



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

November 14, 2012

NOTICE

**A REGULAR MEETING OF COUNCIL WILL BE HELD ON
MONDAY, NOVEMBER 19, 2012 AT 7:00 PM, IN THE
COUNCIL CHAMBERS, ESQUIMALT MUNICIPAL HALL,
1229 ESQUIMALT ROAD.**

**ANJA NURVO
CORPORATE OFFICER**



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Monday, November 19, 2012

7:00 p.m.

Esquimalt Council Chambers

1. **CALL TO ORDER**

2. **LATE ITEMS**

3. **APPROVAL OF THE AGENDA**

4. **MINUTES**

(1) Minutes of the Special Meeting of Council, November 5, 2012

Pg. 1 – 2

(2) Minutes of the Regular Meeting of Council, November 5, 2012

Pg. 3 – 11

5. **PRESENTATIONS**

(1) Chief Jamie Graham, Deputy Chief Del Manak and Deputy Chief John Ducker, Re: Plecas Report

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

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

7. **STAFF REPORTS**

Administration

(1) Freedom of Information Bylaw, 2012, No. 2795, Staff Report No. ADM-12-054

Pg. 12 – 26

RECOMMENDATION:

That Council:

1. Gives first, second and third readings to the Freedom of Information Bylaw, 2012, No. 2795, as attached to Staff Report No. ADM-12-054;
2. Rescinds Council Policy No. ADMIN-22 entitled “Measures to prevent personal information from being inappropriately disclosed”; and
3. Amends Council Policy No. ADMIN-65 entitled “Recorded Public Input” as attached to Staff Report No. ADM-12-054.

Finance

(2) 2013 – 2017 Financial Plan and Budget Schedule, Staff Report No. FIN-12-014

Pg. 27 – 30

RECOMMENDATION:

That Council approve the 2013 – 2017 Financial Plan and Budget Schedule attached to Staff Report FIN-12-014.

Engineering and Public Works

- (3) Replacement of Unit 136 Aerial Truck, Staff Report No. EPW-12-029 Pg. 31 – 35

RECOMMENDATION:

That the Township enter into a Supply Agreement with Commercial Truck Equipment Corporation for \$112,544.00 (plus HST) for the supply and delivery of an aerial truck.

- (4) Discharge of Notice of Contravention of Bylaws from the Land Title for Amended Lot H (DD156169I), Section 10, Esquimalt District, Plan 2923 [788 Dominion Road], Staff Report No. EPW-12-030 Pg. 36 – 40

RECOMMENDATION:

That Council authorize staff to submit the necessary documentation to the Land Title Office in order to have the Notice of Contravention of Bylaws (Instrument No. EK074183) (Schedule “A”) discharged from the title of the following property:

PID: 001-507-052 Amended Lot H, (DD156169I) Section 10, Esquimalt District, Plan 2923 (788 Dominion Road)

Development Services

- (5) Development Variance Permit, 904 Carleton Terrace, Lot A, Section 11, Esquimalt District, Plan 15294, Lot 7, Section 11, Esquimalt District Plan 13060, Staff Report No. DEV-12-040 Pg. 41 – 58

RECOMMENDATION:

That the application for a Development Variance Permit authorizing the construction as shown in the plan prepared by Carle E. Peterson Architect Inc., stamped “Received September 19, 2012”, and sited as detailed on the survey plan prepared by Richard J. Wey & Associates Land Surveying Inc., stamped “Received September 19, 2012”, and including the following relaxations to Parking Bylaw, 1992, Bylaw No. 2011, be **approved, and staff be directed to issue the permit and register the notice on the title** of Lot A, Section 11, Esquimalt District, Plan 15294 and Lot 7, Section 11, Esquimalt District Plan 13060 [904 Carleton Terrace].

Parking Bylaw No. 2011, Section 11(1) – Visitor Parking – a reduction in the required number of dedicated visitor parking spaces from 1 of every 4 spaces to 1 of every 5.2 required spaces [i.e. from a total of 12 visitor spaces to 9 visitor spaces].

Parking Bylaw No. 2011, Section 13(1)(a)(iv) – Number Of Off-Street Parking Spaces – a reduction in the required number of parking spaces from 1.3 spaces per dwelling unit to 1.17 spaces per dwelling unit [i.e. from a total of 47 spaces to 42 spaces].

- (6) Development Permit and Development Variance Permit, 1382 Treebank Road West, [Lot 1, Section 2, Esquimalt District, Plan VIS1903], Staff Report No. DEV-12-041 Pg. 59 – 84

RECOMMENDATION:

1. That Council resolves that the application for a Development Permit No. 06/2012 limiting siting of the principal building to that shown on the survey plan prepared by Glen Mitchell Land Surveying Inc., stamped “Received October 10, 2012”, and limiting landscaping to that shown on the landscape plan provided by Duane Ensign Landscape Design, stamped “Received October 10, 2012”, for the proposed development located at Lot 1, Section 2, Esquimalt District, Plan VIS1903 [1382 Treebank Road West], be **approved** and staff be directed to issue the permit and register a notice on the property title.
2. That Council resolves that the application for a Development Variance Permit authorizing construction as shown on architectural plans provided by MJM Architect Inc, stamped “Received October 31, 2012”, and including the following relaxation to Parking Bylaw, 1992, No. 2011 for the proposed driveway located at Lot 1, Section 2, Esquimalt District, Plan VIS1903 [1382 Treebank Road West], be **approved** and staff be directed to issue the permit and register a notice on the property title.

Parking Bylaw, 1992, No. 2011, Section 10(1) - Design of Parking Areas - a 6.5% increase to the permitted 15% gradient for a ramp [i.e. from 15% to 21.5% gradient].

- (7) New Advisory Planning Commission Bylaw, Staff Report No. DEV-12-042 Pg. 85 – 93

RECOMMENDATION:

That Council give first, second, and third readings to Bylaw No. 2792 being a Bylaw to establish an Advisory Planning Commission and to provide for its composition and procedures.

8. BYLAWS

For Adoption

- (1) Council Remuneration Bylaw, 2011, No. 2778, Amendment Bylaw [No. 1], 2012, No. 2794 Pg. 94

9. MAYOR’S AND COUNCILLORS’ REPORTS

- (1) Report from Mayor Barbara Desjardins, Re: Annual Committee Review Pg. 95 – 96
- (2) Report from Mayor Barbara Desjardins, Re: Mayor’s Report – October 2012 Pg. 97 – 98
- (3) Report from Councillor Brame, Re: Association of Vancouver Island Coastal Communities (AVICC) Pg. 99

10. **REPORTS FROM COMMITTEES**

- (1) Draft minutes from the Heritage Advisory Committee meeting, October 17, 2012 Pg. 100 – 105
- (2) Memorandum from the Heritage Advisory Committee, dated November 1, 2012, Re: Lampson Street memorial Trees Plaque Installation Pg. 106
- (3) Memorandum from the Heritage Advisory Committee, dated November 1, 2012, Re: 1388 Esquimalt Road Pg. 107
- (4) Draft minutes from the Arts, Culture and Special Events Advisory Committee meeting, November 7, 2012 Pg. 108 – 111
- (5) Memorandum from the Arts, Culture and Special Events Advisory Committee, dated November 13, 2012, Re: Arts, Culture and Special Events Advisory Committee Activities and Accomplishments in 2012 Pg. 112 – 113
- (6) Memorandum from the Arts, Culture and Special Events Advisory Committee, dated November 13, 2012, Re: Poster Advertising on Utility Poles and Vacant Storefronts Pg. 114

11. **COMMUNICATIONS**

- (1) Letter from Karel Roessingh, Chair, Greater Victoria Public Library Board, dated October 31, 2012, Re: 2013 Budget and Five Year Financial Plan - Provisional Pg. 115 – 122
- (2) Letter from Joe Stanhope, President, Association of Vancouver Island Coastal Communities, dated November 1, 2012, Re: Resolutions Notice / Request for Submissions, Call for Nominations for AVICC Executive Pg. 123 – 131

12. **PUBLIC QUESTION AND COMMENT PERIOD**

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

13. **ADJOURNMENT**



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES
SPECIAL MEETING
OF MUNICIPAL COUNCIL
MONDAY, NOVEMBER 5, 2012

5:45 P.M.
WURTELE ROOM,
MUNICIPAL HALL

PRESENT:

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

STAFF:

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

1. **CALL TO ORDER**

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

2. **LATE ITEMS**

The following was added to the Agenda under Item 4 Motion to go *In Camera* – Section 90(1)(k):

- 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;

3. **APPROVAL OF THE AGENDA**

MOTION: Moved by Councillor Brame/Councillor McKie:
That the Agenda be approved as amended.

CARRIED UNANIMOUSLY.

4. **MOTION TO GO IN CAMERA**

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

- Labour relations or other employee relations; and
- The security of the property of the municipality; and
- 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

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

CARRIED UNANIMOUSLY.

5. **ADJOURNMENT**

MOTION: Moved by Councillor Brame/Councillor McKie:
That the Special Meeting of Council be adjourned at 5:45 p.m.

CARRIED UNANIMOUSLY.

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

CERTIFIED CORRECT:

ANJA NURVO, CORPORATE OFFICER



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES REGULAR MEETING OF MUNICIPAL COUNCIL MONDAY, NOVEMBER 5, 2012 7:00 P.M. COUNCIL CHAMBERS

PRESENT:

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

STAFF:

Laurie Hurst, Chief Administrative Officer
Jeff Miller, Director of Engineering and Public Works
Bill Brown, Director of Development Services
Ian Irvine, Director of Financial Services and IT
Pat Mulcahy, Manager of Human Resources
Anja Nurvo, Manager of Corporate Services
Louise Payne, Recording Secretary

OTHER:

Inspector Keith Lindner, West Division, VicPD

1. CALL TO ORDER

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

2. LATE ITEMS

The following items were added to the Agenda:

- (1) Pertaining to Agenda Item 8. Staff Reports (2) Old Esquimalt Road Traffic Calming Measures, Staff Report No. EPW-12-022:
 - Updated Survey Results (Upper section of Page 30 of Agenda Package)
 - Additional Comment Sheets
 - Amarjit and Pritam Takhar
 - John Costas
 - Ken and Charlotte Snowsell
 - Mike Dunlop
 - Keith Davies
 - Peter Ryan
- (2) Add to Agenda Item 12. Communications:
 - (6) Letter from Bobbi Plecas, Assistant Deputy Minister, Ministry of Citizens' Services and Open Government, dated November 2, 2012, Re: Regrettable Release of Redline Versions of Two FOI Packages

3. APPROVAL OF THE AGENDA

MOTION: Moved by Councillor Hundleby/Councillor McKie:
That the Agenda be approved as amended.

CARRIED UNANIMOUSLY.

4. MINUTES

MOTION: Moved by Councillor Brame/Councillor Hodgins:
That the following minutes be adopted as circulated:

- (1) Minutes of the Special Meeting of Council, October 15, 2012
- (2) Minutes of the Regular Meeting of Council, October 15, 2012

CARRIED UNANIMOUSLY.

5. PRESENTATIONS

- (1) Marg Evans, Senior Manager, Regional Planning and Malcolm MacPhail, Senior Transportation Planning, Capital Regional District, Re: Findings of CRD Origin Destination Household Travel Survey Released

Marg Evans, Senior Manager, Regional Planning presented the findings of the Capital Regional District's Origin Destination Household Travel Survey and answered questions from Council.

- (2) John Bergbusch, Chair, Association for Responsible and Environmentally Sustainable Sewage Treatment (ARESST), Re: Land Base Sewage Treatment in Capital Regional District

John Bergbusch, Chair of the Association for Responsible and Environmentally Sustainable Sewage Treatment (ARESST) presented a PowerPoint presentation regarding the proposed land based sewage treatment facility in the Capital Regional District, and answered questions from Council.

6.

PUBLIC INPUT

Darwin Robinson, resident, expressed his concern with respect to the proposal by Engineering for traffic calming on Old Esquimalt Road.

Shirley Legare, resident, expressed concern with the proposed "No Parking" Traffic Order for the 1100 block of Colville Road Alley way.

Meagan Klassen and Ron Merk, residents and members of the Lyall Street Action Committee, expressed safety and noise concerns with heavy truck traffic on Lyall Street through the month of September at all hours of the day and night. They requested that Council consider a Traffic Plan for the area, in consultation with the Lyall Street Action Committee.

Frank Seddan, resident, expressed concern with the proposed "No Parking" Traffic Order for the alley way between Hutchinson Avenue and MacLeod Avenue.

Dwight Reid, resident, expressed concern with speeding cars down the alley way between Hutchinson Avenue and MacLeod Avenue and the loss of resident parking.

Lee Mihalcheon, resident, expressed concern with the "No Parking" Traffic Order for the alley way between Hutchinson Avenue and MacLeod Avenue.

Darren Glover, resident, expressed concern with traffic speeding down the alley way between Hutchinson Avenue and MacLeod Avenue, and the lack of parking on Colville Road.

Carol Witter, resident, expressed concern for the safety of residents with traffic in the alley way between Hutchinson Avenue and MacLeod Avenue.

Jim Stephen, resident, expressed concern with traffic and safety issues on Lockley Street.

Murray McComb, resident, stated his support for the concerns regarding parking in the alley way between Hutchinson Avenue and MacLeod Avenue.

Gary Knight, resident, stated his support for the Lyall Street Action Committee.

Ian Soutar, resident, stated his support for the Lyall Street Action Committee.

Joe Rozon, resident, stated his recollection of the consultation of residents on Old Esquimalt Road with respect to the speeding issue.

7. DELEGATION

- (1) Richard Mandy, Songhees First Nation, Re: Songhees Wellness Centre and Strategic Opportunities

Richard Mandy, representative of the Songhees First Nation, presented a Power Point presentation on the Songhees Wellness Centre currently under construction, with an opening date of November, 2013, and answered questions from Council.

8. STAFF REPORTS

Administration

- (1) Council Policy No. PER-05: Officers and Exempt Employees, Staff Report No. ADM-12-050

MOTION: Moved by Councillor Hodgins/Councillor Hundleby: That Council amends Council Policy No. PER-05 titled Terms and Conditions of Employment for Officers and Exempt Employees, as follows:

- (1. Item 1 – Adopted at October 15, 2012 Meeting of Council);
2. Add a new Item (b) to the re-numbered Procedure 7 – Vacation, and re-letter the balance of that clause accordingly:
“(b) Deputy Fire Chief and Assistant Fire Chief vacation entitlements are earned per calendar year of service (pro-rated for year of hire and/or termination) on the following basis:
 - up to and including 25 years of service: 4 blocks (of 4 workdays each); and
 - over 25 years of service: 5 blocks (of 4 workdays each).”
3. Delete the re-numbered Procedure 8 - Compensatory Time, and replace it with the following:
“In addition to vacation entitlement pursuant to Clause 7 hereof, Officers and Exempt Employees shall be entitled to five additional working days and the Deputy and Assistant Fire Chiefs shall be entitled to one block [4 working days] in each calendar year (pro-rated for year of hire and/or termination) as paid leave in recognition of hours worked beyond the normal work schedule.”

CARRIED UNANIMOUSLY.

Engineering and Public Works

- (2) Old Esquimalt Road Traffic Calming Measures, Staff Report No. EPW-12-022

The Director of Engineering and Public Works presented Staff Report No. EPW-12-022 and answered questions from Council.

Council Comments:

- Council requested that residents along Old Esquimalt Road be sent a letter advising them of the installation of the speed cushions;
- Public safety is the priority, and consultation with residents has been done.

MOTION: Moved by Councillor Hodgins/Councillor McKie:

That a total of seven (7) speed cushions and associated signage be installed and realignment of the Rockheights crosswalk take place along Old Esquimalt Road from Rockheights Avenue to Viewfield Road.

CARRIED (Councillor Hundleby opposed).

- (3) Traffic Order No. 1199 – Lockley Road – 1200 Block “Residential Only” Parking Restriction, Staff Report No. EPW-12-023

The Director of Engineering and Public Works presented Staff Report No. EPW-12-023 and answered questions from Council.

Council Comments:

- Council requested that residents in the 1200 block of Lockley Road be sent a letter advising them of the “Residential Only” parking restrictions and bylaw enforcement issues.

MOTION: Moved by Councillor Morrison/Councillor Hodgins:

That Traffic Order No. 1199 for “Residential Only” parking be instituted for the 1200 block of Lockley Road; and

That a letter be sent to residents in the 1200 block of Lockley Road providing information on the “Residential Only” parking designation; and that a letter be sent to Seaspan and DND requesting that they make their employees aware of this “Residential Only” parking designation on Lockley Road.

CARRIED UNANIMOUSLY.

- (4) Traffic Order No. 1200 – Colville Road Alley Way – 1100 Block “No Parking” Restriction, Staff Report No. EPW-12-024

The Director of Engineering and Public Works presented Staff Report No. EPW-12-024 and answered questions from Council.

Council Comments:

- Council questioned whether there could be parking on one side of the alley way;
- Council requested additional information, including options to allow some parking in the alley way;
- Signage should be provided to control speeding.

MOTION: Moved by Councillor Hodgins/Councillor Brame:

That Traffic Order No. 1200 for “No Parking” for the alley way between Hutchinson Avenue and MacLeod Avenue be referred back to staff for further information on options for public parking in the alley way.

CARRIED UNANIMOUSLY.

Finance

- (5) Local Grant Application – Esquimalt High School Athletics Program, Staff Report No. FIN-12-012

Mike Thompson, Teacher with Esquimalt High School Athletics Program spoke to the Local Grant application and answered questions from Council.

MOTION: Moved by Councillor McKie/Councillor Hodgins:
That Council approve the remaining balance in the local grant application amount of \$2,750.00 for the Esquimalt High School Athletics Program as provided in Council Policy No. ADMIN-29.

CARRIED UNANIMOUSLY.

- (6) Local Grant Application – L'Ecole Victor Brodeur Team Funding, Staff Report No. FIN-12-013

Pierre Bibeau and Danielle Riendeau, Teachers and Coaches at L'Ecole Victor Brodeur, spoke to the Local Grant application and answered questions from Council.

MOTION: Moved by Councillor Hodgins/Councillor McKie:
That Council approve the local grant application amount of \$1,750.00 for L'Ecole Victor Brodeur Team Funding as provided in Council Policy No. ADMIN-52.

CARRIED UNANIMOUSLY.

9.

BYLAWS

For First, Second and Third Reading

- (1) Council Remuneration Bylaw, 2011, No. 2778, Amendment Bylaw (No. 1), 2012, No. 2794

MOTION: Moved by Councillor Hodgins/Councillor McKie:
That Council Remuneration Bylaw, 2011, No. 2778, Amendment Bylaw (No. 1), 2012, No. 2794 be read a 1st, 2nd and 3rd time.

CARRIED (Mayor Desjardins and Councillors Brame and Hundleby opposed).

10.

MAYOR'S AND COUNCILLORS' REPORTS

There were no reports from the Mayor or Councillors.

11.

REPORTS FROM COMMITTEES

MOTION: Moved by Councillor Hodgins/Councillor Brame:
That the following minutes be received for information:

- (1) Adopted minutes from the Centennial Celebrations Select Committee meeting, September 25, 2012;
(3) Draft minutes from the Arts, Culture and Special Events Advisory Committee meeting, October 10, 2012;

- (5) Draft minutes from the Environmental Advisory Committee meeting, October 25, 2012.

CARRIED UNANIMOUSLY.

- (2) Adopted minutes from the Advisory Planning Commission Meeting, October 2, 2012

Mayor Desjardins noted that staff has been directed to communicate the proposed changes to the Advisory Planning Commission, based on recent public input.

MOTION: Moved by Councillor McKie/Councillor Hodgins:
That the adopted minutes from the Advisory Planning Commission meeting held October 2, 2012 be received.

CARRIED UNANIMOUSLY.

- (4) Draft minutes from the Centennial Celebrations Select Committee meeting, October 23, 2012

The Director of Engineering and Public Works provided Council with a status update on the Centennial Brick Project, noting that December 8th, 2012 has been designated for an Opening Ceremony.

Council requested that purchasers of Centennial bricks be contacted to advise them of the status and date of the Opening Ceremony.

MOTION: Moved by Councillor Hundleby/Councillor Brame:
That the draft minutes from the Centennial Celebrations Select Committee meeting held October 23, 2012 be received.

CARRIED UNANIMOUSLY.

- (6) Memorandum from the Environmental Advisory Committee, dated October 29, 2012, Re: Proposed Changes to Advisory Planning Commission

MOTION: Moved by Councillor McKie/Councillor Brame:
That the memorandum from the Environmental Advisory Committee dated October 29, 2012 regarding proposed changes to the Advisory Planning Commission be referred to the next Regular Meeting of Council as part of the information to come forward on Council committees.

CARRIED UNANIMOUSLY.

MOTION: Moved by Councillor Hundleby/Councillor Brame:
That the memorandum from the Environmental Advisory Committee dated October 29, 2012 regarding the proposed changes to the Advisory Planning Commission be received for information.

CARRIED UNANIMOUSLY.

12.

COMMUNICATIONS

MOTION: Moved by Councillor Hodgins/Councillor McKie:
That the following communications be received for information:

- (2) Letter from Minister Shirley Bond, Ministry of Justice and Attorney General, dated October 11, 2012, re: Letter of Appreciation to Laurie Hurst, Chief Administrative Officer of the Township of Esquimalt
- (3) Letter from Premier Christy Clark, dated October 16, 2012 re: Status of Policing Within Esquimalt
- (4) Letter from Jack Bates, dated October 18, 2012, re: Demolition/Relocation of 316 Anson Street
- (6) Letter from Bobbi Plecas, Assistant Deputy Minister, Ministry of Citizens' Services and Open Government, dated November 2, 2012, re: Regrettable Release of Redline Versions of Two FOI Packages

CARRIED UNANIMOUSLY.

- (1) Email from Graham Bruce, Island Corridor Foundation, dated October 11, 2012 re: Regional District Funding Contribution Info Package

MOTION: Moved by Councillor Brame/Councillor Hundleby:

That the email from Graham Bruce of the Island Corridor Foundation dated October 11, 2012 regarding the regional district funding contribution information package be received; and

That a letter of support be sent to the Capital Regional District for funds to repair the railroad infrastructure between Victoria and Courtenay as part of the plan to rebuild the Island railway.

CARRIED UNANIMOUSLY.

- (5) Email from Ron Merk, dated November 1, 2012, re: Recent Reclamation Project for Imperial Oil

MOTION: Moved by Councillor Hodgins/Councillor McKie:

That the email from Ron Merk dated November 1, 2012 regarding the recent reclamation project for Imperial Oil be received for information; and that the email be referred to staff to report back to Council, including consultation with the Lyall Street Action Committee, on how to address these issues.

CARRIED UNANIMOUSLY.

13.

NOTICE OF MOTION

- (1) Esquimalt Chamber of Commerce Membership – Councillor Morrison

MOTION: Moved by Councillor Morrison/Councillor Hodgins:

WHEREAS the Township of Esquimalt currently hold three (3) of the Board of Director positions appointed by the Mayor, on behalf of the Township of Esquimalt, for the Esquimalt Chamber of Commerce;

WHEREAS the Township of Esquimalt is a major employer and economic contributor within the municipality;

WHEREAS one of the top priorities of the Township of Esquimalt is to support economic development and specifically the growth of small business and commercial activity within the local community in order to help diversify the municipal tax base;

WHEREAS October is "Small Business Month";

THEREFORE BE IT RESOLVED that the Township of Esquimalt becomes a member of the Esquimalt Chamber of Commerce effective immediately.

CARRIED UNANIMOUSLY.

14. PUBLIC QUESTION AND COMMENT PERIOD

Muriel Dunn, resident, expressed concern with information in the newspaper article regarding the policing Requests for Proposals. She also thanked Council for investigating speeding along Old Esquimalt Road.

Lorne Argyle, resident, stated that Lyall Street was declared a truck route for the Department of National Defence.

Gary Knight, resident, suggested parking along one side of Colville Road.

15. ADJOURNMENT

MOTION: Moved by Councillor Hodgins/Councillor Hundleby:
That the Regular Meeting of Council be adjourned at 9:46 p.m.

CARRIED UNANIMOUSLY.

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

CERTIFIED CORRECT:

ANJA NURVO
CORPORATE OFFICER



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: November 19, 2012
Staff Report No. ADM-12-054

REQUEST FOR DECISION

SUBJECT: Freedom of Information Bylaw, 2012, No. 2795

RECOMMENDATION:

That Council:

1. gives first, second and third readings to the Freedom of Information Bylaw, 2012, No. 2795, as attached to Staff Report No. ADM-12-054;
2. rescinds Council Policy No. ADMIN-22 entitled "Measures to prevent personal information from being inappropriately disclosed"; and
3. amends Council Policy No. ADMIN-65 entitled "Recorded Public Input" as attached to Staff Report No. ADM-12-054.

RELEVANT POLICY:

Freedom of Information and Privacy Bylaw, 1994, No. 2155;
Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, c. 165, as amended;
Council Policy No. ADMIN-22 "Measures to prevent personal information from being inappropriately disclosed; and
Council Policy No. ADMIN-65 "Recorded Public Input"

STRATEGIC RELEVANCE:

This Request for Decision is further to the Corporate Services Operational Strategies of (1) Bylaw Review and (2) Policy Review Program.

Submitted by: Writer

Reviewed by: CAO

Date:

Nov 14/12

STAFF REPORT

DATE: November 6, 2012 Report No. ADM-12-054
TO: Laurie Hurst, Chief Administrative Officer
FROM: Anja Nurvo, Manager of Corporate Services
SUBJECT: Freedom of Information Bylaw, 2012, No. 2795

RECOMMENDATION:

That Council:

1. gives first, second and third readings to the Freedom of Information Bylaw, 2012, No. 2795, as attached to Staff Report No. ADM-12-054;
2. rescinds Council Policy No. ADMIN-22 entitled "Measures to prevent personal information from being inappropriately disclosed"; and
3. amends Council Policy No. ADMIN-65 entitled "Recorded Public Input" as attached to Staff Report No. ADM-12-054.

BACKGROUND:

The current Freedom of Information and Privacy Bylaw, 1994, No. 2155 was passed in 1994, and was stated to come into force on the date the *Freedom of Information and Protection of Privacy Amendment Act*, 1993, S.B.C., c. 46, comes into force. That Act has now been repealed and the current legislation in effect is the *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c. 165, as amended (the "Act").

In addition to containing references to obsolete sections of the former legislation and to staff positions which do not currently exist, Schedule "A" of Bylaw No. 2155 is also not in compliance with the maximum fees permissible under the Act.

Accordingly, staff recommends that Bylaw No. 2155 be repealed and replaced with the updated Freedom of Information Bylaw, 2012, No. 2795 as attached.

The Local Government Management Association recently released an updated Freedom of Information and Protection of Privacy Act Toolkit for Local Governments. Staff has recently attended training on the updated Toolkit. Staff's recommendation is that two existing Council Policies which are applicable to freedom of information and protection of privacy should also be updated.

Council Policy ADMIN-22 entitled "Measures to prevent personal information from being inappropriately disclosed" was passed in 1994, prior to the current Act. The Act contains a full and comprehensive section on the obligations of local governments relating to the protection of privacy. Accordingly, the Policy should be repealed.

Council Policy ADMIN-65 was passed in 2011 and is still current. However, staff's recommendation is that clause 2 under Discussion be revised in keeping with current recommendations from the Information and Privacy Commissioner's Office dealing with notice to the public on the collection of personal information. A copy of the recommended revised Policy is attached.

ISSUES:

1. Rationale for Selected Option

Repealing and replacing the Freedom of Information Bylaw ensures that our current Bylaw is in compliance with the current Act, including maximum fees that may be charged to members of the public for services. Updating the Council Policies is also recommended to bring staff practices into compliance with the Act and the recommendations of the Information and Privacy Commissioner's Office.

2. Organizational Implications

Updating the current Bylaw and Council Policies ensures compliance with Provincial legislation.

3. Financial Implications

There are no significant financial implications to the Township; however, the new Bylaw will ensure that permissible fees are charged to members of the public for access to records, in accordance with the Act.

4. Communication

A copy of the updated Bylaw will be posted on the Township's website for the public's information. Copies of the revised Council Policy will be distributed to relevant staff for implementation.

ALTERNATIVES:

1. That Council:

1. gives first, second and third readings to the Freedom of Information Bylaw, 2012, No. 2795, as attached to Staff Report No. ADM-12-054;
2. rescinds Council Policy No. ADMIN-22 entitled "Measures to prevent personal information from being inappropriately disclosed"; and
3. amends Council Policy No. ADMIN-65 entitled "Recorded Public Input" as attached to Staff Report No. ADM-12-054.

2. That Council directs an amendment to the Freedom of Information Bylaw, 2012, No. 2795, and gives first, second and third readings to the Bylaw as amended.

3. That Council directs an amendment to Council Policy No. ADMIN-65 and approves the Policy as amended.

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2795

DRAFT

A bylaw to provide for the administration of the
Freedom of Information and Protection of Privacy Act

WHEREAS the *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c. 165, as amended, requires that a municipality designate the Head and set any fees for services;

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

1. This Bylaw may be cited for all purposes as the "Freedom of Information Bylaw, 2012, No. 2795."

2. (1) The definitions contained in Part I of the Act shall apply to this Bylaw.

(2) In this Bylaw:

"Act" means the *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c. 165, as amended.

"Commercial Applicant" means a person who makes a request for access to a record to obtain information for use in connection with a trade, business profession or other venture for profit;

"Council" means the Council of the Township of Esquimalt;

"Head" means the person designated under section 3(1) of this Bylaw as the Head;

"Municipality" means the Township of Esquimalt; and

"Request" means a request under section 5 of the Act.

3. (1) The person from time to time appointed to the position of Corporate Officer of the Municipality is designated as the Head for the purposes of the Act.

(2) For the purposes of the Act, the Head shall act in his or her capacity for all Council, Boards, Commissions and Committees of the Municipality.

(3) The person from time to time appointed to the position of Deputy Corporate Officer of the Municipality is authorized to perform any duty or exercise any function under the Act as designated under Section 3(1).

4. An applicant making a request shall pay to the Municipality the fees set out in Schedule "A" of this Bylaw for the purposes of:

- (a) locating, retrieving and producing a record;
- (b) preparing a record for disclosure;
- (c) shipping and handling a record; and
- (d) providing a copy of a record.

5. The Freedom of Information and Privacy Bylaw, 1994, No. 2155 is hereby repealed.

READ a first time on the day of , 2012.

READ a second time on the day of , 2012.

READ a third time on the day of , 2012.

ADOPTED on the day of , 2012.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER

SCHEDULE "A" TO BYLAW NO. 2795

PART 1 - FEES - APPLICANTS OTHER THAN COMMERCIAL APPLICANTS:

a) for locating and retrieving a record	\$7.50 per ¼ hour after the first 3 hours
b) for producing a record manually	\$7.50 per ¼ hour
c) for producing a record from a machine the central readable record	\$16.50 per minute for cost of use of mainframe processor on all locally attached devices plus \$7.50 per ¼ hour for developing a computer program to produce the record
d) for preparing a record for disclosure	\$7.50 per ¼ hour
e) for shipping copies	actual costs of shipping method chosen by applicant
f) for copying records:	
(i) photocopies and computer printouts	\$0.25 per page (8.5" x 11") and \$0.30 per page (11" x 17")
(ii) floppy disks	\$10.00 per disk
(iii) computer tapes	\$30.00 per tape up to 2400 feet
(iv) microfiche	\$10.00 per fiche
(v) 16 mm microfilm duplication	\$25.00 per roll
(vi) 35 mm microfilm duplication	\$40.00 per roll
(vii) microfilm/fiche to paper duplication	\$0.50 per page
(viii) photographs (colour or black & white)	\$5.00 to produce a negative \$12.00 each for 16"x20" \$9.00 each for 11"x14" \$4.00 each for 8"x10" \$3.00 each for 5"x7"

(ix) photographic print of textual, graphic or cartographic record (8'x10" black & white)	\$12.50 each
(x) hard copy laser print B/W 300 dots/inch	\$0.25 each
(xi) hard copy laser print B/W 1200 dots/inch	\$0.40 each
(xii) hard copy laser print, colour	\$1.65 each
(xiii) photomechanical reproduction of 105 mm cartographic record/plan	\$3.00 each
(xiv) slide duplication	\$0.95 each
(xv) plans	\$1.00 per square metre
(xvi) audio cassette duplication	\$10.00 plus \$7.00 per ¼ hour of recording
(xvii) video cassette (1/4' or 8mm)	\$11.00 per 60 minute cassette plus \$7.00 per ¼ hour of recording \$20.00 per 120 minute cassette plus \$7.00 per ¼ hour of recording
(xviii) video cassette (1/2' duplication)	\$15.00 per cassette plus \$11.00 per ¼ hour of recording
(xix) video cassette (3/4") duplication	\$40.00 per cassette plus \$11.00 per ¼ hour of recording

PART 2 - FEES - COMMERCIAL APPLICANTS:

For each service listed above, the cost will be the actual cost of providing that service.



TITLE: RECORDED PUBLIC INPUT	NO. ADMIN - 65
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PURPOSE

This policy identifies the opportunities for public input and how personal information will be protected and recorded for the public. Personal information is defined as "recorded information about an identifiable individual". How personal information is collected, protected, and retained is governed by the *Freedom of Information and Protection of Privacy Act* (the "Act"). Other governing legislative documents are:

1. *Local Government Act*
2. *Community Charter*
3. Council Procedure Bylaw No. 2715, 2009, as amended

This policy pertains to open Council meetings and does not include *In Camera* meetings. References to Council include Committee of the Whole, Committees, Commissions and Boards.

PRINCIPLES

1. Meetings of Council are public, therefore, oral and written communication received from the public is considered public information unless the correspondent requests confidentiality. Communication addressed to Council will become part of the public record and may be placed on a public agenda and posted on the Township website.

2. The presumption shall be in favour of openness and publication [to the extent permitted by law and subject to valid privacy, confidentiality, security or other restrictions].

For example, an email address is normally not public information unless the sender has given permission to release his/her email address and/or user name. Where approval has not been given or implied, an email address and/or user name will be blacked out. The sender's first and last name and home address, however, will not be obscured.

3. In accordance with the Act, the collection of personal information is to be used only for the purpose for which it was collected and

- (a) has a reasonable and direct connection to that purpose; and
- (b) is necessary for performing the statutory duties or for operating a program or activity of the local government body that uses or discloses the information.

4. In accordance with the Act, a public body must ensure that an individual from whom it collects personal information or causes personal information to be collected is told

- (a) the purpose for collecting it;
- (b) the legal authority for collecting it; and
- (c) the title, business address and business telephone number of an officer or employee of the public body who can answer the individual's questions about the collection.

EFFECTIVE DATE:	APPROVED BY: Council	REFERENCE Staff Report No. ADM-12-054	AMENDS NO. ADMIN-65 dated May 16, 2011	PAGE 1 OF 2
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DRAFT**DISCUSSION**

Public input may be received by the Township that is initiated from a member of the public directly, or is submitted in response to a request from the Township seeking public feedback. Written submissions includes by mail, email, website, and fax.

Information given at a public meeting may be oral and/or may be submitted in writing, at or before the meeting. When writing or addressing Council, the full name and address of the person must be given for recording purposes.

Generally the information collected in surveys and questionnaires will be summarized with no information identifying the respondents unless specifically stated in the survey. Petitions will be presented in their entirety, except that personal information including personal email addresses and home telephone numbers will be blacked out in compliance with the Act.

1. Public Input opportunities include:

- (a) Oral Communication- given in a public meeting and which is transcribed into a record:
 - i. Making presentations at public hearings held to receive public input into rezoning and official community plan applications, and other significant decisions concerning discretionary land use applications.
 - ii. Making presentations at Council meetings.
 - iii. Providing input at Council meetings regarding items on the Agenda during public input opportunities that are not the subject of a public hearing.
 - iv. Appearing as a delegation or petitioner.
 - v. Providing input at Town Hall meetings and Open Houses.
- (b) Written Communication – includes items (a) i - v above as well as:
 - i. Writing to Council with comments and/or concerns about reports or proposed bylaws.
 - ii. Presenting a written petition to Council in support or against a proposed action.
 - iii. Writing to Council, the Chief Administrative Officer or Department Heads with issues of concern requesting Council decision and/or action.
 - iv. Writing to the Township with suggestions, ideas and opinions on municipal matters.
 - v. Responding to surveys and questionnaires.
 - vi. Responding to a call for public feedback on matters under deliberation by Council and its Committees.

2. Written requests for public input by the Township by publication, by letter or on its website should include a "notice of collection of personal information" in accordance with the Act, such as:

Personal information contained in communications to Council is collected under the authority of the Community Charter and Local Government Act and will only be used to assist Council in its decision making. Your communication will be treated as public information and will form part of the Township's public record and may be included in a public agenda and be posted on our website. Your personal information will not be released except in accordance with the Freedom of Information and Protection of Privacy Act. Questions about this collection should be addressed to the Corporate Officer at 1229 Esquimalt Road, Esquimalt, BC V9A 3P1 or by telephone at 250-414-7135.

EFFECTIVE DATE:	APPROVED BY: Council	REFERENCE Staff Report No. ADM-12-054	AMENDS NO. ADMIN-65 dated May 16, 2011	PAGE 2 OF 2
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CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2155

A Bylaw to designate the head of the Corporation of the Township of Esquimalt for the purposes of, and to set fees under, the Freedom of Information and Protection of Privacy Act.

WHEREAS SECTION 76.1 OF THE *FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT* provides the authority to designate a person or group of persons as the head of the Corporation of the Township of Esquimalt for the purposes of this Act and to authorize any person to perform any duty or exercise any function under the Act as the head of the Corporation of the Township of Esquimalt, and

WHEREAS SECTION 76.1 provides the authority to set any fees the Corporation of the Township of Esquimalt requires to be paid under the Act.

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

- 1. Citation**
This bylaw may be cited for all purposes as the "FREEDOM OF INFORMATION AND PRIVACY BYLAW, 1994, NO. 2155".
- 2. Designation of Head**
The person from time to time appointed to the position of Municipal Clerk of the Corporation of the Township of Esquimalt is designated as the Head of the Corporation of the Township of Esquimalt for the purposes of the *Freedom of Information and Protection of Privacy Act*.
- 3. Authorization of Assistance for Head**
The person from time to time appointed to the position of Deputy Clerk of the Corporation of the Township of Esquimalt is authorized to perform any duty or exercise any function under the *Act* designated under Section 2.
- 4. Fees**
The fees that are payable by the applicants under the *Act* are those set out in Schedule "A" attached to this bylaw.

5. **Interpretation**

Any word or expression used in this bylaw that is not defined in this bylaw has the meaning given to it in the *Act* on the date of final adoption of this bylaw.

6. **Effective Date of Bylaw**

This bylaw comes into force on the date on which the Freedom of Information and Protection of Privacy Amendment Act, 1993, S.B.C., C.46, comes into force.

Read a first time by the Municipal Council on October 24, 1994.

Read a second time by the Municipal Council October 24, 1994.

Read a third time by the Municipal Council on November 7, 1994.

ADOPTED by the Municipal Council on November 14, 1994.

C.J.E. CLEMENT
MAYOR

R. SERIGHT
MUNICIPAL CLERK

SCHEDULE OF MAXIMUM FEES

- 1. For applicants other than commercial applicants:**
- (a) for locating and retrieving a record \$7.50 per ¼ hour after the first 3 hours,
 - (b) for producing a record manually..... \$7.50 per ¼ hour,
 - (c) for producing a record from a machine readable record \$16.50 per minute for cost of use of central mainframe processor and all locally attached devices plus \$25.00 per ¼ hour for developing a computer program to produce the record,
 - (d) for preparing a record for disclosure and handling a record \$7.50 per ¼ hour,
 - (e) for shipping copies actual costs of shipping method chosen by applicant,
 - (f) for copying records
 - (i) photocopies and computer printouts..... \$.50 per page (8½" x 11", 8½" x 14"), \$.75 per page (11" x 17"),
 - (ii) floppy disks..... \$10.00 per disk,
 - (iii) microfiche \$10.00 per fiche,
 - (iv) 16 mm microfilm duplication..... \$25.00 per roll,
 - (v) 35 mm microfilm duplication..... \$40.00 per roll,
 - (vi) microfilm to paper duplication..... \$.50 per page,
 - (vii) photographs - (colour or black and white) \$5.00 to produce a negative
\$12.00 ea. for 16" x 20"
\$9.00 ea. for 11" x 14"
\$4.00 ea. for 8" x 10"
\$3.00 ea. for 5" x 7",
 - (viii) plans Actual cost
- 2. For commercial applicants**
for each service listed in item 1 the actual cost of providing that service.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

COUNCIL POLICY

TITLE: Measures to prevent personal information from being inappropriately disclosed	NO. ADMIN - 22
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POLICY:

Personal information will not be disclosed without the consent of the individual involved.

Procedure

In cases where information held in a personal information bank is to be released, permission to release the information must first be received from the individual involved on the form attached hereto.

EFFECTIVE DATE: October 24, 1994	APPROVED BY: Council	REFERENCE 94-4721	AMENDS NO. Original	PAGE 1 OF 1
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COUNCIL POLICY

TITLE: RECORDED PUBLIC INPUT	NO. ADMIN - 65
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PURPOSE

This policy identifies the opportunities for public input and how personal information will be protected and recorded for the public. Personal information is defined as "recorded information about an identifiable individual". How personal information is collected, protected, and retained is governed by the *Freedom of Information and Protection of Privacy Act*. Other governing legislative documents are:

1. The Local Government Act
2. The Community Charter
3. Council's Procedure Bylaw

This policy pertains to open Council meetings and does not include *In Camera* meetings. References to Council include its Committee of the Whole, Committees, Commissions and Boards.

PRINCIPLES

1. Meetings of Council are public, therefore, oral and written communication received from the public is considered public information unless the correspondent requests confidentiality. Communication addressed to Township Council will become part of the public record and may be placed on a public agenda.
2. The presumption shall be in favour of openness and publication [to the extent permitted by law and subject to valid privacy, confidentiality, security or other restrictions].
 - a) For example, an Email address is not public information unless the sender has given permission to release his/her Email address and/or user name. Where approval has not been given or implied, an Email address and/or user name will be blacked out. The sender's first and last name and home address, however, will not be obscured.
3. The collection of personal information is to be used only for the purpose for which it was collected and
 - (a) has a reasonable and direct connection to that purpose; and
 - (b) is necessary for performing the statutory duties of, or for operating a legally authorized program of, the public body that uses or discloses the information or causes the information to be used or disclosed.
4. A public body must ensure that an individual from whom it collects personal information or causes personal information to be collected is told
 - (a) the purpose for collecting it;
 - (b) the legal authority for collecting it; and
 - (c) the title, business address and business telephone number of an officer or employee of the public body who can answer the individual's questions about the collection.

EFFECTIVE DATE: May 16, 2011	APPROVED BY: Council	REFERENCE Staff Report No. ADM-11-029	AMENDS NO. Original	PAGE 1 OF 2
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DISCUSSION

Public input may be received by the Township that is initiated from a member of the public directly, or submitted in response to a request from the Township seeking public feedback. Written submission includes by mail, Email, website, and fax.

Information given at a public meeting may be oral and/or may have been previously submitted in writing. When writing or addressing Council, the full name and address of the citizen must be given for recording purposes.

Generally the information collected in surveys and questionnaires will be summarized with no information identifying the respondents unless specifically stated. Petitions will be presented in their entirety, with the inclusion of email addresses.

1. Public Input opportunities include:

- i. Oral Communication- given in a duly convened public meeting and which is transcribed into a record:
 - ii. Making presentations at Public Hearings held to receive public input into rezoning and official community plan applications, and other significant decisions concerning discretionary land use applications.
 - iii. Making presentations at Council meetings.
 - iv. Providing input at Council meetings regarding items on the Agenda during public input opportunities that are not the subject of a public hearing.
 - v. Appearing as a delegation or petitioner.
 - vi. Providing input at Town Hall meetings and Open Houses.
- b) Written Communication – includes items 1 – 5 above as well as:
 - i. Writing to Council with comments and/or concerns about reports or proposed bylaws.
 - ii. Presenting a written petition to Council in support or against a proposed action.
 - iii. Writing to Council, the Chief Administrative Officer or Department Heads with issues of concern requesting Council decision and/or action.
 - iv. Writing to the Township with suggestions, ideas and opinions on municipal matters.
 - v. Responding to surveys and questionnaires.
 - vi. Responding to a call for public feedback on matters under deliberation by Council and its Committees.

2. Written requests for public input by the Township on its website should include a "notice of collection of personal information" such as:

The personal information contained in communications directed to City Council and its appointed Committees is collected under the authority of the Community Charter and Local Government Act, as amended, and will be used to assist Council members in their decision making processes. Your name and address may form part of a public agenda. Your email address and/or user name will be blacked out unless you give consent to release it. Questions about this collection should be addressed to the Corporate Administrator at 1229 Esquimalt Road, Esquimalt, BC V9A 3P1 or by telephone at 250-414-7135.

EFFECTIVE DATE:
May 16, 2011

APPROVED BY:
Council

REFERENCE
Staff Report No.
ADM-11-029

AMENDS NO.
Original

PAGE 2 OF 2



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: November 19, 2012
Staff Report No. FIN-12-014

REQUEST FOR DECISION

SUBJECT:

2013-2017 Financial Plan and Budget Schedule

RECOMMENDATION:

That Council approve the 2013-2017 Financial Plan and Budget Schedule attached to Staff Report FIN-12-014.

RELEVANT POLICY:

Financial Plan and Tax Rate Bylaws

STRATEGIC RELEVANCE:

The schedule establishes the key milestones to help ensure the timely adoption of the annual financial plan and budget

Submitted by: Director of Financial Services *Justin*

Reviewed by: CAO *R. Hurst* Date: Nov 14/12

STAFF REPORT

DATE: November 13, 2012 Report No. FIN-12-014
TO: Laurie Hurst, Chief Administrative Officer
FROM: Ian Irvine, Director of Financial Services
SUBJECT: 2013-2017 Financial Plan and Budget Schedule

RECOMMENDATION:

That Council approve the 2013-2017 Financial Plan and Budget Schedule attached to Staff Report FIN-12-014.

BACKGROUND:

Attached is the 2013 – 2017 Financial Plan and Budget Schedule.

The schedule indicates dates for Council meetings (denoted by asterisks and the word "Council" in parentheses) for the purpose of presentations, discussions and public input on the financial plan and budget. Additionally, some dates are currently noted as "Tentative". These relate to presentations by the Library and Police Boards as well as the annual Strategic Planning session.

ISSUES:

1. Rationale for Selected Option

Each year, the Financial Plan and Budget Schedule details the responsibility and timing for completion of various milestones within the annual process. This year, the Schedule has been established similarly to those in previous years and currently correlates with the tentatively scheduled 2013 Council meetings.

Approval of the preliminary schedule would allow staff and Council to adequately plan and prepare for the various meetings, discussions and presentations required to ensure we satisfy the requirement of Financial Plan and Tax Rate Bylaw adoption before the May 15 deadline. It would also allow staff to confirm the timing of external presentations to Council from the Public Library Board and the Victoria Police Board and would facilitate the initial scheduling of the Strategic Planning session.

2. Organizational Implications

None

3. Financial Implications

None

4. Communication

Once approved, agenda items to reflect budget discussions, presentations and public consultation opportunities will be added for each Council meeting noted on the schedule. As well, a communication plan will be developed to make residents and businesses aware of their opportunities to provide their input into the budget process.

ALTERNATIVES:

1. Approve the 2013-2017 Financial Plan and Budget Schedule
2. Reject the Schedule and ask staff to make modifications



Date: November 13, 2012
Memo To: Mayor and Council
All Directors
From: Ian Irvine, Director of Financial Services
Subject: 2013-2017 Financial Plan and Budget Schedule

Date	Event	Assigned To	Desired Outcome
October 19	• Budget templates distributed to Directors	DFS	Departments receive required tools for budget completion
November 28	• Departmental submissions due	Directors	100% on-time submission
December 19	• Compiled departmental budgets & initial tax increase distributed to CAO / Directors	DFS	Review material prior to January group budget discussions
** January 7 (Tentative)	• Police Board Budget presentation	Police Board Member/Chief/Comptroller	Receive/Council Feedback
** January 15-18 (Tentative)	• Strategic Planning Session	CAO	
** January 21 (Council-In Camera)	• Budget Challenges Report	DFS	Understanding of Council priorities; Acceptable Tax/Budget increase
January 28	• Revisions to department budgets incorporating strategic plan initiatives	Directors	Revise department submissions to align with Strategic Plan
January 29	• Identify & Submit early approval requests to DFS	Directors	Only urgent & justified requests considered
January 30 - February 1	• CAO review	CAO/DFS	Feedback on Department Budgets Early approval recommendations to Council
February 11	• Distribute Financial Plan Binders	DFS	
February 18 & 19 (Council)	• Core Budget Presentation		Confirm/Adjust Core Financial Plan & Objectives discussion
** 5:45 pm to 9:00 pm	• Early Approval Requests	Directors	Early Approvals
** March 4 (Tentative)	• Library Board Budget presentation	Library Board Member	
** March 18 & 19 (Council)	• Consideration of 2013 – 2017 Supplemental Operating and Capital Requests & Funding	DFS prepare report	Approve Supplemental Operating & Capital requests subject to funding & tax increase envelope
5:45 pm to 9 pm	• Public Input		
** April 15 (Council)	• Tax Rate Policy Discussion	DFS Prepare report	Consensus on property tax rate policy/tax rates
	• Public Input		
** April 22 (Council)	• Public Information Meeting – final Public Input opportunity	DFS	Receipt/Refer to Staff for amending
** May 6 (Council)	• 1 st three readings of Financial Plan & Tax Rates bylaws	DFS prepare bylaws	1 st three readings of bylaws
** May 13 (Special Council)	• Adoption of Financial Plan & Tax Rates bylaws	DFS	Adoption of bylaws

** Meetings involving Council

Please contact Ian if you have any concerns regarding particular dates in the proposed schedule.



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: November 19, 2012
Staff Report No. EPW-12-029

REQUEST FOR DECISION

SUBJECT:

Replacement of Unit 136 Aerial Truck

RECOMMENDATION:

That the Township enter into a Supply Agreement with Commercial Truck Equipment Corporation for \$112,544.00 (plus HST) for the supply and delivery of an aerial truck.

RELEVANT POLICY:

Council Delegation Purchasing and Disposal Bylaw, 2007, Bylaw No. 2669

STRATEGIC RELEVANCE:

Infrastructure Priorities

Submitted by: Director, Engineering and Public Works

Leslie Hill

Reviewed by: CAO

R. Hurst

Date:

Nov 14/12

STAFF REPORT

DATE: November 13, 2012 Report No. EPW-12-029
TO: Laurie Hurst, Chief Administrative Officer
FROM: Jeff Miller, Director, Engineering and Public Works
SUBJECT: Replacement of Unit 136 Aerial Truck

RECOMMENDATION:

That the Township enters into a supply agreement with Commercial Truck Equipment Corporation for \$112,544.00 (plus HST) for the supply and delivery of an aerial truck.

BACKGROUND:

Unit 136 is a ¾ ton truck (1994 model) equipped with an 11.3 metre (37 feet) aerial boom. This unit is utilized by both Public Works (PW) and Parks & Recreation (P&R) Departments for various duties. These duties include: tree trimming, street light maintenance, Christmas light installation/removal, as well as banner maintenance and other maintenance activities. The split of usage is approximately 60% PW and 40% P&R with the vehicle being on the road almost every day of the work week.

Public Works identified in the 2011 budget that the vehicle had reached the end of its operational life. In the 2011 budget discussions, a capital budget request for its replacement was sought and received. The budget for this project was set at \$95,000. No progress was made on the replacement in 2011 due to the work load on PW and the funding was carried forward to 2012.

In the Fall of 2012 the boom experienced mechanical issues. PW reviewed the costs for the temporary fix of the boom until the unit could be replaced. It was determined that cost of repairs could not be recovered once the unit was disposed of from the Fleet.

PW examined how to replace this vehicle in the most expedient manner. Construction of a replacement unit could take up to a year before the new unit was received by the Township. During this time various activities that this unit has to undertake would still have to be completed. Leasing a temporary unit was reviewed but based on the costs for the monthly rental was dismissed.

It was determined that the best course of action would be to issue a request for proposal (RFP) for a used unit. This would allow the Township to get a unit that was best suited for its needs in a short time span.

The RFP was issued October 9, 2012 and closed October 18, 2012. Two proposals were received. These proposals were evaluated as per the evaluation criterion. The evaluation criterion for this RFP was as follows:

- Cost = 50%
- Specifications = 30%
- Delivery = 10%
- Warranty = 10%

As this was a Proposal Call, it is important to note that the evaluation criterion was utilized to choose a preferred proponent only. Once the preferred proponent was chosen, the Township would enter into negotiations with them to finalize an agreement. If an agreement could not be reached, the Township would have the option to deal with another proponent.

The breakdown of the evaluation criterion was as follows:

Proponent	Ranking	Points	Cost (does not include HST)
Global Rental Canada, ULC	1	84.7	\$ 85,486.00
Commercial Truck Equipment Corp.	2	83.5	\$112,544.00

ISSUES:

1. Rationale for Selected Option

While the Global proposal scored highest in the evaluation, it fell short in several categories. The main factor in influencing the ranking points was the cost difference. However when the proposals were reviewed on the remaining criteria, the Commercial proposal presented a better unit for the Township's needs.

With respect to specification category, the Commercial proposal contained a number of features that exceed those of the Global proposal. These included: an insulated boom, longer boom reach, and type of man basket offered.

An insulated boom provides a safety feature that the Township has not had previously. This type of boom adds protection for the worker in the basket as it is non-conductive which will help minimize the worker in the basket suffering an electrical shock. The boom on the Global proposal was a no insulated type with a steel frame basket.

The boom length was another factor in favour of the Commercial proposal. The old unit has a working height of 11.3 m (37 feet). The proposal call requested the unit have a minimum working height of 12.2 metres (40 feet). The Global proposal had working height 12.2 m (40 feet). The Commercial proposal's boom had a reach of 13.7 metre (45 feet). This additional length is significant for the P&R operations.

Unit 136's boom was not long enough to carry out all the maintenance activities on trees in the urban forest. With a boom length of 13.7 metres (45 feet), P&R will have an increased capacity to carry out tree maintenance activities that previously were contracted out. Also, by having the additional boom length maintenance activities on boulevard trees can be carried out in a more expedited manner due to the need to only setup once on the street. This will reduce the time that this unit will be setup on road ways, thus lowering its exposure to traffic.

The type of man basket was also an important factor. The Global proposal had the man basket being an open frame steel basket, while the Commercial proposal had a fibre glass man basket. As part of the evaluation, PW requested from Global the possibility of removing the steel basket and replacing it with a fibre glass bucket. Global's response was that this was not possible. The industry standard is a fibre glass bucket.

The open steel basket is a major safety concern for the users. An open basket can allow tools to fall out of the basket that could cause injury to personnel on the ground. The open sides do not provide protection from injury due to objects entering into the platform area through open sides. With an open basket there is temptation for workers to not follow correct work procedures by reaching through the sides to complete work. This type of behaviour has a tendency to lead to accidents and injuries.

With respect to the delivery time, both proposals were very similar with the Commercial proposal scoring slightly higher as the unit is ready for immediate delivery.

With respect to the warranty criteria, both units offered the same warranties on the chassis, engine and transmission. However, the Commercial proposal offered a 2012 unit verses the 2011 unit from Global. This translated into additional warranty time being available on the Commercial proposal. The Commercial proposal also provided limited warranty on the boom where as the Global proposal was silent on this warranty item.

It was based on these factors that the users and the evaluation team determined that the Commercial proposal presented a unit better suited for the needs of the Township despite the higher capital cost.

2. Organizational Implications

There are organization implications. At this time both PW and P&R have been trying to minimize activities where an aerial truck is required. This has produced delays in activities that still need to be carried out. When these activities have been required, the work has been carried out by contracted forces resulting in higher costs for similar work. If the acquisition of this unit is delayed for a longer time frame, it will require additional contracting out and impacts on planned and emergency work tasks.

3. Financial Implications

The budget for this project was set at \$95,000 with funding being provided from the Machinery and Equipment Reserve (M&E). Discussions have been held with Finance to determine if the fund could accommodate the additional cost of the Commercial proposal. The response was that M&E is capable of dealing with this expenditure with minimal impact to the overall fund health. The project budget would have to be increased to \$114,513.

The budget estimate was based on the anticipated cost approximately three years ago. The cost for this type of equipment has increased due to economic conditions.

If purchase of the replacement unit is delayed, it is anticipated that a long term lease would cost in the order of \$4,000 to \$8,000 per month. If it is assumed that a rental cost of \$6,000 per month was obtained and the unit would have to be leased for 8 months, the cost for this option

would be \$48,000. This would be offset by the operational funds currently assigned to unit 136 which would total \$8,400.00 for 8 months. The overall cost to the Township would be \$39,600.00 while the new unit was being constructed.

4. Communication

Once a decision is made, PW will contact the proponents informing of them of the decision of Council. The supply agreement between the Township and the preferred proponent will be finalized.

ALTERNATIVES:

1. That the Township enters into a supply agreement with Commercial Truck Equipment Corporation for \$112,544.00 (plus HST) for the supply and delivery of an aerial truck.
2. That the Township enters into a supply agreement with Global Rental Canada, ULC for \$85,486.00 (plus HST) for the supply and delivery of an aerial truck.
3. That the Township cancels the RFP and issues a tender for a replacement vehicle and enters into a long term lease for an aerial truck until the new unit is received into the Fleet.



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: November 19, 2012
Staff Report No. EPW-12-030

REQUEST FOR DECISION

SUBJECT: Discharge of Notice of Contravention of Bylaws from the Land Title for Amended Lot H (DD156169I), Section 10, Esquimalt District, Plan 2923 [788 Dominion Road]

RECOMMENDATION:

That Council authorize staff to submit the necessary documentation to the Land Title Office in order to have the Notice of Contravention of Bylaws (Instrument No. EK074183) (Schedule "A") discharged from the title of the following property:

PID: 001-507-052 Amended Lot H, (DD156169I) Section 10, Esquimalt District, Plan 2923 (788 Dominion Road)

RELEVANT POLICY:

BC Building Code
Building Code Bylaw, 2001, No. 2538, as amended

STRATEGIC RELEVANCE:

This request for decision does not directly relate to a specific strategic objective

Submitted by: Writer *[Signature]*

Reviewed by: CAO *[Signature]*

Date: Nov 14/12

STAFF REPORT

DATE: November 6, 2012 Report No. EPW-12-030
TO: Laurie Hurst, Chief Administrative Officer
FROM: Jeff Miller, Director of Engineering and Public Works
SUBJECT: Discharge of Notice of Contravention of Bylaws from the Land Title for Amended Lot H (DD156169I), Section 10, Esquimalt District, Plan 2923 [788 Dominion Road]

RECOMMENDATION:

That Council authorize staff to submit the necessary documentation to the Land Title Office in order to have the Notice of Contravention of Bylaws (Instrument No. EK074183) (Schedule "A") discharged from the title for the following property:

PID: 001-507-052 Amended Lot H (DD156169I), Section 10, Esquimalt District, Plan 2923 [788 Dominion Road]

BACKGROUND:

On June 24, 1996, Esquimalt Council directed that a Notice of Contravention of Bylaws be registered against the title for 788 Dominion Road. The owner of the property at the time failed to comply with a Stop Work order posted on the property on March 26, 1996, due to work being done in the basement to add an additional unit. On October 18, 2012, the Engineering Department (Building Division) received a letter from the current owner's lawyer requesting that the Notice be discharged from the title. The owner was advised of the procedure to initiate the process for removal of the Notice. The owner submitted the required Building Permit application and received a Building Permit. The Building Official inspected the property and found that the building appears to be in compliance with the originally permitted twenty-one (21) units.

As Council gave the original approval for the Notice of Contravention of Bylaws to be registered against the title to the property, and now that the building has been inspected and it has been determined that the Notice is no longer relevant to this property, the Notice should be discharged.

ISSUES:

1. Rationale for Selected Option

The present owner intends to sell the property and recently discovered that the Notice of Contravention of Bylaws had never been discharged even though the situation that lead to the registration of the Notice had been rectified.

2. Organizational Implications

There are no organizational implications to this Request for Decision.

3. Financial Implications

There are no financial implications.

4. Communication

Once a decision has been made by Council, Engineering staff will provide written notification to current owner and his lawyer. If the decision is to discharge the Notice, a Notice of Discharge will be prepared and forwarded to the Land Title Office.

ALTERNATIVES:

1. That Council authorize staff to submit the necessary documentation to the Land Title Office in order to have the Notice of Contravention of Bylaws (Instrument No. EK074183) discharged from the title to the following property:

PID: 001-507-052 Amended Lot H (DD156169I), Section 10, Esquimalt District, Plan 2923 [788 Dominion Road]

2. That Council not authorize staff to submit the necessary documentation to the Land Title Office in order to have the Notice of Contravention of Bylaws (Instrument No. EK074183) discharged from the title of the following property:

PID: 001-507-052 Amended Lot H (DD156169I), Section 10, Esquimalt District, Plan 2923 [788 Dominion Road]

96 JUL -5 11 27

EK074183



RECEIVED - VICTORIA
CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

**MUNICIPAL ACT
(Part 23)**

NOTICE

07/05/96 D9399a D0C FIL 20.00

To: Registrar of Title, Land Title Office
850 Burdett Avenue, Victoria, B.C. V8W 1B4

TAKE NOTICE that the land described below is subject to Notice issued by Resolution of the Municipal Council of the CORPORATION OF THE TOWNSHIP OF ESQUIMALT and that further information regarding it may be inspected at the offices of the Municipality.

PARTICULARS OF NOTICE

NOTICE

- (a) Type of Notice Contravention of Bylaws
- (b) Statutory Authority Municipal Act, Section 750.1

Legal Description of Land Affected

PID# 001-507-052 Amended Lot H (DD156169T), Section 10, Esquimalt District, Plan 2923

788 Dominion Road

Council Resolution Dated: June 24, 1996

Dated: June 25 1996

Robert Seright
Municipal Clerk

788 Doreen

Date: 11-Sep-2012 TITLE SEARCH PRINT Time: 13:52:11
Requestor: (PC29055) LINDSAY KENNEY (VANCOUVER) Page 001 of 002
Folio: 20122967 TITLE - EP67511

VICTORIA LAND TITLE OFFICE TITLE NO: EP67511
FROM TITLE NO: EK65983

APPLICATION FOR REGISTRATION RECEIVED ON: 14 AUGUST, 2000
ENTERED: 14 AUGUST, 2000

REGISTERED OWNER IN FEE SIMPLE:
VILLA WEST HOLDINGS LTD., INC.NO. 404195
1706 - 1166 ALBERNI STREET,
VANCOUVER, BC
V6E 2K3

TAXATION AUTHORITY:
MUNICIPALITY OF ESQUIMALT

DESCRIPTION OF LAND:
PARCEL IDENTIFIER: 001-507-052
AMENDED LOT H (DD 156169I), SECTION 10, ESQUIMALT DISTRICT, PLAN 2923

LEGAL NOTATIONS:

BYLAW CONTRAVENTION NOTICE, MUNICIPAL ACT, SECTION 750.1
SEE EK74183

PERSONAL PROPERTY SECURITY ACT NOTICE, SEE EX35297, EXPIRES: N/A

CHARGES, LIENS AND INTERESTS:

NATURE OF CHARGE
CHARGE NUMBER DATE TIME

UNDERSURFACE RIGHTS
M76301

REGISTERED OWNER OF CHARGE:
HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
M76301
REMARKS: AFB 3.257.3685; DD 289 OS; SECTION 172(3)

MORTGAGE

EX35295 2005-04-01 14:52
REGISTERED OWNER OF CHARGE:
PEOPLES TRUST COMPANY
INCORPORATION NO. 33943A
EX35295

ASSIGNMENT OF RENTS

EX35296 2005-04-01 14:52
REGISTERED OWNER OF CHARGE:
PEOPLES TRUST COMPANY
INCORPORATION NO. 33943A
EX35296

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING



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: November 19, 2012
Staff Report No. DEV-12-040

REQUEST FOR DECISION

SUBJECT: DEVELOPMENT VARIANCE PERMIT

904 Carleton Terrace

Lot A, Section 11, Esquimalt District, Plan 15294

Lot 7, Section 11, Esquimalt District Plan 13060

RECOMMENDATION:

That the application for a Development Variance Permit authorizing the construction as shown in the plan prepared by Carle E. Peterson Architect Inc., stamped "Received September 19, 2012", and sited as detailed on the survey plan prepared by Richard J. Wey & Associates Land Surveying Inc., stamped "Received September 19, 2012", and including the following relaxations to Parking Bylaw, 1992, No. 2011, be **approved, and staff be directed to issue the permit and register the notice on the title** of Lot A, Section 11, Esquimalt District, Plan 15294 and Lot 7, Section 11, Esquimalt District Plan 13060 [904 Carleton Terrace].

Parking Bylaw No. 2011, Section 11(1) – Visitor Parking – a reduction in the required number of dedicated visitor parking spaces from 1 of every 4 spaces to 1 of every 5.2 required spaces [i.e. from a total of 12 visitor spaces to 9 visitor spaces].

Parking Bylaw No. 2011, Section 13(1)(a)(iv) – Number Of Off-Street Parking Spaces – a reduction in the required number of parking spaces from 1.3 spaces per dwelling unit to 1.17 spaces per dwelling unit [i.e. from a total of 47 spaces to 42 spaces].

RELEVANT POLICY:

Zoning Bylaw, 1992, No 2050

Development Approval Procedures Bylaw, 2003, No. 2562

Parking Bylaw, 1992, No. 2011

STRATEGIC RELEVANCE:

This Request For Decision does not directly relate to a specific strategic objective.

Submitted by: Writer

Karen Hay

Reviewed by: CAO

R. Austin

Date:

Nov 14/12

Subject: Development Variance Permit
904 Carleton Terrace

STAFF REPORT

DATE: November 9, 2012 Report No. DEV-12-040

TO: Laurie Hurst, Chief Administrative Officer

FROM: Karen Hay, Planning Technician
Bill Brown, Director of Development Services

SUBJECT: DEVELOPMENT VARIANCE PERMIT
904 Carleton Terrace
Lot A, Section 11, Esquimalt District, Plan 15294
Lot 7, Section 11, Esquimalt District Plan 13060

RECOMMENDATION:

That the application for a Development Variance Permit authorizing the construction as shown in the plan prepared by Carle E. Peterson Architect Inc., stamped "Received September 19, 2012", and sited as detailed on the survey plan prepared by Richard J. Wey & Associates Land Surveying Inc., stamped "Received September 19, 2012", and including the following relaxations to Parking Bylaw, 1992, No. 2011, be **approved, and staff be directed to issue the permit and register the notice on the title** of Lot A, Section 11, Esquimalt District, Plan 15294 and Lot 7, Section 11, Esquimalt District Plan 13060 [904 Carleton Terrace].

Parking Bylaw No. 2011, Section 11(1) – Visitor Parking – a reduction in the required number of dedicated visitor parking spaces from 1 of every 4 to 1 of every 5.2 required spaces [i.e. from a total of 12 visitor spaces to 9 visitor spaces].

Parking Bylaw No. 2011, Section 13(1)(a)(v) – Number Of Off-Street Parking Spaces – a reduction in the required number of parking spaces from 1.3 spaces per dwelling unit to 1.17 spaces per dwelling unit [i.e. from a total of 47 spaces to 42 spaces].

BACKGROUND:

Context

Owner: Ken Ronald

Applicant: Carl Peterson

Property Size [2 lots combined]: Metric: 2711.33 m² Imperial: 29185.47 ft²

Existing Land Use: Multiple Family Residential

Surrounding Land Uses:

North:	Multiple Family Residential
South:	Multiple Family Residential
West:	Multiple Family Residential
East:	Commercial

Subject: Development Variance Permit
904 Carleton Terrace

Existing Zoning: RM-4 [Multiple Family Residential]

Existing OCP Designation: Multi-Unit, Low-Rise Residential and Commercial Mixed Use [No change required]

Purpose of the Application: The owner proposes to convert an existing multi-purpose room within the building to a one bedroom dwelling unit. Before the construction of an additional dwelling unit can be approved the requirements of Parking Bylaw 1992, No. 2011 must be either met, or a variance permit approved by Council. The applicant is therefore requesting a Development Variance Permit to authorize the parking situation that currently exists on site, with the addition of marking the visitor spaces and adding a dedicated disabled parking space.

Advisory Planning Commission [APC]: This application was considered at the regular meeting of APC held October 16, 2012. Commission members were supportive of the application. The application was forwarded to Council with a **recommendation of approval.**

Comments From Other Departments

The plans for this proposal were circulated to other departments and the following comments were received:

Building Inspection: Construct to BC Building Code 2006 and Municipal Building Code Bylaw, 2002, No. 2538. Letter of assurance required from architect as part of building permit application.

Fire Services: Hard wired smoke detection required.

Engineering Services: Engineering staff foresee no impact on the engineering aspects of the property from the proposed change to the building.

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

ISSUES:

1. Rationale for Selected Option

Zoning

The new apartment meets the minimum size requirements for a dwelling unit. The multi-purpose room was counted towards the original floor area of the building so there is no increase to the floor area ratio.

Parking

This rental apartment building has been functioning with the parking spaces shown on the survey for many years. When the building was originally constructed the parking layout showed additional spaces, but over time the lot has been reconfigured. A dedicated disabled parking space has now been added, as well as an enclosed bicycle parking area. The property management company has provided a survey of the buildings current parking usage [attached].

Subject: Development Variance Permit
904 Carleton Terrace

Official Community Plan

The property is included within Development Permit Area No. 1 – Multi-unit Residential. The applicant is proposing no changes to the exterior of the building so the proposed construction is exempt from requiring a development permit.

2. Organizational Implications

This Request for Decision has no organizational implications.

3. Financial Implications

This Request for Decision has no financial implications.

4. Communication

As this is a development variance permit application, notices were mailed to owners and occupiers of parcels within 50 metres [164 ft.] of the subject property on November 6, 2012 indicating that Council will be considering the requested development variance permit application on Monday, November 19, 2012. To date, no responses have been received from the public as a result of these notifications.

ALTERNATIVES:

1. Council **approve** the Development Variance Permit and direct staff to issue the permit and register a notice on the property title.
2. Council **deny** the application for Development Variance Permit.
3. Council **refer** the application back to Development Services for further information.

November 6, 2012

DEVELOPMENT VARIANCE PERMIT NOTICE

An application for a Development Variance Permit has been received from Ken Ronalds the registered owner of 904 Carlton Terrace [Lot A, Section 11, Esquimalt District, Plan 15299 and Lot 7, Section 11, Esquimalt District Plan 13060].

Purpose of the Application:

The owner proposes to convert an existing multi-purpose room within the building to a one bedroom dwelling unit. Before the construction of an additional dwelling unit can be approved the requirements of Parking Bylaw, 1992, Bylaw No. 2011 must be relaxed to authorize the parking situation that currently exists on site, with the addition of marking the visitor spaces and a new disabled parking space.

Authorization of the following variances to Parking Bylaw, 1992, Bylaw No. 2011 is required:

Parking Bylaw No. 2011, Section 11(1) – Visitor Parking – a reduction in the required number of dedicated visitor parking spaces from 1 of every 4 spaces to 1 of every 5.2 required spaces [i.e. from a total of 12 visitor spaces to 9 visitor spaces].

Parking Bylaw No. 2011, Section 13(1)(a)(iv) – Number Of Off-Street Parking Spaces – a reduction in the required number of parking spaces from 1.3 spaces per dwelling unit to 1.17 spaces per dwelling unit [i.e. from a total of 47 spaces to 42 spaces].



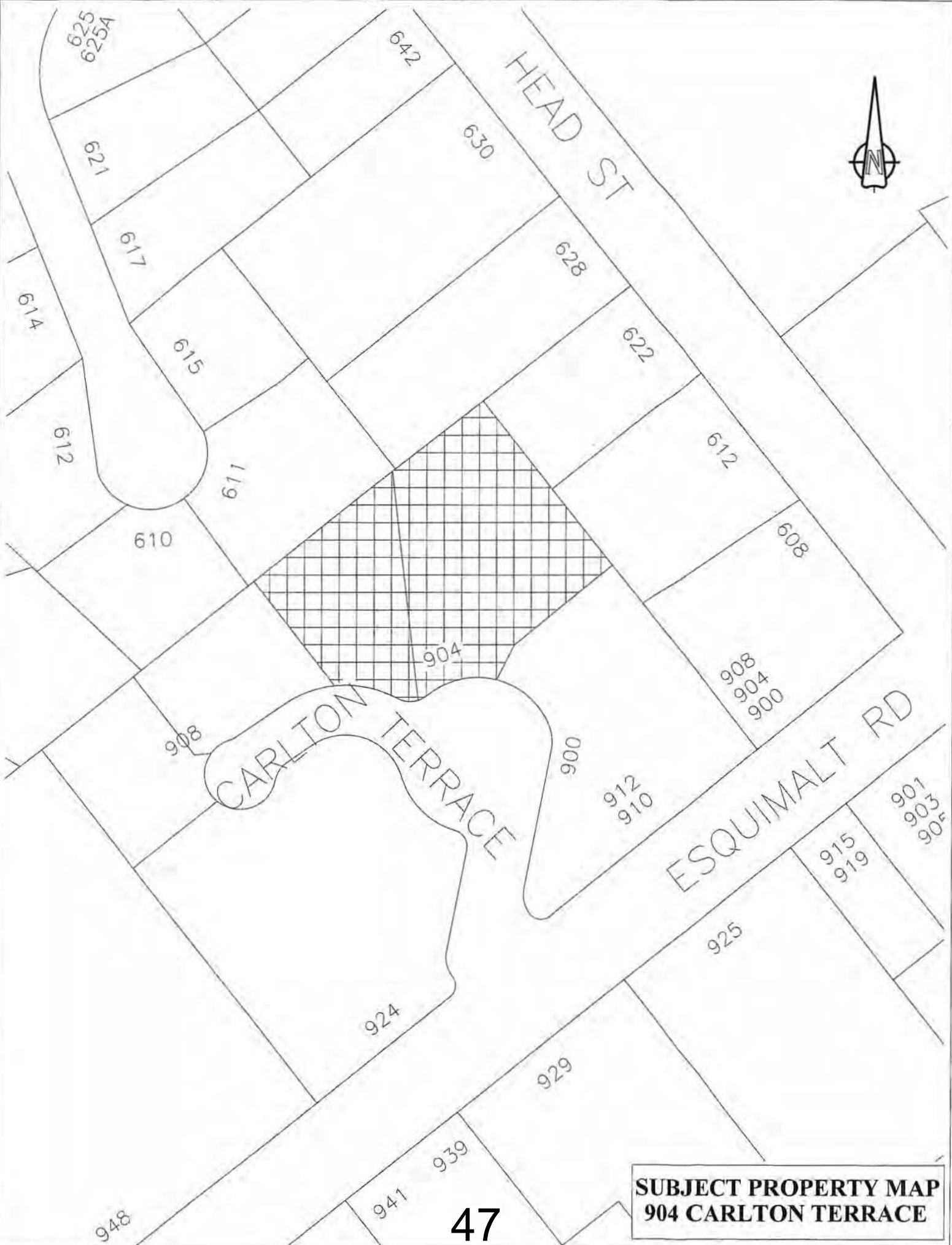
Site Location: Lot A, Section 11, Esquimalt District, Plan 15299 and Lot 7, Section 11, Esquimalt District Plan 13060 [904 Carlton Terrace]

The Municipal Council will consider this application at **7:00 p.m., Monday, November 19, 2012, in the Council Chambers, Municipal Hall, 1229 Esquimalt Road, Esquimalt B.C.** Affected persons may make representations to Council at that time or submit a written submission prior to that date.

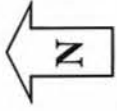
Information related to this application may be reviewed at the Development Services counter, Municipal Hall, 1229 Esquimalt Road, from 8:30 a.m. until 4:30 p.m., Monday to Friday (excluding Saturdays, Sundays, Statutory Holidays) until November 19, 2012.

**BILL BROWN,
DIRECTOR OF DEVELOPMENT SERVICES**

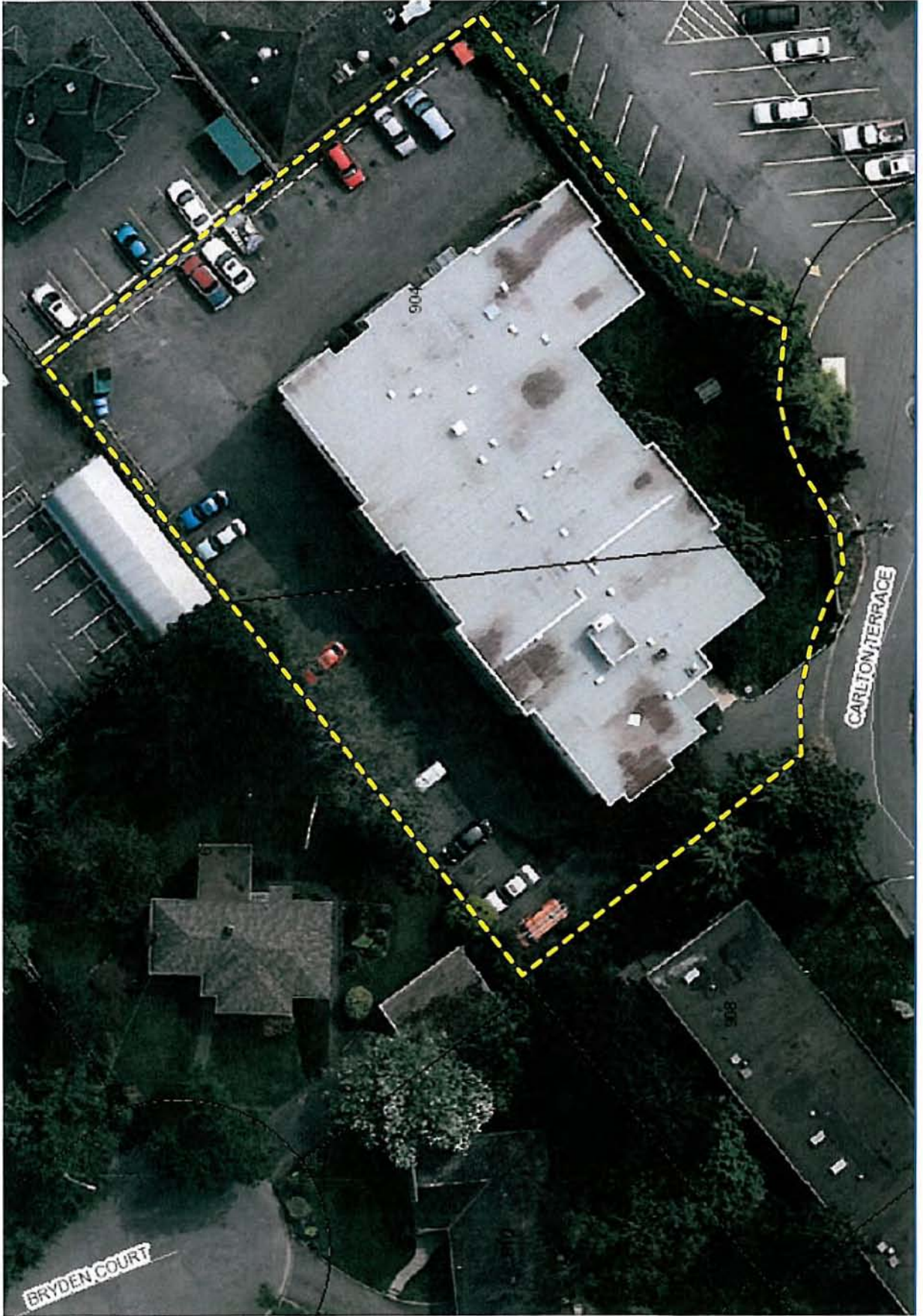
Personal information contained in communications to Council and its Committees is collected under the authority of the Community Charter and Local Government Act and will be used to assist Council members in decision making. Please note that your comments relating to this matter will form part of the Township's public record and may be included in a public agenda and posted on our website.



**SUBJECT PROPERTY MAP
904 CARLTON TERRACE**



904 Carlton Terrace



44. MULTIPLE FAMILY RESIDENTIAL [RM-4]

The intent of this Zone is to accommodate medium density Apartment development.

(1) **Permitted Uses**

The following Uses and no others shall be permitted:

- (a) Apartment Residential
- (b) Home Occupation

(2) **Floor Area Ratio**

The Floor Area Ratio shall not exceed 1.00.

(3) **Unit Size**

The minimum Floor Area for each Dwelling Unit shall not be less than 60 square metres

(4) **Building Height**

- (a) No Principal Building shall exceed a Height of 11 metres
- (b) No Accessory Building shall exceed a Height of 4 metres

(5) **Lot Coverage**

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

(6) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Building shall be located within 6.0 metres of an Interior Side Lot Line nor 3.6 metres of an Exterior Side Lot Line.
- (iii) Rear Setback: No Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

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

(7) **Usable Open Space**

Usable Open Space shall be provided in an amount of not less than 7.5% of the Area of the Parcel.

(8) **Fencing**

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

(9) **Off Street Parking**

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

CARL E PETERSON
ARCHITECT INC

1367 Hampshire Rd
Victoria BC
V8S 4T4 Canada
Tel (250) 380 7414
Fax (250) 380 2787
cp@ceparchitect.com

Bill Brown
Director of Development Services
Township of Esquimalt
1229 Esquimalt Road
Esquimalt, B.C., V9A 3P1

**Re Parking Variance Application
904 Carlton Terrace**

18 September 2012



Dear Mr. Brown

This letter is an explanation of the reason for our request for a Development Variance Permit. 904 Carlton Terrace currently houses 35 rental units. The owners wish to convert an existing storage/work space on the lower lever into an additional suite. This one bedroom unit would be the same size as the 3 units above it and be of similar configuration. The Esquimalt Parking Bylaw 2011 stipulates 1.3 parking spaces per dwelling unit which yields a parking requirement of 47 spaces. While our site currently has 42 stalls, they are very under utilized and data shows that the parking provided is more than adequate. See supporting letter from the property manager.

It should be further noted that no interior modifications for building exiting and no exterior modifications to the building are required nor requested.

Sincerely,

A handwritten signature in black ink, appearing to be "Carl E Peterson".

Carl E Peterson
Architect AIBC, Life Member, MRAIC

Carl E Peterson Architect Inc.

architecture
planning
programming
design



CORNERSTONE PROPERTIES LTD.

#301 - 1001 Cloverdale Ave., Victoria, B.C. V8X 4C9
email: info@cornerstoneproperties.bc.ca
webpage: www.cornerstoneproperties.bc.ca
Tel: (250) 475-2005 Fax: (250) 475-2008

September 17, 2012

Bill Brown
Director of Development Services
Township of Esquimalt
1229 Esquimalt Road
Esquimalt, BC V9A 3P1



Re Parking Variance Application - 904 Carlton Terrace

Dear Mr. Brown:

This letter is in support of our formal application for a Variance to relax the parking requirements for the existing apartment building at 904 Carlton Terrace. Historically, our on site parking has been very underutilized as many residents have no cars and use bicycles and transit as their primary form of transportation. To further accommodate the bicycle usage the building has a large at grade covered and secured bike storage area.

The current list below of tenant parking utilization is typical over the last number of years:

101 - No vehicles	208 - 2 vehicles	310 - No vehicles
102 - 1 vehicle	209 - No vehicles	401 - No vehicles
103 - No vehicles	210 - 1 vehicle	402 - No vehicles
104 - 1 vehicle	301 - 2 vehicles	403 - No vehicles
104 - 1 vehicle	302 - 1 vehicle	404 - 1 vehicle
201 - 2 vehicles	303 - 2 vehicles	405 - 2 vehicles
202 - 1 vehicle	304 - No vehicles	406 - 1 vehicle
203 - 1 vehicle	305 - 1 vehicle	407 - 1 vehicle
204 - 1 vehicle	306 - No vehicles	408 - No vehicles
205 - 1 vehicle	307 - No vehicles	409 - 1 vehicle
206 - No vehicles	308 - No vehicles	410 - No vehicles
207 - 1 vehicle	309 - 1 vehicle	

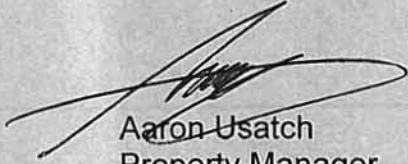
Total vehicles = 25

As shown on the site plan included with our submission there 42 on site parking spaces which leave 17 stalls for additional tenant vehicles, visitors and a handicapped stall. We are suggesting that 9 stalls be designated as visitor. It should be further noted that for years there have been enough spare stalls that the building has been operating successfully with no stalls assigned to specific units.

Should you have any questions and/or concerns, please do not hesitate to contact the undersigned.

Yours truly,

CORNERSTONE PROPERTIES LTD.



Aaron Usatch
Property Manager

AU/mg

904 Carlton Terrace
Development Variance Permit Application
18 September 2012



Building Summary

Area of site	2,712.7 m2 (29,200 sf)
Number of Dwelling Units	35 existing plus to 1 be converted, total 36
Floor Area Ratio	0.84 (no change)
Lot Coverage	22 % 599.28 m2 (6,451 sf) (no change)
Parking	42 stalls existing (no change)
Zoning	RM - 4

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

DEVELOPMENT VARIANCE PERMIT

NO. 06/2012

Owners: Ken Ronalds
200 – 3077 Granville Street
Vancouver, BC V6H 3J9

Lands: Lot A, Section 11, Esquimalt District, Plan 15294
Lot 7, Section 11, Esquimalt District, Plan 13060

Address: 904 Carleton Terrace, Esquimalt, B.C.

Conditions:

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit regulates the development of lands by varying the provisions of Parking Bylaw, 1992, No. 2011 as follows:

Parking Bylaw No. 2011, Section 11(1) – Visitor Parking – a reduction in the required number of dedicated visitor parking spaces from 1 of every 4 spaces to 1 of every 5.2 required spaces [i.e. from a total of 12 visitor spaces to 9 visitor spaces].

Parking Bylaw No. 2011, Section 13(1)(a)(iv) – Number Of Off-Street Parking Spaces – a reduction in the required number of parking spaces from 1.3 spaces per dwelling unit to 1.17 spaces per dwelling unit [i.e. from a total of 47 spaces to 42 spaces].

3. Approval of this Development Variance Permit has been issued in general accordance with the survey plan prepared by Richard J. Wey and Associates, stamped "Received September 19, 2012" which is attached here to as Schedule 'A'.
4. The terms, conditions and covenants contained herein shall enure to the benefit of and be binding upon the Owners, their executors, heirs or administrators, successors and assigns as the case may be or their successors to title in the lands.

5. This Development Variance Permit is not a Building Permit.
6. This Permit lapses two (2) years after the date it is issued if the holder of the Permit does not substantially start any construction with respect to which the Permit was issued.
7. For the purposes of this Development Variance Permit, the holder of the Permit shall be the owner(s) of the lands.

ISSUED BY MUNICIPAL COUNCIL RESOLUTION ON THE ____ DAY OF XX,
2012

SIGNED THIS _____ DAY OF _____, 2012

Director of Development Services

Corporate Officer
Corporation of the Township
of Esquimalt

Site Plan Of:
Lot 7, Plan 13060, and Lot A, Plan 15294.
All in Section 11, Esquimalt District.



Scale = 1:250

Dated this 12th day of July, 2012.

Elevations are based upon geodetic datum.

Elevations & distances shown are in metres.

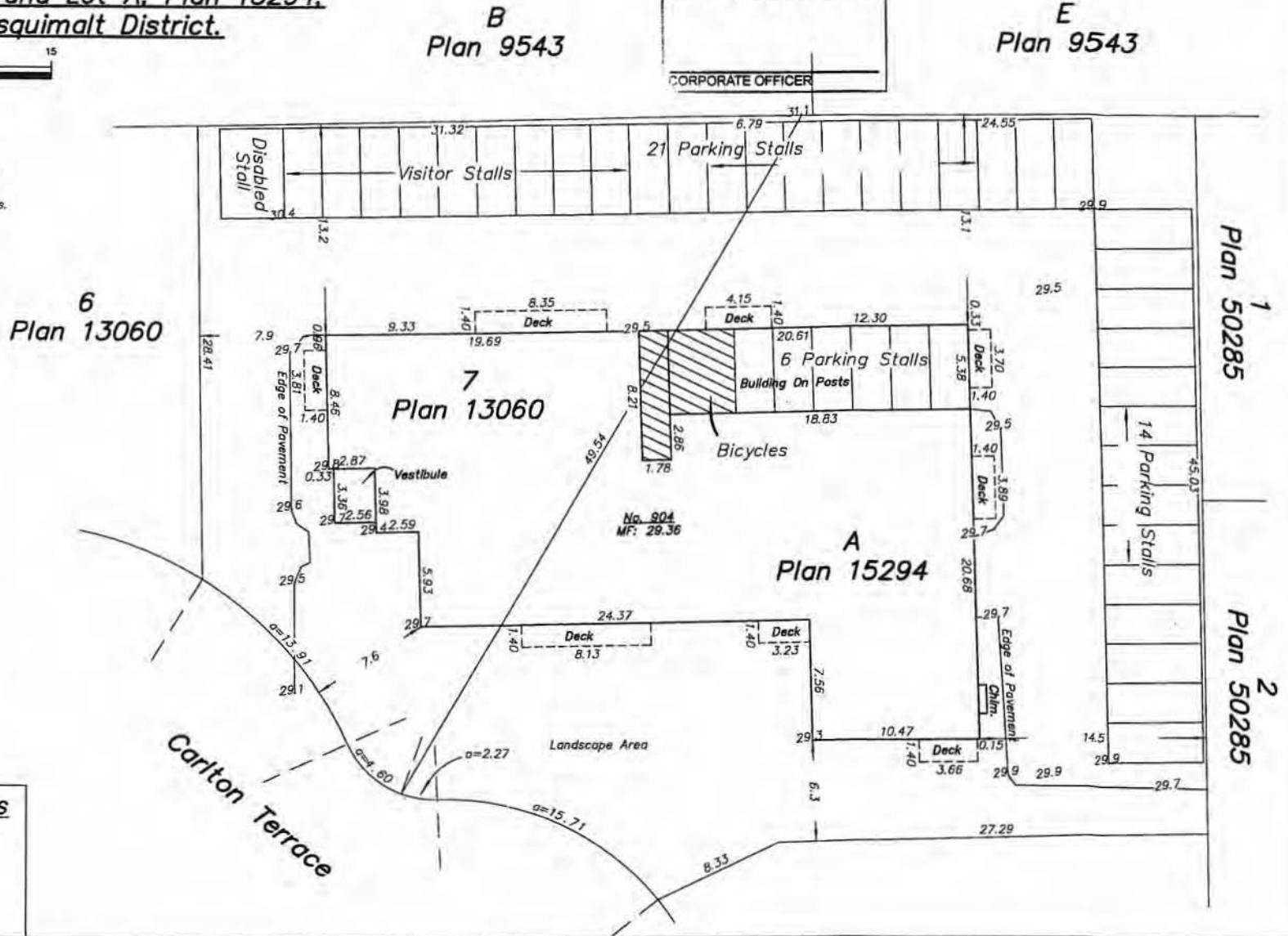


57



RICHARD J. WEY & ASSOCIATES
 Land Surveying Inc.
 www.weysurveys.com
 #4-2227 James White Boulevard
 Sidney, BC V8L 1Z5
 Telephone (250) 656-5155
 File: 120236\Sit\LE

THIS IS SCHEDULE "A" OF
 DEVELOPMENT VARIANCE
 PERMIT NO 06/2012
 CORPORATE OFFICER



GENERAL NOTES:

1. BASEL, 31/12/2008, SECTION 1, 1/2
2. EXISTING MULTIFAMILY HOUSING
3. EXISTING MULTIFAMILY HOUSING
4. EXISTING MULTIFAMILY HOUSING
5. EXISTING MULTIFAMILY HOUSING

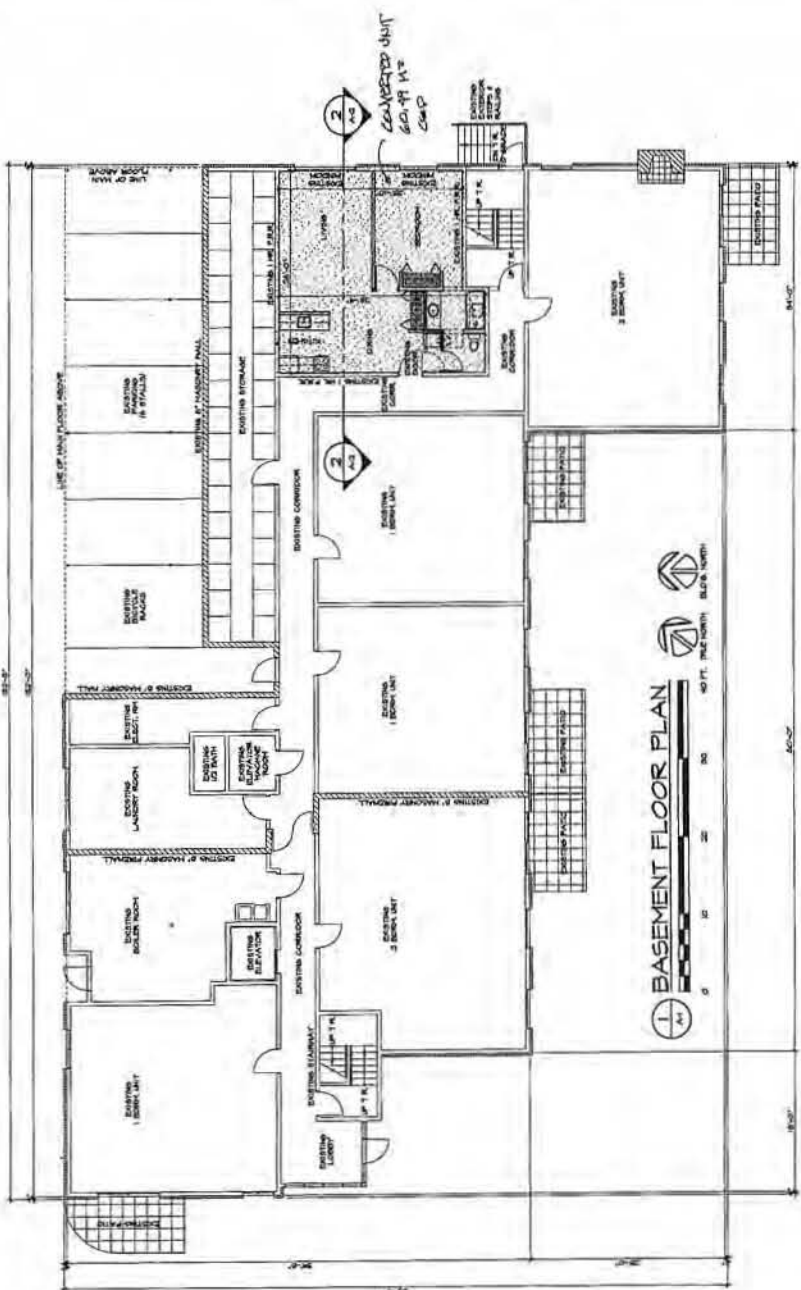
BUILDING/CODE DATA:

PROPOSED TO REMAIN:
 EXISTING MULTIFAMILY HOUSING
 EXISTING MULTIFAMILY HOUSING
 EXISTING MULTIFAMILY HOUSING
 EXISTING MULTIFAMILY HOUSING
 EXISTING MULTIFAMILY HOUSING

- SYMBOLS:**
- [Symbol] EXISTING FRAMED WALL TO REMAIN
 - [Symbol] EXISTING FRAMED WALL TO BE REPLACED
 - [Symbol] EXISTING FRAMED WALL WITH REVISIONS
 - [Symbol] NOT-INDICATED FRAMED WALL
 - [Symbol] EXISTING UNFINISHED FRAMED WALL
 - [Symbol] EXISTING UNFINISHED FRAMED WALL TO BE REPLACED
 - [Symbol] EXISTING UNFINISHED FRAMED WALL WITH REVISIONS
 - [Symbol] EXISTING UNFINISHED FRAMED WALL TO BE REPLACED WITH REVISIONS
 - [Symbol] EXISTING UNFINISHED FRAMED WALL TO BE REPLACED WITH REVISIONS AND FINISHES
 - [Symbol] EXISTING UNFINISHED FRAMED WALL TO BE REPLACED WITH REVISIONS AND FINISHES AND PAINT
 - [Symbol] EXISTING UNFINISHED FRAMED WALL TO BE REPLACED WITH REVISIONS AND FINISHES AND PAINT AND TRIM
 - [Symbol] EXISTING UNFINISHED FRAMED WALL TO BE REPLACED WITH REVISIONS AND FINISHES AND PAINT AND TRIM AND SHEETROCK

LEGEND:

[Symbol] EXISTING UNFINISHED FRAMED WALL TO BE REPLACED WITH REVISIONS AND FINISHES AND PAINT AND TRIM AND SHEETROCK



1-1 BASEMENT FLOOR PLAN

40 FT. PER NORTH MARK NORTH



Carl E. Peterson Architect Inc.
 ARCHITECTURE INTERIOR DESIGN

237 HUNTERS BL. WYCKMA, I.C. 100 101 CANADA
 TELEPHONE 416 291 7744 FAX 416 291 2775
 and info@carlpeterson.com

Project Title:
 Proposed Renovation
 to
 Existing Carlton Terrace

Sheet No.
 010

Sheet No.
 A-1



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: November 19, 2012
Staff Report No. DEV-12-041

REQUEST FOR DECISION

**SUBJECT: DEVELOPMENT PERMIT and DEVELOPMENT VARIANCE PERMIT
1382 Treebank Road West
[Lot 1, Section 2, Esquimalt District, Plan VIS1903]**

RECOMMENDATION:

1. That Council resolves that the application for a Development Permit No. 06/2012 limiting siting of the principal building to that shown on the survey plan prepared by Glen Mitchell Land Surveying Inc., stamped "Received October 10, 2012", and limiting landscaping to that shown on the landscape plan provided by Duane Ensign Landscape Design, stamped "Received October 10, 2012", for the proposed development located at Lot 1, Section 2, Esquimalt District, Plan VIS1903 [1382 Treebank Road West], be **approved** and staff be directed to issue the permit and register a notice on the property title.
2. That Council resolves that the application for a Development Variance Permit authorizing construction as shown on architectural plans provided by MJM Architect Inc, stamped "Received October 31, 2012", and including the following relaxation to Parking Bylaw, 1992, No. 2011 for the proposed driveway located at Lot 1, Section 2, Esquimalt District, Plan VIS1903 [1382 Treebank Road West], be **approved** and staff be directed to issue the permit and register a notice on the property title.

Parking Bylaw, 1992, No. 2011, Section 10(1) - Design of Parking Areas - a 6.5% increase to the permitted 15% gradient for a ramp [i.e. from 15% to 21.5% gradient].

RELEVANT POLICY:

Official Community Plan Bylaw, 2006, No. 2646
Parking Bylaw, 1992, No. 2011
Development Approval Procedures Bylaw, 2003, No. 2562
Advisory Planning Commission Bylaw, 1996, No. 2268
Green Building Checklist

STRATEGIC RELEVANCE:

This Request For Decision does not directly relate to a specific strategic objective.

Submitted by: Writer Terry Parks

Reviewed by: CAO [Signature]

Date: November 13, 2012

STAFF REPORT

DATE: November 13, 2012 Report No. DEV-12-041
TO: Laurie Hurst, Chief Administrative Officer
FROM: Trevor Parkes, Senior Planner
SUBJECT: **DEVELOPMENT PERMIT APPLICATION AND
DEVELOPMENT VARIANCE PERMIT APPLICATION
1382 Treebank Road West
[Lot 1, Section 2, Esquimalt District, Plan VIS1903]**

RECOMMENDATION:

1. That Council resolves that the application for a Development Permit No. 06/2012 limiting siting of the principal building to that shown on the survey plan prepared by Glen Mitchell Land Surveying Inc., stamped "Received October 10, 2012", and limiting landscaping to that shown on the landscape plan provided by Duane Ensign Landscape Design, stamped "Received October 10, 2012", for the proposed development located at Lot 1, Section 2, Esquimalt District, Plan VIS1903 [1382 Treebank Road West], be **approved** and staff be directed to issue the permit and register a notice on the property title.
2. That Council resolves that the application for a Development Variance Permit No. 04/2012 authorizing construction as shown on architectural plans provided by MJM Architect Inc, stamped "Received October 31, 2012", and including the following relaxation to Parking Bylaw, 1992, No. 2011 for the proposed driveway located at Lot 1, Section 2, Esquimalt District, Plan VIS1903 [1382 Treebank Road West], be **approved** and staff be directed to issue the permit and register a notice on the property title.

Parking Bylaw, 1992, No. 2011, Section 10(1) - Design of Parking Areas - a 6.5% increase to the permitted 15% gradient for a ramp [i.e. from 15% to 21.5% gradient].

BACKGROUND:

Context

Applicant: MJM Architect Inc./ Abstract Development Inc.
Owner: Alan Cook
Property Size: Metric: 556 m² Imperial: 5985 ft²
Existing Land Use: Vacant Single Family Residential Lot
Surrounding Land Uses: South: Single Family Residential
East: Single Family Residential
North: Park/ Gorge Waterway
West: Single Family Residential

Existing Zoning: RS-1 [Single Family Residential] [No change required]

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

Purpose of the Application

As this property is located on the Gorge Waterway it is subject to the guidelines of Development Permit Area No. 4 – Gorge Waterway, and a Development Permit is required before a Building Permit can be issued. Unlike the majority of properties within the DPA No. 4, this parcel is located adjacent to waterfront park land. As the property owner does not control the lands within 7.5 metres of the Gorge Waterway the guidelines requiring rehabilitation of the shoreline cannot be applied to this application. Accordingly, the only requirement the applicant must satisfy is to ensure no buildings or structures are located within 20 metres of the High Water Mark of the Gorge Waterway. The applicant has provided a survey and a landscape plan for the property which confirm this requirement has been met.

The proposed custom home has been designed to accommodate the owner's needs as well as the steep terrain of this site. The design calls for a secondary driveway arcing down the eastern side of the site accessing a single car garage and motorcycle storage area located on the lower floor. The applicant is requesting a Development Variance Permit authorizing a relaxation to the Parking Bylaw requirement that ramp grades not exceed 15% gradient to allow the 21.5% gradient required to link the lower garage to the street.

Comments From Other Departments

The plans for this proposal were circulated to other departments and the following comments were received:

Engineering Services: Engineering staff have completed a preliminary evaluation of Works and Services that would be required for the proposed new single family home located at 1382 Treebank Road West and have no concerns regarding the proposed driveway gradient to the secondary garage located on the lower level.

Building Services: Construction must conform to BC Building Code 2006 and Municipal Building Code Bylaw, 2002, No. 2538. Applicant must address all issues contained within the Township Development Protocol and adhere to Noise Control Bylaw No. 2677. An amendment to registered private easement ED53063 must be executed prior to submission for building permit and submitted as part of the Building Permit application.

Fire Services: Esquimalt Fire Department staff have reviewed the proposal and have no objections.

Parks Services: Parks staff attended the site and have recommended that four protected trees, an Alder, Big Leaf Maple, Spruce and Douglas Fir located adjacent to the eastern property line should be removed prior to construction. Tree removal permits would be required and tree replacement or a contribution to the municipal tree fund in an amount determined by the Director of Parks and Recreation would also be required. The Big Leaf Maple and Douglas Fir trees shown retained must have tree protection fencing in place, at 4 metres and 3 metres respectively, prior to any construction activity on site.

Comments from Advisory Planning Commission

This application was considered at the regular meeting of APC held on October 16, 2012. Members were complimentary of the design, commenting the home represents a unique design for a challenging site. Members questioned whether the proposed driveway could have a heating system installed to address colder winter conditions. The applicant responded that this feature was under consideration. The application was forwarded to Council with a **recommendation of approval.**

ISSUES:

1. Rationale for Selected Option

Development Services staff have completed a review of the parcel and have no issues with the proposed 6.5% increase to the permitted gradient for a parking ramp [driveway] from the allowable 15% to the requested 21.5% in this custom designed home. This steep grade cannot be mitigated without pushing the building back further on the lot which is not permissible due to OCP policy 9.6.5 (a) prohibiting buildings and structures within 20 metres of the Gorge Waterway. The home design satisfies the residential parking requirement by providing the main floor garage accessed via a level driveway. The proposed steep driveway running along the eastern side of the parcel is a secondary vehicular access permitting lower level storage of the owners sports car and motorcycle both of which are more likely to be used in drier, warmer months of the year.

2. Organizational Implications

This Request for Decision has no organizational implications.

3. Financial Implications

This Request for Decision has no financial implications.

4. Communication

The property owner has proactively approached the surrounding property owners regarding the proposed variance and provided staff with letters signed by the majority of the local neighbours, none of whom noted any objection to the proposal.

As this proposal involves a variance, notices were mailed to owners and tenants of properties within 50 metres [164 ft.] of the subject property on November 6, 2012 advising them that Council would consider the requested relaxation to Parking Bylaw, 1992, No. 2050 at the regular meeting of Council on November 19, 2012.

ALTERNATIVES:

1. Council **approve** Development Permit No. 06/2012 and **approve** Development Variance Permit No 04/2012 and direct staff to issue the permits and register notices on the property title.
2. Council **deny** Development Permit No. 06/2012 and **deny** Development Variance Permit No 04/2012.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

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

November 6, 2012

DEVELOPMENT VARIANCE PERMIT NOTICE

An application for a Development Variance Permit has been received from Michael Moody, representing MJM Architect Inc., and Michael Miller, representing Abstract Developments Inc., on behalf of Dr. Alan Cook, the registered owner of 1382 Treebank Road West [Lot 1, Section 2, Esquimalt District, Plan VIS1903].

Purpose of the Application:

The applicants have designed a custom home for this steep sloped site. The proposed design includes a secondary driveway arcing down the eastern side of the site accessing a single car garage and motorcycle storage area located on the lower floor. The applicant is requesting a relaxation to the Parking Bylaw requirement that ramp grades not exceed 15% gradient to allow the 21.5% gradient required to link the proposed lower garage to the street.

Authorization of the following variance to Parking Bylaw, 1992, No. 2011 is required to accommodate the proposed secondary driveway design:

Parking Bylaw, 1992, No. 2011, Section 10(1) - Design of Parking Areas - a 6.5% increase to the permitted 15% gradient for a ramp [i.e. from 15% to 21.5% gradient].



Site Location: Lot 1, Section 2, Esquimalt District, Plan VIS1903 [1382 Treebank Road West]

The Municipal Council will consider this application at **7:00 p.m., Monday, November 19, 2012, in the Council Chambers, Municipal Hall, 1229 Esquimalt Road, Esquimalt B.C.** Affected persons may make representations to Council at that time or submit a written submission prior to that date.

Information related to this application may be reviewed at the Development Services counter, Municipal Hall, 1229 Esquimalt Road, from 8:30 a.m. until 4:30 p.m., Monday to Friday (excluding Saturdays, Sundays, Statutory Holidays) until November 19, 2012.

**BILL BROWN,
DIRECTOR OF DEVELOPMENT SERVICES**

Personal information contained in communications to Council and its Committees is collected under the authority of the Community Charter and Local Government Act and will be used to assist Council members in decision making. Please note that your comments relating to this matter will form part of the Township's public record and may be included in a public agenda and posted on our website.

1382 Treebank Road West



Subject Property Boundary: 

9.6 Development Permit Area No. 4 – Gorge Waterway

9.6.1 Scope

All waters of the Gorge within Esquimalt and the lands within 30 meters of the natural boundary of the Gorge Waterway form DPA No. 4 and are shown on “Schedule C” of this Plan.

9.6.2 Category

Section 919(1)(a) of the *Local Government Act* – protection of the natural environment.

9.6.3 Justification

The Gorge waterway is a sensitive, tidal-influenced watercourse that connects the fish-bearing fresh water of Craigflower and Colquitz Creeks with the saltwaters of Victoria Harbour.

Over the past few decades, significant public expenditures and efforts have gone into removing sources of pollution and contamination that once plagued this waterway.

However, the removal of native shoreline vegetation and the construction of extensive sea walls has substantially diminished the quality of the shoreline as supportive habitat for fish and wildlife. Both private and public landowners are responsible for this loss of habitat, often through well meaning and beneficial projects such as shoreline walkways.

This plan, like previous plans, encourages the restoration of more natural habitat conditions on private and public land adjacent to the Gorge Waterway and the acquisition of the foreshore as parkland in all redevelopment proposals. Environmentally friendly construction methods must be utilized in redevelopment in this environmentally significant zone.

The Township encourages property owners to undertake voluntary protection of natural features and the use of stewardship tools such as conservation covenants.

9.6.4 Requirements of Owners of Land within the Development Permit Area

- a) Owners of land within Development Permit Area No. 4 must not do any of the following without first obtaining a development Permit in accordance with the guidelines for this Development Permit Area:
 - i) alter lands;
 - ii) subdivide lands; or
 - iii) construct or alter a building or structure;without first obtaining a Development Permit in accordance with the guidelines of this Development Permit Area.
- b) Exemptions:

The following do not require a development permit:

 - i) construction of buildings or structures less than 10 square metres in area and located more than 20 m from the high water mark;
 - ii) minor additions to existing dwellings where the floor area of the addition does not exceed 10 percent of the ground floor area of the dwelling;
 - iii) emergency repairs to existing structures and public walkways where a potential safety hazard exists;

- iv) fences constructed along a side parcel boundary (generally perpendicular to the shoreline); and
- v) the cutting of trees as permitted by the municipal tree protection bylaw.

9.6.5 Guidelines for Owners of Land within the Development Permit Area

- a) New buildings or structures, other than lawfully established boat moorage facilities, will not be located with 20 metres of the high water mark of the Gorge Waters.
- b) Where shoring methods are required to prevent erosion or sloughing of the shoreline, bio-engineering methods are preferred rather than the use of sea-walls or retaining walls.
- c) Where sea-walls or retaining walls are the only means of effectively preventing erosion, they should be designed in consultation with qualified environmental professionals as well as engineering professionals.
- d) The preservation and enhancement of native trees and shrub clusters that overhang the waters edge will be strongly encouraged as these provide shade, protection and feeding habitat for fish and wildlife.
- e) In the design of new developments or re-developments, lands within 7.5 metres (25 ft) of the high water mark of the Gorge will be retained in a natural state. In the event that the area has been previously cleared or altered, it should be rehabilitated with native plant species suitable to the site conditions. Rehabilitation may be a requirement of the Development Permit.
- f) Any new public pathways along the Gorge waterway will be designed and constructed in consultation with qualified environmental professionals and the Township of Esquimalt Parks Department.
- g) Lighting fixtures within 30 metres of the Gorge Waters will be designed to avoid glare spill over onto the water's surface.
- h) In the design of new developments or re-development, the use of soft engineered and innovative alternatives to stabilizing shorelines and preventing erosion, such as bioengineering rather than traditional hard engineered solutions should be considered.

DIVISION 1 - RESIDENTIAL ZONES

34. SINGLE FAMILY RESIDENTIAL [RS-1]

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

(1) Permitted Uses

The following Uses and no others are permitted:

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

(2) Parcel Size

The minimum Parcel Size for Parcels created by subdivision shall be 530.0 square metres.

(3) Minimum Lot Width

The minimum width of Parcels created by subdivision shall be 16.0 metres measured at the Front Building Line.

(4) Floor Area Ratio

The Floor Area Ratio shall not exceed 0.35.

(5) Floor Area

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

(6) Building Height

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

(7) Building Width

The minimum width for any Single Family Dwelling shall be 7.0 metres.

(8) Lot Coverage

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

(9) **Siting Requirements**

(a) **Principal Building**

- (i) Front Setback: No Principal Building shall be located within 7.5 metres of the Front Lot Line.
- (ii) Side Setback: No Principal Building shall be located within 1.5 metres of an Interior Side Lot Line, with the total Setback of all Side Yards not to be less than 4.5 metres. In the case where a Parcel is not served by a rear lane, one (1) Side Yard shall not be less than 3.0 metres. In the case of a Corner Lot, no Principal Building shall be located within 3.6 metres of an Exterior Side Lot Line
- (iii) Rear Setback: No Principal Building shall be located within 7.5 metres of a Rear Lot Line.

(b) **Accessory Building**

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

(10) **Fencing**

Subject to Section 22, no fence shall exceed a Height of 1.2 metres in front of the front face of the Principal Building and 2.0 metres behind the front face of the Principal Building.

(11) **Off Street Parking**

Off street parking shall be provided in accordance with the requirements of Parking Bylaw, 1992, No. 2011 (as amended).

1382 TREEBANK ROAD WEST
September 25th, 2012



GREEN BUILDING CHECKLIST

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

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

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

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

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

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

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

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



Adopted on January 10th, 2011



“One-third of Canada’s energy use goes to running our homes, offices and other buildings. The federal government’s Office of Energy Efficiency (Natural Resources Canada) reports that a corresponding one-third of our current greenhouse gas (GHG) emissions come from the built environment.”
 [Green Building and Development as a Public Good, Michael Buzzelli, CPRN Research Report June 2009]

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

Green Building Standards

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

- | | | | |
|----|--|------------|---------|
| 1 | Are you building to a recognized green building standard?
If yes, to what program and level? | Yes | No
✓ |
| 2 | If not, have you consulted a Green Building or LEED consultant to discuss the inclusion of green features? | Yes
✓ | No |
| 3 | Will you be using high-performance building envelope materials, rainscreen siding, durable interior finish materials or safe to re-use materials in this project?
If so, please describe them. <i>fibre-cement-board panels, rainscreen horizontal cedar siding, stone veneer</i> | Yes
✓ | No |
| 4 | What percentage of the existing building[s], if any, will be incorporated into the new building? | <i>N/A</i> | _____ % |
| 5 | Are you using any locally manufactured wood or stone products to reduce energy used in the transportation of construction materials? Please list any that are being used in this project.
<i>K2 stone</i> | | |
| 6 | Have you considered advanced framing techniques to help reduce construction costs and increase energy savings? | Yes
✓ | No |
| 7 | Will any wood used in this project be eco-certified or produced from sustainably managed forests? If so, by which organization? <i>NO</i> | | |
| | For which parts of the building (e.g. framing, roof, sheathing etc.)? _____ | | |
| 8 | Can alternatives to Chlorofluorocarbons and Hydro-chlorofluorocarbons which are often used in air conditioning, packaging, insulation, or solvents] be used in this project? If so, please describe these. <i>(no air conditioning)</i> | Yes | No |
| 9 | List any products you are proposing that are produced using lower energy levels in manufacturing.
<i>not known</i> | | |
| 10 | Are you using materials which have a recycled content [e.g. roofing materials, interior doors, ceramic tiles or carpets]? | Yes | No
✓ |
| 11 | Will any interior products [e.g. cabinets, insulation or floor sheathing] contain formaldehyde? | Yes | No
✓ |



Water Management

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

Indoor Water Fixtures

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

Storm Water

- | | | | | |
|----|--|-----|------|-----|
| 17 | If your property has water frontage, are you planning to protect trees and vegetation within 60 metres of the high water mark? [Note: For properties located on the Gorge Waterway, please consult Sections 7.1.2.1 and 9.6 of the Esquimalt Official Community Plan.] | Yes | No | N/A |
| | (see 25 below) | ✓ | | |
| 18 | Will this project eliminate or reduce inflow and infiltration between storm water and sewer pipes from this property? | Yes | No | N/A |
| | | ✓ | | |
| 19 | Will storm water run-off be collected and managed on site (rain gardens, wetlands, or ponds) or used for irrigation or re-circulating outdoor water features? If so, please describe. | Yes | No | N/A |
| | | | ✓ | |
| 20 | Have you considered storing rain water on site (rain barrels or cisterns) for future irrigation uses? | Yes | No | N/A |
| | | ✓ | | |
| 21 | Will surface pollution into storm drains will be mitigated (oil interceptors, bio-swales)? If so, please describe. | Yes | No | N/A |
| | an oil interceptor will be incorporated into the design | ✓ | | |
| 22 | Will this project have an engineered green roof system or has the structure been designed for a future green roof installation? | Yes | No | N/A |
| | | | ✓ | |
| 23 | What percentage of the site will be maintained as naturally permeable surfaces? | | | |
| | | | ± 65 | % |

Waste water

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

Natural Features/Landscaping

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

- | | | | | |
|----|--|-----|----|-----|
| 25 | Are any healthy trees being removed? If so, how many and what species? | Yes | No | N/A |
| | only 7, mix of conifers & deciduous, species unknown | | | |
| | Could your site design be altered to save these trees? | | | |
| | Have you consulted with our Parks Department regarding their removal? | | | ✓ |



- 26 Will this project add new trees to the site and increase our urban forest? Yes No N/A
 If so, how many and what species? 4 ornamental copper birch, 1 Japanese Osakasuki maple, 1 golden locust ✓
- 27 Are trees [existing or new] being used to provide shade in summer or to buffer winds? Yes No N/A
 ✓
- 28 Will any existing native vegetation on this site be protected? Yes No N/A
 If so, please describe where and how. all but 1 tree on north side of project to remain, protected by snow fencing ✓
- 29 Will new landscaped areas incorporate any plant species native to southern Vancouver Island? Yes No N/A
 ✓
- 30 Will xeriscaping (i.e. the use of drought tolerant plants) be utilized in dry areas? Yes No N/A
 ✓
- 31 Will high efficiency irrigation systems be installed (e.g. drip irrigation; 'smart' controls)? Yes No N/A
 ✓
- 32 Have you planned to control invasive species such as Scotch broom, English ivy, Himalayan and evergreen blackberry growing on the property? Yes No N/A
 ✓
- 33 Will topsoil will be protected and reused on the site? Yes No N/A
 ✓

Energy Efficiency

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

- 34 Will the building design be certified by an independent energy auditor/analyst? Yes No N/A
 If so, what will the rating be? _____ ✓
- 35 Have you considered passive solar design principles for space heating and cooling or planned for natural day lighting? Yes No N/A
 ✓
- 36 Does the design and siting of buildings maximize exposure to natural light? Yes No N/A
 What percentage of interior spaces will be illuminated by sunlight? 85 % ✓
- 37 Will heating and cooling systems be of enhanced energy efficiency (ie. geothermal, air source heat pump, solar hot water, solar air exchange, etc.). Yes No N/A
 If so, please describe. _____ ✓
 If you are considering a heat pump, what measures will you take to mitigate any noise associated with the pump? _____
- 38 Has the building been designed to be solar ready? Yes No N/A
 ✓
- 39 Have you considered using roof mounted photovoltaic panels to convert solar energy to electricity? Yes No N/A
 ✓
- 40 Do windows exceed the BC Building Code heat transfer coefficient standards? Yes No N/A
 ✓
- 41 Are energy efficient appliances being installed in this project? Yes No N/A
 If so, please describe. 'Energy Star' rated appliances being specified ✓
- 42 Will high efficiency light fixtures be used in this project? Yes No N/A
 If so, please describe. LED lights and compact fluorescent lamps, w/ photo sensors ✓
- 43 Will building occupants have control over thermal, ventilation and light levels? Yes No N/A
2 times ✓
- 44 Will outdoor areas have automatic lighting [i.e. motion sensors or time set]? Yes No N/A
 ✓
- 45 Will underground parking areas have automatic lighting? Yes No N/A



Air Quality

The following items are intended to ensure optimal air quality for building occupants by reducing the use of products which give off gases and odours and allowing occupants control over ventilation.

46	Will ventilation systems be protected from contamination during construction and certified clean post construction?	Yes ✓	No	N/A
47	Are you using any natural, non-toxic, water soluble or low-VOC [volatile organic compound] paints, finishes or other products? If so, please describe. <u>low VOC paints, Sikken stains to be used</u>	Yes ✓	No	N/A
48	Will the building have windows that occupants can open?	Yes ✓	No	N/A
49	Will hard floor surface materials cover more than 75% of the liveable floor area?	Yes ✓	No	N/A
50	Will fresh air intakes be located away from air pollution sources?	Yes ✓	No	N/A

Solid Waste

Reuse and recycling of material reduces the impact on our landfills, lowers transportation costs, extends the life-cycle of products, and reduces the amount of natural resources used to manufacture new products.

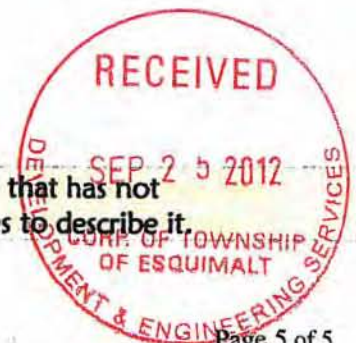
51	Will materials be recycled during demolition of existing buildings and structures? If so, please describe. _____	Yes	No	N/A
52	Will materials be recycled during the construction phase? If so, please describe. _____	Yes	No	N/A
53	Does your project provide enhanced waste diversion facilities i.e. on-site recycling for cardboard, bottles, cans and or recyclables or on-site composting?	Yes ✓	No	N/A
54	For new commercial development, are you providing waste and recycling receptacles for customers?	Yes	No	N/A

Green Mobility

The intent is to encourage the use of sustainable transportation modes and walking to reduce our reliance on personal vehicles that burn fossil fuels which contributes to poor air quality.

55	Is pedestrian lighting provided in the pathways through parking and landscaped areas and at the entrances to your building[s]?	Yes ✓	No	N/A
56	For commercial developments, are pedestrians provided with a safe path[s] through the parking areas and across vehicles accesses?	Yes	No	N/A
57	Is access provided for those with assisted mobility devices?	Yes ✓	No	N/A
58	Are accessible bike racks provided for visitors?	Yes	No	N/A
59	Are secure covered bicycle parking and dedicated lockers provided for residents or employees?	Yes	No	N/A
60	Does your development provide residents or employees with any of the following features to reduce personal automobile use [check all that apply]: <input type="checkbox"/> transit passes <input type="checkbox"/> car share memberships <input type="checkbox"/> shared bicycles for short term use <input type="checkbox"/> weather protected bus shelters <input type="checkbox"/> plug-ins for electric vehicles			N/A

Is there something unique or innovative about your project that has not been addressed by this Checklist? If so, please add extra pages to describe it.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

DEVELOPMENT PERMIT

NO. 06/2012

Owner: Alan F. Cook
203-1711 Cook Street
Victoria BC, V8T 3P2

Lands: Lot 1, Section 2, Esquimalt District, Plan VIS1903

Address: 1382 Treebank Road West, Esquimalt, B.C.

Conditions:

1. This Development Permit is issued subject to compliance with all of the bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit.
2. Approval of this Development Permit is issued to limit the siting of the principal building in accordance with the survey plan prepared by Glen Mitchell Land Surveying Inc., stamped "Received October 10, 2012", and to limit landscaping to that shown on the landscape plan provided by Duane Ensign Landscape Design, stamped "Received October 10, 2012", all of which is attached hereto as Schedule 'A'. A letter of credit representing 125% of the value of this landscaping installation including materials, fencing, irrigation and all plantings, as detailed in a written estimate signed by a landscape professional, must be deposited before a building permit can be issued.
3. The lands shall be developed in accordance with the terms and conditions and provisions of this Permit, provided that minor variations which do not affect the overall building design may be permitted by the Director of Development Services.
4. The terms, conditions and covenants contained herein shall enure to the benefit of and be binding upon the Owners, their executors, heirs or administrators, successors and assigns as the case may be or their successors to title in the lands.
5. This Development Permit is not a Building Permit.

6. This Permit lapses two (2) years after the date it is issued if the holder of the Permit does not substantially start any construction with respect to which the Permit was issued.
7. For the purposes of this Development Permit, the holder of the Permit shall be the owner(s) of the lands.

ISSUED BY MUNICIPAL COUNCIL RESOLUTION ON THE ---- DAY OF -----, 2012

SIGNED THIS _____ DAY OF _____, 2011

Director of Development Services

Corporate Officer
Corporation of the Township
of Esquimalt

B.C. Land Surveyor's Sketch Plan of Proposed Dwelling on:

Originally prepared Sept 24th 2012
Amended Oct 10th, 2012

Strata Lot 1, Section 2, Esquimalt
District, Strata Plan 1903

Civic address: 1382 Treebank Road West
Victoria, B.C.
Parcel Identifier Number 015-985-512



Scale 1: 150 (metric) All distances are in metres

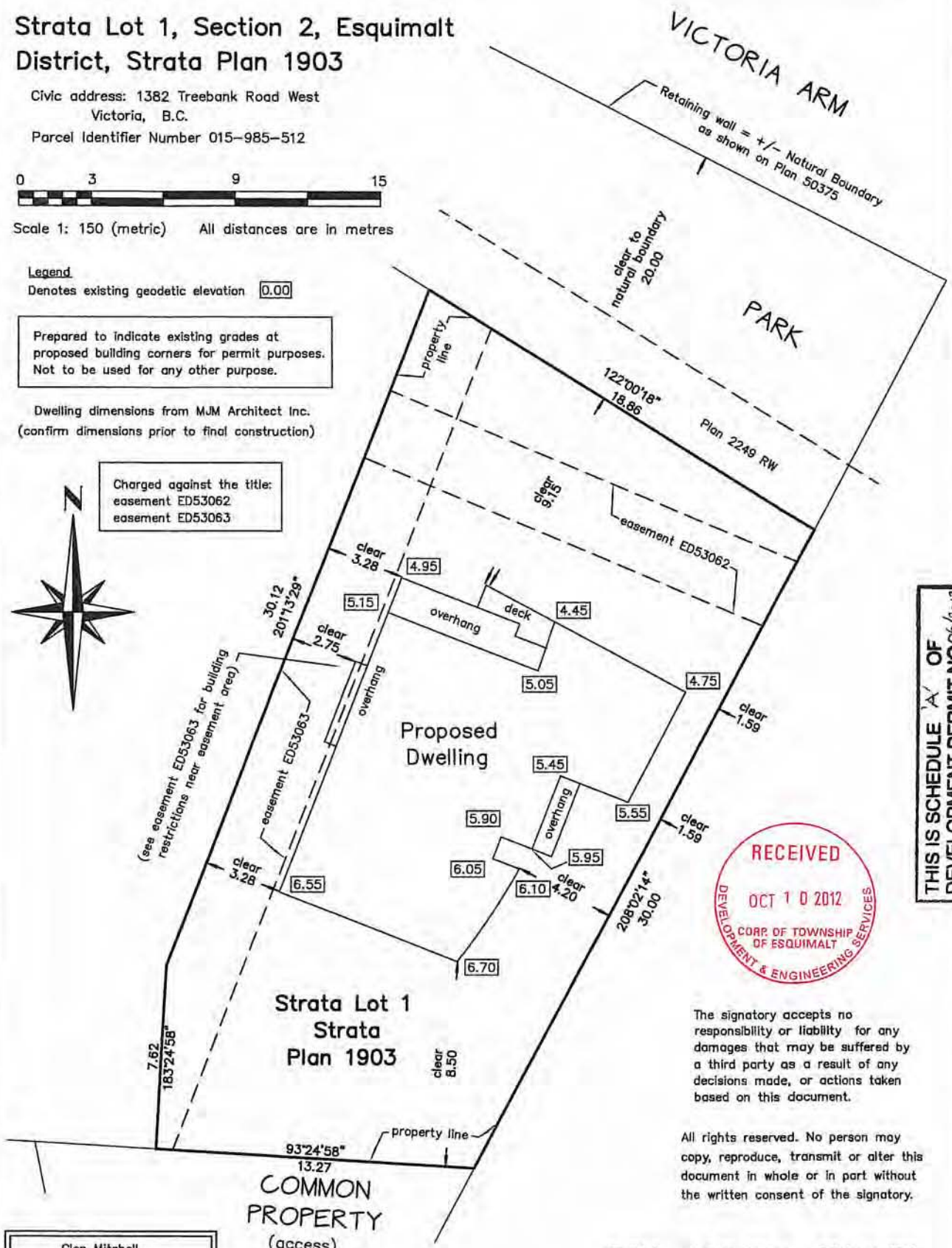
Legend

Denotes existing geodetic elevation 0.00

Prepared to indicate existing grades at
proposed building corners for permit purposes.
Not to be used for any other purpose.

Dwelling dimensions from MJM Architect Inc.
(confirm dimensions prior to final construction)

Charged against the title:
easement ED53062
easement ED53063



THIS IS SCHEDULE 'A' OF
DEVELOPMENT PERMIT NO. 06/2012

CORPORATE OFFICER



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

All rights reserved. No person may
copy, reproduce, transmit or alter this
document in whole or in part without
the written consent of the signatory.

Glen Mitchell
Land Surveying Inc.
1030 North Park Street
Victoria, B.C.
V8T 1C6
tel 250-385-1712
fax 250-385-1713
email glen @ mitchellsurvey.ca

Property dimensions are
derived from Land Title Plans
and field survey.

Certified correct this 10th day of October, 2012
Glen Mitchell
H7B5G2

Digitally signed by Glen Mitchell H7B5G2
DN: cn=CA, email=Glen.Mitchell@H7B5G2,
ou=B.C. Land Surveyors, ou=Kofu ID at
www.justice.com/ANUP, c=nl, o=H7B5G2
Date: 2012.10.10 08:52:38 -0700

B.C.L.S.

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

DEVELOPMENT VARIANCE PERMIT

NO. 04/2012

Owner: Alan F. Cook
203-1711 Cook Street
Victoria, BC V8T 3P2

Lands: Lot 1, Section 2, Esquimalt District, Plan VIS1903

Address: 1382 Treebank Road West, Esquimalt, B.C.

Conditions:

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit regulates the development of lands by varying the provisions of Parking Bylaw, 1992, No. 2011 as follows:

Parking Bylaw, 1992, No. 2011, Section 10(1) - Design of Parking Areas - a 6.5% increase to the permitted 15% gradient for a ramp [i.e. from 15% to 21.5% gradient].

3. Approval of this Development Variance Permit has been issued in general accordance with architectural plans provided by MJM Architect Inc., stamped "Received October 31, 2012", attached hereto as Schedule 'A'.
4. The terms, conditions and covenants contained herein shall enure to the benefit of and be binding upon the Owners, their executors, heirs or administrators, successors and assigns as the case may be or their successors to title in the lands.
5. This Development Variance Permit is not a Building Permit.
6. This Permit lapses two (2) years after the date it is issued if the holder of the Permit does not substantially start any construction with respect to which the Permit was issued.
7. For the purposes of this Development Variance Permit, the holder of the Permit shall be the owner(s) of the lands.

ISSUED BY MUNICIPAL COUNCIL RESOLUTION ON THE --- DAY OF -----,
2012

SIGNED THIS _____ DAY OF _____, 2012

Director of Development Services

Corporate Officer
Corporation of the Township
of Esquimalt

NEW RESIDENCE AT 1382 TREEBANK RD. WEST, ESQUIMALT, B.C.



2 Rear View From North West
A4



1 Front View From South East
A4



3 Location Plan
A4

DRAWING LIST

- A1 LOCATION PLAN / DRAWING LIST, RENDERINGS
- A2 SITE PLAN/DATA
- A3 LOWER FLOOR PLAN
- A4 MAIN FLOOR PLAN



D - 12/10/11	- Re-issued for Development Variance Permit
I - 12/10/11	- Issued for Client Review
C - 12/10/11	- Re-issued for Development Variance Permit
B - 12/10/11	- Re-issued for Development Variance Permit
A - 12/10/11	- Issued for Development Variance Permit

REV	DATE	DESCRIPTION

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project name: **New Residence at 1382 Treebank Rd. West, Esquimalt, B.C.** project no: **1203**

drawing title: **Cover Sheet**

DATE ASSIGNED	DATE	DRAWING NO.
drawn by: gjn	April 24th, 2012	A0
checked by: mjm		



**THIS IS SCHEDULE 'A' OF
DEVELOPMENT VARIANCE
PERMIT NO. 04/2012**

CORPORATE OFFICER

RECEIVED
OCT 31 2012
 CORP. OF TOWNSHIP
 OF ESQUIMAULT
 DEVELOPMENT & ENGINEERING SERVICES

C-1-1203075 - 40' raised fire Development Services
 D-1-1203052 - 40' raised fire Development Services
 R-1-1203055 - 40' raised fire Development Services
 S-1-1203058 - 40' raised fire Development Services
 T-1-1203061 - 40' raised fire Development Services
 U-1-1203064 - 40' raised fire Development Services
 V-1-1203067 - 40' raised fire Development Services
 W-1-1203070 - 40' raised fire Development Services
 X-1-1203073 - 40' raised fire Development Services
 Y-1-1203076 - 40' raised fire Development Services
 Z-1-1203079 - 40' raised fire Development Services

MJM CONSULTING
 CONSULTING AND ENGINEERING
 1309
 New Residence at 1309 Township
 Rd. West, Esquimalt, B.C.

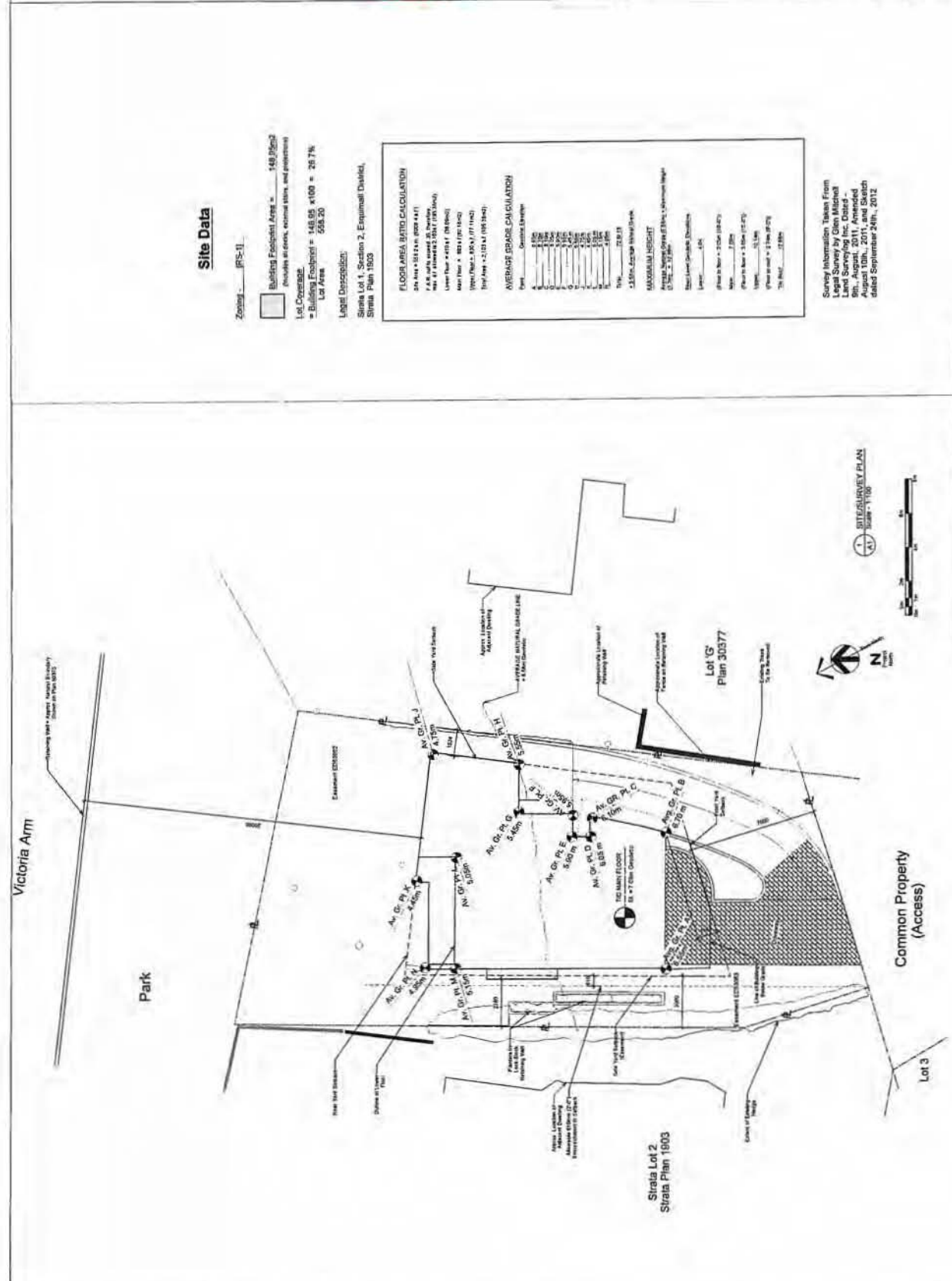
Project No. 1309
 Date of Issue: April 24th, 2012
 Drawing No. A1

Site Data

Zoning: RPS-1
 Building Footprint Area = 146.96 m²
 Includes all decks, exterior stairs, and porches
 LVL Coverage = Building Footprint = 146.96 x 100 = 26.7%
 Lot Area = 558.20
 Legal Description:
 Strata Lot 1, Section 2, Esquimalt District,
 Strata Plan 1903

Level	Concrete Slab Area
A	10.00
B	10.00
C	10.00
D	10.00
E	10.00
F	10.00
G	10.00
H	10.00
I	10.00
J	10.00
K	10.00
L	10.00
M	10.00
N	10.00
O	10.00
P	10.00
Q	10.00
R	10.00
S	10.00
T	10.00
U	10.00
V	10.00
W	10.00
X	10.00
Y	10.00
Z	10.00
AAA	10.00
BBB	10.00
CCC	10.00
DDD	10.00
EEE	10.00
FFF	10.00
GGG	10.00
HHH	10.00
III	10.00
JJJ	10.00
KKK	10.00
LLL	10.00
MMM	10.00
NNN	10.00
OOO	10.00
PPP	10.00
QQQ	10.00
RRR	10.00
SSS	10.00
TTT	10.00
UUU	10.00
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EEE	10.00
FFF	10.00
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III	10.00
JJJ	10.00
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RRR	10.00
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TTT	10.00
UUU	10.00
VVV	10.00
WWW	10.00
XXX	10.00
YYY	10.00
ZZZ	10.00

Survey Information Taken From:
 Legal Survey for Esquimalt
 9th, August 2011, Amended
 August 10th, 2011, and Sketch
 dated September 24th, 2012



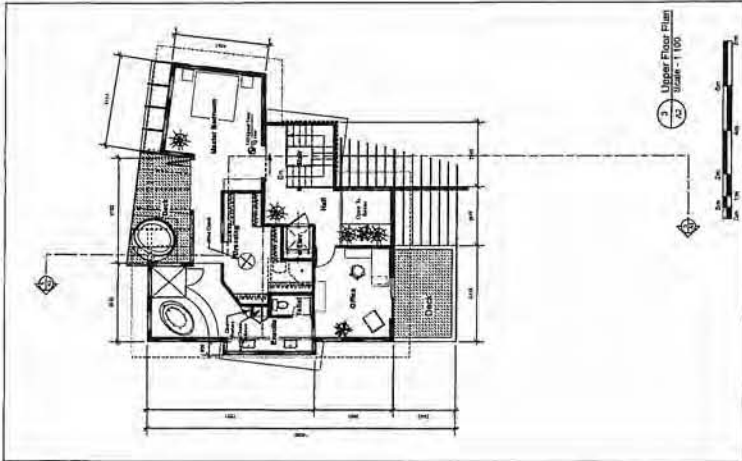
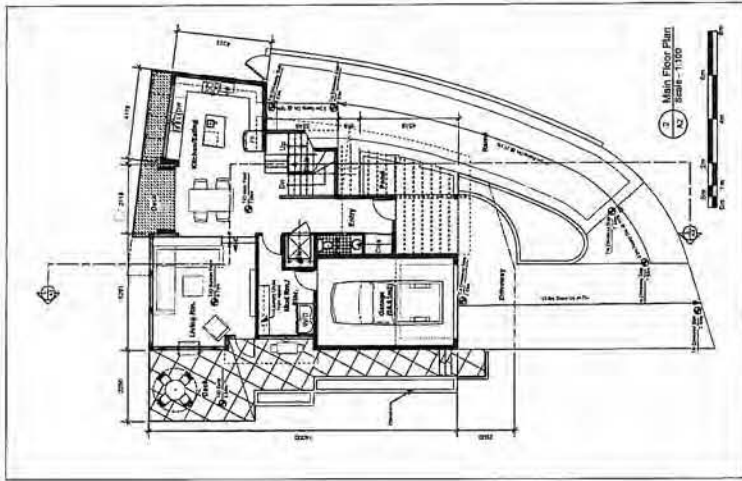
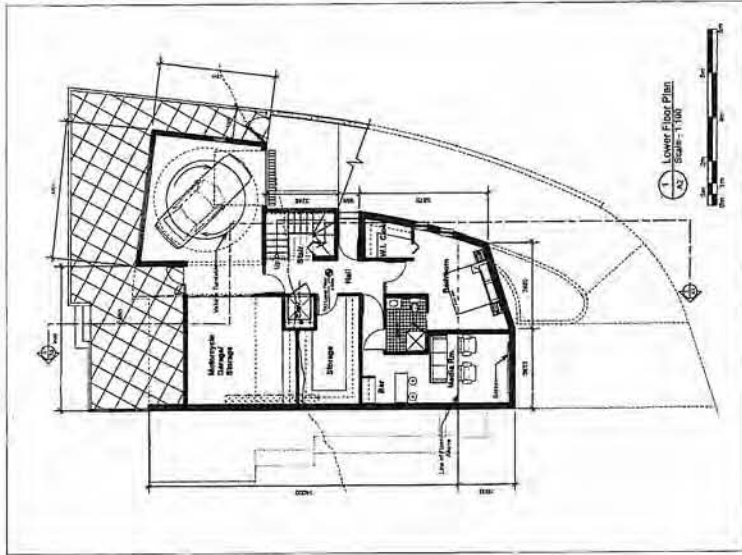
THIS IS SCHEDULE 'A' OF
 DEVELOPMENT VARIANCE
 PERMIT NO. 04/2012

CORPORATE OFFICER

RECEIVED
OCT 3 1 2012
CORP. OF TOWNSHIP OF ESQUIMALT
DEVELOPMENT & ENGINEERING SERVICES

D - 121023 - Approved for Development of House Plan
 E - 121024 - Approved for House Plan
 F - 121025 - Approved for Development of House Plan
 G - 121026 - Approved for Development of House Plan
 H - 121027 - Approved for Development of House Plan
 I - 121028 - Approved for Development of House Plan
 J - 121029 - Approved for Development of House Plan
 K - 121030 - Approved for Development of House Plan
 L - 121031 - Approved for Development of House Plan
 M - 121032 - Approved for Development of House Plan
 N - 121033 - Approved for Development of House Plan
 O - 121034 - Approved for Development of House Plan
 P - 121035 - Approved for Development of House Plan
 Q - 121036 - Approved for Development of House Plan
 R - 121037 - Approved for Development of House Plan
 S - 121038 - Approved for Development of House Plan
 T - 121039 - Approved for Development of House Plan
 U - 121040 - Approved for Development of House Plan
 V - 121041 - Approved for Development of House Plan
 W - 121042 - Approved for Development of House Plan
 X - 121043 - Approved for Development of House Plan
 Y - 121044 - Approved for Development of House Plan
 Z - 121045 - Approved for Development of House Plan

MJM ARCHITECTURE	
1250 New Residence at 1382 Trebank Rd. West, Esquimalt, B.C.	
Project No.	1250
Scale	As Shown
Date	April 26th, 2012
Drawn by	AZ
Checked by	
Project Name	Lower Floor Plan



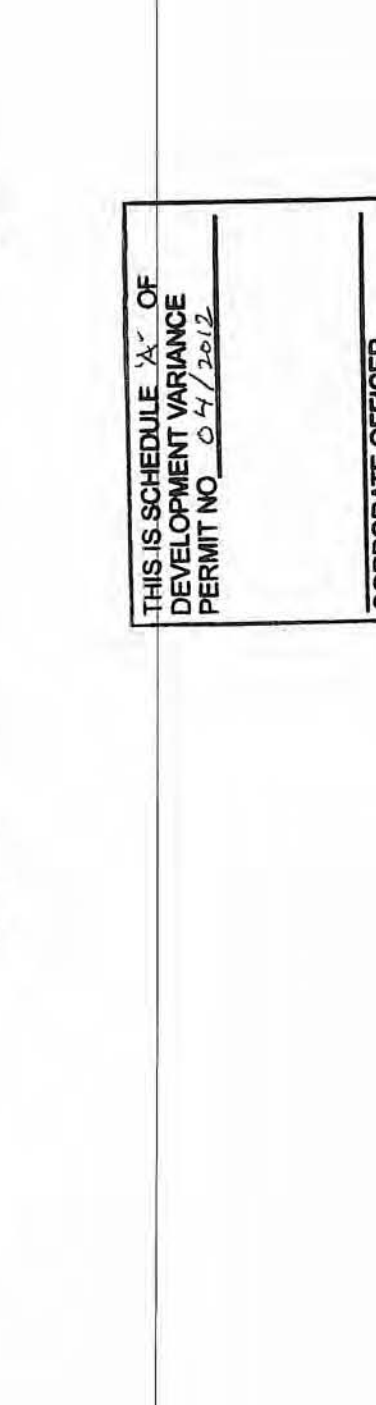
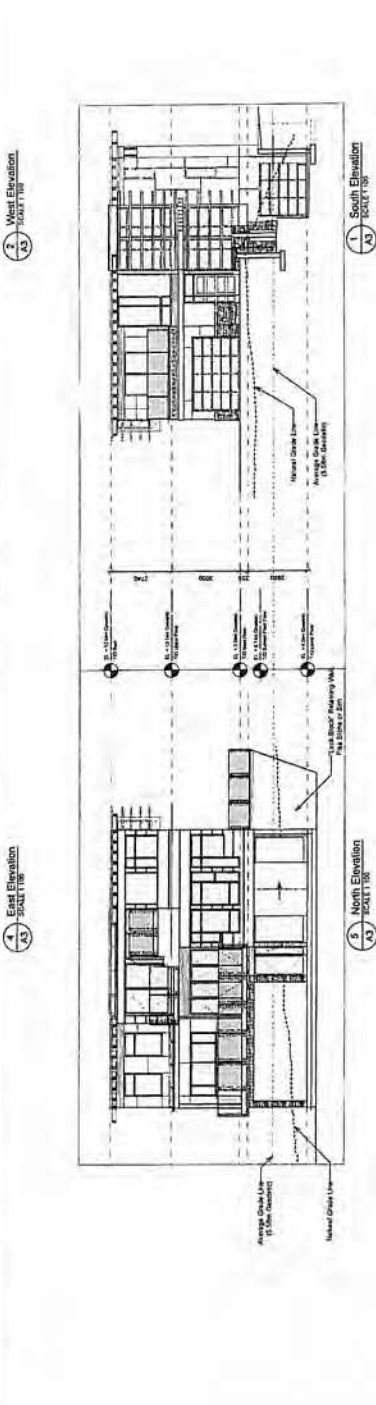
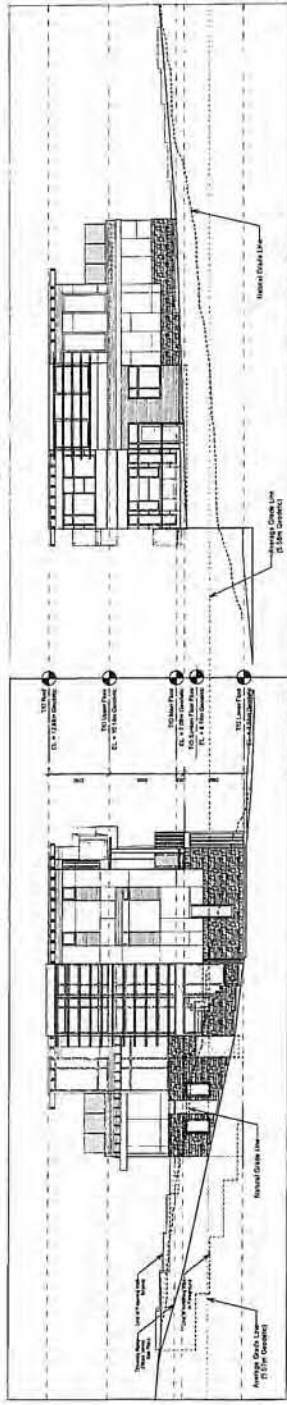
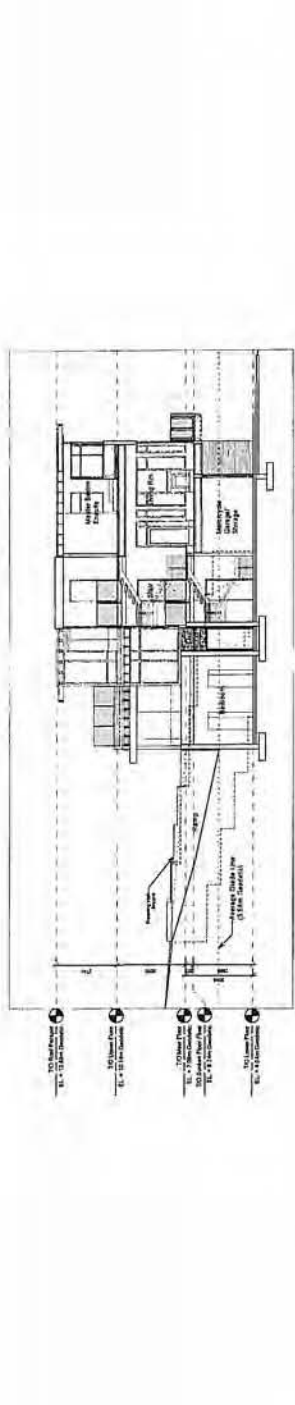
THIS IS SCHEDULE 'A' OF
DEVELOPMENT VARIANCE
PERMIT NO. 04/2012

CORPORATE OFFICER

RECEIVED
OCT 3 1 2012
CORP. OF TOWNSHIP
OF ESQUIMAULT
DEVELOPMENT & ENGINEERING SERVICES

D	10/20/11	Revised for Development Variance Permit
I	10/20/11	Revised for Civil Review
C	10/20/11	Revised for Development Variance Permit
B	10/20/11	Revised for Development Variance Permit
A	10/20/11	Revised for Development Variance Permit

PROJECT NAME	New Residence at 1342 Trebank Rd, West Esquimalt, B.C.
PROJECT NO.	1203
DATE	April 24th, 2012
DRAWN BY	[Signature]
CHECKED BY	[Signature]
SCALE	A3



THIS IS SCHEDULE 'A' OF
DEVELOPMENT VARIANCE
PERMIT NO. 04/2012

CORPORATE OFFICER



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: November 19 2012,
Staff Report No. DEV-12-042

REQUEST FOR DECISION

SUBJECT: New Advisory Planning Commission Bylaw

RECOMMENDATION: That Council give first, second, and third readings to Bylaw No. 2792 being a Bylaw to establish an Advisory Planning Commission and to provide for its composition and procedures.

RELEVANT POLICY:

Section 898 of the Local Government Act

STRATEGIC RELEVANCE:

The proposed bylaw replaces the existing Advisory Planning Commission bylaw No. 2268. The new bylaw complies with all relevant legislation. The new bylaw also allows for the establishment of "Design Review Committee" that will provide a rigorous peer review of all major development permit applications. This will help enhance Esquimalt's urban design fabric.

Submitted by: Writer

Bill Brown

Reviewed by: CAO

D. Aust

Date:

Nov 14/12

STAFF REPORT

DATE: November 13, 2012 Report No. DEV-12-042
TO: Laurie Hurst, Chief Administrative Officer
FROM: Bill Brown, Director of Development Services
SUBJECT: New Advisory Planning Commission Bylaw

RECOMMENDATION:

That Council give first, second, and third readings to Bylaw No. 2792 being a Bylaw to establish an Advisory Planning Commission and to provide for its composition and procedures.

BACKGROUND:

Staff originally presented this bylaw to Council on September 24, 2012. Following a discussion of the **previously** proposed bylaw, Council passed the following resolution:

That Staff Report No. DEV-12-038 be sent back to staff for further consultation with the Advisory Planning Commission.

As per Council's direction, staff attended the October 2, 2012 special meeting of the Advisory Planning Commission to discuss the proposed new Advisory Planning Commission bylaw. After a staff presentation and discussion with the Advisory Planning Commission, the Commission made the following comments and then unanimously passed the following recommendation:

COMMENTS FROM COMMISSION MEMBERS:

The following comments were made:

- *Support for the changes as it means that large projects will get professional review.*
- *Positive that all members of APC will be protected under the Local Government Act.*
- *Encouraged that Public will still have an opportunity to voice concerns directly to Council.*
- *Suggest "Sub-Commission" terminology as opposed to "Sub-Committee" however name not a major concern to members.*
- *Concern that changes will add too much time to process as Esquimalt still wishes to attract development.*
- *Desire to see non-voting members given voting positions on new APC.*

RECOMMENDATION:

"that the new Advisory Planning Commission Bylaw be forward to Council with a recommendation of approval."

Following their discussion with the Advisory Planning Commission and in response to concerns expressed by Council, staff have made the following changes to the bylaw:

- 1) The concept of "subcommittees" has been removed from the bylaw. The seven members of the "Commission" that will do design review will be referred to as the "Design Review Committee" and the remaining seven members will be referred to as the "APC" (see sections 7 and 15 of the bylaw).
- 2) The criteria for three members of the "Design Review Committee" who are not professional architects or professional landscape architects have been expanded to include, "members with knowledge or experience in heritage conservation, building access for persons with disabilities, crime prevention through environmental design, energy conservation, environmentally sustainable building design and construction or another field relevant to urban design" (see section 8 of the bylaw).
- 3) The issue of "quorum" has also been clarified (see sections 16 and 17 of the bylaw).
- 4) The issue of electing a chairperson for the APC and the Design Review Committee has been clarified (see section 15 of the bylaw).

ISSUES:

1. Rationale for Selected Option

As Esquimalt deals with larger and more complex land use and development proposals it is important to seek the best advice possible. The creation of a Commission consisting of an "Advisory Planning Commission" and a "Design Review Committee" allows for a comprehensive review of applications from the rezoning stage to the development permit stage. The proposed Commission structure in Bylaw No 2792 allows Council to obtain both the insights of "Advisory Planning Commission" members and peer review advice from the "Design Review Committee".

2. Organizational Implications

The addition of a "Design Review Committee" will add to the staff workload, however, the insights provided by this committee will be invaluable to staff and Council and ultimately the citizens of Esquimalt. It is expected that Esquimalt's urban fabric will be greatly enhanced due to the design review provided by the "Design Review Committee".

3. Financial Implications

Members of the "Commission" by law serve without remuneration, however, Council must pay "reasonable and necessary expenses". These might include mileage charges. It is expected that the total costs to the municipality for the "Commission" will be less than \$500.00 per year. The total benefits of professional services donated is likely to exceed \$5000.00 per year.

4. Communication

As per Council's direction, staff attended the October 2, 2012 Special Advisory Planning Commission meeting and discussed the proposed bylaw. The Commission's comments are noted above.

ALTERNATIVES:

- 1) That Council give first, second, and third readings to Bylaw No. 2792 being a Bylaw to establish an Advisory Planning Commission and to provide for its composition and procedures.
- 2) That Council refer the proposed bylaw back to staff for further review.
- 3) That Council defeat first reading.

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2792

A Bylaw to establish an Advisory Planning Commission and to provide for its composition and procedures

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

Establishment of Commission

1. This bylaw may be cited as the "ADVISORY PLANNING COMMISSION BYLAW, 2012, No. 2792".
2. The Council establishes an advisory planning commission to perform the functions set out in this bylaw, referred to hereafter as the Commission.
3. Council shall include in its annual budget such sums as are necessary to defray the expenses of the Commission.

Commission Membership

4. The Commission shall consist of fourteen members appointed by Council who are not members of Council or officers or employees of the Township, and of whom at least ten are residents of the Township of Esquimalt. In making appointments the Council shall have regard to the qualifications of design review subcommittee members set out in section 8.
5. At the establishment of the Commission, Council shall appoint members as follows:
 - a. Seven members shall be appointed for a term expiring on December 31, 2013; and
 - b. Seven members shall be appointed for a term expiring December 31, 2014.
6. Upon the expiry of the initial terms, all new appointments shall be made for a term of two years.
7. At the establishment of the Commission, and at all times thereafter, the Council shall designate seven members as members of a design review subcommittee of the Commission, referred to hereafter as the Design Review Committee.
8. The Design Review Committee shall, to the extent that appropriately qualified members have been appointed to the Commission under section 4, be composed of two members of the Architectural Institute of BC, two members of the BC Society of Landscape Architects, and three members with knowledge or experience in heritage conservation, building access for persons with disabilities, crime prevention through environmental design, energy conservation, environmentally sustainable building design and construction or another field relevant to urban design.

9. No member of the Commission shall serve for more than three consecutive terms, including any term on any advisory planning commission of the Township established prior to the enactment of this bylaw.
10. At any time, the Council may revoke the appointment of any member of the Commission and appoint another member in that member's place, having regard to the qualifications of Design Review Committee members set out in section 8.
11. If a member of the Commission is absent, except with leave of the Council, from three consecutive meetings of the Commission, the member's appointment shall be deemed to have been terminated.
12. If a member of the Commission has received Council's permission for a leave from the Commission's meetings, Council may appoint a replacement member for the period of the approved absence.
13. Whenever a vacancy arises on the Commission, Council shall within thirty days of such vacancy or such longer period as may be required to identify an eligible replacement member, appoint a person to fill such vacancy for the balance of the term.
14. All members of the Commission shall serve without remuneration, but any Commission member may be paid by the Township for reasonable and necessary expenses that are reimbursable according to policies adopted by the Council from time to time.

Commission Procedure

15. At its first meeting each calendar year, the Design Review Committee shall elect from among its members a Chairperson who shall preside over the meetings of the Committee, and the remaining members of the Commission, referred to hereafter as the "APC", shall elect from among their number a Chairperson who shall preside over the meetings of the APC.
16. All meetings of the APC shall be at the call of the Chairperson, and shall be held monthly on the third Tuesday of each month unless, in any particular month, a quorum of four cannot be assembled on that day, in which case the meeting may be on another day on which a quorum is available.
17. All meetings of the Design Review Committee shall be at the call of the chairperson and shall be held as required to deal with matters that have been referred to the Committee. A quorum of the Design Review Committee is four.
18. Subject to the provisions of subsections (a) and (b), the APC and the Design Review Committee may each adopt rules for their procedure and may from time to time vary such rules by the affirmative vote of a majority of all their members. Where no rule has been made then the rules of procedure of Esquimalt Council shall apply except that:
 - a. all questions except the adoption or varying of procedural rules as heretofore provided shall be decided by a simple majority vote of the members present at the meeting. In the case of a tie vote the question shall be defeated, and

- b. if during a meeting any ruling of the Chairperson is challenged by a member, the Chairperson's ruling shall immediately be put to a vote without debate and the result of such vote shall govern.
19. All meetings shall be open to the public and where the APC or Design Review Committee is considering an amendment to a plan or bylaw or the issuance of a permit, the applicant is entitled to be heard.
20. The APC and Design Review Committee shall cause proper minutes to be kept of their respective proceedings. The Township shall provide a recording secretary for the meetings of the APC and Design Review Committee.
21. Resource persons may attend APC and Design Review Committee meetings as follows:
- a. Any Council member, employee or officer of the Township, or the Approving Officer for the Township, may attend a meeting in a resource capacity and may be invited to speak by the Chair.
 - b. Other persons may, by invitation, attend meetings in an advisory capacity and may be invited to speak by the Chair.
 - c. Persons attending meetings in a resource or advisory capacity shall not vote on matters under consideration.
22. Neither an amendment to the Zoning Bylaw or Official Community Plan nor any permit shall be invalid by reason of non-compliance on the part of the APC or the Design Review Committee with the provisions of this bylaw dealing with procedure.

Duties and Referrals

23. The APC shall advise Council on all matters respecting land use, community planning and proposed bylaws and permits under the *Local Government Act*, other than matters referred to the Design Review Committee under Section 24, which are referred by Council or by Township staff pursuant to the Township's development application procedures and fees bylaw.
24. The Design Review Committee shall advise Council on matters of urban design arising with respect to:
- a. applications for development permits in development permit areas for the establishment of objectives for the form and character of development, other than Development Permit Area No. 5 unless the Council refers the application to the Design Review Committee, and not including applications that are within the jurisdiction of the Director of Development Services unless the Director refers the application to the Design Review Committee;
 - b. applications for amendments to official community plans or zoning bylaws that establish or amend form and character guidelines, including applications initiated by the Township;

- c. applications for zoning bylaw amendments in connection with which the applicant proposes a specific building design, that are referred to the Design Review Committee by Council or by the Director of Development Services; and
 - d. applications for heritage alteration permits.
25. The APC and Design Review Committee shall deal expeditiously with all matters referred to it and shall submit a recommendation, with reasons, to the Council or the Director of Development Services, as the case may be, within 30 days of the referral or such shorter period of time as the Council or Director may specify in the referral.
 26. Each APC and Design Review Committee agenda and the minutes of each meeting shall be forwarded to Council and the Director for information. Once the minutes of a meeting have been received by Council, they shall be made available to the public for inspection, upon request.
 27. The APC shall before making a recommendation to the Council consider any applicable official community plan or local area plan and may consult the Director of Development Services or other staff of the Township, and in relation to any rezoning application shall recommend approval or rejection of the application, approval of the application subject to conditions recommended by the APC, or postponement of Council consideration of the application pending receipt of additional information from the applicant.
 28. The Design Review Committee in relation to any application for a development permit or heritage alteration permit may recommend the approval of the application subject to any condition or requirement that the Committee recommends, having regard to the relevant provisions of the *Local Government Act*, or postponement of Council consideration of the application pending receipt of additional information from the applicant including changes in the proposed design that are in the Committee's opinion necessary for compliance with the applicable development permit guidelines or heritage protection, as the case may be.
 29. A recommendation of the APC or Design Review Committee shall be made available to the applicant or their agent, in writing, within 48 hours of consideration of the application.

Repeal

30. The Township of Esquimalt Advisory Planning Commission Bylaw, 1997, No. 2268 is repealed and the appointments made pursuant to that bylaw are rescinded.

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

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

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

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2794

A Bylaw to amend Bylaw No. 2778, cited as the
"Council Remuneration Bylaw, 2011, No. 2778"

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

1. This Bylaw may be cited as the "Council Remuneration Bylaw, 2011, No. 2778,
Amendment Bylaw [No. 1], 2012, No. 2794."
2. That Bylaw No. 2778, cited as the "Council Remuneration Bylaw, 2011, No. 2778" be
amended as follows:
 - (1) To add the following as new Section 3 (b):

*"3. (b) Councillors appointed to Acting Mayor duties for a minimum of two full
months per one year period shall receive a supplementary stipend per year
equal to five percent of the annual Councillor stipend."*
 - (2) That clauses 3(b) and (c) be renumbered to 3(c) and (d) respectively.
3. This amendment is to be effective **January 1, 2013.**

READ a first time on the 5th day of November, 2012.

READ a second time on the 5th day of November, 2012.

READ a third time on the 5th day of November, 2012.

ADOPTED on the day of , 2012.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MAYOR'S AND COUNCILLORS' REPORTS

Report from: Mayor Barbara Desjardins

Subject: Annual Committee Review

Council Agenda: November 19, 2012

Background

In the Fall of 2011, I met individually with the Chairs of the advisory committees, to discuss any issues they had been experiencing with their committee. As a follow up, all Chairs were invited to attend before Council at the COTW meeting on October 22nd, 2012. The purpose was to hear from the Chairs on the strengths and weaknesses of the current committee system and to make recommendations on improvements including how the committees could work better with Council in the achievement of its Strategic Plan. Each Chair had been requested in advance to obtain input from other committee members.

Under the *Community Charter*, the Mayor has the authority to establish standing committees "for matters the mayor considers would be better dealt with by committee and must appoint persons to those committees." Under the *Charter*, select committees and commissions are established and appointed by Council.

Part 8 of the Council Procedure Bylaw No. 2715, 2009, deals with Committees and Commissions and states that the Mayor shall review and update annually prior to December 31st the list of Mayor's appointments, and Council shall review and update annually prior to December 31st the list of Council appointments.

Council Policy ADMIN-40 deals with the appointment process for advisory committees. The annual procedure requires publication of an advertisement for all vacancies requesting submission of an application along with a detailed resume. Interviews are conducted by Council of all short-listed applicants. Council makes appointments and rises and reports on the appointments, which process is to be completed by the end of December.

Input Requested from Council

Prior to proceeding with committee recruitment, we need to determine whether there will be any changes to committees or whether the existing committees should be continued as is, and whether there should be any changes to our Policy, the appointment process, the terms of reference or membership of any committee.

In order to complete my annual review and appointment of standing committees, I request input from Council on several issues that arose during the COTW meeting.

1. Non-voting members on Advisory Planning Commission

The following appointments to APC were made for 2012 on a trial basis:

- one member from EAC was appointed in a non-voting capacity, and
- two people were appointed as non-voting members with an accessibility focus.

Bill Brown, Director of Development Services, has prepared a revised APC Bylaw for Council's consideration, which will address membership, terms and qualifications. Depending upon Council's decision regarding the revised Bylaw, the above appointments to the APC could be incorporated as permanent voting members.

2. Re-appointment of Existing Committee Members

Our current Policy requires everyone who wishes to be considered for appointment, including current members of committees, to submit a full application and resume and to be interviewed by all of Council. One suggestion raised at the COTW meeting was that this process be revised so that any current member who is interested in being re-appointed simply sends a letter to Council and Council may make the re-appointment without going through the entire process. One alternative suggested was to require a 2/3 majority vote of Council for such re-appointment.

If re-appointments are made in this simplified manner, there would be no need to advertise or interview for those vacancies, thereby saving time and advertising costs annually in the process. An amendment to the appointment process set out in Council Policy ADMIN-40 would be required to implement this change.

3. Restriction on Term of Membership

All of the existing committee terms of reference as well as the APC Bylaw contain a clause limiting the number of consecutive terms to three. There was a suggestion that this limitation was not warranted and that in certain circumstances Council should be able to make appointments beyond that period where there were special circumstances, such as where a particular member has a certain expertise or background that would continue to be of benefit to the committee and Council.

If Council wishes to have the authority to appoint members for longer periods, then the existing committee terms of reference and APC Bylaw would need to be revised.

Respectfully submitted,



Mayor Barbara Desjardins



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MAYOR'S AND COUNCILLORS' REPORTS

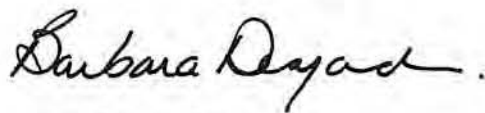
Report from: Mayor Barbara Desjardins
 Subject: Mayor's Report – October 2012
 Council Agenda: November 19, 2012

** Acronyms listed at the end of document

October 2012	ACTIVITY
1	<ul style="list-style-type: none"> • CAO meeting • Heritage Committee Chair meeting • Economic Development meeting – Old English Inn
2	<ul style="list-style-type: none"> • GVHA Board and Strategic Planning meeting
3	<ul style="list-style-type: none"> • CRD Finance and Corporate Services meeting • GVHA Facilities Tour • Esquimalt Centennial Council meeting
5	<ul style="list-style-type: none"> • Welcome speech for Tour de Rock Cops for Cancer arrival
6	<ul style="list-style-type: none"> • Esquimalt Fire Department Open House
9	<ul style="list-style-type: none"> • CAO meeting • Victoria Police Board meeting
10	<ul style="list-style-type: none"> • Police Services meeting • CRD CALWMC meeting • CRD COTW meeting • CRD Board meeting
11	<ul style="list-style-type: none"> • Resident meeting re: local issues • Base Commander meeting • CRD Agenda review meeting
12	<ul style="list-style-type: none"> • Celebration of Life for previous CRD Board member • Resident meeting re: local issues
15	<ul style="list-style-type: none"> • Commuter Rail meeting • CFAX Interview with Adam Sterling re: Sewage Treatment • Maurine Karagianis meeting
16	<ul style="list-style-type: none"> • CAO meeting • Womens Dialogue and Luncheon with the Premier
17	<ul style="list-style-type: none"> • Police Chief and Municipal Police Board Representative meeting • Resident meeting re: local issues • Economic Development Strategy – Small Business Roundtable
18 - 21	<ul style="list-style-type: none"> • Vacation
22	<ul style="list-style-type: none"> • CAO meeting • Staff meeting • Royal Roads University Awards event • Rear Admiral Truelove meeting
23	<ul style="list-style-type: none"> • Economic Development meeting • Presentation of Awards at Esquimalt High School • Resident meeting re: local issue
24	<ul style="list-style-type: none"> • CRD Environmental Sustainability Committee meeting

October 2012	ACTIVITY
	<ul style="list-style-type: none"> • Recognition Ceremony for Vic PD • Liberal Candidate meeting • View Royal Mayor meeting • Esquimalt Chamber of Commerce event
25	<ul style="list-style-type: none"> • Speaker at Coast Waste Management Association Conference and attendance at conference
26	<ul style="list-style-type: none"> • Coast Waste Management Association Conference • Interview with Andrew Duffy re: Economic Development
29	<ul style="list-style-type: none"> • CAO meeting • TTAC meeting • Photo opportunities with Centennial Paver Winners • Resident meeting re: local issue • Former MP (David Anderson) meeting • Police Consultant meeting
30	<ul style="list-style-type: none"> • Rockheights Middle School Principal meeting • Esquimalt High School Principal meeting • Base Township Semi Annual Luncheon • Victoria Police Department Awards Presentation
31	<ul style="list-style-type: none"> • Macaulay Middle School Principal meeting • Halloween Bonfire at Archie Browning

Respectfully submitted,



Barbara Desjardins
Mayor

**

CALWMC – Core Area Liquid Waste Management Committee
 COTW – Committee of the Whole
 GVHA – Greater Victoria Harbour Authority
 TTAC – Te'mexw Treaty Advisory Committee



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MAYOR'S AND COUNCILLORS' REPORTS

Report from: Councillor Meagan Brame
Subject: Association of Vancouver Island Coastal Communities (AVICC)
Council Agenda: November 19, 2012

RECOMMENDATION

That Council support Councillor Brame putting her name forward to the Nomination Committee of the AVICC to be re-elected as a Director at Large.

BACKGROUND

I would respectfully like to put my name forward for the nomination process to be a Director at Large on the AVICC Board. I feel that as a growing Vancouver Island Community it would benefit our community to have direct representation on this Association. I have sat on the committee for one year and as with many Municipal things, the learning curve is such that just as you are starting to get a handle on the process the term is over.

EXECUTIVE BOARD

The ongoing administration and policy determination of the AVICC is governed by an eight-person Executive Board that is elected and appointed at the Annual General Meeting & Convention.

The Board is made up of seven (7) elected positions:

- President
 - First Vice-President
 - Second Vice-President
 - Director at Large (3 positions)
 - Electoral Area Representative;
- together with the Immediate Past President.

NOMINATION PROCESS AND QUALIFICATIONS FOR OFFICE

A notice of the AVICC Executive positions open for nomination and the process and procedures for nomination is circulated to all members in December of each year. It is also posted on the website. The notice states that the nominee must be an elected official of an AVICC member and must be nominated by two elected officials of an AVICC member local government. A nomination and consent form is available and is to be used for all nominations in advance of the AGM & Convention. Advance Nominations close on February 25th, 2013.

Travel expenses and a per diem for meals and incidentals are provided for in-person Executive Meetings (with reimbursement for only the added expenses that would not normally be incurred for attending the annual Convention), therefore there are no budget implications for this position.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
HERITAGE ADVISORY COMMITTEE**

Wednesday, October 17, 2012

7:00 p.m.

Council Chambers, Municipal Hall

PRESENT: Heather Gillis – Chair
Dar Purewall – Vice Chair
Councillor Hodgins
Liz Dill
Sherri Robinson
Catherine McGregor
David Coney

STAFF: Karen Hay – Staff Liaison
Kim Maddin – Recording Secretary

REGRETS: John Willow
Councillor Schinbein

1. CALL TO ORDER

Chair Gillis called the meeting to order at 7:01 p.m.

2. LATE ITEMS

There were none.

3. APPROVAL OF THE AGENDA

Moved by Liz Dill and seconded by Councillor David Hodgins that the agenda of the Heritage Advisory Committee meeting of October 17, 2012 be approved as presented. The motion **CARRIED**.

4. MINUTES

Moved by Vice Chair Purewall and seconded by David Coney that the minutes of the Heritage Advisory Committee meeting of September 19, 2012 be approved as presented. The motion **CARRIED**.

5. REPORT FROM THE CHAIR

Chair Gillis reported that she met with the Mayor to discuss members' concerns with clarifying the Committee's terms of reference (ToR) and related policy, procedure, protocol, and roles.

The Mayor requested that the Chair bring questions about the Committee's terms of reference to the Oct 22 Committee of the Whole meeting.



Members brought up the following points of concern:

- A need to clarify the protocol regarding Committee communications
- A need for more clarity on how the Committee can advise around DND
- The lack of information made available around the decision to remove an item from the agenda
- Maintaining the ability of the Committee to speak about heritage issues that have meaning to the community
- A need to explore whether there is a discrepancy between the ToR and heritage context plan; if so, recommend that changes be made and incorporated into the ToR
- Concern that tightening up the ToR will remove the ability to have discussions with others

It was noted that it appears protocol indicates Mayor and Council are to approach/be approached by outside bodies (outside of Township's jurisdiction) prior to the Committee's involvement. Also noted was that the Mayor and the new base commander have yet to meet one another.

Moved by Liz Dill and seconded by Vice Chair Purewall that Chair Gillis, on behalf of the Heritage Advisory Committee, make a presentation to Council at the October 22 Committee of the Whole meeting that includes the following points:

- The importance of heritage and its scope in the Esquimalt township, including those lands within its physical/geographic boundaries and DND lands
- That the Committee sees its role as one that concerns itself with and advocates on behalf of heritage, consistent with its formal mandate
- The continued willingness of the Committee to recommend and advise Council on matters in regards to the Heritage Policy, Community Plan, and Heritage Context Plan
- A need for a more explicit process by which to notify the Committee when matters of concern regarding the Committee's work are in question

The motion **CARRIED**.

Chair Gillis noted that it is within the Committee's mandate to make recommendations on plaques (topic and inscription). The Committee is not involved with the logistics of installing a plaque including location, monument, size, or material. The aforementioned is the responsibility of the Parks and Recreation department.

6. OLD BUSINESS

(1) Lampson St. Memorial Trees

It was reported that Parks and Recreation have not yet added the Lampson St. memorial trees to the heritage tree register. Karen Hay, Staff Liaison, noted it is on a Parks and Recreation to-do list, yet there are other priorities to manage; in addition, it has been indicated that the tree protection bylaw requires some other revisions.

The recent change of tenancy has again created some uncertainty over who is responsible for the trees. The school district owns the lands, however, they have stated the tenants are responsible for the property.

Members wished to outline the next steps in the plaque installation process.

Moved by Liz Dill and seconded by Sherri Robinson that the Committee recommend that Council direct staff to follow up with the School Board and begin the necessary steps to facilitate the completion of the Lampson St. Memorial tree plaque installation, understanding that the Heritage Advisory Committee will take responsibility for securing the required funds.

The motion **CARRIED**.

(2) Macaulay Point, Work Point Inventory, and 316 Anson Crescent

Item deferred to the November meeting.

(3) Presentations – Proposed Plaques in Memorial Park

Item deferred to the November meeting.

7. **NEW BUSINESS**

(1) Heritage Week 2013 – Good Neighbours – Heritage Homes and Neighbourhoods

Karen Hay, Staff Liaison, reported that the 2013 theme is "Good Neighbors – Heritage Homes and Neighbourhoods". She suggested the Committee begin thinking of ways to celebrate this theme and suggested a possible display and/or walking tour of a neighbourhood.

Members suggested the Committee could make use of:

- A picture project of early residents of Old Esquimalt Road (in Archives)
- the SOS on Old Esquimalt Road

Action: Committee members are to bring ideas for Heritage Week to the next meeting.

(2) 1388 Esquimalt Road – Maintenance of Heritage Properties

This property, known as "Devonshire Cottage", is heritage designated but is falling into disrepair.

There was discussion on whether the Township has the ability or right to ensure that maintenance occurs on designated houses.

Karen Hay noted that the Township has a Maintenance of Property bylaw which deals with health and safety issues. The Local Government Act allows for a bylaw to be written that would require minimum maintenance standards for designated properties but the Township does not have such a bylaw at this time. She will look into the possibility of developing such a bylaw in the near future.

Moved by David Coney and seconded by Liz Dill that the Heritage Advisory Committee recommend that Mayor and Council write a letter to the owners of 1388 Esquimalt Road indicating their concern with the state of the house as it is a designated property. The motion **CARRIED**.

8. **WORK PLAN ITEMS**

- (1) Heritage Register
 - (a) Creation of Statements of Significance
 - i. 1211 Old Esquimalt Road

Moved by Liz Dill and seconded by Sherri Robinson that the Heritage Advisory Committee approve the Statement of Significance for 1211 Old Esquimalt Road and recommend that Council add the property to the Esquimalt Heritage Register.
The motion **CARRIED**.

Action: Karen Hay, Staff Liaison, will confirm that the stables are indeed part of the same property and not situated on the subdivided property.

- ii. 507 Head Street

Moved by Liz Dill and seconded by David Coney that the Heritage Advisory Committee approve the Statement of Significance for 507 Head Street and recommend that Council add the property to the Esquimalt Heritage Register.
The motion **CARRIED**.

- iii. 948 Old Esquimalt Road

Moved by David Coney and seconded by Liz Dill that the Heritage Advisory Committee approve the Statement of Significance for 948 Old Esquimalt Road and recommend that Council add the property to the Esquimalt Heritage Register.
The motion **CARRIED**.

It was noted that it was unclear whether the property owners have been notified that their properties were being considered for the Esquimalt Heritage Register.

Action: Karen Hay, Staff Liaison, will confirm with Helen Edwards, consultant, whether the letters have been written.

- iv. 1376 Esquimalt Road, 1382 Esquimalt Road, 539 Lampson Street, and 820 Dunsmuir Road

The SOS's for 539 Lampson and 820 Dunsmuir Road require formatting; they will be presented at the next meeting for approval.

1376 Esquimalt Road and 1382 Esquimalt Road are being worked on for content.

- (2) Heritage Foundation Development

Karen Hay, Staff Liaison, noted that she intends to meet with senior staff regarding how to move the foundation forward. Once this discussion has taken place, staff will contact David Sudbury.

- (3) 2012 Centennial Celebration
 - (a) "Best of 100"

Action: The subcommittee will set up a meeting to make the selection of 100 houses

from the approximately 150 in the pool, and bring the list to the next Committee meeting for approval.

- (4) Maintaining Public Awareness
 - (a) *Esquimalt Current*

No update.

- (b) Website Update

Karen Hay, Staff Liaison, reported that the Township now has a mobile site. The mobile site only contains information that is most frequently accessed by mobile phone users, therefore the heritage information that is displayed is minimal.

The website update is still scheduled to begin this fall and will include enhancement of the heritage section with more pictures and will emphasize the work of the HAC including links to the Heritage Context Plan, Heritage Policy, Heritage Register, and designated properties.

- (c) Heritage Poster

Ritchie Morrison, Communications Coordinator, has been working with David Sudbury on the poster, which should be ready by the end of October. The QR codes will link to the website so that people can access the information embedded in the map; there is also a phone option if you are not able to scan codes with your phone.

Members suggested the following possible venues for debuting the poster: at the Memorial Walkway opening; in the next "Esquimalt feature" in the paper; display at the Recreation Centre; or display during Heritage Week 2013.

- (5) Memorial Plaques
 - (a) Clarify protocol and past practices

Memorial plaques will be looked at along with the ToR clarification.

- (b) Identify function and mandate of Memorial Park

Parks is still defining usage of the two parks at Memorial Park (i.e. establishing a policy/rules around usage).

- (6) HAC's Terms of Reference clarification – policy, procedures, protocols, and roles

Discussed in 5. REPORT FROM THE CHAIR.

9. REPORT FROM STAFF LIAISON

Karen Hay reported that the Old Esquimalt Road Statement of Significance was presented to Council on Monday, October 15; however, Council deferred consideration until public input is sought.

It was reported that some residents of Old Esquimalt had concerns about how the SOS

could affect them, e. g., would the value of their house change and result in higher property taxes? Staff will be holding an open house for the community to voice any concerns.

10. **COMMUNICATIONS**

(1) Heritage BC, *Quarterly*, Summer 2012

11. **COMMITTEE MEMBER ANNOUNCEMENTS/REPORTS**

The Veteran's Cemetery tour is November 11 at 2 pm.

12. **NEXT MEETING**

The next meeting of the Heritage Advisory Committee will take place on November 21, 2012.

13. **ADJOURNMENT**

The meeting adjourned at 8:54 p.m.

Heather Gillis, Chair

This 21th day of November, 2012



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

MEMORANDUM

DATE: November 1, 2012
TO: Mayor and Council
FROM: Heather Gillis, Chair
Heritage Advisory Committee
SUBJECT: **Lampson Street Memorial Trees Plaque Installation**

At the October 17, 2012 meeting of the Heritage Advisory Committee the following motion was passed:

That the Heritage Advisory Committee recommends that Council direct staff to follow up with the School Board and begin the necessary steps to facilitate the completion of the Lampson St. Memorial tree plaque installation, understanding that the Heritage Advisory Committee will take responsibility for securing the required funds.

Background:

At the October 26, 2011 meeting of the Heritage Advisory Committee, the Committee discussed the heritage significance of the Elm trees at Lampson Street School. The trees were planted in 1917 in memorial to First World War veterans who had been students of the school. The Committee began a dialogue with the School Board about installing a marker to indicate the memorial nature of the trees.

At the June 18, 2012 meeting, Council directed Parks and Recreation staff to place the Lampson Street School memorial trees on the Heritage Tree List.

Recommendation:

That Council direct staff to initiate the steps for the plaque installation process.

Respectfully submitted,

Heather Gillis, Chair
Heritage Advisory Committee



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

MEMORANDUM

DATE: November 1, 2012
TO: Mayor and Council
FROM: Heather Gillis, Chair
Heritage Advisory Committee
SUBJECT: 1388 Esquimalt Road

At the October 17, 2012 meeting of the Heritage Advisory Committee the following motion was passed:

That the Heritage Advisory Committee recommends that Mayor and Council write a letter to the owners of 1388 Esquimalt Road indicating their concern with the state of disrepair of the house as it is a designated property.

Background:

The property at 1388 Esquimalt Road, known as "Devonshire Cottage", was heritage designated by Council on March 13, 2000, but is now falling into disrepair.

The Local Government Act allows for a bylaw to be written that requires minimum maintenance standards for designated properties; however, the Township does not have such a bylaw at this time.

Recommendation:

In the absence of enforceable regulations regarding heritage properties, the Committee is recommending a letter from Mayor and Council that encourages the owners to maintain their home.

Respectfully submitted,

Heather Gillis, Chair
Heritage Advisory Committee



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MINUTES

ARTS, CULTURE AND SPECIAL EVENTS ADVISORY COMMITTEE

Wednesday, November 7, 2012

7:00 p.m.

Wurtele Room, Municipal Hall

PRESENT: Bill Percival, Chair
Councillor Lynda Hundleby
Sandi Best
Moiria Tait
Meagan Duncan

STAFF: Karen Hay – Planning Technician (Staff Liaison)
Deborah Liske – Recording Secretary

REGRETS: Annie Do, Vice Chair
Councillor Dave Hodgins

1. CALL TO ORDER

Chair Percival called the meeting to order at 7:00 p.m.

2. LATE ITEMS

There were no late items.

3. APPROVAL OF THE AGENDA

Moved by Meagan Duncan, seconded by Councillor Hundleby that the agenda of the Arts, Culture and Special Events Advisory Committee meeting of November 7, 2012 be approved as presented. The motion **CARRIED**.

4. MINUTES

Moved by Councillor Hundleby, seconded by Moira Tait that the minutes of the Arts, Culture and Special Events Advisory Committee meeting of October 10, 2012 be approved as presented. The motion **CARRIED**.

5. OLD BUSINESS

(1) Advisory Committee Feedback for October 22, 2012 meeting of Committee of the Whole

Chair Percival provided the committee with a review of the Committee of the Whole meeting of October 22, 2012. Key points included:

- Suggested restructuring of Committee – one group to focus on Special Events and one to focus on Arts and Culture
- Burn out of members organizing events – suggested the committee seed events, then hand off to other organizations / groups to organize, coordinate and host
- Need more volunteers to assist in making special events successful
- Create a Volunteer Esquimalt database of volunteers and resources, including local service clubs
- Include an art presence on the municipal website
- Continue to cultivate established relationships with artists in the community as well as share resources and develop relationships with other artists and cultural organizations in the region

- Continue to explore grant and funding opportunities
- Review public art policy and public art spaces in Esquimalt

Chair Percival reported on a follow-up meeting with Mayor Desjardins where discussion took place regarding possible revisions to the Committee Terms of Reference.

- (2) Year End Report
(a) Ideas for 2013

Committee members reviewed the draft year-end report prepared by Chair Percival and provided feedback and revisions.

Moved by Moira Tait, seconded by Sandi Best that the revised draft year-end report be adopted and presented to Council.
The motion **CARRIED**.

- (3) Old Posters as Graffiti and Third Party Contractors

Committee members discussed the placement of posters on utility poles and storefronts and the unpleasant appearance they create. Committee members also discussed including provisions in municipal third party contracts that bans the placement of poster advertising on utility poles in the municipality.

Moved by Sandi Best, seconded by Moira Tait that the Arts, Culture and Special Events Advisory Committee respectfully requests that Council consider adopting a policy that all third-party entertainment contracts include the following provisions:

1. That posters are not to be placed on telephone poles and vacant storefronts; and
2. That third party contractors will be responsible for removing all posters after the completion of an event.

The motion **CARRIED**.

6. NEW BUSINESS

- (1) "Volunteer Esquimalt" – Centennial Volunteers

Moira Tait provided the committee with information about a new Greater Victoria United Way initiative – the Neighbourhood Investment Initiative. This initiative will include a \$300,000 investment over 3 years and must tie into one of the United Ways three impact areas – kids, poverty or community. The United Way has selected Esquimalt as a community to participate in the initiative. A public meeting will take place on November 28th to gather ideas and suggestions for programs.

Committee members discussed the initiative. Karen Hay, Staff Liaison will research additional information and Chair Percival will contact Lilaine Galway of the United Way to enquire whether the funding would be available to assist in developing the Volunteer Esquimalt concept.

It was reported that Chair Percival and Moira Tait met with Janet Johnstone, Volunteer Coordinator of the Centennial Celebrations Select Committee to discuss the successful coordination of volunteers for the centennial. It was noted there were over 400 volunteers for the centennial and it would be very beneficial for Esquimalt to maintain and update a listing or database of this pool of volunteers.

Karen Hay, Staff Liaison reported that Parks and Recreation staff indicated they are looking to improve "Esquimalt Volunteer Services". They are exploring options for providing an area on the municipal website for people who are interested in volunteering. Volunteers would be able to provide their information and interests in a secure database.

(2) Request for Funding To Sponsor Face Painter for National Children's Day Celebration

Committee members discussed the request to sponsor a face painter for National Children's Day. Discussion took place regarding the committee providing sponsorship / funding to events not coordinated by the committee. Clarification is needed whether the committee should be engaging in this practice. The practice of providing funding / sponsorship without specific parameters creates a potential unfair playing field for other organizations who would also like funding.

Committee members agreed to provide funding for 2012 but would like to see additional discussion on how requests are dealt with in the future. Discussion took place regarding the amount the sponsorship should be for 2012. The request was for a \$200.00 contribution an increase of \$50 from 2011.

Moved by Councillor Hundleby, seconded by Sandi Best that the committee match the 2011 donation of \$150.00 from the Arts, Culture and Special Events Advisory Committee budget to sponsor a face painter for the 2012 National Children's Day event scheduled to take place in the Esquimalt Recreation Centre on November 17, 2012.
The motion **CARRIED** with Meagan Duncan opposed.

7. WORK PLAN ITEMS / REPORTS FROM SUB-COMMITTEES

(1) Esquimalt Arts Festival

Chair Percival reported he has completed a letter of appreciation for Pamela Martin.

(2) Centennial Seniors Spring Tea and Concert 2013

Moira Tait reported April 20th has been reserved for the 2013 tea at the Recreation Centre. Volunteers are needed to assist with hosting the event. It was suggested a sub-committee, with external volunteers be formed to organize the event.

(3) 2012 Work Plan Discussion
(a) Expenses

The 2012 work plan items were discussed during the review of the year-end report. It was noted that any outstanding expenses from the Art in the Park event will need to be processed before the end of the year.

8. REPORT FROM STAFF LIAISON

Karen Hay, Staff Liaison provided the committee with a report on the Creative Cities Summit. Key note speaker, Mathew Richter spoke about Storefronts Seattle – a non-profit staging service for commercial properties that puts art and artists into empty storefronts.

Committee members discussed the concept. Additional information can be found at www.storefrontseattle.wordpress.com.

Moved by Moira Tait, seconded by Councillor Hundleby that this item be included in the 2013 committee work plan.
The motion **CARRIED**.

Ms. Hay distributed information about the upcoming graffiti symposium on November 21st. The symposium will provide the opportunity to re-connect and re-affirm the importance of continued eradication, education and enforcement of graffiti crime in the community.

9. COMMITTEE MEMBER ANNOUNCEMENTS / REPORTS

Sandi Best reported she will be participating in Skate with Santa and holiday celebrations at CFB Esquimalt.

Councillor Hundleby noted she is the Esquimalt Council Representative on the Capital Regional District Arts Committee and communication, collaboration and sharing needs to happen between the regions arts organizations. Councillor Hundleby also provided an overview of the CRD Arts funding programs.

10. NEXT MEETING

Committee members will be advised of the first meeting date in January 2013.

11. ADJOURNMENT

The meeting adjourned at 9:12 p.m.

<hr/> _____ , Chair This day of ,	Certified Correct: <hr/> Anja Nurvo, Corporate Officer
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CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

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

MEMORANDUM

DATE: November 13, 2012
TO: Mayor and Council
FROM: Bill Percival, Chair, Arts, Culture and Special Events Advisory Committee
SUBJECT: **ARTS, CULTURE AND SPECIAL EVENTS ADVISORY COMMITTEE
ACTIVITIES AND ACCOMPLISHMENTS IN 2012**

The Terms of Reference for the Arts, Culture and Special Events Advisory Committee states that "the Committee will submit to Council a final report at the end of each year describing its activities and accomplishments of the previous year". This report sets out the Committee's activities and accomplishments from January to November 2012.

It has certainly been a banner year for the Esquimalt Arts, Culture and Special Events Advisory Committee. This is a dynamic group of people that is setting a standard for other committees to model themselves after. The committee has embraced the vision of supporting and promoting the arts in Esquimalt, to provide direction for Council around the goals and objectives laid out in Council's strategic plan.

The Esquimalt Arts, Culture and Special Events Advisory Committee promoted and provided resources for two events throughout the year and actively supported National Children's Day.

The 3rd Annual Senior's Spring Tea and Concert was again a success and enjoyed by all in attendance. In celebration of Esquimalt's Centennial, the committee changed the focus of the annual Fall Harvest of the Arts and hosted an Art's Festival on the grounds of the English Inn and Resort. This event was very well attended and both artist and attendees would like to see it become an annual event.

To compliment Council's focus on fiscal responsibility the Esquimalt Arts, Culture and Special Events Advisory Committee did quite well managing costs for the events that were carried out. We are always looking for new ways to respond to the changing dynamic of the funding pools. We look forward to continuing to work with Council and our city staff representatives to provide us with direction.

Our budget for the year was \$5800; \$2800 of which was carried over from remaining 2011 budget funds for the 2012 Arts Festival. Expenses for the year totaled \$3597.75. The committee was successful in obtaining Community Events Funding from the Parks and Recreation Department in the amount of \$1250.00. This funding was sought to assist in offsetting costs associated with hosting the Senior's Tea and the Arts Festival. Due to projected expenses coming in under budget, the committee was able to return the Community Events Funding to the Parks and Recreation Department.

The committee would like to thank the Parks and Recreation Department for the opportunity to apply for and be successful in obtaining the funding for the committees community events.

Arts, Culture and Special Events Advisory Committee Expenses for 2012

	Credit	Debit
Carried forward from 2011 budget (for 2012 Art Festival)	2800.00	
Council dedicated in 2012 budget	3000.00	
Senior's Tea and Concert		1365.31
Arts Festival		2232.44
National Children's Day – Face Painter Sponsorship		150.00
Total	\$5800.00	\$3747.75

** The rental fee in the amount of \$560.00 for the English Inn and Resort for the Arts Festival was paid for in 2011 (from the 2011 budget).

Communication and exposure is paramount to our success. The committee members and advisory staff have been outstanding this year equating to exceptional events and exposure for Arts and Culture in Esquimalt. There are always opportunities to improve, so we must further open lines of communication to make this committee the best resource that it can be within the community.

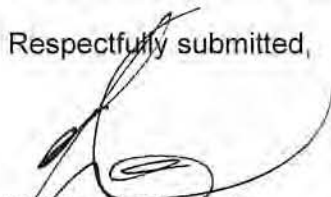
Committee Work Plan for 2012:

- Senior's Tea and Concert
- Esquimalt Arts Festival
- Public Art review and Art in Public Spaces (new media, flyers)
- Volunteer Esquimalt – capturing the resource of volunteers in Esquimalt
- Resource and promotion of Arts and Cultural groups within Esquimalt, website
- Benchmarking with other groups in Province
- Meeting Councils strategic plan around arts and culture

Over the past year, our committee members, staff and volunteers have contributed countless hours of their time and expertise. On behalf of the Committee, I thank Pamela, Moira, Sandi, Meagan, Annie, Council members Lynda and Dave, and Staff members Karen and Deborah. Thanks to the committee members that remain and I look forward to welcoming the strengths that the new members bring to our team.

Maintaining a strong position in the community will be a challenge but a challenge that I am sure that our committee will embrace. The committee will continue to do the best that it can, ensuring that we can continue giving back to our community, advising Council and promoting arts and culture in Esquimalt.

Respectfully submitted,



Bill Percival, Chair
Arts, Culture and Special Events Advisory Committee

BP/dl



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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MEMORANDUM

DATE: November 13, 2012
TO: Mayor and Council
FROM: Bill Percival, Chair, Arts, Culture and Special Events Advisory Committee
SUBJECT: POSTER ADVERTISING ON UTILITY POLES AND VACANT STOREFRONTS

At the October 10, 2012 and the November 7, 2012 meeting of the Arts, Culture and Special Events Advisory Committee, the committee discussed the placement of posters, that advertise events, on utility poles and vacant storefronts, and the unpleasant appearance they create.

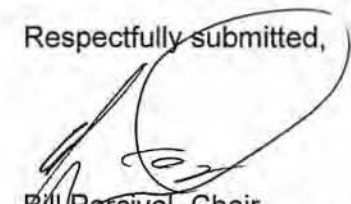
The committee discussed including provisions in municipal third party contracts that would ban the placement of poster advertising on utility poles and vacant storefronts in the municipality and that if posters were placed on utility poles or vacant storefronts, the third party contractor would be responsible for their removal at their expense.

At the conclusion of the discussion the following motion was passed:

That the Arts, Culture and Special Events Advisory Committee respectfully requests that Council consider adopting a policy that all third-party entertainment contracts include the following provisions:

1. That posters are not to be placed on telephone poles and vacant storefronts;
and
2. That third party contractors will be responsible for removing all posters after the completion of an event.

Respectfully submitted,



Bill Percival, Chair
Arts, Culture and Special Events Advisory Committee

BP/dl



GREATER VICTORIA PUBLIC LIBRARY

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October 31, 2012

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

CORPORATION OF THE TOWNSHIP OF ESQUIMALT		
For Information:		
<input type="checkbox"/> CAO	<input checked="" type="checkbox"/>	<input type="checkbox"/> Mayor/Council
<input type="checkbox"/>	Jan	
RECEIVED: OCT 31 2012		
Referred:		
<input type="checkbox"/> For Action	<input checked="" type="checkbox"/> For Response	<input type="checkbox"/> COTW
<input type="checkbox"/> For Report	<input checked="" type="checkbox"/> Council Agenda	<input type="checkbox"/> IC

Dear Mayor Desjardins and Council:

Re: 2013 Budget and Five Year Financial Plan – PROVISIONAL

On behalf of the Greater Victoria Public Library Board, I respectfully submit our Provisional 2013 Operating Budget and Five Year Financial Plan for 2013-2017 for receipt by Council.

We will submit a final budget by March 1st, 2013 and will seek Council approval by resolution by May 1st, 2013. I would ask that any concerns, issues and recommended amendments be submitted by December 15, 2012 to allow time for Board consideration and responses to any questions.

We are proposing a budget increase for 2013 of 2.80% (below the 2.88% increase forecast in last year's 5-year financial plan), and a municipal contribution increase of 3.68%. We continue to develop community partnerships and use new technologies to minimize costs wherever possible while maintaining high quality, innovative library services. We have managed to contain costs despite fluctuating revenue streams, aging facilities, fixed cost increases and other budget drivers, including the CUPE collective agreement wage increase of 2%.

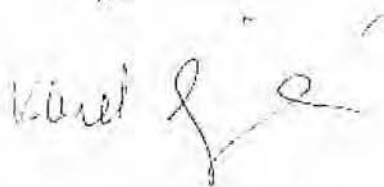
As Victoria Foundation's 2012 Vital Signs report outlined, public library use is one of the success stories of our community. Demand for library services continues to grow, surpassing our record-breaking 2011 numbers, and community needs are expanding. Use per capita is still among the highest in Canada and usage of resources and library visits, both in person and online, is also climbing.

Public libraries build our community's capacity for economic activity and resiliency, addressing such pressing issues as literacy, workforce training, small business vitality and community quality of life. Through the resourcefulness of dedicated and knowledgeable staff, GVPL is committed to exploring new technologies to devise creative ways to deliver service to meet increasing demand and changing user needs.

We are keenly aware of the challenging economic situation that municipal councils are facing. The Library Board is committed to developing alternative sources of revenue, and to that end our development and fundraising plan is now underway. We have already established a special fund for capital improvement projects with recent donations, and we will work to enlarge this fund to ensure we can meet pressing community needs.

We would like to thank you for your ongoing collaboration and support of our services. We look forward to receiving your comments and feedback.

Sincerely,



Karel Roessingh
Chair, Greater Victoria Public Library Board

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

CENTRAL LIBRARY 735 Broughton Street, Victoria, BC V8W 3H2 •
250-382-7241 Fax 250-382-7125

BRUCE HUTCHISON BRANCH • CENTRAL SAANICH BRANCH • EMILY CARR BRANCH • ESQUIMALT BRANCH • GOUDY BRANCH • JUAN DE FUCA BRANCH • NELLIE MCCLUNG BRANCH • OAK BAY
BRANCH • SAANICH CENTENNIAL BRANCH ADMINISTRATION OFFICE 735 Broughton Street, Victoria, BC V8W 3H2 • 250-384-5222 Fax 250-385-5971

GREATER VICTORIA PUBLIC LIBRARY
2013 Provisional Operating Budget

Approved by Library Board Oct. 30, 2012

	2012 Approved Budget	2013 Provisional Budget	Increase (Decrease)		
Expenditures					
Salaries and benefits	11,375,051	11,664,093	289,042	2.54%	CUPE increase +\$186; regular position vacancies -\$113k; re-establish auxiliary pool +\$110k; benefit increases as a result +\$39k; benefit rate increases +\$67k
Amortization expense ¹	-	1,970,000	1,970,000	n/a	Convert budget and 5-Year Financial Plan format to reflect Public Sector Accounting Board (PSAB) policy on capital assets
Library materials	694,000	720,000	26,000	3.75%	Periodicals and eResources (portion of total materials budget not capitalized)
Supplies and services	811,135	803,978	(7,157)	-0.88%	ITS decreases to absorb loss of federal CAP grant -\$22k; decreases in Telecom, supplies, advertising -\$19k; increases in subscriptions, software maintenance, audit and bank charges, program expenses, and HR consulting +\$34k
Building occupancy expenses	706,132	749,449	43,317	6.13%	Increases in janitorial and security contracts, general repairs & maintenance +\$6k; increase Central Branch MAM ² contribution to Strata net of cost recovery from Victoria/View Royal +\$31k; establish MAM contribution to West Shore Parks & Recreation Society for Juan de Fuca Branch net of recovery from building owners for branch portion +\$16k (Tech Services portion); hydro/water increases +\$4k; decrease one-time Central Branch lighting retrofit in 2011 -\$14k
Other expenses	297,733	329,562	31,829	10.69%	Increase insurance and memberships +\$16k; increase training +\$14k, increase equipment lease cost +2k
Total Expenditures	13,884,051	16,237,082	2,353,031	16.95%	Increase not including Amortization Expense (new) = 2.8%

Revenues					
Municipal contributions	(13,968,758)	(14,483,496)	514,738	3.68%	
Provincial grants	(646,164)	(644,066)	(2,098)	-0.32%	Slight decrease in Resource Sharing Grant
Federal grants	(26,581)	(4,333)	(22,248)	-83.70%	Loss of CAP grant
Other grants	(44,065)	(10,000)	(34,065)	-77.31%	Anticipated grants not confirmed/included in budget -\$25k; change in revenue recognition for Endowment grant -\$9k
Fines and fees	(781,700)	(768,400)	(13,300)	-1.70%	Trend downwards in fines and fees, net of increase in meeting room rentals
Contracts for service	(25,440)	(25,970)	530	2.08%	Slight increase in per capita rate charged to CRD Langford Electoral Area: Malahat/Willis Point services
Investment Income	(50,000)	(40,000)	(10,000)	-20.00%	Reduce MFA bond fund earnings for expected increase in interest rates
Donations	(27,500)	(30,000)	2,500	9.09%	Increase in Friends commitment for Summer Reading Club
Total Revenues	(15,570,208)	(16,006,265)	436,057	2.80%	
Budgeted Surplus (Deficit) - PSAB³	1,686,157	(230,817)			

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GREATER VICTORIA PUBLIC LIBRARY
2013 Provisional Operating Budget

Approved by Library Board Oct. 30, 2012

	2012 Approved Budget	2013 Provisional Budget	Increase (Decrease)		
Allocations					New items to shift to PSAB method
Add: Amortization expense	-	1,970,000	(1,970,000)	n/a	Adds back amortization expense included above (non-cash item)
Transfers from Replacement Reserve	78,000	78,000	-	0.00%	Shows transfer separate from Revenues
Less: Capital asset additions ⁴	(1,590,135)	(1,661,043)	70,908	-4.46%	Note 4 below
Capital lease principal payments	(79,022)	(61,140)	(17,882)	22.63%	Maturing leases
Transfer to Replacement Reserve	(75,000)	(75,000)	-	0.00%	Shows transfer separate from Expenditures
Transfer to Contingency Reserve	(20,000)	(20,000)	-	0.00%	Shows transfer separate from Expenditures
Budgeted Surplus (Deficit)	-	-	-	0.00%	

¹ Amortization is a new budget item in 2013 to comply with PSAB requirements for tangible capital assets

² MAM - Major Asset Maintenance for building

³ PSAB - Public Sector Accounting Board standards

⁴ Capital asset additions:

Library collection materials	1,337,635	1,423,543	85,908	6.42%
Computer equipment	115,000	100,000	(15,000)	-13.04%
Building improvements	78,000	78,000	-	0.00%
Furniture, equipment, shelving	59,500	59,500	-	0.00%
	<u>1,590,135</u>	<u>1,661,043</u>	<u>70,908</u>	<u>4.46%</u>

**GREATER VICTORIA PUBLIC LIBRARY
2013 - 2017 FINANCIAL PLAN (Provisional)**

	2013	2014	2015	2016	2017
Expenditures					
Salaries and benefits	11,664,093	12,053,662	12,294,735	12,540,630	12,791,442
Amortization expense	1,970,000	2,068,500	2,171,925	2,280,521	2,394,547
Library materials (non-capital)	720,000	756,000	793,800	833,490	875,165
Supplies and services	803,978	812,018	820,138	828,339	836,623
Building occupancy expenses	749,449	760,691	772,101	783,683	795,438
Other expenses	329,562	334,505	339,523	344,616	349,785
Total Expenditures	16,237,082	16,785,376	17,192,222	17,611,279	18,043,000
Revenues					
Municipal contributions	(14,483,496)	(15,010,131)	(15,407,266)	(15,781,386)	(16,165,168)
Provincial grants	(644,066)	(644,066)	(644,066)	(644,066)	(644,066)
Federal grants	(4,333)	(4,333)	(4,333)	(4,333)	(4,333)
Other grants	(10,000)	(10,000)	(10,000)	(10,000)	(10,000)
Fines and fees	(768,400)	(783,768)	(799,443)	(815,432)	(831,741)
Contracts for service	(25,970)	(25,970)	(25,970)	(25,970)	(25,970)
Investment Income	(40,000)	(40,000)	(40,000)	(40,000)	(40,000)
Donations	(30,000)	(30,000)	(30,000)	(30,000)	(30,000)
Total Revenues	(16,006,265)	(16,548,268)	(16,961,078)	(17,351,187)	(17,751,278)
Budgeted Surplus (Deficit) - PSAB ¹	(230,817)	(237,108)	(231,144)	(260,092)	(291,722)
Allocations					
Add: Amortization expense	1,970,000	2,068,500	2,171,925	2,280,521	2,394,547
Transfers from Replacement Reserve	78,000	110,000	110,000	110,000	110,000
Less: Capital asset additions ²	(1,661,043)	(1,764,220)	(1,838,956)	(1,917,429)	(1,999,825)
Capital lease principal payments	(61,140)	(67,172)	(81,825)	(83,000)	(83,000)
Transfer to Replacement Reserve	(75,000)	(90,000)	(110,000)	(110,000)	(110,000)
Transfer to Contingency Reserve	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)
Budgeted Surplus (Deficit)	-	-	-	-	-
Municipal Contribution increase \$	514,738	526,635	397,135	374,120	383,782
Municipal Contribution increase %	3.68%	3.64%	2.65%	2.43%	2.43%

¹ Public Sector Accounting Board policy

² Capital asset additions:

Library collection materials	1,423,543	1,494,720	1,569,456	1,647,929	1,730,325
Computer equipment	100,000	100,000	100,000	100,000	100,000
Building improvements	78,000	110,000	110,000	110,000	110,000
Furniture, equipment, shelving	59,500	59,500	59,500	59,500	59,500
	1,661,043	1,764,220	1,838,956	1,917,429	1,999,825

GREATER VICTORIA PUBLIC LIBRARY
2013 - 2017 FINANCIAL PLAN (Provisional)
NOTES

1. The increase in the Municipal Contributions in 2013 consists of:

CUPE settlement increase of 2%	1.33%	\$186,000
Staff benefit rate increases	0.74%	103,042
Library materials collection enhancement for high demand items: ebooks and reduction of holds per copy threshold	0.80%	111,908
Revenue decrease	0.56%	78,681
Building occupancy increases	0.31%	43,317
Insurance, memberships, training, equipment lease increases	0.10%	13,947
Supplies, services and computer equipment reduction	-0.16%	-22,157
	3.68%	\$514,738

2. During September and October 2012, the GVPL CEO and management staff were in the midst of a consultation process with municipal staff to provide an update on the GVPL Facilities Plan received by Councils in 2010 and to discuss future direction. Consequently, this provisional Five-Year Financial Plan does not include any costs for planned or potential branch expansions, relocations or renovations. Once the consultation process is completed and priorities established for the library system as a whole, associated costs will be included in the 2013-2017 Financial Plan (Final).

3. Five-Year Financial Plan Assumptions

	2013	2014	2015	2016	2017
Consumer Price Index	2.1%	2.1%	2.1%	2.1%	2.1%
Budgeted Increases (Decreases):					
Federal grant funding (a)	-83.7%	0.0%	0.0%	0.0%	0.0%
Provincial grant funding	0.0%	0.0%	0.0%	0.0%	0.0%
Investment income (b)	-20.0%	0.0%	0.0%	0.0%	0.0%
User Fee revenue	2.0%	2.0%	2.0%	2.0%	2.0%
Salaries and wages	2.0%	2.0%	2.0%	2.0%	2.0%
Supplies and services	-0.9%	1.0%	1.0%	1.0%	1.0%
Building occupancy costs (c)	6.1%	1.5%	1.5%	1.5%	1.5%
Library materials collection	5.5%	5.0%	5.0%	5.0%	5.0%
Other expenses (d)	10.7%	1.5%	1.5%	1.5%	1.5%
Replacement reserve contribution (e)	0.0%	20.0%	22.2%	0.0%	0.0%
Contingency reserve contribution	0.0%	0.0%	0.0%	0.0%	0.0%
Furniture, equipment & shelving	0.0%	0.0%	0.0%	0.0%	0.0%
Computer equipment	-13.0%	0.0%	0.0%	0.0%	0.0%

(a) Loss of federal CAP grant

(b) Adjust earnings from MFA bond fund for potential interest rate increase

(c) 2013 adjustment to increase reserve contributions for major assets maintenance at Central and Juan de Fuca Branches

(d) 2013 adjustment for insurance and membership rate increases; increase training costs

(e) To fund continuous adjustments to branches to better meet changing community needs for quiet zones, group study areas and flexible program space and to build up reserves for deferred maintenance and fixture replacements

GREATER VICTORIA PUBLIC LIBRARY - 2013 MUNICIPAL CONTRIBUTIONS (Provisional)

Municipal Contributions to Operating Budget							
	2012 Share	2012 Net Municipal Contribution	2013 Budget ¹	Rent Adjustment ²	2013 Net Municipal Contribution	Contribution Increase	
Central Saanich	5.31%	\$753,023	\$769,074	\$11,282	\$780,356	\$27,333	3.63%
Colwood	4.92%	695,601	712,588	8,338	720,926	25,325	3.64%
Esquimalt	5.57%	775,715	806,731	-2,345	804,386	28,671	3.70%
Highlands	0.74%	104,626	107,178	1,257	108,435	3,809	3.64%
Langford	9.38%	1,326,233	1,358,552	15,964	1,374,516	48,283	3.64%
Metchosin	1.69%	238,925	244,771	2,853	247,624	8,699	3.64%
Oak Bay	6.48%	902,349	938,531	-2,826	935,705	33,356	3.70%
Saanich	34.55%	4,782,191	5,004,049	-44,015	4,960,034	177,843	3.72%
Victoria	28.51%	3,985,930	4,129,246	3,437	4,132,683	146,753	3.68%
View Royal	2.85%	404,165	412,780	6,055	418,835	14,670	3.63%
Total Municipal Contributions	100%	\$13,968,758	\$14,483,496	\$0	\$14,483,496	\$514,740	3.68%

¹ Percentage allocations of 2013 Provisional Budget are in accordance with the 2012 Share percentages, based on 2011 population and assessments. This allocation is subject to change in the Final Budget submitted to municipalities by March 1, 2013, once 2012 population and assessment values are available in January 2013.

² Rent Adjustment is based on 2012 and is subject to change in January 2013. The rent is calculated in accordance with section 9.10 of the LOA (2009-2013).

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GREATER VICTORIA PUBLIC LIBRARY - 2013 MUNICIPAL CONTRIBUTIONS (Provisional)

	Additional Building Maintenance Costs ³		
	2012	2013	Explanation
Central Saanich			Costs included in municipal budget
Colwood	8,342	27,410	Juan de Fuca Branch - 29.41% share of insurance, maintenance and MAM ⁴
Esquimalt			Costs included in municipal budget
Highlands	1,254	4,119	Juan de Fuca Branch - 4.42% share of insurance, maintenance and MAM
Langford	15,903	52,257	Juan de Fuca Branch - 56.07% share of insurance, maintenance and MAM
Metchosin	2,865	9,413	Juan de Fuca Branch - 10.10% share of insurance, maintenance and MAM
Oak Bay			Costs included in municipal budget
Saanich			Costs included in municipal budget
Victoria	104,415	163,058	Central Branch - 67.29% of insurance, maintenance, MAM & contingency
View Royal	7,515	12,273	Central Branch - 4.83% of insurance, maintenance, MAM & contingency
Total Building Maintenance Costs	\$140,294	\$268,530	

³ Building Maintenance Costs are for library branches that are jointly-owned and contain system service areas (Central and Juan de Fuca Branches) and are over-and-above the municipal contributions to the library operating budget. These costs are normally found in municipal budgets as they relate to the municipalities' responsibility to "keep premises in good and substantial repair and condition". Due to the shared service aspect of these branches, building maintenance costs are paid for by the library, which in turn invoices the municipalities for their share. For all other branches, municipalities pay for building maintenance costs directly, outside of the library budget. The Central and Juan de Fuca branch costs for building maintenance have been provided by the building maintenance contractors, and are pursuant to the Library Operating Agreement 2009-2013, sections 9.6, 9.7 and 9.8 and the GVPL agreement with the West Shore Parks and Recreation Society 2011-2013, section 1.

⁴ MAM - Major Asset Maintenance reserve contribution

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MEMORANDUM

CORPORATION OF THE TOWNSHIP OF ESQUIMALT		
For Information:		
<input type="checkbox"/> CAO	<input type="checkbox"/> Mayor/Council	
<input type="checkbox"/>		
RECEIVED: NOV 06 2012		
Referred:		
<input type="checkbox"/> or Action	<input type="checkbox"/> For Response	<input type="checkbox"/> COTW
<input type="checkbox"/> or Report	<input checked="" type="checkbox"/> Council Agenda	<input type="checkbox"/> IC

TO: Mayors and Councils, Chairs and Boards
Chief Administrative Officers, Corporate Officers

FROM: President Joe Stanhope

DATE: November 1, 2012

**RE: RESOLUTIONS NOTICE/REQUEST FOR SUBMISSIONS
CALL FOR NOMINATIONS FOR AVICC EXECUTIVE**

Township of Esquimalt

Attached is the Resolutions Notice/Request for Submissions and the Call for Nominations for the AVICC Executive. Please note that this year's resolution and nomination deadline is **Monday, February 25, 2013**.

Both AVICC and UBCM members strongly believe in the value of resolutions debate. Both organizations continually seek ways to improve the process. AVICC strives to mirror and complement UBCM's processes in order to develop efficiency and ease of understanding for delegates. Twice each year, following both the AVICC AGM & Convention and the UBCM Convention, AVICC Executive reviews the resolutions process to see if there are any opportunities for improvement. This year, Executive wishes to bring three issues forward and two recommendations to its members.

Review of the 2012 Resolutions Process

This past year, AVICC had the dubious honour of having the second highest number of resolutions submitted to UBCM, but the lowest percentage considered by the Area Association in advance. AVICC members also submitted five of the 16 late resolutions to the UBCM Convention.

Debating of Resolutions by the Area Association in Advance of Submission to UBCM

Following is an excerpt from the UBCM Report of the 2012 Resolutions Committee that shows the statistics for the past 5 years resolutions presented in advance for all five area associations:

This year, 206 resolutions appear in the Resolutions Book; 203 of those submitted by UBCM members. However, only 54% of those resolutions were first debated at Association conferences. In total, 109 resolutions were endorsed by Area Associations for consideration at the UBCM Convention.

AREA ASSOCIATION CONSIDERATION LOWER

Areas	2012			2011	2010	2009	2008
	Resolutions from area	Presented to AA					
			%	% Presented to Area Association Convention			
AVICC	51	20	39%	54%	34%	52%	58%
LMLGA	48	29	60%	34%	55%	76%	76%
AKBLG	14	9	64%	82%	70%	88%	81%
SILGA	36	19	53%	71%	82%	71%	38%
NCLGA	54	32	59%	67%	80%	79%	69%
Overall	203	109	54%	61%	61%	65%	65%

According to the UBCM Resolutions Committee Procedures, members are urged to submit resolutions first to Area Associations for consideration. A resolution should be submitted directly to UBCM only if the resolution addresses an issue that arises after the Area Association annual meeting. Endorsement by the Area Association offers sponsors the benefit of having greater support than one that is sent directly with only the support of an individual Council or Board.

Number of Resolutions

In terms of numbers of resolutions, more is not necessarily better. Members are encouraged to bring new issues of regional or provincial interest forward by resolution. However, we note that resolutions have, more often than necessary, come back year after year on the same topic.

Late Resolutions

Last year, AVICC received five resolutions after the regular resolutions deadline of February 24. Only two were admitted for debate as a result of meeting the late resolutions criteria. At the recent UBCM Convention, AVICC members submitted five resolutions after UBCM's June 30 deadline. Only two were admitted for debate as a result of meeting the late resolutions criteria.

Request of Our Members:

All three issues noted above will be significantly improved by implementing the following two recommendations:

- ✓ Forward your resolutions for debate first to our AVICC AGM & Convention by the regular resolutions deadline of **Monday, February 25, 2013**.
- ✓ Focus resolution on new issues of provincial or AVICC-wide interest avoiding repeat resolutions by checking the UBCM Resolutions database available through the website at www.ubcm.ca. Click on the Resolutions and Policy tab at the top of the page. It will be possible to locate any Resolutions on the same topic that have been considered in the past and what the response has been.

Included with the Resolutions Notice are guidelines for preparing and submitting resolutions. We appreciate all efforts to expedite and facilitate the debate among members.



2013 AGM & CONVENTION

RESOLUTIONS NOTICE

REQUEST FOR SUBMISSIONS

DEADLINE FOR RESOLUTIONS

All resolutions must be received in the AVICC office by: **FEBRUARY 25, 2013**

SUBMISSION REQUIREMENTS

Resolutions submitted to the AVICC for consideration shall be received as follows:

- One copy of the resolution by regular mail and one copy by email to avicc@ubcm.ca (Word version of the resolution itself preferred);
- The resolution should not contain more than two "whereas" clauses; and
- Background documentation must accompany each resolution submitted.

Sponsors should be prepared to introduce their resolutions on the Convention floor.

LATE RESOLUTIONS

- a. Resolutions submitted following the expiry of the regular deadline shall be considered "Late Resolutions" and shall comply with all other submission requirements, except that a copy of the resolution must be forwarded to the AVICC by the Wednesday noon preceding the date of the Annual General Meeting. This year's late resolution deadline is **April 10, 2013**.
- b. Late resolutions shall be available for discussion after all resolutions printed in the Resolutions Book have been debated.
- c. Late resolutions are deemed to be appropriate for discussion only if the topic is such that it has arisen since or was not known prior to the regular deadline date for submission of resolutions.
- d. In the event that a late resolution is recommended to be admitted for discussion AVICC shall produce sufficient copies for distribution to the Convention.

UBCM ASKS FOR RESOLUTIONS TO BE CONSIDERED BY THE AREA ASSOCIATIONS FIRST

UBCM urges members to submit resolutions first to Area Associations for consideration. Resolutions endorsed at Area Association annual meetings are submitted automatically to UBCM for consideration and do not need to be re-submitted to UBCM by the sponsor.

A resolution should be submitted directly to UBCM only if the resolution addresses an issue that arises after the Area Association annual meeting. In this case, local governments may submit council- or board-endorsed resolutions to UBCM prior to June 30 each year. Should this be necessary, detailed instructions are available under the Resolutions tab on <http://www.ubcm.ca>.

AVICC
525 Government Street, Victoria, BC V8V 0A8
Telephone: 250-356-5122 Fax: 250-356-5119 Email: avicc@ubcm.ca

AVICC AGM & Convention – April 12-14, 2013 - Sooke

UBCM RESOLUTIONS PROCESS

1. Members submit their resolutions to their Area Association for debate.
2. The Area Association submits the endorsed resolutions of provincial interest to UBCM.
3. The UBCM Resolution Committee reviews the resolutions for submission to the UBCM Convention.
4. Endorsed resolutions at the UBCM Convention are submitted to the appropriate level of government for responses.
5. Once the provincial responses have been conveyed to the UBCM they are forwarded to the sponsor for their review.

GUIDELINES FOR PREPARING RESOLUTIONS

The Construction of a Resolution:

All resolutions contain a preamble and enactment clause. The preamble describes *the issue* and the enactment clause outlines *the action being* requested. A resolution should answer the following three questions:

- What is the problem?
- What is causing the problem?
- What is the best way to solve the problem?

Preamble:

The preamble commences with a recital, or "WHEREAS", clause. This is a concise paragraph about the nature of the problem or the reason for the request. It should clearly and briefly outline the reasons for the resolution.

The preamble should contain no more than two "WHEREAS" clauses. If explaining the problem requires more than two preliminary clauses, then provide supporting documents to describe the problem more fully. Do not add extra clauses.

Enactment Clause:

The enactment clause begins with the words "THEREFORE BE IT RESOLVED". It must convey the resolution's intent, and should propose a specific action by AVICC and UBCM.

Keep the enactment clause as short as possible, and clearly describe the action being requested. The wording should leave no doubt about the proposed action.

How to Draft a Resolution:

1. *Address one specific subject in the text of the resolution.*

Since your community seeks to influence attitudes and inspire action, limit the scope of a resolution to one specific subject or issue. Delegates will not support a resolution if the issues it addresses are too complex for them to understand quickly.

2. *Use simple, action-oriented language and avoid ambiguous terms.*

Explain the background briefly and state the desired action clearly. Delegates can then consider the resolution without having to parse complicated text or vague concepts.

3. Provide factual background information.

Even a carefully constructed resolution may not clearly indicate the problem or the action being requested. Where possible, provide factual background information to ensure that the "intent" of the resolution is understood.

Two types of background information help to clarify the "intent" of a resolution:

i Supplementary Memo:

A brief, one-page memo from the author, that outlines the background that led to the presentation and adoption of the resolution by the local government.

ii Council/Board Report:

A report on the subject matter, presented to council or board in conjunction with the resolution. If it is not possible to send the entire report, then extract the essential background information and submit it with the resolution.

Resolutions submitted without adequate background information will not be considered until the sponsor has been consulted and has provided documentation outlining the intent of the resolution.

4. Construct a brief, descriptive title.

A title assists to identify the intent of the resolution and eliminates the possibility of misinterpretation. It is usually drawn from the "enactment clause" of the resolution.

For ease of printing in the Annual Report and Resolutions Book and for clarity of intent, a title should be no more than three or four words.

5. Check legislative references for accuracy.

Where necessary, identify:

- The correct jurisdictional responsibility (e.g., ministry or department within the provincial or federal government); and
- The correct legislation, including the name of the Act.

6. Focus on issues that are province-wide.

The issue identified in the resolution should be relevant to other local governments across the province. This will support proper debate on the issue and assist UBCM to represent your concern effectively to the provincial or federal government on behalf of all BC municipalities and regional districts.

7. Avoid repeat resolutions.

In the past, Resolutions have often come back year after year on the same topic. Members and staff are encouraged to search the UBCM Resolutions database available through the website at www.ubcm.ca. Click on the Resolutions and Policy tab at the top of the page. It will be possible to locate any Resolutions on the same topic that have been considered in the past and what the response has been.

8. Ensure that your own local government's process for handling/approving of resolutions to AVICC/UBCM is followed.

UBCM GOLD STAR AND HONOURABLE MENTION RESOLUTIONS

The UBCM Gold Star and Honourable Mention resolution recognition initiative was launched at the 2003 UBCM Convention, and is intended to encourage excellence in resolutions drafting and to assist UBCM members in refining their resolutions in preparation for submission to the annual UBCM Convention.

To be awarded the UBCM Gold Star or Honourable Mention recognition, a resolution must meet the standards of excellence established in the following Gold Star Resolutions Criteria, which are based on the resolution:

1. Resolution must be properly titled.
2. Resolution must employ clear, simple language.
3. Resolution must clearly identify problem, reason and solution.
4. Resolution must have two or fewer recital (WHEREAS) clauses.
5. Resolution must have a short, clear, stand-alone enactment (THEREFORE) clause.
6. Resolution must focus on a single subject, must be of local government concern province-wide and must address an issue that constitutes new policy for UBCM.
7. Resolution must include appropriate references to policy, legislation and regulation.
8. Resolution must be submitted to relevant Area Association prior to UBCM.

If you have any questions, please contact Reiko Tagami by email at rtagami@ubcm.ca or by calling 604-270-8226 (extension 115).

MODEL RESOLUTION

SHORT TITLE: _____

Sponsor's Name _____

WHEREAS _____

AND WHEREAS _____

THEREFORE BE IT RESOLVED that _____

(Note: A second resolve clause if it is absolutely required should start as follows:)

AND BE IT FURTHER RESOLVED that _____

AVICC
525 Government Street
Victoria, BC V8V 0A8
Telephone: 250-356-5122 Fax: 250-356-5119
Email: avicc@ubcm.ca



2013 AGM & CONVENTION

CALL FOR NOMINATIONS FOR AVICC EXECUTIVE

AVICC is the collective voice for local government on Vancouver Island, the Sunshine Coast, Powell River and the Central Coast. The membership elects directors during the Convention to ensure the directions set by the general membership are carried forward. The Executive also provides the direction for the Association between Conventions.

This circular is notice of the AVICC Executive positions open for nomination, the process and the procedures for nomination.

1. POSITIONS OPEN TO NOMINATIONS

The following positions are open for nomination:

- President
- First Vice-President
- Second Vice-President
- Director at Large (3 positions)
- Electoral Area Representative

2. NOMINATION PROCESS AND QUALIFICATIONS FOR OFFICE

The candidate must be an elected official of an AVICC member and must be nominated by two elected officials of an AVICC local government member.

Background information that defines the key responsibilities and commitments of an AVICC Executive member is available on request from the AVICC Office and is published on the website at www.avicc.ca.

A nomination and consent form should be used for all nominations (also available by calling the AVICC Office or on the website at www.avicc.ca).

The Chair of the 2013 Nominating Committee will be named at the January 18, 2013 regular meeting of Executive.

3. NEXT STEPS

It is part of the duties of the Nominating Committee to review the credentials of each candidate. A Report on Nominations including, at the candidate's option, a photo and 300-word biography will be prepared under the direction of the Nominating Committee and distributed in the AVICC Convention Newsletter.

**To Be Included In *The Report on Nominations*,
Nominations Must Be Received By
FEBRUARY 25, 2013**

4. **FINAL COMMENTS**

The nomination process outlined above does not change the process whereby candidates can be nominated off the floor at the Convention. It does allow those that are interested in seeking office to be nominated in advance of the Convention with the "sanction" of a Nominating Committee and to have their biographical information published in the AVICC Convention Newsletter.

5. **FURTHER INFORMATION**

Copies of the "consent form" or duties of Executive members are available from the AVICC office or on the website at www.avicc.ca.

All other inquiries should be directed to:

**President Joe Stanhope, Chair
2013 Nominating Committee
c/o AVICC
525 Government Street
Victoria, BC V8V 0A8**

Phone: (250) 356-5122

Fax: (250) 356-5119

Email: avicc@ubcm.ca

NOMINATIONS FOR THE 2013-14 AVICC EXECUTIVE

We are qualified under the AVICC Constitution to nominate¹ a candidate and we nominate:

Name: _____

Local Gov't Position (Mayor/Councillor/Director): _____

Municipality or Regional District Represented: _____

AVICC Executive Office Nominated For: _____

Printed Name: _____ Printed Name: _____

Position: _____ Position: _____

Muni/RD: _____ Muni/RD: _____

Signature: _____ Signature: _____

CONSENT FORM

I consent to this nomination and attest that I am qualified to be a candidate for the office I have been nominated to pursuant to the AVICC Constitution². I also agree to provide the following information to the Chair, AVICC Nominating Committee (c/o AVICC Office) by **Monday, February 25, 2012**.

- 2"x3" Photo in digital format should be sent to avicc@ubcm.ca.
- Biographical information. The maximum length of such information shall be 300 words. If the information provided is in excess, the Nominating Committee Chair shall edit as required. A copy in Word format should be sent to avicc@ubcm.ca.

Printed Name: _____

Position: _____

Muni/RD: _____

Signature: _____

Date: _____

¹ Nominations require two elected officials of members of the Association.

² All nominees of the Executive shall be elected representatives of a member of the Association. Nominees for electoral area representative must hold the appropriate office.

**Return To: Chair, Nominating Committee, AVICC
525 Government Street, Victoria, BC V8V 0A8 or Fax: 250-356-5119**

AVICC AGM & Convention – April 12-14, 2013 – SOOKE