CORPORATION OF THE TOWNSHIP OF ESQUIMALT

A G E N D A

REGULAR MEETING OF COUNCIL

Monday, March 2, 2009
7:00 p.m.
Esquimalt Council Chambers

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1. **CALL TO ORDER**

2. **LATE ITEMS**

3. **APPROVAL OF THE AGENDA**

   Resolution of Council required to place "Committee Reports" on the agenda before "Staff Reports."

4. **MINUTES**

   (1) Minutes of the Regular Meeting of Council, February 2, 2009 — Pg. 1-9

   (2) Minutes of the Special Meeting of Council, February 9, 2009 — Pg. 10-13

5. **PUBLIC INPUT (On items listed on the Agenda)**
   Excluding items which are or have been the subject of a Public Hearing.

6. **DELEGATIONS**

   (1) Rick Spencer, Dock and Shipyard Workers Union Local 1204 Re: Request for Recognition — Pg. 14

   (2) John Turner, Esquimalt Harbour Seabus Ltd. Re: Business Proposal — Pg. 15

7. **REPORTS FROM COMMITTEES**

   (1) Committee of the Whole Report, February 9, 2009 — Pg. 16
   [Motion to approve the recommendation]

   (2) Draft Advisory Planning Commission Minutes from meeting held February 17, 2009 — Pg. 17-20

8. **STAFF REPORTS**

   Administration

   (1) Parks and Recreation Commission Bylaw Repeal and Obsolete Polices Repeal, Staff Report No. ADM-09-015 — Pg. 20-21

   Parks and Recreation

   (2) Summer 2009 Arena Plan, Staff Report No. P&R-09-009 — Pg. 22-23

Development Services

(3) Rezoning Application, 1191 Munro Street, Staff Report No. DEV-09-013 — Pg. 24-53

Engineering and Public Works

(4) Land Transfer from Transport Canada, Staff Report EPW 09-011 — Pg. 54-59

(5) Miscellaneous Traffic and Parking Issues, Staff Report EPW 09-012 — Pg. 60-66

Police Services

(6) Memorandum from Victoria Police Department Inspector Les Sylven Re: E-mail from Surrey Resident Gerry Morden regarding SCAN Legislation — Pg. 67-70

9. **MAYOR'S AND COUNCILLORS' REPORTS**

(1) Mayor's Report on appointments to Committees, Boards and Commissions

10. **COMMUNICATIONS**

(1) Letter from Maurine Karagianis, MLA dated February 3, 2009, Re: Proposed Bay Street Bus Route — Pg. 71-72

(2) Copy of letters from Esquimalt Chamber of Commerce sent to BC Transit and the Minister of Transportation and Infrastructure Re: Proposed Options to the Bay Street Crosstown Route — Pg. 73 -74

(3) Letter from Victoria Regional Transit Commission, dated February 11, 2009, Re: Proposed new Bus Route — Pg. 75

(4) Letter from the Canadian Association of Home and Property Inspectors (BC) dated February 6, 2009, Re: Thanks for support for initiative to license home inspectors — Pg. 76-79

(5) Letter from BC Housing dated February 6, 2009 Re: Make rent more affordable for families in your community — Pg. 80

(6) Letter from UBCM Presidents Committee, dated February 6, 2009, Re: Opportunity to Advance Civics in School Curriculum — Pg. 81-83

(7) UBCM Urgent Notice to Members dated February 24, 2009 Re: Strategic Community Investment Funds — Pg. 84-87

(8) UBCM Memorandum dated February 25, 2009 Re: Strategic Community Investment Funds — Pg. 88

11. **PUBLIC QUESTION AND COMMENT PERIOD**
Excluding items which are or have been the subject of a Public Hearing.

12. **ADJOURNMENT**

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES
REGULAR MEETING
OF MUNICIPAL COUNCIL
MONDAY, FEBRUARY 2, 2009
7:00 P.M.
COUNCIL CHAMBERS

PRESENT: Mayor Barbara Desjardins
Councillor Bruce McIldoon
Councillor Alison Gaul
Councillor Lynda Hundleby
Councillor Meagan Brame
Councillor Donald Linge
Councillor Randall Garrison

STAFF: T. Day, Chief Administrative Officer
G. Coté, Director of Engineering and Public Works
L. Randle, Corporate Officer (Recorder)
P. Nelson, Fire Chief
A. Katschor, Acting Director of Parks and Recreation Services
J. Byron, Manager of Recreation Services
M. Lagoa, Manager of Communications and Sustainability
T. Parkes, Senior Planner

1. **CALL TO ORDER**

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

2. **LATE ITEMS**

Add letter from Jean Jenkins and email from Jo-Anne Monahan under item 9 (5) and verbal report from Councillor Garrison on the cross town bus route under item 10 (1).

3. **APPROVAL OF THE AGENDA**

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

4. **MINUTES**

(1) Minutes of the Regular Meeting of Council, January 19, 2009

Moved by Councillor Hundleby, seconded by Councillor Brame that the Minutes of the Regular Meeting of Council, January 19, 2009 be adopted.
The motion **CARRIED.**

5. **PUBLIC INPUT (On items listed on the Agenda)**
Excluding items which are or have been the subject of a Public Hearing.

(1) Terry Prentice, 1297 Rockport Avenue stated that if the OCP review is allowed to proceed it will detract from the citizens of the municipality. The only review that should occur is the question of the 10-storey maximum building height. Council needs to determine what the electorate wants. Leave the rest of the OCP review until a thorough review happens.

(2) Muriel Dunn, 1193 Old Esquimalt Road says she sent letters to all of Council about the OCP review. She provided general comments about the OCP review issue and feels a review is not needed at this time.

(3) Joanne Kimm, 654 Grenville Avenue says that there is confusion about the OCP review and that more public input is needed if it proceeds. Ms. Kimm also submitted an email letter which was part of Staff Report DEV-09-11 which is part of the agenda to this meeting.

(4) Rod Laverne, 485 Fraser Street says that the only question respecting the OCP that should be asked is "do we want to allow buildings higher than 10 storeys?" He stated that another consultant is not needed. The other issues in the OCP can wait until a thorough OCP review occurs in the future.

(5) Chris Zegger-Murphy, 1046 Colville Road is concerned about the traffic at Tillicum and Colville Road especially. He urged Council to use traffic calming measures when planning for Colville Road.

6. HEARINGS

(1) HEARING – DEVELOPMENT VARIANCE PERMIT [929 MESHER PLACE]

i) Notice of Hearing

ii) Background Information – *Available for Viewing Separately*
- Staff Report No. DEV-09-002

The Mayor convened the hearing at 7:20 p.m.

Public Input – Mayor Desjardins called 3 times for public input but no input was received.

The Mayor adjourned the hearing at 7:21 p.m.

(2) HEARING – DEVELOPMENT PERMIT WITH VARIANCE [630 HEAD STREET]

iii) Notice of Hearing

iv) Background Information – *Available for Viewing Separately*
- Staff Report No. DEV-09-001

The Mayor convened the hearing at 7:21 p.m.

Public Input – Mayor Desjardins called 3 times for public input but no input was received.

The Mayor adjourned the hearing at 7:23 p.m.

7. HEARING STAFF REPORTS

(3) Hearing for Development Permit with Variance, 630 Head Street [Lot 1, Section 11, Esquimalt District, Plan 29010], Staff Report No. DEV-09-010

Moved by Councillor Linge, seconded by Councillor Brame 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", and including the following variance to

Zoning Bylaw No. 2050, be **approved**, **issued** and **registered** on the title of Lot 1, Section 11, Esquimalt District, Plan 29010 [630 Head Street].

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.**

(4) Hearing for Development Variance Permit, 929 Mesher Place [Lot 4, Section 2, Esquimalt District, Plan 30973]

Moved by Councillor Hundleby, seconded by Councillor Garrison 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", and including the following variance to Zoning Bylaw No. 2050, be approved, issued and registered on the title of Lot 4, Section 2, Esquimalt District, Plan 30973 [929 Mesher Place].

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.**

8. DELEGATIONS

(1) Caitlin Meggs, University of Victoria Students' Society, Re: Public Transit

Ms. Meggs spoke about the need for more early morning and late night bus trips, more trips and routes to the western communities, more express routes and the need for more linkages between college and university campuses. She asked for Council's support in efforts to improve bus service in greater Victoria.

8. UNFINISHED BUSINESS

(1) From the Regular Council Meeting, November 3, 2008

(a) Esquimalt's Youth Services

- Youth Only Friday Night Follow Up, Staff Report No. P&R-09-006

Moved by Councillor Hundleby, seconded by Councillor Garrison that Staff Report No. P&R-09-006 be received for information.

The motion **CARRIED.**

(2) From the Regular Council Meeting, January 19, 2009

(a) Development of Freeman Ken Hill Park

- Freeman Ken Hill Park Update, Staff Report No.

P&R-09-005

Moved by Councillor Linge, seconded by Councillor Gaul that Staff Report No. P&R-09-005 be received for information.
The motion **CARRIED.**

Moved by Councillor Linge, seconded by Mayor Desjardins that staff contact the Hill family and the community on the idea of renaming either the small park at Colville and Admirals, the Town Square, the Westbay Walkway or the new playground at Memorial Park in honour of Ken Hill and to report back to Council.
The motion **CARRIED.**

Moved by Councillor Linge, seconded by Councillor Hundleby that staff investigate the disposition of the property at the corner of Grafton and Lyall Streets which is currently being considered for development into a park named after Ken Hill and that consideration also be given to leasing the land and any other feasible revenue-generating options that may exist.
The motion **CARRIED.**

9. STAFF REPORTS

Administration

(1) BC Climate Action Charter, Staff Report No. ADM-09-004

Moved by Councillor Brame, seconded by Councillor Garrison that by the Township of Esquimalt voluntarily signing the non-binding BC Climate Action Charter, it is recommended that:

1. Council recognize the Township of Esquimalt's commitments under the Charter.
2. Council recognize and support the anticipated timelines to achieve Charter commitments.
3. Council provide budget support in order to meet the Charter commitments.

The motion **CARRIED.**

(2) Township of Esquimalt Symbols Use, Staff Report No. ADM-09-008

Moved by Councillor Hundleby, seconded by Councillor Brame that Council adopt Council Policy Admin-46 as the Township of Esquimalt Symbols usage policy.
The motion **CARRIED.**

Parks and Recreation

(3) Tree Removal Permit #1175 at 1107 Bewdley Avenue, Staff Report No. P&R-09-003

Moved by Councillor Gaul, seconded by Councillor Hundleby that Ms. Linda Barnes be granted the opportunity to address

Council respecting her appeal of a staff decision to deny issuing a tree-cutting permit.
The motion **CARRIED.**

Ms. Barnes explained that the trees in question are the wrong trees in the wrong place. The large Deodora Cedar in the front yard of her property oozes a sticky sap which is destructive to everything around and is a non-native species.

She further stated that if Council allows removal of the trees she will work with the Parks and Recreation Department to replace them with more appropriate trees. Both existing trees are water-intensive.

Ms. Barnes written submission on the matter is attached to Staff Report No. P&R-09-003.

Moved by Councillor Linge, seconded by Councillor Hundleby that Council consider approval of the request to remove the Deodora Cedar on the condition that the applicant reaches an agreement with the Parks and Recreation Department with respect to replacing the tree and that Council review the agreement before final approval is considered.
The motion **CARRIED.**

Moved by Councillor Hundleby, seconded by Councillor Brame that the request to remove the large cedar tree in the back yard of the property be denied.

Moved by Councillor Linge, seconded by Councillor Brame that discussion on removal of the tree in the back yard be postponed until a staff report which includes information on the neighbours' views on the matter is presented to Council.
The motion **CARRIED.**

Mayor Desjardins called a short recess at 8:30 p.m.
Mayor Desjardins re-convened the meeting at 8:39 p.m.

Development Services

(4) New Mid-Rise Wood Frame Building Provisions, Staff Report No. DEV-09-008

Moved by Councillor Brame, seconded by Councillor Hundleby that Staff Report No. DEV-09-008 be received for information.
The motion **CARRIED.**

Moved by Councillor Garrison, seconded by Councillor Hundleby that the Chief Administrative Officer report back to Council as to how the municipality can best acquire more information on the impact of the changes to the BC Building Code.
The motion **CARRIED.**

(5) Next Steps in the Review of the Official Community Plan, Staff Report No.DEV-09-011

Moved by Councillor Garrison, seconded by Councillor Linge that Staff Report No.DEV-09-011 be received.
The motion **CARRIED.**
Councillor Linge **Opposed.**

10. MAYOR'S AND COUNCILLOR'S REPORTS

(1) Verbal report from Councillor Garrison on the cross town bus route.

Councillor Garrison explained that BC Transit is putting two options forward with respect to revised bus routes and are holding two public consultations on the options. The BC Transit website has an on-line survey on the subject.

Municipal staff will communicate with DND staff and Royal Jubilee Hospital staff to let them know that the two options for revised bus routes are being considered by BC Transit.

11. REPORTS FROM COMMITTEES

(1) Draft minutes from the Advisory Planning Commission meeting, January 20, 2009.

Moved by Councillor Linge, seconded by Councillor Hundleby that the draft minutes from the Advisory Planning Commission meeting held January 20, 2009 be received.
The motion **CARRIED.**

11. COMMUNICATIONS

(1) Letter from David Wilkinson, dated December 15, 2008, Re: Friendly Twinning Between Esquimalt and Manzanillo Colima, Mexico

Moved by Councillor Linge, seconded by Councillor Brame that the letter from David Wilkinson regarding twinning with Manzanillo Colima, Mexico be received.
The motion **CARRIED.**

Moved by Councillor Linge, seconded by Councillor Garrison that Communications items 2 through 9, 11, and 13 through 15 be received for information.
The motion **CARRIED.**

(2) Letter from UBCM, dated January 9, 2009, Re: Regulation of Home and Property Inspection

(3) Email from Civic Info, received January 12, 2009, Re: Call for Nominations for 2009 Order of British Columbia

(4) Communications Regarding Public Open Space on Gorge Waterway

i) Letter from Fern Spring, dated January 12, 2009

ii) Response letter to Jane Robson, dated January 20, 2009 from Barbara Snyder, Director of Development Services

iii) Letter to Waterfront Property Owners Between Esquimalt Gorge Park and Admirals Road from Barbara Snyder, Director of Development Services

iv) Response letter to Fern Spring, dated January 22, 2009 from Barbara Snyder, Director of Development Services

v) Letter from Joan Kerley, dated January 24, 2009

(5) Letter from the City of Burnaby, dated January 14, 2009, Re: Burnaby School Lands

(6) Letter from the Recycling Council of British Columbia, dated January 15, 2009, Re: Municipal Membership and Zero Waste Conference

(7) Letter from Pitch-In British Columbia, dated January 15, 2009, Re: Letter of Appreciation for Financial Support

(8) Letter from the Esquimalt Photography Club, dated January 19, 2009, Re: Letter of Appreciation for Local Grant

(9) Letter from UBCM, dated January 19, 2009, Re: Municipal Pension: Group Health Benefits

(10) Letter from UBCM, dated January 19, 2009, Re: UBCM Membership

Moved by Councillor Linge, seconded by Councillor Brame that the letter from UBCM, dated January 19, 2009, Re: UBCM Membership be received.
The motion **CARRIED.**

(11) Letter from John van Dongen, Solicitor General, dated January 22, 2009, Re: Victoria Police Department Funding and Service Model Audit

(12) Letter from Assistant Deputy Minister Kevin Begg, dated January 28, 2009, Re: Audit of Policing Services in Victoria and Esquimalt

Moved by Councillor Hundleby, seconded by Councillor Garrison that the letter from Assistant Deputy Minister Kevin Begg Re: Audit of Policing Services in Victoria and Esquimalt be received.
The motion **CARRIED.**

(13) Member Release received from UBCM on January 23, 2009, Re: Prime Minister and Premiers Agree to Accelerate Infrastructure Funding

(14) Letter from the AVICC, dated January 23, 2009, Re: Forestry Forum – February 27, 2009 – Nanaimo, BC

(15) Copy of letter to Minister Kevin Falcon from Mayor Dean Fortin, City of Victoria, dated January 23, 2009, Re: Renewing E & N as a Commercial and Commuter Rail Line

14. PUBLIC QUESTION AND COMMENT PERIOD

(1) Joanne Kimm, 654 Grenville Avenue stated that bus transportation issues also affect school age students. She also stated she would like a citizens committee to be able to provide input to Council on building height maximum, the OCP, development generally, etc. Council was in agreement with the concept.

(2) Emmy Labonte, 873 Dunsmuir Road spoke about tents in public parks and that the City of Victoria is introducing a Bylaw to prevent it. She asked if Esquimalt has such a Bylaw. The Chief Administrative Officer explained that Esquimalt does not and that the UBCM is appealing the recent court decision on the matter.

15. ADJOURNMENT

Moved by Councillor Brame, seconded by Councillor Gaul that the meeting be adjourned at 9:00 p.m.
The motion **CARRIED.**

_____
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

MINUTES
SPECIAL MEETING
OF MUNICIPAL COUNCIL
MONDAY, FEBRUARY 9, 2009
8:51 P.M.
COUNCIL CHAMBERS

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

STAFF: T. Day, Chief Administrative Officer
G. Coté, Director of Engineering and Public Works
L. Randle, Corporate Officer (Recorder)

1. **CALL TO ORDER**

Mayor Desjardins called the meeting to order at 8:51 p.m.

2. **LATE ITEMS**

1) Mayor's Report
Council Appointments to Committees of Council

2) Appointment of Acting Mayor for the week of February 16, 2009.

3. **APPROVAL OF THE AGENDA**

Moved by Councillor Linge, seconded by Councillor Brame that the agenda be amended by adding a verbal report from the Mayor on Council Appointments to Committees of Council and the appointment of an Acting Mayor for the week of February 16, 2009 and that the agenda as amended, be approved.
The motion **CARRIED unanimously**.

4. **STAFF REPORTS**

Corporate Services

(1) Committee Structure, Staff Report No. ADM-09-014

Mayor Desjardins thanked everyone who has volunteered on Council Committees.

Moved by Councillor Linge, seconded by Councillor McIldoon that Council adopt the following policies:

- Policy Admin-45 Operational Guidelines for Council Committees and Commissions
- Policy Admin-47 Terms of Reference – Environmental Advisory Committee
- Policy Admin-48 Terms of Reference – Arts, Culture and Special Events Advisory Committee
- Policy Admin-49 Terms of Reference – Access Awareness Advisory Committee
- Policy Admin-50 Terms of Reference – Heritage Advisory Committee
- Policy Admin-51 Terms of Reference – Parks and Recreation Advisory Committee

The motion **CARRIED**

Engineering and Public Works

(2) Craigflower Road Corridor Upgrading Phase 2 - Agreement, Staff Report No. EPW-09-010

Moved by Councillor Linge, seconded by Councillor Brame that

Council Authorize the execution of the Funding Agreement between the Township of Esquimalt and Union of British Columbia Municipalities for the Craigflower Road Corridor Upgrades Phase 2 project.
The motion **CARRIED**

5. MAYOR'S REPORT

Mayor Desjardins made the following Council Committee appointments:

- Parks and Recreation Advisory Committee – Councillor Gaul and Councillor McIldoon
- Environmental Advisory Committee – Councillor Garrison and Councillor Hundleby
- Arts, Culture and Special Events Advisory Committee – Councillor Brame and Councillor McIldoon (this committee has responsibility for Buccaneer Days and the Celebration of Lights)
- Access Awareness Advisory Committee – Councillor Linge and Councillor Brame
- Heritage Advisory Committee – Councillor Hundleby and Councillor Linge

Mayor Desjardins also stated that she will Chair the Mayor's Centennial Celebrations Select Committee and Councillor Linge will assist. This committee will be made up of community representatives and business owners and will stand from 2009 until December, 2012.

Moved by Councillor Linge, seconded by Councillor Garrison that the Mayor's Council appointments to Council Advisory Committees by approved.
The motion **CARRIED**

Moved by Councillor McIldoon, seconded by Councillor Gaul that Councillor Linge be appointed as Acting Mayor for the week of February 16, 2009 while Mayor Desjardins and Alternate Mayor Bruce McIldoon are unavailable.
The motion **CARRIED**

6. ADJOURNMENT

Moved by Councillor Hundleby, seconded by Councillor Brame that the meeting be adjourned at 7:02 p.m.
The motion **CARRIED**

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

CERTIFIED CORRECT

_____
LARRY RANDLE
CORPORATE OFFICER

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: ~~February 18~~ MARCH 2, 2009

NAME: Rick Spencer

ORGANIZATION: Dock and Shipyard Workers Union Local 1204

ADDRESS: ~~#~~ 3 - 802 Esquimalt Rd.

TELEPHONE: 250-744-9396 (cell) **FAX:** 250-743-7865

REASONS FOR APPEARING: Members of the Vancouver Island Metal Trades Association request Esquimalt Council recognition of the benefits this Union organization brings to the Township of Esquimalt. Shipyard workers, jobs, economic benefits, etc.

Jan 22, 2009 Rick Spencer
Date Signature

RECEIVED
JAN 22 2009
CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Agenda

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.

5 - present Q+A
5 - Comms

DATE OF COUNCIL MEETING: March 2nd - URGENT

NAME: John Turner

ORGANIZATION: Esquimalt Harbour Seabus LTD

ADDRESS: #207-3225 Alder St

RECEIVED
FEB 0 6 2009
CORPORATION OF THE TOWNSHIP OF ESQUIMALT

TELEPHONE: 250-858-3068 **FAX:**

REASONS FOR APPEARING:

To present the business proposal & purpose.

- also leads to Light Rail Development (CRD), Social Rehabilitation, Community Housing & ~~Light~~ Social & Economic Developments

Feb-6/2009
Date

John C Turner
Signature

COMMITTEE OF THE WHOLE REPORT

From: Meeting of February 9, 2009
To: Meeting of Municipal Council – March 2, 2009

At its meeting held on Monday, February 9, 2009 the Committee of the Whole considered the following matter and resolved that the recommendation as outlined be submitted to Council for consideration:

Development Services

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

Moved by Councillor Linge, seconded by Councillor Hundleby 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.
The motion **CARRIED.**

DRAFT

Township of
ESQUIMALT

CORPORATION OF THE TOWNSHIP OF ESQUIMALT
ADVISORY PLANNING COMMISSION
MINUTES
HELD ON
FEBRUARY 17, 2009
COUNCIL CHAMBERS

MEMBERS PRESENT:	Paulette Flannagan, Chairperson Terry Eckstein Brian Gordon Gerald Froese Ramona Scott
TECHNICAL STAFF:	Trevor Parkes, Senior Planner
COUNCIL LIAISON:	Randall Garrison
SECRETARY:	Marie Letham

There were no members of the public in attendance

I. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m. and outlined the meeting procedures and the advisory role of the Advisory Planning Commission.

II. ADOPTION OF AGENDA

Moved by Ramona Scott, seconded Brian Gordon that the agenda be adopted as distributed.
The motion **CARRIED**.

III. ADOPTION OF MINUTES

Moved by Ramon Scott, seconded by Brian Gordon that the minutes of the regular meeting of January 20, 2009 be adopted as amended.
(Amendment Page 2 – add *"painted"* split face)
The motion **CARRIED.**

III. STAFF REPORT

(1) **Development Permit with Variance**
Praxis Architects on behalf of M.F.G. Properties Ltd.
1405 Esquimalt Road

DRAFT

DRAFT

Mike Levin, Architect, representing the owners outlined the proposal and the history for the 41 unit condominium building. He stated that the proposal was very similar to the previous one. The colour scheme, and roof line have been updated.

He informed the Commission members that the units are small and are aimed investors purchasing and renting the units and first time home buyers.

Mike Levin explained that the site access to this lot was created by subdivision. There is a shared easement between the proposed building and the building at 506 Grafton Street to allow access to the underground parking.

Brian Gordon asked Mike Levin about the undermining the adjacent building caused by the ramp.

Mike Levin responded that there are some issues and a Geotechnical Engineer was called in and it will be remedied by either a retaining wall or underpinning.

Brian Gordon asked Trevor Parkes about green roofs.

Trevor Parkes commented that there have been no further discussions regarding green roofs. There are disagreements with the Province and insurance companies on wood frame buildings.

In response to a question from Ramona Scott regarding railings, Mike Levin responded that there would be metal railings with inset glass panels.

Ramona Scott commented that she liked the new colour scheme.

Terry Eckstein commented that he had no questions but liked the changes to the colour scheme and roof and likes the idea of the roof patio being a communual amenity.

Gerald Froese wondered about the site lines for the adjacent building. He expressed some concern about the variance - expectation from neighbouring residents.

Mike Levin commented that the arbour is triggering the increase in height and is not a solid feature like a fence.

Gerald Froese inquired about the parking variance and inquired if this building would be rental.

 DRAFT

DRAFT

Trevor Parkes, Senior Planner, advised that the parking bylaw does not differentiate between condominiums and rental apartments.

Paulette Flannagan asked Mike Levin to explain the view corridors out to the water.

Mike Levin stated that from the building you will be able to see the Base, to the north east the Graving Dock, south looking at rock, and from the north and west side there are good views.

Paulette Flannigan commented that she had concerns regarding ramp noise from the shared access lane.

Mike Levin commented that most of the ramp is underground and that there might be an echo, but the variances in surface materials will help with the noise abatement.

Public Input

No public in attendance.

In response to a question regarding improvements to the southern property, Mike Levin stated none are planned, and that the property is municipally owned land.

RECOMMENDATION

Moved by Terry Eckstein, seconded by Brian Gordon that the Esquimalt Advisory Planning Commission (APC) resolves that the application for a Development Permit with Variances for Lot 1, Suburban Lot 26, Esquimalt District, Plan VIP73731 [1405 Esquimalt Road], including the variance listed below be forwarded to Council with a **recommendation of approval**

Zoning Bylaw No. 2050, Section 44.2(3) – Building Height – a 2.5 metre increase in the permitted Height, from 11 metres to 13.5 metres.

Zoning Bylaw No. 2050, Section 44.2(6) – Useable Open Space – a waiver from the requirement that 7.5% of the parcel area be provided for the use of the residents for outdoor leisure activities.

Parking Bylaw No. 2011, Section 13(1)(a)(v) – Number Of Off-Street Parking Spaces – a reduction in the required number of parking spaces from 1.3 spaces per dwelling unit to 1.17 spaces per dwelling unit [i.e. from a total of 54 spaces to 48 spaces].

DRAFT

DRAFT

Parking Bylaw No. 2011, Section 11(1) – Visitor Parking – a reduction in the required number of dedicated visitor parking spaces from 1 of every 4 to 1 of every 7 [i.e. from a total of 12 visitor spaces to 7 visitor spaces]
The motion **CARRIED UNANIMOUSLY.**

V. PLANNER'S STATUS REPORT

Trevor Parkes, Senior Planner presented the following status report:

Council approved the following applications:

- Development Variance Application - 939 Mesher Place
- Development Permit with Variance - 630 Head Street

Development Permit for 900 Esquimalt Road will go forward to the April's Committee of the Whole, at the owner's request as he is away until then.

Rezoning Application (for panhandle lot) - 1191 Munro Avenue
at the February 9th, Committee of the Whole Staff were directed to prepare the amending bylaw and return to Council for first and seconding readings.

VI. COUNCIL LIAISON

Councillor Garrison stated that Council supports the application for 1191 Munro Avenue to proceed to Public Hearing. Council has had a request to postpone the public hearing until a resident returns from vacation and can be in attendance. Council directed that the process will proceed as normal.

Councillor Garrison advised the Commission members that Council was looking at re-organizing some of the Committees and Commissions and will be starting interviews for new appointees. He thanked the Commission members for continuing on until all the replacements are in place.

VII. NEW BUSINESS

VIII. NEXT REGULAR MEETING

Tuesday, March 17, 2009

IX. ADJOURNMENT

On motion the meeting adjourned at 8:00 p.m.

Certified Correct

_____
Paulette Flannagan, Chairperson DRAFT

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: February 17, 2009 **REPORT NO.** ADM-09-015

TO: Laurie Hurst, Acting Chief Administrative Officer

FROM: Larry Randle, Manager of Corporate Services

SUBJECT: **Parks and Recreation Commission Bylaw Repeal and Obsolete Policies Repeal**

RECOMMENDATIONS:

(1) That Esquimalt Parks and Recreation Commission Bylaw, 2007, No. 2635 be repealed in its entirety.

(2) That the following Council Policies be repealed:

ADM 35 - Terms of Reference – Environment Committee
ADM 36 – Terms of Reference – Cultural Committee
ADM 37 – Terms of Reference – Economic Committee
ADM 41 – Terms of Reference – Access Awareness Advisory Committee

BACKGROUND:

Council's review of its Advisory Committees, Boards and Commissions (ABCs) has been completed. As a result, the Parks and Recreation Commission has been discontinued and replaced with the Parks and Recreation Advisory Committee for which new Terms of Reference have been adopted by Council. Consequently, it is recommended that Council now repeal in its entirety, the Bylaw which established the Commission - the Esquimalt Parks and Recreation Commission Bylaw, 2007, No. 2635.

Another outcome of Council's review of its ABCs was the dissolution of the Economic Advisory Committee and the Cultural Advisory Committee (replaced with the Arts, Culture and Special Events Advisory Committee and Heritage Advisory Committee) and the revision of the Terms of Reference for the Access Awareness and Environmental Advisory Committees. New Terms of Reference for these Advisory Committees were adopted by Council at a Special Meeting of Council held February 9, 2009.

It is recommended that Council now formally repeal the obsolete and superseded Terms of Reference which exist in the form of Council policies, for the former Economic Advisory Committee, Cultural Advisory Committee and the current Access Awareness and Environmental Advisory Committees.

Respectfully submitted,

Larry Randle,
Manager of Corporate Services

Approved for Council's consideration:

Laurie Hurst, A/CAO

Dated: Feb 17/09

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

1229 Esquimalt Road, Esquimalt BC V9A 3P1
Telephone 250.414.7100 Fax 250.414.7111

STAFF REPORT

DATE: 23 February, 2009 **REPORT NO.** P&R-09-009

TO: Laurie Hurst, Acting Chief Administrative Officer

FROM: Jeff Byron, Manager of Recreation Services

SUBJECT: **Summer 2009 Arena Plan**

RECOMMENDATION

1) To receive this report as information.

BACKGROUND

In December of 2008, Council endorsed use of the Archie Browning Sports Centre for the Junior B Lacrosse Provincials occurring July 31-Aug 3rd, 2009. As this results in moving existing Ice user groups to the Wurtele Arena and sequentially a loss in revenue, council asked that the accommodation of the tournament occur with the least impact on ice users as possible.

DISCUSSION

When options regarding the tournament were first presented to council, they were done so with maximizing facility use and revenue as the goal. Both are maximized when ice is in place. Now that the tournament has been endorsed by council, staff has re-evaluated options to minimize the impact on ice rentals and programs.

In re-evaluating all conditions, staff have decided the best option is to put the ice in quickly with no logos and minimal paint, then take it out for the tournament. This decision was made for the following reasons;

1. The written submission of all potential lacrosse user floor times for the summer period has yet to be received.
2. The initial estimation of total lost revenue has increased from $42,378 to $49,688.18 based on added ice requests. This is in relation to no estimate for dry floor use due to no requests being received.
3. Relooked at details of quick in/out in consultation with Juan de Fuca staff. Can do this quicker than thought initially with no worry of unknowns such as improper fitting flooring.

4. Wurtele Arena unable to accommodate the 121 hours of public skating programs. They do not have a skate shop or staff.
5. Will allow us to confirm all groups and still explore turf option.

Disadvantages

1) Will be costly at $12,609 above our usual one time ice in period. Need to determine who covers additional costs. Net revenue will still be higher than leaving ice out.
2) No staff holidays – traditionally Maintenance staff take their holidays in the summer as winter season is too busy. This will force us to be short staffed during busy seasons.
3) Impact on annual summer projects such as roof maintenance and painting.

ALTERNATIVE

Do not put ice in until August 10, 2009 and reduce ABSC revenue expectation by $49,688.18

Respectfully Submitted,

Jeff Byron
Manager of Recreation Services

Approved for Council's consideration:

Laurie Hurst, Acting CAO

Dated: Feb 24/09

Township of ESQUIMALT

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: February 24, 2009 **REPORT NO.** DEV-09-013

TO: Laurie Hurst, Acting Chief Administrative Officer

FROM Trevor Parkes, Senior Planner

SUBJECT: **REZONING APPLICATION**
1191 Munro Street
[Lot AM 5, Section 11, Esquimalt District, Plan 5391]

RECOMMENDATION

1. That Bylaw No. 2704, which would amend Zoning Bylaw No. 2050 by changing the zoning designation of that portion of 1191 Munro Street [Lot AM 5, Section 11, Esquimalt District, Plan 5391] shown cross-hatched on Schedule 'A' of the amending bylaw from RS-1 [Single Family Residential] to RS-2 [Single Family Panhandle Residential], be given first and second reading; and

2. That a Public Hearing be scheduled.

Trevor Parkes
Senior Planner

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

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 required Council approve any lot that did 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. On April 5, 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.

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.

Committee of the Whole: The application was presented to the Committee of the Whole on February 9, 2009. COTW accepted the staff 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.

Public Notification: As this proposal involves a rezoning, should it proceed to a Public Hearing, notices would be mailed to owners and tenants of properties within 45 metres [150 ft.] of the subject property advising them of the date on which Council will consider the application. A sign indicating that the property is under consideration for a change in zoning has been placed on the street frontage and this will be updated to show the date and time of the Public Hearing.

Approved for Council's consideration:

Laurie Hurst, A/Chief Administrative Officer

Dated: Feb 24/09

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2704

A Bylaw to amend Bylaw No. 2050, cited as the "Zoning Bylaw, 1992, No. 2050".

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

1. This bylaw may be cited as the *"ZONING BYLAW, 1992, NO. 2050, AMENDMENT BYLAW [NO. 183], 2009, NO. 2704"*.

2. That Bylaw No. 2050, cited as the "Zoning Bylaw, 1992, No. 2050" be amended as follows:

   (1) by changing the zoning designation of that portion of Lot AM 5, Section 11, Esquimalt District, Plan 5391, [1191 Munro Street] shown cross-hatched on Schedule 'A' attached hereto from RS-1 [Single Family Residential] to RS-2 [Single Family Panhandle Residential].

   (2) by amending Sheet A-6 of Schedule 'A' - Zoning Map, attached to and forming part of Zoning Bylaw, 1992, No. 2050, to reflect the change in designation effected by this bylaw.

READ a first time by the Municipal Council on the --- day of ---- 2009.

READ a second time by the Municipal Council on the ---- day of ----- 2009.

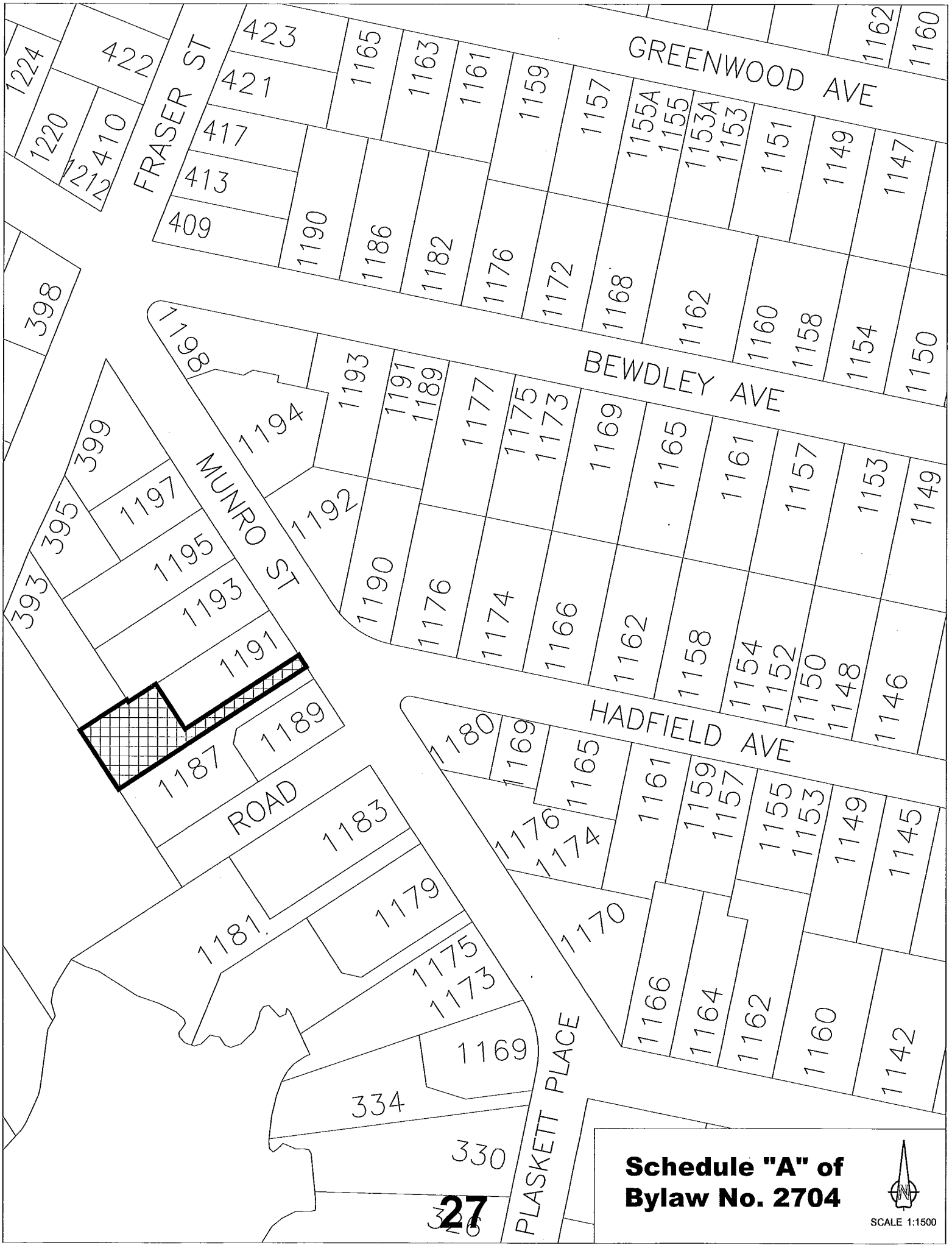
A Public Hearing was held pursuant to Sections 890 and 892 of the *Local Government Act* on the ---- day of ---- 2009.

READ a third time by the Municipal Council on the ---- day of ---- 2009.

ADOPTED by the Municipal Council on the --- day of ---- 2009.

BARB DESJARDINS
MAYOR

LARRY RANDLE
CORPORATE OFFICER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Schedule "A" of
Bylaw No. 2704
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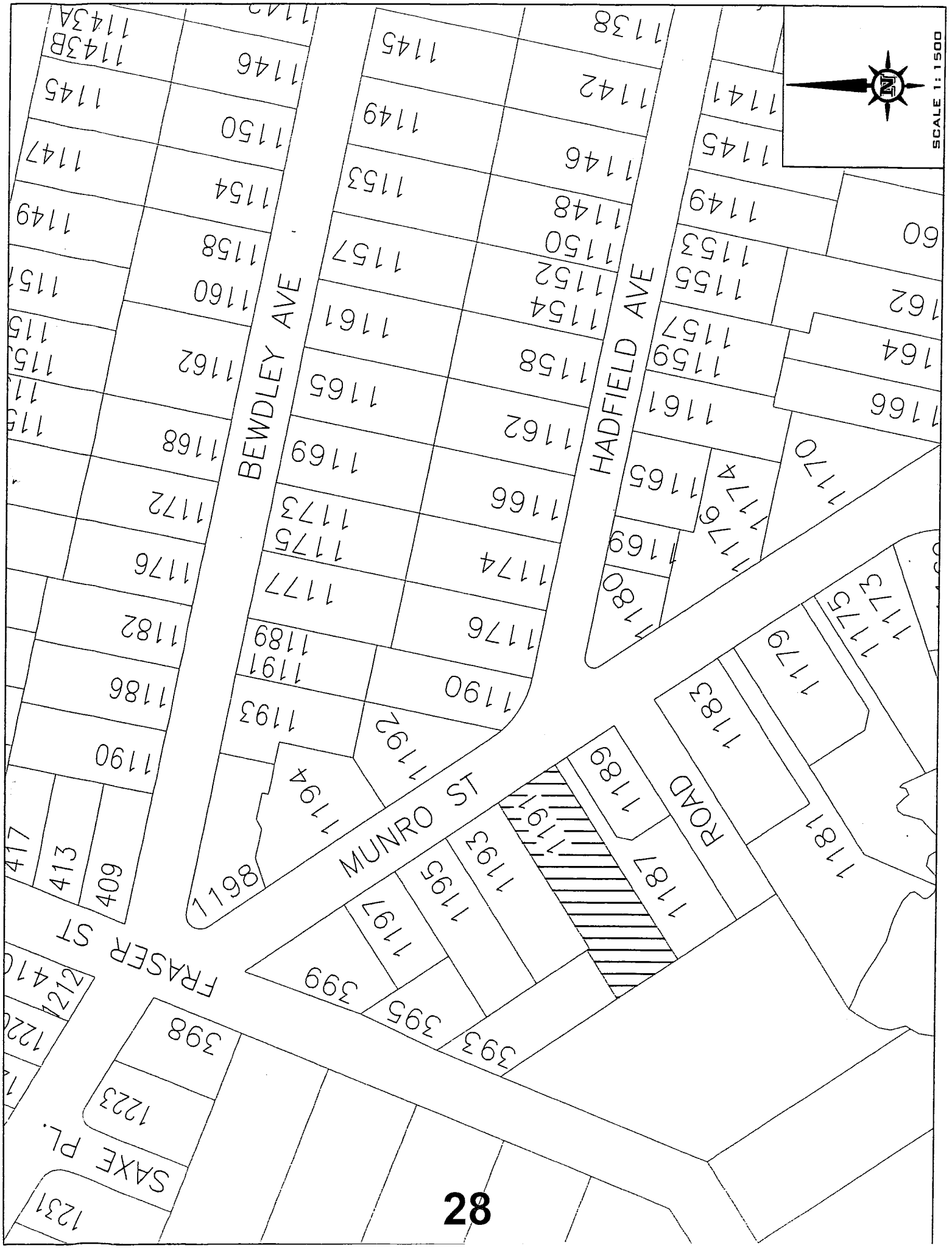
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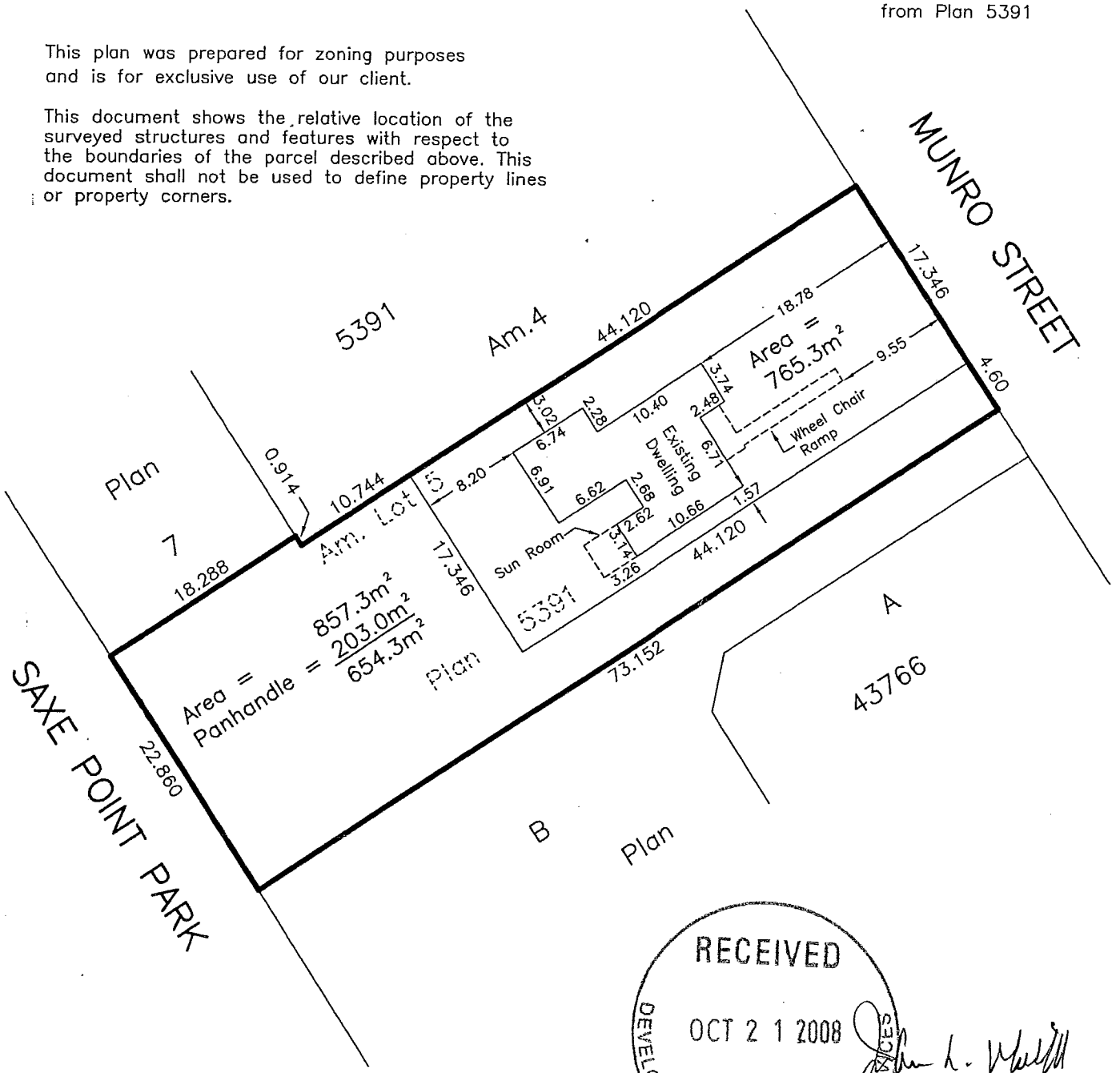
Sketch Plan of Proposed Subdivision of Amended Lot 5 (DD 355787I), Section 11, Esquimalt District, Plan 5391

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

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

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.



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OCT 2 1 2008
CORP. OF TOWNSHIP OF ESQUIMALT
DEVELOPMENT & ENGINEERING SERVICES

British Columbia Land Surveyor

Date Oct 9 2008.

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

This document is not valid unless originally signed and sealed.

Seal

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

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JAN 2 6 2009
CORP OF TOWNSHIP OF ESQUIMALT
DEVELOPMENT & ENGINEERING SERVICES

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 neigbourhood 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.

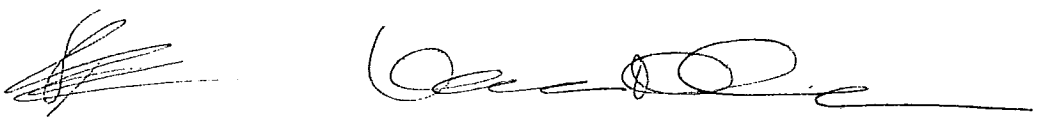
Finally, we understand that Esquimalt is reviewing its policy on rental suites – and it may be a matter of time before they are legal. Any developer getting his or her hands on a rezoned lot here would be crazy not to build in suite capacity – and what that really means – is that by allowing the rezoning 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,



Valerie Nathan and Edris Seale/Owners of 1193 Munro Street

RECEIVED
FEB 0 3 2009
CORP. OF TOWNSHIP OF ESQUIMALT
DEVELOPMENT & ENGINEERING SERVICES

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

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DEVELOPMENT & ENGINEERING SERVICES

Attachment 1

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

)RT 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 eate 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 andle width, meet the requirements of the Subdivision Bylaw No. 1669, and proposed ing Bylaw No. 2050.

h(unicipal 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 ideration.

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."

. Pugh, A.Sc.T.
)uty Director, Planning
Engineering Services

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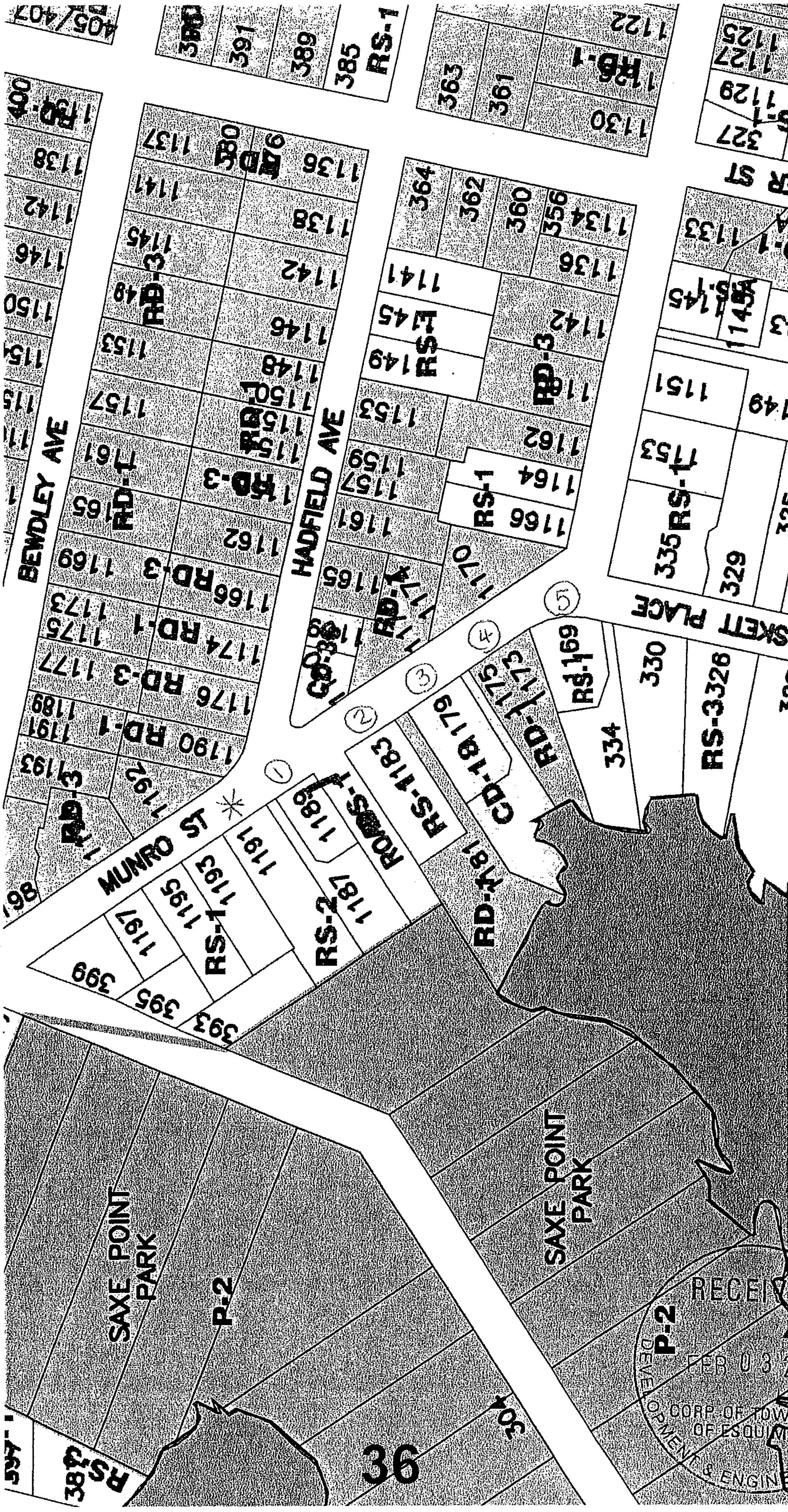
FEB 3 2009
CORP OF TOWNSHIP OF ESQUIMALT
DEVELOPMENT & ENGINEERING SERVICES

Attachment 2



RECEIVED
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.

P Campbell

Penny Campbell
329 Plaskett Place
384-8885

- Agenda - Late Item
- Barb S.

Date : February 5, 2009

VIA FAX

To: Esquimalt City Councillors, Meagan Brame, Randall Garrison, Alison Gaul, Lynda Hundleby, Don Linge, Bruce McIldoon and Mayor Barbara Desjardins

Re: Rezoning Application (R1 to R2) for 1191 Munro Street

Dear Mayor and Council,

We understand the above application is coming before the Committee of the Whole on February 9, 2009, so we are writing this letter to express our opposition to this rezoning as residents and property owners in Esquimalt.

We feel that this area of Munro St. needs to be preserved for it's peaceful environment and capacious lots, which would be denigrated by granting another panhandle lot in this area. Having a neighbourhood like Saxe Pt. that has enjoyed less development, provides a refuge from the busier streets and commercial areas of the municipality where we can walk our dogs and stroll with our children down to Saxe Park or Macaulay Pt. without the stress of heavy traffic, noise and congestion.

We are also concerned that this type of development would set a precedence that would allow further deterioration of one of the most precious streetscapes in our area. There are only limited streets such as this section of Munro that remain pedestrian friendly with such a relaxing and scenic ambience. Another concern is that development such as this adds noise and light into Saxe Pt. Park, where we often spot eagles and other wildlife. This is one of our most valued green spaces and is a strong attraction to our area and the "back" development of this type of panhandle lot should not be supported.

We further suggest that Saxe Pt. and the Rockheights neighbourhoods specifically have moratoriums on this type of development, and let higher density proceed only in the areas that already have the traffic/street capacity that is suited to such.

We trust you will give our concerns strong consideration and we thank you for your thoughtful diligence on this matter.

Sincerely,

Richard Fisher
678 Fernhill Rd.
Victoria, (Esquimalt)
V9A 4Y9

Kim Fisher
678 Fernhill Rd.
Victoria, (Esquimalt)
V9A 4Y9

RECEIVED
FEB 0 9 2009
CORPORATION OF THE
TOWNSHIP OF ESQUIMALT

February 8, 2009 Agenda - Late Item Barb S.

RECEIVED
FEB 09 2009
CORPORATION OF TH
TOWNSHIP OF ESQUIM

Re: Response to letter from rezoning applicant – 1191 Munro Street

Dear Mayor and Council,

I am greatly concerned about false statements made about me in a letter to council submitted by rezoning applicant Donna Humphries in January 09, on behalf of her father, Ian Humphries.

It is true that I did ask Donna's father, Ian Humphries, how much he wanted for his property some time ago, before he moved into a retirement home, and long before this rezoning application was in play. The matter was never pursued, no price was ever established, no partnerships pursued, and no offer ever made.

As a neighbour, I was expressing natural curiosity and interest in the property next door, as my partner and I occasionally muse about the idea of building our eventual 'retirement home' in the same neighbourhood in which we currently live. We fantasize about this the same way we fantasize about winning the lottery!

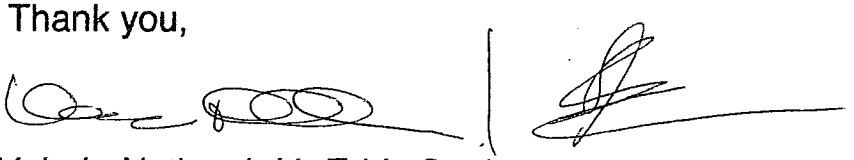
I never sought the participation of a partner/neighbour in the purchase of this property, and if there was ever any such talk, it was just a variety of "us" neighbours fantasizing about what could be done with or what we could collectively do with the property. If anything we were wondering aloud what we could do to make sure the property was developed by people who care about the neighbourhood– rather than having faceless developers get their hands on it. How ironic that this should be so twisted! Further, I never suggested to Ms. Humphries that they should pursue a rezoning here – this is complete fiction! (In fact, I don't even recall ever meeting or speaking with Ms. Humphries until quite recently, though I have met and spoken with her sister, Jill, many times.)

To restate — there was never a plan, never an offer, and never a serious discussion about the purchase or rezoning of this property. Most egregiously, I believe Donna Humphries is trying to make me look like a hypocrite to discredit my arguments for opposing the rezoning. Quite frankly, Ms. Donna Humphries statements are, at best, a manipulative exaggeration.

On another subject, I notice that both the follow up staff report and Ms. Humphries letter single out my concerns about the interruption of my ocean view. A thorough re-read of my letter to council dated January 26, 2009 cites a host of reasons why I/we oppose this rezoning - of which interruption of our views is one of them. Other reasons include opposition to a panhandle lot and second home, second driveway and second parking area; loss of privacy, noise, impact on streetscape, impact on neighbourhood ambiance, and added development pressure backing on to Saxe Point Park.

Lastly, Ms. Humphries statements about the rezoning affecting less than 20% of the property are an amusing technicality. Granting a rezoned panhandle lot here will affect the entire ambiance, quiet and enjoyment of our property. Peace and quiet cannot be proportioned.

Thank you,



Valerie Nathan/with Edris Seale

Owners of 1193 Munro Street

ORIGINAL COPY - Received by Corporate Affair @ CO TW - Feb 9/08

PETITION – Rezoning application:1191 Munro Street, Esquimalt

Submitted to: Esquimalt Planning Department, Esquimalt Mayor and Council January 2009.

(Amended after 3 M+F.)

We, the undersigned, object to the rezoning application at 1191 Munro Street Lot AM 5, Section 11, Esquimalt District Plan 5391 from RS-1 Single Family to RS-2 Single Family Panhandle Residential on the grounds that if the rezoning went ahead, it would: increase density in an inappropriate area of Esquimalt; create an undesirable panhandle lot; diminish Saxe Point neighbourhood values, quiet and ambiance; negatively impact the privacy and obstruct views of the property at 1193 Munro; add to development pressure/density near a sensitive zone for coastal and park related plant and wild life.

Name	Address	Signature
Valerie Nathan	1193 Munro St, Esquimalt	
Else Elphick	1194 Munro St.	E. Elphick
MURRAY ELPHICK	1194 MUNRO ST	
Patty MATTHEWS	1195 MUNRO ST	
Filippo Ferri	1162 Hadfield Ave	Filippo Ferri
Kim Bellefontaine	1162 Hadfield Ave.	Kim Bellefontaine
WAYNE WEBER	1174 HADFIELD AVE	
Wendy Weber	1174 Hadfield Ave	
Wendy DeCarte	1165 Hadfield Ave	
BG DeCarte	1165 Hadfield Ave	
B Leyshon	1161 Hadfield Ave	
K Leyshon	1161 Hadfield Ave	
BOB ELPHICK	1189 MUNRO ST	
JEAN ELPHICK	1197 MUNRO ST.	
DALIA ALEXANDER	395 FRASER ST	
Denese Alexander	395 Fraser St.	
Rayne Seale	1193 Munro St.	
[illegible] SEALE	1193 MUNRO ST.	
HEIDI WORTHINGTON	1210 Greenwood Ave	
SACHA ASFAR	302 FRASER ST	
ALEASHA ASFAR	302 FRASER ST	
~~KAIRO ASFAR~~ N/A child	~~302 FRASER ST~~	
IAN BLACK	461 CRAFTON ST.	
Valentina Lawrence	1176 Hadfield Ave.	
Richard Fisher	678 Fernhill Road	
Louise MacDonald	469 Foster St.	
Kim Fisher	678 Fernhill Rd.	
Beth Burton-Krahn	1101 Hadfield Ave	

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Name	Address	Signature
Noel Burton-Krahn	1101 Hadfield Ave	[signature]
Darrell Deane	1187 Munro St.	[signature]
Ann-Marie Deane	1187 Munro Street	[signature]
SHARI BAKKER	485 FOSTER STREET	[signature]
COLLEEN MATTHEWS	1195 MUNRO ST.	[signature]
Ruby Nygaard	1198 MUNRO ST	[signature]
Leslie Antonsen	1120 Bewdley Ave	[signature]
Tarra Montgomery	1120 Bewdley Ave	[signature]
TIM MOORE	1164 MUNRO ST	[signature]
Brenda Miller	1142 Munro St.	[signature]
Jean Japping	1136 Munro St	[signature]
Norm Japping	1136 Munro St	[signature]
Carolyn Currie-Johnson	1145 MUNRO	[signature]
B. Willard	1136 HADFIELD	[signature]
R. Barnswell	1136 HADFIELD	[signature]
G. LAWRENCE	1176 HADFIELD	[signature]
A. Black	461 Grafton St	[signature]
VERA GUNNARSON	1160 MUNRO	[signature]
Russ MacMillan	1192 Munro St.	[signature]
Valerie MacMillan	1192 Munro St.	[signature]

D.Fritz Appraisals Inc.
840 Royal Oak Ave.
Victoria, B.C. V8X3T2
250-413-7319 Fax 250-727-0491

November 19, 2008

Val Nathan

1193 Munro St
Victoria, B.C. V9A 5P5

Address of Property: 1193 Munro St.
Victoria, B.C. V9A 5P5

Market Value: $ see below

Market Value: $695,000 with views
Market Value: $670,000 with no views

In accordance with your request and authorization, an investigation, analysis and appraisal report on the above described property has been completed for the purpose of estimating the Market Value.

After careful consideration of all the factors that affect value, the market value was estimated to be as referenced above.

This estimate is subject to the limiting conditions attached t to this appraisal and to which the reader's attention is specifically directed.

The following report presents the basis of all opinions expressed herein.

The information contained herein should be sufficient for your purposes. Should you require further information or clarification as to any portion of this report, please contact me.

I certify that I have no interest, present or contemplated in the property appraised.

Yours truly,

Bo Lott
Candidate

Client Reference No: B1496L — File No: B1496L

FOUNDATION WALLS	PLUMBING LINES	ELECTRICAL	WATER HEATER	HEATING SYSTEM
x POURED CONCRETE	x COPPER	____ FUSES	x GAS	x FORCED AIR
____ CONCRETE BLOCK	x PVC OR PLASTIC	x BREAKERS	____ ELECTRIC	____ BASEBOARD
____ CONCRETE SLAB	____ GALVANIZED	____ ____	____ ____	____ HOT WATER
____ BRICK OR STONE	____ ____	RATED CAPACITY OF MAIN	*40 gal CAPACITY	____ ____
____ ____	____ ____	BREAKERS 100 AMPS	*new	gas FUEL TYPE

BUILT-IN APPLIANCES/EXTRA FEATURES:

x STOVE	____ VACUUM	____ CENTRAL AIR	____ SAUNA	____ SOLARIUM	____ ____
x OVEN	____ GARBAGE DISPOSAL	____ AIR CLEANER	____ WHIRLPOOL	____ SKYLIGHTS	____ ____
x DISHWASHER 2-gas	____ FIREPLACE(S)	____ SECURITY SYSTEM	____ SWIMMING POOL	____ GARAGE OPENER	____ ____

BASEMENT FINISHES, UTILITY: There is a full basement which is developed with a family room, bedroom (requires closet), and a 3-pc bathroom. The remainder of the area is a single built-in garage and a large workshop.

GARAGES/CARPORTS: single built-in garage

DECKS, PATIOS, OTHER IMPROVEMENT: deck, patio, landscaping, fencing, sprinkler system, walks, driveway, retaining walls

COMMENTS: Building, appearance, quality, condition, services including extras: The dwelling is an older full basement home which has underdone updating within the past year. Updates include all new kitchen and 5-pc bathroom, interior and exterior paint, refinished hardwood, and new laminate and slate flooring. Overall condition for a dwelling of this age is very good. Well landscaped, large lot located in a popular area. The dwelling currently has partial water views. THIS APPRAISAL IS VALUING THE SUBJECT WITH NO OCEAN VIEWS.

ROOM ALLOCATION

LEVEL: / ROOMS:	MAIN	SECOND	THIRD		BSMT.
ENTRANCE	1				
LIVING	1				
DINING	1				
KITCHEN	1				
FULL BATH	1				1
PART BATH					
BEDROOM	3				1
FAMILY	1				1
LAUNDRY	x				
OTHER(S)	deck				mech rm
					garage

COST APPROACH

SOURCE OF COST DATA: ____ MANUAL x LOCAL CONTRACTOR ____ OTHER

LAND VALUE: WITH NO OCEAN VIEWS ..... $ 365,000

BUILDING	COST NEW	DEPRECIATED COST
COST .. 1,815.00 @ $ 125.00	$ 226,875	
GARAGE: garage/shop	$ 25,000	$
BASEMENT FINISH: 1000 sf dev. @. 1000 sf @ $75/sf	$ 75,000	$
OTHER EXTRAS	$	$
appli, fps, deck	$ 25,000	$
ret. wall, landscaping, patio, ...	$	$
driveway, sprinkler system	$ 25,000	$
TOTAL REPLACEMENT COST:	$ 376,875	
LESS: ACCRUED DEPRECIATION 14%	$ 52,763	$ 324,112
INDICATED VALUE:		$ 689,112

VALUE BY THE COST APPROACH (rounded) $ 689,100

DIRECT COMPARISON APPROACH

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1 DESCRIPTION	COMP 1 $ ADJUST.	COMPARABLE NO. 2 DESCRIPTION	COMP 2 $ ADJUST	COMPARABLE NO. 3 DESCRIPTION	COMP 3 $ ADJUST
ADDRESS	1193 Munro St. Victoria	1177 Highrock Pl. Victoria		1210 Greenwood Ave. Victoria		1165 Bewdley Ave. Victoria	
DATE OF SALE	n/a	07/08		07/08		07/08	
SALE PRICE	n/a	635,000		683,000		685,000	
SITE SIZE	11520 sf	10001 sf		10956 sf		11008 sf	
SIZE L.F.A.	1815 sf	1600 sf	8,600	1895 sf	-3,200	1580 sf	9,400
AGE/CONDITION	55 yrs / reno	43 yrs / reno		32 yrs / vgd	15,000	59 yrs / reno	
STYLE	bungalow	split level		split entry		bungalow	
RMS/BEDS/BATHS	9 / 4 / 2	8 / 4 / 2.1	-2,500	13 / 4 / 3.1	-7,500	10 / 5 / 3.1	-12,500
BASEMENT	full/1000 sf dev.	part/900 sf dev.	13,000	full/1050 sf dev.	-1,800	full/900 sf dev.	3,500
GARAGE/PARKING	single garage	double carport	-2,500	sin & dbl garage	-25,000	single garage	
Views	none	mountain	-10,000	none		none	
Area:	Esquimalt	Esquimalt		Esquimalt		Esquimalt	
ADJUSTED VALUES/NET ADJUSTED TOTALS		5.8% 1.0%	641,600	7.7% -3.3%	660,500	3.7% 0.1%	685,400

CONCLUSIONS: Comparables selected each have similar attributes as the subject and when suitably adjusted, provide a good indication of the subject's value. ESTIMATED MARKET VALUE WITH NO OCEAN VIEWS - $670,000.00.

ESTIMATED CURRENT MARKET VALUE (with ocean views) - $695,000.00.

VALUE BY THE DIRECT COMPARISON APPROACH (ROUNDED) $ 670,000 with no views

FINAL ESTIMATE OF VALUE/COMMENT ON REASONABLE EXPOSURE TIME: Resultant value has been prudently selected following reference to the comparable adjusted values aforementioned. We consider that a reasonable exposure time to achieve this value is 90 days, subject to there being no unforeseen market trend.

COMMENT ON AND ANALYZE ANY KNOWN SALES, LISTING OR OFFER TO PURCHASE ON THE SUBJECT PROPERTY OVER THE PAST YEAR:
(Include source of information.) There have been no reported sales of the subject property in the last three years.

AS A RESULT OF MY APPRAISAL AND ANALYSIS IT IS MY OPINION THAT THE MARKET VALUE OF THE SUBJECT PROPERTY AS OF November 18, 2008 IS $670,000 with no views

THIS REPORT WAS COMPLETED ON November 19, 2008

x TITLE PAGE	☐ AREA CALCULATIONS	x MAP ADDENDUM	☐ ENVIRONMENTAL ADDENDUM	x CERTIFICATION	x interior photos
☐ REPORT PROFILE	☐ SKETCH ADDENDUM	x PHOTO ADDENDA	☐ SCOPE OF APPRAISAL	☐ SCHEDULE A/NARRATIVE	x zoning map
x TRANSMITTAL LETTER	☐ COMPS 4-5-6	☐ NARRATIVE ADDENDUM	☐ USPAP DEPARTURE DISCLOSURE	x INVOICE FOR SERVICES	☐

APPRAISER
SIGNATURE Bo Lott
NAME Bo Lott
D. Fritz Appraisals Inc.
DESIGNATION Candidate
INSPECTED PROP. (DATE) 11/18/2008

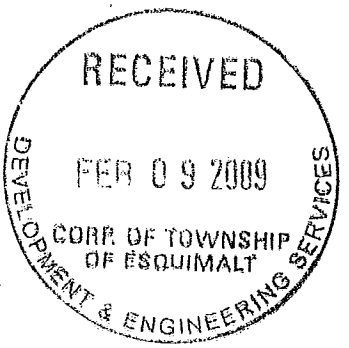
SUPERVISOR
SIGNATURE D Fritz
NAME Darlene Fritz
D. Fritz Appraisals Inc.
DESIGNATION CRA
INSPECTED PROP. (DATE) did not

Form produced using ACI software, 800.234.6727 www.aciweb.com

prop. file

Barbara Snyder

From: bud.sabiston@gmail.com
Sent: February 9, 2009 18:13
To: Barbara Snyder
Subject: Feedback from Website



This is information submitted via the Esquimalt website.

First Name = Bud
Last Name = sabiston
E-mail = bud.sabiston@gmail.com
Telephone =
Street =
City =
Province =
Postal Code =
Comments = Feb 5th, 2009

To: Barbara Snyder, Director of Development; Trevor Parkes, Senior Planner; Barbara Desjardins, Mayor; and Meagan Brame, Randall Garrison, Alison Gaul, Linda Hundleby, Don Linge, Bruce McIldoon — Councillors.

From: Bud Sabiston 914 Kingsmill Rd, Esquimalt BC.

Re: Rezoning Application (R1 to R2) for 1191 Munro Street This letter is to voice opposition to this rezoning on the basis of:
1) The impact it will have on the unique character and ambiance of the Saxe Point neighbourhood by the creation of a panhandle lot that backs directly on to Saxe Point Park.

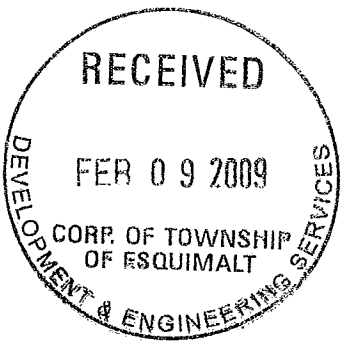
Dear Mayor, Council and Senior Staff members, The Saxe Point neigbourhood is a place of pride in Esquimalt, and one that offers its residents a quality of life that is unparalleled.

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

The rezoning application for 1191 Munro Street is not a good plan for preserving these neighbourhood values or attracting people to the community in general. If we chip away at this neighbourhood through shortsighted, incremental rezoning and higher density — that which makes us special now will soon cease to exist.
I also oppose the rezoning because I believe the neighbourhood has reached its saturation point for panhandle lots. The property on the east side of 1191 Munro is also a panhandle, and there are others nearby. Creating yet another panhandle means you'll have a row of these lots on Munro Street, meaning more noise, more traffic and less green space.
Further, it 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.
I have reviewed the site plan and it is obvious that rezoning/ subdividing this lot will have a negative affect on property value, ambiance, and enjoyment. If a panhandle lot is created, two driveways will service the property and parking areas - one in the front and one in the back. This will greatly increase noise levels, ambient light and diminish privacy.
Finally, I understand that Esquimalt is reviewing its policy on rental suites - and it may just 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 on what was and should remain a single family lot. I ask you to consider this perspective, the perspective of those living in the neighbourhood, 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,

Bud Sabiston, 914 Kingsmill Rd., Esquimalt BC.



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;

- 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.

1191 Munro Street

SCALE 1 : 500

10 0 10 20 30

METERS

N

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

DATE: February 25, 2009 **REPORT NO.** EPW 09-011

TO: Mayor and Council

FROM: Gilbert Coté, Director of Engineering & Public Works

SUBJECT: **Land Transfer from Transport Canada**

RECOMMENDATION:

That Council authorize the execution of the Transfer Agreement and the Contribution Agreement between the Township of Esquimalt and Transport Canada for the transfer a parcel of land in order to extend Head Street to provide municipal access and servicing to a property owned by Xhamasung Holdings LLP and to Department of National Defence properties.

Background

In 2005, the following two parcels were transferred from Transport Canada to Xhamasung Holdings LLP. Xhamasung Holdings LLP has two partners: Kosapsung Development Corporation representing the Esquimalt First Nation and the Ledwungen Development Corporation, representing the Songhees First Nation.

The two parcels are shown on the attached figures and are described as follows:

1. Parcel # 1 – Plan VIP 78776.

   This parcel consists of a portion of the former bed of Victoria Harbour which was filled in 1984 in order to create an RV park. The filled foreshore area was leased by Transport Canada to West Bay Investments Ltd. When the filled foreshore was transferred to Xhamasung Holdings LLP, Transport Canada assigned the West Bay Investment lease for the RV Park to Xhamasung Holding LLP. The West Bay Investments' leasehold interest in the RV Park will expire on March 31, 2017

2. Parcel # 2 – Plan CIP 78775.

   This parcel consists of a strip of land adjacent to parcel # 1 and is located along the former shoreline. A building known as the old Guardhouse is located on this parcel. The adjacent shoreline or "uplands" land was owned by the Department of National Defence. In 2003, the uplands area was transferred from the Department of National Defence to Transport Canada. In 2005 the uplands land was transferred by Transport Canada to Xhamansung Holding LLP

Both parcels are now owned in fee simple by Xhamansung Holdings LLP who is paying municipal taxes. The Xhamasung Holdings LLP by virtue of being the upland owner of the filled foreshore is West Bay Investments' landlord for the RV Park lease. The Xhamansung Holdings LLP took an assignment from Transport Canada of the long term lease to West Bay Investments Ltd for the RV Park. West Bay Investments is continuing to operate and manage the RV Park under the lease that expires March 31, 2017.

When the lease expires, it is likely that the Xhamasung Holdings LLP will consider re-developing the site to a higher use. It is also our understanding that West Bay Investments is planning in the near future to renovate the old guardhouse and turn it into office space. Before carrying out any work and redevelopment, the owners of the property will have to obtain an amendment to the Official Community Plan designation, a change of zoning and a building permit.

When Transport Canada transferred the two parcels to the Xhamasung Holdings, the triangular parcel at the end of Head Street was not included in the land transfer because it also provides vehicular access to the DND installations at Work Point and includes a sanitary sewer, a storm drain and a watermain that service the DND installations. As a result, the land owned by Xhamasung Holdings LLP was left landlocked with no legal access on a municipal road right-of-way.

To resolve this matter, it is proposed that the triangular parcel located at the intersection of Lyall and Head Streets be transferred from Transport Canada to the Township of Esquimalt and that this parcel be dedicated as road right-of-way. This would allow road access to both the DND and the Xhamasung Holdings LLP lands. Road access to the Xhamasung Holdings LLP land is now provided through the West Bay Marina. Sanitary sewer and water servicing to the RV Park is also provided through the West Bay Marina. When the lease with West Bay Investments expires and Xhamasung Holdings LLP redevelops the site, access to the site could be provided through the Head Street extension. Access to the site from the Head Street extension would likely be done by constructing an access road in the area presently occupied by a parking lot and located south of the old Guardhouse. Cost of such construction would be the responsibility of the property owners.

Sewer and water servicing for the proposed renovated Guardhouse will be provided from the lines located on the Head Street extension. Similarly, sewer and water servicing for the potential re-development of the RV site would also be provided from the Head Street extension. The developer will likely have to pump the sewage from potential redevelopments in the RV Park. This pumping station would be privately owned.

The sanitary sewer and storm drain pipes in the parcel to be transferred were inspected by the Municipality and found to be in good condition. These pipes will be turned over to the municipality at the same time the land is transferred. The watermain was found to be in poor condition and DND will be paying the City of Victoria to replace this watermain. A new watermain will be installed this year.

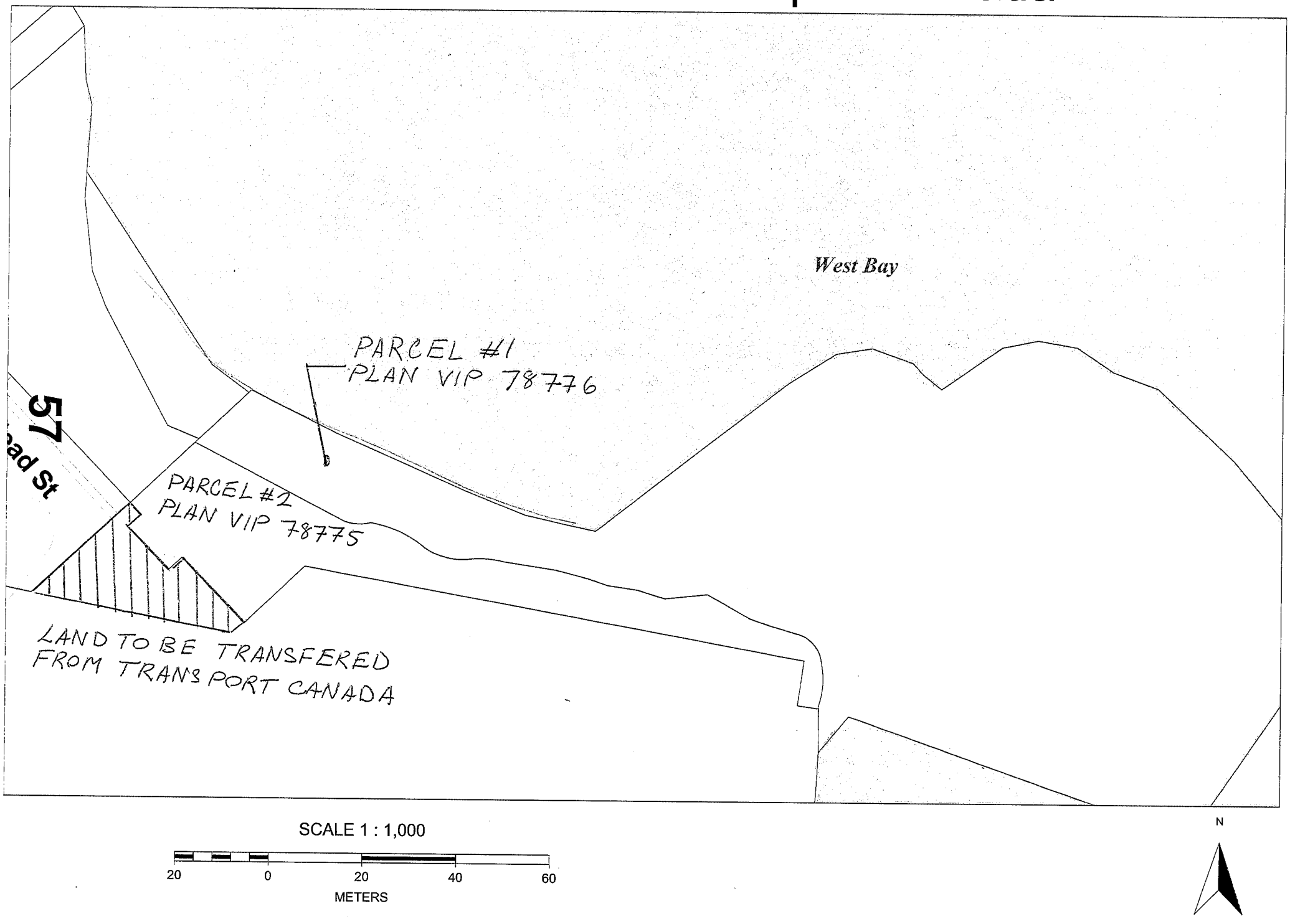
The road requires some repairs and Transport Canada has agreed to pay $10,000 to the municipality to repair the road.

Should the development company apply for works valued at more than $300,000, they will be subject to the Subdivision and Development Control Bylaw 1997, No. 2175 and Council Policy PLAN 23 which will require that they pay all required upgrades to the infrastructure in order to support the development.

Submitted by:

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

Land Transfer from Transport Canada



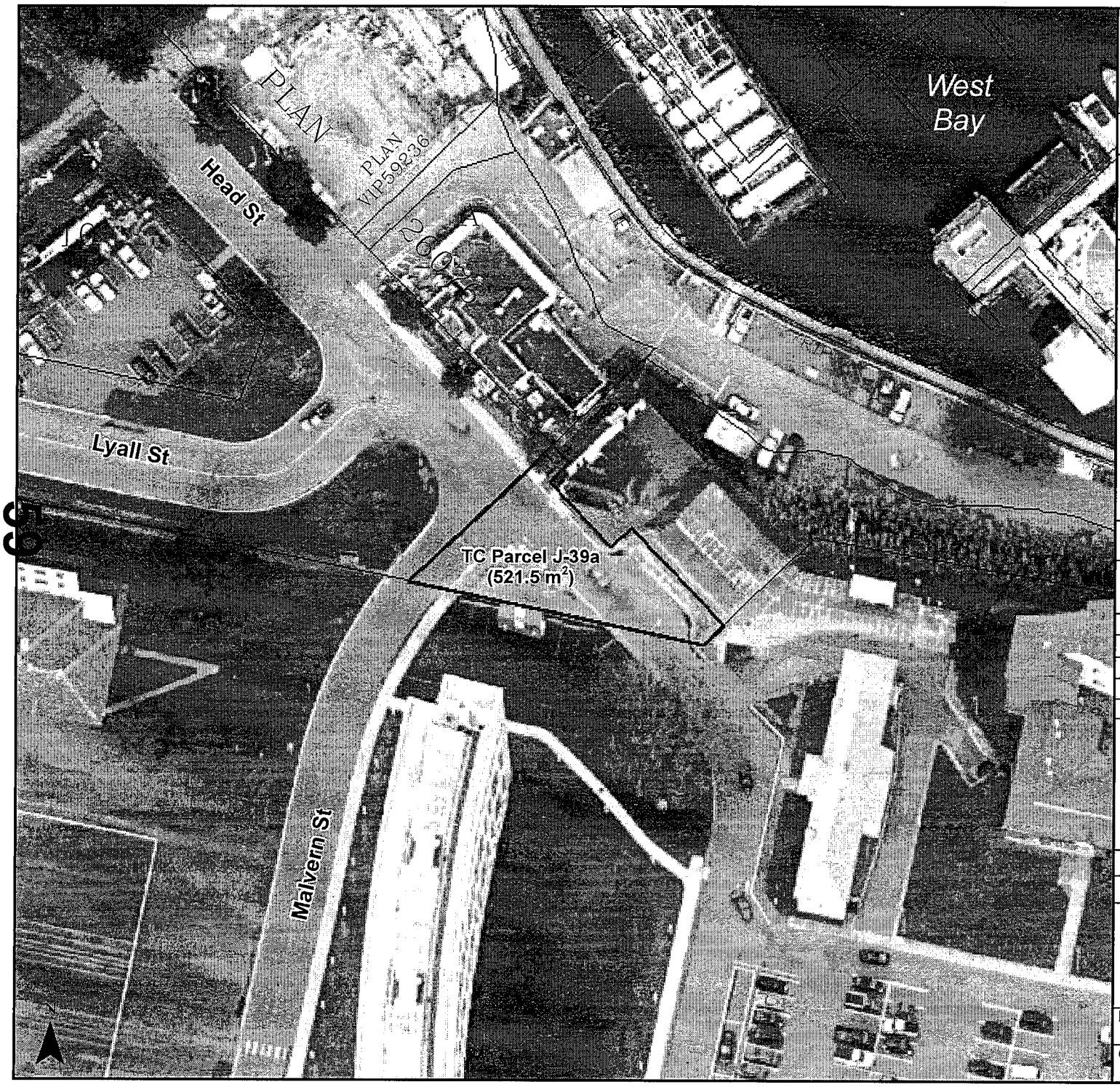
Land Transfer from Transport Canada

SCALE 1 : 1,000

20 0 20 40 60

METERS

N



Transport Canada / Transports Canada

Canada

Site: Victoria Harbour

Title: Guardhouse Road Property (TC Parcel J-39a) Site Plan

January 2008	Figure 1

Legend:

Transport Canada Property Parcel J-39a

For Discussion Purposes Only
Do Not Circulate or Reproduce

0 5 10 20 30 Metres

1:750

REV.	DATE	DESCRIPTION	BY	CHK

Data Sources:

Transport Canada Property "Parcel" Boundaries (P. Ringwood, March 17, 2004)
Road Atlas of BC (GIS Innovations Ltd., March 23, 2007)
Victoria Harbour 0.10m Orthophoto (McElhanney Consulting Services, March 2007)
Base Composite Drawing (P. Ringwood, March 17, 2006)

Prepared by: THP-NA	Checked by: THPP-WT

Approved by:

Notes:

(1) Original Drawing in Colour
(2) Coordinate System: NAD83 - UTM Zone 10N

File Number: T 7712-795-01

GIS File: 080107_J-39a_SitePlan_THPP-WT_Letter.mxd

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

DATE: February 23, 2009 **REPORT NO.** EPW 09-012

TO: Mayor and Council

FROM: Gilbert Coté, Director of Engineering & Public Works

SUBJECT: **Miscellaneous Traffic and Parking Issues**

RECOMMENDATION:

That Council approves the following Traffic Orders:

- Traffic Order No. 1162 to prohibit parking on the south side of Craigflower Road between Garthland Road and Admirals Road
- Traffic Order No. 1163 to permit Residential Parking Only on sections of Esquimalt Road, Sturdee Street and on Craddock Street.
- Traffic Order No. 1164 to permit the installation of Stop signs at the intersection of Heald Avenue and Swinford Street and Heald Avenue and Kinver Street

1. <u>Craigflower Road – Garthland to Admirals Road</u>

On February 10, 2009, the Mayor and the Director of Engineering and Public Works met with the Chief and Council of the Songhees First Nation to discuss the various road projects in the municipality. In order to improve the safety of pedestrians, the Songhees have requested that all parking be banned on the south side of Craigflower Road between Garthland and Admirals Roads for a distance of 1 km. There is no sidewalk on the south side of Craigflower Road and pedestrians have to walk on the shoulder of the road. The presence of parked cars creates a safety hazard for both pedestrians and cyclists. When this section of Craigflower Road is upgraded in 2010, there will be no provision for parking on both sides of the road and the adoption of a Traffic Order will be necessary. However because of safety concerns, the Songhees would like the No Parking zone instituted earlier.

There are already several No Parking signs along most of this section of road. However, a review of the files has indicated there are no municipally approved Traffic Orders regulating parking on Craigflower Road west of Garthland Road. It is recommended to adopt a Traffic Order to implement a No Parking zone along the south side of Craigflower Road between Garthland and Admirals Road.

2. Residential Parking Only Near CFB Esquimalt

As a result of construction activities at CFB Esquimalt some parking areas are temporarily closed while some other parking areas will be eliminated. This has resulted in an increase in parking complaints from residents in the area near the base. Residential Parking Only zones already exist on Grafton Street, Foster Street and Lyall Street east of Foster Street. Complaints of parked cars from DND workers have been received from residents on Craddock Street and on the service road for 1370-1388 Esquimalt Road. In addition, a petition has been received from the residents on the west side of Sturdee Street between Esquimalt Road and Lyall Street. For these three areas it is recommended to adopt Traffic Orders to implement Residential Parking Only.

There is a concern that the parking problem will shift to other streets in the area. To deal with this matter, it is proposed to consult the residents on the balance of Sturdee Street, Nelson Street, Lyall Street between Admirals Road and Sturdee Street and Constance Avenue. south of Esquimalt Road on the possibility of extending the Residential Parking Only zone to these streets. Due to the large number of residents affected and because other areas may want to be included as well, it is proposed to run several ads in local newspapers and the municipal website inviting residents to provide their comments on the proposed Residential Parking Only zone. Following public consultation, a report will be presented to Council.

3. Heald Avenue

There are two "tee" intersections on Heald Avenue which don't have Stop signs: (1) Heald Avenue at Kinver Street and (2) Heald Avenue at Swinford Street. Stop or Yield signs are usually provided at all intersections. It is recommended to adopt a Traffic Order to provide a stop sign on Kinver Street at Heald Avenue and a stop sign on Swinford Street at Heald Avenue.

Submitted by:

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

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

STREETS AND TRAFFIC REGULATION BY-LAW, 2005

ORDER NO. 1162

WHEREAS I, GILBERT COTE, Director of Engineering and Public Works of the Corporation of the Township of Esquimalt, am empowered under the terms and provisions of the *Streets and Traffic Regulation By-law, 2005*, to make orders in respect of certain matters and things therein mentioned.

NOW THEREFORE in the exercise of the powers given in the said By-law, **I DO HEREBY ORDER THAT**:

That signs or curb markings shall be placed to indicate that parking is prohibited at all times on the south side of Craigflower Road between Admirals Road and Garthland Road.

This Order to be effective and to come into full force and effect from midnight upon the 2nd day of March A.D. 2009.

_____

Director of Engineering and Public Works

I, Larry Randle, Corporate Administrator of the Corporation of the Township of Esquimalt, **DO HEREBY CERTIFY:**

1. That the foregoing is a true copy of an Order made by Gilbert Coté, Director of Engineering and Public Works of the Corporation of the Township of Esquimalt, pursuant to the terms and provisions of the *Streets and Traffic Regulation By-law, 2005*, of the said Corporation and submitted to the Municipal Council of the Corporation of the Township of Esquimalt on the 2nd day of March A.D. 2009.

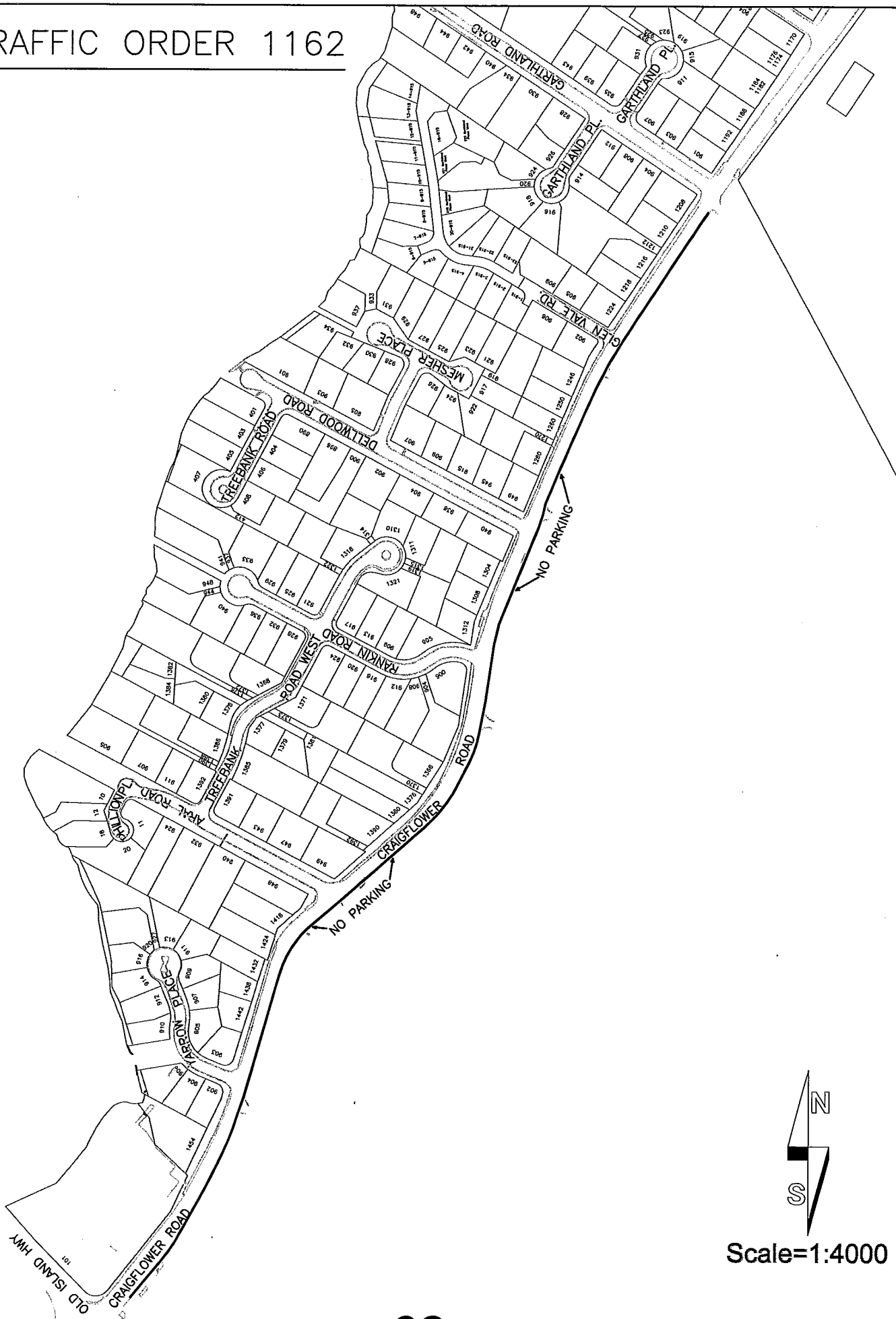
.

2. That on the 2nd day of March A.D. 2009, the said Municipal Council did, by resolution, approve the said Order, the original of which is on file in my custody in the Municipal Hall of the Corporation of the Township of Esquimalt, pursuant to the terms of the *Streets and Traffic Regulation By-law, 2005*.

_____

Corporate Administrator

TRAFFIC ORDER 1162



Scale=1:4000

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

STREETS AND TRAFFIC REGULATION BY-LAW, 2005

ORDER NO. 1163

WHEREAS I, GILBERT COTE, Director of Engineering and Public Works of the Corporation of the Township of Esquimalt, am empowered under the terms and provisions of the *Streets and Traffic Regulation By-law, 2005*, to make orders in respect of certain matters and things therein mentioned.

NOW THEREFORE in the exercise of the powers given in the said By-law, **I DO HEREBY ORDER THAT**:

That signs or curb markings shall be placed to indicate that parking is restricted to Residential Parking Only at the following locations:

- West side of Sturdee Street between Lyall Street and House # 516 Sturdee Street
- Craddock Street
- Service Road on Esquimalt Road between 1370 and 1388 Esquimalt Road.

This Order to be effective and to come into full force and effect from midnight upon the 2nd day of March A.D. 2009.

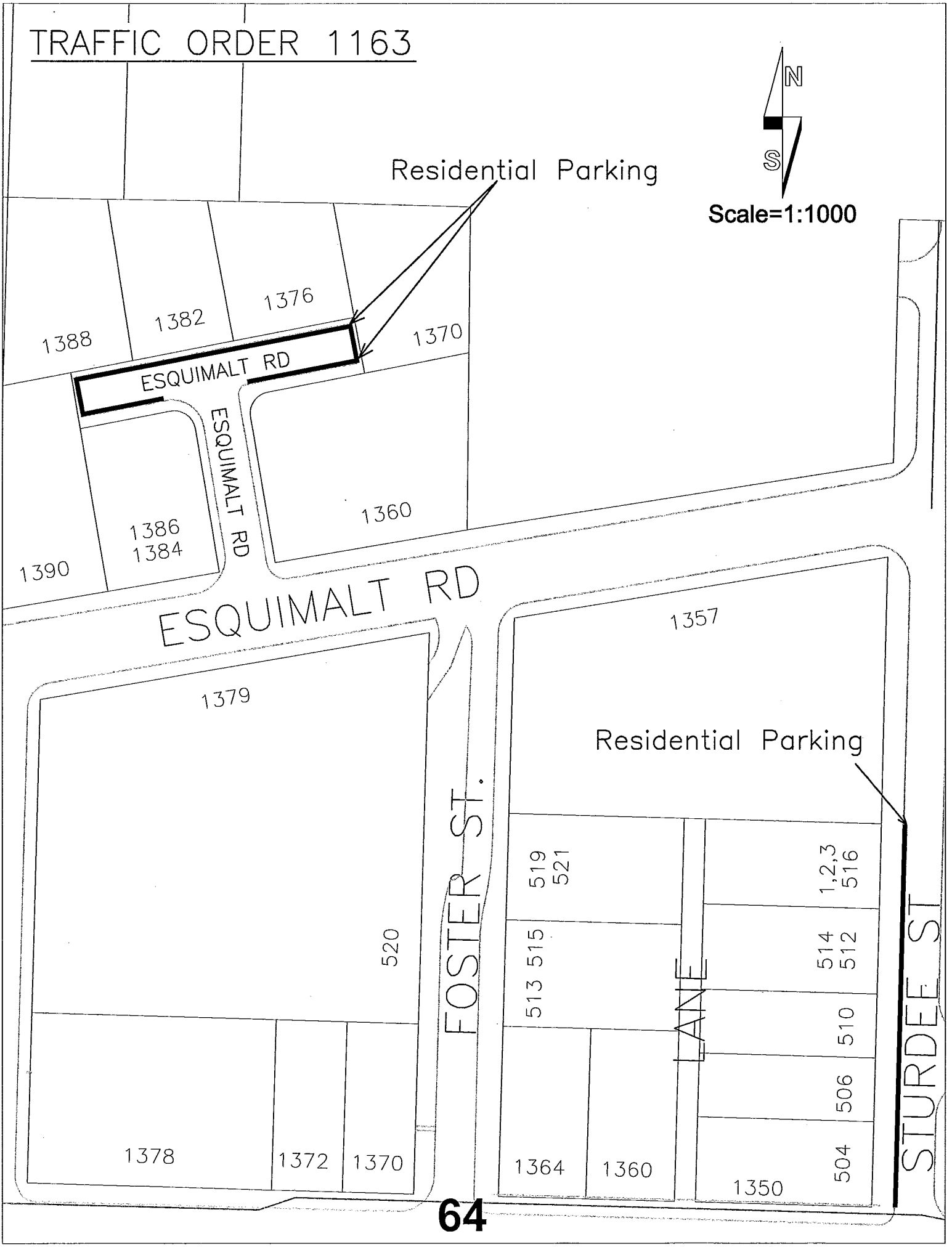
Director of Engineering and Public Works

I, Larry Randle, Corporate Administrator of the Corporation of the Township of Esquimalt, **DO HEREBY CERTIFY:**

1. That the foregoing is a true copy of an Order made by Gilbert Coté, Director of Engineering and Public Works of the Corporation of the Township of Esquimalt, pursuant to the terms and provisions of the *Streets and Traffic Regulation By-law, 2005*, of the said Corporation and submitted to the Municipal Council of the Corporation of the Township of Esquimalt on the 2nd day of March A.D. 2009.

2. That on the 2nd day of March A.D. 2009, the said Municipal Council did, by resolution, approve the said Order, the original of which is on file in my custody in the Municipal Hall of the Corporation of the Township of Esquimalt, pursuant to the terms of the *Streets and Traffic Regulation By-law, 2005.*

Corporate Administrator


TRAFFIC ORDER 1163
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Residential Parking
1388
1382
1376
1370
ESQUIMALT RD
ESQUIMALT RD
1386
1384
1390
1360
ESQUIMALT RD
1357
1379
Residential Parking
519
521
1,2,3
516
513 515
514
512
520
FOSTER ST.
LANE
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STURDEE ST
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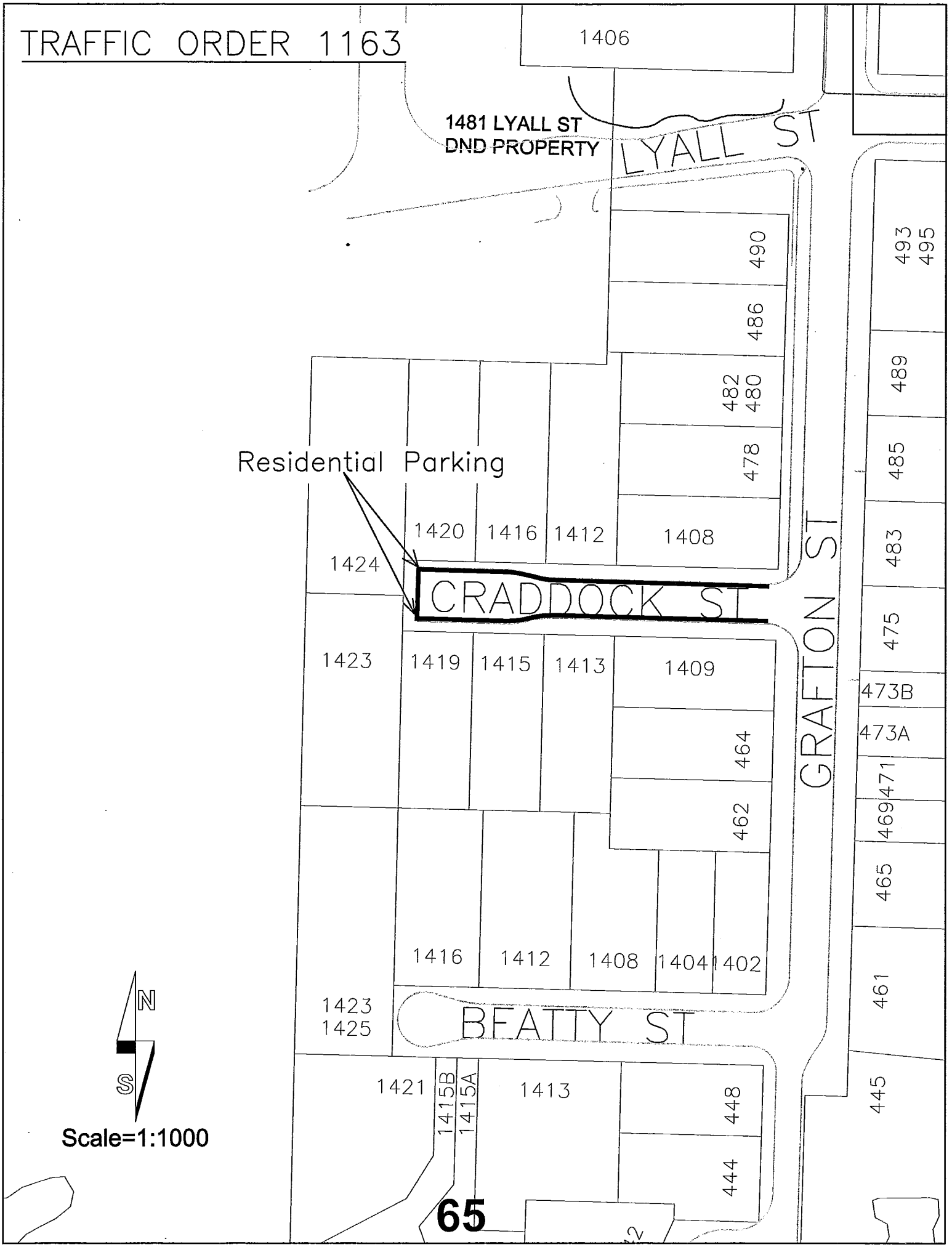
TRAFFIC ORDER 1163



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

STREETS AND TRAFFIC REGULATION BY-LAW, 2005

ORDER NO. 1164

WHEREAS I, GILBERT COTE, Director of Engineering and Public Works of the Corporation of the Township of Esquimalt, am empowered under the terms and provisions of the *Streets and Traffic Regulation By-law, 2005*, to make orders in respect of certain matters and things therein mentioned.

NOW THEREFORE in the exercise of the powers given in the said By-law, **I DO HEREBY ORDER THAT**:

A sign bearing the word "STOP" be placed at the following locations:

- Kinver Street on the southeast corner of its intersection with Heald Avenue
- Swinford Street on the northwest corner of its intersection with Heald Avenue

This Order to be effective and to come into full force and effect from midnight upon the 2nd day of March A.D. 2009..

.

Director of Engineering and Public Works

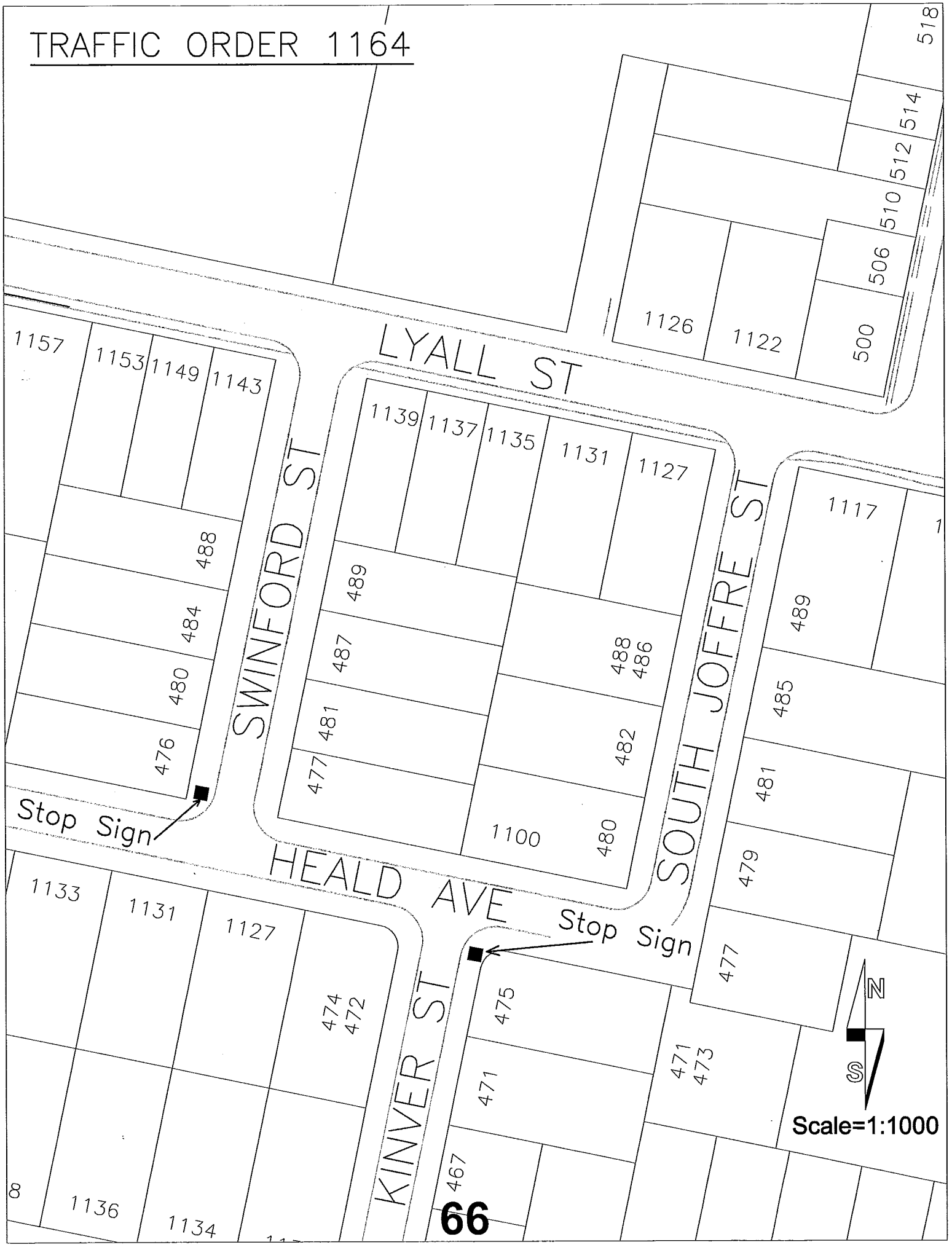
I, Larry Randle, Corporate Administrator of the Corporation of the Township of Esquimalt, **DO HEREBY CERTIFY:**

1. That the foregoing is a true copy of an Order made by Gilbert Coté, Director of Engineering and Public Works of the Corporation of the Township of Esquimalt, pursuant to the terms and provisions of the *Streets and Traffic Regulation By-law, 2005*, of the said Corporation and submitted to the Municipal Council of the Corporation of the Township of Esquimalt on the 2nd day of March A.D. 2009.

2. That on the 2nd day of March A.D. 2009, the said Municipal Council did, by resolution, approve the said Order, the original of which is on file in my custody in the Municipal Hall of the Corporation of the Township of Esquimalt, pursuant to the terms of the *Streets and Traffic Regulation By-law, 2005*.

Corporate Administrator

TRAFFIC ORDER 1164



VICTORIA POLICE DEPARTMENT

Memorandum

Agenda

DATE: February 11th, 2009

TO: Tom Day – CAO Township of Esquimalt

FROM: Inspector Les Sylven – OIC West Division

SUBJECT: E-Mail from Surrey resident Gerry Morden regarding SCAN legislation.

Tom,

As per your request dated January 29th 2009, I have collected some background information for Esquimalt Council concerning the Safer Communities and Neighborhoods Act legislation that exists in several provinces in Canada.

Background

Safer Communities and Neighbourhoods (SCAN) Acts are currently in force in Alberta, Saskatchewan, Manitoba, Nova Scotia and the Yukon. The Province of Ontario is currently attempting to pass Bill 106 (Safer Communities and Neighbourhoods Act, 2008) through its legislative assembly.

These acts are intended to allow for enhanced neighbourhood safety and harmony by targeting the owners and landlords of consistent problem addresses. Property owners and businesses are held accountable for activities occurring on their properties. These acts apply the civil law process to counter the impact on neighbourhoods of entrenched drug, sex trade and gang operations based out of homes and businesses.

Several Provinces Experiences with SCAN

Manitoba – In 2002 the Province of Manitoba created the first SCAN Act in Canada. Operating under the authority of Manitoba Justice, the director of Law Enforcement accepts secure complaints from residents who fear for their safety due to the following activities:

- Unlawful drug use, trafficking, production or cultivation
- Prostitution and related activities
- Unlawful sale of liquor
- Unlawful use or sale of intoxicating substances - non-potable and solvent based products

- Sexual abuse or exploitation of a child or related activities
- Possession or storage of unlawful firearms, weapons or explosives

The director relies on the Public Safety Investigations Branch to look into the allegations and if there is evidence to support the claim, the director has several options:

- issue a warning letter to the property owner
- resolve the problem out of court
- apply for a Community Safety Order, with or without a Closure Order against the property
- apply for an Emergency Closure Order

If the director decides not to act on the complaint, the person or persons who made the complaint can take the matter to civil court at their own cost. If at any time during the investigation evidence of criminal activity is observed, the local police department or detachment is immediately contacted.

Since inception, the Public Safety Investigations Branch has received 21,056 complaints resulting in successful action on 816 occasions. The Branch is composed of 7 investigators, 2 analysts and 1 land title specialist. The investigators have full peace officers authority including the statutory authority to carry firearms.

http://www.gov.mb.ca/justice/safe/scna.html

Alberta – The Province of Alberta SCAN legislation was enacted in the fall of 2007 and became operational in October of 2008. The legislation is very similar to Manitoba's SCAN Act with some exceptions in the authority granted to its investigators. SCAN offices are located in Edmonton and Calgary and serve northern and southern Alberta respectively.

Since inception, a total of 188 complaints have been received. As of this date, one closure order is currently before the civil courts.

http://www.solgps.alberta.ca/safe_communities/enforcement/pages/scan.aspx

Saskatchewan – First enacted in 2004, Saskatchewan began enforcing its SCAN Act in January 2005. They are closely aligned with the Manitoba model and have had considerable success with their program.

Investigators have received a total of 2124 complaints. This has resulted in 314 eviction orders, 52 warning letters and 18 community safety orders.

http://www.cpsp.gov.sk.ca/SCAN

Ontario - As previously mentioned, the province is attempting to pass SCAN legislation. It has successfully passed its second reading in their legislative assembly.

Bill 106, Safer Communities and Neighbourhoods Act, 2008

Plans for British Columbia

The Solicitor General's office advises that they are very aware of SCAN legislation in other parts of Canada and are conducting research into its viability in this province.

Based on my discussions with SCAN Act experts in the provinces of Alberta, Saskatchewan and Manitoba, it appears on first glance to be an effective community safety initiative.

Inspector Les Sylven
OIC West Division

Tom

Diane Knight

From: Mike Horner
Sent: November 24, 2008 08:44 AM
To: Diane Knight
Subject: FW: Safer Communities and Neighbourhoods Act
Attachments: SCAN DISCUSSION.doc

Agenda
Yes: Any comments for Council?

From: Gerry Morden [mailto:weassociation@gmail.com]
Sent: November 24, 2008 08:09
To: Mike Horner
Subject: Safer Communities and Neighbourhoods Act

To Mayor and Council

Safer Communities and Neighbourhoods Act (SCAN) legislation would give residents the tools to take back their neighbourhoods by reporting problem residences and businesses. It also holds property owners accountable for threatening or disturbing activities regularly taking place on their property. SCAN is designed to improve community safety by targeting and, if necessary, shutting down residential and commercial buildings and land which are habitually used for illegal activities such as producing, selling or using illegal drugs, as well as prostitution, solvent abuse or the unlawful sale and consumption of alcohol.

Our law enforcement agencies are seeing an increase in drug and prostitution-related criminal activity and our government needs to provide the legislation necessary to ensure residents feel safe within our neighbourhoods and communities. The Safer Communities and Neighbourhoods Act (SCAN) legislation sends a strong message, especially to drug dealers and criminals, that we do not support their activities.

The SCAN Act where it has been used shows that shutting down operations does make an impact. If the people engaged in the illegal activity move to another property, or even another community, they can be tracked and evicted again. Through this process, illegal operations are disrupted to the point they can no longer continue. This type of enforcement is not possible under any existing British Columbia law.

We need this legislation now, please let the B.C. Government know that you support this initiative.

--
Gerry Morden
Chairperson
Whalley Enhancement Association
13788-105a Ave
Surrey, BC
V3T 2B4
604-318-3196
weassociation@gmail.com

Maurine Karagianis, MLA
(Esquimalt-Metchosin)

Community Office
A5-100 Aldersmith Place,
Victoria, BC V9A 7M8
Phone: (250) 479 8326
Email: maurine.karagianis.mla@leg.bc.ca

Province of
British Columbia
Legislative Assembly

Maurine Karagianis, M.L.A.
(Esquimalt-Metchosin)

February 3, 2009

Agenda

Victoria Regional Transit Commission,
BC Transit
520 Gorge Road East
Victoria, BC V8W 2P3

Dear Commissioners:

I am writing to urge you to extend the proposed Bay Street Bus Route to include stops in Esquimalt. I understand that you are looking at two options for the route to and from Royal Jubilee Hospital.

Option one would run buses from Catherine Street along Esquimalt Road to the Dockyard Terminus – and that's the option my community supports. Option two would turn the bus around in Vic West, and completely miss out on the ridership from Esquimalt . It would leave those citizens without the service they deserve.

Esquimalt residents are among the most dedicated and frequent bus users on the South Island, as ridership on the downtown-bound routes 6 and 14 illustrates. My constituents want better bus service, and they're ready to use it.

Kind regards,

Maurine Karagianis

Maurine Karagianis, MLA
Esquimalt-Metchosin

cc Esquimalt Mayor Barb Desjardins and Council

Deborah Liske

From: Karagianis.MLA, Maurine [Maurine.Karagianis.MLA@leg.bc.ca]
Sent: February 3, 2009 4:03 PM
To: linda_moss@bctransit.com
Cc: Council
Subject: Bay Street Bus Route
Attachments: Bay Street Bus Route Feb 03.09.pdf

Please see attached letter from MLA Maurine Karagianis.

Regards *from the office of,*

Maurine Karagianis, MLA
Esquimalt-Metchosin Community Office,
A5-100 Aldersmith Place,
View Royal, BC
V9A 7M8
Phone: (250) 479 8326
maurine.karagianis.mla@leg.bc.ca
www.maurinekaragianis.ca

Esquimalt CHAMBER OF COMMERCE

1153 Esquimalt Rd., Box 36019, Esquimalt, B.C., V9A 7J5
(Telephone: 1-250-704-2525 - Fax: 1-250-380-6932)
(www.esquimaltchamber.com)
(email: info@esquimaltchamber.com)

February 20, 2009

RECEIVED
FEB 24 2009
CORPORATION OF THE
TOWNSHIP OF ESQUIMALT

Mr. Manuel Achadinha
President and CEO BC Transit
BC Transit Administrative Office
520 Gorge Road East
Victoria, British Columbia V8W 2P3

Dear Sir,

RE: Proposed Options to the Bay Street Crosstown Route

The Esquimalt Chamber of Commerce has reviewed the proposed options to the Bay Street Crosstown Route as described on your web site and at the February 16th open house. The Chamber strongly supports **Option 1** which extends the transit service to CFB Esquimalt.

This increased service is important to businesses in Esquimalt and the community as a whole. In our opinion stopping the service in Vic West, as set out in Option 2, does not address the significant growth taking place at CFB Esquimalt and the Victoria Shipyard; two of the regions largest employers.

Option 1, extending as far down Lyall Street into the Base as possible, would provide a significant alternative to private automobile use for many employees and residents and alleviate many associated problems.

Sincerely,

Dino P. Fiorin
President

Copies to - Victoria Regional Transit Commission
Mr. Ron Drolet, BC Transit
Mr. D. Ramsay, BC Transit
Mayor Barbara Desjardins, Esquimalt Council
Cdr. (N) Tim Howard, CFB Esquimalt

1153 Esquimalt Rd., Box 36019, Esquimalt, B.C., V9A 7J5
(Telephone: 1-250-704-2525 - Fax: 1-250-380-6932)
(www.esquimaltchamber.com)
(email: info@esquimaltchamber.com)

February 20, 2009

Honourable Kevin Falcon
Minister of Transportation and Infrastructure
PO Box 9055
Stn Prov Govt
Victoria, British Columbia
V8W 9E2

Dear Minister Falcon,

RE: Esquimalt Representative on the Victoria Regional Transit Commission (VRTC)

The Esquimalt Chamber of Commerce strongly supports Esquimalt Council's interest in having a seat on the VRTC at the earliest possible opportunity, as expressed by Council in a resolution at its Special Meeting of January 12, 2009.

Transit service is integral to the ongoing success and growth of business in Esquimalt and to our community as a whole. This is especially timely given the continued growth of Victoria Shipyards and its associated businesses as well as new developments at CFB Esquimalt; two of the largest employers in the region. We are also very interested in our community having a seat at the table for the discussion about rapid transit alternatives.

Esquimalt is a progressive and vital community and we appreciate your consideration of this matter. Our community and businesses continue to grow and would be well served by having a strong voice at the Transit Commission table.

Sincerely,

Dino P. Fiorin
President

Copies to - Jim Hester, Director of Transit, Ministry of Transportation
Mayor Barbara Desjardins, Esquimalt Council

BCTransit
Linking Communities, Businesses & Lifestyles

RECEIVED
FEB 17 2009
CORPORATION OF THE
TOWNSHIP OF ESQUIMALT

February 11, 2009

Agenda

Mayor Barbara Desjardins
District of Esquimalt
1229 Esquimalt Road
Esquimalt BC V9A 3P1

Dear Mayor Desjardins,

Thank you for your letter of support for improvements to the Victoria Regional Transit System and in particular advising of your Councils clear preference that the proposed Bay Street – Jubilee Health Centre route include the link to Dockyard.

I am advised by BC Transit staff that the initial public meeting of the newly re-formed Regional Transit Commission is expected within the next months. As one of the first items of business the Commission will be considering the overall level of services and associated budget and regional funding requirements for the coming year. This will be followed at a meeting this spring by the presentation of detailed service plans and Commission approvals of the changes for this summer and fall.

Your correspondence and this reply will be received by the Commission and I will speak to your Council and community support at that time.

Thank you again for the commitment to an enhanced regional transit system.

Mayor Chris Causton
Victoria Regional Transit Commission

Cc. Manuel Achadinha, President & CEO BC Transit
Steve New, VP & COO
Ron Drolet, VP, Planning & Business Development

Canadian
Association
of Home &
Property
Inspectors (BC)

RECEIVED
FEB 10 2009
CORPORATION OF THE
TOWNSHIP OF ESQUIMALT

February 6th, 2009

Mayor Barbara Desjardins and Members of Council
Township of Esquimalt
1229 Esquimalt Road
Victoria, BC V9A 3P1

Dear Mayor Desjardins and Members of Council:

On behalf of the Canadian Association of Home and Property Inspectors of British Columbia — CAHPI(BC) — I want to thank you for your municipality's efforts support high standards for those wishing to call themselves home and property inspectors in British Columbia.

I have attached our opinion piece that ran in *The Vancouver Sun* on February 5th which points out that it was only after more than 50 mayors and councils from across BC wrote the Premier asking for the highest home inspection standards that the BC government began to pay attention. The result was government action on January 30th to implement licensing of home inspectors in BC.

Information on this initiative can be found as follows:

- On the BC Government website at *www.gov.bc.ca/pssg/index.html* under the news release title "Licensing will strengthen quality of home inspections"; and,
- on the Business Practices and Consumer Protection Authority (BPCPA) website at *www.bpcpa.ca* under the "Home Inspectors" link.

In addition, as a result of municipal requests to see it again, I have also attached our revised document *how to spot the warning signs that a house may have been used as marijuana grow operation*. This one-pager was originally provided to your municipality after BC communities voiced concern about residential grow-ops in their neighbourhoods. I hope it will be of interest to you, and permission is given for its use on websites or in any way that will be of benefit to your community.

#5 - 3304 Appaloosa Road
Kelowna, British Columbia
Canada V1V 2W5
Tel: 1-800-610-5665
Outside BC: (250) 491-3979
Fax: 1-866-405-9232
Outside BC: (250) 491-2285
www.cahpi.bc.ca

Again, on behalf of the trained and qualified home inspectors of CAHPI(BC) in 178 BC communities, I thank you for your actions on behalf of high inspection standards.

We couldn't have done it without you.

Sincerely,

Owen Dickie, RHI, Lake Country
National Certificate Holder
President, CAHPI(BC)

On behalf of:

Vice President Chris Stockdale, RHI, Richmond
Treasurer Craig Hostland, RHI, NCH, Kelowna
Secretary Dan Brown, RHI, NCH, Chilliwack
Past President Bill Sutherland, RHI, NCH, Kamloops
Director Doug Brown, RHI, NCH, Blind Bay
Director Stephen Andrews, RHI, NCH, Prince George
Director Donald Ruggles, RHI, Victoria

Attachments

TONY HARPES/CNS

A thorough home inspection is recommended for everyone before buying a house, and requiring licences will help ensure inspectors are qualified.

B.C. sets the standard for Canada by licencing home inspectors

It took the government a long time to act, but now buyers are better protected

BY OWEN DICKIE AND BILL SUTHERLAND

It's been a long strange trip for British Columbia's trained and qualified home inspectors and the consumers who depend on them, but last week the B.C. government finally announced it will take action to license B.C.'s home inspectors.

What will it mean for B.C. consumers? Quite a lot, actually. But let's begin with what home inspectors actually do, and how it took Victoria seven years of procrastination, false starts, and foolish positions before it acted on behalf of consumers.

Home inspections began in the early 1970s as a direct response to the growing demand of homebuyers wanting to learn about the condition of a house before purchase. Since then, more and more people — along with an increasing number of lending institutions — have come to rely on a home inspection, because more information equals a more informed purchase decision, which equals fewer surprises.

A home inspection itself is a comprehensive visual examination of the home's overall structure, major systems, components, and property conditions. A properly trained home inspector will review your house as a system, looking at how one component of the house might affect the operability or lifespan of another. Components that are not performing properly are identified, as well as items that are beyond their useful life or are unsafe.

The idea, of course, is to minimize the risk to your investment, because no one wants to face serious unexpected costs shortly after a purchase.

It was back in 2002 that the Canadian Association of Home and Property Inspectors of British Columbia — CAHPI(BC) — asked the B.C. government to take action to ensure the highest standards for those seeking to call themselves home and property inspectors. Because in B.C., anyone with a business card could call themselves a home inspector.

At first, it was a lonely effort.

The B.C. government passed, saying it was busy cutting red tape. Then, under pressure, the government announced that prospective homebuyers in B.C. were covered by the Trade Practices Act and the Consumer Protection Act. But those Acts merely provided recourse after a purchase, not protection in advance of it. They offered nothing to consumers when they needed protection the most — when they were making the biggest spending decision of their lives and were seeking expert advice to aid them in making an informed decision. There were all kinds of excuses offered by the provincial government for not acting, and one by one, we exposed each excuse as sillier than the one before it. Progress was non-existent: In six years, five ministers carried the file.

But then, we reached out to the media for help. And to B.C.'s mayors and councils. And they stepped up for consumers in ways we never imagined.

The B.C. media launched exposes on untrained and unqualified home inspectors, *The Vancouver Sun* wrote editorials demanding high standards, and more than 50 mayors and councils from across B.C. wrote the premier asking for high inspection standards.

Last week, under Solicitor-General John van Dongen, the B.C. government finally responded, announcing that by March 31, all home inspectors in B.C. must meet the required qualifications of CAHPI(BC), the National Certification Program, or the Association of Applied Science Technologists. CAHPI(BC) members have carried Errors and Omissions and General Liability Insurance for years, and now, all home inspectors will have to do the same — if they are going to be licensed in this province.

With this single move, B.C. becomes the provincial leader in home and property inspection standards in this country. It took a long time, but ultimately, with government embracing our recommended approach, B.C. consumers are the real winners.

Owen Dickie is a registered home inspector in Lake Country, and is president of the Canadian Association of Home and Property Inspectors of British Columbia. Bill Sutherland, also an RHI and is from Kamloops, and is the past-president of CAHPI(BC).

Buying a home? Can you tell if it was a grow-op?

Some words of advice from the Canadian Association of Home and Property Inspectors of BC

It used to be that a grow-op in a town or neighbourhood was used until it was publicly unmasked or the house was destroyed. Now, illegal grow operators take a quick crop from a house, re-paint the interior to mask any obvious damage, then dump it on the market.

With an increasing percentage of real estate available for sale in BC having previously been used as marijuana grow-op sites, CAHPI(BC) wants you to know some of the warning signs:

- Holes or patches in the ceiling in unusual places, or a patch in the drywall close to electrical services.
- Painted-over staple marks, or evidence of plastics stapled to walls or ceilings.
- Disconnected toilet or dismantled furnace fresh air and exhaust ducts.
- Extraneous ductwork, or a pile of unused duct pipe.

These indicators do not mean a house must have been used as a grow op, but they do mean you need to *pay attention*, and ask questions because buying a home represents the single largest financial decision people are likely to make in their lives.

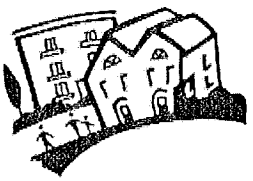
Consumers who seek professional and qualified advice to help make the decision to buy a home deserve to know that the individual they hire is trained and qualified. With more than 200 home and property inspectors in 178 communities across the province, CAHPI(BC) is the voice of home and property inspection industry in BC.

So if you think a house may have been used as a grow-op, don't take a chance, contact people who can help you make an informed choice:

In BC, contact CAHPI(BC) toll-free at **1-800-610-5665** or log on to **www.cahpi.bc.ca.**

CAHPI(BC) standards were recognized on January30th, 2009 when the Government of British Columbia announced CAHPI(BC) was one of three organizations whose required qualifications must be met in order for a home inspector to be licensed in BC.

CAHPI(BC) — The voice of BC's home inspection industry



BC Housing

Agenda

BC Housing
601 - 4555 Kingsway
Burnaby BC V5H 4V8
Phone: 604-439-4738
Fax: 604 439-4722
Web: www.bchousing.org

February 6, 2009

Attention: Mayors and Councillors

Re: Make rent more affordable for families in your communities

We would like to partner with you to help us reach out to low-income, working families in your community to help them better afford their rent. The Rental Assistance Program provides cash assistance for eligible families renting in the private market. For families who have a total household income of $35,000 or less, this assistance can make a significant difference in their ability to better afford rent, buy food, medicine and other necessities.

To qualify for the program, families must have a gross household income of $35,000 or less, have at least one dependent child, have lived in B.C. for the past 12 months and have spent part of last year or this year working.

Many families could be helped through your assistance. **Please help us spread the word about the Rental Assistance Program to eligible families by:**

- displaying free brochures, posters, and flyers on your bulletin boards and in public areas
- placing the information on your employee intranet, and in staff newsletters
- placing a link on your webpage to the Rental Assistance program website: https://www.bchousing.org/programs/RAP
- encouraging eligible families to call and apply at 604-433-2218, or 1-800-257-7756 outside the Lower Mainland

We appreciate your efforts to promote the Rental Assistance Program. If you have any suggestions for us about how to get the information out to families in your area, please do not hesitate to email us at communications@bchousing.org or to call us at 604-454-5443.

Sincerely,

Alicia Brady
Communications Officer
BC Housing

RECEIVED
FEB 06 2009
CORPORATION OF THE
TOWNSHIP OF ESQUIMALT

TO: Mayor and Council
Chair and Board

FROM: UBCM Presidents Committee

DATE: February 6, 2009

Agenda

RE: **Opportunity to Advance Civics in School Curriculum**

UNION OF
BRITISH
COLUMBIA
MUNICIPALITIES

Suite 60
10551 Shellbridge Way
Richmond
British Columbia
Canada V6X 2W9
604.270.8226
Fax 604.270.9116
ubcm@civicnet.bc.ca

At the December 2008 Presidents Committee meeting, members received a delegation from Anne Marie Goodfellow of the Law Courts Education Society of BC. She advised that the Society is assessing BC Social Studies curriculum for grades 7 through 12 to make recommendations for revisions in order to promote active citizenship among students when they graduate.

UBCM has always been an avid supporter of local government education. While previous efforts to promote greater public education about local government have met with limited success (ie. Local Government Awareness Program) we are encouraged the work that is presently underway by the Law Courts Education Society of BC. As noted, the Society is conducting the BC Law and Citizenship Curriculum Assessment Project in order to ensure that all students graduate from secondary school with the skills and knowledge necessary to be active citizens. The project is funded by The Law Foundation and supported by several BC government ministries. The following describes the initiative in further detail.

Project Goal
To promote active citizenship by ensuring that upon secondary school graduation students have a good understanding of Canadian legal structures, processes of the justice system, their legal rights and responsibilities, and an appreciation of the rule of law.

What is active citizenship?
Active citizenship is defined as citizens who understand the structure and operation of their political and justice systems, and actively participate in exercising their political, societal, and legal rights and responsibilities.

Why is this project necessary?
In 2007 the Ministry of Education conducted a grade 8-12 Social Studies Curriculum Needs Assessment and identified issues that need to be addressed concerning law and especially citizenship in the current curriculum.

The assessment included interviews with social studies experts; a literature review of current research in social studies education; reviews of curriculum in all 10 Canadian provinces; and questionnaires for educators, students, parents, and other stakeholders regarding curriculum content.

What are the issues?
The assessment found that:
"Fewer than a quarter (22%) of educators feel that students have ample opportunity in required social studies courses to practice active citizenship, and many feel that the curriculum does not adequately help students feel connected to Canadian politics or develop the attitudes and abilities to be active participants in democratic society." (p.4)

"Fewer than half of parents feel that adequate time and attention are devoted to developing students' citizenship skills or that students acquire a good grasp of how government works in our country from the social studies grades 8 to 11 curriculum." (p.4)

What is the curriculum assessment project team doing?
It has assembled an advisory committee comprised of members from: BC Ministry of Education, BC Ministry of Attorney General, BC Ministry of Community Services, BCTF, BC Social Studies Teachers' Association, BC Principals' and Vice-Principals' Association, Canadian Bar Association, Provincial Court of BC, BC Civil Liberties Association, Local Government Leadership Academy, and the District of West Vancouver.

Local governments may provide feedback to the suggested enhancements at the project website, www.bccitizenship.ca.

How can local governments support this work?
UBCM has indicated its support for this initiative (see attached letter) and individual local governments are encouraged to look at the website and provide their input as well. LGMA has also indicated its endorsement for the project.

As part of our support, UBCM has offered to develop a contact list of individuals within local governments that might be willing to act as a resource person for teachers who wish to have guest speakers on civics related topics, or take classes on field trips involving local government activities, such as council or board meetings.

If your local government is interested in participating please email your contact person to UBCM c/o Marie Crawford at: mcrawford@civicnet.bc.ca.

Thank you in advance for your support.

Att. (1)

910/40/Civics notice.doc

UNION OF
BRITISH
COLUMBIA
MUNICIPALITIES

Suite 60
10551 Shellbridge Way
Richmond
British Columbia
Canada V6X 2W9
604.270.8226
Fax 604.270.9116
Email: ubcm@civicnet.bc.ca

PRESIDENT
ROBERT HOBSON

EXECUTIVE DIRECTOR
GARY MACISAAC

January 14, 2009

Rick Craig, Executive Director
Law Courts Education Society of BC
260-800 Smithe Street
Vancouver, BC V6Z 2C5

Dear Mr. Craig:

Re: BC Law and Citizenship Curriculum Assessment Project

We have had the opportunity to review materials regarding the BC Law and Citizenship Curriculum Assessment Project that you are currently conducting, and also had the project manager, Anne Marie Goodfellow, give a brief presentation about the project to our UBCM Presidents' Committee.

The Union of BC Municipalities strongly supports the initiative you are undertaking to recommend that the BC Ministry of Education include more aspects of law and citizenship in the existing grades 7 through 12 Social Studies curriculum. We feel that it is important for students to become actively engaged in their communities through gaining a good understanding of the systems of law and governance in British Columbia and Canada.

We would also be happy to provide you with contacts within our organization that may be able to act as resource people for teachers who wish to have guest speakers on civics related topics or take their classes on fieldtrips involving municipal activities, for example council meetings.

Thank you for your commitment to enhancing the BC Social Studies curriculum in the areas of law and citizenship.

Sincerely,

Robert Hobson
UBCM President

UNION OF
BRITISH
COLUMBIA
MUNICIPALITIES

60-10551 SHELLBRIDGE WAY
RICHMOND, B.C. V6X 2W9
Ph (604) 270-8226 Fax (604) 270-9116
E-mail: ubcm@civicnet.bc.ca

Urgent Notice To Members

Re: Strategic Community Investment Funds

Please distribute to Chief Administrative Officer and Financial Officer

Council/Board action required by all local governments eligible for Small Community, Regional District, and/or Traffic Fine Revenue Sharing Grants by MARCH 13, 2009

The Province and UBCM have discussed a proposal to restructure key local government transfers to provide Strategic Community Investment Funds (SCI Funds) to eligible BC local governments. Details of the SCI Funds will be sent to all eligible local governments by the Ministry of Community Development, likely within the next few days.

This Notice to Members is provided in advance of those details in order to let members know about the nature of UBCM's discussions with the Province, to inform members of UBCM Executive support of the proposed SCI Funds, and to underscore the urgency of local government action in order to access these funds.

The need for restructured transfers

The Province and UBCM agreed that faster, strategic spending by BC communities can help to stimulate local economies, encourage growth, create local jobs and help offset the effects of the current economic downturn. Both also agreed that one way to achieve this objective would be to modify the timing of key local government transfers from the current annual installment approach, in order to provide greater certainty and earlier access to funding. In addition, both acknowledged that the Province will be challenged over the coming months to manage provincial spending priorities within the context of the current economic conditions and competing interests.

Consequently, the Province discussed with UBCM a proposal to deliver funding to local governments earlier than would be the case under the existing small community, regional district and traffic fine revenue sharing grant programs. The proposal is a temporary restructuring of these key local government transfer payments as SCI Funds aimed at stimulating growth and providing greater certainty to local governments.

Under the SCI Funds proposal, eligible local governments would sign a SCI Funds Agreement and commit to develop a plan and publicly report on SCI Funds. The proposal is subject to the approval of the required funding by the Legislative Assembly. The initial payment is included in the 2008/09 Supplementary Estimates, tabled in the Legislative Assembly last week. If the Legislative Assembly approves the Supplementary Estimates, the Ministry of Community Development will implement the proposal.

UBCM Executive Support

UBCM Executive considered the proposal and agreed to endorse it. In doing so, Executive considered both the certainty that the proposal provides with respect to transfer payments and the requirement for local governments to plan and report on the funding, to sign an Agreement for the funding, and to do so in extremely tight timeframes. While Executive is not ordinarily supportive of imposing requirements on transfers that have previously been unconditional, and acknowledges that these requirements may be seen as irritants by some local governments, it felt it had few options but to agree to the proposal. On balance, Executive felt the certainty provided by the proposal outweighed the additional requirements, particularly given the current economic and fiscal situation.

The Executive believes that the current economic downturn presents a real risk to local government transfer programs, at least over the short term. As a result, the Executive supported the funding commitment that the SCI Funds represents, believing it to be in the best interests of local governments, and then worked with the Province to ensure the requirements were as streamlined as possible.

Proposed SCI Funds payments

Under the SCI Funds proposal, eligible local governments would receive three payments, between March, 2009 and July, 2010, which equal, in total, their allocations under the small community, regional district and traffic fine revenue sharing programs for the 2009/10 and 2010/11 fiscal years, but with a higher proportion of funds delivered to the local government earlier than would otherwise be the case.

To be clear, the SCI Funds do not represent additional local government funding. They are, instead, a temporary restructuring of key transfer payments aimed at stimulating growth and providing greater certainty to local governments. The basis for these grant payments and the overall amount transferred to local governments under the Local Government Grants Act's Regulation will not change. The final year of the Province's four-year doubling of small community grants will continue to be implemented and will be included in the SCI Funds package.

Requirements related to the SCI Funds

SCI Funds will be delivered quickly, with only two strings attached. Local governments will need to "sign-up" for the funds, by signing a SCI Funds Agreement with the Province, and they will need to agree to plan for the funds and publicly report on their use and the results achieved. The SCI Funds Agreement will broadly state the purpose of the funds (i.e., for local government services; to defray the cost of local police enforcement), and will set out the planning and reporting requirements.

UBCM has worked with the Province in developing the SCI Funds Agreement and in determining how best to achieve our mutually held interests in maintaining local government autonomy and minimizing the administrative burden associated with the planning and reporting requirements.

Local governments will need to develop a plan that sets out the intended uses and performance targets for the SCI Funds. For reporting, local governments will need to publicly report on the plan and progress made toward achieving the performance targets. The timing of the SCI report coincides with legislated annual reporting requirements. Therefore, municipalities may choose to include the SCI Funds reporting in their annual report and regional districts may choose to include the SCI Funds reporting along with their annual reporting on regional district finances.

Alternatively, local government could prepare a separate SCI Funds plan and report and present it publicly before June 30 in 2010 and 2011. A template "SCI Funds Plan and Progress Report" was jointly developed by UBCM and the Province, and is attached for your information. While local governments are not required to use that template, it was developed in order to provide some guidance for what the report could contain, and to facilitate a streamlined process for reporting to the public.

Signing a SCI Funds Agreement

Subject to approval of the Legislative Assembly, the first SCI Funds payment is expected to be delivered before March 31, 2009, to all eligible local governments signing a SCI Funds Agreement by March 13, 2009.

Consequently, UBCM strongly recommends that those local governments currently eligible for small community, regional district or traffic fine revenue sharing grants consider the SCI Funds Agreement at their next Council or Board meeting and, if Council/Board resolves to enter into the Agreement, to ensure that it is signed and delivered to the Ministry of Community Development prior to March 13, 2009.

Given the extremely short time frames to submit a signed SCI Funds Agreement, UBCM encourages Chief Administrative Officers for all eligible local governments to place an agenda item on their next Council or Board agenda in anticipation of receipt of applicable documentation from the Ministry of Community Development. If a Council or Board meeting is not scheduled prior to March 13, please give us a call to let us know the date of the next scheduled meeting. It may be possible for those local governments to submit their signed SCI Funds Agreement after the March 13, 2009 deadline date and still received funding prior to March 31, 2009.

Contact information

Brenda Gibson,
General Manager,
Victoria Operations
UBCM
250 356-0862
bgibson@civicnet.bc.ca

Jennifer Richardson,
Policy Analyst, Infrastructure & Finance Division
Ministry of Community Development
250 356-9609
Jennifer.Richardson@gov.bc.ca

Strategic Community Investment Funds Plan and Progress Report

(1) SCI Funds received or anticipated: *Payments under the small community, regional district and traffic fine revenue sharing portions of the Strategic Community Investment Funds (SCI Funds) will be set out separately in the local government's SCI Funds Agreement.*

Strategic Community Investment Funds	Use	Date	Amount
SC grants	local government services	March 2009	
		July 2009	
		July 2010	
RD grants	local government services	March 2009	
		July 2009	
		July 2010	
TFRS grants	Defray the cost of local police enforcement	March 2009	
		July 2009	
		July 2010	

(2) SCI Funds intended use, performance targets and progress made:

Small Community or Regional District Portion of the SCI Funds

Intended Use	Performance Targets	Progress made in first reporting period (by June 30, 2010)	Progress made in second reporting period (by June 30, 2011)
State at least one intended use for the small community or regional district portion of the SCI Funds. If more than one use has been identified, each would be set out separately (use additional lines, if needed).	*State at least one performance target for each intended use.*	*Describe how the local government has moved towards this performance target since the funds were received.*	*Describe how the local government has moved towards this performance target since the last report.*

Traffic Fine Revenue Sharing Portion of the SCI Funds

Intended Use	Performance Targets	Progress made to first reporting period (by June 30, 2010)	Progress made in second reporting period (by June 30, 2011)
State at lease one intended use for the traffic fine revenue sharing portion of the SCI Funds. If more than one use has been identified, each would be set out separately (use additional lines, if needed).	*State at least one performance target for each intended use.*	*Describe how the local government has moved towards this performance target since the funds were received.*	*Describe how the local government has moved towards this performance target since the last report.*

(3) Report Date: _____

First report must be by to June 30, 2010, and second report must be by to June 30, 2011.

Tips for filling out the Strategic Community Investment Funds Plan and Progress Report

- Use of this template to report on SCI Funds is not required. It is provided for convenience only, and local governments may choose to report using the template, or using some other format.
- SCI Funds received or anticipated can be obtained directly from the SCI Agreement.
- SCI Funds must be used for the purposes set out in the SCI Funds Agreement, which are: the small community and regional district portions must be used for local government services; and the traffic fine revenue sharing portion must be used to defray the cost of local police enforcement. Intended uses may be derived from the line items in financial plans, or may be stated more specifically.
- The report must state one or more performance targets relating to each of the intended uses. These performance targets should facilitate measuring or determining progress made with the Funds.
- Progress reporting may be stated quite broadly, or more specifically, and the information that is presented may be quantitative or qualitative.
- The following are some **examples** of intended uses, performance targets and progress information.

Small Community or Regional District Portion of the SCI Funds

Intended Use	Performance Targets	Progress made to first reporting period (by June 30, 2010)	Progress made in second reporting period (by June 30, 2011)
Use funding to support regional district administration, other than EA administration.	100% of the RD SCI Funds are used to support RD administration over the term of the SCI Agreement.	o 60% of the RD SCI Funds received to date were used to maintain RD administration services levels at those of previous years. o The remaining RD SCI funds were put aside in a reserve account and will be used for this purpose next year.	100% of the SCI Funds were used towards regional district administration services.
Use funding to support local government services to avoid tax rate increases.	Minimize tax rate increases.	Tax rates remained consistent with prior year.	Moderate tax rate increases were needed due to general economic circumstances, although these were less than would be needed without SC SCI funds.
Use funding to support actions to reduce corporate emissions.	o Hire consultant to complete fleet emissions strategy by August, 2009. o Replace furnace in municipal hall with a one that reduces energy consumption by 20%.	o Consultant engaged in July, 2009. Fleet emission strategy completed in December, 2009. o Issued tender documents for furnace replacement in March, 2010.	o Target met as of last report. o Furnace installed September, 2010. Energy consumption since installation is down 15% from previous year.

Traffic Fine Revenue Sharing Portion of the SCI Funds

Intended Use	Performance Targets	Progress made to first reporting period (by June 30, 2010)	Progress made in second reporting period (by June 30, 2011)
Use funding to support police enforcement.	100% of Funds are used to support police enforcement over the term of the SCI Agreement.	o 30% of the TFRS SCI Funds received were used towards the police operating budget. o 30% of the TFRS SCI Funds were used towards purchase of 4 police cars. o The remaining TFRS SCI Funds were put aside in a reserve account for police operations next year.	o 100% of the TFRS SCI Funds were directed to the police operating budget, 70% for operations and 30% for capital.
Use funding to reduce property crime.	o 20 fewer household break-ins per year. o By December 2010, deliver a public education program on crime proofing vehicles.	o Neighbourhood watch program instituted. o Workshop developed for use of community groups.	o 15 fewer break-ins in neighbourhood watch areas. o delivered 8 workshops between November, 2010 and May, 2011.

MEMORANDUM

To: All Financial Officers

From: UBCM

Date: February 25, 2009

Re: Strategic Community Investment Funds

A number of local government Financial Officers have contacted us to ask questions about the SCI Funds communication we sent yesterday. This will serve to clarify a couple of points that have been raised during those conversions.

What happens if we choose not to sign a SCI Funds Agreement? Will we still receive our small community, regional district and traffic fine revenue sharing grants?

The funding for the first of the three SCI Funds payments is now included in the Province's 2008/09 Budget and the funding for the next two payments are included in Province's 2009/10 and 2010/11 Budgets.

The only way to access these funds is to sign an SCI Agreement and the reason there is urgency in signing the SCI Funds Agreement is that funding set aside in this year's budget must be delivered by the Province prior to March 31, 2009.

This year's funding cannot be carried over to the next fiscal year, and therefore will not be available to pay small community, regional district or traffic fine revenue sharing grants for those local governments not wanting to participate in the SCI Funds program.

Therefore, in order to receive grant funding under these programs, local governments must sign a SCI Funds Agreement.

What happens after the last payment of the SCI Funds? Will there be further payments in relation to small community, regional district and traffic fine revenue sharing programs?

The third year of the Province's Fiscal Plan (i.e., 2011/12) tabled in the Legislature last week includes funding for small community, regional district and traffic fine revenue sharing programs. Consequently, UBCM fully expects that payments under these programs would resume for the 2011/12 and future fiscal years.