



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

A G E N D A **SPECIAL MEETING OF COUNCIL**

Monday, January 12, 2009

5:30 p.m.

Esquimalt Council Chambers

1. **CALL TO ORDER**

2. **LATE ITEMS**

3. **APPROVAL OF THE AGENDA**

4. **PUBLIC INPUT (On items listed on the Agenda)**

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

5. **STAFF REPORTS**

Development Services

(1) Park Dedication Associated with 1190 Rhoda Ln Subdivision, Staff Report No. DEV-09-003 Pg. 1 – 17

(2) Letter from Resident Regarding Potential Gorge Waterway Trail, Staff Report No. DEV-09-004 Pg. 18 – 20

Engineering and Public Works

(3) Proposed Crosstown Bus Route, Staff Report No. EPW-09-001 Pg. 21 – 22

(4) Local Motion Grant Application, Staff Report No. EPW-09-003 Pg. 23 – 29

6. **COMMUNICATIONS**

(1) Email received Re: 47th International Making Cities Livable Conference – True Urbanism: Cities for Health & Well-Being Pg. 30 – 31

(2) Letter from Mayor Stewart Young, City of Langford, dated December 18, 2008, Re: Request Representation on Proposed Island Rail Study Committee Pg. 32

7. **PUBLIC QUESTION AND COMMENT PERIOD**

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

8. **ADJOURNMENT**

STAFF REPORT

DATE: 7 January 2009 **REPORT NO.** DEV-09-003
TO: Tom Day, Chief Administrative Officer
FROM: Barbara Snyder, Director of Development Services
SUBJECT: **PARK DEDICATION ASSOCIATED WITH 1190 RHODA LN SUBDIVISION**

RECOMMENDATION

1. That the request from Large & Co. Developers, owners of Rem. of Lot 1, Plan 7068 [1190 Rhoda Lane], to give the Township of Esquimalt \$63,500 in lieu of land for Park dedication as per Section 941 of the *Local Government Act* be denied;
2. That the proposal to grant the municipality an option to purchase for a period of 60 years be denied; and
3. That Council follow the policies set out in the Esquimalt Official Community Plan [Bylaw No. 2646] regarding the acquisition of park land along the Gorge Waterway and require that an area equivalent to 5% of the total area being subdivided be dedicated to the municipality as park land as per Sections 941(1) and 941(2) of the *Local Government Act*.

BACKGROUND

Applicants request:

The owner of the subject property is requesting that Council waive the requirement for the dedication of land for parks on this site and consider the options outlined below and described in his letters of December 9th and December 19th, 2008 [copies attached].

This is the second time the applicant has made a request to Council to consider the park dedication issue. The previous Council dealt with a similar request on November 10, 2008 [copy of Minutes attached].

The applicant is requesting that, in lieu of providing a strip of waterfront land as Park, the municipality consider his offer of either of the following:

- o \$63,500 as cash-in-lieu, or
- o a grant for a 60 year option to purchase the 5 metre strip of shoreline for \$1.00 when the municipality is ready to complete the contemplated waterfront trail and has all of the necessary funding and resolutions in place to complete it.

The 60 year option is described more fully in the attached letter dated December 17th, 2008 from the applicant's lawyer, John Alexander.

History of this application:

The current owners purchased the subject property in July 2008. The subject property itself was created by subdivision in January 2008.

During the summer of 2008, the applicants and their engineer and surveyor visited Development Services on numerous occasions to discuss possible subdivision layouts, road alignments, servicing, park dedication, the necessary development permit and other issues associated with the subdivision of this parcel.

The subject property is within Development Permit Area No. 4 as defined by the Official Community Plan. DPA No. 4 was created to assist with protection and restoration of the natural environment along the Gorge Waterway and is not directly related to the acquisition of park land. Protection of the foreshore is required when new construction or subdivision of any property within 30 metres of the high water mark of the Gorge Waterway is developed whether park dedication is required or not.

Where land is located within a Development Permit Area, a development permit is required before a plan of subdivision can be approved. Development Permit No. 17/2008 for the restoration of the foreshore as shown in the plan prepared by LADR Landscape Architects was approved on November 10, 2008 and registered on the property title. The applicants have now submitted an application for subdivision of this parcel into six lots.

The current and previous Official Community Plans have identified park land acquisition along the Gorge Waterway as a goal that the municipality will pursue at the time land adjacent to the Gorge is subdivided or rezoned.

The applicable references from our current OCP, Section 6: A Green and Blue Community - Parks, Trails and Recreation, are:

Section 6.1.1 (c) To provide opportunities for public access to the saltwater shoreline including that of the Gorge Waterway, by continuing to acquire land or easements.

Section 6.1.2 (a) The Esquimalt Parks and Recreation Strategic Plan, adopted by Council in 2003, will be used to provide guidance on municipal decisions respecting parks and recreation services.

d) Public ownership of the Gorge Waterway shoreline.

Section 6.1.2.1 9 (h) As the Parklands and Panhandle residential areas lack neighbourhood parks, when vacant land in these areas is subdivided or redeveloped, the municipality should acquire a suitable site for a neighbourhood park. [Note: the proposed subdivision is in the Panhandle neighbourhood which is identified in the OCP.]

Section 6.1.2.2 (a) The Township's long range goal is to maximize public access to the Gorge Waterway and to connect existing parks and greenspace where possible. Where properties are proposed for redevelopment which involves rezoning or subdivision, the municipality will endeavour to secure park dedication or access easements for parkland, public access or ecological restoration along the Gorge Waterway.

The requirement that park land be provided when waterfront properties are subdivided has been adhered to in recent subdivisions including:

- 915 Glen Vale Road
- 1013 Arcadia Street
- 1004 DeCosta Place

Parkland has also been provided for in earlier subdivisions at:

- 900 block Yarrow Place
- 1382 Treebank Road W
- 934 Mesher Place
- 300 Plaskett Place
- 400 block Grafton Street

Legal Advice:

Staff have consulted our legal counsel several times regarding this application: first to ascertain whether the terms of our OCP are sufficiently strong to justify taking the dedication of waterfront land for park rather than cash [they are] and more recently to examine the applicant's proposal for the above noted 60 year lease arrangement. The owners propose that the option would only be exercisable when the Township has the "right to build a waterfront linear park" from the owner's land to Forshaw Road, including having the necessary land rights and funds and having passed the necessary resolutions.

Regarding the suggested 60 year lease, Bill Buholzer of Young Anderson has advised that an option over an unsubdivided portion of a parcel is not registrable or enforceable and it is unlikely that the Land Title Office would register such an agreement. There is also the chance that the approving officer of the day may not approve the creation of the parcel to be transferred and the option cannot compel him to do so.

In discussions with Mr. Buholzer, he has advised that the new owners of the three waterfront parcels would likely "use every avenue at their disposal" to prevent the Township from exercising its option to purchase the waterfront portion of their lots for \$1, including making applications under S. 35 of the *Property Law Act* for discharge of the option even before the Township attempts to exercise it for one or more of the reasons mentioned in that section (including obsolescence, undue impairment of the owner's use of the property), and taking the position that the conditions related to the waterfront linear park have not been met. The Township would potentially be exposed to significant legal costs in defending the options from *Property Law Act* applications and in exercising the options if the new owners refuse to honour them. These costs would not be recoverable from parkland acquisition reserve funds.

As an alternative, Mr. Buholzer suggested that the Township might consider having the owner grant a statutory right of way for public access that contains a covenant to discharge the SRW if the Township later determines that it does not wish to construct and maintain the waterfront walkway. If that was the case, when the municipality chose to discharge the SRW, the owners of the waterfront properties would have to pay the municipality the then value of the land area that would be added to their parcels. The cost of exploring this option and drafting the SRW should be covered by the applicant not the Township.

Consistency of providing information and dealing with developers:

An important issue to keep in mind in dealing with applications for subdivision and development is the concept of fairness and ensuring that all applicants are treated in the same manner and that the same information is provided to all potential developers.

In the case of 1190 Rhoda Lane, the Larges were not the only developers interested in purchasing and then subdividing the subject property. Development Services staff made it clear to all perspective purchasers that in accordance with the terms of Esquimalt's OCP, dedication of waterfront parkland would be required at the time of subdivision and staff clearly indicated the location of the 5% park dedication on plans and maps.

If Council chooses to allow the current applicant to be exempt from the waterfront park dedication as set out in the OCP and to develop the property as waterfront lots, rather than lots which border on parkland and have water views, this may be perceived as giving an unfair advantage to one developer.

In addition, there are other redevelopment projects planned for various locations along the Gorge Waterway and the marine shoreline and any deviation from the current practice of acquiring parkland upon subdivision may be seen as setting a precedent for those proposals.

Rationale for Acquiring Waterfront Parkland:

Ensuring public access to bodies of water and the use of waterfront lands for passive public recreation is a long accepted planning principle followed by many local governments. Particularly in urban areas, it's important to ensure that in addition to playing fields and tot lots there are opportunities for the general public to enjoy greenspaces in their neighbourhoods. These spaces may be pocket parks, viewpoints, or linear parks.

Although the amount of land acquired in a single subdivision may be small, the eventual accumulation of these small parcels combined with municipal road ends and other public properties can provide greenspaces and recreation opportunities for future generations. If these waterfront areas are not secured now, at the time of subdivision, the opportunity to provide public waterfront greenspaces without considerable additional cost to the tax payers will be lost.

In the case of 1190 Rhoda Lane, if the parkland is in place when new residents purchase their properties, residents know that there will likely be some type of park development occurring even though it may not happen immediately. However, if the municipality has to acquire parkland or negotiate options once owners have purchased what they have come to believe are waterfront parcels, acquisition and development will be much more difficult.

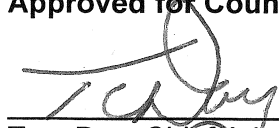
OPTIONS

1. Take the 5 metre strip of land adjacent to the northern property line [i.e. 5% of the land area] as park land dedication as authorized by Section 941 of the *Local Government Act*;
2. Take a cash-in-lieu contribution instead of park land dedication; the value to be calculated as per Section 941 of the *Local Government Act*;
3. Have the applicants and their lawyer explore the option identified by our legal counsel, Bill Buholzer of Young Anderson, to grant the Township a statutory right of way for public access as outlined earlier in this report.

Option 1 is the recommended choice.



Barbara Snyder
Director of Development Services

<p>Approved for Council's consideration:</p>  _____ Tom Day, Chief Administrative Officer <i>See attached comments</i> Dated: <u>Jan 8/09</u>
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Attachment to Staff Report DEV-09-003, Park Dedication Associated with 1190 Rhoda Lane Subdivision

In addition to the points raised in the Director of Development Services Staff Report I wish to draw the following to Council's attention.

Four years ago the municipality went through a comprehensive process to align our organization's values. Council of the day enthusiastically adopted the values and so far the values have been endorsed as a quality measuring stick for staff and Council's specific actions.

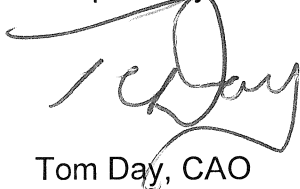
The corporate value of "Stewardship" speaks specifically to the issue of the Rhoda Lane park dedication.

"Stewardship - The work we do makes our community, the environment and the world a better place to live for residents of today and future generations. We use our energy, skills and resources to protect and nurture community assets for the greater good of all residents. We think and work locally but our actions and results have global impact."

Of particular note is that the requirement to dedicate the park fulfills the following concepts within this Organizational Value:

- Protection of the environment
- Consideration of future generations
- Nurture community assets
- Greater good of all residents

Respectfully,

A handwritten signature in black ink, appearing to read "Tom Day". The signature is fluid and cursive, with a large loop at the end.

Tom Day, CAO

1.

CALL TO ORDER

Mayor Clement called the meeting to order at 7:13 p.m.

2.

ANNOUNCEMENTS

Mayor Clement made an announcement that a long-time resident of Esquimalt and former municipal employee, Jack Van Dalen passed away.

3.

LATE ITEMS

There were no late items

4.

APPROVAL OF THE AGENDA

Moved by Councillor Desjardins, seconded by Councillor Sterk that the agenda be amended by permitting the public's input on Items 7(3) and 7(4), both regarding 1190 Rhoda Lane, as Item 5 (3) (a) and that the agenda be approved.

The motion **CARRIED**.

Moved by Councillor Desjardins, seconded by Councillor Sterk that following Item 7, Staff Reports, parting comments by Councillor Freedman and Councillor Sterk be heard.

The motion **CARRIED**.

5.

PUBLIC INPUT

Regarding items on the agenda pertaining to development at 1190 Rhoda Lane

- (1) Barbara Noyse of 928 Garthland Road petitioned that Esquimalt use the parkland dedication from the subdivision of 1190 Rhoda Lane to create a park with public access from Garthland Road and Rhoda Lane. Noyse stated that her petition for a public park includes signatures of 78 individuals from 61 households.
- (2) Fred Hughes of 946 Forshaw Road is unhappy with the required parkland dedication and feels that it is expropriation and will potentially cost him a lot of money and believes it to be in the area of \$100,000.
- (3) Kathleen B. who lives in the area of the proposed parkland wants the municipality's staff committed to the Official Community Plan on the matter of 1190 Rhoda Lane. She then read aloud section 6.1.2.2, Trails and Waterfront Walkways – Policies, from the Esquimalt Official Community Plan.
- (4) Emmy Labonte of 873 Dunsmuir Road is unhappy about the offering of money in place of the parkland dedication and asks that Council not accept it.

- (5) Monty Locke of 1189 Rhoda Lane was in favour of the parkland dedication. Locke stated that before 1189 and 1190 Rhoda were sold, the buyers were away of the lost of parkland and the purchase price was reflective of it.

Mayor Clement called a 2nd and 3rd time for anyone else wishing to give verbal input from the gallery to come forward but there was no further input.

- (6) Kathleen Sherwood of 919 Shirley Road was in support of the parkland dedication and would like to see more land along the Gorge connected to create a continuous strip.

The Mayor declared the public input session adjourned at 7:27 p.m.

6. REPORTS FROM COMMITTEES

- (1) Report from Regular Committee of the Whole, November 10, 2008

7:27 p.m. Councillor Linge left the meeting citing a conflict of interest due to a business relationship with the applicant.

Moved by Councillor Freedman, seconded by Councillor Hundleby that the report from the Regular Committee of the Whole meeting held November 10, 2008 be received.
The motion **CARRIED**.

7:27 p.m. Councillor Linge returned to the meeting.

7. STAFF REPORTS

- (1) Amended Minutes from October 20, 2008 Regular Council Meeting, Staff Report No. ADM-08-035

Moved by Councillor Freedman, seconded by Councillor Sterk that the amended minutes from the Regular Council Meeting held October 20, 2008, Staff Report No. ADM-08-035 be received.
The motion **CARRIED**.

- (2) Request for Community Representative from Esquimalt, Staff Report No. DEV-08-109

Moved by Councillor Freedman, seconded by Councillor Desjardins that Council NOT provide BC Transit with the name of a community representative to participate in the Victoria Regional Rapid Transit Project and instead advertise the opportunity to the community and request that expressions of interest in the opportunity be received.

The motion **CARRIED**.

- (3) Development Permit, 1190 Rhoda Lane [Lot 1, Section 2, Esquimalt District, Plan 7068, Except Plan VIP84344], Staff Report No. DEV-08-110

Moved by Councillor Sterk, seconded by Councillor Hundleby that Development Permit No. 17/2008 limiting landscaping on the northern portion of Lot 1, Section 2, Esquimalt District, Plan 7068, Except Plan VIP84344 [1190 Rhoda Lane] to that shown on landscape plans provided by LADR Landscape Architects, stamped "Received September 5, 2008", be approved, issued and registered on the property title.

The motion **CARRIED**.

- (4) Request from Owner of 1190 Rhoda Regarding Park Dedication, Staff Report No. DEV-08-111

Moved by Councillor Desjardins, seconded by Councillor Freedman to table the Request from Owner of 1190 Rhoda Regarding Park Dedication, Staff Report No. DEV-08-011.

The motion was **DEFEATED**.

Moved by Councillor Hundleby, seconded by Councillor Sterk to receive the Request from Owner of 1190 Rhoda Regarding Park Dedication, Staff Report No. Dev-08-011 for information.

The motion **CARRIED**.

Moved by Councillor Sterk, seconded by Councillor Hundleby that Council deny the request from the owner of 1190 Rhoda that they be allowed to give cash-in-lieu of land for the required Park dedication.

The motion **CARRIED**.

Opposed by Councillor Freedman and Councillor Desjardins.

8. **COUNCIL COMMENTS**

As outgoing Council members, Councillor Sterk and Councillor Freedman thanked the public, Council and staff for the opportunity to have served on Council.

9. **MOTION TO GO IN CAMERA**

Moved by Councillor Hundleby, seconded by Councillor Desjardins that Council go *In Camera* pursuant to Section 90 of the *Community Charter* to consider adoption of the minutes of the *In Camera* Meeting of Council held November 3, 2008 at 6:15 p.m., pursuant to Sections 90(2)(b) and 90(1)(c) and that the general public be excluded.

The motion **CARRIED**.

10. **ADJOURNMENT**

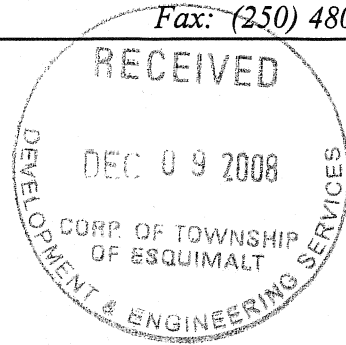
Large & Co. Developers

300 – 1095 McKenzie Ave.,
Victoria, BC V8P 2L5

Telephone: (250) 480-2894

Fax: (250) 480-2895

December 9, 2008



Township of Esquimalt
Attn: Barbara Snyder
Municipal Hall – 1229 Esquimalt Rd.
Esquimalt, BC V9A 3P1

Dear Ms Snyder:

Re: PARKLAND DEDICATION
1190 Rhoda Lane Lot 1, Sec. 2 Esquimalt Dist., Plan 7068

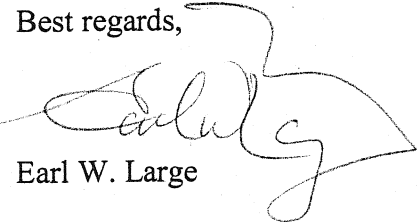
This is to advise that after much consideration, we intend to propose a solution that we feel will resolve the following issues:

1. The obligation of the Municipality to secure the acquisition of the waterfront
2. Allow time for Council to consider its options for parkland use
3. To allow the subdivision to proceed without undue negative impact by the public until the City is in a position to maintain and monitor the use of the land.

We will be proposing a combination of “option to purchase” and \$63,500 held in trust scenario. We are consulting with our attorney who specializes in land development matters, and will provide a detailed proposal to Mayor & Council and you, hopefully by December 22nd, but not later than December 29th.

We are confident that a mutually satisfactory solution can be reached in this matter.

Best regards,

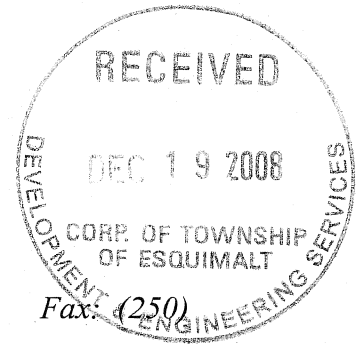

Earl W. Large

.....
Building Homes for Today's Families

Large & Co. Developers

300 – 1095 McKenzie Ave.,
Victoria, BC V8P 2L5

Telephone: (250) 480-2894
480-2895



December 19, 2008

Township of Esquimalt

Attn: Barbara Snyder

Municipal Hall – 1229 Esquimalt Rd.
Esquimalt, BC V9A 3P1

Dear Ms Snyder:

**Re: DEVELOPMENT PERMIT and SUBDIVISION RELATED ISSUES
1190 Rhoda Lane Lot 1, Sec. 2 Esquimalt Dist., Plan 7068**

As discussed in previous presentations, Council is facing a decision regarding the direction to be taken for the future use of the Gorge waterfront. There are two options outlined in the Official Community Plan:

1. Use every opportunity and resource available to ameliorate previous damage to the natural environment and protect the waterway from further deterioration.
2. Proceed with acquiring all waterfront land in order to create a continuous multi-use trail system for public use.

We wish to elaborate on each of these courses of action, and propose a solution with regard to the development of 1190 Rhoda Lane. Our proposal will enable Council to proceed in either direction.

DEVELOPMENT PERMIT AREA #4 (Protection of the Environment)

The OCP gives clear direction with the establishment of DP Area #4 that the restoration of the Gorge Waterway is of paramount importance.

We are now well aware that human disturbance of sensitive ecosystems (despite pleasing aesthetics) has devastating, long term consequences.

It will take a concerted effort by all to repair the damage and return the waterway to its natural state.

This will involve at least:

- a) No further human disturbance to the shoreline.
- b) Removal of non-native vegetation and restoration of flora conducive to flourishing aquatic and small mammal populations.
- c) Protection of existing watercourses that feed Portage Inlet.

Development Permit Area #4 provides the mechanism for the Municipality of Esquimalt to ensure that any land development does everything possible to achieve these goals. While DP Area #4 refers to the municipal acquisition of land, it does so for the stated purpose of *“protection of the natural environment, its ecosystem and biological diversity”*

Large & Co. shares this commitment and is prepared to do its part to restore the Gorge Waterway to its natural state before it is lost forever.

PUBLIC TRAIL SYSTEM

The Parks & Recreation 2004 – 2013 Strategic Plan, Initiative #13 proposes a *“continuous public access, multi-use trail system along the Gorge Waterfront.... such that in 10 years’ time 100 percent of the Gorge Waterfront is accessible to the public.”*

At first glance, this plan appears to be an admirable undertaking. However, upon further consideration, a number of drawbacks surface.

- 1) **The location is inappropriate:** Surely it would be aesthetically pleasing, but as the introduction to Section 7 of the OCP acknowledges: “The current challenge is to attempt to **avoid new negative impacts** and, as resources allow, ameliorate negative impacts of past practices on the natural environment. Deliberately creating a multi-use trail system in an ecologically sensitive area where there is no current public use, invites more of the same negative impacts. An examination of the harbour boardwalk at low tide demonstrates the potential for water and land pollution. Creating public “kayak & canoe launches” will further aggravate the situation. Furthermore, considerable resources would be required to consistently monitor use (vandalism, trespassing and policing issues) and ensure the health of the ecosystem.
- 2) **It is un-necessary:** Although located in Saanich, a walkway already exists along the opposite shore. All parks are available for use by “the public” regardless of their home address. Anyone wishing to stroll along the gorge is free to use the existing park. In addition, Esquimalt is home to a number of beautiful, well

established parks in the Gorge area such as Esquimalt Gorge, Forshaw, Glenvale, Dellwood and Yarrow.

- 3) **Economic Viability:** The Strategic Plan acknowledges that *“acquisition of the necessary land or rights thereto..... using the land development process....will not achieve the goal in a timely manner. In recognition of the limited financial capacity of the municipality...a partnership with the Provincial Capital Commission and/or the Capital Regional District”* would be necessary. It goes on to suggest that some of the capital required for the acquisition of waterfront land could be generated through an increase in taxes or a financing referendum.

As the cost of expropriation of land must include not only the value of the land, but also the corresponding loss of value of the remaining land not expropriated, the capital cost of this “trail” would be exorbitant considering the comparative value of waterfront land with non-waterfront.

- 4) **Private Land Owners:** At present, 76% of the residential waterfront lots are privately owned. One of the fundamental rights of land ownership is to have quiet enjoyment of your land, free from interference with your right of possession. We believe it is the duty of Council to protect the rights of citizens, including those who own waterfront land. The prospect of losing their right to enjoyment of their long held property is offensive to all waterfront land owners – particularly so if it is at the hand of their elected officials.

If waterfront land is to be developed with a resulting loss of value due to acquisition of the shoreline by the municipality, an increase in density would be necessary in order to make the project feasible. This would in turn entirely change the single-family character of the waterfront – something that was not contemplated in the zoning designation in the OCP.

PROPOSAL

We respectfully propose a solution that will resolve the following issues:

1. The obligation of the Municipality to secure the acquisition or rights thereto of the waterfront land for the foreseeable future.
2. Allow time for Council to consider its options for parkland use.
3. To allow the subdivision to proceed without undue negative impact by the public until the City is in a position to construct and maintain a continuous trail system.

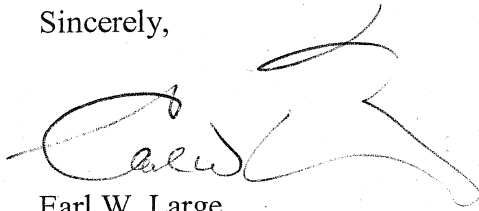
As detailed in the attached letter from our legal counsel, John Alexander, we propose the following:

- Firstly, in order to secure the right to the land for the purpose of constructing the continuous multi-use trail system, we will grant an option to purchase the 5 meter strip of shoreline to the Municipality of Esquimalt for the price of \$1.00 for a period of 60 years, subject to the municipality acquiring the necessary land rights, funding & passing the required resolutions to complete the contemplated trail system..
- Secondly, we will place the sum of \$63,500 in trust for a period of 3 years.
- If during the 3 year period, the municipality wishes to release its option to purchase the land, the \$63,500 will be released to the municipality to be used as a cash-in-lieu of parkland contribution.

CONCLUSION

We believe this is a win-win proposal that will protect the interests and rights of all, and will provide flexibility and time for deliberation and consultation to establish clear direction with respect to the future character of the Gorge Waterway.

Sincerely,



Earl W. Large

COX, TAYLOR

barristers & solicitors

BURNES HOUSE, THIRD FLOOR, 26 BASTION SQUARE
VICTORIA, BRITISH COLUMBIA V8W 1H9

TELEPHONE - 250.388.4457 (VICTORIA) 604.678.1207 (VANCOUVER)
FACSIMILE - 250.382.4236 (VICTORIA) 604.678.1208 (VANCOUVER)

December 17, 2008

Datatech Developments Inc.
300 – 1095 McKenzie Ave.
Victoria, B.C.V8P 2L5

BY FAX 250-480-2895

Attention: Earl Large

Dear Sir:

**Re: Subdivision and Development Permit – 1190 Rhoda Lane, Lot 1, Section 2,
Esquimalt District, Plan 7068, Except Plan VIP84344**

You have asked me to provide further information with respect to parkland dedication requirements and options in association with your subdivision on the Gorge waterway.

The jurisdiction of the municipality with respect to parkland dedication is contained in Section 941 of the *Local Government Act*. That provision permits council to determine whether an owner must provide land or money in lieu of land for the purposes of park.

Section 941(4) of the *Act* specifies that the amount of land or the equivalent value of that land must not exceed 5% of the land proposed for subdivision. In other words the section sets a maximum, but no minimum.

I understand that some members of council have a long term vision for future linear park along the Gorge waterway. However, the reality is that a great number of the lots fronting the Gorge waterway are developed in such a way that the ability for the municipality to acquire linear park or trail in the near future is very limited.

You have proposed an arrangement that would provide the municipality with the flexibility to obtain and keep an option for the future acquisition of a linear park in front of your project or alternatively for the municipality to obtain cash in lieu of the parkland dedication if they identify another project related to park acquisition where the funds could be more effectively utilized.

MURRAY J. HOLMES
C. EDWARD HANMAN*
S. FRANK B. CARSON
L. JOHN ALEXANDER*
WILLIAM MURPHY-DYSON
JOHN VAN DRIESUM*
RAJIV K. GANDHI*
DANIEL J. MILDENBERGER
EMILY C. DROWN
LINDSAY R. LEBLANC
STEPHEN E. KING

*LAW CORPORATION

ALLAN L. COX, Q.C. (1996)
RODNEY J.E. TAYLOR, Q.C. (2005)

The proposal is that the landowner would grant, at the time of subdivision, an option in favour of the municipality to acquire the proposed parkland strip along the waterfront for the price of \$1.00 with the option being exercisable upon the payment of \$1.00 in the future. The option would be granted for a term of 60 years, reflecting a generous "foreseeable future" without encumbering the land forever if the park concept becomes obsolete.

The second aspect of the proposal is that if at any time prior to December 31, 2011 the council wishes to release the option then the subdivider will agree to pay the sum of \$63,500, being the value of the parkland dedication requirement as previously agreed by the municipality.

This aspect of the proposal gives council flexibility to decide over the next three years whether there is some other more worthwhile project that the cash may be applied to.

The third aspect of the proposal is a condition in the option which would make it exercisable only at such time that the municipality had the right to build a waterfront linear park from the property, east to Forshaw Road. The language of the option would ensure that the municipality had acquired the necessary land rights, set aside the necessary funds, and passed the necessary resolutions to, in fact, build the linear pathway before the option is exercised.

This condition is to ensure that neither the municipality nor the landowners end up with a pocket of dysfunctional park that does not serve the purposes of a linear trail and instead invites vandalism, trespassing, policing problems etc.

In addition to the park acquisition option, I understand that you are also proposing an environmental restoration covenant in the area. Such a covenant should include setback provisions that ensure that buildings sited on the parcels adjacent to the potential future park would maintain adequate setbacks in the event that the park strip is acquired in the future.

In my view the proposal is an advantageous one to the municipality, as it gives the current council the ability to consider its position over the next several years in conjunction with the potential for completing the linear park project. If the council elects to obtain the cash in lieu of the park acquisition, the *Local Government Act* does specify a requirement that the monies be placed in the parkland reserve fund. However, there is a substantial amount of flexibility in the use of that fund, for instance, planning studies and other steps preparatory to park works.

I trust this information is useful. Please let me know if I can answer any further questions.

Yours very truly,

COX, TAYLOR

Per:

L. JOHN ALEXANDER
(email: ljalexander@coxtaylor.bc.ca)

LJA/tal

(c) impose, as a condition of an owner connecting to or using the excess or extended service, a charge related to the benefit determined under paragraph (b).

(6) If the municipality or regional district pays all or part of the costs of excess or extended services, it may recover costs

(a) by a charge under subsection (5) (c),

(b) by a tax imposed in accordance with Division 5 [Local Service Taxes] of Part 7 of the *Community Charter*, other than section 211 (1) of that Act, or

(c) by fee imposed in accordance with section 363 [imposition of fees and charges] of this Act or section 194 [municipal fees] of the *Community Charter*.

(7) If the owner pays all or part of the costs of excess or extended services, the municipality or regional district must pay the owner

(a) all the charges collected under subsection (5) (c), if the owner pays all the costs, or

(b) a corresponding proportion of all charges collected, if the owner pays a portion of the costs.

(8) A charge payable under subsection (5) (c) must include interest calculated annually at a rate established by bylaw, payable for the period beginning when the excess or extended services were completed, up to the date that the connection is made or the use begins.

(9) Charges payable for latecomer connections or use under subsection (5) (c) must be collected during the period beginning when the excess or extended services are completed, up to a date to be agreed on by the owner and the local government and, failing agreement, to a date determined under the *Commercial Arbitration Act*, but no charges are payable beyond 15 years from the date the service is completed.

RS1979-290-990; 1987-14-46; 1999-37-210; 2003-52-397 (B.C.Reg. 465/2003); 2006-3-19.

Completion of works and services

940. (1) All works and services required to be constructed and installed at the expense of the owner of the land being subdivided or developed must be constructed and installed to the standards established in the bylaw under section 938 before the approving officer approves of the subdivision or the building inspector issues the building permit.

(2) As an exception, the approval may be given or the permit issued if the owner of the land

(a) deposits, with the municipality or regional district, security

(i) in the form and amount established in the bylaw, or

(ii) if no amount and form is established in the bylaw, in a form and amount satisfactory to the approving officer or building inspector having regard to the cost of installing and paying for all works and services required under the bylaw, and

(b) enters into an agreement with the municipality or regional district to construct and install the required works and services by a specified date or forfeit to the municipality or regional district the amount secured under paragraph (a).

(3) As an exception, security may not be provided under subsection (2) to a regional district in relation to the construction of a highway unless a designated highways official, as defined in the *Land Title Act*, approves the provision of security for that purpose.

RS1979-290-991; 1985-79-8; 1987-14-47; 1997-25-150.

Provision of park land

941. (1) An owner of land being subdivided must, at the owner's option,

(a) provide, without compensation, park land of an amount and in a location acceptable to the local government, or

(b) pay to the municipality or regional district an amount that equals the market value of the land that may be required for park land purposes under this section determined under subsection (6).

(2) Despite subsection (1), if an official community plan contains policies and designations respecting the location and type of future parks, the local government may determine whether the owner must provide land under subsection (1) (a) or money under subsection (1) (b).

(3) Despite subsections (1) and (2), if a regional district does not provide a community parks service, the option under subsection (1) (b) does not apply and the owner must provide land in accordance with subsection (1) (a).

Am
Jan. 28/00

(4) The amount of land that may be required under subsection (1) (a) or used for establishing the amount that may be paid under subsection (1) (b) must not exceed 5% of the land being proposed for subdivision.

Sub
Jan. 1/01

(5) Subsection (1) does not apply to

(a) a subdivision by which fewer than 3 additional lots would be created, except as provided in subsection (5.1),

(b) a subdivision by which the smallest lot being created is larger than 2 hectares, or

(c) a consolidation of existing parcels.

Add
Jan. 1/01

(5.1) Subsection (1) does apply to a subdivision by which fewer than 3 additional lots would be created if the parcel proposed to be subdivided was itself created by subdivision within the past 5 years.

Am
Jan. 1/01

(6) If an owner is to pay money under subsection (1) (b), the value of the land is whichever of the following is applicable:

(a) the average market value of all the land in the proposed subdivision calculated as that value would be on either

(i) the date of preliminary approval of the subdivision, or

(ii) if no preliminary approval is given, a date within 90 days before the final approval of the subdivision,

as though

(iii) the land is zoned to permit the proposed use, and

(iv) any works and services necessary to the subdivision have not been installed;

(b) if the local government and the owner agree on a value for the land, the value on which they have agreed.

(7) If an owner and a local government do not agree on the market value for the purpose of subsection (6), it must be determined in the manner prescribed in the regulations that the minister may make for the purpose.

(8) If an area of land has been used to calculate the amount of land or money provided or paid under this section, that area must not be taken into account for a subsequent entitlement under subsection (1) in respect of any future subdivision of the land.

(9) Subject to subsection (11), land or payment referred to in subsection (1) must be provided or paid to a municipality or regional district before final approval is given, or the owner and the local government may enter into an agreement that the land or payment be provided or paid by a date, specified in the agreement, after final approval has been given.

(10) Notice of an agreement under subsection (9) must be filed with the registrar of land titles in the same manner as a permit may be filed and section 927 applies.

(11) Despite subsection (9), the minister may, by regulation,

(a) authorize the payment that may be required by this section to be made by instalments, and

(b) prescribe the conditions under which instalments may be paid.

Am
Jan. 1/04

(12) If an owner pays money for park land under this section, the municipality or regional district must deposit this in a reserve fund established for the purpose of acquiring park lands.

(13) If land is provided for park land under this section, the land must be shown as park on the plan of subdivision.

Add
Jan. 1/01

(14) Section 107 of the *Land Title Act* applies to park land referred to in subsection (13), except that

(a) in the case of land within a municipality, title vests in the municipality, and

(b) in the case of land outside a municipality, title vests in the regional district if it provides a community parks service.

Am
May 13/04

(15) Any reserve fund established by a regional district under the *Park (Regional) Act* must be continued on the repeal of that Act as a reserve fund under this Act held for the purpose of acquiring regional parks or regional trails.

RS1979-290-992; 1985-79-8; 1987-14-48; 1988-47-7; 1989-59-18; 1995-32-1; 1999-37-211; 1998-27-3; 2000-7-176; 2003-90-10; 2003-52-398 (B.C.Reg. 465/2003); 2004-34-17.

STAFF REPORT

DATE: 7 January 2009 **REPORT NO.** DEV-09-004
TO: Tom Day, Chief Administrative Officer
FROM: Barbara Snyder, Director of Development Services
SUBJECT: **LETTER FROM RESIDENT REGARDING
POTENTIAL GORGE WATERWAY TRAIL**

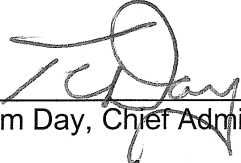
RECOMMENDATION

That the attached letter dated January 5, 2009 from Jan Robson of 920 Sioux Place providing her views on the concept of a trail along the Gorge Waterway be received for information and included in any review of the Official Community Plan regarding parks policies.



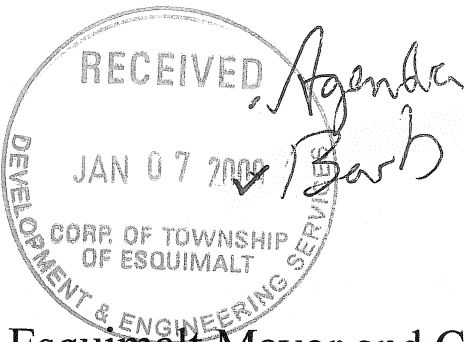
Barbara Snyder
Director of Development Services

Approved for Council's consideration:



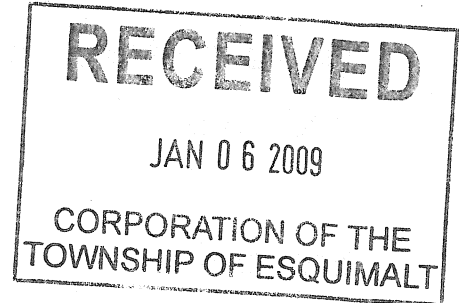
Tom Day, Chief Administrative Officer

Dated: Jan. 8/09



Ms. Jane A. Robson
920 Sioux Place
Victoria, B.C. V9A 6L7

To Esquimalt Mayor and Council
January 5, 2009



Re: Proposed Gorge Waterway Continuous Trail

It has come to my attention that an idea to make a continuous trail along the Gorge Waterway is being proposed. While this may delight most people who use Esquimalt Park for exercise for themselves and their dogs, I categorically oppose this project.

1. Property I have purchased and paid taxes on for many years would be taken from me.
2. The property would be greatly devalued.
3. My privacy would be compromised.
4. Most dog owners do not have their animals leashed and therefore dogs would roam over my property leaving their mess.
5. I fear we will be exposed to more thefts as anyone can walk or linger along the route.
6. There would also be the fear of home invasions.
7. There are sea otters and swans along this side of the Gorge. This wildlife would disappear.
8. This proposal would cost Esquimalt taxpayers to impliment and

be a continuous source of cost to maintain.

I believe that the proposal to improve the Esquimalt park takes priority. We need a good functional play area for our children and grandchildren. Our young people are more important than joggers and dogs.

Sincerely,

A handwritten signature in cursive script that reads "Jane Robson".

Jane Robson

PS I am having a medical procedure on the day of the planned meeting. I do not feel I will be well enough to attend.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

DATE: January 5, 2009 **REPORT NO.** EPW 09-001
TO: Tom Day, Chief Administrative Officer
FROM: Gilbert Coté, Director of Engineering & Public Works
SUBJECT: **Proposed Crosstown Bus Route**

RECOMMENDATION:

That BC Transit be advised that the Township of Esquimalt favours the three route options where the proposed cross town bus route would extend to the Dockyard at the end of Esquimalt Road. These are route options 6, 7 or 9.

Background

BC Transit would like to provide a new crosstown bus service along Bay Street, the Royal Jubilee Hospital and Vic West. The main purpose behind this route is to facilitate access to Royal Jubilee Hospital and to provide more crosstown service. BC Transit has identified nine route options including three options to extend this bus route to the Dockyard and one option to extend the route to the Esquimalt Village Centre.

Service is planned to commence on April 2009 and operate at minimum 15 minutes intervals during peak hours and 40 minutes at other times, seven days a week.

The nine route options identified by BC Transit are summarized as follows:

Route Options – Bay Street Crosstown Bus Route

1. Royal Jubilee Hospital to Bridge Street
2. Royal Jubilee Hospital to Vic West (Tyee)
3. Royal Jubilee Hospital to Vic West (Catherine & Tyee)
4. Royal Jubilee Hospital to Vic West (Tyee)
5. Royal Jubilee Hospital to Vic West (Wilson)
6. Royal Jubilee Hospital to Dockyard using Esquimalt Road and Canteen Street
7. Royal Jubilee Hospital to Dockyard using Esquimalt Road
8. Royal Jubilee Hospital to Esquimalt Village Centre (Esquimalt Road - Fraser – Lyall – Lampson)
9. Royal Jubilee Hospital to Dockyard via Bay Street and Downtown (using Esquimalt Road and Canteen).

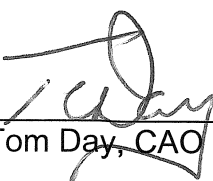
Employment at the DND facilities and at the Graving Dock is expected to increase significantly over the next five years. Peak hour traffic on Admirals Road and Esquimalt Road is significant. Any increase in bus service would be beneficial in reducing car usage and congestion on our major roads. Reduced car usage and transportation modal shift to public transit will also reduce greenhouse gas emissions.

The Township of Esquimalt strongly support increased bus service to the DND facilities and favour options 6, 7 or 9.

Submitted by:



Gilbert Coté, P.Eng.
Director of Engineering & Public Works

Approved for Council's consideration:
 Jan 8, 09

Tom Day, CAO



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

DATE: January 5, 2009 **REPORT NO.** EPW 09-003
TO: Tom Day, Chief Administrative Officer
FROM: Gilbert Coté, Director of Engineering & Public Works
SUBJECT: **Local Motion Grant Application**

RECOMMENDATIONS:

1. That Council approve the New Sidewalk Construction Master Plan
2. That Council authorizes the following two projects to proceed and to submit applications under the Local Motion program for work to be carried out in 2009:
 - Phase 1 of the New Sidewalk Construction Program for new sidewalks in the industrial area at an estimated cost of \$150,000 in order to provide pedestrian access to the area and for linkage with the surrounding residential areas and schools.
 - New crosswalk on Esquimalt Road near Grafton Street at an estimated cost of \$60,000.

Proposed New Sidewalk Construction Master Plan

In 2007, the Municipality adopted the Esquimalt Pedestrian Charter. It is proposed to incorporate this document as an appendix to the OCP when it is amended in 2009. The current OCP also includes the following walking policies:

- As resources allow, the Township commits to improvements to the existing sidewalks, street furniture, crosswalks and other street amenities to make walking a safer choice for people of all ages and abilities.
- The Township will complete an inventory of sidewalks and develop a process for prioritizing new sidewalk construction, including the tie-in with the CRD Blue and Green Spaces Strategy.

Over the last 50-60 years, as new streets were developed and existing roads were upgraded, sidewalks were constructed on most major roads and collectors while approximately 50% of the local streets were built without sidewalks. The Subdivision and Development Control Bylaw and Council Policy Plan-27 adopted in 1998 require sidewalks for all new subdivisions and development over \$300,000. Several sections of sidewalks were built or upgraded as a result of new development. The overall result is a sidewalk network with many gaps and lack of

connectivity in several neighbourhoods. The only major road without sidewalks is Craigflower Road and new sidewalks are proposed as part of the Craigflower Road Corridor Upgrade which is scheduled for 2009 and 2010.

An inventory of all sidewalks in the municipality was developed by Municipal Staff. Based on this inventory, a New Sidewalk Construction Master Plan was developed. The following criteria was used to develop the new sidewalk construction plan: (1) collector roads, (2) proximity to commercial areas or major attractions, (3) proximity to schools, (4) bus routes, (5) network connectivity, (6) safety issues such as truck routes, (7) multi-family residential buildings. In order to obtain public input, the proposed new sidewalk construction program was submitted to the Access Awareness Committee and the Environmental Advisory Committee. Based on input from these two committees the list was updated and each proposed section of sidewalk was prioritized.

The proposed list of new sidewalks in the master plan is attached for Council review and approval. The next step will consist of preparing preliminary cost estimates and developing a multi-year plan for new sidewalk. In order to support the proposed application for a grant under the Local Motion program, it is recommended that the proposed master plan be approved and attached to the application. If necessary, the master plan can be amended at a future date.

Proposed Local Motion Applications

The Provincial Government Local Motion program provides 50% grant for bike paths, walkways (sidewalks and cross-walks) and greenways projects that meet the following goals:

- Reduction in greenhouse gas emission with an emphasis of getting people out of their cars;
- Advances ActNow BC principle of being physically active;
- Build seniors-friendly and disability-friendly initiatives.

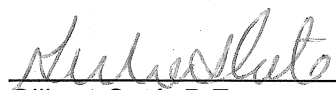
The Local/Motion program will provide \$40 million over four years in 50/50 cost-sharing grants to accelerate the development of capital projects. Eligible costs include construction costs related to the proposed infrastructure. Ineligible costs include property acquisition, design, replacement of existing sidewalks and maintenance work.

In a letter to Council dated December 19, 2008, the Province is encouraging applications for projects that are "shelf ready" where construction can start by May 30, 2009 in order to provide economic stimulus. It is proposed to submit two applications for "shelf ready" projects where property acquisition is not required as follows:

- Application for new sidewalks totalling \$131,000 for sections that are rated as high priority in the New Sidewalk Construction Master Plan, where land acquisition is not needed and that are "shelf ready" for construction in 2009. The sum of \$75,000 which could be used for the municipality's share is already included in the proposed 2009 budget for new sidewalk construction. This project would be known as Phase 1 of the New Sidewalks Construction program would include new sidewalks on the following streets:

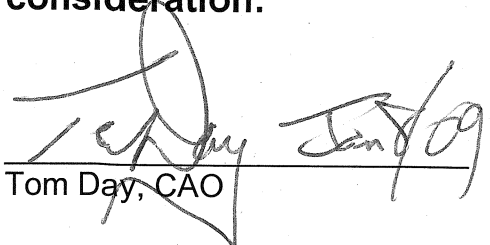
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|---|----------------|
| ○ Fairview north of Devonshire Road (east side) | \$28,000 |
| ○ Fairview south of Devonshire Road (west side) | \$42,000 |
| ○ Devonshire; Fairview to Cave (north side) | \$16,000 |
| ○ Ellery; Fairview to Cave (south side) | \$6,000 |
| ○ Woodway; Grenville to Admirals (south side) | \$30,000 |
| ○ Comerford; Carlisle to Lyall (east side) | <u>\$9,000</u> |
| ○ Total Estimated Cost | \$131,000 |
- Application for a crosswalk on Esquimalt Road near Grafton:
This crosswalk was to subject of an unsuccessful Local Motion application in 2008. The \$30,000 allocated for the municipal share in the 2008 budget has been carried forward to 2009.

Submitted by:



Gilbert Coté, P.Eng.
Director of Engineering & Public Works

Approved for Council's consideration:

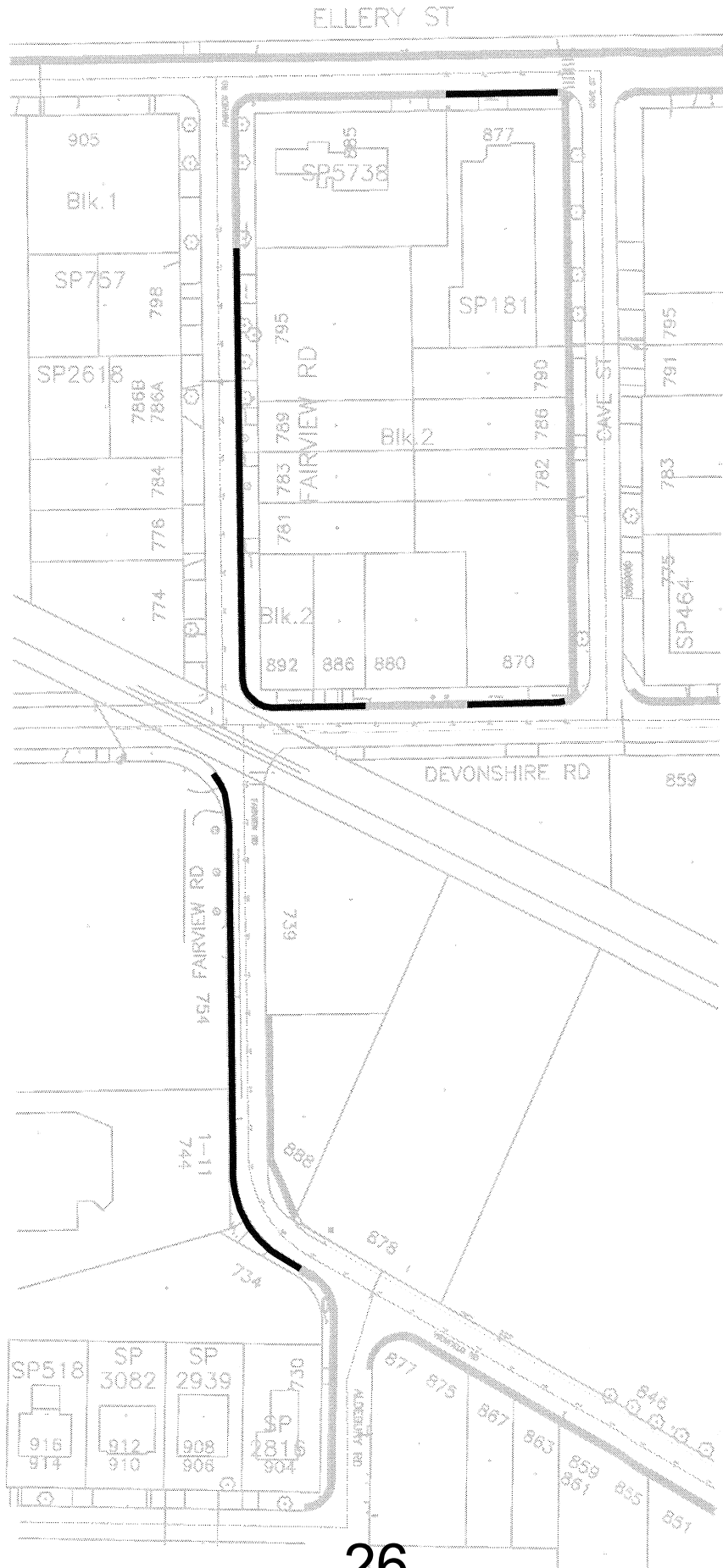


Tom Day, CAO

NEW SIDEWALK CONSTRUCTION
MASTER PLAN PHASE 1



SCALE NTS



PROPOSED SIDEWALK

TOWNSHIP OF ESCUMECHE			
DATE	BY	FOR	SCALE

**Proposed New Sidewalk Construction Master Plan
(As reviewed by AAC and EAC) – November 24, 2008**

Street	Location	Criteria	Remarks	Priority	Length (metres)
Admirals Road & Bewdley Ave	<ul style="list-style-type: none"> From end of Sidewalk on Admirals Road to Fraser Street Sidewalk on both sides of road 	<ul style="list-style-type: none"> Collector Road Network connectivity Proximity to Saxe Point Park Bus route 	<p>Property acquisition will be required on Admirals Road</p> <p>Rock excavation may be needed</p> <p>Speed humps at corner could slow traffic downs</p>	medium	373
Munroe St	<ul style="list-style-type: none"> Plaskett Place to Pooley Place Sidewalk on both sides of work 	<ul style="list-style-type: none"> Collector Road Network connectivity Proximity to Saxe Point Park and Fleming Beach Bus route 		medium	528
Bewdley Ave	<ul style="list-style-type: none"> From Lampson to walkway to Macaulay School Sidewalk on one side 	<ul style="list-style-type: none"> Network connectivity Access to Macaulay School 		high	188
Greenwood Ave	<ul style="list-style-type: none"> From Kinver to Lampson Sidewalk on one side 	<ul style="list-style-type: none"> Network connectivity 	There is an existing sidewalk on Greenwood Ave west of Kinver Street	low	152
Lyall Street	Gore Street to Head Street	<ul style="list-style-type: none"> Network connectivity Proximity to West Bay Marina 	<p>New sidewalk to be constructed by developed whenever the Gore/Lyall/Head triangle is developed</p>	high	149
Head Street – West Bat area	Gore Street to Lyall Street	<ul style="list-style-type: none"> Network connectivity Proximity to West Bay Marina 	<p>New sidewalk to be constructed by developed whenever the Gore Lyall Head triangle is developed</p>	high	149
Head Street	Dunsmuir to Esquimalt Road		<p>Sidewalk in poor condition – should be part of repair program</p>		

Street	Location	Criteria	Remarks	Priority	Length (metres)
Old Esquimalt Road	<ul style="list-style-type: none"> From Viewfield to Head Street Sidewalk on North side 	<ul style="list-style-type: none"> Collector Road Bus route Adjacent to Victor Brodeur School and Sport field 		high – rating subject to results of possible traffic study	641
Wollaston St	<ul style="list-style-type: none"> Lampson to Macaulay Sidewalk on North side 	<ul style="list-style-type: none"> Network connectivity 		low	233
Wordsley St.	<ul style="list-style-type: none"> Sidewalk on south side 	<ul style="list-style-type: none"> Network connectivity Large apartment buildings 		low	74
Viewfield Rd	<ul style="list-style-type: none"> Old Esquimalt Road to Fairview Sidewalk on North side 	<ul style="list-style-type: none"> Truck route Large grocery store 		high	368
Fairview	<ul style="list-style-type: none"> From Viewfield to Ellery Sidewalk on east side north of Devonshire Sidewalk on both sides south of Devonshire 	<ul style="list-style-type: none"> Truck route Walking route by students to Esquimalt High School Network conductivity Access to large grocery store on Viewfield 	Property acquisition needed for a sidewalk on east side of street between Devonshire and Viewfield	high	180
Devonshire	<ul style="list-style-type: none"> From Fairview to Cave Sidewalk on north side 	<ul style="list-style-type: none"> Truck route Network connectivity 	Property acquisition will be needed for hydrant relocation	high	84
Ellery	<ul style="list-style-type: none"> Section between Fairview and Cave St Sidewalk and south side 	<ul style="list-style-type: none"> Proximity to school Network connectivity 		high	31
Arcadia	<ul style="list-style-type: none"> From Craigflower to Selkirk Sidewalk on one site 	<ul style="list-style-type: none"> Network connectivity 		low	182
Sioux Place	<ul style="list-style-type: none"> From Craigflower to Esquimalt Gorge Park Sidewalk on east side 	<ul style="list-style-type: none"> Network connectivity Access to Esquimalt Gorge Park 		low	108

Street	Location	Criteria	Remarks	Priority	Length (metres)
Garthland	<ul style="list-style-type: none"> From Craigflower to entrance of future development at 1190 Rhoda Lane Sidewalk on east side 	<ul style="list-style-type: none"> Network connectivity 		low	334
Parklands Drive	<ul style="list-style-type: none"> Sidewalk on one side of street 	<ul style="list-style-type: none"> Bus route No sidewalks in Parklands neighbourhood 		low	521
Kingsmill Road	<ul style="list-style-type: none"> Sidewalk on one side of street 	<ul style="list-style-type: none"> Bus route No sidewalks in Parklands neighbourhood 		low	404
Woodway	<ul style="list-style-type: none"> Admirals to Greenville Sidewalk on south side 	<ul style="list-style-type: none"> Network connectivity 		high	96
Astle	<ul style="list-style-type: none"> Constance to Admirals Road Sidewalk on north side 	<ul style="list-style-type: none"> No sidewalk in high density neighbourhood 	Portions of sidewalk may be funded by developers	low	87
Constance	<ul style="list-style-type: none"> Esquimalt Road to north end of road 	<ul style="list-style-type: none"> No sidewalk in high density neighbourhood 	Portions of sidewalk may be funded by developers	low	316
Comerford	<ul style="list-style-type: none"> between Carlyle and Lyall 	<ul style="list-style-type: none"> connects to library, town centre, and playground 		high	75
Drake	<ul style="list-style-type: none"> from Effingham to beginning of Woodway path Pathway from Drake 	<ul style="list-style-type: none"> Connectivity between Rock Hts. and town centre 	Significant rock excavation needed - may be technically difficult	medium – subject to technical study	
Drake Pathway	<ul style="list-style-type: none"> Pathway Drake to Rockcrest 	<ul style="list-style-type: none"> Connectivity between Rock Hts. and town centre 	signage indicating path needed	medium	
Lyall	<ul style="list-style-type: none"> between Grafton and Foster 	<ul style="list-style-type: none"> apartment building 		medium	91
Selkirk	<ul style="list-style-type: none"> between Arcadia and Tillicum 	<ul style="list-style-type: none"> sidewalk on one side access to bus stops and stores on Tillicum 		medium	94
Foster Street	<ul style="list-style-type: none"> Esquimalt Road to Lyall 	<ul style="list-style-type: none"> Network connectivity 		Medium	124

Diane Knight

From: Barbara Snyder
Sent: December 22, 2008 08:51 AM
To: Diane Knight
Subject: FW: 47th IMCL Conf Update: Low registration deadlines extended

the cut off for early registration is today Dec. 20th [see below]

Barbara Snyder, MCIP
 Director of Development Services
 Township of Esquimalt
 Phone: 1-250-414-7146

www.esquimalt.ca

 Please consider the environment before printing this e-mail.

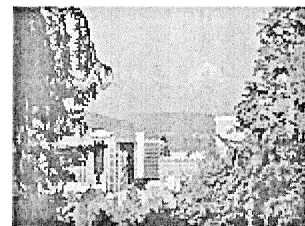
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MORE INFORMATION AVAILABLE
 IN THE CORRESPONDENCE
 SECTION OF THE READING
 FILE IN THE COUNCILLOR'S
 LOUNGE.
 Z.R.

From: Suzanne Crowhurst Lennard [mailto:Suzanne.Lennard@livablecities.org]
Sent: December 4, 2008 17:23
To: Barbara Snyder
Subject: 47th IMCL Conf Update: Low registration deadlines extended

Dear Barbara Snyder,

The 47th International Making Cities Livable Conference on "True Urbanism: Cities for Health & Well-Being", May 10-14, 2009 in Portland, OR will be one of the most dynamic and valuable conferences you have ever attended and will show us the way forward for our cities.



To facilitate your participation, the IMCL Board is extending the deadline for the low registration rate of \$495 until December 20th (please use registration form below).

An unprecedented number of outstanding presentations will address cutting edge health, sustainability and livability issues that we must now resolve. They include, in addition to the planned program:

*Economic benefits of the walkable, bikable city ** How to evaluate bicycle-friendly community design ** Design of streets and squares for public health ** Healthy aging and the built environment ** Active living by design ** Links between health and experience of nature ** Making nature accessible for all ages ** No child left inside ** Preventing childhood obesity ** Adapting environments to maximize children's healthy development ** Redefining the school as the heart of the neighborhood ** Creating social capital and community ** Complete communities, complete streets ** Inclusive community design ** Transitioning from suburban to urban development ** How transportation master planning can shape urban form.*

47th International Making Cities Livable Conference on
TRUE URBANISM:
CITIES FOR HEALTH & WELL-BEING

Portland, OR
 May 10-14, 2009

REGISTRATION FORM

\$395 before September 15, 2008
 \$445 before October 15, 2008
 \$495 before November 15, 2008
 \$545 before January 15, 2009
 \$595 before March 15, 2009
 \$645 before April 15, 2009
 \$695 after April 15, 2009

(For invited speakers & panelists special lower rates apply.)

Discussion Dinner & Awards Ceremony (Tuesday, May 12)- Add \$47.50
 (please specify dietary needs)

International Money Order or check for \$ enclosed, made out to:
Making Cities Livable
 Check must be in US dollars, drawn on US bank (Drafts not acceptable).
 Send to:
Making Cities Livable
P.O. Box 7586
Carmel, California 93921 USA

For information about payment by direct bank wire transfer contact
Suzanne.Lennard@LivableCities.org

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Organization					
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Cancellation: For refund policy contact Conference Organizers.

MAYOR'S OFFICE
CITY OF LANGFORD
2nd Floor, 877 Goldstream Ave
Langford, BC
V9B 2X8



City of Langford

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CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
Administration & Finance
Tel: (250) 478-7882
Fax: (250) 478-7864
Website: cityoflangford.ca

December 19, 2008

Agenda

File No. 8660-20


Honourable Kevin Falcon
Minister of Transportation and Infrastructure
PO Box 9055
STN PROV GOVT
Victoria, BC V8W 9E2

Dear Minister Falcon:

In its regular meeting of December 15, 2008, Council of the City of Langford resolved to request representation from the WestShore municipalities in the Capital Regional District to participate in the development of the terms of reference and in the working committee on the proposed Island Rail Study being conducted by your Ministry. We are very pleased to see the study proceeding and support your initiative in this matter. We feel strongly that that product will benefit from our input and that WestShore municipalities will have more confidence in the result if they are involved in the process. Accordingly, I request your approval and support in allowing us to participate in the process and study.

Yours truly,

A handwritten signature in black ink, appearing to read "Stewart Young".

 Stewart Young
Mayor

SY/jc

pc: District of Highlands
District of Metchosin
Town of View Royal
City of Victoria
Township of Esquimalt