

March 1, 2024

RE: CHANGE TO PERMITTED HOURS FOR CONSTRUCTION IN ESQUIMALT

The Municipal Council of the Township of Esquimalt intends to adopt an amendment to the Property Maintenance and Nuisance Regulation Bylaw that will restrict permitted hours for construction activities at a Council meeting scheduled to be held at 7:00 p.m. on Monday, May 6, 2024. The meeting will be held in the Esquimalt Council Chambers, 1229 Esquimalt Road, Victoria, BC, V9A 3P1.

Once adopted, permitted hours for construction related noise in the Township of Esquimalt will be as follows:

- Monday through Friday from 7:00 a.m. to 7:00 p.m.;
- Saturdays from 9:00 a.m. to 6:00 p.m.; and
- Sundays and Statutory Holidays (Federal & Provincial) prohibited.

You are receiving this notice as you have an active building permit for property located within the boundaries of the Township of Esquimalt. Council has directed that adoption of the amendment bylaw be delayed to provide impacted parties with time to make any necessary changes to operations and associated logistics to be able to comply with these new provisions. Once the bylaw is adopted on May 6, 2024, all the amendments will be in full force and effect.

The "Property Maintenance and Nuisance Regulation Bylaw, 2014, No. 2826, Amendment Bylaw, 2024, No. 3133" can be viewed on the Township's website at www.esquimalt.ca/government-bylaws/council-meetings/public-notices from March 1 to May 6, 2024.

For more information about these changes, please contact Joel Clary, Director of Engineering and Public Works, bylaw@esquimalt.ca, 250-414-7161.

*** Please scroll to next page to view the bylaw amendments ***

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 3133

A Bylaw to amend Bylaw No. 2826, cited as the
“Maintenance of Property and Nuisance Regulation Bylaw, 2014, No. 2826”

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 “Maintenance of Property and Nuisance Regulation Bylaw, 2014, No. 2826, Amendment Bylaw, 2024, No. 3133.”
2. That Bylaw No. 2826, cited as the “Maintenance of Property and Nuisance Regulation Bylaw, 2014, No. 2826” be amended as follows:

(1) Deleting the following definition from Section 2:

“Holiday” means New Year’s Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, British Columbia Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and December 26.

(2) Adding the following to Section 2 after the definition of “Refuse”:

“Statutory Holiday” means New Year’s Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, British Columbia Day, Labour Day, National Day for Truth and Reconciliation, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day (December 26), and any other Statutory Holiday proclaimed by the Province of British Columbia or the Federal Government.

(3) Adding the following as new sections 18 and 19:

18. Notwithstanding section 33 (2) of this bylaw, a person, Owner or Occupier may carry out construction or demolition works, or the excavation for such works, that disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the public, only:

(1) Between 7:00 a.m. and 7:00 p.m. on a weekday (Monday through Friday) that is not a Statutory Holiday; and

(2) Between 9:00 a.m. and 6:00 p.m. on a Saturday that is not a Statutory Holiday.

19. For greater certainty, construction or demolition works, or the excavation for such works, that disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the public is prohibited on Sundays and Statutory Holidays.

(4) Inserting “Statutory” before the word “Holiday” in section 33(2).

(5) Deleting from section 34(1) “Section 33” and replacing with “Sections 18, 19, and 33”.

- (6) Inserting “Statutory” before the word “Holiday” in section 35(g).
- (7) Deleting from section 35(m) “subsection 33(2)” and replacing with “Sections 18 and 19 of this bylaw”.
- (8) Deleting from section 36(1)(a) “Section 33” and replacing with Sections 18, 19, and 33”.
- (9) That “Maintenance of Property and Nuisance Regulation Bylaw, 2014, No. 2826” be renumbered accordingly.

READ a first time by the Municipal Council on the 26th day of February, 2024.

READ a second time by the Municipal Council on the 26th day of February, 2024.

READ a third time by the Municipal Council on the 26th day of February, 2024.

ADOPTED on the

BARBARA DESJARDINS
MAYOR

DEBRA HOPKINS
CORPORATE OFFICER