case Files	Finance		√
<b>W</b>			
Wages – Staff	Human Resources	√	
Woodstove Permits	Fire	√	
WorkSafe BC – Claims	Human Resources		√

SUBJECT HEADING	DEPT OF RECORD	ROUTINE	REQUEST REQUIRED
Workplace Inspection Reports	Human Resources		√
Workplans (by Department)			√
Works and Services Agreement	Engineering	√	
<b>X, Y, Z</b>			
Zoning and Rezoning – General Information & Regulations	Planning	√	
Zoning and Rezoning – Individual Applications and Supporting Documents	Planning		√
Zoning and Rezoning – Individual Case Files	Planning		√
Zoning and Rezoning – Public Hearing Notices/ Agendas/Notes/Reports to council/Letters of Support or Objections	Planning	√	



## BUILDING PLANS REQUEST FORM

Property Civic Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

**Property Owner (s): Please print clearly**

*Any personal information provided below is collected pursuant to section 26 of the Freedom Information and the Protection of Privacy Act, the bylaws of the municipality under the Local Government Act, and under the authority of those enactments. Questions about the collection of the information may be directed to the Corporate Officer*

Name		
Address	City & Province	Postal Code
Phone	Email	

**Agent Authorization or Strata Approval Letter**

- **If the subject property is Strata Titled**, then a letter authorizing the Strata President or designate to act on the owner's behalf would be required at time of submission  
Plans for apartments or condo complexes may not contain drawings for individual units. Often, only a typical plan of each floor will be submitted. Suites are usually not identified by their unit number on these typical floor plans, although there may be drawings of specific unit types.
- **If you are not the registered owner of the subject property**, please complete page two.

**Copying**

Building plans may be available electronically, which will be emailed; however plans in paper format will be sent off-site for copying at the requestor's expense.

**Copyright Acknowledgement (requestor to complete)**

I, \_\_\_\_\_, acknowledge that the request records and/or requested plans for the subject property with the civic address of \_\_\_\_\_, may be subject to copyright Protection.

I confirm that the records requested are to be used solely for research or private study; that any use of the copy for a purpose other than research or private study may require the authorization of the copyright owner of the work in questions; and that I will not use the records for any purpose that would violate the copyright or moral rights of the author of the records, without the consent of the author.

**By signing below I hereby agree to pay the Service Provider for all copying and handling charges incurred in copying the above requested building plans.**

\_\_\_\_\_  
Signature of Requestor

\_\_\_\_\_  
Date

## PERMISSION TO ACCESS BUILDING PLAN RECORDS

Complete this section if you are acting on behalf of the Property Owner – Owner **MUST** sign below

*Any personal information provided below is collected pursuant to section 26 of the Freedom Information and the Protection of Privacy Act, the bylaws of the municipality under the Local Government Act, and under the authority of those enactments. Questions about the collection of the information may be directed to the Corporate Officer*

Please be advised that I/we, \_\_\_\_\_  
REGISTERED OWNER(S)

being the registered owner(s) of \_\_\_\_\_  
CIVIC ADDRESS

give permission to \_\_\_\_\_  
NAME PHONE

of \_\_\_\_\_  
COMPANY NAME IF APPLICABLE

to view and receive copies of the building plans on record for the address listed above.

Owner(s) Signature: \_\_\_\_\_  
DATE

\_\_\_\_\_  
PRINTED NAME(S)

**During the Coronavirus (COVID-19) pandemic, all requests must be submitted by email  
to [building@esquimalt.ca](mailto:building@esquimalt.ca)**

If you have any questions, please contact Building at 250-414-7103



1229 Esquimalt Road  
Esquimalt BC V9A 3P1  
PHONE: 250-414-7103  
FAX: 250-414-7160  
[www.esquimalt.ca](http://www.esquimalt.ca)

## AGENT AUTHORIZATION

Date: \_\_\_\_\_

Please be advised that I/we, \_\_\_\_\_  
(PRINT NAME(S))

As the registered owner(s) of \_\_\_\_\_  
(ADDRESS)

Appoint \_\_\_\_\_ as an agent authorized  
(NAME OF PERSON TO ACT AS AGENT)

\_\_\_\_\_  
(ADDRESS/PHONE NUMBER OF AGENT)

To receive permits on behalf of the registered owner for the above referenced address.

Owner(s)  
Signature: \_\_\_\_\_  
\_\_\_\_\_



## ***FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT***

### **APPLICATION FEES FOR GENERAL REQUESTS**

#### **Background:**

Amendments to the *Freedom of Information and Protection of Privacy Act* (FOIPPA) came into effect on November 25, 2021. As part of these changes, the Township of Esquimalt implemented a \$10 fee for general freedom of information (FOI) requests.

Access to records is one of the cornerstones of our democratic system allowing members of the public to understand decision making processes by increasing the transparency and accountability of local government activities. FOI requests continue to increase each year and are requiring significant administrative time to respond, often due to overly broad requests submitted to the Township.

The application fee for general requests brings B.C. into alignment with other Canadian jurisdictions that have also implemented application fees.

#### **Overview:**

A non-refundable application fee of \$10 will now be applied to all general Freedom of Information requests. This fee must be paid prior to the request being processed. Please note that the legislated timeline to respond to a request will not start until the application fee is paid. Fees may be paid by cash, cheque, or debit card.

If additional public bodies have records beyond the original request, the request may be transferred to provide a fulsome response. Applicants will be notified prior to transferring the request to any other public body as there may be additional fees from these bodies.

This fee does not apply to Indigenous Governing Entities or to requests for an individual's personal information.

#### **Additional Information:**

Information and applications for FOI requests are available online at <https://www.esquimalt.ca/government-bylaws/freedom-information>. Questions may also be directed to the Corporate Officer at [corporate.services@esquimalt.ca](mailto:corporate.services@esquimalt.ca), 250-414-7135, or 1229 Esquimalt Rd, Esquimalt, BC, V9A 3P1.



1229 Esquimalt Road  
Esquimalt BC V9A 3P1  
PHONE: 250-414-7100  
FAX: 250-414-7111  
[www.esquimalt.ca](http://www.esquimalt.ca)

## Request for Access to Records

Under the Freedom of Information and Protection of Privacy Act (FOIPPA)

### Part 1: APPLICANT INFORMATION

Name	Phone No.	Email Address
Address		
City/Town	Province	Postal Code

### Part 2: DETAILS OF REQUESTED INFORMATION

Please describe the records you are requesting. Be as specific as possible, as this will assist the request process.

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#### Are you requesting access to another person's personal information?

☐ YES (attach that person's signed consent for disclosure or proof of authority to act on that person's behalf) ☐ NO

#### Preferred method of Access to Records:

☐ EXAMINE ORIGINAL ☐ RECEIVE COPY BY MAIL ☐ RECEIVE COPY BY EMAIL

### Part 3: APPLICANT SIGNATURE

You may make a request for access to records without using this form, provided you do so in writing. Personal information contained on this form is collected under FOIPPA. The Township of Esquimalt will respond according to s. 7 of FOIPPA (within 30 business days from receiving application). Completion of this application form is not a guarantee that your application will be approved.

Signature	Date
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<b>Submit your application to the Corporate Officer via email to <a href="mailto:corporate.services@esquimalt.ca">corporate.services@esquimalt.ca</a> or in person at Municipal Hall, 1229 Esquimalt Road.</b>	DEPARTMENT USE ONLY

## 2022 INFORMATION REQUEST LOG

FILE NO. & APPLICANT CONTACT	DATE RECEIVED	DUE DATE (30 Business Days)	ITEMS REQUESTED	STATUS	DATE COMPLETED
<b>22-01</b> John Smith <a href="mailto:jsmith@email.com">jsmith@email.com</a>	January 12, 2022	February 23, 2022	Building plans for 1229 Esquimalt Rd	<ul style="list-style-type: none"> <li>• Acknowledge receipt by email and clarify details Jan 13</li> <li>• Identified available records Jan 14</li> <li>• Recalled boxes from Access Jan 15</li> <li>• Copied Records and compiled response package Jan 20</li> <li>• Prepared records for release including redactions Jan 22</li> </ul>	<b>January 25, 2022</b> Emailed requested records
<b>22-02</b> Jane Doe <a href="mailto:Jane.doe@email.ca">Jane.doe@email.ca</a> 250-123-4567	April 6, 2022	May 18, 2022	Permit and inspection history for 537 Fraser St	<ul style="list-style-type: none"> <li>• Acknowledge receipt and clarify request details April 5</li> <li>• Waiting for requestor response Apr 5</li> </ul>	
<b>22-03</b>				<ul style="list-style-type: none"> <li>•</li> </ul>	