



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

## Legislation Text

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File #: 16-330, Version: 1

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### REQUEST FOR DECISION

**DATE:** August 9, 2016

Report No. CSS-16-010

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

**FROM:** Blair McDonald, Director, Community Safety Services

**SUBJECT:**

Unightly Property - 1106 Lockley Road - Reconsideration Hearing

**RECOMMENDATION:**

That Council conducts a Reconsideration Hearing regarding Council Resolution for 1106 Lockley Road made at open Council Meeting on July 11<sup>th</sup>, 2016 as required under section 78 of the Community Charter.

**RELEVANT POLICY:**

*Community Charter*, SBC 2003, c. 26, sections 17, 72 through 80 and 258.

**STRATEGIC RELEVANCE:**

This staff report does not directly relate to Council's Strategic Priorities

**BACKGROUND:**

(See staff report CSS-16-008, Granicus File 16-167.)

This Reconsideration Hearing under section 78 of the Community Charter is related to the property located at 1106 Lockley Road. On July 11<sup>th</sup>, 2016, Council passed a Resolution relating to the Property. (Attachment 1)

On August 1<sup>st</sup>, 2016 staff received an email from Mr. Daniel Evans (representing the property owner Ms. Doubravka Spilka) stating that he was in receipt of the certified letter from the Esquimalt Council. He advised that of the items in the resolution, he was concerned that Council wanted him to ensure all holes and points of egress were to be patched. He did not wish to add additional expense to a building that was going to be torn down. Staff replied to Mr. Evans, attaching a copy of the resolution

and advising that there was no requirement for patching of holes or repairs to the building, merely the removal of personal items and the dealing with the rodent and rodent feces issues. Staff asked, if given that there was no such requirement, did Mr. Evans still wish the Reconsideration Hearing?

On August 8<sup>th</sup>, 2016 staff received a reply from Mr. Evans that he did want the Reconsideration Hearing and he indicated a preferred date of August 10<sup>th</sup>, 2016. Mr. Evans was advised that August 15<sup>th</sup>, 2016 was the first available Council meeting and that the Reconsideration Hearing would be set for August 15<sup>th</sup>, 2016 at 7:00 PM. Ms. Spilka was advised of the date and time of the Reconsideration Hearing via e-mail, regular mail, and registered mail.

## **ISSUES:**

### **1. Rationale for Selected Option**

Council is required under Section 78 of the Community Charter to conduct a Reconsideration Hearing if one is requested within 14 days of service of the Resolution. Mr. Evans' request was received within this time frame.

### **2. Organizational Implications**

None of note.

### **3. Financial Implications**

There are no additional financial implications.

### **4. Sustainability & Environmental Implications**

There are no sustainability or environmental implications.

### **5. Communication & Engagement**

Notices as required have been sent to Ms. Spilka (and Mr. Evans).

## **ALTERNATIVES:**

Option #1. That Council conducts a Reconsideration Hearing regarding Council Resolution for 1106 Lockley Road made at open Council Meeting on July 11<sup>th</sup>, 2016 as required under section 78 of the Community Charter.