



## **CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

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

File 0550-06

January 12, 2012

### **NOTICE**

**A REGULAR MEETING OF COUNCIL WILL BE HELD ON  
MONDAY, JANUARY 16, 2012 AT 7:00 PM, IN THE  
COUNCIL CHAMBERS, ESQUIMALT MUNICIPAL HALL,  
1229 ESQUIMALT ROAD.**

**ANJA NURVO  
CORPORATE OFFICER**



## CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Monday, January 16, 2012

7:00 p.m.

Esquimalt Council Chambers

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#### **1. CALL TO ORDER**

#### **2. LATE ITEMS**

#### **3. APPROVAL OF THE AGENDA**

#### **4. MINUTES**

- |  |             |
|--|-------------|
| (1) Minutes of the Special Meeting of Council, December 12, 2011 | Pg. 1 – 12  |
| (2) Minutes of the Special Meeting of Council, December 19, 2011 | Pg. 13 – 14 |
| (3) Minutes of the Special Meeting of Council, January 9, 2012   | Pg. 15 – 18 |

#### **5. PRESENTATION**

- |  |             |
|--|-------------|
| (1) Karel Roessingh, Chair, Greg Bunyan, Vice Chair, Maureen Sawa, CEO and Donna Philips, Finance Manager / Treasurer, Greater Victoria Public Library Board Budget Presentation | Pg. 19 – 40 |
| (2) Chief Jamie Graham and Scott Seivewright, Controller, Victoria Police Department Budget Presentation   | Pg. 41 – 51 |

#### **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) Tony Cond, Robert Youds and Joe Rozon, Old Esquimalt Road Safety Committee, Request for Traffic Calming Measures | Pg. 52 |
|--|--------|

#### **8. STAFF REPORTS**

*Engineering and Public Works*

- |  |             |
|--|-------------|
| (1) Traffic Order No. 1192 – Park Place, Staff Report No. EPW-12-001 | Pg. 53 – 56 |
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#### **RECOMMENDATION:**

That Council approve the following:

- Repeal Traffic Order No. 153 and that Traffic Order No. 1192 be adopted.

*Fire Rescue*

- |   |             |
|---|-------------|
| (2) False Alarm Bylaw, Staff Report No. FIRE-12-001 | Pg. 57 – 62 |
|---|-------------|

#### **RECOMMENDATION:**

That Council give 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings to the False Alarm Bylaw, 2012, No. 2784.

*Development Services*

- (3) Rezoning Application and Development Permit, 616 Lampson Street, [Lot 5, Section 11, Esquimalt District, Plan 4618], Staff Report No. DEV-12-006 Pg. 63 – 115

**RECOMMENDATION:**

1. That Bylaw No. 2785, to amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of Lot 5, Section 11, Esquimalt District, Plan 4618 [616 Lampson Street] shown cross-hatched on Schedule 'A', attached hereto, from RD-3 [Two Family /Single Family Residential] to CD No. 81 [Comprehensive Development District No. 81], be given first and second reading; and
2. That a Public Hearing be scheduled; and
3. That prior to a Public Hearing, a draft Development Permit limiting the form and character of the proposed development to that shown on architectural plans provided by Keay and Associate, Architecture Ltd., stamped "Received October 25, 2011", the landscape plan prepared by LADR Landscape Architects, stamped "Received October 25, 2011", and sited as detailed on the survey plan prepared by Brad Cunnin Land Surveying, stamped "Received November 15, 2011", be returned to Council for consideration.

**9. BYLAWS**

*For Adoption*

- (1) Fire Protection and Control Bylaw, 2011, No. 2783 Pg. 116 – 129

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

**11. REPORTS FROM COMMITTEES**

- (1) Committee of the Whole Report, January 9, 2012 Pg. 130  
*[Motion to approve the recommendations]*
- (2) Committee of the Whole Report, January 16, 2012 (Special Meeting)  
*[Motion to approve the recommendations]* – To Be Distributed at the Meeting

**12. COMMUNICATIONS**

- (1) Letter from Mayor John Ranns, District of Metchosin, dated December 2, 2011, Re: Victoria Rapid Transit Pg. 131 – 134
- (2) Letter from Marg Misek-Evans, Capital Regional District, dated December 13, 2011, Re: Correspondence of October 25, 2011 Regarding Wildlife Control and Management Pg. 135
- (3) Letter from Gary MacIsaac, Chair, Gas Tax Management Committee, Union of British Columbia Municipalities, dated December 13, 2011, Re: Gas Tax General Strategic Priorities Fund and Innovations Fund Applications Pg. 136

- (4) Letter from Glenn Harris, Capital Regional District, dated December 29, 2011, Re: Inter-Municipal Climate Action Steering Committee Pg. 137
- (5) Letter from David McArthur, Chief of Staff, Office of the Minister of Aboriginal Affairs and Northern Development, dated January 3, 2012, Re: E & N Rail Funding and Water Lot Leases Pg. 138
- (6) Letter from Sandra Dixon, received January 9 , 2012, Re: Money Markets Pg. 139

**13. NOTICE OF MOTION**

- (1) Requesting the Release of Policing Services Information to the Residents and Taxpayers of the Township of Esquimalt Pg. 140 – 141

**14. PUBLIC QUESTION AND COMMENT PERIOD**

*Excluding items which are or have been the subject of a Public Hearing.  
Limit of two minutes per speaker.*

**15. ADJOURNMENT**



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES  
**SPECIAL MEETING**  
OF MUNICIPAL COUNCIL  
MONDAY, DECEMBER 12, 2011

5:32 P.M.  
COUNCIL CHAMBERS

**PRESENT:**

Mayor Barbara Desjardins  
Councillor Meagan Brame  
Councillor Dave Hodgins  
Councillor Lynda Hundleby  
Councillor Robert McKie  
Councillor Tim Morrison  
Councillor David Schinbein

**STAFF:**

Laurie Hurst, Chief Administrative Officer  
Barbara Snyder, Director of Development Services  
Jeff Miller, Director of Engineering & Public Works  
Scott Hartman, Director of Parks and Recreation Services  
David Ward, Fire Chief  
Pat Mulcahy, Manager of Human Resources  
Anja Nurvo, Manager of Corporate Services  
Louise Payne, Recording Secretary

1. **CALL TO ORDER**

Mayor Desjardins called the Special Meeting of Council to order at 5:32 p.m.

2. **MOTION TO GO IN CAMERA**

**MOTION:** Moved by Councillor Brame/Councillor Hundleby:  
That Council convene *In Camera* pursuant to Section 90 of the *Community Charter* to discuss:

- The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- 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 reasonably be expected to harm the interests of the municipality if they were held in public; and
- 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; and
- Labour relations or other employee relations;

in accordance with Section 90 (1) (c), (i), (k) and 90 (2) (b) of the *Community Charter*, and that the general public be excluded.

**CARRIED UNANIMOUSLY.**

3. **RECONVENE THE SPECIAL MEETING OF COUNCIL**

Mayor Desjardins reconvened the Special Meeting of Council at 7:55 pm.

4. **LATE ITEMS**

The following late item was introduced:

- (1) Add to Agenda as Item 13.A. Rise and Report.

5. **APPROVAL OF THE AGENDA**

**MOTION:** Moved by Councillor Hodgins/Councillor Schinbein:  
That the Agenda be approved as amended.

**CARRIED UNANIMOUSLY.**

6. **MINUTES**

- (1) Minutes of the Special Meeting of Council, November 14, 2011

**MOTION:** Moved by Councillor Brame/Councillor McKie:

That the minutes of the Special Meeting of Council held November 14, 2011 be adopted as circulated.

**CARRIED UNANIMOUSLY.**

(2) Minutes of the Inaugural Meeting of Council, December 5, 2011

**MOTION:** Moved by Councillor McKie/Councillor Hodgins:  
That the minutes of the Inaugural Meeting of Council held December 5, 2011 be adopted as circulated.

**CARRIED UNANIMOUSLY.**

**7. PUBLIC INPUT**

There was no public input.

**8. STAFF REPORTS**

*Administration*

(1) 2011 General Local Election, Staff Report No. ADM-11-055

The Manager of Corporate Services, who acted as the Chief Election Officer for the local government election, advised that this was a mandated report, for Council's information.

**MOTION:** Moved by Councillor McKie/Councillor Hundleby:  
That the 2011 General Local Election Report No. ADM-11-055 from the Chief Election Officer, which includes the Declaration of Election by Acclamation, Declaration of Official Election Results, Determination of Official Election Results, and Ballot Accounts for the Advance and General Local Election, be received for information.

**CARRIED UNANIMOUSLY.**

(2) CUPE, IAFF and Exempt Staff Compensation, Staff Report No. ADM-11-057

The Manager of Human Resources was present to answer questions from Council.

**MOTION:** Moved by Councillor Hodgins/Councillor Brame:  
That Council receive CUPE, IAFF and Exempt Staff Compensation, Staff Report No. ADM-11-057 for information.

**CARRIED UNANIMOUSLY.**

*Finance*

(3) Eva Chafe Reserve Fund, Staff Report No. FIN-11-045

The Chief Administrative Officer advised that the establishment of a Reserve Fund was a requirement of the Trust.

Council requested more detailed information regarding the intent/usage of the Reserve Fund, to ensure that the project is properly funded. Council also requested information on options for the property

once funds in the Reserve Fund are used up. The Chief Administrative Officer agreed to distribute this information to all members of Council.

**MOTION:** Moved by Councillor Hundleby/Councillor McKie:  
That Staff Report No. FIN-11-045 regarding Eva Chafe Reserve Fund Bylaw, 2011, No. 2782 be received for information.

**CARRIED UNANIMOUSLY.**

(4) Local Grants – Esquimalt High School Athletic Program Distribution, Staff Report No. FIN-11-046

Mike Thompson, teacher at Esquimalt High School, made a presentation to Council summarizing the grant application for travelling expenses to and from tournaments and competitions for the wrestling team, and answered questions from Council.

**Council comments:**

- High school Athletic programs provide a huge benefit to the community by instilling a sense of pride in students and attracting “at risk” youth;
- Travel costs to sporting events is very expensive;
- Concerned that School Board not providing funding for athletic programs in schools;
- Issue of balance and funding for all athletic programs.

Mr. Thompson suggested changing the wording in the Local Grant Policy to include “and/or registration fees” rather than just referring to travel costs.

**MOTION:** Moved by Councillor Hundleby/Councillor Morrison:  
That the application for funding in the amount of \$1,250.00 to the Esquimalt High School under the Athletic Program section of the Council Policy Local Grants – Esquimalt High School No. ADMIN-29 be approved from the 2011 Local Grant budget.

**CARRIED UNANIMOUSLY.**

(5) Appointments of Auditors for Municipal Audit Services, Staff Report No. FIN-11-047

**MOTION:** Moved by Councillor Hundleby/Councillor Brame:  
That KPMG be appointed as the Township’s auditors for the 2011 fiscal year.

**CARRIED UNANIMOUSLY.**

(6) Reallocation of Operating Funds to Capital Funds, Staff Report No. FIN-11-048

The Chief Administrative Officer confirmed that the reallocation of funds does not affect any increase in the overall budget.



**MOTION:** Moved by Councillor Hodgins/Councillor McKie:  
That the transfer of \$18,400 of 2011 operating budget funds to the 2011 GIS capital budget be approved.

**CARRIED UNANIMOUSLY.**

(7) Banking and Cheque Signing Resolution, Staff Report No. FIN-11-049

**MOTION:** Moved by Councillor Brame/Councillor Hodgins:  
That the following resolution for banking and cheque signing authority for the Township of Esquimalt be adopted:

1. That, except as hereinafter provided, all cheques of the Corporation of the Township of Esquimalt (the "Corporation") drawn on its accounts at the Bank of Montreal (the "Bank") be signed on its behalf by the Mayor, or in his/her absence by Councillor Lynda Hundleby, and by the Director of Financial Services, or in his/her absence by the Chief Administrative Officer or by the Deputy Director of Financial Services.
2. (a) That the Bank is and is hereby authorized and directed to pay any and all cheques or instruments purporting to be cheques of the Corporation presented for payment bearing the facsimile signatures of the Mayor and the Director of Financial Services.  
(b) That such cheques or instruments shall have the same legal effect, may be dealt with to all intents and purposes and shall bind the Corporation as fully and effectually as if signed in the handwriting of and duly issued by such officers for and on behalf of the Corporation, regardless of howsoever or by whomever the said facsimile signatures shall have been mechanically or electronically affixed.
3. That the Director of Financial Services, the Chief Administrative Officer or the Deputy Director of Financial Services be and are hereby authorized for and on behalf of the Corporation to negotiate with, deposit with or transfer to the Bank (but for the credit of the Corporation's accounts only) all or any bills of exchange, promissory notes, cheques and orders for payment of money and other negotiable paper, and for the said purpose to endorse the same on behalf of the Corporation, in writing, by rubber stamp or by other means.
4. (a) That the Director of Financial Services, or in his/her absence, the Chief Administrative Officer or the Deputy Director of Financial Services, be and are hereby authorized for and on behalf of the Corporation to transfer funds between accounts of the Corporation at the Bank.  
(b) That the Director of Financial Services, or in his/her absence, the Chief Administrative Officer or the Deputy Director of Financial Services, be and are hereby

authorized for and on behalf of the Corporation to transfer funds between accounts of the Corporation at the Bank and accounts of other governments or governmental agencies for the credit of the Corporation.

5. That the Director of Financial Services, the Chief Administrative Officer or the Deputy Director of Financial Services, be and are hereby authorized for and on behalf of the Corporation from time to time arrange, settle, balance and certify all books and accounts between the Corporation and the Bank; and to receive all paid cheques and vouchers, unpaid and unaccepted bills of exchange and other negotiable instruments.
6. That the Director of Financial Services, the Chief Administrative Officer or the Deputy Director of Financial Services be and are hereby authorized for and on behalf of the Corporation to obtain delivery from the Bank of any or all stocks, bonds, and other securities held by the Bank in safekeeping or otherwise for the account of the Corporation and give valid and binding receipts therefore.
7. That the Director of Financial Services, the Chief Administrative Officer or the Deputy Director of Financial Services be and are hereby authorized to access the Corporation's safety deposit box(es) at the bank.
8. That a certified copy of this resolution be communicated to the Bank and shall remain in force until written notice to the contrary shall have been given to the Bank and receipt of such notice duly acknowledged in writing.
9. That the Corporate Administrator shall, from time to time, advise the Bank in writing of the names of the Officers of the Corporation referred to in this resolution and provide certified specimens of the facsimile signatures to be used pursuant to Section 2 of this resolution.

**CARRIED UNANIMOUSLY.**

*Parks and Recreation*

(8) Esquimalt Recreation Centre Upgrade Grant Application, Staff Report No. P&R-11-013

The Director of Parks and Recreation Services summarized the grant application report, and answered questions from Council.

**MOTION:** Moved by Councillor Brame/Councillor Schinbein:

That staff be directed to submit a grant application for Esquimalt Recreation Centre enhancements under the Community Recreation Program from the Ministry of Community, Sport and Cultural Development; and

That a funding commitment of 20% of the project budget, to a maximum of \$100,000 from Capital Project Reserves, should the grant be awarded, be approved.

**CARRIED UNANIMOUSLY.**

*Development Services*

- (9) Development Permit, 1054 Colville Road, [Lot 8, Block 13, Section 10, Esquimalt District, Plan 2546], Staff Report No. DEV-11-103

**MOTION:** Moved by Councillor McKie/Councillor Brame:  
That the application for a Development Permit, limiting the form and character of development to that shown on architectural plans provided by Hartmann's Drafting and Design, stamped "Received November 3, 2011", and on the landscape plan prepared by Silverleaf Landscapes, stamped "Received November 3, 2011", and sited as detailed on the survey plan prepared by Glen Mitchell Land Surveying Inc., stamped "Received October 28, 2011", be **approved, issued and registered** on the title of Lot 8, Block 13, Section 10, Esquimalt District, Plan 2546 [1054 Colville Road].

**CARRIED UNANIMOUSLY.**

9.

**BYLAWS**

*For First, Second and Third Reading*

- (1) Fire Protection and Control Bylaw, 2011, No. 2783

**MOTION:** Moved by Councillor Hodgins/Councillor Brame:  
That Fire Protection and Control Bylaw, 2011, No. 2783 be read a 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> time.

**CARRIED UNANIMOUSLY.**

*For Adoption*

- (2) Maintenance of Property Bylaw, 1996, No. 2180, Amendment Bylaw [No. 1], 2011, No. 2779

**MOTION:** Moved by Councillor Hundleby/Councillor Brame:  
That Maintenance of Property Bylaw, 1996, No. 2180, Amendment Bylaw [No. 1], 2011, No. 2779 be adopted.

**CARRIED UNANIMOUSLY.**

- (3) Ticket Information Utilization Bylaw, 2005, No. 2619, Amendment Bylaw [No. 8], 2780

**MOTION:** Moved by Councillor Brame/Councillor Hodgins:  
That Ticket Information Utilization Bylaw, 2005, No. 2619, Amendment Bylaw [No. 8], 2780 be adopted.

**CARRIED UNANIMOUSLY.**

- (4) Eva Chafe Reserve Fund Bylaw, 2011, No. 2782

**MOTION:** Moved by Councillor Hundleby/Councillor Schinbein:  
That Eva Chafe Reserve Fund Bylaw, 2011, No. 2782 be adopted.

**CARRIED UNANIMOUSLY.**

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

- (1) Report from Mayor Barbara Desjardins, Re: UBCM 2011

Mayor Desjardins reported on her attendance at the annual UBCM Convention in Vancouver, BC, and encouraged all members of Council to attend this annual event.

**MOTION:** Moved by Councillor Brame/Mayor Desjardins:  
That the report from Mayor Desjardins regarding UBCM 2011 be received for information.

**CARRIED UNANIMOUSLY.**

11. **REPORTS FROM COMMITTEES**

**MOTION:** Moved by Councillor McKie/Councillor Schinbein:  
That the following reports from Committees be received:

- (2) Draft minutes from the Heritage Advisory Committee meeting, October 26, 2011
- (3) Draft minutes from the Access Awareness Advisory Committee meeting, November 10, 2011
- (4) Memorandum from the Access Awareness Advisory Committee, dated December 5, 2011, Re: SAFERhome Standards Society
- (5) Draft minutes from the Advisory Planning Commission meeting, November 15, 2011
- (6) Draft minutes from the Centennial Celebrations Select Committee meeting, November 22, 2011
- (7) Draft minutes from the Environmental Advisory Committee meeting, November 24, 2011

**CARRIED UNANIMOUSLY.**

- (1) Committee of the Whole Report, December 12, 2011

**MOTION:** Moved by Councillor Hundleby/Councillor Schinbein:  
That Council approve the following recommendations from the Committee of the Whole meeting of December 12, 2011:

1. Fire Protection and Control Bylaw Revision, Staff Report No. FIRE-11-008

That the Fire Protection and Control Bylaw, 2011, No. 2783 be forwarded to Council for consideration of 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings of the Bylaw.

2. Rezoning Application and Development Permit, 616 Lampson Street, [Lot 5, Section 11, Esquimalt District, Plan 4618], Staff Report No. DEV-11-102

That the application for rezoning authorizing a new single family dwelling and Development Permit, limiting the form and character of development to that shown on architectural plans provided by Keay and Associate, Architecture Ltd.,

stamped "Received October 25, 2011", and on the landscape plan prepared by LADR Landscape Architects, stamped "Received October 25, 2011", at 616 Lampson Street [Lot 5, Section 11, Esquimalt District, Plan 4618] be forwarded to Council with a **recommendation of approval**.

3. Recommendations Regarding SAFERhomes, Staff Report No. DEV-11-104

That the Township of Esquimalt not purchase a membership in the SAFERhomes Standards Society but that staff investigate the use of universal design standards and compile a list of materials to be provided to developers and builders and discussed with applicants at the time new construction is proposed and staff to provide this information to the Access Awareness Committee representative on the Advisory Planning Commission.

**CARRIED UNANIMOUSLY.**

(8) Memorandum from the Environmental Advisory Committee, dated December 7, 2011, Re: Carryover of Remaining 2011 Committee Budget Funds

The Chief Administrative Officer reviewed the memorandum from the Environmental Advisory Committee outlining the breakdown and allocation of funds requested to be carried over into 2012. She advised, as a rule, the municipality does not carry over funds, although exceptions are made if a specific project has been started in one year and has not been completed in that year.

**Council comments:**

- Local businesses are working hard to make distribution of "plastic free" bags happen in the community with incentive programs, etc. and this initiative is seen, by the business community, with "concern";
- Concerned with request for carry over of funding – need to ensure that this committee is working in concert with businesses and there is nothing in their report addressing that.

**MOTION:** Moved by Councillor Hodgins/Councillor McKie:

That Council request additional information from the Environmental Advisory Committee regarding their request to carry over the remaining funds in the 2011 committee budget with specific detail as to how the money will be utilized.

**Council comments:**

- Council has already requested this clarification at their November 14, 2011 meeting;
- All (2011) committees will continue until the end of February, 2012 and the EAC would have to meet to discuss provision of this information to Council;

- Feel the Committee may be wishing to spend money just because they have it.

The mover and seconder of the motion agreed to **withdraw** the motion.

**MOTION:** Moved by Councillor Brame/Mayor Desjardins:

That the request from the Environmental Advisory Committee to carry over the remaining funds in the 2011 committee budget (\$1,800.00) into 2012 to complete the implementation of 2011 initiatives be denied.

**CARRIED UNANIMOUSLY.**

12.

## COMMUNICATIONS

**MOTION:** Moved by Councillor Brame/Councillor McKie:

That the following correspondence be received:

- (3) Letter from Sheila Malcolmson, Islands Trust, dated November 10, 2011, Re: Salish Sea Shipping and Oil Spill Concerns
- (6) Letter from Heath Slee, UBCM, dated November 24, 2011, Re: Gas Tax Agreement Community Works Fund Payment
- (7) Letter from J.A. Hull, Capital Regional District, dated November 25, 2011, Re: Appointments to Water Commissions

**CARRIED UNANIMOUSLY.**

- (1) Letter from Lorna Reid, Esquimalt High School, dated November 8, 2011, Re: Letter of Appreciation for Donation

Council noted that only the minimum amount of donation was provided to Esquimalt High School; however the Province is keen to provide support for Centennial activities, especially involving youth and schools.

**MOTION:** Moved by Councillor Brame/Councillor Hodgins:

That the letter from Lorna Reid, Esquimalt High School, dated November 8, 2011 be received, and referred to the Centennial Celebrations Select Committee.

**CARRIED UNANIMOUSLY.**

- (2) Letter from Elena Bolster, Town of View Royal, dated November 10, 2011, re: Department of National Defence, Victoria, BC – Blue Boat Service

**MOTION:** Moved by Councillor Brame/Councillor Hodgins:

That the letter from Elena Bolster, Town of View Royal, dated November 20, 2011 regarding Department of National Defence (DND), Victoria, BC – Blue Boat Service be received; and that the letter be referred to the Mayor for a report from the DND representative, and be referred to the Joint Council/DND meeting.

**CARRIED UNANIMOUSLY.**

- (4) Letter from Mayor Bruce Lantz, City of Fort St. John, dated November 16, 2011, Re: National Sex Offender Registry

**MOTION:** Moved by Councillor Hundleby/Councillor Brame:  
That the letter from Mayor Bruce Lantz, City of Fort St. John dated November 16, 2011 regarding a National Sex Offender Registry be received.

**CARRIED UNANIMOUSLY.**

- (5) Email from Nancy Falconer, Canadian Cancer Society, dated November 24, 2011, Re: Letter of Support for Provincial Pesticide Legislation

**MOTION:** Moved by Councillor Schinbein/Councillor Hodgins:  
That the email from Nancy Falconer, Canadian Cancer Society dated November 24, 2011 regarding a letter of support for Provincial Pesticide Legislation be received; and that the email be referred to the Environmental Advisory Committee for input and report back to Council.

**CARRIED UNANIMOUSLY.**

**13. PUBLIC QUESTION AND COMMENT PERIOD**

*Ron Lavergne, resident*, inquired as to who would pay for the removal of the Eva Chafe house if it becomes necessary, as this property was not a good location for a park. He also pointed out that the new Council profiles were not yet posted on the municipal website.

**13.A. RISE AND REPORT**

- (1) Report from the *In Camera* Meeting of Council, November 14, 2011.

- (a) Request to Purchase Municipal Property Road Right-of-Way at the North End of Dellwood Road, Staff Report No. DEV-11-098

The Mayor read the following motion that was passed by Council at its *In Camera* Meeting held on November 14, 2011:

That the Township of Esquimalt not dispose of the municipal property at the north end of Dellwood Road as requested by the adjacent property owners; and

That discussions take place with the Director of Parks and Recreation regarding the possibility of returning the waterfront area to managed park land.

**14. ADJOURNMENT**

**MOTION:** Moved by Councillor Hodgins/Councillor Brame:  
That the Special Meeting of Council be adjourned at 9:09 p.m.

**CARRIED UNANIMOUSLY.**

\_\_\_\_\_  
MAYOR OF THE CORPORATION OF THE  
TOWNSHIP OF ESQUIMALT  
THIS DAY OF JANUARY, 2012

CERTIFIED CORRECT:

\_\_\_\_\_  
ANJA NURVO  
CORPORATE OFFICER

DRAFT





# **CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

**MINUTES  
SPECIAL MEETING  
OF MUNICIPAL COUNCIL  
MONDAY, DECEMBER 19, 2011**

**5:32 P.M.  
COUNCIL CHAMBERS**

**PRESENT:**

Mayor Barbara Desjardins  
Councillor Meagan Brame  
Councillor Dave Hodgins  
Councillor Lynda Hundleby  
Councillor Robert McKie  
Councillor Tim Morrison  
Councillor David Schinbein

**STAFF:**

Laurie Hurst, Chief Administrative Officer  
Anja Nurvo, Manager of Corporate Services  
[Recording Secretary]

1. **CALL TO ORDER**

Mayor Desjardins called the Special Meeting of Council to order at 5:32 p.m.

2. **APPROVAL OF AGENDA**

**MOTION:** Moved by Councillor Brame/Councillor Hundleby:  
That the Agenda be approved as circulated.

**CARRIED UNANIMOUSLY.**

3. **MOTION TO GO *IN CAMERA***

**MOTION:** Moved by Councillor Hodgins/Councillor McKie:  
That Council convene *In Camera* pursuant to Section 90 of the *Community Charter* to discuss:

- Labour relations or other employee relations, and
- 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 reasonably be expected to harm the interests of the municipality if they were held in public; and
- 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;

in accordance with Section 90 (1) (c) and (k), and 90 (2) (b) of the *Community Charter*, and that the general public be excluded.

**CARRIED UNANIMOUSLY.**

4. **ADJOURNMENT**

**MOTION:** Moved by Councillor Brame/Councillor Hundleby:  
That the Special Meeting of Council be adjourned to Special *In Camera* Council Meeting at 5:33 p.m.

**CARRIED UNANIMOUSLY.**

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MAYOR OF THE CORPORATION OF THE  
TOWNSHIP OF ESQUIMALT  
THIS DAY OF JANUARY, 2012

CERTIFIED CORRECT:

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ANJA NURVO  
CORPORATE OFFICER



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES  
SPECIAL MEETING  
OF MUNICIPAL COUNCIL  
MONDAY, JANUARY 9<sup>TH</sup>, 2012

5:45 P.M.  
COUNCIL CHAMBERS

**PRESENT:**

Mayor Barbara Desjardins  
Councillor Meagan Brame  
Councillor Dave Hodgins  
Councillor Lynda Hundleby  
Councillor Robert McKie  
Councillor Tim Morrison  
Councillor David Schinbein

**STAFF:**

Laurie Hurst, Chief Administrative Officer  
Scott Hartman, Director of Parks and Recreation Services  
Pat Mulcahy, Human Resources Manager  
Anja Nurvo, Manager of Corporate Services  
Louise Payne, Recording Secretary

1. **CALL TO ORDER**

Mayor Desjardins called the Special Meeting of Council to order at 5:45 p.m.

2. **LATE ITEMS**

There were no late items.

3. **APPROVAL OF THE AGENDA**

**MOTION:** Moved by Councillor McKie/Councillor Schinbein:  
That the Agenda be approved as circulated.

**CARRIED UNANIMOUSLY.**

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

*Muriel Dunn, resident*, expressed her appreciation to the West Division Police Services following a break and enter at her mother's home, especially to Inspector Keith Lindner who emailed her to inquire about her mother following the incident. She also expressed her concern regarding no notification that the Council Agenda was back online, having to read about this change in procedure in the local newspaper.

5. **STAFF REPORT**

*Parks and Recreation*

(1) Age Friendly Community Project Grant Application, Staff Report No. P&R-12-001

The Director of Parks and Recreation reviewed the grant application report and answered questions from Council.

**MOTION:** Moved by Councillor Morrison/Councillor Hodgins:  
That Council support the submission of a grant application under the 2012 Age-friendly Community Project Grant, funded through the Seniors' Housing & Support Initiative.

**CARRIED UNANIMOUSLY.**

6. **PUBLIC QUESTIONS AND COMMENT PERIOD**

*Terry Prentice, resident*, reported on his observations of voting in the State Legislature in Atlanta, Georgia, noting that there was no doubt who had voted in what way. He expressed concern with voting by Councillors in British Columbia, as they are deemed to vote "Yes", unless they raise their hand in response to the Chair's question "Who is opposed?" He recommended to Council that they change their voting procedures to ensure that a Councillor has an obligation to vote against a motion if they do not support it.

7. **MOTION TO GO IN CAMERA**

**MOTION:** Moved by Councillor Brame/Councillor Hundleby:  
That Council convene *In Camera* pursuant to Section 90 of the *Community Charter* to discuss:

- Labour relations or other employee relations; and
- The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- 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 reasonably be expected to harm the interests of the municipality if they were held in public; and
- 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;

in accordance with Section 90 (1) (c), (i), (k) and 90 (2) (b) of the *Community Charter*, and that the general public be excluded.

**CARRIED** (Councillors Morrison and Hodgins opposed).

The Special Meeting of Council reconvened at 6:48 p.m. with all members of Council present.

7A. **NOTICE OF MOTION**

Council agreed to allow the following Notice of Motion by Councillor Hodgins as an addition to the Agenda:

*WHEREAS public safety and security are a fundamental building block for community success; and*

*WHEREAS the public deserves to be provided with effective, efficient, ethical and economical policing services; and*

*WHEREAS the Township of Esquimalt has completed a report of current and future policing services as undertaken by the Policing and Law Enforcement Advisory Panel including a specific recommendation; and*

*WHEREAS the public has requested information associated with the report as it relates to the current and future state of policing services for the Township of Esquimalt and its public; and*

*WHEREAS the public have expressed a desire to be better informed about policing services and related recommendations; and*

*WHEREAS the public have expressed a keen desire to be further engaged going forward; and*

*WHEREAS the Township of Esquimalt strives to be an open, transparent municipality that values the fundamental principle that successful future policing models will only be realized if the community's residents are fully informed prior to the advancement of the recommendation; and*

WHEREAS the Township of Esquimalt has already informed the community that the RCMP is the recommended proponent for the future of Esquimalt's policing, but has yet to release any relevant information regarding the impact on the community; specifically the costs, service levels, programs, and governance of the RCMP recommendation;

THEREFORE BE IT RESOLVED that, by March 1, 2012, the Township of Esquimalt release to the public an information bulletin that advises the public of the annual operating costs, required capital costs, policing service model including the number of police officers and types of programs, and the governance and community relations structure of the RCMP's proposal as recommended to Council by the Policing and Law Enforcement Advisory Panel. This information will include public access to all information from the Policing and Law Enforcement Advisory Panel's report to the Solicitor General and Director of Policing Services dated June 29, 2011 that does not violate any official obligation related to confidentiality agreements or as required by provincial legislation.

AND BE IT FURTHER RESOLVED that the Township of Esquimalt notify the successful proponent (RCMP) that the municipality will be releasing to the public any and all information from the Policing and Law Enforcement Advisory Panel's report to the Solicitor General and Director of Policing Services dated June 29, 2011 that does not violate any official obligation related to confidentiality agreements or as required by provincial legislation.

AND BE IT FURTHER RESOLVED that the Township of Esquimalt prepare a special page of the municipality's website to provide all of the aforementioned information as well as provide a feedback section on the website for the public to provide comments on the RCMP proposal to the municipality.

8. **ADJOURNMENT**

**MOTION:** Moved by Councillor McKie/Councillor Brame:  
That the Special Meeting of Council be adjourned at 6:55 p.m.

**CARRIED UNANIMOUSLY.**

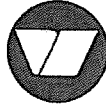
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MAYOR OF THE CORPORATION OF THE  
TOWNSHIP OF ESQUIMALT  
THIS DAY OF JANUARY, 2012

CERTIFIED CORRECT:

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ANJA NURVO  
CORPORATE OFFICER



GREATER VICTORIA PUBLIC LIBRARY  
*www.gvpl.ca*

October 28, 2011

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

Dear Mayor Desjardins and Council:

**Re: 2012 Budget and Five Year Financial Plan – PROVISIONAL**

---

The Greater Victoria Public Library respectfully submits its Provisional 2012 Operating Budget and Five Year Financial Plan for 2012-2016 for receipt by Council.

We will be submitting a final budget by March 1<sup>st</sup>, 2012 and seeking Council approval by resolution by May 1<sup>st</sup>.

**We request that Council submit any concerns, issues and recommended amendments by December 15, 2011 to allow time for Board consideration and to respond to any questions.**


We are proposing a 2.85% budget increase. After factoring in declining revenue from fines, provincial grant funding and other revenues, municipal contributions are projected to increase by 4.32%. Our budget target is based on the rate of inflation for Statistics Canada, (Victoria annual CPI) and population growth of our municipal partners, estimated at 1.07% and 1.13% respectively (totaling 2.2%) plus an additional contingency for a general wage increase, as we are in the midst of union negotiations.

Demand for library services and circulation continue to grow. We have just launched our new three-year strategic plan, "Look up tomorrow". It includes a commitment to explore alternative sources of revenue and we are focusing new effort on development and fundraising initiatives. We continue to lobby for increases in provincial funding, and to build strong relationships for potential opportunities and community partnerships.

As the Victoria Foundation's 2011 Vital Signs report indicates, our spaces are heavily used, and as a result, facilities, work areas, furniture and equipment need continuous maintenance and upgrade. Our website, catalogue, and internet services are in high demand. There are additional costs to maintain our existing collection at its current level and we are also experiencing unprecedented demand for e-content and other formats.

We wish to acknowledge and thank our ten municipal partners for their ongoing collaboration and support of our services. We look forward to receiving your comments and feedback.

Sincerely,



Karel Roessingh  
Chair, Greater Victoria Public Library Board

Copies: Laurie Hurst, CAO, Township of Esquimalt  
Karen Blakely, CFO/Director of Financial Services, Township of Esquimalt  
Maureen Sawa, CEO, Greater Victoria Public Library  
Donna Phillips, Finance Manager, Greater Victoria Public Library



**GREATER VICTORIA PUBLIC LIBRARY  
2012 Provisional Operating Budget**

	2010 Actual	2011 Budget Approved	2011 Budget Revised <sup>1</sup>	2011 Forecast	2012 Budget-Provisional	Budget Increase vs 2011	Explanation
<b>Municipal contributions</b>	<b>12,758,542</b>	<b>13,389,671</b>	<b>13,389,671</b>	<b>13,389,671</b>	<b>13,968,758</b>	<b>579,087</b>	<b>4.32%</b>
<b>Expense</b>							
Salaries and benefits	10,435,174	11,157,412	11,157,412	11,138,143	11,366,069	203,719	1.83%
Library materials	1,794,583	1,789,521	1,789,521	1,789,521	2,000,570	211,049	11.79%
Library materials (funded)	29,151	-	-	38,000	31,065	31,065	n/r
Supplies and services	431,408	463,700	466,700	437,197	533,910	47,210	9.70%
Building occupancy	678,008	708,482	708,482	701,537	716,958	8,476	1.20%
Other expenses	578,184	522,718	522,718	507,042	529,578	8,216	1.58%
Capital plan	416,859	481,080	458,080	500,179	367,538	(86,940)	-19.13%
Transfer to fund: replacement	75,000	75,000	75,000	75,000	75,000	-	0.00%
Transfer to fund: contingency	-	10,000	10,000	10,000	20,000	10,000	100.00%
<b>Total expense</b>	<b>14,438,367</b>	<b>15,207,913</b>	<b>15,207,913</b>	<b>15,196,619</b>	<b>15,840,708</b>	<b>432,795</b>	<b>2.85%</b>
<b>Revenue</b>							
Grants <sup>2</sup>	(778,471)	(681,292)	(681,292)	(753,088)	(716,810)	(25,518)	3.69%
Fines and fees	(679,482)	(819,090)	(819,090)	(730,146)	(781,700)	37,390	-4.56%
Contracts for service	(25,440)	(25,440)	(25,440)	(25,440)	(25,440)	-	0.00%
Investment income	(51,091)	(50,000)	(50,000)	(60,000)	(50,000)	-	0.00%
Donations	(84,035)	-	-	(38,000)	(20,000)	(20,000)	n/r
Reserves	(143,983)	(232,420)	(232,420)	(267,549)	(78,000)	154,420	-66.44%
<b>Total revenue</b>	<b>(1,762,502)</b>	<b>(1,818,242)</b>	<b>(1,818,242)</b>	<b>(1,874,223)</b>	<b>(1,671,950)</b>	<b>146,292</b>	<b>-8.05%</b>
<b>Surplus - Budget</b>	<b>12,675,865</b>	<b>13,389,671</b>	<b>13,389,671</b>	<b>13,322,396</b>	<b>13,968,758</b>	<b>579,087</b>	<b>4.32%</b>
	<b>82,677</b>	<b>-</b>	<b>-</b>	<b>67,275</b>	<b>-</b>	<b>-</b>	

<sup>1</sup> Budget funds totalling \$23,000 were reallocated from *Capital Plan to Supplies and Services* in 2011 to fund a network upgrade and occupational health & safety supplies. The OHS supplies (\$5,000) were previously budgeted for under *Capital Plan* and the network upgrade funds (\$18,000) become available due to a later start date for capital leases for new equipment. This reallocation complies with the Library Operating Agreement, as funds reallocated comprise less than two percent of the approved Annual Operating Budget (LOA, Section 5.8(b)).

<sup>2</sup> Provincial funding included in Grants budget in 2012 is \$ 646,164 based on 2011 grants. Provincial funding is declining (\$647,060.in 2010) despite population growth.

n/r = not reported; percentage increase does not provide useful information (base is zero)



GREATER VICTORIA PUBLIC LIBRARY  
 FIVE YEAR FINANCIAL PLAN  
 2012 - 2016

	2012	2013	2014	2015	2016
Municipal contributions	13,968,758	14,411,257	14,855,779	15,304,156	15,762,579
Provincial grants	588,754	588,754	588,754	588,754	588,754
Other grants	128,056	128,056	128,056	128,056	128,056
Fines and fees	781,700	797,334	813,281	829,546	846,137
Contracts for service	25,440	25,440	25,440	25,440	25,440
Investment Income	50,000	50,000	50,000	50,000	50,000
Donations	20,000	20,000	20,000	20,000	20,000
Replacement reserve	78,000	110,000	110,000	110,000	110,000
<b>TOTAL REVENUES</b>	<b>15,640,708</b>	<b>16,130,841</b>	<b>16,591,310</b>	<b>17,055,952</b>	<b>17,530,966</b>
Salaries and benefits	11,366,069	11,593,391	11,825,259	12,061,764	12,303,000
Library materials	2,031,635	2,244,900	2,460,696	2,668,124	2,876,849
Supplies and services	533,910	539,249	544,642	550,088	555,589
Building occupancy expenses	716,958	727,712	738,628	749,707	760,953
Other expenses	529,578	537,522	545,584	553,768	562,075
Capital plan (refer to notes)	367,558	368,066	346,500	342,500	342,500
Transfer to fund: replacement	75,000	100,000	110,000	110,000	110,000
Transfer to fund: contingency	20,000	20,000	20,000	20,000	20,000
<b>TOTAL EXPENDITURES</b>	<b>15,640,708</b>	<b>16,130,841</b>	<b>16,591,310</b>	<b>17,055,952</b>	<b>17,530,966</b>
<b>Budget Increase \$</b>	<b>432,795</b>	<b>490,133</b>	<b>460,469</b>	<b>464,642</b>	<b>475,014</b>
<b>Budget Increase %</b>	<b>2.85%</b>	<b>3.13%</b>	<b>2.85%</b>	<b>2.80%</b>	<b>2.79%</b>
<b>Municipal Contribution increase \$</b>	<b>579,087</b>	<b>442,499</b>	<b>444,522</b>	<b>448,377</b>	<b>458,423</b>
<b>Municipal Contribution increase %</b>	<b>4.32%</b>	<b>3.17%</b>	<b>3.08%</b>	<b>3.02%</b>	<b>3.00%</b>

GREATER VICTORIA PUBLIC LIBRARY  
 FIVE YEAR FINANCIAL PLAN  
 2012 - 2016  
 NOTES

1. The increase in the Municipal Contributions in 2012 consists of:

Salaries and auxiliary wage increases net of staffing efficiencies	0.43%	\$57,000
Pension and other employer benefit cost increases	1.10%	146,719
Cost to maintain library collection at current level* plus address demand for e-content and BluRay	1.58%	211,049
Completion of other furniture, equipment and infrastructure projects	-0.44%	-59,030
Website, network, point-of-sale and telephone upgrades	0.33%	43,539
Prior year surpluses fully utilized	0.99%	132,420
Fine revenue decrease	0.28%	37,390
Increase contingency fund contribution to meet 1% of budget target	0.07%	10,000
	<b>4.32%</b>	<b>\$579,087</b>

\* *Current level includes major reductions in 2009 that were not re-established.*

2. GVPL costs outlined in the Facilities Plan average \$1.1 million per annum over the first 5 years of the 15 year plan in addition to any costs directly funded by each municipality. This total cost has **not** been included in the Five Year Financial Plan. A Facilities Implementation Plan is under development.

3. The capital plan consists of regular, routine replacement of computer hardware for the public and employees, furnishings and equipment, and improvements to municipal buildings such as approved renovations, painting, and flooring replacement. The capital plan also includes capital leases for a cargo van and various equipment, such as self checkout units and security gates.

<b>Capital plan</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Building improvements	78,000	110,000	110,000	110,000
Computer equipment	135,505	132,183	125,183	115,000
Furniture and equipment	136,551	108,883	94,492	99,500
Automotive	17,502	17,000	16,825	18,000
<b>TOTAL CAPITAL PLAN</b>	<b>367,558</b>	<b>368,066</b>	<b>346,500</b>	<b>342,500</b>

## Municipal Contributions to Operating Budget

Municipality	2011 Share	2011 Budget	2011 Contribution Net of Rent Adjustment	2012 Provisional Budget	2012 Contribution Net of Rent Adjustment	Contribution Increase	Per Capita Increase <sup>1</sup>
Central Saanich	5.38%	\$720,364	\$731,843	\$751,519	\$762,998	\$31,155	\$1.92
Colwood	4.77%	638,687	646,808	666,310	674,431	27,623	1.67
Esquimalt	5.60%	749,822	747,515	782,250	779,943	32,428	1.83
Highlands	0.72%	96,406	97,634	100,575	101,803	4,169	1.85
Langford	9.23%	1,235,867	1,251,654	1,289,317	1,305,104	53,450	1.83
Metchosin	1.70%	227,624	230,508	237,469	240,353	9,845	1.85
Oak Bay	6.51%	871,668	868,886	909,366	906,584	37,698	2.09
Saanich	34.42%	4,608,724	4,564,823	4,808,047	4,764,146	199,323	1.75
Victoria	28.80%	3,856,225	3,859,593	4,023,002	4,026,370	166,777	2.00
View Royal	2.87%	384,284	390,407	400,903	407,026	16,619	1.71
<b>Total Municipal Contributions</b>	<b>100.00%</b>	<b>\$13,389,671</b>	<b>\$13,389,671</b>	<b>\$13,968,758</b>	<b>\$13,968,758</b>	<b>\$579,087</b>	
				Increase <sup>2</sup>		4.32%	

<sup>1</sup> Based on 2010 population estimates from BCStats.

<sup>2</sup> The allocation between municipalities for this 2012 provisional budget is based on the 2011 share and rent adjustments. The final 2012 percentage shares and rent adjustment will be calculated in January 2012 when population and property assessment values are available and included in the Final Budget.



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# Greater Victoria Public Library

2012 Provisional Budget Review

January 16, 2012



# Serving your community needs

## **Mission**

To provide universal access to secure and safe library services, to foster the love of reading, and to enhance the quality of life in our community.

## **Vision**

To inspire literacy, lifelong learning and community enrichment for all.



# GVPL serves 10 municipalities and 5 First Nation Bands





# Facts and Figures

The Greater Victoria Public Library system has one of the highest usage rates in the country

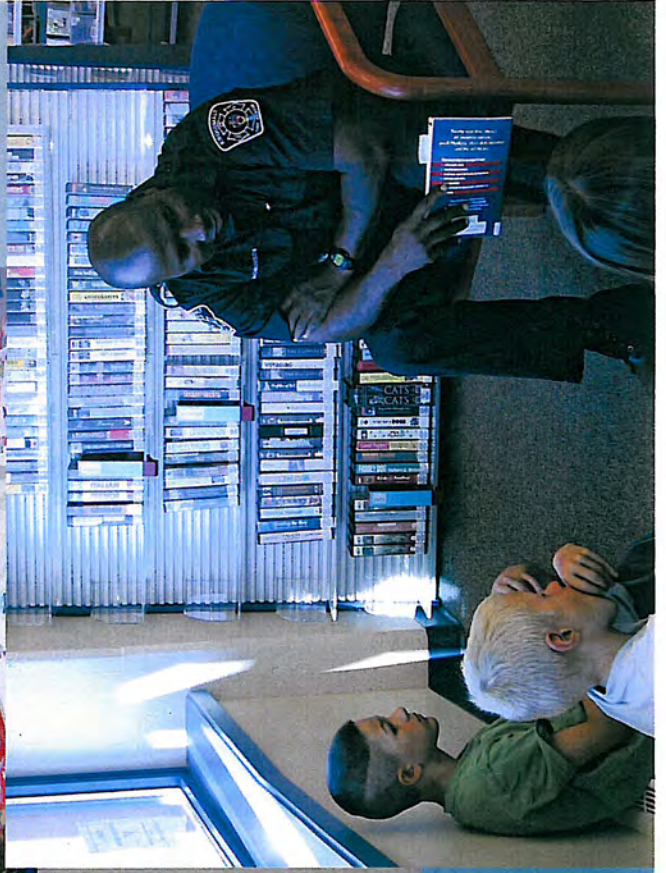
- **79%** Greater Victoria residents have library cards
- **6,069, 464** items circulated in 2011
- **One-third** of items circulated are DVDs, computer games, audio and e-books
- **eBook** circulation percentage increased from 2010 to 2011 **over 800 %**
- Over 1,700,000 children's items circulated a year – **3<sup>rd</sup> highest in Canada**



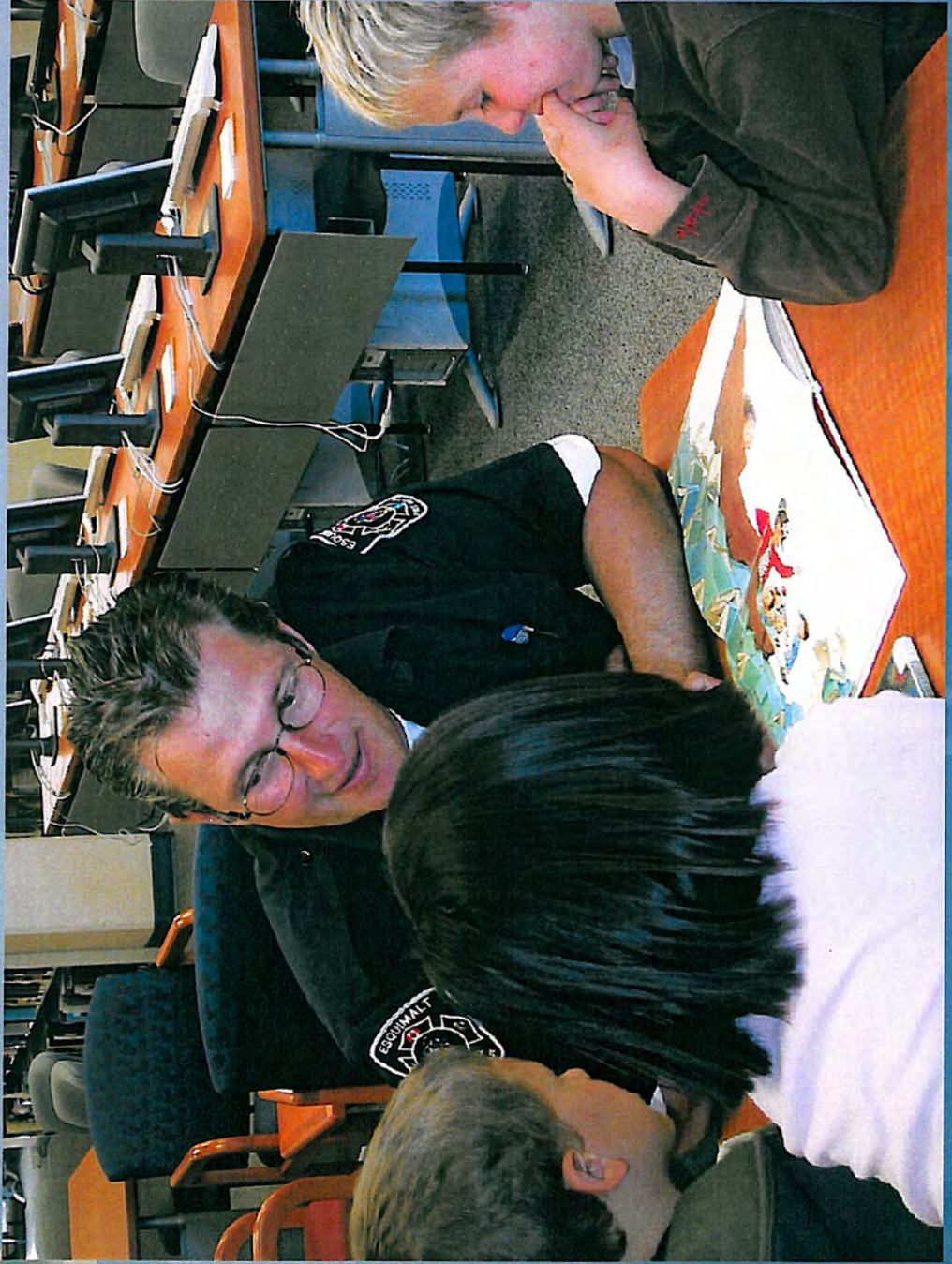
# Meeting User Needs



# Building Community



# Working together





# Changing Spaces

## Facilities – Changing Needs

- Current configuration of spaces are overcrowded
- Space needed for literacy programming, DVDs, e-books, spaces for children & teens
- Space challenges related to technological innovations
- Issues with accessibility, ventilation, safety, wear and tear
- More community spaces needed: flexible areas for programming, public meetings and gathering

# 2012 Provisional Budget



	2011 Budget Approved	2012 Requested Budget	\$ Change	% Change
Employee related	11,157,412	11,366,069	208,657	1.87%
Library materials	1,789,521	2,031,635	242,114	13.53%
Supplies and services	986,418	1,063,488	77,070	7.8%
Building occupancy	708,482	716,958	8,476	1.2%
Capital	481,080	367,558	(113,522)	(23.6%)
Reserve: maintenance	75,000	75,000	0	0.00%
Reserve: contingency	10,000	20,000	10,000	100.00%
<b>TOTAL EXPENDITURES</b>	<b>\$15,207,913</b>	<b>\$15,640,708</b>	<b>\$432,795</b>	<b>2.85%</b>
Revenues	(1,818,242)	(1,671,950)	146,292	(8.05%)
<b>NET LEVY</b>	<b>\$13,389,671</b>	<b>\$13,968,758</b>	<b>\$579,087</b>	<b>4.32%</b>

# 2012 Municipal contributions



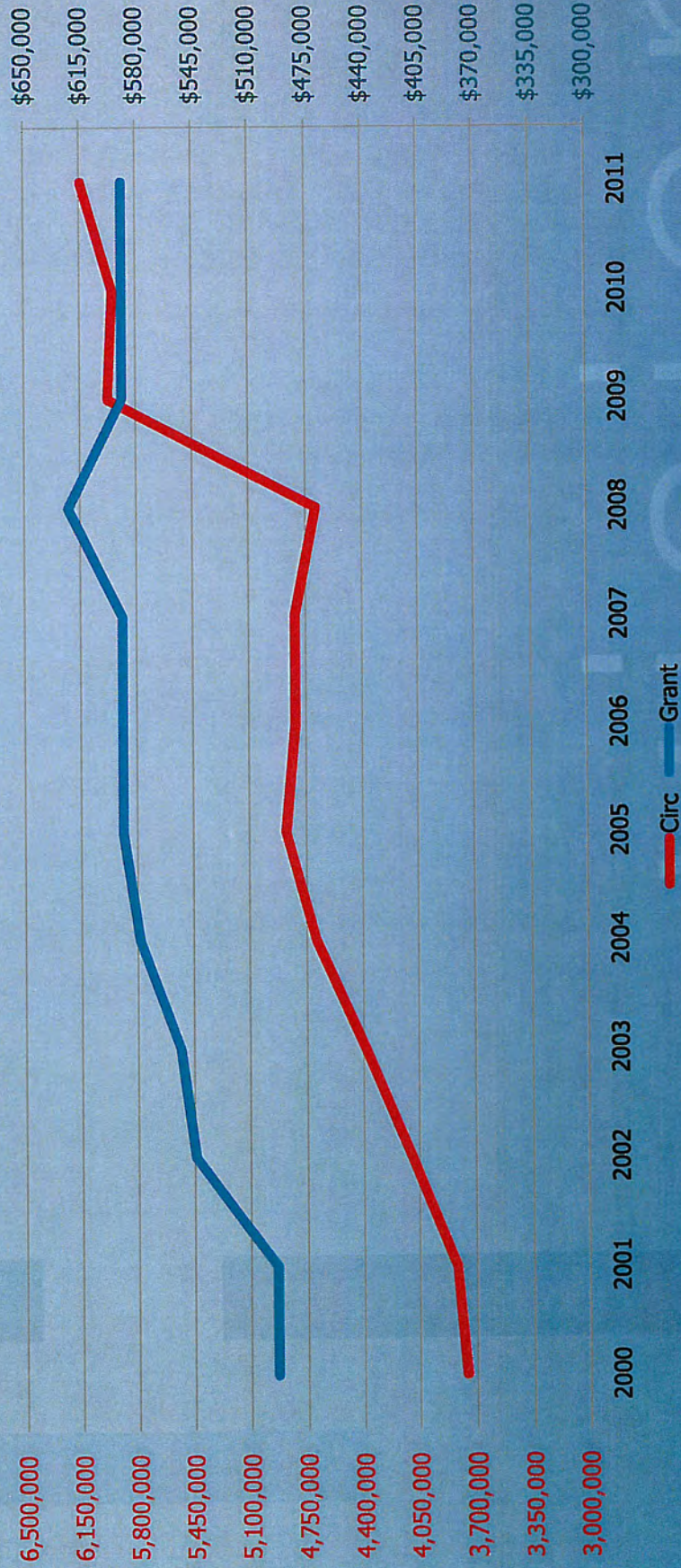
Municipality	2011 Share	2011 Budget	2011 Contribution Net of Rent Adjustment	2012 Provisional Budget	2012 Contribution Net of Rent Adjustment	Contribution Increase	Per Capita Increase
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<b>Total Municipal Contributions</b>	<b>100.00%</b>	<b>\$13,389,671</b>	<b>\$13,389,671</b>	<b>\$13,968,758</b>	<b>\$13,968,758</b>	<b>\$579,087</b>	
				Increase		4.32%	



# Budget Driver

## Decreased revenues, increased use

### Circulation vs. Provincial Grant Funding



# Budget Driver

## Sustainability of facilities and services

Public library demand increases and spaces and services are heavily used.  
Continuous maintenance and infrastructure upgrades required.



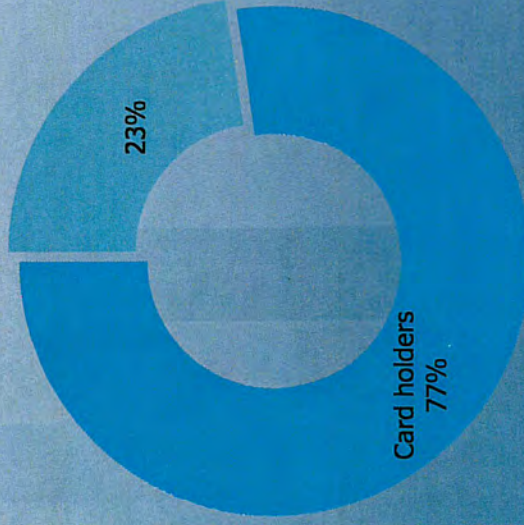




# Budget Driver

## Meeting increasing demand for community services

**77% of Esquimalt citizens have current GVPL Library Cards**

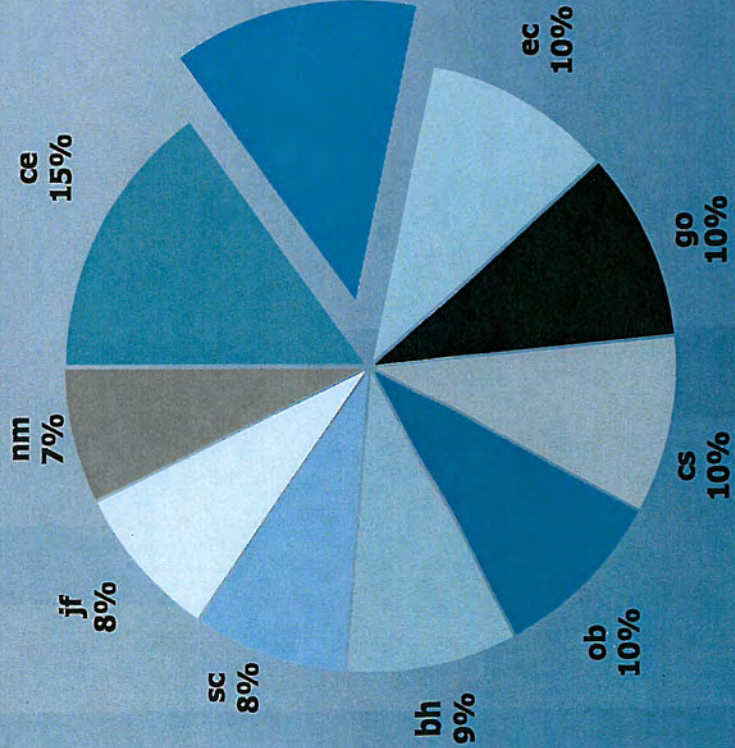




# Budget Driver

Meeting local needs for increased access

Total Hours use per Public Computer





# Planning for future success: Strategic Plan 2011-2014





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# 2012 POLICE BUDGET

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VICTORIA POLICE DEPARTMENT  
2012 OPERATING BUDGET - Expenditures by Object

Description	2011	2012	Increase/(Decrease)		
	Budget	Budget	\$	%	
Salaries - Police (Net of Recoveries)	22,567,000	23,494,000	927,000	4.1%	1
Salaries - Non Sworn	5,865,000	5,901,000	36,000	0.6%	2
Special Duty	40,000	100,000	60,000	150.0%	3
Overtime	2,042,052	2,042,052	0	0.0%	
Departmental Retirements	800,000	800,000	0	0.0%	
Benefits	6,412,000	6,559,000	147,000	2.3%	4
Emergency Response Team	125,000	125,000	0	0.0%	
Car Allowance	6,000	10,000	4,000	66.7%	
Business Travel/Recruit Training	163,000	163,000	0	0.0%	
Memberships	4,000	4,000	0	0.0%	
Staff Development - Training - POLICE	301,015	296,015	(5,000)	-1.7%	5
Staff Development - Training - CIVILIAN	82,000	77,000	(5,000)	-6.1%	5
Advertising - Recruits	25,000	15,000	(10,000)	-40.0%	5
Car Rental	42,000	50,000	8,000	19.0%	
Prison Meals	40,000	35,000	(5,000)	-12.5%	5
GVLRA	55,000	55,000	0	0.0%	
Laundry	85,000	95,000	10,000	11.8%	
Photocopy Operation	50,000	40,000	(10,000)	-20.0%	5
Professional Services	288,000	366,099	78,099	27.1%	6
Operational Meetings	24,000	22,000	(2,000)	-8.3%	5
Fuel and Motor Oil	221,595	281,595	60,000	27.1%	7
General Supplies	433,500	422,500	(11,000)	-2.5%	5
Publications	11,000	7,000	(4,000)	-36.4%	5
Office Supplies	132,000	147,000	15,000	11.4%	8
Postage	25,000	25,000	0	0.0%	
Uniforms	246,500	255,500	9,000	3.7%	
Telephone Line Charges	897,259	835,259	(62,000)	-6.9%	5
Equip. Rental	1,000	1,000	0	0.0%	
New Equipment	222,000	196,000	(26,000)	-11.7%	5
Insurance	162,995	163,995	1,000	0.6%	
Litigation	200,000	250,000	50,000	25.0%	9
Claims (recorded in Police accounts 2009)	40,000	40,000	0	0.0%	
Miscellaneous	98,500	112,500	14,000	14.2%	
Crime Investigation	81,000	112,000	31,000	38.3%	10
Lease/Rental Payments	281,702	283,702	2,000	0.7%	
Equipment Maintenance	484,000	530,500	46,500	9.6%	11
Recoveries	(277,249)	(277,249)	0	0.0%	
WCB Recovery	(100,000)	(100,000)	0	0.0%	
Finger Print Systems Access Costs	50,000	50,000	0	0.0%	
	<b>42,226,869</b>	<b>43,585,468</b>	<b>1,358,599</b>	<b>3.2%</b>	
<b>POLICE BOARD</b>	<b>184,000</b>	<b>184,000</b>	<b>0</b>	<b>0.0%</b>	
<b>CAPITAL FUNDING</b>	<b>1,150,000</b>	<b>1,150,000</b>	<b>0</b>	<b>0.0%</b>	
<b>CORPORATE OVERHEAD</b>	<b>1,025,000</b>	<b>1,025,000</b>	<b>0</b>	<b>0.0%</b>	
<b>REVENUE</b>	<b>(2,986,000)</b>	<b>(2,986,000)</b>	<b>0</b>	<b>0.0%</b>	
<b>NET EXPENDITURES</b>	<b>41,599,869</b>	<b>42,958,468</b>	<b>1,358,599</b>	<b>3.27%</b>	

**1. POLICE SALARIES:**

Projected wage increases are based on the April 1, 2010 to December 31, 2012 Police Union Collective Agreement. Based on the authorized strength of 243 officers and projected progressive promotions, the budget increase required for the Police salaries is \$927,000.

Municipal police officers in the Capital Regional District and the lower mainland have rate parity with the Vancouver Police Department.

**2. NON-SWORN SALARIES:**

Projected wage increases are based on the January 1, 2011 to December 31, 2013 CUPE collective agreement. The budget increase required for the non-sworn employees is \$36,000.

This is a relatively small increase because VicPD used a higher percentage last year when calculating the salary requirements for the 2011 budget.

**3. SPECIAL DUTIES:**

The cost to police the Canada Day celebrations for July 1<sup>st</sup> have increased over the last two years due to concerns over potential disturbances. The 5-year average for policing this event is \$45,000. However, last year the event cost the department \$128,000. The event is on a statutory holiday which requires the Department to pay overtime and statutory holiday pay to all employees who work that day as per the collective agreement, thus increasing the costs significantly.

VicPD has an annual budget of \$40,000 for Canada Day and is requesting an increase of \$60,000.

**Special Events Cost**

	<b>Special Duties</b>	<b>Canada Day</b>	<b>Total Cost</b>	<b>Recovery</b>	<b>Net Cost</b>
2010	222,409	63,413	<b>285,822</b>	(126,470)	<b>159,352</b>
2009	166,385	48,224	<b>214,609</b>	(102,947)	<b>111,662</b>
2008	206,654	35,569	<b>242,223</b>	(178,362)	<b>63,861</b>
2007	258,236	40,552	<b>298,788</b>	(249,931)	<b>48,857</b>

4. **BENEFITS:**

Anticipated rise in the cost of benefits (\$147,000) is due to salary increases and improvements in the benefit compensation packages provide to both unions. The "loading factor" used for benefits is 22%. An estimate of the cost of benefits is provided below:

CPP	2.85%
EI	1.38%
Pension	10.23%
Pension - Special Agreement	2.50%
Extended Health	1.48%
Dental	1.95%
WCB	1.61%
<b>Benefit Rate (% of Salary)</b>	<b>22.00%</b>

5. **SAVINGS:**

VicPD completed an analysis of all budget line items and reviewed the past 5 years' detailed expenditures to identify potential savings. The results of the analysis are a reduction in the following budgets:

Training – Police	\$5,000
Training – Non sworn	5,000
Advertising – Recruits	10,000
Prisoner Meals	5,000
Photocopy Operations	10,000
Meeting costs	\$2,000
General Supplies	11,000
Publications	4,000
Telephone/Cell phone	62,000
New Equipment	26,000
<b>TOTAL REDUCTIONS</b>	<b>\$140,000</b>

6. **SERVICES:**

VicPD require an increase of \$78,099 in the budget for services provided by outside agencies for the following reasons:

BC Municipal Chiefs approved funding for a new provincial undercover program. VicPD's share of this program is \$48,099.



Costs for the Employee Family Assistance Program (EFAP) have increased over the past 3 years. The current budget for EFAP is \$45,000. The department requires an additional \$15,000 to fund the increased costs.

The cost of towing services provided for the department have also increased over the past three years due to an increased service level provide by the towing company. The increased service level is related to a more secure holding facility for cars that are impounded. The current towing budget is \$20,000 and the department requires an additional \$10,000.

7. **FUEL:**

The average cost of fuel has increased by 21% from September, 2010 to September 2011 (\$1.10 to \$1.33). It is anticipated the cost of fuel will continue to rise. An additional \$60,000 is required to fund the projected increase in fuel costs.

8. **OFFICE SUPPLIES:**

The increased use of colour laser printers has resulted in an increase in toner cartridge costs. Although measures will be taken to look at alternatives to reduce cost the department will still require an additional \$15,000 to fund the cost of toner cartridges.

9. **ARBITRATION/LITIGATION:**

Recent changes in the Police Act regarding officer conduct have resulted in an increased workload and legal requirements. In addition to the Department's increased need for legal services, the new police act requires more frequent assistance from outside departments to review the files. The other departments are using legal services to support these reviews, and the cost is passed onto VicPD. An additional \$50,000 is required to meet this rise in costs for legal services.

Arbitration and litigation costs are difficult to predict and past experience may be one of the only ways to establish an appropriate budget. The average cost since 2006 has been \$250,000 per year.

Prior to 2006, the City of Victoria paid all legal costs directly. The budget, since 2006, remained unchanged at \$175,000 until 2011 when the budget was increased to \$200,000. The Department has assigned an inspector to oversee legal services and processes are being put in place to minimize the use of legal services.

**10. INVESTIGATIONS:**

Investigations have become more complex and require assistance from outside agencies and other police departments in areas such as collision analysis, DNA analysis, undercover operations, and surveillance. This requires further funding of \$33,000

**11. EQUIPMENT MAINTENANCE:**

The Department continues to invest in new technology and hardware/software. The hardware, such as video surveillance cameras, increased storage and recording devices all require annual maintenance agreements. Software purchases such as employee training administration, equipment and uniform tracking, performance appraisals, enhanced security, virus blocking and mapping all require annual licensing fees. The Department requires an additional \$46,500 to cover the increased costs of all the new applications and hardware.



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# APPENDIX A

# FURTHER DETAILS

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**A. PROFESSIONAL AND OUTSIDE SERVICES:**

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Provincial Integrated Units	\$74,099
Municipal Undercover Program (\$48,099)	
Criminal Intelligence of BC (\$26,000)	
Emergency Family Assistance Program	60,000
Telebail	50,000
CRD Integrated Units	42,000
Dive Team (\$35,000)	
Crisis Negotiators (\$7,000)	
Polygraph Assessments, Occupational Health	46,000
Towing Services Contract	30,000
Other	17,000
Corporate Communications Costs	15,000
Youth Camp	15,000
Restorative Justice	12,000
Management of PRIME tables	5,000
<b><u>TOTAL PROFESSIONAL SERVICES</u></b>	<b><u>\$366,099</u></b>

**B. TELECOMMUNICATIONS:**

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CREST Radio System Levy	\$422,000
Cell Phone Usage	75,000
Department Landline Phone System	70,000
Backup Radio System	40,000
Repairs and Maintenance	40,000
Hardware Purchases	40,000
Blackberry usage	35,000
Mobile Data Terminals (MDTs) Airtime	25,000
TELUS Link to Esquimalt (Fiber Optic)	21,000
Internet Connection	21,000
PRIME Connection to PRIME BC (Vancouver)	15,000
Other	31,259
<b><u>TOTAL TELECOMMUNICATIONS</u></b>	<b><u>\$835,259</u></b>

C. **INSURANCE:**

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Vehicle Insurance	\$80,000
Building and Liability	72,995
Boats	11,000
<b><u>TOTAL LEASE PAYMENTS</u></b>	<b><u>\$163,995</u></b>

D. **LEASE /RENTAL PAYMENTS:**

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PRIME user Levy	\$251,000
Offsite Storage	25,000
Other	7,702
<b><u>TOTAL LEASE PAYMENTS</u></b>	<b><u>\$283,702</u></b>

E. **EQUIPMENT MAINTENANCE:**

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Fleet Maintenance Costs	\$350,000
Information Technology licensing agreements	110,500
Minor Building Maintenance Costs	40,000
Minor Communications maintenance Costs	15,000
Other	15,000
<b><u>TOTAL EQUIPMENT MAINTENANCE</u></b>	<b><u>\$530,500</u></b>

**Victoria Police Department  
2012 Capital Plan**

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**Vehicles**

4 Prisoner Transport Vehicles	298,656	
3 Admin Cars (Firearms/FET/Detectives)	93,855	
2 Supervisor Vehicles	<u>112,909</u>	
		<b>505,420</b>

**Information Technology**

Computer/Printer replacement	127,000	
Windows 2010 Upgrade	30,000	
Scheduling Software	25,000	
MDT replacements	250,000	
Replace CORE switch in server room	60,000	
Back up switch	<u>8,000</u>	
		<b>500,000</b>

**Furniture and Equipment**

Breath test instruments	20,000	
Various chairs/desk/bookcase replacements	10,000	<b>30,000</b>

**Building Upgrades**

Small contingency for building issues		<b>20,000</b>
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**Communications' Equipment**

Telephone system replacement		<b>85,000</b>
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<b>TOTAL</b>		<b>1,140,420</b>
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**VICTORIA POLICE DEPARTMENT**  
**Revenue Budget**

Description	2012
<b>Protective Services</b>	
Taxi Permits	10,000
Special Occasion Permits	10,000
Police Reports	26,000
Records Permits and Searches (Criminal Record Checks)	104,801
<b>Traffic Fine Revenue</b>	
Esquimalt	366,465
Victoria	<u>2,298,734</u>
	<b>2,665,199</b>
<b>Total Protective Services</b>	<b>2,816,000</b>
<b>Jail Operations</b>	
Saanich	25,000
Province	135,000
Immigration	<u>10,000</u>
<b>Total Jail Operations</b>	<b>170,000</b>
<b>TOTAL REVENUE</b>	<b>2,986,000</b>

RECEIVED

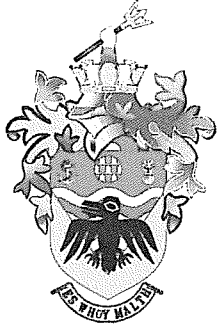
JAN 06 2012

CORPORATION OF THE

Corporation of the Township of Esquimalt

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

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



APPLICATION TO MAKE PRESENTATION TO  
THE MUNICIPAL COUNCIL

Pursuant to *Council Procedure Bylaw, No. 2715, 2009*, Section 20, 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 unanimous vote of those members present.

DATE OF COUNCIL MEETING: 16 JANUARY 2012

NAME: TONY COND, ROBERT YOWDS, JOE ROZON

ORGANIZATION: OLDESQUIMALT RD SAFETY COMMITTEE

ADDRESS: \_\_\_\_\_

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

REASONS FOR APPEARING: TO PRESENT TO COUNCIL A REQUEST FOR CAPITAL FUNDING TO IMPLEMENT TRAFFIC CALMING MEASURES AS DESIGNED BY ESQUIMALT ENGINEERING DEPARTMENT.

05 JANUARY 2012  
Date

[Signature]  
Signature





## CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: January 16, 2012

### STAFF REPORT

**DATE:** January 16, 2012 Report No. EPW-12-001  
**TO:** Laurie Hurst, Chief Administrative Officer  
**FROM:** Jeff Miller, Director, Engineering and Public Works  
**SUBJECT:** Traffic Order No. 1192 – Park Place

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#### **RECOMMENDATION:**

That Council approve the following:

- Repeal Traffic Order No. 153 and that Traffic Order No. 1192 be adopted.

#### **BACKGROUND:**

##### **No Parking at Park Place – TO No. 1192**

When the old Municipal Hall and Public Works buildings were in operation, the east side of Park Place was designated as a no parking zone in order to provide unrestricted access to the structure. This zone also included the road side adjacent to the old Municipal Hall in order to provide unrestricted access to Esquimalt Road for emergency vehicular traffic. This no parking zone was created by Traffic Order No. 153 (TO 153).

As part of the deconstruction of these structures, the Project realigned the road to create on-street parking along the street adjacent to the old Public Works building site.

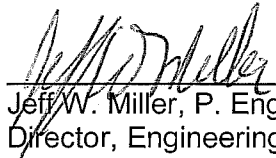
#### **ISSUES:**

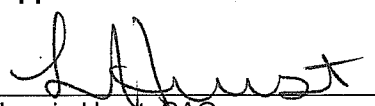
With the creation of on-street parking on the east side of Park Place (southern portion), TO 153 needs to be repealed in order to allow parking along this length of road and Traffic Order No. 1192 (TO 1192) instituted.

TO 1192 will allow parking on the southern portion of Park Place along the east side. The northern portion (35 metres south of Esquimalt Road) of Park Place will remain a no parking zone. This no parking zone is necessary to ensure that emergency vehicular traffic has unrestricted access to Esquimalt Road. The locations of these zones are detailed on the attached drawing.

**ALTERNATIVES:**

- 1) Repeal TO No. 153 and that TO No. 1192 be adopted.
- 2) TO No. 153 to remain in force.

  
\_\_\_\_\_  
Jeff W. Miller, P. Eng.  
Director, Engineering and Public Works

**Approved for Council's consideration:**  
  
\_\_\_\_\_  
Laurie Hurst, CAO  
Dated: Jan 12/12

**CORPORATION OF THE TOWNSHIP OF ESQUIMALT**  
**STREETS AND TRAFFIC REGULATION BY-LAW, 2005, No. 2607**

**ORDER NO. 1192**

**WHEREAS I, JEFFREY W. MILLER**, Director of Engineering and Public Works of the Corporation of the Township of Esquimalt, am empowered under the terms and provisions of the *Streets and Traffic Regulation By-law, 2005, No. 2607*, to make orders in respect of certain matters and things therein mentioned.

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

No parking road markings should be placed on the East side of Park Place from the intersection of the South boundary of Esquimalt Road for a distance of 35m.

This Order to be effective and to come into full force and effect from midnight upon the 16th day of January A.D. 2012.

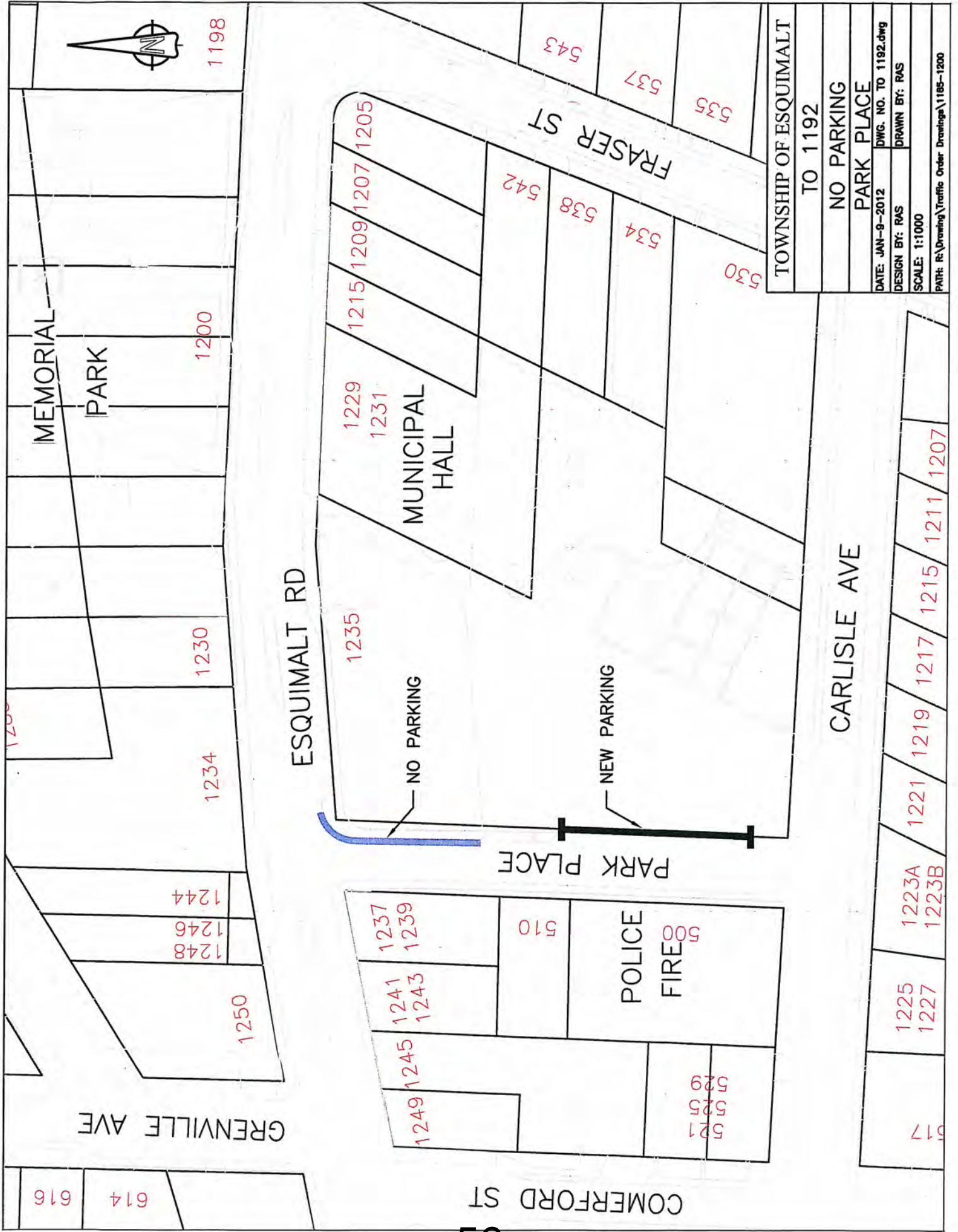
**THAT** Traffic Order No. 153 is hereby repealed.

\_\_\_\_\_  
Director of Engineering and Public Works

I, **Anja Nurvo**, Corporate Officer of the Corporation of the Township of Esquimalt, **DO HEREBY CERTIFY:**

1. That the foregoing is a true copy of an Order made by Jeffrey W. Miller, Director of Engineering and Public Works of the Corporation of the Township of Esquimalt, pursuant to the terms and provisions of the *Streets and Traffic Regulation By-law, 2005, No. 2607* of the said Corporation and submitted to the Municipal Council of the Corporation of the Township of Esquimalt on the 16th day of January A.D. 2012.
2. That on the 16th day of January A.D. 2012, the said Municipal Council did, by resolution, approve the said Order, the original of which is on file in my custody in the Municipal Hall of the Corporation of the Township of Esquimalt, pursuant to the terms of the *Streets and Traffic Regulation By-law, 2005, No. 2607*.

\_\_\_\_\_  
Corporate Officer



GRENVILLE AVE

ESQUIMALT RD

FRASER ST

CARLISLE AVE

COMERFORD ST

MEMORIAL PARK

MUNICIPAL HALL

POLICE FIRE 500

PARK PLACE

NO PARKING

NEW PARKING

1198

1200

1230

1234

1248  
1246  
1244

1250

1215 1209 1207 1205

1229  
1231

1235

1241 1243  
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517



## CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: January 16, 2012

### STAFF REPORT

**DATE:** January 4, 2012 Report No. FIRE-12-001  
**TO:** Laurie Hurst, Chief Administrative Officer  
**FROM:** David Ward Fire Chief  
**SUBJECT:** False Alarm Bylaw

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#### RECOMMENDATION:

That Council give 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings to the False Alarm Bylaw, 2012, No. 2784.

#### BACKGROUND:

In 2011 Esquimalt Fire responded to 95 false alarms and in previous reporting years also responded to numerous false alarms in the Township.

The Fire Prevention division has attempted to educate the public on the problems associated with false alarms and how the inappropriate use of Fire Department staff and apparatus has a negative impact on public safety.

A false alarm incident may be caused by the testing of a buildings alarm system without notifying the Fire Department, by an alarm being activated by mechanical failure, malfunction or faulty equipment, by user error, by atmospheric conditions, excessive vibration during construction or renovations, power failure. It can also refer to where an alarm has occurred but no evidence of fire or other emergency situation exists or where no such event took place.

#### ISSUES:

Since 2006, the Esquimalt Fire Department has contracted dispatch services to the District of Saanich Fire Department which uses a computer automated dispatch (CAD) and records management system (RMS). Since using this system it has become apparent through computer generated reports that we have been responding to numerous false alarms to the same buildings. These multiple infractions may be the result of owners or occupiers not maintaining their fire detection or fire alarm equipment or by carelessness by owners or building tenants.

Unnecessary emergency responses pose a threat to public safety and first responders and may also delay fire and emergency responses to true emergencies.

Fees for attendance at false alarms during any 12 month period are identified in the proposed Bylaw. Under the draft Bylaw, owners are not invoiced until after the Fire Department has responded to 3 previous false alarms. In effect, occupiers are permitted 3 "warnings" prior to incurring fees. Fire Department personnel would ensure that the occupier is aware of the provisions of this Bylaw. After a third false alarm to the same address a written notice would also be sent to the owner by the Fire Department identifying the problem and the consequences in the event of a fourth and any subsequent false alarm.

Another important issue that this Bylaw addresses is standby costs associated with Fire Department crews that are kept on site waiting for an owner or designated reference to arrive on the scene. The Bylaw permits these costs to be invoiced to the owner.

Several other municipalities in the region have enacted similar bylaws which have proven to be a successful deterrent to the problems of responding to numerous false alarms.

Upon final approval of the Bylaw, the Bylaw would be posted on the Fire Department and Municipal websites and the Fire Department would provide copies of the Bylaw to owners and/or occupiers on attending on an initial false alarm response.

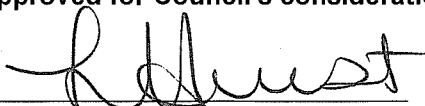
In conclusion, the recommended Bylaw is not an attempt to generate revenue for the Fire Department but rather is intended as an initiative to reduce unnecessary responses, wear on apparatus and use of fuel, but most importantly is intended to increase overall safety for first responders and the general public.

**ALTERNATIVES:**

1. That Council give 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings to the False Alarm Bylaw, 2012, No. 2784.
2. That Council amend the draft Bylaw prior to proceeding with any readings.
3. That Council not approve the Bylaw, but instead maintain the status quo and accept that false alarms and their impacts are part of the regular operations of the Fire Department.



David Ward  
Fire Chief

<p><b>Approved for Council's consideration:</b></p>  <p>Laurie Hurst, CAO</p> <p>Dated: <u>Jan 12/12</u></p>
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# THE CORPORATION OF THE TOWNSHIP OF ESQUIMALT

## BYLAW NO. 2784

A Bylaw to regulate in relation to alarm systems and to reduce false alarms

WHEREAS Section 196(1) of the *Community Charter* provides that Council may establish fees to be paid by the owner or occupier of real property to which Fire services are provided in response to a false alarm of a security or fire alarm system;

AND WHEREAS excessive numbers of false alarms are being permitted to occur by the owners or users of security and fire alarm systems;

AND WHEREAS these false alarms require emergency responses from the Fire Department that pose a threat to the safety of Fire Department members and members of the public by creating unnecessary hazards and delaying the Fire response to true emergencies;

AND WHEREAS under Section 8(6) of the *Community Charter* the Council may regulate the carrying on of business in the municipality for the purpose of protecting the public or preventing or minimizing nuisances;

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

### TITLE

1. This Bylaw may be cited as the "False Alarm Bylaw, 2012, No. 2784."

### DEFINITIONS

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

"FALSE ALARM" means the activation of a security alarm or fire alarm system as a result of which services, including Fire and emergency services, are provided on behalf of the Township and the providers of the service do not find any evidence of fire, fire damage, smoke in relation to the building, structure, residence or facility, or where there has been no emergency situation. False alarm incidents include but are not limited to:

- i) The testing of an alarm which results in a Fire response;
- ii) An alarm actually or apparently activated by mechanical failure, malfunction or faulty equipment;
- iii) An alarm activated by user error;
- iv) An alarm reporting fire or an emergency situation occurring on or in relation to the address in which the alarm system is installed where no evidence exists or where no such event took place;
- v) An alarm actually or apparently activated by atmospheric conditions, excessive vibrations or power failure.

“FIRE and FIRE DEPARTMENT” means the Township of Esquimalt Fire Department.

“FIRE ALARM SYSTEM” means a device or devices installed on or in real property and designed to issue a warning of a fire by activating an audible alarm signal or alerting a Monitoring Service but does not include a fire alarm system that is intended to alert only the occupants of a single family dwelling unit in which it is installed.

“MONITORING SERVICE” means a person, partnership or company engaged in the business of monitoring alarm systems and reporting the occurrence of alarms to the Police and Fire departments.

“SECURITY ALARM SYSTEM” means any mechanical, electrical or electronic device which is designed, intended or used for the detection of an unauthorized entry into a building, structure, facility or surrounding area, or for alerting others to the commission of an unlawful act, or both, and which emits a sound or transmits a message, or does both, but does not include:

- i) A device which registers an alarm which is not audible, visible or perceptible outside the premises in which it is installed, or
- ii) A device which is installed in a motor vehicle.

#### MONITORING SERVICE

3. It shall be an offense for a Monitoring Service to report an alarm to the Fire Department unless it has first placed a telephone call to the premises from which the alarm was sent or to the Property Reference to verify that the alarm is not a false alarm.

#### OWNER'S RESPONSIBILITIES

4. The owner of real property shall be responsible for the proper use, installation, maintenance and operation of any security alarm system or fire alarm system installed on or in the real property in order to ensure the prevention of false alarms.

#### OWNER'S RESPONSIBILITIES – DESIGNATED REFERENCES

5. a) Every owner of real property who uses a security alarm system or fire alarm system must, within 72 hours of the installation of the system, keep the Fire Department informed by notice in writing of the names, addresses and telephone numbers of:
  - i) A Monitoring Service, if applicable; or
  - ii) At least three persons who will be known as Property References who may be contacted in the event of an alarm incident.
- b) The Fire Department are to be informed of any changes to the Monitoring Service or Property Reference contact information by notice in writing within 72 hours of those changes.

#### DESIGNATED REFERENCE RESPONSIBILITIES

6. The Monitoring Service representative or the Property References whose names are provided pursuant to subsection 5(a)(ii) must be persons who are:



- i) Available to receive telephone calls from the Police or Fire Department or Monitoring Service in the event of an alarm incident;
- ii) Able to attend at the premises of the alarm incident within thirty (30) minutes of being requested to do so by the Police or Fire Department or Monitoring Service;
- iii) Capable of affording the Police or Fire Department access to the premises where the alarm incident is located; and
- iv) Capable of operating the alarm system and able to safeguard the premises.

#### FEES FOR ATTENDANCE AT FALSE ALARMS

- 7. a) If in any 12 month period the Fire Department respond to three (3) false alarms originating from one alarm system, the Fire Chief shall cause a notice to be sent to the owner of the property in which the alarm system is installed advising of the occurrence of the false alarms and of the consequences which may arise if further false alarms occur.
- b) If in any 12 month period the Fire Department responds to four (4) or more false alarms originating from one alarm system, there shall be imposed on the owner of the property in which the alarm system is installed a fee of \$200.00 for the fourth and each subsequent false alarm.
- c) In any case where the designated Property Reference fails to attend within 30 minutes of notification, there shall be imposed upon the owner of the property at which a false alarm incident has occurred a Fire Department standby fee charged at the rate of \$500.00 per hour or portion thereof.
- d) In the event that Fire officers cause forced entry to the premises due to a false alarm, all costs incurred to secure the building will be imposed on the owner of the property.
- e) Any fees imposed under this Bylaw shall be due and payable within 45 days of invoice and, if not paid on December 31st of the year in which they are imposed, shall be added to and form part of the taxes payable on the real property as taxes in arrears.

#### APPEAL

- 8. a) The owner premises may appeal the determination that an alarm was false by submitting a notice in writing to the Fire Chief within 10 days of being notified of the determination of a false alarm. The Fire Chief may:
  - i) Conduct an internal investigation;
  - ii) Attempt to resolve the appeal informally with the owner;
  - iii) Convene a hearing;
  - iv) Receive written or oral submissions from the owner and occupier;and shall determine whether the alarm was false.

- b) The determination by the Fire Chief under this Section of whether an alarm was false shall be final and conclusive for all purposes.
- c) The Fire Chief may delegate his or her responsibility under this Section to another staff member in the Fire Department.

OFFENCE AND PENALTY

- 9. Any person who violates any provision of this Bylaw, or who suffers, causes or permits any act or thing to be done in contravention of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw, is guilty of an offence.
- 10 Every person convicted of an offence under this Bylaw shall be liable upon summary conviction to a fine not exceeding Two Thousand Dollars (\$2,000.00).
- 11. Where any violation continues, each day in which it continues shall be deemed to be a separate offence.

Read a first time on the                      day of                      , 2012.

Read a second time on the                      day of                      , 2012.

Read a third time on the                      day of                      , 2012.

ADOPTED on the                      day of                      , 2012.

---

BARBARA DESJARDINS  
MAYOR

---

ANJA NURVO  
CORPORATE OFFICER



## CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: January 16, 2012

### STAFF REPORT

**DATE:** January 11, 2012 Report No. DEV-12-006

**TO:** Laurie Hurst, Chief Administrative Officer

**FROM:** Trevor Parkes, Senior Planner  
Barbara Snyder, Director, Development Services

**SUBJECT:** **REZONING APPLICATION and DEVELOPMENT PERMIT**  
**616 Lampson Street**  
**[Lot 5, Section 11, Esquimalt District, Plan 4618]**

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#### RECOMMENDATION:

1. That Bylaw No. 2785, to amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of Lot 5, Section 11, Esquimalt District, Plan 4618 [616 Lampson Street] shown cross-hatched on Schedule 'A', attached hereto, from RD-3 [Two Family /Single Family Residential] to CD No. 81 [Comprehensive Development District No. 81], be given first and second reading; and
2. That a Public Hearing be scheduled; and
3. That prior to a Public Hearing, a draft Development Permit limiting the form and character of the proposed development to that shown on architectural plans provided by Key and Associate, Architecture Ltd., stamped "Received October 25, 2011", the landscape plan prepared by LADR Landscape Architects, stamped "Received October 25, 2011", and sited as detailed on the survey plan prepared by Brad Cunnin Land Surveying, stamped "Received November 15, 2011", be returned to Council for consideration.

#### BACKGROUND:

**Advisory Planning Commission [APC]:** This application was considered at the regular meeting of APC held on November 15, 2011. Members were complimentary of the proposed design and supported the panhandle concept as it is consistent with development on the property to the south. Two neighbouring property owners presented their concerns to the Commission at the meeting. [attached] The loss of the neighbours' view was discussed by the members and it was noted that the heavy vegetation on the site currently obstructs views for the greater part of the year. There was also a concern about the strength of an existing retaining wall. The applicant indicated he would work with the neighbouring property owners to address their concerns. The application was forwarded to Council with a **recommendation of approval**.

**Committee of the Whole [COTW]:** The application was presented at the regular meeting of the Committee of the Whole on December 12, 2011. COTW accepted the staff recommendation that the application for rezoning be forwarded to Council with a **recommendation of approval** subject to the preparation of an amending bylaw, completion of appropriate notification, and a Public Hearing being held.

**Council:** The report from the COTW was received at the special meeting of Council on December 12, 2011. Staff were directed to prepare the necessary amending bylaw to change the zoning designation of Lot 5, Section 11, Esquimalt District, Plan 4618 [616 Lampson Street] from RD-3 [Two Family /Single Family Residential] to CD No. 81 [Comprehensive Development District No. 81] and forward it to Council for consideration.

**ISSUES:**

**Zoning Considerations**

**Density, Lot Coverage, Siting and Setbacks:**

The following chart compares the setbacks, lot coverage and floor area ratio of this proposal with the requirements of the RD-3 Two Family/ Single Family Residential Zone:

	RD-3 (Two Family)	Proposed CD Zone	
		Lot A [Existing]	Lot B [New]
<b>Minimum Parcel Size</b>	668 m <sup>2</sup>	562 m <sup>2</sup>	482m <sup>2</sup>
<b>Floor Area Ratio</b>	0.35 (SFD) 0.35 (TFD >800m <sup>2</sup> )	0.26	0.34
<b>Lot Coverage</b>	30%	23%	16%
<b>Setbacks</b>			
• <b>Front</b>	7.5 m	6.4 m	9.4 m
• <b>Rear</b>	7.5 m	13.7 m	11.5 m
• <b>Interior Side</b>	3.0 m/1.5 m	6.7 m/1.8 m	3.0 m/1.5
<b>Building Height</b>	7.3 m	7.3 m	7.3 m
<b>Off Street Parking</b>	2 spaces (1 per unit)	2 spaces	2 spaces

The combined F.A.R of the proposal is 0.27 which is substantially less than the 0.35 maximum allowable for duplexes in the RD-3 zone on properties exceeding 800m<sup>2</sup> in area. The combined Lot Coverage is 17% which is significantly less than the 30% maximum permitted in the Two Family/ Single Family Residential zone.

**Neighbour Concerns**

Consistent with the commitment made at the APC meeting, the applicant has met with the owners of the adjacent parcels to both the north and south of the subject property regarding their concerns associated with the proposed development. Staff have also been in contact with these property owners.

Staff met with Howard East, the owner of 616 Lampson Street, regarding the impact the proposed home would have on his southerly view. Staff explained that the proposed siting was consistent with the existing streetscape, capitalized on the view offered on the subject property, minimised overlook from the existing home located on 616 Lampson Street and created two distinct amenity areas, one passive located adjacent to Lampson Street and one active,

separated from Lampson Street by the proposed dwelling. Mr. East indicated that he would appreciate the applicant either removing, or substantially trimming the Elm [#0266] and Crabapple [#0265] trees located adjacent to the northern property line. This would improve the amount of light reaching his home and open a view corridor to the southwest. Staff addressed this issue with the applicant and he indicated he was happy to accommodate the request.

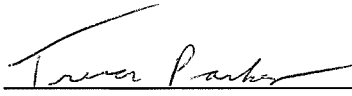
The applicant has also met with Sarah Cook, the owner of 612 Lampson Street regarding the retaining wall located on her property which supports the existing driveway serving 616 Lampson Street. Subject to their discussions, the applicant has provided Ms. Cook with a proposed settlement agreement for her review [attached]. Both parties have indicated that negotiations remain positive, yet unresolved at this time.

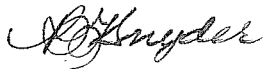
**Public Notification**

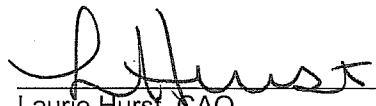
As this is a rezoning application, should it proceed to a Public Hearing, notice would be mailed to tenants and owners of properties within 100 m (328 ft) of the subject property. Notice of the Public Hearing would be placed in two editions of the Victoria News and a sign indicating that the property is under consideration for a change in zoning that has been in place on the Lampson Street frontage since November 2011 would be updated to show the date, time and location of the Public Hearing.

**ALTERNATIVES:**

1. Give Bylaw No. 2785 first and second reading, direct staff to schedule a Public Hearing and to return a Development Permit to Council for consideration.
2. Deny first and second reading to Bylaw No. 2785.

  
\_\_\_\_\_  
Trevor Parkes  
Senior Planner

  
\_\_\_\_\_  
Barbara Snyder  
Director of Development Services

**Approved for Council's consideration:**  
  
\_\_\_\_\_  
Laurie Hurst, CAO  
Dated: Jan 12/12

**CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

**BYLAW NO. 2785**

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

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

1. This bylaw may be cited as the *"ZONING BYLAW, 1992, NO. 2050, AMENDMENT BYLAW [NO. 206], 2012, NO. 2785"*.
2. That Bylaw No. 2050, cited as the "Zoning Bylaw, 1992, No. 2050" be amended as follows:
  - (1) by adding the following words and figures after 'Comprehensive Development District No. 80' in Section 31 – Zone Designations of PART 5 - Zoning Districts:

"Comprehensive Development District No. 81"

- (2) by adding the following text as Section 67.68:

**67.68 COMPREHENSIVE DEVELOPMENT DISTRICT NO. 81 [CD NO. 81]**

In that Zone designated as CD No. 81 [Comprehensive Development District No. 81] no Building or Structure or part thereof shall be erected, constructed, placed, maintained or used and no land shall be used except in accordance with and subject to the regulations contained in or incorporated by reference into this Part.

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Single Family Residential
- (b) Home Occupation

(2) **Parcel Size**

The minimum Parcel Size created by subdivision shall be 482 square metres.

(3) **Density**

The number of Dwelling Units permitted on Lot 5, Section 11, Esquimalt District, Plan 4618 shall be limited to two [2] for a density of one [1] unit per 579 square metres.

(4) **Building Height**

No Principal Building shall exceed a Height of 7.3 metres.

(5) **Lot Coverage**

All Principal Buildings and Structures combined shall not cover more than 17% of the Area of Lot 5, Section 11, Esquimalt District, Plan 4618.

(6) **Floor Area Ratio**

The combined Floor Area Ratio of all Principal Buildings on Lot 5, Section 11, Esquimalt District, Plan 4618 shall not exceed 0.27.

(7) **Siting Requirements**

(a) **Principal Buildings:**

- (i) The easternmost Principal Building shall not be located within 9.4 metres of the Front Lot Line.
- (ii) The westernmost Principal Building shall be located within 6.4 metres of the Front Lot Line
- (iii) The easternmost Principal Building shall not be located within 3.0 metres of the northern Interior Side Lot Line with the total setback of all Side Yards not to be less than 4.5 metres.
- (iv) The westernmost Principal Building shall not be located within 1.8 metres of the northern Interior Side Lot Line with the total setback of all Side Yards not to be less than 8.5 metres.
- (v) The easternmost Principal Building shall not be located within 11.5 metres of the Rear Lot Line.
- (vi) The westernmost Principal Building shall not be located within 13.7 metres of the Rear Lot Line

(b) **Accessory Buildings:**

- (i) No Accessory Buildings shall be permitted.

(8) **Fencing**

(a) No fence shall exceed a Height of 1.2 metres in front of the front face of the easternmost Principal Building and 1.8 metres behind the front face of the easternmost Principal Building within Comprehensive Development District No. 81 [CD No. 81].

(b) Notwithstanding Zoning Bylaw, 1992, No. 2050, Section 22(1), a fence located on top of a retaining wall shall not exceed 1.2 metres in front of the front face of the easternmost Principal

Building and 1.8 metres behind the front face of the easternmost Principal Building within Comprehensive Development District No. 81 [CD No. 81].

(9) **Landscaping and Open Space**

Landscaping and Open Space shall be as shown on the landscape plan approved as part of the active Development Permit.

(10) **Off-Street Parking**

The number of off street parking stalls shall be provided in the ratio of two [2] stalls for each Dwelling Unit.

(3) by changing the zoning designation of Lot 5, Section 11, Esquimalt District, Plan 4618 [616 Lampson Street] shown cross-hatched on Schedule "A" attached hereto from RD-3 [Two Family/ Single Family Residential] to CD No. 81 [Comprehensive Development District No. 81].

(4) by changing Schedule 'A' Zoning Map, attached to and forming part of "Zoning Bylaw, 1992, No. 2050" to show the changes in zoning classification effected by this bylaw.

READ a first time by the Municipal Council on the ---- day of -----, 2012.

READ a second time by the Municipal Council on the ---- day of -----, 2012.

A Public Hearing was held pursuant to Sections 890 and 892 of the *Local Government Act* on the ---- day of -----, 2012.

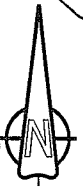
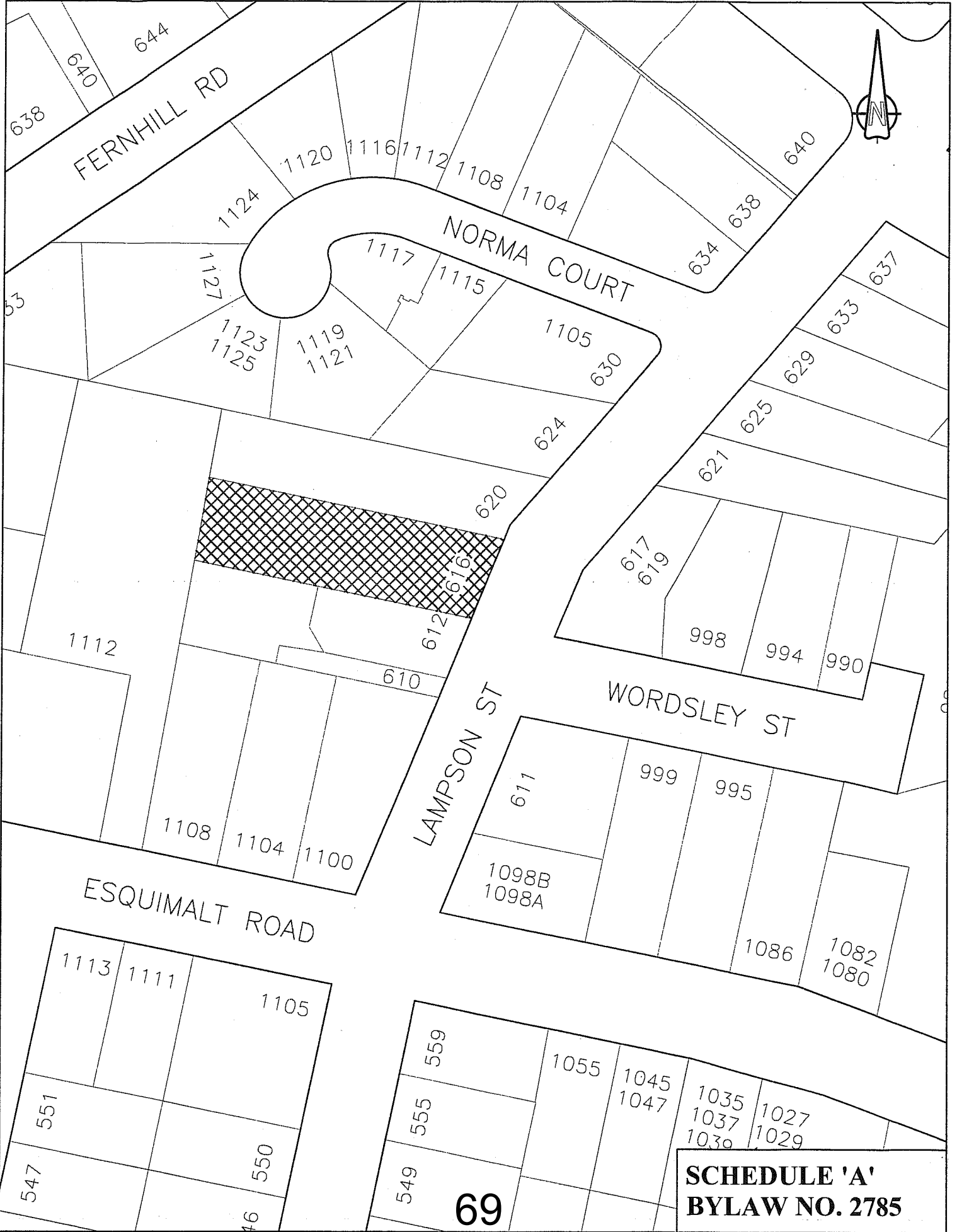
READ a third time by the Municipal Council on the ---- day of ----, 2012.

**ADOPTED** by the Municipal Council on the ---- day of ----, 2012.

\_\_\_\_\_  
BARBARA DESJARDINS  
MAYOR

\_\_\_\_\_  
ANJA NURVO  
CORPORATE OFFICER

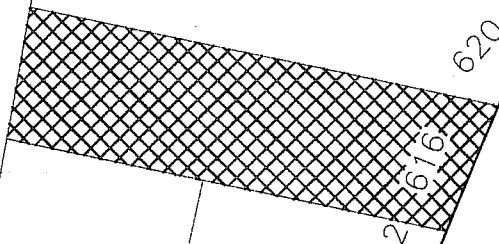




638 640 644  
FERNHILL RD

1124 1120 1116 1112 1108 1104  
NORMA COURT

1127 1117 1115 1105 630  
1123 1125 1119 1121  
624 620



634 638 640  
633 637  
629 625 621  
617 619  
998 994 990

LAMPSON ST

WORDSLEY ST

611 999 995  
1098B 1098A  
1086 1082 1080

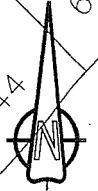
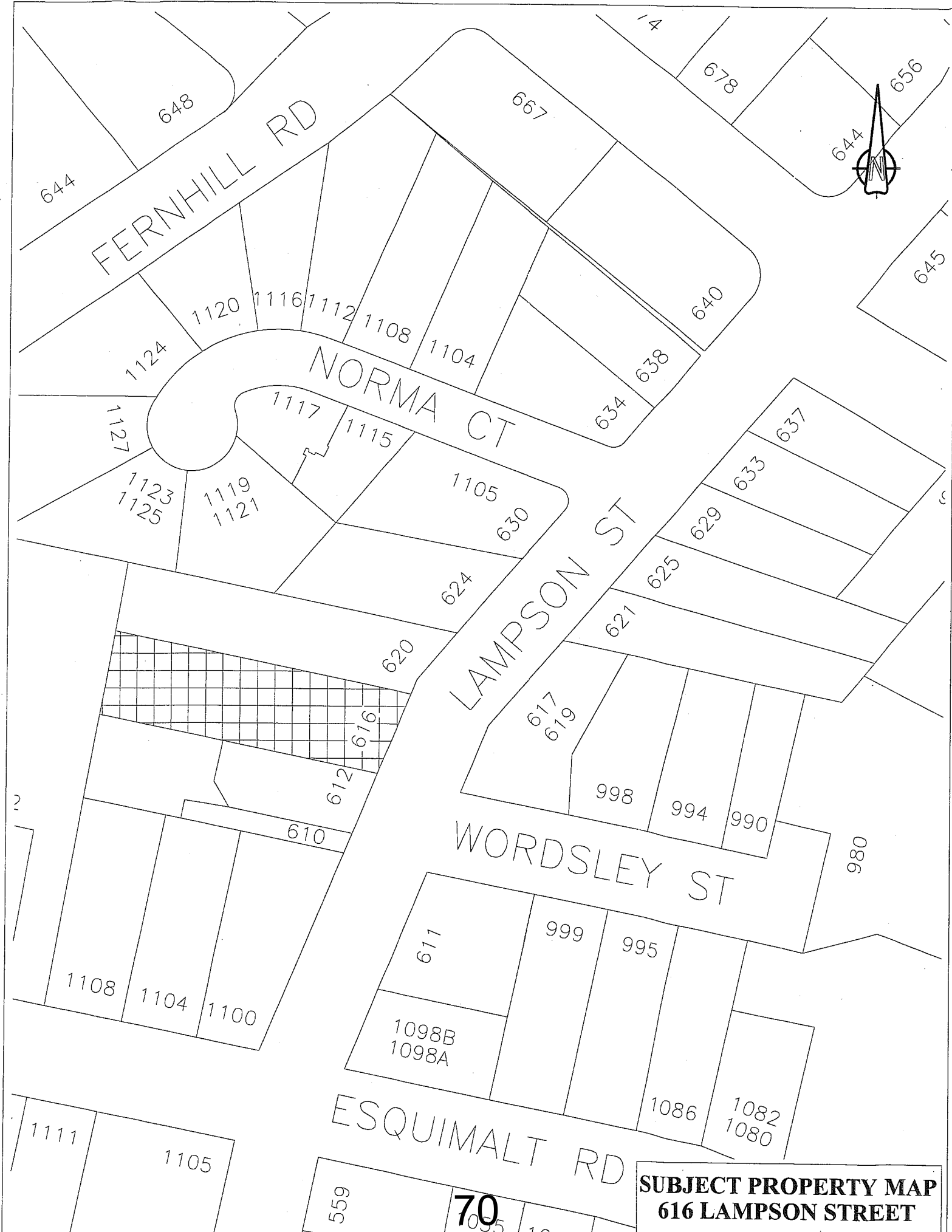
ESQUIMALT ROAD

1113 1111 1105  
551  
547 550

559 1055 1045 1035 1027  
555 1047 1037 1029  
549 1030

69

**SCHEDULE 'A'**  
**BYLAW NO. 2785**



**SUBJECT PROPERTY MAP  
616 LAMPSON STREET**

**70**

559

1055

1045

FERNHILL RD

NORMA CT

LAMPSON ST

WORDSLEY ST

ESQUIMALT RD

648

644

678

644

656

645

667

640

638

634

1124

1120

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1123  
1125

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1111

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**616 Lampson Street**



Subject Property Boundary: 



## DIVISION 1 - RESIDENTIAL ZONES

### 34. SINGLE FAMILY RESIDENTIAL [RS-1]

The intent of this Zone is to accommodate Single Family Dwellings on individual Parcels of land.

#### (1) Permitted Uses

The following Uses and no others are permitted:

- (a) Single Family Residential
- (b) Home Occupation
- (c) keeping of up to a maximum of no more than two [2] Roomers or Boarders
- (d) Secondary Suite: subject to the requirement of Section 30.6

#### (2) Parcel Size

The minimum Parcel Size for Parcels created by subdivision shall be 530 square metres.

#### (3) Minimum Lot Width

The minimum width of Parcels created by subdivision shall be 16 metres measured at the Front Building Line.

#### (4) Floor Area Ratio

The Floor Area Ratio shall not exceed 0.35.

#### (5) Floor Area

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

#### (6) Building Height

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

#### (7) Building Width

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

#### (8) Lot Coverage

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

- (b) All Accessory Buildings and Structures combined shall not exceed 10% of the Area of Parcel.

(9) **Siting Requirements**

(a) **Principal Building**

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

(b) **Accessory Building**

- (i) **Front Setback:** No Accessory Building shall be located in front of the front face of the Principal Building.
- (ii) **Side Setback:** No Accessory Building shall be located within 1.5 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) **Rear Setback:** No Accessory Building shall be located within 1.5 metres of a Rear Lot Line.
- (iv) **Building Separation:** No Accessory Building shall be located within 2.5 metres of a Principal Building.

(10) **Fencing**

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

(11) **Off Street Parking**

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

## 9.8 Guidelines for Single-unit Infill Housing

### 9.8.1 Definition

Single-unit infill housing is development that provides for new single-unit homes on land that is surplus to the needs of existing housing. This could be in the form of separate dwellings on one lot (strata-titled or otherwise), or dwellings on separate small lots created through subdivision of larger lots.

### 9.8.2 Purpose

The purpose of these guidelines is provide guidance for proponents, the public, municipal staff, Advisory Committees and Council for the evaluation of applications for rezoning to permit the construction of single-unit Infill Housing.

### 9.8.3 Guidelines

#### 9.8.3.1 Preferred Locations/Site Characteristics

The following characteristics define the general suitability of a property for Single-unit Infill Housing:

- a) Lots currently zoned RD-1 (Two-unit Residential) and RD-3 (Two-unit / Single-unit Residential), especially those with extra width and lot area;
- b) Lots with a frontage on more than one street (including corner lots);
- c) Properties that are transitional between lower density and higher density housing or other land uses;
- d) The demolition of existing housing is discouraged (unless in exceptional circumstances) however moving of houses is considered acceptable; and
- e) These criteria are general in nature. Each project will be considered on its own merit.

### 9.8.4 Design

#### 9.8.4.1 Context

- a) Where an existing single-unit residence is to be retained and a second residence placed on the parcel, the existing dwelling is to be upgraded and made to blend with the new construction.
- b) Where two or more new separate dwellings are situated within a comprehensive development zone, the buildings shall be designed as part of a comprehensive scheme with all buildings being finished in complementary materials and incorporating similar architectural details.
- c) Where new infill single houses are proposed, the design of the new houses should be complementary in scale, size, exterior finishes, rooflines, and colours to the predominant styles of housing in the neighbourhood. It is important to ensure that the new construction fits with the overall scale and character of existing houses.
- d) The intent of this guideline is not to encourage the replication or imitation of surrounding buildings but rather the design of structures that complement the streetscape.

#### 9.8.4.2 Massing

- e) New structures should be designed so that the overall massing is in keeping with other single-unit residences in the immediate area. New structures for lots other than corner or double frontage lots should be limited to one and one half storeys.
- f) New structures, which are two storeys in height, should be designed so that the second storey is partially concealed within the slope of the roof to minimize the height of the building. The use of dormers set into the roof is preferred to a flat roof or a peaked roof set over the second storey.

#### 9.8.4.3 Privacy/Screening/Shadowing

- g) Proposed infill dwellings should have only a minimal impact on adjacent homes and be separated from neighbouring residences by vegetation, screening, natural elevation differences, or a combination of these features.
- h) Windows, decks and patios should be located so as to minimize intrusion onto the privacy of adjacent properties.
- i) Infill dwellings should be sited to minimize the casting of shadows onto the private outdoor space of adjacent residential dwellings.

#### 9.8.4.4 Landscaping

- j) Proposals for single-unit infill housing must include a landscape plan showing hard landscaping (i.e., parking areas, fences, and patios) as well as lawns, trees, shrubs, planting areas and proposed plant species.
- k) Retention and protection of trees and the natural habitat is encouraged wherever possible.

#### 9.8.4.5 Private Open/Yard Space

- l) Any proposal for single-unit infill housing should provide for useable, private outdoor areas for each dwelling, at grade.

### 9.8.5 Process

#### 9.8.5.1 Rezoning

- a) Single-unit infill housing will only be permitted through a rezoning process. Each application will be considered on its own merit.
- b) As well as the typical rezoning information, an application for a single-unit infill housing should include:
  - i) a summary of the proposal (prepared by the applicant) showing how it differs from the regular zoning requirements in terms of site coverage, floor area ratio, building envelope, number of parking spaces, amount of useable open space and common areas; and
  - ii) an illustration of the streetscape (to scale) showing the relationship of the proposed building to the five (5) adjacent buildings on either side of it and of the same buildings from the rear is required. For corner lots, the streetscape drawing must be provided for both street frontages.





## SAMPLE

2. The lands shall not be used for more than one Single Family Dwelling. "Single Family Dwelling" means a detached building consisting of one dwelling unit containing only one kitchen with cooking facilities, which is occupied or intended to be occupied as a permanent residence by one family only. "Family" means one or more persons related by blood, marriage, adoption, or foster parenthood; or not more than four unrelated persons sharing one Dwelling Unit.
3. This Covenant runs with the Lands.
4. Nothing in this Covenant shall affect the Corporation in the exercise of its statutory powers.
5. The parties hereto each covenant to and agree with the other that the \_\_\_\_\_ being the holder of mortgages on the lands of the Grantor registered under number \_\_\_\_\_ at the Victoria Land Title Office do hereby consent to and approve the granting of the Covenant herein and do hereby grant priority to the said Covenant over the said mortgages such that the Covenant shall constitute and rank as a prior charge against the lands affected thereby.
6. These presents shall enure to the benefit of and be binding upon the parties hereto and upon their respective proper signing officers in that behalf as of the day and year first above written.

IN WITNESS WHEREOF, the parties hereto have signed, or being corporations have caused their officers to sign, the attached Form C General Instrument in execution of this Agreement.



## GREEN BUILDING CHECKLIST

The purpose of this Checklist is to make property owners and developers aware of specific green features that can be included in new developments to reduce their carbon footprints to help create a more sustainable community.

Creating walkable neighbourhoods, fostering green building technologies, making better use of our limited land base and ensuring that new development is located close to services, shops and transit are some of the means of achieving sustainability.

The Checklist which follows focuses on the use of **Green Technologies** in new buildings and major renovations. The Checklist is not a report card, it is a tool to help identify how your project can become 'greener' and to demonstrate to Council how your project will help the Township of Esquimalt meet its sustainability goals. It is not expected that each development will include all of the ideas set out in this list but Council is looking for a strong commitment to green development.

There are numerous green design standards, for example, Built Green BC; LEED ND; Living Building Challenge; Green Shores; Sustainable Sites Initiative. Esquimalt is not directing you to follow any particular standard, however, you are strongly encouraged to incorporate as many green features as possible into the design of your project .

As you review this checklist, if you have any questions please contact **Development Services at 250.414.7108** for clarification.

*New development is essential to Esquimalt.  
We look forward to working with you  
to ensure that development is  
as green and sustainable as possible.*

Other documents containing references to building and site design and sustainability, which you are advised to review, include:

- Esquimalt's Official Community Plan
- Development Protocol Policy
- Esquimalt's Pedestrian Charter
- Tree Protection Bylaw No. 2664
- A Sustainable Development Strategic Plan for the Township of Esquimalt

*Adopted on January 10th, 2011*



“One-third of Canada’s energy use goes to running our homes, offices and other buildings. The federal government’s Office of Energy Efficiency (Natural Resources Canada) reports that a corresponding one-third of our current greenhouse gas (GHG) emissions come from the built environment.”

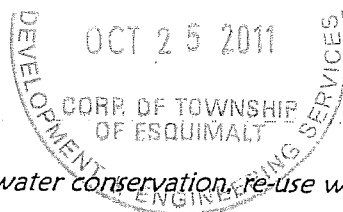
[Green Building and Development as a Public Good, Michael Buzzelli, CPRN Research Report June 2009]

Please answer the following questions and describe the green and innovative features of your proposed development. Depending on the size and scope of your project, some of the following points may not be applicable.

### Green Building Standards

*Both energy use and emissions can be reduced by changing or modifying the way we build and equip our buildings.*

1	Are you building to a recognized green building standard? If yes, to what program and level?	Yes	No
	<u>BUILT GREEN BRONZE</u>	<input checked="" type="checkbox"/>	
2	If not, have you consulted a Green Building or LEED consultant to discuss the inclusion of green features?	Yes	No
3	Will you be using high-performance building envelope materials, rainscreen siding, durable interior finish materials or safe to re-use materials in this project? If so, please describe them.	Yes	No
		<input checked="" type="checkbox"/>	
4	What percentage of the existing building[s], if any, will be incorporated into the new building?		<u>0</u> %
5	Are you using any locally manufactured wood or stone products to reduce energy used in the transportation of construction materials? Please list any that are being used in this project.		
6	Have you considered advanced framing techniques to help reduce construction costs and increase energy savings?	Yes	No
			<input checked="" type="checkbox"/>
7	Will any wood used in this project be eco-certified or produced from sustainably managed forests? If so, by which organization? _____ For which parts of the building (e.g. framing, roof, sheathing etc.)? _____		
8	Can alternatives to Chlorofluorocarbon’s and Hydro-chlorofluorocarbons which are often used in air conditioning, packaging, insulation, or solvents] be used in this project? If so, please describe these. <u>INSULATION &amp; SOLVENTS</u>	Yes	No
		<input checked="" type="checkbox"/>	
9	List any products you are proposing that are produced using lower energy levels in manufacturing.		
10	Are you using materials which have a recycled content [e.g. roofing materials, interior doors, ceramic tiles or carpets]?	Yes	No
		<input checked="" type="checkbox"/>	
11	Will any interior products [e.g. cabinets, insulation or floor sheathing] contain formaldehyde?	Yes	No
			<input checked="" type="checkbox"/>



### Water Management

The intent of the following features is to promote water conservation, re-use water on site, and reduce storm water run-off.

#### Indoor Water Fixtures

12	Does your project exceed the BC Building Code requirements for public lavatory faucets and have automatic shut offs?	Yes	No	
				N/A
13	For commercial buildings, do flushes for urinals exceed BC Building Code requirements?	Yes	No	
				N/A
14	Does your project use dual flush toilets and do these exceed the BC Building Code requirements?	Yes	No	
		X		
15	Does your project exceed the BC Building Code requirements for maximum flow rates for private showers?	Yes	No	
		X		
16	Does your project exceed the BC Building Code requirements for flow rates for kitchen and bathroom faucets?	Yes	No	
		X		

#### Storm Water

17	If your property has water frontage, are you planning to protect trees and vegetation within 60 metres of the high water mark? [Note: For properties located on the Gorge Waterway, please consult Sections 7.1.2.1 and 9.6 of the Esquimalt Official Community Plan.]	Yes	No	N/A
				X
18	Will this project eliminate or reduce inflow and infiltration between storm water and sewer pipes from this property?	Yes	No	N/A
		X		
19	Will storm water run-off be collected and managed on site (rain gardens, wetlands, or ponds) or used for irrigation or re-circulating outdoor water features? If so, please describe. <u>rain barrels</u>	Yes	No	N/A
		X		
20	Have you considered storing rain water on site (rain barrels or cisterns) for future irrigation uses?	Yes	No	N/A
		X		
21	Will surface pollution into storm drains will be mitigated (oil interceptors, bio-swales)? If so, please describe. _____	Yes	No	N/A
				X
22	Will this project have an engineered green roof system or has the structure been designed for a future green roof installation?	Yes	No	N/A
			X	
23	What percentage of the site will be maintained as naturally permeable surfaces?			<u>60</u> %

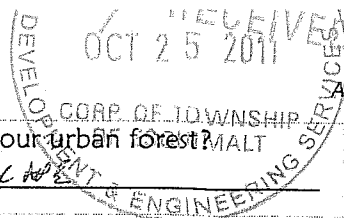
#### Waste water

24	For larger projects, has Integrated Resource Management (IRM) been considered (e.g. heat recovery from waste water or onsite waste water treatment)? If so, please describe these. _____	Yes	No	N/A
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### Natural Features/Landscaping

The way we manage the landscape can reduce water use, protect our urban forest, restore natural vegetation and help to protect the watershed and receiving bodies of water.

25	Are any healthy trees being removed? If so, how many and what species?	Yes	No	N/A
			X	
	Could your site design be altered to save these trees?			
	Have you consulted with our Parks Department regarding their removal?			



26	Will this project add new trees to the site and increase our urban forest? If so, how many and what species? <u>SEE LANDSCAPE</u>	Yes X	No	N/A
27	Are trees [existing or new] being used to provide shade in summer or to buffer winds?	Yes X	No	N/A
28	Will any existing native vegetation on this site be protected? If so, please describe where and how. _____	Yes	No	N/A X
29	Will new landscaped areas incorporate any plant species native to southern Vancouver Island? <u>SEE LANDSCAPE</u>	Yes X	No	N/A
30	Will xeriscaping (i.e. the use of drought tolerant plants) be utilized in dry areas?	Yes	No	N/A X
31	Will high efficiency irrigation systems be installed (e.g. drip irrigation; 'smart' controls)?	Yes	No	N/A
32	Have you planned to control invasive species such as Scotch broom, English ivy, Himalayan and evergreen blackberry growing on the property? <u>UNKNOWN</u>	Yes X	No	N/A
33	Will topsoil will be protected and reused on the site?	Yes X	No	N/A

**Energy Efficiency**

*Improvements in building technology will reduce energy consumption and in turn lower greenhouse gas [GHG] emissions. These improvements will also reduce future operating costs for building occupants.*

34	Will the building design be certified by an independent energy auditor/analyst? If so, what will the rating be? _____	Yes	No X	N/A
35	Have you considered passive solar design principles for space heating and cooling or planned for natural day lighting?	Yes	No X	N/A
36	Does the design and siting of buildings maximize exposure to natural light? What percentage of interior spaces will be illuminated by sunlight? <u>50</u> %	Yes X	No	N/A
37	Will heating and cooling systems be of enhanced energy efficiency (ie. geothermal, air source heat pump, solar hot water, solar air exchange, etc.). If so, please describe. _____ If you are considering a heat pump, what measures will you take to mitigate any noise associated with the pump? _____	Yes	No	N/A X
38	Has the building been designed to be solar ready?	Yes	No X	N/A
39	Have you considered using roof mounted photovoltaic panels to convert solar energy to electricity?	Yes	No X	N/A
40	Do windows exceed the BC Building Code heat transfer coefficient standards?	Yes	No X	N/A
41	Are energy efficient appliances being installed in this project? If so, please describe. <u>Refrigerator</u>	Yes X	No	N/A
42	Will high efficiency light fixtures be used in this project? If so, please describe.	Yes X	No	N/A
43	Will building occupants have control over thermal, ventilation and light levels?	Yes X	No	N/A
44	Will outdoor areas have automatic lighting [i.e. motion sensors or time set]?	Yes X	No	N/A
45	Will underground parking areas have automatic lighting?	Yes	No	N/A X





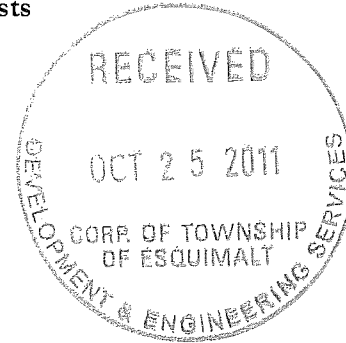
## Talbot Mackenzie & Associates

Consulting Arborists

RECEIVED

October 17, 2011

Van -Isle Project Management Ltd.  
3280 Woodburn Avenue  
Victoria, BC V8P 5B9



Attention: Ron Warrington

Re: Tree Retention Impact and Report for 616 Lampson Street

**Assignment:** Prepare a tree impact and retention report to be used during the proposed subdivision of the 616 Lampson Street property into two single-family lots.

**Methodology:** For this purpose, we reviewed the concept plan supplied that included a suggested building footprint location. Each tree within the anticipated area of impacts for proposed Lot B and the front of Lot A was identified onsite using a numeric metal tag attached to its lower trunk. Information such as tree species, size (d.b.h.), crown spread, protected root zone (PRZ), critical root zone (CRZ), health and structural condition, relative tolerance to construction impacts and general remarks and recommendations was recorded in the attached Tree Resource Spreadsheet.

**Note:** We are not aware of any construction plans for the existing residence on the property (proposed Lot A). If construction is planned on the existing residence, we recommend that the remaining bylaw-protected trees on the property be inventoried.

**Tree Resource:** The bylaw-protected tree resource consists primarily of elm trees, with several smaller ornamental tree species interspersed. One Garry oak is located near the existing residence on proposed Lot A, which is unlikely to be impacted by the proposal.

**Potential impacts:** We anticipate that the highest onsite impacts will occur during excavation for the proposed building footprint, and excavation to upgrade or connect the underground services.

- Elm #0262 has an existing defect at the union of its main stems, and is located where its critical root zone and canopy will be heavily impacted by the construction on this lot.
- Flowering cherry #0264 is located where its critical root zone and canopy will also be heavily impacted by the footprint location. It is unlikely that these two trees will survive these impacts; therefore, we recommend that they be removed prior to the construction commencing.

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Email: treehelp@telus.net

.../2



- This would also result in the loss of plum tree #0281, a poorly structured tree that depends on elm #0262 for its support.
- We also anticipate the removal of elm trees numbered 0248, 0249 and 0266, Hawthorn #0263, and Crabapple #0265 if the underground hydro service is located along the northern property boundary.

**Mitigation of impacts:** To reduce the impacts on the subject trees, we have outlined the following procedures to be implemented during the development of this property.

**Barrier fencing:** Areas, surrounding the trees to be retained, should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones. The barrier fencing to be erected must be a minimum of 4 feet in height and constructed of solid material or flexible safety fencing that is attached to wooden or metal posts. If a flexible fencing material is used, the top and bottom of the fencing must be secured to the posts by a wire or board that runs between these posts. The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose. Solid hording material may also be required to protect the trunks of trees from mechanical injury if vehicles or machinery are permitted close to tree trunks and where blasting is required.

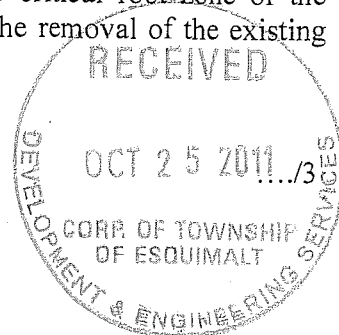
**Building footprint:** The proposed building footprint, as outlined on the plans supplied, encroaches within the protected root zones of the grove of elm trees along the Lampson Street frontage and several of the ornamental flowering trees surrounding this footprint. The north side and northeast corner of the proposed building footprint encroaches into the critical root zones of elm tree #0262 and Flowering Cherry tree #0264. It is unlikely that these two trees will survive these impacts; therefore, we recommend that these two trees, along with plum tree #0281 be removed prior to the construction commencing.

We recommend that the footprint of the proposed house be excavated under the supervision of the project arborist. The arborist can expose and properly prune the root structures that are encountered, before the excavation equipment damages these roots.

**Driveway footprint:** The driveway easement is located along the southern property line, away from the main grove of trees. Due to the existing grade change between the driveway and the garden area, it is unlikely that significant root structures will be encountered within the driveway, near the Lampson Street frontage. Root structures from crabapple tree #0280, and laburnum tree #0279 may be encountered beneath the driveway as the change in grade in this location is less pronounced. If the driveway is to be re-surfaced, we recommend that excavation be sensitive to the critical root zone of the bylaw-protected trees. The project arborist should supervise the removal of the existing driveway surface and any excavation required.

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It is our understanding that it may be necessary to widen the driveway on its northerly side by approximately one half to one metre. This will result in the loss of the shrub border along the edge of the driveway and the required excavation will encroach closer to the grove of elm trees. The project arborist must also supervise the excavation in this location.

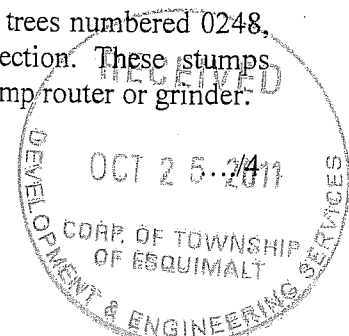
**Servicing:** We recommend that all of the underground services be located within the existing driveway footprint where there is less risk of encountering roots from the large elm trees. It is our understanding that given the location of the nearest hydro utility pole, a corridor must be created along the northern property boundary to accommodate underground hydro and communications services for both the existing house and for the proposed lot. In this location there will be a conflict with the root structures of the adjacent elm trees along the front of the property, as well as several of the ornamental trees that are located along this property line. We anticipate the removal of elm trees numbered 0262, 0248, 0249 and 0266, Hawthorn #0263, Flowering cherry #0264, Crabapple #0265 and plum #0281. The excavation to accommodate these lines could also impact the root structures of elm tree #0250. To reduce the impacts on the trees that are to be retained in this location, we recommend that all of the excavation required be completed under the direct supervision of the project arborist.

The hydro corridor should be located against the northern property boundary and, if possible, run between the stumps of the trees that have been removed and the northern property boundary while retaining these stumps as a buffer between the excavation and the trees that are to be retained. If the removal of one or more of the stumps is required, we recommend grinding the main part of the stump below grade using a mechanical stump router or grinder. The root structures that remain in the ground, following the stump grinding, can be removed by excavation under the supervision of the project arborist. Due to the mass of roots that will extend from the removed trees, we do not see a good opportunity for the use of hydro excavation equipment or other low impact techniques.

**The exact location, depth and width of the trench, and any kiosks that may be required must be laid out onsite and reviewed by the project arborist prior to their installation to determine if the precautions, as outlined above, can be implemented successfully without additional impacts and the removal of additional trees.**

Encountering bedrock within the trench, that must be removed, may increase the impacts on the adjacent trees. Where excavation is required within the critical root zones of bylaw-protected trees, we recommend that it be performed under the supervision of the project arborist. If it is determined that the services can be installed aboveground, the location of the meter and mast must be carefully located to avoid conflicts with the trunks of trees that are to be retained. An ISA Certified Arborist must complete any pruning of limbs required for clearances from the lines.

**Stump Removal:** It may be necessary to remove the stump of elm trees numbered 0248, 0249 and 0251 to accommodate the underground service connection. These stumps should be removed by grinding them in place with a mechanical stump router or grinder.



If the entire stump must be removed, this must be completed carefully under the supervision of the project arborist. Similarly, if elm #0262 is removed and the removal of its stump is required, the stump should be removed by grinding it in place with a mechanical stump router or grinder. If the entire stump must be removed this must also be completed carefully under the supervision of the project arborist.

**Building/Canopy conflicts:** We do anticipate that some clearance pruning will be required for the proposed building. The removal of a large portion of the canopies of elm tree #0262, and Flowering cherry #0264 would be required if these trees are retained. We have recommended that these two trees be removed due to the extensive pruning that would be required and the additional impacts of the excavation on their root structures. Pruning for clearance from hydro and communication lines will be required if these services are run above ground. Once detailed building plans and elevations are made available, we can comment further on pruning specifics. An ISA Certified arborist must complete the pruning of any bylaw-protected trees.

**Blasting and Rock Removal:** If areas of bedrock are encountered, the blasting to level these rock areas should be sensitive to the root zones located at the edge of the rock. Care must be taken to assure that the area of blasting does not extend into the critical root zones beyond the building and road footprints. The use of small low-concussion charges, and multiple small charges will reduce fracturing, ground vibration, and reduce the impact on the surrounding environment. Only explosives of low phytotoxicity, and techniques that minimize tree damage, are to be used. Provisions must be made to store blast rock, and other construction materials and debris away from critical tree root zones. Should bedrock be encountered within service trenches that are located within the critical root zones of trees that are to be retained, alternate methods of removal that do not include explosive charges may be required.

**Work area and Material Storage:** On restricted sites such as this, it may be difficult to find sufficient space for soil and material storage onsite without using portions of the defined critical root zone. If access within the critical root zone area is required for construction or material storage, the project arborist must be contacted to propose appropriate mitigation measures based on the degree of encroachment required.

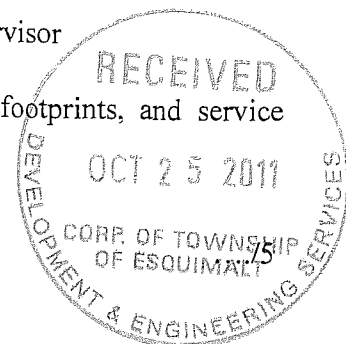
**Review and Site Meeting:** Once the building permit is approved, it is important that the project arborist meet with the principals involved in the project to review the information contained herein. It is also important that the arborist meet with the site foreman or supervisor before any site clearing or other construction activity occurs.

**Arborists Role:** It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:

- Locating the barrier fencing or hording for tree protection
- Reviewing the report with the project foreman or site supervisor
- Locating work zones, where required
- Supervising excavation for the driveway and sidewalk footprints, and service corridor

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Please do not hesitate to call us at 250-479-8733 should you have any further questions.  
Thank You.

Yours truly,  
Talbot Mackenzie & Associates

Tom Talbot & Graham Mackenzie  
ISA Certified, & Consulting Arborists

Enclosures: Tree Resource Spreadsheet,  
Barrier Fencing Specifications  
Tree Location Diagram

**Disclosure Statement**

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve their health and structure or to mitigate associated risks.

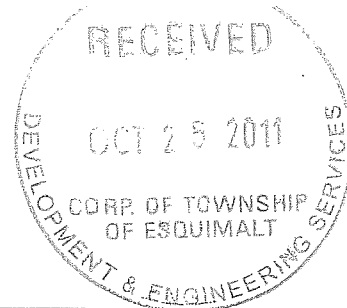
Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an Arborist to identify every flaw or condition that could result in failure or can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.

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**TREE RESOURCE**  
for  
616 Lampson Street



Tree #	d.b.h. (cm)	PRZ	CRZ	Species	Crown Spread(m)	Condition Health	Condition Structure	Relative Tolerance	Remarks / Recommendations
0248	30	5.4	3.0	Elm	10.0	Fair	Fair	Good	Ivy covered, suckering. Young tree
0249	38	6.8	4.0	Elm	8.0	Fair	Poor	Good	Ivy covered, suckering. Topped for hydro clearance
0250	70, 60	19.0	10.0	Elm	20.0	Fair	Fair	Good	Co-dominant tree with 2 main stems. Ivy covered, suckering, deadwood.
0251	N/A	N/A	N/A	Elm	N/A	N/A	N/A	N/A	2 stumps of trees that were recently removed.
0252	24	N/A	3.0	Elm	10.0	Fair	Poor	Good	Heavily pruned for hydro clearance. Not bylaw protected size.
0259	28, 35	9.3	5.2	Elm	12.0	Fair	Fair	Good	Co-dominant, one stem grows horizontally, ivy covered.
0260	50	9.0	5.0	Elm	10.0	Fair	Fair	Good	Leaning, young tree.
0261	20	N/A	3.0	Elm	10.0	Fair	Poor	Good	Suppressed by adjacent trees. Not bylaw protected size.
0262	40, 70	16.9	9.5	Elm	20.0	Fair	Fair	Good	Ivy covered, deadwood, epicormic growth, co-dominant. Weakness at union between co-dominant stems (brace if retained). We anticipate that it will be difficult to retain this tree due to the proposed location of the building footprint.
0263	8, 14, 14, 18	7.0	4.0	Hawthorne	10.0	Fair	Fair	Good	Ivy covered, 4 stems.
0264	34	6.1	3.5	Flowering Cherry	10.0	Fair	Fair	Good	Measured at 1 metre. Removal recommended due to impacts within crz and pruning requirements.

Prepared by:  
**Talbot Mackenzie & Associates**  
 ISA Certified, and Consulting Arborists  
 Phone: (250) 479-8733  
 Fax: (250) 479-7050  
 email: Treehelp@telus.net

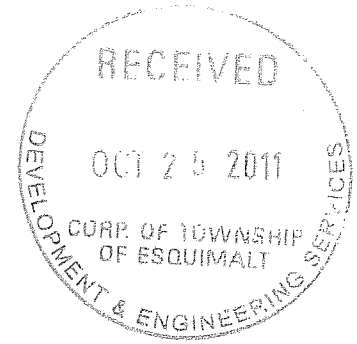
TREE RESOURCE  
for  
616 Lampson Street

Tree #	d.b.h. (cm)	PRZ	CRZ	Species	Crown Spread(m)	Condition Health	Condition Structure	Relative Tolerance	Remarks / Recommendations
0265	10, 12, 18	5.6	3.0	Flowering Crabapple	10.0	Fair	Fair	Good	Ivy covered.
0266	25	4.5	2.5	Elm	10.0	Fair	Fair	Good	Non-bylaw protected size.
0267	17, 18, 20	7.4	4.0	Flowering Cherry	10.0	Fair	Fair	Good	
0268	52	9.4	5.5	Garry oak	16.0	Fair	Fair	Good	Located at edge of driveway.
0269	8, 9, 10, 14	5.4	4.0	Cherry	10.0	Fair	Fair	Good	Included bark, growing on embankment.
0279	10, 12, 18, 20	7.9	6.0	Laburnum	8.0	Fair	Fair	Good	Growing at edge of pathway.
0280	8, 14, 19	5.8	4.0	Flowering Crabapple	10.0	Fair	Fair	Good	Located at edge of driveway.
0281	8, 12, 20, 26	9.0	5.0	Plum	8.0	Fair	Fair	Good	Ivy covered, suppressed. One stem grows between co-dominant stems of the adjacent elm tree #0262.



Prepared by:  
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## Key to Headings in Resource Table

d.b.h. – **diameter at breast height** - diameter of trunk, measured in centimetres at 1.4 metres above ground level

PRZ – **protected root zone** - the area of land surrounding a bylaw-protected tree that contains the bulk of the critical roots of the tree. Indicates the radius of a circle of protected land, measured in metres, calculated by multiplying the diameter of the tree by 18.

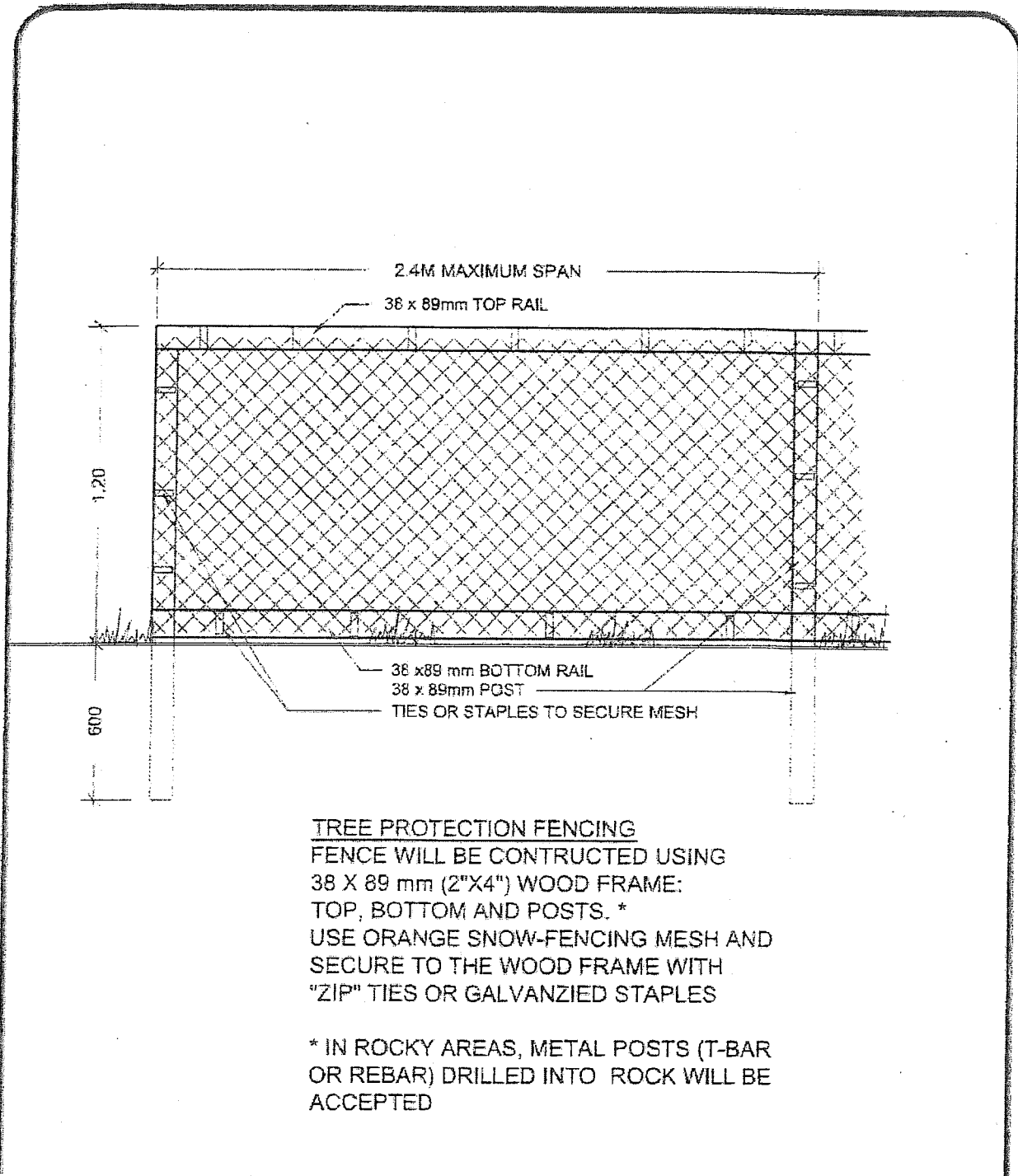
CRZ – **critical root zone** - estimated optimal size of tree protection zone based on tree species, condition and age of specimen and the species tolerance to root disturbance. Indicates the radial distance from the trunk, measured in metres.

Condition health/structure –

- Good – no visible or minor health or structural flaw
- Fair – health or structural flaw present that can be corrected through normal arboricultural or horticultural care.
- Poor – significant health or structural defects that compromise the long-term survival or retention of the specimen.

Relative Tolerance – relative tolerance of the selected species to development impacts.





DETAIL NAME:

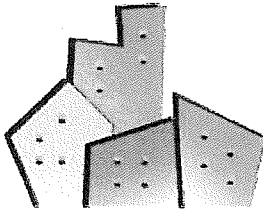
**TREE PROTECTION FENCING**

DATE:	Oct 30/07
DRAWN:	DM
APP'D:	RR
SCALE:	N.T.S.

**E105**  
DRAWING

RECEIVED  
 OCT 25 2011  
 DEVELOPMENT & ENGINEERING SERVICES  
 CORP. OF TOWNSHIP  
 OF ESQUIMALT

# VAN-ISLE



# PROJECT MANAGEMENT LTD.



Township of Esquimalt  
Planning Department

Attention: Trevor Parkes

**Re: 616 Lampson**

The subject property and existing house has had the following items recently upgraded

1. New Roof
2. New Hot Water Tank
3. New electrical 200 amp service
4. Recent new furnace
5. New kitchen countertops
6. New Bathtub surround
7. New bathroom flooring
8. New paint throughout

The following areas will be upgraded prior to selling the existing house.

1. Remove old carpeting to expose wood floors
2. New re - paint complete
3. New Kitchen cabinetry
9. New Gutters and downspouts
10. Repair existing wood windows to incorporate sealed units
11. Sealing the exposed rock in the basement.
12. Replace or repair facia.
13. Paint exterior as required
14. Upgrade roof insulation to R-40
15. Repair or replace flower boxes

This house is a very quaint older cottage with the charm of character windows, original antique light fixtures, and built in kitchen and fireplace cabinets suiting the age of the home. It is surrounded by mature and extensive (albeit, overgrown) landscaping including heritage plantings typical of an English style garden.

It is our intention to maintain the charm and character of this home and still provide affordable housing.

Yours truly,

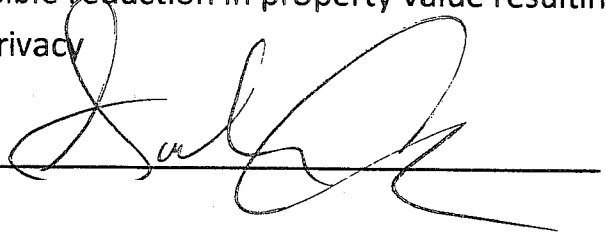
Ron Warrington  
President

3280 Woodburn Ave. Victoria, B.C.V8P 5B9 Tel:727-8997

*Bessie  
APC M+8  
Nov 15/2011  
MC*

My name is Sarah Cook, owner and occupant of 612 Lampson Street. My partner Charles Burnett and I have the following concerns with the rezoning application for 616 Lampson. As adjacent property owners, we would like some formal assurance that if this proposal is approved, any development actions that may negatively affect our property values (as outlined below) will be avoided where possible, or mitigated through improvements (i.e. installation of new hedging along property line, replacement of trees, construction of more robust retaining wall).

- Loss of privacy
- Increased noise (construction, street traffic)
- Loss of green space, native species, mature trees and hedging, that currently provide bird habitat, lovely views, significant privacy and mitigation of noise from Lampson Street
- Further collapse of existing retaining wall with increase in use
- Maintenance of property as a non-owner-occupied development
- Possible reduction in property value resulting from increase in density, loss of privacy

Signed 

Burnett 11/11  
March 2011

My name is Howard R. East, owner and occupant of 620 Lampson Street. I am 93 years old and have limited mobility (I use a walker). My kitchen and wood-working shop windows look southward over gardens on 616 and 612 Lampson properties.

I have the following concerns with the rezoning application:

- Loss of views (currently enjoy views of ocean and mountains)
- Loss of natural light
- Loss of privacy
- Increased noise

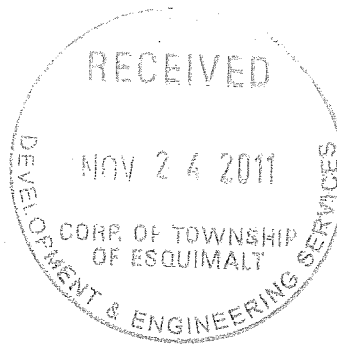
Signed Howard R East

I have read Sarah Cook and Charles Burnett concern with the rezoning of 616 Lampson and I agree ~~that rezoning~~ with the points that they made.

Howard R East

If possible, please build at the west end so that I can maintain a view and as much sunlight as possible.

Howard R East



Tuesday, November 22, 2011

To: Trevor Parkes, Senior Planner  
CC: Meagan Brame, APC Council Liaison  
Barb Desjardins, Major

Dear Mr. Barnes,

We, Sarah Cook, owner of 612 Lampson Street and Charles Burnett, her partner, are concerned with the *process* and the *potential impact* of the proposal described in the development permit for 616 Lampson Street (Lot 5, Section 11, Esquimalt District, Plan 4619). The proposal was examined in the Esquimalt Advisory Planning Commission meeting of November 15<sup>th</sup>, chaired by Ms. Brame.

**Please respond in writing to the following questions before December 7<sup>th</sup>. Your timely response will allow us to resolve these issues in advance of the next Council Meeting.**

Our concerns:

The application is dated October 25<sup>th</sup> but the first time resident home owners beside the property in question heard about the application was when a sign board was posted at or after noon on Thursday 10<sup>th</sup> of November. This was the Thursday before the Remembrance Day long weekend, or in other words, 2 business days before the Advisory Commission meeting. Bylaw 2562 states "SIGN PLACED ON SUBJECT PROPERTY WHEN APC MTG DATE SCHEDULED".

Question 1. Why were residents neighbouring this application not informed in a timely fashion?

The arborist report lists a small but healthy Garry Oak on the property, beside the drive, stating "One Garry oak is located near the existing residence on proposal Lot A, which is unlikely to be impacted by the proposal." However, the landscaping plan does not map<sup>i</sup> nor make a plan for fencing to protect this tree. In fact, this appears to be the only tree excluded from the landscape plan, but will certainly be impacted if the drive is widened or resurfaced, which sounds likely.

Question 2. Do you think the Proposal should be accepted by Council without an amendment explicitly protecting this tree?

We noted in our submission to the Commission the issue of the decaying retaining wall along the north side of our property which supports the 616 Lampson drive. This drive will see more traffic, especially during construction.

Question 3. Do you not think it appropriate to have in writing a commitment from the developer to ensure that the retaining wall is sound? And if it is not considered sound, is it fair that we must carry the financial burden of rebuilding this?

We noted in our submission to the Commission the issue of loss of privacy in our cozy front yard due to the new dwelling, and especially due to its height and windows.

Question 4. The new dwelling will be considerably taller than the existing building on the lot, and that dwelling is atop a rock. Does the roof need to be so peaked?

Question 5. Shouldn't the use of dormer windows<sup>ii</sup> be strongly encouraged?

Question 6. Will you to get from the developer a commitment in writing that the front yard privacy issue will be addressed through the planting of hedges and/or the building of a fence on the 616 Lampson side of the drive?<sup>iii</sup>

We noted in our submission to the Commission that the other neighbouring property owner is a 93 year old who has mobility challenges - he uses a walker. As of November 21<sup>st</sup> he, Howie East, has never seen the Proposal. He has not been approached by the developer or by Esquimalt planning staff.

Question 7. Does Esquimalt have a plan as to how to consult with senior resident owners?

Question 8. Will you bring Howie East the plans and sit in his kitchen and show him how much of his south-facing sea view and sunlight<sup>iv</sup> will remain after the new dwelling is completed?

Please note:

- It may seem from these questions that we are 'against' in-fill development. We are not.
- We see these issues as being small but significant issues that could impact our quality of life and the property value of our house.
- We look forward to working with Esquimalt to make sure the potential impacts to our home are addressed.
- If we do not receive responses to these issues, in writing and before December 7<sup>th</sup>, we will seek a more formal, legal language, way to have them heard.

Sincerely and with a passion for living in beautiful Esquimalt,



Sarah Cook  
612 Lampson St  
Esquimalt, BC V9A 6A1



Charles Burnett  
612 Lampson St  
Esquimalt, BC V9A 6A1

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<sup>i</sup> Re: 9.8 Esquimalt Official Community Plan Guidelines for Single-unit Infill Housing: 9.8.4.4 Landscaping J) Proposals for single-unit infill housing must include a landscape plan showing.... trees, shrubs, planting area and proposed species; k) retention and protection of trees and the natural habitat is encouraged wherever possible.

<sup>ii</sup> Re: 9.8 Esquimalt Official Community Plan Guidelines for Single-unit Infill Housing: 9.8.4.2 Massing: e) "new structures for lots other than corner or double frontage lots should be limited to one and one half stories" and f) use of dormers...preferred to peaked roof set over second story.

<sup>iii</sup> Re: 9.8 Esquimalt Official Community Plan Guidelines for Single-unit Infill Housing: 9.8.4.3 Privacy/Screening/Shading: g) Proposed infill dwellings should have only minimal impact on adjacent homes and be separated from neighbouring residences by vegetation, screening, natural elevation differences

<sup>iv</sup> Re: 9.8 Esquimalt Official Community Plan Guidelines for Single-unit Infill Housing: 9.8.4.3 Privacy/Screening/Shading g) Proposed infill dwellings should have only minimal impact on adjacent homes and be separated from neighbouring residences by vegetation, screening, natural elevation differences and i) Infill dwellings should be sited to minimize the casting of shadows onto the private outdoor space of adjacent residential dwellings.

25 November 2011

Sarah Cook  
Charles Burnett  
612 Lampson Street  
Victoria, B.C.  
V9A 6A1

Dear Ms Cook and Mr. Burnett:

Re: **Proposed development at 612 Lampson Street**

The following information is provided in response to your letter of November 22, 2011 addressed to Mr. Barnes. Please note that we do not have a Mr. Barnes employed with the Township.

Signage

Regarding the notice of development posted on the property, Esquimalt's Development Procedures Bylaw No. 2562 requires that once an application has been received and the date of the Advisory Planning Commission meeting at which it will be considered is known, a sign is to be posted on the property. The only timing requirement is that the sign be posted before the meeting, therefore posting it on November 10th for a meeting on November 15th more than meets the requirements of the bylaw.

A review of the application by the Advisory Planning Commission is only the first step in the processing of a development application. These meetings are open to the public so that interested persons can learn about the proposed development, however, there are several other steps in the application review where residents can learn about the proposal including the Committee of the Whole and Council meetings leading up to the Public Hearing.

Garry Oak Tree

The Garry oak tree mentioned in Talbot Mackenzie & Associates report is located on the north property line of the subject property in the vicinity of the existing house and is well away from any driveways or new construction. Even if construction was anticipated near this tree, Esquimalt's Tree Protection Bylaw [No. 2664] requires that tree protection be put in place and maintained throughout construction. It is not necessary for Council to specifically protect the Garry oak tree.

Retaining Wall

Regarding the retaining wall between your property and 616 Lampson Street, usually the developer will commit to repairing retaining walls and fences as these are an enhancement to their project as well as the neighbouring property. For this development the landscape architect has indicated on the Landscape Plan that a new fence will be constructed on the property just to the north of your fence [which is not on the property line] and the retaining wall will be retained. Should this project be approved, the developer would have to provide the Township with a security to guarantee that plantings and hard landscaping features [paths, walls, fences] are completed as shown on the plan.

Height and Siting of New Home

With regard to the siting of the proposed new home, it meets the required front yard setback of 7.5 metres, the side setbacks of 1.5 and 3.0 metres on the north and south sides respectively, and maintains an 11.5 metre rear yard. The proposed building height is also in compliance with requirements of the single family residential and duplex zones. While the guidelines for infill housing do recommend that developers use dormers to reduce the height this is not an outright requirement.

Although I appreciate that construction of a new home in this location represents a change for you and Mr. East, the proposed design meets the municipality's criteria regarding height and siting. Should the existing home be removed and replaced with a single family residence or a duplex, these could be much larger than what is currently being proposed and could be sited much closer to the north and south property lines. The proposed distance between the new residence at 616 Lampson and Mr. East's lot is 3.0 metres and as his home is approximately 3.0 metres from the lot line the separation between buildings would be approximately 6.0 metres [19.6 ft.]. The separation between the proposed home and yours is 8 metres [26 feet].

Privacy

In order to create a sense of privacy, existing shrubs in the front yard are proposed to be retained with red current, ocean spray and mock orange added. The existing hedge, as well as many existing trees near the north property line, will be retained to protect Mr. East's privacy. Cedar fencing is proposed for the portion of the north property line that does not have a hedge. On the south side of the property, a cedar fence 1.8 metres in height, stepping down to 1.2 metres in the front yard, is proposed.

Additional Notification

Once a rezoning application has been presented to Council and the amending bylaw has received first and second readings, a public hearing will be scheduled and notification will be mailed to owners and residents of properties within 100 metres of the subject property. This is our normal procedure as set out in Bylaw No. 2562 referred to above. It is not our usual practice to meet with neighbours individually in their homes to review development proposals. We do encourage developers to contact neighbouring residents to familiarize them with their projects and receive feedback. I have contacted the applicant, Ron Warrington, and asked him to call Mr. East.

The information which you and Mr. East provided to the Advisory Planning Commission will be included in future staff reports to Council and you are welcome to provide additional written comments at any time during the application process.

I hope that this information is sufficient to address your concerns, if you need more information please contact me at 250-414-7146.

Yours truly,



Barbara Snyder  
Director of Development Services

c Laurie Hurst, CAO  
Trevor Parkes, Senior Planner



# VAN-ISLE PROJECT MANAGEMENT LTD.

December 20, 2011

Township of Esquimalt  
1229 Esquimalt Rd.  
Esquimalt, B.C.  
V9A 3P1

Attention: Trevor Parkes / Barbara Snyder

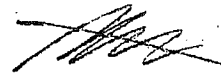
As per our conversation today I am confirming that we will be constructing a retaining wall on our property to support our driveway as per our plans (Landscape Drawing 1 of 2 by LADR). We will also build a fence of a height of 1.2 meters on top of the wall from the front face of our proposed house to the front property line at Lampson St. The rear portion of the fence will be 1.8 meters.

We will continue to negotiate with the neighbours as to how to deal with the existing retaining wall which is on their property entirely (26 inches at Lampson St. and 8.4 inches at the rear). We have had 3 meetings with neighbours so far and are now waiting for their proposal as to what they would prefer.

Any solution would require an inspection and recommendations by a structural engineer and an agreement signed between both property owners. Written permission from the owners of 612 Esquimalt allowing us to work on their property would also be required.

I trust this answers your concerns and we can move forward in a timely manner.

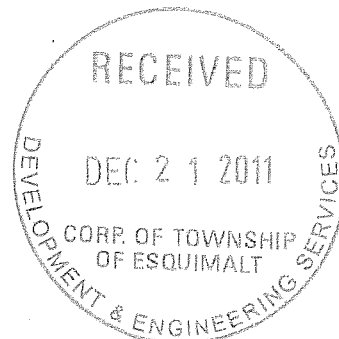
Thank you,



Ron Warrington  
President

---

3280 Woodburn Ave. Victoria, B.C.V8P 5B9 Tel:727-8997 Fax:592-8045



# VAN-ISLE PROJECT MANAGEMENT LTD.

January 09, 2012

Sarah Cook  
612 Lampson St.  
Esquimalt, B.C.  
V9A 6A1

Attention: Sarah

Proposed Settlement Agreement



The retaining wall as previously stated is entirely on your property and therefore not our responsibility but we will agree to the following terms with the following conditions.

Work to be done:

1. Remove retaining wall on the property at 612 Lampson St.
2. Construct a new retaining wall as per our letter and plans to the Township of Esquimalt
3. Construct a new fence as per our letter and plans to the Township of Esquimalt
4. Planting of 6 foot cedar hedge material.

Conditions:

1. We have a letter signed by you that we have permission to be on your property to facilitate this work.
2. We require a written agreement that we are not responsible for any damage to your landscaping or fencing etc.
3. We also would want a legal encumbrance put on your property that the hedge material on the property line could be kept trimmed to a height no greater than six feet above the new driveway retaining wall on our property.
4. We will share the cost of this work on a 50% payment by both parties.

This encumbrance is to the benefit of our property to protect the view that we have and also so as not to block our sunlight. The six foot height should give you ample screening for your privacy.

We will share the costs of having the work done at 50% by each party and the costs of drawing up the encumbrance and other agreements will be by our solicitors and our expense. The cost of maintenance trimming would be at the cost of the owner of 616 Lampson.

I trust this will satisfy everyone's interest and we can agree to move forward.

Yours truly,

Ron Warrington  
President

January 11, 2012

Attention: Ron Warrington, Van-Isle Project Management Ltd.,

Thank you for your letter received Jan 9th. We appreciate your proposal and are generally in agreement with the proposed, below-copied work to be done:

1. Remove retaining wall on the property at 612 Lampson St.
2. Construct a new retaining wall as per your letter and plans to the Township of Esquimalt
3. Construct a new fence as per your letter and plans to the Township of Esquimalt
4. Planting of 6 foot cedar hedge material.

Regarding your proposed conditions:

1) **Access:** I do not have a problem with providing a letter giving you permission to do this work to the extent that it needs to be carried out on our property.

2) **Indemnification from damage to our property:** While I have suggested we are happy to address reasonable issues you have with liability etc., we are certainly not prepared to give carte blanche permission for machinery to operate in close proximity to our house without regard to property damage, and for us to take on liability for any damage to our house. This cannot be considered reasonable. We assume that your employees and contractors carry insurance and liability protection. If we need specific provisions to deal with access onto my property and the removal of the retaining wall, we can work something out but it is not reasonable to expect us to insure your contractors or to take on liability for anything they do, even if it is caused by negligence on their part.

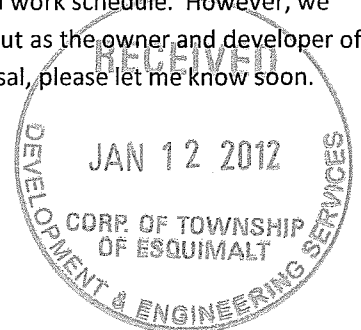
3) **Legal encumbrance on hedging / 616 Lampson view preservation:** I can understand why you would like to control the height of the cedar hedging so I therefore suggest you simply plant the hedge entirely on your property. This will prevent the need for any legal encumbrance, a condition which has the potential to reduce my property value at point of sale, and one that as you say would be to your benefit only.

4) **Wall/drive costs and responsibility:** Finally, I note there is no mention in your proposed settlement agreement that part of your *driveway* is also clearly on my property. In our view, informed by initial legal analysis, both the driveway and retaining wall were likely installed by former owners of 616 Lampson for the benefit of that property. 616 Lampson has a higher grade than my property, and from this it is our understanding that the owner of that property has a legal duty to prevent soil and run-off from running down the grade onto my property. Therefore the retaining wall is for the benefit of 616 Lampson to meet its legal obligations. The wall and driveway are in trespass on my property and need to be removed at the cost of the owner of 616 Lampson. This is your responsibility, and as a result, it is clearly not "fair" for me to cover any of the demolition/re-building costs, the estimates of which seem quite high, and which regardless should be included as a necessary part of your development costs. If you have evidence to support a different view, please let us know so that we may consider it.

In short, we are still willing to work with you on ensuring permission for access and work on our property and we are flexible on the timing of this work to ensure it fits with your development and work schedule. However, we are not in a position to pay for work which we believe you are required to carry out as the owner and developer of 616 Lampson. If you have a different view or would like to make a revised proposal, please let me know soon.

Sincerely,

Sarah Cook and Charles Burnett, 612 Lampson, Esquimalt BC



**PLANNING SUBMISSION CHECKLIST,  
EXISTING RESIDENCE (A)**

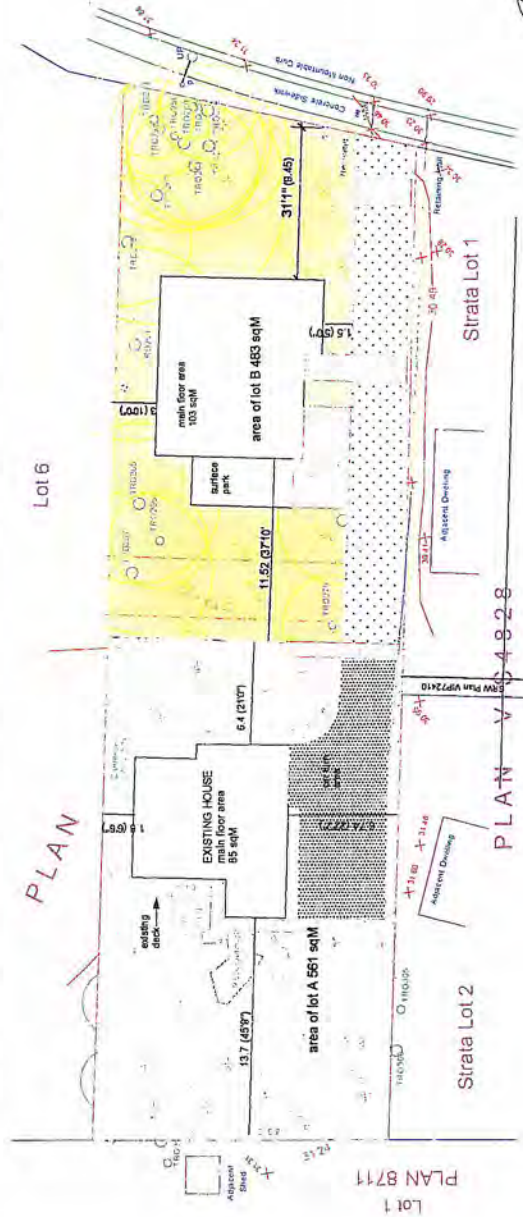
1. VAN ISLE PROJECTS
2. LOT 5, SECTION, ESQUIMALT DISTRICT, PLAN 4618
3. 616 LAMPSON STREET
4. JOHN KEAY, KEAY & ASSOC, ARCHITECTURE LTD.  
382 3823 FAX 382 0413 john@keayarchitecture.com
5. ZONING: NEW SITE SPECIFIC ZONE
6. SITE AREA: 6,041 SQ. FT. (561.2 SQ.M)
7. SITE COVERAGE: 15.4%
8. TOTAL FLOOR AREA: 1836 SQ.FT. 170.5 SQM
9. FLOOR SPACE RATIO: 0.3
10. GRADE: PER EXISTING
11. HEIGHT: PER EXISTING
12. NUMBER OF STOREYS: TWO
13. SETBACKS:  
FRONT (EAST): 6.4 (21'0")  
SOUTH: 6.74 (22'2") PER EXISTING  
NORTH: 1.8 (6'6") PER EXISTING  
REAR YARD: 13.7 (45'9")
14. OPEN SPACE: 69%
15. FLOOR PLANS: PROVIDED
16. SITE PLAN: PROVIDED
17. ELEVATIONS: FRONT & SIDE PROVIDED
18. EXTERIOR FINISHES: EXISTING
19. LANDSCAPE PLAN: PROVIDED
20. SECTIONS: N/A
21. PARKING: PROVIDED
22. ROOF PLAN: N/A
23. OFF SITE INFORMATION: N/A
24. STREET ELEVATIONS: PER EXISTING

**PLANNING SUBMISSION CHECKLIST,  
NEW RESIDENCE (B)**

1. VAN ISLE PROJECTS
2. LOT 5, SECTION, ESQUIMALT DISTRICT, PLAN 4618
3. 616 LAMPSON STREET
4. JOHN KEAY, KEAY & ASSOC, ARCHITECTURE LTD.  
382 3823 FAX 382 0413 john@keayarchitecture.com
5. ZONING: NEW SITE SPECIFIC ZONE
6. SITE AREA: 5,198 SQ. FT. (482.91 SQ.M)
7. SITE COVERAGE: 21.8%
8. TOTAL FLOOR AREA: 1760.6 SQ.FT. 165 SQM
9. FLOOR SPACE RATIO: 0.34
10. GRADE: PER EXISTING
11. HEIGHT: PER EXISTING
12. NUMBER OF STOREYS: TWO
13. SETBACKS:  
FRONT (EAST (LAMPSON STREET)): 9.45 (31'-1")  
SOUTH: 1.5 (5'0")  
NORTH: 3 (10'0")  
REAR YARD: 11.52 (37'10")
14. OPEN SPACE: 64%
15. FLOOR PLANS: PROVIDED
16. SITE PLAN: PROVIDED
17. ELEVATIONS: PROVIDED
18. EXTERIOR FINISHES: PROVIDED
19. LANDSCAPE PLAN: PROVIDED
20. SECTIONS: PROVIDED
21. PARKING: PROVIDED
22. ROOF PLAN: PROVIDED
23. OFF SITE INFORMATION: N/A
24. STREET ELEVATIONS: DRAWING PROVIDED



CONTEXT PHOTO



LEGAL ADDRESS:  
616 LAMPSON STREET  
LEGAL DESCRIPTION:  
LOT 5, SECTION 11, ESQUIMALT DISTRICT, PLAN 4618

SITE PLAN		SCALE: 1/4" = 1'0" UNLESS NOTED DATE: OCTOBER 24, 2011 RECEIVED OCT 25 2011	KEAY & ASSOCIATE ARCHITECTURE LTD. 1150 WEST 43RD STREET, VANCOUVER, BC V6V 1K6 TEL: 382 3823 FAX: 382 3823 email: john@keayarchitecture.com	A-01 PLOT OCT 24, 2011
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Front (East) of Existing House (616 Lampson)



Proposed location for New Residence



Front (East) of Existing House (616 Lampson)



Proposed location for New Residence



Side (South) of Existing House (616 Lampson)



Neighbouring House - 612 Lampson



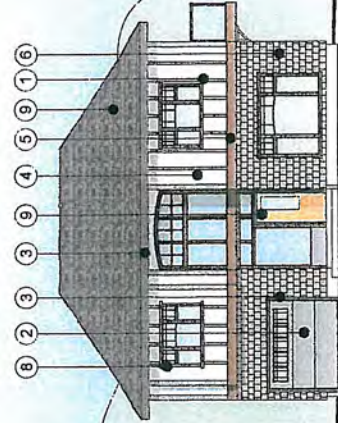
Rear (West) of Existing House (616 Lampson)



Neighbouring House - 620 Lampson

**LEGEND**

1	TRIM (COPLEY GREY: HC-104)	7	CEMENT SHINGLES (COPLEY GREY: H-104)
2	GARAGE DOOR (COPLEY GREY: HC-104)	8	WINDOW TRIM (HOT APPLE SPICE: 2005-20)
3	TRIM & FASCIA MIMM (2115-00)	9	FIBRE-GLASS SHINGLES
4	WATER TABLE (COLLINGWOOD: OC-28)	10	FRONT DOOR (K.D. FIR CETAL FINISH)
5	WATER TABLE (HOT APPLE SPICE: 2005-20)	11	EXISTING SHINGLES
6	CEMENT SHINGLES (COPLEY GREY: H-104)	12	EXISTING SHELL STUCCO



Context Elevation from West

CONTEXT PHOTOS  
& ELEVATION

**PROPOSED RESIDENCE**  
616 LAMPSON STREET,  
ESQUIMALT

REGISTERED ARCHITECT • VIEWPOINT CONSULTING  
JOHN W. KAY

SCALE: 1/8" = 1'-0" UNO  
DATE: OCTOBER 24, 2011: REDONING

RECEIVED  
OCT 25 2011  
CITY OF ESQUIMALT

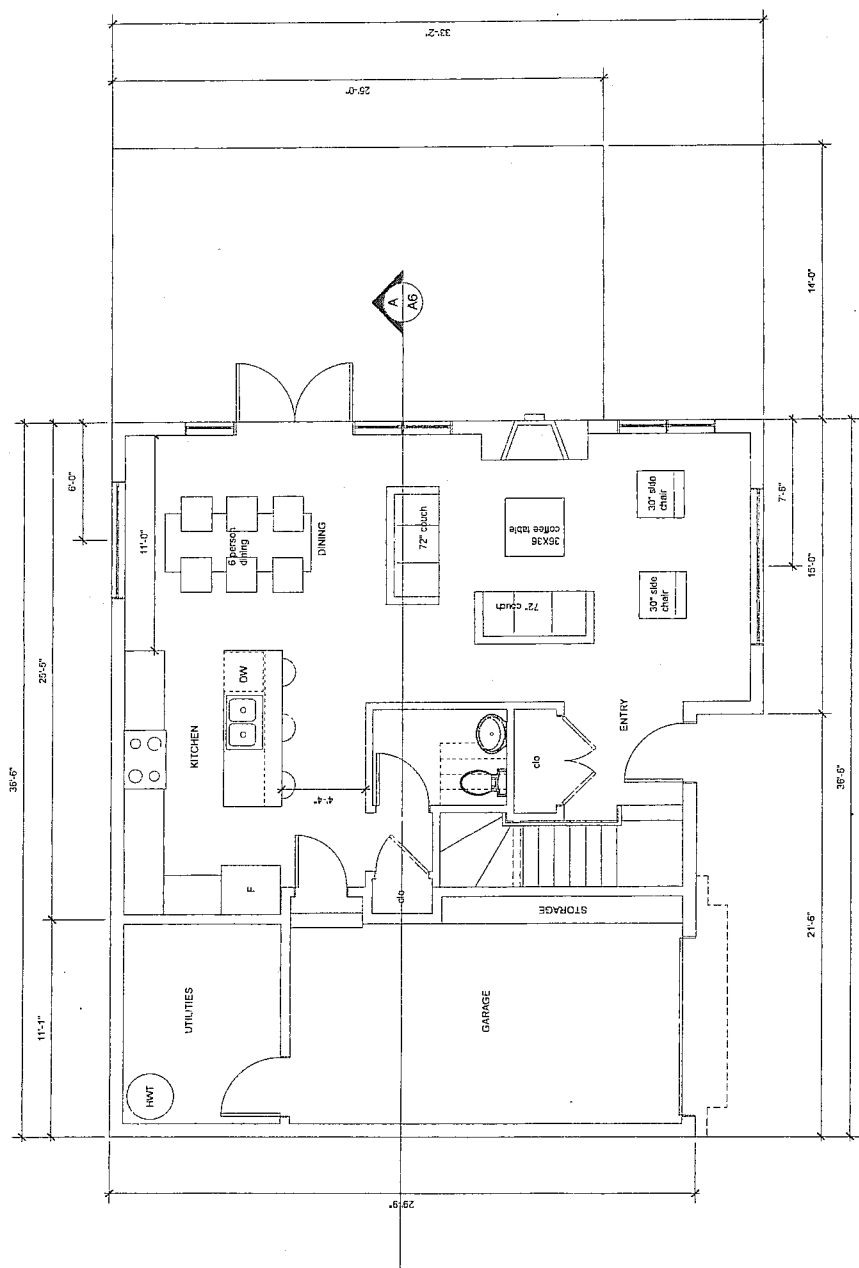
KEY CONTACT: ARCHITECTURE LTD  
250 362 3623 • ESQUIMALT BC V8W 2G6  
email: john@keycontactarchitecture.com

PLOT OCT 24, 2011

A-02



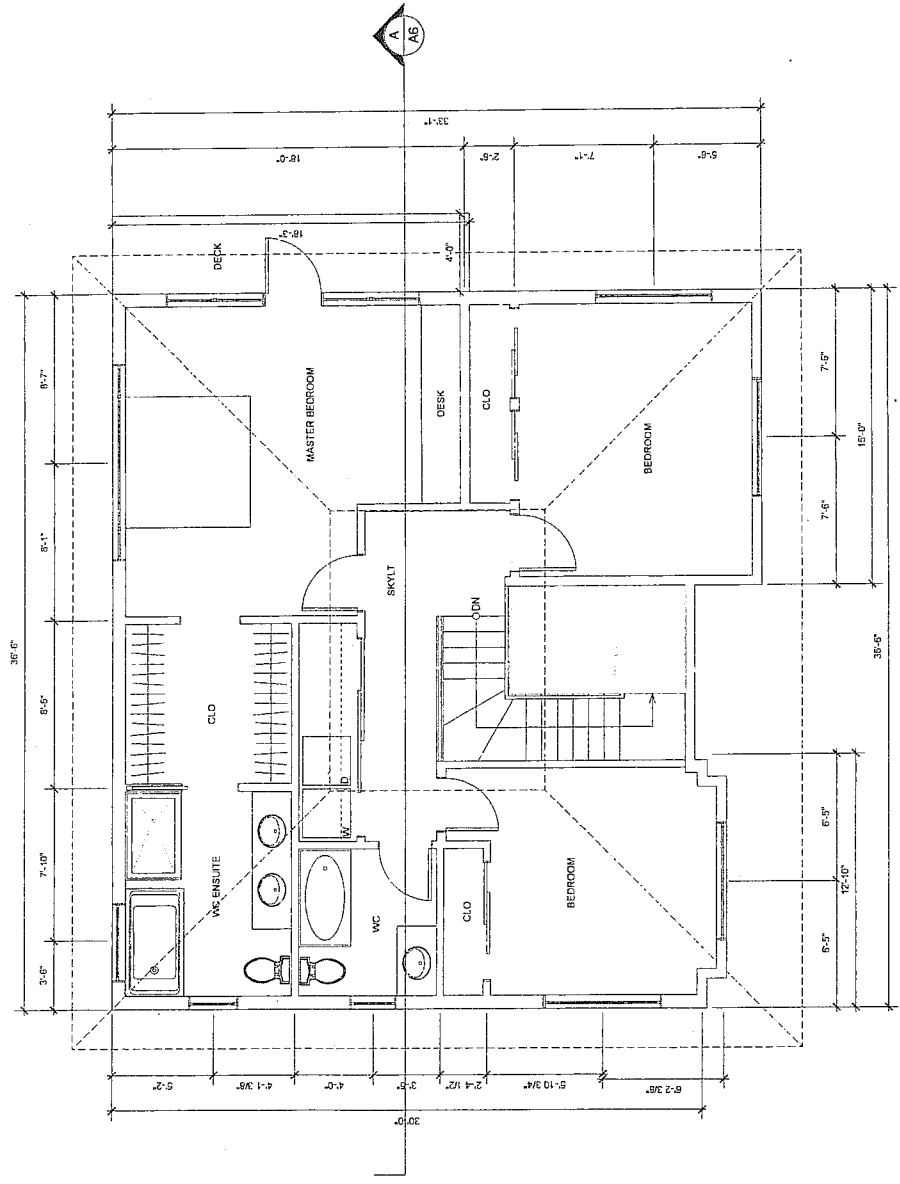
<b>MAIN FLOOR PLAN</b> <b>PROPOSED RESIDENCE</b> <b>616 LAMPSON STREET,</b> <b>ESQUIMALT</b>	
SCALE: 1/4" = 1'-0" DATE: OCTOBER 24, 2011 - REZONING	
KEAY & ASSOCIATE ARCHITECTURE LTD 1124 FORT STREET, VICTORIA, V8V 3K0 TEL: 250.362.0413 FAX: 250.362.0413 email: john@keayarchitecture.com	
PLOT OCT 24, 2011	A-03



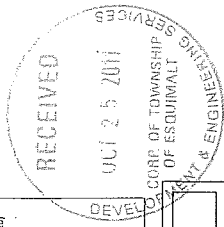
**MAIN FLOOR**  
 Scale: 1/4" = 1'-0"



UPPER FLOOR PLANS <b>PROPOSED RESIDENCE</b> <b>616 LAMPSON STREET,</b> <b>ESQUIMALT</b>		SCALE: 1/4" = 1'-0" I.N.D. DATE: OCTOBER 24, 2011 - REZONING	KEAY & ASSOCIATE, ARCHITECTURE LTD 1124 FORT STREET, VICTORIA, B.C. V8W 3K8 TEL: 250 382 0413 FAX: 250 382 0413 email: jkeay@keayarchitecture.com	A-04 PLOT: OCT 24, 2011
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UPPER FLOOR  
Scale: 1/4" = 1'-0"



**LEGEND**

1	TRIM (COPILEY GREY: HC-104)
2	CORNER BOARDS (COPILEY GREY: HC-104)
3	TRIM & CASING (MINK C1142-00)
4	HARRY PANEL (COLLINGSWOOD: OC-28)
5	WATER TABLE (HOT APPLE SPRUCE: 2038-20)
6	CEMENT SHINGLES (COPILEY GREY: H-149)
7	CEMENT SHINGLES (COPILEY GREY: H-149)
8	WINDOW TRIM (HOT APPLE SPRUCE: 2069-20)
9	FIBRE-GLASS SHINGLES
10	FRONT DOOR (N.S. FIRE RETARD FINISH)
11	EXISTING SHINGLES
12	EXISTING SHELL STUCCO

**ELEVATIONS**

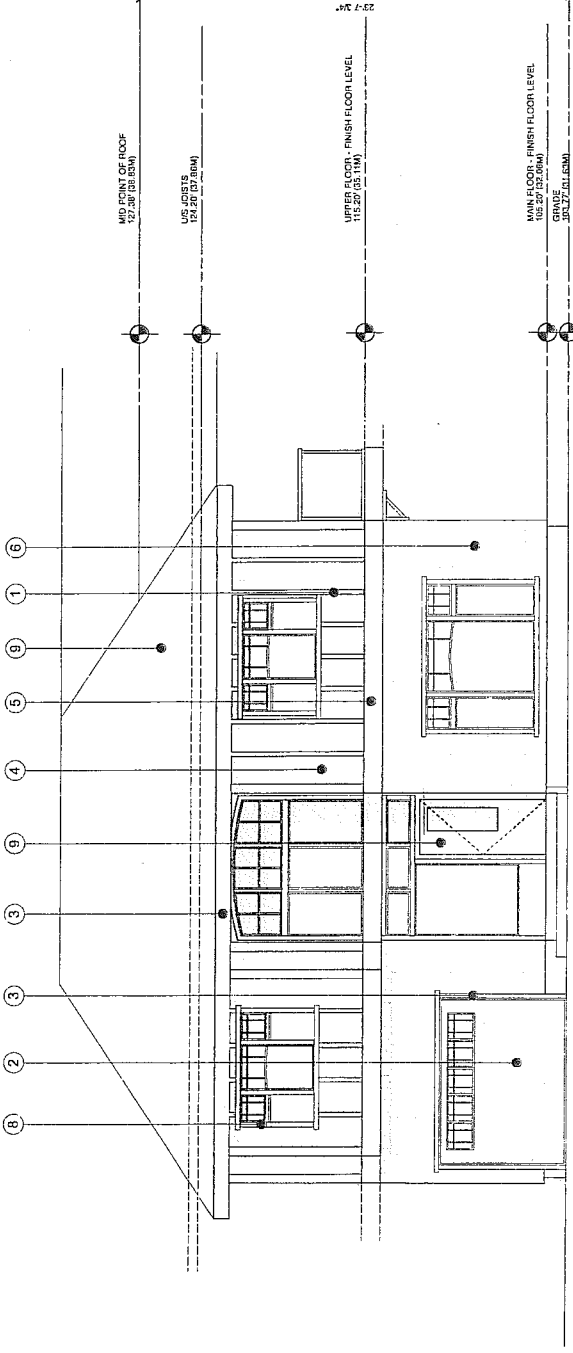
**PROPOSED RESIDENCE  
616 LAMPSON STREET,  
ESQUIMALT**

SCALE: 1/4" = 1'-0" (1:48)  
DATE: OCTOBER 24, 2011; REVISION

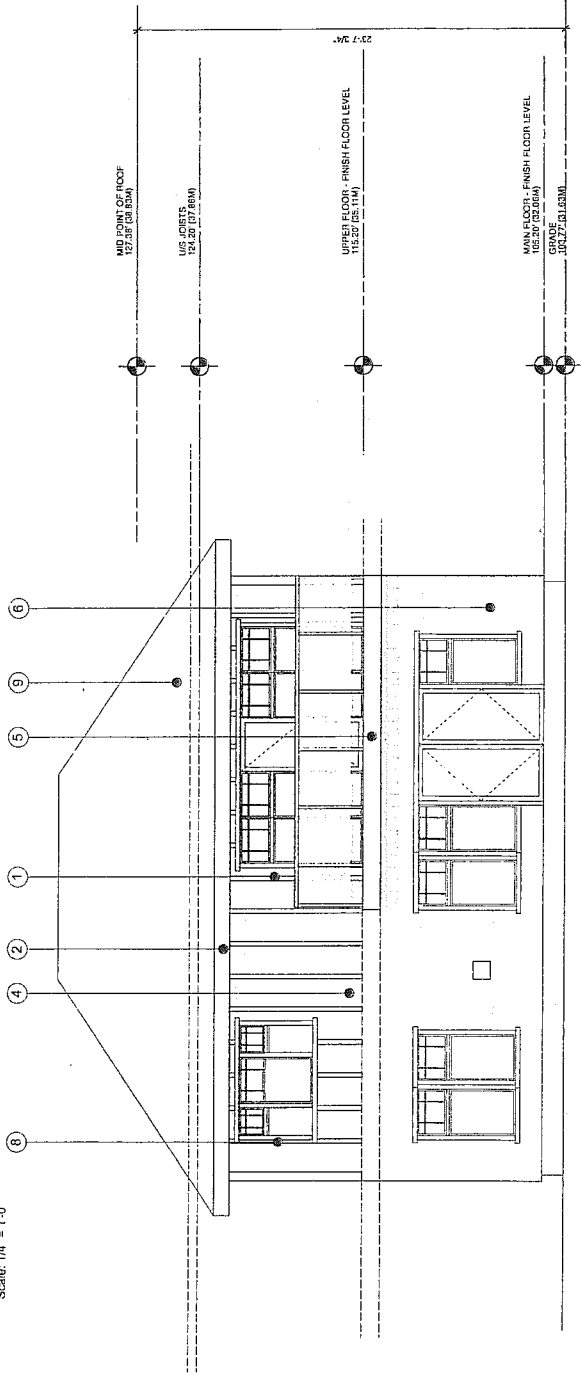
KEY & ASSOCIATE ARCHITECTURE LTD  
1124 FORT STREET, VICTORIA, V8W 3K8  
FAX: 250.382.0413  
email: john@keyarchitecture.com

A-05

PLOT OCT 24, 2011

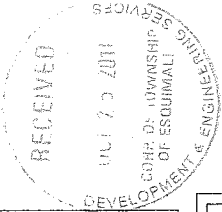


**SOUTH ELEVATION**  
Scale: 1/4" = 1'-0"



**EAST ELEVATION**  
Scale: 1/4" = 1'-0"






**LEGEND**

1	TRIM (CORLEY GREY: HC-104)
2	COOKTOP DOOR (CORLEY GREY: HC-104)
3	TRIM (MAYE CASIDA MAYE: 2474-04)
4	WALL (COLIANDRO: OC-28)
5	WALLS TRIM (HOT APPLE SPICE: 2203-20)
6	CEMENT SHINGLES (CORLEY GREY: H-104)
7	CEMENT SHINGLES (CORLEY GREY: H-104)
8	WINDOW TRIM (HOT APPLE SPICE: 2005-20)
9	FIBRE-GLASS SHINGLES
10	FRONT DOOR (CAL: MC CERAL: FINISH)
11	EXISTING SHINGLES
12	EXISTING SHELL STUCCO

**ELEVATIONS**

**PROPOSED RESIDENCE  
616 LAMPSON STREET,  
ESQUIMALT**

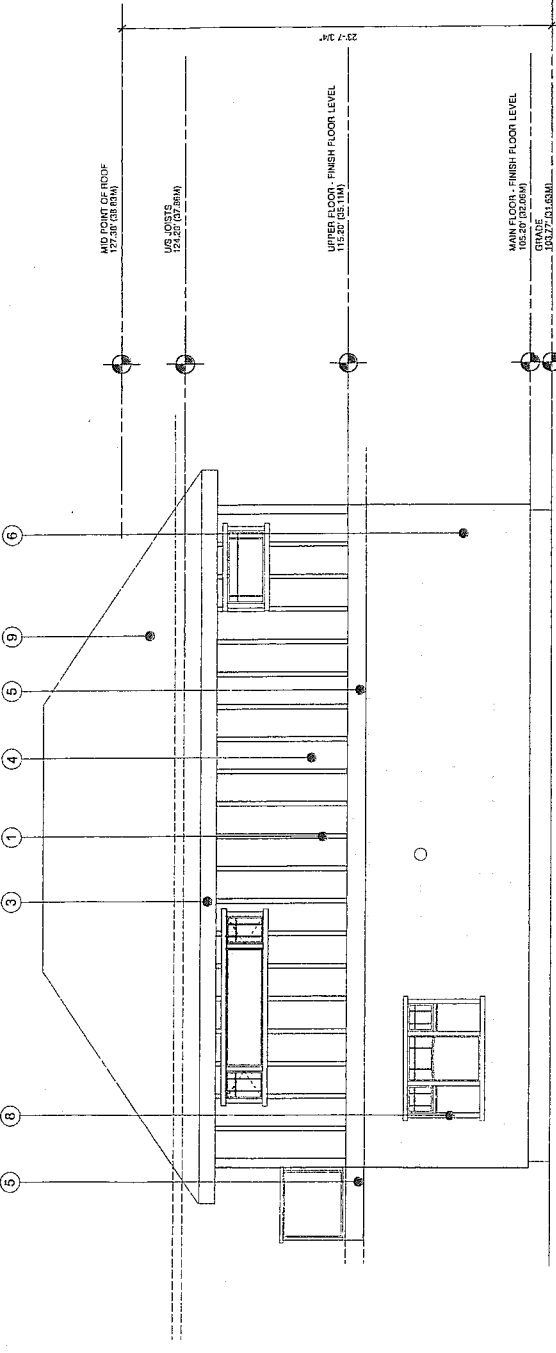


SCALE: 1/4" = 1'-0" JMO  
DATE: OCTOBER 24, 2011: REZONING

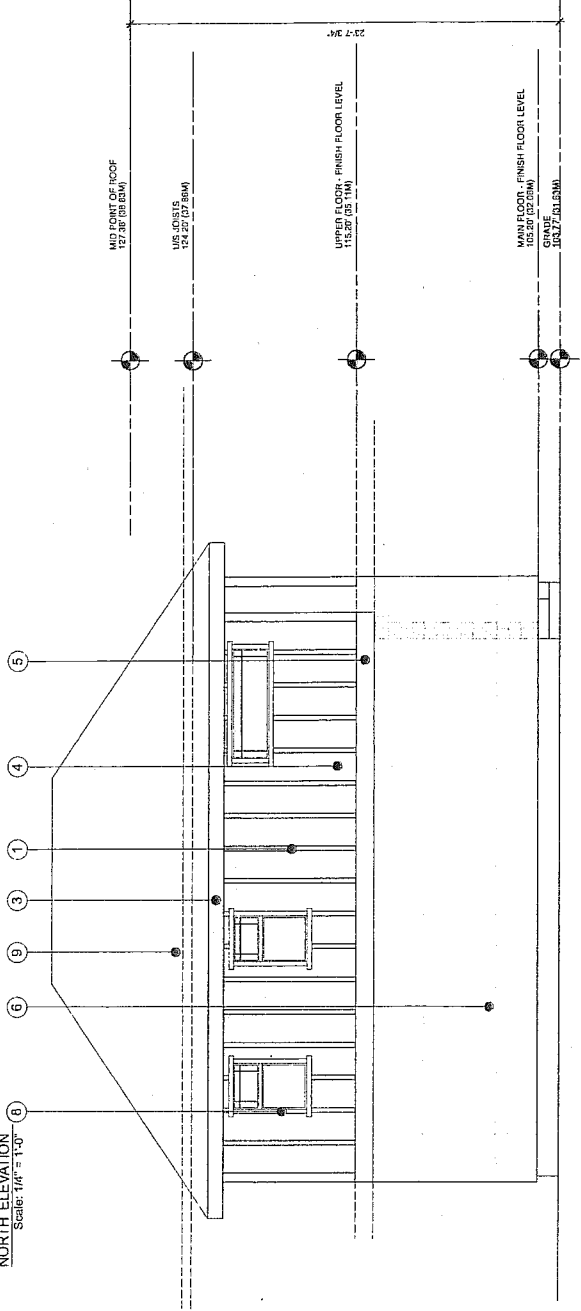
KEY: A ASSOCIATE ARCHITECTURE LTD  
1124 FORT STREET, VICTORIA, V8V 3G8  
FAX: 250 382 0413  
email: phill@keyarchitecture.com

A-06

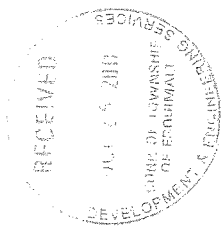
PLOT OCT 24, 2011



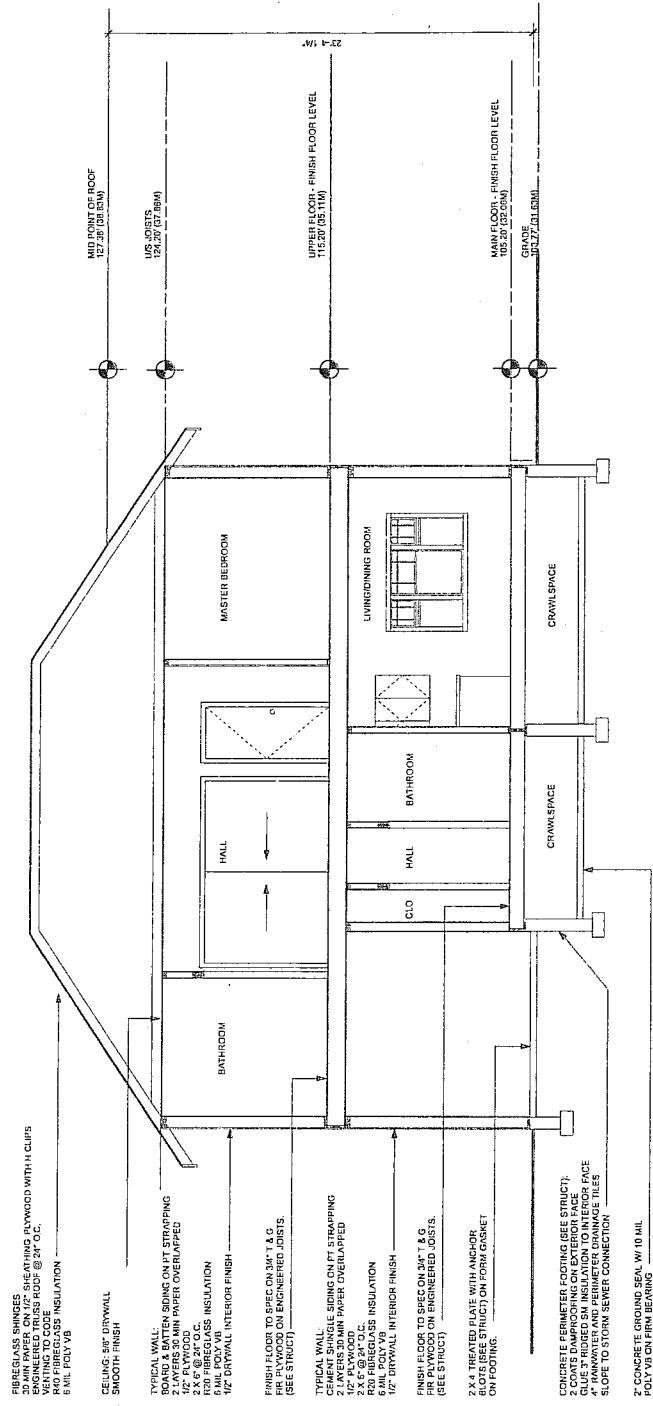
**NORTH ELEVATION**  
Scale: 1/4" = 1'-0"



**WEST ELEVATION**  
Scale: 1/4" = 1'-0"



<b>SECTION</b> <b>PROPOSED RESIDENCE</b> <b>616 LAMPSON STREET,</b> <b>ESQUIMALT</b>		SCALE: 3/4" = 1'-0" UNO DATE: OCTOBER 24, 2011: REVISIONING	<b>KEY &amp; ASSOCIATE ARCHITECTURE LTD</b> 1124 FORT STREET, VICTORIA, V8W 3J8 TEL: 250.382.0413 FAX: 250.382.0413 email: john@keyandarchitecture.com	A-07 PLOT OCT 24, 2011
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FIBERGLASS SHINGLES  
 30 MIN PAPER ON 1/2" SHEATHING PLYWOOD WITH H CLIPS  
 1/2" PLYWOOD ON 2" X 4" STRAPPING @ 30" O.C.  
 1/2" AIR SPACE WITH VENTING TO CODE  
 R40 FIBERGLASS INSULATION  
 5 MIL POLY VB

CEILING: 5/8" DRYWALL  
 SMOOTH FINISH

**TYPICAL WALL:**  
 2" X 4" STRAPPING ON 16" CENTER  
 1/2" PLYWOOD ON 2" X 4" STRAPPING  
 1/2" PLYWOOD ON 2" X 4" STRAPPING  
 1/2" AIR SPACE WITH VENTING TO CODE  
 R40 FIBERGLASS INSULATION  
 5 MIL POLY VB  
 1/2" DRYWALL INTERIOR FINISH

FINISH FLOOR TO SPEC ON 3/4" X 5/8"  
 FR PLYWOOD ON ENGINEERED JOISTS  
 (SEE STRUCT)

**TYPICAL WALL:**  
 CEMENT SHINGLE SHING ON 16" STRAPPING  
 1/2" PLYWOOD ON 2" X 4" STRAPPING  
 1/2" PLYWOOD ON 2" X 4" STRAPPING  
 1/2" AIR SPACE WITH VENTING TO CODE  
 R40 FIBERGLASS INSULATION  
 5 MIL POLY VB  
 1/2" DRYWALL INTERIOR FINISH

FINISH FLOOR TO SPEC ON 3/4" X 5/8"  
 FR PLYWOOD ON ENGINEERED JOISTS  
 (SEE STRUCT)

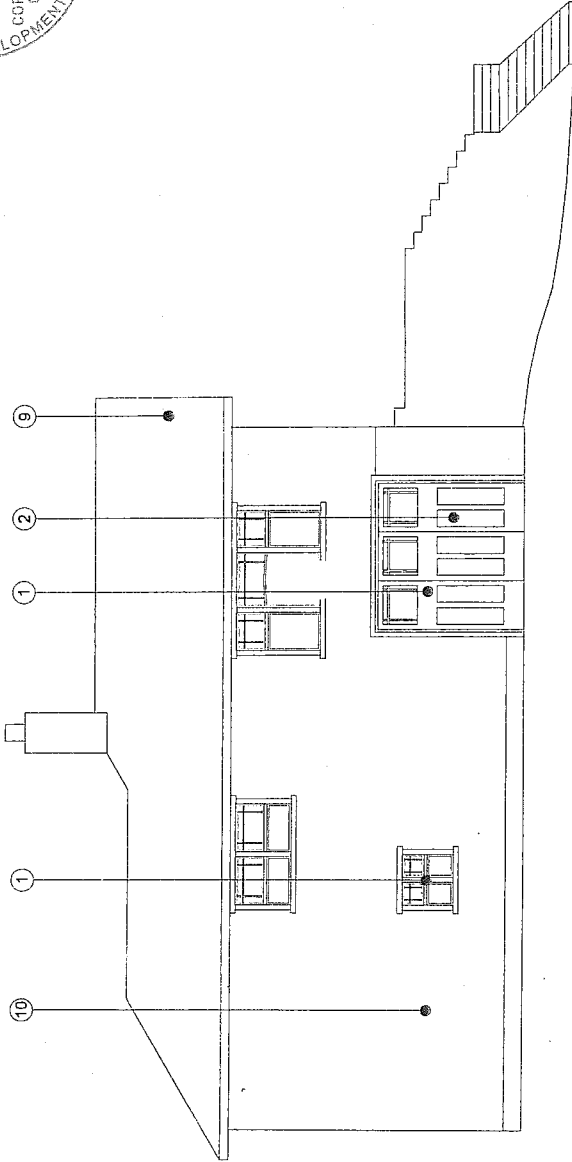
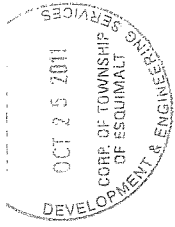
2 X 4 TREATED PLATE WITH ANCHOR  
 STRAPPING ON 16" CENTER  
 ON FOOTING.

CONCRETE PERIMETER FOOTING (SEE STRUCT);  
 2 COATS DAMPROOFING ON EXTERIOR FACE  
 GLUE 3" RIDGED SM INSULATION TO INTERIOR FACE  
 2" POLY VB INSULATION ON EXTERIOR FACE  
 5/8" SLOPE TO STORM SEWER CONNECTION

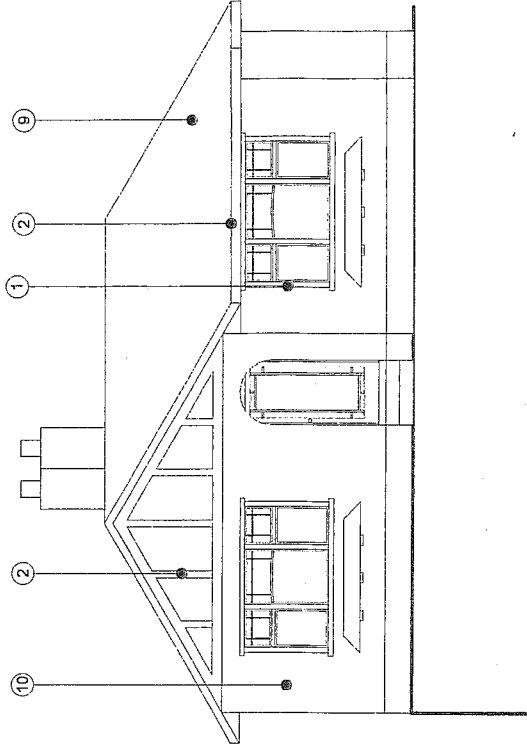
2" CONCRETE GROUND BEAM, WT 10 MIL  
 POLY VB ON FRM BEARING

A SECTION  
 Scale: 3/4" = 1'-0"





EXISTING HOUSE - NORTH ELEVATION  
Scale: 1/4" = 1'-0"



EXISTING HOUSE - WEST ELEVATION  
Scale: 1/4" = 1'-0"

**LEGEND**

①	TRIM (COPLEY GREY: HC-104)
②	GARAGE DOOR (COPLEY GREY: HC-104)
③	TRIM & FASCIA MINK (2112-10)
④	HARDY PANEL (COLLINGWOOD: CC-28)
⑤	WATER TABLE (HOT APPLE SPRUCE: 2003-20)
⑥	CEMENT SHINGLES (COPLEY GREY: H-104)
⑦	CEMENT SHINGLES (COPLEY GREY: H-104)
⑧	WINDOW TRIM (HOT APPLE SPRUCE: 2003-20)
⑨	FIBRE-GLASS SHINGLES
⑩	FRONT DOOR (K.D. FIR: CETOL FINISH)
⑪	EXISTING SHINGLES
⑫	EXISTING SHELL STUCCO

EXISTING HOUSE ELEVATIONS	<p><b>PROPOSED RESIDENCE</b> 616 LAMPSON STREET, ESQUIMALT</p>	SCALE: 1/4" = 1'-0" DATE: OCTOBER 24, 2011; REZONING	<p>KEY &amp; ASSOCIATE ARCHITECTURE LTD 1124 FORT STREET, VICTORIA, B.C. V8V 3G9 250.382.9293 11113 email: john@keyarchitecture.com</p>
<p>PLANT OCT 24, 2011</p>		<p>A-09</p>	

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OCT 23 2011

DEVELOPMENT & ENGINEERING

CORP OF TOWNSHIP OF ESCHIMOLU

REVISED

DATE: 24, 2011, Issued for Development Permit

20-555 Dupain St., Victoria, B.C., V8Z 8B8  
Phone: (250) 555-5115 Fax: (250) 412-0096

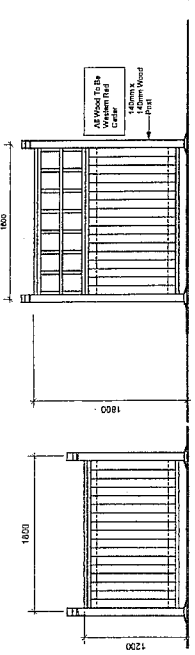
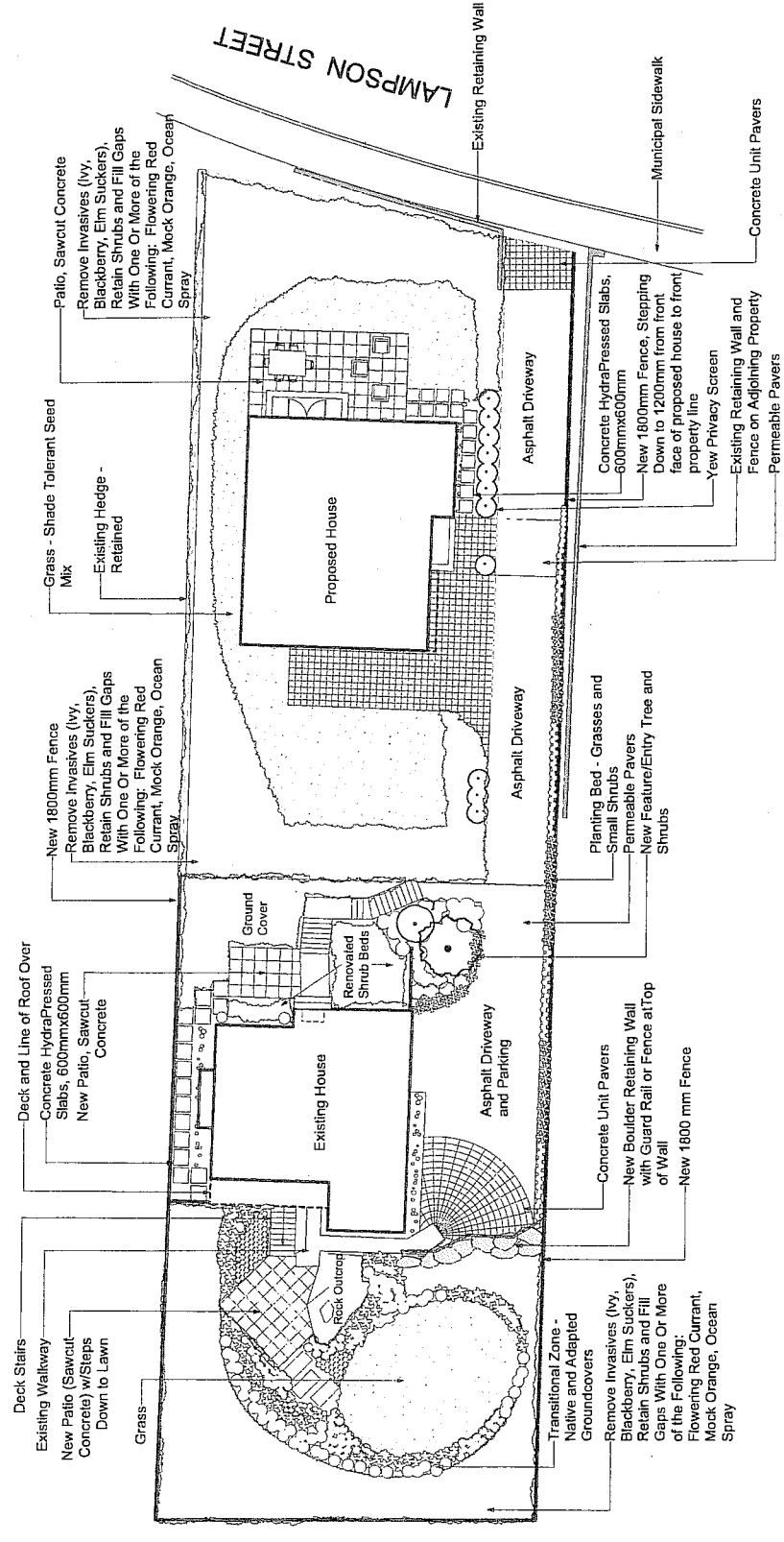
PROJECT: 616 Lampson Street Subdivision

TITLE: Landscape Layout

SCALE: 1:100 DRAWN: RC CHECKED: BW

PROJECT No: 1134

DATE: Oct. 24, 2011 SHEET: 1 of 2



**Perennials, Annuals and Ferns**

ID	Common Name	Scientific Name	Quantity	Size
	Dark Fern	Dryopteris	#1 pot	#1 pot
	Cherry Begonia	Begonia	#1 pot	#1 pot
	Polka Dot Plant	Polycaulium	#1 pot	#1 pot
Total: 252				

Note: 1. All work to be completed to current BCCLA Landscape Standards. 2. To protect against the spread of Sudden Oak Death, all plants are to be purchased from nurseries that have tested negative for Phytophthora ramorum. Testing to have been completed by the BCCLA of the OCA within the last 12 months.

**Recommended Nursery Stock**

Trees	Quantity	Botanical Name	Common Name	Size	Quantity
Large Shrubs	Total: 15	Common Name	Blackberry	#1 pot	#1 pot
		Botanical Name	Rubus	#1 pot	
		Common Name	Flowering Red Currant		
Small Shrubs	Total: 25	Botanical Name	Flowering Red Currant	#1 pot	#1 pot
		Common Name	Mock Orange	#1 pot	
		Botanical Name	Philadelphus		
Groundcovers	Total: 214	Botanical Name	White Flowering Currant	#1 pot	#1 pot
		Common Name	White Flowering Currant	#1 pot	
		Botanical Name	White Flowering Currant		

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Oct 24, 2011 Issued for Development Permit

REVISIONS

28495 Davenport, Victoria B.C. V8Z 3M8  
Phone: (250) 581-0105 Fax: (250) 581-0096

PROJECT

616 Lampson Street  
Subdivision

TITLE

Tree Preservation  
Plan

SCALE

1:100

PROJECT No.

1134

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SHEET

2 of 2

Oct. 24, 2011

DATE

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616 Lampson Street

TITLE

Tree Preservation

SCALE

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Oct. 24, 2011

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616 Lampson Street

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2 of 2

Oct. 24, 2011

DATE

PROJECT

# B. C. LAND SURVEYOR'S PLAN OF:

## LOT 5, SECTION 11, ESQUIMALT DISTRICT, PLAN 4618

SCALE = 1 : 200



### LEGEND

All distances are in metres AND decimals thereof.  
 Elevations are geodetic based on The District of Esquimalt Integrated Survey Monument 84R0209 (Elev. = 116.637').  
 Contours are descriptive, and only accurate to +/- 1/2 interval.  
 Grade shot are taken at the point marked 'x'.  
 grade shots at a curb line are in gutter.

**MUNICIPALITY**  
Esquimalt

**ZONING**  
RD-3

**SITE AREA**  
1158.8 m<sup>2</sup>  
12473.5 s. f.

**PID No.**  
005-988-446

Tree bases and canopies approximately to scale.  
 Where free location is critical, tree species and canopy should be confirmed by qualified arborist.

IP O - denotes Utility Pole  
 MW B - denotes Water Meter  
 g o - denotes guy wire

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This document was prepared for the exclusive use of our client, Ron Harrington.

This document is intended for use as a Subdivision Application Plan. It is based on Land Title Office records, and does not represent a boundary survey. Critical lot dimensions and areas must be confirmed by a proper cadastral survey.

BCLS, INC., accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made or actions taken based on this document.

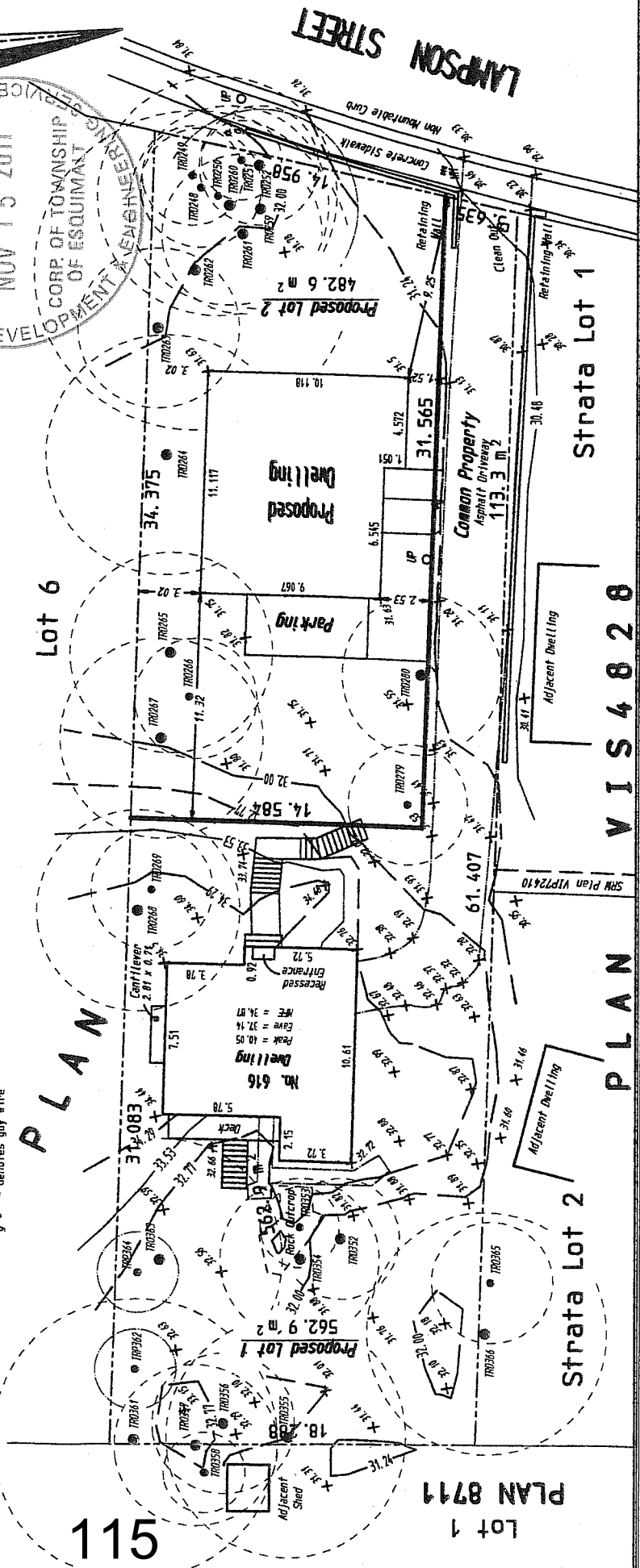
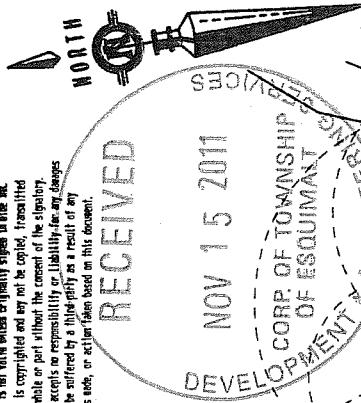
**CERTIFIED CORRECT**

*Bradley W. Cumlin*

Bradley W. Cumlin, BCLS  
 Field Survey - 21 March, 2011.  
 Dated this 15th day of November, 2011.

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FILE: 10534 - 19  
 DRAWING: 1954app / 2011-11-05  
**Brad Cumlin Land Surveying**  
 4100 - 407 Swift Street  
 Victoria, BC V8W 1S2  
 PH: 381-465 (257) fx: 381-2089



PLAN VIS4828

Strata Lot 2

Strata Lot 1

115

PLAN 8711

Lot 1

LAMPSON STREET

RECEIVED  
 NOV 15 2011  
 CORP OF TOWNSHIP OF ESQUIMALT  
 DEVELOPMENT ENGINEERING SERVICES

# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

## BYLAW NO. 2783

A Bylaw to provide for fire protection and control

The Council of the Corporation of the Township of Esquimalt, in open meeting assembled, enacts as follows:

### Title

1. This Bylaw may be cited as the "FIRE PROTECTION AND CONTROL BYLAW, 2011, NO. 2783."

### Definitions

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

"animal organic waste" means solid organic waste material of animal origin and includes flesh, carcass, offal, hides and feathers.

"apparatus" means any vehicle provided with machinery, devices, equipment or materials for fire fighting as well as vehicles used to transport fire fighters or supplies.

"approved" means approved and acceptable to the Fire Chief of the Municipality.

"building" means a structure that is used or intended to be used for supporting or sheltering persons or animals or property, except those prescribed by regulation as exempted from the Building Code.

"chiminea" means a container made of pottery or metal containing a fire box and flu in a design for the purposes of burning a solid fuel.

"construction or demolition waste" means woodcuttings, sawdust, packaging, building materials and other waste items or discarded materials produced in the construction, repair, renovation, or demolition of a building or structure.

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

"dangerous goods" means any product, substance or organism which is of a highly combustible and flammable, or explosive nature, all as set out in the Fire Code and the National Fire Protection Association (N.F.P.A.) codes and any other material which, because of the toxic or other inherent characteristics, constitutes a fire hazard or a hazard to life safety or health and without restricting the generality of the foregoing:

- (1) Includes liquid chlorine, compressed natural gas, liquefied natural gas, liquefied petroleum gas, and



- (2) For the purposes of this Bylaw and in conformity with the classification of the dangerous good in an Act to Promote Public Safety in the Transportation of Dangerous Goods, as classified as follows:

Class 1 Explosives, including explosives within the meaning of the *Explosives Act*.

Class 2 Gases, including compressed gases, liquefied petroleum, liquefied natural gas, liquefied or dissolved gases under pressure.

Class 3 Flammable liquids and combustible liquids.

Class 4 Flammable solids, including substances liable to spontaneous combustion, substances that on contact with water emit flammable gases.

Class 5 Oxidizing substances, including organic peroxides, chlorates, nitrates.

Class 6 Poisonous (toxic) and infectious substances.

Class 7 Radioactive materials, including prescribed substances within the meaning of the *Atomic Energy Control Act*.

Class 8 Corrosives.

Class 9 Miscellaneous dangerous goods or organisms not included in any of the above classes.

"domestic incinerator" means a container used in the burning of material in the open air and serving any dwelling unit occupied by a single-family or two-family dwelling unit.

"equipment" means any tools, contrivances, devices or materials used by the Fire Department to combat an incident or other emergency.

"Fire Chief" means the person duly appointed as such from time to time by Council and includes any person appointed by Council as Deputy Fire Chief and also includes any person appointed by the Fire Chief as Assistant Chief to act on his/her behalf on a temporary basis from time to time.

"Fire Code" means the B.C. Fire Code and Regulations adopted thereto, and any amendments as adopted by Order in Council.

"Fire Department" means and includes any member, or officer of the Police Department authorized by the Fire Chief to act for him and the Fire Department and members of any other municipal corporation, or of any member of the Fire Department of the Government of Canada attending at fires within the Municipality.

"Fire Services Act" means the *Fire Services Act*, R.S.B.C. 1996, C.144 and all Regulations passed thereunder, and amendments thereto as adopted by the Province of British Columbia.

"foreshore" means the area of land lying between the low water mark and the high water mark of the ocean.

"garbage" means refuse from a household including meat, vegetable matter, egg shells, plastics and packaging.

"garden refuse" means refuse from the garden, including decaying vegetable matter, leaves or branches.

"gas regulatory authority" means the Ministry which provides for an inspection service and has the authority to require an inspection of regulated work in respect of gas in an area of British Columbia.

"incident" means a fire, building collapse, or a situation where a fire, building collapse or explosion is imminent, and includes a rescue, a threat to life situation and a call for assistance.

"member" means any person or officer that is duly appointed by the Fire Chief as a member of the Fire Department and is an employee of the Municipality.

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

"Officer" means Assistant Fire Chief or Lieutenant of the Fire Department.

"Officer in Command" means the highest ranking officer in attendance at an incident, or in the absence of an officer, the most senior member in attendance at the incident.

"opacity" is the degree to which the visibility of the background, viewed through the plume of smoke, is reduced.

"owner" means, in respect of any real property, the registered owner of an estate in fee simple, and in the event of there being registered a life estate includes the tenant for life. In the event that there is registered an agreement for sale and purchase, "owner" shall mean the registered holder of the last registered agreement for sale and purchase.

"open air burning" and "in the open air" means any burning of any kind, of any material, for any purpose that takes place outside of a building, structure, accessory building or commercial establishment.

"peace officer" means the Fire Chief or any person employed by the Municipality as a Bylaw Enforcement Officer or any Municipal Police Officer or member of the RCMP.

"permit" means a document issued pursuant to this Bylaw authorizing a person to carry on a procedure or undertaking under specified terms and conditions.

"person" includes a corporation, partnership or party, and the personal or other legal representatives of a person to whom the context can apply according to the law.

"premises" means a building together with its grounds and appurtenances.

"solid fuel burning device" means a device that burns wood, coal or any other non-gaseous or non-liquid fuels, and includes any device burning any solid fuel used for aesthetic or space heating purposes within a private residence or commercial establishment or accessory building, and includes a fireplace, wood stove, chiminea, fireplace insert or wood heater.

“treated wood” means wood of any species that has been chemically impregnated, painted or similarly modified, or milled or processed lumber.

## **PART I - ADMINISTRATION**

### **Application**

3. This Bylaw and the provisions contained herein, as may be amended from time to time, shall apply throughout the boundaries of the Municipality.

### **Fire Department**

4. The Fire Department of the Municipality as established by the Council is hereby confirmed and continued pursuant to Section 8 of the *Community Charter*.

### **Fire Department Responsibilities**

5. The Fire Department is authorized to:
  - (1) Take all proper measures to prevent, control and extinguish fires;
  - (2) Provide assistance in response to:
    - (i) medical emergencies
    - (ii) land rescue operations
    - (iii) requests for aid from other fire services and rescue operations
    - (iv) hazardous materials incidents; and
    - (v) requests for public service.

### **Fire Chief**

6. The position of Fire Chief as established by the Council is hereby confirmed.

### **Responsibilities and Duties of Fire Chief**

7. The Fire Chief is responsible for the efficient management of the Fire Department including the members, property, apparatus and equipment and for the provision of fire prevention and protection services to the Municipality.
8. The Fire Chief shall ensure that the Fire Department is staffed with trained members in accordance with Council policy and direction and applicable legislation and regulations.
9. The Fire Chief shall establish rules, regulations and policies necessary for the proper organization, administration and operation of the Fire Department including but not limited to:
  - (1) the use, care and protection of Fire Department property, apparatus and equipment;
  - (2) the safe and efficient operation of the Fire Department; and

- (3) the recruitment, training, conduct, discipline and, subject to prior approval by the Municipality's Chief Administrative Officer, termination of Officers and members of the Fire Department.
10. The Fire Chief is responsible for all fire protection and prevention matters including the enforcement of this Bylaw and of the *Fire Services Act*, and shall assume the responsibilities of the Local Assistant to the Fire Commissioner.
11. In accordance with Section 66 of the *Community Charter*, the Fire Chief is hereby authorized to exercise the following powers:
  - (1) enter on property and inspect premises for conditions that may cause a fire, increase the danger of a fire or increase the danger to persons or property from a fire;
  - (2) take measures to prevent and suppress fires, including the demolition of buildings and other structures to prevent the spreading of fire;
  - (3) require an owner or occupier of real property to undertake any actions directed by the Fire Chief for the purpose of removing or reducing any thing or condition that the Fire Chief considers is a fire hazard or increases the danger of fire; and
  - (4) exercise the powers of the fire commissioner under section 25 of the *Fire Services Act*.
12. The Fire Chief is responsible for reviewing applications for building and development permits to ensure compliance with the Fire Code.

#### **Delegation of Inspection Duty to Fire Chief**

13. Council hereby delegates to the Fire Chief the duty to provide for a regular system of inspection of hotels and public buildings in the Municipality in accordance with Section 26(1) of the *Fire Services Act*.

#### **System of Inspection of Buildings and Premises**

14. In addition to the inspections required by Section 26 of the *Fire Services Act*, the Fire Chief may institute and maintain a regular system of inspection of buildings and premises within the Municipality in order to discover and order the removal or correction of any conditions constituting a fire hazard.

#### **Appointment and Accountability of Officers and Members**

15.
  - (1) The Fire Chief and Deputy Fire Chief shall be appointed by Council.
  - (2) Officers shall be appointed by the Fire Chief, as vacancies occur or as needs dictate, and subject to compliance with the approved Municipal financial plan.
16. All Officers are responsible for ensuring that all applicable Municipal Bylaws and Fire Department policies, procedures, rules and regulations are complied with by members.

**Fire Chief May Appoint Assistant Chiefs**

17. The Fire Chief may appoint any Officer as Assistant Chief on a temporary basis from time to time to act on his/her behalf in his/her absence.

**Jurisdiction of Fire Department**

18. The limits of the jurisdiction of the Fire Chief, and the officers and members of the Fire Department, will extend to the area and boundaries of the Municipality, and no part of the Fire Department apparatus shall be used beyond the limits of the Municipality without:
  - (1) the express authorization of a written contract or agreement providing for the supply of fire fighting services outside the Municipal boundaries;
  - (2) the approval of Council; or
  - (3) in an emergency, the approval of the Mayor or Acting Mayor.

**PART 2 - FIRE PROTECTION****Control, Direction and Management at Incident**

19. The Fire Chief, or any Officer in Command, shall have control, direction and management of all Fire Department apparatus, equipment, and members assigned to an incident and, where an Officer in Command is in charge, he/she shall continue to act until relieved by a senior officer.

**Authorization to Enter onto Premises and Property**

20. The Fire Chief, or any Officer in Command, is empowered to enter in or upon premises or property where an incident occurred or where an alarm of an incident has been received or which the Fire Chief or Officer in Command has reasonable grounds to suspect that an incident exists, with or without permission from the owner or occupier and to cause any member, apparatus or equipment of the Fire Department to enter and to take whatever action or measures he/she deems necessary in order to investigate, combat, control or deal with the incident.
21. The Fire Chief and any Officer in Command is empowered to enter, pass through or over buildings or property adjacent to an incident and to cause any member and the apparatus and equipment of the Fire Department to enter or pass through or over buildings or property, where he/she deems it necessary to gain access to the incident or to protect any person or property.

**Obstruction of Fire Department in Performance of its Duties**

22. No person shall impede, obstruct, abuse or in any way hinder the Fire Chief, any Officer in Command, or any Officer or member of the Fire Department in attendance at any incident, or any other person under the direction of the Fire Chief or Officer in Command in the performance of their duties.

23. No person shall refuse to permit the Fire Chief or anyone under the direction of the Fire Chief from entering upon any building or property for the purpose of:
- (1) making an inspection or investigation for conditions which may cause a fire, increase the danger of a fire or increase the danger to persons, or
  - (2) making an inspection to ensure any flammable matter is rendered harmless or suitably safeguarded against fire.

#### **Orders and Direction**

24. The Fire Chief and any Officer or Command may make such orders or give such direction as are deemed in his/her discretion to be reasonably necessary to ensure any flammable matter is rendered harmless or suitably safeguarded against fire.

#### **Failure to Comply with Order or Direction**

25. Any person who fails to comply with an order or direction of the Fire Chief, any Officer in Command, or any Officer or member of the Fire Department engaged at any incident, may be forcibly removed from the scene of any such incident by a peace officer, Officer or member of the Fire Department.

#### **Evacuation of Buildings**

26. (1) The Officer in Command is empowered to order the evacuation of any building that is directly involved with fire or other risk to life.
- (2) The Fire Chief is empowered to order the evacuation of any building, structure, property or area which in his/her opinion is endangered by fire or other risk to life.
- (3) In such case no person, other than the Fire Chief, the Officer in Command, an Officer or member of the Fire Department, peace officer, or other person authorized by the Fire Chief or Officer in Command, shall remain in or shall enter such building, structure, property or area.

#### **Demolition of Adjacent Buildings**

27. The Fire Chief at any incident, is empowered to cause a building, structure or thing to be pulled down, demolished, or otherwise removed if he/she deems it necessary to prevent the spread of an incident to any other building, structure or thing, or to protect any person.

#### **Commandeering of Privately Owned Equipment**

28. The Fire Chief at any incident is empowered to commandeer privately owned equipment which he/she considers necessary in order to deal with such incident.

#### **Access for Fire Fighting**

29. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any incident, fire hydrant, cistern or body of water designated for fire fighting purposes.

**Duty to Provide Assistance**

30. The Fire Chief or any Officer in Command may order any person to assist in the fighting of any fire or in the preserving of any property threatened by an incident, or to assist in the salvaging and safeguarding of property so threatened.

**Impeding Fire Department Equipment**

31. No person shall obstruct, impede or interfere with any Fire Department apparatus or equipment while responding to or while engaged in the prevention, control or extinguishment of an incident.

**Interference with Access to Buildings or Premises**

32. No person shall sit or stand or place or leave any article, thing or matter, in such a manner as to interfere with the means of ingress or egress within or outside any building or premises.

**Duty of Owners or Occupiers**

33. The owners or occupiers of any real property shall remove any matter or thing from a building or premises which constitutes a fire hazard and shall maintain and clean chimneys, flues and other apparatus or things in order to reduce the risk of fire.

**Vacant Buildings**

34. The owner of any vacant building in the Municipality shall at all times keep the building free from debris and flammable material, and shall keep all openings in the building securely closed and fastened so as to prevent the entry of unauthorized persons.

**Containers for Collection of Combustible Refuse**

35. (1) All containers used for the collection of combustible refuse in quantities exceeding 140 litres shall be constructed entirely of solid sheet non-combustible material.
- (2) Each container shall have easy closing lids that must be operational at all times.
- (3) Containers shall be located at least 3 metres from any building or fuel supply tank unless otherwise approved by the Fire Chief.
- (4) Containers equipped with self-closing lids may be located within 1 metre of a building or fuel supply tank.

**Fire Safety Plans**

36. Where the Fire Code requires the owner of a property to establish fire emergency procedures and prepare and maintain a fire safety plan, the owner shall submit to the Fire Department a detailed fire safety plan, together with a record of emergency systems installed within a building and the applicable fee as set out in Schedule A hereof, for review and approval prior to implementation of such plan.

**False Alarms**

37. No person shall, without reasonable cause, make or circulate or cause to be made or circulated, any alarm of fire by outcry, ringing of bells, sounding of alarms or otherwise.

**PART 3 – CONTROL OF BURNING****Burning Restrictions**

38. (1) No person shall at any time within the Municipality light, ignite, start or maintain, or knowingly permit, allow or cause to be lit, ignited, started or maintained, any fire of any kind whatsoever in the open air or in an appliance, container or device in the open air, without first having obtained a permit from the Fire Chief.
- (2) Except as provided in this Bylaw, no person shall burn any of the following materials in a solid fuel burning device, a domestic incinerator or in an open air fire:
- (i) treated wood
  - (ii) plastic or rubber products
  - (iii) garbage
  - (iv) garden refuse
  - (v) construction or demolition waste
  - (vi) animal organic waste
  - (vii) paints or solvents
  - (viii) paper products, other than to start a fire; or
  - (ix) dangerous goods.
- (3) The burning of construction or demolition waste is prohibited.
- (4) The Fire Chief may issue a permit on such terms and conditions he/she feels are reasonably necessary for the protection of safety for open air fires for the purpose of:
- (i) disease and pest control;
  - (ii) fire suppression training;
  - (iii) ethnic and cultural observances; and
  - (iv) special events.
- (5) The Fire Chief may, where he/she deems it expedient to do so, order that no burning is to occur within the Municipality for an indefinite or a specified period of time, and any previously issued permits cease to be effective as of the date of such order.
- (6) Notwithstanding clause (1), an outdoor appliance that uses charcoal briquettes or is fueled by and burns natural gas or propane, for residential use only is permitted without a permit provided that it sits on a firm non-combustible base.
- (7) This Bylaw shall not apply to burning by the Municipality for municipal purposes or Fire Department training, or to the burning of natural gas or propane in an appliance or device that is regulated by the gas regulatory authority.



**Supervision and Control**

39. Any person in the possession of a valid and existing permit issued by the Fire Chief shall ensure that a competent person is at all times in charge of and supervising such fire until the fire is completely extinguished, and shall provide such person with sufficient labour, apparatus and equipment to effectively prevent the fire from getting beyond control or causing damage or becoming dangerous to life or property.

**Distance Requirement**

40. No person shall permit any fire to be located within 6 metres of any building or within 1 metre of any shrubbery, tall grasses, fence, or other combustible material.

**Nuisances from Emission of Smoke and Ash**

41. (1) No person shall cause or allow burning to continue where such burning constitutes an interference with, or obstruction of, a person's reasonable and comfortable use and enjoyment of property through the emission of offensive, annoying, unpleasant or obnoxious smoke or ash.
- (2) No person shall permit the emission of smoke of such opacity as to obscure an observer's view of the background through the smoke to a degree of greater than 20%.
- (3) The Fire Chief may order the suppression of any fire, and in the event such person to whom the order was issued fails to comply with such order to the satisfaction of the Fire Chief, the Fire Chief may cause such fire to be immediately suppressed and the costs of doing so shall be paid by the person to whom the order was issued.

**Fires on the Foreshore**

42. (1) No person shall ignite or maintain any fire on the foreshore without first having obtained a permit from the Fire Chief.
- (2) It shall be a condition of every permit for a fire on the foreshore that:
- (i) the fire not be located within 45 metres (150 feet) of any building; or
  - (ii) the fire not be located within 3 metres (10 feet) of any driftwood, dry vegetation, grass or any other combustible material unless the fire is contained within a receptacle approved in design and location by the Fire Chief;
  - (iii) the fire shall be completely extinguished by 11:00 p.m.; and
  - (iv) the permit holder personally attends the fire until it is completely extinguished by water.
- (3) A permit for any fire on the foreshore shall be valid only on the date specified on the permit.

**Dangerous Goods**

43. Where the Fire Chief or Officer in Command is satisfied on reasonable and probable grounds that a discharge, emission or escape of dangerous goods has occurred and that immediate action is necessary in order to carry out any reasonable emergency measures, he/she may take any such measures or request that any such measures be taken by any person he/she considers qualified to do so.
44. It is the duty of the occupier, or if none, the owner of the property, building, premises, motor vehicle, vessel or railway rolling stock, to report immediately to the Fire Chief when an explosion, discharge, emission, escape or spill of dangerous goods occurs and to similarly report to the Fire Chief where the potential for an explosion or a discharge, emission, escape or spill of dangerous goods exists by reason of abnormal or unusual circumstances.

**PART 4 – PERMITS, INSPECTIONS AND FEES****Schedule of Fees**

45. The fees as set out in Schedule A hereof, which forms part of this Bylaw, shall be applicable to the provision of services and issuance of permits as set out in this Bylaw, and such applicable fees shall be payable at the time of application for permits or immediately upon receipt of an invoice from the Municipality.

**Oil Burning Equipment**

46. (1) No person shall install, alter or remove an oil burner, oil burning equipment or oil tank without first having obtained a permit to do so issued by the Fire Chief.
- (2) No permit required by this Bylaw shall be issued to any person, tenant, occupier or owner of any premises or any installer for the installation, removal or alteration of any oil burner, oil burning equipment or oil tanks until the permit fees and applicable inspection charges set out in Schedule A have been paid to the Municipality.

**Investigation of Fires**

47. Pursuant to the *Fire Services Act*, in every instance that a fire investigator conducts a fire investigation, the applicable fee set out in Schedule A hereof will be charged to the owner for fire investigation services.

**PART 5 - ENFORCEMENT**

48. The Fire Chief may remove or seize any item that in his/her opinion will prevent the continuation of any non-compliance with any terms of this Bylaw.

**Issuance of Order**

49. (1) Where the Fire Chief finds that any provision of this Bylaw has been contravened or has not been complied with or that conditions exist in or upon a building,

premises or property and which, in his/her opinion, constitutes a fire hazard or otherwise constitutes a hazard to life and/or property, he/she may make such order as deemed necessary to ensure compliance with this Bylaw or the elimination of the hazard.

- (2) An order under this Bylaw shall be in writing and shall be directed to either the owner, occupier or lessee of the building, premises or property in respect of which the order is made, or to both.
- (3) Where an owner or occupier or lessee fails to comply with any order made pursuant to this Bylaw, the Municipality may cause the order to be carried out and the costs of such shall be paid by the owner, occupier or lessee to whom the order was issued.
- (4) Any expenses incurred by the Municipality in carrying out an order, if not paid by the owner, occupant or lessee to whom the order was issued within 30 days of being invoiced therefore by the Municipality, may be recoverable in the manner provided by Sections 258 and 259 of the *Community Charter*.

### **Service of Order**

50. An order made under this Bylaw shall be served by:
- (1) Delivering or causing it to be delivered personally to the person to whom it is directed;
  - (2) Sending the order by registered mail to the last known address of the person to whom it is directed; or
  - (3) Posting a copy in a conspicuous place on the building, premises or property to which it relates, if the person to whom it is directed cannot be found, is not known or refuses to accept service of the order personally or by registered mail.

### **Removal of an Order**

51. Where an order has been duly issued and posted pursuant to this Bylaw, no person may remove, deface, cover or destroy the order.

### **False Representation**

52. No person shall falsely represent themselves as an Officer or member of the Fire Department.

### **Offence and Penalty**

53. Any person who violates any provision of this Bylaw, or who suffers, causes or permits any act or thing to be done in contravention of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw, is guilty of an offence.
54. Every person convicted of an offence under this Bylaw shall be liable upon summary conviction to a fine not exceeding Two Thousand Dollars (\$2,000.00).

55. Where any violation continues, each day in which it continues shall be deemed to be a separate offence.

**Repeal**

56. The "FIRE PROTECTION AND REGULATION BYLAW, 1989, NO. 1898," and amendments thereto, are hereby repealed.

Read a first time on the 12<sup>th</sup> day of December, 2011.

Read a second time on the 12<sup>th</sup> day of December, 2011.

Read a third time on the 12<sup>th</sup> day of December, 2011.

ADOPTED on the                      day of                      , 2012.

---

BARBARA DESJARDINS  
MAYOR

---

ANJA NURVO  
CORPORATE OFFICER

**FIRE PROTECTION AND REGULATION BYLAW, 2011, NO. 2783****SCHEDULE A****FEES**

(1)	Permit for installation, alteration or removal of oil burner, oil burning equipment or oil tank, including inspection fees	\$50.00
(2)	Any required re-inspection of permit issued under clause (1)	\$25.00
(3)	Written report requested for oil burner, oil burning equipment or oil tank inspections	\$50.00
(4)	Review of a new fire safety plan	\$100.00
(5)	Review of an existing or amended fire safety plan	\$50.00
(6)	Review of plans for building and development permit	\$200.00
(7)	Inspections requested for the purposes of purchase, sale, financing or refinancing of any building or property	\$100.00
(8)	Written report requested for the purposes of purchase, sale, financing or refinancing of any building or property	\$50.00
(9)	Request for research/creation of document	\$100.00
(10)	Fire Investigation – for each fire investigator, in excess of initial 2-person hours	\$100.00/hour
(11)	Permit for fire on the foreshore	\$10.00



## COMMITTEE OF THE WHOLE REPORT

**From: Meeting of January 9, 2012**

**To: Regular Meeting of Municipal Council – January 16, 2012**

At its meeting held on Monday, January 9, 2012 the Committee of the Whole considered the following matters and resolved that the recommendations, as outlined, be submitted to Council for consideration.

**1. Voting on Motions, Staff Report No. ADM-12-001**

That Council continue to vote on motions in the manner set out in the Council Procedure Bylaw No. 2715, 2009.

**2. Report on Development Permits Issued by the Director, Staff Report No. DEV-12-001**

That the Director of Development Services continue to review and issue Development Permits for projects that fall within the scope of the work authorized by Bylaw No. 2751.

**3. Esquimalt Village Plan (EVP) Update, Staff Report No. DEV-12-003**

That Staff Report No. DEV-12-003 regarding the Esquimalt Village Plan (EVP) Update be received for information;

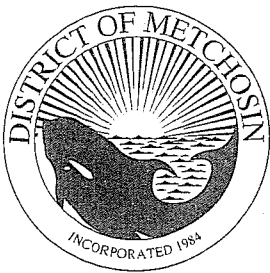
That discussion take place around whether the site should be retained by the Township, sold outright, or developed in partnership with one or more developers;

That a public meeting be held prior to the official Public Hearing to convey factual information and hear concerns; and

That a Public Hearing be scheduled.

**4. Development Permit, 880-D Esquimalt Road, [Lot 2, Section 11, Esquimalt District, Plan 47946], Staff Report No. DEV-12-004**

That the application for a Development Permit limiting the form and character of development to that shown on architectural plans provided by Graphvette Design and Drafting, stamped "Received December 5, 2011", for the proposed tenant improvements and signage located at Lot 2, Section 11, Esquimalt District, Plan 47946 [880-D Esquimalt Road], be forwarded to Council with a **recommendation of approval**.



DISTRICT OF METCHOSIN

RECEIVED  
DEC 28 2011  
CORPORATION OF THE  
TOWNSHIP OF ESQUIMALT

CRD EXECUTIVE OFFICE		
<i>Received</i>		
DEC 15 2011		
<input checked="" type="checkbox"/> CAO	<input type="checkbox"/> GM Parks	<input type="checkbox"/> GM PPS
<input checked="" type="checkbox"/> Chair	<input type="checkbox"/> GM CS	<input type="checkbox"/> GM IWS
<input type="checkbox"/> GM ES	<input checked="" type="checkbox"/> Board Members	

W.A. Orr  
File No. 8300-10

for action #

*Mayor*

December 2, 2011

Board of Directors  
Capital Regional District  
625 Fisgard Street  
Victoria BC V8W 1R7

Dear Board of Directors,

Re: **Victoria Rapid Transit**

We understand that the CRD will be working with BC Transit to develop funding plan for the Victoria rapid transit project as directed by the Victoria Regional Transit Commission. Although the alignment and technology evaluation portion of the project are now complete, Metchosin council supports the further examination of the E&N corridor for a commuter rail pilot to service the West Shore.

While we recognize that the E&N rail line must be assessed to determine whether passenger rail can be restored on the line, council at this time supports this option as a more affordable option for multi-modal travel in the West Shore.

I have enclosed correspondence on this matter from Metchosin resident John W. E. Harris who was Metchosin's representative on the Victoria Regional Rapid Transit Project's Community Liaison Committee. Metchosin council requests that the CRD Planning and Protective Services staff consider Mr. Harris' correspondence and provide the council with a response to his comments. Thank you for your consideration.

Yours truly,

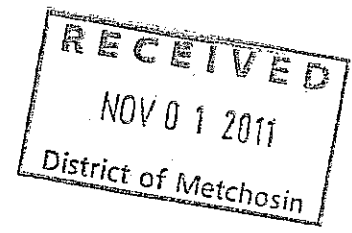
John Rapps  
Mayor

Encl.

CC. COUNCIL  
RP

DISTRICT OF METCHOSIN  
FILE NO. 8300-01

John W. E. Harris  
3817 Duke Road (Metchosin) Victoria, BC V9C 4B2  
2011.11.1



To: Mayor and Councillors  
District of Metchosin  
4450 Happy Valley Road  
Victoria, B.C. V9C 3Z3  
Re: Victoria Regional Rapid Transit Project

Dear Mayor and Councillors:

I was disappointed to learn from your letter of Sept 1st that you had “withdrawn your endorsement of the LRT option in favour of the E&N commuter pilot”. Personally, I don’t think it was wise to be seen to “turn down” a conclusion that has taken 2 years of study to reach. This is not the time to ask for still “another study” because this would once again **delay the implementation of an improved transit system by probably many years.**

Perhaps there is some misunderstanding of “LRT” and “E&N”, as it appears they are being thought of as alternatives.

Let me once again try to clarify the situation as I see it.

First, the definitions of “LRT” and “E&N”.

*LRT means light rail transit, which simply means easily accessible, easily maneuverable passenger rail cars than can run on their own right of way or on roads (i.e. streetcars). They are about the same size and appearance as busses but are usually smaller than the E&N “heavy rail” cars, although these latter run on the same rails and also can run on rails along streets. BC Transit currently appears to be interpreting LRT as meaning “a rail based transit system approximating the route of what is known as the Galloping Goose. This existing right-of-way was originally a railway, and is now leased by the MOT to the CRD as a trail. This use was intended to be temporary but if rails are put down again the trail could still continue.*

*E& N refers to an existing rail system with right-of-way with rails already existing from Langford thru View Royal and Esquimalt to Victoria, although currently it is in some disrepair. It was given to the CPR back in the coal days along with a lot of land “the CPR land grant” in return for building the railway but there was no provision that the railway be continued or the lands returned to the province when no longer needed. Hence we now have the outright private ownership of these lands by timber companies, creating the current trail access problems on the southern Island and the controversial land problems around Sooke. Retaining Crown ownership, which they could easily have done with a lease arrangement, apparently never occurred to those early politicians. Actually, some people think it isn’t too late.*



*However, up until a few months ago the E&N still was a working railway. Using diesel-electric heavy rail self-propelled passenger vehicles (large streetcars) it ran once a day each way, out of town in the morning and into town in the afternoon. Hence the "wrong way train". The right-of-way runs from Victoria through View Royal and Langford and north inter-city to Duncan, Nanaimo, Port Alberni, and Courtenay. We are currently only concerned with the Victoria to Langford portion; scheduling and direction of travel is a future issue.*

**When the recent rapid transit study began**, observed for the past 2 years by the CLC, it was understood that it was to study the **linking** of the major parts of the Westshore to Victoria. This study was to include approximately what was touched on by the "Galloping Goose" and by the E&N, including destinations such as **Colwood Corners, Uptown, Mayfair, and the DND**. The study included **detailed estimates of the demand** for travel from various localities to various destinations and was to be a pilot study for eventually including other areas within the CRD, such as the University, ferries and airport. Unfortunately towards the end of the two year study it became apparent that BC Transit had decided to ignore the existing E&N route, for some reason now deciding that was the responsibility of the province (although a MOT representative was included in the study). LRT then became synonymous with **"that routing along Goldstream Avenue to Colwood Corners, down the strip to the highway, along TCH to Uptown and down Douglas Street to Victoria"**. The E&N (actually another form of "LRT") roughly **parallels Goldstream to Colwood Corners and then down the strip, but then travels through Esquimalt via the DND to Victoria**, currently ending in Vic West due to the unfortunate closing of the Blue Rail Bridge. It was originally suggested that it could route to the Outer Wharf and also up Douglas to Mayfair and Uptown, covering those areas.

**So to me it is apparent that we should be talking about a system combining the two routes.** It is really not a choice of one or the other but at least parts of both are needed to make up a truly useful and complete transportation system.

The fact that the E&N tracks also proceed up Island to Courtenay and Port Alberni is simply another factor that should not cloud the decisions that we are now concerned with. Yes, the long distance inter-city rail up-Island system needs to be protected and upgraded before it disintegrates. But as for the proposed transportation system from Westshore to Victoria it surely must include most of the significant features of the area, namely Colwood Corners, Uptown, Mayfair and the DND.

Unfortunately, only **in the final couple of months of the study were costs finally introduced**, intending, I think, to **shock** those favoring the proposal, and providing ammunition to kill it. BC Transit has in the past been clearly reluctant to become involved with rail, and the costs have stirred up a business association consisting of members who are afraid of having some of the costs thrust on them, although they would benefit from increased business.

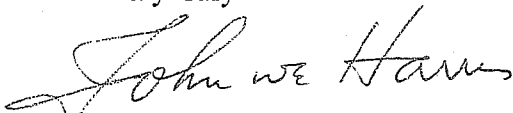
As for these costs, I will reiterate what I have said previously, that they have **"gold plated"** the result in order to **"kill"** it. An example might be **"overbuilding"** stations, as with Sky Train in Vancouver.

So it seems that we are about to, even after this extensive two-year study, fall for the old trick of saying **"let's study it some more"**. There have been many transit studies in the CRD in the past 30 or so years and **this was to be one that would lead to some action**. It provided figures on numbers of people moving by various means now available to various destinations. But **"sticker shock"** has resulted in the ignoring of the conclusions and created once again **further expensive procrastination** without laying a single meter of track, or putting down a single tie, or buying a single rail car. **In short, "restudying" will be a waste of money while again postponing the inevitable.**

And another old trick again has again surfaced, already discounted by the study, **suggesting that there may not be "enough demand"**. But these figures are based on a wrong way system which was, in fact, **deliberately designed to be inadequate and unattractive**. This was the excuse the Province gave when it recently declined to support upgrading the E&N, actually stating that there was not enough traffic, and ignoring the fact they were **running only one train a day in the wrong direction**. The question might be, **are we really prepared to let them get away with these sorts of manipulations once again.**

Just glance around you at the **massive residential and business construction underway now within the CRD, particularly in the Westshore**. And at the **traffic jamming the roads**. Unfortunately, all these new residents are being forced to choose between buying cars or using an inadequate transit system. But unless we plan on simply building more and more roads, and there simply isn't room, an improved transit system is **inevitable**. We can continue to tolerate this situation, always being one jump ahead of total lock-up. Or we can, sooner or later (and why not **"sooner"?**), take a giant leap forward and create a **comfortable, attractive, well used transit system**, which after much study we have concluded should be centered around a **light rail system**. Perhaps now, considering that we could be about to postpone the arbitrarily demanded, hugely expensive, unnecessary sewer expansion, we could trade the latter for a much more visibly useful, environmentally friendly, option.

Yours very truly



John W. E. Harris  
Metchosin



Making a difference...together

Capital Regional District  
625 Fisgard Street, PO Box 1000  
Victoria, BC, Canada V8W 2S6

T: 250.360.3000  
F: 250.360.3234  
www.crd.bc.ca

CORPORATION OF THE TOWNSHIP OF ESQUIMALT  
RECEIVED: MO DA YEAR

For information:

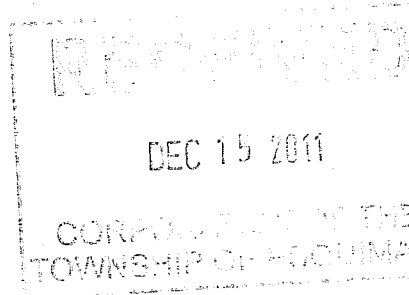
CAO  
 Mayor/Council

Referred:

For action  
 For a report  
 For response  
 Council agenda  
 COTW  
 IC

December 13, 2011

Ms. Anja Nurvo  
Manager of Corporate Services  
Corporation of the Township of Esquimalt  
1229 Esquimalt Road  
Esquimalt, BC V9A 3P1



Dear Ms. Nurvo:

RE: Correspondence of October 25, 2011 regarding wildlife control and management

In response to your correspondence of October 25, 2011 requesting that the Board consider the establishment of a "Problem Wildlife Department" within the Capital Regional District (CRD), I can advise you that the matter was raised at the October 26, 2011 meeting of the Planning, Transportation & Protective Services Committee. The Committee considered and defeated the following motion:

*"That the issue be referred back to staff to examine the Peninsula Agricultural Commission recommendations and report back on the feasibility of a combining goose and deer management into a problem wildlife management function."*

Further discussion on the matter resulted in the Committee supporting the following resolution:

*"That it be recommended to the Board to direct staff to prepare the terms of reference for a Deer Management Plan, to include any applicable solutions from the goose management strategy, and seek out partnership interest to prepare and fund the plan."*

The matter was then brought before the CRD Board on November 9, 2011. The Board supported the above-noted resolution to prepare terms of reference and added a requirement for staff to report back to the Planning, Transportation & Protective Services Committee within three months.

Should you have further questions or input regarding this matter, I would be pleased to assist you.

Sincerely,

Marg Misek-Evans  
Senior Manager, Regional & Strategic Planning

# Gas Tax/Public Transit Management Services

...delivering the federal gas tax and public transit agreement funding in British Columbia

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BRITISH  
COLUMBIA  
MUNICIPALITIES

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Website:

www.ubcm.ca  
under  
Funding Programs

Federal Gas Tax and Public  
Transit Agreements

December 13, 2011

Attention: Laurie Hurst  
Township of Esquimalt  
1229 Esquimalt Rd  
Esquimalt, BC V9A 3P1

Dear Laurie Hurst,

**Re: GAS TAX GENERAL STRATEGIC PRIORITIES FUND AND  
INNOVATIONS FUND APPLICATIONS**

Thank you for submitting your General Strategic Priorities Fund application for funding under the Gas Tax Program. We have now completed approvals and unfortunately your application (Reference: GSPF-22253) for the project **Admirals Road Corridor Improvements**, was not approved for funding at this time.

UBCM will be inviting applications for funding under both the General Strategic Priorities Fund and Innovations Fund in 2012. Details including program guides, available funding, and application forms will be distributed in the new year.

Any unfunded 2011 applications may be considered for funding under the 2012 intake. Information on how to have your 2011 application considered for the upcoming intake will be made available with other program materials in the new year.

The Ministry of Community, Sport and Cultural Development provided technical review of all the 2011 applications for UBCM. Ministry staff have kindly offered to discuss their technical evaluation with applicants and provide advice to those interested in having their 2011 projects considered for the 2012 funding intake.

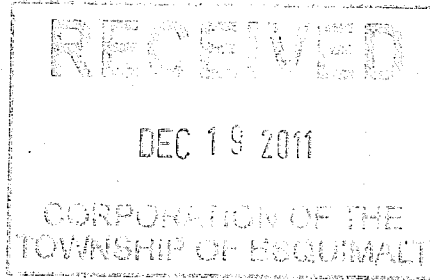
If you would like to discuss your 2011 application in more detail or have it considered for the 2012 funding intake, please contact the Ministry of Community, Sport, and Cultural Development at [INFRA@gov.bc.ca](mailto:INFRA@gov.bc.ca) or phone 250.387.4060.

We wish to thank you for taking the time to develop and forward your application.

Sincerely,

Gary MacIsaac, Chair  
Gas Tax Management Committee

Pc: Karen Blakely



For information:

- |                                     |                     |
|-------------------------------------|---------------------|
| <input type="checkbox"/>            | CAO                 |
| <input checked="" type="checkbox"/> | Mayor/Council       |
| <input checked="" type="checkbox"/> | Karen (cc'd)        |
|                                     | Referred: Self-info |
| <input type="checkbox"/>            | For action          |
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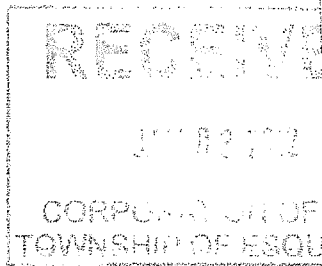


Making a difference...together

Environmental Sustainability  
625 Fisgard Street, PO Box 1006  
Victoria, BC, Canada V8W 2S6

December 29, 2011

Mr. Tom Day, CAO  
Township of Esquimalt  
1229 Esquimalt Road  
Victoria, BC V9A 3P1



CORPORATION OF THE TOWNSHIP OF ESQUIMALT  
RECEIVED: MO DA YEAR

For information:

CAO  
 Mayor/Council

Referred: Anja

For action  
 For a report  
 For response  
 Council agenda ?  
 COTW  
 IC

File: 5280-10.01

LH

Dear Mr. Day:

**RE: INTER-MUNICIPAL CLIMATE ACTION STEERING COMMITTEE**

The Capital Regional District (CRD) Climate Action Service was established in 2009 under Bylaw No. 3510 and provides direct support to municipalities and electoral areas by offering scientific and technical data, undertaking citizen and stakeholder education and engagement, supporting the CRD in Climate Action Charter commitments, and providing customized support to local governments in implementing both corporate and community mitigation and adaptation activities.

The Inter-municipal Climate Action Steering Committee was established as a forum for elected officials to share information, discuss emerging issues, priorities and opportunities, and receive progress updates from the CRD Climate Action Service.

The Steering Committee meets twice a year, at the availability of its members. Participants are also provided with regular information on climate action opportunities through a monthly e-newsletter and invited to special events, forums and workshops on relevant topics.

After recent municipal elections, elected official representation on the Steering Committee from your municipality should be renewed for a three year term. A number of municipalities have provided the CRD with a representative for this purpose through their appointment process.

**We respectfully request that you identify an elected official from your municipality to participate.**

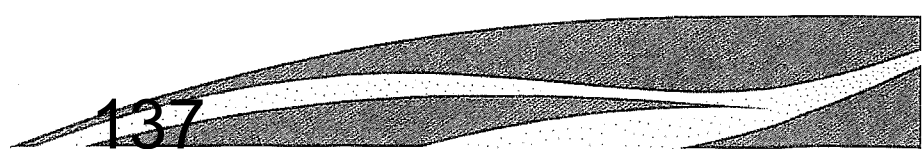
If you have any questions, please contact Sarah Webb, Climate Action Program supervisor, at 250-360-3123 or [scwebb@crd.bc.ca](mailto:scwebb@crd.bc.ca).

Sincerely,

Glenn Harris, Ph.D., R.P.Bio.  
Senior Manager, Environmental Protection  
CRD Environmental Sustainability

scw/ts

cc: Larisa Hutcheson, General Manager, CRD Environmental Sustainability  
Chair, CRD Environment Sustainability Committee  
Sarah C. Webb, Climate Action Program Supervisor, Environmental Protection





Ottawa, Canada K1A 0H4

CORPORATION OF THE  
TOWNSHIP OF ESQUIMALT  
RECEIVED: MO DA YEAR  
For information:  
 CAO  
 Mayor/Council  
Referred: \_\_\_\_\_  
 For action  
 For a report  
 For response  
 Council agenda  
 COTW  
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JAN - 3 2012

RECEIVED  
JAN 10 2012  
CORPORATION OF THE  
TOWNSHIP OF ESQUIMALT

Her Worship Barbara Desjardins  
Mayor and Chair  
Corporation of the Township of Esquimalt  
1229 Esquimalt Road  
ESQUIMALT BC V9A 3P1

Dear Mayor Desjardins:

On behalf of the Honourable John Duncan, Minister of Aboriginal Affairs and Northern Development, I wish to acknowledge receipt of your letter dated August 11, 2011, concerning various issues in your community.

Minister Duncan has asked that I thank you for your valuable support for the E&N Rail funding. He has been in contact with the Honourable Denis Lebel, Minister of Transport, on this issue and continuing local engagement is important.

With respect to the water lot leases, this also falls under the mandate of Minister Lebel. As such, I have taken the liberty of forwarding our exchange of correspondence to his office for consideration.

I trust that the above action will be of assistance.

Yours sincerely,

David McArthur  
Chief of Staff

c.c.: The Honourable Denis Lebel, PC, MP

To Mayor and Council:

It really saddens me that I cannot go to the meeting on January 9. I don't drive and I don't like going out after dark. I'm hoping to come later on in the year. My name is Sandra Dixon, I live at 938 Wollaston St. right behind the blue building on Esquimalt Road. In the blue building I'm not sure of the address I think it's 934, There are two money stores and there is one down the street close by at the corner of a Esquimalt and Head. I would like to know if, it had anything to do with the Mc Donald's.

Were they the ones that allowed the add on to that building ? Were they the ones that had allowed this money store to go in. I know, from experience that the money markets or stores can cause a lot of problems. We've have had people come down our driveway, and look around our yard. We also have had problems with people using drug and alcohol. Not saying the money markets or stores had anything to do with it, but it can.

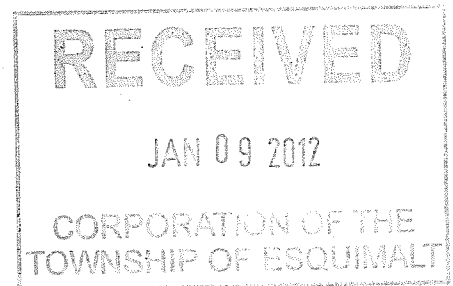
I already know at night there are young adults, that hang around in the Plaza early in the morning say 2 or 3 AM. The night the new candidates were sworn in there was a problem in the parking lot there were 3 young adults climbing up the building and walking along on the outside on the overhangs of City Hall. A police officer didn't even see them when he went down into the parking lot for they were hitting. Where are the police going to be when there's trouble at the money market by McDonald's.

Oh, I forgot the money market up by us ,at Esquimalt and Head I don't remember the date but it was held up.

During the Christmas holidays, I went to the TD bank on Wilson street by save on foods I met the manager or one of the managers of as TD bank, we started talking he told me the TD bank would love to have a TD bank in Esquimalt but they couldn't find any space in Esquimalt.

I would like to know who the counselor is, who went to see what they are doing at the rec center. I.E. The upgrades. I would like to send them a letter.

PS. I'm still talking to the P.A.C. At Macaulay school about the safety issue. I will keep you up-to-date with that.



# NOTICE OF MOTION

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Request for Notice of Motion, Pursuant to Sections 37 and 38, Council Procedure Bylaw 2715, 2009.

Introduced: Special Council Meeting January 9, 2012

From: Councillor Dave Hodgins

Subject: **REQUESTING THE RELEASE OF POLICING SERVICES INFORMATION TO THE RESIDENTS AND TAXPAYERS OF THE TOWNSHIP OF ESQUIMALT**

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**WHEREAS** public safety and security are a fundamental building block for community success; and

**WHEREAS** the public deserves to be provided with effective, efficient, ethical and economical policing services; and

**WHEREAS** the Township of Esquimalt has completed a report of current and future policing services as undertaken by the Policing and Law Enforcement Advisory Panel including a specific recommendation; and

**WHEREAS** the public has requested information associated with the report as it relates to the current and future state of policing services for the Township of Esquimalt and its public; and

**WHEREAS** the public have expressed a desire to be better informed about policing services and related recommendations; and

**WHEREAS** the public have expressed a keen desire to be further engaged going forward; and

**WHEREAS** the Township of Esquimalt strives to be an open, transparent municipality that values the fundamental principle that successful future policing models will only be realized if the community's residents are fully informed prior to the advancement of the recommendation; and

**WHEREAS** the Township of Esquimalt has already informed the community that the RCMP is the recommended proponent for the future of Esquimalt's policing, but has yet to release any relevant information regarding the impact on the community; specifically the costs, service levels, programs, and governance of the RCMP recommendation;

**THEREFORE BE IT RESOLVED** that, by March 1, 2012, the Township of Esquimalt release to the public an information bulletin that advises the public of the annual operating costs, required capital costs, policing service model including the number of police officers and types of programs, and the governance and community relations structure of the RCMP's proposal as recommended to Council by the Policing and Law Enforcement Advisory Panel. This information will include public access to all information from the Policing and Law Enforcement Advisory Panel's report to the Solicitor General and Director of Policing Services dated June 29, 2011 that does not violate any official obligation related to confidentiality agreements or as required by provincial legislation; and



**BE IT FURTHER RESOLVED** that the Township of Esquimalt notify the successful proponent (RCMP) that the municipality will be releasing to the public any and all information from the Policing and Law Enforcement Advisory Panel's report to the Solicitor General and Director of Policing Services dated June 29, 2011 that does not violate any official obligation related to confidentiality agreements or as required by provincial legislation; and

**BE IT FURTHER RESOLVED** that the Township of Esquimalt prepare a special page of the municipality's website to provide all of the aforementioned information as well as provide a feedback section on the website for the public to provide comments on the RCMP proposal to the municipality.