



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

A G E N D A

REGULAR COMMITTEE OF THE WHOLE

Monday, February 9, 2009

7:00 p.m.

Esquimalt Council Chambers

1. CALL TO ORDER

2. LATE ITEMS

3. APPROVAL OF THE AGENDA

4. MINUTES

- (1) Minutes of the Regular Committee of the Whole, January 12, 2009 Pg. 1 – 2
- (2) Minutes of the Special Committee of the Whole, January 26, 2009 Pg. 3 – 5

5. DELEGATION

- (1) Valerie Nathan, Presentation of Petition Opposing Rezoning Application at 1191 Munro Street Pg. 6

6. STAFF REPORTS

Development Services

- (1) Rezoning Application, 1191 Munro Street, [Lot AM5, Section 11, Esquimalt District, Plan 5391], Staff Report No. DEV-09-012 Pg. 7 – 28

Finance

- (2) Police Budget Discussion as Requested By Council (Kathy Mick in Attendance) Pg. 29 – 40

Administration

- (3) Proposed Council Procedures Bylaw Revisions, Staff Report No. ADM-09-001 Pg. 41 – 58
- (4) Twinning Opportunities, Staff Report No. ADM-09-003 Pg. 59 – 69

7. ADJOURNMENT



Corporation of the Township of Esquimalt

COMMITTEE OF THE WHOLE

Monday, January 12, 2008

Esquimalt Municipal Hall – Council Chambers

7:00 p.m.

MINUTES

PRESENT: Mayor Barbara Desjardins (Chair), Councillor Meagan Brame, Councillor Randall Garrison, Councillor Bruce McIldoon and Councillor Alison Gaul

STAFF: Tom Day, Chief Administrative Officer, Gilbert Coté, Director of Engineering and Public Works, Barbara Snyder, Director of Development Services, Larry Randle, Manager of Corporate Services (recorder)

1. CALL TO ORDER

Mayor Desjardins called the meeting to order at 7:10 p.m.

2. LATE ITEMS

There were no late items.

3. APPROVAL OF AGENDA

Moved by Councillor Brame, seconded by Councillor Garrison that the agenda be approved.
The motion **CARRIED**.

4. MINUTES

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

Moved by Mayor Desjardins, seconded by Councillor Gaul that the minutes of the Regular Committee of the Whole meeting held November 10, 2008 be adopted.
The motion **CARRIED**.

5. STAFF REPORTS

- (1) Development Permit with Variance, 630 Head Street [Lot 1, Section 11, Esquimalt District, Plan 29010], Staff Report No. DEV-09-001

Moved by Councillor Brame, seconded by Councillor Garrison that the application for a Development Permit, limiting the form and character of development to that shown on architectural plans prepared by Praxis Architects Inc., stamped "Received November 24, 2008", for the proposed development located at Lot 1, Section 11, Esquimalt District, Plan 29010 [630 Head Street] and including the following variance to Zoning Bylaw No. 2050, be forwarded to Council with a recommendation of approval.

Section 44(4)(a) – Building Height – a 2.8 metre increase in the permitted Height of the Principal Building, from 11 metres to 13.8 metres.

The motion **CARRIED**.

- (2) Development Variance Permit, 929 Mesher Place [Lot 4, Section 2, Esquimalt District, Plan 30973], Staff Report No. DEV-09-002

Moved by Councillor McIldoon, seconded by Councillor Gaul that the application for a Development Variance Permit authorizing the siting of an existing, non-conforming, deck as shown on the site survey prepared by J.E. Anderson and Associates stamped "Received November 19, 2008", located at Lot 4, Section 2, Esquimalt District, Plan 30973 [929 Mesher Place] and including the following variance to Zoning Bylaw No. 2050, be forwarded to Council with a recommendation of approval.

Section 34(9)(a)(i) – Siting Requirements – Principal Building – Front Setback - a 1.3 metre reduction to the required Front Setback for a principal building from 7.5 metres to 6.2 metres

The motion **CARRIED**.

6. ADJOURNMENT

Moved by Councillor Garrison, seconded by Councillor Brame that the meeting adjourn at 7:17 p.m.

The motion **CARRIED**.

A/MAYOR OF THE CORPORATION
OF THE TOWNSHIP OF ESQUIMALT
THIS DAY OF , 2009

CERTIFIED CORRECT:

LARRY RANDLE
CORPORATE OFFICER



Corporation of the Township of Esquimalt

SPECIAL COMMITTEE OF THE WHOLE

Monday, January 26, 2009

Esquimalt Municipal Hall – Council Chambers

5:30 p.m.

MINUTES

PRESENT: Mayor Barbara Desjardins (Chair), Councillor Meagan Brame, Councillor Randall Garrison, Councillor Bruce McIldoon, Councillor Alison Gaul, Councillor Lynda Hundleby, Councillor Don Linge

STAFF: Tom Day, Chief Administrative Officer, Gilbert Coté, Director of Engineering and Public Works, Barbara Snyder, Director of Development Services, Laurie Hurst, Director of Financial Services, Marlene Lagoa, Manager of Communications and Sustainability, Diane Knight, Executive Assistant (recorder)

1. CALL TO ORDER

Mayor Desjardins called the meeting to order at 5:38 p.m.

2. LATE ITEMS

There were no late items.

3. APPROVAL OF AGENDA

Moved by Councillor Linge, seconded by Councillor Hundleby that the agenda be approved.
The motion **CARRIED**.

4. PRESENTATIONS

(1) City of Victoria Police Chief, Jamie Graham and Inspector Les Sylven

Mayor Desjardins welcomed and introduced the new City of Victoria Police Chief, Jamie Graham. He gave a brief summary of his background and previous experience. He also reported on the governance of the Victoria Police Department and expressed his support for the Police Audit and being consultative with Council and staff. He will be contacting individual Council members to meet with them and share ideas.

Chief Graham introduced Inspector Les Sylven, West Division, Victoria Police. Questions were raised about the hiring of 19 staff for the Victoria Police. Les Sylven will provide Council with statistics on how many staff have been hired at the February 11 Special Committee of the Whole meeting.

(2) Gord Horth, Capital Region Emergency Services Telecommunications (CREST)

Mayor Desjardins recognized former Councillor Hy Freedman, previous Chair of CREST, and thanked him for his service to the Township.

She introduced Gord Horth, General Manager, CREST, who gave a brief presentation on what CREST is and the status of the system. He reviewed Phase I and II of the improvement project, and noted that user training on the system is still required. Councillor Bruce McIldoon is the Council representative for CREST.

(3) Barbara Snyder, Director of Development Services – Regional Growth Strategy and B. C. Transit Study

The Director of Development Services gave an update on the status of the Regional Growth Strategy. The Strategy was adopted in 2003 and there is a review underway to assess whether goals and objectives are being met. The completion date for the review is 2010. She will distribute a four page summary of the Regional Growth Strategy to Council for their information.

The Director also reported on the Victoria Regional Rapid Transit Project who are having their first meeting on February 12th. She is on the technical planning group. Transit has produced a flow chart showing their workplan. A copy of the Workplan will be distributed to Council for their information.

(4) Gilbert Coté, Director of Engineering and Public Works – update on E&N Rail Trail and Commuter Rail

The Director of Engineering and Public Works gave an update on the E&N Rail Trail. CRD Parks is working through issues and budget constraints and will be presenting a report to the CRD Parks Committee on February 18th. More information will be forthcoming to Esquimalt after that report has been presented. He will arrange a presentation to Council in March.

The Director also reported on the status of Commuter Rail in the community. The group, Communities for Commuter Rail (C4CR) received funding and completed a feasibility study on the project. The study does not include sources for funding or cost sharing agreements and also proposes to close several intersections in Esquimalt which is of concern to staff and would have a great impact on the community. This group does not appear to be working in consultation with BC Transit on the issue of transportation in the region.

(5) **Tony Brcic, Dwayne Kalynchuk - CRD Liquid Waste Management Plan**

Dwayne Kalynchuk, General Manager of Environmental Services, CRD, gave a presentation on the status of the CRD Liquid Waste Management Plan. Copies of his presentation were presented to Council. He reported that discussion papers on Macaulay and McLaughlin points should be available in a month or so.

Council raised concerns that they felt Esquimalt residents are not being considered when determining a site for sewage treatment. They also expressed concerns with not having enough public input in the planning process.

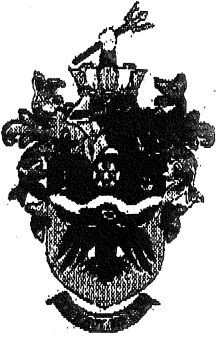
5. **ADJOURNMENT**

Moved by Councillor Brame, seconded by Councillor Gaul that the meeting adjourn at 8:43 p.m.
The motion **CARRIED**.

MAYOR OF THE CORPORATION
OF THE TOWNSHIP OF ESQUIMALT
THIS DAY OF , 2009

CERTIFIED CORRECT:

TOM DAY
CHIEF ADMINISTRATIVE OFFICER



Agenda

Corporation of the Township of Esquimalt

Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C., V9A 3P1
Website: www.esquimalt.ca

Phone: (250) 414-7100
Fax: (250) 414-7111

APPLICATION TO MAKE PRESENTATION TO THE MUNICIPAL COUNCIL

Pursuant to *Council Procedure Bylaw, 2004, No. 2585, Sections 41-46, Delegations and Petitions, (see reverse side)* Council may allow an individual or a delegation to address Council at the meeting provided written application has been received by the Corporate Officer by 12 Noon on the Wednesday prior to the meeting. Each address must be limited to five minutes unless a longer period is agreed to by resolution of those Members present.

DATE OF COUNCIL MEETING: Committee of the Whole / Feb 9/09

NAME: Valerie Nathan + neighbours

ORGANIZATION: Ø

ADDRESS: _____

TELEPHONE: _____

FAX: _____

RECEIVED
FEB 04 2009
CORPORATION OF THE TOWNSHIP OF ESQUIMALT

REASONS FOR APPEARING: To speak briefly of our opposition to the rezoning application at 1191 Mulvan St. To present a petition to the committee.

Feb 4/09
Date

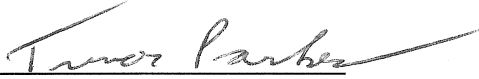
[Signature]
Signature

STAFF REPORT

DATE: February 2, 2009 **REPORT NO.** DEV-09-012
TO: Tom Day, Chief Administrative Officer
FROM: Barbara Snyder, Director of Development Services
Trevor Parkes, Senior Planner
SUBJECT: **REZONING APPLICATION**
1191 Munro Street
[LOT AM 5, Section 11, Esquimalt District, Plan 5391]

RECOMMENDATION

That the application for Rezoning, authorizing the creation of a new Single Family Panhandle Residential [RS-2] lot, as shown on the survey plan prepared by John Motherwell & Associates stamped "Received October 21, 2008" for Lot AM5, Section 11, Esquimalt District, Plan 5391 [1191 Munro Street] be forwarded to Council with a recommendation of approval.


Trevor Parkes
Senior Planner


Barbara Snyder
Director of Development Services

SUMMARY

The applicant is requesting a change in zoning from the current RS-1 [Single Family Residential] to RS-2 [Single Family Panhandle Residential] for the rear portion of this large lot to allow one additional Single Family residence to be constructed. The existing residence would be retained on a separate fee simple lot.

BACKGROUND

Applicant: David Billingsham

Owner: Ian Humphries

Property Size: Metric: 1628.7m² Imperial: 17,531.2 sq. ft.

Existing Land Use: Single Family Residence

Surrounding Land Uses:

North: Two Family Residence
South: Park
West: Single Family Residence
East: Two Single Family Residences

Existing Zoning: RS-1 [Single Family Residential]

Proposed Zoning: RS-2 [Single Family Panhandle Residential]

Existing OCP Designation: Single and Two Unit Residential
No change required.

Purpose of the Application: To amend the zoning to accommodate two detached single family dwellings, each on its own fee simple lot.

History: Mr. Ian Humphries applied for subdivision of the subject property in 1993. The application was presented to Council February 22, 1993. The Municipal Act, Section 994 requires Council to approve any lot that does not have 10% of its perimeter fronting the street. Council supported the staff recommendation to grant approval to the subdivision subject to services being provided. Mr. Humphries was notified of Council's decision in a letter sent February 23, 1993 which also detailed his responsibilities to provide additional information to staff and to service the proposed lot.

Mr. Humphries chose not to complete the required servicing and therefore the subdivision was never registered at the Land Title and Survey Authority. In April, 1993, Esquimalt adopted a new zoning bylaw which allowed "panhandle" lots only in the RS-2 zone. The applicant had 12 months after the adoption of Zoning Bylaw No. 2050 to complete the servicing of the subdivision.

COMMENTS FROM ADVISORY PLANNING COMMISSION

This application was considered by APC on the evening of November 18, 2008. Members commented that they felt panhandle lots are intrusive into open space; that panhandle lots are discouraged in the OCP; and that even though a panhandle lot exists adjacent to the subject property this does not mean a precedent has been set throughout the area. Finally, members felt the application was not supportable as it does not enhance the value of the neighbourhood. APC resolved that the application be forwarded to Council with the recommendation that it be denied.

COMMENTS FROM OTHER DEPARTMENTS

The following comments were received prior to report writing:

Building Inspection: BC Building code requires that fire fighting access must be reviewed by Esquimalt Fire Rescue.

Fire Rescue: A new fire hydrant should be installed near the street to ensure adequate access to water as access for equipment is limited. Trees located adjacent to the existing driveway must be pruned to allow access for emergency services equipment.

Engineering Services: Staff have reviewed the servicing requirements for the proposed subdivision to create an additional panhandle lot and we would like to comment as follows:

Curb and Sidewalk: A new curb and gutter and a sidewalk should be provided along the 22 m frontage on Munro Street. This work would include providing driveway drops for the new lot and for the new driveway to the existing house. The sidewalks and curbs at this location are over 50 years old and will soon reach the end of their life.

Drainage: The existing house is connected to a storm drain pipe located at the back of the property. A new storm drain pipe to service the existing house would have to

be built along the south property line for a distance of approximately 30 metres. This pipe should be located in an easement in favour of the lot where the existing house is located. The new house can be connected to the same pipe. Our records indicate that the invert of the storm drain is approximately 7.9 m. In order to provide gravity servicing of the perimeter foundation drains, the basement floor will have to be at the minimum elevation of 8.5 m. Ground elevations at the site vary between 10 and 11 metres.

Sewer: The sanitary sewer is located on Munro Street. The new house would be located approximately 65 metres from the sanitary sewer main line. With a slope of 2% for a 65 m long lateral connection, the invert of the sewer lateral connection at the new house would be approximately 11.45 m. The main floor slab is typically 0.2 m higher than the invert of the lateral connection and should be at elevation 11.65 m in order to avoid pumping. It should be noted if a basement is provided, a sewage pump would be required and only one bathroom group would be allowed in the basement. It should also be noted that the required main floor elevation of 11.65 m is above the ground elevations on the site which vary between 10 and 11 m.

Water: A new water service for the new house would have to be provided.

Fire Protection: A new fire hydrant would be required to be located on the property in order to provide fire protection to the proposed new house. The separation distance between the new house and nearest hydrant exceeds the maximum distance as per the requirements of the Esquimalt Fire Department. The cost of this work would be paid for by the applicant and the cost will have to be confirmed by the City of Victoria. The hydrant would have to be located where it does not interfere with vehicular access.

Electrical power supply: Underground power supply would be required for the new house. This underground power supply should start at a nearby BC Hydro pole. A dip would be installed along the Hydro pole followed by a buried cable in a conduit between the pole and the house as specified by BC Hydro

Servicing: The subdivision and development control bylaw specify that servicing must be in place before the subdivision is approved. The new sewer and drain connections and the new curb and sidewalks would be constructed by the Municipality. To this effect, the applicant must pay the Township of Esquimalt. The applicant will have to make arrangement with the City of Victoria and BC Hydro for the installation of the water service and of the underground power supply.

Services on private property: All services on private property are to be designed, constructed and paid for by the applicant. A plumbing permit would be required for water, sewer and drain lines on private property.

Parks and Recreation: A hedge and compost pile are encroaching into Saxe Point Park. Parks and Recreation require the applicant decommission the compost pile and block the access into the park from the rear of the property. A replacement tree will be required for the boulevard tree that would be removed in order to construct the new driveway.

Development Services: Rezoning to create one additional lot is supportable given the pattern of surrounding lots and the size of the subject property.

Note: All projects are subject to compliance with the BC Building Code, Esquimalt Subdivision and Servicing Bylaw, Esquimalt Zoning Bylaw and other Regulations and Policies set by Council.

ZONING CONSIDERATIONS

The proposed subdivision would meet all requirements of the RS-2 [Single Family Panhandle Residential] zone.

OFFICIAL COMMUNITY PLAN CONSIDERATIONS

Fit with Neighbourhood: Section 2.2 of the Official Community Plan recognizes that modest residential growth will occur through the infilling of vacant or under-utilized parcels and states that this growth should occur in a manner that maintains and enhances individual neighbourhoods and the community as a whole.

The subject property is located in an established single and two family residential neighbourhood where large lots are common. This property is distinct in that it has sufficient land area behind the existing home to achieve an additional lot that meets all the requirements of the RS-2 zone while retaining a conforming RS-1 lot fronting Munro Street. Analysis reveals that the proposed home would be sited so that there would be adequate separation between it and neighbouring homes to the northwest. The new home would sit adjacent to the existing home located on the neighboring panhandle parcel to the southeast and since the property backs onto Saxe Point Park there are no privacy concerns relating to this building to the south.

This parcel drops approximately 2 metres in elevation away from the Munro Street to the rear lot line. Accordingly, any home constructed on the proposed lot will have little impact when viewed from the street as it will be set back over 50 metres from the street, will be shielded by the existing home and will be constructed at a lower elevation which will mitigate the impact of the height of the building.

The owner of the property directly adjacent to the subject property, 1193 Munro Street, has submitted a letter (attached) detailing her concerns relating to this application. Many of her concerns were raised by her and other members of the public at the Advisory Planning Commission meeting, held November 18, 2008 (minutes attached). One of the issues raised by the neighbour is the impact on her ocean view. Section 2.2.3 (a) of the Official Community Plan indicates that infill development should "respond sensitively to existing significant views". It is likely that the construction of a new single family home on the proposed lot will interrupt the ocean view from the neighbouring property. Recognizing this impact, staff are still supportive of this application as it is very likely that any new single family dwelling constructed on the subject property (i.e. should the existing house be removed and a new house built) would likely to be sited in such a way as to capitalize on the southern ocean views thereby blocking the views from 1193 Munro Street.

The owner of the subject property, Donna Humphries, has also provided a letter detailing her reasons for bringing the application forward for Council's consideration (attached).

PUBLIC NOTIFICATION

As this proposal involves a rezoning, should this be forwarded to Council, notices would be mailed to owners and tenants of properties within 50 metres [164 ft.] of the subject property advising them of the date on which Council will consider the application.

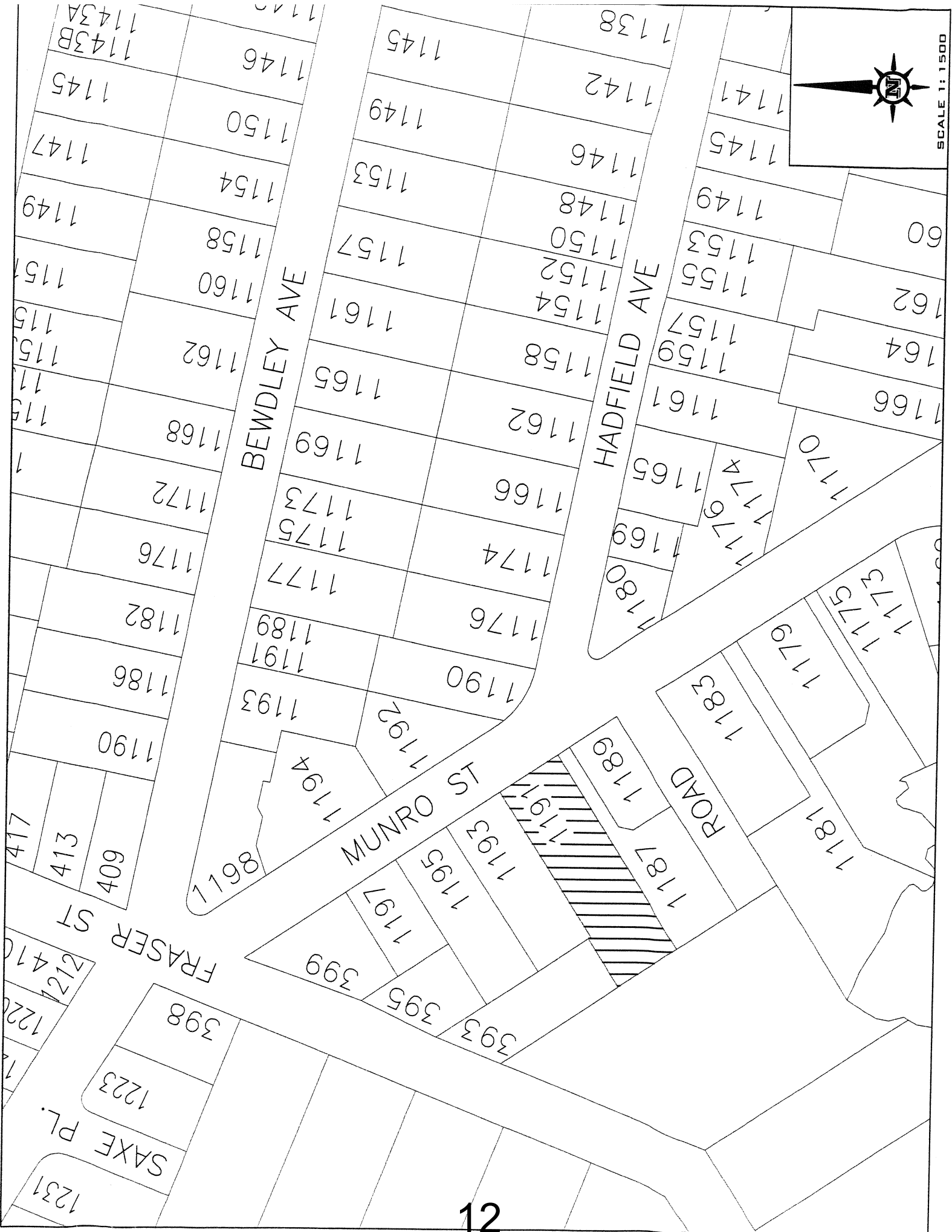
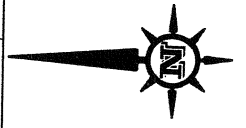
Approved for Council's consideration:



Tom Day, Chief Administrative Officer

Dated: _____





Sketch Plan of Proposed Subdivision of Amended Lot 5 (DD 355787I), Section 11, Esquimalt District, Plan 5391

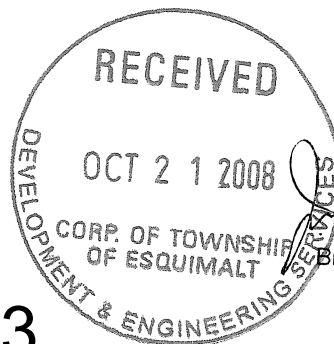
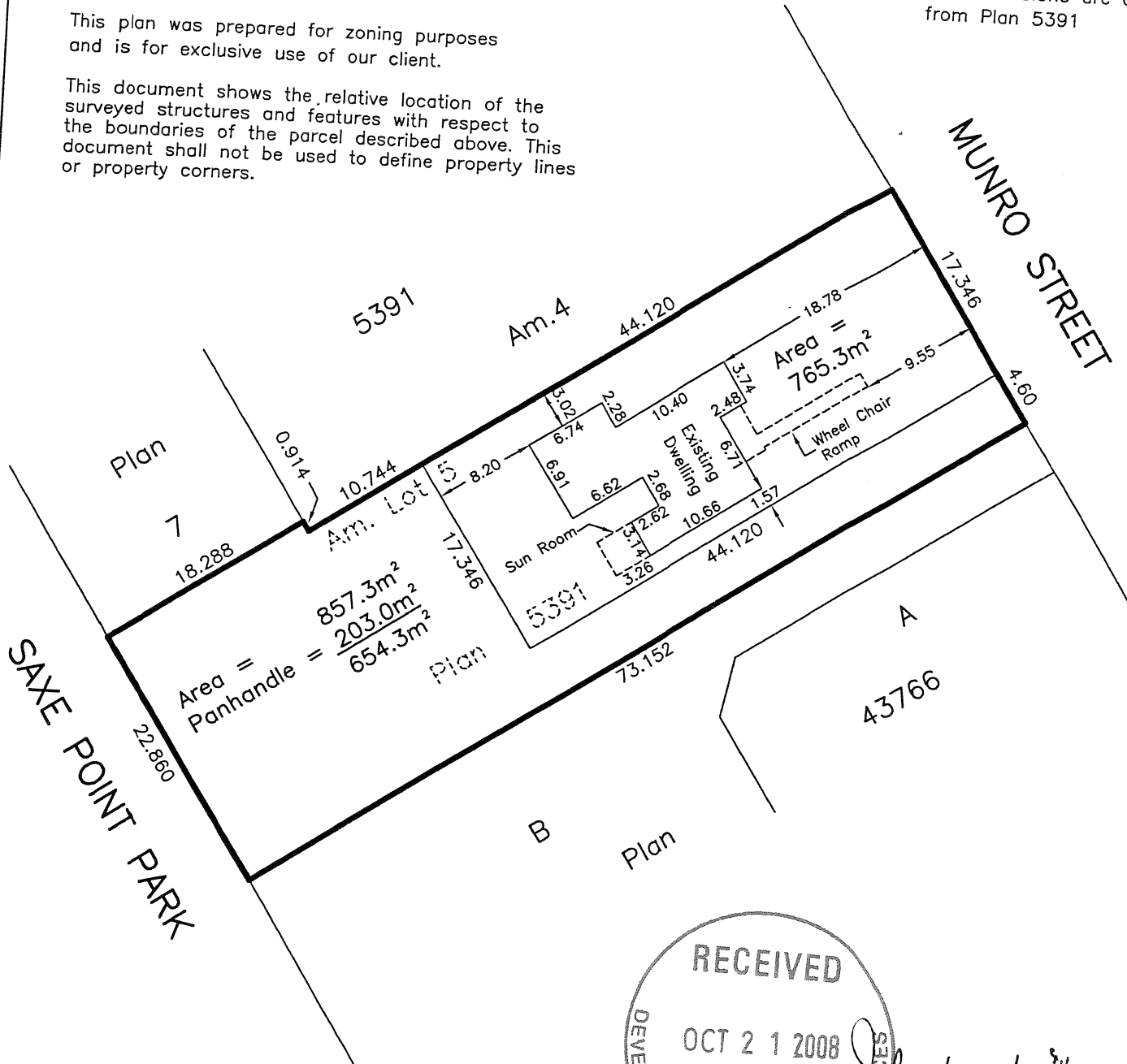


Scale: 1:500
 All Distances are in Metres
 Lot dimensions are derived from Plan 5391

CIVIC ADDRESS: 1191 Munro Street
 Esquimalt, B.C.

This plan was prepared for zoning purposes and is for exclusive use of our client.

This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or property corners.



John L. Motherwell
 British Columbia Land Surveyor

John Motherwell & Associates
 B.C. Land Surveyors
 Victoria, B.C.
 File : H85-2A

Trevor Parkes

From: Ian Black [iblack@islandnet.com]
Sent: November 20, 2008 16:39
To: Trevor Parkes
Cc: Council
Subject: Opposition to the re-zoning of 1191 Munroe Street

Dear Trevor

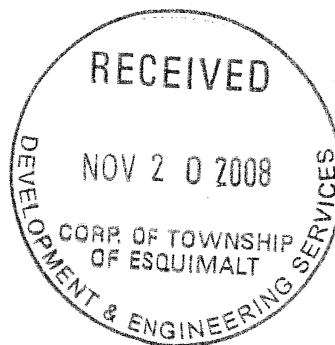
I have been a property owner in the Saxe Pointe area of Esquimalt for over 10 years. I walk daily from my house on lower Grafton along Lyle, through to Saxe Pointe Park and am very conscious of the green space and the density of the housing along Munroe, especially the properties backing on to our precious Park. Upon seeing the sign of the proposed re-development of 1191 Munroe, I became somewhat concerned. I am friends with the owners at 1193 Munroe and have found out the proposal is for a panhandle lot division. **I think this is a grave mistake for the area and will devalue the existing "natural context" of the surrounding area.** Esquimalt should draw a line in **protecting the existing areas around the park as something special and not just a 'development' opportunity.**

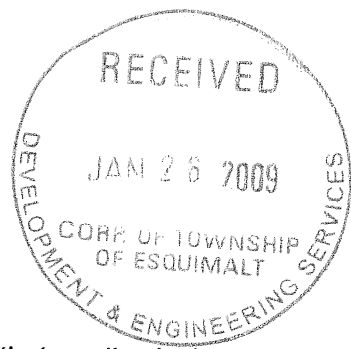
On the other hand, the development of the site on Kinver and Monroe (Nine Cedars) works well because it's not backing onto a green space directly and the lots are accessible from both Kinver and Monroe.

I think the site at 1191 Munroe would be well served to be developed like the house at 1162 Munroe. That house increases the value and beauty and natural spaces in the neighbourhood without affecting their neighbours in any detrimental way. The proposal for 1191 Munroe I believe, is bad for Esquimalt and bad for the citizens who love this community and we should stand up and object to this type of development.

Your sincerely

Ian Black
461 Grafton Street
388-3012





January 26, 2009

Dear Mayor, Council and Senior Staff members,

When people ask us where we live, we tell them, with a wink, that we live in the "Uplands of Esquimalt". While humorous, the point is important. The Saxe Point neighbourhood is a place of pride in Esquimalt, and one that offers its residents a quality of life that is unparalleled.

Simply put, Saxe Point is a unique, established neighbourhood that people pay a premium to live in. Here, properties are large, treed, set back from the road, and private. The streets are quiet and safe. People from other parts of the municipality and region come here to walk, to look at our gardens and enjoy our parks. This is a unique neighbourhood that should be respected and preserved, and not subjected to additional panhandle lots.

Panhandles are an unattractive form of development that create congestion. They allow the seller and eventual developer of the land to maximize profit. However, they do not enhance or improve neighbourhood values, but rather detract from the overall aesthetic of the neighbourhood. If we continue to chip away at Saxe Point through shortsighted rezoning — that which makes us special now will cease to exist. Arguably, Munro Street is the flagship street within this neighbourhood, running parallel to Saxe Point Park and the ocean. This is an area where planning should focus on the potential to beautify, not congest.

Further, we believe the Saxe Point neighbourhood (and this block of Munro Street) has reached its saturation point for panhandle lots. If density is the goal of the municipality, then density should be sought within the core of Esquimalt and the arteries that support the core, not within a unique neighbourhood that has the potential to attract people to the area for other values, such as recreation and tourism.

Further still, the property on the east side (1189) of 1191 Munro is also a panhandle. Creating another panhandle right next door, means you'll have a row of these lots on Munro Street, meaning more noise, more traffic and less green space, directly adjacent to a park entrance point.

Lastly, rezoning to allow 2 homes on a single lot here will add pressure on Saxe Point Park. The park and its wildlife are already under threat from natural causes and development, and a panhandle lot/second home on a property which backs directly onto the park will add to the noise and light pollution that encroaches upon nesting eagles and other birds.

Most close to our hearts, we have reviewed the site plan and we know that rezoning/ subdividing this lot will have a negative affect on our property value, ambiance, and enjoyment.

Right now, we have a quiet, private back yard that looks into Saxe Point Park and has substantial ocean views. We paid a premium for this privacy and view — and it plays an important role in our property value. If built to allowable heights, and as confirmed by

Trevor Parkes, a new, second home in this location will block our views and we will have two homes next door, situated very close to ours, with two driveways and two parking areas. The quiet, privacy and natural beauty of our backyard will be replaced by noise, lights, pavement and cars coming and going. As a supporting point, we have obtained an independent property appraisal that assesses this very issue and confirms that our home without its ocean view would be worth significantly less than its current value.

With respect to our front yard, the proposed panhandle will require a new, second driveway directly beside our own driveway – which means the streetscape would be significantly altered – with two driveways and parking zones butted up against each other. This would really affect the look of the neighbourhood from a street perspective and also disturb the quiet of our front yard. More lawn, garden and green space would be sacrificed to pavement at street level. With all of this in mind, we don't see why a rezoning which has no tangible benefit to the neighbourhood would proceed, while our property would be devalued. It does not seem fair.

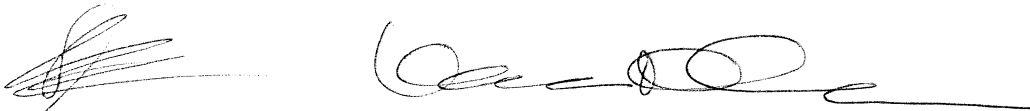
Finally, we understand that Esquimalt is reviewing its policy on rental suites – and it may be a matter of time before they are legal. Any developer getting his or her hands on a rezoned lot here would be crazy not to build in suite capacity – and what that really means – is that by allowing the rezoning application you would open the door to the inevitability of 4 families living right next door to us – on what was and should remain a single family lot. And we all know that placing covenants against secondary suites is not an effective way of prohibiting them.

Finally, we agree that the existing house on this property is in run down condition and we would support a plan to re-develop the property attractively and with a single driveway/parking area servicing the lot. The property and home that was redeveloped at 1162 Munro by Peter McCoppin is a prime example of a vision to beautify a property that really worked — and it should be held up as a recent example of what is possible and desirable in Saxe Point in terms of neighbourhood values.

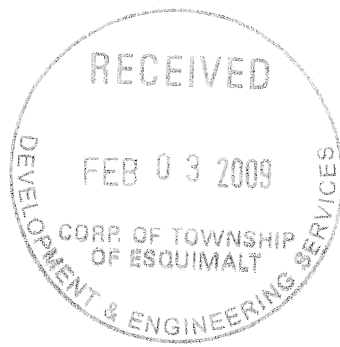
We ask you to consider our perspective, the perspective of our neighbours, and the opinion of the APC in your deliberations regarding this rezoning application.

Thank you for your time, thought and dedication to the Township of Esquimalt.

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is more stylized and compact, while the signature on the right is longer and more flowing, extending further to the right.

Valerie Nathan and Edris Seale/Owners of 1193 Munro Street



1241 Highrock Avenue
Victoria, BC

January, 2009

Dear Mayor and Council:

This letter is to support our application to subdivide 1191 Munro Street owned by my father, Ian Humphries. I am one of three daughters and I hold Power of Attorney from my Dad. I am a home-owner in Esquimalt and have a stake in this community.

1191 Munro has been our family home since the early 1960's, when we moved from Selkirk Avenue. Our parents lived at 1191 until 2000, when our mother passed away. In August 2008, my father, at the age of 92, moved into the Renaissance Retirement Residence located at 1188 Esquimalt Road. The house at 1191 was built in the 1940's and now requires significant structural, electrical, plumbing and cosmetic upgrades. Such an undertaking is beyond the abilities and interests of either our father or my sisters and me; we have been advised that the place is likely a 'tear-down.'

In 1993, my father received approval from Council to subdivide his property into two lots (see Attachment 1.) He was not advised of the time limits on the approval and on the municipal zoning maps, it appears the property is zoned R2; he was of the opinion that the approval was still valid. However, we understand now that the R2 status does not refer to Dad's property but to 1187 and that because Dad did not register the subdivision of the property, we would have to make a new application for subdivision. We are here today with that application. Like many working men of his generation, the house and property constitute my father's greatest financial asset, the sale of which is essential to his independence, his future care and his comfort.

As long-time residents of Esquimalt, we have watched both the neighbourhood and the community change. Properties in the block between Fraser St. and Plaskett Place have been subdivided and consolidated, multiple family dwellings have been constructed and subdivision of 1191 would be consistent with this moderate growth and infilling.

Change is going to occur at 1191, either through subdivision or the construction of a new residence. In accordance with the bylaws, a new house could be as large as 6,112 square feet – definitely not in keeping with the neighbourhood. Two new attractive homes of 2,000 – 2500 square feet would enhance the neighbourhood and compliment existing homes, as has happened at 1189. Change is going to occur and we would like to see that it compliments the area for the long term. This does not include multiple family dwellings or a 'monster' house.

Subdivision could occur by the creation of a panhandle lot on the back of the property; there are already five panhandle lots in this block of Munro Street (see Attachment 2.) Panhandle lots can be controversial but there are several features of this property that mitigate problems often associated with this type of subdivision:

- the property is large –if two lots were created, they would be larger in size than several other lots in the area;
- the property slopes away from Munro Street, reducing the visual impact on the streetscape;
- no residences are affected to the south as the lot adjoins Saxe Point Park;

- the property at the back is not visible from the park nor from the park access to the east, reducing the sense that open space would be lost;
- two driveways separate the property from 1189 and a large windowless wall of the house on 1187 reduces the impact on these properties; and
- 393 Fraser is screened by a large hedge and rock outcropping, thus reducing impact from infill on the back of 1191.

Ms. Val Nathan of 1193 Munro has expressed concerns with the loss of sea glimpses and a loss of property value. I would like Council to note that less than 20% of the total length of 1193 would be affected by subdivision. Municipal staff has explained that even without subdivision, the construction of a larger single family dwelling at 1191 could affect the current sea glimpses. The view of and over another's backyard was not part of the purchase price. Ms. Nathan did seek the participation of another neighbour to purchase 1191 with the intent of rezoning to allow construction of a duplex and she later suggested to me that we should pursue such zoning; we believe this type of zoning would indeed reduce property values and would like to prevent this happening in the future by securing two moderate-sized single family residential lots.


In November, the Advisory Planning Committee recommended against the subdivision. It was a disheartening and frustrating experience as I did not feel the Committee gave me opportunity to be heard. In their decision, it is noted that the OCP discourages panhandle lots; in fact, there is only one reference to panhandle lots in the area of Old Esquimalt Road and Fernhill Road. Panhandle and infilling must, of course be considered carefully; 1191 is a good candidate for the reasons noted above and such a development would be consistent with others in the neighbourhood.

I respectfully ask the Council to consider approval of our application based on:

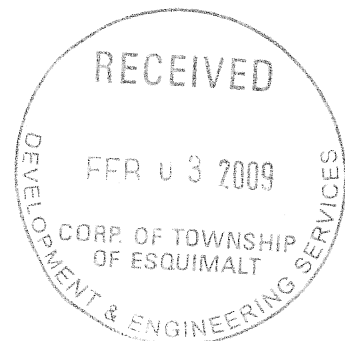
- the request meets existing zoning requirements;
- property features – a large lot with little impact on public viewscape; creation of two lots larger than others in area; minimal impact on 3 adjacent properties; and
- affecting less than 20% of the total length of adjacent property at 1193 Munro;
- the recommendations and professional advice of Municipal staff; and
- history – Dad has owned the property for nearly 50 years, had obtained prior approval to subdivide and thought his retirement would be secured with realization of his main asset.

Thank you for your consideration.

Sincerely



Donna Humphries



1,200
100
2,000/93

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MUNICIPAL HALL, 1229 ESQUIMALT ROAD, VICTORIA, B.C. V9A 3P1
Telephone (604) 385-2461 Fax (604) 385-6668

ary 17, 1993

PORT TO: Mayor C.J.E. Clement and
Members of Council Assembled

M: N. J. Pugh, A.Sc.T.
Deputy Director, Planning & Engineering Services

JECT: 1191 MUNRO STREET
PANHANDLE SUBDIVISION

Ian Humphries of 1191 Munro Street has applied to subdivide Amended Lot 5, Plan 5391
create a panhandle lot, having the existing house on its own Lot (plan attached).

view of the proposal has been completed, and the lot areas, existing house setbacks and
handle width, meet the requirements of the Subdivision Bylaw No. 1669, and proposed
ing Bylaw No. 2050.

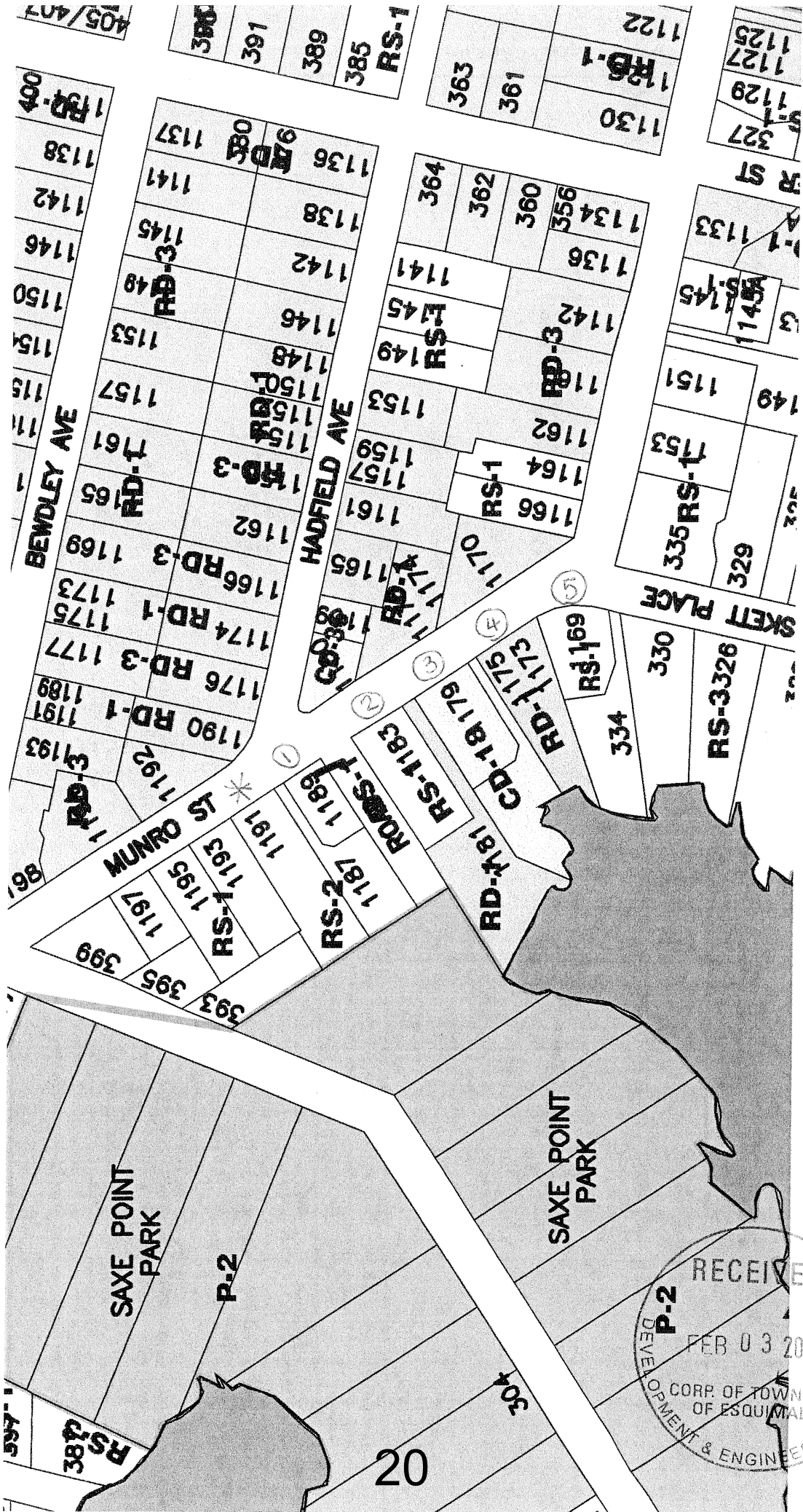
he Municipal Act, Section 994 requires Council approval of any lot that does not have 10%
ts perimeter fronting on the street this proposal is being brought forward for your
sideration.

ommendation:

"That Council grant approval for the subdivision of Amended Lot 5, Plan 5391,
Esquimalt District to create a panhandle lot, subject to services being provided
to the lots."

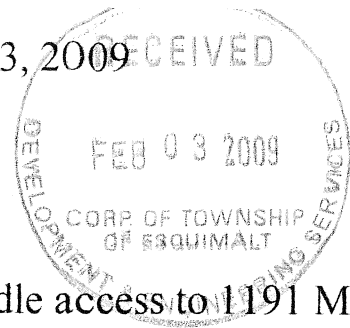
N.J. Pugh
N. J. Pugh, A.Sc.T.
Deputy Director, Planning
Engineering Services





RECEIVED
 P-2
 FEB 03 2009
 CORP. OF TOWNSHIP
 OF ESQUIMALT
 DEVELOPMENT & ENGINEERING SERVICES

Feb 3, 2009



Dear Mayor and Council,

I would like to give my support for the panhandle access to 1191 Munro Street.

My reasons are there are already 6 panhandles on Munro Street, with one being right next door to 1191 Munro, and you can barley see the home from Munro or the east path in Saxe Point Park.

The Municipality is wanting more infill homes and this is a natural fit for two homes.

I have had the pleasure of walking the property at 1191 Munro Street and noticed it has a gentle slope on the back of the lot which would have minimal impact to the neighbours left or right. Also it would bring another family to our wonderful community.

I believe this would be far more attractive than a large home or a duplex. Although it would be useful for neighbours to see visually the homes and landscaping this is truly not always financially possible, but I am very confident who ever the fortunate purchaser is they will work with the neighbours and municipality for a beautiful result. I heard there was some concern because the back lot is next to Saxe Point Park, this family has lived here for 50 years with no problem and none of the other homes backing on to the park have any issues.

I have lived on Plaskett Place for more then 60 years and have a panhandle right next door that the late Reeve Alf Wurtele put in when he subdivided this property and it has never been an issue for us. We also have other panhandle accesses on Plaskett Place and they have never been a detriment to our beautiful street.

Owning a home in this vibrant happy neighbourhood is a great pleasure and privilege.

2/3/2009

Our homes are sometimes the largest investment and assets we will own. There are times when for whatever reason we are forced to make a decision to sell and move along, allowing for a new family to enjoy our treasured spot. There is **not one homeowner** who does not want to make the most of that investment at selling time.

Thank you for allowing me to express my support for the panhandle access at 1191 Munro Street.

A handwritten signature in cursive script that reads "Penny Campbell". The signature is written in black ink and is positioned above the printed name.

Penny Campbell
329 Plaskett Place
384-8885

IV. STAFF REPORTS

(1) **Rezoning Application**
David Billingsham, applicant on behalf of owner
1191 Munro Street

David Billingsham was in attendance to outline the proposal is to rezone the existing property from Single Family Residential to Single Family Panhandle Residential. He outlined the history of the property indicating that the owner had applied for subdivision of the property in 1993 and received approval, but did not pursue the subdivision at that time.

In response to a question from a Commission member asking if the applicant had talked to the neighbours, David Billingsham responded that Donna Humphries had passed out letters to the neighbours.

Gerald Froese commented that it is difficult to comment upon without a schematic of the building or what the dwelling will look like.

Terry Eckstein commented that it would be more helpful if a site plan of how the house will be situated could be provided.

Trevor Parkes, Senior Planner, explained to the Commission that this application is for rezoning not a Development Permit where the Commission would be evaluating the form and character.

Public Input

Filippo Ferri – 1162 Hadfield Avenue commented that:

- he wondered if consideration could be given to putting the APC Agenda and reports on Esquimalt's Website as sometimes it is difficult to get to the Hall;
- it would be beneficial to see what the building would look like;
- shading from building might have impact on adjoining lots;
- difficult access could impact neighbouring properties.

Valerie Nathan, 1193 Munro Street expressed the following;

- that adequate notice had not been given;
- the signage is obscured;
- she is against the rezoning;
- she feels that panhandle lots are unattractive;
- concerned about loss of view, privacy and devaluation of her property;
- will affect the streetscape;

**MINUTES OF ADVISORY PLANNING COMMISSION
MEETING HELD ON NOVEMBER 18, 2008**

Page 3

- concerned about secondary suites going into single family units;

Colleen Matthews, 1195 Munro Street commented that:

- many of her comments and values were the same as the previous speaker;
- she is also concerned also that suites may go into the single family dwellings;
- she is concerned about parking problems.

Beth Burton-Kahn, 1101 Hadfield Avenue, commented that:

- she is not in favour of the project;
- not concerned about the municipality receiving more taxes, would be willing to pay more taxes to keep the area the way it is.

Penny Campbell, Plaskett Place, commented that:

- not opposed to the project;
- it is not always about greed when individuals redevelop;
- not concerned about suites.

Kim fisher, Fernhill Road, commented that:

- Saxe Point is unique, beautiful spacious area;
- concerned about higher density.

The Chair allowed the applicant, Donna Humphries to comment:

- she stated that the house is the family's only asset;
- takes offences to some of the comments;
- they wish to realize their asset as they require the income for their father's care.

RECOMMENDATION:

Moved by Ramona Scott, seconded Brian Gordon, that the Esquimalt Advisory Planning Commission (APC) resolved that the application for the Rezoning of Lot AM 5, Section 11, Esquimalt District, Plan 5391[1191 Munro Street] that the application be **denied**.

Motion **CARRIED UNANIMOUSLY**.

The opinions and comments of the APC members are as follows:

- that Panhandle lots are intrusive into open space;
- that panhandle lots are discouraged in the OCP;
- even though a panhandle lot is on the next lot does not mean this is precedent setting throughout the area;
- not supportable as it does not enhance the value of the neighbourhood

35. **SINGLE FAMILY PANHANDLE RESIDENTIAL [RS-2]**

The intent of this Zone is to accommodate Single Family Dwellings on Panhandle Lots.

(1) **Permitted Uses**

The following Uses and no others are permitted:

- (a) Single Family Residential
- (b) Home Occupation
- (c) the keeping of up to a maximum of two [2] Roomers or Boarders.

(2) **Parcel Size**

The minimum Parcel size for Parcels created by subdivision shall be 650 square metres, excluding the Access Strip.

(3) **Parcel Shape**

All Parcels created by subdivision shall be Panhandle Lots.

(4) **Minimum Lot Width**

- (a) The minimum Frontage shall be 4.6 metres and Parcels in this zone shall be exempted from the statutory frontage requirement in Section 944 of the "Municipal Act".
- (b) The minimum Width of Parcels created by subdivision shall be 18 metres, measured at the Front Building Line.

(5) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 0.35.

(6) **Floor Area**

The minimum Floor Area for the First Storey of a Principal Building shall be 88 square metres

(7) **Building Height**

- (a) No Principal Building shall exceed a Height of 7.3 metres
- (b) No Accessory Building shall exceed a Height of 3.6 metres

(8) **Building Width**

The minimum width for any Single Family Dwelling shall be 7 metres

(9) **Lot Coverage**

- (a) All Principal Buildings, Accessory Buildings and Structures combined shall not cover more than 30% of the Area of a Parcel.
- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of a Parcel.

(10) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one [1] Side Yard shall not be less than 3 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line. In the case where the Parcel abuts the sea, no Building shall be located within 12 metres of the High Water Mark.

(b) **Accessory Building**

- (i) Front Setback: No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) Side Setback: No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Accessory Building shall be located within 1.5 metres of a Rear Lot Line. In the case where a Parcel abuts the sea, no Accessory Building shall be located within 4.5 metres of the High Water Mark.
- (iv) Building Separation: No Accessory Building shall be located within 2.5 metres of a Principal Building.

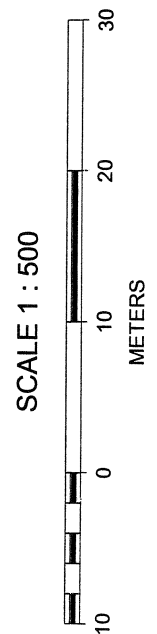
(11) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building and 2 metres behind the front face of the Principal Building.

(12) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw No. 2011.

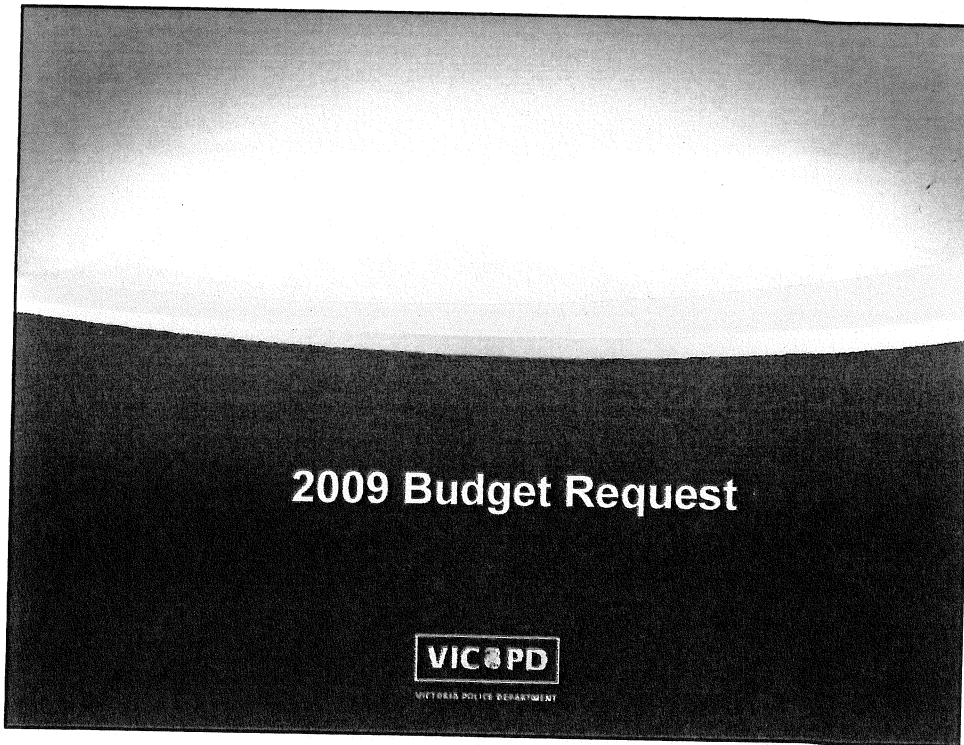
1.91 Munro Street





Victoria Police Department

Serving the communities of
Victoria and Esquimalt



2009 Budget Request



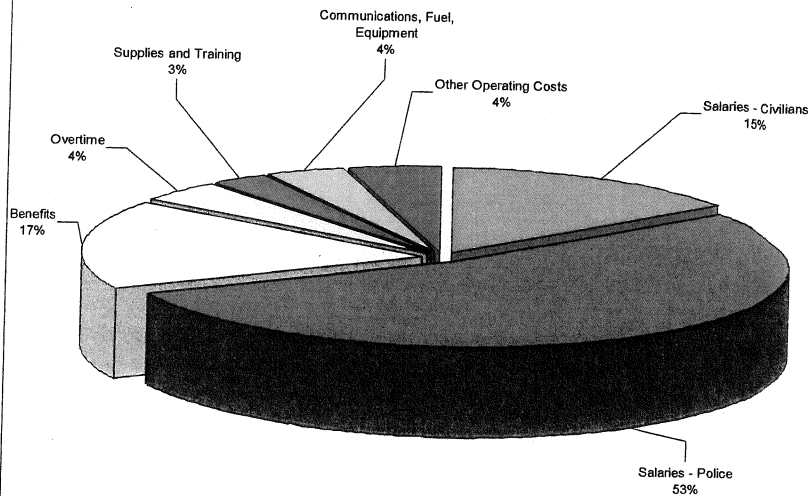
Budget Process

- August Sections provide budget request
 Reviewed by Senior Managers
- September Reviewed by Chief and Deputy
 Reviewed by Finance Sub Committee
- October Reviewed by full police Board
- November Police Board approved sent to municipality
- January Presented to Joint board council meeting

VICTORIA POLICE DEPARTMENT



VicPD 2008 OPERATING BUDGET BY OBJECT



VICTORIA POLICE DEPARTMENT



Budget Allocation

Based on Property taxes

Property taxes are based on the assessed value of properties.

Victoria:	\$2,250,785,802
Esquimalt:	\$386,618,028
Total:	\$2,637,403,803

Victoria:	85.34%
Esquimalt:	14.66%

VICTORIA POLICE DEPARTMENT



City of Victoria and Township of Esquimalt Percentage allocation of Budget

	2003	2004	2005	2006	2007	2008	2009	Avg.
Victoria	86.054%	86.420%	86.313%	86.210%	85.911%	85.819%	85.341%	86.010%
Esquimalt	13.946%	13.580%	13.687%	13.790%	14.089%	14.181%	14.659%	13.990%
	100.000%	100.000%	100.000%	100.000%	100.000%	100.000%	100.000%	100.000%

VICTORIA POLICE DEPARTMENT



Budget Request 2009

	2008	2009	Increase
ESQUIMALT	4,965,370	5,593,581	628,211
VICTORIA	30,048,874	32,564,419	2,515,545
Total Police Budget	35,014,244	38,158,000	3,143,756

VICTORIA POLICE DEPARTMENT

Budget Request 2009

Esquimalt's increase:

\$628,211 3.2% tax increase

Victoria's increase:

\$2,515,545 3.1% tax increase.

Victoria Increase after adjustment:

\$1,607,789 1.9% tax increase.

VICTORIA POLICE DEPARTMENT

Overall Increase

Personnel costs	\$2,139,000
Other Costs	\$617,000
Operating	\$313,756
Capital/overhead	\$74,000
Total	\$3,143,756

VICTORIA POLICE DEPARTMENT



Increase in Personnel Costs

Police salaries	\$1,407,000
Non Sworn salaries	\$173,000
Overtime	\$100,000
Benefits	\$459,000
Total	\$2,139,000

VICTORIA POLICE DEPARTMENT



Increase in Other Costs

Regional Crime Unit	\$417,000
Jail Operations	\$200,000
Total	\$617,000

VICTORIA POLICE DEPARTMENT



Increase in Operating Costs

Travel	\$26,000
Training	\$49,000
Fuel	\$47,000
CREST	\$76,000
Insurance	\$50,000
Various	\$65,756
Total	\$313,756

VICTORIA POLICE DEPARTMENT



Increase in Capital/Overhead

Capital	\$50,000
Building Maintenance	\$24,000
Total	\$74,000

VICTORIA POLICE DEPARTMENT



Comparison

VicPD increase in strength 2002-2007:	11.6%
Municipal Provincial Average:	12.0%
VicPD increase in budget 2002-2007:	27.6%
Municipal Provincial Average:	37.2%

VICTORIA POLICE DEPARTMENT



Comparison

VicPD case load 2007: 70 cases per officer
Municipal Provincial Average: 51 cases per officer

VicPD dispatched calls per member 2007: 197
Vancouver Average in 2007: 158

VICTORIA POLICE DEPARTMENT 

Comparison

VicPD cost per capita (2007): \$351
Municipal Provincial Average: \$278

VICTORIA POLICE DEPARTMENT 

**GREATER VICTORIA POLICE MUNICIPAL DEPARTMENTS
2007**

	CC Offences		Population	
	#	%	#	%
Central Saanich	634	3.6%	16,619	6.6%
Oak Bay	909	3.9%	18,795	7.5%
Saanich	5,985	25.6%	114,151	45.7%
Victoria/Esquimalt	15,615	66.9%	100,407	40.2%
<i>Total</i>	23,343	100.0%	249,972	100.0%

VICTORIA POLICE DEPARTMENT 

Comparison

Further breakdown:

Victoria	\$366
Esquimalt	\$279
Municipal Provincial Average	\$278

VICTORIA POLICE DEPARTMENT 

Comparison

Before Amalgamation:

•Esquimalt police budget 1997:	\$3,094,480
•Esquimalt police budget 2002:	\$3,948,416
Increase	\$853,936 (27.6%)

After Amalgamation:

•Esquimalt police budget 2002:	\$3,948,416
•Esquimalt police budget 2007:	\$4,959,206
Increase	\$1,011,060 (25.6%)

VICTORIA POLICE DEPARTMENT



Comparison


	Budget 2002	Budget 2007	Increase (Decrease)	%
Oak Bay	2,621,461	3,640,204	1,018,743	39%
Central Saanich	2,675,025	3,575,211	900,186	34%
Saanich	17,638,240	21,095,277	3,457,037	20%
Esquimalt	3,948,146	4,959,206	1,011,060	26%
Victoria	23,641,507	30,239,935	6,598,428	28%

VICTORIA POLICE DEPARTMENT



	<u>Oak Bay</u>	<u>Esquimalt</u>	<u>Difference</u>
2002	2,621,461	3,948,146	1,326,685
2007	3,640,204	4,959,206	1,319,002

	<u>Central Saanich</u>	<u>Esquimalt</u>	<u>Difference</u>
2002	2,675,025	3,948,146	1,273,121
2007	3,575,211	4,959,206	1,383,995

VICTORIA POLICE DEPARTMENT 

The future

The Police Department has completed a 5 year Human Resources Staffing plan for the period 2010 to 2014.

Based on numerous factors including case loads, response times, risk analysis, officer availability, and the number of dispatched calls the plan is recommending hiring 59 officers and 22 non sworn support staff.

The 5 year Forecast

	2008	2009	2010	2011	2012	2013	2014
ESQUIMALT	4,965,370	5,593,581	6,116,174	6,569,650	7,042,584	7,528,505	8,036,365
VICTORIA	30,048,874	32,564,419	35,606,822	38,246,845	41,000,148	43,829,055	46,785,687
Total Police Budget	35,014,244	38,158,000	41,722,996	44,816,495	48,042,732	51,357,559	54,822,052
Increase	2,880,244	3,143,756	3,564,996	3,093,499	3,226,237	3,314,828	3,464,482
Percentage	8.96%	8.98%	9.34%	7.41%	7.20%	6.90%	6.75%

Based on the VicPD's 5 year Human Resources Staffing Plan (2010-2014)

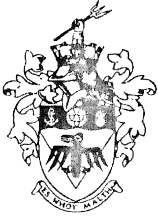
VICTORIA POLICE DEPARTMENT



Questions?

VIC PD

VICTORIA POLICE DEPARTMENT



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

STAFF REPORT

DATE: January 30, 2009 Report No. ADM-09-001
TO: Tom Day, Chief Administrative Officer
FROM: Larry Randle, Manager of Corporate Services
SUBJECT: Proposed Council Procedure Bylaw Revisions


RECOMMENDATIONS:

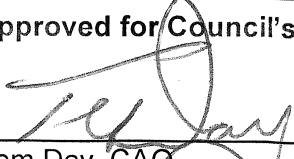
That Council provide staff with specific instructions for amending its Council Procedure Bylaw.

BACKGROUND:

Section 124 of the Community Charter requires Council to establish regulations and procedures of Council to be followed for the conduct of its business. Township of Esquimalt Council Procedure Bylaw 2004, No. 2585 adopted in April, 2004 fulfills this requirement. From time to time however, Council may choose to amend the Bylaw in order to address problem areas or otherwise make improvements that more accurately reflect Council's wishes such as providing greater opportunity for public input at Council and Committee of the Whole meetings.

The attached revised Bylaw shows some proposed changes to the current Bylaw and provides some comments on those changes. Staff is seeking Council's input on the proposed changes as well as what other changes, if any, are desired. Prior to adopting an amending Procedure Bylaw, Council is required to post public notice describing the proposed changes in general terms.


Larry Randle
Manager of Corporate Services

<p>Approved for Council's consideration:</p> <p> Tom Day, CAO</p> <p>Dated: <u>Feb 3/09</u></p>

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. abc

Deleted: 2585

Being a Bylaw to establish regulations and proceedings of Municipal Council

WHEREAS in compliance with the *Community Charter*, Council must establish regulations and procedures of Council to be followed for the conduct of its business; and

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

CITATION

- 1. This Bylaw may be cited for all purposes as the "*Council Procedure Bylaw, 2009, No. abc*".

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DEFINITIONS

- 2. In this Bylaw, unless the context requires otherwise:

"Amendment" means an alteration of a main Motion by substituting, adding or deleting a word or words without materially altering the basic intent of the main Motion.

"Chairperson" means the person for the time being who is authorized to control the proceedings and procedure at any meeting of Council or any Committee of Council and includes the Mayor or Acting Mayor as the case may be, when such person is in attendance at a meeting.

"Committee" means a Commission, Standing, Select, or other Committee of Council, but does not include COTW.

"COTW" means the Committee of the Whole Council.

"Corporate Officer" means the Corporate Administrator for the municipality and includes his or her lawful deputy.

"Council" means the Council of the Corporation of the Township of Esquimalt.

"Mayor" means the Mayor of the Corporation of the Township of Esquimalt, the person appointed by Council as Acting Mayor, or a Member of Council who is the presiding officer at the meeting of Council.

"Member" means a Member of the Council of the Corporation of the Township of Esquimalt.

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"Motion" means a formal proposal placed before a meeting or deliberative assembly in order that it may be debated to a conclusion.

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"Public Notice Posting Place" means the Notice Board at the Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C.

"Select Committee" means a committee established and appointed to consider or inquire into any matter and to report its finding and opinion to the Council, at least one member of which must be a Council Member.

"Special Council Meeting" means a Council meeting other than a statutory meeting, a regular meeting, or an adjourned statutory or regular meeting.

"Standing Committee" means a committee established and appointed for matters the Mayor considers would be better dealt with by committee, of which half the members must be Council Members.

APPLICATION OF RULES OF PROCEDURE

3. The provisions of this Bylaw govern the proceedings of Council, COTW, Commissions and all Committees of Council, as applicable.

4. In cases not provided for under this Bylaw, *The New Robert's Rules of Order*, 10th Edition, 2000 apply to the proceedings of Council, COTW, Commissions and Council Committees to the extent that those Rules are:

Comment [ToE1]: This is the latest available version which we can purchase

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- (1) applicable in the circumstances; and
- (2) not inconsistent with provisions of this Bylaw or the *Community Charter*.

ACTING MAYOR

5. At the first regular meeting held in December of each year, Council must in respect of the ensuing calendar year appoint:

- (1) one of its Members to be Acting Mayor, who during the absence of the Mayor shall have all powers of and is subject to the same rules as the Mayor, or
- (2) Members to serve as Acting Mayor on a two-month rotation.

6. Where the office of Mayor becomes vacant, Council shall appoint a member of Council to be Acting Mayor, and that person shall continue in office until such time as another Mayor is elected.

MEETINGS OF COUNCIL

7. The first regular Council meeting following a general local election must be held on the first Monday in December in the year of the election.

Comment [ToE2]: This will synchronize our inaugural meeting with most other CRD municipalities.

8. Regular Council meetings must:

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- (1) be held on the first and third Monday of each month;
- (2) begin at 7:00 p.m., unless an in-progress Public Hearing or Committee of the Whole meeting continues past the time normally scheduled for a regular meeting in which case the regular meeting will be held immediately following the Public Hearing or Committee of the Whole;
- (3) be adjourned by 10:00 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with Section 34 (17); and
- (4) when a regular meeting date falls on a statutory holiday, unless otherwise directed by resolution of Council to be rescheduled to an alternate day and time, the meeting shall take place on the next working day immediately following the statutory holiday.
- (5) Despite subsection (1), there will be no scheduled Council or Committee of the Whole meetings during the last two weeks of July and the first two weeks of August.

Deleted: has been scheduled to be held at

Comment [ToE3]: This would formally allow Council to finish a public hearing or COTW meeting rather than have to temporarily halt proceedings in order to call a regular meeting to order.

Comment [ToE4]: If this is changed from 11:00 p.m. to 10:00 p.m. it will still allow a 3-hour (or longer) meeting and openly acknowledge the duration of the meeting.

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Comment [ToE5]: This "summer recess" has historically been occurring in Esquimalt. Adding it to the Bylaw formally authorizes the break to occur.

Comment [ToE6]:

ELECTRONIC MEETINGS

- 9. Members of Council may participate electronically in Council meetings, in accordance with Section 128 of the *Community Charter*, if the Member is unable to attend because of illness or injury or is with leave of the Council, and provided that the Corporate Officer is able to secure the electronic equipment to facilitate the meeting.
- 10. The Member presiding the meeting must not participate electronically.
- 11. No more than one Member of Council or a Council Committee at one time may participate at a meeting by means of electronic or other communication facilities.

NOTICE OF REGULAR COUNCIL MEETINGS

- 12. At least once a year, the Corporate Officer shall give notice of the availability of the schedule of regular meetings of Council in accordance with Section 94 of the *Community Charter*.
- 13. All Council meetings must take place within the Council Chambers, Municipal Hall unless Council resolves to hold the meeting in another place in which case the Corporate Officer will give notice of the different meeting place by posting a notice of the change at the Public Notice Posting Place at least 24 hours prior to the time of the regular meeting of Council.
- 14. At least 72 hours before a regular meeting of Council the Corporate Officer must give public notice of the time, place and date of the meeting by way of a signed notice posted at the Public Notice Posting Place.

15. At least 24 hours before a regular meeting of Council the Corporate Officer must give further public notice of the meeting by:
- (1) posting a copy of the Agenda at the Public Notice Posting Place;
 - (2) leaving copies of the Agenda at the reception counter at the Administration Department, Municipal Hall for the purpose of making them available to the public.

CALLING OF SPECIAL COUNCIL MEETINGS

16. Special Council Meetings may be called by Council, at a meeting of Council, or at any time by the Mayor, or upon request in writing by two or more Members, in accordance with Section 126 of the *Community Charter*.
17. Except where notice of a Special Meeting is waived by a unanimous resolution of all Council Members under Section 127(4) of the *Community Charter*, at least 24 hours before a Special Council Meeting, the Corporate Officer must:
- (1) give advance public notice of the time, place and date of the meeting by way of a signed notice posted at the Public Notice Posting Place; and
 - (2) give notice of the special meeting in accordance with Section 127 of the *Community Charter*.

ANNUAL MEETING

18. In accordance with the provisions of Sections 98 and 99 of the *Community Charter*, each year, after the annual municipal report has been prepared, Council must consider the report at a public meeting. The meeting may be part of a regular Council meeting, or a Special Council Meeting.
19. The Corporate Officer must give notice of the date, time and place of the annual meeting in accordance with Section 94 of the *Community Charter*.

CLOSED MEETINGS OF COUNCIL

20. Except where the provisions of Section 90 of the *Community Charter* apply, all Council meetings must be open to the public.
21. Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with Section 92 of the *Community Charter*.
22. Sections 20 to 25 of this Bylaw apply to all meetings of the bodies referred to in Section 93 of the *Community Charter*.
23. In the event that the Corporate Officer is excused from the closed portion of a meeting, the Mayor or designate must record the minutes of the meeting.

24. The content of a closed portion of the meeting must not be released or announced publicly by Council or any individual Member unless specifically authorized by Council. Authorization to release information shall be made by motion to Rise and Report.

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25. Unless otherwise specified by Council, the release of the contents of a closed portion of a meeting means Motions introduced or resolutions made in the closed portion of the meeting.

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MINUTES

26. Minutes of the proceedings of Council must be:

- (1) legibly recorded;
- (2) certified as correct by the Corporate Officer,
- (3) adopted by Council; and
- (4) signed by the Mayor or other Member presiding at the meeting following the meeting at which the minutes are adopted.

27. With the exception of minutes of a closed meeting from which persons were excluded in accordance with Section 90 of the *Community Charter*, minutes of the proceedings of Council must be open for public inspection at the Municipal Hall during its regular office hours.

28. With the exception of closed meetings, the minutes of the proceedings of the Board of Variance, Committees and Commissions of Council must be open for public inspection.

Comment [ToE7]: Required under section 93 of the CC.

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QUORUM

29. Subject to Section 129 of the *Community Charter* the quorum of Council shall be four Members.
30. A quorum for all Committees shall be, unless otherwise specified by Council or bylaw, a majority of current members of the Committee.
31. If a quorum is not present within 15 minutes after the time fixed for the meeting the Corporate Officer, or the recording secretary, as appropriate, shall record the names of those Members present and the meeting shall stand adjourned until the next regular meeting or the next meeting called by the Mayor or Committee Chair.

AGENDAS

32. By noon on Friday prior to each Council meeting, the Corporate Officer must have prepared an agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda, and shall make the agenda available to the Members of Council and the public.

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33. The deadline for submissions by the public to the Corporate Officer of items for discussion on the Council meeting agenda is 12:00 Noon on the Wednesday prior to the meeting.

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34. Business at a regularly scheduled Council meeting must occur in the following order unless otherwise approved by resolution of Council:

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(1) Call to Order;

The Mayor must call the meeting to order at the scheduled time unless the start of the meeting is delayed in accordance with section 8 (2).

(2) Introduction of late items;

Only items that pertain to an existing item on the agenda or items that are necessary to be considered because of a time deadline can be considered for inclusion as a late item.

An item of business not included on the agenda must not be considered at a Council meeting unless introduction of the late item is approved by resolution of Council at the time allocated on the agenda for such matters.

If the Council consents to introducing a late item pursuant to this section, information in hard copy (if available) pertaining to a late item must be distributed to the Members and be available to the public.

(3) Approval of the Agenda;

The agenda, including any amendments thereto, must be approved by resolution prior to the meeting proceeding.

(4) Adoption of minutes;

Minutes of previous meetings must be adopted by resolution.

(5) Public input opportunities (excluding items which have been the subject of a public hearing);

The public will be provided the opportunity to ask questions or provide input to Council. Each individual address will be limited to two minutes unless a longer period is approved by resolution of those Members present.

A person must not address the Council regarding a bylaw for which a public hearing has been held, where the public hearing is required under an enactment or is a prerequisite to the adoption of the bylaw.

Deleted: <#>Public input on matters listed on agenda;¶

Comment [ToE8]: This was moved here from being near the end of the agenda. This will allow people to speak earlier on during a meeting rather than having to wait until near the end.

(6) Public hearings and related bylaws;

Public Hearings on Zoning Bylaw and Official Community Plan Bylaw amendments and public input on Development Variance Permits will be heard in accordance with the provisions of the *Local Government Act* and *Development Approval Procedures Bylaw, 2003, No. 2562.*

(7) Delegations and petitions;

The Council may allow an individual or a delegation to address Council at the meeting provided written application on a prescribed form has been received

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<#>Public input opportunities and related reports;¶

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by the Corporate Officer by 12:00 Noon on the Wednesday prior to the meeting. Each address must be limited to five minutes unless a longer period is agreed to by resolution of those Members present.

Where written application has not been received by the Corporate Officer as prescribed, an individual or delegation may address the meeting if approved by resolution of the Members present.

Comment [ToE9]: This paragraph could be deleted as the public already has the opportunity to address Council under sections 5 and 16

Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.

The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council, and elect to refer the matter to the relevant Commission, Committee or Department Head as deemed appropriate according to the subject matter of the delegation.

If the Corporate Officer declines to approve the attendance of a delegation to any meeting of Council, Council may, by resolution, upon written request, permit such delegation to appear before it and be heard. Individuals or organizations are not permitted more than one delegation every three months on the same issue unless prior consent has been obtained by a resolution of Council.

Every petition presented to Council shall include the name and address of each petitioner. In the case of a corporation the authority given by the corporation to sign the petition shall be produced in connection therewith.

(8) Unfinished Business;

Items under this heading should include items previously addressed by Council but which were not concluded which are not more appropriately placed under another heading.

(9) Staff reports;

Reports under this heading may be written or verbal.

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(10) Mayor's and Councillors' reports;

Reports under this heading may be written or verbal.

(11) Reports and minutes from Committees;

Written reports and minutes from Committee of the Whole and other Boards, Committees and Commissions of Council.

Council may take any of the following actions in connection with a resolution it receives from COTW, Commission or Committee:

- (1) agree or disagree with the resolution;
- (2) amend the resolution;
- (3) refer the resolution back to COTW, Commission or Committee;
- (4) postpone its consideration of the resolution;

- (5) refer the matter to staff; or
- (6) receive.

(12) **Communications;**

Correspondence presented for Council's consideration.

(13) **Bylaws;**

A proposed bylaw may be introduced at a Council meeting only if:

- (a) it is listed on the agenda for the meeting, or properly introduced as a late item; and
- (b) a copy of it has been made available to the Members prior to its introduction.

A bylaw introduced at a Council meeting must:

- (c) be printed;
- (d) have a distinguishing name and number;
- (e) contain an introductory statement of purpose; and
- (f) be divided into sections.

Council may consider a proposed bylaw at a Council meeting either:

- (g) separately when directed by the presiding Member or requested by another Member, or
- (h) jointly with other proposed bylaws in the sequence determined by the presiding Member.

Bylaws shall be passed in accordance with Section 135 of the Community Charter, and Local Government Act, as may be applicable.

After a bylaw is adopted, and signed by the Corporate Officer and the presiding Member of the Council meeting at which it was adopted, the Corporate Officer must have it placed in the Township's records for safekeeping and endorse upon it:

- (i) the Township's corporate seal;
- (j) the dates of its readings and adoption; and
- (k) the date of ministerial approval or approval of the electorate if applicable.

(14) **Notices of motion;**

Any Member may give "Notice of Motion" respecting an item which he or she intends to present by providing a written copy of such Motion to the Corporate Officer at least 24 hours before a meeting.

A Motion presented under this section shall appear in the minutes of that meeting as a "Notice of Motion" and shall be placed on the agenda of the next meeting of Council or COTW or as identified by the Member introducing the motion.

(15) **Rise and Report (In-camera matters);**

The release of the contents of a closed portion of a meeting may only be authorized by a resolution of Council made at an In-camera meeting which may then be re-stated at an open meeting.

Comment [ToE10]: Should the deadline be changed to noon on Wednesday just as it is for reports etc? Conversely, should this bylaw permit a verbal "notice of motion" under the "notice of motion" section of the agenda?

Comment [ToE11]: Formally places a spot on the agenda to "Rise and Report" in accordance with section 24 of the Bylaw.

Deleted: Public question and comment period;

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(16) **Public Input Opportunities;**
See subsection (5).

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(17) **Adjournment:**
A Council may continue a Council meeting after 10:00 p.m. only by an approved resolution of two-thirds of the Members present.

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Comment [ToE12]: In accordance with the modification proposed in section 8 (3).

CONDUCT AND DEBATE

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¶ Only items that pertain to an existing item on the agenda or items that are necessary to be considered because of a time deadline can be considered for inclusion as a late item.¶

¶ An item of business not included on the agenda must not be considered at a Council meeting unless introduction of the late item is approved by resolution of Council at the time allocated on the agenda for such matters.¶

¶ If the Council consents to introducing a late item pursuant to Section 36, information pertaining to late items must be distributed to the Members and the public.¶

¶ Public Input on Matters Listed on the Agenda¶

¶ The public will be provided a maximum time of 10 minutes to ask questions or make comments on any item listed on the Council agenda. Each individual address will be limited to two minutes unless a longer period is approved by resolution of those Members present.¶ ... [1]

Comment [ToE13]: Should the deadline be changed to noon on Wednesday just as it is for reports etc? Converse ... [2]

Comment [ToE14]: In accordance with the modification proposed in section 8 (3).

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DELEGATIONS AND
PETITIONS¶

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35. A Member may speak to a question or Motion at a Council meeting only if that Member first addresses the presiding Member.

36. No Member must interrupt a Member who is speaking except to raise a point of order.

37. Members speaking at a Council meeting:

- (1) must use respectful language;
- (2) must not use offensive gestures or signs;
- (3) must speak only in connection with the matter being debated;
- (4) may speak about a vote of Council only for the purpose of making a Motion that the vote be rescinded; and
- (5) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding Member and Council in connection with the rules and points of order.

38. If a Member does not adhere to Section 37, the presiding Member may order the Member to leave the Member's seat, and

- (1) If the Member refuses to leave, the presiding Member may cause the Member to be removed by a peace officer from the Member's seat, and
- (2) If the Member apologizes to the Council, Council may, by resolution, allow the Member to retake the Member's seat.

39. If a presiding Member does not adhere to Section 37, the majority of the Members present may cause the presiding Member to take leave of the Chair. In this event, the Acting Mayor, Chairperson, or alternate designated Member, as applicable, will assume the Chair for the duration. The provisions of Section 38 apply.

EXPULSION FROM MEETINGS

40. If the presiding Member at a Council meeting considers that another person at the meeting is acting improperly, the presiding Member may order that the person be expelled from the meeting.

41. If the person who is expelled does not leave the meeting, a peace officer may enforce the order under Section 38 as if it were a court order.

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MOTIONS GENERALLY

42. A Motion shall be seconded before it is considered or debated by Members. A Motion will be lost for lack of a seconder.

43. A Motion that deals with a matter that is not on the agenda may be introduced with Council's permission.

44. When a Motion is under consideration, no other Motion shall be received except for the following:

- (1) to refer to committee;
- (2) to amend;
- (3) to lay on the table;
- (4) to postpone indefinitely;
- (5) to postpone to a certain time;
- (6) to move the previous question; or
- (7) to adjourn.

45. A Motion made under Section 44 (3) to (7) is not amendable or debatable.

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46. Amendments shall be decided before the main question is put to a vote.

47. Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council Member.

VOTING AT MEETINGS

48. The following procedures apply to voting at Council meetings:

- (1) when debate on a matter is closed the presiding Member must put the matter to a vote of Council Members;
- (2) the presiding Member's decision about whether a question has been finally put is conclusive; and
- (3) the presiding Member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.

(4) The name of a person who votes against a motion that is adopted, will not be recorded unless the presiding Member states otherwise.

Comment [ToE15]: Including this makes it clear as to when the name of a "negative" voter will be recorded by providing the voter with the opportunity to request the presiding Member to direct the minute-taker to record the voter's name.

RECONSIDERATION

49. (1) The Mayor may initiate reconsideration of a matter in accordance with Section 131 of the Community Charter.
- (2) Council may only reconsider a matter that has not:
- (a) had the approval or assent of the electors and been adopted;
 - (b) been reconsidered under subsection (3) or section 131 of the *Community Charter*;
 - (c) been acted on by an officer, employee, or agent of the municipality.
- (3) Subject to subsection (2), a Council member may, at the next Council meeting, move to reconsider:
- (a) a matter on which a vote, other than to postpone indefinitely, has been taken, and
 - (b) an adopted bylaw after an interval of at least 24 hours following its adoption.
- (4) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- (5) A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) of section 131 of the *Community Charter* is as valid and has the same effect as it had before reconsideration.
- (6) A vote to reconsider must not be reconsidered.

NO VOTES ON BYLAWS IN A CLOSED MEETING

50. In accordance with Section 89 of the *Community Charter*, the Council must not vote on the reading or adoption of a bylaw when the meeting is closed to the public.

COMMITTEE OF THE WHOLE

PURPOSE OF COMMITTEE OF THE WHOLE

51. The purpose of the COTW is to allow Council to meet in a less formal and structured manner to:
- (1) discuss issues of long term planning and policy development;
 - (2) discuss complex administration, finance, zoning and land development issues;
 - (3) consider any other matters that from time to time may require Council's in depth consideration; and

(4) provide a forum for less formal public input on matters placed before the Committee.

52. COTW will be separate from Council and will report and make recommendations to Council.

PRESIDING MEMBERS AT COTW MEETINGS

53. Any Council Member may preside in COTW.

54. The Mayor, or in the Mayor's absence, the Members of Council, must appoint a presiding Member for the COTW meeting.

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MEETINGS OF COTW

55. COTW may meet on a regular basis on the second Monday of each month commencing at 7:00 p.m.

56. Regular meetings of COTW must take place within the Council Chambers, Municipal Hall unless Council has resolved to hold the meeting in another place, in which case the Corporate Officer will give notice of the different meeting place by posting a notice of the change in the Public Notice Posting Place at least 24 hours prior to the time of the regular meeting.

57. A meeting, other than a Standing or Select Committee meeting, to which all Members of Council are invited to consider, but not to decide on, matters of the municipality's business, is a meeting of COTW.

58. Notice of Committee Meetings shall be in accordance with Section 94 of the Community Charter.

MINUTES OF COTW

59. Minutes of the proceedings of COTW shall be in accordance with Sections 26 to 28.

PROCEDURE AT COTW MEETINGS

60. The rules of the Council procedure must be observed during COTW meetings, so far as is possible and unless as otherwise provided in this Bylaw, except that a reduced formality can be provided, the public can be afforded additional opportunities for input, and Council Members provided multiple opportunities to address an issue.

PUBLIC INPUT AT COTW MEETINGS

61. At regularly scheduled COTW meetings the public will be provided with the opportunity to ask questions of Council or provide input on relevant topics.

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Comment [ToE16]: This opens up the opportunity for public input to the COTW on almost any matter, during regularly scheduled COTW meetings. It also provides Council with the option of not permitting public input during a Special COTW meeting that may be called for the purpose of addressing a specific matter.

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COMMITTEES AND COMMISSIONS

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APPOINTMENTS TO COMMITTEES AND COMMISSIONS

62. The Mayor shall review and update annually prior to December 31st of the current year, the list of Mayor's appointments.

63. The Council shall review and update annually, prior to December 31st of the current year, the list of Council appointments in accordance with section 66 of this bylaw.

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64. The Mayor shall be an *ex officio* Member of all Committees of the Council and be entitled to vote at all meetings and proceedings thereof.

VOTING ON APPOINTMENTS

65. In every selection by the Council for the appointment of any person to an office within the authority of Council, the names of all the applicants shall be submitted before any vote is taken.

66. Any appointment within the authority of the Council may be made by resolution of the Council or on a vote by secret ballot. A secret ballot shall be taken in any case in which it is called for by any Member.

67. The Corporate Officer shall act as scrutineer in the taking of any vote by secret ballot.

COUNCIL ATTENDANCE AT COMMITTEE MEETINGS

68. Council Members attending a meeting of a Committee, of which they are not a member, may participate in the discussion only with the permission of the majority of Committee members present.

69. Council Members attending a meeting of a Committee of which they are not a member must not vote on a question.

SCHEDULE OF COMMITTEE MEETINGS

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70. Unless otherwise governed by bylaw, or established by prior resolution of Council, the following shall apply:

- (1) At its first meeting after its establishment, a Committee must:
 - i) elect a Chairperson, and
 - ii) establish a regular schedule of meetings.
- (2) The Chair of a Committee may call a meeting of the Committee in addition to the scheduled meetings or may cancel a meeting.

SEVERABILITY

71. If any section, subsection, clause or other provision of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the decision does not affect the validity of the remaining portions of this bylaw.

REPEAL

72. This bylaw may not be amended, or repealed and substituted, unless Council first gives notice in accordance with Section 94 of the *Community Charter*.

73. *Council Procedure Bylaw 2004, No. 2585* and all amendments thereto are hereby repealed.

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READ a first time by the Municipal Council this ____ day of ____, 2009.

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READ a second time by the Municipal Council this ____ day of ____, 2009.

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READ a third time by the Municipal Council this ____ day of ____, 2009.

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NOTICE GIVEN in accordance with Section 94 of the *Community Charter* by way of posting in the public notice posting locations on the ____ day of ____, 2009 and the ____ day of ____, 2009.

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ADOPTED by the Municipal Council this ____ day of ____, 2009.

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Deleted: D. A. Robinson J. P. G. McLuckie Mayor Corporate Administrator ¶

BARB DESJARDINS
MAYOR

LARRY RANDLE
CORPORATE OFFICER

LATE ITEMS

Only items that pertain to an existing item on the agenda or items that are necessary to be considered because of a time deadline can be considered for inclusion as a late item.

An item of business not included on the agenda must not be considered at a Council meeting unless introduction of the late item is approved by resolution of Council at the time allocated on the agenda for such matters.

If the Council consents to introducing a late item pursuant to Section 36, information pertaining to late items must be distributed to the Members and the public.

Public Input on Matters Listed on the Agenda

The public will be provided a maximum time of 10 minutes to ask questions or make comments on any item listed on the Council agenda. Each individual address will be limited to two minutes unless a longer period is approved by resolution of those Members present.

A person must not address the Council regarding a bylaw for which a public hearing has been held, where the public hearing is required under an enactment or a prerequisite to the adoption of the bylaw.

PUBLIC INPUT OPPORTUNITIES

Input on Development Variance Permits will be heard in accordance with the provisions of the *Local Government Act* and *Development Approval Procedures Bylaw, 2003, No. 2562*.

Should the deadline be changed to noon on Wednesday just as it is for reports etc? Conversely, should the bylaw permit a verbal "notice of motion" under the "notice of motion" section of the agenda?

DELEGATIONS AND PETITIONS

The Council may allow an individual or a delegation to address Council at the meeting provided written application on a prescribed form has been received by the Corporate Officer by 12 Noon on the Wednesday prior to the meeting. Each address must be limited to five minutes unless a longer period is agreed to by resolution of those Members present.

Where written application has not been received by the Corporate Officer as prescribed, an individual or delegation may address the meeting if approved by resolution of the Members present.

Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public

hearing is required under an enactment as a prerequisite to the adoption of the bylaw.

The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council, and elect to refer the matter to the relevant Commission, Committee or Department Head as deemed appropriate according to the subject matter of the delegation.

If the Corporate Officer declines to approve the attendance of a delegation to any meeting of Council, Council may, by resolution, upon written request, permit such delegation to appear before it and be heard.

Individuals or organizations are not permitted more than one delegation every three months on the same issue unless prior consent has been obtained by a resolution of Council.

Every petition presented to Council shall include the name and address of each petitioner. In the case of a corporation the authority given by the corporation to sign the petition shall be produced in connection therewith.

REPORTS FROM COMMITTEES

Council may take any of the following actions in connection with a resolution it receives from COTW, Commission or Committee:

agree or disagree with the resolution;

amend the resolution;

refer the resolution back to COTW, Commission or Committee;

postpone its consideration of the resolution;

refer the matter to staff; or

receive.

BYLAWS

A proposed bylaw may be introduced at a Council meeting only if:

it is listed on the agenda for the meeting, or properly introduced as a late item;
and

a copy of it has been made available to the Members prior to its introduction.

A Bylaw introduced at a Council meeting must:

- be printed;
- have a distinguishing name and number;
- contain an introductory statement of purpose; and
- be divided into sections.

Council may consider a proposed bylaw at a Council meeting either:

- (1) separately when directed by the presiding Member or requested by another Member, or
- (2) jointly with other proposed bylaws in the sequence determined by the presiding Member.

Bylaws shall be passed in accordance with Section 135 of the *Community Charter*, and *Local Government Act*, as may be applicable.

After a bylaw is adopted, and signed by the Corporate Officer and the presiding Member of the Council meeting at which it was adopted, the Corporate Officer must have it placed in the Township's records for safekeeping and endorse upon it:

the Township's corporate seal;

- (2) the dates of its readings and adoption; and
- (3) the date of ministerial approval or approval of the electorate if applicable.

NOTICE OF MOTION

Any Member may give "Notice of Motion" respecting an item which he or she intends to present by providing a written copy of such Motion to the Corporate Officer at least 24 hours before a meeting[T0E1].

A Motion presented under Section 54 shall appear in the minutes of that meeting as a "Notice of Motion" and shall be placed on the agenda of the next meeting of Council or COTW or as identified by the Member introducing the motion.

ADJOURNMENT

A Council may continue a Council meeting after 11:00[T0E2] p.m. only by an approved resolution of two-thirds of the Members present.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

COTW
Feb 9th

STAFF REPORT

DATE: January 28, 2009 **REPORT NO.** ADM-09-003
TO: Tom Day, Chief Administrative Officer
FROM: Marlene Lagoa, Manager of Communications and Sustainability
SUBJECT: TWINNING OPPORTUNITIES

RECOMMENDATION:

That Council not review twinning opportunities at this time due to limited resources and indeterminate benefits related to twinning due to today's economic environment.

BACKGROUND:

A 'twinning' is when two local governments work together to further the cultural diversity and economic development of their communities.

The previous council heard from Mr. Terrence Milne on July 7th, 2008 regarding twinning the Township of Esquimalt with the Japanese town of Onagawa. This was the second time a proposal to twin with Onagawa was considered by Council. The previous council appointed a select committee to meet with Mr. Terrence Milne and hear the proposal however the meeting was never held. Staff prepared a report in regards to this proposal and on the twinning process.

A letter, addressed to Esquimalt Mayor and Council, was received on December 15th, 2008 and proposes that Esquimalt and the town of Manzanillo in Colima, Mexico, sign an agreement of "friendly twinning".

Currently, there are over 100 twinning relationships between local governments in BC and international communities. In the past, there has also been the question of Esquimalt twinning with such places as Halifax, Nova Scotia; Cozumel, Mexico; and France.

Respectfully submitted,

Marlene Lagoa
Manager of Communications and Sustainability

Approved for Council's consideration:

Tom Day, CAO

Dated: Jan 28/09

DECISION NOTE

TO: Tom Day, Chief Administrative Officer
FROM: Marlene Lagoa, Assistant to the Corporate Administrator
DATE: September 28, 2008
SUBJECT: Twinning Relationships & Onagawa, Japan

RECOMMENDATION:

It is recommended that Council select Option #4, and not pursue a twinning relationship at this time given the unknown benefits, as well as the project's direct and indirect costs that would be incurred by Esquimalt taxpayers. In addition, establishing and maintaining a twinning relationship will increase the workload of the municipality's human resources.

PURPOSE:

Purpose of the report was to respond to Mr. Terry Milne's July 7th request to Council to consider a twinning relationship with Onagawa, Japan.

The report offers a background on twinning relationships; the costs and benefits of twinning; and the process of establishing a twinning relationship.

BACKGROUND:

A 'twinning arrangement' is when local governments establish inter-community, bilateral agreements aimed at promoting tangible linkages between the different jurisdictions. Currently there are over 100 twinning relationships between local governments in B.C. and international communities, half of these are with Asia Pacific communities. The majority of these twinings are of a cultural, educational, symbolic or social nature.

The City of Victoria has two twinning relationships; they are with Suzhou, China (since 1980) and Morioka, Japan (since 1985).

PAST TWINNING PROPOSALS:

It has been proposed that the Township of Esquimalt consider a twinning relationship with Halifax, Nova Scotia; Onagawa, JAPAN; Cozumel, MEXICO; and FRANCE. From 1991 to 1992, a proposal to twin with Onagawa, Japan was explored by Esquimalt through the establishment of the Onagawa Twinning Task Force.

The Onagawa Twinning Task Force prepared and distributed a questionnaire seeking community input on Esquimalt developing a twinning relationship. The finding was that "twinning would not be supported by the citizens of Esquimalt at the time due to recession".

The Task Force's final report found that there were a number of similarities: both communities are seaports accessing the Pacific Ocean along with similar sized populations. However, the prominent reason for a twinning is symbolic: Onagawa Bay hosts a monument to Canadian navy pilot Hampton Robert Gray, who was the last Canadian to die during World War II in hostilities with Japan.

COSTS OF TWINNING

Identifying the specific costs related to establishing a twinning relationship is difficult and dependent on two main considerations:

1. How much work are Mayor and Council willing to put in, or allocate of the municipality's resources to establish and foster a twinning relationship?
2. Is there significant community support for the twinning initiative and will volunteers, businesses and organizations contribute funds or other resources, to support the twinning relationship?

The direct and indirect costs:

- Council and staff's time
- Long-term commitment of resources
- Cost of translation services
- Traveling expenses of visiting or hosting sister city
- Implementing a community involvement plan
- Fundraising
- Cultural awareness training
- Reporting on the impact and outcomes of the twinning relationship
- Yearly budgeting of municipal funds to support the ongoing twinning relationship

BENEFITS OF TWINNING:

The potential to realize many of the benefits listed below, or more, is dependent on the efforts of the sister cities' councils and communities.

- Opportunities for business, education and cultural exchanges
- Improved [perceived] international relations
- Increase the community's visibility
- Tourism growth

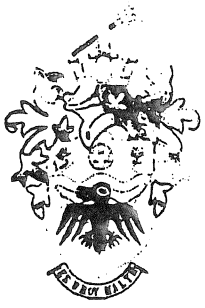
PROCESS OF TWINNING:

- 1 – Mayor and Council endorse the concept of twinning
- 2 – Organization needs to be established and/or appointed to lead the initiative
- 3 – Gather community support for the concept
- 4 – Develop goals and objectives for the twinning
- 5 – Select a partner community to twin with
- 6 – Set terms on twinning agreement with partner community
- 7 – Organization will need to expand support for and involvement in the initiative
- 8 – Organization will have to monitor the relationship, events and assess the outcomes

OPTIONS:

1. Continue investigating the potential of a twinning arrangement with Onagawa, Japan.
2. Consider other potential sister cities to develop a twinning with (e.g., China).
3. Establish a 'friendship city' arrangement with Onagawa, Japan.
4. Cease any further action, at this time, on examining any twinning proposals (including Onagawa, Japan).

Agenda



Corporation of the Township of Esquimalt
Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C., V9A 3P1 Phone: (250) 414-7100
Website: www.esquimalt.ca Email: info@esquimalt.ca Fax: (250) 414-7111

APPLICATION TO MAKE PRESENTATION TO THE MUNICIPAL COUNCIL

Pursuant to *Council Procedure Bylaw, 2004, No. 2585, Sections 41-46, Delegations and Petitions, (see reverse side)* Council may allow an individual or a delegation to address Council at the meeting provided written application has been received by the Corporate Officer by 12 Noon on the Wednesday prior to the meeting. Each address must be limited to five minutes unless a longer period is agreed to by resolution of those Members present.

DATE OF COUNCIL MEETING: Monday 7 July 2008

NAME: Terrence C. R. Milne

ORGANIZATION: Not Applicable

ADDRESS: _____

TELEPHONE: _____ FAX: SAME

REASONS FOR APPEARING: _____

To support the proposal that Esquimalt consider developing a Twin City relationship with the Japanese town of Onagawa

25 June 2008
Date

Terrence C. R. Milne
Signature

RECEIVED
JUN 25 2008
CORPORATION OF THE TOWNSHIP OF ESQUIMALT

RECEIVED
JUN 16 2008 Torr.
CORPORATION OF THE
TOWNSHIP OF ESQUIMALT

2777 Benson Place
Victoria, B. C.
V8N 1S5
10 June 2008



Mayor Chris Clement and Councillors
Municipality of Esquimalt

Dear Mayor Clement and Councillors,

I am writing to propose Esquimalt consider establishing a twin city relationship with Onagawa, Japan. This proposal was made several years ago, and at the time it was decided not to proceed, however this may have been due to the provision of faulty or inadequate information. Also during the intervening years, a pattern of regular visits to Onagawa by Esquimalt sailors has developed, culminating last year in a formal visit by HMCS Ottawa, also based in Esquimalt. It is perhaps time to explore the many advantages that can accrue from establishing a twin relationship.

Onagawa is a seaport on the coast of the Japanese main island of Honshu about 200 kilometres northeast of Tokyo. It has a population similar to that of Esquimalt and its main industries are fishing, farming and aquaculture. The link with Canada began with an attack on Japanese naval shipping in Onagawa Bay on the final day of World War II. The attack was led by Canadian naval pilot Lt Hampton Gray operating from the British aircraft carrier HMS Formidable. Hammy Gray's aircraft was shot down and crashed into the Bay, his body was never recovered. For his fearless attack he was posthumously awarded the Victoria Cross, which together with the DSC he received for an earlier attack on the German battleship Tirpitz made him Canada's most decorated naval hero in the War.

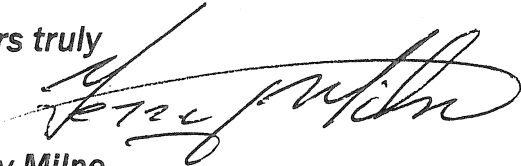
Long after the war an unsuccessful attempt was made to locate and recover Hammy's aircraft. At that time the Mayor and citizens of Onagawa were asked if they would approve the erection of a monument to Lt Gray overlooking the bay. In a unique and extraordinary gesture of compassion and understanding the people of Onagawa accepted the proposal and even donated a beautiful site for the memorial. It was erected and dedicated in 1989, the only such memorial to a former enemy in all of Japan. The Onagawa Lions Club maintains the memorial,

.... /2

As mentioned above the relationship with Onagawa has grown, but so far it has been based only on naval visits. There is a great potential for a valuable cultural exchange and the development of mutual interests and friendships if the current contacts were to be advanced to one of a twin city relationship. For example there is the potential for a student exchange between the two communities. Admiral Pile the Commander of Maritime Forces Pacific supports the proposal, but of course he feels that Esquimalt must take the initiative in establishing the relationship. His staff officer has proposed that Naval Base personnel who currently meet regularly with Esquimalt officials might represent naval interests. In addition former Royal Roads cadets, some serving on Esquimalt committees, and other professionals in the education system have expressed an interest in exploring the proposal.

As an initial step perhaps an informal meeting might be arranged with representatives from Esquimalt Municipality, the Navy and those with an interest in the Onagawa connection including those involved in education and others with experience in twin city relationships. I would be pleased to work with a municipal representative in setting up such a meeting.

Yours truly



Terry Milne

Captain(Retd) RCN and former Canadian Naval Attache Tokyo

ESQUIMALT COUNCIL BRIEF 7 JULY 2008

Thank you for the opportunity to discuss the Onagawa twinning proposal. First I would like to introduce two gentlemen. Stuart Soward a retired naval pilot who wrote a biography of Lt Hampton Gray VC the Canadian naval hero whose memorial overlooks Onagawa Bay and Peter Pollen who served four terms as Mayor of Victoria and was in office when Victoria twinned with the Japanese city of Morioka.

We don't expect to convince you in five minutes on the viability and benefits of twinning with Onagawa. However we hope we can provide sufficient interest for a subsequent thorough appraisal of the proposal. In my letter I outlined the unique association that already exists between Onagawa and Canada. It began almost twenty years ago when the people of Onagawa not only agreed to accept Lt Gray's memorial, but also donated a beautiful site and the Onagawa Lions Club undertook to maintain it in perpetuity. This set a precedent throughout Japan, Never before had a memorial been erected to a former enemy. However Onagawa Mayor Suda encouraged his fellow citizens, saying:-
"By forgetting past sentiments and feelings of rivalry we can make our best effort to enhance ties of goodwill and friendship between Canada and Japan and deepen exchanges and understanding between our two people. It is I trust a most relevant and excellent thing for us to do".

At the time the memorial was dedicated the Canadian Embassy in Tokyo assessed it as the biggest Canadian news event ever in Japan with over 60 million Japanese being exposed to the story. The dedication ceremony was broadcast worldwide on CNN television. Since that time whenever Esquimalt based ships have visited Japan they have sent a contingent of sailors to conduct a ceremony at the memorial, and last year HMCS Ottawa sailed into Onagawa Bay for a highly successful first visit ever made to that community by a Canadian naval vessel. Sadly Mayor Suda has passed away but before he died he expressed the hope Onagawa would twin with a Canadian city.

...../2

Onagawa's population of about 12,000 is comparable to that of Esquimalt. Its a seaport which serves a rural fishing and farming community. Situated about 40 miles from the large Japanese city of Sendai, it began as a refuge during Japan's turbulent Middle Ages when the country was ruled by constantly warring Lords. When in battle Date Masamune, the great Lord of Sendai sent his court ladies to the safety of a quiet river by the sea, which became known as Onna Gawa or "Women's River" Since then except for those fateful days at the end of WW11 it has generally been a quiet, peaceful place surrounded by hills and forest and noted for nearby ancient shrines and monasteries, and close to Matsushima one of Japan's most famous national parks and beauty spots.

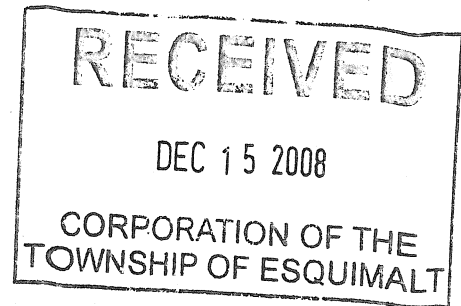
We see a twinning with Onagawa as an excellent opportunity for Esquimalt to build on a relationship that already exists. It will provide the chance to engage in the wider world beyond local boundaries and connect with a very fascinating cultural counterpart. The current naval association is really limited to occasional visits and is unable to expand into a fruitful exchange of ideas, information and people. I have discussed this with Admiral Pile the Pacific Naval Commander and he supports the concept of Esquimalt supplementing the current naval connection by forming a vibrant and rewarding twin city relationship. While supporting the move he considers the two communities themselves must take the lead in establishing the new relationship. The Admiral's Executive Assistant has asked the Base Commander, Captain Williamson and his staff, who meet regularly with Esquimalt officials, to represent the Navy in supporting the proposal. In addition several other organizations and individuals have expressed an interest and indicated a willingness to work with Esquimalt in exploring such a relationship. This is why I would like to propose a meeting be scheduled at a suitable date in the future where representatives from Esquimalt can meet with those interested in pursuing the relationship, to exchange information and address all the questions that may arise.

To the Mayor and Council
Municipality of Esquimalt

December 15/ 2008

Marlene → Agenda

Your Worship and Honored Council



Please find enclosed a letter from the mayor of Manzanillo Colima Mexico. I am also providing a translation of Mayor Mendoza's letter. As you will see he has expressed a direct interest in "an agreement of friendly twinning" between our communities. Herein I am humbly requesting that your worship and council give serious thought to the proposal of twinning with this lovely port town. Manzanillo, located on the west coast of Mexico, has a long maritime history and is also home to the Mexican navy facilities. We have many things in common and I feel that this opportunity may be mutually beneficial both in cultural exchange and tourism. I thank you, in advance, for your consideration of this unique proposal. Muchisimo Gracias.

Yours Sincerely
David Wilkinson
474 Foster St.
Esquimalt B.C
V9A-6R7

e-mail dayewilk@telus.net

A handwritten signature in black ink, appearing to read "David Wilkinson", written over the printed name and address.

Dear Mayor :

Before making a cordial greeting it is my pleasure to have the opportunity to initiate a direct communication between the city of Esquimalt BC Canada and our port of Manzanillo, Colima.

I am convinced that the exchange of experiences between cities that present similar characteristics regarding public management, security, politics, environment, education, culture, activities of the harbour and tourism and general matters of common interest helps benefit the inhabitants of both communities.

With merit to the previous and in the name of the city council over which it is my honour to preside, I wish to declare a proposal to carry out a signing of an **Agreement of Friendly Twinning** between the city of Esquimalt B.C., Canada and Manzanillo, Colima.

Kindly give a brotherly greeting to each of the members of your city council and to the members of your administration and to the citizens of this prosperous city.

Without other matters and while waiting to personally greet you and to sign a brief statement of twinning may I reiterate my highest and distinguished consideration.

Sincerely,
Vegilio Mendoza Amecua



Presidencia Municipal



OFICIO P.M. N° 531/2008

MAYOR BARB DESJARDINS
ALCALDE DE ESQUIMALT BRITISH COLUMBIA
CANADA

Estimada Alcaide:

Anteponiendo un cordial saludo me es grato tener la oportunidad de iniciar una comunicacion directa entre la Ciudad de Esquimalt, British Columbia, Canada y nuestro Puerto de Manzanillo, Colima.

Estoy convencido que el intercambio de experiencias entre las ciudades que presentan características similares ya sea en el orden de gestion publica, seguridad, politica, medio ambiente, educacion, cultura, actividades portuarias y turisticas y asuntos generales de interes comun conllevan a beneficios para los habitantes de ambas comunidades.

En merito de lo anterior y a nombre del Ayuntamiento que me honro en presidir, deseo manifestarle la propuesta para lleva a cabo la firma de un Acuerdo de Hermanamiento Amistoso entre la Ciudad de Esquimalt, British Columbia, Canada y Manzanillo, Colima.

Sea el amable conducto de unfraterno saludo a cada uno de los integrantes de su Cabildo, a los integrantes de su administracion y a los ciudadanos de esa prospera ciudad.

Sin otra particular y en espera de saludarle personalmente y signar en breve dicho hermanamiento, le reitero mi mas alta y distinguida consieracion.

Atentamente
SUFRAGIO EFECTIVO. NO REFLECCION
Manzanillo, Col., a 18 de Julio de 2008
EL PRESIDENTE MUNICIPAL


VIRGILIO MENDOZA AMEZCUA

c.c.p. – Archivo
VMAA/miam

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