



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall  
1229 Esquimalt Road  
Esquimalt, B.C. V9A 3P1

## Legislation Details (With Text)

**File #:** 20-539      **Version:** 1      **Name:**  
**Type:** Staff Report      **Status:** Engineering and Public Works Staff Report  
**File created:** 11/2/2020      **In control:** Committee of the Whole  
**On agenda:** 11/9/2020      **Final action:**  
**Title:** Level of Service for Vegetation Control - Roads and Sidewalks, Staff Report No. EPW-20-021  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
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## REQUEST FOR DIRECTION

**DATE:** November 4, 2020      Report No. EPW-20-021

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

**FROM:** Jeff Miller, Director of Engineering and Public Works

### **SUBJECT:**

Level of Service for Vegetation Control - Roads and Sidewalks

### **ESSENTIAL QUESTION:**

Does the Committee of the Whole want to increase service levels within the road right of way to include organic growth management?

### **RECOMMENDATION:**

That the COTW receive Staff Report No. EPW-20-021 for information, provide any additional direction to staff as the COTW considers advisable, and direct staff to include a budget request for Council's consideration in the 2021-2025 Operating Budget.

### **BACKGROUND:**

The Township's infrastructure (gutter/curb/sidewalk) has experienced the growth of organic material at various locations. The most typical locations for this growth are either between the asphalt/gutter interface or/and curb/sidewalk interface. Due to the age and type of infrastructure, dirt has accumulated within these interfaces to allow organic growth. Depending on the location of the organic growth, tripping hazards can be created.

Prior to 2007, management of the organic growth was carried out with a once year application of herbicide. In 2007, the Township moved forward with adoption the CRD Model Pesticide Bylaw. This Bylaw enforced the abandonment of herbicide to control organic growth on concrete and asphalt infrastructure. Engineering and Public Works staff became responsible for the management of the organics that grows in these structures.

A number of methods were tested to control the growth of the organics including: Hot Water, Hot Foam, Steam, Vinegar, and Equipment (weed eater) none of which have proven as successful as herbicide because they do not eliminate the root structure and require a minimum of two applications per year.

The latest attempt to control organic growth occurred along Esquimalt Road. This effort involved the use of equipment to remove the top portion of the weed structure and if possible some of the root system. This exercise was carried out twice a year for a two year period.

## **ISSUES:**

To address this issue there are three possible options for the Committee of the Whole to consider:

- **Option 1 - Status Quo**

Under this option, the current practice of minimal organic removal would be maintained. There would not be any impact on the level of service or cost to carry out this work. Organic removal would be limited to areas that are being painted or removed and replaced. If home owners carry out removal of the organic growth this would be accepted and encouraged.

- **Option 2 - Amendment to the Streets and Traffic Regulation Bylaw**

The Streets and Traffic Regulation Bylaw, 2017, No. 2898 (Bylaw), provides a means to implement duties on property owners to be responsible for the removal of organic growth. Section 54 imposes a similar duty on lot owners

### *Sidewalk Clearing*

*54. Every person being an occupant or owner of any property abutting or fronting upon a portion of a sidewalk shall cause such portion of the sidewalk to be cleared and kept clear of all snow, ice, dirt, litter and rubbish and shall dispose of the same otherwise than leaving it upon the street.*

This section would be modified to include the management of organic growth by the property owner. With this revised clause of the Bylaw in place, the Township would have the means to issue tickets and recover costs for work carried out on behalf of the property owner. The ticketing and enforcement of the bylaw is administered by Community Safety Services staff. This department has limited resources which would make enforcement unmanageable. Also enforcement would be complaint driven so potentially many areas would not be reported.

It is also anticipated that such a change to the Bylaw would not be well received by property owners and residents, as most assume that this activity is a duty that should be performed by the Township.

- **Option 3 - Increased Level of Service for Boulevards**

There is approximately 57 km of sidewalk within the Township. The sidewalk is either located behind the curb (45 km) or as separated sidewalk (12 km). For the separated sidewalk, the majority of residents carry out the maintenance (i.e. cutting of grass) of the boulevard between the curb and sidewalk. For curb/sidewalk abutting, the majorities of residents carry out the maintenance of the boulevard portion behind the sidewalk but do not clear organic growth in the sidewalk or between the sidewalk and curb.

Under this option, the Township would increase its level of service within boulevards. This would see a dedicated work force of two individuals, at two periods (i.e. March and September) who would utilize equipment to remove the top portion of the weeds and potentially some of the root system. The impact on the budget would be approximately \$11,000 per year.

**ALTERNATIVES:**

1. That the COTW receive Staff Report No. EPW-20-021 for information, provide any additional direction to staff as the COTW considers advisable, and direct staff to prepare a report for Council's consideration.
2. That the COTW provide alternative direction to staff.
3. That the COTW request further information from staff.