



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

May 2, 2013

NOTICE

**A REGULAR MEETING OF COUNCIL WILL BE HELD ON
MONDAY, MAY 6, 2013 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, May 6, 2013

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 Regular Meeting of Council, April 22, 2013

Pg. 1 – 9

5. **PRESENTATIONS**

- (1) Marg Evans, Acting Manager of Planning and Protective Services and Jeff Weightman, Project Manager, Regional Deer Management Strategy

- (2) Eleanor Calder, Bruce Cuthbert and Nick Kovacs, Esquimalt Residents Association, Building Resilient Neighbourhood Project and Community Engagement

Pg. 10

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

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

7. **DELEGATION**

- (1) Michele Gill, Lt (NL) and Chris Flaro, Lt (NL), 1 Navy League Cadet Corps Admiral Rayner, Support for Rezoning 622 Admirals Road

Pg. 11

8. **STAFF REPORTS**

Administration

- (1) Grant of Easement for Greater Victoria Public Library's Loading Bay at 735 Broughton Street over 716 Courtney Street, City of Victoria, Staff Report No. ADM-13-018

Pg. 12 – 25

RECOMMENDATION:

That Council approve the registration of a Volumetric Easement on legal title to the property described as 735 Broughton Street, in the City of Victoria, to remedy the existing encroachment of the loading bay access ramp for 735 Broughton Street, which is co-owned by the Township of Esquimalt, onto the adjoining property described as 716 Courtney Street; and that the Mayor and Corporate Officer be authorized to execute the required documentation.

Finance

- (2) 2013 Financial Plan and Tax Rates Bylaws, Staff Report No. FIN-13-003 Pg. 26 – 38

RECOMMENDATION:

That *Financial Plan Bylaw, 2013, No. 2802* and *Tax Rates Bylaw, 2013, No. 2803* be given 1st, 2nd and 3rd reading.

Engineering and Public Works

- (3) Desktop Study for Potential Resource Recovery Opportunities from Waste Water Treatment Plant, Staff Report No. EPW-13-007 Pg. 39 – 43

RECOMMENDATION:

That Council receive report EPW-13-007 for information.

- (4) Update of Sanitary Sewer and Storm Drain Connection Requirement Bylaw, Staff Report No. EPW-13-008 Pg. 44 – 49

RECOMMENDATION:

That Council give first, second and third readings to the Sewer Connection Bylaw, 2013, No. 2801, as attached to Staff Report No. EPW-13-008.

- (5) Recommendation of Esquimalt Village Project Brownfield Remediation Consultant Contract, Staff Report No. EPW-13-009 Pg. 50 – 53

RECOMMENDATION:

That the Township enters into a contractual agreement with SNC Lavalin for the scope of work, cost, and schedule detailed in the proposal and not seek external funding at this time.

Fire Rescue

- (6) Smoke Alarm Bylaw, 2013 No. 2800, Staff Report No. FIRE-13-004 Pg. 54 – 59

RECOMMENDATION:

That Council give 1st, 2nd and 3rd readings to the Smoke Alarm Bylaw, 2013, No. 2800, as attached to Staff Report No. FIRE-13-004.

Development Services

- (7) Additions to the Esquimalt Community Heritage Register, Staff Report No. DEV-13-018 Pg. 60 – 68

RECOMMENDATION:

That the following properties be added to the Esquimalt Community Heritage Register:

- 1376 Esquimalt Road,
- 1382 Esquimalt Road,

and that the Statements of Significance be approved as presented.

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

- (1) Report from Councillors Meagan Brame, Dave Hodgins, Bob McKie and Tim Morrison, Re: Association of Vancouver Island Coastal Communities (AVICC) Pg. 69 – 73

10. **REPORTS FROM COMMITTEES**

- (1) Draft minutes from the Advisory Planning Commission meeting, April 16, 2013 Pg. 74 – 80
- (2) Draft minutes from the Heritage Advisory Committee meeting, April 17, 2013 Pg. 81 – 86
- (3) Memorandum from the Heritage Advisory Committee, dated April 30, 2013, Re: Proposal to Support and Protect Heritage Values of Fort Macaulay Pg. 87 – 88
- (4) Draft minutes from the Environmental Advisory Committee meeting, April 25, 2013 Pg. 89 – 91

11. **COMMUNICATIONS**

- (1) Letter from Mayor Yoshiaki Suda, Onagawa, Japan, dated April 9, 2013, Re: Letter of Appreciation Pg. 92 – 93
- (2) Letter from Crystal Dunahee, President, Child Find BC, dated April 17, 2013, Re: Proclamation for National Missing Children’s Month and Missing Children’s Day Pg. 94 – 96

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
REGULAR MEETING
OF MUNICIPAL COUNCIL
MONDAY, APRIL 22ND, 2013
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 & Public Works
Ian Irvine, Director of Financial Services & IT
Trevor Parkes, Senior Planner
Anja Nurvo, Manager of Corporate Services
Louise Payne, Recording Secretary

1. CALL TO ORDER

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

2. LATE ITEMS

The following late items were added to the Agenda:

- Pertaining to Agenda Item 8.(5) Staff Reports – Development Variance Permit, 1138 Wychbury Avenue:
 - Letter from Barbara Curran, dated April 16, 2013, Re: Application for a Development Variance Permit from Vernon and Penny Walleen, Owners of 1138 Wychbury Avenue;
 - Letter from Louise L. Kallhood, dated April 13, 2013, Re: Development Variance Permit Notice for Vern and Penny Walleen, Registered Owners of 1138 Wychbury Avenue;
- Add to Agenda Item 9. Mayor's and Councillors' Reports:
 - (1) Verbal Report from Councillor Hundleby Re: Greater Victoria Harbour Authority, Provincial Capital Commission and Esquimalt Chamber of Commerce – Economic Roundtables;
 - (2) Mayor Desjardins – Appreciation for Volunteers at Rail Trail Clean Up;
 - (3) Verbal Report from Councillor Schinbein Re: Recent Activities

3. APPROVAL OF THE AGENDA

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

CARRIED UNANIMOUSLY.

4. MINUTES

(1) Minutes of the Special Meeting of Council, April 15, 2013

MOTION: Moved by Councillor Morrison/Councillor Brame:
That the minutes of the Special Meeting of Council held April 15, 2013 be adopted as circulated.

CARRIED UNANIMOUSLY.

(2) Minutes of the Regular Meeting of Council, April 15, 2013

MOTION: Moved by Councillor Morrison/Councillor Brame:
That the minutes of the Regular Meeting of Council held April 15, 2013 be adopted as amended:

- Page 6 of the Agenda package – delete “Council Comments” and replace with following: “Council directed staff to come back to the next meeting with a variety of options for the 2013 property tax rate, showing varying levels of tax revenue increases for all classes with the exception of Class 6 (Business) and calculating the impact of these options”;

- Second last paragraph on Page 9 of Agenda package – delete the following words at the end of the sentence “, and to address the recent Supreme Court decision regarding conflict of interest”;
- Top of page 10 of Agenda package – correct spelling of “Linda” to “Lynda”.

CARRIED UNANIMOUSLY.

5. PRESENTATIONS

- (1) Peter Leathley, Rogers Communications Inc., Wireless Communications Facilities

Darren Hird of Rogers Communications Inc. made a PowerPoint presentation regarding wireless communications facilities and answered questions from Council.

- (2) Kevin Wolski, Covenor and Karima Ramji, Past Covenor, World Partnership Walk Victoria

Kevin Wolski and Karima Ramji made a PowerPoint presentation regarding the upcoming World Partnership Walk in Victoria on May 26th and answered questions from Council.

- (3) Don Barr, President and Doug Grant, General Manager, Royal Canadian Legion, Branch 172, re: 622 Admirals Road Business Plan

Don Barr, President and Doug Grant, General Manager of Branch 172 of the Royal Canadian Legion presented the Legion’s Business Plan for the development of 622 Admirals Road and answered questions from Council.

6. 2013 PROPERTY TAX RATE PRESENTATION

- (1) 2013 Property Tax Rates – PowerPoint Presentation by Ian Irvine, Director of Financial Services

The Director of Financial Services presented a PowerPoint presentation on 2013 property tax rate scenarios for 1.96% tax increase, 1.0% tax increase and 0% tax increase with reductions for Class 1, Class 4 and Class 6, and answered questions from Council.

Council agreed to hear “Public Input” prior to making a decision on the 2013 property tax rates.

7. PUBLIC INPUT

Peter Ryan, resident, stated that he was supportive of a 0% increase of property tax rates, with a reduction for businesses.

Muriel Dunn, resident, expressed her appreciation to all those involved with the Community Garage Sale at the Archie Browning Sports Centre. She also expressed her objection to the use of the Archie

Browning Sports Centre by the Royal Canadian Legion during the construction of their new building at 622 Admirals Road, other than renting rooms for specific occasions.

Lyndon Chisholm, resident, pointed out that he hoped that some of the 2012 surplus budget funds could go for a new sidewalk on Joffre Road.

Mark Hatwell, resident, spoke in support of the Development Variance Permit application for 1138 Wychbury Avenue.

Glen Sandwick, resident, spoke in support of the Development Variance Permit application for 973 Wollaston Street and for a 0% increase in property tax rates.

Carol Sanderson, resident, stated that she had submitted a letter regarding the sidewalks on Lyall Street and was still waiting for a reply.

Rita Green, resident, spoke in support of the Development Variance Permit application for 973 Wollaston Street, and for a new sidewalk at Joffre Road/Lyall Street.

Rod Lavergne, resident, spoke in support of the Development Variance Permit application for 1138 Wychbury Avenue, and for the proposed reduction in tax rates for businesses in Esquimalt.

Beth Burton-Krahn, resident, expressed her support for Councillor Morrison's Notice of Motion regarding mascots.

Ron Kaye, resident, spoke in support of the Development Variance Permit application for 1138 Wychbury Avenue.

Sheena Carlson, resident, spoke in support of the Development Variance Permit application for 1138 Wychbury Avenue.

6. 2013 PROPERTY TAX RATE, Continued

(1) 2013 Property Tax Rates

MOTION: Moved by Councillor Hodgins/Councillor Morrison:
That Council approves 0% increase in 2013 tax revenue in all classes, with an additional 2.36% tax revenue reduction to Class 6 (business).

CARRIED UNANIMOUSLY.

8. STAFF REPORTS

Administration

(1) Draft Strategic Plan 2013 Update, Staff Report No. ADM-13-016

MOTION: Moved by Councillor Brame/Councillor Hodgins:
That the Council of the Corporation of the Township of Esquimalt:
1. Approve the Strategic Plan Update as presented; and

2. Direct staff to include a copy of the Strategic Priorities Chart with the tax mailing in May.

CARRIED UNANIMOUSLY.

Engineering and Public Works

- (2) Update on Street Naming Signage Budget Request, Staff Report No. EPW-13-005

MOTION: Moved by Councillor Hundleby/Councillor Morrison:
That the 2013 Public Works Operational Budget be adjusted to include a one time supplementary cost of \$7,500 for the purchase and installation of additional street blades. **CARRIED UNANIMOUSLY.**

- (3) Council Resolution for Brownfield Renewal Funding for Esquimalt Village Project, Staff Report No. EPW-13-006

MOTION: Moved by Councillor Brame/Councillor Hodgins:
Council approves the following resolution:
WHEREAS 1235 Esquimalt Road is owned by Corporation of the Township of Esquimalt;
WHEREAS the Township of Esquimalt is proceeding with the development of this property;
WHEREAS the Township of Esquimalt has committed \$75,000 for the detailed site investigation and remediation plan for the property;
THEREFORE BE IT RESOLVED that Council approves that an application be submitted to the Brownfield Renewal Funding Program to provide additional funding for the project.

CARRIED UNANIMOUSLY.

Development Services

- (4) Development Variance Permit, 973 Wollaston Street (Strata Lot A, Section 11, Esquimalt District, Strata Plan VIS6589), Staff Report No. DEV-13-016

The Senior Planner presented Staff Report No. DEV-13-016 and answered questions from Council.

MOTION: Moved by Councillor Morrison/Councillor Hodgins:
That Council permit the applicant, Mr. Roman Olariu, to speak. **CARRIED UNANIMOUSLY.**

Mr. Olariu explained the background to the Development Variance Permit application and answered questions from Council.

MOTION: Moved by Councillor Schinbein/Councillor McKie:
That Council resolves that the application for a Development Variance Permit authorizing the construction as shown in the photos, stamped "Received February 15, 2013", and sited as detailed on the survey plan prepared by Powell and Associates, stamped "Received February 15, 2013", and including the following relaxations to Zoning Bylaw, 1992, No. 2050, for Strata Lot A, Section 11, Esquimalt District, Strata Plan VIS6589 [973 Wollaston Street], **be denied:**

Zoning Bylaw, 1992, No. 2050, Section 67.52 (5) – Lot Coverage
Lot Coverage for the CD-65 Zone, as identified in Section 67.52(5) of the Zoning Bylaw, 1992, No. 2050, is varied from 22% to 23% [i.e. a 1% increase from 22% to 23% Lot Coverage].

Zoning Bylaw, 1992, No. 2050, Section 67.52 (7)(a)(iii) Rear Setback - A 2.25 metre reduction to the requirement that no principal building shall be located within 7.9 metres of any rear lot line. [i.e. from 7.9 metres to 5.65 metres].

CARRIED UNANIMOUSLY.

- (5) Development Variance Permit, 1138 Wychbury Avenue (Lot 15, Block 2, Section 11, Esquimalt District, Plan 6016), Staff Report No. DEV-13-017

The Senior Planner presented Staff Report No. DEV-13-017 and answered questions from Council.

MOTION: Moved by Councillor Hodgins/Councillor Morrison:

That Council resolves that Development Variance Permit No. 00005, authorizing construction as shown in photographs, stamped "Received February 7, 2013", and shown on plans provided by Pacific Truss, stamped "Received February 7, 2013", and sited as detailed on the survey plan prepared by J.E. Anderson and Associates, stamped "Received February 7, 2013", and including the following relaxations to Zoning Bylaw, 1992, No. 2050, **be approved**, and staff be directed to issue the permit and register the notice on the title of Lot 15, Block 2, Section 11, Esquimalt District, Plan 6016 [1138 Wychbury Avenue]:

Zoning Bylaw, 1992, No. 2050, Section 40(6)(b) – Building Height - a 0.4 metre relaxation the requirement that an Accessory Building shall not exceed 3.6 metres in Height [i.e. from 3.6 metres to 4.0 metres].

Zoning Bylaw, 1992, No. 2050, Section 40(8)(b) – Lot Coverage - a relaxation of 5% to the requirement that all Accessory Buildings shall not exceed 10% of the Area of the Parcel [i.e. increase from 10% of parcel area to 15% of parcel area].

Zoning Bylaw, 1992, No. 2050, Section 40(9)(b)(ii) – Siting Requirements – Accessory Building – Side Setback - a 0.73 metre reduction to the required 1.5 metre setback from an Interior Side Lot Line [i.e. from 1.5 metres to 0.77 metres].

Zoning Bylaw, 1992, No. 2050, Section 40(9)(b)(iii) – Siting Requirements – Accessory Building – Rear Setback - a 0.78 metre reduction to the required 1.5 metre setback from a Rear Lot Line [i.e. from 1.5 metres to 0.72 metres].

CARRIED UNANIMOUSLY.

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

- (1) Verbal Report from Councillor Hundleby Re: Greater Victoria Harbour Authority, Provincial Capital Commission and Esquimalt Chamber of Commerce – Economic Roundtables

Councillor Hundleby updated Council on the accountabilities of the Provincial Capital Commission and the Greater Victoria Harbour Authority (GVHA), and her attendance at the GVHA April 18th meeting. She also expressed the appreciation of the Esquimalt Chamber of Commerce at being included in the economic roundtable discussions.

- (2) Mayor Desjardins – Appreciation for Volunteers at Rail Trail Clean Up

Mayor Desjardins expressed her appreciation to the many volunteers who, in preparation for “Earth Day”, cleaned up over four tonnes of garbage from the E & N Rail Trail.

- (3) Verbal Report from Councillor Schinbein Re: Recent Activities

Councillor Schinbein reported on his attendance at the grand opening of the Gorge Park Education Centre. He also reported that for a Legacy Project for their 100th Anniversary of the Vancouver Island Construction Association, they have provided year-round, heated washrooms at Gorge Park.

MOTION: Moved by Councillor Schinbein/Councillor Morrison:
That Council accepts the Mayor's and Councillors' reports.

CARRIED UNANIMOUSLY.

RECESS AND RECONVENE

The Regular Meeting of Council recessed at 9:20 pm and reconvened at 9:27 pm with all members of Council present.

10. **COMMUNICATIONS**

- (1) Letter from Sandy Rozon, Esquimalt Buccaneer Committee, dated April 11, 2013, Re: 2013 Buccaneer Days Weekend

Councillor Brame advised that three judges were needed, and it was agreed that Councillors Schinbein and Hundleby and a member of the Arts, Culture and Special Events Advisory Committee could be judges.

MOTION: Moved by Councillor Brame/Councillor Morrison:
That Council receive the letter from Sandy Rozon of the Esquimalt Buccaneer Committee dated April 11, 2013 regarding the 2013 Buccaneer Days weekend June 7, 8 and 9, 2013.

CARRIED UNANIMOUSLY.

- (2) Email from Susan Draper, dated April 15, 2013, Re: Municipal Food Bank Resolution

MOTION: Moved by Councillor Schinbein/Councillor McKie:
That the email from Susan Draper dated April 15, 2013 regarding a municipal Food Bank resolution be received for information.

CARRIED UNANIMOUSLY.

11. NOTICE OF MOTION

- (1) Use of Costumed Mascots for Commercial Marketing in Public Spaces – Councillor Morrison

MOTION: Moved by Councillor Morrison/Councillor Brame:

WHEREAS the Township of Esquimalt respects the rights of residents and visitors to enjoy the Township's public spaces such as (but not limited to) streets, sidewalks, parks and pathways without interruptions from intrusive and/or inappropriate commercial marketing;

WHEREAS the Township of Esquimalt strives to provide a well-planned community that is attractive, respectful and considerate for both residents and businesses that support maintaining a pleasant, welcoming community;

WHEREAS numerous complaints have been received regarding certain marketing tactics within the Township of Esquimalt;

THEREFORE BE IT RESOLVED that Council directs staff to prepare a report for Council's consideration on the options, including revisions to existing bylaws or adoption of a new bylaw, to regulate the use of mascots, including the following:

1. The use of a mascot or any other costumed promoter for the purposes of business and commercial marketing activities in any public spaces is not permitted within the Township of Esquimalt unless otherwise authorized by Council.
2. A business owner who wishes to use a mascot or any costumed promoter for the purposes of business and commercial marketing activities in public spaces may seek a permit for specific times, dates, locations and purposes by way of a request to Council. Any use of a mascot or any other costumed promoter for the purposes of business and commercial marketing activities in any public spaces that do not follow the specific conditions of an authorized permit shall result in a cancellation of the permit and the offender may be subject to the penalties as listed in Section 4(8), (ii) and (iii).
3. A majority vote of approval by Council is required for the issuing of such permit. If Council is on a scheduled break and unable to consider permit requests prior to a specific marketing event, then the applicant may seek a permit from the Mayor, and the Mayor (or Acting Mayor) will be authorized to review and decide the permit request on behalf of Council.
4. Any unauthorized use of a mascot or any other costumed promoter for the purposes of business and commercial marketing activities in any public spaces within the Township of Esquimalt shall be subject to the following penalties:

- i) First Offence: a fine of \$250.00 or, at the discretion of the Township's Bylaw Officer, an official letter of warning from the Township of Esquimalt in lieu of the first-offence fine.
 - ii) Second Offence: a fine of \$500.00.
 - iii) Third Offence and all other continued offences: a fine of \$1000.00.
5. Corporate/business mascots participating as official sponsors for community and/or charitable special events shall be exempt for the specific dates, times and locations of such special events.
CARRIED (Councillor Hundleby opposed).

MOTION TO EXTEND MEETING HOURS

MOTION: Moved by Councillor Morrison/Councillor Hundleby:
That Council extend the meeting hours to 10:15 pm.

CARRIED UNANIMOUSLY.

MOTION: Moved by Councillor Hodgins/Councillor Morrison:
Subject to staff confirming the Township's authority, until such time that Council resolves the issue of a mascot bylaw, there shall be a strict moratorium on the Bong Warehouse's use of its Bong mascot in Esquimalt's public spaces and that Esquimalt's Bylaw Officer and/or Victoria Police Department inform the Bong Warehouse of this moratorium. Any failure by the Bong Warehouse to abide by this moratorium shall result in the Township of Esquimalt taking appropriate further action to enforce the moratorium.

CARRIED UNANIMOUSLY.

12. PUBLIC QUESTION AND COMMENT PERIOD

There were no public questions or comments.

13. ADJOURNMENT

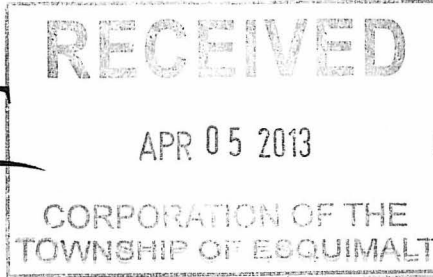
MOTION: Moved by Councillor Brame/Councillor Hundleby:
That the Regular Meeting of Council be adjourned at 10:05 pm.

CARRIED UNANIMOUSLY.

MAYOR OF THE CORPORATION OF THE
TOWNSHIP OF ESQUIMALT
THIS DAY OF , 2013

CERTIFIED CORRECT:

ANJA NURVO
CORPORATE OFFICER



Anja

PRESENTATION FORM

APPLICATION TO MAKE A PRESENTATION TO COUNCIL

Pursuant to *Council Procedure Bylaw, 2009, No. 2715, Section 19 – Presentations*, Council may allow up to two (2) Presentations (*from outside organizations*) at any Council meeting.

Each presentation (*representative(s) of an outside organization*) will be **limited to a time period of ten (10) minutes**, after which will be followed by questions period, at the discretion of Council.

Name of Organization: Esquimalt Residents Association

Name(s) and Title(s) of Presenter(s): Eleanor Calder, Bruce Cuthbert, Nick Kovacs

Daytime Phone No.

Email:

Preferred Date of Presentation to Council: *May 27th* or sooner if there is a space
(An email will be sent to confirm the scheduled meeting ~~date~~ *date* of your Presentation to Council)

Nature/Subject of Presentation: Building Resilient Neighbourhood Project and Community Engagement

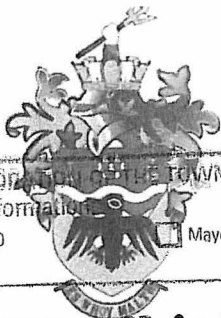
Making a PowerPoint presentation? YES NO

If YES, please email your PowerPoint presentation to louise.payne@esquimalt.ca by **Noon of the Thursday prior to the Monday (Council) meeting** where you will be presenting.

If you have handouts for Council, please bring at least ten (10) copies to the Council meeting, and give to the Recording Secretary, Louise Payne, prior to the start of the meeting at 7:00 p.m.

April 3, 2013
Date of Application

Eleanor Calder
Signature of Applicant



Corporation of the Township of Esquimalt

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

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

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

For Information:

CAD Mayor/Council

RECEIVED: APR 30 2013

Referred:

For Action For Response COTW

For Report Council Agenda IC

APPLICATION FOR DELEGATION TO MUNICIPAL COUNCIL MEETING

Pursuant to *Council Procedure Bylaw, No. 2715, 2009*, Section 20, Delegations and Petitions, (*see reverse for further information*) Council may allow an individual or a delegation to address Council at the meeting provided written application has been received by the Corporate Officer **by 12 Noon on the Wednesday prior to the meeting**. Applications can be submitted in person, by mail (1229 Esquimalt Road, V9A 3P1), Fax (250) 414-7111 or Email: council@esquimalt.ca. Applicants will be contacted to confirm the Council meeting date and their attendance at that meeting. Please contact 250-414-7136 for further information.

Delegations are **limited to five (5) minutes** unless a longer period is agreed to by unanimous vote of those members present.

NAME: MICHELE GILL, Lt(NL); CHRIS FLARO, Lt(NL)
(Please Print)

ORGANIZATION: 1 NAVY LEAGUE CADET CORPS ADMIRAL RAYNER

DAYTIME TELEPHONE:

EMAIL:

PREFERRED DATE OF APPEARANCE AT COUNCIL MEETING: 6 MAY 2013

REASONS FOR APPEARING AS DELEGATION (Please specify):

To support the rezoning of 622 Admirals Road, Royal Canadian Legion Branch 172 and to demonstrate how the legion supports the Navy League Cadets in Esquimalt

30 APRIL 2013
Date of Application

Signature



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: May 6, 2013
Staff Report No. ADM-13-018

REQUEST FOR DECISION

SUBJECT: Grant of Easement for Greater Victoria Public Library's Loading Bay at 735 Broughton Street over 716 Courtney Street, City of Victoria

RECOMMENDATION:

That Council approve the registration of a Volumetric Easement on legal title to the property described as 735 Broughton Street, in the City of Victoria, to remedy the existing encroachment of the loading bay access ramp for 735 Broughton Street, which is co-owned by the Township of Esquimalt, onto the adjoining property described as 716 Courtney Street; and that the Mayor and Corporate Officer be authorized to execute the required documentation.

RELEVANT POLICY:

Not applicable.

STRATEGIC RELEVANCE:

This Request for Decision does not relate to any specific Strategic Priority.

Submitted by: Writer

Reviewed by: CAO

Date:

April 30/13

STAFF REPORT

DATE: April 26, 2013 Report No. ADM-13-018

TO: Laurie Hurst, Chief Administrative Officer

FROM: Anja Nurvo, Manager of Corporate Services

SUBJECT: Grant of Easement for Greater Victoria Public Library's Loading Bay at
735 Broughton Street, City of Victoria

RECOMMENDATION:

That Council approve the registration of a Volumetric Easement on legal title to the property described as 735 Broughton Street, in the City of Victoria, to remedy the existing encroachment of the loading bay access ramp for 735 Broughton Street, which is co-owned by the Township of Esquimalt, onto the adjoining property described as 716 Courtney Street; and that the Mayor and Corporate Officer be authorized to execute the required documentation.

BACKGROUND:

Attached is a letter from Graeme Sykes, Real Estate Manager, Province's Real Estate Operations Branch (Ministry of Citizens' Services and Open Government) setting out the issue and proposed resolution.

In summary, the property located at 735 Broughton Street is jointly owned by several municipalities, including the Township of Esquimalt, and is the location of the Greater Victoria Public Library branch. The loading bay located on this property encroaches upon the adjacent property 716 Courtney Street which is owned by the Province. In order to resolve this issue, registration of a grant of easement on title is required.

ISSUES:

1. Rationale for Selected Option
Registration of an easement on title will rectify the long-standing encroachment and preserve access to the loading bay located on the 735 Broughton Street property in perpetuity.
2. Organizational Implications
There are no organizational implications.
3. Financial Implications
There is no cost to the Township of Esquimalt for execution and registration of the easement.
4. Sustainability/Environmental Implications
There are no sustainability or environmental implications.
5. Communication
Once approved, staff will advise the Province's Real Estate Operations Branch so that the grant of easement documents can be executed and registered at the Land Title Office.

ALTERNATIVES:

1. That Council approve the registration of a Volumetric Easement on legal title to the property described as 735 Broughton Street, in the City of Victoria, to remedy the existing encroachment of the loading bay access ramp for 735 Broughton Street, which is co-owned by the Township of Esquimalt, onto the adjoining property described as 716 Courtney Street; and that the Mayor and Corporate Officer be authorized to execute the required documentation.
2. That Council not approve the registration of an easement.



April 10th, 2013

Anja Nurvo
Manager of Corporate Services
Township of Esquimalt
1229 Esquimalt Road
Esquimalt, BC V9A 3P1

Dear Anja:

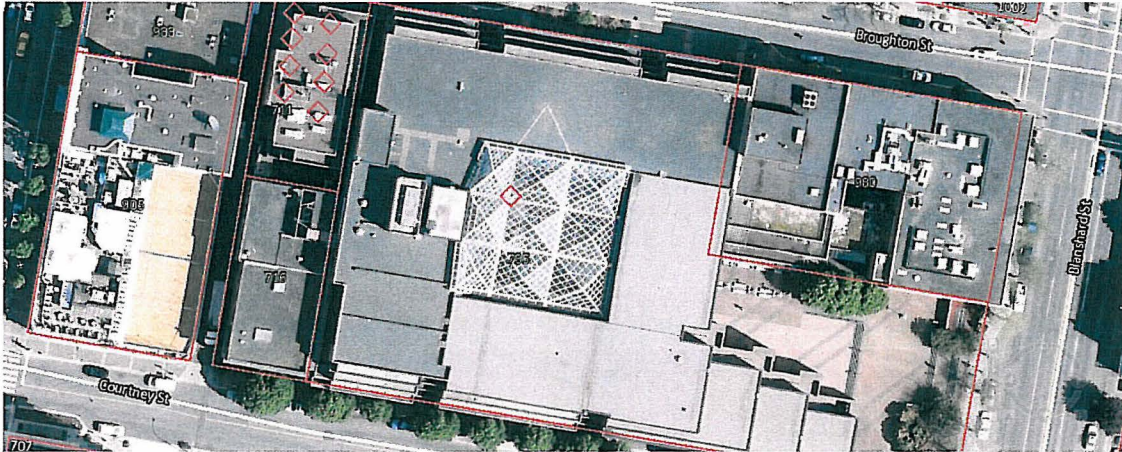
The Province of BC requires the approval of the Township of Esquimalt to register a Volumetric Easement on legal title at 735 Broughton Street. The Volumetric Easement is intended to preserve uninterrupted access to the Loading Bay which services the Greater Victoria Public Library. This letter will explain the issue, describe next steps, and provide contact information should you have further questions and concerns.

1. **Issue:** The Loading Bay at 735 Broughton Street (The Waddington Building) encroaches upon the adjacent property at 716 Courtney Street. The Waddington Strata Corporation, of which your municipality is co-owner, has a duty as property owner to resolve this encroachment. The Province of BC possesses an ownership interest in both properties and is coordinating this activity.
2. **Background:** The Waddington Strata Corporation is located at 735 Broughton Street and is comprised of two strata lots. Strata Lot 1 is jointly owned by the City of Victoria, District of Saanich, District of Oak Bay, Township of Esquimalt and Town of View Royal, which support the Greater Victoria Public Library. Strata Lot 2 is owned by the Province of BC.

The adjacent property, 716 Courtney Street, is owned by the Province of BC and is a separate legal parcel.

Construction of 735 Broughton Street dates to 1977. The Waddington Strata Corporation was also formed at this time. The original building design included loading bays to be accessed from the laneway to the west. The loading bay access ramp runs beneath the upper three stories of 716 Courtney Street, passing across this separate legal parcel (refer to attachment for visual reference). At the time, the property owners failed to register the access path on legal title. Thus, the building has operated with a continual encroachment up to the present day.

Under the Land Title Act, the method for resolving such an encroachment is through the registration on title of a Volumetric Easement. A volumetric easement is a legal right to access over or use another's land. It differs from a standard easement in that it is defined in three dimensions rather than two dimensions. The proposed volumetric easement will require the collective approval of all Strata Owners.



3. **Request:** The Province of BC requests that the municipalities of Victoria, Saanich, Oak Bay, Esquimalt, and View Royal agree to register the attached Volumetric Easement.
4. **Outcome:** The registration of this Volumetric Easement will preserve uninterrupted access to the Loading Bay at 735 Broughton Street in perpetuity. This is beneficial to the Waddington Strata Corporation and costs nothing. Should an easement not be registered, access could conceivably be blocked by a future owner of 716 Courtney Street.
5. **Next Steps:** The Province has surveyed the property and drafted the required legal documents. **Seven original documents** (one copy for each transferee + one copy for transferor) must be signed in **Black Ink** by all parties. Under each signature must be the name of the authorized signatory. The date of execution must be witnessed by a Lawyer, Notary or a Commissioner for Taking Affidavits in British Columbia. It is assumed that each municipality will identify an appropriate signing authority.

The act of signing will be executed in a sequential fashion. A Province of BC representative, accompanied by a Commissioner for Taking Affidavits in British Columbia, will attend each municipal office to gather signatures. Once a party has signed all seven original documents, the Province of BC representative will then attend to the remaining signatories. Once all signatures are received, the Province of BC will register the Volumetric Easement at the Land Titles office. Following registration, each municipality will receive a copy of the executed document.

6. **Timeline:** The coordination of five municipal signing authorities is expected to take approximately one to two months. Registration of the Volumetric Easement will take approximately two weeks.

Sincerely,

Graeme Sykes

Real Estate Manager

Integrated Workplace Solutions | Ministry of Citizens' Services

(250) 217-3027

Graeme.sykes@gov.bc.ca

**SURVEY PLAN CERTIFICATION
PROVINCE OF BRITISH COLUMBIA**

By incorporating your electronic signature into this form you are also incorporating your electronic signature into the attached plan and you

- (a) represent that you are a subscriber and that you have incorporated your electronic signature to the attached electronic plan in accordance with section 168.73 (3) of the Land Title Act, RSBC 1996 c.250; and
- (b) certify the matters set out in section 168.73 (4) of the Land Title Act, Each term used in this representation and certification is to be given the meaning ascribed to it in part 10.1 of the Land Title Act.

<p>James Worton IXPDG3</p>	<p>cn=James Worton IXPDG3, c=CA, o=BC Land Surveyor, ou=Verify ID at www.juricert.com/ LKUP.cfm?id=IXPDG3</p>
--	---

1. BC LAND SURVEYOR: (Name, address, phone number)

James Worton
250-2950 Douglas Street

info@powellsurveys.com
(250) 382-8855

Victoria BC V8T 4N4

Surveyor General Certification

2. PLAN IDENTIFICATION:

Control Number: **135-093-6919**

Plan Number: **EPP25156**

This original plan number assignment was done under Commission #: **757**

3. CERTIFICATION:

- Form 9
- Explanatory Plan
- Form 9A

I am a British Columbia land surveyor and certify that I was present at and personally superintended this survey and that the survey and plan are correct.

The field survey was completed on:	2012	October	18	(YYYY/Month/DD)	The checklist was filed under ECR#:
The plan was completed and checked on:	2012	October	19	(YYYY/Month/DD)	141956

None Strata Form S

None Strata Form U1 Strata Form U1/U2

Arterial Highway

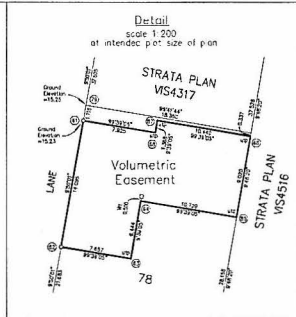
4. ALTERATION:

Reference Plan of Volumetric Easement
of Part of Lot 78, Victoria City
Pursuant to section 99(1)(e) of the Land Title Act.
BCGS 92B.044

Scale 1:200
All distances are shown in metres.
The intended plot size of this plan is shown in square metres (m²) when plotted at a scale of 1:200.

LEGEND
Integrated Survey Area No. 17, The Corporation of the City of Victoria, NACLS (2004)
Cred bearings are derived from observations between geodetic control monuments B-1 and B-12.
This plan shows horizontal ground-line distances except where otherwise noted. To compute grid distances, multiply ground-line distances by combined factor of 0.999924, which has been derived from control monument B-1.
Elevations are specified derived from City of Victoria control monument B-1. Elevation = 18.856m.

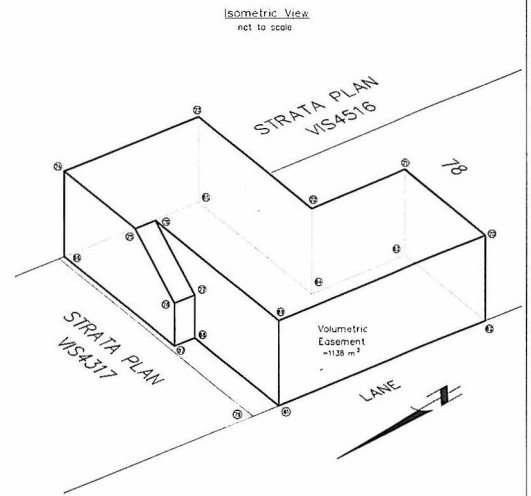
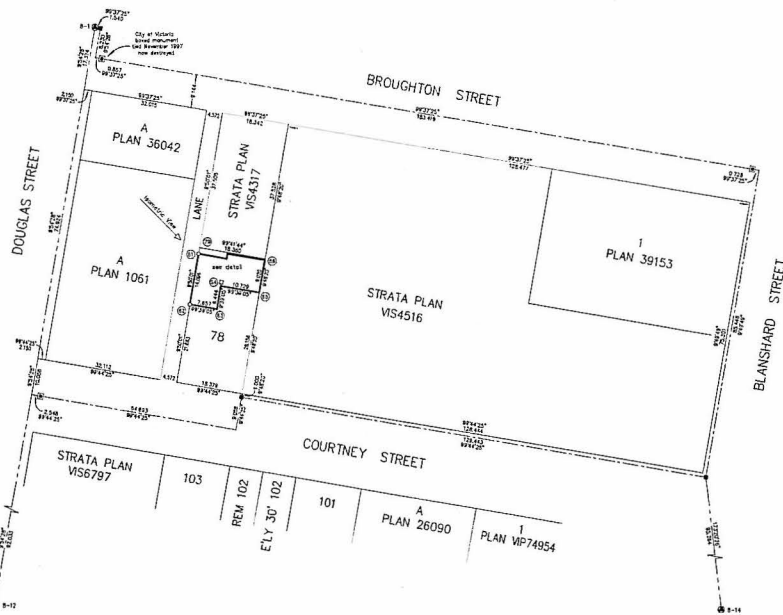
Found Set **Derived**
 □ Surveyed Iron Pin
 □ Surveyed Level Peg
 □ City of Victoria Street Monument
 □ Control Monument
 □ Inside to Post
 This plan shows area of plots within blocks which are not set out on the blue plans.



Coordinate Table

Point	Northing	Easting	Elevation
61	5363435.66	4734628.83	18.23
62	5363420.78	4734628.09	14.83
63	5363406.89	4735034.64	14.65
64	5363406.84	4735004.72	14.65
65	5363405.05	4735035.29	14.65
66	5363413.83	4735028.83	14.65
67	5363415.58	4735028.54	14.65
68	5363416.84	4735028.51	14.65
69	5363419.66	4734995.50	20.34
70	5363420.78	4734995.50	20.34
71	5363420.47	4735033.64	20.34
72	5363406.81	4735004.72	20.34
73	5363405.05	4735035.29	20.34
74	5363413.83	4735028.83	20.34
75	5363415.58	4735028.54	20.34
76	5363416.84	4735028.51	20.34
77	5363419.66	4735028.99	20.34
78	5363419.66	4735028.99	17.48
79	5363419.66	4734995.50	18.29
B-1	5363417.852	4734668.922	18.856
B-12	5363388.412	4734336.542	18.837

Plan EPP25156



File: 10422 - 8
 POWELL & ASSOCIATES
 811 West Broadway
 250-2900 Douglas Street
 Victoria, BC V8T 1K6
 phone (250) 362-8885

This plan lies within the Capital Regional District.
 The field survey represented by this plan was completed on the 18th day of October, 2012.
 James Norton, BCLS

EP 10/18/12 10:18 AM

**LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia**

1361912739 PAGE 1 OF 6 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

Jim Fowles, Ministry of Justice
PO Box 9289, Stn Prov Gov

Phone: (250) 356-8469
File: Volumetric Easement

Victoria BC V8W 9J7

Deduct LTSA Fees? Yes

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

009-356-878 LOT 78 VICTORIA CITY

STC? YES

3. NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION

SEE SCHEDULE

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms D.F. No.

(b) Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

SEE SCHEDULE

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

SEE SCHEDULE

7. ADDITIONAL OR MODIFIED TERMS:

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

Execution Date

Y	M	D
13		

Transferor(s) Signature(s)

**HER MAJESTY THE QUEEN IN
RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA, by its
authorized signatory:**

Name/Title

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM E**

SCHEDULE

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
Easement and Indemnity Agreement		as to part in Plan EPP25156 Registered Owners of PID 024-029-505 Strata Lot 1 of Lots 79, 80, 81, 82, 83, 84, 85, 89, 90, 91, 92, Victoria City, Strata Plan VIS4516; and Registered Owners of PID 024-029-513 Strata Lot 2 of Lots 79, 80, 81, 82, 83, 84, 85, 89, 90, 91, 92, Victoria City, Strata Plan VIS4516

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
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NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
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NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
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NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
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NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
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**LAND TITLE ACT
FORM E****SCHEDULE**

PAGE 3 OF 6 PAGES

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM, OR GENERAL INSTRUMENT FORM.

4. Transferor:

Her Majesty the Queen in Right of the Province of British Columbia, pursuant to the Public Agency Accommodation Act

6. Transferees:

As to PID 024-029-513
British Columbia Buildings Corporation

As to PID 024-029-505
The Corporation of the City of Victoria
#1 Centennial Square
Victoria, BC V8W 1P6
As to an undivided 6832/10000 Interest

As to PID 024-029-505
The Corporation of the District of Saanich
770 Vernon Avenue
Victoria, BC V8X 2W7
As to an undivided 1912/10000 Interest

As to PID 024-029-505
The Corporation of the District of Oak Bay
2167 Oak Bay Avenue
Victoria, BC V8R 1G2
As to an undivided 419/10000 Interest

As to PID 024-029-505
The Corporation of the Township of Esquimalt
1229 Esquimalt Road
Victoria, BC V9A 3P1
As to an undivided 352/10000 Interest

As to PID 024-029-505
The Town of View Royal
45 View Royal Avenue
Victoria, BC V9B 1A6
As to an undivided 485/10000 Interest

TERMS OF INSTRUMENT - Part 2

NOW THEREFORE THIS GENERAL INSTRUMENT WITNESSES that in consideration of the sum of ONE (\$1.00) DOLLAR and other good and valuable consideration now paid by the Transferee to the Transferor (the receipt and sufficiency of which is hereby acknowledged), and of the covenants contained in this General Instrument, the parties agree as follows:

1. In this Part of the General Instrument:

"Dominant Tenement" means

Firstly:

Parcel Identifier: 024-029-505

Strata Lot 1 of Lots 79 80 81 82 83 84 85 89 90 91 92 Victoria City Strata Plan VIS4516 together with an interest in the common property in proportion to the unit entitlement as shown on form 1

Secondly:

Parcel Identifier: 024-029-513

Strata Lot 2 of Lots 79 80 81 82 83 84 85 89 90 91 92 Victoria City Strata Plan VIS4516 together with an interest in the common property in proportion to the unit entitlement as shown on form 1

"Easement Area" means that part of the Servient Tenement shown on Plan EPP 25156; and

"Servient Tenement" means Parcel Identifier 009-356-878 Lot 78, Victoria City.

2. The Transferor grants to the Transferee, its servants, agents and those authorized by it, the full free and uninterrupted right and easement, in common with the Transferor, but subject to the terms of this General Instrument, at all times
- (a) to enter, use, labour, go, return, pass and repass along, over, upon and through the Easement Area together with goods, materials, parcels, supplies, cargo or other things for the purpose of access to and egress from the Dominant Tenement;
 - (b) to keep the Easement Area clear of anything which, in the opinion of the Transferee, constitutes or may constitute an obstruction to the use of the Easement; and
 - (c) to do all acts which, in the reasonable opinion of the Transferee, are necessary and incidental to the use of the Easement Area for the purpose set out in this General Instrument.
3. The Transferor covenants and agrees with the Transferee
- (a) that the Transferee, performing and observing the terms, covenants and conditions on its part to be performed and observed, will and may peaceably hold and enjoy the rights and easements granted to it by this General Instrument

without hindrance, molestation or interruption by the Transferor or any person, firm or corporation claiming by, through, under or in trust for, the Transferor;

- (b) not to make, place, erect or maintain on the Easement Area any structure, equipment or other thing which will interfere with or obstruct access to the Easement Area; and
- (c) to execute all further documents and things whatsoever for the better assuring unto the Transferee of the rights and easements granted to it by this General Instrument.

4. The Transferee covenants and agrees with the Transferor

- (a) to indemnify and save harmless the Transferor, its employees, servants and agents, against all claims, actions, causes of action, losses, damages, costs and liabilities, including fees of solicitors and other professional advisors, arising out of
 - (i) any breach, violation or non-performance by the Transferee of any covenant, condition or agreement in this General Instrument, and
 - (ii) any personal injury, death or property damage occurring or happening on or off the Easement Area by virtue of the Transferee's exercise, carrying out or failure to carry out its rights, activities or obligations under this General Instrument or otherwise, including any matter or thing permitted or omitted to be done (whether negligent or otherwise) by the Transferee, its employees, servants, agents, licensees, permittees, invitees, contractors or subcontractors

and the amount of that loss, damage, cost and liability will be paid by the Transferee to the Transferor immediately upon demand; and

- (b) to cause no damage or disturbance to the Servient Tenement.

5. It is mutually understood, agreed and declared by and between the parties that

- (a) nothing contained in this General Instrument obligates the Transferor to construct, operate, maintain, inspect, alter, remove, replace or repair anything on the Easement Area or to contribute toward the cost of the construction, operation, maintenance, inspection, alteration, removal, replacement or repair of anything on the Easement Area;
- (b) this General Instrument and the rights granted by this General Instrument are and will be of the same force and effect, to all intents and purposes, as a covenant running with the land and this General Instrument, including all the covenants, conditions and agreements contained in it, will extend to and be binding upon and enure to the benefit of the parties and their respective successors and assigns;

- (c) the expressions "Transferee" and "Transferor" will be deemed to include the heirs, executors, administrators, successors, assigns, employees, servants, agents and officers of such parties wherever the context so admits;
- (d) wherever the singular or masculine is used in this General Instrument it will be construed as meaning the plural or feminine or body corporate or politic where the context or the parties so requires;
- (e) this General Instrument will be governed and construed in accordance with the laws of the Province of British Columbia;
- (f) where there is a reference to an enactment of the Province of British Columbia or of Canada in this General Instrument, that reference will include a reference to every amendment to it, every regulation made under it and any subsequent enactment of like effect and, unless otherwise indicated, all enactments referred to in this General Instrument are enactments of the Province of British Columbia; and
- (g) should any provision of this General Instrument be found to be illegal or unenforceable, it will be considered as separate and severable and the remaining provisions of this General Instrument will remain in force and will be enforceable to the fullest extent permitted by law.

END OF DOCUMENT



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: May 6, 2013
Staff Report No. FIN-13-003

REQUEST FOR DECISION

SUBJECT:

2013 Financial Plan and Tax Rates Bylaws

RECOMMENDATION:

That *Financial Plan Bylaw, 2013, No. 2802* and *Tax Rates Bylaw, 2013, No. 2803* be given 1st, 2nd and 3rd reading.

RELEVANT POLICY:

As required by the Community Charter, the Financial Plan and Tax Rates must be adopted annually, by bylaw, prior to May 15th each year.

STRATEGIC RELEVANCE:

The Financial Plan and Tax Rates establish the service levels and revenue required by the Township to provide these services

Submitted by: Writer 

Reviewed by: CAO 

Date: May 1/13

STAFF REPORT

DATE: May 1, 2013 Report No. FIN-13-003
TO: Laurie Hurst, Chief Administrative Officer
FROM: Ian Irvine, Director of Financial Services
SUBJECT: 2013 Financial Plan and Tax Rates Bylaws

RECOMMENDATION:

That *Financial Plan Bylaw, 2013, No. 2802* and *Tax Rates Bylaw, 2013, No. 2803* be given 1st, 2nd and 3rd reading.

BACKGROUND:

The attached summary Financial Plan, Tax Rates, and the Revenue, Tax, Budget and Financial Sustainability Policies and Objectives document were produced based upon Committee of the Whole and Council discussions. These included a March 18, 2013 meeting when Council approved in principle the proposed changes to the Policies and Objectives as well as a Special Council meeting on March 19, 2013 when supplementary operating and capital requests were presented for consideration.

At Council meetings held on April 15 and April 22, 2013, a number of potential tax rate scenarios were presented for Council's consideration. These scenarios outlined the anticipated amount of tax revenue to be collected as well as the approximate surplus amount that would result. During the April 22, 2013 meeting, Council approved in principle a scenario which would result in required tax revenue from all classes to remain at the 2012 levels without impacting service delivery. Additionally, there would be an additional 2.36% reduction to the amount of tax revenue required from class 6 properties.

As detailed within each scenario, the total amount of revenue collected from municipal taxpayers and the PILT properties exceeds the revenue requirements within the Financial Plan. This is due in great part to an increased Payment in Lieu of Taxes (PILT) revenue received as a result of significant new construction by the Department of Defence. Under the scenario approved by Council, current year revenues to be collected should exceed the requirements by approximately \$670,000. At this time, staff has allocated this amount to contingency and will prepare a report to Council later in 2013 with potential options for their consideration and direction.

ISSUES:

1. Rationale for Selected Option

The Financial Plan and tax rates have already been approved in principle by Council during meetings held during March and April, 2013. Additionally, there is a requirement that the bylaws be adopted annually by May 15.

2. Organizational Implications

This will allow staff to update the financial systems with the 2013 Financial Plan information and begin preparations for issuing 2013 tax notices.

3. Financial Implications

Adoption of the Financial Plan will allow staff to finalize the 2013 financial information and would allow for the development of a three year tax plan which is identified as a Strategic Objective.

4. Sustainability/Environmental Implications

There are no sustainability implications to be considered.

5. Communication

Once adopted, the 2013-2017 Financial Plan and Policies and Objectives document would be added to the Township's website. Additionally, a tax information insert will be created and included with each tax notice. This insert will include tax rate information, how municipal tax revenue is allocated by the Township and the proportion of municipal tax revenue in relation to the amounts collected on behalf of other agencies.

ALTERNATIVES:

1. That *Financial Plan Bylaw, 2013, No. 2802* and *Tax Rates Bylaw, 2013, No. 2803* be given 1st, 2nd and 3rd reading.
2. That staff be directed to develop Financial Plan and Tax Rate Bylaws based on an alternate scenario as decided by Council.

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2802

A Bylaw to adopt the Financial Plan for the years 2013 to 2017.

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

1. This Bylaw may be cited for all purposes as the "*FINANCIAL PLAN BYLAW, 2013, NO. 2802*"
2. Schedule "A" and "B" attached hereto and made part of this Bylaw is hereby adopted as the Financial Plan of the Corporation of the Township of Esquimalt for the period 2013 to 2017.

READ a first time by the Municipal Council on the 6th day of May, 2013.

READ a second time by the Municipal Council on the 6th day of May, 2013.

READ a third time by the Municipal Council on the 6th day of May, 2013.

ADOPTED by the Municipal Council on the day of May, 2013.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER



Revenue, Tax, Budget and Financial Sustainability Policies & Objectives

1. PROPERTY TAX REVENUE and TAX RATIOS

Background

Property taxes account for approximately 48% of the Township of Esquimalt's (Township's) revenue (excluding unconditional or non-reoccurring grants and transfers from own sources) and provide a stable and consistent source of funding for many services that are either difficult or undesirable to fund on a user-pay basis. Property taxes are more predictable than other revenue sources, resulting in less likelihood of a shortfall relative to other budgeted revenue.

Payments In Lieu of taxes provided by CFB Esquimalt accounts for the Township's second largest revenue source, at approximately 37%.

The Township's distribution of taxes among the property classes is typical, where the residential class is proportionately the largest of the total tax base at approximately 78%. Properties in the business class provide the second largest portion of the tax base at approximately 16%. The major industry, light industry, and recreation/non-profit classes provide the remaining 6% of the tax base.

The Township's tax rates appear high in comparison to other municipalities in the Capital Regional District, primarily because the Township provides its own police, fire, recreation and library services, while these services are either cost-shared or provided on a volunteer basis by other municipalities and because the Township has a limited retail base and comparably lower assessed values than other municipalities. Consequently, the Township must fund higher costs amongst fewer sources than other municipalities resulting in higher tax rates.

Reducing taxes can only come about by either lowering overall costs, increasing revenue from sources other than property taxes, increasing the number of tax payers or from a combination of these measures. Council is constrained in its ability to shift the tax burden as a means of driving change in the community. Shifting of one property tax class burden to drive new initiatives will result in higher taxes applied against the other classes. Consequently, the tax burden may only be shifted over time by looking to new initiatives that increase non tax revenues and tax base.

Objectives

- 1.1 Distribute property tax increases equitably among the classes of property.
- 1.2 Increase the percentage of revenue from sources other than property value taxes over time by considering:
 - (a) new initiatives that increase the tax base and facilitate shifting tax ratios without increasing the residential tax burden; and
 - (b) the impact of a 'Downtown Revitalization' bylaw to stimulate development in the downtown core and adjust the tax base provided by Class 6
- 1.3 Consider implementing property tax strategies or incentives that promote economic development within the community.

Policies

- 1.4 Consider the annual property tax increase required to cover the projected cost of the existing service levels as well as any new or enhanced services.
- 1.5 Adjust the tax rate ratios each year to maintain stability while ensuring the tax rate is reflective of both market and non market changes.
- 1.6 Set annual property tax rates after considering significant new growth or loss of assessment in each property class.
- 1.7 Use the property tax levy and payments in lieu of taxes to balance the budget each year after reviewing the potential for sustainable revenue from all other sources.
- 1.8 Mitigate the impact on property taxes by researching non-property tax revenue sources whenever possible, applying for government grants, charging appropriate user fees and developing strategic alliances, partnerships and shared project funding to reduce costs of service delivery.

2. PERMISSIVE TAX EXEMPTIONS**Background**

The Township will continue to support local not for profit organizations who qualify for permissive tax exemptions on their merits and under Section 224 of the Community Charter.

Objectives

- 2.1 Continue to consider granting permissive tax exemptions which promote social benefit to the community; and
- 2.2 Consider implementing permissive tax exemptions that promote economic development within the community

Policies

- 2.3 Continue to grant permissive tax exemptions to agencies and organizations that:
 - 2.3.1 provide benefits to the Township and its residents
 - 2.3.2 qualify under the legislation and any formal policy adopted by Council
- 2.4 Review permissive tax exemptions in conjunction with other financial support provided by the Township to ensure funding is reasonable and appropriate
- 2.5 Continue to review and update the existing evaluation criteria to ensure the Township is benefitting from organizations that receive tax exemptions

3. GROWTH AND REVITALIZATION STRATEGIES**Background**

Growth, improvement and forward thinking are necessary to maintain a desirable, healthy and sustainable community. A desirable environment will also attract and retain new business and thus add to the tax base and achieving the goal of reducing individual property taxes. The Township will continue to seek out and be open to employing strategies which assist in retaining and furthering this goal.

Objectives

- 3.1 To stimulate and reinforce development initiatives in locations where such uses are permitted.

Policies

- 3.2 Review and consider the provision of permissive exemptions for revitalization, beautification and heritage tax exemptions that are consistent with enhancing the quality of life (social, economic and environmental) objectives of the community.
- 3.3 Revise or coordinate economic development, revitalization and heritage plans to determine where opportunities for permissive tax exemptions may exist.

4. PARCEL TAX REVENUE

There are no parcel tax levies in use by the Township of Esquimalt.

5. FEES AND CHARGES**Background**

Fees and charges account for 12% of the Township's revenue. While this revenue source includes revenue generated from licences and permits, the largest component of user fee revenue is generated from recreation programs.

Objectives

- 5.1 User fees may be charged for services that are identifiable to specific users, versus levying a general tax to all property owners.
- 5.2 User fees charged for recreation programs are appropriate; and
- 5.3 Other fees, such as fees for licences and permits are:
 - (a) reviewed regularly to ensure the Township is working towards full cost recovery for the service provided;
 - (b) consistent with similar fees charged within the region; and
 - (c) consistent with the social and economic objectives of the Township.

Policies

- 5.4 Review recreation user fees at least annually to ensure that increases are consistent with inflation and those services remain affordable and competitive within the regional market.
- 5.5 Review other fees and charges at least annually to ensure the Township recovers at least 100% of the cost of services provided, and the cost is consistent with similar fees charged in the region.
- 5.6 Fees required to recover the cost of services may be reduced by government grants or transfers allocated to specific programs.

6. FINANCIAL SUSTAINABILITY

Long term financial sustainability is important if the Township is to deliver the services and programs expected by the community. It is also important that community assets are maintained as a means to retain and attract vibrant businesses and to ensure that the costs do not become a burden for future rate payers.

Responsible long term financial management:

- means that a healthy financial position is maintained

- gives financial outcomes greater stability and certainty
- ensures consistent delivery of essential community services and the efficient development and maintenance of infrastructure

6.1 INFRASTRUCTURE AND CAPITAL ASSET SUSTAINABILITY

Background

Capital projects are funded through a number of sources including grants, reserves and property tax levies. Once acquired or completed, the costs of maintaining the capital assets are included in the annual operating budget and replacement or improvement costs are requested as part of the capital plan.

Objectives

- 6.1.1 Capital funding provided through the annual budget process will be adequate to maintain the Township's capital assets and infrastructure and to provide for the replenishment of capital assets.
- 6.1.2 Capital projects will be monitored to ensure they are completed in a timely manner and they remain within budgetary cost allocations.
- 6.1.3 A capital plan will be developed to maintain the capital assets and infrastructure in a proper state of repair to avoid costly failures and, where possible, to economically and effectively extend the asset's life.

Policies

- 6.1.4 To ensure capital funding is adequate:
 - (a) an amount equal to the value of matured debt charges is transferred annually to the Capital Projects Reserve Fund;
 - (b) an amount approximating the sales tax rebates received by the Township is transferred annually to the Capital Projects Reserve Fund;
 - (c) all money from the sale of land and improvements (other than park land and tax sale land) is credited to the Capital Projects Reserve Fund and set aside for future land purchases;
 - (d) donations and bequests for capital purposes are transferred to the Capital Projects Reserve Fund unless otherwise specified by the donor;
 - (e) the Capital Projects Reserve Fund, and all interest earned upon it, is only used to acquire capital assets.
- 6.1.5 Capital projects and programs unable to be acquired or fully completed during the year they were budgeted may be eligible for carry forward to the next fiscal year. During the creation of the annual capital plan:
 - (a) previously approved capital projects may be carried forward if a commenced project has not yet been completed;
 - (b) new capital project requests will be scaled back to accommodate any carry forward requests; and
 - (c) projects that have not commenced will not be automatically carried forward. These projects must be submitted with all newly proposed projects for assessment during budget deliberations.

- 6.1.6 Capital projects are expected to be completed or acquired within the budgeted allocation however, when unforeseen cost overruns do occur, an additional funding approval is required. These will require formal approval from Council except in instances where the following have been met:
- (a) The total capital budget for that item is less than \$100,000;
 - (b) Total expenditures are less than 110% of the total approved capital budget for that item;
 - (c) The amount exceeding the budget can be offset by other completed capital expenditures within the same fund which were acquired/completed for less than the approved capital amount; and
 - (d) Each instance where capital projects exceed budgetary allocation must be reviewed and approved by the CFO

6.2 RESERVES

Background

The Township has various reserve funds which have been established for specific purposes. These funds are developed and maintained to ensure financial obligations with respect to infrastructure, equipment and fiscal requirements are met.

Objectives

- 6.2.1 Establish and maintain reserves to provide stability to municipal operations and ensure the Township can meet both current fiscal requirements and future obligations.
- 6.2.2 The budget process and existing operations must strive to establish and maintain sufficient funding to achieve the reserve balances set out.

Policies

- 6.2.3 Strive to ensure the sum of the following balances represents a minimum of 25% of the total revenue required each year (excluding unconditional or non-reoccurring grants and transfers from own sources) by the year 2020:
- Reserve Funds;
 - Appropriated for Uncollected Taxes Account;
 - Appropriated for Working Capital Account; and
 - Unappropriated Surplus Account

6.3 DEBT MANAGEMENT

Background

The maximum amount that can be borrowed by the Township is set by the Community Charter. Debt funding is provided by the Municipal Finance Authority and should be used only for capital projects and not operational programs. In comparison to the debt available, the Township's debt has been maintained at a fairly low level in recent years.

Objectives

6.3.1 Maintain the long term debt servicing liability at a manageable level.

Policies

6.3.2 Limit the creation of long term debt to the financing of large infrastructure and economic development projects.

6.3.3 Minimize debt costs by seeking out and applying for provincial and federal government grants whenever possible.

7. RESTRICTED ACCOUNTS**Background**

Funds may be set aside for specified purposes either through external or internal requirements. Minimum balances may be set to ensure availability of funds.

Objectives

7.1 These funds are used primarily to finance specific projects for which the funds were advanced, capital and one time operating projects. Internally restricted funds may also be used from time to time to strategically offset specific operating costs

Policies

7.2 A minimum balance of \$100,000 will be maintained in the Casino Revenue Sharing account

7.3 A minimum balance of \$250,000 will be maintained in the Community Works Fund account

7.4 A minimum balance of \$500,000 will be maintained in the Machinery and Equipment Depreciation Fund account

7.5 A minimum balance of \$1,000,000 will be maintained in the Capital Projects Reserve Fund account

7.6 The funds set out in S7.2 and 7.3 may be used for specific one time capital and operating project costs

7.7 The balances set out in S7.2, 7.3, 7.4 and 7.5 may temporarily drop below the established minimum balances, provided a plan is in place to re-establish the minimum balance

**CORPORATION OF THE TOWNSHIP OF ESQUIMALT
FINANCIAL PLAN 2013 - 2017**

	2013 \$	2014 \$	2015 \$	2016 \$	2017 \$
REVENUE					
Taxes					
Property Value Taxes	14,116,280	15,029,025	14,901,096	15,224,163	15,343,224
Parcel Taxes	0	0	0	0	0
Utility Taxes	250,376	255,395	233,132	235,460	237,811
Payments/Grants in Lieu of Taxes					
Federal	10,193,042	10,396,910	10,604,855	10,816,955	11,033,300
Provincial Agencies	111,568	113,805	116,085	118,415	120,795
Fees and Charges	3,278,245	3,208,720	3,278,790	3,334,130	3,398,735
Other Revenue					
Services to Other Governments	0	10,000	0	0	0
Grants from Other Governments	896,108	407,032	407,032	407,032	407,032
Other	1,801,137	1,255,220	1,261,210	1,267,325	1,138,560
Proceeds from Borrowing	234,562	0	0	0	0
Proceeds from Leases	0	0	0	0	0
Transfers from Statutory Reserve Funds					
Capital Projects Reserve Fund	3,097,498	1,051,810	79,000	70,000	70,000
Local Improvement Fund	0	0	0	0	0
Machinery & Equipment Depreciation Reserve Fund	1,413,435	710,575	61,695	62,840	64,005
Park Land Acquisition Reserve Fund	0	0	0	0	0
Sustainability Reserve Fund	16,000	0	0	0	0
Off-Street Parking Reserve Fund	0	0	0	0	0
Tax Sale Lands Reserve Fund	0	0	0	0	0
Transfers from Accumulated Surplus	0	0	0	0	0
Transfers from Operating Reserves	252,181	57,840	50,000	50,000	50,000
	<u>35,660,432</u>	<u>32,496,332</u>	<u>30,992,895</u>	<u>31,586,320</u>	<u>31,863,462</u>
EXPENDITURE					
Debt Interest	658,326	658,326	658,326	658,326	658,326
Debt Principal	428,141	428,141	428,141	428,141	428,141
Capital Expenditure	6,076,204	2,345,110	683,125	675,450	517,505
Other Municipal Purposes					
General Government	3,126,281	3,091,768	3,097,447	3,153,466	3,224,619
Protective	11,124,459	11,331,926	11,527,055	11,745,878	11,882,976
Transportation (Public Works)	2,437,607	2,595,337	2,460,457	2,613,556	2,636,998
Environmental Health (Garbage and Sewer)	863,387	878,325	893,600	909,170	925,055
Environmental Development (Planning)	578,909	592,411	480,466	487,708	500,260
Recreation and Cultural	7,849,058	8,784,348	8,973,043	9,122,780	9,297,112
Other Fiscal	34,300	36,880	37,475	38,085	38,710
Other (Contingency)	920,000	250,000	250,000	250,000	250,000
Transfers to Statutory Reserve Funds					
Capital Projects Reserve Fund	992,760	992,760	992,760	992,760	992,760
Reserve For Expenditures	60,000	0	0	0	0
Local Improvement Fund	0	0	0	0	0
Machinery & Equipment Depreciation Reserve Fund	441,000	441,000	441,000	441,000	441,000
Sustainability Reserve Fund	20,000	20,000	20,000	20,000	20,000
Tax Sale Lands Reserve Fund	0	0	0	0	0
Transfers to Operating Reserves	50,000	50,000	50,000	50,000	50,000
	<u>35,660,432</u>	<u>32,496,332</u>	<u>30,992,895</u>	<u>31,586,320</u>	<u>31,863,462</u>

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2803

A Bylaw for the levying of rates for Municipal,
Regional District and Regional Hospital District purposes for the year 2013.

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

1. This Bylaw may be cited as the "TAX RATES BYLAW, 2013, NO. 2803".
2. The following rates are hereby imposed and levied for the year 2013:
 - (a) For all lawful purposes of the municipality on the assessed value of land and improvements taxable for general municipal purposes, rates appearing in column "1" of Schedule "A" attached hereto and forming a part hereof.
 - (b) For purposes of the Capital Regional District on the assessed value of land and improvements taxable for general municipal purposes, rates appearing in column "2" of Schedule "A" attached hereto and forming a part hereof.
 - (c) For purposes of the Capital Regional Hospital District on the assessed value of land and improvements taxable for regional hospital district purposes, rates appearing in column "3" of Schedule "A" attached hereto and forming a part hereof.
3. The minimum amount of taxation upon a parcel of real property shall be One Dollar (\$1.00).
4. The aforesaid rates and taxes shall be considered to have been imposed on and from January 1, 2013 and shall be due and payable at the office of the Collector of Taxes of the Corporation of the Township of Esquimalt, in the Province of British Columbia, by July 2, 2013 or mailed within Canada with a legible postmark dated June 21, 2013 or prior; or paid at a financial institution in Canada on or before July 2, 2013.

READ a first time by the Municipal Council on the 6th day of May, 2013.

READ a second time by the Municipal Council on the 6th day of May, 2013.

READ a third time by the Municipal Council on the 6th day of May, 2013.

ADOPTED by the Municipal Council on the day of May, 2013.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

TAX RATES - 2013

(Dollars of tax per \$1,000 value)

Property Class	1 Municipal	2 Regional District	3 Hospital District
1 Residential	4.85510	0.66317	0.30036
2 Utilities	21.54743	2.94321	1.05127
4 Major Industry	31.45665	4.29673	1.02123
5 Light Industry	16.52340	2.25696	1.02123
6 Business & Other	12.45060	1.70065	0.73589
8 Recreational & Non-Profit	5.44052	0.74313	0.30036



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: May 6, 2013
Staff Report No. EPW-13-007

REQUEST FOR DECISION

SUBJECT:

Desktop Study for Potential Resource Recovery Opportunities from Waste Water Treatment Plant

RECOMMENDATION:

That Council receive report EPW-13-007 for information

RELEVANT POLICY:

Not applicable


STRATEGIC RELEVANCE:

Strategic goal – waste resource management

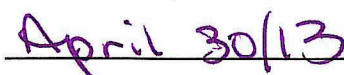
Submitted by: Director, Engineering and Public Works



Reviewed by: CAO



Date:



STAFF REPORT

DATE: May 1, 2013 Report No. EPW-13-007

TO: Laurie Hurst, Chief Administrative Officer

FROM: Jeff Miller, Director, Engineering and Public Works

SUBJECT: Update on Desktop Study for Potential Resource Recovery Opportunities from the Waste Water Treatment Plant

RECOMMENDATION:

That Council receive report EPW-13-007 for information

BACKGROUND:

In 2010 the Township budgeted for carrying out a desktop study for potential resource recovery opportunities from the waste water treatment plant (WWTP). Funding was also received from the Provincial Government to assist in the cost of the study. The budget for this project was \$30,000 (\$20,000 from Township and \$10,000 from Provincial sources). The study was not carried out until recently in order for the locations of the various components of the waste water plant to be semi-formalized.

In January, 2013, a request for proposals was issued by the Township. Two proposals were received in response to the proposal call. Both proposals displayed an understanding of the work and each company had carried out similar type of work before. The contract was issued to Kerr Wood Leidal Consulting Engineers (KWL).

The scope of work was to carry out a desktop review of the available information and determine what opportunities are available to the Township in order to utilize resources recovery from the WWTP. The original scope of work examined the McLoughlin Point and Hartland sites. Due to KWL's costs being under budget, the Township increased the scope of work to examine resource recovery for a site if it was located within the Township. The site chosen was the industrial zoned lands.

A draft report was completed by the end of March, 2013, with a final report being completed by mid April, 2013.

The report identified five resource recovery opportunities. These five are:

1. Heat recovery (raw sewage in trunk mains and treated effluent from WWTP);
2. Reclaimed water;
3. Biogas/biomethane;
4. Biosolids;
5. Nutrient Recovery.

Out of the identified recovery opportunities, two of them are not feasible for the Township to participate in.

The three remaining recovery opportunities would have varying degrees of utilization by the Township.

One factor that needs to be recognized is that when waste water enters the trunk mains, this material becomes the property of the CRD. With any of the opportunities listed, the Township would have to negotiate with the CRD to gain access to these resources.

Heat Recovery Opportunity

Heat recovery is a resource that could be recovered and utilized by the Township. This opportunity would see latent heat extracted from either/both the raw sewage trunk mains or the treated effluent before it is released to the receiving water body. The Township has two trunk mains (Northwest trunk sewer – West section and North section) running through it and the WWTP – liquids portion site.

Heat extracted would have to be utilized in a district energy system (DES). DES's sites could be located at the industrial lands and/or the town centre (Esquimalt Village Project – EVP). Once a DES was established at either location there would be opportunities to add surrounding buildings into the DES by either retrofitting them or through new construction.

An estimate of energy that could be recovered is as follows:

- Industrial park DES
 - 7.6 megawatts in 2016
 - 8.7 megawatts in 2031

- EVP DES
 - 5.3 megawatts in 2016
 - 12.6 megawatts in 2031

- Treated Effluent
 - 44 megawatts in 2016
 - 48 megawatts in 2031

Indications from the report suggest that there is a good possibility a DES could be created but in order to confirm this further study needs to be carried out.

Reclaimed Water

Reclaimed water is the treated effluent that will be discharged from the WWTP to the receiving water body. It has been estimated that approximately 12 megalitres per day of recoverable water will be produced by the WWTP.

The reclaimed water would have uses in irrigation or non-potable water uses. Irrigation of urban green spaces (i.e. parks and golf courses) is a potential use of this water. This use however requires the installation of piping (capital cost) to the various locations in order to be effective. This option is not economically viable for the Township because of the cost difference between potable and non-potable water. The option has more potential if it was utilized on a regional basis.

The reclaimed water could also be utilized in a DES system. It would be used in the cooling/heating process or as non-potable water source (i.e. toilet flushing). Again this option would require the installation of piping. If this piping was part of the infrastructure to support a DES system, this option would be a positive option. Further study is required to confirm this assumption.

Biogas/Biomethane

It has been assumed that the solids portion of the WWTP will utilize a digester system that will produce a biogas that through a gas scrubbing system will create a high quality biomethane product. This biomethane could be used as a heat and power source for components of the WWTP, nearby buildings, fuel for vehicles or be introduced into the natural gas distribution system. Each use will require a different level of quality for the biomethane.

The two primary options for the Township to utilize biomethane are in its fleet vehicles or heating systems that use natural gas. In order to utilize biomethane in fleet vehicles several collateral projects must also occur. These are as follows:

1. The biogas would have to be scrubbed to an acceptable quality to be utilized as a vehicle fuel.
2. A fueling station needs to be built and operated within close proximity of the Township.
3. The light duty and heavy duty trucks of the fleet must be converted from gas and diesel to compressed natural gas (CNG).

Due to the Township's fleet size, consumption rates are not sufficient to justify a fueling system for Township only usage. The fueling station would have to be operated by a third party station. While it is feasible to convert the fleet units to CNG, the fueling station would have to be in close proximity of the Township. If not, productive time will be lost on fueling activities rather than operational activities.

The use of biomethane to heat buildings or use in a DES is also an option. The gas would be scrubbed to an acceptable level. This upgraded gas would then either be used on site (Hartland or industrial lands) as a heat and power source or be introduced into the distribution system for general consumption. This option will require further study to determine if a valid business case can be made.

Biosolids & Nutrient Recovery Opportunities

For the Biosolids opportunity, the utilization of Biosolids as either a fuel source or fertilizer/chemical source is not practical for the Township. The Township does not have an energy generation centre that could utilize this type of fuel source.

If a Class A quality biosolid is produced, the Township is a very low consumer of this item and could not fully utilize this opportunity. For the nutrient recovery option, the capture of phosphorus (struvite) is another opportunity for which the Township is not equipped and for which it does not have an operational need.

ISSUES:

1. Rationale for Selected Option

The focus of the report was to provide a high level review of the possibilities for resource recovery if components of a WWTP were located in the Township. The options presented will require further examination and exploration in order to determine their validity. With that being the case, this report is for information only.

As the project moves forward, staff will utilize this information as required to address Township concerns or business cases.

2. Organizational Implications

There are no organizational implications at this time.

3. Financial Implications

At this time there are no financial implications.

4. Sustainability/Environmental Implications

The report provides several possible options that if carried out would provide a positive influence on the environment and move the Township a step closer to become increasingly sustainable.

5. Communication

A copy of the report will be posted on the Township's web site for information.

ALTERNATIVES:

1. That Council receive report EPW-13-007 for information.
2. That Council direct staff to provide further information.



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: May 6, 2013
Staff Report No. EPW-13-008

REQUEST FOR DECISION

SUBJECT: Update of Sanitary Sewer and Storm Drain Connection Requirement Bylaw

RECOMMENDATION:

That Council give first, second and third readings to the Sewer Connection Bylaw, 2013, No. 2801, as attached to Staff Report No. EPW-13-008.

RELEVANT POLICY:

Sewer Connection Bylaw, 1981, No. 1687

STRATEGIC RELEVANCE:

This Request for Decision relates to Council's Strategic Priority of waste resource management.

Submitted by: Director, Engineering and Public Works

J. W. Miller

Reviewed by: CAO

R. Hurst

Date:

May 1/13

STAFF REPORT

DATE: May 1, 2013 Report No. EPW-13-008
TO: Laurie Hurst, Chief Administrative Officer
FROM: Jeff Miller, Director, Engineering and Public Works
SUBJECT: Update of Sanitary Sewer and Storm Drain Connection Requirement Bylaw

RECOMMENDATION:

That Council give first, second and third readings to the Sewer Connection Bylaw, 2013, No. 2801, as attached to Staff Report No. EPW-13-008.

BACKGROUND:

As part of the ongoing effort to update the Township bylaws, the Sewer Connection Bylaw, 1981, No. 1687 has been identified as one of the bylaws that require updating. The Bylaw was passed in 1981 and governs the requirement for owners of real property to connect their buildings and structures to the municipal sanitary sewer and storm drain systems.

A new proposed Sewer Connection Bylaw, 2013, No. 2801 has been prepared. The new Bylaw is essentially requiring the same but is updated to reference changes in governing legislation, expansion of Municipal enforcement actions and the expansion of the offence and penalty section.

Section 8 dealing with Municipal Action at Defaulter's Expense has been expanded. In accordance with the *Community Charter*, this section allows the Township to recover costs when carrying out the Bylaw if the owner fails to act and connect to the appropriate system within the prescribed time line. The penalty and enforcement section (Section 9) has also been amended to provide the Township the ability to fine or ticket an owner who does not carry out the requirements of the Bylaw. A corresponding amendment to our Ticket Information Utilization Bylaw, 2005, No. 2619 will also be required.

ISSUES:

1. Rationale for Selected Option

By updating the bylaw, the Township will have an up-to-date Bylaw in compliance with the *Community Charter* and that provides the Township with ability to carry out the work at the owner's expense in the event of non-compliance.

The new Bylaw clarifies that in the event of non-compliance by an owner, the Township may proceed to have the connection done and the costs to install the connection are to be borne by the owner. This will help reduce the likelihood of claims or actions against the Township.

2. Organizational Implications

There will be no organizational implications at this time. The enforcement of this Bylaw is an activity that Engineering deals with as situations present themselves.

3. Financial Implications

At this time there are no financial implications. The Bylaw provides clarification on how money will be collected and fines or tickets assessed.

4. Sustainability/Environmental Implications

There are no sustainability/environmental implications. As staff becomes aware of instances of non-compliance with the Bylaw, they are addressed accordingly.

5. Communication

A notification of the change in the Bylaw will be posted on the Township's web site for information to property owners.

ALTERNATIVES:

1. That Council give first, second and third readings to the Sewer Connection Bylaw, 2013, No. 2801, as attached to Staff Report No. EPW-13-008.
2. That Council not give any readings to proposed Sewer Connection Bylaw, 2013, No. 2801.

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2801

A Bylaw to require owners of real property to connect their buildings and structures to the municipal sanitary sewer and storm drainage systems

WHEREAS it is deemed desirable and expedient that owners of real property be required to connect their buildings and structures to the Municipality's sanitary sewer system and storm drainage system;

NOW THEREFORE, 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 "SEWER CONNECTION BYLAW, 2013, No. 2801."

Definitions

2. For the purposes of this Bylaw:

"connection" means the act of connecting a property's sanitary sewer system to the Municipality's sanitary sewer system or the property's storm drainage system to the Municipality's storm drainage system;

"Director of Engineering and Public Works" means the person appointed to the position of Director of Engineering and Public Works, and includes any person designated as an alternate;

"Municipality" means The Corporation of the Township of Esquimalt;

"sanitary sewer system" means a system for the collection and disposal of sewage; and

"storm drainage system" means a system for the collection and disposal of surface water runoff.

Requirement to Connect to Sanitary Sewer

3. Every property owner must ensure that all sewage originating from any building or structure located on the owner's property is connected to and discharged into the Municipality's sanitary sewer system, where the Municipality's sanitary sewer system is available for connection to the property, in a manner provided by this Bylaw, any other pertinent bylaw of the Municipality and the *British Columbia Plumbing Code*.
4.
 - (1) Any connection required under clause 3 shall be made within 180 days of receipt of written notice to do so from the Municipality.
 - (2) Notwithstanding clause 4(1), such connection shall be completed within three days of receipt of written or other reasonable notice given by the Vancouver Island Health Authority, if, in the opinion of the Vancouver Island Health Authority, a nuisance or health hazard exists as a result of any building or structure not being connected to the Municipality's sanitary sewer system.

Requirement to Connect to Storm Drainage

5. Every property owner must ensure that all surface water originating from the owner's property is contained entirely on that property and connected to and discharged into the Municipality's storm drainage system, where the Municipality's storm drainage system is available for connection to the property, in a manner provided by this Bylaw, any other pertinent bylaw of the Municipality and the *British Columbia Plumbing Code*.
6. Any connection required under clause 5 shall be made within one year of receipt of written notice to do so from the Municipality.

Notice

7. Any notice required to be given by the Municipality pursuant to any provisions of this Bylaw may be delivered by personal service to the owner or to the occupant of the property that appears to be at least 18 years of age, or sent by registered mail to the last known address of the owner, in which case the notice is deemed to have been received immediately upon delivery if personally delivered or 3 business days from the date of mailing, if sent by pre-paid registered mail. For the purposes of this clause 7, business day means a day other than a Saturday, Sunday or statutory holiday in the Province of British Columbia.

Connection Charges

8. Every property owner must pay the connection charges for making a connection to the sanitary sewer system or the storm drainage system, as the case may be, as set out in the *Building Code Bylaw, 2002, No. 2538*, as may be amended or replaced from time to time. The connection charges do not cover the cost of any works required to be done within the property for the purposes of making such a connection, which costs are the sole responsibility of the owner.

Municipal Action at Defaulter's Expense

9.
 - (1) If an owner fails to perform any work required by this Bylaw within the time specified, the Municipality may enter upon the property and cause the work to be performed at the owner's expense and recover the cost of doing so from the owner as a debt that is due and payable to the Municipality within 30 days of the Municipality performing the work. Any amounts payable by the owner, if unpaid on the thirty-first (31st) day of December in any year shall be added to and form part of the taxes payable in respect of the property and shall be deemed as taxes in arrears.
 - (2) Every owner of property shall at all reasonable times allow, suffer and permit the officers and employees of the Municipality and other persons authorized by the Director of Engineering and Public Works to enter on any property for the purpose of inspecting and enforcing this Bylaw and causing a connection to be made under 9(1).
 - (3) No person shall obstruct or interfere with any person engaged in the administration or enforcement of this Bylaw.



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: May 6, 2013
Staff Report No. EPW-13-009

REQUEST FOR DECISION

SUBJECT:

Recommendation of Esquimalt Village Project Brownfield Remediation Consultant Contract

RECOMMENDATION:

That the Township enters into a contractual agreement with SNC Lavalin for the scope of work, cost, and schedule detailed in the proposal and not seek external funding at this time.

RELEVANT POLICY:

None applicable

STRATEGIC RELEVANCE:

Strategic goal – Esquimalt Village Project: Provincial Environmental Certification

Submitted by: Director, Engineering and Public Works

Jeff D'Ally

Reviewed by: CAO

Allyson

Date:

May 1/13

STAFF REPORT

DATE: May 1, 2013 Report No. EPW-13-009
TO: Laurie Hurst, Chief Administrative Officer
FROM: Jeff Miller, Director, Engineering and Public Works
SUBJECT: Recommendation of Esquimalt Village Project Brownfield Remediation Consultant Contract

RECOMMENDATION:

That the Township enters into a contractual agreement with SNC Lavalin for the scope of work, cost, and schedule detailed in the proposal and not seek external funding at this time.

BACKGROUND:

The site of the former Public Works Yard and the old Municipal Hall has been included on the Brownfields Registry with the Ministry of Environment (MOE). In order to remove environmental liability from the Township and increase the marketability of the site, the Township is looking to obtain a legal instrument from MOE to remove the site from the Registry.

In the 2012 budget discussions, funding was approved for the first step in carrying out work for the remediation of the site. The anticipated budget requested for this project was \$125,000. Funding is to come from the Township and other funding sources (i.e. Provincial/Federal). The Township has committed \$75,000 for the project. The remaining funds (\$50,000) are to be secured from the other funding sources.

The scope of work is centred on obtaining funding for the project, preparation of a detailed site investigation and development of a remediation plan that would be acceptable to MOE. Remediation of the site would either occur prior or during construction of the Esquimalt Village Project (EVP) Phase 1.

A request for proposal for qualified proponents was released on March 21, 2013 and closed on April 16, 2013. A total of five proposals were received. The selection of a preferred proponent was based on weighted evaluation criterion. The evaluation criterion was broken down into various categories and weights:

- Project methodology and task list – 25 points
- Cost - 25 points
- Experience and capacity – 25 points
- Schedule – 15 points
- Past performance – 10 points

Based on the evaluation, the following results were determined:

Proponent	Ranking	Cost (no taxes)
SNC Lavalin	1	72,650.00
SLR Consulting (Canada) Ltd.	2	101,800.00
Next Environmental Inc.	3	143,500.00
Stantec	4	59,072.00
Levelton	5	146,970.00

ISSUES:

1. Rationale for Selected Option

The methodology for choosing a preferred proponent was a weighted evaluation criterion. Proposals were evaluated on how they met the requirements of the request for proposal as well as against each other. Based on this evaluation SNC Lavalin scored the highest points of the proposals. The SNC Lavalin proposal scored very well in all the evaluation categories. The information in the proposal provided a clear definition of the work to be carried out in order to meet the Township's objectives, schedule and fiscal restraints.

The cost proposed by SNC Lavalin is within the budget amount already approved. This allows the work to be carried out once the contract has been awarded and not be delayed while applying for funding. It would take approximately three to six months to determine if the Township was successful in obtaining funding from the Brownfields fund. FCM funding will take approximately six months to a year to obtain.

The assessment of the site and developing the remediation plan is a key milestone in order to advance the EVP project. This information quantifies to what extent and degree the site has been contaminated. The remediation plan will then provide direction in how to deal with it. With this information, it will be possible to obtain a legal instrument from MOE to allow the development of the site prior to doing the actual clean up.

This information will be a valuable asset for the Township when engaging in discussions with potential partners for the development of the site. It helps decrease the risk associated with the development of the site. By having this information sooner than later, the Township is in a better position to engage potential partners.

2. Organizational Implications

There are no significant organizational implications for this work. Engineering has scheduled this project into their work plan and have allotted adequate resources to manage the project. This project will be coordinated with Development Services as that division moves forward with other works related to the EVP project.

3. Financial Implications

The preferred proponent's scope of work and costs fall within the funding already approved by Council. This provides the Township the opportunity to move this project forward without having to obtain external funding. While the application for external funding would decrease the

Township's overall costs it is not guaranteed that the Township would receive external funding.

If during the course of the project, it becomes apparent that contamination of the site is far more extensive than assumed, the project can be halted if the work exceeds the approved budget. At that time, a decision will have to be made to continue to self fund the project or seek external funding. Work carried out up to this stoppage would not be eligible for funding but additional work would be.

4. Sustainability/Environmental Implications

By carrying out this work, the Township will have developed a remediation plan that will allow the site to obtain a legal instrument from MOE that essentially removes the site from the Registry.

5. Communication

The preferred proponent will be notified of their selection and other proponents will be notified of the results of the evaluation.

Progress on this project will be incorporated into the communication strategy Planning and Development will utilize as the EVP project moves forward.

ALTERNATIVES:

1. That the Township enters into a contractual agreement with SNC Lavalin for the scope of work, cost, and schedule detailed in the proposal and not seek external funding at this time.
2. That the Township enters into a contractual agreement with SNC Lavalin for the scope of work, cost, and schedule proposed in the proposal and seek external funding at this time.
3. That the Township does not enter into a contractual agreement with SNC Lavalin or any of the proponents.



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: May 6, 2013
Staff Report No. FIRE-13-004

REQUEST FOR DECISION

SUBJECT: Smoke Alarm Bylaw, 2013 No. 2800

RECOMMENDATION:

That Council give 1st, 2nd and 3rd readings to the Smoke Alarm Bylaw, 2013, No. 2800, as attached to Staff Report No. FIRE-13-004.

RELEVANT POLICY:

The new Smoke Alarm Bylaw, 2013, No. 2800, will repeal, replace and update the existing Smoke Alarm Bylaw, 1995, No. 2190, as amended.

STRATEGIC RELEVANCE:

Bylaw Review Program.

Submitted by: Writer Fire Chief, David Ward

David Ward

Reviewed by: CAO

R. Hurst

Date:

April 23/13

STAFF REPORT

DATE: April 19, 2013 Report No. FIRE-13-004
TO: Laurie Hurst, Chief Administrative Officer
FROM: David Ward , Fire Chief
SUBJECT: Smoke Alarm Bylaw. 2013, No. 2800

RECOMMENDATION:

That Council give 1st, 2nd and 3rd readings to the Smoke Alarm Bylaw, 2013, No. 2800, as attached to Staff Report No. FIRE-13-004.

BACKGROUND:

Research reveals a strong link between working smoke alarms and reduced fatalities from residential structure fires. Numerous evaluations have been conducted by the Fire Service using decades of data and the results are consistent. Working smoke alarms save lives. Smoke alarms are mandatory in all dwellings. Under the *BC Fire Code* and *BC Building Code* all homes and all sleeping rooms, sometimes referred to as lodging or hotel rooms, are required to be protected by smoke alarms.

Dwelling units constructed before 1979 were permitted under the *BC Building Code* to have battery powered smoke alarms. Battery powered smoke alarms were also permitted in buildings without electrical power.

Dwelling units constructed after the 1979 were required to have smoke alarms interconnected and wired permanently to the building's electrical system. Most homes have smoke alarms that are hardwired to an electrical circuit. When smoke alarms are being replaced, the installation must not reduce the level of protection. Any existing interconnected smoke alarm may only be replaced with a similar type of smoke alarm that provides the same or higher level of protection. If any additional smoke alarms are being added to an existing hard-wired system, they are permitted under the *BC Building Code* to be battery operated.

In some situations the "Authority Having Jurisdiction" may allow the use of battery operated smoke alarms to provide protection for the occupants of an otherwise inadequately protected dwelling.

The Township of Esquimalt's existing Smoke Alarm Bylaw, 1995, No. 2190, as amended, states that smoke alarms may be connected to an electrical circuit or be battery powered, and that battery powered smoke alarms would not be acceptable after January 1, 2000 and must be replaced with smoke alarms connected to an electrical circuit.

The proposed new Smoke Alarm Bylaw would allow for battery operated smoke alarms to be installed as back up alarms in conjunction with smoke alarms which are connected to an electrical circuit. This change would support a more resilient detection system and provide detection and alerting during power outages.

The new Bylaw also updates several references in the previous Bylaw including referring to the *Community Charter* rather than the *Municipal Act* and updating current standards and definitions.

ISSUES:

1. Rationale for Selected Option

The BC Fire Chiefs Association has been working with the Minister of Justice and the Office of the Fire Commissioner on a smoke alarm campaign. The plan is to provide free smoke alarms for any senior or resident who cannot afford to purchase the alarm and to install the smoke alarm for anyone who is incapable of doing the installation. A large number of Fire Departments in the Province are working in their communities to support this initiative. The battery powered smoke alarms are being installed as a temporary safety solution and are not intended to replace the requirement for a hard-wired and interconnected permanent smoke alarm in accordance with the *BC Building Code*.

2. Organizational Implications

A revised Bylaw would be required before Esquimalt Fire could participate in this Provincial safety initiative. Smoke alarm installations would be scheduled at a time when members are not occupied with other department activities or commitments and therefore the program would have no negative impact on the department.

3. Financial Implications

There would be no financial implications for the Township as a result of the revised Bylaw and free smoke alarms are being provided by the commercial suppliers.

4. Sustainability/Environmental Implications

There are no sustainability or environmental implications.

5. Communication

Upon approval of the Bylaw, Esquimalt Fire would post information on the Township's website advising our residents of the Township's involvement in the Provincial Program.

ALTERNATIVES:

1. That Council give 1st, 2nd and 3rd readings to the Smoke Alarm Bylaw, 2013, No. 2800, as attached to Staff Report No. FIRE-13-004.
2. That Council not approve the new Smoke Alarm Bylaw.

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2800

A bylaw for the installation and maintenance of
Smoke Alarms in Dwelling Units

WHEREAS pursuant to Section 63 of the *Community Charter*, Council may pass bylaws relating to smoke alarms and Council is of the opinion that it is expedient and in the public interest to adopt smoke alarm regulations,

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

1. **Citation**

This Bylaw may be cited as the "SMOKE ALARM BYLAW, 2013, NO. 2800."

2. **Definitions**

In this Bylaw:

- (a) "CAN/ULC-S531" means the National Standard of Canada designation for the standard for smoke alarms issued under the auspices of the Underwriters' Laboratories of Canada;
- (b) "CAN/ULC-S553" means the National Standard of Canada designation for the standard for the installation of smoke alarms issued under the auspices of the Underwriters' Laboratories of Canada;
- (c) "Dwelling Unit" means one or more habitable rooms used for residential accommodation when such rooms contain or provide for the installation of only one set of cooking facilities and one or more sets of sanitary facilities;
- (d) "Inspector" includes the Fire Chief and any other member of the Fire Department of the Municipality.
- (e) "Institutional Occupancy" means the occupancy of a building or part thereof by persons who require special care or treatment because of age, mental or physical limitations;
- (f) "Smoke Alarm" means a combined smoke detector and audible alarm device which:
 - i) is designed to sound an alarm within the room or suite in which it is located upon the detection of smoke within the room or suite; and
 - ii) conforms to the CAN/ULC-S531 Standard for smoke alarms.

3. **Severability**

If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.

4. **Duty of Care**

This Bylaw does not create any duty of care whatsoever on the Municipality, the Council members, officers, inspectors or any employees or agents of the Municipality in respect of:

- (a) inspections made by the Inspector or failure to make such inspections, or
- (b) the enforcement or failure to enforce the provisions of this Bylaw.

5. **Cause of Action**

Neither the failure to administer or enforce, nor the incomplete or inadequate administration or enforcement of this Bylaw or inspections made by the Inspector, shall give rise to a cause of action in favour of any person including the owner.

6. **Installation of Smoke Alarms Required**

- (a) The owner of a building shall install and maintain at least one smoke alarm in every dwelling unit, unless the dwelling unit is located in an institutional occupancy which is served by a functioning fire alarm system;
- (b) Smoke alarms within dwelling units shall be installed between each sleeping area and the remainder of the dwelling unit and where the sleeping areas are served by a hallway, the smoke alarm shall be installed in the hallway;
- (c) Smoke alarms shall be installed on or near the ceiling;
- (d) Where the dwelling unit consists of more than one storey at least one smoke alarm shall be installed on each storey;
- (e) The owner shall install smoke alarms in conformance with the CAN/ULC-S553 Standard for the installation of smoke alarms.

7. **Smoke Alarm Requirements**

- (a) Smoke alarms installed pursuant to this Bylaw must be connected to an electrical circuit;
- (b) An individually battery powered smoke alarm will not be installed in any dwelling unit unless it is installed in conjunction with and in addition to a smoke alarm which is connected to an electrical circuit;
- (c) Battery powered smoke alarms are permitted in garages, workshops and other outbuildings and structures that do not contain dwelling units;
- (d) Battery powered smoke alarms shall be equipped with an alarm pause button which, when used, will temporarily reduce the alarm's sensitivity to smoke;
- (e) Smoke alarms connected to an electrical circuit shall not be equipped with a disconnect switch between the overcurrent device and the smoke alarm.

8. **Testing**

- (a) The owner of the dwelling unit or room in which a smoke alarm is installed shall test, or have the smoke alarm tested, at least once every twelve months to ensure it is functioning correctly.

- (b) The owner of the dwelling unit or room in which an individually battery powered smoke alarm has been installed shall install new batteries in the alarm at least once every twelve months.
- (c) The owner of the dwelling unit which a smoke alarm is installed shall immediately replace or repair any smoke alarm which, upon testing, fails to perform correctly.

9. **Inspectors**

- (a) The Inspector is authorized to enter onto any property that is subject to this Bylaw, at all reasonable times, in order to ascertain whether the requirements of this Bylaw are being met.
- (b) Notwithstanding clause (a), where the property that is subject to inspection is an occupied dwelling unit, the Inspector shall first obtain the consent of the occupant, or the occupant shall first have been given 24 hours written notice of the Inspector's intention to inspect the dwelling unit.
- (c) All Inspectors entering private property shall be in possession of credentials to identify them as duly authorized representative(s) of the Municipality.
- (d) No person shall obstruct or prevent the entry of the Inspector onto any property or dwelling unit pursuant to this Bylaw.

10. **Other Provincial Requirements**

- (a) Orders for upgrading or repair issued by the Local Assistant to the Fire Commissioner, shall take precedence over this Bylaw.
- (b) Nothing contained in this Bylaw shall be construed to alter or vary the provisions of the *British Columbia Building Code* governing the installation of smoke alarms.

11. **Offence and Penalty**

- (a) A person who contravenes a provision of this Bylaw is guilty of an offence and shall be liable upon conviction to a fine of not less than \$2,000.00.
- (b) A person commits a separate offence on each day that an offence under subsection (a) continues.

12. **Repeal**

The Smoke Alarm Bylaw, 1995, No. 2190 and all amendments thereto, are hereby repealed

Read a first time on the day of , 2013.

Read a second time on the day of , 2013.

Read a third time on the day of , 2013.

ADOPTED on the day of , 2013.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Council Meeting: May 6, 2013
Staff Report No. DEV-13-018

REQUEST FOR DECISION

SUBJECT: Additions to the Esquimalt Community Heritage Register

RECOMMENDATION: That the following properties be added to the Esquimalt Community Heritage Register:

- 1376 Esquimalt Road,
- 1382 Esquimalt Road,

and that the Statements of Significance be approved as presented.

RELEVANT POLICY:

Esquimalt Heritage Policy [HER-05] - Section 5.2 states as an action item: Continue to identify sites for addition to the Community Heritage Register and prepare Statements of Significance for each site.

The Esquimalt Official Community Plan endorses the commitment to maintaining a heritage inventory in the form of a heritage register.

STRATEGIC RELEVANCE:

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

Submitted by: Writer Karen Hay

Reviewed by: CAO [Signature]

Date: May 3/13

STAFF REPORT

DATE: April 30, 2013 Report No. DEV-13-018
TO: Laurie Hurst, Chief Administrative Officer
FROM: Karen Hay, Staff Liaison to the Heritage Advisory Committee
SUBJECT: Additions to the Esquimalt Community Heritage Register

RECOMMENDATION:

That the following properties be added to the Esquimalt Community Heritage Register:

- 1376 Esquimalt Road,
- 1382 Esquimalt Road,

and that the Statements of Significance be approved as presented.

BACKGROUND:

At their April 17, 2013 meeting the Heritage Advisory Committee approved the Statements of Significance (SOS) for 1376 and 1382 Esquimalt Road, and recommended Council add these two properties to the Esquimalt Community Heritage Register.

These are the last two properties for which Statements of Significance have been prepared by contractor, Helen Edwards. 1376 and 1382 Esquimalt Road are both listed as Group 1 buildings in 'Built Heritage in Esquimalt – An Inventory', and were identified as priorities for inclusion on the Register by the members of the Heritage Advisory Committee and the contractor, Helen Edwards. The Statements of Significance are attached to this report.

Although it is not a requirement that property owners be contacted prior to inclusion of a property on a heritage register, the property owners were contacted, and interviews were conducted in January 2013. Both properties' owners were in favour of their homes inclusion on the Esquimalt Register.

As per the requirement of the *Local Government Act* notices would be mailed to all owners and occupiers of the properties included on a heritage register, and to the Minister responsible for administering the Heritage Conservation Act; within 30 days of their inclusion.

ISSUES:

1. Rationale for Selected Option

These properties have been identified as having heritage significance to the residents of Esquimalt.

2. Organizational Implications

Placement of a property on a Community Heritage Register in no way encumbers the local government. A Community Heritage Register is a planning tool provided to municipalities under the *Local Government Act*. Inclusion on the Register ensures information about a property is available for Council, residents and municipal staff; providing the identified heritage values, and character defining elements of a property. The inclusion of a property on the Register provides staff with the ability to withhold the approval of a building or demolition permit that may alter the property; while Council is notified of the pending permit application. It allows Council to temporarily protect a property while negotiations may occur.

3. Financial Implications

There are no financial implications. The *Local Government Act* protects municipalities from the need to provide compensation for the inclusion of a property on a community heritage register.

4. Communication

As per the requirement of *The Local Government Act* notices will be mailed to all owners and occupiers of the properties included on a heritage register, and to the Minister responsible for administering the Heritage Conservation Act; within 30 days of their inclusion.

ALTERNATIVES:

1. That 1376 and 1382 Esquimalt Road be added to the Esquimalt Community Heritage Register and that the Statements of Significance be accepted as presented.
2. That 1376 and 1382 Esquimalt Road **not** be added to the Esquimalt Community Heritage Register.
3. That further information be provided before 1376 and 1382 Esquimalt Road are added to the Esquimalt's Community Heritage Register.

Statement of Significance

1376 Esquimalt Road – Glen Cottage

Description of Historic Place

Common Name: 1376 Esquimalt Road

Other Names: Glen Cottage – John Edward Day residence

Civic Address: 1376 Esquimalt Road

Legal Description of Property: Lot 1, Section 10, Esquimalt District, Plan 5950

Glen Cottage is a one and one half storey plus basement wood frame building situated in the south-western area of the Township of Esquimalt. It is part of a local grouping of three homes of a similar vintage.

Heritage Value

The heritage value of Glen Cottage lies with its architectural style, its original owner and his connection with the early brewing industry, and also its connection with the military.

There is heritage value in the architectural styling of the residence. Built in 1907-08 (the same time as its next-door neighbor), the house was originally a one-storey cottage. Around 1919, the building was raised and a basement was added. The main floor was expanded and a second half-storey was added. The house has a simple design that includes a bay window to the right of the main entrance, three tall brick chimneys, and a half-width open porch supported on battered piers. There is a separate garage that was added in 1928, reflecting the growing use of automobiles.

There is heritage value in the identity of the original owner. John Edward Day was born on November 22, 1862 in Gibraltar. He joined the Royal Navy on February 7, 1890, serving until September 7, 1890 when he left the *Amphion* "at his request" and took up residence in Esquimalt. He was the proprietor of the Esquimalt Inn located in the old Esquimalt Town, now HMC Dockyard, and later one of the founders of the Silver Spring Brewery. Day never lived in the house instead he rented it to a series of military personnel. George W. Brooker, an instructor at the Royal Naval College of Canada rented the home and remained there after his retirement. Major Wallace H Dobbie, a gunnery instructor with the Royal Canadian Artillery also rented the home.

Character-Defining Elements

The heritage character of Glen Cottage is defined by the following elements:

- location with 1382 and 1388 Esquimalt Road
- wood frame construction
- form and pattern of fenestration
- bay window to right of front entrance
- Doric columns supporting the second floor balcony
- open porch
- brick chimneys

DRAFT



Figure 1. House viewed from the south



Figure 2. House viewed from the southwest

Statement of Significance

1382 Esquimalt Road - Glenday

Description of Historic Place

Common Name: 1382 Esquimalt Road

Other Names: Glenday – John Edward Day residence

Civic Address: 1382 Esquimalt Road, Esquimalt BC

Legal Description of Property: Lot 4 Esquimalt District Plan 6247 Suburban Lot 27.

1382 Esquimalt Road is a two-storey wood frame building located in the south-western area of the Township of Esquimalt. It is part of a local grouping of three homes of a similar vintage.

Heritage Value

The heritage value of 1382 Esquimalt Road lies with its architectural style, its original owner, and its connection with the military.

There is heritage value in the architectural styling of the residence. Built in 1907-08, the house received an extensive renovation in 1919 that produced a Regency style home. The main staircase leads to a large porch that serves as a balcony for the second floor. There are two small wings on each side of the front of the house and a small garage to the right of the house.

There is heritage value in the identity of the original owner. John Edward Day was born on November 22, 1862 in Gibraltar. He joined the Royal Navy on February 7, 1890, serving until September 7, 1890 when he left the *Amphion* "at his request" and took up residence in Esquimalt. He was the proprietor of the Esquimalt Inn located in the old Esquimalt Village, now HMC Dockyard, and later one of the founders of the Silver Spring Brewery. This house was built on land owned by his wife, Jessie Wilson Day. On her death in 1909, he became the sole owner. John Day only lived in the house sporadically as he is listed as residing at the Esquimalt Inn, except for 1913-1914. The first occupant was Norman Hardie, the manager of Dodwell and Co Ltd. Because of the property's proximity to the military base, subsequent residents included several military and retired military personnel. A notable military tenant was Major (later Lieutenant-Colonel) J. Nelson Gibson, a member of the Royal Canadian Ordnance Corps.

Character-Defining Elements

The heritage character of 1382 Esquimalt Road is defined by the following elements:

- location with 1376 and 1388 Esquimalt Road
- wood frame construction
- bargeboard wood siding
- form and pattern of fenestration
- main staircase with decorative pillars
- Doric columns supporting the second floor balcony
- open porch
- brick chimney
- separate small garage



Figure 1. House viewed from the south



Figure 2. House viewed from the south-east



Figure 3. garage



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

MAYOR'S AND COUNCILLORS' REPORTS

Report from: Councillors Meagan Brame, Dave Hodgins, Bob McKie, Tim Morrison

Subject: Association of Vancouver Island Coastal Communities (AVICC)

Council Agenda: May 5, 2013

AVICC Conference was in Sooke this year from April 12th to the 14th. There were many opportunities to network with colleagues to gain insight on issues and challenges facing the membership and our community. The sessions and presentations were both positive and productive. We extend kudos and applause to the AVICC organizing team and Executive as well as the community and elected officials of Sooke for providing such a fantastic experience.

AVICC Executive Elections:

Similar to last year, there was a highly competitive election for the Director positions on the AVICC Executive, resulting in two incumbent directors being defeated in their re-election bid. Esquimalt Councillor Meagan Brame, however, was re-elected after making a strong plea to be united for all local government issues throughout the AVICC region and stressing the importance of having more diversity on the AVICC Executive. The new AVICC Executive is very diverse and includes a newly elected member who is one of the province's youngest elected Councillors, Andrew Mostad of Lantzville.

T'SOU-KE NATION SOLAR PROJECT TOUR

- It was fascinating how much money they, as a nation, have saved in electricity. They are coming out even most months on the amount produced and the amount used and in some cases coming out with a credit.
- The costs for this technology has dropped about 70% since installation and they have learned a few interesting concepts. Currently the cost is approximately \$4.00 per kw. They now feel that it is better to invest in solar power vs. solar hot water. By investing in solar power, they can power anything they need vs. the solar hot water that is good only for that purpose.

CHARTERS RIVER INTERPRETIVE CENTRE TOUR

- Had the opportunity to tour the small demonstration hatchery and walk along the Charters Riverside.
- We then were shown a movie produced by the Sooke Region Museum, demonstrating how salmon were caught in fish traps in the first half of the 1900's. These major devices extended into the Strait of Juan de Fuca for up to half a mile, to intercept salmon on their way to spawning rivers. The salmon were then brailled in lifts and into packers and sent to canneries. It was a fascinating account of an activity that would not happen today.

PRIVATE MANAGED FORESTS

- Private forest operations are a small but significant part of the BC landscape, economy and rural communities.
- In BC, 91 million hectares of our forests are Crown land and 4 million are private.
- The Managed Forest Program is a partnership between owners and government with the owners making investments in the land and husbandry; therefore they take the risks.
- Forestry is a consistent provincial priority; the investments are long term and require stability. Managed Forests are regulated and certified. They are regulated to protect water supply, fish habitat, reforestation, critical wildlife habitat.
- In 1880, they were granted a large portion of the island for forest. Now many of the operations are on their 3rd growth. Forests are a big economic engine for the island. The population growth from 1880 to present day has gone up 44x. What does that mean? People need land to live, meaning fewer forests.
- CRD has approx. 100 hectares of resource land.
- Challenges - Responsible stewardship means economic activity and investment but is increasingly complex and costly. World-class log prices are necessary to support world class forest stewardship.
- Trees are a crop; a crop that takes a long time to grow, but still a crop. Like any business, they need to diversify markets and get best price for the products.

INVASIVE SPECIES MANAGEMENT

- Invasive species are non-native and cause harm.
- Top reasons to get involved:
 - threat to biodiversity,
 - can depress property values,
 - increased maintenance costs to public parks,
 - reduces aesthetics, visitor enjoyment,
 - damaging habitat, toxic sap burns, allergen, poisonous berries,
 - loss of grazing lands,
 - competes with seedlings for light, nutrients and water,
 - hosts for crop diseases,
- Invasive species removal costs a lot to deal with especially if not dealt with early on, some cause serious fire hazards (scotch broom particularly).
- BC Weed Control Act and The Community Charter allows us as Municipalities to develop Weed Bylaws.
- www.bcinvases.ca Local Government Toolkit

LET'S TALK FINANCE

- This workshop was a conversation on the financial issues facing communities.
- UBCM's Select Committee on Local Government Finance wants to know the things that matter most to local governments across BC.
- Strengths - Competitive tax levels, low per capita costs, property taxes are stable and predictable.
- Weaknesses - Low levels of provincial support, significant infrastructure upgrades needed, property tax does not grow with the economy or distribute fairly among the regions and classes.
- Process for considering options:
 - options that build on system strengths and overcome weaknesses,
 - lead and share innovative practices to improve system performance,
 - recognize the importance of building the economy,
 - solutions that resonate with all governments and with taxpayers.

- Key Directions:
 - strengthen resiliency,
 - address key externally driven cost drivers,
 - build the economy and share the benefits of that growth,
 - options for long-term realignment of revenue,
 - championing innovative local government practices.
- We do not want to lose what we already have - we want to add to them.

COMMUNITY CARBON MARKETPLACE WORKING BREAKFAST

- Pilot done in the City of Duncan for the Community Carbon Marketplace
- Duncan did not think they would buy carbon offsets when they signed on to the Community Climate Charter but...
- If Duncan had to buy offsets, they really wanted to buy them locally, that was a challenge to start with.
- They found it hard to be carbon neutral by doing local projects only to start with.
- They founded the Cowichan Energy Alternatives. Their core motivations were to have energy security (Community Resilience), GHG reductions/low carbon economy, sustainable "Silver Buckshot" solutions, all the while realizing local potential.
- Grease Cycle has a residential veggie oil drop off. Could we do that in Esquimalt?
- Duncan's Balance/Offset ideas:
 - invest in GCC supported projects
 - household organic waste diversion
 - energy efficiency building retrofits - non government
 - solar hot water - non government
 - low emission vehicles - transit, police, airport
 - invest in alternative community GHG reduction projects
 - purchase offsets from a credible provider
 - Growing the local low carbon economy - To support the development of a sustainable local low carbon economy by directing offsetting dollars to quantifiable, community-based GHG reduction initiatives.
- To find the local low carbon economy they put out a Request for Carbon Credits - Like an RFP - to the community. Cowichan bio-diesel co-op, Cowichan Energy Alternatives, Grease Cycle, BC Biofuel Network and Community Carbon Marketplace are local initiatives that were developed to help buy local.

ELECTRONIC COUNCIL/BOARD AGENDAS

- There were two case studies provided for successful paperless Councils: City of North Vancouver and District of Chilliwack. Both Councils have become much more efficient albeit they have each implemented different practices/procedures for achieving paperless Councils. There is no one or right way to go paperless. Approaches should be based on the preferences of individual municipalities and their Council members.
- Why paperless? The amount of agendas produced per year is overwhelming. Mobile devices are here today and they are the future.
- One challenge is staying current as the world of electronics is ever changing.
- Webcasting – should you use an in-house host or a host service? A hosted service costs more but better, more qualified people, to do it and stay current with it.
- To stream or broadcast meetings is simple but to match minutes and links to minutes is more challenging. As a Municipality, we could choose to simply stream though, not embedding links into minutes. This is cheaper but harder for the residents to find the info they want.

- Currently, it is estimated that the average council meeting takes staff two full days to make 27 copies of a typical agenda. This works out to be 141,000 plus pages of paper per year. Electronically, they could be scanned and uploaded in 3 to 4 hours and that includes developing the links needed to move around the screen. Many find that they still need a few paper copies but not nearly as many.
- Found that some things like budget were hard to do electronically and needed to be printed out.
- For one Municipality the first year showed a savings of \$8000.00. The next year was even better.
- iAnnotate appeared to be the best program to use and was only \$10/computer. iCompass was another popular one people were using and they used PDF Docs to put the paper together.
- Big point they made was to make sure your scanner has character reference capability. Without that capability, the links would be unusable and therefore pointless.
- Electronic in-camera info can be tracked far easier than paper and therefore less likely to have leaks.
- Would require having WIFI and docking units at each council spot and approximately one, half day training for council.
- Staff started with one month of both options - paper and paperless, then as everyone got more comfortable with the technology they stopped the paper - only took a couple of months.

SUSTAINABLE CITIES

- Due diligence question that needs to be asked when looking at projects coming forward - what are the future costs of this land use choice?
- Need to start with mitigation today; yesterday would be better, but tomorrow might be too late.
- We want people with wealth, skill and talent - why will they come to us? Quality of life and place and that is an area we need to build on.
- Priorities for a sustainable city are: Global Sustainability, Local Sustainability and Quality of Life and Place.
- Design with Nature – Design must mimic and be compatible with nature. We need to practice the three “R’s”, Regenerate, Replace and Repair the damage done in the past.
- Energy and Resources - minimize and maximize, design for carbon positive.
- Get land use right - location.
- Get Transportation Right - Pedestrian, Cycling, Transportation. Design for pedestrians make it attractive; give them some place to walk to. Need to move things closer together. Establish a culture of cycling. Need to invest in the infrastructure. Build networks that are coherent, direct, safe, attractive and comfortable. Need to make transit a "Mode of Choice" and increase ridership and attract investment.
- Transportation and land use are interactive and linked. Use transportation proactively, transportation is an enabler of land use.
- Respect streets - we do not want to just move people from point A to B and miss everything in between. We want them to stop and enjoy the neighbourhood, the shops etc. Streets are not just conduits - they should be alive and vibrant.
- Design cities for people and interaction. Make your downtown a place that is attractive, dynamic, and safe, with a full range of services. My Neighbourhood, My Village, My Community.
- The devil is in the details - if you want density, you need to really pay attention to design. With density, we tend to lose the suburban back yard. Replace backyards with connected green spaces. Design a connected hierarchy of green and public space.

- Plan and remember to adapt and change with the times. Municipalities need to be flexible.
- Put your money where your mouth is. If you promote cycling and walking, clean sidewalks and bike lanes first. Why do we clean the roads first when we want people to bike and walk?
- Implementation needs to start regionally. Start with an integrated plan. Make sure that everything you do and plan looks through the various lenses, which include global and local sustainability and quality of life and place.
- How do you embed plans into decision-making? Make major plans into a special development permit areas. Create a checklist for day-to-day decision making.

The Place of Genetic Engineering in Agriculture

- The District of Metchosin sponsored a resolution on genetically engineered plants and animals. Robert Wager and Dr. Thierry Vrain each provided their perspectives on the topic.
- Mr. Wager spoke to the positive aspects of this challenging and very emotional issue while Dr. Vrain spoke very strongly against GE agricultural products.
- Both individuals presented evidenced-based research and information in support of their arguments.
- The vast majority of the delegates in attendance spoke in opposition to GE agriculture products.
- Of note and flag was that the industry involved in GE agriculture products are opposed to labeling packaging to clearly indicate the contents are GE.
- The resolution to petitioning the BC Government to prohibit GE agriculture products on Vancouver Island was endorsed by the delegates.

World-Leading Spill Response - Are we ready

- Western Canada Marine Response Corporation (WCMRC) is the spill response organization certified by Transport Canada to be the responders to a marine oil spill anywhere along the 27,000 km of the BC coastline.
- WCMRC provided an overview of their preparedness, resource supply and response capabilities.
- They presented information relative to their expertise and experience.
- Questions from the delegated centered on what coastal communities could expect from WCMRC should a spill occur in proximity to their communities.
- We asked that Esquimalt be seriously consider by WCMRC as the site for a satellite supply and response centre.
- The WCMRC representative committed to following up on our request.

More than Just a Pretty Beach

- The presentation informed the delegates about the beach spawning habits of important species of fished called “forage fish”.
- The discussion focused on backshore habitats such as marine riparian vegetation.
- Critical shoreline fish habitats such as spawning beaches and the vegetative zone are under increasing threat due to the development of seawalls, marinas, ports and the rise of sea level.
- These fish play a critical role in the local food web and protection is essential.
- Local planner need to be aware and engaged.



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

ADVISORY PLANNING COMMISSION

MINUTES

HELD ON

APRIL 16, 2013

ESQUIMALT COUNCIL CHAMBERS

MEMBERS PRESENT:	Nick Kovacs, Chair Lorne Argyle Bill Lang Mark Salter	Blair Bouchier Joy Palmeter
REGRETS:	James Harada-Down	
STAFF LIAISON:	Trevor Parkes, Senior Planner	
COUNCIL LIAISON:	Councillor Tim Morrison Councillor David Schinbein	
SECRETARY:	Marie Letham	

I. CALL TO ORDER

The meeting was called to order by

II. LATE ITEMS

III. ADOPTION OF AGENDA

Trevor Parkes, Staff Liaison, advised the Commission that the street address was incorrect within the Recommendation for 511 Constance Ave on Page 2 of the Agenda, and the same error was present in the Recommendation on the first page of the staff report. The Staff Liaison clarified the address should read "511 Constance Avenue" and that the legal description and all information provided was correct for 511 Constance Avenue.

Moved Lorne Argyle, seconded by Joy Palmeter that the agenda be adopted as amendment.
The Motion **CARRIED UNANIMOUSLY.**

IV. ADOPTION OF MINUTES – Regular Meeting held March 26, 2013

Moved by Lorne Argyle, seconded by Joy Palmeter, that the minutes of the Regular Meeting of the Advisory Planning Commission held March 26, 2013 be adopted as distributed.
The Motion **CARRIED UNANIMOUSLY.**

V. BUSINESS FROM MINUTES

Working Without Permit

Trevor Parkes reported that he had researched the bylaws regarding fines as requested by the Commission at the March 26th, 2013 meeting and reported that the fine for working without permit is \$100 per day. If a "Stop Work Order" has been issued, it would be inappropriate to issue a fine once the applicant begins to seek compliance. The Municipality works with the owner(s) encouraging them to seek compliance when work without permit is discovered, rarely are fines issued. It is in the best interest of the owners to legitimize the work.

A brief discussion ensued regarding the number of applications coming before the Commission, where work has been started or completed and then variances are needed.

Staff Liaison reiterated that the Municipality's stance is to seek compliance rather than penalties.

In response to a Commission member's question, "*what is the norm in the region?*" Trevor Parkes responded that he could not speak for other jurisdictions as research had not been undertaken on a regional scope.

VI. STAFF REPORTS

(1) DEVELOPMENT VARIANCE PERMIT

511 Constance Avenue

[Lot K (DDEH50220, Suburban Lot 38, Section 11, Esquimalt District, Plan 2854)]

Staff Liaison, Trevor Parkes, advised that the applicant is proposing to add a one-storey building to the property which would house new non-medical services targeting seniors living in Esquimalt. Additional space is required in order to expand ENHS overall services. Two variances are required as the location of the proposed building would be within the required rear setback and the building would displace two parking spaces. He gave a brief overview of his report.

Mary Lynn McKenna, Executive Director, Esquimalt Neighbourhood House and an ENHS Board Member, were in attendance to outline the proposal.

Ms. McKenna advised the Commission that ENHS previously had two large garbage bins in the parking lot that occupied a parking space. She commented that there is an existing shed on the property that would be removed and, based on their experiences with trespassers on the property behind the shed, ENHS do not wish to have too much space at the rear of the proposed building to avoid problems with persons being able to go into the area at night. She also explained that the existing parking situation exceeds their operational needs.

Ms. McKenna, indicate that the Neighbourhood House acquired funding to expand their services. The expanded service, "Better At Home", would work with Seniors to assist them staying in their home longer. The proposed single storey building would serve as the administrative center for that program.

Ms. McKenna indicated that she had been working closing with Planning Staff how best to achieve parking on the site while meeting their needs and that the proposed design require sthem to request two variances.

In response to a question from a Commission member, regarding the connection of the two buildings the applicant explained that the two buildings are not physically connected, rather there is a the gateway between buildings, which gives access for children and family programs.

In response to questions whether parking was an issue at present the applicant responded that there is no problem with parking. Ms. McKenna stated that most of ENHS clients are pedestrians, most of them do not drive due to their economic situations. Rarely are there clients in the evenings, there may be some counseling on the week-end, and on Sundays the Church uses their parking lot.

RECOMMENDATION:

Moved by Lorne Argyle, seconded by Blair Bouchier, that the Esquimalt Advisory Planning Commission [APC] resolves that the application for a Development Variance Permit authorizing the construction as shown on architectural plans provided by Oceanian Design Inc., stamped "Received March 21, 2013" and sited as detailed on the survey plan prepared by Island Land

Surveying Ltd, stamped "Received March 21, 2013, and including the following relaxation to Zoning Bylaw, 1992, No. 2050, and to Parking Bylaw 1992, No. 2011 for the development proposed at Lot K (DD EH50220), Suburban Lot 38, Section 11, Esquimalt District, Plan 2854 [511 Constance Avenue], be forwarded to Council with a **recommendation of approval**

Zoning Bylaw, 1992, No. 2050, Section 58(4)(c) – Siting Requirements – Principal Building – Side Setback - a 6.0 metre reduction to the requirement no building shall be located within 7.5 metres of a Rear Lot Line. [i.e. from 7.5 metres to 1.5 metres].

Parking Bylaw, 1992, No. 2011, Section 13(1)(d) – Parking Requirements – Number of Off-Street Parking Spaces – a reduction to the number of off-street Parking Spaces required from 11 spaces to 9 spaces.

The Motion **CARRIED UNANIMOUSLY**

(2) DEVELOPMENT VARIANCE PERMIT
1151 Lockley Road
[Lot 20, Block 5, Section 10, Esquimalt District, Plan 5240]

Staff Liaison, Trevor Parkes, gave a brief overview of the application. The applicant has built an accessory building [garage] without the benefit of a building permit. The location of the building is within the rear setback and the interior side setback and therefore requires variances.

Mr. Darryl Draper, owner, attended to present his application. He gave a brief history of when he bought the property. He stated that when he bought the property it contained a temporary (canvass) structure. Over a period time, the structure was damaged by the wind. He recovered the canvas structure and it failed a second time which led to him replacing the temporary building with a new building constructed with steel sheeting along the sides and roof. He stated that he did not know that a permit was required.

Mr. Draper advised the members that he lined the shed up with that of the neighbor next door.

In response to questions from the members, the applicant advised that in 2006/2007 there was just the tent structures, the first one was taken away in the wind. He advised that he went to a more permanent structure in 2008. He advised that he is limited where it can be located by the slope of the site.

In response to a question from the Commission, the owner advised that it is used as a storage shed.

A member of the Commission inquired of Staff Liaison, if this was approved would it be precedent setting?

Trevor Parkes, Staff Liaison, responded that, each application for variance is reviewed on its own merit, and is not precedent setting.

RECOMMENDATION:

Moved by Blair Bouchier, seconded by Bill Lang, that the Esquimalt Advisory Planning Commission [APC] resolves that the application for a Development Variance Permit authorizing the construction as shown in the plans, stamped "Received March 1, 2013, the photos, stamped "Received March 15, 2013", and sited as detailed on the survey plan prepared by J.E. Anderson and Associates, stamped "Received March 1, 2013", and including the following relaxations to Zoning Bylaw, 1992, No. 2050, for Lot 20, Block 5, Section 10, Esquimalt District, Plan 5240 [1151 Lockley Road], be forwarded to Council with a **recommendation of approval**.

Zoning Bylaw, 1992, No. 2050, Section 34 (9)(b) (ii) – Side Setback A 0.77 metre reduction to the requirement that no accessory building shall be located within 1.5 metres of any interior lot line. [i.e. from 1.5 metres to 0.73 metres].

Zoning Bylaw, 1992, No. 2050, Section 34 (9)(b) (iii) Rear Setback - A 0.76 metre reduction to the requirement that no accessory building shall be located within 1.5 metres of any rear lot line. [i.e. from 1.5 metres to 0.74 metres].
The Motion **CARRIED 5 FOR; 1 OPPOSED**

(3) DEVELOPMENT VARIANCE PERMIT
933 Mesher Place
[Lot 2, Section 2, Esquimalt District, Plan 30973]

Trevor Parkes, Staff Liaison, gave a brief overview of his report. As this waterfront site is steeply sloped, the option to park a vehicle behind the front face of the principal building is not achievable therefore the applicant is requesting approval of a Development Variance Permit to permit parking in the front yard.

The owner has altered the existing home by installing a secondary suite in the basement and enclosing the attached garage, turning it into livable space without the benefit of a Building Permit. The applicant is seeking to legalize the existing secondary suite and retain the enclosed garage. Staff are unable to process a Building Permit until the issue of non-compliance with the off-street parking requirement is resolved through the Development Variance Permit process.

Mr. David McAllister, applicant, on behalf of the property owner, was in attendance to present the proposal. The applicant advised the members that the garage enclosure construction was done by a prior owner, before his wife purchased the property. He stated that there is substantial area for parking in the front face of the property and that the secondary suite is part of the residence. He went on to state that they have canvassed the neighbours and have received support from the surrounding neighbours at 937/934/930/931/929/927 Mesher Place and Units 6 and 7, 915 Glen Vale Avenue.

A member of the Commission inquired about the carport, as he noted there were 3 cars in front of the property.

The applicant, in response to questions regarding parking, stated that there is enough room to park two cars, side by side, and room for 3 or 4 vehicles on the site.

In response to a question regarding the carport, Staff Liaison, advised that, as there was no building permit or variances approved for the carport, it is an illegal structure.

Staff Liaison, in response to a question regarding parking for the suite, advised that no additional parking space is required for the suite.

Trevor Parkes, Staff Liaison, in response to a question from the Chair, advised that the carport was not part of this application.

After a short discussion, Director of Development Services, Bill Brown, advised the Commission that staff will identify any non-compliant issues on the site and these issues will be dealt with.

RECOMMENDATION:

Moved by Lorne Argyle, seconded by Bill Lang, The Advisory Planning Commission recommends to Council that the application for a Development Variance Permit authorizing construction as

shown on plans provided by David McAllister, stamped “Received March 27, 2013”, and sited as detailed on the survey plan prepared by J.E. Anderson and Associates, stamped “Received March 27, 2013”, and including the following relaxations to Parking Bylaw, 1992, No. 2050, for the development located at Lot 2, Section 2, Esquimalt District, Plan 30973 [933 Mesher Place], be forwarded to Council with a **recommendation of approval**.

Parking Bylaw No. 2011, Section 9(4) – Provision and Maintenance of Off-Street Parking and Loading Areas – an exemption from the requirement that Parking Spaces in Residential zones shall be located no closer to the Front Lot Line than the front face of the Principal Building. The Motion **CARRIED UNANIMOUSLY**.

(4) HERITAGE REVITALIZATION AGREEMENT
429 Lampson Street [English Inn]
[Lot B, Section 11, Esquimalt District, Plan VIP60066]

Trevor Parkes, Staff Liaison, briefly outlined his report commenting that the applicant has presented a Development Concept Plan and a subdivision application to the municipality. The proposed subdivision would divide the existing property into two parcels. One [Site A] would serve the retained English Inn heritage building and would measure 4457 m² [47976 ft²]. The second parcel [Site B] would measure 13040 m² [140366 ft²] and would be a future development site containing buildings up to 21 metres in height.

The current owners have indicated the current property configuration is not financially viable therefore have proposed an alternate land use and development model. They have indicated no intent to undertake any construction, or removal of the current buildings on the site. Future detailed building plans and demolition are to be left to the discretion of future owners.

Trevor Parkes advised that staff is looking for input from the Commission on eight issues as listed in the report.

Paul Merrick, Architect, Michael Dillistone, Consultant, Brian Chelin, owner, were in attendance. Mr. Dillistone commented that Mr. Don Luxton could not be in attendance.

Michael Dillistone, outlined the history of the property and its decline. The Rosemead Restaurant is not economically viable and there are safety concerns associated with the Anne Hathaway Cottage. In the early 1990's, Cyril Lane, son of the owners, presented a development proposal for townhouses, which was turned down. Past problems for neighbours included, tour buses coming and going and noise from weddings and events. The last owner went into receivership. The property is only viable for 3-4 months per year.

Michael Dillistone commented that the current zoning is almost punitive, the FAR is locked in, nothing can happen.

In the absence of Don Luxton, Michael Dillistone gave an overview of what a Heritage Revitalization Agreement [HRA] is and its purpose. He advised this application is not really a rezoning, rather the HRA is a very specific mechanism to enable protection of the heritage resource, it is site specific, and not precedent setting. He advised the members that the authority for the municipality to enter into an HRA comes from Part 27 of the *Local Government Act*. The Agreement provides protection and compensation, flexibility of use, legal protection to the McClure House and setting. Any alterations to the building would require a Heritage Alteration Permit subject to Municipal Council approval. There are provisions built in for maintenance. Future conditions would be up to new owners. The HRA would give Esquimalt a level of control over potential development of the site.

He advised of the concerns of the Design Review Committee of its meeting of March 20th, and the amendments made for the presentation at the Design Review Committee meeting of April 10th,

2013 and their concerns from the April 10th meeting, which were being addressed, prior to the application moving on to Council.

Paul Merrick, Architect, stated that this is an ambitious and significant proposal. He stated that the HRA and the Development Guidelines gave a degree of flexibility, to potential developers and to the Municipality.

Brian Chelin, owner, advised the Commission, that they reluctant owners, property came to them in 2009 through foreclosure. The property has been losing money over a number of years. The 43 room hotel is not economically viable. A Boutique Hotel with 14 rooms is economically viable with the garden. Presently they are losing \$200,000-\$300,000 annually and the site has been struggling for 30 years. Their plan is to generate 2 viable properties from one non-viable property with a Boutique Hotel and multi-family development site.

In response to a question from a Commission member inquiring if 13 parking spots are sufficient, and where does the staff park?

Mike Dillistone responded that there are no requirements in the Parking Bylaw for staff.

In discussions the Commission made the following comments:

- Parking for the hotel is a concern;
- If properties are separate, there is no support to the hotel;
- Liked the proposal, will be unique and different;
- There is a need for more residential buildings in Esquimalt;
- Trying not to tie down future development, have some controls, but not locked in.

After a brief discussion regarding the complexity of this application the Commission commented that they needed more time to deal consider the application.

RECOMMENDATION:

Moved by Mark Salter, seconded by Lorne Argyle that a Special Meeting be convened prior to the next regular meeting of the APC to deal with the application for a Heritage Revitalization Agreement [HRA] at 429 Lampson Street. The Motion **CARRIED UNANIMOUSLY**.

VI. STAFF LIAISON

Status of Recent Applications:

973 Wollaston Street: [DVP to accommodate lot coverage and rear setback for addition to a deck] scheduled to be on the Council agenda for the April 22nd meeting.

1138 Wychbury Avenue: [DVP to accommodate a non-conforming Accessory Building] scheduled to be on the Council agenda for the April 22nd meeting.

622 Admirals Road: Revised Bylaw with additional amenities given first and second reading at Council on April 15, 2013. A Public Hearing will be scheduled and notices sent out.

VII. COUNCIL LIAISON

Councillor Morrison commenting on Legion Public Hearing, tentatively set for a Special Meeting on May 27, 2013. He also commented on the discussions and the complexity of the Heritage Revitalization Agreement, he commented that this has been a long meeting and discussions, comments and decisions being made are good, and that the Commission is working well together

Councillor Schinbein, agreed with Councillor Morrison's comments, good decisions being made.

VIII. NEW BUSINESS

Council Strategic Priorities Update

Trevor Parkes commented that the document was provided for information. If any members wish to comment, they may contact the Corporate Officer directly.

IX. NEXT REGULAR MEETING

Tuesday, May 21st, 2013.

[Councillor Morrison advised the Commission advised that he will be away for this meeting]

X. ADJOURNMENT

On motion the meeting adjourned at 10:10 P.M.

CERTIFIED CORRECT:

CHAIR, ADVISORY PLANNING COMMISSION
THIS DAY OF _____, 2013

ANJA NURVO, CORPORATE OFFICER

DRAFT



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
HERITAGE ADVISORY COMMITTEE**

Wednesday, April 17, 2013

7:00 p.m.

Council Chambers, Municipal Hall

- PRESENT:** Dar Purewall – Vice Chair
Heidi Bada
Sherri Robinson
Catherine McGregor
David Coney
- STAFF:** Karen Hay – Staff Liaison
Kim Maddin – Recording Secretary
- REGRETS:** Heather Gillis - Chair
Councillor Hodgins
Councillor McKie

1. CALL TO ORDER

Acting Chair Purewall called the meeting to order at 7:03 p.m.

2. LATE ITEMS

The following late items were introduced:

- 1) Under Item 6. OLD BUSINESS, 2. Macaulay Point and Work Point Inventory, a presentation by Jack Bates based on his letter dated March 13, 2013, re: Proposal to Support and Protect Heritage Values of Fort Macaulay
- 2) Under Item 10. COMMUNICATIONS, 4. Information prepared by Sherri Robinson for Council, re: Anne Hathaway's cottage

3. APPROVAL OF THE AGENDA

Moved by Sherri Robinson and seconded by Heidi Bada that the agenda of the Heritage Advisory Committee meeting of April 17, 2013 be approved as amended. The motion **CARRIED**.

4. MINUTES

It was clarified that where the March 20 minutes state (under Item 15. Committee Member Announcements/Reports) that Sherri Robinson was to write 'a letter' regarding the significance of Anne Hathaway's cottage, that this communication was to be in the form of an information package (versus a letter).

Moved by Sherri Robinson and seconded by Catherine McGregor that the minutes of the Heritage Advisory Committee meeting of March 20, 2013 be approved as presented.

The motion **CARRIED**.

5. **REPORT FROM THE CHAIR**

Deferred to next meeting in Chair Gillis's absence.

6. **OLD BUSINESS**

(1) Lampson Street Memorial Trees

There was no update.

(2) Macaulay Point and Work Point inventory (**Late Item:** Jack Bates's presentation on "Proposal to Support and Protect Heritage Values of Fort Macaulay")

Jack Bates was invited to speak to the Committee regarding his April 15th presentation to Council.

Mr. Bates noted that the heritage value of Fort Macaulay as part of the Coastal Defense System has been recognized by the provincial and federal governments, referencing the below communications:

- Minister Peter Kent's letter of January 29, 2013
- The April 15th presentation to Council by Jon Burbee, Manager of Real Estate Services, CFB Esquimalt, on "Federal Policy on Built Heritage Conservation"
- A 1958 visit by Dr. Sage, Historic S&M Board of Canada
- The Ford Rodd Hill and Fisgard Lighthouse Management Plan "Statement of Commemorative Intent"

Mr. Bates noted the fort's current state supports the need for its preservation and promotion:

- A 1902 map of Fort Macaulay shows that only two buildings have been removed since that time. The three gun rooms are intact and the drainage system and grades are the same as when the site was built.
- The site remains 'dormant' and recreational use of the park has been somewhat established. A 2009 study and open house verified that the community wishes the site to remain undeveloped.

Mr. Bates referenced the Township's interest in the preservation of the site:

- The Heritage Advisory Committee has passed a motion that it intends to prepare an SOS for Fort Macaulay and Macaulay Point. Mr. Bates is working on this SOS.
- In 2010, the Heritage Committee engaged with Parks Canada on the subject of enhancing the presence of Fort Macaulay, in addition to several decades of interest and dialogue on this subject between the Committee and federal bodies involved with the site.

DND requested an evaluation by the Federal Heritage Buildings Review Office on the individual buildings, however the collective entity as a historical fort with national historic importance is not being pursued.

The Township's jurisdiction is established through its 5 year MOR within the Parks'

100 year lease agreement, which was renewed in December 2012.

Mr. Bates believes that it is an ideal time for advancing his proposal due to the above factors. He noted that there is no cost involved, but that it requires the support of Council, DND, and Parks Canada. He noted that Council indicated their support in principle at the April 15th meeting.

Committee members suggested the first step towards gathering support for this proposal is the completion of an SOS, which would be presented to Council for approval, and then added to the provincial register. The second step would be to create a plan to increase the profile of the site and to gather support for the proposal. This could be in the form of Council requesting support for the proposal from other municipalities.

Acting Chair Purewall thanked Mr. Bates for the presentation.

Moved by Sherri Robinson and seconded by Catherine McGregor that further to John Burbee's April 15th presentation to Council "Federal Policy for Built Heritage Conservation Program", and keeping with the significant heritage properties that Fort Macaulay holds and that there has been several decades of interest and dialogue on recognizing the heritage value of the site, that the Heritage Advisory Committee recommend that Council craft a letter of support for Jack Bates' proposal to be sent to DND to seek their encouragement and support of the proposal.
The motion **CARRIED**.

7. **NEW BUSINESS**

There was none.

8. **WORK PLAN 2013**

- (1) Heritage Register
 - (a) Status Update on Approved Statements of Significance for:
 - i. 1211 Old Esquimalt Road
 - ii. 507 Head Street
 - iii. 948 Old Esquimalt Road
 - iv. 539 Lampson Street
 - v. 820 Dunsmuir Road

The above five statements of significance were presented to Council in January. Four were added to the Heritage Register and 539 Lampson Street was left off due to the owner not being in support. 539 Lampson Street will be considered a potential heritage property and a copy of the draft SOS will be kept in the property file.

Members commented that the owners of a property should be contacted prior to the writing of an SOS.

Moved by Acting Chair Purewall and seconded by David Coney that the Heritage Advisory Committee will contact the homeowners, prior to undertaking the writing of a Statement of Significance, to determine whether they object to having their property included on the Register.
The motion **CARRIED**.

Karen Hay, Staff Liaison, noted that a package of information about the benefits of being on the heritage register was made available, and provided to the owner of 539 Lampson Street.

Members suggested an information package be placed on the website.

Action item: The Staff Liaison will request the Communications Coordinator place a link on the Township's website to the SOS section of the Heritage BC website.

- (b) Statements of Significance – Drafts for Approval:
 - i. 1376 Esquimalt Road
 - ii. 1382 Esquimalt Road

Moved by David Coney and seconded Sherri Robinson that the Heritage Advisory Committee approves the Statements of Significance for 1376 Esquimalt Road and 1382 Esquimalt Road and that the Heritage Advisory Committee recommends that Council approve the addition of these two properties to the Heritage Register. The motion **CARRIED**.

- (c) Statements of Significance – Selection of Five New Sites

Karen Hay, Staff Liaison, noted that the Committee has already approved the future preparation of an SOS for Fort Macaulay/Macaulay Point.

Members suggested selecting four (from the 12) heritage-designated properties that were added to the register without SOS's. It was further suggested that the owners be contacted to determine interest in personally writing SOS's for their properties (with the exception of the strata properties, which the Committee could work on).

Action item: Staff will send a letter contacting the owners of the heritage-designated properties to gain their expression of interest in collaborating with the Township in writing an SOS.

- (2) Heritage Foundation Development

Acting Chair Purewall will endeavor to have a Foundation budget prepared and reviewed by David Sudbury, and bring it back to the Committee for approval at the next meeting.

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

There were no heritage articles submitted for the Spring edition. It was suggested that the Committee prepare some small pieces for future use.

- (b) Website Update

There have been no updates since March.

- (c) "Best of 100" Community Display

This item will be deferred to next meeting when the Chair will be present to speak to the display.

- (4) Memorial Plaques
 - (a) Criteria

This item will be deferred to the next meeting.

Action: Catherine McGregor will send the revised version of the criteria to the Chair and Staff Liaison.

- (b) Proposed Plaques

Decisions on the proposed plaques are pending the finalization of the signage/plaque criteria.

- (5) Heritage Salvage Construction Material Guidelines

This item will be deferred to the next meeting.

Action: Members will read section 5.15 of the Heritage Policy to familiarize themselves with this item.

9. REPORT FROM STAFF LIAISON

Karen Hay, Staff Liaison, noted that David Sudbury's map was presented to Council for Heritage Week. There was discussion on determining locations for its display and whether it should be a permanent or moving display.

Discussion of the Committee's participation in Buccaneer Days will be held at the next meeting.

10. COMMUNICATIONS

- (1) Hallmark Heritage Society, *Preserve*, Vol 41, no. 1, Spring 2013

The Recording Secretary distributed the newsletter.

- (2) Letter dated March 25, 2013 from Bill Brown, Director of Development Services, to HAC Chair Heather Gillis, re: Referral of background material related to an application by the Capital Regional District to amend Esquimalt's Official Community Plan and Zoning Bylaw in order to allow the Core Area Waste Water Treatment Plant to be located at McLoughlin Point

It was noted that Council directed the Heritage Advisory Committee to make comment on the application. This item was deferred to the May meeting when Bill Brown, Director of Development Services, and a CRD representative will be in attendance.

- (3) Letter dated April 3, 2013 from Minister Thompson, Ministry of Forests, Lands and Natural Resource Operations, re: *Our Heritage, Historic Places* heritage strategy

It was noted there is renewed funding for heritage initiatives.

- (4) Information prepared by Sherri Robinson for Council, re: Anne Hathaway's Cottage (**Late Item**)

The information package was distributed to Council.

Moved by Sherri Robinson and seconded by Heidi Bada that the communication items be accepted.
The motion **CARRIED**.

11. **COMMITTEE MEMBER ANNOUNCEMENTS/REPORTS**

It was noted that the unveiling of the monument to former Esquimalt resident and Victoria Cross recipient, Roland Burke, will take place on May 8 at the Royal Oak Cemetery.

12. **NEXT MEETING**

The next regular meeting of the Heritage Advisory Committee will be held May 15, 2013.

13. **ADJOURNMENT**

The meeting adjourned at 9:20 p.m.

CHAIR, HERITAGE ADVISORY COMMITTEE
THIS 15th DAY OF MAY, 2013

CERTIFIED CORRECT:

ANJA NURVO, CORPORATE OFFICER



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: April 30, 2013 File No. 540-20-HAC

TO: Mayor and Council

FROM: Dar Purewall, Vice Chair
Heritage Advisory Committee

**SUBJECT: PROPOSAL TO SUPPORT AND PROTECT HERITAGE VALUES OF FORT
MACAULAY**

At the April 17 meeting of the Heritage Advisory Committee it was moved that:

Further to John Burbee's April 15th presentation to Council "Federal Policy for Built Heritage Conservation Program", and keeping with the significant heritage properties that Fort Macaulay holds and that there has been several decades of interest and dialogue on recognizing the heritage value of the site, that the Heritage Advisory Committee recommend that Council craft a letter of support for Jack Bates's proposal to be sent to DND to seek their encouragement and support of the proposal.

Background:

Jack Bates was invited to speak to the Heritage Advisory Committee regarding the presentation he made to Council on April 15, "Proposal to Support and Protect Heritage Values of Fort Macaulay".

Mr. Bates spoke to the following to support his proposal:

- That the heritage value of Fort Macaulay as part of the Coastal Defense System has been recognized by the provincial and federal governments in several communications.
- The fort's preserved and undeveloped state supports the need for its preservation and promotion.
- The Heritage Advisory Committee has approved the preparation of an SOS for Fort Macaulay and Macaulay Point. Mr. Bates is working on this SOS.
- There has been several decades of dialogue on this subject between the Committee and federal bodies involved with the site.
- DND requested an evaluation by the Federal Heritage Buildings Review Office on the individual buildings, however the collective entity as a historical fort with national historic importance is not being pursued.
- The Township's jurisdiction is established through its 5 year MOR within the Parks' 100 year lease agreement, which was renewed in December 2012.

Mr. Bates believes that it is an ideal time for advancing his proposal due to the above factors. He noted that there is no cost involved, but that it requires the support of Council, DND, and Parks Canada. He noted that Council indicated their support in principle at the April 15th meeting.

Committee members suggested the first step towards gathering support for this proposal is the completion of an SOS. The second step would be to create a plan to increase the profile of the site and to gather support for the proposal, potentially in the form of Council requesting support for the proposal from other municipalities.

Recommendation:

That Council write a letter to DND indicating their support of Jack Bates's proposal and which seeks the encouragement and support of DND for the proposal.

Respectfully submitted,



Dar Purewall
Vice Chair
Heritage Advisory Committee



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

**MINUTES
ENVIRONMENTAL ADVISORY COMMITTEE**

Thursday, April 25, 2013

7:00 p.m.

Wurtele Room, Municipal Hall

PRESENT: Mark Salter, Chair
Michael Hill, Vice Chair
Councillor Meagan Brame
Councillor Lynda Hundleby
Chris Zegger-Murphy
Larry Dill
Carole Witter
John Willow

STAFF: Marlene Lagoa, Sustainability Coordinator (Staff Liaison)
Deborah Liske, Recording Secretary

REGRETS: Patrick O'Hara

1. CALL TO ORDER

Chair Salter called the meeting to order at 7:06 p.m.

2. LATE ITEMS

There were no late items.

3. APPROVAL OF THE AGENDA

Moved by Chris Zegger-Murphy, seconded by Larry Dill that the agenda of the Environmental Advisory Committee meeting of April 25, 2013 be approved as presented.
The motion **CARRIED**.

4. MINUTES

(1) Minutes of the Environmental Advisory Committee meeting, March 21, 2013

Moved by Vice Chair Hill, seconded by John Willow that the minutes of the Environmental Advisory Committee meeting of March 21, 2013 be approved as presented.
The motion **CARRIED**.

5. OLD BUSINESS

(1) Sustainable Rainwater Management Workshop – Report from Chair Salter

Chair Salter reviewed his attendance at the workshop.

(2) 2012 Year End Report

A draft 2012 year end report was circulated to Committee members.

Moved by Larry Dill, seconded by Chris Zegger-Murphy that the draft 2012 Year End Report be approved and submitted to Council.
The motion **CARRIED**.

(3) 2013 Work Plan

Committee members discussed items for the work plan and determined to focus on the following:

- Stormwater Catchment Mapping Project
- Circle Walking Tour
- Greening of Esquimalt

Moved by Vice Chair Hill, seconded by John Willow, that the 2013 Work Plan be submitted to Council for approval.

The motion **CARRIED**.

(4) Heating Oil Tanks – Update from Marlene Lagoa, Staff Liaison

Marlene Lagoa, Staff Liaison noted comments were received from Committee members and will be providing a written report to Council at Committee of the Whole on May 13, 2013.

6. COMMUNICATIONS

(1) Email regarding the Green Economy Round Table

Marlene Lagoa, Staff Liaison noted a Green Economy Round Table will be taking place on May 9 and 29, 2013 and committee members are welcome to attend.

(2) Memorandum from Anja Nurvo, Manager of Corporate Services, dated April 18, 2013, Re: Referral – Media Release from the Capital Regional District Dated April 8, 2013, Re: Nominations Are Now Open for the 2013 Ecostar Awards

Marlene Lagoa, Staff Liaison reviewed the communications item noting the solar retrofit at the Recreation Centre may be an option for nomination. Ms. Lagoa will require a letter of endorsement from the committee if the retrofit is eligible for nomination.

7. REPORT FROM STAFF LIAISON

Marlene Lagoa, Staff Liaison reported she is working with the CRD to complete the Cycling User Map and would like to have it available at the Esquimalt Celebration Station for Bike to Work Week on May 28th.

8. COMMITTEE MEMBER ANNOUNCEMENTS / REPORTS

Councillor Brame reported on the following:

- Buccaneer Days Committee wants to continue with the waste reduction strategy for the event and will require some direction and information on how to proceed. Volunteers are needed to assist with recycling at the event
- Recently attended the AVICC conference and learned about many interesting initiatives including the Community Carbon Marketplace
- Esquimalt High School has started an Agriculture program

Councillor Hundleby reported she is a representative on the CRD Inter-Municipal Climate Action Steering Committee and will provide updates to the committee.

9. NEXT MEETING

The next meeting of the Environmental Advisory Committee is scheduled for May 23, 2013.

10. ADJOURNMENT

The meeting adjourned at 9:17 p.m.

Mark Salter, Chair
This 23rd day of May, 2013

Certified Correct:

Anja Nurvo, Corporate Officer

DRAFT



**Onagawa Town Hall, Miyagi Prefecture, Japan
Office of the Mayor**

April 9, 2013

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

CORPORATION OF THE TOWNSHIP OF ESQUIMALT		
For Information:		
<input type="checkbox"/> CAO	<input checked="" type="checkbox"/> Mayor/Council	<input checked="" type="checkbox"/>
<input type="checkbox"/>		
RECEIVED: APR 19 2013		
Referred:		
<input type="checkbox"/> For Action	<input type="checkbox"/> For Response	<input type="checkbox"/> COTW
<input type="checkbox"/> For Report	<input type="checkbox"/> Council Agenda	<input type="checkbox"/> IC

Dear Mayor Desjardins:

Warm greetings from Onagawa!

I would like to express my deep and heartfelt thanks to you and to the people of Esquimalt for your encouraging support and letters that began arriving just after the great earthquake and tsunami here. I especially thank you and the city of Nelson for supporting us in a wonderful way with your donation of a truck despite the many difficulties that had to be overcome.

The truck you donated is playing an important role and giving a strong push to our reconstruction efforts. We are using it carefully for many kinds of rebuilding and relief work.

Onagawa is now fully engaged in vigorous recovery efforts that include transferring residential neighbourhoods to higher ground, rebuilding fishing facilities and fish processing centres, etc. Many challenges remain before us, but I assure you that with your continuing help and support we will keep moving steadily forward.

So as I once more thank you and the others involved for your support and efforts on our behalf, I also express my hope that the friendship and bonds that now exist between Onagawa and Esquimalt will continue for many years to come.

Sincerely,

Yoshiaki Suda
Mayor of Onagawa

(Please see photos on next page.)

須田 善明

On Wednesday, February 20, 2013, a ceremony was held at Onagawa Town Hall to present the truck donated by the people of Nelson and Esquimalt to Onagawa Town.



President Jun Goto of Miyagi Hino (dealer supplying the truck), representing Nelson and Esquimalt, presented the truck and a symbolic key to Onagawa Mayor Yoshiaki Suda.



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

 RECEIVED: APR 18 2013
 Referred: _____
 For Action For Response COTW
 For Report Council Agenda ic

Child Find BC

BRITISH COLUMBIA

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

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

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

*A Missing Child is
 Everyone's
 Responsibility*



April 17, 2013

Dear Mayor and Councilors,

Re: Proclamation for National Missing Children's Month and Missing Children's Day

I write today on behalf of Child Find British Columbia. Child Find BC requests that your local government proclaim May as Missing Children's Month and May 25th as missing Children's Day.

Child Find BC provides "ALL ABOUT ME" ID Kits with child finger printing and photos, to at no cost to families and Child Find BC hosts these Child Find ID Clinics throughout BC. Child Find BC provides education, including public speakers, literature and tips for families to assist them in keeping all of our children safe.

In the next few weeks the 2013 posters of missing children from across Canada will arrive at your offices. We have attached an electronic printable copy for your use as well. It is our hope that you will arrange for these posters to be placed at municipal facilities where children and families frequent. If you would like any additional hard copy posters they will be provided upon request.

We hope that you will raise this proclamation for consideration to your Council and your community at your next meeting.

Most recent reporting from the RCMP show that over 10,000 cases of missing children were reported in British Columbia and over 50,000 cases in Canada. Through the support of municipal governments like yours we are able to educate and bring awareness to thousands of BC families on this important issue.

Thank you so much for your consideration of this request and your continuing commitment to Community Services in BC and the children and families of BC. If you have any questions regarding this request please contact the Child Find BC office at 1-888-689-3463.

Yours truly,

Crystal Dunahee
 President, Child Find BC

Your Letterhead here

National Missing Children's Month and Missing Children's Day

WHEREAS Child Find British Columbia, a provincial member of Child Find Canada is a non-profit, registered charitable organization, incorporated in 1984; **AND**

WHEREAS The Mandate of Child Find British Columbia is to educate children and adults about abduction prevention; to promote awareness of the problem of missing children, and to assist in the location of missing children; **AND**

WHEREAS Child Find has recognized Green as the colour of Hope, which symbolizes a light in the darkness for all missing children; **AND**

WHEREAS Child Find's annual Green Ribbon of Hope Campaign will be held in the month of May and May 25th is National Missing Children's Day; **AND**

THEREFORE BE IT RESOLVED THAT

I, (Mayors Name) of the (city, town, municipality), do hereby proclaim May as Child Find's Green Ribbon of Hope month and May 25th as National Missing Children's day. I urge our citizens to wear a green ribbon as a symbol of Hope for the recovery of all missing children; and to remain vigilant in our common desire to protect and nurture the youth of our Province.

_____ Mayor

Signed at _____ this _____ day of May, 2013

A missing child is everyone's responsibility. La disparition d'un enfant concerne tout le monde.

CHILD FIND

January - December 2013 • Janvier - Décembre 2013

Have you seen these missing children? Avez-vous vu ces enfants?



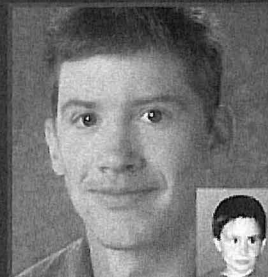
Karina Wolfe
 Case number / Numéro de dossier: 12745-8R
 Date of birth / Date de naissance: May 7, 1990 / 7 mai 1990
 Missing since / Disparu le: July 2, 2010 / 2 juillet 2010
 Missing from / Disparu de: Saskatoon, Saskatchewan / Saskatoon, Saskatchewan



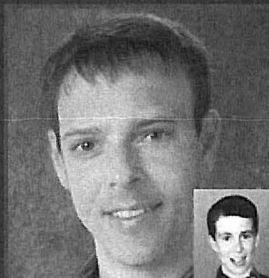
Melanie Lynn Temperton
 Case number / Numéro de dossier: 1172-5
 Date of birth / Date de naissance: April 3, 1966 / 3 avril 1966
 Missing since / Disparu le: September 21, 1986 / 21 septembre 1986
 Missing from / Disparu de: Mascouche, Quebec / Mascouche, Québec



James Daniel Khan
 Case number / Numéro de dossier: 2710-8R
 Date of birth / Date de naissance: April 18, 1991 / 18 avril 1991
 Missing since / Disparu le: July 15, 2010 / 15 juillet 2010
 Missing from / Disparu de: Montreal, Quebec / Montréal, Québec



Mitchell O'Brien
 Case number / Numéro de dossier: 11973-8R
 Date of birth / Date de naissance: November 29, 1991 / 29 novembre 1991
 Missing since / Disparu le: November 9, 1994 / 9 novembre 1994
 Missing from / Disparu de: St. John's, Newfoundland and Labrador / St. John's, Terre-Neuve et Labrador



Adam O'Brien
 Case number / Numéro de dossier: 11973-8R
 Date of birth / Date de naissance: October 28, 1982 / 28 octobre 1982
 Missing since / Disparu le: November 9, 1994 / 9 novembre 1994
 Missing from / Disparu de: St. John's, Newfoundland and Labrador / St. John's, Terre-Neuve et Labrador



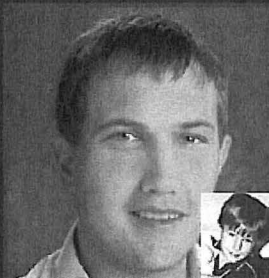
Trevor O'Brien
 Case number / Numéro de dossier: 11973-8R
 Date of birth / Date de naissance: May 5, 1985 / 5 mai 1985
 Missing since / Disparu le: November 9, 1994 / 9 novembre 1994
 Missing from / Disparu de: St. John's, Newfoundland and Labrador / St. John's, Terre-Neuve et Labrador



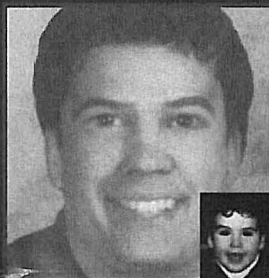
Tamra Jewel Keepness
 Case number / Numéro de dossier: 11973-8R
 Date of birth / Date de naissance: September 1, 1998 / 1 septembre 1998
 Missing since / Disparu le: July 5, 2004 / 5 juillet 2004
 Missing from / Disparu de: Regina, Saskatchewan / Regina, Saskatchewan



Dylan Koshman
 Case number / Numéro de dossier: 11973-8R
 Date of birth / Date de naissance: April 11, 1987 / 11 avril 1987
 Missing since / Disparu le: October 11, 2008 / 11 octobre 2008
 Missing from / Disparu de: Edmonton, Alberta / Edmonton, Alberta



Michael Wayne Dunahee
 Case number / Numéro de dossier: 12745-8R
 Date of birth / Date de naissance: May 12, 1986 / 12 mai 1986
 Missing since / Disparu le: March 24, 1991 / 24 mars 1991
 Missing from / Disparu de: Victoria, British Columbia / Victoria, Colombie-Britannique



Jeffrey Dupres
 Case number / Numéro de dossier: 1172-5
 Date of birth / Date de naissance: March 14, 1977 / 14 mars 1977
 Missing since / Disparu le: April 24, 1980 / 24 avril 1980
 Missing from / Disparu de: Slave Lake, Alberta / Slave Lake, Alberta



Charles K J Horvath-Allan
 Case number / Numéro de dossier: 2710-8R
 Date of birth / Date de naissance: August 21, 1968 / 21 août 1968
 Missing since / Disparu le: May 24, 1989 / 24 mai 1989
 Missing from / Disparu de: Kelowna, British Columbia / Kelowna, Colombie-Britannique



Lindsey Jill Nicholls
 Case number / Numéro de dossier: 12745-8R
 Date of birth / Date de naissance: September 12, 1978 / 12 septembre 1978
 Missing since / Disparu le: August 2, 1993 / 2 août 1993
 Missing from / Disparu de: Comox Valley, British Columbia / Comox Valley, Colombie-Britannique

1-800-387-7962
 all calls confidential • tous les appels sont confidentiels



childfind.ca

Child Find

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