



## CORPORATION OF THE TOWNSHIP OF ESQUIMALT

### **A G E N D A** **REGULAR MEETING OF COUNCIL**

Monday, April 20, 2009  
7:00 p.m.  
Esquimalt Council Chambers

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1. **CALL TO ORDER**

2. **LATE ITEMS**

3. **APPROVAL OF THE AGENDA**

4. **PRESENTATION**

- (1) Paul Servos and Don Prittie, Greater Victoria Harbour Authority

5. **MINUTES**

- (1) Minutes of the Regular Meeting of Council, April 6, 2009 Pg. 1 – 10

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

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

7. **DELEGATION**

- (1) Kim Bellefontaine, Sewage Treatment Action Group, Re: Resident Concerns with Community Engagement on Sewage Treatment Planning Pg. 11

8. **UNFINISHED BUSINESS**

- (1) From the Regular Committee of the Whole Meeting, April 14, 2009
- (a) 2009 – 2011 Draft Strategic Plan Pg. 12 – 31  
*[For adoption]*

9. **STAFF REPORTS**

*Administration*

- (1) Failure to File Campaign Financing Disclosure Statement, Staff Report No. ADM-09-022 Pg. 32 -33

*Engineering and Public Works*

- (2) Contract Award – Craigflower Road Corridor Upgrades Phase 1, Staff Report No. EPW-09-023 Pg. 34 – 37

*Parks and Recreation*

- (3) Parks and Recreation Customer Service Improvement; Staff Report No. P&R-09-016 Pg. 38
- (4) Esquimalt Food Services Review, Staff Report No. P&R-09-017 Pg. 39 – 40

*Police Services*

- (5) Public Awareness of Business Practice, Verbal Report from Inspector Les Sylven

*Finance*

- (6) Request for 2008 Property Tax Penalty Reversal, Staff Report No. FIN-09-008 Pg. 40 a – 40 g

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

- (1) Report from Councillor Garrison, Re: Proposed Crosstown Bus Route Pg. 41 – 42

**11. REPORTS FROM COMMITTEES**

- (1) Committee of the Whole Report, April 14, 2009 Pg. 43 – 44  
*[Motion to approve the recommendations]*

**12. COMMUNICATIONS**

- (1) Letter from Mayor Derek Corrigan, City of Burnaby, dated March 24, 2009, Re: Six Storey Wood-Frame Residential Buildings Pg. 45 – 56
- (2) Letter from the Capital Regional District Environmental Services, dated April 2, 2009, Re: Climate Action Steering Committee and Working Group – Capital Regional District Pg. 57 – 61
- (3) Email from Kris Terauds, dated April 3, 2009, Re: Performance Paddlers Oppose Mega Yacht Marina Proposal in Victoria Harbour Pg. 62 – 69
- (4) Letter from the Esquimalt Buccaneer Days Committee, dated April 9, 2009, Re: 2009 Buccaneer Days Committee Appointments Pg. 70
- (5) Letter from Premier Gordon Campbell and Minister Mary Polak, received April 14, 2009, Re: GamesTown 2010 Contest Pg. 71 – 74
- (6) Letter from Encorp Pacific Canada, dated April 2009, Re: Ne Print Material for the Return-It Milk Program Pg. 75

**13. PUBLIC QUESTION AND COMMENT PERIOD**

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

**14. MOTION TO GO IN CAMERA**

- (1) Motion to go *In Camera* pursuant to Section 90 of the *Community Charter* to discuss the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality; negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonable be expected to harm the interests of the municipality if they were held in public; the

consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party , pursuant to Section 90 (1) (e) and (k) and 90 (2) (b) and that the general public be excluded.

**15. ADJOURNMENT**



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES  
REGULAR MEETING  
OF MUNICIPAL COUNCIL  
MONDAY, APRIL 6, 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:**

G. Coté, Director of Engineering and Public Works (Acting Chief Administrative Officer)  
L. Randle, Manager of Corporate Services  
B. Snyder, Director of Development Services (departed at 9:56 p.m.)  
A. Katschor, Acting Director of Parks and Recreation (departed at 10:18 p.m.)  
J. Byron, Manager of Recreation (departed at 10:18 p.m.)

1. **CALL TO ORDER**

Mayor Desjardins called the meeting to order at 7:05 p.m.

2. **LATE ITEMS**

There were no late items.

3. **APPROVAL OF THE AGENDA**

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

4. **MINUTES**

(1) **Minutes of the Regular Meeting of Council, March 16, 2009**

Moved by Councillor Garrison, seconded by Councillor Hundleby that the Minutes of the Regular Meeting of Council, March 16, 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.*

6. **DELEGATION**

(1) Terry Prentice and Rod Lavergne, Re: Required Need to Amend Zoning Bylaw

Mr. Prentice and Mr. Lavergne distributed a handout titled "Report on Secondary Suites in Esquimalt" and read a prepared statement on the matter. The statement included suggestions about how secondary suites in Esquimalt should be managed.

Council asked that staff prepare a report on the delegation's report and present it at a Committee of the Whole meeting and invite Mr. Prentice and Mr. Lavergne to be present.

Councillor Garrison declared a conflict of interest and left Council chambers at 7:16 p.m. due to the fact that he presently resides as a tenant in a building which contains an illegal secondary suite.

Moved by Councillor Gaul, seconded by Councillor Linge that staff not pursue enforcement of the Zoning Bylaw respecting secondary suites in the single family residential zone until the secondary suite issue review is complete.

The motion **CARRIED**.

Councillor Garrison returned to Council chambers at 7:20 p.m.

7.

## PUBLIC CONSULTATION ON 2009 – 2011 DRAFT STRATEGIC PLAN

Mayor Desjardins noted that on page 6 of the Draft Strategic Plan the following action has been added:

Ensure policing services are affordable for Esquimalt.

Mayor Desjardins invited comments from the public regarding the Draft Strategic Plan.

- Muriel Dunn 1193 Old Esquimalt Road, stated that page 4 of the Plan contains a contradiction respecting the Archie Browning Sports Centre. She asked if there are still plans for a new arena. The Mayor explained the importance of long-term planning which considers all options regarding the communities' future.
- Rod Lavergne 485 Fraser Street, says that Esquimalt is not a bit tourist destination and asks why we are applying for tourism grants. He stated that nobody reads consultant reports.
- Dale Wood 1174 Greenwood Avenue, stated he does not want to see the Archie Browning Sports Centre or its parking lot removed. He urges Council to not spend \$300,000 on a consultant's report but would like to see an objective in the Strategic Plan that includes and assessment of the Sports Centre.

Mr. Wood said that the forced amalgamation of the Esquimalt and Victoria Police was deemed to be illegal by the Township's legal counsel. He says the Township should get another legal opinion on whether the Township would likely be successful if the amalgamation was challenged in court.

He would also like to see long-term, sustainable economic growth included in the Strategic Plan.

- Lorne Newson 315 Plaskett Place, says he spent almost 40 years in policing and asks why Esquimalt contracts police services to another municipality. He suggested that an Esquimalt Police Department should be established or if that is not feasible, then Esquimalt should ask the Solicitor General for an RCMP detachment or contract with Saanich for police services.

Moved by Councillor Brame, seconded by Councillor Garrison that the written submissions received from Marvin Ringham and Benthe Jansen-Jones regarding the Strategic Plan be received.

The motion **CARRIED**.

8. **PUBLIC HEARING – ZONING BYLAW AMENDMENT [NO. 183] 2009,  
NO. 2704, 1191 MUNRO STREET**

Mayor Desjardins read an opening statement respecting the purpose and procedures for the public hearing.

The Director of Development Services summarized the application.

The applicant, Donna Humphries of 1124 Highrock Avenue and her sister, Jill McLean of 1320 Grant Avenue spoke on behalf of the property owner, Ian Humphries. A prepared statement was read aloud. Some issues noted were that infill housing has been created in other parts of Esquimalt and in the neighbourhood, the applicant is not a developer, renovation of the existing structure is not feasible and it will be demolished regardless of the outcome of the re-zoning application.

Four development options for the property were presented. Ms. Humphries stated that change will happen at 1191 Munro Street and that the creation of two lots will result in less lot coverage than if the existing lot remains as one parcel.

Mayor Desjardins invited input from the public.

- Richard Fisher 678 Fernhill Road, was given permission in writing by Valerie Nathan and Edris Seale to speak on their behalf. Mr. Fisher read a statement prepared by Ms. Nathan and Ms. Seale. It summarized the history of the lot. Other points made included a statement that the rezoning would not be fair to neighbours, acknowledgment of a 79-signature petition against the rezoning and that the only benefit would be for the owner's financial benefit.

Some photos and diagrams of the property and adjacent properties were displayed. The statement also claimed the overall impact of the rezoning, if approved, will be negative, it will devalue Ms. Nathan's and Ms. Seale's property and erode their quality of life. Council was reminded that in November, 2008 the Advisory Planning Commission did not support the application.

- Lorne Newson 315 Plaskett Place, says the previous written statement was full of inaccuracies. The petition has 7 statements at the top and he wonders if those who signed it really agree with them all. He asked Council to look at the signatures and addresses on the petition and that some of them live on panhandle lots. He suggested that a number of the signatures are questionable as some of the people on the petition live far from 1191 Munro Street.
- Wayne Weber 1174 Hadfield Avenue, would like to see the current owners develop the property rather than have them sell it to a developer. He expressed concern that townhouses could be built on the property and stated that he is opposed to the zoning bylaw amendment.

- Colleen Mathews 1195 Munro Street, says she went door to door with Edris Seale to get the petition signed. She concluded by saying that if the zoning bylaw amendment is approved it will ruin the neighbourhood.
- Beth Burton-Krahn 1101 Hadfield Avenue, is opposed to panhandle lots generally.
- Fil Ferri 1162 Hadfield Avenue, says he is opposed to the proposed panhandle lot because it will ruin the privacy of adjacent lots. He also states that if the lot is subdivided there will be little control over what gets constructed. Large lots are nice and he would like it to remain one lot.
- Terry Prentice 1297 Rockcrest Avenue, was on Council when the subdivision of the property was approved in 1993. He says the Advisory Planning Commission did not fully understand the application. He says the property is not in a comprehensive development zone. Staff has told Council that the application is in compliance with Zoning Bylaw requirements and therefore, the application should not have even gone to the Advisory Planning Commission – it's purely a Council decision whether to approve the zoning amendment.
- Penny Campbell, 329 Plaskett Place, supports the panhandle based on its own merits. She says it would be a good Council decision to approve the zoning amendment.
- Andrew Holenchuk 69 Fernhill Road, questioned the value of the petition and knows some who signed it live on panhandle lots. He says that this panhandle lot would suit the neighbourhood.
- Ian Black 461 Grafton, says this property has no impact on his view. However, Saxe Point Park is a rare and special place and we should not put any more pressure on this natural area. He is opposed to the proposed Zoning Bylaw amendment.
- Muriel Dunn 1193 Old Esquimalt Road, pointed out that people don't own or buy the view.
- Dale Wood 1174 Greenwood Avenue, spoke against the proposal. The problem with the proposal is that it would give carte blanche to the developer. Whatever happens on this property will impact Saxe Point Park. He thinks an alternative to the proposed panhandle could be found. He thinks one alternative worthy of consideration would be to create strata lots on the property.
- Christina Gustafson 1175 Munro Street, says she signed the petition and knew exactly what she was signing. Panhandle lots are odd and should generally not be allowed. It won't enhance or improve the community. She further stated that just because panhandle lots were allowed in the past doesn't mean that they should be allowed now.



Mayor Desjardins provided a final opportunity to receive input from the public. No further input from the public was received.

The Mayor adjourned the public hearing at 8:57 p.m.

The Mayor called a short recess at 8:57 p.m.

The Mayor reconvened the meeting at 9:08 p.m.

## **9. HEARING**

At 9:08 p.m. the Mayor opened the hearing for the proposed Development Permit with Variances for 1405 Esquimalt Road.

Mr. Michael Levin, Architect, gave a presentation on the proposal.

Mayor Desjardins invited public input on the proposal.

- Kathy Vansickle 506 Grafton Street, is concerned about the driveway to the building and wants to see repairs completed such as backfilling into the major undercut adjacent to the building in which she lives.

Mayor Desjardins invited public input for a second time.

- Mr. Levin noted that 6 units could be converted to disabled units and that the proposed roof terrace would exceed the amount of open space required for this development.
- Mary Hall 506 Grafton Street, says she is reluctant to see the building go up. Dust and blasting problems are associated with the construction at this site. The original developer should fulfill the promise to clean up the inside and outside of the building at 506 Grafton.
- Emy Labonte 873 Dunsmuir Road, says she understands that dust can be a major problem. She suggested that perhaps the developer could take measures to reduce dust for nearby residents.

Mayor Desjardins invited public input for a third and final time. No further input from the public was received.

The Mayor adjourned the hearing at 9:20 p.m.

## **10. PUBLIC HEARING / HEARING STAFF REPORTS**

- (1) Rezoning Application, 1191 Munro Street, [Lot AM 5, Section 11, Esquimalt District, Plan 5391], Staff Report No. DEV-09-019

Moved by Councillor Linge, seconded by Councillor Hundleby 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 third reading and adoption.

The motion **CARRIED**.

The motion was opposed by Mayor Desjardins and Councillors Gaul and McIlldoon.

- (2) Development Permit with Variances, 1405 Esquimalt Road [Lot 1, Suburban Lot 26, Esquimalt District, Plan VIP73731] Staff Report No. DEV-09-018

Moved by Councillor Linge, seconded by Councillor Hundleby the application for a Development Permit, limiting the form and character of development to that shown on architectural and landscape plans prepared by Praxis Architects Inc., stamped "Received January 15, 2009", and including the following variances to Zoning Bylaw No. 2050 and Parking Bylaw No. 2011, be **approved, issued and registered** on the title of Lot 1, Suburban Lot 26, Esquimalt District, Plan VIP73731 [1405 Esquimalt Road].

The motion **CARRIED**.

The Director of Development Services departed at 9:56 p.m.

## 11. UNFINISHED BUSINESS

- (1) From the Regular Council Meeting, February 2, 2009
- (a) Development of Freeman Ken Hill Park
- Freeman Ken Hill Park, Staff Report No. P&R-09-013

Moved by Councillor Linge, seconded by Councillor Brame that staff bring back a report to Council for use of the park identifying the pros and cons of proceeding with phased in development.

The motion **CARRIED**.

- (2) From the Regular Council Meeting, March 16, 2009
- (b) 2009 – 2011 Strategic Plan

Moved by Councillor Linge, seconded by Councillor that the draft 2009 – 2011 Strategic Plan be brought back to the next Committee of the Whole meeting for further consideration.

The motion **CARRIED**.

## 12. STAFF REPORTS

### *Administration*

- (1) Failure to File Campaign Financing Disclosure Statement, Staff Report No. ADM-09-020

Moved by Councillor Hundleby, seconded by Councillor Brame that Staff Report No. ADM-09-020 titled Failure to File Campaign Financing Disclosure Statement be received.  
The motion **CARRIED**.

*Engineering and Public Works*

- (2) Craigflower Road Phase 2 – Engineering Consultant Selection, Staff Report No. EPW-09-020

At 10:08 p.m. Mayor Desjardins declared a conflict of interest due to her husband's business interest and left the meeting. Councillor Linge took over as Chairperson in the Mayor's absence.

Moved by Councillor Garrison, seconded by Councillor Hundleby that Council approves retaining Focus Corporation for engineering services related to the Craigflower Road Corridor Upgrade Phase 2 project. The contract includes detailed design, services during tendering and construction inspections for the sum of \$314,620 including GST.  
The motion **CARRIED**.

At 10:10 Mayor Desjardins returned to the meeting and resumed her role as Chairperson.

*Parks and Recreation*

- (3) Naming of Former Concession Building in Esquimalt Gorge Park; Staff Report No. P&R-09-014

Moved by Councillor Hundleby, seconded by Councillor Garrison that a decision on approving the naming of the former concession building in Esquimalt Gorge Park be postponed and that staff communicate with the SeaChange Society to see what alternative names they may wish to propose.  
The motion **CARRIED**.

- (4) Olympic Torch Relay, Staff Report No. P&R-09-015

Moved by Councillor Linge, seconded by Councillor Gaul that Council appoint a community based select committee to plan festivities for the Olympic Torch Relay occurring October 30, 2009, including the appointment of at least one member of Council.  
The motion **CARRIED**.

At 10:18 p.m. the Acting Director of Parks and Recreation and the Manager of Recreation departed.

**13.**

**MAYOR'S AND COUNCILLORS' REPORTS**

- (1) Report from Mayor Desjardins, Activities for January – March
- (2) Verbal Report from Councillor Gaul, Activities for December 2008 – March 2009

- (3) Report from Councillor Brame, Activities for December 2008 – March 2009
- (4) Report from Councillor Garrison, External Activities on Behalf of Esquimalt

Moved by Councillor Hundleby, seconded by Councillor Garrison that items 1, 3 and 4 be received.  
The motion **CARRIED**.

Councillors Gaul, Hundleby and McIlldoon gave verbal reports on their Council-related activities.

#### **14. REPORTS FROM COMMITTEES**

- (1) Draft minutes of the Parks and Recreation Advisory Committee meeting, March 12, 2009
- (2) Draft minutes of the Advisory Planning Commission meeting, March 17, 2009
- (3) Draft minutes of the Environmental Advisory Committee meeting, March 19, 2009

Moved by Councillor Hundleby, seconded by Councillor Garrison that the draft minutes from the Parks and Recreation Advisory Committee meeting held March 12, 2009, the Advisory Planning Commission meeting held March 17, 2009 and the Environmental Advisory Committee meeting, held March 19, 2009 be received.  
The motion **CARRIED**.

#### **15. COMMUNICATIONS**

- (1) Letter from the Greater Victoria Public Library Board, dated March 13, 2009, Re: Greater Victoria Public Library Facilities Plan

Moved by Councillor Garrison, seconded by Councillor Gaul that Councillor Gaul and the Chief Administrative Officer meet with the Greater Victoria Public Library Board about their facilities plan.  
The motion **CARRIED**.

- (2) Letter from the UBCM Secretariat, dated March 16, 2009, Re: Proposed Indigenous Recognition Act

Moved by Councillor Garrison, seconded by Councillor Hundleby the letter from the UBCM Secretariat, dated March 16, 2009, Re: Proposed Indigenous Recognition Act be received.  
The motion **CARRIED**.

- (3) Letter from Minister Kevin Krueger, Ministry of Community

Development, dated March 20, 2009, Re: Towns of Tomorrow and LocalMotion Grant Funding

Moved by Councillor Garrison, seconded by Councillor Brame that the letter from Minister Kevin Krueger Re: Towns of Tomorrow and LocalMotion Grant Funding be received.  
The motion **CARRIED**.

**16. PUBLIC QUESTION AND COMMENT PERIOD**

➤ Terry Prentice 1297 Rockcrest Avenue, is concerned about rumours from the Fire Department and urged Council to investigate and then rise and report their findings to the public.

Rod Lavergne 45 Fraser Street, asked how much the municipality is paying per foot for signage replacement. He suggested that the logo on signs be made large enough for visually impaired people to see. He urged Council to purchase the 1191 Munro Street property.

**17. ADJOURNMENT**

Moved by Councillor Brame, seconded by Councillor Hundleby that the meeting be adjourned at 10:35 p.m.  
The motion **CARRIED**.

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

CERTIFIED CORRECT

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LARRY RANDLE  
CORPORATE OFFICER



# Corporation of the Township of Esquimalt

Municipal Hall, 1229 Esquimalt Road, Esquimalt, B.C., V9A 3P1 Phone: (250) 414-7100  
Website: [www.esquimalt.ca](http://www.esquimalt.ca) Email: [info@esquimalt.ca](mailto: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: April 20, 2009

NAME: Kim Bellefontaine

ORGANIZATION: Sewage Treatment Action Group

ADDRESS: \_\_\_\_\_  
Victoria BC

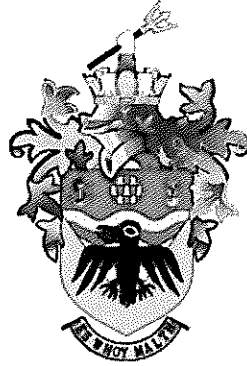
TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

REASONS FOR APPEARING: To present:

Resident Concerns with Community  
Engagement on Sewage Treatment Planning

April 16 / 09  
Date

Kim Bellefontaine  
Signature



**Corporation of the  
Township of Esquimalt**

**2009 - 2011 Strategic Plan  
(DRAFT)**

Focussing on community priorities, the Township of  
Esquimalt provides quality municipal services  
through open and innovative leadership



## MESSAGE FROM MAYOR AND COUNCIL

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Community input received during Esquimalt's local government election process in November of 2008 emphasized the social aspect of our community in the context of economic strength and environmental responsibility: the three principles of sustainability.

Immediately following the election, Council worked to identify its priorities for the community for 2009 and beyond. Council emphasized the social and cultural issues facing the community: for example, retaining an ice skating facility and curling opportunities for Esquimalt residents; and addressing social issues burgeoning from changing societal expectation, future density increases and transforming demographics.



Council recognized that the cost of strengthening "community" requires economic growth. Growth will both help finance local government services and generate the economics necessary to enable a broader range of goods and services to be provided by the private sector.

Council also recognized that the community will undergo dramatic changes and the economy will not continue to flourish if we do not protect our environment. Council will therefore support climate action initiatives while at the same time take steps within our municipality to improve the environment.

While Council's initiatives are listed under individual principles of sustainability, many initiatives overlap and work towards achieving more than a single sustainability objective. Indeed, transportation initiatives are an excellent example of a single action impacting all three objectives. Transportation initiatives are therefore listed separately.

Council intends to review the actions within its strategic plan on a regular basis. The review will involve assessing progress, affirming or amending priorities and updating the plan as necessary.

Respectfully,

Mayor and Council  
Corporation of the Township of Esquimalt





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The Township of Esquimalt's community vision, mission statement, organizational values, and commitment to sustainability principles provide the context for this strategic plan. These tools will guide Council and staff within the Township of Esquimalt in their daily work and in the achievement of strategic goals and objectives. They will also be used to gauge the success of initiatives outlined in this strategic plan.

## VISION

Esquimalt is a diverse community, a desirable place to live, and an integral member of a larger region.

We encourage meaningful community participation and consultation to provide open and responsible decision-making. We enhance responsible economic opportunities and embrace sports, recreation, the arts, and the west coast lifestyle.

As we achieve the vision, we enhance our quality of life, enjoy health and safety, build upon our cultural heritage, revitalize our community, protect our natural environment, and foster our diversity.

## MISSION STATEMENT

Focussing on community priorities, the Township of Esquimalt provides quality municipal services through open and innovative leadership.





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## **ORGANIZATIONAL VALUES**

The following organizational values will guide Council and staff as they work towards achieving strategic goals and realizing Esquimalt's community vision:

**Openness** – We are open and transparent with our information, process, and communication to our customers, community, the public, and one another, except where clearly prohibited.

**Fiscal and Performance Accountability** – We are accountable to our community, the Municipality, and our work teams for the work we do and taxpayer's money we spend. We do this through long term planning, setting measurable performance goals, performance reviews, and regular feedback about our work to our leaders, community, and customers. We value hard work and achievement of organizational goals.

**Team Work** – We work as members of teams, understanding that individuals, divisions, and departments that work together achieve high quality results and provide exceptional service.

**Respect** – As public servants we treat all residents, customers, co-workers, and viewpoints with the respect that we would have accorded to ourselves.

**Customer Service** – We are in the business of providing exceptional service to our community, customers, and co-workers.

**Integrity and Trust** – We say what we mean and mean what we say. We honour our work and keep our commitments. We are worthy of the public's and each other's trust.

**Innovation and Creativity** – We strive for excellence as individuals and team members, and in the services that we provide to our community. We create a work environment in which we look for new solutions and experiment with innovative ways to work – even if they don't always succeed the first time. We recognize the need to be dynamic in meeting the community's changing needs. Each employee is given the opportunity to grow and develop.

**Recognition** – We recognize and are proud of achievements in the organization. We also recognize the need for balance in work and non-work as a value that will ultimately benefit our organization and the taxpayers of Esquimalt.

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



## SUSTAINABILITY PRINCIPLES

The Council of the Township of Esquimalt supports the principles of human sustainability which includes the integration of economic, environmental, and social sustainability.

The most widespread definition of sustainability was established by the 1987 World Commission on the Environment, which is, “[to meet] the needs of the present without compromising the ability of future generations to meet their own needs.”

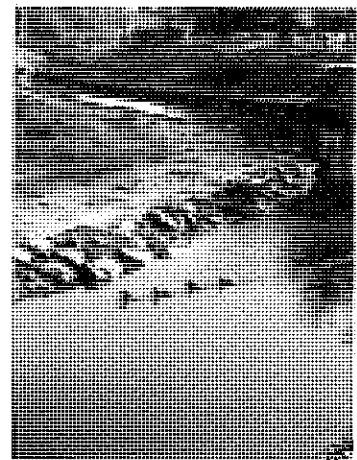
Council understands that we must not just strive for maintaining quality of life, but look towards improving it, so that future generations can prosper. To do this, Council will build the concept of sustainability into its operations and decision making processes by considering the longer term implications of its decisions on the environment and the community.

Council recognizes the future financial implications of climate change. The 2006 Stern Review on the economics of climate change found that it costs less to act now on mitigating climate change than later.

Council has demonstrated its commitment to climate change mitigation by signing on to the Province’s and Union of BC Municipalities’ British Columbia Climate Action Charter. The municipality will fulfill its commitments under the Charter by: achieving carbon neutrality in the municipality’s operations by 2012; decreasing the community’s greenhouse gas emissions; and creating a complete, compact and more energy efficient community.

This Council’s commitment to sustainability is reflected in the development of its strategic plan. The Township of Esquimalt’s strategic plan is divided into the three components of economic, environmental, and social sustainability.

Council is excited for the municipality to spearhead sustainability initiatives in its daily operations and to be a sustainability leader in both the local and global community.





# COMMUNITY GOALS

Council of the Township of Esquimalt undertook a strategic objective and priority setting process in January/February of 2009.

Council's goal is to lead Esquimalt towards being a sustainable community. As such, Council's objectives focus on the three principles of sustainability: social improvement, economic growth and environmental responsibility.

## Social Improvement

Council believes the opportunity to participate in ice based sports and activities is a critical element of Esquimalt's social fabric.

Action	Person Responsible	Timeframe	Progress to date
Eliminate option of no arena in the Esquimalt Village Plan	Council/Consultant	Immediate	
Provide more detailed economic advice on retention of Archie Browning Sports Centre arena	Consultant/CAO	2009	
Support continued curling opportunity for Esquimalt's residents	Council	2009 →	

→ There are a number of existing community issues that will intensify with continued densification and these need to be addressed.



Action	Person Responsible	Timeframe	Progress to date
Resolve secondary suite issue including assigning fair costs	Director of Development Services/Director of Financial Services	2009	
Develop a comprehensive parking strategy to examine: <ul style="list-style-type: none"> <li>- Secondary suites</li> <li>- Residential only permitting system</li> <li>- Trailers/boats</li> <li>- Public use versus private expectation</li> <li>- Adequacy of zoning bylaw parking space requirements</li> <li>- Applicability of meters</li> <li>- Adequacy of seniors/disabled parking</li> <li>- Paid permits</li> </ul>	Director of Development Services/Director of Engineering and Public Works	2010	



# COMMUNITY GOALS

## Social Improvement - Continued

Part of the uniqueness of Esquimalt in the Capital Region is its diversity of population. Council wants to facilitate opportunities for diversity.

Action	Person Responsible	Timeframe	Progress to date
To examine opportunities to support "age in place" housing	Council/Director of Development Services	2010 →	
To encourage a variety of housing opportunities from rental, to affordable ownership, to luxury ownership	Council	2009 →	
To examine means of leveraging affordable housing both for rental and ownership	Director of Development Services	2010 →	



Esquimalt's heritage is an important component of our community and Council wants to identify and protect Esquimalt's significant heritage resources.

Action	Person Responsible	Timeframe	Progress to date
To develop management programs to identify, conserve and interpret heritage resources	Director of Development Services	2009 →	
Implement heritage conservation programs	Director of Development Services	2010/2011 →	



# COMMUNITY GOALS

## Social Improvement - Continued

Council believes community health and safety is a top priority and believes that its improvement comes through a variety of means.

Action	Person Responsible	Timeframe	Progress to date
Improve the Emergency Planning Program by renewing training efforts for: <ul style="list-style-type: none"> <li>- Council</li> <li>- Staff</li> <li>- Neighbourhood program</li> </ul>	Fire Chief	2009 →	
Develop an extreme weather protocol	Fire Chief	2009	
Improve Police Services by encouraging a provincial audit, lobbying for a more significant role on the Police Board for Esquimalt; and improving communication between Esquimalt Police Board appointee and Council	Mayor	2009	
Ensure policing services are affordable for Esquimalt.	Council	2009 →	
Improve understanding of Victoria Police Department's Esquimalt Citizen's Advisory Committee	CAO/ Police Inspector-West Division	2009	
Support community based programs such as: <ul style="list-style-type: none"> <li>- Active Living</li> <li>- ETAG</li> <li>- Blockwatch</li> <li>- CPTED (Crime Prevention Through Environmental Design)</li> </ul>	Council	2009	
Encourage community events and celebrations	Council	2009	
Obtain better understanding of the relationship between the municipality and its school districts and the opportunities for maximizing use of public facilities	Recreation Manager	2009	
Encourage the establishment of more health facilities and health professionals in Esquimalt	Mayor	2009	
Work towards ensuring the community's pedestrian network is safe for all users including those with disabilities	Director of Engineering and Public Works	2009	
Consider "accessibility" as an amenity for density bonusing	Director of Development Services	2009/2010	

NO



# COMMUNITY GOALS

## Social Improvement - Continued

Council believes that a multi-pronged approach to communication will maximize awareness of community issues.

Action	Person Responsible	Timeframe	Progress to date
Be more open to additional public input at Council and COTW meetings	Mayor/Council/Manager of Corporate Services	2009 →	
Continue Communications Manager Position	Council	2009 →	
Continue to improve website	Manager of Communications and Sustainability	2009 →	
Continue hosting/participating in community face to face events	Council/Manager of Corporate Services	2009 →	
Review means of community consultation (e.g., Facebook, blogs, school visits, event TV's @ school, grocery store, ABSC)	Manager of Communications and Sustainability	2009 →	
Update community contacts in the Active Living Guide	Recreation Manager	2009 →	
Continue program of news releases and Community Newsletter	Manager of Communications and Sustainability	2009 →	
Use auto-email data bases to keep user groups informed (e.g., ABSC)	Recreation Manager/Manager of Communications and Sustainability	2009 →	
Electronically circulate all committee minutes to all committee members	Manager of Corporate Services	2009 →	
Consider acquisition of electronic signboard for ABSC	Recreation Manager/Council	2009	



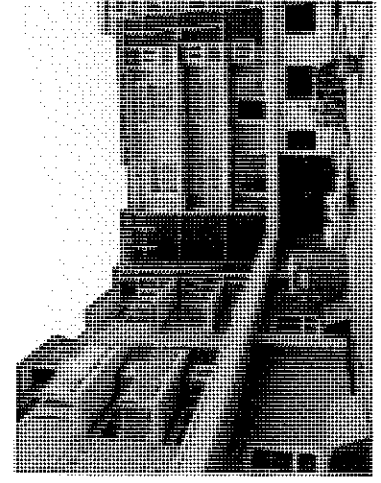
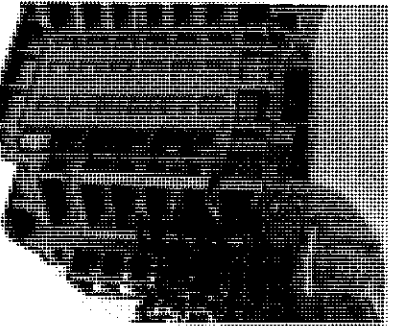
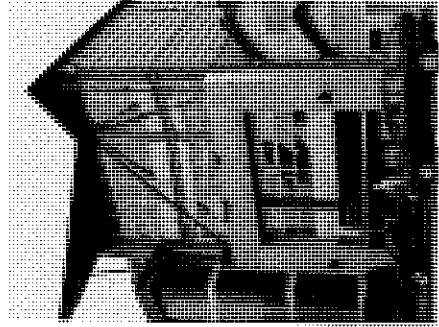


Sustainable Economic Growth

Council believes it needs to re-invigorate, give firm direction to and expedite the Village Core project.

Action	Person Responsible	Timeframe	Progress to date
Ensure plan provides for phasing. Proceed quickly with an early phase (e.g., old hall/works yard site)	Director of Development Services/Consultant/Council	2009 2010/2011	
Review the possibility within the Village Core Plan for a future cultural attraction and hotel site	Consultant/Council	2009	
Consider high density/multi-use opportunities including multi-family residential/commercial in conjunction with public recreational	Consultant	2009	
Consider underground parking with room for significant community events (e.g., Buccaneer Days)	Consultant	2009	
Arrive at final decision on location of protective services building prior to any further expenditures	Consultant/Council	2009	
Council to meet with consultants early for review of progress to date and clarification of future direction and timeline	CAO/Consultants	2009	
Discuss how to improve community interest, knowledge and participation perhaps with additional technical advice	Consultants/Council/ CAO	2009	

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# COMMUNITY GOALS

## Sustainable Economic Growth - Continued

Council believes that additional population through densification of the broader Village Core area will generate new commercial, retail and business opportunities.

Action	Person Responsible	Timeframe	Progress to date
Host a community information session to discuss impacts, benefits and costs of densification	Director of Development Services	2009	
Review OCP if greater densification receives positive feedback	Council/Director of Development Services	2009	

There are specific opportunities Council would like to explore that may impact Esquimalt's Village Core.

Action	Person Responsible	Timeframe	Progress to date
Explore the opportunities for requiring, providing, or encouraging the broad use of: <ul style="list-style-type: none"> <li>• "wireless" technology;</li> <li>• green development (including on-site sewage treatment or integrated resource management); and</li> <li>• alternate energy technologies in the Village Core.</li> </ul>	IT Manager, Director of Development Services, Director of Engineering and Public Works, Manager of Communications and Sustainability	2010	

Council believes additional opportunities exist for economic growth from tourism. Council intends to:

Action	Person Responsible	Timeframe	Progress to date
Inventory and understand opportunities presented by the routes tourists arrive in Esquimalt	Director of Development Services	2009	
Inventory and advertise tourist opportunities	Director of Development Services	2009	
Develop new tourist opportunities such as: <ul style="list-style-type: none"> <li>- artisan tour</li> <li>- heritage home tour</li> <li>- garden tour</li> </ul>	Director of Development Services	2009	
Examine new opportunities that may exist given our proximity to the ocean, in particular at Fleming Beach, Westbay Walkway and the Gorge.	Director of Development Services	2009/2010	



## COMMUNITY GOALS

### Sustainable Economic Growth - Continued

Council would like to partner with other associations and businesses to:

Action	Person Responsible	Timeframe	Progress to date
Encourage a shop local campaign	Chamber of Commerce Liaisons	2009	
Develop a community promotion campaign	Manager of Communications and Sustainability	2010	
Participate in promotion of community events	Manager of Communications and Sustainability	2009	
Raise profile of community events through Council attendance	Council	2009 →	

Council needs to understand its taxing policies' impact on business and development.

Action	Person Responsible	Timeframe	Progress to date
Develop comprehensive tax comparison data	Director of Financial Services	2009	
Review opportunities for tax incentives for business growth	Director of Financial Services	2009	

Council needs to examine its regulations to encourage appropriate development.

Action	Person Responsible	Timeframe	Progress to date
Encourage Bed & Breakfast opportunities	Director of Development Services	2010	
Promote opportunities at Westbay for retail, restaurant, tourist and evening activity uses as identified in the Official Community Plan	Council	2009 →	
Facilitate Industrial Park growth/densification	Director of Development Services	2010	



# COMMUNITY GOALS

## Sustainable Economic Growth - Continued

Council is concerned the property tax is the only substantive form of revenue for the municipal corporation. Council wants to review diversified opportunities for revenue generation.

Action	Person Responsible	Timeframe	Progress to date
Consider legalizing secondary suites and charging appropriate license and user fees (e.g., business license, and inspection, sewer, garbage, and parking fees)	Director of Development Services/Director of Financial Services	2009	
Review opportunities for generating additional operating revenues from parks and other properties (Kayak launch, etc.)	Parks Manager	2010	
Investigate practicality and economics of acquiring ownership of Esquimalt's water system	Director of Engineering and Public Works/CAO	2010/2011	
Investigate opportunities for establishing own energy utility	Director of Engineering and Public Works /Manager of Communications and Sustainability	2010	
Review opportunity for a "coffee cart"/tourist information service at the terminus of Westbay Walkway	Director of Development Services/Parks Manager	2009/2010	
Review opportunity for commercial activity in Saxe Point	Parks Manager	2011	
Review expanding Mayor's role to include promotion and Economic Development	Mayor/CAO	2009	



**Environmental Responsibility**

Council supports the philosophy behind the Climate Action Charter aimed at reducing greenhouse gas emissions and producing carbon offsets.

Action	Person Responsible	Timeframe	Progress to date
Prepare report summarizing Council's non-binding commitment under the BC Climate Action Charter	Manager of Communications and Sustainability	2009	
Prepare a strategy for complying with commitments under the BC Climate Action Charter	Manager of Communications and Sustainability/CAO	2009	
Utilize knowledge of DND professionals to assist in identifying initiatives	Manager of Communications and Sustainability	2009	
Review opportunities for Integrated Resource Management in Esquimalt	Director of Engineering and Public Works	2009/2010	
Review opportunities for alternate energy sources for municipal facilities (research The Land Conservancy's experience)	Director of Engineering and Public Works/ Recreation Manager	2009/2010	
Review opportunities for urban forest expansion as a carbon offset with a community planting/maintenance partnership component	Parks Manager	2009/2010	





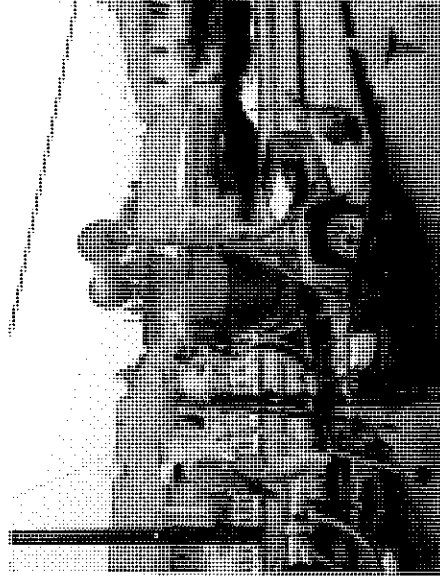
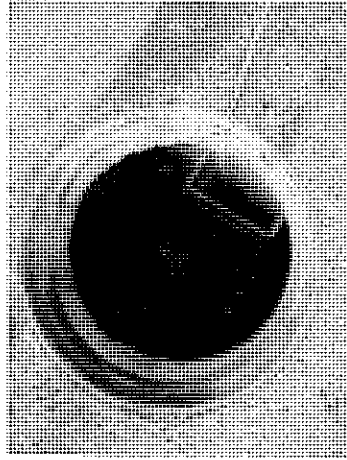
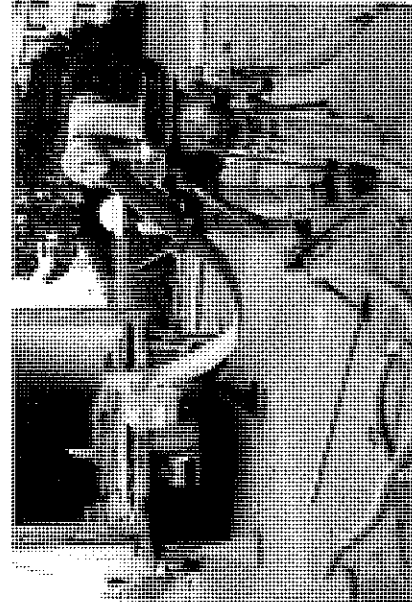
# COMMUNITY GOALS

## Environmental Responsibility - Continued

Council believes that resolving the sewage treatment issue is a priority for the region.

Action	Person Responsible	Timeframe	Progress to date
Develop a cohesive policy statement outlining Council's perspective on sewage treatment including: <ul style="list-style-type: none"> <li>- Minimal trucks</li> <li>- No loss of green space</li> <li>- Not at Macaulay Point</li> <li>- Improved source control</li> <li>- Integrated resource management</li> <li>- Affordable solution</li> <li>- Community Mitigation</li> </ul>	Mayor	2009	
Utilize STAG's energies and resources to inform Council and the community	Mayor	2009	
Present update on outcome of 5 year capital plan to improve the sewage collection system and develop strategy to tackle the connections component of the system	Director of Engineering and Public Works/Council	2009	

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# COMMUNITY GOALS

## Environmental Responsibility - Continued

Council believes there are numerous other means of encouraging environmental stewardship.

Action	Person Responsible	Timeframe	Progress to date
Require a "green features" report from the developer for every development application and require adherence to same	Director of Development Services	2009	
Advertise "greening grants" available from the province for private property owners and have the Environment Advisory Committee research availability and assist in promotion	Manager of Communications and Sustainability	2009/2010	
Prepare a report reviewing jurisdiction, environmental standards and compliance of Esquimalt's marinas	Director of Engineering and Public Works/Manager of Corporate Services	2010	
Have the corporation and Council lead sustainability practices by example at every feasible opportunity	Manager of Communications and Sustainability	2009	
Review opportunity to make composters available to the general public at cost.	Manager of Communications and Sustainability	2010	
Prepare a report outlining long-term, hard costs of climate change to the municipality	Manager of Communications and Sustainability	2010	
Encourage the establishment of community gardens	Parks Manager	2009	





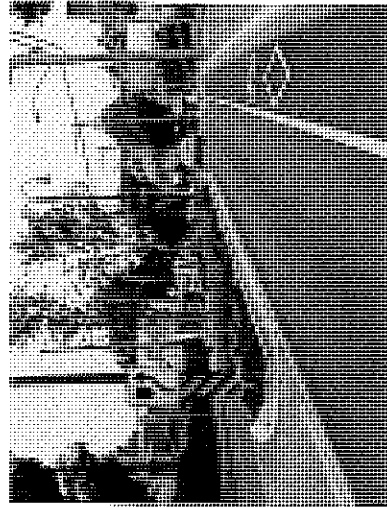
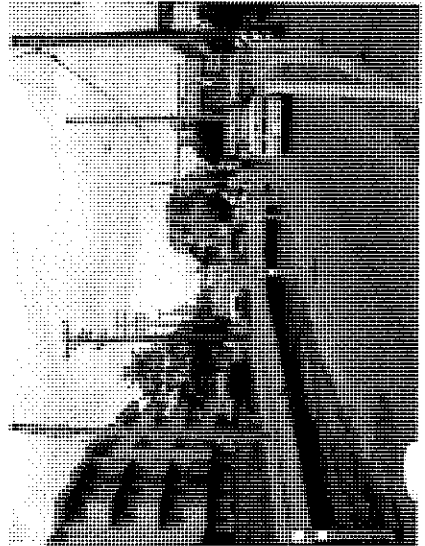
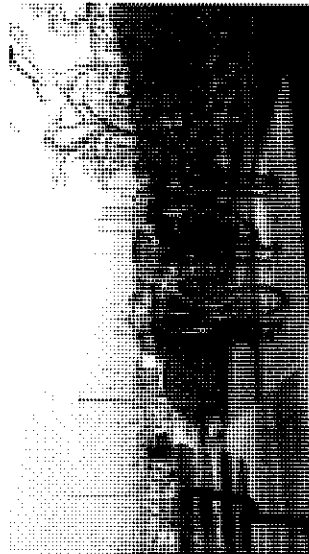
# COMMUNITY GOALS

## Social Improvement, Sustainable Economic Growth and Environmental Responsibility

Improvements in internal and external transportation links clearly reap social, economic and environmental benefits and thereby improve the community through supporting all three principles of sustainability.

Council supports and encourages improved bus service.

Action	Person Responsible	Timeframe	Progress to date
Encourage extended service hours to downtown	Council	2009	
Encourage improved connections to the North and the West Shore	Council	2009	
Support the proposed Bay Street service connecting to DND base along Esquimalt Road	Council	2009	
Encourage greater frequency and extended hours of the Munro Street bus	Council	2009	
Partner with DND and Dockyard to encourage Transit to better service these major regional employers	Council	2009	
Pursue Esquimalt representation on the Victoria Regional Transit Commission even if it means re-constituting the Board (partner with West Shore communities)	Mayor	2009	



NO CO





# COMMUNITY GOALS

## Social Improvement, Sustainable Economic Growth and Environmental Responsibility - Continued

Council supports a number of other initiatives which will lead to improvements in various transportation modes including walking, cycling, bussing and ferry service.

Action	Person Responsible	Timeframe	Progress to date
Encourage the CRD's "railtrail" project and strive to ensure it has adequate lighting	Council	2009	
Adopt the Pedestrian Charter as an amendment to Esquimalt's OCP	Director of Development Services	2009	
Complete Phase 1 and 2 of the Craigflower Road Upgrade	Director of Engineering and Public Works	2009/2010	
Complete the Admirals/Colville Intersection Upgrade	Director of Engineering and Public Works	2009/2010	
Encourage the Victoria Harbour Ferries to offer a commuter package to Esquimalt residents	Mayor	2009	
Review and ensure the accessibility of the Esquimalt Industrial Area for truck traffic	Director of Engineering and Public Works	2011	
Plan for the future upgrade of Lyall Street considering pedestrians, cyclists, trucking and parking	Director of Engineering and Public Works	2011	
Review potential for upgrading the blocks of Esquimalt Road between the two improved areas	Director of Engineering and Public Works	2011	
Encourage the City of Victoria to improve Esquimalt Road east of Dominion Street	Mayor/Director of Engineering and Public Works	2009	
Develop an infrastructure maintenance plan	Director of Engineering and Public Works	2010	

Council believes that commuter rail transit could provide an outstanding opportunity for Esquimalt.

Action	Person Responsible	Timeframe	Progress to date
Seek an accurate capital and operating cost model for such a service along with details regarding expected sources of revenue and form of governance	Councillor Garrison/Mayor	2009 →	
Review opportunities for a second stop in Esquimalt in addition to the Dockyards' stop	Councillor Garrison/Mayor	2009 →	
Ensure we have examined and amended our land use planning tools before commencement of any rail service	Director of Development Services	2010	



By outlining its priorities Council focuses its two most significant resources, human and fiscal, to achieve Council's goal of community sustainability through specific actions and objectives. Council's budget, staff's departmental work plans and regular progress reports provided by senior municipal staff to Council will ensure organizational focus on accomplishing this plan's goals and attaining Esquimalt's community vision.





# 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:** April 16, 2009 Report No. ADM-09-022  
**TO:** Laurie Hurst, Acting Chief Administrative Officer  
**FROM:** Larry Randle, Manager of Corporate Services  
**SUBJECT:** Failure to File Campaign Financing Disclosure Statement

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### RECOMMENDATION:

That Council receive this report.

### BACKGROUND:

Within 120 days (March 16, 2009) after general voting day for an election The Local Government Act requires the financial agent of

- (a) each person who was declared to be a candidate
- (b) each elector organization, and
- (c) each campaign organizer

to file with the designated local government officer a campaign financing disclosure statement even if the candidate receives no campaign contributions, incurs no election expenses, is acclaimed, dies, withdraws from the election or is declared by a court to no longer be a candidate.

A candidate, elector organization or campaign organizer who fails to submit within the 120-day time period also has an opportunity to file a late campaign financing disclosure statement within 30 days (April 15, 2009) after the initial 120 day period passes, if they pay a \$500 penalty to the local government. Failure to submit during this 30 day late filing period disqualifies the person from being nominated for, elected to or holding office on a local government until after the next general local election. In the case of a campaign organizer or elector organization, it disqualifies them from endorsing a candidate and from accepting campaign contributions or incurring election expenses in relation to future elections until after the next general local election.

The Local Government Act requires that a report from the local government officer be presented at an open meeting of the local government naming any candidate, campaign organizer or elector organization or who fails to submit a disclosure statement after the final deadline following an election which is April 15, 2009.

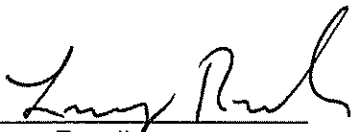
The local government officer must also send a copy of the report to the Inspector of Municipalities along with the nomination papers of the individual. The Inspector then compiles a list of disqualified individuals and organizations which is made available for public inspection.

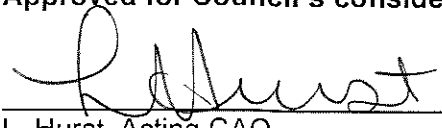
**CONCLUSION:**

In the 2008 local election in Esquimalt 16 candidates ran for office. The following two individuals did not file a campaign financing disclosure statement within the 120 day time period under section 90 (1) nor within the 30 day late filing period under section 92.2 of the Local Government Act and are therefore disqualified from being nominated for, elected to or holding office on a local government, the council of the City of Vancouver or a board of school trustees, or as a local trustee of the Islands Trust, until after the next general local election in 2011.

- Jeremy Baker
- Tom Morino

Respectfully submitted,

  
\_\_\_\_\_  
Larry Randle,  
Manager of Corporate Services

**Approved for Council's consideration:**  
  
\_\_\_\_\_  
L. Hurst, Acting CAO  
Dated: April 14/09



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Telephone (250) 414-7100 Fax (250) 414-7111

# STAFF REPORT

**DATE:** April 15, 2009 **REPORT NO.** EPW 09-023  
**TO:** Tom Day, Chief Administrative Officer  
**FROM:** Gilbert Coté, Director of Engineering & Public Works  
**SUBJECT:** Contract Award – Craigflower Road Corridor Upgrades Phase 1

### RECOMMENDATION:

1. That the construction contract for Craigflower Road Corridor Upgrades Phase 1 be awarded to Aggressive Excavating for the sum of \$2,478,335.50 including the GST.
2. That the Mayor and the Corporate Administrator be authorized to sign the documents related to the acquisition of land or of statutory right-of-way for the widening of Craigflower Road in front of 933 and 935 Craigflower Road.

### BACKGROUND

Tenders for the construction of the Craigflower Road Corridor Upgrades Phase 1 were publicly opened on April 7, 2009. Twelve tenders were received and are summarized as follows:

	<b>Tenderers</b>	<b>Tender Amount – Including GST</b>	<b>Remarks</b>
1	Aggressive Excavating Ltd	\$2,478,335.50	Tender amount corrected following tender review – Unit prices govern
2	Northridge Equipment Ltd	\$2,480,683.19	Tender amount corrected following tender review – Unit prices govern
3	Scansa Construction	\$2,547,322.88	No errors or omissions
4	C-1 Contractors Ltd	\$2,572,684.35	Tender amount corrected following tender review – Unit prices govern
5	Brunnell Construction Ltd	\$2,596,758.68	Did not submit a construction schedule
6	Knappett Industries Ltd	\$2,598,924.30	Tender amount corrected following tender review – Unit prices govern
7	Fournier Excavating Ltd	\$2,863,419.30	
8	Chew Construction Ltd	\$2,876,436.16	

9	Hazelwood Construction Services	\$2,936,806.31	
10	G & E Equipment Rentals Ltd.	\$2,994,390.00	
11	IDL Projects Inc	\$3,067,558.73	
12	Copley Bros Construction Ltd	\$3,739,485.12	
	<b>Pre-Tender Estimate</b>	<b>\$2,945,551.25</b>	This amount included provisional items which could have been deleted from the contract in order to meet the budget

As indicated above, several tenderers made arithmetic errors in their bid. This project was tendered as a unit price contract. With this type of contract, each item of work is itemized and a unit price must be submitted for each item. The tender amount is arrived at by multiplying the unit price by the estimated quantity and then by adding the product of the multiplications. As indicated above, there were arithmetic errors in four of the six low bids including a significant error by Northridge Equipment Ltd. When the tenders were opened and read publicly, Northridge Equipment had the lowest tender. With the arithmetic corrected, the lowest tender is Aggressive Excavating.

All tenders were valid and included a Bid Bond for 10% of the tender price, a Consent of Surety indicating that a Performance Bond and a Labour and Material Payment Bond both for 50% of the tender price can be provided. The tender documents specify that the works must be completed in a period of 180 calendar days.

In establishing the net construction cost of the project, the following must be taken into account:

- All tenders include the GST. Municipalities are exempt from GST and the net amount payable by the municipalities does not include the GST. The GST included in the bid price of Aggressive Excavating is \$118,075.98.
- All tenders include a contingency allowance of \$100,000. The contingency allowance is included in the contract price and is used to pay for extras resulting from unforeseen conditions during construction.
- The low tender by Aggressive Excavating includes the sum of \$41,491.00 for the replacement of an undersized sanitary sewer on Craigflower Road between Tillicum Road and Lampson Street. This work is not included in the road project and will be paid for from the sewer rehabilitation project.
- The low tender also includes the sum of \$46,491.38 for replacement of the sidewalk for a distance of 168 m along the Craigflower Road frontage of the Gorge Vale Golf Course. According to the Subdivision and Development Control Bylaw, the Gorge Vale Golf Course had to pay to replace the sidewalk as part of the re-development of the clubhouse. This work was included in the tender for the road project and will be charged to the Golf Course as a local improvement tax.

- Land acquisition – In order to provide a parking bay in front of 933 and 935 Craigflower Road, it will be necessary to acquire a narrow strip of land 0.5 m wide or less in front of these two houses. Initially, it was proposed to shift the centre line of the road north to accommodate the additional width needed for the parking lanes. However, it was not possible to relocate the BC Hydro poles located on the north side of the road and land acquisition is needed. The purchase cost, legal surveys and legal fees are estimated at \$10,000. Land acquisition is not eligible for grant. By spending \$10,000 on land acquisition, the municipality will have to forgo \$20,000 in grant from the Federal and Provincial governments. The other option is to transfer \$10,000 from another budget item to pay for the land. There is a capital expenditure for another project which may be under budget. However, since the Craigflower Road project is under budget, it is proposed to proceed cautiously for now and not to transfer funds from another budget item until the cost of other capital projects have been finalized.

The net cost of the roadway project is detailed as follows:

1	Tender amount by Aggressive Excavating including the contingency and the GST.	\$2,478,335.50
2	Minus GST	- \$118,015.98
3	Minus replacement of sanitary sewer which is paid for under the sewer rehabilitation project	- \$41,491.00
4	Minus replacement of sidewalk in front of the Gorge Vale Golf Course parking lot	- \$46,491.38
5	<b>Net construction cost for the road upgrading project</b>	<b>\$2,272,337.14</b>
6	Construction budget for Craigflower Road	\$2,600,000
7	Reduction in construction budget resulting from \$10,000 of land acquisition expenditures (not eligible for grant)	- \$30,000
8	<b>Available construction budget</b>	<b>\$2,570,000</b>
9	Amount available for other work such as additional landscaping and sidewalk replacement (Line 8 minus line 5)	\$297,662.86

As a result of being under budget, additional landscaping and sidewalk could be added to the project by issuing change orders at the start of construction. Potential additional work items include the following:

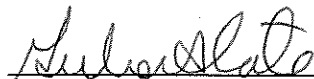
1. Planting of trees in the median separating the service road from the arterial road between Sioux Place and 1060 Craigflower Road. Expand the irrigation system to encompass all the new trees
2. Increase the number of landscaped island from three to five. There are two existing median islands on Craigflower road and it is proposed to add 10 median islands. The

two additional islands to be landscaped are located near the intersection of Craigflower Road and Arcadia Street.

3. Landscaping and irrigation at the sidewalk widening at the north-west corner of the intersection of Craigflower Road and Arm Street at the entrance into Esquimalt.
4. Irrigation system in the wide area between the road and the property line on the north side of the road between Sioux Place and Forshaw Place
5. Replace sections of damaged sidewalks on the south side of Craigflower Road between Lampson Street and Dominion Road.
6. Landscaping of boulevard on south side of Craigflower Road between Carrie Street and Dominion Road.

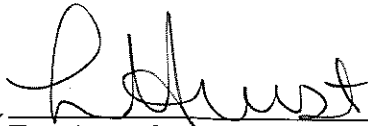
The extent of additional work will be confirmed following receipt of a price from the Contractor for the extra items of work described above.

Submitted by:



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

**Approved for Council's  
Consideration:**



for Tom Day, CAO

Dated: April 15/09





# 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:** April 16, 2009 **REPORT NO.** P&R - 09 - 016  
**TO:** Laurie Hurst, Acting Chief Administrative Officer  
**FROM:** Jeff Byron  
**SUBJECT:** Parks and Recreation Customer Service Improvement

**RECOMMENDATION:** That Council receive this report as information.

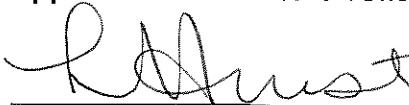
**BACKGROUND:** On April 14, 2009, Esquimalt Parks and Recreation was able to enhance service by offering users the option of purchasing insurance for their events and functions at the time of booking.

In the past user groups had to obtain insurance on their own. This new service is convenient and cost effective for our user groups. The insurance is offered at the point of booking, at cost, through our municipal insurer.

This service is provided at no additional cost to the Municipality

  
Jeff Byron  
Manager of Recreation Services

Approved for Council's consideration:



Laurie Hurst, A/CAO

Dated: April 16/09



## CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

### STAFF REPORT

**DATE:** April 14, 2009 **REPORT NO.** P&R-09-017  
**TO:** Laurie Hurst, Acting Chief Administrative Officer  
**FROM:** Jeff Byron, Manager of Recreation Services  
**SUBJECT:** Esquimalt Food Services Review

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### RECOMMENDATIONS:

1. That council establish a seven member committee that will review and make recommendations on all aspects of food service delivery by the Township of Esquimalt.
2. That Council appoint members to this committee by:
  - a) inviting applications from facility user groups
  - b) appointing members from council
  - c) appointing members from the Parks and Recreation Advisory Committee

### BACKGROUND

In March 2009 a report went to council outlining the projected financial subsidy of Food Services for the 2009 budget, as well as options to accept, reduce, or eliminate that subsidy. At that time, none of the options presented were accepted by council and staff was to bring forward another report presenting different options.

### DISCUSSION

As an open and public discussion is desired by council to ensure all interested parties have input, staff are proposing that council consider establishing a Food Service Review Sub Committee to collect information and make recommendations regarding the role municipally run food service operations should play in Esquimalt.

Proposed is a seven member Committee to include the following representation:

- 2 members of the Parks and Recreation Advisory Committee
- 2 members from Council
- 3 members from Archie Browning Sports Centre user groups

Staff will provide support to the Committee as required.

**Proposed Committee Terms of Reference:**

Proposed is a Committee that reviews and makes recommendations to Council regarding the current operation of the Food Services and the role it plays in Recreation Services. The following work will be considered by the Committee:

- Review financial audit (approved by council in 2009 budget) completed by KPMG in May 2009 showing Food Services subsidy level.
- Present financial picture to users of the Archie Browning Sports Centre and Esquimalt Recreation Centre and conduct a survey to establish their food service needs.
- Research other Food Service Delivery models and compare to Esquimalt's Services. Examples could include other municipal operations, golf courses, and private sector organizations.
- Produce a report with recommendations to council by October 1, 2009. This will insure recommendations get considered as part of the 2010 Municipal budget process.

**Proposed Committee Authority:**

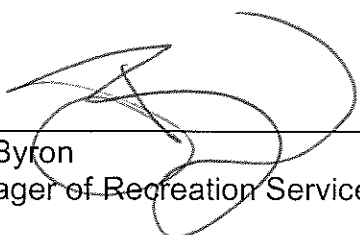
The Food Services Review Committee is suggested as a select committee of council. Prior to council considering the report, it will be submitted to the Parks & Recreation Advisory Committee for comments and input. Both groups comments will be forwarded to council for approval.

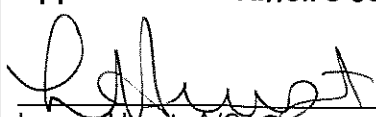
**Timelines**

Food Service Review Committee to be established in May of 2009 coinciding with the completion of KPMG's Financial Audit. Report to be completed for presentation to the Parks and Recreation Advisory Committee in September 2009 and Council in October 2009 in time for the preparation of the 2010 budget.

**FINANCIAL IMPLICATIONS**

Approved recommendations by the Review Committee will be effective as of 2010 and so will not have an impact on the 2009 Budget.

  
\_\_\_\_\_  
Jeff Byron  
Manager of Recreation Services

**Approved for Council's consideration:**  
  
\_\_\_\_\_  
Laurie Hurst, A/CAO  
Dated: April 16/09



# 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:** March 20, 2009 **REPORT NO.** FIN-09-008  
**TO:** Tom Day, Chief Administrative Officer  
**FROM:** Laurie Hurst, Director of Financial Services  
**SUBJECT:** Request for 2008 Property Tax Penalty Reversal

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### RECOMMENDATION:

That Council NOT forward the request for reversal of the 2008 property tax penalty to the Minister of Community Services.

### BACKGROUND:

As explained in the attached correspondence, Mr. Kokan claims that he mails his property tax cheques at the same time every year and the payment has never been late before. Mr. Kokan states that he mailed the cheques on June 25, 2008 for his 2008 outstanding property taxes.

The due date for property taxes is the same for every municipality in the province of British Columbia under section 234 of the Community Charter unless that municipality has established an alternative tax collection scheme under section 235. The Township operates under the general tax collection scheme identified under section 234. Subsection (1) of section 234 clearly states that property taxes for a year are due on July 2 of the year for general tax collection schemes. Subsection (2) of section 234 states that the Lieutenant Governor in Council establishes penalties and interest that *must* be applied by municipalities to payments made after the tax due date under subsection (1).

In accordance with section 237 of the Community Charter, the tax notices that are mailed each year must contain certain specified items of information. One of the required items is when the penalties under the Community Charter will be added if outstanding taxes are not paid by the due date. Tax notices clearly identify the due date for payment on the front of the notice. Also, on the reverse of the notice is a section titled *Important Information* in red bold print. Within this section is the stipulation that should you choose to remit your property taxes via mail service, *mail lost or delayed by the post office will be subject to a penalty* in bold print. For this reason, all municipalities in the Capital Region agree on a postmark date each year and this date is then specified in the *Important Information* section of the tax notice. This way, if a payment arrives by mail after the tax due date, the property owner is not subject to penalty if the postmark is within the prescribed date. For 2008, any late payments received by mail had to have a postmark of June 23, 2008 or earlier in order to avoid a penalty.

As per the attached documentation, the postmark on the tax payments mailed by Mr. Kokan had a clearly legible postmark of June 30, 2008. It would be unreasonable to expect that mail posted on June 30, 2008 would be assured of being received by the Township prior to July 2, 2008 especially with July 1, 2008 being a statutory holiday.

**DISCUSSION:**

Neither the Collector of Taxes nor Council have the authority to waive the 10% penalty assessed on outstanding property taxes. Council could petition the Minister of Community Services under *Local Government Act* section 315.3 for authority to write off the penalty, however I do not recommend this option. In the case of property taxes this provision is generally used only in cases where taxes are uncollectible (e.g., a former occupier of crown lands that cannot be located) or where an assessment error has been made in a prior year and not discovered until the current year (when it is too late for a supplementary assessment roll).

In the past Council has never requested the Minister to authorize the waiving of penalties in circumstances where the taxpayer has missed the deadline for payment of taxes (which includes applying for the Home Owner Grant).

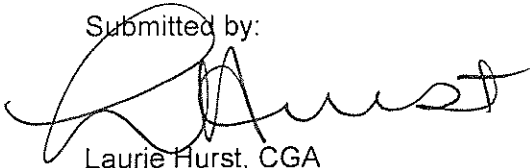
For further information, attached is a ruling on late payment penalty reversal. While the specific circumstances of this case are not exactly the same as those contained in this report, the reasons stated in the ruling contain the following relevant points:

- penalty for late payment is mandatory
- tax *Regulation* and *Community Charter* does not grant the municipality or collector any discretion in relation to the penalty

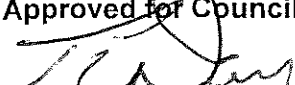
**ALTERNATIVES:**

1. Deny request for reversal of penalty.
2. Instruct staff to forward appeal to the Ministry of Community Services

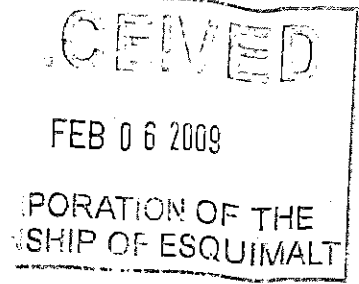
Submitted by:



Laurie Hurst, CGA  
Director of Financial Services

<p><b>Approved for Council's consideration:</b></p>  _____ Tom Day, CAO
Dated: <u>March 31/09</u>

Dr. Petar J Kokan Inc.  
5950 Macdonald Street  
Vancouver, B.C.  
V6N 1E3



February 1, 2009

*Kokan*

Mayor and Council  
Township of Esquimalt  
1229 Esquimalt Road  
Victoria, B.C.  
V9A 3P1

*3-5-09*

Re: 1357 Esquimalt Road, Victoria, B.C.

To Whom It May Concern,

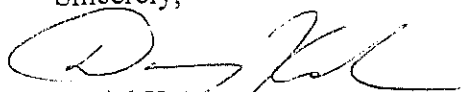
Around June 25<sup>th</sup> I mailed property tax cheques for our properties in Maple Ridge, B.C., Burnaby, B.C. and Victoria, B.C. The due dates for Maple Ridge property taxes was June 30<sup>th</sup>, July 3<sup>rd</sup> for Burnaby, and July 2<sup>nd</sup> for Victoria. All property tax cheques were received on time except for our property tax cheque for Victoria. I have absolutely no idea why this was received late. When I phoned this summer about what this statement of arrears (\$3,443.19) was for, the representative from your property tax department informed me that the cheque was received one (1) day late on July 3<sup>rd</sup> therefore we were assigned a late fee of 10%. I thought that I had resolved this over the phone but apparently not given that I received another statement.

I really don't think that this is fair as I do not understand why the cheque was not received on time as I always mail the property tax cheques at around the exact same time June 25<sup>th</sup> every year and have never ever paid any of our property taxes late for any of our properties. If you go through your records you can see that we paid all of our property tax cheques on time every year for the past thirty (30) years that we owned this property at 1357 Esquimalt Road.

I am truly sorry for the delay in receiving payment, but I honestly cannot understand why it wasn't received on time. I am asking you to reverse the late payment charges this one time and I promise you that this will never happen again. I will either drop the cheque off in person when I am in Victoria visiting the building or will make sure that I send payment via registered mail at least two (2) weeks in advance of the due date.

I appreciate your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Kokan', written over a horizontal line.

Daniel Kokan

Property Manager – Captains Walk Apartments

Cc: Dr. Petar J Kokan



# STATEMENT OF OUTSTANDING TAXES

CORPORATION OF THE TOWNSHIP OF ESQUIMALT  
Municipal Hall, 1229 Esquimalt Road, Victoria, B.C. V9A 3P1  
Website: www.esquimalt.ca • Email: info@esquimalt.ca  
Voice: (250) 414-7100 • Fax: (250) 414-7111

FOLIO: 3519.000  
ACCESS CODE: 518333

STATEMENT DATE: Aug 25, 2008 <sup>245</sup>



KOKAN INC DR PETAR J  
5950 MACDONALD ST  
VANCOUVER BC V6N 1E3

Property Address:  
1357 ESQUIMALT RD

Legal Description:  
LOT 1 ESQUIMALT DISTRICT PLAN 29263 SUBURBAN  
LOT 36.

Delinquent Taxes	0.00
Interest on Delinquent Taxes	0.00
<b>SubTotal</b>	<b>0.00</b>
Arrears Taxes	0.00
Interest on Arrears Taxes	0.00
<b>SubTotal</b>	<b>0.00</b>
Current Taxes	3,443.19
Current Taxes Penalty	0.00
<b>Total</b>	<b>3,443.19</b>

Current taxes may include your unclaimed Home Owner Grant. Please contact us if you need an application form 414-7107.

## STATEMENT OF OUTSTANDING TAXES

Total	
Outstanding	\$3,443.19
Amount Paid	

FOLIO: 3519.000  
PID: 001-421-948  
CIVIC: 1357 ESQUIMALT RD  
OWNERS: KOKAN INC DR PETAR J  
Payable at most financial institutions.  
Make Cheque Payable to:  
The Township of Esquimalt  
1229 Esquimalt Rd Esquimalt BC V9A 3P





C. Walk Apts  
Box 74541, 2A68 W. Broadway  
Van BC V6K 2G0

080830 21:27 V99 3AD 087  
www.canadapost.ca  
www.postescanada.ca

Corporation of Township of Esquimalt  
1229 Esquimalt Road  
Victoria, BC  
V9A 3P1

CORPORATION OF THE TOWNSHIP OF ESQUIMALT  
1229 Esquimalt Road  
Esquimalt, BC V9A 3P1  
Tel: (250) 414-7107

401

RECEIVED AT:  
CORPORATION OF THE TOWNSHIP OF ESQUIMALT  
ESQUIMALT BC V9A 3P1 (250) 414-7107

Receipt: 1484/14  
Dated: Jul 4, 2008  
Station: POS1/CASH1

Jul 4, 2008  
11:31:45 AM

TXPMT	3519.000	34,431.91
Total		34,431.91
CHEQUE	CAPTAINS WALK	-34,431.91

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**MUNICIPAL LAW - Taxation - Definitions.**

The penalty under s. 5 of the *Municipal Act Tax Regulation*, B.C. Reg. 62/84 gives rise to absolute liability.

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*Younger Extraction Plant Inc. v. Taylor Management Co.* (March 17, 2006), Vancouver Registry, L043148 (B.C. S.C.) Russell, J. (Order No. 006 087 090 - 15 pages) Counsel: K. Krenn for Petitioners; C.S. Murdy, A. Seymour for Respondent.

**Decision:** Petition dismissed.

**Facts:** The respondent delivered notices of real property tax levies for 2003 to the petitioners for their properties. Taxes were due and payable on July 2, 2003. The taxes were tendered by the petitioners one day late. The system that the petitioners had in place that had worked for years failed because their business administrator was ill. The respondent assessed a 10% penalty. The petitioners sought a declaration that the property tax penalties were administratively imposed penalties that gave rise to strict liability and that they had a due diligence defence. The petitioners sought to set aside the penalty.

**Reasons:** The penalty for the late payment of property taxes was mandatory. The starting point was a rebuttable presumption that liability was strict and a due diligence defence was available. The presumption in favour of strict liability could be rebutted if the legislature made it clear that guilt would follow proof merely of the proscribed act. The presumption in favour of strict liability applied in this case. In determining whether the penalty gave rise to absolute or strict liability the factors to consider were: the overall regulatory pattern adopted by the legislator; the subject matter of the legislation; the importance of the penalty; and the precision of the language used in the enactment. Taking into account the four factors the presumption of strict liability was rebutted. Guilt would follow proof merely of the proscribed act. The penalty under s. 5 of the *Municipal Act Tax Regulation*, B.C. Reg. 62/84 gave rise to absolute liability. The decision was based on the nature of the penalty and the clear, directive language in the *Regulation* and the *Local Government Act*, R.S.B.C. 1996, c. 323 combined with the legislator's decision not to grant to the municipality or the collector any discretion in relation to the penalty. Even if the defence of due diligence was available to the petitioners they failed to satisfy that defence in the circumstances.

**Statutes Considered:** *Local Government Act*, R.S.B.C. 1996, c. 323

**Regulations Considered:** *Municipal Act Tax Regulation*, B.C. Reg. 62/84, s. 5



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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## MAYOR'S AND COUNCILLORS' REPORTS

Report from: Councillor Garrison  
Subject: Proposed Crosstown Bus Route  
Council Agenda: April 20, 2009

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**Update:** At its May 19th meeting the BC Transit Commission will be making a decision on how to allocate 20,000 additional hours of new service for September this year. Esquimalt Council earlier passed a motion asking that BC Transit consider an extension of its proposed new Crosstown Route along Bay Street to Dockyard. The proposed extension would take an additional 3,000 hours of service to implement over the 6,500 hours needed for a route ending in Vic West. The extension would also require use of an additional bus on the route in order to maintain proposed scheduled service times, every 15 minutes during peak periods and every 30 minutes at other times on weekdays. Esquimalt will ask to make a presentation to the Commission on this issue.

The extension was added as an option part way through the public consultation on the proposed Crosstown route. BC Transit staff described the extension to Dockyard as Option 1 and the "preferred choice." Ending in Vic West was described as Option 2 and the "fallback" if additional service hours were not available. Option 3 is to choose not to create the new route. However, our concern is, that even after the extension to Dockyard was added as the preferred option, no open house was held in Esquimalt. In a conversation with BC Transit staff I learned that they have not been asked to tabulate responses to BC Transit's on-line survey on preferred options as the extension option was only added to the on-line survey after the initial open houses.

### **Recommendation:**

**That Council continue to support creation of the proposed new Crosstown Bus Route with the extension to Dockyard as an integral part of the plan.**

### **Pros:**

1) A new Crosstown Bus route along Bay Street and Esquimalt Road would make a major contribution to Greenhouse Gas reduction. If we are to achieve regional GHG goals transit choices will have to focus on getting the greatest number of people out of their cars. A new Crosstown Bus route along Bay Street and Esquimalt Road would make a major contribution to commuter traffic reduction in Esquimalt by connecting two of the largest employers in the Lower Island. The imminent increases in employment at the Dockyard and on the base in general should make this a priority.

2) Extending the Crosstown route to Dockyard would also have an impact in mitigating existing and future parking problems which Esquimalt is facing in the area around Dockyard. Construction projects on the base have reduced onsite parking options and the problem is spilling into adjacent residential neighbourhoods.

... /2

- 3) Extending the Crosstown route to Dockyard would further enhance BC Transit's original goal of using the planned expansion of service hours to reduce the number of transfers downtown. Direct service to Royal Jubilee would benefit the many residents of Esquimalt who work at the Hospital as well as those who regularly visit the hospital for health care. Many of those who work at Dockyard reside along the proposed new route and could take the new bus to work without transferring downtown.
- 4) Extending the new Crosstown route to Esquimalt is likely to make the route more financially viable given that transit ridership in Esquimalt is higher than in Vic West.
- 5) There is significant community support for the extension to Dockyard. Indications of this support include letters of support from the Esquimalt Residents Association, the Esquimalt Chamber of Commerce, and Maurine Karagianis, MLA for Esquimalt –Metchosin.

**Cons:**

1) Extending proposed Crosstown route to Dockyard would have a higher cost than ending in Vic West. Choosing the extension of the Crosstown route to Dockyard will make fewer resources available for other proposed transit improvements. This might restrict the ability of BC Transit to expand other services, including additional service on route #14, additional service to UVIC, and additional late night services.

**Alternative Policy**

That Council support the creation of the Crosstown Bus route this year ending in Vic West as originally planned with the understanding that it will be extended to Dockyard in the future.

**Pros:**

- 1) This would allow BC Transit to avoid the additional expenditures resulting from extending the route to Dockyard. This would free up more resources for other service expansions which might include better service on #14 and/or additional late night service.
- 2) This would not interfere with the original Transit Commission plan and would therefore be more likely to receive support from Commissioners as it would allow expansions of transit service in other areas of the region.

**Cons:**

- 1) Given the recession and the provincial budget challenges expected after the Olympics, the chance of BC Transit getting another extension of service hours in the near future large enough to allow the extension to Dockyard would appear small.
- 2) A Crosstown Bus Route ending in Vic West will provide no extra value for Esquimalt from the increase in service hours this fall.
- 3) See all the pros listed under the recommended option.

Respectfully submitted,



Councillor Randall Garrison



# COMMITTEE OF THE WHOLE REPORT

From: Meeting of April 14, 2009

To: Meeting of Municipal Council – April 20, 2009

At its meeting held on Tuesday, April 14, 2009 the Committee of the Whole considered the following matters and resolved that the recommendations as outlined be submitted to Council for consideration:

## 1. 2009 – 2011 Strategic Plan

That Council recommend adoption of the 2009 – 2011 Strategic Plan.

## 2. Feedback on Height and Density following the March 24th Community Forum, Staff Report No. DEV-09-020

1. That Council authorize staff to begin the process of reviewing Section 2.2.4 of the Official Community Plan [OCP] with a view to amending the maximum allowable building height and allowable FAR [Floor Area Ratio] for multiple family residential and mixed-use commercial-residential buildings in designated areas [Section 2.2.4.4].
2. That the review of Section 2.2.4 of the OCP also include a review of what constitutes an amenity worth qualifying for increased height and density [Sections 2.2.4.1 (h) and (j)] plus give the value of each amenity in relation to the amount of the increase.

## 3. Development Permit, 513 Sturdee Street, [Lot 53, Suburban Lot 53, Esquimalt District, Plan 2854], Staff Report No. DEV-09-021

That the application for a Development Permit, limiting the form and character of development to that shown on architectural plans prepared by 3 Metro Urban Design and Development, stamped "Received March 10, 2009" and on landscape plans prepared by Duane Ensing Landscape Design, stamped "Received April 7, 2009", for the proposed development located at Lot 53, Suburban Lot 53, Esquimalt District, Plan 2854 [513 Sturdee Street], and including the following variances to Zoning Bylaw No. 2050 be forwarded to Council with a recommendation of approval.

**Section 38(5) – Floor Area** – a 30 square metre reduction to the minimum floor area of the first storey of the Principal Building from 88 square metres to 58 square metres.

**Section 38(7) – Building Width** – a 1.1 metre reduction to the minimum width of any Two Family Dwelling from 7 metres to 5.9 metres.

**Section 38(9)(a)(ii) – Siting Requirements – Principal Building** – a 0.6 metre reduction to the Interior Side Setback from 1.5 metres to 0.9 metres.

**Section 38(9)(a)(ii) – Siting Requirements – Principal Building** – a 1.3 metre reduction to the Exterior Side Setback from 3.6 metres to 2.3 metres.

**Section 38(9)(b)(ii) – Siting Requirements – Accessory Building** – a 0.7 metre reduction to the Exterior Side Setback from 3.6 metres to 2.9 metres.

4. **Rezoning and Development Permit, 934 and 936 Craigflower Road, [Lot B, Section 10, Esquimalt District, Plan 326] and [Lot PT 8, Section 10, Esquimalt District Plan 6650, lying southerly of a boundary parallel to and perpendicularly distant 120 feet from the northerly boundary of said lot], Staff Report No. DEV-09-022**

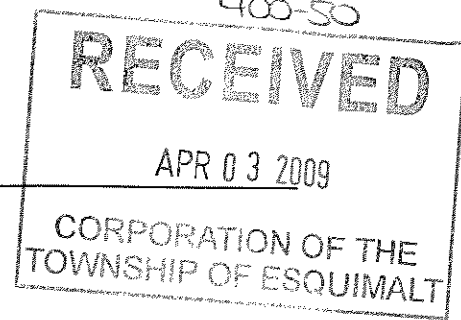
That the application for the rezoning of 934 and 936 Craigflower Road and a Development Permit limiting the form and character of the proposed development as shown on the project data and site plans stamped "Received April 7, 2009", and architectural plans stamped "Received August 21, 2008"; prepared by Herbert H. Kwan Architect and landscape plan prepared by Lombard North Group, stamped "Received August 21, 2008", be forwarded to Council with a recommendation for approval.

5. **Street Cleaning – Proposed Level of Service, Staff Report No. EPW-09-021**

That Staff Report No. EPW-09-021 be received for information.



CITY OF BURNABY  
OFFICE OF THE MAYOR  
DEREK R. CORRIGAN  
MAYOR



Agenda  
✓ Barb S.  
✓ Paul N.

2009 March 24

Mayor and Council  
Township of Esquimalt  
1229 Esquimalt Road  
Esquimalt, BC V9A 3P1

Dear Mayor and Council:

**SUBJECT: SIX STOREY WOOD-FRAME RESIDENTIAL BUILDINGS**  
ITEM NO. 02, MANAGER'S REPORTS, COUNCIL 2009 MARCH 23

Burnaby City Council, at the Open Council meeting held on 2009 March 23, received the above noted report from the Director Planning and Building. Council adopted the following recommendations contained within the staff report **AS AMENDED**:

1. "THAT rezonings for the development of five or six storey wood-frame buildings only proceed after the concerns outlined in this report have been satisfactorily addressed.
2. THAT Council authorize an amendment to the Building Bylaw to include Building Specialists in the definition of Registered Professionals enabling the Chief Building Inspector to require Building Specialists for the design and field review of the construction of complex buildings.
3. THAT a copy of this report be sent to Honourable Rich Coleman, Minister of Housing and Social Development, requesting that the issues outlined in this report be addressed for inclusion in the B.C. Building Code.
4. THAT a copy of this report be sent to all UBCM member municipalities."

Please find enclosed a copy of the report for your information.

Sincerely,

Derek R. Corrigan  
MAYOR

---

**TO:** CITY MANAGER **DATE:** 2009 MARCH 18

**FROM:** DIRECTOR PLANNING & BUILDING  
FIRE CHIEF

**SUBJECT: SIX STOREY WOOD-FRAME RESIDENTIAL BUILDINGS**

**PURPOSE:** To provide Council with information and recommendations on the B.C. Building Code changes allowing the construction of six storey wood-frame residential buildings.

---

**RECOMMENDATIONS:**

1. **THAT** rezonings for the development of five or six storey wood-frame buildings only proceed after the concerns outlined in this report have been satisfactorily addressed.
2. **THAT** Council authorize an amendment to the Building Bylaw to include Building Specialists in the definition of Registered Professionals enabling the Chief Building Inspector to require Building Specialists for the design and field review of the construction of complex buildings.
3. **THAT** a copy of this report be sent to Honourable Rich Coleman, Minister of Housing and Social Development, requesting that the issues outlined in this report be addressed for inclusion in the B.C. Building Code.

**REPORT****1.0 BACKGROUND**

At the regular Council meeting of 2009 February 02, Council directed staff to provide a report on the B.C. Building Code (Code) changes allowing the construction of six storey wood-frame residential buildings. The purpose of this report is to outline the Code changes, issues arising from those changes and the impact of those changes in Burnaby.

On 2008 February 16, the Thorne Speech indicated that “we will lead the way in safe, six storey wood-frame construction that lowers building and housing costs.” Premier Gordon Campbell also indicated that he wanted to support the province’s forest industry by allowing higher wood-frame buildings.



In 2008 May, Housing Minister Rich Coleman announced the Province's intention to increase the maximum height for wood-frame residential buildings from four to six storeys by amending the Code.

In 2008 June, the Building and Safety Policy Branch, a branch of the Office of Housing and Construction Standards responsible for the development of the Code, started working on the Code changes. In 2008 August, the Branch hired consultants to conduct research, identify the issues to be addressed and propose Code changes to allow the construction of six storey wood-frame residential buildings.

Between 2008 July and November, staff in the Building and Safety Policy Branch worked with stakeholders to develop proposed changes to the Code. Public consultation on the proposed Code changes was conducted from 2008 November 15 to December 15.

In general, the stakeholders felt that their input was hampered by time constraints and limited background information and research. Some of the important issues outlined in this report have not been addressed and recommendations were not incorporated in the Code changes.

## 2.0 NEW BUILDING CODE PROVISIONS

The following new Code provisions, for residential buildings only, were enacted by Ministerial Order on 2009 January 08 and will take effect on 2009 April 06:

### 2.1 Building Height

The current Code permits wood-frame residential buildings up to four storeys in height. The Code changes increase the allowable height of these buildings to six storeys with a maximum dimensional height of 18 meters to the uppermost storey. The height limit of 18 meters is also the current limit for a building that would not be considered as a high-rise building.

However, in higher seismic zones, such as the Lower Mainland, the current structural requirements of the Code for wood-frame construction limit the building height between to 15 m and 20 m depending on the types of wood shear walls used to resist seismic forces. This requirement may further restrict the dimensional height and the number of storeys that can be built.

### 2.2 Building Area

The Code addresses the inherent difference between combustible and non-combustible construction by limiting combustible building area to 20% of that permitted for a non-combustible building of similar height. This factor is maintained with the Code changes. The building area defines the total permissible area for each floor.

The Code currently employs a formula in apportioning building area relative to the building height, such that the resulting gross floor area of all the floors is limited to a maximum of 7200 sq.m.

The current maximum area for each floor of a four storey wood-frame building is 1800 sq.m. The new maximum floor area is 1440 sq.m. for a five storey building and 1200 sq.m. for a six storey building.

By retaining the same gross floor area, the intent of the Code change is to maintain the same volume of combustible construction.

### 2.3 Exterior Cladding

Combustible cladding is currently permitted on a four storey residential building. The Code change limits the cladding for five storey and six storey wood-frame residential buildings to three types:

- non-combustible material,
- combustible material with certain fire-resistance, or
- fire-retardant treated wood.

The intent of the Code change is to address the risk of fire spreading up the building face.

### 2.4 Sprinkler System

Currently a four storey wood-frame residential building is required to have a sprinkler system conforming to NFPA 13R, "Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height." The Code change requires five storey and six storey buildings to have a sprinkler system conforming to a higher standard, NFPA 13. Additional sprinkler protection will apply to balconies, closets, attic and crawl spaces.

### 2.5 Seismic Design

Shear walls provide resistance to lateral earthquake loads. The Code change requires the shear walls of all floors to line up over the entire height of the building. Offset or discontinuity of the shear walls weakens the structural capacity of the building structure to resist lateral earthquake loads.

## 3.0 ISSUES

Although the stakeholders and the public generally support the principle of allowing the construction of six storey wood-frame buildings and the Code changes do address some of the concerns raised, a number of significant technical and process issues remain. They are discussed as follows:

### 3.1 Technical Issues

This Section identifies technical issues and concerns that have not been addressed by the Code changes for various reasons. Municipalities have limited power under the Concurrent Authority within the Community Charter to establish bylaws that alter the technical standards or the application of the Code without the approval of the Minister.

The Charter limits municipalities to process oriented issues in relation to the Codes administration.

### 3.1.1. Lack of Research on Seismic Design

Code changes of this magnitude that require extensive research, testing, consultation and the development of education and training documents would normally take several years to complete. These Code changes were completed in six months. The Building and Safety Policy Branch started to work on the Code changes in 2008 June and hired two consultants in 2008 August to review primarily structural performance and fire risks inherent in six storey wood-frame buildings. The proposed changes were available for public consultation between 2008 November 15 and December 15 and were approved by the Minister in 2009 January.

The Association of Professional Engineers and Geoscientists of BC (APEGBC) and the Architectural Institute of BC (AIBC) identified a number of concerns related to issues such as fire safety, structural adequacy and material shrinkage, and stated that there was insufficient time to develop guidelines for their members prior to the implementation of the Code changes. APEGBC has submitted a proposal for funding from the Province to produce the necessary guidelines, however, the initial request was not approved. Recently the Province agreed to fund a shortened version to approximately 1/4 of the original proposal.

The Province also provided funding to Forintek, a research group, to test a six storey wood-frame building on an earthquake shaker table in Japan this summer. Forintek is also conducting some research on the structural design of six storey wood-frame buildings, both in their laboratory at the University of British Columbia and at the Colorado State University. The results are not expected to be available prior to the effective date of the Code changes in April.

Code requirements pertaining to buildings and construction materials provisions have evolved based on research and historical experience of the performance of wood-frame buildings up to four storeys. It is the view of staff that more research and consultation should be required prior to adopting the Code changes which allow an increase in the building height of wood-frame buildings to six storeys.

### 3.1.2. Fire Risks

Recommendations of the consultants addressing fire risks and concerns expressed by interest groups such as the Building Officials, Fire Chiefs, Professional Engineers and Architects, were not incorporated in the Code changes. Such recommendations are listed as follows:

- Increase the reliability of the fire separations between floors by using two layers of fire-rated drywalls instead of one layer;
- Limit the risk of fire spread up the exterior of the building by only allowing non-combustible cladding (and not permitting combustible materials);
- Limit the risk of fire spread up the interior of the building by providing fire blocking of vertical concealed spaces;

- Provide better exit routes by requiring non-combustible exit shafts; and
- Aide firefighting by providing high-rise measures, such as a firefighters' elevator, a voice communication system, a smoke control system and an emergency generator

The Code changes failed to address a concern pertaining to residential buildings for seniors and for assisted living. The occupants in those buildings would have difficulty negotiating six storeys of stairs in the event of an emergency.

Fire spread in wooden structures, regardless of sprinklers, is considerably more rapid than in those built of non-combustible materials (i.e. concrete). In many cases, multi-storey wooden structures have experienced catastrophic fire loss between the firewalls, along with considerable damage to the rest of the building as a direct result of the rate of fire spread. There can be a dozen or more units between the firewalls and fire intensity contributing to radiant, conductive and convective heat transmission can seriously affect their ability to stop the horizontal spread of the fire.

In a concrete building, the fire is usually contained to the area of origin and rarely spreads to other floors or units. The areas or units in concrete structures act as compartments and greatly reduce the spread of fire. If the fire is not in or affecting the safety of their unit, the occupants can stay where they are and wait for rescue if they are unable to access a fire escape route.

In a wooden structure, this is not an option. The occupants must escape the building. The potential rate of fire spread in a wood-frame building greatly reduces the time someone has to find their way out of the building. Escaping from a sixth floor is going to take longer than it does to escape from a fourth floor. This applies to firefighter escape as well.

The Code changes did not address these fire issues and may put the firefighters and the occupants of six storey wood-frame buildings at an increased risk.

### 3.1.3. Fire Fighting

Six storey structures require the use of high-rise firefighting tactics which are much different from those used for low-rise structures (1 - 4 storeys). The current three and four storey wooden structures create demanding challenges when fighting fires from an external upper floor access perspective. The transition from low-rise to high-rise firefighting tactics takes place for anything greater than three storeys above ground level. Firefighters are able to access third floor balconies with ground ladders but require truck aerial ladders to reach higher storeys. It is both the number of storeys and the building height from any side that determine the specific firefighting tactics used. Fires in these structures are fought using internal as well as external tactics and each complements the other. Access for aerial devices is usually an issue in apartment complexes and which floor the firefighters can get to is dependent on how close they can get to the building. As a result, internal firefighting tactics may be the only option for fires in the upper floors, a much more dangerous situation in a wooden structure than one constructed of non-combustible materials.

Fires in concrete buildings are usually compartmentalized, in other words they are contained to a cubicle like area. In concrete buildings, firefighters can attack the fire from outside the fuel load area that is burning, even if it is an inside hallway or stairwell. When fighting fire from the inside of a wooden building, they usually find themselves operating in the middle of the fuel load.

A critical component of any firefighting strategy includes searching the building for occupants requiring rescue. A six storey wooden building would take about twice the time to search as compared to a three storey building with the same available resources. With the potential of a more rapid fire spread, time becomes much more critical. A wood-frame building would require a complete initial search, while in comparison, a high-rise building constructed of non-combustible materials only requires an initial search of the immediate floor or two above the fire floor and occupants can remain in their unit if it is unsafe to exit the building.

It is common for fires in low-rise (up to 4 storeys) wood-frame apartment buildings to require more firefighting resources for a longer period of time to extinguish than for those in multi-storey structures constructed of non-combustible materials enclosing each unit. It is the potential for the rapid spread of the fire to the entire structure as well as the surrounding exposures that determines the resources assigned to the incident. Fires in wooden multi-unit apartment structures usually require responses that tax the fire fighting resources to the limit and often require the callback of off-duty personnel to support the operation and provide coverage for the remainder of the city.

#### 3.1.4. Building Envelope

There is no additional provision in the Code changes to address the design and performance of the building envelopes of six storey wood-frame buildings. The consultants hired by the Province have cited the reason that Part 5 of the current Code, Environmental Separation, is objective-based and adequately deals with the building envelopes for buildings of different heights. It is therefore incumbent on the designer to consider the increased risks, and design accordingly.

The design and construction of building envelopes are very complex. Factors affecting the performance of the envelope of a building include knowledge and experience of the designer, detailing of the interfaces between different materials, workmanship, field reviews by the professionals and maintenance by the owners. The level of competency and knowledge of the industry and the design professionals and the standard of drawings and documents vary substantially within the industry.

Given the above factors, together with the amount of rainfall in the Lower Mainland, the addition of two extra wood-frame storeys could increase the risk of building envelope failure.

#### 3.1.5. Material Shrinkage

There is no specific provision in the Code changes to deal with the shrinkage of wood products used in the construction of six storey wood-frame buildings.

The only reference to shrinkage is made in the Appendix of the Code that warns the designers that building movement, due to shrinkage, should be considered in the designs of cladding systems, mechanical and plumbing systems, hold-down devices for structural walls and connections to non-shrinking elements, including firewalls and elevator shafts.

### 3.2 Process Issues

Administrative matters may be dealt with autonomously at the local government level. Building Bylaw that establishes procedures for the administration and enforcement of the Code, such as plan review and building inspection, is not subject to concurrent authority and does not require the Minister's approval. Some of these process issues identified below may be addressed at the local government level.

#### 3.2.1 Qualification of Professionals

Since the current Code is objective-based, it heavily relies on the design professionals to use their knowledge and experience to ensure that their design meets the objectives of the Code. One of the major concerns identified by various interest groups and the consultants hired by the Province was the need for qualified design professionals to address the technical issues identified above (fire safety, structural, building envelope and material shrinkage).

Currently, the Code requires registered architects and professional engineers to design and provide construction field reviews of six storey wood-frame residential buildings. However, the Code does not require specific training, knowledge or experience for the professionals. The certification and regulation of the practice of architects and engineers are left to AIBC and APEGBC under the authority of their respective Acts.

The Ministry of Housing and Social Development introduced Bill 10, The Housing Statutes Amendment Act, on 2008 April, providing the two professional associations with authority to create categories of Building Specialists and set qualifications. It also enables the local governments to require Building Specialists, created by the two associations, to certify plans submitted for Building Permits. This provides local government with confidence that new and complex technologies are safely and effectively implemented.

APECBC has already created a category of Building Specialist called "Designated Structural Engineers" (DSE) for structural design of more complex buildings, such as those classified as Part 3 buildings by the Code. The City of Vancouver has already amended their Building Bylaw requiring DSE for all Part 3 buildings since 2007.

AIBC and APECBC are jointly working to create two more categories of Building Specialists, "Building Envelope Professionals" (BEP) for the design and field review of building envelopes and "Certified Professionals" (CP) to coordinate the permit and inspection processes. The program for BEP may be completed this year while the one for CP may take two years to finish.

The current Burnaby Building Bylaw requires that the design and field review of building envelope of a residential building, other than single and two family dwellings, shall be carried out by a Building Envelope Professional that meets the qualifications as prescribed in the Building Bylaw.

The Burnaby Building Bylaw also provides the authority to the Chief Building Inspector to require the owner to obtain the design and field review services of a “Registered Professional”, an architect or a professional engineer, in respect of a permit for a building that, in the opinion of the Chief Building Inspector, the site conditions, size or complexity of a building or an aspect of a building so warrants.

In order to take advantage of the authority provided by Bill 10, it is recommended that Council authorize the amendment of the Burnaby Building Bylaw to include Building Specialists, as defined in Section 55(1) of the Community Charter, in the definition of Registered Professionals.

This amendment will enable the Chief Building Inspector to require certification of Building Specialists, such as Designated Structural Engineers, Building Envelope Professionals and Certified Professionals, for complex buildings such as all Part 3 which includes the six storey wood-frame buildings.

The benefit of this bylaw change is not only to ensure that the new and complex technologies are safely and effectively implemented but also reduces the City’s liability exposure in future claims due to faulty construction.

### 3.2.2 Qualification of Contractors and Trades

Concerns were raised by building officials and design professionals that some of the contractors and trades do not have the experience, qualifications and/or ability to construct four storey wood-frame buildings, particularly in relation to building envelopes, fire stop systems, material shrinkage due to moisture content of wood and shear walls. Construction of six storey buildings will exaggerate the need for qualified contractors and trades.

Currently there is no mandatory qualification for contractors or trades that are responsible for the items mentioned above. The new home warranty program relies on the insurance providers to screen the general contractors; however, the insurance providers qualify contractors based more on their financial ability than their technical ability.

APEGBC’s preliminary proposed design guideline for structural engineers recommended that contractors should be qualified by their past experiences or be able to demonstrate to the engineer that they have the necessary understanding and competencies to perform the work including proper installation of all details provided by the structural engineer.

Qualification of contractors and trades is a provincial matter, however, we are able to require, under our current Building Bylaw, an independent third party inspection in addition to the inspections provided by our building inspection staff to ensure certain critical building components are being installed correctly.

### 3.2.3 Education and Training

APEGBC is currently working on a design guideline for professional engineers to address the six storey wood-frame buildings. The guideline will be a scaled down version from the original proposal due to funding and time restraints. The guideline will cover topics such as design, drawing and review practice, shear walls, shrinkage, firewalls and elevator shafts, and hybrid systems with mix use of wood, steel, concrete and masonry.

APEGBC is hoping to have the guideline available to the engineers on or before the effective date of the Code changes. However, time would still be required to schedule seminars for education and training. It is not expected that the training would be completed until later this year.

Unfortunately, there is no specific education and training program for building officials, contractors and trades at this time.

## 4.0 IMPACT OF CODE CHANGES IN BURNABY

### 4.1 Zoning

Five and six storey wood-frame residential buildings could be accommodated through Comprehensive Development rezoning under Burnaby's existing zoning bylaw, if approved by Council.

Although the RM2 and RM3 zoning districts permit a maximum building height of three storeys, four storey residential buildings have been permitted under Comprehensive Development zoning based on these districts, at a maximum RM3 density of 1.10 Floor Area Ratio with underground parking and no amenity bonus.

Six storey residential buildings would hypothetically tend to fall within the RM4 and RM5 density range, i.e. 1.70 and 2.20 Floor Area Ratio maximums respectively (with underground parking and no amenity bonus). Given the maximum lot coverage of 25 percent and 30 percent permitted in the RM4 and RM5 districts respectively, the maximum Floor Area Ratios permitted in these zones could not be achieved in a six storey building form, except through a Comprehensive Development rezoning which increased the permitted lot coverage for a specific development.

Given the concerns outlined in this report, it is unlikely that rezoning applications for six storey wood-frame apartment buildings would be supported by staff until such time as the issues outlined in this report are addressed.

### 4.2 Firefighting

The President of the Fire Chiefs' Association of B.C. (FCABC) submitted a report from the Fire Services Liaison Group (FSLG) outlining some serious questions and concerns expressed by its members. Some were addressed, but a significant number still exist.



The Province announced that the changes to the Code had the support of the Office of the Fire Commissioner, a provincially run and funded agency. The request and opportunity for input came after the initial announcement.

It is critical that the safety of the occupants and firefighters be considered in any requirements relating to the construction of any structure. From a Fire Department perspective, these are not mid-rise buildings. They would require high-rise firefighting tactics. The firefighting strategy would have to be further modified, based on the combustible material construction for the reasons previously indicated.

Fire incidents would require an increased resource response to deal with the added tactical requirements compromising the ability of the Fire Department to quickly attack the fire from an offensive stance, in other words, finding the seat of the fire and extinguishing it quickly minimizing the fire loss. This is difficult enough in three storey apartment buildings. If the firefighters are forced into a defensive stance (fighting the fire from outside at a safe distance), they are only able to control the spread of the fire to adjoining exposures and extinguishment is accomplished by "surround and drown" where appliances with large nozzle are set up to pour water on the structure until the fire is out, usually resulting in catastrophic fire loss.

Even with the most up-to-date fire protection systems in place to alert occupants and slow the fire down (i.e. sprinklers), the ability for occupants to escape quickly is probably the most important factor. When an alarm sounds, all too often it is ignored and we usually find only a handful have made their way from the building. In a wooden structure, it is that much more imperative that all occupants get out safely and quickly. If there is a fire emergency, a taller building will take longer to be evacuated and, with our search taking longer to complete, fewer resources will be available initially to begin an offensive fire attack.

For these reasons, the Fire Department would not support proposals allowing wood-frame buildings of more than the current four storey limit and height restriction for these types of structures.

#### 4.3 Permit and Inspection Process

Staff involved in the permit and inspection process of multi-storey residential buildings rely on the expertise of registered professionals, such as architect and engineers, with respect to issues regarding the building envelope, structural adequacy and building material shrinkage. If the architects and engineers are not ready or adequately prepared to deal with the design and construction implications of the six storey wood-frame buildings, staff could not support proposals to construct such buildings.

### 5.0 CONCLUSION

Although there is support in principle to allow six storey wood-frame building construction, the following technical and process issues remain to be addressed:

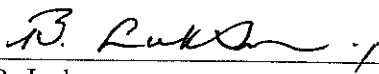
- Lack of research on seismic design;
- Fire risks to occupants;

To: City Manager  
From: Director Planning & Building & Fire Chief  
Re: Six Storey Wood-Frame Residential Buildings  
2009 March 18..... Page 11

- Firefighting;
- Building Envelope;
- Material Shrinkage;
- Qualification of Design Professionals;
- Qualification of Contractors and Trades; and
- Education and Training for those involved in design and construction

Given the concerns outlined in this report, it is recommended that:

1. Rezoning for the development of five or six storey wood-frame buildings only proceed after the concerns outlined in this report have been satisfactorily addressed.
2. Council authorize the amendment to the Building Bylaw to include Building Specialists in the definition of Registered Professionals enabling the Chief Building Inspector to require Building Specialists for the design and field review of the construction of complex buildings.
3. A copy of this report be sent to Honourable Rich Coleman, Minister of Housing and Social Development, requesting that the issues outlined in this report be addressed for inclusion in the B.C. Building Code.



B. Luksun  
Director Planning & Building

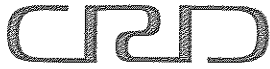


R. Cook  
Fire Chief

PS:ap

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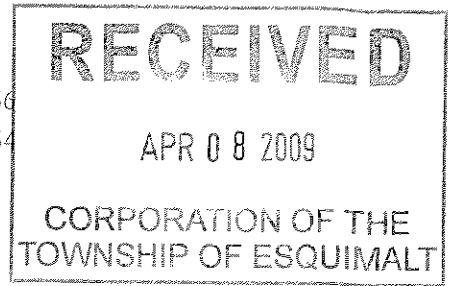
cc: Director Engineering  
City Solicitor  
Chief Building Inspector



Making a difference...together

Environmental Services  
625 Fisgard Street, P.O. Box 1000  
Victoria, BC, Canada V8W 2S6

T: 250.360.3256  
F: 250.360.3254  
www.crd.bc.ca



*Agenda*

April 2, 2009

File: 5280-10.01

Tom Day  
Chief Administrative Officer  
Township of Esquimalt  
1229 Esquimalt Road  
Victoria BC V9A 3P1

Dear Mr. Day:

**RE: CLIMATE ACTION STEERING COMMITTEE AND WORKING GROUP—CAPITAL REGIONAL DISTRICT**

Climate change has become an increasing priority across all levels of government and society in general. It extends to all levels of government, crosses jurisdictions and will affect our personal lives and public responsibilities. Through the provincial Climate Action Charter and other initiatives, local governments across BC are taking action to address this complex and challenging problem. With the establishment of a regional climate action service, the Capital Regional District (CRD) is poised to help facilitate action on climate change region-wide. To ensure the program is aligned and supports community efforts, an inter-municipal steering committee and working group will be established.

The CRD has been working to develop a framework for implementing climate action for the past few years. The CRD initiated a community energy planning process in 2003 to reduce greenhouse gas (GHG) emissions in the region and completed an energy and GHG inventory in 2004 for the CRD and individual member municipalities. In 2007, as part of an extensive stakeholder engagement strategy, the CRD completed the Community Energy Plan (CEP), with specific emission reduction targets and a strategy to achieve the reductions. In 2008, the CRD released a corporate climate action plan to guide internal planning, which has been used by a number of municipalities as a template for their operations. To clarify the CRD's role moving forward, the CRD Board established a climate action service and approved an establishing bylaw to provide regional climate action coordination which received final approval in January 2009 (Attachment 1).

The CRD and all member municipalities have signed on to the Provincial/Union of British Columbia Municipalities (UBCM) Climate Action Charter. Recognizing the important role that local governments play in addressing climate change, signatories have committed to:

- becoming carbon neutral with respect to their operations by 2012;
- measuring and reporting on their community GHG emission profiles; and
- creating complete, compact, more efficient rural and urban communities.

The province has also introduced a wide range of regulatory tools, requirements and resources within the Climate Action Charter framework in support of action on climate change. Of particular interest is the Local Government (Green Communities) Statutes Amendment Act, or Bill 27, which requires local governments to establish GHG reduction targets in their Official Community Plans by 2010 (2011 for Regional Growth Strategies), while providing increased authority in the development process.

With limited local government resources to address the complex challenges and opportunities climate action entails, the CRD is in a position to facilitate access to key resources and information, while

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coordinating efforts that benefit from efficiency of scale, such as monitoring and public education. To ensure that efforts are aligned and responsive to community needs, the CRD is proposing to establish an inter-municipal steering committee and working group comprised of local government leaders at the elected and staff levels respectively. The following structure is proposed:

- a steering committee comprised of elected officials and advisory representatives; and
- a working group comprised of local government staff and staff representatives of key partners.

**We respectfully request that you identify a representative from your organization to participate on each of the committees.** Given the rapid advancements underway on climate action policies, plans and actions, we would like to convene the working group as soon as possible.

Climate change is arguably one of the most pressing issues of our time and there is tremendous momentum to address this issue. The CRD climate action program will play an integral role in facilitating initiatives and information across the region. We look forward to your nominations and to working together on this challenging and rewarding endeavour.

If you have any questions, please contact the climate action program assistant, Teresa Waddell, at 250-360-3196, or [twaddell@crd.bc.ca](mailto:twaddell@crd.bc.ca).

Sincerely,



Glenn Harris, PhD, RPBio  
Senior Manager, Scientific Programs  
CRD Environmental Services

TW:cam

Attachment: 1

cc: Larisa Hutcheson, Acting General Manager, CRD Environmental Services  
Alice Finall, Chair, CRD Environment Committee

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3510

\*\*\*\*\*  
A BYLAW TO ESTABLISH AND PROVIDE THE SERVICE OF  
CLIMATE ACTION AND ADAPTATION IN THE CAPITAL REGIONAL DISTRICT  
\*\*\*\*\*

**WHEREAS:**

- A. The Capital Regional District may, under Section 796 of the *Local Government Act*, establish and provide any service that the Board considers necessary or desirable for all or part of the Capital Regional District;
- B. The Board of the Capital Regional District wishes to establish a service to provide for climate action and adaptation coordination in the Capital Regional District;
- C. The Regional Board has obtained Participating Area approval in accordance with Section 801.4 and Section 801.5 of the *Local Government Act* pursuant to Section 801 of the *Local Government Act*;
- D. The approval of the Inspector of Municipalities has been obtained under Section 801(1)(a) of the *Local Government Act*.

**NOW THEREFORE**, the Board of the Capital Regional District in open meeting assembled enacts as follows:

**Service**

- 1. The Service being established and to be operated is a service for the purpose of regional climate action coordination, including:
  - (a) monitoring and reporting on air quality, energy consumption and greenhouse gas emissions;
  - (b) collaboration and cooperation with members on climate action and adaptation; and
  - (c) information dissemination and public education.

**Boundaries**

- 2. The boundaries of the service are coterminous with the boundaries of the Capital Regional District.

**Participating Area**

- 3. All municipalities and electoral areas within the Capital Regional District are the participating areas for this service.

**Cost Recovery and Apportionment of Costs**

4. As provided in Section 803 of the *Local Government Act*, the annual cost of providing the service shall be recovered by one or more of the following:
  - (a) property value taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
  - (b) fees and charges imposed under Section 363 of the *Local Government Act*;
  - (c) revenues raised by other means authorized by the *Local Government Act* or another Act;
  - (d) revenues received by way of agreement, enterprise, gift, grant or otherwise.
5. (a) The annual costs for the service, net of grants and other revenues, shall be apportioned among the participating area as follows:
  - (i) Fifty (50) per cent of the costs shall be recovered on the basis of population of the participating areas; and
  - (ii) Fifty (50) per cent on the converted value of land and improvements in the participating areas.
- (b) Population, for the purpose of this section, is the population estimate determined annually by the Regional Planning Services Department of the Capital Regional District.

**Maximum Requisition**

6. The maximum amount that may be requisitioned under Section 803 for the Service will be the greater of:
  - (a) Two Hundred thousand dollars (\$200,000.00); or
  - (b) an amount equal to the amount that could be raised by a property value tax rate of \$0.003 per ONE THOUSAND DOLLARS (\$1,000.00) which when applied to the net taxable value of the land and improvements within the Service Area, will yield the maximum amount that may be requisitioned under Section 806.1 and 805.1 of the *Local Government Act* for the Service.

**Withdrawal from Service**

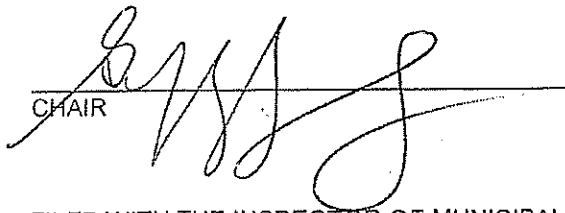
7. After two years from the date of adoption of this bylaw, a participating area may withdraw from the service provided that written notice that the participating area intends to withdraw is delivered to the CRD officer responsible for corporate administration on or before July 1st in any year to be effective as of January 1st the following year.

**Citation**

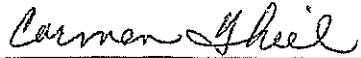
8. This bylaw may be cited as the "Capital Regional District Climate Action and Adaptation Service Establishment Bylaw, 2008."

READ A FIRST TIME THIS 13<sup>th</sup> day of February 2008  
READ A SECOND TIME THIS 13<sup>th</sup> day of February 2008  
READ A THIRD TIME THIS 9<sup>th</sup> day of July 2008  
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 19<sup>th</sup> day of December 2008  
ADOPTED THIS 14<sup>th</sup> day of January 2009

CHAIR



SECRETARY



FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS 19<sup>th</sup> day of January 2009

Deborah Liske

---

*Agenda*  
*Mayor*

**From:** Kris Terauds [kris.terauds@gmail.com]  
**Sent:** April 3, 2009 11:18 AM  
**To:** mayor@victoria.ca; schandler@victoria.ca; ccoleman@victoria.ca; lhunter@victoria.ca; plucas@victoria.ca; jluton@victoria.ca; pmadoff@victoria.ca; gyoung@victoria.ca; cthornton-joe@victoria.ca; Council; mayor@saanich.ca; council@saanich.ca; ameyer@victoria.ca; jmatanowitsch@victoria.ca; lchodan@tc.canwest.com; cjwilson@tc.canwest.com; editor@vicnews.com; johnt@mondaymag.com; editor@theyee.ca; cbcnewsvancouver@cbc.ca; bcnews@cbc.ca; murray@cfax1070.com; islandcontactus@atv.ca; Scott Parfitt; Brian Henry; Linda Thomson; R. Taylor  
**Subject:** Performance paddlers oppose mega yacht marina proposal in Victoria Harbour  
**Attachments:** 20090402 - City of Victoria - Opposition to proposed mega yacht marina.pdf

Honourable Mayor Fortin and Council,

Please accept the attached letter as my input on the proposed mega yacht marina for Victoria's harbour. A signed hard copy will follow in the mail. I am available at the coordinates in the letter should you or your staff require any further information from me.

Sincerely,

Kris Terauds



Mayor Dean Fortin and Council  
 City of Victoria  
 #1 Centennial Square  
 Victoria, BC, V8W 1P6  
[mayor@victoria.ca](mailto:mayor@victoria.ca)

April 2, 2009

Re: Performance paddlers oppose mega yacht marina proposal in Victoria Harbour

Honourable Mayor Fortin and Council Members,

I live in Esquimalt and work at a small local business in the Quadra-McKenzie area of Saanich. In my spare time I train and race competitively in a variety of canoes and kayaks on Victoria's waterways. In recent years I have competed throughout Canada and internationally.

Any competitive achievement I have enjoyed stems in large part from living in Greater Victoria, where I have safe, unimpeded, year-round access to a variety of water conditions, from the shallow creeks feeding Portage Inlet, to the protected Gorge waterway, to the open waters of Victoria's outer harbour and the Straits of Juan de Fuca.

Four or more times per week, I paddle from one of the four paddling clubs located on the Gorge waterway and follow the non-powered traffic lane along the harbour's north shore to reach the open water beyond. Hundreds of other performance paddlers, all residents of Greater Victoria, use the harbour as I do, as do thousands of recreational paddlers.

Paddlers are an important part of Victoria's harbour community, both socially and economically. Victoria's paddling community organizes programs that provide health and recreation opportunities to thousands of Victorians, including children, seniors and persons with disabilities. These activities generate hundreds of thousands of dollars that support charities, events and dozens of businesses.

The intrusive design of the mega yacht marina proposed for the Songhees shore and its location at one of the harbour's narrowest points would threaten paddlers' rights to safe, unimpeded access of this popular public space and therefore the quality of life we draw from paddling in Victoria's harbour.

From a performance paddler's perspective, the safety and access concerns presented by the proposed marina would mean the likely cancellation of all of Victoria's open water races and a vastly diminished role for paddlers in general. These losses are unacceptable to performance paddlers and would impoverish Victoria's harbour community.

I recognize the need for development as the harbour and city grow, but the proposed marina would impose the above sacrifices on paddlers and other resident users for the private benefit of the developer and approximately 50 predominantly non-resident yacht owners – a highly inequitable use of this popular public space.

I urge you to reject the proposed mega yacht marina: it is an inequitable use of public space that threatens paddlers' safety and access rights and would impoverish Victoria's harbour community.

The development is unacceptable to paddlers in at least five ways:

1. Its proposed traffic plan threatens paddlers' safety and access rights.
2. It will cause the cancellation of all open water paddle races on the waterway.
3. It removes this popular public space from the commons for the private benefit of a wealthy, itinerant minority.
4. It will impoverish Victoria's vibrant harbour community.
5. Despite these and other concerns, the developer and involved government agencies have failed to provide an unbiased, transparent forum for public comment.

### *1. Paddlers' safety and access rights are at risk*

The development group proposes two routes for paddle craft transiting the north shore (see figure 1 after this letter): 1) through the marina when traffic permits and 2) around the outside of the marina in a lane that narrows to approximately eight metres at one point (see figure 2 after this letter).

The proposed outer channel would **jeopardize paddlers' safety**:

- Currently, the narrowest channel along the north shore of the harbour offers 70 metres or more of room for performance craft to adjust to any challenging conditions.
- The proposal leaves **only eight metres** at one point for us to navigate between the sea plane taxi lane and the proposed marina's breakwater.
- In any adverse water or wind conditions, this leaves **zero margin for adjustment** and drastically **increases the risk of a serious accident**.
- At the March 7<sup>th</sup>, 2009 open house, the wave analyst hired by the development group admitted that the marina's breakwater would **increase water disturbance in the proposed channel and allow paddle craft little time to react** to any reflected waves.
- I have also read an analysis sent to you by wave expert Professor Emeritus Gordon Greeniaus of the University of Alberta.
- Among other conclusions, he states (my emphasis): **"wave heights (choppiness) will be increased up to 30% over present levels"** and **"the increased choppiness of the water could easily pose significant problems for boaters and kayakers** using the proposed path between the marina and the seaplane taxiway."
- None of this even considers the safety implications of **adding dozens of mega yachts to the existing user base** and having them all **share a vastly narrowed corridor** at what is already the harbour's narrowest point.

The proposed inner channel would **subordinate paddlers' access rights** to this popular public waterway:

- Paddlers would be forced to stop at the marina entrance and wait for permission to pass. Other user groups (e.g. ferries, float planes, powered pleasure craft) would continue to enjoy unimpeded access for their traffic patterns.
- Performance paddlers in particular train for extended periods at high output, so the "stop-and-wait" access to the marina's inner channel would not only subordinate our access rights, but also

**completely disrupt the nature of that access.**

- That said, **the inner channel will not accommodate performance paddling craft.**
- At the west end of the proposed inner channel, paddlers would make a sharp left turn under a low bridge into a five-foot-wide egress channel (plans are unclear if this is high/low tide).
- Single/double outrigger canoes (OC1/2) and surfskis are 20ft+ in length and built for speed in a straight line, so have a poor turning radius. In addition OC1/2s have an outrigger that stretches their width to close to four feet. **These craft can not turn sharply into a five-foot-wide channel.**
- Six-person outrigger canoes (OC6) are approximately 45ft in length and, with their outrigger, approximately 10ft in width. In my conversations on March 7th, 2009 with Lachlan Maclean and Robert Evans of the development group, both freely admitted that **the channel through the marina cannot accommodate OC6s.**

**Paddlers have the same rights to safe, unimpeded access to the harbour as other user groups.** The developer's proposed traffic pattern would result in an **unacceptable subordination of these rights.**

### ***2. All open water races from Victoria Harbour will be cancelled***

The four paddling clubs located on the Gorge Waterway organize a half dozen or more open water races per year that start on the Gorge and transit the north shore of the harbour en route to the open water beyond the harbour.

These races generally include a team race (OC6s) on Saturday and a small boat event on Sunday (canoes, kayaks, etc). **Each weekend race** involves up to **a hundred or more paddlers** and generates **thousands of dollars of revenues** for the organizing clubs.

The above safety consideration will mean the cancellation of all of these races. The Harbour Master's assurances aside, no club safety officer would allow a multi-boat race to pass through an eight-metre channel.

The potential loss of these races would severely damage Victoria's performance paddling community:

- **Lost revenues** for Victoria's paddling clubs, which provide recreational and competitive paddling programs to thousands of Victorians.
- **Lost competitive development** for Victoria's open water racers, who use local races to train for bigger races further afield.
- **Reduced quality of life** from the lost health and enjoyment benefits these races provide.

The loss of our local open water race series is an unacceptable sacrifice for Victoria's performance paddling community.

### ***3. An inequitable removal of public space from the commons***

The development of public space for private interests **demand a higher level of transparency, consultation and compromise** than does the development of private land, with the burden of:

- Minimizing the negative impacts on current users.

- Demonstrating a net benefit for the community as a whole.

Several user groups, comprising thousands of taxpaying Victorians, use the north shore of Victoria Harbour regularly. Among the largest user groups are paddlers, float planes and harbour ferries.

As described above, the proposal threatens paddlers' rights to safe, unimpeded access to this public waterway. At the expense of these rights, the developer proposes privatizing the space for the benefit of approximately 50 mega yacht owners, who:

- Predominantly live, vote and pay taxes outside of Victoria.
- Use their multi-million dollar yachts on average only a few weeks of the year.

Whatever spending these yacht owners will do during their brief annual stays in Victoria will be accompanied by undeniable public costs (most of them year-round), such as:

- Increased congestion in the harbour.
- Increased disturbance of water, diminished views and less accessible shoreline.
- Increased emissions, grey water and other pollution from the vessels and marina.
- Increased noise pollution from the massive generators and motors in these vessels.

The proposed marina's public costs surely balance, if not outweigh its few benefits. When we then consider the lost rights of the current user groups, paddlers in particular, **the proposed marina fails not only to demonstrate a net benefit for Victoria's harbour community, but also fails to minimize negative impacts on current users.**

This proposal would therefore be an **extremely inequitable use of this popular public space.**

#### *4. Impoverishment of Victoria's harbour community*

Victoria's vibrant harbour community relies on the variety of activities and events undertaken by its users. The contribution of each user group to the community is in part reflected in the Harbour Master's proven traffic plan, which grants equal access rights to each in the form of safe, unimpeded lanes. This plan has allowed **years of remarkably safe and respectful coexistence between users groups in our busy harbour**, to the great benefit of both users and the wider community.

Without mentioning its effects on other user groups, **the proposed marina would upset that balance** by subordinating the safety and access rights of paddlers. Severely restricted use of the middle and outer harbour by paddlers, coupled with the cancellation of our open water races, **would diminish the variety of users, activities and events in the harbour and therefore impoverish the community as a whole.**

#### *5. Lack of transparency and consultation*

I will not speak for the harbour's other user groups, but to date public agencies such as Transport Canada and the BC Integrated Land Management Branch **have failed to ensure adequate, unbiased consultation with the performance paddling user group.**

- The federal and provincial reviewing agencies claim the developer has conducted public consultation with a series of one-way, **"show and tell" open houses.**

- No decision makers attended these open houses, nor have they collected feedback.
- These one-way presentations, in which the developer controls both content and reporting to decision makers, **can hardly be considered “transparent, unbiased consultation.”**

We now look to our local representatives for leadership in ensuring that the development of Victoria's harbour proceeds according to the majority will of the city's residents. As it stands, we risk having this intrusive marina imposed on our harbour – the centrepiece of our beautiful city – by distant bureaucrats who propose to ignore the residents' will.

In conclusion, **this proposed mega yacht marina is entirely unacceptable to Victoria's paddling community** in its present design and location. I urge you to reject the proposal and preserve as public space this important piece of our beautiful harbour.

I will be happy to discuss this matter further with you.

Sincerely

Kris Terauds  
959 Dunsmuir Road  
Esquimalt, BC  
V9A 5C4  
250.381.8845  
[kris.terauds@gmail.com](mailto:kris.terauds@gmail.com)

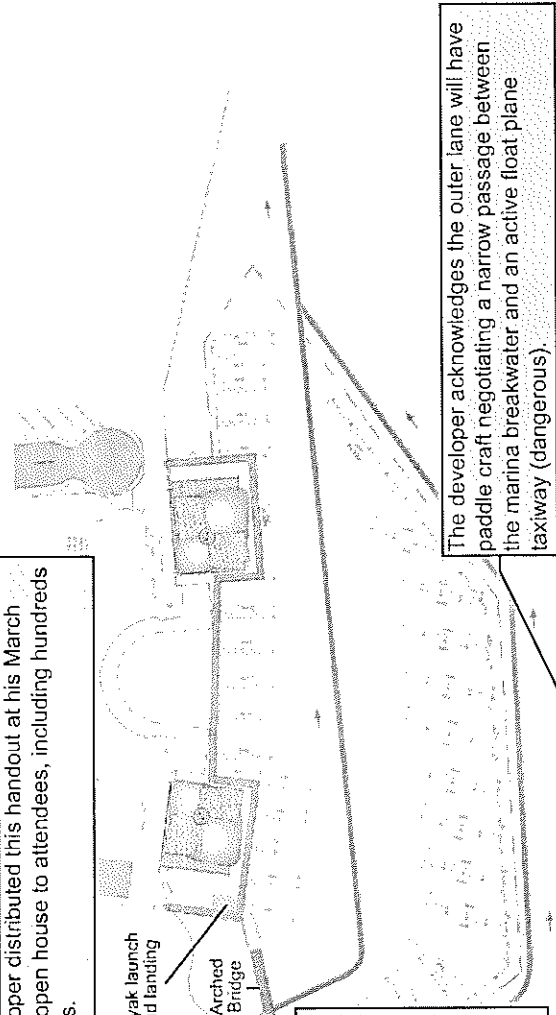
CC. Mayor and Council, Township of Esquimalt  
CCI. Mayor and Council, District of Saanich  
CCII. Don Prittie, Chair, Greater Victoria Harbour Association  
CCIII. Randy Wright, Chair, Tourism Victoria  
CCIV. Allison Meyer, Manager – Development, City of Victoria  
CCV. Jarret Matanowitsch, Planner, City of Victoria  
CCVI. Lucinda Chodan, Editor-in-Chief, Times Colonist (email only)  
CCVII. CJ Wilson, Reporter, Times Colonist (email only)  
CCVIII. Editor, Victoria News (email only)  
CCIX. John Threlfall, Editor, Monday Magazine (email only)  
CCX. Editor, The Tyee (email only)  
CCXI. Evan Mitsui, CBC News (email only)  
CCXII. Murray Langdon, News Director, CFAX (email only)  
CCXIII. Howard Markson, A-Channel News (email only)  
CCXIV. Scott Parfitt, General Manager, Gorge Rowing and Paddling Centre (email only)  
CCXV. Brian Henry, Owner, Ocean River Sports (email only)  
CCXVI. Linda Thomson, Victoria Canoe and Kayak Club (email only)  
CCXVII. Roberta Taylor, South Island Sea Kayak Association (email only)

# OPEN ACCESS FOR KAYAKS AND CANOES AT VICTORIA INTERNATIONAL MARINA

The developer distributed this handout at his March 7th, 2009 open house to attendees, including hundreds of paddlers.

## Kayak Launch and Landing

Paddlers can drop in for refreshments at the coffee house, or visit friends in the Songhees.



The inner lane is of no use to performance craft, as it demotes our quality of access to being dependent on permission from the marina operator.  
Also the sharp turn at the west end precludes OC6s using this lane and likely smaller performance craft too, as they have a poor turning radius.

The developer acknowledges the outer lane will have paddle craft negotiating a narrow passage between the marina breakwater and an active float plane taxiway (dangerous).

## Kayak Storage

Public storage available at the marina for kayaks and canoes.

## Kayak Routes

25 to 50-foot wide clearance between paddling routes and the secondary float plane taxiway.

## Legend

Green line indicates kayak or canoe routes through and around the marina.



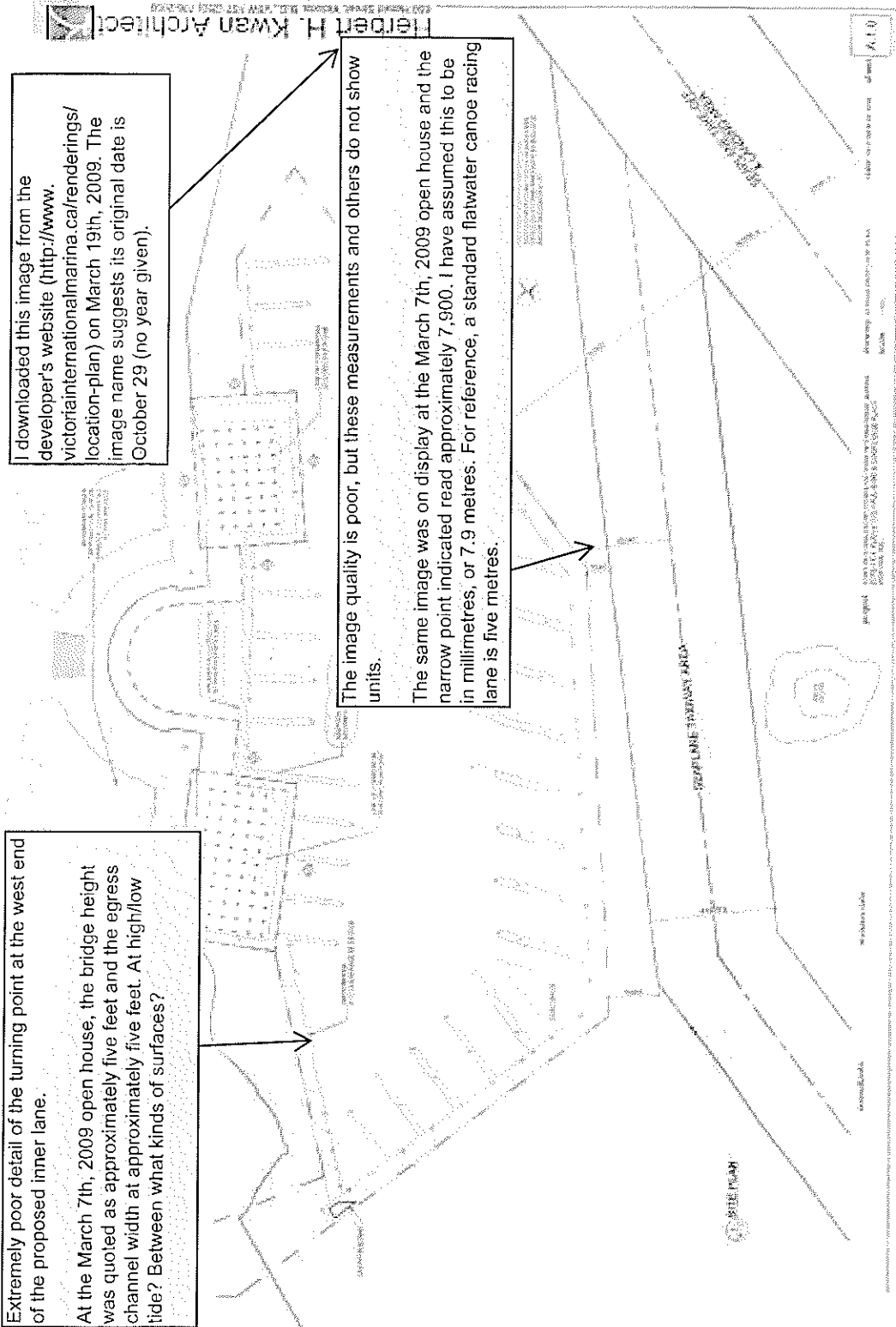
Extremely poor detail of the turning point at the west end of the proposed inner lane.

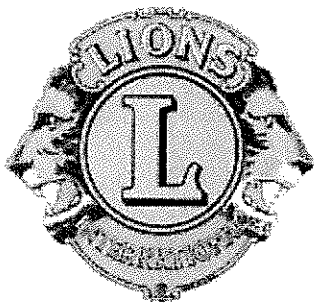
At the March 7th, 2009 open house, the bridge height was quoted as approximately five feet and the egress channel width at approximately five feet. At high/low tide? Between what kinds of surfaces?

I downloaded this image from the developer's website (<http://www.victorainternationalmarina.ca/renderings/location-plan>) on March 19th, 2009. The image name suggests its original date is October 29 (no year given).

The image quality is poor, but these measurements and others do not show units.

The same image was on display at the March 7th, 2009 open house and the narrow point indicated read approximately 7,900. I have assumed this to be in millimetres, or 7.9 metres. For reference, a standard flatwater canoe racing lane is five metres.





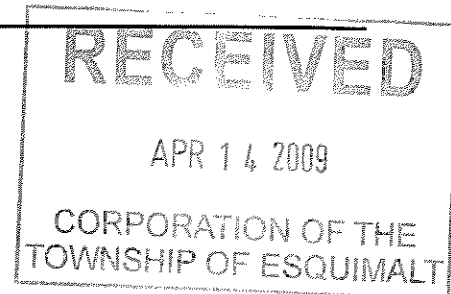
# ESQUIMALT Buccaneer Days June 12, 13, 14, 2009



April 9, 2009

Mayor and Council  
Municipality of Esquimalt  
1229 Esquimalt Rd.,  
Esquimalt, BC V9A 3P1

All Members of Council:



**RE: 2009 BUCCANEER DAYS COMMITTEE APPOINTMENTS**

The following citizens have been appointed by their respected organizations to the Esquimalt Buccaneer Days Committee for the year 2009 festivities. Request the Committee be appointed as Esquimalt Council's 2009 Buccaneer Days Committee for insurance coverage.

Bob McKie  
Bill Emery  
Sandy Rozon  
Sam Macey  
Vince Greensill  
Stephen Hyssey  
Angela Fleet  
Louis Meszoly  
Vicky Grabham  
Meagan Brame  
Bruce McIldoon

Esquimalt Lions  
Esquimalt Lions  
Esquimalt Chamber  
Esquimalt Lions  
Esquimalt Fire Rescue  
Victoria Police  
Esquimalt Arts and Crafts  
Esquimalt Anglers  
Esquimalt Parks and Recreation  
Council Appointee  
Council Appointee

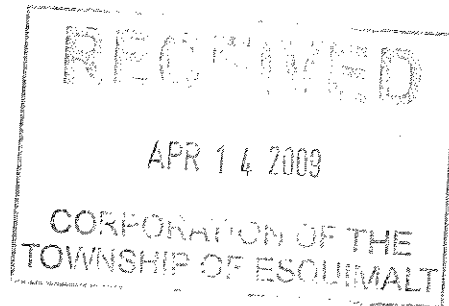
Co- Chairman  
Co-Chairman/Treasurer  
Secretary  
Buccaneer Float  
Community Dance  
Community Dance  
Arts and Crafts Show  
Bullen Park Activities  
Kids Activities

Yours sincerely,

Bob McKie  
Co-Chair  
Esquimalt Buccaneer Days Committee

Bill Emery & Bob McKie, Co-Chairs  
P.O. Box 36030 – 1153 Esquimalt Road, Esquimalt, B.C. V9A 3N7





Andy  
Zepp  
Agenda

Dear Community Leader:

In January 2010, three B.C. communities will be honoured as shining examples of the spirit of sport, healthy living and community engagement around the 2010 Olympic and Paralympic Winter Games. Every community has a chance to shine as British Columbians tell their stories through words, photos and videos online at [www.GamesTown2010.ca](http://www.GamesTown2010.ca).

Your community could take home the grand prize of \$100,000 towards upgrading a recreation centre or sport facility just by engaging residents in GamesTown 2010, in addition to Olympic and Paralympic tickets.

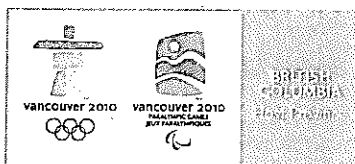
Enclosed you will find more information on the GamesTown 2010 contest and details on how you, as a community leader, can engage and support your community's submission.

For more information on how you can help your community compete for the title, visit [www.GamesTown2010.ca](http://www.GamesTown2010.ca).

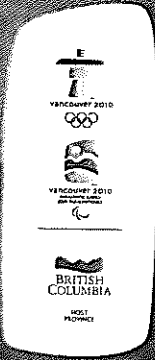
Good luck!

Gordon Campbell  
Premier

Mary Polak  
Minister of Healthy Living and Sport



# GamesTown 2010



**It starts with your story.**  
[www.gametown2010.ca](http://www.gametown2010.ca)

QP4500194662

# GamesTown 2010

Inside every  
BC community,  
there is a  
GamesTown spirit.

Where does it shine  
the brightest?

Tell us how your  
community supports sport,  
healthy living and the 2010  
Winter Games at:  
[www.gametown2010.ca](http://www.gametown2010.ca)

Every community in BC is  
eligible to win great prizes.

It starts with your story.



A healthy diet and active living can help achieve overall health, maintain a healthy body weight and promote the self-esteem that leads to better lifestyle choices.

In 2003, 40.1 per cent\* of British Columbians (aged 12 and over) were physically inactive. Regular physical activity can help reduce chronic health problems such as type 2 diabetes, heart disease, high blood pressure, gall bladder disease and some forms of cancer.

\*Canadian Community Health Survey CCHS (2003)

If everyone in B.C. ate just one extra serving of fruit or vegetables a day we would achieve our goal of increasing by 20% the proportion of the population who eat the daily recommended level of fruits and vegetables.

British Columbia already has one of the lowest smoking rates in the country, at 14.4 per cent\*. We want to continue to reduce the number of British Columbians who smoke and are at risk of smoking related illnesses like cancer and heart disease.

\*Canadian Tobacco Use Monitoring Survey CTUMS (2007)

ActNow BC is working with both public and private sector partners and organizations to reach into communities and deliver relevant, meaningful programs that improve lives. Join ActNow BC's internationally acclaimed efforts to improving the health of British Columbians.

*"Now that I'm a dad, I realize how important it is to lead by example and that includes eating healthy foods and daily physical activity."*

- Simon Whitfield,  
Olympic Gold and Silver Medalist, Triathlon  
Captain, ActNow BC Athlete Ambassador Team

ActNow BC is the provincial government's healthy living initiative that promotes healthy choices to improve the quality of life for all British Columbians. Our goals are to:

- Increase physical activity
- Increase consumption of fruits and vegetables
- Eliminate tobacco use
- Ensure healthy pregnancies

During the past 25 years, the childhood obesity rate in British Columbia has tripled. Unless we act now, today's children may not have the same life expectancy as their parents. The good news is that many chronic illnesses can be prevented by ensuring a healthy diet, regular physical activity and the elimination of tobacco use.

ActNow BC is for everyone regardless of age or fitness level. We can all take small but meaningful steps to a healthier lifestyle.

Small steps can lead to big improvements:

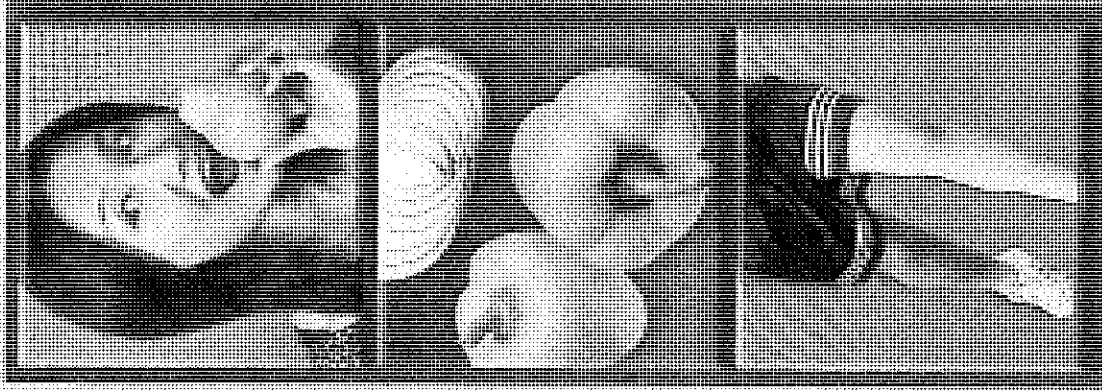
- Enjoy a family walk after dinner.
- Take the stairs at work.
- Eat one more serving of fruits or vegetables a day.

Visit [www.ActNowBC.ca](http://www.ActNowBC.ca) for tips and tools to help you get started and stay on track.



ActNowBC.ca

ActNow .ca



Every move is a good move.

Now is the perfect time to get moving and start eating healthy. Take a few minutes to think of some simple ways you can improve your health. Make SMART goals that are Specific, Measurable, Attainable, Realistic and Timely. For example, pledge to take a 15 minute walk every day after lunch. The act of writing down your goals and taking a pledge can encourage you to follow through on your commitment. Keep the pledge as a visual reminder when you need some motivation. Don't forget to reward yourself when you meet your goals!

British Columbians are already the healthiest people in Canada, but we have an opportunity to be even healthier. ActNow BC is encouraging all British Columbians to take the Healthy Living Pledge to help make British Columbia the healthiest region ever to host the Olympic and Paralympic Games.

Our progress can also inspire others. British Columbia is becoming a global leader in healthy living, as recognized by the World Health Organization. We are now challenging the rest of Canada and the world to take the ActNow BC Healthy Living Pledge so that everyone can benefit from living healthier.

Take the pledge, be counted and take positive steps toward a healthier world.

Visit [www.actnowbc.ca](http://www.actnowbc.ca) to send the pledge to your friends and family by email.

# ActNow BC Healthy Living Pledge

The best time to start living healthier is right now.  
I'm joining people everywhere to accept British Columbia's World Healthy Living Challenge and do my part to live healthier in honour of the 2010 Olympic and Paralympic Winter Games.

I, \_\_\_\_\_, pledge to take the following steps to a healthier life:  
(print name)

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

\_\_\_\_\_  
(signature) Date: \_\_\_\_\_

Every move is a good move.



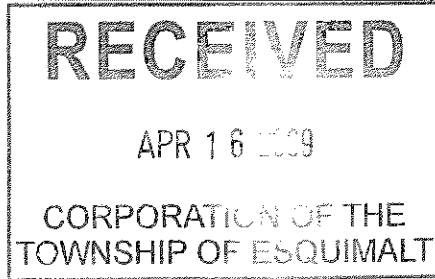
ActNow .ca

Honourable Gordon Campbell  
Premier of British Columbia





April 2009



*Agenda  
v. Martene - for  
distribution &  
display*

**RE: NEW PRINT MATERIAL FOR THE RETURN-IT MILK PROGRAM**

Dear Community Education Partner,

Last year's efforts to boost consumers' awareness of the Return-It Milk program were a great success! The weight of recycled milk, cream and milk substitute beverage containers rose by 117,000 kilograms in 2008, over the same returns made in the previous year – a whopping 62% increase! This increase could be due to the 15 more places to return containers or maybe people were aware of the program thanks to an extensive consumer awareness program, which included the presence of informational materials in grocery stores, depots and community partners like you, amongst mass media efforts such as newspaper and radio advertisements.

We are again requesting that you display the enclosed materials in your location for distribution to your visitors. We are able to supply each of our community education partners a quantity of brochures for each location. We also offer a print-ready electronic file of the artwork upon request for your use. You may send this file to your printer to acquire additional quantity as needed. This artwork file can be supplied in various electronic formats such as: JPG, PDF, and EPS.

To compliment these POP materials, Encorp will be running depot specific ads in all participating community/daily newspapers. These ads will include depot location and program information. Encorp also plans to do radio advertising during September 2009.

Should you receive any questions regarding this important program, feel free to direct them to our website [www.encorp.ca/milk](http://www.encorp.ca/milk) or have them call 1-800-330-9767. If you require assistance or would like to receive the print-ready electronic files please contact me directly at (604) 473-2425 or via email at [jessica@encorpinc.com](mailto:jessica@encorpinc.com).

**Note:** Should you wish to not display these materials, please "Return to Sender" through your Canada Post service provider.

Best regards,

**ENCORP PACIFIC (CANADA)**

Jessica Hogendoorn  
Marketing Coordinator



Enclosures