



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

File 0550-06

July 5, 2012

NOTICE

**A SPECIAL MEETING OF COUNCIL WILL BE HELD ON
MONDAY, JULY 9, 2012 AT 5:45 PM, IN THE COUNCIL
CHAMBERS, ESQUIMALT MUNICIPAL HALL, 1229
ESQUIMALT ROAD TO MAKE A MOTION TO GO *IN*
CAMERA PURSUANT TO SECTION 90 OF THE
COMMUNITY CHARTER AND RECONVENE AT 7:00 P.M.**

**L. HURST
DEPUTY CORPORATE OFFICER**



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Monday, July 9, 2012

5:45 p.m. (To Make a Motion to Go *In Camera*)

And

Reconvene at 7:00 p.m.

Council Chambers, Esquimalt Municipal Hall

1. **CALL TO ORDER**
2. **LATE ITEMS**
3. **APPROVAL OF THE AGENDA**
4. **MOTION TO GO *IN CAMERA***

Motion to go *In Camera* pursuant to Section 90 of the *Community Charter* to discuss:

- Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and
- Labour relations or other employee relations; and
- The acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality; and
- Discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [*annual municipal report*]

In accordance with Section 90 (1) (a), (c), (e) and (l) of the *Community Charter*, and that the general public be excluded.

5. **RECESS THE SPECIAL MEETING OF COUNCIL TO RECONVENE AT 7:00 P.M.**
6. **RECONVENE THE SPECIAL MEETING OF COUNCIL**
7. **MINUTES**

- (1) Minutes of the Regular Meeting of Council, June 25, 2012
- (2) Minutes of the Special Meeting of Council, July 4, 2012

Pg. 1 – 6

Pg. 7 – 9

8. **PRESENTATION**

- (1) Janet Jones, Chair, Centennial Celebrations Select Committee, Centennial Update
- (2) Certificates of Appreciation to Members of the Esquimalt Policing and Law Enforcement Advisory Panel: Warren Carrie, Donna Humphries, Graham Lang and Richard Mandy

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

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

10. **STAFF REPORTS**

Administration

- (1) Governance Success Session – Follow Up Actions, Staff Report No. ADM-12-042 Pg. 10 – 40

RECOMMENDATION:

- 1) That Council adopt the Organizational Success Discussion Guidelines, Roles and Responsibilities Guidelines, Decision Making Guidelines and Priority Setting Guidelines as attached to ADM-12-042.
- 2) That Council direct staff to prepare a report with recommendations on initiating the use of the Request for Decision and Direction Request formats and revision of the Committee of the Whole format including all necessary changes required to existing policies, procedures and bylaws and that the report be brought back to the regular Council meeting scheduled for August 20, 2012.
- 3) That Council direct staff to initiate the use of a Follow Up Action List and that the list be available for Council review.

Engineering and Public Works

- (2) Traffic Order #1197 – Colville Road – 1100 Block Residential Only Parking Restriction, Staff Report No. EPW-12-015 Pg. 41 – 48

RECOMMENDATION:

That Council approve the following Traffic Order:

- TO#1197 – That Residential Only parking signs be placed along the south side of Colville Road from 1187 to 1143.

- (3) Contract Award – Craigflower Road Corridor Upgrade Phase 3, Staff Report No. EPW-12-016 Pg. 49 – 51

RECOMMENDATION:

1. That the construction contract be awarded to Brunell Construction Ltd. for the sum of \$506,470.00 excluding the HST; and
2. That staff issue Contemplative Change Orders to the contractor to receive pricing for additional works prioritized by Council to maximize the upgrades with the balance of funds remaining.

Parks and Recreation

- (4) Contract Award – Recreation Centre Energy & Mechanical Upgrades, Staff Report No. P&R-12-004 Pg. 52 – 53

RECOMMENDATION:

- 1) That Council award the contract for the Esquimalt Recreation Centre – Aquatic Centre Energy Retrofit Project to Coral engineering at the bid amount of \$1,048,923 not including tax.
- 2) That Council authorize the Mayor and Corporate Officer to execute the contract agreement for Engineering and Construction Services with Coral Engineering.

Development Services

- (5) Bylaw to Require “Bi-directional Antennae” in **New** Large Buildings, Staff Report No. DEV-12-029 Pg. 54 – 55

RECOMMENDATION:

- 1) That Council direct staff to develop a bylaw requiring developers of new buildings that will likely interfere with emergency communications to install bi-directional antenna(e) in their buildings subject to obtaining a legal opinion on statutory authority.

- (6) Heritage Policy Update - Amendment, Staff Report No. DEV-12-030 Pg. 56 – 96

RECOMMENDATION:

That Council approve an amendment to Council Policy HER-05 – Heritage Policy Update that was adopted by Council May 16, 2011 to include the addition of the following statement:

“Esquimalt became a focal point of activity during the Second World War, with Pacific Command Headquarters set up at Work Point Barracks. At one point these staging grounds held 10,000 troops and officers training before deployment.”

And direct staff to make arrangements with contractor Donald Luxton & Associates Inc. to include the addition of the statement to the “History of Esquimalt” section of the Heritage Policy Update, as recommended by the Heritage Advisory Committee at their June, 2012 meeting.

11. MAYOR’S AND COUNCILLORS’ REPORTS

- (1) Report from Councillor Schinbein, Re: Presentation of Award from the Khalsa Diwan Society of Victoria

12. **COMMUNICATIONS**

- (1) Letter from Peter MacKay, Minister of National Defence, dated June 18, 2012, Re: Staggered Work Hours and Cessation of Blue Boat Service at CFB Esquimalt Pg. 97
- (2) Letter from Mr. Geoff Young, Chair, Capital Regional District, dated June 20, 2012, Re: District of Central Saanich Regional Context Statement – Notification by Eligible Party of Intention to be a Participating Party in Final Proposal Arbitration Process under S.860 of the *Local Government Act*. Pg. 98 – 100
- (3) Letter from Crystal Dunahee, Child Find BC, dated June 25, 2012, Re: 21st Annual Michael Dunahee Slo-pitch Tournament of Hope Pg. 101 – 102
- (4) Email from Graham Lang, dated June 28, 2012, Re: Today's News Pg. 103
- (5) Email from Warren Carrie, dated June 28, 2012, Re: Today's News Pg. 104
- (6) Email from Richard Mandy, dated June 28, 2012, Re: Esquimalt Police Panel Pg. 105
- (7) Letter from Terry Prentice, dated June 30, 2012, Re: Policing in the Township of Esquimalt Pg. 106 – 107
- (8) Email from Donna Humphries, dated July 1, 2012, Re: Esquimalt Police Advisory Board/Panel Pg. 108

13. **RISE AND REPORT**

- (1) Report from the *In Camera* Meeting of Council, July 4, 2012, Re: Policing Services – Discussion Re: Mediator's Report and Next Steps Pg. 109 – 146

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
REGULAR MEETING
OF MUNICIPAL COUNCIL
MONDAY, JUNE 25, 2012

7:02 P.M.
COUNCIL CHAMBERS

PRESENT: Councillor Meagan Brame, Presiding Chair
Councillor Lynda Hundleby
Councillor Robert McKie
Councillor David Schinbein

REGRETS: Mayor Barbara Desjardins
Councillor Dave Hodgins
Councillor Tim Morrison

STAFF: Laurie Hurst, Chief Administrative Officer
Bill Brown, Director of Development Services
Anja Nurvo, Manager of Corporate Services
Marlene Lagoa, Sustainability Coordinator
Louise Payne, Recording Secretary

1. **CALL TO ORDER/ELECTION OF PRESIDING CHAIR**

The Corporate Officer called the Regular Meeting of Council to order at 7:02 p.m.

MOTION: Moved by Councillor McKie/Councillor Schinbein:
That Councillor Meagan Brame be appointed as Presiding Chair of the Regular Meeting of Council for June 25, 2012.

CARRIED UNANIMOUSLY.

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. **MINUTES**

(1) Minutes of the Special Meeting of Council, June 18, 2012

MOTION: Moved by Councillor Hundleby/Councillor McKie:
That the minutes of the Special Meeting of Council held June 18, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY.

(2) Minutes of the Regular Meeting of Council, June 18, 2012.

MOTION: Moved by Councillor Hundleby/Councillor McKie:
That the minutes of the Regular Meeting of Council held June 18, 2012 be adopted as amended:

- Under Item 9 (2) at the top of page 6, after the paragraph stating "Staff were directed to inquire about the deadline for hotel room bookings for the 2013 Federation of Canadian Municipalities (FCM) Conference in Vancouver, BC", the following words be added: "and staff were directed to review whether more than two (2) Councillors could attend the 2013 FCM Conference since it will be held in Vancouver, BC."

CARRIED UNANIMOUSLY.

5. **PRESENTATIONS**

(1) Certificates of Recognition to Bob Beattie and Trish Fortier

Presiding Chair Brame presented Bob Beattie and Trish Fortier with Certificates of Recognition for their contribution to students and the community during their long careers with Esquimalt High School.

(2) Paul Manson, President & CEO, Sea Breeze Power Corporation

Mr. Paul Manson presented a Power Point presentation on proposal for an undersea electric transmission line connecting Victoria with Port Angeles, Washington, and answered questions from Council.

Council comments *(Responses in Italics):*

- Benefits to Greater Victoria? *Increase in reliability of electricity; less expensive power; creates a network of efficient power supply;*
- Infrastructure plans for Esquimalt? *Only construction of trenching – S.E. Craigflower Road to Lampson Street route.*

6. PUBLIC INPUT

Presiding Chair Brame called for public input, specifically inviting public submissions on the 2011 Annual Report.

Terry Prentice, resident, inquired about the Notice of Motion proposal to provide recreation passes for spouses/partners of Council members.

Rod Lavergne, resident, expressed concern with the proposal to provide recreation passes for spouses/partners of Council members.

7. DELEGATIONS

- (1) Joe Buczkowski, Re: Memorial Marker/Plaque in Memorial Park to Honour Veteran Lt. Robert Hampton Gray

Mr. Buczkowski distributed handouts to Council and staff regarding his request for a commemorative plaque/marker, at no cost to taxpayers, in Memorial Park for B.C. born Lt. Robert Hampton Gray, VC, DSC, RCNVR, the last Canadian killed in action during the Second World War, and answered questions from Council.

- (2) Brad Slade, Integrity BC, Electoral Reform Campaign

Mr. Brad Slade outlined his concerns with British Columbia's electoral system and certain reforms, including limits on political donations, that would improve the electoral system in British Columbia and requested Council's support for his electoral reform campaign.

- (3) Scott Attrill, Floyds Hairstyling for Men Inc., Proposed Admirals Road Construction

Mr. Scott Attrill advised Council that he was petitioning Esquimalt residents regarding the proposed Admirals Road construction project, and was concerned about losing his business on Admirals Road if this project is approved by Council.

8. STAFF REPORTS

Administration

- (1) 2011 Annual Report, Staff Report No. ADM-12-034

The Manager of Corporate Services presented the 2011 Annual Report and answered questions from Council.

MOTION: Moved by Councillor Hundleby/Councillor McKie:
That Council adopt the Township of Esquimalt 2011 Annual Report as attached to Staff Report No. ADM-12-034.

CARRIED UNANIMOUSLY.

(2) Regional Personal Electric Vehicle Strategy, Staff Report No. ADM-12-036

The Sustainability Coordinator presented the Regional Personal Electric Vehicle Strategy and answered questions from Council.

MOTION: Moved by Councillor Hundleby/Councillor McKie:
That Council direct that the Township participate in the Capital Regional District's regional personal electric vehicle strategy for the planning of new Level 2 electric vehicle charging infrastructure across the capital region; and
That Council direct staff to examine the opportunity for one (1) public access Level 2 electric vehicle charging station in the Township through the Capital Regional District planning process and that a report come back to Council on the proposed location, operating model and cost of installation and operation for a decision.

CARRIED UNANIMOUSLY.

Finance

(3) 2011 Audited Financial Statements and 2011 Statement of Financial Information, Staff Report No. FIN-12-009

The Chief Administrative Officer presented the 2011 Audited Financial Statements and 2011 Statement of Financial Information and answered questions from Council.

MOTION: Moved by Councillor Hundleby/Councillor McKie:
That Council approve the Township of Esquimalt's audited financial statements for the year ended December 31, 2012, attached to Staff Report No. FIN-12-009; and
That Council approve the Township of Esquimalt's 2011 Statement of Financial Information, attached to Staff Report No. FIN-12-009.

CARRIED UNANIMOUSLY.

9. MAYOR'S AND COUNCILLORS' REPORTS

There were no Mayor's or Councillors' reports.

10. COMMUNICATIONS

(1) Letter from Geoff Young, Chair, Capital Regional District, dated June 7, 2012, Re: Gas Tax Agreement – Regionally Significant Project Funds

MOTION: Moved by Councillor McKie/Councillor Hundleby:

That the letter from Geoff Young, Chair, Capital Regional District dated June 7, 2012 regarding the Gas Tax Agreement – Regionally Significant Project Funds be received.

CARRIED UNANIMOUSLY.

- (2) Letter from Randall Garrison, MP, Esquimalt – Juan de Fuca, dated June 12, 2012, Re: Cuts to Community Assistance Program (CAP)

MOTION: Moved by Councillor Schinbein/Councillor Hundleby:
That the letter from Randall Garrison, MP, Esquimalt – Juan de Fuca dated June 12, 2012 regarding cuts to the Community Assistance Program (CAP) be received.

CARRIED UNANIMOUSLY.

- (3) Letter from Michael de Jong, Minister of Health, Ron Cantelon, Parliamentary Secretary for Seniors, Ministry of Health and Jodi Mucha, Director, BC Healthy Communities, dated June 14, 2012, Re: Age-Friendly BC Recognition Award and Grant

MOTION: Moved by Councillor Hundleby/Councillor McKie:
That the letter from Michael de Jong, Minister of Health, Ron Cantelon, Parliamentary Secretary for Seniors, Ministry of Health and Jodi Mucha, Director, BC Healthy Communities dated June 14, 2012 regarding Age-Friendly BC Recognition Award and Grant be received.

CARRIED UNANIMOUSLY.

11. NOTICE OF MOTION

- (1) Recreation Passes for Spouses/Partners of Council Members – Councillor McKie

MOTION:
That Council approve the issuance of free passes to the Esquimalt Recreation Centre for all spouses or partners of members of Council.

This matter will be added to the Agenda for the next Regular Meeting of Council for Council's consideration.

12. PUBLIC QUESTION AND COMMENT PERIOD

Muriel Dunn, resident, expressed her support for Mr. Attrill's concerns regarding the proposed construction on Admirals Road and concern for the proposal for only one plug-in in the municipality for electric cars.

Paul Jordan of View Royal spoke in support of Mr. Attrill's concerns regarding the proposed construction on Admirals Road.

Rod Lavergne, resident, advised Council that there used to be a plug-in for electric cars in Esquimalt and suggested that it be used.

Darrell Attrill, resident, advised Council that he supported his father, Scott Attrill, in gathering signatures from residents of Esquimalt petitioning against the proposed construction on Admirals Road.

13. **ADJOURNMENT**

MOTION: Moved by Councillor McKie/Councillor Hundleby:
That the Regular Meeting of Council be adjourned at 8:20 p.m.
CARRIED UNANIMOUSLY.

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

CERTIFIED CORRECT:

ANJA NURVO
CORPORATE OFFICER

DRAFT



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES
SPECIAL MEETING
OF MUNICIPAL COUNCIL
WEDNESDAY, JULY 4, 2012

5:01 P.M.
COUNCIL CHAMBERS

PRESENT: Mayor Barbara Desjardins
Councillor Meagan Brame
Councillor Dave Hodgins
Councillor Lynda Hundleby
Councillor David Schinbein

REGRETS: Councillor Robert McKie
Councillor Tim Morrison

STAFF: Laurie Hurst, Chief Administrative Officer
Ritchie Morrison, Communications Coordinator
Louise Payne, Recording Secretary

1. **CALL TO ORDER**

Mayor Desjardins called the Special Meeting of Council to order at 5:01 p.m.

2. **LATE ITEMS**

There were no late items.

3. **APPROVAL OF THE AGENDA**

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

CARRIED UNANIMOUSLY.

4. **MOTION TO GO *IN CAMERA***

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

- Litigation or potential litigation affecting the municipality; 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
- A matter that, under another enactment, is such that the public may be excluded from the meeting; 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) (g), (k), (m) and 90 (2) (b) of the *Community Charter*, and that the general public be excluded.

CARRIED (Councillor Hodgins opposed).

5. **ADJOURNMENT**

MOTION: Moved by Councillor Brame/Councillor Hundleby:
That the Special Meeting of Council be adjourned at 5:02 p.m.

CARRIED UNANIMOUSLY.

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

CERTIFIED CORRECT:

ANJA NURVO
CORPORATE OFFICER

DRAFT



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: July 9, 2012

STAFF REPORT

DATE: July 4, 2012 Report No. ADM-12-042
TO: Mayor and Council
FROM: Laurie Hurst, Chief Administrative Officer
SUBJECT: Governance Success Session-Follow Up Actions

RECOMMENDATIONS:

- 1) That Council adopt the Organizational Success Discussion Guidelines, Roles and Responsibilities Guidelines, Decision Making Guidelines and Priority Setting Guidelines as attached to ADM-12-042.
- 2) That Council direct staff to prepare a report with recommendations on initiating the use of the Request for Decision and Direction Request formats and revision of the Committee of the Whole format including all necessary changes required to existing policies, procedures and bylaws and that the report be brought back to the regular Council meeting scheduled for August 20, 2012.
- 3) That Council direct staff to initiate the use of a Follow Up Action List and that the list be available for Council review.

BACKGROUND:

On April 18th, 2012 Council and the CAO attended a Governance Success Session facilitated by Gordon McIntosh. During this session, Council discussed a number of topics including decision making and priority setting.

ISSUES:

The session and discussion were structured around a number of documents provided by the facilitator that acted as guidelines for the process. These documents are attached to this report for information and it is recommended that they be formally adopted by Council.

Discussion during this governance session led to a number of follow up actions and these actions are summarized here to facilitate discussion and decisions necessary to move forward.

The Organizational Success Discussion Guidelines are meant to facilitate regular review of organizational and governance effectiveness. While the actual discussions will occur In Camera as much of the discussion will involve review of staff performance, the actual guidelines are presented here for endorsement by Council.

The Roles and Responsibilities Guideline is meant to provide clarification to both elected officials and staff on the distinction between the political and administrative roles.

The Decision Making Guidelines contain new formats for staff reports depending on whether there is a request for a decision or a request for direction. There was general discussion in regard to how these decision making tools may enhance the decision making process. In addition to the discussion regarding change in format of staff reports, the Committee of the Whole format and purpose were discussed. Council members wanted to maximize the informal aspects of the Committee of the Whole meeting. It was suggested that items to be referred to the COTW agenda should be related to getting better informed, setting direction for emerging items and developing, reviewing or updating strategic priorities.

The Priority Setting Guidelines are meant to assist Council with strategic planning and setting priorities. The guidelines are meant to assist with understanding and recognizing capacity when dealing with multiple priorities and goals. These guidelines should be useful in future priority setting and strategic planning sessions.

ALTERNATIVES:

- 1) That Council adopt the Organizational Success Discussion Guidelines, Roles and Responsibilities Guidelines, Decision Making Guidelines and Priority Setting Guidelines as attached to ADM-12-042.
- 2) That Council direct staff to prepare a report with recommendations on initiating the use of the Request for Decision and Direction Request formats and revision of the Committee of the Whole format including all necessary changes required to existing policies, procedures and bylaws and that the report be brought back to the regular Council meeting scheduled for August 20, 2012.
- 3) That Council direct staff to initiate the use of a Follow Up Action List and that the list be available for Council review.
- 4) That Council not adopt the documents as attached to ADM-12-042.
- 5) That Council not initiate the use of Request for Decision and Direction Request formats and not consider revising the format of the Committee of the Whole format.
- 6) That Council not direct staff to initiate the use of a Follow Up Action List and that the list be available for Council review.



Laurie Hurst, CAO



Organizational Success Discussion GUIDELINES

PURPOSE

These guidelines focus on enabling the Chief Administrative officer (CAO) and Council to regularly review organizational and governance effectiveness. This assessment process is guided by positive success indicators. This eliminates the tendency to avoid focus on past events. Success indicators, effectiveness factors, questions and procedures to guide organizational discussions are based on four core functions of a local government.

1. **Strategic Direction** – the overall roadmap that guides organizational activities
2. **Policy Choices** – decisions that allocate resources and organizational effort
3. **Service Delivery** – provision of programs and services to the public
4. **System Coordination** – requirements for organizational effectiveness and efficiency

CORE GOVERNMENT FUNCTIONS

POLITICAL

STRATEGIC	<p>Strategic DIRECTION Vision for Future Organizational Mission Shared Values Long Term Goals Specific Objectives</p> <p>The PUBLIC</p>	<p>Policy CHOICES Legislative Compliance Budget Allocations Policy Decisions Contract Commitments Short Term Priorities</p>	POLICY
MANAGERIAL	<p>Systems COORDINATION Personnel Practices Information Systems Financial Accountability Resource Deployment</p>	<p>Service DELIVERY Action Plans Production Systems Resource Schedules Delivery Strategies</p> <p>The CLIENT</p>	TECHNICAL

ADMINISTRATIVE

© 2010 LGL INSTITUTE

For information on strategic facilitation, governance development and leadership training services contact:
 Gordon McIntosh PhD, CLGM 250-655-7455 or 250-881-0261 gmcintosh@lglinstitute.com

1

SUCCESS INDICATORS

Key success indicators are intended to describe the ideal state of:

- **Governance** – political aspects that involve elected officials
- **The Organization** – the administrative realm involving management and staff

Success indicators provide a framework to identify 'what is working well'. This type of positive discussion encourages celebration of effort and results. It is also a reminder of the strengths and assets that the organization should reinforce and retain.

Success indicators also help to identify 'areas for attention'. Critical analysis can identify concerns and gaps identifying where the organization is falling short of its desired benchmarks. It is important that an issue be discussed to clarify perspectives and facts before moving forward.

Key questions to guide organizational and governance discussions include:

Strategic Direction

- Do we have a clear strategic direction?
- Is the direction consistently pursued by council and administration?
- How do we measure and celebrate progress and results?

Policy Choices

- Does the decision-making process work well?
- How do we ensure good information to make decisions?
- Do we make good policy and ensure it is implemented?

Service Delivery

- Are service expectations realistic given our organizational capacity?
- Are people satisfied with the quality of services that we provide?
- Do we provide services in the most efficient manner?

Systems Coordination

- Do we have a positive and productive work environment?
- What ways do we ensure a high degree of performance and fiscal accountability?
- How do we maximize internal and external communication efforts?

© 2010 LGL INSTITUTE



For information on strategic facilitation, governance development and leadership training services contact:
Gordon McIntosh PhD, CLGM 250-655-7455 or 250-881-0261 gmcintosh@lglinstitute.com

2 EFFECTIVENESS FACTORS

Achieving success is influenced by *internal factors* that relate to the competence and behaviours of people involved in the organization as well as its systems and processes. The internal human and technical elements must be aligned to achieve internal stability.

External influences also affect success. Societal and community trends along with public and stakeholder demands place pressures on the organization. To be effective, the organization must align its directions with the strategic imperatives of its environment.

EXTERNAL ALIGNMENT

	ENVIRONMENTAL Conditions Societal Trends Best Practices Other Agencies	SYSTEM Components Reliable Systems Clear Processes Adequate Resources	
EXTERNAL INFLUENCES	COMMUNITY Needs Public Expectations Stakeholder Demands Available Resources	HUMAN Elements Required Competencies Appropriate Behaviours Focused Effort	INTERNAL FACTORS

LOCAL ALIGNMENT

EXPLORATIVE QUESTIONS

Use these questions to explore the impact of the 'effectiveness factors' on organization or governance success:

Environmental Conditions

- What are the significant external influences that impact our organization?
- How is our success impacted by other agencies?
- Are there some 'best practices' that would enhance our success?

Community Needs

- What are the prevailing public expectations of the organization?
- How do we sort out wants from needs among stakeholders?
- What resources are available in the community that can be mobilized?

System Components

- Do our systems and processes help us to achieve success?
- Are the various sub-systems linked and integrated?
- Can we improve the allocation and use of available resources?

Human Elements

- Are there behaviours that detract from our ability to achieve success?
- Do we have the skills required to respond to issues and opportunities?
- Can we improve employee, council or service performance?

© 2010 LGL INSTITUTE

For information on strategic facilitation, governance development and leadership training services contact:
 Gordon McIntosh PhD, CLGM 250-655-7455 or 250-881-0261 gmcintosh@lglinstitute.com

3

GOVERNANCE SUCCESS DISCUSSION

Ideally, *Success Indicators* are adopted **by Council** following each election. Should there be a change in council membership or CAO, council may wish to review and update its success indicators.

The *Organizational Success Discussion* should be done in a closed session meeting as it involves the performance of staff requiring and their privacy should be protected. The Chief Elected Official (CEO) chairs the discussion upon consent of Council to enter into 'closed session' (also known as in-camera) in accordance with enabling legislation. The CEO is expected to refer any discussion that is not appropriate for closed session to a regular meeting of council.

The *Organizational Success Discussion* should be regularly scheduled and include the CAO who will follow up on matters raised.

The discussions should reflect a two-way dialogue about how administration is impacting the governance functions of the political realm and likewise, how political activities affect staff activities in the administrative realm.

The CAO can also use the *Success Indicators* **with staff** to assess how the organization is doing and to improve organizational effectiveness.

The *Success Indicators* can be incorporated into staff performance plans to entrench expectations for organization performance at all levels of the organization.

© 2010 LGL INSTITUTE

ORGANIZATIONAL (CAO) SUCCESS INDICATORS

1. Adherence to defined political and administrative **roles and responsibilities**.
2. Efforts to develop and achieve **strategic directions**.
3. Ability to develop a smooth transition of **plans into action**.
4. Attention to monitor and recognize **organizational and staff performance**.
5. Facilitation of a positive and productive **organizational environment**.
6. Accountability for the efficient use of **organizational resources**.
7. Ensure complete information and discussion to arrive at **good decisions**.
8. Consistency of attention to **internal and external communication**.
9. Respect for **diverse opinions**.
10. State of organizational stability while addressing **changing conditions and issues**.
11. Evaluation of the satisfaction levels and efficiency of **service delivery**.
12. Maintenance of external **relations and partnerships**.
13. Honour the principles of **transparent processes and serving the public interest**.

© 2010 LGL INSTITUTE

For information on strategic facilitation, governance development and leadership training services contact:
Gordon McIntosh PhD, CLGM 250-655-7455 or 250-881-0261 gmcintosh@lglinstitute.com



Roles & Responsibilities

GUIDELINES

PURPOSE

To clarify the responsibilities of elected officials and staff members and to understand success factors and tools that guide organizational and individual actions reinforcing the distinction between political and administrative roles

1 ROLES

The **key positions** for the purposes of these guidelines include:

- Council – elected decision-making body
- Chief Elected Official – elected official presiding over council meetings
- Chief Administrative Officer – principal staff member responsible for operations
- Staff – responsible for implement policies and programs

The fundamental roles of elected officials and administration involve:

<p>COUNCIL Give direction Make policy decisions Represent the public interest</p>	<p>ADMINISTRATION Implement directions Develop decision making advice Provide technical knowledge</p>
<p>CHIEF ELECTED OFFICIAL Coordinate Council activities Represent the organization Facilitate Council/staff interface</p>	<p>CHIEF ADMINISTRATIVE OFFICER Coordinate organization systems Manage organizational resources Facilitate Council/staff interface</p>

2 REALMS

The **political or governance** realm for Council and the CEO primarily involves:

- Strategic Direction – to provide the overall direction of the organization through mission, vision, goals and priority statements
- Policy Choices – to make decisions that guide organizational activities in terms of the budget, legislation and organizational rules

The **administrative or operational** realm for the CAO and staff primarily involves:

- Service Delivery Implementation – to allocate resources, schedule and deliver internal and external services
- System Coordination to establish and maintain processes required for organizational effectiveness and efficiency

POLITICAL		
STRATEGIC	<p>DIRECTION Goals & Priorities Vision & Values</p> <p>The PUBLIC</p>	DECISIONS
STAFF	<p>COORDINATION Systems Processes</p> <p>The CLIENT</p>	IMPLEMENTATION
ADMINISTRATIVE		

3 RESPONSIBILITIES

To present specific responsibilities for Council, the CEO, the CAO and staff and tools to strengthen compliance and maximize organizational effectiveness

To discuss Success Indicators as a means of regularly assessing organizational and individual efforts maximizing role clarity and organizational effectiveness

Key functions associated with both the political and administrative roles include:

- Making informed decisions
- Making and implementing policy
- Liaising with other organizations
- Allocating resources
- Setting a direction
- Effectively utilizing staff
- Ensuring good systems
- Dealing with media
- Establishing the council structure

4

MAKING INFORMED DECISIONS

To make informed choices in the public interest using all available information

Council

- All items are to be submitted via the CEO and CAO or designate
- Consider organizational goals, public interest and available resources, existing legislation, current policies and jurisdiction when making decisions
- Provide effective referrals to staff by clarifying the problem, desired outcomes, scope of required analysis and a response timeframe
- Provide effective resolutions – clear direction with clear expectations
- Ensure all information is available to make an informed decision
- A councillor is expected to review material provided and ask questions of administration both before and during the meeting

Chief Elected Official

- Facilitate decision-making processes to seek informed agreement by ensuring good debate and adequate information is available
- Ensure member regard for organizational values and appropriate behaviour
- Monitor meeting effectiveness and encourage member input

Chief Administrative Officer

- Coordinate the agenda preparation process
- Provide recommendations on all council items
- Review agenda with the CEO

Staff

- Proactive in providing a full range of information and implications
- Ensure compliance with statutory requirements
- All staff items submitted through the CAO
- Provide a comprehensive review of related information

Tools

- Follow-up Action List – to ensure decisions are actioned and implemented
- Request For Decision – consistent format for reports and recommendations from staff and committees to Council
- Agenda Preparation Schedule – timelines for submission and distribution of the agenda package
- CAO/Staff Meetings – to review advice with staff before the meeting and to discuss the implementation of decisions after the meeting
- Standard Agenda Format – an established order to conduct business
- Annual Meeting Calendar – for all council related meeting

Success Indicators

- Timely preparation of agenda information for review by members
- Repeated or reversal of decisions avoided
- Follow-up to meeting decisions is ensured
- Focused discussion on issues rather than on personalities
- Balanced meeting agendas and schedule
- Implications for all decisions are known
- Fair and equitable opportunities for everyone to be heard
- Prioritized agenda items to focus the flow of the meeting

5

MAKING & IMPLEMENTING POLICY

To establish legislation that is fair and consistent

Council

- Thoroughly investigate issues before making decisions
- Seek staff advice prior to making policy decisions
- Portray an open mind on matters and listen to all views
- Reflect the public interest while respecting specific interest group requests

Chief Elected Official

- Ensure staff advice is available and presented
- Ensure clear direction for preparing policy from council to staff

Chief Administrative Officer

- Ensure adherence to existing policy and legislation
- Ensure all options are presented along with recommendations
- Ensure staff compliance to policy
- Monitor and advise Council of liability exposure on policy matters

Staff

- Review legislation, policies and precedents when providing policy advice
- Maintain an efficient policy retrieval process

Tools

- Resolution Index – catalogue of Council decisions for easy reference
- Operations handbook – easy reference to existing approved operational or day-to-day practices and guidelines
- Council Strategy Sessions – in depth sessions on specific areas to learn more about the subject material before significant debate

Success Indicators

- Delegation of routine matters to administration by way of policy
- Consistent policy approach to similar issues
- Limited revisiting of policy decisions
- Easy retrieval of policies in a standardized format
- Lack of conflict between policy and legislative initiatives

6

LIAISING WITH OTHER ORGANIZATIONS

To maintain contact with other organizations to effectively share resources and information

Council

- Promote cooperative relations with other agencies – government, not for profit and private sector
- Approve agreements with other agencies that involve sharing the authority and resources of the organization
- A councillor may be requested to act as a Council liaison with another agency at the request of the CEO or Council (see Councillor Portfolio below)

Chief Elected Official

- Provide timely reports on agency liaison activities
- Represent Council based on existing policies, budget and strategic plan
- Obtain Council direction on significant issues not covered by existing policies, budget or strategic plan before representing Council's position
- Act as primary spokesperson for Council with other agencies
- Keep Council informed on meeting with other organizations

Councillor Portfolio

- Provide timely reports on agency liaison activities
- Represent the interests of Council based on existing policies, budget and the strategic plan
- Obtain Council direction on significant issues not covered by existing policies, budget and the strategic plan before representing Council's position
- Liaise with the CAO or assigned staff person on portfolio matters

Chief Administrative Officer

- Coordinate an ongoing and targeted agency liaison program
- Act as primary liaison with senior staff of other organization

7

ALLOCATING RESOURCES

Staff

- Interact with staff of other agencies as delegated by the CAO

Tools

- Agency Liaison Chart – to manage and monitor agency liaison
- Liaison Update on Agenda – to regularly report on agency activities
- Councillor Portfolio List – to regularly report on portfolio matters
- Update Report Form – outline for providing information on agency liaison or matters arising between or at meetings of Council

Success Indicators

- Up to date information on other agencies
- Timely reporting on relevant initiatives and issues
- Staff or elected official represent the organization – not their own views
- Maintain high potential for cooperation with other organization
- Improved external organization perspective by council and the organization
- Respected as a partner or stakeholder in interagency relationships

To effectively allocate resources in an efficient and accountable manner

Council

- Establish a budget and to allocate resources that are commensurate with expectations of the organization's work program
- Ensure a linkage between the budget process and the strategic plan

Chief Elected Official

- Ensure discussion takes place regarding human and fiscal resource implications prior to a Council decision
- Refer emergency expenditures to Council by way of a special meeting or consent by telephone poll (for approval at next meeting) in consultation with the CAO

Chief Administrative Officer

- Advise Council on the implications of all recommendations to Council
- Control financial resources as per Council direction

Staff

- Provide complete assessment of implications for recommendations

Tools

- Service Levels – criteria to ensure resources are consistent with service delivery expectations
- Budget Process Guidelines – steps and milestones for establishing annual operating and capital budgets
- Long Term Fiscal Plan – long term requirements of the organization
- Financial Authority Policy – designating limits of spending authorities

Success Indicators

- Efficient budget timeline
- Adequate information to make choices among competing demands
- Clear budget linkage to priorities and work programs
- Balanced year end budget

8

SETTING DIRECTION

To articulate a community vision and establish a strategic organizational direction

Council

- Consider the organization's capacity and public interest to develop short term priorities and longer term directions
- Continually review the implementation of priorities and directions

Chief Elected Official

- Ensure a process is in place to establish and monitor strategic directions
- Ensure Committee/Administration issues are brought forward to Council
- Manage Council priorities through discussion of an item's urgency, public sensitivity, legislative imperative, monetary and liability consequence

Chief Administrative Officer

- Keep Council and stakeholders informed on progress, recommend changes and new initiatives for the strategic plan and work programs on a regular basis
- Coordinate an ongoing process to monitor organizational priorities

Staff

- Advise Council of the relevance of their decisions to the strategic plan

Tools

- Core Services List – differentiates between core and discretionary services
- Strategic Plan – mission, vision, longer term directions and values
- Council Priorities Work program – to monitor the implementation of significant matters that are of a governance or political nature
- Operational Strategies Work program – to monitor significant administrative matters
- Strategic Sessions – scheduled regularly for the discussion of major issues

Success Indicators

- Linkage to annual budget process
- Opportunities for public involvement
- Determine needs versus wants
- Determine 'what business are we in?'

9

EFFECTIVELY UTILIZING STAFF

To ensure a healthy and productive work environment

Council

- Directs information requests to the CAO on the basis that it will not impact staff work programs and that the information provided will be made available to all councillors
- A councillor information request that does not impact staff time can be referred to the CAO and/or Council by the councillor
- The CEO, member of Council or committee chairperson is not permitted to direct a staff member at any time
- Concerns regarding a staff member are directed to the CAO
- Concerns regarding the CAO are referred to the CEO and/or Council

Chief Elected Official

- Receives concerns regarding staff performance and refers them to the CAO
- Facilitates Council discussion with the CAO on unresolved personnel matters

Chief Administrative Officer

- Coordinates the ongoing review of the organization's effectiveness
- Coordinates the ongoing appraisal of staff performance

Staff

- Regularly reports on operational activities
- Provides regular updates on Council priorities and operational strategies

Tools

- Success Indicators – clear criteria to assess the organization's effectiveness
- Operational Strategies Work Program – operational items for Council review
- Council Priorities Work Program – clarifies political items for administrative attention
- Staff Reports – regular update on significant operational activities

Success Indicators

- Periodic overall or targeted system reviews
- Systems serve organizational needs and priorities
- Organization-wide awareness of systems and how they work
- Staff understanding of Council priorities and expectations

10 ENSURING GOOD SYSTEMS

To ensure consistent and transparent organization processes and systems

Council

- Regularly review organizational efficiency and effectiveness

Chief Elected Official

- Receive organizational performance concerns from councillors and refer them to the CAO
- Facilitate Council's discussion with the CAO on unresolved organizational matters

Chief Administrative Officer

- Coordinate the ongoing review of the organization's effectiveness with Council and staff

Staff

- Regularly report on operational activities

Tools

- Success Indicators – clear criteria to assess the organization's effectiveness
- CAO Sessions – regular sessions for Council and the CAO to discuss what is working well and what could be improved

Success Indicators

- Periodic overall and targeted system reviews
- Systems serve organizational needs and priorities
- Organization wide awareness of systems and how they work
- Regular CAO/Council discussion on organizational performance
- Regular CAO/staff discussion on organizational performance

11 DEALING WITH MEDIA

To effectively communicate Council decisions, strategic directions and organizational accomplishments

Council

- Communicate Council decisions and if deemed appropriate, to express personal concerns discussed during public debate

Chief Elected Official

- Represent the views of Council to the media
- Review media releases based on Council's decision or the consent of a majority of councillors as prepared through the CAO

Chief Administrative Officer

- Provide administrative details on Council decisions and refer political matters to the CEO

Staff

- Refer requests for non-routine information to the CAO
- Provide readily available public information

Tools

- Media Relations Training – how to deal with 'hot seat' situations
- Media Release – standard format and process for consistent application

Success Indicators

- Consistent message to the public
- Timely response to the media
- Ability to freely express opinions while being respectful of Council decisions

12 COMMITTEE STRUCTURE

To establish governance systems to meet the strategic and political needs of Council

Council Committees

- Make recommendations on policy matters referred by Council
- Make recommendations concerning strategic issues referred by Council
- Suggest topics for Council consideration

Councillor Portfolios

- Present 'requests for decisions' to Council
- Liaise with external interests at the request of Council or CEO
- Liaise with community stakeholders at the request of Council or CEO
- To be well informed on activities and issues within the assigned portfolio
- Suggest topics for the consideration Council

Committee Chairperson

- Chair the committee meeting
- Review agenda with staff liaison
- Present committee recommendations to Council
- To be well informed on activities and issues within the assigned area

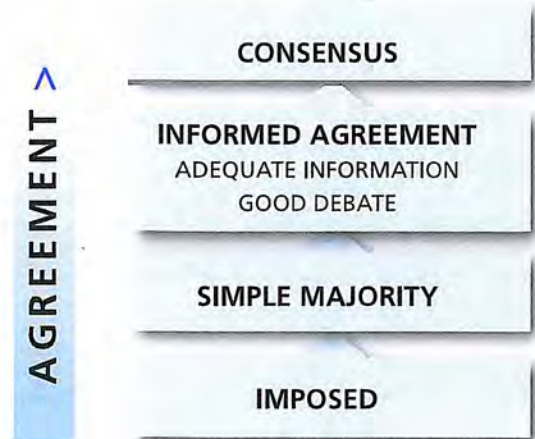


Decision-Making GUIDELINES

PURPOSE

These guidelines are premised on an 'informed agreement' decision making model (see below). This approach acknowledges the time it takes to build consensus or 'unanimous agreement' while rejecting the potential conflicting nature of a 'simple majority'. It provides a transparent process to achieve 'informed agreement' in that everyone can support implementation of the decision even if they didn't vote for it because there was:

- **Adequate information** available for decision makers
- **Good debate** to ensure views are heard and examined



These guidelines include the following:

INFORMATION	TOOLS
1. The decision-making process	1. Decision-making Flow Chart
2. Decision-making information	2. Follow-up Action List (FUAL)
3. Business meetings of the Board	3. Request for Decision (RFD)
4. Criteria for strategic decision-making	4. Council Direction Request (CDR)

1

THE DECISION-MAKING PROCESS

To clarify the steps of the decision-making process (see attachment 1) – the submission, initial referrals, resolution and follow-up

The Submission

All agenda items should have sufficient information, staff advice and clarity for Council to debate the matter and make a decision – yes, no or refer/defer. It is the right of any councillor to request that more information be available before a decision is made. It is the responsibility of Council to determine if there is adequate information to achieve **informed agreement**; and if not, to **refer** the item for further information.

Regular agenda items are usually brought forward from a previous meeting or they are standing items that reoccur frequently. These items should have a verbal or written staff report as required with adequate information to make a decision. If there is insufficient information the item should be referred to staff for further analysis.

New business items that arise between meetings should be brought to Council through the following process:

All new agenda items must be submitted through the Chief Administrative Officer (CAO) or designate. Items submitted to the Chief Elected Official (CEO - Mayor) will be forwarded to the CAO.

If an item is submitted by a council member, the item goes on the agenda. The CEO and CAO may review the draft agenda with the elected official submitting the item to maximize the success of the item. It is Council that will determine whether the item is to remain on the agenda for discussion.

All staff submissions are subject to the discretion of the CAO.

Matters arising at the meeting may be introduced by the CAO or council member for inclusion on the agenda at the discretion of Council.

New items and matters arising should be introduced and then **referred** for further analysis if there is any question as to whether the item requires more information.

Responsibilities for agenda items are:

- Council – approval of all agenda items
- CEO – review agenda with CAO and advise councillors on their submissions
- CAO – review draft agenda with CEO and consult with staff

Initial Referrals

The four decision choices for Council on **agenda items** are:

- Accept as information – no decision is required
- Make a decision – yes or no (see 'the resolution')
- Refer the item – more information is required to achieve an informed agreement
- Defer the item – more time is required to ensure a good debate

Referrals to staff occur when more information is required regarding legislative, financial and staff workload implications.

- The referral resolution should state what further information is required
- All staff referrals must go through the CAO

Referrals to a Committee occurs when more information is required regarding policy, public interest and strategic direction implications.

- The referral resolution should state what further information is required
- The CAO assigns staff to prepare the necessary information for the committee
- All committee responses must be reviewed for comment by the CAO

A **Deferral** or tabling motions are used when discussion is moving away from the topic and becoming personal or when there is some distraction preventing 'good debate'.

Responsibilities for referrals and deferrals are:

- Council – state expectations within the resolution
- CEO – ensure clear directions and responsibilities
- CAO – seek clarity regarding expectations at the time of the resolution

The Resolution

All **Council direction** to staff should be given by way of resolution or 'by consent' and noted in the meeting minutes. This ensures clarity as to the intent of the Council, documentation of the direction, and accountability on the part of staff for follow-up.

The key elements of an effective resolution (or notation for minor items) include:

- Why – the key results or outcomes that Council is looking for
- Who – who will take the lead responsibility for actioning the resolution
- When – targets for involvement of Council in the future
- What – the preferred response option to achieve the desired outcome

Responsibilities for resolution clarity are:

- Council – wording for self-initiated resolutions prior to or during the meeting
- CEO – facilitate clarity, closure or deferral of resolutions during the meeting
- CAO – advise Council on resolutions

Follow-up

All **Council directions** can be itemized on a Follow-up Action List (see tool #2) to ensure clear expectations regarding action, monitoring progress, achieving results, and seeing the volume of Council directives. Monitoring the requests of Council is useful to:

- Think about the impact on strategic priorities *and* day-to-day activities
- Avoid expectations Council may have of staff that encroach on their personal time
- Give Council confidence that its directions are being acted upon
- Celebrate achievement and results

The **key features** of a Follow-up Action List (FUAL) include:

- A cumulative list of action items from all meetings (identify source, meeting, date)
- Indicates *What, Who* and *When* for each item
- Each action item should have no more than five words
- FUAL items should be the result of Council consent or resolution
- Items can be ordered by the date of origin, person responsible or target date

The **management** of the Follow-up Action List (FUAL) requires:

- The development of the list and dates by the CAO with staff
- The distribution of the list to staff and Council within three days of the meeting
- Updating of FUAL at each regular council meeting
- Delete items or change targets only with Council's agreement
- Review of the list on a quarterly basis to assess the continued relevance of items
- Review the list when the CAO thinks it is beyond staff's capacity

Responsibilities for the FUAL are:

- Council – review and disposition of FUAL items
- CEO – facilitate review at each business meeting or strategy session
- CAO – preparation and updating with staff

2 DECISION-MAKING INFORMATION

To clarify and provide the appropriate information required for decision makers to debate and decide on an item

Request for Decision

The Request for Decision (see tool #3 RFD) is intended to serve as an **executive summary** of the key information required for decision makers. It is a useful format to:

- Ensure Council is clear and in agreement on what 'adequate information' means
- Establish what is required of staff in preparing staff reports
- Provide a one page summary so there is a quick reference for decision makers
- Ensure that CAO has oversight over all items going to Council

The key aspects of **the issue** include:

- The key problem – how has the issue been defined?
- The desired outcome – if the issue was resolved, what would the result(s) be?
- The preferred option – the best alternative to achieve the desired outcome
- Action Plan – key steps to implement the preferred option

The key implications for **the recommendation** should include:

- Background information – reports and data
- Financial implications – current or future budget
- Organizational implications – Council and staff time
- Strategic implications – consistency with strategic directions and priorities
- Policy implications – legislation, previous resolutions or policies

Responsibilities for the direction request are:

- Council – approval of standard format
- CEO – facilitate reference to the RFD
- CAO – acquire complete information from staff

3 MEETINGS

To describe the key types of meetings of Council

The Business Meeting

The Business Meeting (including closed session or in-camera) is guided by a meeting procedures bylaw. Its primary purpose is to make a decision.

The Strategy Session

The intent of the Strategy Session is to provide a venue for more **informal discussion** of matters that are **not decision items**. Its primary purpose to develop a strategic direction so that:

- Council reaches agreement on its expectations for a strategic topic
- Staff are clear on council expectations to guide its work in advising Council

The Strategy Session should be a regularly scheduled event with the expectation that all members of Council will be present. It may also be referred to as (and is) the Committee of the Whole meeting.

The intent of agenda items for the Strategy Session agenda includes:

- To enhance understanding of an issue by meeting with relevant stakeholders
- To clarify expectations and improve the Council/staff working relationship
- To explore options to deal with an issue and provide direction to staff
- To undertake training to improve organization and individual effectiveness
- To review and update the strategic plan and priority work programs

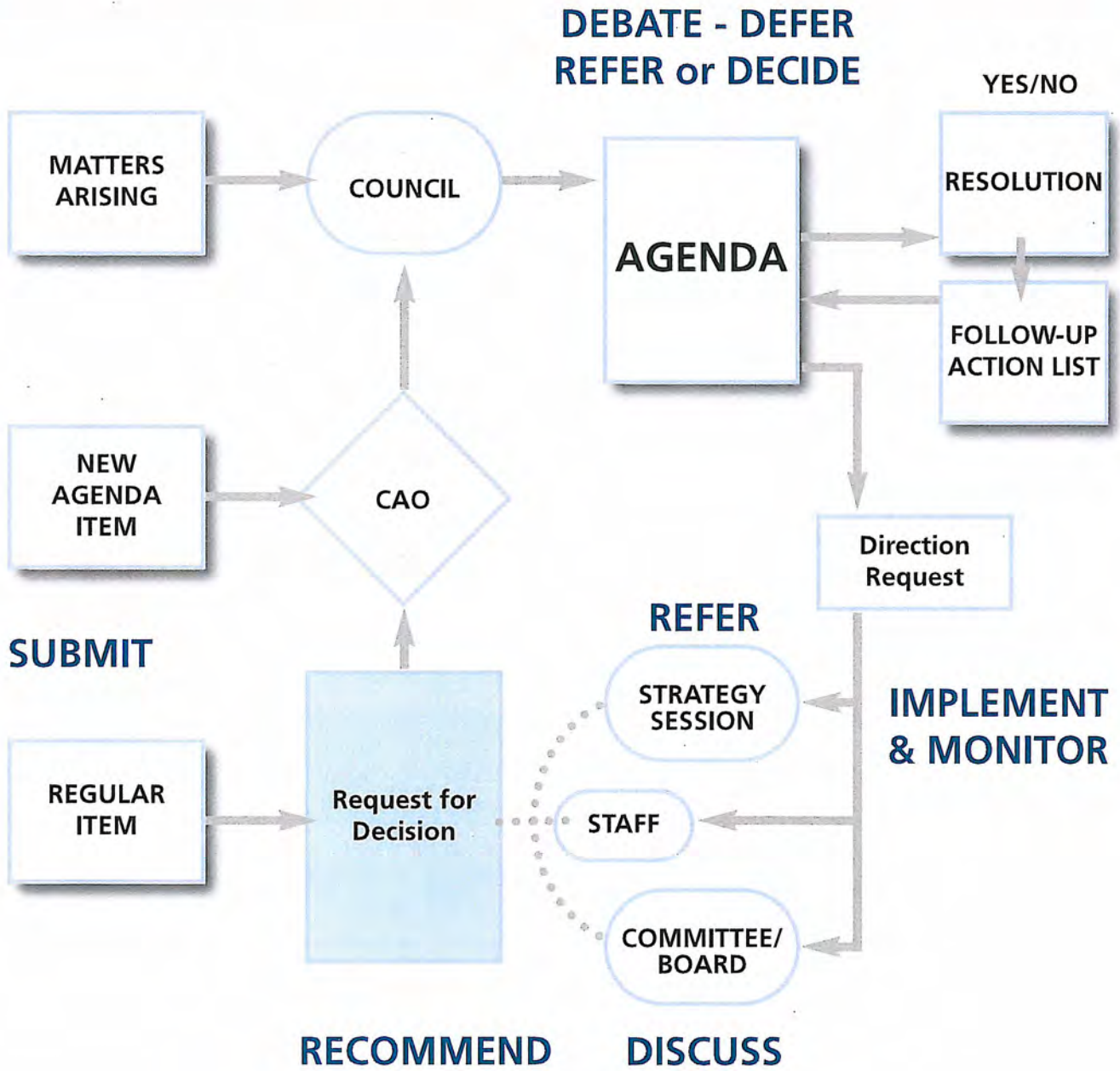
The Council Direction Request (CDR) form can be used help Council communicate:

- The key problem – how has the issue been defined?
- The desired outcome – if the issue was resolved, what would the result(s) be?
- The possible preferred options to be pursued

Responsibilities for Strategy Sessions are:

- Council – target dates and outcomes for strategic direction discussions
- CEO – facilitate expectations regarding target dates
- CAO – prepare necessary information and maintain schedule

DECISION MAKING FLOW CHART



REQUEST FOR DECISION (RFD)

SUBJECT: *Decision-making topic title*

RECOMMENDATION: *Clear decision-making resolution answering What?, Who?, How?, When?.*

CAO COMMENTS: *Any additional comments regarding the reason for the recommendation*

RECOMMENDATION

Report/Document: Attached Available Nil

KEY ISSUE(S)/CONCEPTS DEFINED: *Define the topic, reference background material and state question to be answered*

RELEVANT POLICY: *Cite existing policies, practices and/or legislation*

STRATEGIC RELEVANCE: *To Goals or priorities of current work program*

DESIRED OUTCOME(S): *Main Result along with - highlighted requisites and benefits*

RESPONSE OPTIONS: *Possible ways to achieve the main result with analysis highlights*

1. _____
2. _____
3. _____

PREFERRED STRATEGY: *Rationale for selected option – including pros and cons*

IMPLICATIONS OF RECOMMENDATION:

GENERAL: *Consequences to community, overall organization and/or other agencies*

ORGANIZATIONAL: *Policy change or staff work load requirements*

FINANCIAL: *Current and/or Future Budget impact*

FOLLOW UP ACTION: *Timelines, decision-making milestones and key products*

COMMUNICATION: *Strategy to inform, consult or involve stakeholders*

OTHER COMMENTS: *By others reviewing this RFD*

Submitted by: Writer _____ Endorsed by: Other _____

Reviewed by: CAO _____ Reviewers _____

COUNCIL DIRECTION REQUEST (CDR)

SUBJECT: *Discussion Topic title*

SUGGESTED FOLLOW-UP ACTION: *Next steps to develop the topic further discussion or decision?*

CAO COMMENTS: *Any additional comments regarding the suggestion.*

BACKGROUND:

Report/Document: Attached Available Nil

1. DEFINE THE TOPIC

KEY INFORMATION: *Key summary of existing information to understand the nature of the topic.*

RELEVANT OBSERVATIONS: *Note issues or opportunities related to the complexity of the topic*

STRATEGIC QUESTIONS: *What needs to be known before recommendations can be developed?*

ESSENTIAL QUESTION: *The key question to guide the information and recommendation activities* _____ ?

2. DETERMINE DESIRED OUTCOMES if the essential question is addressed

KEY RESULT: *The tangible outcome the organization can achieve to address the essential question.*

** _____

DESIRED BENEFITS OF KEY RESULT: *What positive conclusions are expected?*

REQUISITES: *What must happen before the key result can be achieved?*

UNINTENDED OUTCOMES: *Are there possible undesirable effects that could occur?*

3. EXPLORE RESPONSE OPTIONS to achieve the key result (Pros & Cons)

1. _____

2. _____

3. _____

Submitted by: Writer _____ **Reviewed by:** CAO _____



Priority Setting

GUIDELINES

This guideline focuses on enabling Council, the CAO and management to regularly set, monitor and adjust short-term strategic priorities. A priority is a definitive action-oriented project or task that has a start and end date versus a broader, longer-term goal/objective and ongoing, day-to-day activities or function.

The importance of priority setting as part of the strategic or work program planning process is premised on the understanding that organizations have limited capacity to pursue multiple goals, objectives or projects. Their virtual 'capacity box' is not readily visible but it has limitations or boundaries determined by:

- **Policy** – procedures that define mandate and roles
- **Financial** – net fiscal resources available
- **Culture** – norms that delineate acceptable behaviours
- **Risk** – tolerance for organizational image and legal exposure
- **Work Program** – day-to-day activities and strategic projects
- **Human** – available staff and competency levels

These 'capacity box' elements are impacted by dynamic internal and external factors:

- **Funding** – available funding beyond day-to-day operations
- **Scrutiny** – level of visibility for organizational actions
- **Demands** – diverse requests from clients and the public
- **Environment** – external conditions that impact the organization
- **Support** – legitimacy and trust among stakeholders
- **Atmosphere** – degree of internal stress and cooperation

The process of priority setting involves evaluating the merits of multiple priority candidates given an accurate assessment of the organization's 'capacity box' to handle only a few. Each priority candidate is considered strategically important, but some require more urgent attention than other choices, given a limited capacity. Priority setting involves three steps:

1. **Conduct Reality Check** – How achievable is it to determine required resources for success and its feasibility as a priority candidate?
2. **Determine Urgency** – What makes this candidate require more immediate attention than others for action in the short-term?
3. **Decide Whose Priority** – Who needs to deal with this priority candidate to ensure role clarity and workload capacity?

This guideline is primarily designed for use by Council and management. Each step is described in terms of purpose, process and an example of the product. Hints are also provided for sustaining attention to an overall priority setting system.

1

CONDUCT A REALITY CHECK - Determine Suitability

PURPOSE

To determine requirements for a priority candidate to be implemented and its suitability for consideration as a viable priority candidate in the priority setting process.

PROCESS

1. Review the 'Reality Checklist' (Attachment 1) to add, delete and modify criteria to assess the likelihood of successful implementation. Select 10 'Reality Check' criteria.
2. Discuss and establish key words to distinguish a low, medium and high score (1, 2 and 3) rating for each Reality Check criteria.
3. List candidates in the left hand column of a *Priority Setting Worksheet* (Attachment 2).

4. Assess each candidate using all criteria and scores of 1, 2 or 3 (no decimals such as 1.5) and place the total score in the right hand column.
5. If an item does not score very high, there are three choices to be made:
 - a. Do not consider it further as is not feasible at this time
 - b. Change its action plan to address deficiencies (improve its score)
 - c. Continue to consider the item knowing its implementation constraints
6. Proceed to the next priority-setting step with viable priority candidates.

PRODUCT

*In this illustration, the local government would likely choose not to advance the **Young Offenders Act Change** at this time.*

PRIORITY SETTING CHART - Reality Check

CANDIDATE	1	2	3	4	5	6	7	8	9	10	Total	Notes
1. Economic Development Strategy	2	2	2	2	2	2	3	1	1	3	20	Medium
2. Land Use Plan Review	3	3	3	3	2	2	3	3	3	3	28	High
3. Water System Upgrade	2	1	3	1	2	2	2	2	2	1	18	Medium
4. <i>Young Offenders Act Change</i>	2	1	2	1	1	1	2	1	1	1	13	Low
5. Multi-use facility	2	2	1	1	2	1	2	1	2	2	16	Medium
6. Staff Succession Plan	3	3	3	3	3	3	3	3	3	3	30	High

HINTS

- Remember, you are not selecting priorities but determining eligibility.
- Low is 10 to 16, medium 17 to 23 and high 24 to 30 (using 10 criteria).
- Ensure that everyone agrees with the criteria and measures at the start
- You require detailed action plans to conduct an accurate assessment otherwise ratings will be based on perception not facts.
- The priority criteria presented uses numbers as means to differentiate among candidates.

Some criteria scores can be weighted if they are more important.

- The scoring process is an attempt to use rational and objective thinking to determine priorities. Remember, scores are a means, not an end and should be used to generate discussion and agreement on choices.
- In the initial stage of establishing a priority setting process, use numerous candidates, including exiting priorities so the exercise captures the depth of all issues facing the organization.

2

DETERMINE URGENCY - Short Term?

PURPOSE

To determine which candidates require immediate attention based on the notion that urgent or reactive imperatives must be dealt with before an organization can work on more important or proactive items.

PROCESS

1. Review the 'Urgency Criteria List' (Attachment 3) to add, delete and modify criteria to assess which items require immediate attention. Select 10 'Urgency' criteria.

2. Discuss and establish key words to distinguish a low, medium and high score (1, 2 and 3) rating for each 'Urgency' criteria.

3. List candidates in the left hand column of a *Priority Setting Worksheet* (Attachment 2).

Assess each candidate using all criteria and scores of 1, 2 or 3 and place the total score in the right hand column.

4. Review each item's score total - urgent (24 to 30), very important (17 to 23) and important (10 to 16) and discuss to confirm its 'Reality Check' status.

5. Determine which three of the urgent priorities should be worked on 'NOW'. If there are more than three then some will go to the 'NEXT' status. If there are less than three, select additional items from the 'very important' candidates.

6. Proceed to step 3 with items classified as:

- **Now** – to be worked on immediately or in the short term
- **Next** – to be considered when some of the 'now' items are removed
- **Later** – to be addressed in the longer term

PRODUCT

In this illustration, the local government would focus on 2 'now' items' that scored high on the urgency criteria and if its capacity permitted, it could move 'next' items into the 'now' box.

STRATEGIC PRIORITY CHART - Urgency

NOW

1. Economic Development Strategy
2. Water System Upgrade
- 3.

NEXT

1. Staff Succession Plan
2. Land Use Bylaw Review
- 3.

LATER

1. Multi-use Facility
- 2.
- 3.

HINTS

- Items scored 21 to 25 are border line items in that they can be either urgent or important based on group discussion and agreement.
- The ideal condition is to have no or few 'urgent' or reactive items so the organization can work on 'important' or proactive matters.

3 DECIDE WHOSE PRIORITY - Council?

PURPOSE

To assign responsibility for the priority according to its requirements and appropriate authority for implementation

PROCESS

1. Review the 'Whose' Criteria List (Attachment 4) to add, delete and modify criteria to assess who should implement the priority. Select 10 'Whose' criteria.
2. Discuss and establish key words to distinguish a low, medium and high score (1, 2 and 3) rating for each 'Whose' criteria.

3. List candidates in the left hand column of a Priority Setting Worksheet.

Assess each candidate using all criteria with scores of 1, 2 or 3 and place the total score in the right hand column.

4. Discuss each item based on the total score to determine its status as Strategic (24 to 30) or Operational (10 to 16) with items scored between 17 and 23 being assigned to either status based on further discussion.

5. Complete the *Strategic Priorities Chart* (attachment 5) using all the candidates to classify them as:

- **Council Priorities** that require political attention
- **Operational Strategies** can be dealt with by staff

STRATEGIC PRIORITIES CHART

NOW

COUNCIL PRIORITIES

1. **ECONOMIC DEVELOPMENT STRATEGY** (Jim)
2. **WATER SYSTEM UPGRADE: Decision** (Al)
3. **LAND USE BYLAW: Vision** (Donna)

OPERATIONAL STRATEGIES

1. Staff Succession Plan (Dave)
2. Union Contract Negotiations (Jim)
3. Fees & Charges Review (Bob)

NEXT

- MULTI-USE FACILITY – Feasibility (Joe)
- REGIONAL COOPERATION AGREEMENT (Al)
- DOWNTOWN REVITALIZATION (Donna)

- Sewer System Phase 2 (Joe)
- Sport field Renovations (Dave)
- Developer Cost Charges (Bob)

LATER

- INFRASTRUCTURE PRIORITIES (Joe)

HINTS

- This step focuses on what level in the organization must deal with the item; assessing workload comes later when the chart is completed.
- Avoid "it's everyone's responsibility"; pick a specific lead person

4 ONGOING PROCESS - Managing Priorities

PURPOSE

The essential notion of priority setting is the determination of how many items can be placed in the 'box' (see Display below). This requires an assessment of how big the box is with day-to-day operations and how urgent an item(s) is to either:

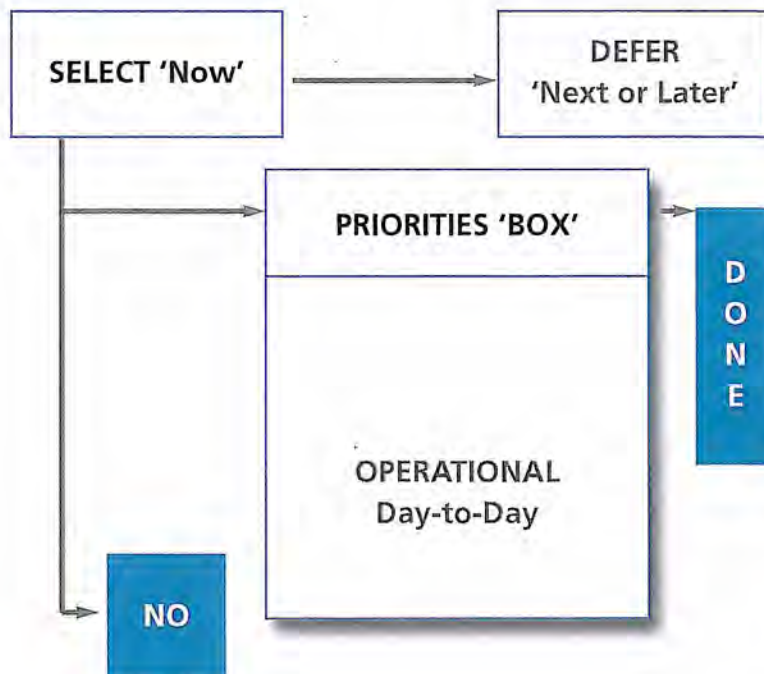
- Select the item as a 'NOW' priority for attention inside the box
- Defer attention as a 'NEXT' or 'later' item outside the box
- Say 'No' to an item as ineligible – not considered for the box

Often, strategic planning documents used infrequently can quickly become out of date. The key to effectively managing priorities is to recognize that they should change:

- **Emerging candidates**, because of changing external and internal influences, must be compared against existing priorities through a continuous 'select' function in managing the priorities box. Existing 'NOW' priorities may move to 'NEXT' status.
- **Completed 'NOW' items** are 'done' or incorporated into day-to-day operations making way for 'NEXT' items or new candidates. Don't forget to celebrate accomplishments to reinforce the utility of the priority setting system.
- **New Information** about an existing priority may make it less urgent or irrelevant thereby deferring its status to 'NEXT' or 'LATER' (or even 'No'). Likewise, internal capacity issues may impact how many priorities can be addressed.

If there is **insufficient room** in the box to deal with strategic priorities then the organization should review its operations or day-to-day activities with a view to increasing organizational efficiency and effectiveness to make some room in the 'box' for strategic priorities.

MANAGING THE PRIORITIES BOX



HINTS for the ongoing management of strategic priorities include:

- Actively use and update the one page **'Strategic Priorities Chart'** as part of every decision-making meeting. Place it as the last page of every meeting agenda. *The visibility of the 'Chart' serves as a constant reminder of the strategic priorities.*
- **'Requests for Decision'** (or staff reports) for major decisions should refer to impact of the pending decision on the Strategic Priorities. *The reference to strategic priorities causes decision-makers to consider the implications of all decisions.*
- Conduct a **'Strategic Priorities Update'** every three months with decision-makers to report on progress, celebrate results and make changes. *The Strategic Priorities Chart is a visual means to assess individual workloads. Adjustments can be made by changing day-to-day functions, obtaining additional help or deferring the priority.*
- Conduct a **'Strategic Priorities Review'** semi-annually by assessing the organization's capacity and re-evaluating strategic priorities. *A 'NOW' priority (prior to the budget process or otherwise) without assigned resources should be moved to 'NEXT' or later status.*
- The Strategic Priorities Chart can be subdivided into smaller boxes to reflect the **operational strategies** of different functions or departments of the organization. *The inclusion of departments enables staff to relate to the strategic priority process and for Council to oversee operational strategies.*
- The priority setting process is suitable as the final stage of a **strategic planning process** to "translate plans into action".
- A **new priority candidate** can be introduced at any time. It should be referred to staff to collect relevant information for strategic discussion by Council at a 'Committee of the Whole' Meeting. *A Committee of the Whole meeting offers an informal opportunity to discuss the priority candidate.*

REALITY CHECKLIST

Attachment 1

CRITERIA / Notes

SUCCESS INDICATORS

	Very Likely	Somewhat Likely	Not Likely
1. Current Legislative Ease	Yes	Maybe	No
2. Current Policy Consistency	Yes	Maybe	No
3. Existing Contractual Ease	Yes	Maybe	No
4. Political or Managerial Will	High	Neutral	Uncertain
5. Internal Willingness to Act	High	Medium	Low
6. Expected Savings to be Realized	High	Medium	None
7. Expected Efficiency to be Realized	Likely	Maybe	Not Likely
8. Timeframe for Results	Reasonable	Challenging	Unrealistic
9. Success Likelihood	High	Medium	Uncertain
10. Current External Support	High	Average	Low
11. Available Fiscal Resources	Confirmed	Available	Difficult
12. Leverage Other Resources	Yes	Maybe	Uncertain/No
13. Ongoing Sustainability	Likely	Maybe	Uncertain/No
14. Available Resources	Yes	Somewhat	No
15. Existing Expertise	In-house	Available	Uncertain/No
16. Likely Consequences / Risk	None	Low / Uncertain	Negative
17. Partnership Potential	Ready	Maybe	Uncertain / No
18. _____			
19. _____			
20. _____			

URGENCY CRITERIA LIST

Attachment 3

CRITERIA	URGENCY INDICATORS	
	1) Urgent	2) Not as Urgent
		3) Important
1. IMPERATIVE – Requirement to act	Legislation / Regulation	No Legislation or Guideline
2. LIABILITY – Risk exposure	Legal /Fiscal Liability	Organizational Inconvenience
3. SAFETY – Imminent vs. potential threat	Imminent Threat	Possible Damage
4. FINANCIAL – Magnitude of cost	Extraordinary Impact	Manageable Impact
5. VISIBILITY – Implications to organization	Negatively Charged	Neutral or None
6. BENEFIT– Who will receive outcomes?	Most People	Few People
7. COMMUNITY NEED – Who’s asking?	Public At Large	Minority Interest
8. TIMELINESS – Opportunity alignment	Unique Event	Frequent Occurrence
9. STRATEGIC – Linkage to current goals	Critical Prerequisite	Useful
10.OBLIGATION – Commitment to others	Contractual Agreement	Casual Arrangement
11.LEADERSHIP – External expectations	High Requirement	Low Expectations
12.TIMELINE – Imposed Timeframe	Deadline	None or Self Imposed
13. _____		
14. _____		
15. _____		

‘WHOSE’ CRITERIA LIST

Attachment 4

CRITERIA	WHOSE INDICATORS	
	1) Strategic	2) Uncertain
		3) Operational
1. POLICY	New or Change	Procedure or Implementation
2. FINANCIAL	New or Change in Budget	Approved in Budget
3. EXTERNAL LINKAGE	Decision Maker Level	Staff Level
4. CORPORATE IMAGE	Agency Integrity	Service Quality
5. SERVICE LEVELS	New or Terminate	Service Standards
6. STRATEGIC DIRECTION	New or Change	Implementation
7. PERSONNEL	Senior Staff Performance	Staff or Program Performance
8. LEGISLATION	Ignore or Seek to Change	Interpretation
9. SENSITIVITY	High Visibility	Low Visibility
10.OBLIGATION	New or Change in Contract	Permissible
11. _____		
12. _____		
13. _____		

© 2003 LGL INSTITUTE-CANADA

STRATEGIC PRIORITIES CHART

Attachment 5

COUNCIL PRIORITIES	OPERATIONAL STRATEGIES
NOW	
1.	1.
2.	2.
3.	3.
NEXT	
1.	1.
2.	2.
3.	3.
LATER	
1.	1.
2.	2.
3.	3.

© 2003 LGL INSTITUTE-CANADA



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Special Council Meeting: July 9, 2012

STAFF REPORT

DATE: July 9, 2012 Report No. EPW-12-015
TO: Laurie Hurst, Chief Administrative Officer
FROM: Jeff Miller, Director of Engineering and Public Works
SUBJECT: Traffic Order #1197 – Colville Road –
1100 Block Residential Only Parking Restriction

RECOMMENDATION:

That Council approve the following Traffic Order:

- TO#1197 – That Residential Only parking signs be placed along the south side of Colville Road from 1187 to 1143.

BACKGROUND:

Along Colville Road between Hutchinson Avenue and Intervale Avenue, on-street parking has become a problem for the residents along this stretch of the road. On-street parking concerns are most relevant when the playing fields on the north side of the road are in use. Users park on both sides of Colville Road.

The residents (11 of the 12 property owners) of the 1100 block Colville Road (1187 to 1143) have submitted a petition for Residential Only parking along this stretch of the road. The 1200 block of Colville Road is currently a Residential Only parking area due to concerns about day parking by DND and Graving Dock workers.

ISSUES:

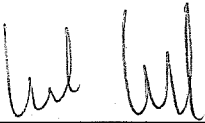
When the playing fields are being utilized, users park on both sides of Colville Road. As the road is a public right of way, this is not an uncommon practice. The concern the residents have is that when the users' park, they frequently park in front of driveway openings to the homes. By parking this way the residents are either trapped in their driveways or are denied access to enter them.

Engineering has reviewed the petition and carried out a site inspection. The petition has met Council's Policy requirements for this type of petition. It has been concluded that there is a concern with parking along the street. Engineering does not have any objections to the granting of this petition.

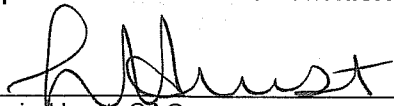
As the playing fields will be continued to be utilized it is most likely that the users will utilize parking spots along Intervale Avenue, Hutchinson Avenue and Lockley Road. This may or may not become a concern with the residents along these streets.

ALTERNATIVES:

1. That Residential Only parking signs be placed along the south side of Colville Road from 1187 to 1143.
2. That the current parking configuration be maintained.



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

<p>Approved for Council's consideration:</p>  _____ Laurie Hurst, CAO
<p>Dated: <u>July 4/12</u></p>

CORPORATION OF THE TOWNSHIP OF ESQUIMALT
STREETS AND TRAFFIC REGULATION BY-LAW, 2005

ORDER NO. 1197

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*, 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:**

Installation of Residential Parking Only signs be installed along the south side of Colville between 1183 to 1143 lots.

This Order to be effective and to come into full force and effect from midnight upon the 9th day of July A.D. 2012.

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*, of the said Corporation and submitted to the Municipal Council of the Corporation of the Township of Esquimalt on the 9th day of July A.D. 2012.
2. That on the 9th day of July 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*.

Corporate Officer

Original do well - p/a C/ps/12 for
response



COPY

1183 Colville Road
Esquimalt, BC V9A 4R1



February 28, 2012

Esquimalt Municipal Hall
1229 Esquimalt Road
Esquimalt, BC
V9A 3P1

Re: PARKING PETITION 1100 Block Colville Road

On behalf of my fellow residents, I am forwarding the completed petition for Residential Parking Designation for the South side of Colville Road between Intervale and Hutchinson. Similar designation has already been made for the block immediately west of Intervale.

For Council's information, we distributed an information notice to all residents in February and followed up with a door to door canvas of all 13 residences. A signature was requested from the person who identified themselves as the owner or primary resident. A lot diagram showing the block in question is also included.

The street parking, especially during weekends where the ball fields are in use, can make it almost impossible to safely exit your driveway. Residents frequently find their driveways partially blocked by users of the DND property on the opposite. DND users still have complete access to the north side of Colville adjacent to the ball fields.

Should any additional supporting documentation be required please contact me by phone

Sincerely yours,

Bill Kempthorne

PETITION REQUESTING THAT THE CORPORATION OF
THE TOWNSHIP OF ESQUIMALT CONSIDER INSTALLING:



(Check only one)

Date: February 2012

(a) Residential Parking Only OR

(b) Limited Time Parking

WITHIN THE AREAS DESCRIBED BELOW: (Use street name and hundred-block address)

SOUTH SIDE OF 1100 block Colville Road
between Intervale and Hutchinson.

(a) **RESIDENTIAL PARKING ONLY ZONES** were created to protect residential streets bordering on heavy commercial zones from becoming congested with all day parkers, e.g., employee vehicles. Within the zone marked RESIDENTIAL PARKING ONLY, any person or guest of any dwelling on any lot abutting the street, or portion thereof, may park, and remain parked on such designated street, or portion thereof. These zones are enforced by the Police only when a complaint is registered by a resident. The officer will ticket only those vehicles on the street immediately in front of the complainant's address. It will then be the responsibility of the adjacent residents to have their, as well as their guests' tickets revoked by providing proof of residence at the Esquimalt Public Safety Building.

(b) **LIMITED TIME PARKING ZONES** are installed to accommodate areas of both light Commercial and Residential use. In residential areas, restrictions allow for one (1) or two (2) hour parking, enforced on a daily basis.

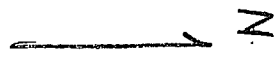
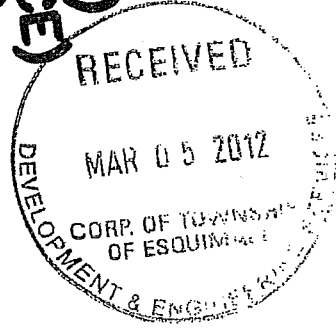
Having chosen which restriction would be most beneficial to the street described above, the Engineering Department, upon receipt of this petition, will evaluate the severity of the problem through a series of on-site inspections. A residential street that is only 50% full does not constitute a significant problem. If the majority of parking congestion occurs in the evening, residential parking restrictions will be of little use as most of the vehicles will belong to residents or their guests. Also, if heavy parking of customers from retail outlets is the cause of congestion, a two (2) hour parking restriction will be of little use as most customers would have completed their shopping within that time period.

For the purposes of this petition, ninety percent (90%) of the street residences must be canvassed, and the petition must receive eighty percent (80%) approval before this request will be implemented.

	NAME	ADDRESS	SIGNATURE
1	William Kemp Thorne	1183 Colville Rd	<i>W. Kemp Thorne</i>
2	Philip Dawnie	1185 COLVILLE RD	<i>Philip Dawnie</i>
3	M. RUTH PALTRIDGE	1175 COLVILLE RD.	<i>M. Ruth Paltridge</i>
4	Christin Schroeder	1147 COLVILLE RD.	<i>Christin Schroeder</i>
5	Andrew Bradford	1143 Colville Rd.	<i>Andrew Bradford</i>
6	Tiffany Beliveau	1155 COLVILLE RD.	<i>Tiffany Beliveau</i>
7	Shawn Jones	1163 Colville Rd.	<i>Shawn Jones</i>
8	Corey Crowen	1167 Colville Rd.	<i>Corey Crowen</i>
9	Barbara J. Spencer	1171 Colville Rd.	<i>Barbara J. Spencer</i>
10	Clay Irvine	1179 Colville Rd	<i>Clay Irvine</i>
11	Laurence Morrow	1151 COLVILLE RD	<i>Laurence Morrow</i>
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			

Base
170015071

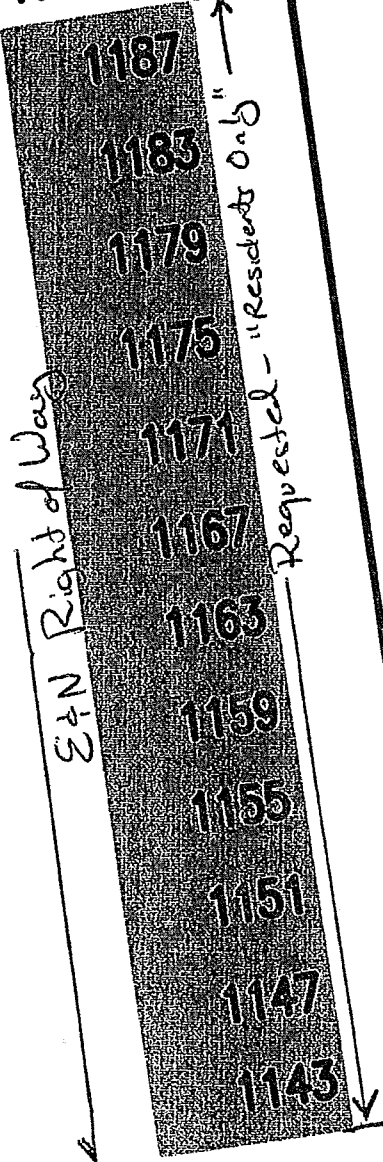
CITY
OFFICE
CITY
HEAD



1201

INTERVALE

- 36
- 82
- 78
- 174
- 170
- 1166
- 1162
- 1158
- 1154
- 1150
- 1146
- 1142
- 1139
- 1136



Ball Fields

HUTCHINSON A

1130

1135



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Special Council Meeting: July 9, 2012

STAFF REPORT

DATE: July 9, 2012 Report No. EPW-12-016
TO: Laurie Hurst, Chief Administrative Officer
FROM: Jeff Miller, Director of Engineering & Public Works
SUBJECT: Contract Award – Craigflower Road Corridor Upgrade Phase 3

RECOMMENDATION:

1. That the construction contract be awarded to Brunnell Construction Ltd. for the sum of \$506,470.00 excluding the HST; and
2. That Staff issue Contemplative Change Orders to the contractor to receive pricing for additional works prioritized by Council to maximize the upgrades with the balance of funds remaining.

BACKGROUND:

In March of 2010, the tender for Craigflower Road Corridor Upgrade Phase 2 closed. The budget for this project had been set at \$4,979,000. Due to favourable bidding conditions, the tender cost was below the project budget. One hundred percent (100%) of the funding for the Project was being supplied from the Union of British Columbia Municipalities (UBCM), General Strategic Priorities Fund (GSPF). The Township applied to UBCM in May of 2010 with a proposal to modify the scope of the Project that would allow the utilization of these funds along the entire Craigflower Road Corridor. The expanded scope of work was the following:

- Improvement of Storm Water Quality;
- Improved Sidewalk Network Continuity;
- Improved Transit Shelters and Furniture,

On May 9, 2011, the Township received confirmation from UBCM that the request submitted in 2010 had been approved.

The Township's Engineering Department proceeded with the detailed design of the Project in accordance with the approved scope change. The Project design was presented at a Public Open House on May 8, 2012. Two written comments were received from Esquimalt residents at the Open House. The comments indicated overall support of the Project and one response suggested that consideration should be given to the installation of additional boulevard irrigation between Garthland Road and Shirley Road as well as including irrigation of the islands in the same area.

These items were not included in the design prior to issuing the tender in June 2012.

Tenders for the the Craigflower Road Corridor Upgrade Phase 3 were publicly opened on June 28, 2012. A total of three tender submissions were received and after review, all three were determined to be compliant bids. One tenderer made an arithmetic error in their bid and after the correction it did not change who the low bidder was. The tender submissions are summarized from lowest bid to highest bid as follows:

	Tenderers	Tender Amount Excluding HST	Remarks
1	Brunell Construction Ltd.	\$506,470.00	
2	G & E Contracting Ltd.	\$587,400.00	Arithmetic Corrected
3	O.K. Industries Ltd.	\$667,450.00	

The low bid for the Project is below the budget amount and there is an opportunity to include additional works as part of the Project.

ISSUES:

Although improved Transit shelters and furniture were part of the scope change approved by UBCM, they were not included in this tender since some shelter upgrades along this Corridor are being implemented by another grant program through BC Transit. Some of the remaining funds in the Craigflower project budget can be used to provide further improvements to the Transit facilities which are not eligible through the BC Transit funding program. These items could include:

- Additional solar lighting at the existing shelters;
- Providing additional shelters at locations that did not meet the ridership requirements under the BC Transit funding program.

Additional improvements that can be considered for the Corridor to utilize the grant funding are:

- Upgrades to the existing median islands including some or all of the following:
 - Providing irrigation services;
 - Improved vegetation in the existing unirrigated islands;
 - Provision of additional banner poles complete with lighting;
 - Provision of electrical services including electrical outlets to the existing islands for future use.
- Providing additional boulevard irrigation;
- Replacing a lock block retaining wall with a more aesthetically pleasing rock and mortar wall;
- Additional asphalt repair work;
- Replacing some existing curb/gutter and sidewalk panels;
- Roadway lighting upgrades, which could include items like replacing the existing deteriorating cobra head roadway lights with new flat lens lighting;
- Improvements to existing driveway accesses between Lampson Street and Dominion Road.

The lists for the above potential additional improvements were gathered from:

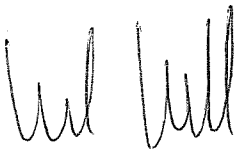
- comments received by Municipal Staff from residents throughout the previous Craigflower Upgrade Projects;

- comments received from residents at the Phase 3 Open House;
- comments received by Municipal Staff including Engineering and Parks.

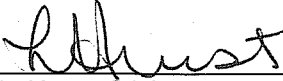
In order to expedite the work and since some of the materials required to completed the works may be several months from delivery, it would be helpful if Council prioritized the potential upgrades listed above so Staff can add the items to the contract in the order prioritized by Council.

ALTERNATIVES:

1. That the construction contract be awarded to Brunnell Construction Ltd. for the sum of \$506,470.00 excluding the HST.
2. That Staff issue Contemplative Change Orders to the contractor to receive pricing for additional works prioritized by Council to maximize the upgrades with the balance of funds remaining.
3. That the construction contact be awarded to Brunnell Construction Ltd. for the sum of \$506,470.00 excluding the HST with no additional works added and the balance the remaining funds be returned to UBCM at the end of the Project.
4. That the construction contract not be awarded and the remaining funds be returned to UBCM.



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

<p>Approved for Agenda:</p>  <p>Laurie Hurst, CAO</p> <p>Dated: <u>July 4/12</u></p>



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: 9 July 2012

STAFF REPORT

DATE: July 4, 2012 Report No. P&R-12-004
TO: Laurie Hurst, Chief Administrative Officer
FROM: Scott Hartman, Director of Parks and Recreation Services
SUBJECT: Contract Award – Recreation Centre Energy & Mechanical Upgrades

RECOMMENDATIONS:

- 1) That Council award the contract for the Esquimalt Recreation Centre – Aquatic Centre Energy Retrofit Project to Coral Engineering at the bid amount of \$1,048,923 not including tax.
- 2) That Council authorize the Mayor and Corporate Officer to execute the contract agreement for Engineering and Construction Services with Coral Engineering.

BACKGROUND:

During the 2012 Budget discussion, Council assigned \$1,174,435 dollars for upgrades and enhancements to the Aquatic Centre's mechanical systems. This project includes upgrades to the pool HVAC, the installation of energy-reclaim measures, installation and integration of solar technology, a new DDC system, upgrades to pumps and motors, and an enhanced pool sanitizing system. The scope of the proposed upgrades requires the services of a professional engineering firm. A formal Request for Proposal process was followed.

The Township conducted a public Request for Proposals (RFP) process seeking qualified engineering firms for a retrofit of the Aquatic Centre's HVAC and heating system. This will result in significant reductions to energy consumption and greenhouse gas emissions. The project includes the design, installation and energy evaluation of the proposed solutions. Advertisements were placed on BC Bid, Civicinfo and the municipal website. The Township received three proposals; however, only two met the stated procurement requirements.

A staff evaluation committee reviewed the proposals using the following criteria: experience with regards to recreation facility HVAC retrofits (30%); methodology and energy savings (45%); and price (25%).

The proposals received indicated the following:

Company	Proposed Energy Savings	Proposed Reductions in Greenhouse Gas Emissions	Price (not including tax)
AME Group	26%	267.5 tonnes	\$977,174
Coral Engineering	36%	354.4 tonnes	\$1,048,923

Both AME Group and Coral Engineering have strong portfolios and extensive background in recreation energy projects of similar size and scope. However, the proposed increase in energy savings and the proposed reductions in greenhouse gas emissions would result in significant long-term operational savings to the Township. The price difference between the two proposals is \$71,749. Staff estimate that a 10% increased energy savings amounts to approximately \$22,545 in operational savings annually. This, when combined with a minimal fifteen year life-span on the major mechanical, could result in total operational savings of \$338,175.

Based upon the evaluative criteria established in the RFP, the staff evaluation committee recommend Coral Engineering.

ISSUES:

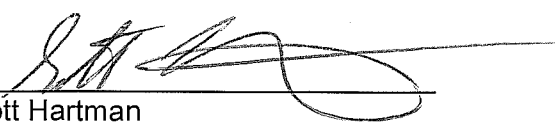
Council allocated \$1,174,435 dollars in the 2012 Capital Budget for this project. The proposed cost of the project is within the scope of the approved budget.

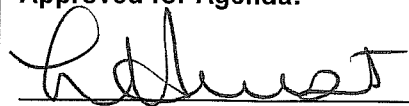
The project is scheduled to begin in the Fall 2012 and should be substantially completed by the end of December 2012. All efforts will be made to minimize disruption to facility patrons and the impact on facility operations.

ALTERNATIVES:

Council could choose the following alternatives:

- 1) That Council award the contract for the Esquimalt Recreation Centre – Aquatic Centre Energy Retrofit Project to Coral Engineering at the bid amount of \$1,048,923 not including tax.
- 2) That Council award the contract to AME Group at the bid amount of \$977,174 not including tax.
- 3) That Council not proceed with the energy and mechanical upgrade project.


 Scott Hartman
 Director of Parks and Recreation Services

<p>Approved for Agenda:</p> <p> Laurie Hurst, CAO</p> <p>Dated: <u>July 9/12</u></p>
--



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Special Council Meeting: July 9, 2012

STAFF REPORT

DATE: July 4, 2012 Report No. DEV-12-029
TO: Laurie Hurst, Chief Administrative Officer
FROM: Bill Brown, Director of Development Services
SUBJECT: Bylaw to Require "Bi-directional Antennae" in **New Large Buildings**

RECOMMENDATION:

- 1) That Council direct staff to develop a bylaw requiring developers of new buildings that will likely interfere with emergency communications to install bi-directional antenna(e) in their buildings" subject to obtaining a legal opinion on statutory authority.

BACKGROUND:

In a recent presentation to Council, representatives from Capital Region Emergency Service Telecommunications Incorporated (CREST) requested that the Township of Esquimalt adopt a bylaw that would require developers of new buildings that were likely to attenuate or block telecommunication signals be required to install "bi-directional antenna" in the building. Buildings made from concrete, steel, and other dense materials tend to attenuate or block telecommunications signals. In addition, materials such as triple pane windows also attenuate or block these signals. Additionally, as new seismic building standards come into effect, it is possible that further attenuation or blockage of signals may occur due to the more robust structures required.

"Bi-directional antennae" take a signal from outside the building and transmit it inside the building. The installation of "bi-directional antennae" in buildings means that the signal from the CREST transmitter will be received by emergency radios inside the building without any interference. This helps to protect the lives of both the occupants of the building and the emergency service providers. The equipment for the "bi-directional antenna" can be housed in a storage room in the basement of the building.

Staff at CREST have provided the Development Services Department with a bylaw template. Because CREST was unable to confirm that the template bylaw had been vetted by a municipal lawyer; the Department will have the bylaw vetted by its lawyer to ensure that it falls within the statutory authority of the Township of Esquimalt. The legal review will be done before the bylaw is brought to Council.

Staff estimate that the legal fees associated with the review of the template bylaw will be approximately \$1000.00. The money will come from the "legal services" budget.

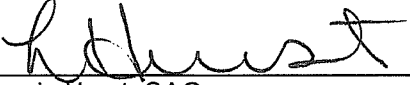
ISSUES:

The major issue is to ensure that the Township of Esquimalt has the statutory authority to pass a bylaw that compels developers of new large buildings that may attenuate or block telecommunications signals from getting to emergency radio receivers inside the building to install "bi-directional antenna(e)" in their building. This will help protect the lives of both the building's occupants and the emergency service providers.

ALTERNATIVES:

- 1) That Council direct staff to develop a bylaw requiring developers of new buildings that will likely interfere with emergency communications to install bi-directional antenna(e) in their buildings" subject to obtaining a legal opinion on statutory authority.
- 2) That Council postpone development of this bylaw until 2013.


Bill Brown
Director of Development Services

Approved for Agenda:

Laurie Hurst, CAO
Dated: July 5/12



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Special Council Meeting: July 9, 2012

STAFF REPORT

DATE: June 29, 2012 Report No. DEV-12-030
TO: Laurie Hurst, Chief Administrative Officer
FROM: Karen Hay, Staff Liaison to the Heritage Advisory Committee
Bill Brown, Director of Development Services
SUBJECT: Heritage Policy Update – amendment

RECOMMENDATION:

That Council approve an amendment to Council Policy HER-05 – Heritage Policy Update that was adopted by Council May 16, 2011 to include the addition of the following statement;

“Esquimalt became a focal point of activity during the Second World War, with Pacific Command Headquarters set up at Work Point Barracks. At one point these staging grounds held 10,000 troops and officers training before deployment.”

and direct staff to make arrangements with contractor Donald Luxton & Associates Inc. to include the addition of the statement to the “History of Esquimalt” section of the Heritage Policy Update; as recommended by the Heritage Advisory Committee at their June 2012 meeting.

BACKGROUND:

When the Heritage Policy update was presented for Council endorsement in May of 2011 it had been quickly edited in order to meet the deadline for the contract end date. In the editing process a statement about Esquimalt’s history was removed from the document.

After months of discussion about the accuracy of the statement the Heritage Advisory Committee at their June 20, 2012 meeting made the motion to have the following statement added to page 8 of the Heritage Policy Update.

“Esquimalt became a focal point of activity during the Second World War, with Pacific Command Headquarters set up at Work Point Barracks. At one point these staging grounds held 10,000 troops and officers training before deployment.”

The statement would be placed on page 8 follow the sentence: “The Old Esquimalt Village was expropriated in 1941 as well as property in the Naden area when more space was needed to enlarge the military barracks.”

No other changes to the document are proposed at this time and no words from the existing approved document would be removed or altered.

ALTERNATIVES:

1. Approve an amendment to Council Policy HER-05 - Heritage Policy Update that was adopted by Council May 16, 2011 to include the addition of the following statement;


"Esquimalt became a focal point of activity during the Second World War, with Pacific Command Headquarters set up at Work Point Barracks. At one point these staging grounds held 10,000 troops and officers training before deployment."

and direct staff to make arrangements with contractor Donald Luxton & Associates Inc. to include the addition of the statement to the "History of Esquimalt" section of the Heritage Policy Update; as recommended by the Heritage Advisory Committee at their June 2012 meeting.

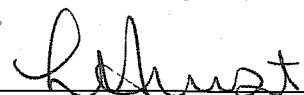
2. Not amend Council Policy HER-05 - Heritage Policy Update that was adopted by Council May 16, 2011.



Karen Hay
Staff Liaison to Heritage Advisory Committee



Bill Brown
Director of Development Services

<p>Approved for Agenda:</p> <p> _____ Laurie Hurst, CAO</p> <p>Dated: <u>July 4/12</u></p>



HERITAGE POLICY UPDATE

TOWNSHIP OF ESQUIMALT



MAY 2011

PREPARED BY

DONALD LUXTON ASSOCIATES inc.

TABLE OF CONTENTS

EXECUTIVE SUMMARY: ESQUIMALT HERITAGE POLICY UPDATE	2
1. THE HISTORY OF ESQUIMALT	3
2. THE HERITAGE RESOURCES OF ESQUIMALT	9
2.1 <i>Heritage Inventory</i>	9
2.2 <i>Heritage Register</i>	9
2.3 <i>Designated Heritage Sites</i>	9
2.4 <i>National Historic Sites</i>	9
2.5 <i>Other Historic Resources</i>	10
3. COMMUNITY BENEFITS OF HERITAGE CONSERVATION	11
4. ENABLING FRAMEWORK	12
4.1 <i>Provincial Enabling Legislation</i>	12
4.1.1 <i>Local Government Act</i>	12
4.1.2 <i>Heritage Conservation Act</i>	13
4.1.3 <i>Community Charter</i>	13
4.2 <i>National Standards and Guidelines</i>	13
5. ADMINISTRATIVE TOOLS AND POLICIES	14
5.1 <i>Esquimalt Official Community Plan</i>	15
5.2 <i>Esquimalt Heritage Register</i>	15
5.3 <i>Esquimalt Heritage Advisory Committee</i>	16
5.4 <i>Building and Demolition Permits</i>	17
5.5 <i>Subdivision and Rezoning Applications</i>	18
5.5.1 <i>Subdivision</i>	18
5.5.2 <i>Rezoning</i>	19
5.6 <i>Legal and Continuing Protection</i>	19
5.7 <i>Heritage Incentives</i>	22
5.7.1 <i>Financial Incentives</i>	23
5.7.2 <i>Non-Financial Incentives</i>	25
5.8 <i>Esquimalt Heritage Foundation</i>	28
5.9 <i>Municipally-Owned Heritage Resources</i>	28
5.10 <i>Minimum Maintenance and Anti-Neglect Bylaw</i>	29
5.11 <i>Heritage Trees</i>	29
5.12 <i>Esquimalt Archives</i>	30
5.13 <i>Public Awareness Programs</i>	30
5.14 <i>Documentation Policy</i>	31
5.15 <i>Salvage Policy</i>	31
5.16 <i>Heritage Program Maintenance and Monitoring</i>	32
6. ACTION PLAN FOR IMPLEMENTATION	34
APPENDIX A: DESIGNATED HERITAGE SITES	36
APPENDIX B: THE BENEFITS OF COMMUNITY HERITAGE CONSERVATION	37
ACKNOWLEDGEMENTS	38

EXECUTIVE SUMMARY: ESQUIMALT HERITAGE POLICY

Heritage is both the starting point that we come from, and the link to the future that we construct. It is tied to culture, identity, cultural perspectives, collective consciousness and our sense of place. In Esquimalt, heritage translates into a distinct mix of cultures, traditions, military history, ideas, values and the built resources that represent them. This facet of our identity provides us with variety in neighbourhood design and architecture, expresses various social values, and provides an invaluable heritage legacy that is distinctly our own. Through an extensive consultation process, consensus was reached on the following policy framework for the Esquimalt Heritage Policy:

VISION

Esquimalt values its built, natural and cultural heritage resources, and is committed to recognizing and protecting them through the Official Community Plan, implementation of a comprehensive heritage plan, the provision of community education, and the consideration of incentives to help protect heritage property.

GOALS

In recognition of the many public benefits of heritage conservation, the Township of Esquimalt Heritage Policy will:

1. *Inspire Council, residents and visitors to appreciate, learn about and support Esquimalt's heritage programs.*
2. *Celebrate the Township's rich and diverse history by continuing to add sites to the Esquimalt Heritage Register while broadening the definition of heritage.*
3. *Increase the effectiveness of heritage planning in the identification, management, conservation, protection and celebration of Esquimalt's heritage resources.*
4. *Foster economic development and viability through long-term investment in heritage resources by building community partnerships such as military, First Nations and heritage building owners.*

STRATEGIES

The Township of Esquimalt Heritage Policy is based on the following five strategies:

STRATEGY 1: A BROADER RECOGNITION OF HERITAGE

Preserve, protect and celebrate significant historical resources that illustrate the broad range of Esquimalt's heritage values.

STRATEGY 2: MUNICIPAL HERITAGE STEWARDSHIP

Provide leadership in heritage conservation through a policy of Township heritage stewardship.

STRATEGY 3: ENHANCED HERITAGE PROGRAM

Continue to develop an enhanced Township Heritage Program and policy framework that links to broader civic goals of economic development, sustainability and neighbourhood planning.

STRATEGY 4: INTERPRET ESQUIMALT'S HISTORY AND HERITAGE

Interpret key aspects of Esquimalt's history through the conservation of heritage resources, and heritage education and awareness initiatives.

STRATEGY 5: ESQUIMALT HERITAGE FOUNDATION

Explore options for the establishment of an Esquimalt Heritage Foundation that would provide financial incentives for the restoration of heritage sites and help promote heritage within the community.

1. THE HISTORY OF ESQUIMALT

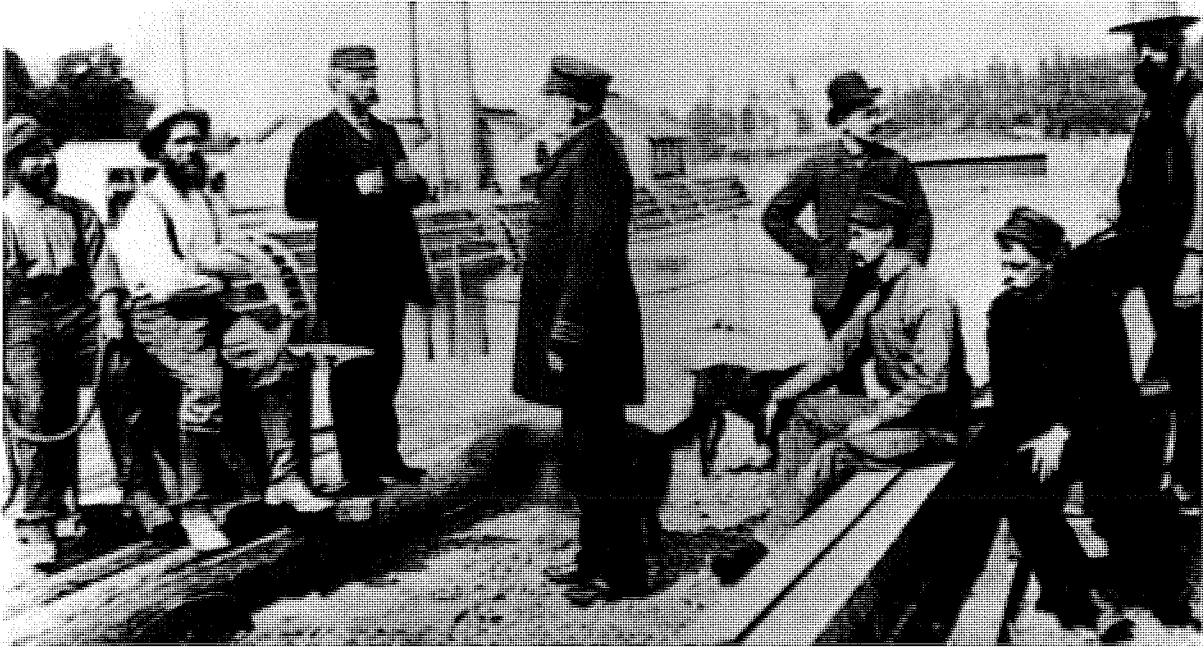
Esquimalt has a long and significant history resulting in a legacy of heritage buildings, sites, structures and cultural landscapes. Before the arrival of European settlers there was a First Nations presence, with people of the Coast Salish linguistic group inhabiting the area for approximately 4,000 years. There has long been a village site near Ashe Head on the eastern shore of Esquimalt Harbour and this is where the Esquimalt Band makes its home today. Esquimalt, pronounced Ess-KWY-malt, is an anglicized version of the First Nation's word "es-who-y-malth," meaning "the place of gradually shoaling water."

In 1790, the Spanish ship *Princesa Real* entered Esquimalt Harbour under the command of Lt. Don Manuel Quimper, who named the harbour *Puerto de Cordova*. In 1843, Hudson's Bay Company (HBC) Chief Factor James Douglas (later Governor of the Crown Colonies of Vancouver Island and British Columbia) visited Esquimalt Harbour with other HBC officials aboard the schooner *Cadboro*, looking for a suitable location for a new Fort north of the 49th parallel. Although Douglas established the new fort on the shore of Victoria Harbour, he recognized the agricultural potential of the land that is now Esquimalt. When he returned in 1848, Douglas negotiated Land Treaties with local First Nations that allowed the HBC subsidiary, the Puget Sound Agricultural Company, to establish three farms in the Esquimalt area: Viewfield Farm in 1850; and Constance Cove and Craigflower in 1853.

Esquimalt possesses one of the finest, natural harbours on the west coast, and this fact was not lost on the Royal Navy, intent on establishing their Pacific Headquarters there. With the outbreak of the Crimean War in 1854, attention focused on the mostly undefended supply lines in the Pacific, and Douglas was asked by the Admiralty to build three wooden hospital huts on Admiralty property on Duntz Head to handle casualties if necessary. In 1865, Esquimalt replaced Valparaiso, Chile as the Royal Navy Headquarters in the Pacific.

British Columbia's entry into Confederation was almost inevitable, given its strategic location, abundant natural resources and the shifting balance of power on the Pacific. In 1867, the British Parliament passed the British North America Act, which contained provisions for British Columbia's entry into the new Dominion. The two most significant conditions for joining Confederation were the construction of a transcontinental railway to the coast, and relief of the colonial debt. Other conditions included maintaining the Naval station in Esquimalt Harbour and provision for the Militia, the latter a foremost concern for the Crown because of the Fenian threats and Britain's engagement in the Anglo-Russian conflict.

It was also a time of transition from sail to steam power, and Russian warships steaming off the mouth of the Juan de Fuca created fears about the vulnerability of Victoria and Esquimalt; effective coastal defences were subsequently initiated by the Militia. The future of the new province was of great concern to British capitalists, who had extensive investments in many different local enterprises. From London there were calls for the construction of a drydock at Esquimalt that would support coastal trade and defence. These were all key initiatives that would not only benefit and enhance Britain's world-wide interests in trade and Empire but also demonstrate a strong commitment towards this fledgling Canadian province.



First Graving Dock, Naden, Esquimalt, 1887 [Young Collection, Esquimalt Archives 995.24]



Work Point Barracks [Esquimalt Archives]

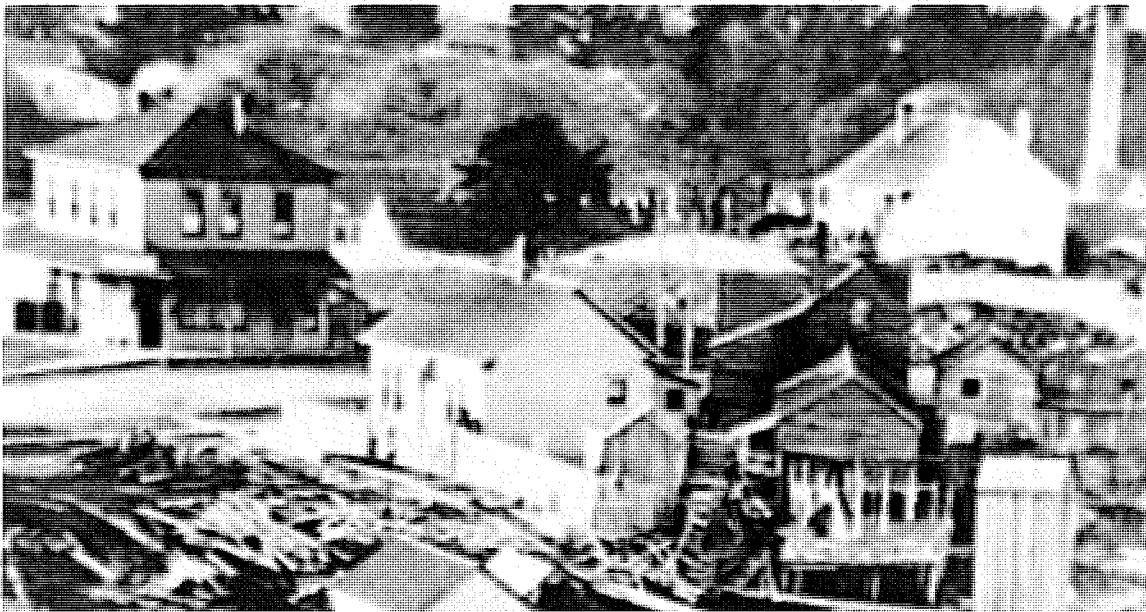


Work Point, looking west over the construction of the "Works Office" at Work Point Barracks circa 1893. In the background are the Royal Marine Artillery with their muzzle-loader carriage guns in the Parade Square and the Enlisted Men's Barracks to the far right. [Young Collection, Esquimalt Archives 994.4.7]

The 1880s brought major changes to the region. In 1886, the Esquimalt & Nanaimo Railway was constructed through the centre of Esquimalt. The following year, a military base was established at Work Point Barracks near the Victoria city boundary. It was the garrison headquarters for the first Permanent Force unit "C" Battery, Canadian Artillery for coastal defence, and played an essential role in protecting and guaranteeing Canada's sovereignty. Operation of a number of gun emplacements such as Macaulay Point, Finlayson Point and Brothers Island were necessary to protect both Victoria and Esquimalt harbours, and larger portions of Esquimalt lands were taken over by the crown for military operations. In 1887, the naval dockyard was completed, giving the Royal Navy a state-of-the-art ship repair and refitting site on Canadian soil. As the area's population grew, the presence of the Navy and the Army dominated social life both in Victoria and Esquimalt. Wealthy businessmen built large homes in Esquimalt along the shoreline, the banks of the Gorge and the rocky hillsides near Old Esquimalt Road, while more modest residential development took place in the southern part of the Township. In 1893, the gunners of the Royal Marine Artillery at Work Point built the province's first golf links on the Macaulay Plains.



"H.M. Ships at Naval Station, Esquimalt Harbour" [Esquimalt Archives A-00025]



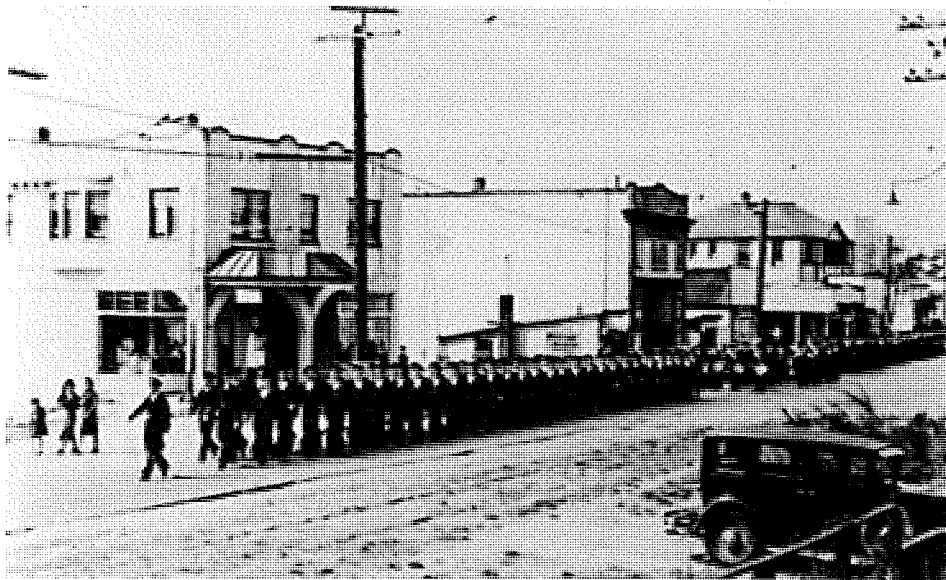
Esquimalt Old Village, pre-1904 [Esquimalt Archives 992.23.6]

The last British Army garrison in Canada left Victoria and Esquimalt in 1906, leaving the Government of Canada in charge of Military District #11 (BC) Headquarters at Work Point, with Canadian Artillery Gunners responsible for Coastal Defence. Although the Royal Navy abandoned the naval base in 1905, it was revived in 1910 as the West Coast base for the newly-created Naval Service of Canada [renamed the Royal Canadian Navy in 1911] and continued to play an important role – along with the Military – in the life of the community.

In 1912, the Esquimalt Village was a bustling commercial centre with hotels, general stores, Chinese laundries and machine shops surrounded by houses. In the District, Hudson's Bay Company property was subdivided and sold, with new houses appearing throughout the area. The District of Esquimalt was defined in the letters patent signed August 15, 1912 and incorporated September 1, 1912, with the municipality to be called the Corporation of the Township of Esquimalt. Charles H. Lugin was acclaimed as the first Reeve. One of the first items tackled by the new Council was the installation of a modern sewerage system.



Esquimalt Municipal Hall, 1930s [Esquimalt Archives 989.36.1].



Military Parade, Esquimalt Road, 1938 [Esquimalt Archives 991.43.13 N.557 B1/6/12].

Shipbuilding and repair, the major industry since 1893, continued its role as a major employer throughout the First World War, with major expansion taking place during the Second World War when Yarrow's Shipyard built new ships for the Royal Canadian Navy and the Canadian Merchant Marine Service. The Old Esquimalt Village was expropriated in 1941 as well as property in the Naden area when more space was needed to enlarge the military barracks. In the post war era a light industrial zone was established in the eastern part of the municipality where access to the railway was established through spur-lines. Recreational facilities, new schools, shopping plazas and commercial development expanded throughout the 1950s to 1970s. Many large homes were lost when their property was sub-divided to build apartment complexes, and single-family residential development took place throughout the Township.



Esquimalt today has a healthy mix of commercial, residential and industrial development. The almost 17,000 residents of Esquimalt enjoy a variety of amenities including schools, recreational facilities, library, archives, parks both active and passive, a golf course, beaches and green spaces. This rich legacy of settlement and development has defined a unique community heritage identity that is preserved, protected and celebrated through the Township's Heritage Policy.

2. THE HERITAGE RESOURCES OF ESQUIMALT

Esquimalt possesses a rich variety of heritage sites, some of which have been formally identified or protected. Other sites have been informally identified, or have heritage potential that is yet to be recognized. Our understanding of what constitutes a heritage resource may also be broadened beyond the recognition of buildings and structures.

2.1 HERITAGE INVENTORY

This heritage inventory document was the first systematic survey of Esquimalt's heritage resources. Written and researched by Dorothy Field in 1984, it identified 94 buildings of heritage significance. Selection criteria considered the inclusion of all extant buildings of historical or stylistic interest, dating from the earliest settlement in the 1800s to the present. The inventory is composed of four sections identifying the level of significance for each category: primary, secondary, third or tertiary and fourth or lesser significance for buildings of interest. This document was never officially adopted, and many of the buildings identified on the Inventory have been demolished. It provides, however, a baseline of information for further consideration.

2.2 HERITAGE REGISTER

The Esquimalt Heritage Register is the official list, passed by Council resolution, of sites considered to be of heritage significance (see **Section 5.2**). At present, this list contains one site.

2.3 DESIGNATED HERITAGE SITES

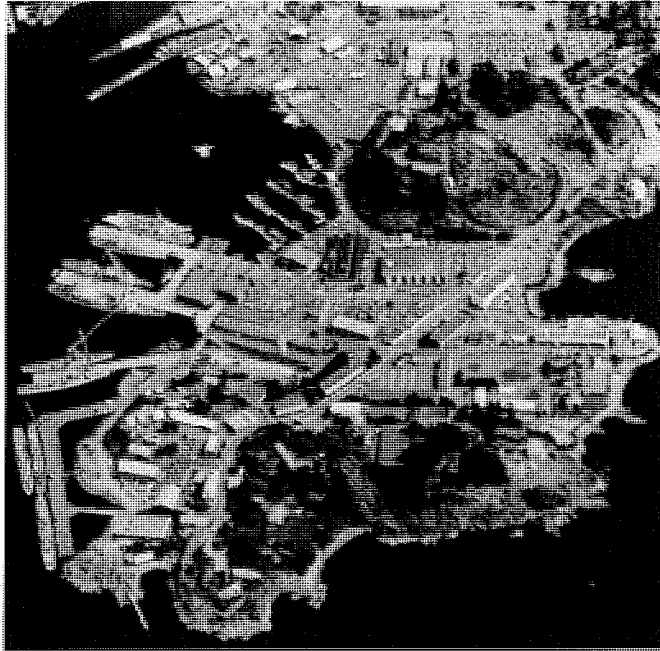
The Township of Esquimalt has protected twelve properties through municipal heritage designation (see **Appendix A**). These sites have not yet been added to the Heritage Register.

2.4 FEDERAL HERITAGE SITES

The Federal Government has recognized the rich history of Esquimalt through the identification of many military sites on the Federal Heritage Building Inventory. In addition to the sites included as part of the Dockyard/Naden complex, this includes sites at the Esquimalt Graving Dock, Work Point and Signal Hill. Although this recognition does not provide legal protection, it is an important commemoration of their heritage value and there is a federal review process in place. These sites are documented with Statements of Significance and are included on the Canadian Register of Historic Places. In addition, St. Paul's Anglican Church, 1379 Esquimalt Road, is under consideration as a National Historic Site.

The significant concentration of military heritage sites in Esquimalt was recognized by the Historic Sites and Monuments Board of Canada in 1995 with the designation of a complex of military sites as the Esquimalt Naval Sites National Historic Site of Canada. This includes the following four components as well as a number of individual buildings, structures and features:

- Cole Island
- Former Royal Naval Hospital
- HMC Dockyard
- Veteran's Cemetery



Aerial view of Esquimalt Naval Sites, ringing Esquimalt harbour, 2001.

2.5 OTHER HISTORIC RESOURCES

There are many other community heritage resources, other than buildings and structures that have potential heritage value and contribute to the historic character of Esquimalt. These include:

- Significant Trees
- Historic Cemeteries
- Historic Streets and Street Names
- Archaeological Sites
- Cultural and natural landscape features
- Memorials and plaques

The Esquimalt Archives is the most significant local collection of historic research material and is an invaluable community asset (See *Section 5.12*).



"Rosemead", the T.H. Slater Residence, Samuel Maclure architect, 1909.
Now the English Inn, 429 Lampson Street, Esquimalt [Esquimalt Archives]

3. COMMUNITY BENEFITS OF HERITAGE CONSERVATION

Heritage conservation has many potential cultural, social and economic benefits. Conserving and celebrating a community's heritage allows it to retain and convey a sense of its history, and provides aesthetic enrichment as well as educational opportunities. Heritage resources help us understand where we have come from so that we can appreciate the continuity in our community from past to present to future. Historic sites become physical landmarks and touchstones, and many other intangible heritage features - such as traditions, events and personal histories - add to the Township's vibrancy and character. This broad range of heritage resources represents a legacy that weaves a rich and unique community tapestry.

Cultural and heritage-based tourism, such as visits to historic sites, is now the fastest growing segment of the burgeoning tourism industry. Other benefits of strong heritage policies include maintaining distinctive neighbourhoods, conserving cultural heritage, providing community identity and promoting civic pride. Heritage conservation is also inherently sustainable, and supports initiatives such as reduction of landfill, conservation of embodied energy, reinvestment in existing infrastructure and avoidance of environmental impacts through reduced GHG emissions. These are all important considerations in the long-term management of our built environment.

The benefits of a well-managed heritage conservation program include:

- encouraging retention of the community's unique physical heritage
- celebrations of historical events and traditions
- identifying ways that partnership opportunities can be fostered with senior levels of government
- engagement of the broader community including the private and volunteer sectors
- conservation of a broad range of historical sites that supports other public objectives such as tourism development and education
- flexible heritage planning that assists private owners in retaining historic resources
- investment in heritage sites through community partnerships
- support for sustainability initiatives
- generation of employment opportunities and other economic benefits

Heritage initiatives provide many tangible and intangible benefits, and have a strong positive impact on the development of a complete community and the emergence of a vibrant culture of creativity and innovation. In general, heritage incentives leverage many times their original value in owner investment, construction and job creation. In addition to being a sound community investment, they would also be sound financial investment for the Township.

For further information about community benefits, refer to **Appendix B**.

4. ENABLING FRAMEWORK

The following senior governments acts and policies provide the structure within which Esquimalt can develop a municipal heritage policy. This provides the overall framework, within which the Township can enact specific bylaws as well as develop policies that can promote heritage conservation.

4.1 PROVINCIAL ENABLING LEGISLATION

Prior to 1994, there were two provincial Acts that most directly enabled municipal heritage conservation initiatives: the *Heritage Conservation Act* and the *Municipal Act*. These two Acts, and a number of others, were amended by the *Heritage Conservation Statutes Amendment Act 1994*. In addition to existing procedures, the 1994 changes to the *Municipal Act* (now the *Local Government Act*) enabled municipalities to better integrate heritage conservation activities into the mainstream of development and community planning. The Act defined new procedures for more powerful regulations (Heritage Conservation Areas, Community Heritage Commissions, heritage site maintenance standards, tree protection, etc.) and heritage incentives (tax exemptions, an expanded legal protection toolkit, consolidated approvals for heritage rehabilitation work, etc.). Heritage tools are referenced in a number of other provincial acts, such as the *Land Titles Act* (which enables covenants to be registered on land titles), but the majority of the tools the Township is likely to use in the conservation of heritage resources are now enabled under the revised *Local Government Act*. Other provincial acts and policies now include specific exemptions or equivalencies that enable improved heritage conservation, including the *Energy Efficiency Act*, the *Homeowner Protection Act* and the *BC Building Code*, all of which now specifically reference heritage buildings (See **Section 5.7.2**).

4.1.1 LOCAL GOVERNMENT ACT

Under the Local Government Act (LGA), a legal framework is provided for the establishment and continuation of local governments to represent the interests and respond to the needs of their communities. Local governments are enabled with the powers, duties and functions necessary for fulfilling their purposes, including stewardship of public assets, and the flexibility to respond to the different needs and changing circumstances of their communities. The Township of Esquimalt is empowered to regulate land development through zoning, subdivision control, building by-laws, maintenance and occupancy by-laws, and a number of other regulatory mechanisms, based on an Official Community Plan (OCP). Most of the tools that the Township could use to provide incentives and regulations for the heritage program are enabled under the LGA.

One of the tools commonly used as the basis of a municipal heritage program is a Community Heritage Register, an official listing of properties having heritage value, passed by resolution of local government; Esquimalt has already established this tool (see **Section 5.2**). The Township can also legally protect heritage sites through heritage designation (as has been undertaken for twelve sites) or through a Heritage Revitalization Agreement (HRA), a voluntary negotiated agreement that may vary through a combination of bylaws and permits (the Township has undertaken one HRA). The Esquimalt Heritage Advisory Committee has been established to advise Council on heritage matters (See **Section 5.3**).

4.1.2 HERITAGE CONSERVATION ACT

The purpose of this Act is to encourage and facilitate the protection and conservation of heritage property in British Columbia. This Act is most relevant when dealing with archaeological issues, the management of which remains a provincial jurisdiction. The province may enter into a formal agreement with a First Nation, with respect to the conservation and protection of heritage sites and heritage objects that represent the cultural heritage of the aboriginal people who are represented by that First Nation. Owners of identified archaeological sites are required to conform to provincial requirements.

4.1.3 COMMUNITY CHARTER

The Community Charter came into effect in 2004, and provides municipalities with a framework for local activities and services. This legislation applies to all municipalities whose core powers were previously found in the Local Government Act, and replaces the tradition of prescriptive legislation with enabling legislation that allows municipalities to be innovative in meeting the needs of their communities. The Charter gives municipalities broad powers, including permissive tax exemptions, to regulate activities within their communities. The Permissive Exemptions provisions in the Community Charter that can be used for facade improvement and heritage conservation projects are listed below:

- **Section 225:** Permissive tax exemptions can be offered to “eligible property”, as defined by heritage protection. A rebate on municipal and provincial taxes can be provided. There is no specified time limit to the exemption that can be negotiated. These provisions require a 2/3 supporting vote of Council for enactment.
- **Section 226:** Permissive tax exemptions can be offered to revitalization projects. A rebate can only be provided on municipal taxes, and can be offered to any property. There is a 10-year time limit to this exemption, however it requires only a simple majority vote of Council for enactment.

4.2 NATIONAL STANDARDS AND GUIDELINES

In 2003, Parks Canada – as part of its Historic Places Initiative – first introduced a set of heritage principles that defined heritage conservation best practices at a national level, the *Standards and Guidelines for the Conservation of Historic Places in Canada*. Since that time, the *Standards and Guidelines* have been adopted by many jurisdictions across the country, including the Province of British Columbia, as the basis for heritage review. The updated second edition of the *Standards and Guidelines* was released in 2010.

There are heritage guidelines in place for the review of applications for additions to the Heritage Register, but Esquimalt has not yet adopted a set of conservation principles, conservation standards and development guidelines for the assessment of heritage permit applications. The Township should adopt the *Standards and Guidelines for the Conservation of Historic Places in Canada* as the basis of the heritage review process.

ACTIONS:

- ***Adopt the Standards and Guidelines for the Conservation of Historic Places in Canada as the basis of heritage review.***
- ***Provide heritage training and education to Township Staff and the Esquimalt Heritage Advisory Committee.***

5. ADMINISTRATIVE POLICIES AND PROCEDURES

Over the last twenty years, Esquimalt has established a planning framework for the conservation of significant heritage resources. This Heritage Policy provides a renewed framework for the Township of Esquimalt's Heritage Program and a focus for the Esquimalt Heritage Advisory Committee, in order to enable more effective planning for the conservation, interpretation and celebration of Esquimalt's heritage. This provides an effective, sustainable, and realistic heritage policy framework for the Township of Esquimalt that will proactively encourage the preservation and long-term viability of heritage resources. Through an extensive consultation process, consensus was reached on the following policy framework for the Esquimalt Heritage Policy:

VISION

Esquimalt values its' built, natural and cultural heritage resources, and is committed to recognizing and protecting them through the Official Community Plan, implementation of a comprehensive heritage plan, the provision of community education, and the consideration of incentives to help protect heritage property.

GOALS

In recognition of the many public benefits of heritage conservation, the Township of Esquimalt Heritage Policy will:

1. *Inspire Council, residents and visitors to appreciate, learn about and support Esquimalt's heritage programs.*
2. *Celebrate the Township's rich and diverse history by continuing to add sites to the Esquimalt Heritage Register while broadening the definition of heritage.*
3. *Increase the effectiveness of heritage planning in the identification, management, conservation, protection and celebration of Esquimalt's heritage resources.*
4. *Foster economic development and viability through long-term investment in heritage resources by building community partnerships such as military, First Nations and heritage building owners.*

STRATEGIES

The Township of Esquimalt Heritage Policy is based on the following five strategies:

STRATEGY 1: A BROADER RECOGNITION OF HERITAGE

Preserve, protect and celebrate significant historical resources that illustrate the broad range of Esquimalt's heritage values.

STRATEGY 2: MUNICIPAL HERITAGE STEWARDSHIP

Provide leadership in heritage conservation through a policy of Township heritage stewardship.

STRATEGY 3: ENHANCED HERITAGE PROGRAM

Continue to develop an enhanced Township Heritage Program and policy framework that links to broader civic goals of economic development, sustainability and neighbourhood planning.

STRATEGY 4: INTERPRET ESQUIMALT'S HISTORY AND HERITAGE

Interpret key aspects of Esquimalt's history through the conservation of heritage resources, and heritage education and awareness initiatives.

STRATEGY 5: ESQUIMALT HERITAGE FOUNDATION

Explore options for the establishment of an Esquimalt Heritage Foundation that would provide financial incentives for the restoration of heritage sites and help promote heritage within the community.

5.1 ESQUIMALT OFFICIAL COMMUNITY PLAN

The Official Community Plan, 2007 (OCP) makes specific reference to Heritage in Section 3.2. The following statements are made regarding the heritage program:

- The Township encourages the recognition and the adaptive re-use of heritage structures, provided that the essential character of the building or site can be maintained.
- The Township strongly encourages the preservation and adaptive reuse of heritage resources located on the DND property.
- The preservation and adaptive reuse of historic sites, including military heritage sites, building features, trees, natural areas and viewpoints, is considered to be an amenity to the community and, as a result, the municipality may consider the use of a density bonus zoning, bylaw variances and tax credits to encourage the retention of such amenities.
- When developing heritage sites or buildings, the owners are encouraged to do so in a manner that is respectful of the character and the significance of the site.
- This plan encourages the municipality to work with the development community and owners of heritage structures to find innovative solutions that will permit change to occur while minimizing its impacts upon sites' heritage value.
- The Township will assist with the development of the heritage signage strategy.
- The Township will update the 1996 Heritage Management Plan, including provisions for a Heritage Registry and a commitment to maintain a heritage inventory. The updated Heritage Management Plan will provide guidance to Esquimalt's decision makers respecting heritage conservation and preservation.

ACTION:

- *In any future updates of the Official Community Plan, further strengthen policies regarding the reservation, protection and celebration of significant historical resources that illustrate the broad range of Esquimalt's heritage values.*
- *Plan for the sustainable development of healthy neighbourhoods, based on their historic identity and character.*

5.2 ESQUIMALT HERITAGE REGISTER

One of the tools commonly used as the basis of a municipal heritage program is a Community Heritage Register, an official listing of properties having heritage value, passed by resolution of local government. The Heritage Register is not a form of legal protection. There are potential implications when the owner is considering redevelopment. For a Register-listed site, a building or demolition permit may be delayed or withheld while an impact or heritage assessment is prepared. In addition to the tracking and regulatory powers implied by a Register listing, there are also incentives that can be offered to assist owners with conservation. Properties on a Register are eligible for special provisions, including equivalencies under the *BC Building Code* and exemptions for alternative compliance under the *Energy Efficiency Act* (Energy Efficiency Standards Regulation) and exemptions from the *Homeowner Protection Act* (see **Section 5.7.2**)

The township of Esquimalt has established a Heritage Register, which to date consists of one site (330 Kinver Street). An owner can request that their site be added to the Register, for consideration by Council. The Esquimalt Heritage Advisory Committee (EHAC) is creating Statements of Significance for sites that are recommended for inclusion on the Heritage Register. The Township of Esquimalt has also protected twelve properties through heritage designation (see **Appendix A**). Despite this legal protection, these sites have not yet been added to the Heritage Register.

ACTIONS:

- *Continue to identify sites for addition to the Community Heritage Register and prepare Statements of Significance for each site.*
- *The twelve designated sites should be added to the Community Heritage Register.*
- *Statements of Significance will be prepared for each designated site as resources allow.*

5.3 ESQUIMALT HERITAGE ADVISORY COMMITTEE

The Terms of Reference for the Esquimalt Heritage Advisory Committee (EHAC) are as follows:

PURPOSE

The purpose of the Esquimalt Heritage Advisory Committee is to:

- Advise Council, recommend policies and actively support and promote leadership in community heritage matters including services, facilities, preservation and specific community interests.
- Advise and assist Council to accomplish its goals and objectives as outlined in Council's Strategic Plan.

MANDATE

The Heritage Advisory Committee will, consistent with the purpose described above, undertake the following:

- Develop and recommend policies to Council and respond to Council requests for advice and information on heritage issues.
- Provide a community perspective on services, programs, events, and facilities related to heritage promotion, education and awareness.
- Foster public awareness, recognition and support for heritage and archival preservation.
- Identify sources of funding and grants to support heritage related activities.
- Provide leadership in, and actively promote heritage initiatives.

In its advisory role, the Committee will provide organizational context to discussions and ensure that:

- Any form of communication from the Committee [which includes correspondence, logos, branding, graphics] represents the Corporation of the Township of Esquimalt;
- Any action proposed to be taken [which includes supporting or participating in an endeavor] has first received Council endorsement.

The Heritage Advisory Committee will submit to Council an annual work plan at the beginning of each year describing its plans for the year. The Committee will submit to Council a final report at the end of each year describing its activities and accomplishments of the previous year.

MEMBERSHIP

The Committee will consist of up to ten (10) full voting members and Two (2) non voting members including:

- Two (2) members of Council as appointed by the Mayor.
- Up to Seven (7) community representatives appointed by the Council, representing the broad interests of the community.
- A Youth representative- appointed by Council per Council's policy "ADMIN-60, Role of Youth Representative Appointed to Council Committees".

Non Voting Members

- A liaison representative from the Department of National Defence
- A staff liaison position- appointed to act as a resource to the Committee as outlined in the Council's Policy "ADMIN-61, Role of Staff Liaison Appointment to Council Committees".
- A recording secretary-assigned to the Committee to prepare agendas, take the minutes, and prepare any other correspondence as required.

QUORUM

- The calculation of quorum to conduct business is 50% +1 of full voting members show below:
If: 7 full voting members - quorum is 4
8 full voting members - quorum is 5
9 full voting members - quorum is 5
10 full voting members - quorum is 6

TERMS

Members will be appointed by Council for a two-year term with term end dates split between alternating years to ensure continuity of committee membership. On application, members may be re-appointed for up to three consecutive terms.

All appointees sit at the pleasure of Council and may be removed at Council's discretion. Council may disqualify an appointee from holding that appointment if the person is absent from committee meetings for a period of 3 consecutive regularly scheduled committee meetings, unless the absence is because of illness or injury or is with the leave of Council.

MEETINGS

The Committee will meet a minimum of four times per year in accordance with its regular schedule of meetings established annually at the first meeting of the year. No meetings are held during the summer and winter breaks (July, August and December). Special meetings may be held at the call of the Chair. At the first meeting of each calendar year the Committee will elect a Chair and Vice-Chair from amongst its members. If council deems it necessary, Council may appoint the Chair for the Committee.

The meeting rules and procedures will be in accordance with the Council Procedure Bylaw.

ORIENTATION/TRAINING

The Committee members appointed by Council will be provided an orientation/education.

5.4 BUILDING AND DEMOLITION PERMITS

Before a building or structure can be altered, demolished, or relocated, a building permit must first be obtained. Current practice states that Development Services will monitor all buildings on the Heritage Inventory list and notify the Esquimalt Municipal Archives of applications to demolish a building. Buildings with heritage merit listed on the inventory and flagged in the Development Services files will be monitored when application for building modifications are made and the EHAC will be notified.

In the case of designated heritage structures, a Heritage Alteration Permit is required before a building permit can be issued. Heritage Alteration Permit applications are processed by the Development Services Department and forwarded to the EHAC for comment prior to consideration by Council. In the case of non-designated heritage buildings or structures, minor exterior alterations that do not impact on the heritage character or significance may be approved by the Development Services Department. More significant alterations that may impact on the heritage character or significance are forwarded to the Heritage Advisory Committee for review and possible a report to Council. The Local Government Act permits Council by a resolution to withhold a permit for up to 60 days in order to consider heritage significance. Where a bylaw is introduced to designate a building or structure as a municipal heritage site, Council has an additional 60 days in which to make a final decision. Where significant changes are proposed to non-designated buildings, the Manager of Corporate Services is advised immediately in order that Council can consider a resolution to withhold the permit pending review of the heritage considerations.

POLICIES:

- Require that the Development Services Department forward building permit applications related to protected buildings, structures, or sites for consideration by the EHAC and a Heritage Alteration Permit issued by Council.
- Require that the Chief Building Official forward building permit applications related to non-protected heritage buildings, structures or sites for approval of minor changes for consideration by the EHAC.
- Where changes to non-protected heritage buildings, structures, or sites have the potential to impact on the heritage significance or character, require the Development Services Department to refer the building permit application to the Manager of Corporate Services for consideration by Council of a resolution under Sections 960-965 of the *Local Government Act* to withhold the building permit before forwarding the application to the EHAC.
- Where a building permit is issued to demolish a heritage building or structure, the owner should be encouraged to:
 - (a) Provide the Esquimalt Archives with a photographic record of the building or structure including the interior details prior to demolition; and
 - (b) Salvage materials, windows, and features of architectural or historical significance.

5.5 SUBDIVISION AND REZONING APPLICATIONS

5.5.1 Subdivision

All applications for subdivision are reviewed by the Approving Officer, who takes into consideration comments from municipal departments including Development Services, Finance, Parks and Recreation, and Fire.

For subdivision applications, where specific conditions are deemed to be necessary in order to protect the integrity of a heritage resource, they will be listed in the Preliminary Layout Assessment [PLA] so that they can be addressed before the plan of subdivision is approved.

5.5.2 Rezoning

Where an application for rezoning includes heritage considerations, the application will be referred to the Heritage Advisory Committee for comment prior to any approvals being granted. Where specific considerations are necessary to protect the integrity of the heritage resource, they will be included in the staff report to the Committee of the Whole, which will also contain any recommendations from the Advisory Planning Commission.

In order to minimize delays in the zoning process, applicants should be encouraged to discuss heritage considerations with the Development Services Department at an early stage in the process. If necessary, additional input can be sought from the Heritage Advisory Committee without unduly delaying the circulation process and communicate any concerns to the applicant for consideration prior to final design submission. Once final designs are available they should be formally reviewed by the Heritage Advisory Committee.

POLICIES:

- Encourage developers to discuss heritage considerations with the Development Services Department prior to submitting a subdivision, rezoning, development permit, or development variance permit application.
- Consider incentives such as density bonuses at the time of application as a means to encourage preservation of heritage resources.
- Request the Development Services Department to continue to refer applications for subdivisions or rezoning involving heritage resources to the EHAC for comment.
- When rezoning applications for properties with recognized heritage value are being considered, they should be referred to the EHAC for comment prior to the application being considered by Council.
- When subdivision of any property adjacent to one with heritage value is proposed, consideration should be given to potential impacts to the neighbouring property's heritage value.

5.6 LEGAL AND CONTINUING PROTECTION

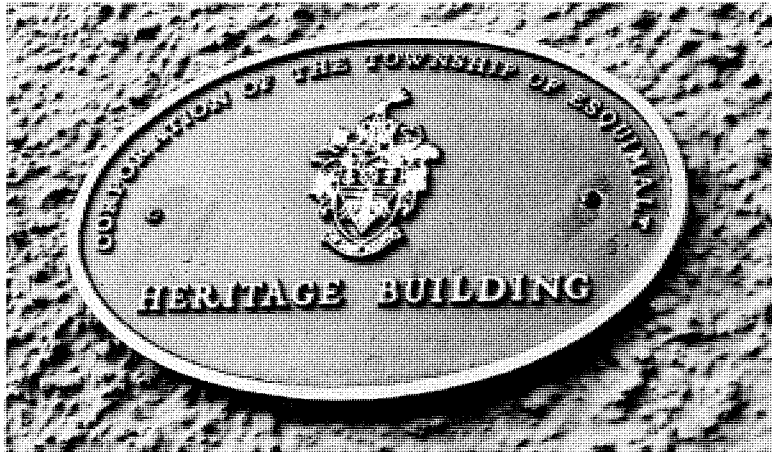
The municipality is empowered to protect heritage property through legal protection. This can extend to buildings, structure or land in whole or in part. Council approval is then required for demolition or exterior alterations. The following are the ways in which legal and/or continuing protection can be afforded to heritage sites:

Municipal Heritage Designation

Municipal designation (Local Government Act s.967, s.968, s.969) is the strongest form of protection currently available for heritage sites and structures and implies a long-term commitment to preserve the heritage significance. Designation bylaws require that no person shall demolish or alter the exterior of a designated structure or build upon a designated heritage site without prior approval by resolution of Council. In designating residential properties, Council's practice has been to designate the structure only, unless the owner specifically requests that the site should also be designated.

Homeowners have initiated most heritage designations after consulting with the Esquimalt Heritage Advisory Committee. Appropriate application forms are available from the office of the Township. Completed applications are forwarded to the EHAC, which formulates a recommendation for

Council's consideration. Designated sites are commemorated with bronze plaques provided by the Township. To date, the Township has designated twelve sites (see **Appendix A**). Only these sites may be considered legally protected; the other Heritage Register or Inventory sites have no legal protection.



If a preservation strategy has been adopted that balances heritage interests with land use needs and economic realities, then designations should remain reasonably fixed. However, circumstances in a community change over time and on occasion, it may be necessary to review and reconsider past decisions. Local government has the power to repeal a heritage designation bylaw using a reverse process to the one used to designate a building or structure. De-designation should only be considered, however, as a last resort after all reasonable land use options to sustain the heritage resource have been thoroughly investigated and dismissed.

In order to consider this course of last resort, Council should request documentation that all means of preserving the site are exhausted, and evidence that existing use is not economically viable. Where Council agrees to rescind a heritage designation bylaw, the owner may be requested to provide: documentation of the interior and exterior of the building, significant architectural details, and the context of the site in relation to the surrounding neighbourhood; provide a site plan, floor plans, and elevations of the building; consult with the Municipal Archivist about retaining or salvaging significant furnishings, hardware, or building materials; and return the heritage identification plaque to the Manager of Corporate Services.

Heritage Revitalization Agreements

A Heritage Revitalization Agreement (HRA) is a tool enabled under the *Local Government Act* s.966. This formal written agreement can be negotiated by a local government and an owner to protect a heritage property, and may be used to set out the conditions that apply to a particular property. A Heritage Revitalization Agreement is a contractual agreement between a property owner and a local government or heritage organization. The terms of the agreement supersede local government zoning regulations, and may vary use, density, and siting regulations. Through an HRA, heritage projects can be designed with special conditions that promote financial viability for projects that could not otherwise proceed. This is potentially a very useful conservation tool, and has been used widely by other municipalities. An HRA allows for a voluntary negotiated agreement, which may vary bylaw and permit conditions and provides continuing protection for the site. If use and density are not varied, a Public Hearing is not required.

Such agreements may:

- detail the timing of the agreement terms;
- vary or supplement the provisions of a by-law which concern land use designation, development cost recovery, subdivision, and development requirements;
- vary or supplement a permit;
- vary or supplement a by-law or heritage alteration permit; and/or
- include other terms agreed to by the local government and the property owner.

Heritage Conservation Areas

Under the Local Government Act the municipality can define special areas in the Official Community Plan (OCP) to provide long-term protection to distinct heritage areas. A Heritage Conservation Area may protect some or all of the properties, depending on the way the bylaw and the schedule are written. A Heritage Alteration Permit is the tool by which changes are then allowed to individual properties.

Restrictive Covenants

Restrictive covenants (Land Title Act s. 217; Local Government Act s.302, s. 305, s.306) allow for the negotiation of a contractual agreement with the owner, which is then registered on the Land Title. These covenants may not vary siting, use or density.

In all cases of legal and continuing protection, it should be explicitly stated what portions of, and structures on, each site are significant and therefore protected. Legal protection should be a prerequisite for the offering of incentives to private owners.

Legal protection should be sought over time for any buildings listed on the Heritage Register. This protection should be voluntary when possible; in cases of voluntary protection, the owner waives any future claim to compensation under the *Local Government Act*. Legal protection should also be required, as a guarantee of long-term preservation, when incentives are given to a building owner. The municipality may be able to fulfill any compensation requirements for designation by offering density bonuses or other incentives.

It is recommended that a policy for legal protection of heritage buildings be developed, employing the following guidelines:

- Any publicly-owned buildings on the Heritage Register should receive legal protection. The municipality can set the example by proceeding with heritage designation of its own heritage buildings. Other public authorities should then be encouraged to follow suit.
- The question of compensation should be addressed at the time of negotiation of any protective measures. This may include offering bonus density, relaxations and/or municipal tax incentives as part of the protection package.
- Where potential Heritage Register resources are threatened with demolition, (i.e. when heritage incentives have failed) the municipality may consider designating the resource, and incurring the possible costs of designation, if any. This would be a measure of last resort only in extreme cases.
- Future designation bylaws will need to include information regarding the heritage value or heritage character of the property and associated features, and may specify interior features.

POLICIES:

- Consider protection for heritage sites, having regard for the heritage merit, the condition and structural stability, the development potential of the site, and the stability of the neighbourhood.
- Request that the Manager of Corporate Services forward recommendations for heritage protection to the Development Services Department for comment prior to consideration by Council.
- Continue to advise the owners of heritage buildings and structures, not already protected, about the significance of the resource and the opportunities for, and implications of, heritage protection.
- Ensure that protected sites are registered on their respective Land Titles.
- Continue to provide a heritage identification plaque to the owners of designated heritage structures.

ACTION:

- ***Pursue legal protection for additional features of heritage value (outbuildings, rock walls, associated landscape features, significant interior features, etc.) not identified in existing designations. Identify and assess these additional features when considering new legal protection.***

5.7 HERITAGE INCENTIVES

A considerable amount of building activity has occurred in Esquimalt over the past few years, and without a strong program of heritage conservation incentives, it could be difficult to achieve conservation of significant resources. This will increase the risk of continued erosion of the remaining authentic aspects of Esquimalt, which include buildings, structures, historic sites, and cultural and natural landscapes. The provision of heritage conservation incentives, which can include property tax exemptions, building code equivalencies, zoning and subdivision relaxations and technical assistance, should be reviewed to determine if they are effectively encouraging heritage property owners to work with the Township to conserve heritage resources. The rigorous application of the *Standards and Guidelines for the Conservation of Historic Places in Canada* should be a prerequisite for conservation so that each resource maintains its heritage integrity.

It is important to remember that incentives should ensure the long-term financial viability of each heritage conservation project and that the application of incentives is subject to the following conditions:

- All properties on the Heritage Register, or eligible for the Register, should be considered for financial incentives, but legal or continuing protection, in the form of heritage designation or a covenant, should be a pre-requisite before any municipal heritage incentive is granted.
- The amount of incentives offered should be directly related to the level of conservation, and should reflect a good conservation outcome. The heritage character-defining elements of the site are to be maintained.
- The proposed work on the site would be compatible with, and sympathetic to, the character and context of the heritage site, according to the *Standards and Guidelines for the Conservation of Historic Places in Canada*.

5.7.1 FINANCIAL INCENTIVES

Township Financial Incentives

There are a number of financial incentives that the Township can offer to encourage conservation. Generally these can be considered to be of four types, including (1) direct grants (“out-of-pocket”), from either the Township or a Heritage Foundation, (2) tax incentives (“tax holiday”), (3) interest-free / low-interest loans and/or (4) reduced permit fees. Senior levels of government also provide conservation incentives in limited cases, that should be explored when ever possible.

(1) Direct Grants

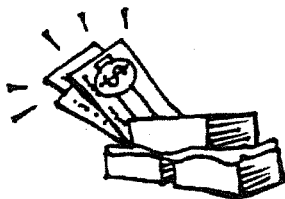
One of the most motivating incentives, especially for homeowners, can be direct financial assistance. Modest financial grants are sometimes extremely effective in promoting conservation, especially in the residential context. These are often only seed money or a show of support, rather than reflecting a large share of restoration costs. Grants sometimes “top up” a project so that the specific heritage character-defining elements (e.g., porches) can be restored. Sometimes relatively small projects can have a dramatic impact on the appearance of a heritage building exterior (e.g., opening of an enclosed verandah, heritage paint colours, or re-installation of wood windows and doors). The Township of Esquimalt could consider allocating a budget amount for heritage restoration grants that could be directed towards the conservation of properties, similar to what occurs in the Township of Surrey and the Township of Langley. The Township of Kelowna offers a grant program that is administered by an outside agency (the Central Okanagan Heritage Society). Alternatively, funding could be provided through a municipal heritage foundation (see *Section 5.8*)



(2) Tax Incentives

Currently, if a property owner undertakes a rehabilitation of a heritage building, they usually encounter an increased property tax assessment due to an increase in market value. This, combined with the high cost of meeting building code requirements, can make the upgrade of heritage properties a marginal economic proposition. The assessment and taxation process is governed by provincial legislation and is very inflexible. Municipalities may also choose to forgive all or part of the municipal portion of the property tax on a heritage property as long as the property is municipally designated. In these cases, the tax relaxation may be calculated based on the extent and cost of the rehabilitation.

Municipal tax-based heritage grants have been proven to be successful in a number of cities including Vancouver and Victoria. The potential for tax-based heritage incentives will need to be explored further as to their applicability within the Esquimalt context.



(3) Interest-Free / Low-Interest Loans

Although not yet used in British Columbia, interest-free or low-interest loans have been used in other jurisdictions to promote conservation. An example is the Town of Markham, Ontario, which established a Heritage Loan Fund in 1981. The intent of this fund is to offer low-interest loans (5 points below prime, minimum of 5%), but in this current environment of low interest rates, even 5% may not be attractive. American jurisdictions have also explored the idea of similar revolving funds that can be repaid over time.

(4) Reduced Permit Fees

The Township should review its current permit application procedures to ensure that there are no financial disincentives to heritage conservation. In addition, permit fees could be reduced or waived for heritage projects; this would not be a large incentive but would send a message of administrative support. Heritage Revitalization Agreements can also be a cost effective alternative to rezonings.

Provincial Financial Incentives

Under its Heritage Conservation Program, The Heritage Legacy Fund provides financial contributions of up to \$25,000 for projects involving the preservation, rehabilitation and/or restoration of a built community heritage resource. Eligible applicants include the Township, registered non-profit societies and registered federal charities.

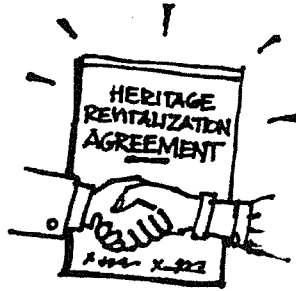
Federal Financial Incentives

The Residential Rehabilitation Assistance Program (RRAP), offered through the Canada Mortgage and Housing Corporation, helps low-income Canadians, people with disabilities and First Nations people live in decent, affordable homes. These programs also support rental units to increase the availability of housing for those in need. Depending on the individual situation for each resource, one of the following programs may apply:

- **Homeowner RRAP:** Financial assistance to repair substandard housing to a minimum level of health and safety
- **Rental RRAP:** Assistance for landlords of affordable housing to pay for mandatory repairs to self-contained units occupied by low-income tenants
- **RRAP for Persons with Disabilities:** Assistance for homeowners and landlords to improve accessibility for persons with disabilities
- **RRAP for Conversions:** Assistance for converting non-residential buildings into affordable housing. It is recommended that there be further exploration of other available funding sources, especially for non-profit organizations. Additional funding assistance may be available from a wide variety of other government and private programs. Private foundations may also be willing to support local heritage conservation efforts.

5.7.2 NON-FINANCIAL INCENTIVES

Heritage conservation incentives may also be provided through non-monetary support. In addition to the measures listed below, the Township should examine the entire permit application and approval process, to ensure the removal of any disincentives to heritage conservation.



Heritage Revitalization Agreements

Heritage Revitalization Agreements provide a powerful and flexible tool that enable negotiated agreements to be specifically written to suit unique properties and situations. Refer to **Section 5.6** for further information.

Relaxations/Variations

When approving Development Permit applications, the Township has discretionary powers and may relax some requirements, especially when other amenities are being offered. In return for the conservation and rehabilitation of a heritage building, the Township may be able to relax requirements related to parking, setbacks and access. These requirements could be relaxed in order to prevent conservation principles and guidelines from being compromised.

Density Bonus and Transfer Procedures

One of the most effective incentives that can be offered is the redistribution of density or an increase in allowable density. Density refers to the ratio of floor area to the lot size. Sometimes there is an option to increase the allowable onsite density without compromising the context of the heritage building. In other cases, a heritage building may be located on a property that has much higher development potential than currently occupied by the building, meaning that there is residual density that is not being utilized. In this situation, the residual density can be transferred or sold to another property, negating the need to achieve the allowable density onsite. In other cases, a conservation incentive – usually used to offset the costs of rehabilitation – may be offered through the creation of an additional bonus density that can be sold to a receiver site, with the resulting financial benefits being considered part of the incentives (compensation) package. Each of these situations requires careful study of the potential impact on the heritage site, and an understanding of appropriate receiver sites for transferred density.

Building Code Equivalencies

Building Code upgrading is the most important aspect of heritage building rehabilitation, as it ensures life safety and long-term protection for the resource. It is essential to consider heritage buildings on a case-by-case basis, as blanket application of Code requirements do not recognize the individual requirements and inherent strengths of each building. Over the past few years, a number of Code equivalencies have been developed and adopted in the British Columbia Building Code (BCBC), which facilitate heritage building upgrades.

For example, the use of sprinklers in a heritage structure helps to satisfy fire separation and exiting requirements. Given that Code compliance is such a significant factor in the conservation of heritage buildings, the most important consideration is to provide viable economic methods of achieving building upgrades. In addition to the codes offered under the current Code, the Township can also accept the report of a Building Code Engineer as to acceptable levels of code performance. The Township should explore potential heritage building code equivalencies to provide consistent review and knowledgeable advice to building owners.

Under current codes, the equivalencies offered are for interior rehabilitation. There are no specific equivalencies in the BCBC that apply to exterior elements, which has serious implications in some situations, such as strata conversions unless Homeowner Protection requirements are waived; this issue has now been addressed in recent changes to the Energy Efficiency Act and the Homeowners Protection Act. The one exception is for windows; the wording of the BCBC requires “two sheets of glass” rather than double-glazing (as it is usually interpreted) and therefore code requirements can be met through the use of interior or exterior storm windows.

Energy Efficiency Act

The Energy Efficiency Act (Energy Efficiency Standards Regulation) was amended in 2009 to include the following definition:

"designated heritage building" means a building that is

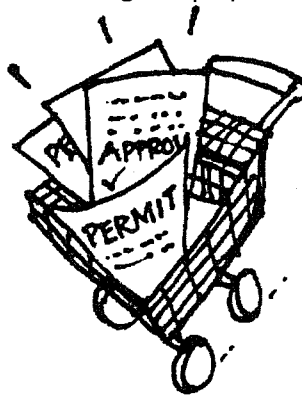
- a) a Provincial heritage site within the meaning of the *Heritage Conservation Act* or otherwise included in the Provincial heritage register under that Act,
- b) protected through heritage designation or included in a community heritage register by a local government under the *Local Government Act*,
- c) protected through heritage designation or included in the heritage register by the Council under the *Vancouver Charter*, or
- d) protected through heritage designation or included in a community heritage register by the Trust Council or a local trust committee under the *Islands Trust Act*.

Under this new definition, Energy Efficiency standards do not apply to windows, glazing products, door slabs or products installed in heritage buildings. This means that the Township, as an incentive to being listed on a Heritage Register or as part of the negotiated agreement, can allow exemptions to energy upgrading measures that would destroy heritage character-defining elements such as original windows and doors.

These provisions do not preclude that heritage buildings must be made more energy efficient, but they do allow a more sensitive approach of alternate compliance to individual situations and a higher degree of retained integrity. Increased energy performance can be provided through non-intrusive methods such as attic insulation, improved mechanical systems, and storm windows. Please refer to *Standards & Guidelines for the Conservation of Historic Places in Canada* for further detail about “Energy Efficiency Considerations.”

Homeowner Protection Act

Amendments to the Homeowner Protection Act Regulation made in 2010 allow for exemptions for heritage sites from the need to fully conform to the BC Building Code under certain conditions, thus removing some of the barriers to compliance that previously conflicted with heritage conservation standards and guidelines. The changes comprised (1) an amendment to the Homeowner Protection Act Regulation, BC Reg. 29/99 that allows a warranty provider, in the case of a commercial to residential conversion, to exclude components of the building that have heritage value from the requirement for a warranty, and (2) clarification of the definition of 'substantial reconstruction.' The latter clarification explains that 75% or a home must be reconstructed for it to be considered a 'new home' under the Homeowner Protection Act, thus enabling, in many cases, single-family dwellings to be converted into multi-family and strata conversions without the Act now coming into play.



Administrative Support

Streamlining the development and building permit application processes for heritage properties is a very desirable objective (also known as a "Green Door" policy or "One-Stop Shopping"). Heritage property owners will object to a complicated procedure if they are already concerned about costs. Heritage projects are sometimes more complex and can require additional review. Time equals money, therefore it is recommended that the permit review procedure be simplified as much as possible, and that every consideration be given to expediting Township procedures.

Heritage Support Programs

The municipality can also provide support through:

- the provision of technical advice;
- complementary public works projects in defined heritage character areas (e.g., street improvements such as pedestrian lighting, paving, street furniture and way-finding signage); and/or
- referral to other agencies or organizations for further assistance.

ACTION:

- *Develop a program of effective financial and non-financial incentives appropriate to Esquimalt that will strategically encourage authentic conservation and rehabilitation, by encouraging owners to invest in their properties.*

5.8 ESQUIMALT HERITAGE FOUNDATION

There are currently six municipally-funded foundations in British Columbia that provide direct financial assistance to the owners of residential properties on their Heritage Registers. These include Vancouver, New Westminster, Oak Bay, Saanich and Victoria (separate foundations for residential and commercial properties).

The Township has signalled its intention of establishing a similar heritage foundation, which in addition to administering grant programs could also serve an education and awareness function. A Heritage Foundation would also be able to actively fundraise to fulfill its mandate and establish an identity distinct from the municipal government. Matching funding could be sought for potential grant programs through corporate sponsorship, private foundations and other sources.

Potential steps in the establishment of a Heritage Foundation could include:

- **Step One:** Confirm feasibility of a Township of Esquimalt Heritage Foundation that would provide financial incentives for the restoration of heritage homes.
- **Step Two:** Explore potential partnerships both within the community and with other organizations.
- **Step Three:** Formally establish the Foundation through a resolution of Council.
- **Step Four:** Through Council, appoint a Board of Directors and identify an annual budget.
- **Step Five:** Initiate a Fund Development Program that could include building an endowment, planned giving, patronage (Honourary and Active), "Friends of the Heritage Foundation," and Corporate Sponsors.

ACTION:

- *Explore options for the establishment of an Esquimalt Heritage Foundation that would provide financial incentives for the restoration of heritage sites and help promote heritage within the community.*

5.9 MUNICIPALLY-OWNED HERITAGE RESOURCES

It is important that Esquimalt establishes a stewardship role in the management of heritage resources. The Township should set the standard for other owners of heritage properties.

There is a need to promote heritage awareness within all municipal departments, so as to ensure that the value of municipally-owned heritage resources has been fully recognized. This involves developing comprehensive policies and administrative mechanisms for publicly-owned resources under direct municipal control.

The municipality also has direct control over a broad range of other heritage resources on municipal lands, such as landscape features and cemeteries. The conservation of heritage contributes to the quality of life and the environment, and is worthy of higher public profile and commitment. It is thus important that the municipality should adhere to recognized conservation principles in the treatment of its own resources, in order to best promote a shared stewardship of heritage resources. The municipality does not, however, have guidelines for the treatment of these sites; their care should be standardized through individual conservation plans.

Future initiatives could include the development of annual maintenance programs for these sites, and an internal monitoring process for heritage resources under direct municipal control. This should include an awareness of, and sensitization to, heritage issues for all municipal departments.

ACTIONS:

- *Designate municipally-owned sites that are eligible for the Heritage Register.*
- *Develop conservation plans and annual maintenance programs for each municipally-owned heritage site.*

5.10 MINIMUM MAINTENANCE AND ANTI-NEGLECT BYLAW

Esquimalt is enabled to pass a minimum maintenance and/or anti-neglect bylaw under the Local Government Act (See Local Government Act s.970 and s.979 [d], and Appendix C: Heritage Conservation Toolkit). Heritage Site Maintenance Standards establish the minimum requirements for the care and maintenance of sites that are designated or are located within a Heritage Conservation Area. This is a possible mechanism for preventing 'demolition by neglect'.

ACTION:

- *Enact a Minimum Maintenance and Anti-Neglect Bylaw.*

5.11 HERITAGE TREES

The protection of significant trees and specimen landscape features is an integral part of the conservation of cultural landscapes. The importance of native and significant trees has been clearly identified as providing much of the beauty and heritage considered important in preserving the municipality's environment and quality of life. The Township's current policy states:

- Whereas certain trees are situated in the Municipality, which have heritage value due to age, size, rarity, uniqueness or other characteristic;
 - And whereas Esquimalt maintains a Heritage Tree List, which is a listing of trees identified and designated as being heritage trees;
 - And whereas the Heritage Conservation Act, Section 13, provides that a Council may acquire covenants;
 - And whereas Municipal Council desires to prevent such heritage trees from being damaged or destroyed;
1. The Municipality shall request an owner(s) of land on which there is tree(s) identified on the Heritage Tree List, as revised from time-to-time, to enter into a covenant under the Heritage Conservation Act preventing the cutting of such tree(s).
 2. Upon entering into a covenant with an owner(s), the Municipality shall register the covenant in the land Title Office against the land affected by the covenant. The covenant shall run with the land and be enforceable against the owner(s) or subsequent owner(s) of the land.
 3. The Municipality shall provide maintenance of a tree(s) whose owner(s) has entered into the afore-mentioned covenant.
 4. The afore-mentioned covenant may not be extinguished except by mutual consent of the owner(s) and the Municipality.

ACTIONS:

- *Undertake, with the assistance of the Esquimalt Parks & Recreation Department, further identification of significant trees, landscape features, views and vistas.*
- *Review current policy on Heritage Trees and define the Esquimalt Heritage Advisory Committee's role in the review of cultural and natural heritage landscape features.*

5.12 ESQUIMALT ARCHIVES

The Esquimalt Archives, established in 1984, is the most significant local collection of historic research material and is an invaluable community asset. The collection focuses on the development of Esquimalt; its holdings include both government and community records including photographs, manuscripts, ephemera and vertical files. In addition there are files on individual buildings identified in the inventory, organized by street address. This archival collection is an invaluable component of Esquimalt's heritage program. The Archives employs one Archivist, who is assisted by volunteers.



5.13 PUBLIC AWARENESS PROGRAMS

A campaign of 'heritage marketing' and public heritage awareness should be instituted, that would run parallel to other community initiatives. This could be coordinated by the municipality, the Esquimalt Heritage Advisory Committee, and/or other community groups and First Nations. The real estate community and various business groups could also contribute, taking advantage of the tourist and other economic benefits of heritage.

ACTIONS:

- *Develop a public relations program, including continuing articles about heritage concerns, and promotion of coverage of heritage events. The local media should be targeted at every given opportunity.*
- *Regularly update heritage information on the Township's website.*
- *Continue with the publication of interpretive pamphlets and brochures.*
- *Promote heritage education and increase heritage awareness through the Township.*
- *Support school programs, and the presentation of heritage within the broader spectrum of general education. The municipality and appropriate community groups should work with the School District in the development of teaching packages, beginning at the grade school level.*

- *Continue to promote heritage tourism by utilizing the existing myesquimalt.ca website, developing and maintaining heritage walking tours, and forming alliances with Esquimalt tourism groups.*
- *Build community partnerships within Esquimalt with groups such as the Military, First Nations and heritage building owners to foster heritage sustainability and economic development.*

5.14 DOCUMENTATION POLICY

For buildings and structures identified on the Heritage Register that are threatened with demolition, alteration or neglect, it is recommended that adequate documentation be undertaken as quickly as possible. In cases of proposed demolition of Heritage Register resources, the developer should be requested to provide this documentation (the alternative is for the municipality to undertake this on a cost-recovery basis).

As a long-term goal, any resources listed on the Heritage Register should be documented, as time and resources permit. As noted above, the first priority should be those threatened by demolition, renovation, or neglect. This documentation should include, but not be limited to, as-found (measured) drawings and photographs, prepared to recognized professional standards. It could also be accomplished through photogrammetric recording, which could also assist individual owners wishing to undertake further work on their buildings by providing accurate base drawings. It could also assist in reconstruction in the event of an earthquake or other catastrophe. A budget should be established, and the work phased over a period of time, as funds allow.

ACTION

- *Establish a municipal heritage documentation project.*

5.15 SALVAGE POLICY

The municipality should work with the Esquimalt Archives to develop a policy for the salvage of architectural and other artifacts in cases where demolition cannot be prevented, or where a catastrophic event has occurred to a heritage site.

Salvage of significant artifacts could be negotiated as a condition of development. These features could then be recycled into new projects or become part of the archival collection. Further to the salvage of Register sites, the municipality may wish to make note of demolition permits of other older buildings and structures. This could be accomplished either by:

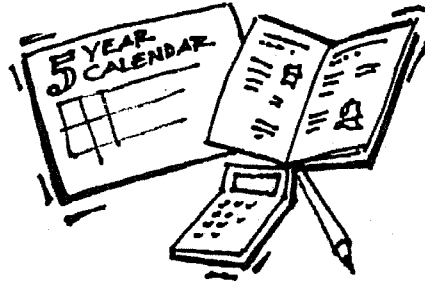
- A stamp on all demolition permit applications and new building plans to call the appropriate agency to arrange salvage before demolition. This is similar to the City of Vancouver, where plans are stamped with a note to call the Vancouver Museum before demolition.
- Make arrangements for appropriate staff to tour sites before demolition to identify artifacts that should be collected by the municipality.

ACTION

- *Establish a heritage salvage project.*

5.16 HERITAGE PROGRAM MAINTENANCE AND MONITORING

In order to remain effective, the municipality's Heritage Program will require commitment over time. This will require an ongoing allocation of resources to ensure continuity of programs and initiatives. The progress and effectiveness of the municipality's heritage program should be reviewed on a regular basis. Other municipalities update their Heritage Programs on a one, three or five year basis, depending on the needs of their community.



In order to ensure relevancy and effectiveness, Esquimalt should review its Heritage Policy every five years.

In addition, it is recommended that in order to best maintain its Heritage Program, Esquimalt should review its Heritage Register on an annual basis. This yearly update should include:

The addition of new Register resources identified through:

- Public nomination or ongoing research
- Local area heritage reviews
- Voluntary inclusion
- Inclusion in exchange for incentives

The deletion of Register resources due to:

- Demolition or inappropriate alterations

Over time, best practice in the evaluation of historic sites has evolved from the use of numerical systems to values-based assessment. International best practice includes the following evaluation tools:

1. Historic Context Statements;
2. Thematic Frameworks; and
3. Statements of Significance.

These tools are qualitative rather than quantitative. The Township and HAC should undertake the development of a new framework in which the heritage value of each property can be more fully reviewed. This assessment framework should be values-based, and should serve as a guideline for determining which heritage resources should be managed. Properties on the Heritage Register should then be re-evaluated using the new framework, which should include a thematic framework and a historic context statement.

A thematic framework organizes and defines historical themes that identify significant sites, persons and events. Historical themes provide a context within which heritage significance can be understood, assessed and compared. Themes help to explain why a site exists, how it has changed over time and how it relates to other sites linked by the theme. Historical themes can be comprehensively identified once a thematic history is prepared. This can also provide a framework for a more effective evaluation of which sites represent important themes, and the values that they represent.

As part of a thematic framework, a historic context statement is developed that provides a framework for understanding and evaluating historical resources. The significance of an individual site can be judged and explained by providing information about patterns and trends that define community history. Each site should be considered in the context of the underlying historical influences that have shaped and continue to shape settlement and development. Historic context may be organized by theme, geographic area, or chronology, and is associated with a defined area and an identified period of significance. In this way, common, ever-present and representative historic sites, as well as interesting, rare or exceptional examples, can be identified and placed in context.

Parks Canada has undertaken the development of a thematic framework, within the *National Historic Sites of Canada System Plan*, which provides a comprehensive way of looking at Canadian history and identifies sites of national significance. This overarching thematic framework can inform and support the development of a civic historic context and the development of a local thematic framework.

ACTION:

- *Review the Heritage Policy every five years.*
- *Review the Heritage Register on an annual basis.*
- *Develop and maintain a new evaluation framework for heritage resources.*
- *Evaluate new and existing heritage resources using the new evaluation framework.*

6. ACTION PLAN FOR IMPLEMENTATION

Based on the recommendation Actions of the Heritage Policy Update, the following framework has been developed for implementation. Each Action supports a Strategy that further helps achieve the Vision and Goal of the Heritage Policy. Over time, these Actions can be prioritized, and resources assigned to ensure that they can be achieved.

STRATEGY 1: A BROADER RECOGNITION OF HERITAGE

- Build community partnerships within Esquimalt with groups such as the Military, First Nations and heritage building owners to foster heritage sustainability and economic development.
- Continue to identify sites for addition to the Community Heritage Register and prepare Statements of Significance for each site.
- Undertake, with the assistance of the Esquimalt Parks & Recreation Department, further identification of significant trees, landscape features, views and vistas.
- Develop and maintain a new evaluation framework for heritage resources.
- Evaluate new and existing heritage resources using the new evaluation framework.

STRATEGY 2: MUNICIPAL HERITAGE STEWARDSHIP

- Designate municipally-owned sites that are eligible for the Heritage Register.
- Develop conservation plans and annual maintenance programs for each municipally-owned heritage site.
- Provide heritage training and education to Township Staff and the Esquimalt Heritage Advisory Committee.

STRATEGY 3: ENHANCED HERITAGE PROGRAM

- In any future updates of the Official Community Plan, further strengthen policies regarding the reservation, protection and celebration of significant historical resources that illustrate the broad range of Esquimalt's heritage values.
- Plan for the sustainable development of healthy neighbourhoods, based on their historic identity and character.
- Adopt the *Standards and Guidelines for the Conservation of Historic Places in Canada* as the basis of heritage review.
- The twelve designated sites should be added to the Community Heritage Register.
- Pursue legal protection for additional features of heritage value (outbuildings, rock walls, associated landscape features, significant interior features, etc.) not identified in existing designations. Identify and assess these additional features when considering new legal protection.
- Develop a program of effective financial and non-financial incentives appropriate to Esquimalt that will strategically encourage authentic conservation and rehabilitation, by encouraging owners to invest in their properties.

STRATEGY 3: ENHANCED HERITAGE PROGRAM (cont'd.)

- Enact a Minimum Maintenance and Anti-Neglect Bylaw.
- Review current policy on Heritage Trees and define the Esquimalt Heritage Advisory Committee's role in the review of cultural and natural heritage landscape features.
- Review the Heritage Policy every five years.
- Review the Heritage Register on an annual basis.

STRATEGY 4: INTERPRET ESQUIMALT'S HISTORY AND HERITAGE:

- Statements of Significance will be prepared for each designated site as resources allow.
- Establish a municipal heritage documentation project.
- Establish a heritage salvage project.
- Develop a public relations program, including continuing articles about heritage concerns, and promotion of coverage of heritage events. The local media should be targeted at every given opportunity.
- Regularly update heritage information on the Township's website.
- Continue with the publication of interpretive pamphlets and brochures.
- Promote heritage education and increase heritage awareness through the Township.
- Support school programs, and the presentation of heritage within the broader spectrum of general education. The municipality and appropriate community groups should work with the School District in the development of teaching packages, beginning at the grade school level.
- Continue to promote heritage tourism by utilizing the existing myesquimalt.ca website, developing and maintaining heritage walking tours, and forming alliances with Esquimalt tourism groups.

STRATEGY 5: ESQUIMALT HERITAGE FOUNDATION

- *Explore options for the establishment of an Esquimalt Heritage Foundation that would provide financial incentives for the restoration of heritage sites and help promote heritage within the community.*

APPENDIX A: DESIGNATED HERITAGE SITES

There are currently twelve properties in Esquimalt that have been designated as heritage buildings:

- 649 Admirals Road (Peter N. Cotton House)
- 1379 Esquimalt Road (St. Paul's Anglican Church)
- 1388 Esquimalt Road (*Devon Cottage*)
- 622 Head Street (*Trafalgar House*)
- 657 Lampson Street (*Windford*)
- 670 Lampson Street (Lampson Street School)
- 727 Lampson Street
- 1179 Munro Street (*Stonehenge Park*)
- 706 Warder Place/ 1182 Old Esquimalt Road (*Lyndhurst*)
- 851 Wollaston Street
- 901 Wollaston Street/572 Head Street (*Seascape*)
- 1221 Old Esquimalt Road

APPENDIX B: THE BENEFITS OF COMMUNITY HERITAGE CONSERVATION

There is a widely-held perception that protecting heritage property reduces property values or inhibits development. Studies have shown that this is not so; Professor Robert Shipley of the University of Waterloo looked at almost 3,000 properties in 24 communities across Ontario between 1998 and 2000. He found that heritage designation could not be shown to have a negative impact on property values.

In fact there appears to be a distinct and generally robust market in designated (protected) heritage properties. Generally, these properties perform well, with 74% of them maintaining their value at average or better than average market value. The rate of sale among designated properties is also as good, or better than, average market trends. Moreover, the values of heritage properties tend to be resistant to downturns in the general market.

The Vancouver Heritage Foundation undertook a research project that compared the assessed value of buildings on the Vancouver Heritage Register, by reviewing designated heritage and non-heritage properties in four Vancouver neighbourhoods (Strathcona, Kitsilano, Mount Pleasant & Hastings Sunrise). The study found that between 1999 and 2005, Heritage Register and designated heritage houses increased in value by 42%, while non-heritage houses increased in value by 39%.

The Victoria Heritage Foundation has also been tracking market values and assessments of 142 heritage houses designated prior to 1988. Between 1988 and 1999, the tax assessments for these houses increased 26% faster than the norm for the City, resulting in an increased tax return to the City.

Heritage conservation, in general, actually provides stability in the marketplace and helps protect property values. This is especially true when conservation incentives are offered, creating a category of prestige properties that are highly valued in the marketplace.

The experience of these two heritage foundations, and others in the Province, is that when incentives are available, the property values of heritage houses rise at a higher rate than normal building stock, therefore providing higher assessments and ultimately increased property taxes. This is a desirable outcome for the municipality, which reaps the downstream benefits of this investment in heritage conservation. The same is true for tax incentives, which can be used to stimulate investment in under-utilized properties that will ultimately pay higher property taxes.

ACKNOWLEDGEMENTS

The Esquimalt Heritage Policy Update 2011 was undertaken by Donald Luxton & Associates Inc. for the Township of Esquimalt. The project team included Donald Luxton, Principal, and Penny Robertson.

We would like to thank the members of the Esquimalt Heritage Advisory Committee for their participation in this process and for their insightful comments. We also thank Barbara Snyder, Director of Development Services, Township of Esquimalt for her assistance throughout the project. Gregory Evans, Esquimalt Archives assisted with historical information and images.

Esquimalt Heritage Advisory Committee 2011

- Liz Dill, Chair
- Vice-Chair David Sudbury
- Councillor Bruce McIldoon
- Councillor Lynda Hundleby
- Meagan Duncan
- Colin MacLock
- Jim MacMillan-Murphy
- Sherri Robinson
- Kara Ronse
- Kim Maddin, Recording Secretary

ILLUSTRATIONS

- Archival photographs courtesy the Esquimalt Archives
- Photograph of Esquimalt Naval Sites on page 9, courtesy Parks Canada
- Diagrams from *Heritage Conservation: A Community Guide* [Province of British Columbia, Heritage Branch, 1996]

Minister
of National Defence



Ministre
de la Défense nationale

Ottawa, Canada K1A 0K2

JUN 18 2012

Her Worship Barbara Desjardins
Mayor of the Township of Esquimalt
Municipal Hall
1229 Esquimalt Road
Esquimalt BC V9A 3P1

Dear Mayor Desjardins:

Thank you for your letter of March 30, 2012.

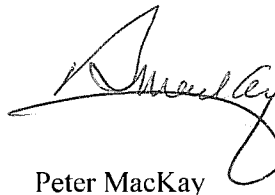
I understand your concerns about the impacts of decisions at Canadian Forces Base (CFB) Esquimalt as they relate to the well-being of your residents and your desire for consultation when these issues arise. As to the specific issues of staggered work hours and the cessation of the "Blue Boat" service, it must be understood that these were local decisions based on operational and strategic factors that underline the complexity of human resources planning and implementation across the Department of National Defence.

The effects on traffic due to the cessation of the CFB Esquimalt cross-harbour ferry service will likely be mitigated by user-pay commuter service operated by Victoria Harbour Ferry Services Ltd. as of May 1. This service is expected to provide a seamless alternative for cross-harbour commuters. The Blue Boat service was operating in an environment that could support small enterprise and is a business opportunity for local business.

As far as possible, it is important for local communities to be consulted when major decisions are made that will affect them. However, the level of this engagement must necessarily be considered case by case when operational support and meeting mission requirements are at stake. While open consultation is always preferred, it is not always possible to the level desired by all parties.

I trust that this is of some assurance, and thank you again for writing.

Sincerely,



Peter MacKay

CORPORATION OF THE TOWNSHIP OF ESQUIMALT
For Information:
 CAO Mayor/Council

RECEIVED: JUN 21 2012
Referred:
 For Action For Response COTW
 For Report Council Agenda IC



Making a difference...together

Capital Regional Corporation
 CORPORATION OF THE TOWNSHIP OF ESQUIMALT
 625 Fisgard Street, PO Box 1000
 Victoria, BC, Canada V8W 2S6
 F: 250.360.3234
 www.crd.bc.ca

For Information: CAO Mayor/Council

RECEIVED: JUN 20 2012

Referred: _____

For Action For Response COTW

For Report Council Agenda IC

File: 0220-20

June 20, 2012

Ministry of Community, Sport and
 Cultural Development
 PO Box 9056, Stn Prov Govt
 Victoria, BC V8W 9E2

Cowichan Valley Regional District Board
 175 Ingram Street
 Duncan, BC V9L 1N8

Attention: **The Honourable Ida Chong**

Attention: **Chair Hutchins and Directors**

City of Colwood
 3300 Wishart Road
 Victoria, BC V9C 1R1

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

Attention: **Mayor Hamilton and Council**

Attention: **Mayor Desjardins and Council**

District of Highlands
 1620 Millstream Road
 Victoria, BC V9B 6H1

City of Langford
 2nd Floor, 877 Goldstream Avenue
 Victoria, BC V9B 2X8

Attention: **Mayor Mendum and Council**

Attention: **Mayor Young and Council**

District of Metchosin
 4450 Happy Valley Road
 Victoria, BC V9C 3Z3

District of North Saanich
 1620 Mills Road
 North Saanich, BC V8L 5S9

Attention: **Mayor Ranns and Council**

Attention: **Mayor Finall and Council**

District of Oak Bay
 2167 Oak Bay Avenue
 Victoria, BC V8R 1G2

District of Saanich
 770 Vernon Avenue
 Victoria, BC V8X 2W7

Attention: **Mayor Jensen and Council**

Attention: **Mayor Leonard and Council**

Town of Sidney
 2440 Sidney Avenue
 Sidney, BC V8L 1Y7

District of Sooke
 2205 Otter Point Road
 Sooke, BC V9Z 1J2

Attention: **Mayor Cross and Council**

Attention: **Mayor Milne and Council**

City of Victoria
 1 Centennial Square
 Victoria, BC V8W 1P6

Town of View Royal
 45 View Royal Avenue
 Victoria, BC V9B 1A6

Attention: **Mayor Fortin and Council**

Attention: **Mayor Hill and Council**

Mr. Gerald W. Ghikas, Q.C.
c/o Borden Ladner Gervais, LLP
1200 Waterfront Centre
200 Burrard Street, PO Box 48600
Vancouver, BC V7X 1T2

District of Central Saanich
1903 Mount Newton Cross Road
Saanichton, BC V8M 2A9

Attention: **Mayor Bryson and Council**

Dear Sir/Mesdames:

**RE: DISTRICT OF CENTRAL SAANICH REGIONAL CONTEXT STATEMENT –
NOTIFICATION BY ELIGIBLE PARTY OF INTENTION TO BE A PARTICIPATING
PARTY IN FINAL PROPOSAL ARBITRATION PROCESS UNDER S. 860 OF THE
LOCAL GOVERNMENT ACT**

Pursuant to Section 17(1) of the *Regional Context Statements Regulation*, B.C. Reg. 191/98, please be advised that the Capital Regional District (“CRD”) intends to be a participating party in the settlement process to resolve a dispute between the CRD and the District of Central Saanich (“District”) regarding the District’s proposed amendment to the Regional Context Statement (Official Community Plan Bylaw 1736, 2011). The amendment relates to an accommodation for development on lands in the vicinity of the intersection of Keating Cross Road and West Saanich Road within the District of Central Saanich.

Mr. Robert Lapham, General Manager, Planning and Protective Services, will represent the CRD in this process. His contact information is as follows:

Capital Regional District
625 Fisgard Street, PO Box 1000
Victoria, BC V8W 2S6
250-360-3285
rlapham@crd.bc.ca

Mr. Lapham’s alternate will be Ms. Marg Misk-Evans, Senior Manager, Regional Planning. Ms. Misk-Evans’ contact information is as follows:

Capital Regional District
625 Fisgard Street, PO Box 1000
Victoria, BC V8W 2S6
250-360-3244
mevans@crd.bc.ca

- ✓ Please acknowledge receipt of this correspondence. Should you have any questions regarding the above, please contact the Corporate Officer, Sonia Santarossa, at ssantarossa@crd.bc.ca or 250-360-3128.

Sincerely,



Geoff Young
Chair, Capital Regional District

cc: Gary Nason, Administrator, District of Central Saanich
Kelly Daniels, Chief Administrative Officer, Capital Regional District
Brent Mueller, Manager Regional Growth Strategies, Ministry of Community, Sport & Cultural Development

CORPORATION OF THE TOWNSHIP OF ESQUIMALT
 For Information:
 CAO Mayor/Council

 RECEIVED: JUN 27 2012
 Referred:
 For Action For Response COTW
 For Report Council Agenda IC



BRITISH COLUMBIA

Serving British Columbia Since 1984
 Provincial Toll Free: 1.888.689.3463
www.childfindbc.com

Victoria Office
 2722 Fifth Street, 208
 Victoria, BC V8T 4B2
 (250) 382-7311
 Fax (250) 382-0227
 Email:
childvicbc@shaw.ca

"A charitable non-profit organization working with searching families and law enforcement to reduce the incidence of missing and exploited children."

*A Missing Child is
 Everyone's
 Responsibility*

June 25, 2012
 Esquimalt
 1229 Esquimalt Rd
 Victoria BC V9A 3P1

M. G. O. R.

Dear Friends and Supporters of Child Find BC,

I write today to let you know that planning and organizing for the 21st annual **Michael Dunahee Slo-pitch Tournament of Hope** dedicated to missing children and their families is well under way and to remind you that this year as in past years the tournament is set for the weekend after the long weekend in August (August 11, 12) at Topaz Park in Victoria.

You and your customers should know that this Tournament of Hope is the largest fundraising event for Child Find BC and the Michael Dunahee Search Centre and for the last 20 years the money raised through this tournament has allowed Child Find BC to assist thousands upon thousands of families in British Columbia. Thank you so much for your support in the past.

The support from the broad community in Victoria has ensured that for the last 20 years this annual Tournament of Hope has been an overwhelming success and has become a featured event for Slo-pitch enthusiasts in our community. We usually see some 24 union sponsored teams enter in the tournament. We are also committed to ensuring that you as a supporter of this Child Find BC tournament receive public credit and recognition for your contribution and participation in this important fund raising event.

I write also seeking your assistance in securing donations both in terms of dollars and in terms of prizes. If you and your organization wants to help out you may wish to make a donation to assist in offsetting costs associated with hosting a tournament. You may also wish to donate some prizes for players in the tournament.

However you wish to show your support, by assisting in offsetting costs or by donating prizes, rest assured that the Michael Dunahee Tournament of Hope will proudly recognize your firm for your assistance. And--Child Find BC as a registered non profit is able to issue tax receipts for the value of your donation.

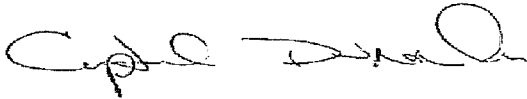
The money we raise at this tournament goes toward Child Find BC, the Michael Dunahee Search Centre. We use those funds to supply "ALL About ME" ID Kits with child finger printing and photos to families and host ID Clinics throughout BC, and we provide literature and tips for families to assist them keeping our children safe.

All of this is provided at no charge to BC parents as a direct result of the fundraising dollars raised at the annual "Tournament of Hope".

Through your support we are able to assist the families of these children as they go through the most difficult situation of their lives.

Thank you so much for your past support and continuing commitment to Child Find BC and the Tournament of Hope.

Yours truly,

A handwritten signature in black ink, appearing to read 'Crystal Dunahee', written in a cursive style.

Crystal Dunahee
President
Child Find BC

Ps. Donations can be made payable to Child Find BC and prizes can be mailed or delivered to
Child Find BC #208-2722 Fifth St Victoria BC V8T 4B2 (Call first at 1-250-382-7311)

Louise Payne

From: Graham Lang
Sent: June 28, 2012 11:51 AM
To: Barbara Desjardins
Cc: Laurie Hurst; Louise Payne; Richard Mandy; Warren Carrie k
Subject: Re: Today's news

Barb, Council, Staff & Panel colleges,

I echo Donna's sentiments exactly. Although it is very dissappointing to hear of the Ministers decision, the news comes as little surprise. However I would not change the work we have done, the path we have taken as well as what we as a group were able to accomplished.

I wanted to thank you all for the experience I gained in the past two years as a Panel member, and for all your insights, knowledge and friendship. To Donna, Warren, Richard and let's not forget Jack, it has truely been a privalegge to serve with you. To Laurie, thank you for your humor and guidance throughout the process, and your knowledge of the appropriate process' . To Ken, **WARD**, Ken & Pat at 3Si, your knowledge of policing was extremely helpful, insightful and inspiring, we couldn't have done it without you. To members of Council, past and present, you have all been so supportive. Even though Dave & Tim were not always in agreement with the recommendation you were very supportive of the process, thank you. To the remaining members of Council , past and present, Meagan, Lynda, Bob and David, as well as former Council members Linge, Gaul and McIldoon thank you for your support and for my appointment to this Panel. To Diane & Louise for the support, the cookies, the reminders of meeting dates, as well as the wonderful agendas and meeting minutes you supplied to us.

Lastly and most importantly I want to thank Barb for your unquestionable leadership, your kindnest, your persistant determination in bringing the Panel together to accomplish the work we able to do for policing in Esquimalt at the same time as all your other duties as Mayor, wife and mother. Barb, you are a credit to the Township of Esquimalt, it has been an honour to serve with you.

Unfortunately the Minister has taken the course of action we all thought she might...by doing nothing, just a bit of "fluff" here and there, really nothing has changed except the name on the side of the cars and the letter head. Something else Esquimalt will have to "pickup the tab" for. I sincerely hope this is not the end of the road of the issue of policing in Esquimalt and would like you to know that if there is ever anything I can do to help in the future please don't hesitate to ask.

Cheers,
Graham

The writer has
consented to the
public distribution
of this information.

Louise Payne

Subject: FW: Today's news

From: Warren Carrie
Sent: June 28, 2012 12:22 PM
To: Graham Lang
Cc: Barbara Desjardins; Laurie Hurst; Louise Payne; Richard Mandy
Subject: Re: Today's news

Graham has said it all...and so well. I will certainly wait and watch with interest as council decides its next step. William Perry seems to feel this has been an illegal edict also.

Warren

The writer has
consented to the
public distribution
of this information.

Laurie Hurst

From: Richard Mandy
Sent: June 28, 2012 1:14 PM
To: Barb Desjardins; 'Warren Carrie k'; dhhumphries ; Laurie Hurst; grahamlang
Cc: shirley.bond.mla@leg.bc.ca
Subject: Esquimalt Police Panel

Barb, Council, Staff & Panel colleges,

I too echo Donna's sentiments exactly. It is very disappointing to hear of the Ministers decision.

The work the panel has done is stellar and beyond reproach. In my opinion the Minister is wrong in her decision and although she has a right to be wrong it is unfortunate that Esquimalt will have to pay the price for her error.

I think we should all remember that we put in approximately 6,200 person hours of analysis and research and our consultants another 1,000 or so hours. Having years of management qualifications at the Federal, Provincial and Municipal level of governments, between the members of the team, we were uniquely qualified to seek a solution for policing in Esquimalt. The Ministers consultant at best spent a few hundred hours of analysis with much less experience.

I believe that it would have served the Minister and the Township well to have the consultant's report reviewed and responded to by the panel prior to any decisions. Unfortunately the Minister saw fit to withhold this information from the panel until her decision was announced. Therefore the Panels' advice could not be provided to her. It is also unfortunate that the Minister will not permit the panel to speak publicly about the impact of her decision on Esquimalt in terms of cost and quality of policing. I am sure the residents would be interested in knowing how much more they will have to potentially pay for the Ministers' decision.

Finally I would like to understand more fully the Provincial Governments role in running the operations of Townships. As a resident of Esquimalt I am confused as to whom is responsible for local policing in British Columbia. I am hopeful that some clarification will be forthcoming from the UBCM or the Township.

It has been my pleasure to serve the Province and the Township in my capacity as a Ministry Appointed Panel member. Thank you all for your support and a great experience.

Best Regards

Richard

The writer has consented to the public distribution of this information.
--

June 30, 2012

Mayor and Council
Township of the Esquimalt
1229 Esquimalt Road
Esquimalt, BC.

RE:Policing in the Township of Esquimalt

BACKGROUND

At the Request of the Solicitor General, a Cabinet Order-in-Council #303 was issued to establish a Police Advisory Panel, with a responsibility to investigate and report to the Solicitor General on the wishes of the people of Esquimalt for policing in the municipality. Once the wishes were known the panel was to issue a Request for Proposal (RFP) seeking applicants willing to provide the service level desired and to provide a cost for so doing.

The Panel did as it was requested and submitted a report with a recommendation that the RCMP be retained, since its submission was the one which best satisfied the requirements of the RFP and provided it at a lower cost than competing responders.

The Solicitor General requested additional detail in support of the recommendation and this was subsequently provided.

In response the Solicitor General retained the services of a mediator to work with the panel and the current provider to determine if the current provider VICPD could meet the needs of Esquimalt and if conditions could be developed to meet those needs.

The mediator submitted a report with recommendations that the mediator believed would provide a workable solution. The Solicitor General accepted the recommendations of the mediator and advised Esquimalt that her office had done so.

ANALYSIS

1. The Esquimalt Police Advisory Panel fulfilled its obligation as set out in the OIC.
2. The Panel made a recommendation that was not accepted by the Solicitor General.
3. The Solicitor General retained the services of a third party (a mediator) to review the material and to make a recommendation based on that review.
4. The Solicitor General accepted the recommendations of the mediator and this position was made known to Esquimalt.
5. Does Esquimalt have to agree to the recommendations and to try to have them implemented?
6. Esquimalt does not have the power or authority to require that those recommendations be implemented, should it agree to accept them.
7. The Solicitor General has not ordered that the recommendations be followed, either by Esquimalt or the Victoria Police Board and it may be a legal argument as to whether or not the Solicitor General even has such power under the Police Act.
8. If Esquimalt does not wish to accept the recommendations, it can seek a legal opinion as to whether it can do so and further if the Solicitor General has any authority under the Act to force Esquimalt to adopt and follow the

CORPORATION OF THE TOWNSHIP OF ESQUIMALT		
For Information:		
<input checked="" type="checkbox"/> CAO	<input checked="" type="checkbox"/> Mayor/Council	
<input type="checkbox"/>		
RECEIVED: JUL 03 2012		
Referred:		
<input type="checkbox"/> For Action	<input type="checkbox"/> For Response	<input type="checkbox"/> COTW
<input type="checkbox"/> For Report	<input checked="" type="checkbox"/> Council Agenda	<input type="checkbox"/> IC

recommendations. Similarly the same questions arise with respect to the Victoria Police Board.

9. I understand a legal opinion obtained during the 2002 amalgamation indicated the Solicitor General did not have the authority to force an amalgamation, and it was subsequently reported that it was done at the request of the Mayors and Councils of both Esquimalt and Victoria, whereupon, under the Act amalgamation is permitted.
10. Under the Police Act, Esquimalt municipality is responsible for providing police services that meet the requirements of the Police Act. It is the Solicitor General's responsibility to monitor and ensure the municipality satisfies the requirements.

Unless legal counsel can determine the Solicitor General has authority under the Police Act to require Esquimalt and Victoria to implement the recommendations to which she has agreed, there is no guarantee that Esquimalt will achieve any of the changes recommended.

This suggests Esquimalt may still be able to proceed as recommended by the Esquimalt Police Advisory Panel, if Esquimalt Council chooses to adopt that approach.



The writer has
consented to the
public distribution
of this information.

Laurie Hurst

From:
Sent: July 1, 2012 2:07 PM
To: letters@timescolonist.com
Subject: Esquimalt Police Advisory Board/Panel

A little over two years ago, I was interviewed and appointed by the (then) Minister of Public Safety and Solicitor General to the Esquimalt Policing and Law Enforcement Advisory Board/Panel . With three other citizens of Esquimalt and the Mayor, we embarked on an examination of policing models, current service delivery and community needs. The Office of the Policing and Community Safety Branch provided direction and we dutifully provided meeting agendas, reports and sought their advice as deliberated. We held open houses to seek community input. We read and researched information. We hired a professional consultant to provide us with an understanding of the scope and nature policing services.

The Provincial Ministry provided advice and support in our formal and rigorous search for contracted police services. We carefully created an interview process and issued a call for proposals. When we received expressions of interest from the RCMP and from VicPD, we reviewed them independently and interviewed representatives. In short, we were objective and thorough. The RCMP proposal clearly met the stated objectives and goals for our community and exceeded the proposal from Victoria. We duly reported to the Province our findings and our recommendation that Esquimalt contract with the RCMP for policing. And then we waited. And waited.

In the interim, the Province proceeded to hire a private consultant to examine the Victoria Police Board. We were assured that this was a parallel process and would not interfere or sideswipe our process; an examination of the results of amalgamation was long overdue and we were certain that the results and more information could only support our recommended direction. How naïve we were. Neither the Advisory Board/Panel nor the Municipal Council were given an opportunity to read and respond to the report from Greatbatch before the Minister announced her decision to accept it over our recommendations.

While the Jean Greatbatch report exposes serious problems with the operation and practices of the Victoria Police Board that should alarm the community, and her results and recommendations support the very reason and appropriateness of Esquimalt seeking an alternative to amalgamation with VicPD, what is most disturbing is that the Province has ignored the original community-driven process that they initiated. They have dismissed our efforts, the time and money spent by both the RCMP and the City of Victoria preparing their proposals and the expressed opinions of two Esquimalt councils. Unfortunately, the public is not able to examine the proposals from either the RCMP or VicPD as the Province has not released this work. I am very sure that given that opportunity, any thinking and rational citizen would have supported a move to the RCMP.

I am insulted and sincerely embarrassed by the abuse of process and disregard for our community by a Provincial minister. Other municipal governments take note of this authoritative and paternalistic behaviour. And this from a government for families and communities?

Donna Humphries



RISE AND REPORT

From: *In Camera* Meeting of July 4, 2012

To: Meeting of Municipal Council – July 9, 2012

Item:

Policing Services – Discussion Re: Mediator’s Report and Next Steps

At the Special *In Camera* meeting of the Township of Esquimalt Council held on July 4, 2012, Council passed the following resolutions:

1. That Council directs that the Ministry of Justice Mediator’s Report on Victoria and Esquimalt Policing – Governance and Funding Issues be added to the agenda for the Special Council meeting on Monday, July 9, 2012 for discussion.
2. That the Township of Esquimalt seek legal advice regarding jurisdiction under the *Community Charter* and the *Police Act* for the provision of policing services.
3. That the Township of Esquimalt request that both the RCMP and Victoria Police Department, who submitted proposals under RFP #ESQ-01-011, to release their proposals to the public.

NEWS RELEASE

For Immediate Release
2012JAG0127-000944
June 27, 2012

Ministry of Justice

Province releases report on Victoria-Esquimalt policing, accepts recommendations

VICTORIA – The Province supports the recommendation in the independent mediator’s report to maintain an amalgamated police department and board structure for policing in Victoria and Esquimalt and is taking steps to facilitate a stronger, more equitable relationship, Minister of Justice and Attorney General Shirley Bond announced today.

The report, *A Framework for Effectiveness*, produced by independent mediator and human resources specialist Jean Greatbatch, makes a number of recommendations to help create an effective, sustainable relationship and new approach for the municipalities to work together.

The Province supports the recommended development of a framework agreement between the City of Victoria and the Township of Esquimalt and will immediately implement the following action plan:

- The Province will appoint a facilitator to work with the parties to develop a framework agreement, to be completed by Oct. 31, 2012, and will provide other resources where needed. The framework agreement will be reviewed after three years by the director of police services, to ensure it provides:
 - An effective service delivery model.
 - An equitable funding formula.
 - A transparent and accountable budgeting processes.
 - Predictable conflict resolution.
- The Province will help the parties establish two new Community Advisory Committees (CACs) by Nov. 30, 2012, to receive ongoing input from both communities about policing and law enforcement issues to meet citizens’ expectations. The CACs will regularly report to the police board.
- The Province will provide advanced training to police board members about their roles, responsibilities, and mandate in the context of the restructured amalgamated police service to be completed by Oct. 31, 2012 – to assist the board in working collaboratively and function with a shared vision.

- Upon successful completion of a workable framework agreement and community input mechanisms, the Province will facilitate changing the name of the board and the police department to the Victoria-Esquimalt Police Board and Victoria-Esquimalt Police Department, as recommended in the report.

Greatbatch also recommended the board have two co-chairs rather than a chair and vice-chair. This is among a number of issues that will be addressed as the parties develop the framework agreement, through a facilitated approach, so they can determine whether to incorporate additional recommendations or develop other options.

Quote:

Minister of Justice and Attorney General Shirley Bond –

“I want to ensure that policing in Esquimalt and Victoria is fair and effective for both parties. That’s why we are taking specific steps to support them in creating a new framework for policing. I want to thank Jean Greatbatch for her careful consideration of the governance and funding issues that Victoria and Esquimalt have been dealing with. This report, and the earlier provincial audit, both support continued amalgamation but have offered some specific and valuable tools to help guide the future success of policing in these communities.”

Quick Facts:

- In 2002, The Ministry of Public Safety and Solicitor General announced the amalgamation of Victoria and Esquimalt Police forces. The official amalgamation occurred in 2003.
- In 2009 the Province conducted an audit, which was released in 2010 to ensure that both communities, Victoria and Esquimalt, continued to receive policing services to their satisfaction. The audit concluded that Victoria Police Department was providing effective service, but also recommended revising the service delivery model and governance structure. The audit also concluded that it was appropriate for Esquimalt to explore alternative service delivery options in line with the municipality’s vision for policing the community.
- In July 2010, the Esquimalt Policing and Law Enforcement Advisory Panel, which was recommended in the audit, was formed with a mandate to research and report back on what was necessary for the township to provide policing and law enforcement.
- Esquimalt issued an RFP and received two proposals, one from Victoria and one from the RCMP. The Panel Report was submitted to the Police Services Division on June 29, 2011. The Province wrote to and met with Esquimalt officials asking for more information regarding contractual, budget and labour issues, which were absent from the report.

- In October 2011, the director of police services initiated a review, to be conducted by Jean Greatbatch, to attempt to resolve the outstanding issues of the current policing arrangement between Esquimalt and Victoria. The review focused on governance, decision-making regarding financing and methods for dispute resolution.

Learn More:

The report, A Framework for Effectiveness is posted at:

http://www.pssg.gov.bc.ca/policeservices/shreddocs/report_on_victoria_esquimalt_policing.pdf

Media availability:

Minister of Justice and Attorney General Shirley Bond will be available to media with her director of police services, Clayton Pecknold, to answer questions via teleconference as follows:

Event Date: Wednesday, June 27, 2012

Time: 12 noon

Call-in number: 1 877 353-9184

Participant code: 9494168

Contact:

Government Communications and Public Engagement

Ministry of Justice

250 356-6961

Connect with the Province of B.C. at: www.gov.bc.ca/connect

A Framework for Effectiveness

Report on Victoria and Esquimalt Policing - Governance and Funding Issues -

January 31, 2012

JEAN GREATBATCH & ASSOCIATES
Creating Collaborative Organizations

Table of Contents

Executive Summary.....	3
Introduction.....	4
Terms of Reference.....	5
Methodology.....	6
Interviews.....	6
Background.....	7
Esquimalt Police and Fire Department.....	8
Victoria Police Department.....	8
Amalgamation.....	9
Public Opinion Polls.....	11
Financing and Accounting Agreement.....	11
2010 Audit of Victoria Police Department.....	11
Esquimalt Policing and Law Enforcement Advisory Panel.....	13
Victoria Police Board Structure.....	13
Current Budget Process.....	14
Issues and Analysis.....	14
Governance – Issues and Structure.....	14
Decision-making Processes - Finance.....	21
Methods for Dispute Resolution.....	23
Other Issues Affecting Board Effectiveness.....	23
Proposed Solutions.....	24
Overarching Recommendations – Name Change.....	25
Overarching Recommendations – Framework Agreement.....	25
Overarching Recommendations – Review Process.....	27
Recommendations – Governance Issues and Structure.....	27
Recommendations – Decision-making Processes about Finance.....	30
Recommendations – Methods for Dispute Resolution and Managing Conflict.....	31
Recommendations – Other Issues Affecting Board Effectiveness.....	32
Appendix.....	33
Demographics and Criminal Code Offences.....	33
Calls for Service 2006-2011.....	33
Policing Costs per Capita.....	34
Percentage of Total Victoria Police Department Budget, by Community.....	34

Executive Summary

The police services of the Township of Esquimalt were amalgamated with the Victoria Police Department in 2003 because its elected officials and the Solicitor General believed it was in the best interests of its citizens to do so. A collaborative process between the Esquimalt's and Victoria's Mayors and staff and the Police Services Division of the Ministry of Public Safety and the Solicitor General resulted in a quick transition to the new structure. The transition plan dealt with the immediate logistical problems rather than setting up structures and processes for the long term health of the new department or board. The plan contained no process for resolving issues that arose during the period following the amalgamation. No consideration was given to providing the new amalgamated Police Board with the tools it would need to successfully operate with members from different perspectives and histories who did not have a common vision of policing.

The intent of those involved in the Transition Committee was that the formula for sharing costs, the name of the amalgamated force and other details would be reviewed (and perhaps adjusted) after one year. Unfortunately, the review did not take place. As a result, when disagreements over governance, funding and service delivery surfaced structures and processes were not adjusted. In short, the new Board and Department were not given the structure they needed to succeed.

In conducting this study Jean Greatbatch interviewed those most involved in the current governance structure and conducted an exhaustive review of relevant documents. She canvassed concerns and perspectives to develop a list of issues that must be addressed. Jean sought input from interviewees about possible solutions.

In light of the concerns expressed and the history contained in the documents, Ms. Greatbatch is making recommendations in three broad areas. Her overarching recommendations include continuing the amalgamation; changing the names of both the Department and the Board to reflect a true partnership; the negotiation of a Framework Agreement between the City of Victoria and the Township of Esquimalt that would deal in detail with financial processes and service delivery; and a review of the new structure, funding formula and processes after five years. She recommends an improved strategic planning process and new structures for increasing community input to improve governance. Ms. Greatbatch's key recommendations about financial decision-making include more control for each Municipality over patrol staffing and costs, improved budgeting processes and an efficiency review to look at cost-savings. To ensure that disagreements are dealt with both quickly and constructively Ms. Greatbatch is recommending a conflict resolution process.

There are 43 recommendations in total, each designed to address specific concerns raised. Taken together they provide a framework for effectiveness in the governance of the police services in Esquimalt and Victoria.

Introduction

January 31, 2012

In October 2011, Clayton Pecknold, Director of Police Services for British Columbia, appointed Jean Greatbatch to study the issues causing conflict between the City of Victoria, the Township of Esquimalt and the Victoria Police Board. This report summarizes the concerns and insights of those involved. It recommends procedures and practices to ensure the Township of Esquimalt and City of Victoria have a more effective policy-driven Police Board, and as a result, more effective delivery of police services.

In 2002 a process was put in place to amalgamate the Esquimalt and Victoria Police departments. Although both Municipal Councils had approved the amalgamation and the initial outcome was positive, over time they became concerned that the Police Board was not functioning effectively and there were no agreed upon procedures to improve the situation.

The City of Victoria and the Township of Esquimalt serve two distinct populations and have different visions of service delivery. To be successful, the amalgamation required the new Police Board to acknowledge there was a difference in cultures between the two communities. The Board needed to provide an overall vision, policy directives in accordance with the *Police Act* that responded to community needs, strong leadership and ongoing evaluation.

The urgency of the initial set up—the amalgamation Transition Committee only had a few weeks—militated against setting up practices and procedures to ensure ongoing Board effectiveness. It was assumed that at a later date mechanisms would be put in place to ensure the Board would meet the requirements for effective oversight of policing in both communities.

As a result, Board members faced a number of challenges: lack of clarity of their role (policy) and the role of staff (operations); no effective strategic planning mechanism and evaluation process; and no means to address concerns. Over time, as Board members, the Municipal Councils and their constituents saw no means of addressing their community policing concerns, there were piecemeal attempts to address issues. This often led to a worsening situation.

This report outlines how, following *the BC Police Board Handbook* and building on the expertise of those involved, procedures and practices can be set in place to address these concerns. These will ensure that, under the direction of the Police Board, staff can provide more effective, community-responsive police services to Esquimalt Township and the City of Victoria.

Victoria and Esquimalt Policing Study

Over the course of the study Jean Greatbatch reviewed hundred of documents and interviewed over thirty people who had significant involvement with the policing issues under review. All interviewees were eager to share their observations, opinions and thoughts about the history of the conflict and possible resolutions to the issues. Senior staff at the Victoria Police Department, the City of Victoria and the Township of Esquimalt were very helpful in this process by providing her with information, documentation and data. The Executive Assistant to the Victoria Police Board answered questions about Board procedures and supplied historical documents. Staff at Police Services assisted Ms. Greatbatch's work by giving her invaluable background information and documentation.

Terms of Reference

The terms of Reference for the study were set as follows:

I. Overview

Under Police Act Section 42 (1) "the director [of Police Services], may under the director's own initiative or on request of a council or board, study, investigate and prepare a report on matters concerning law enforcement and crime prevention in British Columbia or in a designated area of British Columbia."

II. Framework

As per Section 42, the Director of Police Services, will conduct a study into issues pertaining to the policing of the City of Victoria (Victoria) and The township of Esquimalt (Esquimalt).

The study will look at the following issues:

- Governance issues and structure
- Decision making processes regarding financing
- Methods for dispute resolution
- Other issues that affect the ability of the Board to work effectively

III. Process

Police Services will hire a third party to investigate any challenges regarding the issues outlined in Section II above with respect to Victoria and Esquimalt and will, in the course of this investigation, look for mutual solutions and make recommendations.

Solutions and recommendations cannot contradict any provisions in the Police Act, or any other provincial or federal statute.

IV. Report

A report will be submitted to the Director of Police Services by January 30, 2012.
The report will include:

Victoria and Esquimalt Policing Study

- Identification of the issues (outlined in the Section II above)
- Analysis of such issues
- Solutions and recommendations

In short, Ms. Greatbatch's overall mandate is to identify the issues underlying the conflict between the municipalities and with the Victoria Police Board, to look for common ground for resolving identified issues and to make recommendations for resolution of those identified issues for which there does not appear to be common ground.

Methodology

Information contained in this report was gathered from twenty six in person interviews, six telephone interviews, reviewing previous reports, documents provided by interviewees, minutes of the Victoria Police Board meetings, and documents provided by the Township of Esquimalt, the City of Victoria, the Victoria Police Department, the Victoria Police Board and the Police Services Division.

Interviews

Interviewees were asked open-ended questions to elicit their opinions, their observations of events that had led to the current situation, and their thoughts about possible resolutions. Efforts to set up interviews with one former mayor and one Victoria Police Board member were unsuccessful. Those interviewed are from the following stakeholder groups:

Municipal Mayors and Councillors

Mr. Dean Fortin, Mayor of Victoria
Ms. Barbara Desjardins, Mayor of Esquimalt
Mr. Alan Lowe, former Mayor of Victoria
Ms. Meagan Brame, Councillor, Esquimalt
Ms. Lynda Hundleby, Councillor, Esquimalt
Mr. Donald Linge, former Councillor, Esquimalt

Senior Staff of Victoria Police Department, Victoria Police Board and Municipalities

Ms. Gail Stephens, City Manager, City of Victoria
Mr. Tom Zworski, City of Victoria Solicitor
Ms. Laurie Hurst, Chief Administrative Officer, Township of Esquimalt
Mr. Jamie Graham, Chief Constable, Victoria Police Department
Mr. Del Manak, Deputy Chief, Victoria Police Department
Mr. John Drucker, Deputy Chief, Victoria Police Department
Mr. Steve Ing, Inspector, Victoria Police Department
Mr. Scott Seivewright, Comptroller, Victoria Police Department
Mr. Darrel Maclean, Inspector (Retired), Victoria Police Department
Mr. Clark Russell Inspector, Victoria Police Department
Ms. Barb Cameron, Executive Assistant to the Victoria Police Board

Victoria and Esquimalt Policing Study

Victoria Police Board Members

Ms. Kathy Mick, Esquimalt Community Appointee
Ms. Joan Kotarski, Victoria Community Appointee
Ms. Lindalee Brougham
Mr. David Johns
Mr. Gordy Dodd
Mr. Ralston Alexander
Ms. Catherine Holt, former Board member (2004-2008)

Members of the Esquimalt Policing and Law Enforcement Advisory Panel

Mr. Richard Mandy
Mr. Warren Carrie
Mr. Graham Lang
Ms. Donna Humphries

Union Representatives

Mr. Tom Stamatakis, President, B.C. Police Association
Mr. John Burrows, President, CUPE Local 50
Ms. Susan Jansen, National Representative, CUPE

Police Service Division

Mr. Kevin Begg, former Director of Police Services

Background

The Township of Esquimalt is a small community of approximately 17,400 residents. It covers 7.04 square kilometres of land located 4 km west of the City of Victoria. Its tax base is mainly residential, as it lacks major industries and commercial centres. The largest non-residential contribution to its municipal budget is the Esquimalt Naval Base, which provides an annual payment in lieu of taxes (PILT). The Base's PILT is 33% of Esquimalt's tax base. Until recently the Federal government has based the PILT payment on the Provincial assessed rate. However, in the past year it has paid a lower Federal assessed value for the Naval Base land. This resulted in a reduction of \$350,000 in revenue for the Township, the equivalent of a 1.5% reduction in property taxes.

As part of its 2009-2011 Strategic Plan, the Esquimalt Council requested the Mayor to improve police services by encouraging a provincial audit, lobbying for a more significant role for Esquimalt on the Victoria Police Board and improving communication between the Esquimalt appointee on the Victoria Police Board and the Council. In addition, the Council set a strategic priority of ensuring policing costs were affordable. The demographics of Esquimalt have resulted in a high rate of serious crime on the Township. Group homes, transients, addicts, the unemployed, and parolees and probationers who are red-zoned out of downtown are attracted by the low rents in the Township. The number of violent criminal code offences, including home invasions,

Victoria and Esquimalt Policing Study

sexual assaults, and domestic assaults, is high. Esquimalt's share of Victoria Police Department's Priority 1 calls for service has ranged from 13.9% to 17.9% in the past six years.¹

The City of Victoria, BC's Provincial capital since 1849 has a resident population of approximately 80,000 and covers an area of 19.7 square kilometres. The daily population grows to as many as 250,000 when cruise ship visitors, government employees and residents of other municipalities in the Capital Regional District flood into the downtown area. Because the City contains most of the social services for the Region, its population includes many seniors, people with mental and physical disabilities, people with addictions, people on income assistance and the homeless. The industrial base of the City is mainly public administration, tourism and retail. The City receives some payments from the Province of B.C. for the Legislature and other government properties, based on the Provincial assessed rate. Victoria and Esquimalt combined have the highest crime rate and the lowest annual income in the region.²

Esquimalt Police and Fire Department

The Township of Esquimalt established a joint police and fire service when it was incorporated in 1912. Until 1950, its non-civilian staff members were either police officers or firefighters. Following unionization of the force in 1957 non-civilian staff were fully amalgamated into a combined department led by a Chief Constable, Deputy Police Chief, and Deputy Fire Chief. The department consisted of five platoons, composed of a Fire Sergeant, a Police Sergeant and between five and seven constables. In addition eight specialised officers were employed to liaise with the community, conduct investigations and fight street crime. The department operated with a "no call too small" philosophy. Its headquarters was the Esquimalt Public Safety Building.

Victoria Police Department

The Victoria Police Department was established in 1852 and currently comprises 243 police officers and 106 civilian staff. Its sworn officers are members of the Victoria City Police Union and civilian staff members are represented by the Canadian Union of Public Employees. The Victoria Police Department operated on a community based policing model during the 1980's. The Department opened its first community sub-station in 1987, in James Bay. Other stations opened in Blanshard, Fairfield, Victoria West and Fernwood over the next two years.

In 2001 the Victoria Police Department joined with other emergency response providers in the Capital Regional District to form the Capital Region Emergency Service Telecommunications Incorporated (CREST) – an independent agency to handle emergency calls. Since the inception of the CREST system problems with coverage in Esquimalt and in underground garages in the City have necessitated uniformed officers working in pairs and relying on cellular telephones for back up.

¹ See Appendix for a breakdown in Priority 1, 2, 3, 4 – 9 calls between Victoria and Esquimalt

² See Appendix for the most recent statistics on population and criminal code offences

Amalgamation

Between 1979 and 2001 serious issues became apparent within the Esquimalt Police and Fire Department. As a result, the Esquimalt Municipal Council and Esquimalt Police Board announced that it intended to separate the police and fire services. The Council voted to amalgamate the police service with the Victoria Police Department. Shortly thereafter the City of Victoria announced it had reached agreement with the Township to provide it with contracted fire services. Incumbent Esquimalt firefighters would be required to apply for a position with the Victoria Fire Department if they wished to be employed. The decision to contract with the City for fire services was overturned following the municipal election in November 2002. The new Council cancelled the contract with the City and established a stand-alone Esquimalt Fire Department.

In July 2002, then Solicitor-General Rich Coleman, announced that the Esquimalt Police Department and Victoria Police Department would be amalgamated. He appointed the Director of Police Services, to head up a small Transition Committee to make recommendations for a smooth change-over. The Committee was composed of the Director of Police Services, the Chief Constables of both police forces, City Managers from each municipality, and the Presidents of both Police Unions. Five subcommittees composed of rank and file officers, civilian staff, the Unions, Council members and managers from both Victoria and Esquimalt were struck to create integration plans within 14 weeks. The subcommittees recommended a decentralized model for the new force based on; three geographic zones, each commanded by an inspector and with its own resources; a method of community-based policing prioritizing interaction with youth and schools; and specialized units within each zone to target local issues. The Finance Subcommittee recommended against a fee for service contract model and developed a funding formula.

The recommendations of the subcommittees relevant to this report include the following:

- All costs for providing policing services to both communities be included in the amalgamated police department's budget;
- Each community to pay a percentage of the police department budget, based on converted assessment (including PILT), similar to allocation for other Capital Regional District funding formulae and that would result in cost neutrality. The City of Victoria would continue to provide administrative services such as payroll to the Victoria Police Department. The funding formula to be applied as an interim measure for the 2003 budget year;
- The Province be asked to fund one-time transitional costs;
- The amalgamated department be named "Victoria Police Department" for the first year of its existence. Costs for a name change (from "Esquimalt Police Department"), estimated at \$220,000, could be included in the 2003 department budget;
- Decals on Esquimalt Police Department cars be changed and shoulder flashes on members' uniforms changed to "Victoria Police Department";

Victoria and Esquimalt Policing Study

- Thirty nine sworn Esquimalt Police Department officers be integrated into the new Department and covered by the Collective Agreement between the Victoria Police Department and the Victoria Police Union. Seven civilian Esquimalt Police Department staff would join the Victoria City staff CUPE local;
- An amalgamated Board be established, tasked with “setting priorities, goals and objectives of the new police department and developing the annual police department budget. The Board would be composed of the mayors of the two communities, an appointee from each of the communities and five members appointed by the Lieutenant Governor in Council. The Mayor of the City of Victoria to chair the Board, with the Mayor of Esquimalt to be the Vice-Chair;
- Each of the three operational geographic zones be headed by an inspector, responsible for managing and deploying staff in his/her area. A Patrol Inspector coordinate deployment across all areas. An Investigations Inspector coordinate investigations force-wide. An increase in primary response officers, community and school liaison officers, beat and bicycle units, and specialty units for surveillance and other enforcement;
- Dispatch be centralized at the Victoria Police Department 9-1-1 call centre. The Esquimalt Public Safety Building continue to house police staff around the clock, but its front counter to be open only from 08:00 to 18:00 weekdays, consistent with other Departments’ practices.

There were no specific mechanisms for review of the amalgamation terms nor did the Transition Committee specify who would be responsible for reviewing the funding formula and the Department’s name.

Provincial Order in Council M395 (Victoria/Esquimalt Amalgamating Ministerial Order) established the amalgamated Victoria Police Department and appointed an amalgamated Victoria Police Board effective January 1, 2003. The Board was composed of the Mayor of the City of Victoria (Chair); the Mayor of Esquimalt (Vice-Chair); an appointee from each of the two communities; and five members appointed by the Lieutenant Governor in Council. All former employees of the Esquimalt Police Department who wished to work for the amalgamated police department were given the opportunity to transfer to Victoria Police Department without loss of seniority or benefits. The B.C. Pension Corporation ruled that all former Esquimalt Police Department staff members would be considered employees of the Victoria Police Board for their entire length of service.

The Victoria Police Department established a Victoria West Division made up of: an inspector; patrol officers; beat-bicycle officers; community policing officers; plain-clothes youth/gang officers; school liaison officers; a supervisor and civilians who staffed the front counter.

In 2004, then Chief Constable Battersill announced that as a result of an operational review of the Victoria Police Department, the staff complement at the Victoria West Division would change. All patrol, bicycle, youth/gang officers, one of the community policing officers and the supervisor were redeployed to the Victoria headquarters.

Public Opinion Polls

In July 2004 the Victoria Police Department conducted a public opinion survey of Esquimalt residents. Seventy six percent felt that the Victoria Police Department was doing a good or excellent job. Over three quarters (78%) were satisfied or very satisfied with the amalgamation. Eighty six percent (86%) of respondents reported they were satisfied or very satisfied with Victoria Police Department's services. There was a positive perception of service since the departments were amalgamated. Almost all (93%) of respondents said they felt safe in Esquimalt.

A later poll, conducted in 2007, after the operational review, showed a 17% decline in Esquimalt citizens' satisfaction with the Victoria Police Department. Only 69% reported being satisfied or very satisfied with the Victoria Police Department's service. The key areas for improvement Esquimalt respondents required for their satisfaction to increase were: more uniformed patrols/increased community visibility (85%); more time spent targeting criminals (53%); more crime prevention work in community (53%); hiring more officers (50%); and officers spending more time interacting with citizens (46%).

Financing and Accounting Agreement

On June 9, 2009 the Mayors of the City of Victoria, Township of Esquimalt and the Victoria Police Board entered into an agreement to formalize financial procedures for a period of five years. The terms of the Agreement had been developed by the finance staff of the Municipalities and Victoria Police Department. The Agreement contained the following clauses relevant to this report:

- A list of costs to be included in the Victoria Police Department budget submitted for approval by the City and Township Councils.
- Each Municipality's share of the costs would "continue to be based on the converted value of land and improvements, including properties exempt from taxation, assessed for hospital district purposes in their respective municipalities in each budget year."
- The preliminary budget request for the following calendar year would be provided to each municipality by October 31.
- A joint meeting would be held by December 31 of each year between the Victoria Police Board and both Councils to "provide feedback and discussion" on the budget request for the following year.
- A final budget request would be provided by the Board to each Municipality by February 28 of each year.

2010 Audit of Victoria Police Department

By 2009 the Director of Police Services became concerned about the accountability of the Victoria Police Department and the Board to the citizens of Esquimalt. Since the amalgamation the Victoria West detachment had been effectively dismantled, Esquimalt was paying an increasing amount for services and there was insufficient data provided to explain costs. In March 2010, the Police Services Division issued a report of an audit of Victoria Police Department's service levels. Overall the audit team found that Victoria

Victoria and Esquimalt Policing Study

Police Department provided adequate and effective service to the citizens of both Victoria and Esquimalt. Some of the key findings relevant to this report include:

- The crime rate in Victoria and Esquimalt is high compared to other communities with municipal police departments
- The Victoria Police Department's case load was high compared to most other municipal police departments
- The police department consistently had the highest costs per capita of all the municipal forces
- Calls for service from Esquimalt had historically been more serious than calls from Victoria. For example, there have been a higher number of Priority 1 calls and calls to which 10 units were dispatched than in the City
- The average response time for Priority 1 calls was eight minutes (one minute over the best practice target)
- The municipalities had failed to review the interim funding formula recommended by the Finance Sub-Committee of the amalgamation Transition Committee
- The service model recommended by the Operational Sub-Committee of the amalgamation Transition Committee had not been implemented. The result was the lack of a dedicated Esquimalt patrol
- The maximum strength for each patrol has not been examined since 2003
- The Victoria Police Department management had no capacity to evaluate performance of their patrol functions

The audit team made three major recommendations about the funding, structure and governance of the amalgamated department:

1. The current service delivery model be revised to allow Esquimalt to contract for policing services with any municipal police department in the Capital Regional District. The terms of the contract would include:
 - minimum level of service
 - mandatory dedicated patrol for the municipality
 - opting in and opting out provisions for specific services
 - a fixed schedule for contract review
2. A new funding formula be developed as part of the contract negotiations. The formula would include a fixed schedule for review
3. The current governance structure be revisited to ensure:
 - Esquimalt have the capacity to form its own police board to address governance issues within its jurisdiction
 - The new board be appointed in keeping with current Police Board appointment processes
 - The role of the Board would be to manage the relationship with the contractual partner and oversee delivery of police services in Esquimalt

The Director of Police Services presented the results of the audit to the Victoria Police Board on March 14, 2010. He attended subsequent meetings to answer Board members' questions. During his presentations his authority to conduct the audit and its

Victoria and Esquimalt Policing Study

recommendations were repeatedly challenged by a Victoria Police Department senior staff member and some Board members.

Esquimalt Policing and Law Enforcement Advisory Panel³

On June 3, 2010 Order in Council 303 approved the establishment of an Esquimalt police governing structure to determine the police services required by the Township; to submit a report to the Minister of Public Safety and Solicitor General and the Director of Police Services on services required; and to make recommendations for meeting the requirements of section 15 of the *Act*. The Mayor of Esquimalt was appointed the Chair of the Panel and its spokesperson. Four members of the community were appointed to the Panel. The Chief Constable assigned the same senior staff member who had challenged the Director of Police Services' authority to be the Department's liaison with the Panel.

During the fall of 2010 the Panel held two public meetings and developed a website to ask citizens their opinion about policing using a Strengths Weaknesses Opportunities and Threats (SWOT) analysis. An Esquimalt Township staff member summarized the community input into four key points:

- Visibility and interaction with officers is needed within the community and at events
- Being part of a larger organization adds value in the form of access to specialized services
- Community partnerships are essential for crime prevention
- Citizens want value for money through a dedicated police presence

In January 2011 the Panel met with the Esquimalt Council and developed key factors for policing the Township, including:

- Community policing based on consultation, crime prevention and problem solving was the preferred model
- School liaison, bicycle and foot patrols are important
- A dedicated patrol for the Township
- Accessibility to policing services after business hours
- Cost containment
- Meaningful local governance of the police service

Victoria Police Board Structure

Under section 25 of the *Police Act* and the recommendations of the Governance Subcommittee of the Victoria Esquimalt Police Amalgamation Transition Committee, the Mayor of Victoria serves as the chair of the amalgamated Victoria Police Board. The Mayor of Esquimalt serves as the Vice-Chair. The Board meets monthly, except in August. It holds planning meetings with the Victoria Police Department senior

³ This report takes no position on the appropriate title for the advisory group struck under Order in Council 303. To avoid confusion with the Victoria Police Board, I will refer to the advisory group as a "panel"

Victoria and Esquimalt Policing Study

management twice each year and meets with Victoria and Esquimalt Councils to present its budget.

The Board has three standing committees: Governance, Human Resources and Finance. Committee members are appointed by the Board Chair. The Governance Committee deals with the development of policy and procedures for the Board and oversees the development of policies for the Victoria Police Department. The Human Resources Committee oversees the hiring and performance of the Chief Constable. The Finance Committee develops the Victoria Police Department budget, in conjunction with the Victoria Police Department Comptroller.

Current Budget Process

Currently the Chief Constable and Deputies ask senior staff members of the Victoria Police Department for their budget requests for the following year by August 31st of each year. In September the Victoria Police Board Finance Committee meets with the Department's Comptroller and the Chief Constable to review budget requests. The Committee produces a draft budget for presentation to the Board, for approval by October 31st. On November 1st the budget request is sent to each municipality. In early December the Board holds a joint meeting with both Councils to present the budget. In January the Board meets with the Victoria City Council to present its final budget and in April with the Esquimalt Council to present the final budget.

Issues and Analysis

This section of the report contains the issues identified during the interviews and my analysis of the issues, in the order designated in the terms of reference for the study.

Governance – Issues and Structure

Section 26 (4) of the *Police Act* delineates the role of Police Boards as follows:

In consultation with the chief constable, the municipal police board must determine the priorities, goals and objectives of the municipal police department.

The *B.C. Police Board Handbook*, describes the role of police boards as:⁴

3.2 Legislated Mandate and Main Oversight Functions

The role of a municipal police board is to establish a municipal police department and to **provide general direction to this department, in accordance with relevant legislation and in response to community needs.** Municipal police boards are created independently from municipal councils and from the provincial government. This removes boards from partisan council politics and recognizes that both the municipality and the province have legitimate interests in municipal policing.

⁴ *BC Police Board Handbook* (Victoria: Ministry of Public Safety and Solicitor General, Policing and Community Safety Branch, Police Services Division, 2005)

Victoria and Esquimalt Policing Study

As stated in the introduction and to reaffirm, municipal police boards in British Columbia perform four main governance functions:

1. Employers of sworn and civilian staff;
2. Policy and direction setters;
3. Financial overseers; and
4. Discipline authorities for policy and service complaints with the Chair being responsible for discipline for Chief and Deputy

Policy versus Operational

Distinguishing an "operational" matter that falls outside the board's jurisdiction from general management and policy matters that fall within the board's jurisdiction lies at the heart of the relationship between the board and the department. **Sections of the Police Act are intended to prevent direct board interference in the actual policing function but not to prevent the board from making decisions governing the structure and environment in which those policing functions occur.**

The primary role of the board is to establish, after consultation with the Chief Constable, overall objectives and priorities for the provision of police services. The Chief Constable is responsible for administering the Police Service and overseeing its operation in accordance with the objectives, priorities and policies established by the board.

The Chief Constable reports to the board as a whole and is not accountable to any one or group of board members. The board has the authority to give orders and direction to the Chief Constable, but not to other members of the department. The board shall not direct the Chief with respect to specific operational decisions or with respect to day-to-day operations of the Service.

4.3 Governance and Policy Development

Police boards perform both governance and oversight functions.

Governance refers to controlling and directing the making of policy, as well as directing and influencing decisions made by the organization. Oversight involves ensuring that legislated and mandated functions are carried out by the organization.

There are three basic principles of policy governance;

1. **A governing body is not there to help the organization. It is there to own the organization on behalf of the community.**
2. **A governing body has authority while acting as a whole. Individual board members have no authority and the chair or designate has authority only when speaking on behalf of the board as a whole.**
3. **A governing body governs by policy (bylaw or resolution). These policies articulate values that act as boundaries within which the organization operates.**

Victoria and Esquimalt Policing Study

Effective governance involves setting policies that address end results and specifying what cannot be done in the course of trying to accomplish them. Consideration of policy results involves answering the following questions:

- What are the benefits/results this organization will produce?
- For whom will these results be produced?
- At what cost?

The board needs to spend their limited time and energy on their most important policy functions.

These functions include:

- **Establishing the mission of the police department;**
- **Outlining policy results and values to which the board wants the department to adhere to;**
- **Developing the annual departmental priorities and goals and objectives in consultation with the Chief Constable;**
- **Establishing board practices; and**
- **Clarifying board/staff relationships.**

(Emphasis added)

Governance Issues

Governance Model

The Victoria Police Board operates using the Carver Model of Policy Governance. The Carver Model is based on a clear demarcation between the role of the Board and of the Chief Constable. Under the Carver Model the Board is responsible for making policy decisions while the Chief Constable is responsible for making operational decisions. There has been disagreement between the Mayors and the Chief Constable over whether certain decisions are policy or operational in nature. Both Mayors feel the Victoria Police Board has not been able to set strategic direction for the Department by deciding on overall policy.

Communication with and reporting mechanisms to the municipal Councils have not been addressed by the Board. Victoria City Council and Staff receive more information about the work of the Department. City staff can access Victoria Police Department financial information, as it is all available on the City's system, yet the Esquimalt's finance staff cannot. When Esquimalt requested crime statistics and costs broken down by community, they were informed that the Victoria Police Department and Board did not gather data on that basis and would not be able to provide it.

Strategic Planning Process

The Province expects Police Boards to develop strategic directions as described in the *B.C. Police Board Handbook*:⁵

4.2 Strategic Planning

Police boards are responsible for working with the Chief Constable to develop strategy, which provides the direction and scope of the police organization over the long term. Ideally, that strategy will match the organization's resources to its changing environment, in particular to its markets, customers and communities in order to meet stakeholders' expectations and concerns.

(Emphasis added)

At present, there is insufficient discussion at the Victoria Police Board about goals and policing priorities to meet the needs of the two communities the Department serves. The current strategic planning process does not involve input from either municipal Council. To develop the 2010 – 2020 strategic plan, 45 members of the community and staff of the Department met with a facilitator to draw up broad strategic goals. Only the two Mayors, in their capacity as Board members, attended from the two municipal councils. Senior department staff members are working to flesh out the goals.

Although the Board's Governance Manual requires annual business plans be prepared, this does not occur. The Board has not developed performance objectives. Although the Board has developed general performance measures for the Chief Constable, they are general, not tied to objectives or outcomes in an annual business plan.

Board meeting agendas

Neither the Board Chair nor Vice-Chair set the agendas for its meetings. Currently the Board agendas are developed by the Chief Constable in consultation with his senior managers and provided to the Chair for approval. There is no collaboration with the Vice-chair. Each meeting follows the same format, despite the issues facing the Board. There is no prioritizing of agenda items or system for ensuring Esquimalt's views are regularly considered. One Board member complained that valuable Board time is spent on a standing agenda item where individual Department staff members are introduced to the Board.

Conflict resolution

The Victoria Police Board has no process for resolving disputes over strategic direction or any other governance issue among its members.

⁵ *BC Police Board Handbook* (Victoria: Ministry of Public Safety and Solicitor General, Policing and Community Safety Branch, Police Services Division, 2005)

Decision-making about Service Provision/Policing Model

The Board has become so focused on its budget that it does not spend time examining policing priorities in the two communities. In addition, there is confusion over the nature of the service delivery. Many Esquimalt residents and elected politicians viewed amalgamation as identical to a fee-for-service contract. As a result they had some expectations the Victoria Police Department could not deliver.

Members of the Esquimalt Policing and Law Enforcement Advisory Panel referred to the Victoria Police Department as providing “contracted services” during their interviews. Even Victoria Police Board members thought there was a written service delivery agreement between the Victoria Police Department and the Township of Esquimalt. As a result of the confusion, councillors expected to be able to demand specific services and levels of service as well as Esquimalt-only usage statistics.

The amalgamation plan included a Victoria West patrol detachment, yet in 2004 the Victoria Police Department Operation Review resulted in three officers who specialized in community policing and all patrol officers being moved out of Esquimalt and redeployed downtown. The implications of the change in service delivery from a community-based model were not fully discussed by the Board.

Esquimalt residents want community-based policing with a strong prevention focus. Their elected officials describe the Victoria Police Department as using a “surge” model imported from the United States. Current Victoria Police Board members state community-based policing is too expensive to implement and old-fashioned.

Many of Esquimalt’s elected officials looked to the District of Oak Bay’s contract with the Saanich Police Department as a model for the Township. They did not appear to understand that there is a difference in the demographic make up of the two communities. Esquimalt’s naval base, foster families, group homes and methadone clinics lead to a high level of Priority 1 calls, while Oak Bay has relatively few.

Structure of Victoria Police Board

Overseer or Advocate?

The work of the Victoria Police Board appears efficient, with an annual cycle of meetings and three active standing committees. However, there seems to be a lack of clarity about the Board’s main purpose and leadership role. There is confusion, for example about whether the strategic planning process should be led by the Department or the Board. The Board has not adopted adequate measures to ensure it is fulfilling its mandate as the oversight body for the Victoria Police Department and as a result, some Board members are viewed by others as being advocates for the Department.

Some Board members appear to interpret the Board’s responsibility to ensure there is no political interference in policing operations as a reason for not answering Councillors’

Victoria and Esquimalt Policing Study

questions about policy direction and budget priorities. Despite letters and comments at meetings from two Esquimalt mayors about concerns, none of the other Board members whom I interviewed accepted that it was the Board's responsibility to ensure that the terms of the amalgamation, including the funding formula, were reviewed. Some of the members had not seen the Amalgamation Order or the transition plan and knew nothing of its contents.

Role of the Municipal Appointees

There is confusion about the role of municipal appointees. Two Board members were appointed to the amalgamated Victoria Police Board upon recommendation by their respective Councils. They see their role and accountabilities differently than those who recommended their appointment. The Esquimalt appointee has not been invited to report to the Township Council, despite her efforts. The Victoria appointee was informed she was responsible to the City Council and had to report to them regularly.

Role of the Chair

Board members are concerned about the role of the two Mayors as leaders on the Board. Many Board members view both mayors as partisan advocates for their Councils and as a result, discount their concerns. There appears to be little understanding by some Board members of the responsibility Mayors have for representing the interests of the citizens who elect them. Some actions by the Mayors have left other Board members wondering if they are able to separate their distinct roles. Overall, many current and former Board members feel that the Board Chair has not played enough of a unifying leadership role.

Under the terms of the *Police Act*, the mayor of the community served by a police department must be the Board chair. The *B.C. Police Board Handbook* states the duties of the Chair as:

3.4 Responsibilities of the Chair

As the chair of a municipal police board is also the mayor of the municipality, there is an inherent conflict of interest, particularly with respect to the budget. The chair should take care to recognize that the two roles are distinct. He/she should be aware of which role he/she is undertaking and whose interests he/she is representing at any point in time. This is particularly important as the chair is in a leadership position on the police board and may only cast a deciding vote in the event of a tie. ...

(Emphasis added)

This may result in an inherent lack of true accountability to other members, as he or she cannot be removed for poor performance, failure to supervise the Chief Constable, or poor attendance.

Vice-chair or Co-chair?

The terms of amalgamation order provided for the Mayor of Victoria to chair the Victoria Police Board while Esquimalt's Mayor would be the Vice-chair. Esquimalt Councillors saw this as symbolic of the "country cousin" status for Esquimalt and wanted a change. Shortly after the current Mayor of Esquimalt was elected, she proposed that the Board be restructured to create two co-chairs.

In February 2009, the Victoria Police Board asked its Governance Committee to examine whether it was possible for the Chair position to be shared by the two Mayors. The Governance Committee prepared a report endorsing a structural change with some operational recommendations. The Board adopted the Committee's recommendation for a co-chair model whereby the Mayors would serve alternating six month terms. However, for various reasons the change was never implemented.

To the Mayor and Councillors of Esquimalt the Board's failure to change to a co-chair model was indicative of the lack of consideration given to Esquimalt as an equal partner in the relationship. The events surrounding the co-chair issue were a watershed in the relationship between Victoria and Esquimalt over police governance. The failure to implement an important symbolic change in 2009 caused a breakdown in trust that affected the work of the Board from that point on.

Role of the Director of Police Services

Victoria Police Board members and the Mayors and Councillors of both municipalities believed the Director of Police Services bore total responsibility for following up on the amalgamation terms. Because he is named in the *Police Act* as the person who resolves conflict over funding, municipal officials and Board members assumed he was responsible for resolving any ongoing conflict about governance. As a result they did not feel responsible for ensuring there was a process in place for dealing with disputes.

Section 27 of the *Police Act* refers to the role of the Director of Police Services when disputes arise over budget issues:

- (3) If a council does not approve an item in the budget, the director, on application by the council or the municipal police board, must
 - (a) determine whether the item or amount should be included in the budget, and
 - (b) report the director's findings to the municipal police board, the council and the minister.

Role of Staff

There is a need for the Board to clearly distinguish between the role of Board members and an appropriate role for the Department's staff.

Victoria and Esquimalt Policing Study

Many Board members spoke about the active role played by the Victoria Police Department senior staff members in Board meetings. Board members expressed concern that the staff members did not understand that the role of staff is advisory.

Decision-making Processes - Finance

Funding Formula

The amount of money each municipality pays toward the Victoria Police Department budget is determined by the original funding formula contained in the amalgamation documents.

The formula adopted by the Transition Committee is based on both municipalities paying a share of all Department costs based on provincial assessed values for land. The initial formula was adopted as a stop-gap measure by the Transition Committee; as the amalgamation was due to take effect within fourteen weeks of the Finance Subcommittee being struck. The Committee pegged the percentage of Victoria Police Department costs to be paid by the Township to be cost neutral with the operating budget for Esquimalt's police service in 2002.

The intent of the Transition Committee was that the formula would be reviewed and modified as necessary. Increased property values in Esquimalt and reduced values in Victoria over the decade have resulted in a larger percentage of costs being paid by Esquimalt. There has been no review of the initial funding formula, as anticipated in the 2002 amalgamation plan. This has caused conflict between Victoria and Esquimalt because both municipalities believe they are paying too much for policing.

As there has been no impartial review of the funding formula, Esquimalt Council believes it has been paying an inequitable portion of the Department's costs. This has resulted in several actions by Esquimalt to contain costs, including motions refusing to pay budget increases or its portion of the salary of certain personnel. Yet in 2009 both Mayors signed a financial agreement that refers to maintaining the existing funding formula until 2013.

There is disagreement between Victoria and Esquimalt about what a revised formula would look like. For example, Esquimalt wants recognition of the Federal government's refusal to pay PILT on the provincial assessed value of their land. The City of Victoria interprets the 2009 Financial Agreement as confirming the continuation of the previous funding formula: that the municipalities would pay their share of costs based on the provincial assessed rate. The Township of Esquimalt disagrees, stating that the matter of which assessed rate would be applied was not specifically discussed as part of the Agreement.

Budget Process

Senior staff and the Mayors of both Victoria and Esquimalt would like more input into the development of the Victoria Police Department budget. Currently the Department's

Victoria and Esquimalt Policing Study

annual budget is developed by the Department's Comptroller, the Chief Constable and the Board's Finance Committee and presented to the Board in summary form. The Finance Committee negotiates with the Department's senior staff through the Chief Constable to arrive at a draft for presentation to the Board. There is no mechanism for the Chief Financial Officers of Victoria and Esquimalt to meet with the Comptroller to discuss their fiscal constraints and challenges before he prepares budget estimates.

When the draft budget is presented to the Board, there is little analysis and discussion. The budget is not tied to an annual business plan or strategic objectives. The Board has not developed performance measures for evaluating budget allocations. Board members have been informed their role is not to question specific costs, as that is the *raison d'être* of the Finance Committee. They are told it is not their role to direct the Department to reduce its expectations to keep costs in check.

Following the presentation and adoption of a draft budget by the Board, there is a joint meeting with the Victoria and Esquimalt Councils. When Councillors ask questions about the budget, members of the Board Finance Committee inform them the *Police Act* allows Councils only to question specific line items in the budget, but not to debate budget elements, priorities or amounts. Council members and the municipal Chief Administrative Officers feel frustrated that they are not provided with an understandable explanation of why policing costs keep rising while crime rates are falling. As a result, they are unable to explain to citizens why an increasing portion of the municipal budgets is spent on policing.

Another source of conflict in the Department budget process is the difference in the budget planning cycles. Esquimalt and Victoria have different annual planning cycles. Victoria is able to complete its planning the fall before the start of the budget year in January. Because the federal government does not inform Esquimalt the amount of PILT it intends to pay until January of each calendar year, the Township cannot complete its planning until later.

Costs

Both Victoria and Esquimalt Councils are concerned about the increase in policing costs over the past decade. The amalgamated Victoria Police Department budget increased by 45% between 2002 and 2009. The number of sworn officers has increased by 11.5% over the same period.⁶ The number of Priority 1⁷ calls has fluctuated over the past decade, but the number of Priority 2 to 9 calls has decreased.

⁶ Data provided by Victoria Police Department

⁷ Priority 1 calls are the most serious and urgent. They involve risks to life or risk of serious physical harm. Examples include: assaults, domestic disputes, home invasions, robberies, sexual assaults, shootings, stabbings and threats of suicide. Priority 2 calls are also urgent and include in-progress break and enter.

Regional Costs

Elected officials and Victoria Police Department staff members present for the amalgamation discussions assumed the merger was to be part of a bigger regionalization process. Therefore it was not deemed necessary to examine equitable payment of policing costs that could be classified as regional in nature. There is also disagreement about which, if any, of the Department's costs are attributable to policing residents of other municipalities.

Elected officials in both Victoria and Esquimalt believe that a portion of the Victoria Police Department's annual operating costs are regional in nature and should not be paid entirely by the region's two poorest municipalities. These include the cost of policing parades, sporting and cultural events, and some costs associated with homelessness and addiction. In 2009 67% of all criminal code offences in the region occurred in Esquimalt and Victoria. The costs of policing for these offences were borne by only 40% of the population. The population bearing the costs has the lowest income in the region.

Methods for Dispute Resolution

Resolution of Governance Disputes

There is no mechanism at the Board level for resolving disputes over governance issues, including priorities and service delivery policies. The lack of a mechanism resulted in Esquimalt calling for an audit of the Victoria Police Department in 2009 to deal with its concerns.

Resolution of Budget Disputes

The Victoria Police Board has no internal process for resolving disputes over the budget. When budget disputes have arisen in the past the Municipalities have sometimes acted in a manner that escalated the dispute.

Other Issues Affecting Board Effectiveness

Language and Culture

Esquimalt prides itself on being a distinct community with its own culture. Failure to recognize the community through nomenclature has caused resentment and alienation. There is no visual recognition that the Board and the police department are amalgamated. The Board's and the Department's communication materials contain only the City's name. Some publications contain the City of Victoria shield.

Communication

When the trust between the Municipalities began to deteriorate over the co-chair issue, communication suffered. There are no mechanisms in place to ensure regular communication between the senior staff of the municipalities and the Department. There are no joint events where Councillors and Board members can interact and begin to form working relationships. Informal lines of communication that had previously been used

Victoria and Esquimalt Policing Study

were no longer followed. The Chief Administrative Officers stopped calling each other about issues of concern. The Esquimalt Mayor stopped raising the Township's concerns about issues or the need to review the funding formula at Victoria Police Board meetings. Staff from the Department and the municipalities who were not invited to participate in meetings assumed there was a deliberate decision to exclude them.

Behaviour Adding to Conflict Escalation

No one felt it was their responsibility to ensure the terms of the amalgamation were revisited and issues causing conflict were dealt with. The Victoria Police Department senior staff was involved in a serious internal conflict between 2004 and 2007. Afterwards they focused on rebuilding the Department and increasing officer strength. Neither Esquimalt nor Victoria Councils used the joint council budget meetings as an opportunity to raise issues and discuss possible solutions.

When the Minister of Public Safety and Solicitor General announced the audit in 2009 stakeholders were certain that funding, governance and other issues would be addressed. Others believed that the recent changes to the *Police Act* would deal with outstanding issues. These beliefs relieved them of accepting responsibility for dealing with concerns.

The Victoria Police Department Senior staff has not paid equal attention to both municipal governments. None of the Department's senior staff meet regularly with the Esquimalt Chief Administrative Officer, yet the Chief Constable meets with the Victoria Chief Administrative Officer. One of the senior staff has been openly critical during Board meetings of the efforts of the Esquimalt Mayor and the Director of Police Services to deal with Esquimalt's concerns. By appointing the same staff member as the Department's liaison person to the Esquimalt Advisory Panel, the Chief Constable sent a message that he endorsed this criticism.

The conflict between the Chief Constable and the Victoria Police Department Inspector assigned to Esquimalt worsened the relationship between community leaders and the Department. The Inspector provided details about his employment dispute with the Chief Constable to City Councillors and members of the Advisory Panel. Although he did an excellent job of developing good personal relations with the Township's leaders, Victoria Police Department senior staff felt he did not inform them of Esquimalt's concerns.

Proposed Solutions

The solutions proposed below are based on maintaining an amalgamated police department and board structure, but with changes, safeguards and a review in five years. The amalgamation was not given the support needed to succeed and be fairly evaluated as a model for providing good quality policing to the citizens of Esquimalt and Victoria. Despite the best intentions of the amalgamation Transition Committee, there was a lack of follow-up of most of the amalgamation terms. Conflict over governance and financial issues festered due to a lack of a resolution process.

Victoria and Esquimalt Policing Study

Prior to the 2010 audit, there was no process to identify and examine the issues surrounding the operation of an amalgamated department. The audit did not review the Board's operations. To avoid unnecessary disruption to the citizens of both Victoria and Esquimalt and anxiety to the Victoria Police Department staff, I strongly recommend that the amalgamation be allowed to continue. But the continuation of the amalgamated Department and Board must be in a climate of transparency and with a plan to monitor its efficiency and responsiveness to community needs.

Overarching Recommendations – Name Change

To indicate there is a new way of doing business being undertaken I am recommending a name change for both the Board and Department to "Victoria & Esquimalt."

Recommendations:

- 1 Change the name of the Board to "Victoria & Esquimalt Police Board"
- 2 Change the name of the Department to: "Victoria & Esquimalt Police Department"
- 3 The Victoria & Esquimalt Police Board develop a plan (with budget) to change communication materials, car decals, and shoulder flashes to the new name within six months.

Overarching Recommendations – Framework Agreement

Conflict over the past decade has led to a breakdown in relationships and trust between the elected officials of Victoria and Esquimalt. Working together to resolve problems and design the future is a good first step in rebuilding trust and relationships. For each municipality's officials to trust the other, detailed rules need to be spelled out in writing. The process I am recommending for this is a Framework Agreement.

Recommendation:

- 4 The Mayors, Chief Administrative Officers and Chief Financial Officers of Victoria and Esquimalt and the Chief Constable, the Victoria & Esquimalt Police Department Comptroller and one Victoria & Esquimalt Police Board member ("Municipal Leadership Group") meet to negotiate a Framework Agreement for governance and funding of the Victoria & Esquimalt Police Department.
 - a) The Agreement would have a term of five years, after which it would be reviewed.
 - b) The Municipal Leadership Group could form working groups of specialist staff to develop recommendations on the funding formula and other technical matters. Recommendations of working groups would be referred back to the Municipal Leadership Group for ratification and to be appended to the Framework Agreement.
 - c) The Director of Police Services would provide a mediator and necessary funding to assist the Municipal Leadership Group to negotiate the Framework Agreement

The following matters identified as issues in this study would be negotiated as part of the Framework Agreement:

Service Delivery Policy

Esquimalt identified the following key concerns about policing the municipality: sworn officer complement and strength; sworn officers' headquarters; hours of operation of Esquimalt Public Safety Building counter; provision of equipment; back-up from Victoria detachments for major incidents; shift lengths and the process for determining work assignments.

Recommendation:

- 5 The following service delivery policy matters be negotiated as part of the Framework Agreement:
 - a) The elements of the patrol services in Esquimalt
 - b) Identification of shared and specialized services to be supplied by Victoria & Esquimalt Police Department headquarters

Funding Formula

It is important that both municipalities agree that the formula used to determine how much they pay for shared services and overhead is fair and equitable. The financial staff has the technical knowledge to develop options for models and explain how each option would affect costs to the municipal governments.

Recommendation:

- 6 A working Group composed of the Victoria and Esquimalt Chief Financial Officers and the Victoria & Esquimalt Police Department Comptroller would identify which services and funds are currently provided to Esquimalt and would be needed in the future, including, but not limited to:
 - a) Specialist services
 - b) Shared services
 - c) Administrative overhead
 - d) Relief staff pool to backfill during sick and other leaves
 - e) Reserve funds for liabilities such as retirements

Budget Development and Approval Process

Both Victoria and Esquimalt will be responsible for paying a portion of the Victoria & Esquimalt Police Department budget for shared services and overhead costs. The budget approval process needs to contain steps for ensuring open communication and be designed to work in sync with both municipalities' own budget planning cycles.

Recommendations:

- 7 The Municipal Leadership Group design a process (with timelines) to be followed to examine and approve the Victoria & Esquimalt Police Department budget. Key considerations, based on issues identified by both municipalities, include:
 - a) A budget cycle that works for both municipalities
 - b) Appropriate level of detail required in budget presentations to Councils
 - c) Timelines for presentation of a draft budget and Annual Business Plan to the Councils
 - d) Timelines for presentation of the final budget and Annual Business Plan to the Councils

Victoria and Esquimalt Policing Study

- 8 The Framework Agreement would establish and determine the membership of a Council of Chief Officers of the municipalities and the Victoria & Esquimalt Police Department to meet quarterly to ensure regular communication between the municipalities' and Department's senior staff about finances and meeting goals identified in the Victoria & Esquimalt Police Board strategic planning process

Conflict Resolution Process

Conflicts over service delivery costs, application of the funding formula and other matters can cause breakdowns in relationships if left to fester. Speedy access to conflict resolution mechanisms will preserve relationships.

Recommendation:

- 9 The Framework Agreement would contain a conflict resolution clause, including access to a standing roster of qualified mediators and access to arbitration pursuant to the *B.C. Commercial Arbitration Act* in the event mediation does not resolve the matter.

Overarching Recommendations – Review Process

It is essential that the new amalgamated structure will be properly reviewed and that there is clarity about who is responsible and when it will occur.

Recommendation:

- 10 The Director of Police Services would conduct a review in 2017 of:
 - a) Effectiveness of the Victoria & Esquimalt Police Board
 - b) The funding formula
 - c) Responsiveness of the Victoria & Esquimalt Police Department to community needs

Recommendations – Governance Issues and Structure

Issues

Strategic Planning

The *BC Police Board Handbook* specifies that police boards are responsible for setting strategic direction and priorities for the Victoria & Esquimalt Police Department. A strategic plan will assist the Victoria & Esquimalt Police Board to develop a shared vision for policing and law enforcement in the two communities. The strategic plan forms a basis for planning work within the Board and the Department each year. Developing an annual Business Plan to map out how the goals in the strategic plan will be worked toward that year would inform the budget planning process.

Recommendations:

- 11 The Victoria & Esquimalt Police Board lead a process to develop a five year strategic plan to establish policing and law enforcement priorities and goals for the Board and Department
- 12 The Victoria & Esquimalt Police Board invite each municipal Council to send two representatives to be part of strategic planning process

Victoria and Esquimalt Policing Study

- 13 The Victoria & Esquimalt Police Board invite the Community Advisory Committees to be part of the strategic planning process
- 14 The Victoria & Esquimalt Police Board instruct the Chief Constable to develop Annual Business Plans, based on the approved Five Year Strategic Plan, for each fiscal year to detail advancement toward goals and how priorities will be met over the year
- 15 The Victoria & Esquimalt Police Board develop the Chief Constable's annual performance objectives based on specific priorities in Annual Business Plan and evaluate his/her performance against the objectives

Board Meeting Process and Roles

Clarity about roles, shared expectations and a common vision are essential for a well-functioning Board. Board members have a different interpretation of their role and the role of the Chair. The Board has not been functioning with a shared vision and some relationships have become strained. Reaching consensus among Board members will require a combination of training, facilitated discussion, and follow-up.

Recommendations:

- 16 The Police Services Division provide training to the Victoria & Esquimalt Police Board members about the role of the Board, role of the Co-chairs, responsibility of Board members for oversight, and the types of decisions that fall within its mandate
- 17 The Victoria & Esquimalt Police Board hold facilitated discussions to develop common understandings and a plan for how to work collaboratively, including the expectations they have of the Co-chairs and of each other; and how to create a culture of respect and innovation
- 18 The Victoria & Esquimalt Police Board ensure that the Board Co-chairs are developing the agendas and that items are prioritized within agendas
- 19 The Victoria & Esquimalt Police Board change its meeting agendas to include a standing agenda item: reports from Community Advisory Committees
- 20 The Victoria & Esquimalt Police Board clarify the role of community appointees to include:
 - a) Chairing the Community Advisory Committee
 - b) Responsibility for liaison with the Council
 - c) Responsibility for liaising with community members
- 21 The Victoria & Esquimalt Police Board clarify that the role of staff members attending its meetings is advisory

Structure

Victoria & Esquimalt Police Board

The structure of the Board must reflect the fact that it is an amalgamation. Both municipalities must feel they are treated as an equal partner in the relationship. Titles and names are symbolic of that equality.

Recommendations:

Victoria and Esquimalt Policing Study

- 22 The Victoria & Esquimalt Police Board be co-chaired by the Mayors of Victoria and Esquimalt, based on previous recommendations of the Victoria Police Board Governance Committee, including:
- a) Each would serve alternating six month terms chairing Board meetings. This "Mayor in the Chair" would have overall responsibility for finalizing meeting agendas, setting the schedule of meetings and approving minutes
 - b) Both Mayors would collaborate on drafting meeting agendas
 - c) Both Mayors would collaborate on appointments to any standing committees
 - d) Both Mayors would collaborate to fulfill obligations as the Discipline Authority for the Chief Constable
 - e) Both Mayors would be able to speak for the Board, but would collaborate with the other beforehand to ensure that a consistent message is communicated
 - f) Any dispute in sharing the Chair responsibilities would be referred to the Board for resolution

New Community Advisory Committees

The policing needs of Victoria and Esquimalt may differ according to the community's needs. It is important that the Victoria & Esquimalt Police Board receive input from both communities about policing and law enforcement issues and needs if they are to meet citizens' expectations.

Recommendations:

- 23 Two Community Advisory Committees be established:
- d) Esquimalt Policing and Law Enforcement Advisory Committee
 - e) Victoria Policing and Law Enforcement Advisory Committee
- 24 The Committees would be chaired by the applicable community's appointee to the Victoria & Esquimalt Police Board
- 25 Three additional members be appointed from the community to each Policing and Law Enforcement Advisory Committee
- 26 Mayors be appointed as ex-officio members
- 27 The mandate of the Policing and Law Enforcement Advisory Committees include:
- a) Liaison with community members and organizations re law enforcement and policing issues and needs
 - b) Reporting regularly to Councils re law enforcement and policing issues and concerns
 - c) Liaison with local detachment Inspectors regarding deployment to meet concerns and deal with public safety issues
 - d) Providing input on community policing matters to Victoria & Esquimalt Police Board
 - e) Conduct public opinion surveys regarding satisfaction with policing services
 - f) Ensure communities' issues are considered in the Board strategic planning process

Recommendations – Decision-making Processes about Finance

Funding Policing Services⁸

Municipal Councils are responsible under the *Police Act* for providing police and law enforcement within their communities. The Esquimalt Township Council has a clear vision of the policing they want for their community. Victoria City Council may wish to employ a different deployment model. Both communities could consider and balance their patrol wishes with their ability to pay. Specialized and shared services along with administrative overhead would be paid by both according to a renegotiated funding formula.

Recommendations:

- 28 Each municipality would be responsible for paying for its own patrol detachments' salaries and benefits (which staff would be included to be negotiated as part of Framework Agreement)
- 29 Each municipality would be responsible for paying a portion of overhead and shared services costs, based on a formula contained in the Framework Agreement by a working group composed of the municipal Chief Financial Officers and the Victoria Police Department Comptroller, with the assistance of a mediator.

Budget Development and Approval Process

The Victoria & Esquimalt Police Board is responsible for creating an annual budget for the Victoria & Esquimalt Police Department's operations. It is essential for its oversight function that all Board members are actively involved in developing the budget. Both Victoria and Esquimalt will be responsible for paying a portion of the budget for shared services and overhead costs. It is important for the elected officials in both municipalities to understand how taxpayers' money is being spent by being provided with detailed explanations for costs.

Recommendations:

- 30 The Victoria & Esquimalt Police Board Finance Committee develop a draft budget, tied to meeting the objectives in the Annual Business Plan (see recommendation 14)
- 31 The Finance Committee present the Draft Annual Business Plan and Budget to the Victoria & Esquimalt Police Board for detailed discussion, explanation of cost variances and recommended changes
- 32 The Victoria & Esquimalt Police Board follow the process for Council approval of the policing budget as specified in the Framework Agreement (see recommendation 7)

Access to Financial Information

Currently the Victoria Police Department shares an information system with the City of Victoria. The City's finance staff members are able to access the Department's information while the Township's staff cannot.

⁸ These recommendations would require amendment or termination of the 2009 Finance and Accounting Agreement

Recommendation:

- 33 The City of Victoria ensure that both municipal Chief Financial Officers have equal access to financial information in the City's system regarding Police Department costs

Ensuring Value for Money

The Victoria Police Department budget has increased by 45% since the amalgamation. Total calls for service have decreased over the same period. Municipal funds allocated to pay policing costs are not available to pay for social or recreational programs. The municipal councils need to be assured that valuable taxpayers' money is well-spent.

Recommendations:

- 34 The Victoria & Esquimalt Police Board conduct an efficiency review of the Victoria & Esquimalt Police Department in 2012 to look for areas of budget savings
- 35 The Victoria & Esquimalt Police Board establish a schedule for regular efficiency reviews
- 36 The Victoria & Esquimalt Police Department develop Key Performance Indicators for Departmental operations
- 37 The Victoria & Esquimalt Police Board instruct the Chief Constable to gather statistics that are identified by the Municipal Leadership Group and provide them to the Chief Administrative and Financial Officers of the municipalities.

Conflict Resolution

Recommendation:

- 38 In the event of an unresolved conflict regarding any Annual Business Plan or budget issue between the Victoria & Esquimalt Police Board and Councils, the conflict resolution process contained in the Framework Agreement would apply.

Recommendations – Methods for Dispute Resolution and Managing Conflict

Various participants in this working relationship felt others did not pay attention to their concerns. When there is ongoing unresolved conflict, people blame others and make assumptions about their motivation. They say things out of frustration that hurt others' feelings. Trust breaks down and communication grinds to a halt. Board members and elected Municipal officials need quick access to conflict resolution processes so that issues can be identified and mutually acceptable resolutions negotiated.

Recommendations:

- 39 All disputes would follow the process contained in the Framework Agreement
- 40 Existing unresolved disputes between the City of Victoria and the Township of Esquimalt regarding financial matters related to police services be resolved using the conflict resolution process in the Framework Agreement
- 41 The Police Services Division provide joint educationals and lead facilitated discussions with Councillors and Board members to develop and strengthen working relationships, and to create a common understanding about roles.

Victoria and Esquimalt Policing Study

Topics for the sessions could include:

- a) Role of police boards
- b) The role of the Mayor on police boards
- c) The role of the community appointee on police boards
- d) Modern policing and crime prevention

Recommendations – Other Issues Affecting Board Effectiveness

Regional Costs

Recommendations:

- 42 The Capital Regional District strike a working group composed of municipal Chief Financial Officers to conduct an analysis of which, if any, of Victoria & Esquimalt Police Department costs are regional in nature, and propose a formula for sharing costs between municipalities
- 43 The Mayors Victoria and Esquimalt invite other Mayors in the Capital Region to enter into discussions about sharing regional policing costs for the Victoria & Esquimalt Police Department

Appendix

Demographics and Criminal Code Offences⁹

	Population (2011)	Criminal Code Offences 2002-2009	Current Caseload/officer
Victoria/Esquimalt	97,200	16,228	72
Saanich	111,300	6,133	42
Central Saanich	16,400	772	36
Oak Bay	18,200	987	44

Calls for Service 2006-2011¹⁰

	2006	2007	2008	2009	2010	2011
Priority 1						
Victoria	2241 (80.9%)	2414 (84.5%)	2659 (86.1%)	2260 (85.7%)	2524 (82.1%)	2539 (84.1%)
Esquimalt	530 (19.1%)	444 (15.5%)	431 (13.9%)	378 (14.3%)	550 (17.9%)	479 (15.9%)
Priority 2						
Victoria	8648 (87.9%)	10151 (88.9%)	9975 (90.2%)	7602 (89.2%)	8449 (88.9%)	7524 (88.6%)
Esquimalt	1192 (12.1%)	1262 (11.1%)	1089 (9.8%)	919 (10.8%)	1059 (11.1%)	966 (11.4%)
Priority 3						
Victoria	27546 (90.6%)	24486 (90.2%)	23051 (91.7%)	16249 (90.2%)	16245 (89.6%)	15165 (90.5%)
Esquimalt	2845 (9.4%)	2668 (9.8%)	2076 (8.3%)	1763 (9.8%)	1887 (10.4%)	1594 (10.4%)
Priority 4-9						
Victoria	18443 (90.4%)	19287 (92.2%)	16867 (92.4%)	11263 (91.4%)	11412 (92.2%)	9943 (91.3%)
Esquimalt	1969 (9.6%)	1636 (7.8%)	1379 (7.6%)	1017 (8.6%)	969 (7.8%)	948 (22.2%)

⁹ Data provided by Victoria Police Department

¹⁰ Data from the 2010 Police Services Audit Report and Victoria Police Department

Victoria and Esquimalt Policing Study

Policing Costs per Capita¹¹

	2002	2003	2004	2005	2006	2007	2008	2009	Increase
Esquimalt	234	226	228	246	261	279	300	332	42%
Victoria	303	305	319	347	362	366	391	414	37%
Combined	291	290	302	329	344	351	375	400	37%
BC Average	214	241	244	257	273	279	300	310	45%

Percentage of Total Victoria Police Department Budget, by Community¹²

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Esquimalt	14.31	13.946	13.580	13.687	13.790	14.089	14.181	14.659	14.821	15.156
Victoria	85.69	86.054	86.420	86.313	86.212	85.911	85.819	85.341	85.179	84.844
Esquimalt's portion from amalgamation to 2011 has increased by 1.21% or \$503,358										

¹¹ Data provided by Victoria Police Department

¹² Data provided by Victoria Police Department