



**UPDATED AMENDED AGENDA - VICTORIA CITY COUNCIL**  
**MEETING OF THURSDAY, MARCH 8, 2018, AT 6:30 P.M.**  
**Council Chambers, City Hall, 1 Centennial Square**

Located on the traditional territory of the Esquimalt and Songhees People

*Council is committed to ensuring that all people who speak in this chamber are treated in a fair and respectful manner. No form of discrimination is acceptable or tolerated. This includes discrimination because of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or economic status. This Council chamber is a place where all human rights are respected and where we all take responsibility to create a safe, inclusive environment for everyone to participate.*

Performance by Maria Newton & Aurora Smith on fiddle,  
from the Victoria Conservatory of Music.

**A. APPROVAL OF AGENDA**

**B. READING OF MINUTES**

1. Minutes from the evening meeting held December 14, 2017
2. **Late Item:** Minutes from the daytime meeting held January 11, 2018  
Addenda

**C. REQUESTS TO ADDRESS COUNCIL**

1. David Leverton: Update on Activities at the Maritime Museum of BC
2. Casey Edge: Step Code
3. Chris Zmuda: City Management Negligent
4. David Langlois: Affordable Housing and MRDT
5. Douglas Curran: Viable, Community-Supported Redevelopment on Burdett Avenue
6. **Late Item:** Lisa Nitkin: Animal Responsibility  
Addenda

## D. PROCLAMATIONS

1. "World Water Day" - March 22, 2018
2. "Purple Day for Epilepsy Awareness" - March 26, 2018

## E. PUBLIC AND STATUTORY HEARINGS

### 1. **Development Variance Permit Application No. 00199 for 1750 Haultain Street**

*Council is considering an application to relax the parking requirement for a kindergarten.*

#### a. **Opportunity for Public Comment**

##### Addenda **Development Variance Permit No. 00199**

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 1750 Haultain Street for the purpose of varying certain requirements of the *Zoning Regulation Bylaw* namely: reduce the required vehicle parking from five stalls to one stall for a kindergarten use, increase the required bicycle parking spaces from zero to three Class 1 (weather-protected) and five Class 2 (short-term visitor) spaces, and reduce the minimum lot width for a house conversion to a kindergarten from 18m to 15m.

Legal description of the land: the Easterly ½ of Lot 20, Section 25, Victoria District, Plan 332

**Late Item: Correspondence**

### **Close of Opportunity for Public Comment - Consideration of Approval**

#### b. **Development Variance Permit Approval:** To approve the development variance permit, the following motion is in order:

That Council authorize the issuance of Development Variance Permit No. 00199 for 1750 Haultain Street, in accordance with:

1. Plans date stamped November 15, 2017
2. Development meeting all Zoning Regulation Bylaw requirements, except for:
  - i. reduce the required vehicle parking from five stalls to one stall for a kindergarten use
  - ii. increase the required bicycle parking spaces from zero to three Class 1 (weather-protected) and five Class 2 (short-term visitor) spaces
  - iii. reduce the minimum lot width for a house conversion to a kindergarten from 18m to 15m.
3. The Development Variance Permit lapsing two years from the date of this resolution.



2. **Development Variance Permit Application No. 00201 for 821-827 Broughton Street**

***Council is considering an application to increase the existing non-conforming parking by three stalls.***

a. **Opportunity for Public Comment**

Addenda **Development Variance Permit No. 00201**

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 821 – 827 Broughton Street for the purpose of varying the parking requirements of the *Zoning Regulation Bylaw* associated with a change of use from general office to medical office for one of the ground floor commercial units.

Legal description of the land: Lot 1, of Lots 256 and 257, Victoria City, Plan 7483

**Late Item: Correspondence**

**Close of Opportunity for Public Comment - Consideration of Approval**

b. **Development Variance Permit Approval:** To approve the development variance permit, the following motion is in order:

That Council authorize the issuance of Development Variance Permit Application No. 00201 for 821-827 Broughton Street, in accordance with:

1. Plans date stamped December 20, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - a. reduce the off-street parking requirement from an additional three stalls to nil for the change of use from general office to medical office.
3. The Development Permit lapsing two years from the date of this resolution.

3. **Short-Term Rentals**

***Council is considering proposed changes to Schedule D - Home Occupations, of the Zoning Regulation Amendment Bylaw, and considering the Short-Term Rental Business Regulation Bylaw***

a. **Public Hearing**

Addenda **Zoning Regulation Bylaw, Amendment Bylaw (No. 1147) No. 18-035**

The purpose of this Bylaw is to amend the Zoning Regulation Bylaw by updating the provisions in Schedule D to allow short term rentals in principal residences as a home occupation, as long as no more than two bedrooms are used for the short term rental, and the short term rental does not occupy the entire unit. This amendment bylaw will affect properties throughout the city where residential use or self-contained dwelling units are currently permitted.

To check whether a particular property will be affected, please contact the Zoning Department at 250-361-0316 or zoning@victoria.ca. Zoning can also be found by looking up

the property address on VicMap. To access VicMap, click the “VicMap” button on the homepage of the City of Victoria’s website: [www.victoria.ca](http://www.victoria.ca).

**Late Item: Correspondence**

b. **Short-Term Rental Regulation Bylaw No. 18-036**

The purposes of this Bylaw are to provide for the regulation of short-term rentals including vacation rentals in operators’ principal residences where permitted under the Zoning Regulation Bylaw No. 80-159 and where permitted pursuant to section 528 of the Local Government Act (lawful non-conforming use). This Bylaw applies to the entire city and includes provisions for licencing and fees in relation to operation of short-term rentals.

**Close of Hearing - Consideration of Approval**

c. **Bylaw Approval:** To consider approval of the application, a motion for Third Reading of the bylaw is in order:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1147) No. 18-035

d. **Bylaw Approval:** To consider final approval of the application, a motion to Adopt the bylaws is in order:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1147) No. 18-035
2. Short-Term Rental Regulation Bylaw No. 18-036

4. **Proposed Gonzales Neighbourhood Plan**

***Council is having an Opportunity for Public Comment to hear feedback on the Proposed Gonzales Neighbourhood Plan, to date.***

a. **Opportunity for Public Comment**

Addenda **Proposed Gonzales Neighbourhood Plan**

City Council would like to hear your feedback on the proposed Gonzales Neighbourhood Plan.

- Read the proposed plan at [Victoria.ca/Gonzales](http://Victoria.ca/Gonzales)
- A Public Hearing on the Proposed Gonzales Neighbourhood Plan and associated Official Community Plan amendments will be held at a later date, pending further direction.

**Late Item: Correspondence**

**F. REQUESTS TO ADDRESS COUNCIL**

1. **Late Item:** Donna Friedlander: Changes to Vehicles for Hire Bylaw

Addenda

2. **Late Item**: Stephanie Rathwell: Memorializing the Johnson Street Bridge  
Addenda

## G. UNFINISHED BUSINESS

1. Letter from the City of Prince George  
A letter dated January 29, 2018, in which the City was carbon-copied, providing support for the request that the BC Motor Vehicle Act be reviewed and modernized.
2. Letter from the District of Sicamous  
A letter dated February 14, 2018, in which the City was carbon-copied, regarding cannabis sales revenue sharing with local governments.
3. Letter from the City of Enderby  
A letter dated February 20, 2018, in which the City was carbon-copied, regarding their support for the sharing of revenue generated by the sale of cannabis, with local governments.
4. **Late Item**: Council Member Motion: Follow up on Council Motion re: Human Rights  
Addenda and Non-Discrimination

**Recommendation**: That as part of the regular work and support that staff provides to CALUCs that Council direct staff to prepare and deliver skills training to ensure that the policy position, actions and materials included in the Council Member Motion 'Follow up on Council Motion re: Human Rights and Non-Discrimination', and its Appendices, are clearly understood, fairly applied, and that the CALUC Chairs and members have the tools to do the job Council asks of them.

## H. REPORTS OF COMMITTEES

1. **Committee of the Whole**
  - a. Report from the February 22 and March 1, 2018 COTW Meeting on the Fairfield  
Addenda Neighbourhood Plan  
**Amended Item**: Point #5 (a) was amended to correctly identify the approved motion by COTW, as noted in bold.
  - b. Report from the March 1, 2018 COTW Meeting

c. Report from the March 8, 2018 COTW Meeting

Addenda

**Late Item: Report**

d. **Late Item:** Report from the February 22 and March 8, 2018 COTW Meeting on the  
Addenda Proposed Animal Control Bylaw Amendments

## I. NOTICE OF MOTIONS

## J. BYLAWS

### 1. **Bylaw for Rezoning Application for 350 Sylvia Street**

A report recommending first and second readings of Bylaw No. 18-007.

a. Zoning Regulation Bylaw, Amendment Bylaw (No. 1135) No. 18-007

A bylaw to rezone the land known as 350 Sylvia Street to the R1-45 Zone, Sylvia Street Conversion District.

**Recommendation:** That Council give first and second readings to Bylaw No. 18-007.

### 2. **Bylaw for Rezoning Application for 323 Skinner Street**

A report recommending first and second readings of Bylaw No. 18-027.

a. Zoning Regulation Bylaw, Amendment Bylaw (No. 1143) No. 18-027

A bylaw to rezone the land known as 323 Skinner Street to the R1-46 Zone, Skinner Street Daycare District.

**Recommendation:** That Council give first and second readings to Bylaw No. 18-027.

### 3. **Bylaw for Development Cost Charges Reserve Establishment**

A report recommending first, second, and third readings of Bylaw No. 18-040, and that upon adoption of the Bylaw, staff be directed to consolidate funds in the former Parks Acquisition and Parks Development Reserves into the new Reserve Fund.

- a. Development Cost Charges Reserve Establishment Bylaw No. 18-040  
A bylaw to establish Reserve Funds for Development Cost Charges.

**Recommendation:** 1. That Council give first, second, and third readings to Bylaw No. 18-040. 2. That upon adoption of the Bylaw, staff be directed to consolidate funds in the former Parks Acquisition and Parks Development Reserves into the new Reserve Fund established under Bylaw No. 18-040.

4. **Adoption of Business Licence Amendment Bylaw**

- a. Business Licence Bylaw, Amendment Bylaw (No. 32) No. 18-034  
A bylaw to amend the provisions of the Business Licence Bylaw to remove the mandatory requirement that all liquor primary and liquor primary clubs enter into good neighbour agreements.

**Recommendation:** That Council adopt Bylaw No. 18-034.

**K. CORRESPONDENCE**

- 1. **Late Item:** Letter from the Corporation of the Township of Spallumcheen  
Addenda A letter dated February 22, 2018, regarding support for a resolution being considered by the Association of Vancouver Island Coastal Communities for Asset Management.

**L. NEW BUSINESS**

**M. QUESTION PERIOD**

**N. ADJOURNMENT**





**MINUTES – VICTORIA CITY COUNCIL**

**MEETING OF THURSDAY, DECEMBER 14, 2017, AT 6:30 P.M.**

**PLACE OF MEETING:** Council Chambers, City Hall

**PRESENT:** Mayor Helps in the Chair, Councillors Alto, Coleman, Loveday, Lucas, Madoff, Thornton-Joe, and Young.

**ABSENT FOR A PORTION OF THE MEETING:** Councillor Isitt

**STAFF PRESENT:** J. Jenkyns - Acting City Manager; C. Coates - City Clerk; P. Bruce – Fire Chief; S. Thompson – Director of Finance; F. Work – Director of Engineering & Public Works; T. Soulliere – Director of Parks, Recreation, & Facilities; J. Tinney – Director of Sustainable Planning & Community Development; T. Zworski- City Solicitor; B. Eisenhour - Head of Engagement; C. Havelka – Deputy City Clerk; J. Handy – Senior Planner; C. Mycroft – Manager of Executive Operations; P. Martin - Council Secretary.

**APPROVAL OF AGENDA**

The City Clerk outlined amendments to the agenda.

*Councillor Isitt joined the meeting at 6:32 p.m.*

**Motion:**

It was moved by Councillor Isitt, seconded by Councillor Alto, that the agenda be approved as amended.

**Amendment:**

It was moved by Councillor Alto, seconded by Councillor Madoff, that the Zoning Bylaw 2017 and Administrative Amendment to Zoning Regulation Bylaw public hearings be cancelled.

**On the amendment:  
Carried Unanimously**

**Amendment:**

It was moved by Councillor Loveday, seconded by Councillor Alto, that Chris Marks and Dani Cee be added to the second Request to Address Council section of the meeting.

**On the amendment:  
Carried Unanimously**

**Amendment:**

It was moved by Councillor Loveday, seconded by Councillor Alto, that Beverly Booth be moved to the end of the second Request to Address Council section of the meeting.

**On the amendment:  
Carried Unanimously**

**Amendment:**

It was moved by Councillor Loveday, seconded by Councillor Alto, that Rachele Keeley be moved to the end of the second Request to Address Council section of the meeting.

**On the amendment:  
Carried Unanimously**

**On the main motion as amended:  
Carried Unanimously**

*Poetry reading by Yvonne Blomer, Poet Laureate who read a poem titled "Letter from a Poet Gone North" and Maita Cienska, Youth Poet Laureate who read a poem titled "My Ex-Boyfriend's Apartment".*

**READING OF MINUTES**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the following minutes be adopted:

1. Minutes from the evening meeting held October 12, 2017
2. Minutes from the daytime meeting held October 19, 2017

**Carried Unanimously**

### **REQUESTS TO ADDRESS COUNCIL**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Isitt, that the following speakers be permitted to address Council.

**Carried Unanimously**

1. **Mary Davies: Pause on Council Approval of Gonzales Neighbourhood Plan**  
Outlined why Council should hold off on approval of the Gonzales Neighbourhood Plan.
2. **Eric Doherty: Communities on the Move and Advocacy to Shift Investment to Low-Emission Transportation**  
Outlined why Council should vote in favour of the motions regarding "Communities on the Move" and "Advocacy to Shift Investment to Low-Emission Transportation".
3. **Thomas Hackney: Council Member Motion: Shift Investment to Low-Emission Transportation**  
Outlined why Council should vote in favour of the motion regarding "Advocacy to Shift Investment to Low-Emission Transportation".
4. **Douglas Curran: Better CAC Valuations**  
Outlined why Council should revise the Community Amenity Contribution policy for new development.
5. **Chris Zmuda: Mismanagement of Cannabis Operation**  
Outlined why Council should review the allowance of cannabis dispensaries in the City and how they are ruining small businesses.
6. **Jon A. Sigurdson: Subsidized Housing Utilities (Heat, Hot Water, Pest Control)**  
Outlined why Council should ensure that a bylaw ensuring that rental buildings have sufficient heat, hot water, and pest control is adopted and enforced.

### **PROCLAMATIONS**

**Motion:**

It was moved by Councillor Thornton-Joe, seconded by Councillor Isitt, that the following Proclamation be endorsed:

1. "Dr. Victoria Chung Day" – December 8, 2017

**Carried Unanimously**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following Proclamation be endorsed:

1. "BC AWARE 2018: Be Secure, Be Aware Days" – January 29 to February 9, 2018

**Carried Unanimously**

### **PUBLIC AND STATUTORY HEARINGS**

*Councillor Thornton-Joe withdrew from the meeting at 7:12 p.m. due to a non-pecuniary conflict of interest with the following item, as her cousin is a director representing the application.*

1. **Heritage Designation Application No. 000166 for 614-614 ½ Fisgard Street**

1. **Public Hearing**  
**Heritage Designation No. 000166**

Under the provisions of the Local Government Act, the City of Victoria intends to designate the exterior of the building located at 614-614½ Fisgard Street, legally described as Lot 13 of Lots 602 and 603, Victoria City, Plan 2779 and Lot 14 of Lots 602 and 603, Victoria City, Plan 2779, except for the westerly 19 feet of said lot, as protected heritage property, under Heritage Designation (614-614½ Fisgard Street) Bylaw No. 17-090.

*Jim Handy (Senior Planner): Advised that the application is to designate the exterior of 614-614 ½ Fisgard Street as protected heritage property.*

*Mayor Helps opened the public hearing at 7:13 p.m.*



Barry Lee (Applicant): Thanked Council for the opportunity to designate the exterior of the building as protected heritage property.

*There were no persons present to speak to the proposed bylaw.*

*Mayor Helps closed the public hearing at 7:14 p.m.*

2. **Bylaw Approval**

**Motion:**

It was moved by Councillor Isitt, seconded by Councillor Madoff, that the following bylaw **be given third reading:**

1. *Heritage Designation (614-614 ½ Fisgard Street) Bylaw No. 17-090*

**Carried Unanimously**

3. **Bylaw Approval**

**Motion:**

It was moved by Councillor Madoff, seconded by Councillor Loveday, that the following bylaw **be adopted:**

1. *Heritage Designation (614-614 ½ Fisgard Street) Bylaw No. 17-090*

**Carried Unanimously**

*Councillor Thornton-Joe returned to the meeting at 7:16 p.m.*

*Councillor Young withdrew from the meeting at 7:16 p.m. due to a non-pecuniary conflict of interest with the following item, as his family owns property within 200 meters.*

2. **Temporary Use Permit with Variances Application No. 00002 for 514 Government Street**

1. **Opportunity for Public Comment**

**Temporary Use Permit with Variances Application No. 00002**

The Council of the City of Victoria will consider issuing a Temporary Use Permit with Variances for the land known as 514 Government Street, in Development Permit Area DPA 12 (HC), to add “club” as a permitted use.

The Temporary use Permit will vary the following requirements of the *Zoning Regulation Bylaw*:

- Schedule C, Section 2: Relaxation of the number of required parking stalls from 10 to 1.

Legal description of the land:

Lot 1 of Lots 1718, 1719, 1720, 1743, 1744, and 1745, Victoria, City Plan EPP38874

Jim Handy (Senior Planner): *Advised that the application is to allow temporary use for a club, which would include a variance to on-site parking, and to reduce the required number of parking stalls from ten to one.*

*Mayor Helps opened the opportunity for public comment at 7:17 p.m.*

*There were no persons present to speak to the proposed bylaw.*

*Mayor Helps closed the opportunity for public comment at 7:19 p.m.*

2. **Temporary Use Permit with Variances Approval**

**Motion:**

It was moved by Councillor Isitt, seconded by Councillor Thornton-Joe, that Council authorize the issuance of Temporary Use Permit Application No. 00002 for 514 Government Street, in accordance with:

1. Plans date stamped July 13, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. reduce the required amount of parking from ten stalls to one.
3. The Development Permit lapsing three years from the date of this resolution.

**Carried Unanimously**

*Councillor Young returned to the meeting at 7:20 p.m.*

3. **Rezoning Application No. 00535 for 475 Gorge Road East and Rezoning Application No. 00533 for 603 Gorge Road East**

1. **Public Hearing**

**Rezoning Application No. 00535**

To rezone the land known as 475 Gorge Road East from the S-1 Zone, Limited Service District, to the S-11 Zone, Limited Service (Cannabis 2) District, to permit a storefront cannabis retailer.

New Zone: S-11 Zone, Limited Service (Cannabis 2) District

Legal description: Lot A, Section 5, Victoria District, Plan 43288

Existing Zone: S-1 Zone, Limited Service District

Jim Handy (Senior Planner): *Advised that the application is to rezone the property to allow for the retail sale of cannabis.*

2. **Public Hearing**

**Rezoning Application No. 00533**

To rezone the land known as 603 Gorge Road East from the C1-S Zone, Limited Commercial Service Station District, to the C1-S2 Zone, Limited Commercial Service Station (Cannabis) District, to permit a storefront cannabis retailer.

New Zone: C1-S2 Zone, Limited Commercial Service Station (Cannabis) District

Legal description: Lot 1, Section 4, Victoria District, Plan 5362

Existing Zone: C1-S Zone, Limited Commercial Service Station District

Jim Handy (Senior Planner): *Advised that the application is to rezone the property to allow for the retail sale of cannabis.*

*Mayor Helps opened the public hearing at 7:24 p.m.*

Lee Shanks (Applicant for 475 Gorge Road East): Provided information regarding the application and how their cannabis storefront is run.

James Whitehead (Applicant for 603 Gorge Road East): Provided information regarding the application and how their cannabis storefront is run.

Patricia Morgan (Gorge Road East): Expressed support for the application at 475 Gorge Road East so they can continue to provide safe access to medical cannabis.

Steven Palmer (Resident): Expressed support for the application at 475 Gorge Road East so they can continue to provide accessible and safe access to medical cannabis.

*Mayor Helps closed the public hearing at 7:51 p.m.*

3. **Bylaw Approval for 603 Gorge Road East**

**Motion:**

It was moved by Councillor Isitt, seconded by Mayor Helps, that the following bylaw **be given third reading:**

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1104) No. 17-053*

*Council discussed the following:*

- *The supportability of the application due to its small footprint and the appropriateness of a cannabis storefront in relation to other medical storefront retailers.*

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe  
**Opposed:** Councillor Young

*Final adoption of Zoning Regulation Bylaw, Amendment Bylaw (No. 1104) No. 17-053 and approval of the Development Variance Permit can occur after the Statutory Right-of-Way of 4.91m on 603 Gorge Road East has been registered at Land Titles Survey Authority.*

4. **Bylaw Approval for 475 Gorge Road East****Motion:**

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the following bylaw **be given third reading:**

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1105) No. 17-068*

*Council discussed the following:*

- *Whether having a second cannabis storefront within 200 meters is supportable on the same street.*

**Defeated**

**For:** Councillors Alto, Isitt, and Loveday

**Opposed:** Mayor Helps, Councillors Coleman, Lucas, Madoff, Thornton-Joe, and Young

### **REQUESTS TO ADDRESS COUNCIL**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following speakers be permitted to address Council.

**Carried Unanimously**

1. **Aleksandar Milojevic: World Accordion and Tango Festival**  
Outlined why Council should provide financial support for Victoria to host the 68<sup>th</sup> Trophee Mondial (World Accordion Championships), as part of the World Accordion and Tango Festival.
2. **Chris Marks: 3198 Quadra Street**  
Outlined why Council should reconsider the defeated motion regarding 3198 Quadra Street.
3. **Dani Cee: Mental Health and Alternatives to Police**  
Outlined why Council should consider alternatives to the police in relation to providing compassionate services for addiction, crisis, and mental health.

*Mayor Helps withdrew from the meeting at 8:10 p.m. due to a potential non-pecuniary conflict of interest with the following item, due to her relationship with a previous AirBnB operator.*

*Councillor Loveday assumed the Chair in her absence.*

*Councillor Lucas withdrew from the meeting at 8:10 p.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel.*

*Councillor Madoff withdrew from the meeting at 8:10 p.m. due to a pecuniary conflict of interest with the following item, as she runs a Bed and Breakfast in her home.*

4. **Beverly Booth: Short-Term Rental Proposal**  
Outlined why Council should recognize Premier Suites Victoria as a corporate housing supplier, and offer an exclusion or grandfather clause from the current Short-Term Rental bylaw.
5. **Rachelle Keeley: Short-Term Rental Proposal**  
Outlined why Council should recognize Premier Suites Victoria as a corporate housing supplier, and offer an exclusion or grandfather clause from the current Short-Term Rental bylaw.

*Mayor Helps returned to the meeting at 8:21 p.m. and assumed the Chair.*

*Councillor Lucas returned to the meeting at 8:21 p.m.*

*Councillor Madoff returned to the meeting at 8:21 p.m.*

### **UNFINISHED BUSINESS**

1. **Letter from the Ministry of Tourism, Arts and Culture**  
Council received a letter of response dated October 10, 2017 regarding the City of Victoria's position on the Art Gallery of Greater Victoria.

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the correspondence dated October 10, 2017 from the Ministry of Tourism, Arts and Culture be received for information.

**Carried Unanimously**

2. **Letter from the Minister of State for Child Care**

Council received a letter of response dated October 16, 2017 regarding child care in the City of Victoria.

**Motion:**

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that the correspondence dated October 16, 2017 from the Minister of State for Child Care be received for information.

**Carried Unanimously**

3. **Letter from Transport Canada**

Council received a letter of response dated November 9, 2017 regarding the City's request for Transport Canada to provide a Noise Exposure Forecast for the Victoria Harbour Water Airport.

**Motion:**

It was moved by Councillor Loveday, seconded by Councillor Isitt, that the correspondence dated November 9, 2017 from Transport Canada be received for information.

**Amendment:**

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the correspondence dated November 9, 2017 from Transport Canada be referred to the January 11, 2018 Committee of the Whole meeting.

**On the amendment:  
Carried Unanimously**

**On the main motion as amended:  
Carried Unanimously**

*Councillor Thornton-Joe withdrew from the meeting at 8:25 p.m. due to a pecuniary conflict of interest with the following item, as her husband is employed with BC Transit.*

4. **Letter from Letter from the City of Campbell River**

Council received a letter of response dated November 14, 2017 regarding the City's request for resolutions of support for maintaining and improving inter-city bus service.

**Motion:**

It was moved by Councillor Loveday, seconded by Councillor Alto, that the correspondence dated November 14, 2017 from the city of Campbell River be received for information.

**Carried Unanimously**

*Councillor Thornton-Joe returned to the meeting at 8:26 p.m.*

*Councillor Lucas withdrew from the meeting at 8:26 p.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a retail store that supplies plastic bags to its customers.*

5. **Letter from the City of Colwood**

Council received a letter of response dated November 17, 2017 regarding a single-use checkout bag regulation bylaw.

**Motion:**

It was moved by Councillor Loveday, seconded by Councillor Alto, that the correspondence dated November 17, 2017 from the City of Colwood be received for information.

**Amendment:**

It was moved by Councillor Isitt, seconded by Mayor Helps, that the motion be amended as follows:

That the correspondence dated November 17, 2017 from the City of Colwood be received for information **and direct our staff to forward the bylaw under consideration to the Capital Regional District (CRD) requesting that they accept that bylaw as the CRD model bylaw.**

**On the amendment:  
Carried Unanimously**

**Main motion as amended:**

That the correspondence dated November 17, 2017 from the City of Colwood be received for information and direct our staff to forward the bylaw under consideration to the Capital Regional District (CRD) requesting that they accept that bylaw as the CRD model bylaw.

**On the main motion as amended:  
Carried Unanimously**

6. **Letter from the District of Central Saanich**

Council received a letter of response dated November 22, 2017 regarding single-use checkout bags.

**Motion:**

It was moved by Councillor Loveday, seconded by Councillor Isitt, that the correspondence dated November 22, 2017 from the District of Central Saanich be received for information.

**Carried Unanimously**

7. **Letter from the District of Metchosin**

Council received a letter of response dated November 28, 2017 regarding single-use checkout bag regulation bylaw.

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Coleman, that the correspondence dated November 28, 2017 from the District of Metchosin be received for information.

**Amendment:**

It was moved by Mayor Helps, seconded by Councillor Loveday, that the motion be amended as follows:

That the correspondence dated November 28, 2017 from the District of Metchosin be received for information, **and that Council direct staff to write back to District of Metchosin, answering their questions, and let them know about changes that have been made to the bylaw.**

**On the amendment:**  
**Carried Unanimously**

**Amendment:**

It was moved by Councillor Loveday, seconded by Mayor Helps, that the motion be amended as follows:

That the correspondence dated November 28, 2017 from the District of Metchosin be received for information, and that Council direct staff to write back to District of Metchosin, answering their questions, and let them know about changes that have been made to the bylaw.

**Should the bylaw receive first readings, write to the Capital Regional District member local government municipalities, advising that the City of Victoria has given first readings to that bylaw and encourage the adoption of uniform regulations for the region, and send a copy of the bylaw.**

**Amendment to the amendment:**

It was moved by Mayor Helps, seconded by Councillor Loveday that the amendment be amended as follows:

That the correspondence dated November 28, 2017 from the District of Metchosin be received for information, and that Council direct staff to write back to District of Metchosin, answering their questions, and let them know about changes that have been made to the bylaw.

**Should the bylaw receive first readings, write to the Capital Regional District member local government municipalities, advising that the City of Victoria has given first readings to that bylaw and encourage the adoption of uniform regulations for the region, and send a copy of the bylaw and include the staff report presented at the December 14, 2017 Committee of the Whole that highlight the changes.**

**On the amendment to the amendment:**  
**Carried Unanimously**

**On the amendment:**  
**Carried Unanimously**

**Main motion as amended:**

That the correspondence dated November 28, 2017 from the District of Metchosin be received for information, and that Council direct staff to write back to District of Metchosin, answering their questions, and let them know about changes that have been made to the bylaw.

Should the bylaw receive first readings, write to the Capital Regional District member local government municipalities, advising that the City of Victoria has given first readings to that bylaw and encourage the adoption of uniform regulations for the region, send a copy of the bylaw and include the staff report presented at the December 14, 2017 Committee of the Whole that highlight the changes.

**On the main motion as amended:**  
**Carried Unanimously**

*Councillor Lucas returned to the meeting at 8:33 p.m.*

8. **Rise and Report from Closed Meeting for Information From the January 12, 2017 Closed Council Meeting**

That Council authorize the Mayor and City Clerk to execute a lease with interisland launch ltd. for premises at 812 Wharf Street, in a form satisfactory to the City Clerk, for a period of 5 years commencing March 1, 2017 at the base rent of \$122,196.76 per annum for the first two years rising to \$127,756.71 per annum thereafter for the remainder of the 5 year initial term, with two options to renew the lease each for a further 5 year term, subject to the publication of the statutory notices required by the Community Charter.

**REPORTS OF COMMITTEES**

1. **Committee of the Whole – December 7, 2017**

1. **Letter from the Minister of Transport**

**Motion:**

It was moved by Councillor Isitt, seconded by Mayor Helps, that the correspondence dated October 20, 2017 from the Minister of Transport be referred to the January 11, 2017 Committee of the Whole meeting.

**Carried Unanimously**

2. **Rezoning, Development Permit with Variances Application, Development Variance Permit Application No. 00583 for 3110 Doncaster Drive (Oaklands)**

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Coleman:

**Rezoning Application**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00583 for 3110 Doncaster Drive, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

**Development Permit with Variances Application and Development Variance Permit**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00583, if it is approved, consider the following motions:

1. "That Council authorize the issuance of a Development Permit with Variances Application for the west portion of 3110 Doncaster Drive, in accordance with:
  - a. Plans date stamped October 5, 2017.
  - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    - i. reduce the front setback from 6.00m to 5.11m
    - ii. reduce the rear setback from 6.00m to 3.94m.
  - c. The Development Permit lapsing two years from the date of this resolution."
2. "That Council authorize the issuance of a Development Variance Permit Application for the east portion of 3110 Doncaster Drive, in accordance with:
  - a. Plans date stamped October 5, 2017.
  - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    - i. reduce the rear setback from 6.00m to 5.70m.
  - c. The Development Permit lapsing two years from the date of this resolution."

**Carried Unanimously**

3. **Rezoning Application No. 00573 and Development Permit with Variances Application No. 000504 for 2816 Shelbourne Street (Oaklands)**

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Loveday:

**Rezoning Application**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00573 for 2816 Shelbourne Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once:

1. Staff are provided with a legal agreement securing the provision of one electric vehicle charging station per unit and one electric-assisted bicycle per initial purchaser for each of the five units as offered by the applicant to the satisfaction of the City Solicitor.
2. Staff receive proof of registration at the Land Title Survey Authority of an executed Statutory Right-of-Way (SRW) of 7.0m on Shelbourne Street.

3. The applicant works with Staff to mitigate the impact of the requested variance for the rear (west) setback.

#### **Development Permit with Variances Application**

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00573, if it is approved, consider the following motion: "That Council authorize the issuance of Development Permit with Variances Application No. 000504 for 2816 Shelbourne Street in accordance with:

1. Plans date stamped August 22, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements except for the following variances:
  - i. Reduce the front setback from 10.7m to 8.38m;
  - ii. Reduce the rear setback from 4.0m to 2.25m;
  - iii. Reduce the north side yard setback from 4.0m to 3.77m;
  - iv. Reduce the south side yard setback from 4.0m to 3.35m;
  - v. Reduce the parking from 8 stalls with one visitor stall to 5 stalls with no visitor stalls.
3. The Development Permit lapsing two years from the date of this resolution."

**Carried Unanimously**

#### **4. Application for a New Liquor Primary Licence for Atomic Soap Lounge, 530 Pandora Avenue**

##### **Motion:**

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Council direct staff to provide the following response to the Liquor Control and Licensing Branch:

1. Council, after conducting a review with respect to the location of the establishment, the person capacity and hours of liquor service, supports the application of Atomic Soap Lounge, located at 530 Pandora Avenue to obtain a new Liquor Primary License permitting service from 10:00 am until 10:00 pm daily with an interior occupant load of 59 persons (no outdoor service area is included in the application).

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered and is not expected to be appreciatively different than similar approvable establishments not subject to municipal review for liquor licencing. It is understood that the total licensed capacity is to be 59 persons and that approval of the Liquor Primary Licence is dependent on existence of the core soap making business.
- b. If the application is approved, the impact on the community is expected to be negligible given the size, hours, and primary focus of the business.
- c. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the licensed location and a notice posted at the property. The City received ten letters in total including nine letters expressing concern or opposition to the application and one expressing support for the application for a liquor licence.
- d. Council recommends the issuance of the license as it is expected to support the economic viability of the business through support of its business plan to serve liquor complementary to the primary focus which is an instructor-led soap crafting experience.

**Carried Unanimously**

#### **5. Advocacy to Shift Investment to Low-Emissions Transportation**

##### **Motion:**

It was moved by Councillor Loveday, seconded by Councillor Isitt, that Council requests the Mayor write, on behalf of Council, to the Prime Minister of Canada and Premier of British Columbia, copying the federal and provincial ministers responsible for climate action, infrastructure and transportation, requesting that they fully implement their commitment in the Pan-Canadian Framework on Clean Growth and Climate Change in transportation sector, to shift investments "from higher to lower-emitting types of transportation" within the Capital Regional District.

*Councillor Thornton-Joe withdrew from the meeting at 8:36 p.m. due to a pecuniary conflict of interest with the following item, as her husband is employed with BC Transit.*

*Councillor Lucas withdrew from the meeting at 8:36 p.m. and returned at 8:37 p.m.*

**Carried Unanimously**

#### **6. Transit Futures Plan**

##### **Motion:**

It was moved by Councillor Alto, seconded by Councillor Isitt, that the Mayor, on behalf of Council, send the letter attached to the report to BC Transit.

**Carried Unanimously**

*Councillor Thornton-Joe returned to the meeting at 8:38 p.m.*

## 7. Animal Responsibility Bylaws

### Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that Council direct staff to report back at the next quarterly update with the resource implications of a plan to update the current Animal Control Bylaw and Vehicle for Hire Bylaws by:

1. Changing the name of the bylaw to the Victoria Animal Responsibility Bylaw.
2. Incorporate wording and sections of the BC SPCA Model Animal Responsibility Bylaws (2017), the Surrey Animal Responsibility Bylaw (2017) and the City of Duncan Animal Regulation and Impounding Bylaw (Amendments 2017) in the following areas and including any other areas that staff recommend adding based upon experiences with the bylaw:
  - a. Standards of Care: See appendix for Surrey bylaw Section 44.
  - b. Hoarding and Animal Limits: See appendix for Duncan bylaw 3 and 4 and BC SPCA Model Animal Responsibility Bylaw Pages 9 and 10.
  - c. Aggressive Dogs: See Surrey bylaw Sections 18-21 and add in glossary the definition of Aggressive Dogs.
  - d. Animal Cruelty: See Duncan bylaw 15 and Surrey bylaw 48.
  - e. Urban Chicken and Urban Bees: See BC SPCA Model Animal Responsibility Bylaw Pages 25-28.
  - f. And to add to our Outdoor Shelter Requirements that:
    - i. A person responsible for an animal shall ensure the Animal has protection from all the elements.
    - ii. No person responsible for an animal shall permit the Animal to suffer from hyperthermia, hypothermia, dehydration, discomfort, or exertion causing unnecessary pain, suffering or injury.

In addition: In regards to our vehicle for hire bylaws in relation to horse drawn vehicles the below should be added.

### Identification of horses and horse drawn vehicles

Every horse while transporting passengers must display an identification number which is visible and legible. This identification number must correspond with the name, description and health record of the horse and is to be provided to the licensing officer and SPCA at the beginning of the season.

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Madoff, Thornton-Joe, and Young

**Opposed:** Councillor Isitt

## 8. Third Quarter Operational Plan Report

### Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council receive the report from the Victoria Police Department for information.

That Council refer the matter of allocating up to \$60,000 from surplus for the transgender inclusion policy to the January 4, 2018 Committee of the Whole meeting

That Council receive the report from the Acting City Manager for information.

**Carried Unanimously**

## 9. Project Update: Crystal Pool and Wellness Centre Replacement Project

### Motion:

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Council direct staff to meet with the Art in Public Places Committee.

That Council receive the progress report update on the Crystal Pool and Wellness Centre Replacement Project.

That Council direct staff to work with the Project Manager to develop a procurement plan that takes into consideration the Federal Government's Community Employment Benefits Reporting Framework; and

Further direct staff to provide input into this Framework as it is being developed.

### Amendment:

It was moved by Mayor Helps, seconded by Councillor Loveday, that the motion be amended as follows:

That Council direct staff to meet with the Art in Public Places Committee.



That Council receive the progress report update on the Crystal Pool and Wellness Centre Replacement Project.

That Council direct staff to work with the Project Manager to develop a procurement plan that takes into consideration the Federal Government's Community Employment Benefits Reporting Framework; ~~and~~

~~Further direct staff to provide input into this Framework as it is being developed.~~

**On the amendment:  
Carried Unanimously**

**Main motion as amended:**

That Council direct staff to meet with the Art in Public Places Committee.

That Council receive the progress report update on the Crystal Pool and Wellness Centre Replacement Project.

That Council direct staff to work with the Project Manager to develop a procurement plan that takes into consideration the Federal Government's Community Employment Benefits Reporting Framework.

**On the main motion as amended:  
Carried Unanimously**

*Councillor Loveday withdrew from the meeting at 8:49 p.m. due to non-pecuniary conflict of interest with the following item, as the subject property is owned by family friends.*

**10. Rezoning Application No. 00606 for 350 Sylvia Street (James Bay)**

**Motion:**

It was moved by Councillor Lucas, seconded by Councillor Alto, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00606 for 350 Sylvia Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

**Carried Unanimously**

*Councillor Loveday returned to the meeting at 8:50 p.m.*

**11. Direction to Consult on OCP Amendment Needed to Align with Proposed Victoria West Neighbourhood Plan**

**Motion:**

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Council:

1. Consider consultation under Section 475(1) and 475(2) of the Local Government Act and direct staff to undertake consultation with those affected by the proposed amendments to the Official Community Plan through online consultation and a public open house concurrent with public review of the proposed Victoria West Neighbourhood Plan.
2. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff:
  - a. To refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, the Township of Esquimalt and School District 61;
  - b. That no referrals are necessary to the Capital Regional District Board, Island Health or the provincial or federal governments.
3. Direct staff to prepare Official Community Plan amendment bylaws following consultation to adjust urban place designations, adjust development permit area boundaries and guidelines in accordance with feedback received on the proposed Official Community Plan amendments.
4. Refer the proposed Victoria West Neighbourhood Plan to the meeting of Council at which the above Official Community Plan amendments Public Hearing is held, for consideration of final approval.
5. Following approval of the proposed Victoria West Neighbourhood Plan, rescind the Victoria West Neighbourhood Community Plan (2002).

**Amendment:**

It was moved by Mayor Helps, seconded by Councillor Coleman, that point 2.a. of the motion be amended as follows:

- a. To refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, the Township of Esquimalt and School District 61, **and request that the Songhees and Esquimalt Nations provide any cultural or historic context that they consider to be germane be added into the plan;**

**On the amendment:  
Carried Unanimously**

**Main motion as amended:**

That Council:

1. Consider consultation under Section 475(1) and 475(2) of the Local Government Act and direct staff to undertake consultation with those affected by the proposed amendments to the Official Community Plan through online consultation and a public open house concurrent with public review of the proposed Victoria West Neighbourhood Plan.
2. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff:
  - a. To refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, the Township of Esquimalt and School District 61, and request that the Songhees and Esquimalt Nations provide any cultural or historic context that they consider to be germane be added into the plan;
  - b. That no referrals are necessary to the Capital Regional District Board, Island Health or the provincial or federal governments.
3. Direct staff to prepare Official Community Plan amendment bylaws following consultation to adjust urban place designations, adjust development permit area boundaries and guidelines in accordance with feedback received on the proposed Official Community Plan amendments.
4. Refer the proposed Victoria West Neighbourhood Plan to the meeting of Council at which the above Official Community Plan amendments Public Hearing is held, for consideration of final approval.
5. Following approval of the proposed Victoria West Neighbourhood Plan, rescind the Victoria West Neighbourhood Community Plan (2002).

**On the main motion as amended:**  
**Carried Unanimously**

**12. Zoning Bylaw 2017 – Request for Clarification****Motion:**

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Council:

1. Receive this report for information
2. Direct staff to report back to Council in early 2018 with strengthened policy and design guidelines for Old Town and Chinatown, to provide additional guidance for new developments to respond to the characteristics and special features of the areas.

That Council direct staff to refer applications for Old Town, specifically in Development Permit Areas 1 and 9, to the Heritage Advisory Panel for comment.

**Carried Unanimously**

**13. 2017 My Great Neighbourhood Grants – Fall Intake****Motion:**

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Council:

1. Approve 17 applications received for the fall intake of the 2017 My Great Neighbourhood Grant program as outlined in Tables 1 and 2.
2. Approve the remaining funds of \$3,851 for the My Great Neighbourhood Show and Tell launch event for the 2018 spring intake.

**Carried Unanimously**

**14. Bicycle Master Plan Implementation – Phase 1 AAA Network Update****Motion:**

It was moved by Mayor Helps, seconded by Councillor Alto, that Council direct staff to:

1. Amend the draft 2018 financial plan to increase the budget for the Wharf, Humboldt, and Cook Street Phase 1 corridors by \$3.0 million with funding from:
  - i. The Gas Tax Reserve, \$2.3 million remaining in 2018 and \$625,000 from 2019 allocation;
  - ii. \$75,000 from the 2017 Engineering and Public Works budget remaining due to vacancies.
2. Implement Phase 1 AAA corridors with the required internal and external resources to support program requirements for one year, to include the following:
  - a. Cycle Network Engagement Support;
  - b. Transportation Design Support;
  - c. Construction Ambassador Support;
  - d. Road User Education and Safety Programs funds; and
  - e. Performance Monitoring and Data Collection equipment.
3. Report back to Council in Q2 2018 with a proposed funding strategy for the remainder of Phase 2-4 Bike Master Plan implementation of the priority AAA network, to be completed by 2022.
4. Report back to Council at the 60% design phase for all remaining Phase 1 corridors, with updated financial estimates, engagement summaries and design responses.
5. Direct staff as part of the 60% design phase to take into consideration accessibility challenges including when people are parking adjacent to a bike lane how they get to the curb and people crossing from bus stops through bike lanes.

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, and Lucas  
**Opposed:** Councillors Madoff, Thornton-Joe, and Young

**15. Protecting Local Waterways and Wild Fish Species****Motion:**

It was moved by Councillor Loveday, seconded by Councillor Isitt:

THAT Council endorse the following resolution for consideration at the 2018 annual meeting of the Association of Vancouver Island and Coastal Communities, and directs staff to forward this resolution to First Nations governments on Vancouver Island and local governments belonging to AVICC requesting favourable consideration:

**Resolution: Protecting Local Waterways and Wild Fish Species**

WHEREAS British Columbia's coastal communities rely on healthy waterways and healthy marine ecosystems including fisheries for economic, social and ecological wellbeing;

AND WHEREAS the proliferation of open-net fish farms with non-native fish species threatens local waterways and wild fish species, undermining the economic, social and ecological wellbeing of local communities;

AND WHEREAS many open-net fish farms have been established in indigenous territories in the absence of adequate consultation with indigenous governments, undermining the shared objective of reconciliation and respectful relations between indigenous and non-indigenous governments;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia consult First Nations governments, local governments, conservation organizations and industry on a transition plan to closed-containment aquaculture, including a just transition for affected workers.

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe  
**Opposed:** Councillor Young

*Councillor Thornton-Joe withdrew from the meeting at 8:54 p.m. due to a pecuniary conflict of interest with the following item, as her husband is employed with BC Transit.*

**16. Endorsing the Communities on the Move Declaration****Motion:**

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council endorse the Communities on the Move Declaration with the proviso that Council has some reservations about setting an annual amount and request that the Mayor write, on behalf of Council, to the BC Healthy Living Alliance communicating this endorsement.

**Carried Unanimously**

*Councillor Thornton-Joe returned to the meeting at 8:55 p.m.*

**2. Committee of the Whole – December 14, 2017****1. Rezoning & Development Permit with Variances Application No. 00578 for 1410 Myrtle Avenue****Motion:**

It was moved by Councillor Alto, seconded by Councillor Loveday:

**Rezoning Application No. 00578**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00578 for 1410 Myrtle Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

**Development Permit with Variances Application No. 00578**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00578, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit No. 00578 for 1410 Myrtle Avenue, in accordance with:

1. Plans date stamped October 16, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, R1-S2 Zone, Restricted Small Lot (Two Storey District) except for the following variances:
  - i. reduce the front yard setback for Lot A (new house) from 6.00m to 3.14m;
  - ii. reduce the rear yard setback for Lot B (existing house) from 6.00m to 2.40m.
3. The Development Permit lapsing two years from the date of this resolution."

**Carried Unanimously**

**2. Development Variance Permit No. 00200 for 2695 Capital Heights**

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Loveday, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00200 for 2695 Capital Heights, in accordance with:

1. Plans date stamped October 30, 2017.
2. Development meeting all *Victoria Subdivision and Development Servicing Bylaw* requirements, except for the following variances:
  - i. remove the requirement to construct frontage improvements as described within the *Victoria Subdivision and Development Servicing Bylaw*.
3. Provision of a \$36,000 security equivalent to the costs of installing frontage improvements. The \$36,000 would be applied to frontage improvements, following public consultation completed within one year of the date of this resolution, on an alternate design.
4. References to a split rail fence removed from the submitted plans.
5. The Development Permit lapsing two years from the date of this resolution."

**Carried Unanimously**

**3. Development Permit with Variances Application No. 00057 for 1105 Caledonia Avenue**

**Motion:**

It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motions:

"That Council authorize the issuance of Development Permit Application No. 00057 for 1105 Caledonia Avenue, in accordance with:

1. Plans date stamped November 16, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. reduce the number of vehicle parking stalls from eleven stalls to three stalls as required by Schedule C
  - ii. allow one off-street parking stall to be located in the side yard (CR-4 Zone)
  - iii. reduce the width of the landscape strip and setback required for a parking stall along the north side of the building from 2.4m to 0.55m (CR-4 Zone).
3. A minimum of eight Class 1, and sixteen Class 2 bicycle stalls be maintained on the site and the installation be secured by way of a landscape security deposit.
4. The Development Permit lapsing two years from the date of this resolution."

**Amendment:**

It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that the motion be amended by adding a point five, as follows:

5. **Ask staff to consider bringing the application forward to an Opportunity for Public Comment at the earliest opportunity.**

**On the amendment:**  
**Carried Unanimously**

**Main motion as amended:**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motions:

"That Council authorize the issuance of Development Permit Application No. 00057 for 1105 Caledonia Avenue, in accordance with:

1. Plans date stamped November 16, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. reduce the number of vehicle parking stalls from eleven stalls to three stalls as required by Schedule C
  - ii. allow one off-street parking stall to be located in the side yard (CR-4 Zone)
  - iii. reduce the width of the landscape strip and setback required for a parking stall along the north side of the building from 2.4m to 0.55m (CR-4 Zone).
3. A minimum of eight Class 1, and sixteen Class 2 bicycle stalls be maintained on the site and the installation be secured by way of a landscape security deposit.
4. The Development Permit lapsing two years from the date of this resolution.
5. Ask staff to consider bringing the application forward to an Opportunity for Public Comment at the earliest opportunity."

**On the main motion as amended:**  
**Carried Unanimously**

**4. Summary of Public Input on Draft 2018 Financial Plan**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council receive the report for information.

**Carried Unanimously**

**5. Draft 2018-2022 Financial Plan - Responses to Council Motions****Motion:**

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council receive this report for information and consideration on January 4, 2018.

**Carried Unanimously**

**6. North American Indigenous Games (NAIG) Supporting Motion****Motion:**

It was moved by Councillor Alto, seconded by Councillor Isitt, that the City of Victoria supports, in principle, a bid by local First Nations for the 2020 North American Indigenous Games, contingent on sustaining funding, as set out by the NAIG Council bid requirements, from the provincial and federal governments.

That once sustaining provincial and federal funding has been confirmed, the City of Victoria enter into conversation with the Host Nation about the details of the City's administrative, in-kind and/or financial support.

**Carried Unanimously**

**7. Public Realm Waterfront Designs - Revised Plan and Interim Phasing****Motion:**

It was moved by Councillor Coleman, seconded by Councillor Lucas:

1. That Council approve the revised concept designs for the triangle island and Northern Junk plaza in accordance with the Johnson Street Bridge Public Realm - Revised Design Concept dated December 1, 2017.

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Lucas, Madoff, and Thornton-Joe  
**Opposed:** Councillors Isitt, Loveday, and Young

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Lucas:

2. That Council direct staff to include in the 2018 Financial Plan, a budget of \$650,000 reallocated from the following 2017 projects that came in under budget or were cancelled:
  - a. Surface Infrastructure \$80,000
  - b. 0.2 Mile Bridge upgrade \$200,000
  - c. Centennial Square Washrooms \$58,000
  - d. Cameron Band Shell Roof Repair \$22,000
  - e. VCC upgrades and repairs \$150,000
  - f. CNG fuel station refurbishment \$140,000
 for completion of the following areas in accordance with the above concept plans:
  - a. Triangle island;
  - b. Janion plaza;
  - c. Johnson Street traffic median; and
  - d. Esquimalt and Harbour Road intersection.

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Lucas, Madoff, and Thornton-Joe  
**Opposed:** Councillors Isitt, Loveday, and Young

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Loveday:

3. Direct staff to report back on the rationale and implications of amending the Development Cost Charges Bylaw by merging parks acquisition and park development charges.

**Carried Unanimously**

**Motion:** It was moved by Councillor Coleman, seconded by Councillor Lucas:

4. That Council direct staff, subject to amendments being made to the Development Cost Charges Bylaw, to include within the 2018-2022 Financial Plan, a budget of \$3,000,000 for the construction of the future Victoria West park (at the former 'S-curve' lands) in accordance with the Johnson Street Bridge Public Realm - Revised Design Concept dated December 1, 2017, with funding from development cost charges.

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Lucas, Madoff, and Thornton-Joe  
**Opposed:** Councillors Isitt, Loveday, and Young

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe:

5. That Council direct staff to present for input from the Accessibility Working Group information and proposed plans in forms that are accessible for all members.

**Carried Unanimously**

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Isitt:

6. That Council direct staff to work with the Songhees and Esquimalt Nations to incorporate local Indigenous elements into the story wall and identify other opportunities to recognize the history of the Lekwungen Peoples on these lands.

**Carried Unanimously**

**8. Presentation: CRD Clover Point Pump Station and Dallas Road Forcemain Project Update**

**Motion:**

1. It was moved by Councillor Isitt, seconded by Councillor Alto, that Council receive the report for information.
2. That Council request that the CRD Project team work with staff to:
  - a. soften the interface between the lower foreshore walkway at Clover Point and the loading bays / retaining walls, recognizing the context of a waterfront park;
  - b. improve the quality of materials / design of the lower foreshore walkway, so that it presents and functions effectively as a pedestrian walkway in a waterfront park;
  - c. Refer the plan to the Accessibility Working Group in a way that can be understood and accessed by all members
  - d. consider the retention of angle parking on Dallas Road from Dock Street to Lewis Street
  - e. report back on the current parking demand on Dallas Road between Dock Street and Lewis Street
3. That Council direct staff to refer the plan to the Active Transportation Advisory Committee.

**Carried Unanimously**

**9. Update on Rezoning Application No. 00525 and Development Permit with Variances Application No. 00035 for 1201 Fort Street and 1050 Pentrelew Place, and associated Official Community Plan Amendment**

**Motion:**

It was moved by Councillor Lucas, seconded by Councillor Young:

**Rezoning Application No. 00525 and associated Official Community Plan Amendment**

That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the *Local Government Act* and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00525 for 1201 Fort Street and 1050 Pentrelew Place, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
  - a. Housing Agreement to ensure that a future strata corporation could not pass bylaws that would prohibit or restrict the rental of units to non-owners
  - b. Housing Agreement to ensure that ten percent of the approved unit count, being no less than ten units, be provided as affordable rental units on another site within the City of Victoria
  - c. Statutory Right-of-Way of 1.86m along the Pentrelew Place frontage
  - d. Statutory Right-of-Way of 2.40m for the provision of a public pathway connecting Fort Street to Pentrelew Place
  - e. Statutory Right-of-Way of 2.53m for the provision of a future public pathway along the west side of the property
  - f. Section 219 Covenant for public realm improvements to Fort Street and Pentrelew Place
  - g. Section 219 Covenant for construction and maintenance of the public pathways.
2. That Council determine, pursuant to section 475(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed Official Community Plan Amendment to the affected persons; and posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
3. That Council, having provided the opportunity for consultation with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties having been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be

- early and ongoing, and determine that no further consultation is required, pursuant to Section 475(1) of the *Local Government Act*.
4. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the *Local Government Act*, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
  5. That Council give first reading to the Official Community Plan Amendment Bylaw.
  6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2012 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the *Local Government Act*, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
  7. That Council give second reading to the Official Community Plan Amendment Bylaw.
  8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

#### **Development Permit with Variances Application No. 00035**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00525, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00035 for 1201 Fort Street and 1050 Pentrelew Place, in accordance with:

1. Plans date stamped November 15, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - a. increase the maximum height for Building A from 12.00m to 21.42m
  - b. increase the maximum height for Building B from 12.00m to 15.11m
  - c. increase the maximum site coverage from 40% to 42.60%
  - d. reduce the Fort Street setback for Building A from 10.50m to 6.40m (to the building)
  - e. reduce the south setback for Building B from 7.56m to 6.13m
  - f. reduce the west setback for Building A from 10.71m to 4.00m (to the parkade structure)
  - g. reduce the west setback for Building B from 7.56m to 0.60m (to ground floor parking area and patio screen)
  - h. reduce the Pentrelew Place setback from 3.65m to 2.79m (to stairs)
  - i. reduce the required parking from 120 parking stalls to 119 parking stalls
  - j. reduce the required visitor parking from 12 stalls to 9 stalls.
3. Refinement of balcony materials on Buildings A and B to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution."

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Thornton-Joe, and Young  
**Opposed:** Councillors Isitt and Madoff

*Councillor Young withdrew from the meeting at 9:06 p.m. due to a non-pecuniary conflict of interest with the following item, as there was a comment from the Land Use Committee relating to parking impacts on the street where he owns property.*

#### **10. Rezoning Application No. 00558 & Development Permit with Variances Application No. 000496 for 1303 Fairfield Road and associated Official Community Plan Amendment**

##### **Motion:**

It was moved by Councillor Coleman, seconded by Councillor Alto:

##### **Rezoning Application No. 00558**

That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the *Local Government Act* and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00558 for 1303 Fairfield Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
  - a. Housing Agreement to ensure the residential units remain rental in perpetuity
  - b. Statutory Right-of-Way of 0.86 meters along the Moss Street and Fairfield Road frontages
  - c. Section 219 Covenant for public realm improvements to Moss Street and Fairfield Road
  - d. Submission of a sanitary sewer impact assessment to the satisfaction of the Director of Engineering and Public Works, determining if the increase in density results in a need for sewage attenuation; and if sewage attenuation is necessary, preparation of legal agreements to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.
2. That Council determine, pursuant to section 475(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting

- affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
3. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties have been consulted at a Community Association Land Use Committee (CALUC) Community meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
  4. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
  5. That Council give first reading to the Official Community Plan Amendment Bylaw.
  6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
  7. That Council give second reading to the Official Community Plan Amendment Bylaw.
  8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

**Development Permit with Variances Application No. 000496**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00558, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000496 for 1303 Fairfield Road, in accordance with:

1. Plans date stamped October 10, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. increase the height from 12.00m to 15.60m
  - ii. increase the site coverage from 40% to 62.60%
  - iii. reduce the front setback (Moss Street) from 6.00m to 0.86m
  - iv. reduce the rear setback from 7.80m to 4.13m (to the building) and to 2.63m (to the balconies)
  - v. reduce the south side setback from 3.90m to 3.81m (to the building) and 0.00m (to the pergola)
  - vi. reduce the flanking street setback (Fairfield Road) from 6.00m to 0.62m
  - vii. reduce the vehicle parking requirement from 44 stalls to 16 stalls.
3. Refinement of trellis materials, colour and design to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.
5. Further consideration of the finishes on the tower element of the proposal."

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Madoff, and Thornton-Joe  
**Opposed:** Councillor Isitt

*Councillor Young returned to the meeting at 9:07 p.m.*

**11. Rezoning Application No. 00549 & Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Lucas:

**Rezoning Application No. 00549**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

That Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street proceed for consideration at a Public Hearing and that staff prepare the necessary Zoning Regulation Bylaw amendments, subject to completion of the following for the new project prior to a Public Hearing:

1. Securing a car share agreement that includes the purchase of two cars and a car share membership for all units (existing and new) to the satisfaction of the Director of Engineering and Public Works.
2. Restrictive covenant ensuring two car share stalls are allocated on the site for access by residents of both buildings, or an alternative arrangement as approved by the Director of Engineering and Public Works.
3. Registration of a Statutory Right-of-Way agreement for 2.72m along the entire frontage of Quadra Street.
4. A restrictive covenant be registered on the title which will prohibit the issuance of any building permits for the new project until the small parking lots are constructed for the existing units (Quadra Villa).



5. An executed Housing Agreement to ensure the units in the new building are rental in perpetuity. And further for Quadra Villa (existing rental units), that staff prepare the necessary *Zoning Regulation Bylaw* amendments, subject to the following:  
A site-specific zone be drafted to allow the following changes:
  1. Limiting development to the current existing situation for a maximum of 64 units.
  2. Changes to density (FSR), parcel coverage and open site space as a result of the reduced lot size.
  3. Reducing the vehicle parking requirement to 37 parking stalls for the existing development; however, 21 stalls may be provided on the new project lot, subject to the registration of an easement and a Section 219 covenant
  4. Additional floor area allowance for two laundry rooms and a caretaker's office.
  5. Setbacks that recognize the existing siting from Quadra Street and Fifth Street that were previously approved by the Board of Variance for the reconstruction of the stairs and decks.
  6. Reducing the setback requirement from Topaz Avenue for the relocation of the laundry rooms and caretaker's office.
  7. Reducing the setback requirement from the newly created interior lot line (south).

**Development Permit Application No. 000490**

That Council, after the Public Hearing for Rezoning Application No. 00549, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street in accordance with:

1. Plans date stamped August 8, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Prior to the issuance of any Building Permit the siting of Block A be re-evaluated with the intent of providing a greater separation space between the ground floor units and the Statutory Right of Way to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Prior to the issuance of any Building Permit, the entrance of the units be further defined to be more prominent to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Final plans to be in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development.
6. The Development Permit lapsing two years from the date of this resolution.

**Carried Unanimously**

**12. Update Report - Rezoning Application No. 00591 for 1122 Collinson Street**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00591 for 1122 Collinson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set subject to the preparation and execution of a Housing Agreement Bylaw to secure the six dwelling units as rental for 10 years to the satisfaction of the Director of Sustainable Planning and Community Development.

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Madoff, Thornton-Joe, and Young  
**Opposed:** Councillor Isitt

**13. Rezoning Application No. 00582, Development Permit Application No. 00582 & Heritage Alteration Permit Application with Variances No. 00007 for 224 Superior Street**

**Motion:**

It was moved by Councillor Loveday, seconded by Councillor Lucas:

**Rezoning Application No. 00582**

That Council instruct staff to prepare the necessary Zoning Regulation bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00582 for 224 Superior Street, that first and second reading of the Zoning Regulation bylaw amendments be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 2.41m on Superior Street.

**Development Permit Application No. 00582**

That Council after giving notice and allowing for an Opportunity for Public Comment at a meeting of Council and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00582 for 224 Superior Street, in accordance with:

1. Plans date stamped November 9, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:

- i. reduce the side yard (west) setback from 2.40m to 1.50m to allow for two habitable rooms with windows
3. The Development Permit lapsing two years from the date of this resolution."

#### **Heritage Alteration Permit Application with Variances No. 00007**

That subject to the correction of minor plan inconsistencies and the applicant exploring alternate parking layouts with staff to reduce the impact on the streetscape to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice, and allowing an Opportunity for Public Comment at a meeting of Council, and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00007 for the existing Heritage-Designated house at 224 Superior Street, in accordance with:

1. Plans, date stamped November 9, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Reduce side yard setback from 3.65m to 1,20m
  - b. Reduce rear yard setback from 4.0m to 1.36m
  - c. Relaxation to allow parking in the front yard
  - d. Increase the site coverage from 30.0% to 35.09%
3. Final plans as amended in accordance with this motion to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development
4. Heritage Alteration Permit lapsing two years from the date of this resolution."

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Thornton-Joe, and Young  
**Opposed:** Councillor Madoff

#### **14. Climate Action – Proposed Change Leadership Plan – Draft for Public Comment**

##### **Motion:**

It was moved by Mayor Helps, seconded by Councillor Isitt, that Council:

1. Approve this Climate Leadership Plan as a draft for public comment, and direct staff to engage with the community for feedback and input,
2. Approve the allocation of \$460,000 from the Climate Action Reserve Fund to commit funding for temporary staffing and priority actions, and
3. Direct staff to report back with the final Climate Leadership Plan on June 1, 2018, with a long term funding strategy and program update.

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Isitt Loveday, Lucas, Madoff, and Thornton-Joe  
**Opposed:** Councillor Young

#### **15. Single-Use Checkout Bag Regulation – Draft Bylaw Feedback**

##### **Motion:**

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council direct staff to:

1. Implement the Checkout Bag Regulation Bylaw, effective July 1, 2018.
2. Deliver the proposed engagement and education program between January and December 2018, and
3. Include in the 2018 the financial plan an allocation of \$30,000 from 2017 surplus to complete the necessary engagement and education programs.

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe  
**Opposed:** Councillor Young

#### **16. Create Victoria Arts and Culture Master Plan (2018-2022)**

##### **Motion:**

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council:  
 Approve the proposed Arts and Culture Master Plan and Implementation Framework.

Extend the Create Victoria Advisory Group term from March 2018 to December 2018 to advise staff and Council on the first year of implementation.

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe  
**Opposed:** Councillor Young

*Councillor Loveday withdrew from the meeting at 9:15 p.m. and returned at 9:16 p.m.*

**17. Letter from the Minister of Energy, Mines and Petroleum Resources****Motion:**

It was moved by Councillor Isitt, seconded by Councillor Alto, that Council refer the following motion to the January 11, 2018, Committee of the Whole Meeting.

**Carried Unanimously**

**18. Witness Reconciliation Program 2018 Budget****Motion:**

It was moved by Councillor Alto, seconded by Councillor Coleman, that the following motion be forwarded to and considered at the January 4, 2018, Committee of the Whole:

Whereas Reconciliation with First Peoples remains a priority for the City of Victoria,

Whereas the City of Victoria is actively engaged in a Witness Reconciliation Program in partnership with the Songhees and Esquimalt Nations,

Whereas the Witness Reconciliation Program will proceed through 2018 and beyond, and its work will require financial commitment and support,

Be it thus resolved that any funds unspent from the 2017 budget allocation to the Witness Reconciliation Program be rolled over into 2018, and

Be it further resolved that the 2018 city budget include an additional \$50,000 allocation for the Witness Reconciliation Program, funded from the 2017 surplus.

**Amendment:**

It was moved by Mayor Helps, seconded by Councillor Alto, that the following statement be added to the motion:

**That Council request that the three council members of the city family provide a short summary for Council on the work undertaken in 2017.**

**On the amendment:**  
**Carried Unanimously**

**Main motion as amended:**

That the following motion be forwarded to and considered at the January 4, 2018, Committee of the Whole:

Whereas Reconciliation with First Peoples remains a priority for the City of Victoria,

Whereas the City of Victoria is actively engaged in a Witness Reconciliation Program in partnership with the Songhees and Esquimalt Nations,

Whereas the Witness Reconciliation Program will proceed through 2018 and beyond, and its work will require financial commitment and support,

Be it thus resolved that any funds unspent from the 2017 budget allocation to the Witness Reconciliation Program be rolled over into 2018, and

Be it further resolved that the 2018 city budget include an additional \$50,000 allocation for the Witness Reconciliation Program, funded from the 2017 surplus.

That Council request that the three council members of the city family provide a short summary for Council on the work undertaken in 2017.

**On the main motion as amended:**  
**Carried Unanimously**

**Motion to reconsider:**

It was moved by Councillor Isitt, seconded by Councillor Loveday that the following motion be reconsidered.

**Carried Unanimously**

**19. Protecting Local Waterways and Wild Fish Species (Continued)****Motion:**

It was moved by Councillor Loveday, seconded by Councillor Isitt:

THAT Council endorse the following resolution for consideration at the 2018 annual meeting of the Association of Vancouver Island and Coastal Communities, and directs staff to forward this resolution to First Nations governments on Vancouver Island and local governments belonging to AVICC requesting favourable consideration:

Resolution: Protecting Local Waterways and Wild Fish Species

WHEREAS British Columbia's coastal communities rely on healthy waterways and healthy marine ecosystems including fisheries for economic, social and ecological wellbeing;

AND WHEREAS the proliferation of open-net fish farms with non-native fish species threatens local waterways and wild fish species, undermining the economic, social and ecological wellbeing of local communities;

AND WHEREAS many open-net fish farms have been established in indigenous territories in the absence of adequate consultation with indigenous governments, undermining the shared objective of reconciliation and respectful relations between indigenous and non-indigenous governments;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia consult First Nations governments, local governments, conservation organizations and industry on a transition plan to closed-containment aquaculture, including a just transition for affected workers.

Amendment:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the motion be amended by adding the following:

**And that Council direct staff submit the City's resolution by December 15, 2017 to Fisheries and Ocean Canada as part of input on the Draft Wild Salmon Policy Implementation Plan.**

On the amendment:  
Carried

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe  
Opposed: Councillor Young

Main motion as amended:

THAT Council endorse the following resolution for consideration at the 2018 annual meeting of the Association of Vancouver Island and Coastal Communities, and directs staff to forward this resolution to First Nations governments on Vancouver Island and local governments belonging to AVICC requesting favourable consideration:

Resolution: Protecting Local Waterways and Wild Fish Species

WHEREAS British Columbia's coastal communities rely on healthy waterways and healthy marine ecosystems including fisheries for economic, social and ecological wellbeing;

AND WHEREAS the proliferation of open-net fish farms with non-native fish species threatens local waterways and wild fish species, undermining the economic, social and ecological wellbeing of local communities;

AND WHEREAS many open-net fish farms have been established in indigenous territories in the absence of adequate consultation with indigenous governments, undermining the shared objective of reconciliation and respectful relations between indigenous and non-indigenous governments;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia consult First Nations governments, local governments, conservation organizations and industry on a transition plan to closed-containment aquaculture, including a just transition for affected workers.

And that Council direct staff submit the City's resolution by December 15, 2017 to Fisheries and Ocean Canada as part of input on the Draft Wild Salmon Policy Implementation Plan.

On the main motion as amended:  
Carried

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe  
Opposed: Councillor Young

Motion to reconsider:

It was moved by Councillor Loveday, seconded by Councillor Isitt that the following motion be reconsidered.

Carried Unanimously

**20. Advocacy to Shift Investment to Low-Emissions Transportation****Motion:**

It was moved by Councillor Loveday, seconded by Councillor Isitt, that Council requests the Mayor write, on behalf of Council, to the Prime Minister of Canada and Premier of British Columbia, copying the federal and provincial ministers responsible for climate action, infrastructure and transportation, requesting that they fully implement their commitment in the Pan-Canadian Framework on Clean Growth and Climate Change in transportation sector, to shift investments “from higher to lower-emitting types of transportation” within the Capital Regional District.

**Amendment:**

It was moved by Councillor Loveday, seconded by Councillor Isitt, that the motion be amended as follows:

That Council requests the Mayor write, on behalf of Council, to the Prime Minister of Canada and Premier of British Columbia, copying the federal and provincial ministers responsible for climate action, infrastructure and transportation, requesting that they fully implement their commitment in the Pan-Canadian Framework on Clean Growth and Climate Change in transportation sector, to shift investments “from higher to lower-emitting types of transportation” within the Capital Regional District, **and send the letter to the Capital Regional District and Capital Regional District member municipalities.**

**On the amendment:**  
**Carried Unanimously**

**Main motion as amended:**

That Council requests the Mayor write, on behalf of Council, to the Prime Minister of Canada and Premier of British Columbia, copying the federal and provincial ministers responsible for climate action, infrastructure and transportation, requesting that they fully implement their commitment in the Pan-Canadian Framework on Clean Growth and Climate Change in transportation sector, to shift investments “from higher to lower-emitting types of transportation” within the Capital Regional District, and send the letter to the Capital Regional District and Capital Regional District member municipalities.

**On the main motion as amended:**  
**Carried Unanimously**

**BYLAWS****1. Bylaw for Rezoning Application No. 00584 for 818-826 Johnson Street****Motion:**

It was moved by Councillor Isitt, seconded by Councillor Alto, that the following bylaw **be given first and second reading:**

- a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1115) No. 17-094*

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe  
**Opposed:** Councillor Young

**2. Bylaw for Rezoning Application No. 00581 for 2018-2030 Douglas Street and 649 Pembroke Street****Motion:**

It was moved by Councillor Coleman, seconded by Councillor Isitt, that the following bylaw **be given first and second reading:**

- a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1118) No. 17-100*

**Carried Unanimously**

**3. Bylaw for Schedule D – Home Occupations****Motion:**

It was moved by Councillor Alto, seconded by Councillor Loveday, that the following bylaw **be given first and second reading:**

- a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1123) No. 17-110*

**Carried Unanimously**

*Councillor Lucas withdrew from the meeting at 9:25 p.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a retail store that supplies plastic bags to its customers.*

**4. Bylaw for Plastic Bags****Motion:**

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the following bylaw **be given first, second, and third reading:**

- a. *Checkout Bag Regulation Bylaw No. 18-008*

Carried

**For:** Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Madoff, and Thornton-Joe  
**Opposed:** Councillor Young

*Councillor Lucas returned to the meeting at 9:26 p.m.*

**5. Bylaw for OCP Amendments for the Gonzales Neighbourhood Plan**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Lucas, that the following bylaw **be given first and second reading:**

- a. *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 21) No. 18-003*

Carried

**For:** Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, and Thornton-Joe  
**Opposed:** Councillors Madoff and Young

**6. Bylaws for 875 & 877 North Park Street**

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the following bylaw **be given first, second, and third reading:**

- a. *Housing Agreement (875 and 877 North Park Street) Bylaw (2017) No. 17-133*

Carried Unanimously

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Loveday, that Council **rescind third reading** of the following bylaw:

- a. *Land Use Contract Discharge (875 and 877 North Park Street) Bylaw No. 17-132*

Carried Unanimously

**7. Bylaw for Emergency Program**

**Motion:**

It was moved by Mayor Helps, seconded by Councillor Coleman, that the following bylaw **be adopted:**

- a. *Emergency Program Bylaw (2017) No. 17-135*

Carried Unanimously

**8. Bylaw for 2018 Utilities**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Lucas, that the following bylaw **be adopted:**

- a. *Sanitary Sewer and Storm Drain Utilities Bylaw, Amendment Bylaw (No. 5) No. 17-121*

Carried Unanimously

**CORRESPONDENCE**

**1. Letter from the District of Highlands**

Council received a letter dated November 1, 2017 regarding a request for an amendment to South Island Prosperity Project constitution.

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Alto, that the correspondence dated November 1, 2017 from the District of Highlands be received for information.

**Amendment:**

It was moved by Councillor Isitt, seconded by Mayor Helps, that the motion be amended as follows:

That the correspondence dated November 1, 2017 from the District of Highlands be received for information, **and that Council request that the City's representative to the South Island Prosperity Project, support Highlands' position at next General Meeting of the society.**

On the amendment:  
Carried Unanimously

**Main motion as amended:**

That the correspondence dated November 1, 2017 from the District of Highlands be received for information, and that Council request that the City's representative to the South Island Prosperity Project, support Highlands' position at next General Meeting of the society.

**On the main motion as amended:**  
**Carried Unanimously**

**2. Letter from the Mayor of Morioka City**

Council received a letter dated November 10, 2017 expressing their appreciation towards Mayor Helps, Jocelyn Jenkyns, and Kerri Moore's visit to Morioka in October 2017.

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the correspondence dated November 10, 2017 from the Mayor of Morioka City be received for information.

**Carried Unanimously**

**QUESTION PERIOD**

*A question period was held.*

**ADJOURNMENT**

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Coleman, that the Council meeting adjourn.  
Time: 9:44 p.m.

**Carried Unanimously**

CERTIFIED CORRECT:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR







**MINUTES – VICTORIA CITY COUNCIL**

**MEETING OF THURSDAY, JANUARY 11, 2018, AT 11:04 A.M.**

- PLACE OF MEETING:** Council Chambers, City Hall
- PRESENT:** Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe, and Young
- STAFF PRESENT:** J. Jenkyns – Acting City Manager; C. Coates – City Clerk; T. Zworski – City Solicitor; C. Havelka – Deputy City Clerk; J. Jensen – Head of Human Resources; P. Bruce – Fire Chief; B. Eisenhauer – Head of Engagement; S. Thompson – Director of Finance; J. Tinney – Director of Sustainable Planning & Community Development; T. Soulliere – Director of Parks, Recreation, & Facilities; F. Work – Director of Engineering & Public Works; J. Huggett – Project Director; C. Mycroft – Manager of Executive Operations; N. Johnston – Manager of Bylaw and Licensing Services; A. M. Ferguson – Recording Secretary
- GUEST:** Ms. K. Martin, Dentons LLP via teleconference

**CLOSED MEETING**

**Motion:**

It was moved by Councillor Loveday, seconded by Councillor Lucas, that Council convene a closed meeting that excludes the public under Sections 90(1) and/or (2) of the Community Charter; namely:

- *Section 90 1(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- *Section 90 1(b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;*
- *Section 90 1(c) labour relations or other employee relations;*
- *Section 90 1(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;*
- *Section 90 1(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

**APPROVAL OF CLOSED AGENDA**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council approve the closed agenda.

**Amendment:**

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council approve the closed agenda with the following items on the consent agenda:

**Item No. 1 – Minutes from the Closed Council Meeting held November 9, 2017**

**Item No. 2 - Minutes from the Closed Council Meeting held November 16, 2017**

**Item No. 3 - Minutes from the Closed Council Meeting held November 23, 2017**

**Item No. 14 - Law Enforcement**

**Item No. 15 - Law Enforcement**

**Item No. 16 - Law Enforcement**

**Item No. 17 - Law Enforcement**

**On the amendment:**  
**Carried Unanimously**

**Amendment:**

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council approve the closed agenda with the inclusion of the following item at the end of the agenda:

**Item No. 18 - Legal Advice**

**On the amendment:**  
**Carried Unanimously**

**Amendment:**

It was moved by Councillor Isitt, seconded by Mayor Helps, that Council approve the closed agenda with the inclusion of the following item at the end of the agenda:

**Item No. 19 – Employee Relations/Legal Advice**

**On the amendment:**  
**Carried Unanimously**

**Main motion as amended:**

That Council approve the closed agenda with the following changes:

Consent Agenda

Item No. 1 – Minutes from the Closed Council Meeting held November 9, 2017

Item No. 2 - Minutes from the Closed Council Meeting held November 16, 2017

Item No. 3 - Minutes from the Closed Council Meeting held November 23, 2017

Item No. 14 - Law Enforcement

Item No. 15 - Law Enforcement

Item No. 16 - Law Enforcement

Item No. 17 - Law Enforcement

Additional Agenda Items:

Item No. 18 - Legal Advice

Item No. 19 – Employee Relations/Legal Advice

**On the main motion as amended:**  
**Carried Unanimously**

**CONSENT AGENDA**

**1. Minutes from the closed Council Meeting held November 9, 2017**

It was moved by Councillor Alto, seconded by Councillor Coleman, that the minutes from the Closed Council Meeting held November 9, 2017 be adopted.

**Carried Unanimously**

**2. Minutes from the closed Council Meeting held November 16, 2017**

It was moved by Councillor Alto, seconded by Councillor Coleman, that the minutes from the Closed Council Meeting held November 16, 2017 be adopted.

**Carried Unanimously**

**3. Minutes from the closed Council Meeting held November 23, 2017**

It was moved by Councillor Alto, seconded by Councillor Coleman, that the minutes from the Closed Council Meeting held November 23, 2017 be adopted.

**Carried Unanimously**

**4. Minutes from the closed Council Meeting held December 7, 2017**

It was moved by Councillor Alto, seconded by Councillor Coleman, that the minutes from the Closed Council Meeting held December 7, 2017 be adopted.

**Carried Unanimously**

**5. Law Enforcement**

Council received a confidential report dated January 4, 2018, from the City Clerk regarding law enforcement.

The motion was recorded and kept confidential.

**6. Law Enforcement**

Council received a confidential report dated January 4, 2018, from the City Clerk regarding law enforcement.

The motion was recorded and kept confidential.

**7. Law Enforcement**

Council received a confidential report dated January 4, 2018, from the City Clerk regarding law enforcement.

The motion was recorded and kept confidential.

**8. Law Enforcement**

Council received a confidential report dated January 4, 2018, from the City Clerk regarding law enforcement.

The motion was recorded and kept confidential.

*Councillor Lucas withdrew from the meeting at 11:07 a.m. due to a pecuniary conflict of interest with the following item.*

**UNFINISHED BUSINESS**

**1. Legal Advice**

Council received a confidential report dated December 5, 2017, from the Assistant City Solicitor regarding legal advice.

The discussion and motion were recorded and kept confidential.

*Councillor Lucas returned to the meeting at 11:07 a.m.*

**2. Legal Advice**

Council received legal advice from Ms. K. Martin with Dentons LLP via teleconference.

The discussion and motion were recorded and kept confidential.

*Council recessed at 12:03 p.m. and returned at 12:35 p.m. Councillor Lucas was not present at the time the meeting reconvened.*

**NEW BUSINESS**

**3. Proposed Municipal Honour**

Council received a proposal regarding a proposed municipal honour, brought forward by Councillor Isitt.

*Councillor Lucas returned to the meeting at 12:38 p.m.*

The discussion and motion were recorded and kept confidential.

**4. Employee Relations**

Council received a confidential report dated December 22, 2017, from the Head of Human Resources regarding employee relations.

The discussion and motion were recorded and kept confidential.

**5. Appointments**

Council received a confidential report dated January 3, 2018, from the City Clerk regarding appointments.

The discussion and motion were recorded and kept confidential.

**6. Appointments**

Council received a confidential report dated January 3, 2018, from the City Clerk regarding appointments.

The discussion and motion were recorded and kept confidential.

**7. Law Enforcement**

Council received a confidential report dated January 8, 2018, from the City Clerk regarding an outline of opportunities and constraints of the City's Bylaw Services Division.

The discussion and motion were recorded and kept confidential.

**8. Legal Advice**

The City Solicitor: Provided verbal legal advice.

The discussion and motion were recorded and kept confidential.

*All staff except for the City Manager were excused from the meeting at 1:53 p.m.*

**9. Employee Relations**

Council received a confidential report dated January 8, 2018, from the Head of Human Resources regarding employee relations.

**ADJOURNMENT**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Lucas, that the Closed Council meeting adjourn.

Time: 2:35 p.m.

**Carried Unanimously**

CERTIFIED CORRECT:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



**“WORLD WATER DAY”**

**WHEREAS** *The WHO/UNICEF Joint Monitoring Program 2017 Report estimates that 3 in 10 people worldwide, or 2.1 billion, lack access to safe, readily available water at home; and*

**WHEREAS** *according to the World Health Organization, every year in low- and middle-income countries, over half a million people die due to unsafe and insufficient drinking-water. The majority of them are children under five years of age; and*

**WHEREAS** *Canadians are encouraged to appreciate and conserve water, one of our country’s most vital natural resources, look for their local “Paint it Blue” landmarks, and engage on social media with the hashtags #PaintItBlue #WorldWaterDay to show their support for World Water Day and universal access for safe drinking water.*

**NOW, THEREFORE** *I do hereby proclaim the day March 22<sup>nd</sup>, 2018 as*  
**“WORLD WATER DAY” on the TRADITIONAL TERRITORIES of the**  
**ESQUIMALT AND SONGHEES FIRST NATIONS in the CITY OF**  
**VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA,**

**IN WITNESS WHEREOF,** *I hereunto set my hand this 8<sup>th</sup> day of March, Two Thousand and Eighteen.*

---

**LISA HELPS**  
**MAYOR**  
**CITY OF VICTORIA**  
**BRITISH COLUMBIA**

**Sponsored by:**  
**Tori D’Avella**  
**CAWST**





**“PURPLE DAY FOR EPILEPSY AWARENESS”**

- WHEREAS** *Purple Day is a global effort dedicated to promoting epilepsy awareness in countries around the world; and*
- WHEREAS** *Purple Day was founded in 2008 by Cassidy Megan, a nine year old girl from Nova Scotia, who wanted people to know that if you have epilepsy, you are not alone; and*
- WHEREAS** *epilepsy is the most common neurological condition affecting children, and the second most common neurological condition affecting adults; and*
- WHEREAS** *epilepsy affects more than 50 million people worldwide, more than 300,000 people in Canada, and 40,000 people in British Columbia; and*
- WHEREAS** *the public is often unable to recognize common seizure types, nor how to respond with appropriate first aid; and*
- WHEREAS** *Purple Day will be celebrated on March 26<sup>th</sup> annually, during Epilepsy Awareness Month, to increase understanding, reduce stigma and improve the quality of life for our community.*

**NOW, THEREFORE** I do hereby proclaim March 26<sup>th</sup>, 2018 as **“PURPLE DAY FOR EPILEPSY AWARENESS”** on the **TRADITIONAL TERRITORIES** of the **ESQUIMALT AND SONGHEES FIRST NATIONS** in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE of BRITISH COLUMBIA**.

**IN WITNESS WHEREOF**, I hereunto set my hand this 8<sup>th</sup> day of March, Two Thousand and Eighteen.

---

**LISA HELPS**  
**MAYOR**  
**CITY OF VICTORIA**  
**BRITISH COLUMBIA**

**Sponsored By:**  
**Lindsay Beal**  
**Epilepsy Program Coordinator**  
**Victoria Epilepsy and**  
**Parkinson’s Centre**



**Committee of the Whole Report**  
**For the Meeting of March 1, 2018**

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**To:** Committee of the Whole **Date:** February 1, 2018  
**From:** Chris Coates, City Clerk  
**Subject:** Proclamation "Purple Day for Epilepsy Awareness" March 26, 2018

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**RECOMMENDATION**

That the *Purple Day for Epilepsy Awareness Proclamation* be forwarded to the March 8, 2018 Council meeting for Council's consideration.

**EXECUTIVE SUMMARY**

Attached as Appendix A is the requested *Purple Day for Epilepsy Awareness Proclamation*. Council has established policy addressing Proclamation requests. The policy provides for:

- A staff report to Committee of the Whole.
- Each Proclamation request requiring a motion approved at Committee of the Whole prior to forwarding it to Council for their consideration.
- Staff providing Council with a list of Proclamations made in the previous year.
- Council voting on each Proclamation individually.
- Council's consideration of Proclamations is to fulfil a request rather than taking a position.

A list of the 2017 Proclamations is provided as Appendix B in accordance with the policy. Consistent with City Policy, Proclamations issued are established as fulfilling a request and does not represent an endorsement of the content of the Proclamation.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Chris Coates".

Chris Coates  
 City Clerk

Appendix A: Proclamation "Purple Day for Epilepsy Awareness"  
 Appendix B: List of Previously Approved Proclamations



**Council Report**  
For the Meeting of March 8, 2018

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**To:** Council **Date:** February 23, 2018  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** **Update Report for Development Variance Permit Application No. 00199 for 1750 Haultain Street**

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**RECOMMENDATION**

That Council, after an Opportunity for Public Comment at a meeting of Council, consider the following updated motion:

“That Council authorize the issuance of Development Variance Permit No. 00199 for 1750 Haultain Street, in accordance with:

1. Plans date stamped November 15, 2017
2. Development meeting all Zoning Regulation Bylaw requirements, except for:
  - i. reduce the required vehicle parking from five stalls to one stall for a kindergarten use
  - ii. increase the required bicycle parking spaces from zero to three Class 1 (weather-protected), and five Class 2 (short-term visitor) spaces
  - iii. reduce the minimum lot width for a house conversion to a kindergarten from 18m to 15m.
3. The Development Variance Permit lapsing two years from the date of this resolution.”

**EXECUTIVE SUMMARY**

The purpose of this report is to provide an update to Council regarding the status of the Statutory Right-of-Way requirement outlined in the Council motion from January 25, 2018, which stated:

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

*“That Council authorize the issuance of Development Variance Permit No. 00199 for 1750 Haultain Street, in accordance with:*

1. *Plans date stamped November 15, 2017*
2. *Development meeting all Zoning Regulation Bylaw requirements, except for:*
  - i. *reduce the required vehicle parking from five stalls to one stall for a kindergarten use*



- ii. increase the required bicycle parking spaces from zero to three Class 1 (weather-protected) and five Class 2 (short-term visitor) spaces
  - iii. reduce the minimum lot width for a house conversion to a kindergarten from 18m to 15m.
3. **Final issuance of the Development Variance Permit subject to receipt of registered Statutory Right-of-Way (SRW) of 1.40m on Haultain Street to the satisfaction of the Director of Engineering and Public Works.**
  4. *The Development Variance Permit lapsing two years from the date of this resolution."*

Upon further consideration the applicant has decided not to grant the SRW. The motion for Council's consideration has been revised to reflect this change.

Respectfully submitted,



Chelsea Medd  
Planner  
Development Services Division



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date: February 27, 2018

**List of Attachments:**

- Attachment A: Letter from Applicant dated February 23, 2018
- Attachment B: Committee of the Whole Report dated January 18, 2018

**REPORTS OF COMMITTEES**

**1. Committee of the Whole – January 18, 2018**

**1. Development Variance Permit Application No. 00199 for 1750 Haultain Street (North Jubilee)**

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Variance Permit No. 00199 for 1750 Haultain Street, in accordance with:

1. Plans date stamped November 15, 2017
2. Development meeting all Zoning Regulation Bylaw requirements, except for:
  - i. reduce the required vehicle parking from five stalls to one stall for a kindergarten use
  - ii. increase the required bicycle parking spaces from zero to three Class 1 (weather-protected) and five Class 2 (short-term visitor) spaces
  - iii. reduce the minimum lot width for a house conversion to a kindergarten from 18m to 15m.
3. Final issuance of the Development Variance Permit subject to receipt of registered Statutory Right-of-Way (SRW) of 1.40m on Haultain Street to the satisfaction of the Director of Engineering and Public Works.
4. The Development Variance Permit lapsing two years from the date of this resolution.”

**Carried Unanimously**

**3.3 Development Variance Permit Application No. 00199 for 1750 Haultain Street (North Jubilee)**

Committee received a report dated January 4, 2018, from the Director of Sustainable Planning and Community Development regarding recommendations for the proposal to reduce the number of off-street parking stalls from five to one for the property located at 1750 Haultain Street.

- Motion:** It was moved by Councillor Isitt, seconded by Councillor Lucas, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:
- "That Council authorize the issuance of Development Variance Permit No. 00199 for 1750 Haultain Street, in accordance with:
1. Plans date stamped November 15, 2017
  2. Development meeting all Zoning Regulation Bylaw requirements, except for:
    - i. reduce the required vehicle parking from five stalls to one stall for a kindergarten use
    - ii. increase the required bicycle parking spaces from zero to three Class 1 (weather-protected) and five Class 2 (short-term visitor) spaces
    - iii. reduce the minimum lot width for a house conversion to a kindergarten from 18m to 15m.
  3. Final issuance of the Development Variance Permit subject to receipt of registered Statutory Right-of-Way (SRW) of 1.40m on Haultain Street to the satisfaction of the Director of Engineering and Public Works.
  4. The Development Variance Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 18/COTW





## Committee of the Whole Report

For the Meeting of January 18, 2018

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**To:** Committee of the Whole **Date:** January 4, 2018

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Development Variance Permit Application No. 00199 for 1750 Haultain Street

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### RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Variance Permit No. 00199 for 1750 Haultain Street, in accordance with:

1. Plans date stamped November 15, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for:
  - i. reduce the required vehicle parking from five stalls to one stall for a kindergarten use
  - ii. increase the required bicycle parking spaces from zero to three Class 1 (weather-protected) and five Class 2 (short-term visitor) spaces
  - iii. reduce the minimum lot width for a house conversion to a kindergarten from 18m to 15m.
3. Final issuance of the Development Variance Permit subject to receipt of registered Statutory Right-of-Way (SRW) of 1.40m on Haultain Street to the satisfaction of the Director of Engineering and Public Works
4. The Development Variance Permit lapsing two years from the date of this resolution."

### LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw*, provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 1750 Haultain Street. The proposal is to reduce the number of off-street parking stalls from five stalls to one stall, so as to resume the operation of a kindergarten. The house was converted to a kindergarten in

1981 and the five parking stalls required at that time were not used and later removed. The kindergarten operated for several years, but closed in July of 2017. The new owner would like to re-open the day care; however, the parking requirements in Schedule C - Off-Street Parking must be satisfied.

The following points were considered in assessing this application:

- the *Official Community Plan, 2012* (OCP) encourages the development of quality, accessible and affordable childcare, including preschools and out-of-school care throughout the City
- the OCP supports the inclusion of community services (including childcare) in all Urban Place Designations
- the rear yard is used as a play area for the kindergarten, and without rear yard parking the property cannot accommodate the five parking spaces required to comply with the *Zoning Regulation Bylaw*
- the on-street parking demand would generally be experienced for brief periods of the day coinciding with drop-off and pick-up of children
- Haultain Street is a People Priority Greenway in a highly walkable residential neighbourhood close to public transit stops, all of which support alternative modes of transportation
- the applicant will be supplying bicycle parking and stroller parking on-site to mitigate the parking variances
- the variance for lot width is considered supportable because this requirement was added after the conversion to a kindergarten, and the use of the subject property is not changing.

## BACKGROUND

### Description of Proposal

The proposal is to re-establish a kindergarten. Specific details include:

- the entire building will be used as a kindergarten and no part of it will be used for residential purposes
- the kindergarten will accommodate up to 24 children and three staff
- one off-street parking stall is provided in the side yard
- the applicant will supply weather-protected bike and stroller parking under the deck and in the basement to mitigate the parking variance
- a bicycle repair stand is proposed for use by staff and parents.

The proposed variances are related to:

- reducing the required parking from five parking stalls to one parking stall
- reducing the minimum lot width for a house conversion to a kindergarten from 18m to 15m
- increasing the required bicycle parking spaces from zero to three Class 1 (weather-protected) and five Class 2 (short-term visitor).

### Sustainability Features

The applicant's letter dated November 12, 2017 outlines the sustainability features associated with this application.



### Active Transportation Impacts

The application proposes the following features which support active transportation:

- five outdoor covered bike parking stalls for parents, children and staff
- three indoor bike parking stalls for staff
- end-of-trip facilities for staff
- a bicycle repair station for the use of staff and parents.

### Public Realm Improvements

No public realm improvements are proposed in association with this Development Variance Permit Application.

The applicant has agreed to a request from the City to grant a Statutory Right-of-Way of 1.4m to achieve future transportation-related needs on the corridor.

### Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

### Existing Site Development and Development Potential

The subject property is a single family dwelling converted to a kindergarten use in 1981. Under the House Conversion Regulations, the building could be converted to three self-contained units.

Under the current R1-B Zone, Single Family Dwelling District, the property could be redeveloped as a single family dwelling with a secondary suite or a garden suite.

### Data Table

The following data table compares the proposal with the existing R1-B Zone, Single Family Dwelling District. An asterisk is used to identify where the proposal differs from the existing zone.

Zoning Criteria	Proposal	Zone Standard R1-B	Comments
Site area (m <sup>2</sup> ) - minimum	690	460	670m <sup>2</sup> for House Conversion to kindergarten
Lot width (m) - minimum	15.2*	15.0	18m for House Conversion to kindergarten
Total floor area (m <sup>2</sup> ) - maximum	267	420	
Site coverage % - maximum	20	40	
Parking - minimum	1*	5	1 stall per staff (3) plus 2

Zoning Criteria	Proposal	Zone Standard R1-B	Comments
<i>Proposed Schedule C Parking - minimum</i>	1	3	1 stall per 100 m <sup>2</sup> of floor area
Parking location	Behind front line of building	Behind front line of building	
Bicycle parking stalls Class 1 - minimum	3*	n/a Only required for new construction	Within basement
Bicycle parking stalls Class 2 - minimum	5*	n/a Only required for new construction	Under porch for weather protection

### Relevant History

The existing house was constructed in 1913 and has been renovated since that time. In 1981, the City processed a Building Permit to allow the conversion of the existing house from a single family dwelling to a kindergarten. The plans associated with this Building Permit showed five parking stalls located in the rear yard. It would appear that the rear yard may have been cleared for this purpose, but it is difficult to determine if the area ever used for vehicle parking. From the City's 2007 aerial photo collection, it is clear the rear yard was used for play structures since that time. The kindergarten closed in July 2017 and the property was sold to a new owner who wishes to maintain this use. The new owner is applying for a variance from Schedule C - Off-Street Parking to re-open the kindergarten with one parking stall.

The requirements in the current Schedule G to allow a kindergarten are as follows:

- the building must have been constructed as a single family residence prior to 1931
- a minimum lot area of 670m<sup>2</sup>
- a minimum lot width of 18m.

The subject property does not meet the minimum width requirement and therefore an additional variance is required.

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on October 20, 2017, the application was referred for a 30-day comment period to the North Jubilee Neighbourhood Association. A letter dated November 14, 2017, is attached to this report.

This application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

### ANALYSIS

#### Jubilee Neighbourhood Plan

The *Jubilee Neighbourhood Plan* does not provide specific guidance on the inclusion or expansion of childcare facilities. The plan states the following:



“Evaluate development proposals in light of the diversity of age groups and family structures in the neighbourhood and explore opportunities to provide amenities for various age groups through the development review process.”

## Regulatory Considerations

### Off-Street Parking

The current off-street parking requirement is five parking stalls: one space per employee (3) plus two additional stalls. The proposal is to reduce the parking requirement to one off-street stall.

While Schedule C - Off-Street Parking does not permit tandem parking (one parking stall behind another) or required parking to be located in the front yard, the existing driveway has sufficient length to accommodate more than one vehicle.

With respect to the availability of on-street parking, Haultain Street is limited to Residents Only parking. Under the general procedures for residential parking zones, visitors, and people dropping children off are entitled to use the on-street parking. The applicant has indicated in their letter to Mayor and Council that there appears to be adequate on-street parking opportunities within the immediate vicinity of the site to accommodate parents picking up and dropping off their children. The applicant cites a previous parking analysis which indicates that typical pick-up and drop-off time is between three and 10 minutes.

Additionally, the applicant is proposing a number of bicycle-related facilities and features, which would help offset the parking variance.

It should be noted that the proposed Schedule C - Off-Street Parking, if adopted by Council, would require a minimum of 3 motor vehicle parking stalls.

### Bicycle Parking

Bicycle parking for this proposal is not required; however, in order to mitigate the parking shortfall, the applicant is proposing five weather protected bicycle and stroller parking spaces for parents and staff and three indoor bicycle parking spaces for staff. To ensure that this bicycle parking is provided as proposed, the application includes a variance to increase the required number of bicycle parking stalls from zero to three Class 1 (weather-protected) and five Class 2 (short-term visitor) stalls.

There would also be end-of-trip facilities for staff that include an area for storing and drying wet weather gear. The applicant is also proposing a bicycle repair stand on-site, which will be available for staff and parent use.

### Lot Width for House Conversion to Kindergarten

The House Conversion Regulations state that a house constructed as a single family dwelling prior to 1931 may be converted to a kindergarten if it has a minimum lot width of 18m. The site has a lot width of 15.2m; however, the lot does exceed the minimum lot area of 670m<sup>2</sup> by 20m<sup>2</sup>. Staff recommend supporting this variance as the use would not change with this proposal.

## CONCLUSIONS

The OCP supports the integration and availability of community services, such as kindergartens, throughout the City. City policy also encourages providing infrastructure to support active modes of transportation, such as bicycle parking. The subject property is located in a walkable neighbourhood with access to transit and bike routes, and this proposal would support users in their choice of active transportation modes. The parking variance is mitigated by the inclusion of bike parking and other means of supporting active transportation, such as stroller parking, end of trip facilities for staff, and a bike repair station. Staff recommend that Council consider supporting this application.

## ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00199 for the property located at 1750 Haultain Street.

Respectfully submitted,

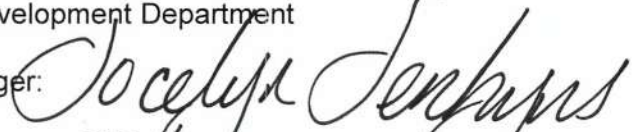


Chelsea Medd  
Planner  
Development Services Division

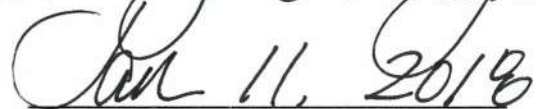


Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date:



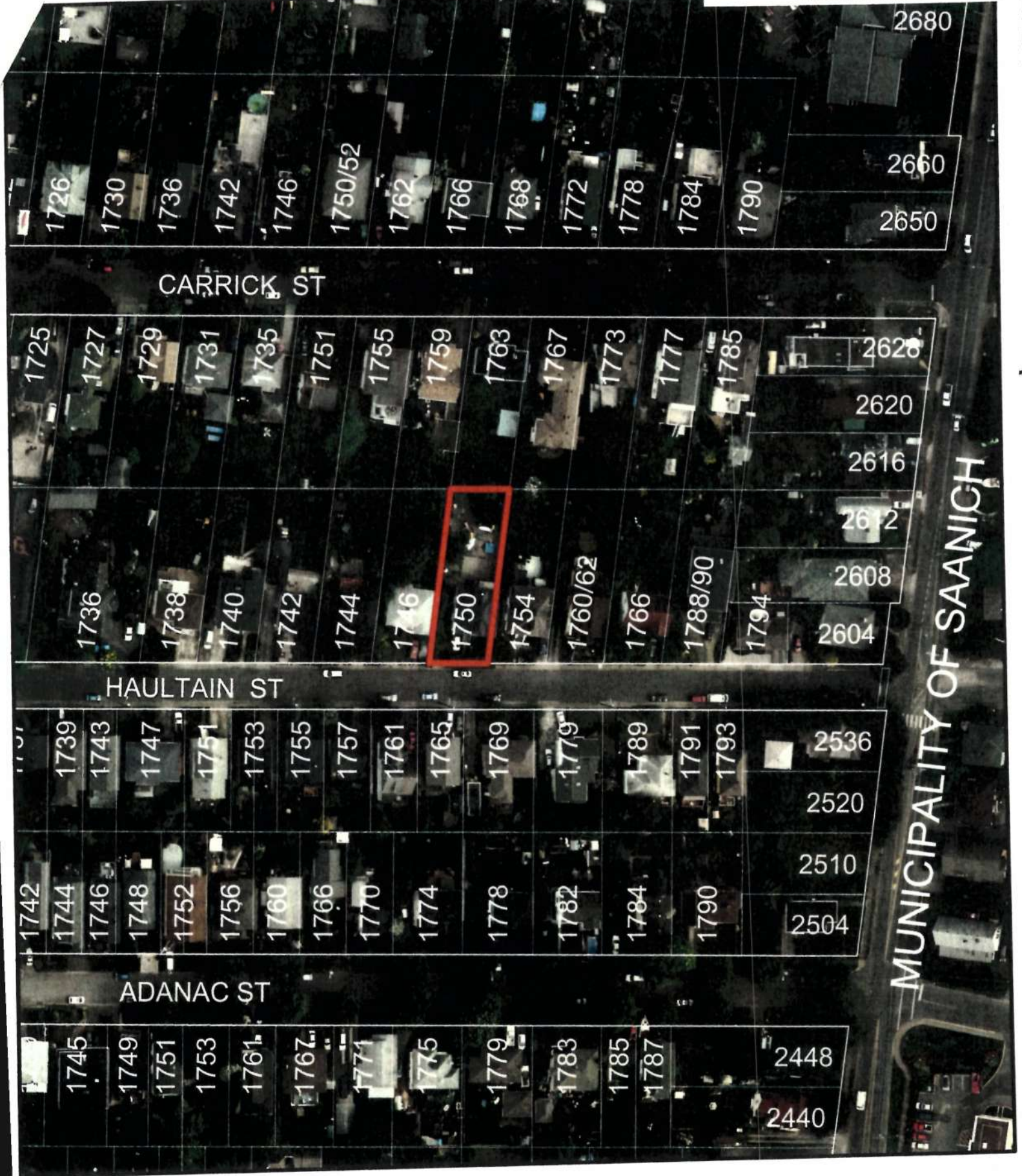
## List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped November 15, 2017
- Attachment D: Letter and Attachments from Applicant to Mayor and Council dated November 12, 2017
- Attachment E: Community Association Land Use Committee Comments dated November 14, 2017.





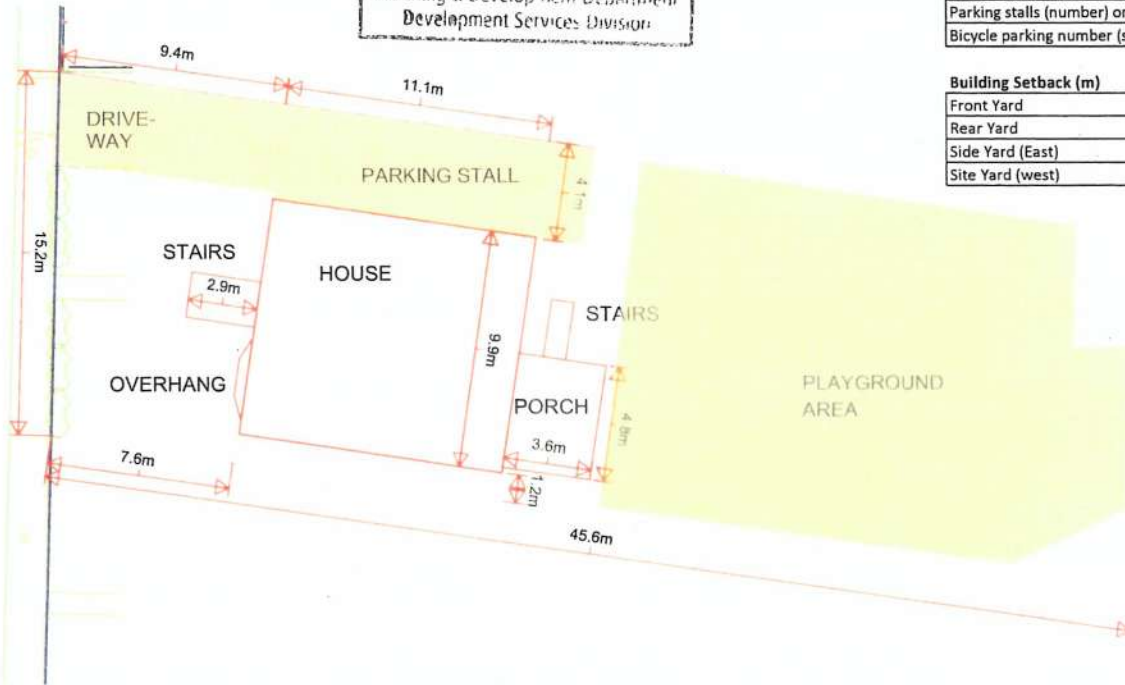




1750 Haultain Street  
Development Variance Permit #00199



Received  
City of Victoria  
  
NOV 15 2017  
  
Planning & Development Department  
Development Services Division



PROJECT INFORMATION TABLE

Zone Standard 1750 Haultain  
Existing

Zoning	R1-B Schedule C - Building Class B.6(b)	Existing
Site area (m2)	460 min	690
Total floor area (m2)	70 min, 420 max	267
Floor space ratio	-	0.39:1
Site coverage %	40% max	20%
Open site space %	-	68%
Height (m)	7.6 max	9
Number of storeys	2	2
Parking stalls (number) on site	5	1
Bicycle parking number (storage and rack)	0	0

Building Setback (m)

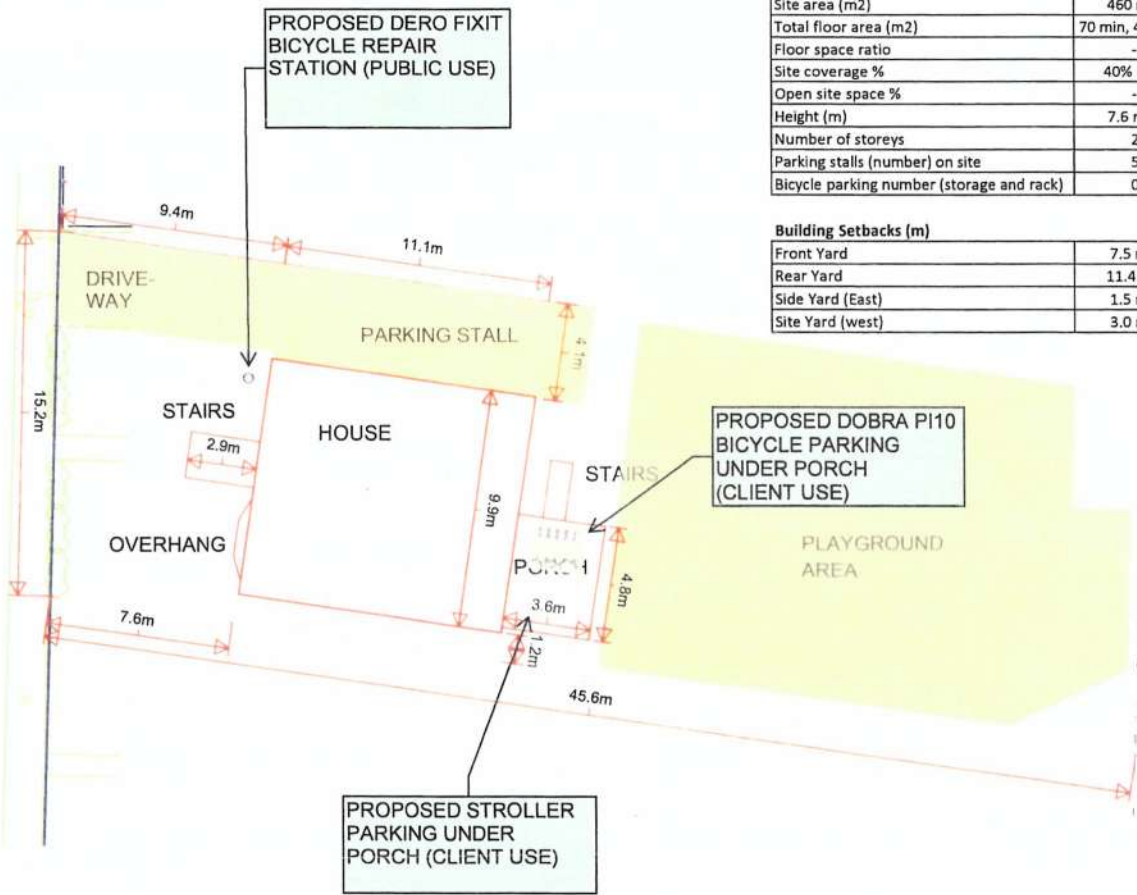
Front Yard	7.5 min	7.6
Rear Yard	11.4 min	18.7
Side Yard (East)	1.5 min	1.2
Site Yard (west)	3.0 min	4.1

Received  
City of Victoria  
  
NOV 15 2017  
  
Planning & Development Department  
Development Services Division

SITE PLAN - EXISTING	DATE: 12 NOV, 2017
1750 HAULTAIN STREET, VICTORIA	REV: 1
APPLICANT: MAUREEN O'CONNELL 778-223-4315	DRAWN BY: JM
	SCALE: 1:200

References:  
City of Victoria AutoCAD basemap drawing  
<<http://www.victoria.ca/EN/main/online-services/open-data-catalogue.html>>, accessed: 14 Sept 2017  
BC Land Survey titled "Plan of the Easterly 1/2 Lot 20, Section 25, Plan 332", by John A. Whittaker, File 2428, BK. 148, PG. 45, certified 22 March 1982





PROJECT INFORMATION TABLE

Zoning	Zone Standard	1750 Haultain Existing	Proposal - if different from Zone Standard
		R1-B	Schedule C - Building Class B.6(b)
Site area (m2)	460 min	690	-
Total floor area (m2)	70 min, 420 max	267	-
Floor space ratio	-	0.39:1	-
Site coverage %	40% max	20%	-
Open site space %	-	68%	-
Height (m)	7.6 max	9	9
Number of storeys	2	2	-
Parking stalls (number) on site	5	1	1
Bicycle parking number (storage and rack)	0	0	8

Building Setbacks (m)			
Front Yard	7.5 min	7.6	-
Rear Yard	11.4 min	18.7	-
Side Yard (East)	1.5 min	1.2	1.2
Site Yard (west)	3.0 min	4.1	-

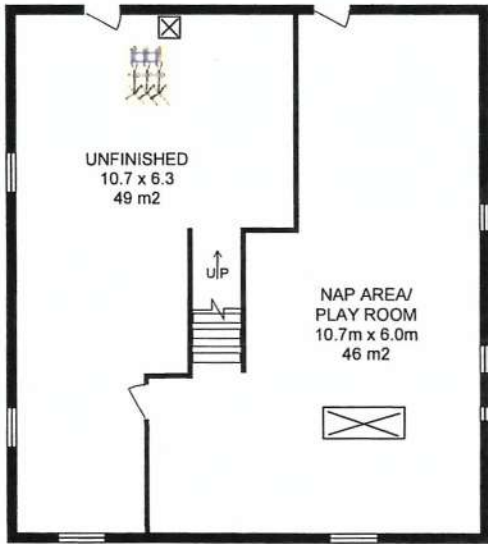
Number of Children: 20 - 24  
Number of Staff: 3



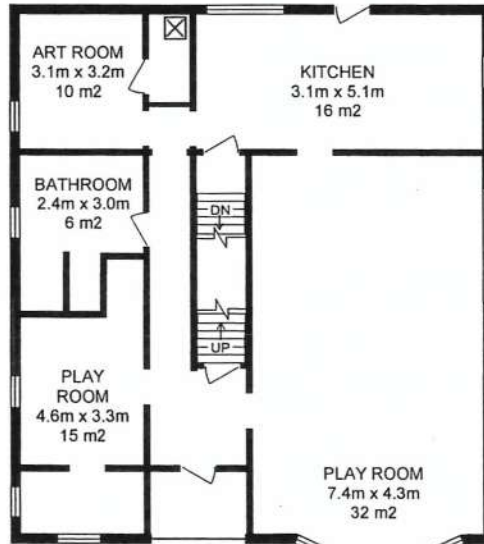
SITE PLAN - PROPOSED	DATE: 12 NOV, 2017
1750 HAULTAIN STREET, VICTORIA	REV: 1
APPLICANT: MAUREEN O'CONNELL 778-223-4315	DRAWN BY: JM
	SCALE: 1:200

References:  
City of Victoria AutoCAD basemap drawing  
<http://www.victoria.ca/EN/main/online-services/open-data-catalogue.html>, accessed: 14 Sept 2017  
BC Land Survey titled "Plan of the Easterly 1/2 Lot 20, Section 25, Plan 332", by John A. Whittaker, File 2428, BK. 148, PG. 45, certified 22 March 1982

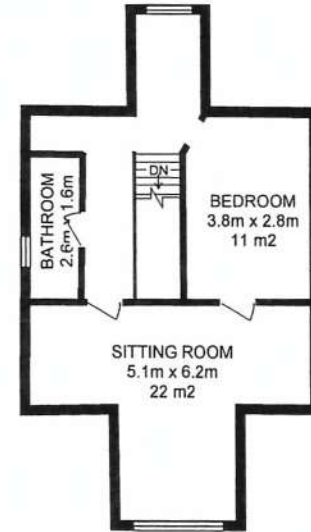




BASEMENT



FIRST FLOOR



SECOND FLOOR

DIMENSIONS AND AREAS ADDED (REV 1)

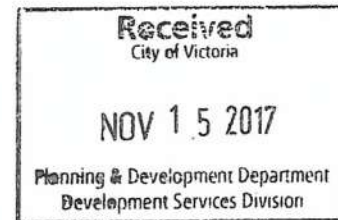
NOTE: ONLY CHANGE PROPOSED TO EXISTING FLOOR PLANS IS ADDITION OF DOBRA P16 BICYCLE PARKING INSIDE UNFINISHED BASEMENT AREA

FLOOR PLANS - EXISTING	DATE: 12 NOV, 2017
1750 HAULTAIN STREET, VICTORIA	REV: 1
APPLICANT: MAUREEN O'CONNELL 778-223-4315	DRAWN BY: JM
	SCALE: 1:100

314 – 4363 Halifax Street  
Burnaby BC  
V5C 5Z3

12 November 2017

Mayor Lisa Helps and Council  
1 Centennial Square  
Victoria BC  
V8W 1P6



Dear Mayor and Council,

My husband and I recently purchased the property located at 1750 Haultain Street in the North Jubilee Neighbourhood. This is a kindergarten house conversion, located in a residential neighbourhood (zoned R1-B). I am applying for a Development Variance Permit in support of having the property resume use as a community daycare. Specifically, I would like to provide bicycle parking, stroller parking, and a bicycle repair station instead of the motor vehicle parking which was approved at the time of the house conversion, but no longer exists today.

This house has operated as a daycare facility since the early 1980s, as ABC Kindergarten. At that time, the City of Victoria required that five hard-surface parking spots be constructed to support a daycare of this size, calculated as one spot per employee, plus two. The five parking spots are shown covering approximately half of the rear yard on the approved kindergarten conversion drawings, however the proprietor of former ABC Kindergarten has clarified that while these stalls were constructed when ABC Kindergarten opened in the 1980s, they were never used, and were subsequently removed. These parking stalls do not exist on the property today. Instead, what does exist on the property to service motor vehicle parking is the driveway.

Despite the missing parking, I am not aware of related historical problems or complaints in the neighbourhood regarding parking during the over 30 years that the former daycare operated. At the time of our purchase, the area designated for parking has a built-in play structure and sandbox, where these parking spots were shown on the approved layout. The approved development plan, a photo showing the current play equipment, and an email from the former proprietor of ABC Kindergarten are all attached (Attachments 1, 2 & 3).

Instead of providing the car parking shown on the approved development plan, which is not needed or wanted, I propose to install two bicycle parking racks with a total capacity for eight bicycles, located outdoors and indoors, respectively. To further support cycling, both to our property and along Haultain Street in general, I propose to install a bicycle repair station at the front of the property (Dero model Fixit Air Kit 2). This will be placed such that it would be accessible to those accessing the daycare, as well as to all bicycle commuters along Haultain Street. A designated covered location will also be available for storing strollers.



In support of this variance are the following specific details:

- This property has successfully operated as a daycare between the early 1980s and the end of July 2017 using the parking which is currently available on site. The driveway has space for three cars to park in line.
- The new daycare will operate with fewer staff and children than the former ABC Kindergarten, and will not have a business vehicle, as did the former ABC Kindergarten, (see Attachment 4: Supporting Data, for further details). The new daycare will have 24 children and 3 staff.
- This property is located on a bike route and is well served by public transit. Six bus routes pass within one block, including three frequent routes. This property is very easily accessible without use of a car.
- There is a car share vehicle parked on the block (Modo) which will facilitate after work trips for staff, without them having to bring a vehicle to the daycare. This could also serve select parents.
- Alternative off-street parking options will be provided through the installation of one indoor bike rack for staff, accessed through the back door to the house, and one outdoor covered bike rack at the rear of the house for children, parents and staff, thus creating space for parking eight bicycles. Bicycle commuting will be further encouraged through the installation of a bicycle repair station, end-of trip facilities for staff, and a parent-handbook.
- This proposal enhances the value of the property for children attending the daycare, by providing a much larger outdoor play area. An online search of former ABC Kindergarten revealed that the play space in the rear of the house was an attractive feature of the daycare, (see attachment).
- This proposal supports sensible storm water management by generating less surface water runoff during rainfall and storm events.
- Within the medium term (3 to 5 years), my family and I plan to restore this house to use as a single-family home and occupy it personally. Were new hard surface parking for motor vehicles to be installed now and removed in a few years, unnecessary waste would be generated, and construction disturbance would occur in the neighbourhood.
- The long-term adjacent neighbours strongly support this proposal, (see attachment), and feel strongly that they do not want a parking lot built in the rear of this property.
- This variance application is consistent with the goals outlined in Victoria's Official Community Plan (OCP), specifically:

Land Management and Development	"Victoria has compact development patterns that use land efficiently."
	"Neighbourhoods include centres of economic activity that serve the needs of residents within walking, wheeling or cycling distance."
Transportation and Mobility	"Victorians move freely and efficiently via a safe, integrated and convenient network of public transit, bike routes, and a supportive, inviting pedestrian realm in preference to driving alone."
Transportation and Mobility/ Climate Change and Energy	"Transportation options reduce fossil fuel dependence, help conserve energy and produce low greenhouse gas emissions and other air contaminants."

Climate Change and Energy	"The waste stream to the regional landfill is reduced to a minimum, with recovery, re-use, recycling and composting of resources undertaken as standard practice"
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- This application also supports the transportation targets outlined in the OCP:

Transportation and Mobility	"By 2041, 70% of all trips to work will be bike, walking or transit."
	"By 2041, 60% of all trips will be by bike, walking or transit."

I trust that you will agree that the variance requested herein provides a range of benefits and aligns closely with the stated goals of the OCP. Please do not hesitate to contact me with any questions or concerns at 778-223-4315.

Sincerely,



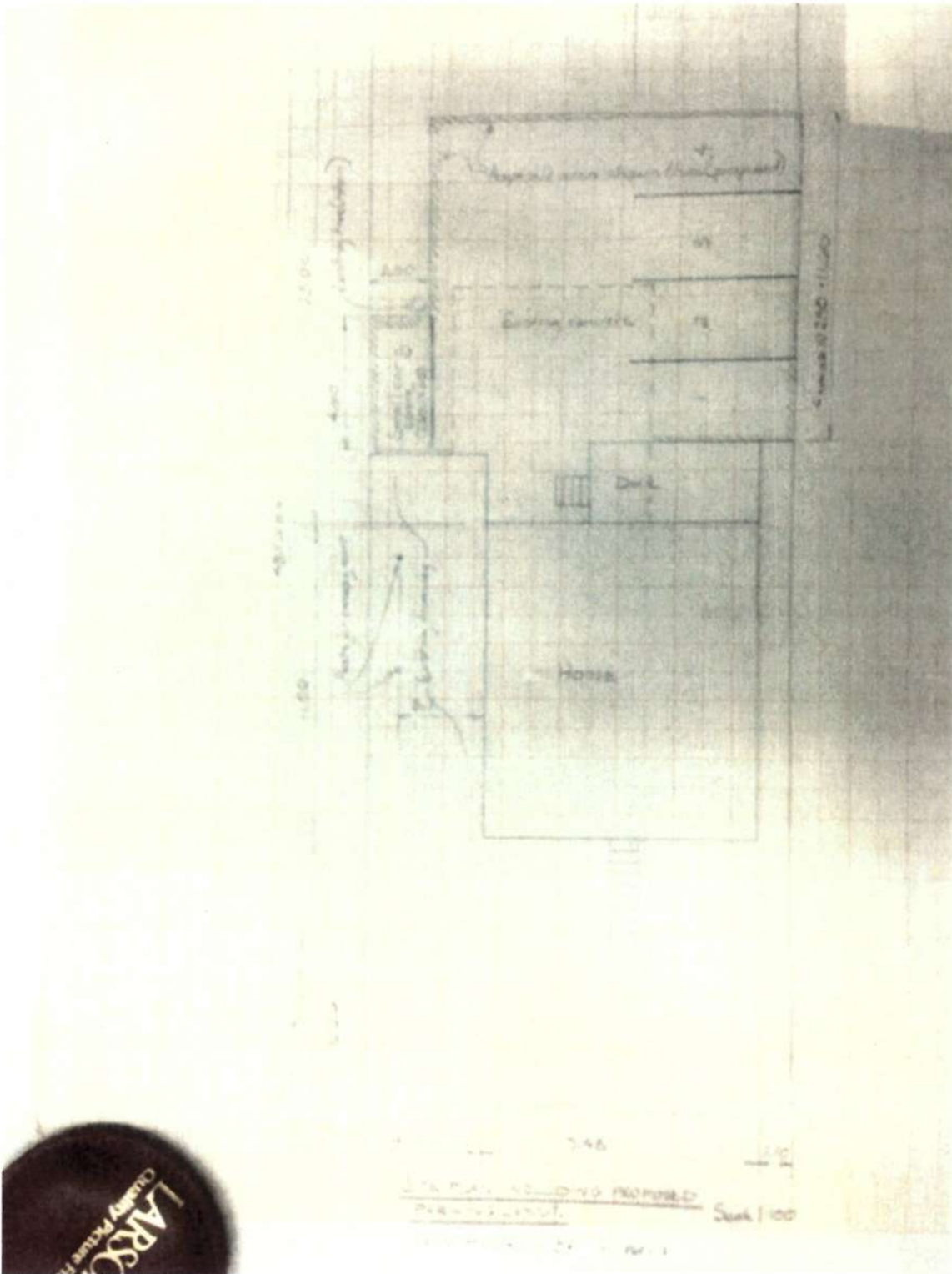
Maureen O'Connell



Attachments:

- Attachment 1: 1980s Site Plan with Proposed Parking Layout
- Attachment 2: Site Photographs
- Attachment 3: Email from proprietor of former daycare 'ABC Kindergarten'
- Attachment 4: Supporting Data
- Attachment 5: Letter of Support from Adjacent Neighbour
- Attachment 6: Bicycle & Stroller Parking
- Attachment 7: Repair Station Product Details – Dero Fixit Air Kit 2
- Attachment 8: Online Daycare Review

Attachment 1 – 1980s Site Plan with Proposed Parking Layout



Photograph 1: Site Plan submitted in the early 1980s, as part of the daycare conversion application for 1750 Haultain Street, Victoria, BC



Attachment 2 – Site Photographs



Photograph 1: House on 1750 Haultain Street, Victoria, BC (looking north north-east)



Photograph 2: Play space behind 1750 Haultain Street, Victoria, BC (looking north) (date: 30 July 2017)

Attachment 3 – Email from proprietor of former daycare ‘ABC Kindergarten’

Maureen O'Connell  

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**Parking**

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Zora Creery <>  
To 

Mon, Oct 23, 2017 at 9:16 PM

We have started the day care with 3 staff and 24 children. We had made the required 5 spots parking in the back yard where the paving stones are, facing the neighbor's fence. 3 spots there, 2 spots where the arch is now standing. We had to cut down a beautiful cherry tree for it, its trunk was still used for climbing. Trucks dugged down about 3 feet and filled the whole space with large rocks, then smaller rocks, finally gravel, for drainage as required. It was a real waste of money but bureaucracy rules. These requirements should be changed and adjusted according to the situation. We have never used the parking as neighbours do not really want to smell cars fumes in their backyard. We adjusted our parking and parked a van and 2 cars in the driveway and one small one right beside the driveway on the grass when necessary. The owner is allowed to park on the street. The parking was never an issue as the parents only drop off and pick up, they do not park all day. We were licenced for 29 children and had that number of children until the end of June. In July we had a bit less because of the closure. Our neighbours on either side are used to children, one we do not see much of, the other Heather and Jason love having the day care there. Also the elderly lady behind the day care is very friendly and used to talk to the children and staff. The day care was part of the neighbourhood, we used the church hall down the road for dance classes and Xmas concerts, the other direction, down the Haultain, we visited many store owners. We also used the parks. Many of our families lived in the neighbourhood and everyone knew us on the street. In my opinion day cares belong in the family neighbourhoods. There are many day cares in town with street parking only, not even having a driveway. There is a very large Oaklands day care on Victor street with no parking, except the street, there is Castleview day care on Joan Cresc. without any parking, there is Sundance day care, no parking and many others, an parking is never a problem. I think this shows that the parking requirement does not make sense as there could be 3 or 4 cars easily in one residential house and they do other require special parking, only their licence plates have to be registered. I hope this explains few things and helps a bit. I heard there were supposed to be some changes in the parking city by laws...Zora Creery



## Attachment 4 – Supporting Data

There is currently not a daycare operating at 1750 Haultain Street, since the closure of ABC Kindergarten at the end of July, 2017. ABC Kindergarten closed with the sale of the property as they were unable to finalize the sale of the business. Despite having an interested daycare provider, a new daycare has not yet opened at this address because the property does not meet the required parking requirement per Schedule C.

The "3-5" daycare, operating out of Richmond Elementary, wishes to relocate to 1750 Haultain Street. They began business in August 2017 at the school as a short-term solution while they await the parking situation to be resolved at 1750 Haultain Street. The school cannot house the daycare long-term, and the "3-5" daycare is keen to relocate to a facility better suited for its needs.

### 1. Daycare size

Table 1 below provides a comparison between the number of children and staff at the proposed daycare, versus those at former ABC Kindergarten, which operated at this address between the early 1980s and the end of July 2017. The table also provides data on the number of parking spaces available under both scenarios, as well as the parking demand generated by the ownership of a business vehicle.

Table 1. Proposed Daycare (relocated "3-5") versus former daycare ABC Kindergarten

	Proposed daycare (relocated "3-5")	Former daycare ABC Kindergarten Early 1980s - 2017
Max number of children	24	29
Number of Staff	3	4
Number of motor vehicle parking stalls	1	1
Number of bicycle parking stalls	8 Class 1: 5 – outdoors 3 – indoors	0
Stroller parking	4 – outdoors indoors at discretion of daycare provider	0
Number of business vehicles	0	1

*Note: values provided for ABC Kindergarten reflect those during June 2017. The daycare begun in the 1980s with 24 children, and three staff. Refer to attached e-mail from proprietor of ABC Kindergarten for further details.*

The above table demonstrates that the new daycare will operate with fewer children and staff than what has historically been operating at this property. Furthermore, the daycare will operate with added bicycle parking, where none had been provided previously. Three Class 1 bicycle parking stalls will be located indoors for staff, and accessed through the rear of the building. Five Class 1 bicycle parking stalls will be

located outdoors and be available to parents, children and staff. Further details on the bicycle parking to be added are provided in Attachment 6. Strollers may be stored under the back porch of the house, or indoors in the unfinished basement area. The "3-5" daycare will not need to park a business vehicle, as was the case of ABC Kindergarten.

It is also worth noting that the "3-5" daycare plans to operate out of 1750 Haultain Street initially with a maximum of 20 children, and three staff. This daycare must maintain an 1:8 ratio. The daycare may expand later to 24 children, which is the reason for the value provided in Table 1.

While considered only one parking stall, the driveway can accommodate three cars in line. As daycare staff typically work a very similar shift, this business is conducive to all staff parking in-line in the driveway, assuming all staff were to drive.

## 2. Trips taken by various transportation modes

Site specific data cannot be provided for the various transportation modes of staff and children at 1750 Haultain Street as there is not currently a daycare in operation at this address. Data from nearby ABC Infant Care, located at 2700 Scott Street, and the "3-5" daycare, at Richmond Elementary, was solicited in October 2017 and are provided below as examples of typical transportation modes used for accessing daycares in the neighbourhood.

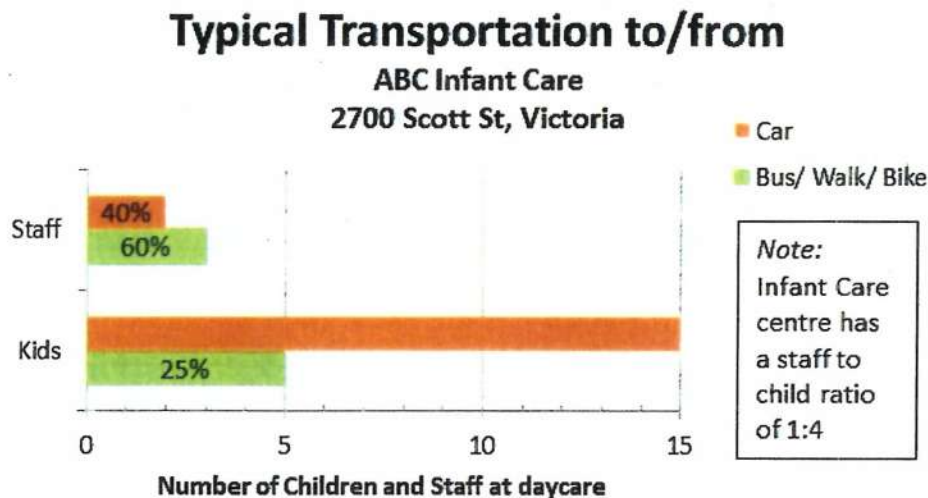


Figure 1. Typical Transportation to/from ABC Infant Care, 2700 Scott Street, Victoria

The proprietor of ABC Infant Care noted that the percentage of children arriving by active transportation increases from the values reported in Figure 1 when the weather is nicer.

Transportation mode data is also provided in Figure 2 for the "3-5" daycare, which will be relocating to 1750 Haultain Street.

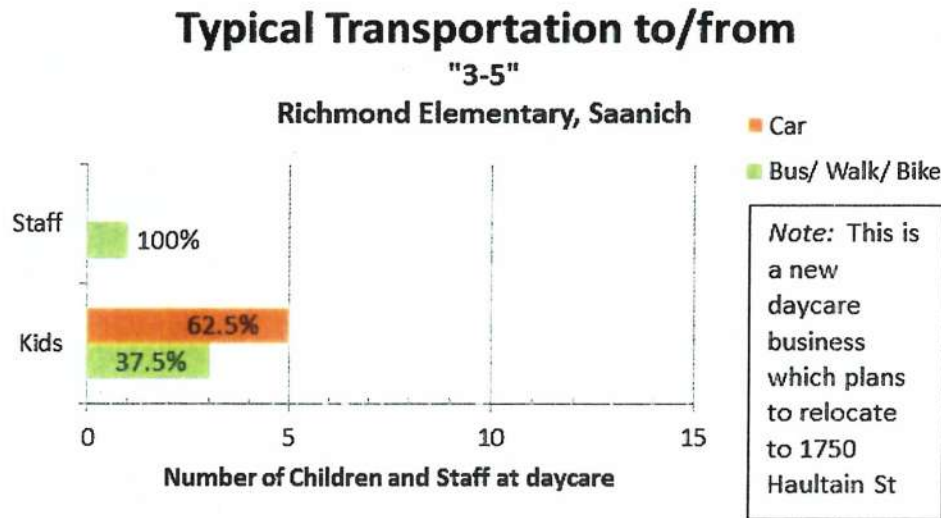


Figure 2. Typical Transportation to/from "3-5", Richmond Elementary School, Saanich

The "3-5" daycare will begin operation with up to 20 children at 1750 Haultain Street, and may later expand up to 24 children. As Figure 2 illustrates, the "3-5" daycare only currently has eight children, not all of whom are full time. The one employee at "3-5", who commutes to work by bus, will remain when the business relocates to 1750 Haultain Street.

Data collected by others suggests that the percentage of families and staff using alternative modes of transportation (i.e. not driving) to access daycares in Victoria is similar to the two examples presented above, if not higher when considering transportation for children being dropped off or picked up. Data regarding transportation modes used to access the James Bay Child Care facility at 149 Montreal Street, Victoria, were presented in the Planning and Land Use Committee Report, Rezoning Application #00458 for 149 Montreal Street, dated October 2, 2014:

- 48% of families at James Bay Child Care Society walk, bike or bus to drop off/ pick up children
- 63% of daycare staff at James Bay Child Care Society walk, bike or bus to get to work

(Reference: City of Victoria's Committee of the Whole Updated Amended Agenda for 2 February, 2017, (pg 196 of 418),

<https://victoria.civicweb.net/filepro/document/119886/Committee%20of%20the%20Whole%20-%2002%20Feb%202017%20-%20Agenda%20-%20Pdf.pdf>, accessed 20 October, 2017)

Data regarding transportation modes used to access the New Kids on the Block Daycare (Gorge area), 2969 Earl Grey St, Victoria, was presented in the Parking Analysis Report for 349/351 Kipling Street, Victoria:

- 33% of families at New Kids on the Block Daycare (Gorge) Walk, Bike, or use public Transit.



(Reference: Parking Analysis, 349/351 Kipling Street Victoria, <http://fairfieldcommunity.ca/wp-content/uploads/2014/07/Parking-Analysis-349-351-Kipling-St-Daycare-Proposal-.pdf>, accessed 19 October, 2017).

1750 Haultain Street is located on a traffic calmed stretch of Haultain Street, thereby making access by motor vehicle more difficult. It is located on a designated bike route, and is serviced by six bus routes. This existing transportation infrastructure and options will support daycare staff and children coming and going by transportation modes other than motor vehicle.

### 3. Typical drop off and pick up behaviour

Similar to the previous section, site specific data cannot be provided regarding the typical drop off and pick up behaviours at 1750 Haultain Street, as there is not currently a daycare in operation at this address.

Instead, data is presented from a parking analysis conducted at 349/351 Kipling Street in Victoria. This parking analysis was conducted by Bart Johnson, BA, MA, MBA, PhD, CHE, PMP, as part of a daycare proposal, (<http://fairfieldcommunity.ca/wp-content/uploads/2014/07/Parking-Analysis-349-351-Kipling-St-Daycare-Proposal-.pdf>, accessed 19 October, 2017). In this Parking Analysis report, it is estimated that the drop off and pick up times typically last 3 to ten minutes in duration.

The report also states that the drop off and pick up times typically occur gradually over time. Mr. Johnson provides the following estimates of how many motor vehicles can be expected for pick up/ drop off at a given time at 349/351 Kipling Street, which can be scaled for the 'high estimate' to 1750 Haultain Street based on number of children.

Table 2. Motor vehicle parking demand estimates generated by daycare drop off and pick up

	349/351 Kipling Street	Proposed daycare (relocated "3-5")
Number of children in attendance at daycare	86	24
High Estimate	13 – 29	1 - 8
Medium Estimate	4 - 12	
Low Estimate	1 - 4	
<b>Overall Estimate</b>	<b>4 - 12</b>	

*Note: Data from 349/351 Kipling Street is taken from the Parking Analysis report referenced above.*

Table 2 provides an indication that a daycare of 86 children may incur a very low parking demand at any given time. The parking demands at 1750 Haultain Street should be less than at 349/351 Kipling simply due to fewer children attending this daycare, (maximum of 24 children).

4. Photographs of Street

The following photographs were taken over the course of one business week to provide a snapshot of the parking demand along Haultain Street, nearby to 1750 Haultain Street. These photos targeted typical daycare drop off and pick up times, as well as some other random times throughout the day, as not all daycare drop off and pick up always occurs first at the start and end of the day. Photographs are taken from in front of driveway at 1750 Haultain Street, (North side of Haultain Street). Images looking west are all provided on the right-hand side of the page, while images looking east are on the left.



8:20 Monday, October 30<sup>th</sup>, 2017



8:47 Monday, October 30<sup>th</sup>, 2017



9:35 Monday, October 30<sup>th</sup>, 2017





16:25 Monday, October 30<sup>th</sup>, 2017



17:19 Monday, October 30<sup>th</sup>, 2017



7:56 Tuesday, October 31<sup>st</sup>, 2017



9:00 Tuesday, October 31<sup>st</sup>, 2017





16:37 Tuesday, October 31<sup>st</sup>, 2017



17:28 Tuesday, October 31<sup>st</sup>, 2017



8:02 Wednesday, November 1<sup>st</sup>, 2017



16:38 Wednesday, November 1<sup>st</sup>, 2017







17:25 Wednesday, November 1<sup>st</sup>, 2017



7:53 Thursday, November 2nd, 2017



11:20 Thursday, November 2nd, 2017



16:42 Thursday, November 2nd, 2017







17:12 Thursday, November 2nd, 2017



8:03 Friday, November 3rd, 2017



8:12 Friday, November 3rd, 2017



16:41 Friday, November 3rd, 2017

Attachment 5 – Letter of Support from Adjacent Neighbour

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

October 20<sup>th</sup>, 2017

Dear Honourable Mayor and Council,

We are writing on behalf of our neighbor Maureen O'Connell (1750 Haultain Street) and her application for a development variance permit – application number **DVP No. 00199**.

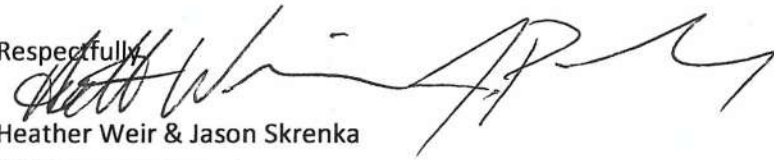
Mrs. O'Connell and her family recently purchased the house right next door to ours. At the time of the purchase the house had been functioning as a daycare for the last 30 years and the hope for the new owners is to continue to have the house provide much needed daycare services. The issue seems to be offering off-street parking spots for parents of the children attending the daycare and workers of the daycare. If these parking spaces are created it would mean significantly reducing the children's play space in the backyard as well as removing the permanent play structures that are currently installed. As neighbours whose chain-link fence separates us from the daycare we cannot speak against this idea strongly enough!

We have lived at 1754 Haultain Street for almost 10 years. During that whole time our neighbor has been ABC Kindergarden Daycare until August of this year. Parking has never been an issue in the area around the daycare. Parents drop off and pick up Monday thru Friday for no more than 5 or 10 minutes at a time. Most of this activity happens between 7:30-8:00am and then 5:00-5:30pm. There is more than an adequate amount of street parking to accommodate this very quick transition of vehicle traffic. For us, as neighbours of the daycare, we are much more interested in listening to the kids running around the backyard, having fun and playing in the sandbox then listening to vehicle ignitions and breathing in exhaust fumes. As our society becomes greener there will be even less of a need for off-street vehicle parking.

We **strongly support** the variance permit for 1750 Haultain Street being granted because it is based on historical practice that has worked for 30 years and it also supports our society's ideals of outdoor, physical activity for children and the reduction of car-centered environments, as we perceive it.

We are willing to attend any council meetings to support Mrs. O'Connell's family with their application. Please contact us if you require any further information.

Respectfully,

  
Heather Weir & Jason Skrenka  
1754 Haultain Street



## Attachment 6 – Bicycle & Stroller Parking

The new daycare business at 1750 Haultain Street will operate with added bicycle parking, where as there has historically not been any bicycle parking provided at this property. Table 1 below is also presented in Attachment 4, but is provided here again as a summary.

Table 1. Proposed Daycare (relocated "3-5") versus former daycare ABC Kindergarten

	Proposed daycare (relocated "3-5")	Former daycare ABC Kindergarten Early 1980s - 2017
Max number of children	24	29
Number of Staff	3	4
Number of motor vehicle parking stalls	1	1
Number of bicycle parking stalls	8 Class 1: 5 – outdoors 3 – indoors	0
Stroller parking	4 – outdoors indoors at discretion of daycare provider	0
Number of business vehicles	0	1

*Note: values provided for ABC Kindergarten reflect those during June 2017. The daycare begun in the 1980s with 24 children, and three staff. Refer to attached e-mail from proprietor of ABC Kindergarten for further details.*

Table 2. Bicycle Parking Details

Bicycle Parking Type	Details
<ul style="list-style-type: none"> <li>▪ 3 x Indoor Class 1 bicycle parking stalls</li> </ul>	<ul style="list-style-type: none"> <li>▪ Available for staff</li> <li>▪ Accessed through the rear of the building.</li> <li>▪ A ramp for accessing the indoor bicycle parking area will also be constructed as per the City of Victoria's Bicycle Parking Strategy</li> <li>▪ Consist of Dobra Pi(6) rack</li> </ul>
<ul style="list-style-type: none"> <li>▪ 5 x Outdoor Class 1 bicycle parking stalls</li> </ul>	<ul style="list-style-type: none"> <li>▪ Available to parents, children and staff</li> <li>▪ Consist of Dobra Pi(10) rack</li> </ul>

The Dobra Pi(6) and Dobra Pi(10) are fabricated by Dobra Design, which is based out of Vancouver, BC. The existing back porch will be used to provide rain protection for the outdoor bike parking. There is an area available under the west side of the porch, which will be used for the bike parking, that will not block an entrance or egress to the house, (1.8 m tall). Refer to the Site Plan and Floor Plan for specific installation locations of the Pi(6) and Pi(10). Photographs and dimensions of the bike racks are provided in Photographs 1 and 2 that follow.

**DOBRA DESIGN** ARCHITECTURAL STRUCTURES  
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ENGINEERED STREET FURNITURE

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Fax  
604-733-2453

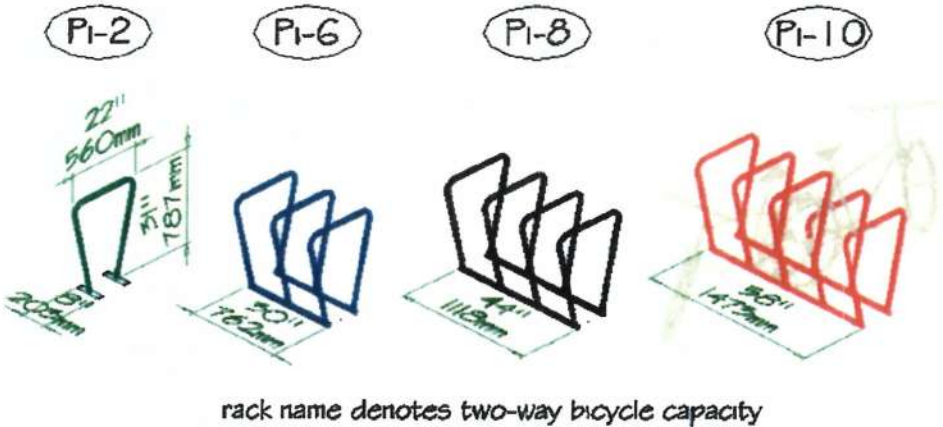
We Accept  
VISA MasterCard AMEX

<b>Pi-2</b> 2 bikes~1per side 30" tall	<b>Pi-6</b> 6 bikes~3 per side 30" tall, 30" long	<b>Pi-8</b> 8 bikes~4 per side 30" tall, 44" long	<b>Pi-10</b> 10 bikes~5 per side 30" tall, 58" long
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**Pi - PHOTO GALLERY** **Pi - DETAILS**

Our *Pi* series is an economical, smart looking multiple rack in a one-piece, all-welded steel tube design. The entire rack is finished in polyester powder-coating in a choice of colours.

Photograph 1: Dobra Design Website (<http://www.dobradesign.com/piexterior.php>)



Photograph 2: Racks with dimensions ([http://www.dobradesign.com/pi\\_details.php](http://www.dobradesign.com/pi_details.php))

The bicycle parking locations and racks have been selected with consideration of the City of Victoria's Bicycle Parking Strategy, dated August 2011.

(<http://www.victoria.ca/assets/Departments/Engineering~Public~Works/Documents/parking-bicycle-strategy.pdf>)

End of trip facilities will be provided for staff of the daycare. This will include an area in the basement for hanging wet clothing, as well as a designated area for storing change of clothing, and or shoes.

The east underside of the back porch will be used to store strollers, opposite the bicycle parking. The daycare will keep a few keyed locks which can be leant to parents who wish to lock their stroller to one of the porch posts, but who arrive without their own lock.

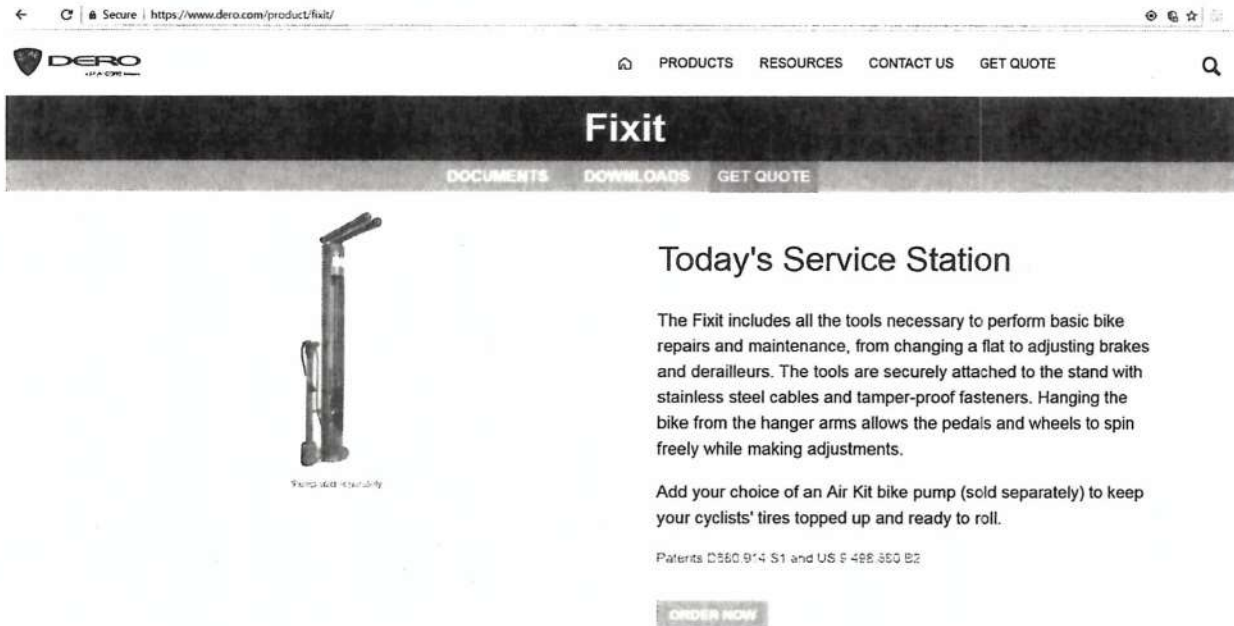
A bicycle repair station will be installed against the house in the front of the property. The intent of this repair station is to be accessible to all accessing the daycare, as well as others in the community. Signage will be posted encouraging the public to make use of the repair station.

The parent handbook to be provided to parents will outline the transportation options available for accessing the daycare, including bus routes, bicycle parking, and the option to leave strollers or bikes at the daycare. This handbook will also describe the on-site bicycle repair station, encourage active transportation, and provide a reminder for deliberate consideration to the neighbours when accessing the daycare facility.



## Attachment 7 – Repair Station Product Details

I will install one Fixit Air Kit 2 by Dero at the front of the property, up against the northwest corner of the house. The repair station will be off the driveway to ensure the safety of anyone using it, and will not block the window at the front of the house. The northwest corner of the house is also the most visible location from the street.



Photograph 1: Fixit website (<https://www.dero.com/product/fixit/>)



# FIXIT



## Today's Service Station

The Fixit includes all the tools necessary to perform basic bike repairs and maintenance, from changing a flat to adjusting brakes and derailleurs. The tools and air pump are securely attached to the stand with stainless steel cables and tamper-proof fasteners. Hanging the bike from the hanger arms allows the pedals and wheels to spin freely while making adjustments.

*Patents D680,914 S1 and US 9,498,880 B2*



**DERO**  
A PLAINCORE Company

# FIXIT

Hanger arms accommodate most types of bikes

QR code takes smart phone users to comprehensive bike repair web site

Large surface area for sponsorship, branding, or way-finding signage

Tools are secured with braided stainless steel aircraft cables

Pump hose is reinforced for maximum protection

Pump holster can be mounted on either side or back of Fixit

Hanger and pump (shipped as 2nd package) pack inside main body for easy, inexpensive shipping

Hanger arms can be mounted at 12, 3, 6, or 9 o'clock

Hanger is ADA compliant

Includes most commonly used tools for simple bike maintenance

Screwdrivers and Allen Wrenches are on swivel connectors for easier use

Pump head accommodates Presta and Schrader valve stem types

Tools included:  
 Philips and flat head screwdrivers  
 2.5, 3, 4, 5, 6, 8mm Allen wrenches  
 Headset wrench  
 Pedal wrench  
 8, 9, 10, 11mm box wrenches  
 Tire levers (2)

## FINISH OPTIONS



www.dero.com | 1-888-337-6729





## Attachment 8 – Former Daycare Review

**ABC Kindergarten - child care review and scores**

**CAUTION:** Always verify the credentials of the daycare provider before placing your child in daycare. We do not endorse any daycare centres nor do we check their credibility. Here are some points to consider while choosing a daycare centre.

**ABC Kindergarten - daycare location and information**

**Location:** 1750 Haultain Street  
Victoria BC

**Age groups:** Infant Toddler Kindergarten  
Preschool Schoolage

**Telephone:** 250-598-3741

- Add a Review
- Map this daycare
- Show nearby daycares

**Little Koala Daycare - Child Day Care**

Montessori & Play based program. Learn and have fun! Register now.

**Details of the review and rating of ABC Kindergarten**

The reviews and comments are community contributed content and are not based on investigative or verified data. It is merely a participant's opinion and should not be used as facts. ALWAYS investigate a childcare provider on your own.

Endorsed	Review Score	Staff Ratios	Hygiene Facilities
YES	93%	Equipment	Curriculum
		Attention	Meals
		Fees	

My daughter enjoyed her time at this daycare. She started at the Infant centre then moved to the kindergarten for older kids. **Really liked the outside play area.** Also was able to enroll my daughter in ballet lessons thru the daycare. Also had a choice of swimming and gymnastics.

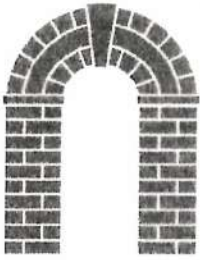
November 22 2016

Photograph 1: Online daycare review from 1750 Haultain Street, highlighting outdoor play area.

(Reference: GoDayCare.com,

<http://www.godaycare.com/review/british%20columbia/victoria/Abc+Kindergarten/4831/1210>

accessed 18 Oct, 2017)



## North Jubilee Neighbourhood Association

North Jubilee Neighbourhood  
Association  
1766 Haultain Street  
Victoria, BC V8R 2L2

November 14, 2017

Mayor Lisa Helps and City Councillors  
1 Centennial Square  
Victoria, BC V8W 1P6

RE: DVP No. 00199 – 1750 Haultain Street

Dear Mayor Helps and Victoria City Councillors,



This letter is in response to a CALUC meeting held regarding the above-noted DVP. The applicant is requesting a zoning regulation bylaw variance – a relaxation to the minimum required parking spaces from 5 to 1. The applicant, Ms. Maureen O’Connell, was invited to present her reasons for requesting the variance to the North Jubilee Land Use Association at a meeting on November 7<sup>th</sup>, 2017.

The applicant provided supporting data to members of the CALUC. The applicant’s reason for the request to relax the parking restrictions are primarily due to the negative effects of paving over a large percentage of the current play space in order to provide the required number of parking stalls. Ms. O’Connor feels that the need for parking can be offset partially by her proposal’s increase to bicycle parking with the added incentive of a bike repair station. It should be noted that the daycare has been operating with its current parking configuration since the early 1980’s. Ms. O’Connell also provided a letter of support from her immediate neighbour to the west.

If the variance is not granted the consequence for the community is a decrease in green space. In future, if the permit is denied or the daycare operations cease, the dwellers of the house may desire the asphalt removed with associated negative environmental consequences. The effect for the daycare is a loss of approximately 50% of current play space.

Concerns cited in opposition to the proposal were noise, increase in traffic and parking inconvenience. Close neighbours may be adversely affected by noise during outdoor activity sessions. Daycare staff parking affects neighbours nearest the daycare. The applicant hopes to make use of the length of her driveway to mitigate the parking effect. Increased traffic on Haultain due to frequent drop-offs and pick-ups is a concern and is not necessarily restricted to certain times of day.

Greenspace retention is one of North Jubilee’s most desired outcomes. In this case the retention of it outweighs the negative effects of increased street parking nuisance, increased

traffic and noise. North Jubilee encourages young families to the neighbourhood. By allowing a daycare within a residential dwelling, the City is making this home more affordable for this demographic. Taking the previous into account the applicant's request is seen as a net benefit to the neighbourhood. The committee urged the applicant to seek support from the closest neighbours most directly affected by noise and parking.

The North Jubilee Land Use Committee supports the applicant's request for a reduction in the minimum number of parking spaces.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sheena Bellingham', with a long, sweeping flourish extending to the right.

Sheena Bellingham  
North Jubilee Land Use Co-Chair

**Pamela Martin**

---

**From:** J Drew [REDACTED]  
**Sent:** March 7, 2018 9:56 PM  
**To:** Public Hearings  
**Cc:** J Drew  
**Subject:** Development Variance Permit Application No. 00199

I am writing regarding the variance permit 00199 at 1750 Haultain St.

I am concerned that with a variance allowing 1 instead of 5 vehicle stalls, that there will be cars parked at a business where we have residential parking only. Will this be allowed?

I am not willing to forgo parking in front of my house for the benefit of non residential parking. I don't want to be parking several houses away from our house with groceries and a disabled husband (who walks very slowly) in poor weather or otherwise.

If non residential parking is to be allowed at this business, I am not in favour of allowing this variance of one instead of five parking stalls.

Janet Drew 1740 Haultain St.





**REPORTS OF COMMITTEES**

**1. Committee of the Whole – February 1, 2018**

**1. Development Variance Permit Application No. 00201 for 821-827 Broughton Street**

**Motion:**

It was moved by Councillor Thornton-Joe, seconded by Councillor Young, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00201 for 821-827 Broughton Street, in accordance with:

1. Plans date stamped December 20, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - i. reduce the off-street parking requirement from an additional three stalls to nil for the change of use from general office to medical office.
3. The Development Permit lapsing two years from the date of this resolution."

**Carried Unanimously**

**3.2 Development Variance Permit Application No. 00201 for 821-827 Broughton Street (Fairfield Gonzales)**

Committee received a report dated January 18, 2018, from the Director of Sustainable Planning and Community Development regarding recommendations for a proposed Development Variance Permit to allow for a reduction in parking stalls; from three to one.

- Motion:** It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:  
"That Council authorize the issuance of Development Variance Permit Application No. 00201 for 821-827 Broughton Street, in accordance with:
1. Plans date stamped December 20, 2017.
  2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
    - i. reduce the off-street parking requirement from an additional three stalls to nil for the change of use from general office to medical office.
  3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 18/COTW



## Committee of the Whole Report For the Meeting of February 1, 2018

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**To:** Committee of the Whole **Date:** January 18, 2018

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Development Variance Permit No. 00201 for 821- 827 Broughton Street

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### RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00201 for 821-827 Broughton Street, in accordance with:

1. Plans date stamped December 20, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - i. reduce the off-street parking requirement from an additional three stalls to nil for the change of use from general office to medical office.
3. The Development Permit lapsing two years from the date of this resolution."

### LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit application for the property located at 821-827 Broughton Street. The proposal is to convert 251.6m<sup>2</sup> of main-floor general office use within an existing heritage designated building to medical office use (massage clinic). The variance is related to parking only.

The following points were considered in assessing this Application:

- the proposal is consistent with the *Downtown Core Area Plan, 2011* and *Cathedral Hill Precinct Plan, 2004*
- the subject property is within Development Permit Area 14, Cathedral Hill Precinct.



- Since there is no new construction, the existing building design is not a matter for review
- the site is within close proximity to walking, cycling and public transit facilities
  - the inclusion of a massage clinic will provide business activity at ground level in an otherwise vacant unit
  - 11 parking stalls currently exist along the side and at the rear of the building. These stalls are non-conforming in terms of quantity and layout standards under Schedule C of the *Zoning Regulation Bylaw*. Access to the existing parking stalls is currently secured by way of a lease agreement through the adjacent City owned property. Without the lease agreement, the property would have zero parking stalls
  - under the proposed Schedule C of the Zoning Regulation Bylaw, the parking requirement associated with the change of use would be reduced from three stalls to one stall
  - the proposed three stall parking variance will have minimal, if any, impact on surrounding residents or businesses. The fact that this is an existing Heritage Designated building with no ability to create new on-site spaces also supports the variance request.

## **BACKGROUND**

### **Description of Proposal**

The proposal is to convert 251.6m<sup>2</sup> of main-floor general office use within an existing Heritage Designated building to medical office use to allow for a massage clinic. Specific details include:

- retention of the existing Heritage Designated building
- no exterior changes are proposed as part of the application.

The proposed variance is related to a reduction in the off-street parking requirement from three parking stalls to nil due to the change of use from general office use to medical office use.

### **Sustainability Features**

The applicant has not identified any sustainability features associated with this proposal; however, the proposal does include the adaptive reuse of a vacant unit within an existing Heritage Designated building.

### **Active Transportation Impacts**

There are 25 secure bicycle parking stalls in the basement of the building and a publicly accessible bicycle rack at the rear of the building in the parking lot. The applicant is proposing to allocate 4 of the secure bicycle parking stalls for the massage clinic.

### **Public Realm Improvements**

No public realm improvements are proposed in association with this Development Variance Permit application.

### **Accessibility Impact Statement**

The British Columbia Building Code regulates accessibility as it pertains to buildings.

## Existing Site Development and Development Potential

The site is presently occupied by an existing Heritage Designated building.

### Data Table

The following data table compares the proposal with the existing CHP-OB Zone, Cathedral Hill Precinct Office Building District. An asterisk (\*) is used to identify where the proposal is less stringent than the existing zone. A double asterisk (\*\*) is used to identify existing non-conformities.

Zoning Criteria	Proposal	Zone Standard CHP-OB
Site area (m <sup>2</sup> ) - minimum	1009.00	N/A
Combined floor area (m <sup>2</sup> ) - maximum	1602.00 (no change)	2018.00
Density (Floor Space Ratio) - maximum	1.59:1 (no change)	2:1
Height (m) - maximum	8.00 (no change)	22.50
Storeys - maximum	2.0	N/A
<b>Setbacks (m) – minimum:</b>		
North (Broughton St.)	0**	2.00
South (rear)	6.00	0
East (side)	0	0
West (side)	0	0
Parking Existing Use - minimum	11**	29
Parking with Change of Use - minimum	11*	32
Bicycle parking stalls (minimum)		
Class 1	4	N/A
Class 2	4	N/A

### Relevant History

In 2015, Council approved Development Variance Permit No. 00151 for the adjacent ground-floor commercial unit in the building to reduce the off-street parking requirement from an additional four stalls to nil for a change of use from general office to dental office.

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on January 5, 2018 the application was



referred for a 30-day comment period to the Fairfield Gonzales CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

## ANALYSIS

### Proposed Parking Variance

A Transportation Demand Management study was not considered necessary for this parking variance due to the fact that the variance request is relatively minor in nature, no additional floor space will be added as part of the proposal and the building is located within close proximity to transit facilities. The fact that this is an existing Heritage Designated building results in a limited ability to create new on-site spaces. It is anticipated that the majority of customers will use alternative modes of travel to the proposed massage clinic. In addition, the surrounding on-street parking is metered.

Staff have reviewed the proposal and recommend that the application move forward, based on the minimal impacts to the surrounding neighbourhood and the provision of bicycle facilities in accordance with the proposed Schedule C: Off-Street Parking Regulations. Staff, therefore, recommend for consideration that Council support the proposed parking variance.

### Regulatory Considerations

The site is non-conforming in relation to the quantity of parking stalls. Currently, 11 parking stalls exist along the west side and at the rear of the building. Access to the existing parking stalls is currently secured by way of a lease agreement for the adjacent City-owned property, which expires on October 31, 2021. The configuration of the parking stalls is also non-conforming and does not meet the standards set out under Schedule C of the *Zoning Regulation Bylaw*.

## CONCLUSIONS

The inclusion of a massage clinic will provide a business frontage at ground-level in an otherwise vacant unit within a Heritage Designated building. With the inclusion of a massage clinic, there is a parking shortfall of an additional three stalls. Due to the minor variance and as no new floor space is being created, the impact on the surrounding properties is expected to be minimal. The fact that this is an existing Heritage Designated building also results in a limited ability to create new on-site spaces. To mitigate any parking impacts, the applicant has included secured storage for four bicycles in the basement of the building in addition to the existing, publicly accessible, bike rack in the parking area, which is in excess of the current requirements listed in Schedule C of the *Zoning Regulation Bylaw*. Therefore, staff recommend that Council consider advancing this application to an opportunity for public comment.



**ALTERNATE MOTION**

That Council decline Development Variance Permit Application No. 00201 for the property located at 821-827 Broughton Street.

Respectfully submitted,


Alec Johnston  
Senior Planner  
Development Services Division

  
Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

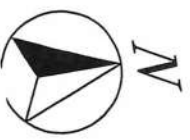
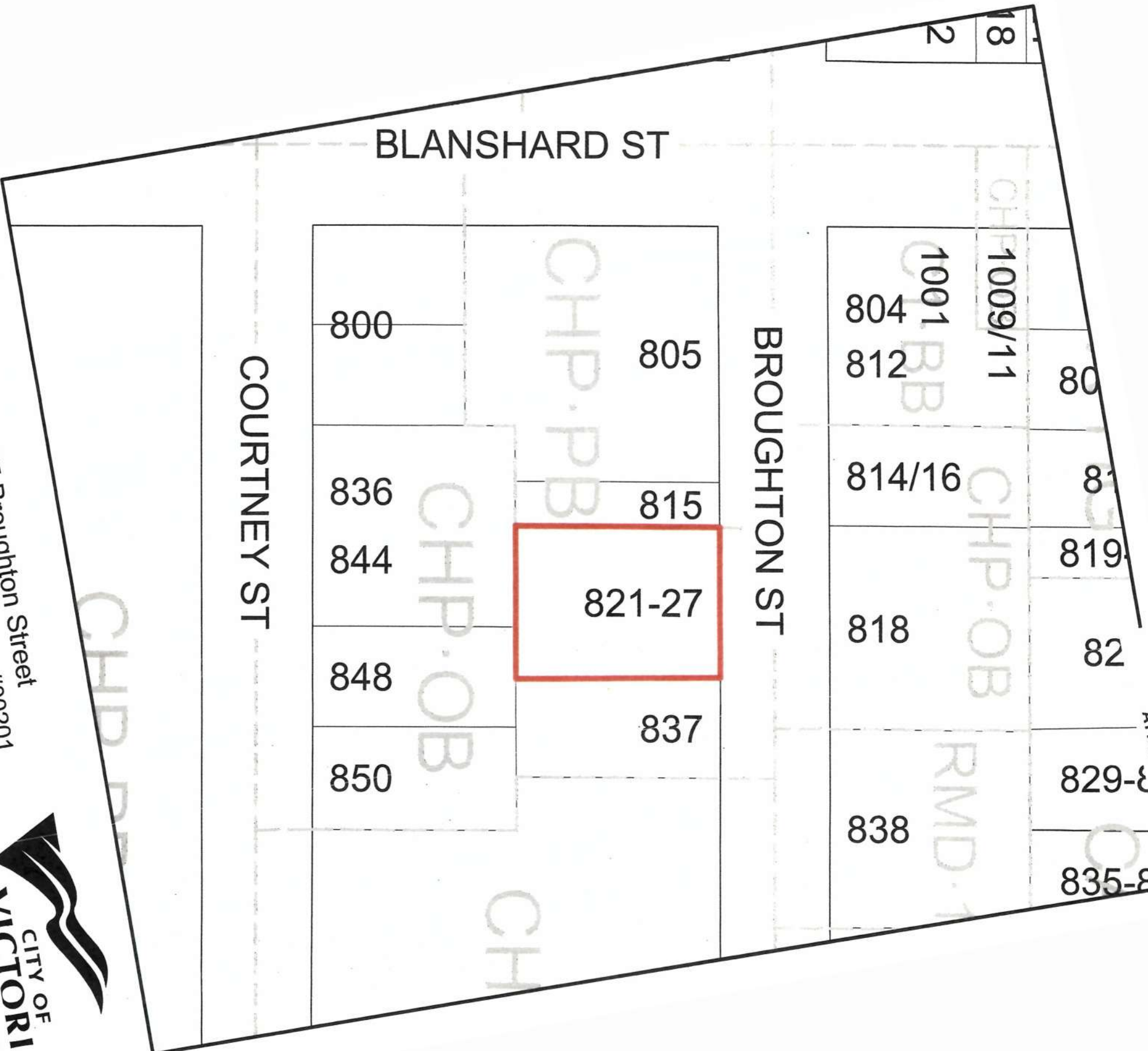
Report accepted and recommended by the City Manager:



Date: Jan 24, 2018

**List of Attachments:**

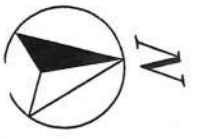
- Attachment A - Subject Map
- Attachment B - Aerial Map
- Attachment C - Plans date stamped December 20, 2017
- Attachment D - Letter from applicant to Mayor and Council dated November 6, 2017



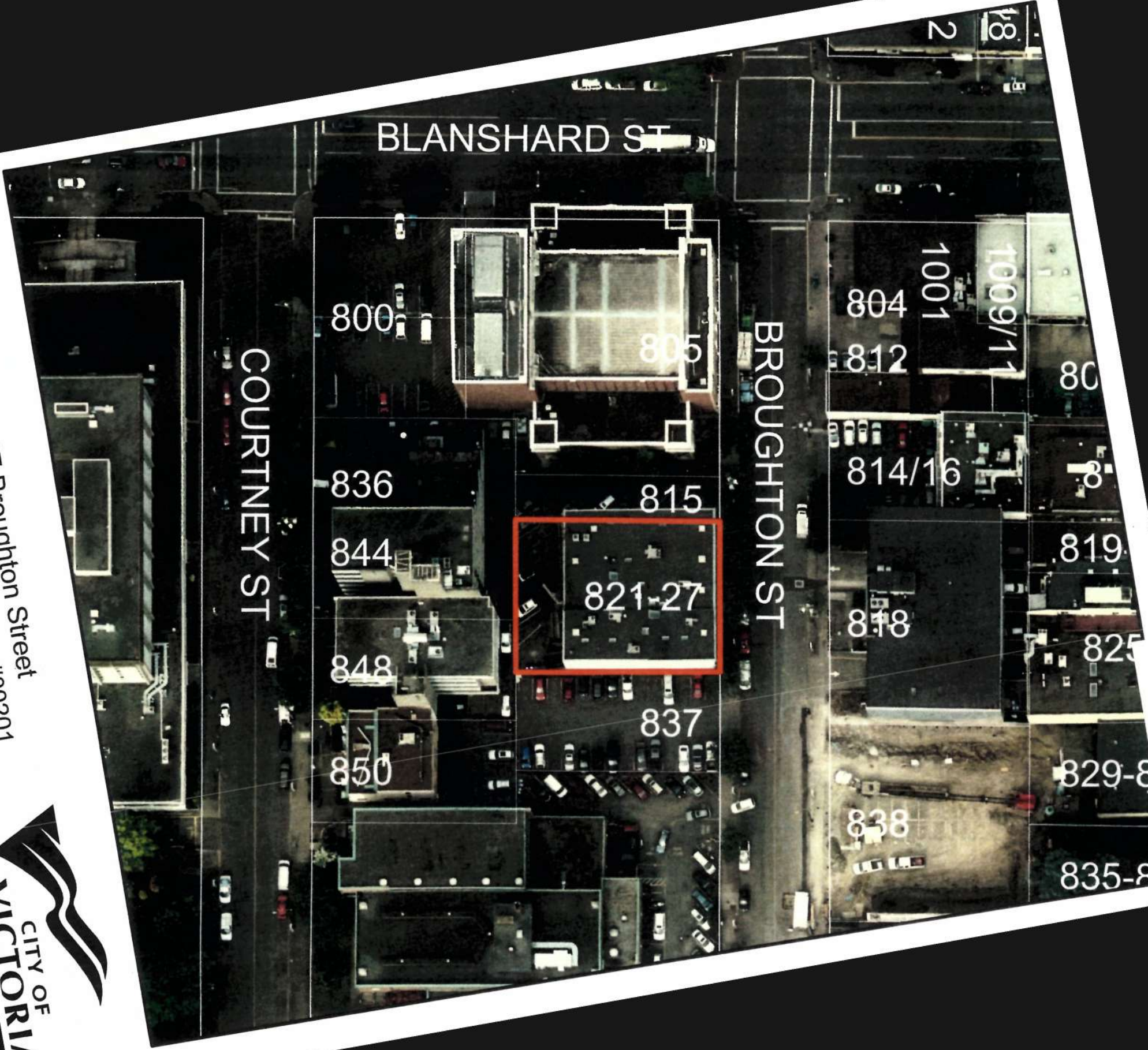
821-27 Broughton Street  
Development Variance Permit #00201







821-27 Broughton Street  
Development Variance Permit #00201









November 6, 2017

Mayor Lisa Helps and Council  
#1 Centennial Square  
Victoria, BC

RE: Application for a Parking Variance - 821-827 Broughton Street, Victoria, BC,  
Mellor Building -

Dear Mayor and Council,

We the owners of 821-827 Broughton Street are making application for a Parking Variance to allow for office and clinic for health professionals to occupy vacant street level premises in the Mellor Building. The exterior of the building will not be altered.

The current parking for the building is legal non-conforming as office space. With the proposed change in use we now must address the parking with the City. The building totals **1,647.7 square meters** (17,735 square feet) and is a two story office building, formerly developed for a radio station.

Based on the current zoning and the proposed change in use to allow for office and clinic for health professionals to occupy **256 square meters** (2764 square feet) of office space we would require a variance of Three (3) parking stalls (256 m<sup>2</sup> @ 1 stall/65m<sup>2</sup> versus 256 m<sup>2</sup> @ 1stall/37.5 m<sup>2</sup>) as indicated in Schedule "C". Please note that under the proposed Schedule C Draft Off-Street Parking Regulations we would require a parking variance of just One (1) stall.

The number of parking stalls based on the size of the building has been non-compliant since the zoning was allocated well over 30 years ago. The size of the building has not changed, the parking has not changed and the building is located downtown with abundant parking available in and around the area.

Within a one block radius of the subject property there are 1291 parking stalls available to the general public including surface lots and City Parkades.

This does not include private parking lots or any of the metered street parking stalls.

Being a downtown location it would be expected that individuals/clients visiting the building are typically already downtown and will walk to the building from their office or condo.

The building also provides bike parking for 7 bicycles.

The main Tenant in the building is the Nature Conservancy and Habitat Acquisition Trust and they would typically bike to work or walk rather than drive in support of their environmental beliefs.

To suggest that having an office and clinic for health professionals in this downtown location could have a material impact on the parking or the traffic seems unrealistic and we would look to the Mayor and Council for a common sense approach and approval of our request.

We look forward to your positive reply.

Yours sincerely

**Europort Enterprises Limited**

**Jan Glerup and/or Nancy Glerup**







**FAIRFIELD GONZALES**  
COMMUNITY ASSOCIATION  
the place to connect

## Community Meeting Feedback Form

Location of proposed development:

Mellor Building, 821-825 Broughton Street, Victoria, B.C. V8W 1E3

### COMMUNITY MEETING DETAILS

Date: Thursday, April 27, 2017

Location of Meeting : Fairfield Gonzales Community Association, Centre, 1330 Fairfield Road, Victoria, B.C. V8S 5J1

Meeting hosted by: the Fairfield Gonzales Community Association

Approximate total number of people in attendance: up to 15 and 6 CALUC members

Meeting Chair: David Biltek

Note Taker: Alice J. Albert, CALUC member

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### PROPOSED DEVELOPMENT DETAILS

Applicant represented by:

Karen Hillel, Hillel Architecture Inc. Nancy Glerup (owner of building) attended with Karen Hillel.

The applicant explained that this proposal is to change the zoning and/or Official Community Plan for the subject property to accommodate the following proposal:

The current zoning is Cathedral Hill Precinct office building. The proposal is to have the building re-zoned to CA4. The current zoning may be dated and a change of zoning would enable a wider range of uses for the building.

Community Questions and Answers:

What are the current uses of the building? Why change the zoning if it is to remain retail space? Who owns the building? What will happen, should the re-zoning go forward, when/if the current owners sell the building? What are the implications for the residents of the Escher condo building (across the road from the Mellor Building)? Will the height change? *Does this thus mean that the building would move from 'a passive tenancy to a more aggressive tenancy.'*

1330 FAIRFIELD RD. VICTORIA, BC V8S 5J1

Tel. 250.382.4604 Fax 250.382.4613

[www.fairfieldcommunity.ca](http://www.fairfieldcommunity.ca)

[place@fairfieldcommunity.ca](mailto:place@fairfieldcommunity.ca)

Community Comments (including positive, negative, and neutral):

At least four (4) residents of the Escher stood up to raise questions and seek answers. There appeared to be general *understanding* that the area is 'core residential.' A particular passionate appeal was made, by one resident of the Escher building, not to go ahead with the re-zoning: "I don't want change." A general concern centred around the usage of the building if the zoning is changed: would a bar/pub/club inhabit the building? This, as expressed by some, would impact on the good neighbour aspect of the street and the, perceived, inability of residents of the Escher to have a quiet enjoyment of their houses. One resident spoke and did not appear to be completely opposed to a re-zoning. A further person appeared to accept the good intentions of the owner(s). A concern was also raised about the future PARC development and any impact on the Escher.

A member from the Heritage Society spoke favourably to the re-zoning request since the heritage aspect of the exterior would not be changed.

**Pamela Martin**

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**From:** Dan Robbins [REDACTED]  
**Sent:** March 7, 2018 5:47 PM  
**To:** Public Hearings  
**Cc:** Fraser McColl [REDACTED]  
**Subject:** 821-827 Broughton Street  
**Attachments:** scan\_20180228\_082545.pdf

To Whom It May Concern,

Fraser McColl (CC'ed) and I are owners of 836-844 Courtney Street. Our building is adjacent to the south of 821-827 Broughton. We are in support of the proposed variance (see attached). My apologies for sending this email of support after the 11:00 AM deadline of today. Hopefully there is still time to include our support.

Kind regards,

Dan Robbins, PhD  
[REDACTED]  
[REDACTED]

\*Note new email address - [REDACTED]





**BYLAWS**

Mayor Helps withdrew from the meeting at 12:39 a.m. due to a potential non-pecuniary conflict of interest with the following item, due to her relationship with an AirBnB operator. Councillor Thornton-Joe assumed the Chair in her absence.

Councillor Lucas withdrew from the meeting at 12:39 a.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel.

Councillor Madoff withdrew from the meeting at 12:39 a.m. due to a pecuniary conflict of interest with the following item, as she runs a Bed and Breakfast in her home.

**2. Bylaw for Zoning Amendments to Schedule D – Short-Term Rental Home Occupations**

**Motion:**

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the following bylaw be given first reading:

- a. Zoning Regulation Bylaw, Amendment Bylaw (No. 1147) No. 18-035

**Carried**

**For:** Councillors Coleman, Isitt, Loveday, and Young  
**Opposed:** Councillors Alto and Thornton-Joe

**Motion:**

It was moved by Councillor Isitt, seconded by Councillor Young, that Council amend Zoning Regulation Bylaw, Amendment Bylaw (No. 1147) No. 18-035, by inserting the following as the new section 2(3):

“Bylaw No. 80-159, the Zoning Regulation Bylaw, is further amended in section 17(4)(b)(ii) of the General Regulations by deleting the words ‘as if it were transient accommodation’.”

**Carried**

**For:** Councillors Coleman, Isitt, Loveday, and Young  
**Opposed:** Councillors Alto and Thornton-Joe

**Motion:**

It was moved by Councillor Loveday, seconded by Councillor Young, that the following bylaw be given second reading, as amended:

- b. Zoning Regulation Bylaw, Amendment Bylaw (No. 1147) No. 18-035

**Carried**

**For:** Councillors Coleman, Isitt, Loveday, and Young  
**Opposed:** Councillors Alto and Thornton-Joe

**3. Bylaw for Short-Term Rental Regulation**

**Motion:**

It was moved by Councillor Loveday, seconded by Councillor Young, that the following bylaw be given first, second, and third reading:

- a. Short-Term Rental Regulation Bylaw No. 18-036

**Carried**

**For:** Councillors Coleman, Isitt, Loveday, and Young  
**Opposed:** Councillors Alto and Thornton-Joe



**Council Report**  
For the Meeting of February 22, 2018

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**To:** Council **Date:** February 15, 2018  
**From:** C. Coates, City Clerk  
**Subject:** Zoning Regulation Bylaw, Amendment Bylaw (No. 1147) No. 18-035

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**RECOMMENDATION**

That Council consider first and second readings of Bylaw No. 18-035.

**BACKGROUND**

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 18-035.

The issue came before Council on November 23, 2017 where the following resolution was approved:

**Zoning Regulation Bylaw Amendment: Schedule D – STR Home Occupations**

That Council direct staff to prepare amendments to the Zoning Regulation Bylaw, Schedule D - Home Occupations, to allow short term rental in up to two bedrooms in an occupied dwelling unit of any type and in entire principal residences on occasion when the normal resident is not present.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Coates".

Chris Coates  
City Clerk

Report accepted and recommended by the City Manager:

A handwritten signature in black ink, appearing to read "Jocelyn Kenyon".  
Date: Feb 16, 2018

**List of Attachments:**

- Bylaw No. 18-035

NO. 18-035  
A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by updating the home occupation provisions of Schedule D to allow more than one home occupation at single dwelling, provided only one of the home occupations has customers that would attend and park at the dwelling; to prohibit cannabis-related businesses, and to allow short term rental in principal residences.

The Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

1. This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1147)".
2. (1) Bylaw No. 80-159, the Zoning Regulation Bylaw is amended in Schedule A – Definitions, by inserting a new definition of "Principal Residence" between the definition of "Preschool" and "Private Garage", as follows:
 

"Principal Residence" means the usual place where an individual makes their home."
- (2) Bylaw No. 80-159, the Zoning Regulation Bylaw is further amended in Schedule D – Home Occupations by:
  - (a) in section 6(2),
    - (i) deleting the period at the end of paragraph (l) and replacing it with "; and"; and
    - (ii) adding the following as the new paragraph (m):
 

"(m) except as provided in Section 12, short-term rental."
  - (b) Adding the following as the new subsection (4) to section 8:
 

"(4) More than one person may operate a short-term rental in their principal residence."
  - (c) adding the following as new subsections (5) and (6) to section 11:
    - (5) A single family dwelling may be used for transient accommodation whether or not the property contains a secondary suite or garden suite provided however that only one transient accommodation use is permitted on the property.
    - (6) Transient accommodation is restricted to no more than two bedrooms and cannot occupy an entire self-contained dwelling unit."
  - (d) adding, immediately after section 11, the following new section 12:



"12 Subject to the following requirements, a short term rental is permitted as a home occupation in a principal residence.

- (1) subject to subsection (2), no more than two bedrooms may be used for short-term rental and the short-term rental cannot occupy an entire self-contained dwelling unit;
- (2) the entire principal residence may be used for a short-term rental only occasionally while the operator is temporarily away;
- (3) no liquor may be provided to short-term rental guests; and
- (4) no sign may be erected, used, or maintained for the purpose of advertising short-term rental."

READ A FIRST TIME the	day of	2018
READ A SECOND TIME the	day of	2018
Public hearing held on the	day of	2018
READ A THIRD TIME the	day of	2018
ADOPTED on the	day of	2018

CITY CLERK

MAYOR



**REPORTS OF COMMITTEES**

**3. Committee of the Whole – November 23, 2017**

*Mayor Helps withdrew from the meeting at 1:41 a.m. due to a potential non-pecuniary conflict of interest with the following item, due to her relationship with a previous AirBnB operator.*

*Councillor Isitt assumed the Chair in her absence.*

*Councillor Lucas withdrew from the meeting at 1:40 a.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel.*

*Councillor Madoff withdrew from the meeting at 1:40 a.m. due to a pecuniary conflict of interest with the following item, as she runs a Bed and Breakfast in her home.*

**8. Zoning Regulation Bylaw Amendment: Schedule D – STR Home Occupations**

**Motion:**

It was moved by Councillor Thornton-Joe, seconded by Councillor Young, that Council direct staff to prepare amendments to the Zoning Regulation Bylaw, Schedule D - Home Occupations, to allow short term rental in up to two bedrooms in an occupied dwelling unit of any type and in entire principal residences on occasion when the normal resident is not present.

**Carried Unanimously**

*Mayor Helps returned to the meeting at 1:42 am. and assumed the Chair.*

*Councillor Lucas returned to the meeting at 1:42 a.m.*

*Councillor Madoff returned to the meeting at 1:42 a.m.*

**4.2 Zoning Regulation Bylaw Amendment: Schedule D – STR Home Occupations**

Committee received a report dated November 1, 2017, from the Director of Sustainable Planning and Community Development regarding recommendations for the proposed updates to the City's home occupation regulations for Short Term Rentals.

Committee discussed:

- How housing swaps will be affected under the proposed regulations.
- The definition of "occasionally allowable".
- Whether the City's property records are available to other levels of government.

*Councillor Loveday withdrew from the meeting at 9:46 am and returned at 9:46 am*

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Young, that Council direct staff to prepare amendments to the Zoning Regulation Bylaw, Schedule D - Home Occupations, to allow short term rental in up to two bedrooms in an occupied dwelling unit of any type and in entire principal residences on occasion when the normal resident is not present.

CARRIED UNANIMOUSLY 17/COTW

*Committee recessed at 9:50 am and returned at 9:52 am*

*Councillors Lucas and Madoff returned at 9:52 am*





## ISSUES AND ANALYSIS

Council has provisionally approved a new STR regulatory framework that seeks to balance the benefits of STR (tourism expansion, income supplementation, and positive impacts to local business) while minimizing its negative impacts (effect on long-term housing availability, nuisance complaints). The crux of this framework is to allow STR only in normally occupied dwelling units (principal residences). This can be achieved by amending Schedule D - Home Occupations.

1. *Expand permitted STR use within occupied dwelling units from single family dwellings only to all housing types.*

STR is currently permitted as a home occupation in up to two bedrooms in single family dwellings (detached homes) only. Council had previously directed staff to open this use to residents in condominiums; however following public comment and review, it is evident that all residents of Victoria could benefit from operating STR in their homes, especially considering high housing costs are a universal concern, perhaps most so for those who do not own single family homes, and that STR can have a positive impact on offsetting these costs. For this reason staff recommend Council consider allowing an expansion of the use of STR in up to two bedrooms within an occupied home from single family dwellings to all housing types. Other housing types include duplexes, townhomes, multi-unit apartment buildings, condominiums, house conversions, and secondary and garden suites.

2. *Allow entire-unit STR in principally occupied dwelling units on occasion.*

The new STR regulatory framework proposes the use of STR in principal residences only; that is, in the home where the STR operator normally resides. In this way, STR can be used for income supplementation and visitors can access self-contained STR without impacting the long term rental housing market. The framework envisions this use in up to two bedrooms in principal residences as described above, as well as in entire principal residences on occasion when the normal occupant is not present. Therefore staff recommend amending Schedule D to also allow for the occasional use of entire principal residences as STR.

All STR operators would be subject to the specific rules and regulations of the STR business bylaw, including the requirement to provide verification that the operator normally occupies the dwelling unit where the STR will occur, to obtain a business licence, and to prove strata or landlord permission to operate where appropriate.

### *Parking Impacts*

The transient accommodation provisions in Section 11 of Schedule D state that one parking spot per bedroom be provided to visitors. It is recommended that Council consider not including this requirement for STR due to the fact that this provision would restrict many residents from accessing this use, especially those that live in multi-unit dwellings or secondary suites that do not require or provide parking for the normal resident. As part of STR business licence regulations, operators would be required to share parking information with guests, and to provide contact information to the City to efficiently deal with complaints.



## OPTIONS AND IMPACTS

### Option 1 – Approve the proposed changes (Recommended)

These changes will provide equitability for residents in homes of any type to offset their housing costs, and expand the availability of alternative tourism accommodation in a way that will not materially impact long-term housing availability.

### Option 2 – Decline the proposed changes

Not amending Schedule D as proposed will mean STR will only be available to residents in single family dwellings. It would also prevent the City's STR framework from moving ahead as approved as occasional use in principally occupied dwelling units would remain prohibited.

## ALIGNMENT WITH CITY OBJECTIVES

### *Accessibility Impact Statement*

There are no impacts to accessibility associated with the recommendations in this report.

### *2015 – 2018 Strategic Plan*

Amending this bylaw is directly aligned with several of Victoria's strategic objectives:

- #1 Innovate and Lead
- #3 Strive for Excellence in Planning and Land Use
- #5 Create Prosperity through Economic Development
- #6 Make Victoria More Affordable

### *Impacts to Financial Plan*

If the recommended changes are approved, there may be an increase in revenue due to more business licence fees collected, and at a higher rate than current fees (\$200 per year is proposed for principal residence STRs). The proactive enforcement of STR regulations are associated with cost implications, however the changes presented in this report were included in the calculation of estimated costs presented at Committee of the Whole on September 21, 2017 (approximately \$500,000 annually).

### *Official Community Plan Consistency Statement*

These updates to home occupation regulations are consistent with several objectives laid out in the Official Community Plan, particularly those in Section 14 – Economy:

- 14.5.3 Encourages and supports local ownership, business that use local resources, and social enterprise
- 14.11 Encourage and support economic activities that provide household sustaining jobs, and retain more community wealth in the community
- 14.31 Strengthen the appeal of Victoria to tourists and other visitors in ways that enhance the community including:
  - 14.31.4 Character areas in the Downtown and other neighbourhoods

**CONCLUSIONS**

Expanding the use of STR in up to two bedrooms in a single family dwelling to dwelling units of any type throughout the City and allowing occasional use of entire-unit short term rental in principally occupied dwelling units will ensure residents can benefit from STRs in a way that does not impact the long-term rental housing market.

Respectfully submitted,



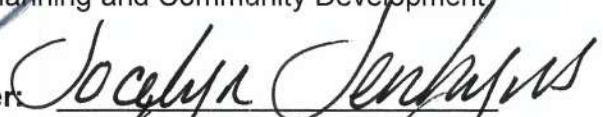
Lindsay Milburn  
Senior Planner, Housing Policy

Alt.



Jonathan Tinney, Director  
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:



Date: Nov 15, 2017

**Pamela Martin**

---

**From:** Lance R [REDACTED]  
**Sent:** January 31, 2018 8:27 PM  
**To:** Public Hearings  
**Subject:** Please restrict short term rentals

Please restrict short term rentals.

This is having a detrimental affect on young professionals looking to start out in the city.

Restrict these rentals and see a world  
of change across the housing spectrum in Victoria.

Thank you,  
Lance

**Alicia Ferguson**

---

**From:** Legislative Services email  
**Subject:** RE: OPPOSED - Proposed Business Licence Fee Increase / Principal vs Non-Principal Residences

**From:** City Life Suites [REDACTED]  
**Sent:** February 21, 2018 11:35 AM  
**To:** Legislative Services email <LegislativeServices@victoria.ca>  
**Subject:** OPPOSED - Proposed Business Licence Fee Increase / Principal vs Non-Principal Residences

To Whom it may concern,

We write you again to **strongly express our opposition to the proposed transient business license fee increase for principal versus non-principal residences.** We have read and re-read your regulatory framework and understand the need for transparency among str's however to develop a framework based on principal versus non-principal residences may not be the most effective starting point. The dramatic increase of non-principal fee from \$115/\$120 per year to \$1500 per year is far too heavy handed. Even though it is less than the original proposal of \$2500 (met with harsh feedback from the community) it is still a punishing 1150% increase. How does council reasonably think this is a fair resolution? It appears the fee structure increase was devised to pay for the cost of regulating the newly proposed framework. Why should law abiding owners have to bear the cost of your newly imposed regulatory framework? What other type of bylaws within the City mirror this cost recoupment structure? This increase is far too harsh, it punishes those of us who have been following the transient zoned and business licence framework over the last decade. Which brings me to my next point.

May I ask Mayor and Council why regulation did not start with a.) regulating and fining the str's that are operating in non-transient zoned areas of the City; b.) regulating and fining those str's operating in transient zones without a transient business licence. If council were to start with those str's that were operating "underground" or illegally, perhaps there would be more compliance with str rental owners/agencies. It has come to my attention that very few str operators were aware they needed a transient business licence to operate a str. Who is to blame? The owner of the str? The City? How did the City communicate compliance for transient business license with str's? It seems clear, this was NOT communicated clearly or communicated at all, and the City failed miserably in regulating compliance throughout Victoria for most str owner's/operators.

**In light of this, we urge Mayor and Council to begin regulatory framework of short term rentals by 1.) Regulation and fining the str's that are operating in non-transient zoned areas of the City; 2.) Regulation and fining those str's operating in transient zones without a transient business licence; 3.) Gain compliance of those str's to ensure they now operate with a transient business license based on the current licensing fee structure.**

Based on the current proposal being addressed in tomorrow's council meeting, it has become clear the outspoken opposed community feedback since September 2017 fell on deaf ears. Council seems to have one agenda, and that is to eliminate all non-principal short term rentals in Victoria due to their "negative effects" on the community. By targeting non-principal residences with a harsh increased fee will discourage and eliminate str's that are current legally operating entities. They will not rent their homes long term as these owners use their property as second homes on an annual basis. This will not address the "housing crisis" council claims is directly correlated to the many str's operating today. Owner's with second homes in Victoria have chosen to operate their property as a str for the exact



reason a principal resident has, as a source of supplementary income. Therefore how can council differentiate and reasonably punish those owners who are non-principal residents whose sole intention is the same as the principal resident owner.

Those str's that are operating without a transient business licence will not comply with the current proposal. They will not pay fees, fines, etc. and will remain underground. Council will create a larger sub-culture directly correlated with a higher proposed fee structure. Please consider a more reasonable rate increase structure over the course of 3-5 years. It is punishing to increase fees 1150%. This is unheard of in the business world, how can this be considered by council? Consider a one time fee for those that have not purchased a business licence before. There should be a penalty for those not in compliance and no penalty for those that have complied year after year. Then develop a soft increase of 10% over the course of 3 years, as a suggestion, for the annual licensing fee. All fees should be the same, fo principal and non-principal owners.

Many others have wrote to you on the positive impact of tourism str's have on the City of Victoria. Travellers want to come here, and they want a hotel alternative. I will not go into detail on this subject matter in this letter, however I did want to say our agency is a minimum one week rental, whereby most travellers who stay for one week or more do not tend to stay in hotels, thereby not affecting the hotel industry. We have wrote to council before. My husband and I relocated to Victoria from Saskatchewan after purchasing this business in 2015. City Life Suites Ltd. is our business, our sole income, our ways and means. We work very hard for our owners, the travellers who visit Victoria, and we employ cleaners, tradesman, servicemen, etc. through our agency. We are proud entrepreneurs who with one fail move by the City, by imposing this punishing fee increase of \$1500, will obliterate our business. **We plead with Mayor and Council, do not pass this proposed business licence fee of \$1500 (Principal vs Non-Principal Residences). Please consider an alternative proposal that I have laid out in paragraph three.**

Most Sincerely,  
Melissa Frank  
Rod Carroll

--  
City Life Suites Ltd.  
Self-Catering Vacation Rentals in Downtown Victoria BC  
[Trip Advisor/FlipKey's Top Vacation Rental Victoria, BC 2011, 2012, 2013, 2014, 2015](#)  
<http://www.citylifesuites.com>  
<http://www.citylifesuites.co.uk/>  
E-mail [stay@citylifesuites.com](mailto:stay@citylifesuites.com)  
Phone [REDACTED] Pacific Time  
[Follow Us On FaceBook](#)

**Lacey Maxwell**

---

**From:** Ellen Henry [REDACTED]  
**Sent:** February 21, 2018 4:46 PM  
**To:** Victoria Mayor and Council  
**Subject:** Fwd: Short Term Rentals and a Hot Tourism Sector

Good afternoon,

I am forwarding an email I sent to you last month as I understand you will be reviewing this matter at tomorrow's meeting. I see that staff is recommending a licence fee of \$1500 for STRs that are not principal residences. I strongly disagree with this recommendation. It is not the job of one sector to cover enforcement costs and this fee is punitive. Why should a one bedroom STR pay more in licence fees than does a hotel?

In light of the recent Airbnb agreement which would see revenues generated to support affordable housing, it would appear that the City of Victoria is trying to stifle this initiative. Fewer licenced, tax collecting STRs means less money for this affordable housing budget. If anything you should be encouraging moves to add to housing stock. Why not come up with incentives for those who do decide to provide long term housing rather than punish those who don't?

I encourage you to reconsider the hard line the City has taken against STRs, especially by reducing the licence fee.

Thank you,  
Ellen

----- Forwarded message -----

**From:** Ellen Henry [REDACTED]  
**Date:** Thu, Jan 18, 2018 at 8:38 AM  
**Subject:** Short Term Rentals and a Hot Tourism Sector  
**To:** [mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca)

Good morning,

Tourism reports show that 2017 was another incredible year for the industry. After a number of years of solid growth, we are poised for more in 2018. However, staying in this city is in danger of becoming something only available to the wealthy. With hotels already near capacity and more closing to convert to long term housing, there is more pressure on room rates to rise. Tourism Victoria, nudged along by the hotel lobby, is delighted with this situation and reticent to allow any competition for hotels. Those travelling with children will be hard pressed to find affordable places to stay. When more than one bedroom is needed, rates of \$200 per night per room make our City off limits.

An alternative for families and for those who prefer a more home like accommodation option is short term vacation rentals. This is an excellent time for the City to work together with the growing short term rental industry to nurture growth of accommodation options.

Instead, the vacation rental industry is under attack in a short sighted move to solve the long term housing crisis. This is the wrong target not only for the above reasons, but also because the situation we are in was not caused by STRs. It was caused by many years of decisions that created an atmosphere where rental housing was not being built. We are now playing catch up, as are cities across Canada, and that unfortunately will take time.

I applaud the City's actions in streamlining zoning for "garden suites" and encouraging other innovation such as the proposal for 1126 Rockland to add 6 more rental units within the existing footprint. I also support cracking down on STRs in areas where the zoning never intended for their existence and they are creating a problem for residential neighbourhoods. The City squandered its ability to deal with this by not enforcing the existing bylaws and instead passing the harsh new policies in September. There are many other ways the City can encourage an increase in long term rental stock. Attacking the STR industry and hampering tourism growth is not one of them.

At our AGM last night, The Union passed some bylaws to help better manage STRs in the complex. I know that some buildings have issues with poorly managed units and stratas do have the ability to create rules and bylaws around this. A heavy handed approach by the City is not required.

There are many more measured steps that can be taken to address the long term housing challenge. I encourage you to explore other ideas and focus less on hampering the already at capacity tourism accommodation sector by shutting down STRs.

Thank you,  
Ellen

--

Ellen Henry

Mobile: [REDACTED]

Email: [REDACTED]

--

Ellen Henry

Mobile: [REDACTED]

Email: [REDACTED]

**Lacey Maxwell**

---

**From:** Nancy Paine [REDACTED]  
**Sent:** February 21, 2018 9:38 PM  
**To:** Victoria Mayor and Council  
**Subject:** STVR Regulation

Hello Mayor & Council,

My name is Nancy Paine and I own and operate SpaceHost, a service company that helps clients with their short term rental properties. I've addressed several members of council (those involved in the discussion on this issue) about my concerns with the proposed regulation. Many of my clients have shared their perspectives with me and I was especially moved by this letter, which I wish to share with you in advance of your meeting on the issue tomorrow, February 22, 2018:

*I am writing to register my concern and objection to the proposed zoning for short term rentals in Victoria and to explain the affect that it has on us individually but also on others.*

*We purchased our house over 35 years ago for well under \$50K. We had 4 young boys. They are now grown up with families of their own. We added a kitchen to the downstairs some time ago so our growing children could use this as their own space while transitioning into adulthood and when they have needed a place to live from time to time. We are still in that same house which holds for us a lifetime of memories. We would like to stay here as we are part of a community of neighbours who are friends, most of whom we have known for over 30 years. Our children have grown up together and we have supported each other through life's ups and downs over the years. Studies on the Determinants of Health have pointed out that it is exactly this kind of stable community support has a marked positive affect on people's health outcomes and allowed them to stay in their own homes without having to move into care facilities.*

*At this time in our life, the costs of servicing a personal line of credit, maintenance, taxes, etc. are becoming prohibitive. As we are retired now, our incomes are entirely based on our pensions. We have been subsidizing our income by renting out our extra space on Airbnb while also being able to block off time to use that space when family or friends come from out of town to visit. We happily pay taxes on that income and would pay any extra taxes from the City to continue. We have no interest in long-terms rental to strangers and don't feel we should be forced into this by unfair zoning.*

*I understand that Council has now decided to enforce some restrictions on short term rentals with the aim of forcing more owners to lease their space for long term rentals as a way of 'freeing up' rental space. What I find unfair and inappropriate is how these restrictions have been applied. People who have purchased apartments in the downtown area, most of which they have never lived in, for the sole purpose of short term rental, have been 'grandfathered' while those of us who have lived in our communities for years and are looking only to subsidize our incomes so that we can remain there, have been denied this designation.*

*So why is that? It seems to me that many of the apartments within the downtown core have been sold by developers to people whose sole purpose is to generate income from them. If these owners could not continue this practise, there would likely be a sell-off of many of these apartments. This in turn would drive down the prices of the many new apartments currently being built in the designated City centre. So a decision has been made by Council that favours the absentee landlords and developers to the detriment of many householders who are either trying to continue living in their own houses or others who are trying to get into an overinflated market for a house by using some of their space for short term rental income.*

*To effectively push people out of houses that they bought originally as HOMES, not as investments, and instead support investors who run their properties as business and developers who have sold them as such, seems blatantly unfair.*

*My suggestion would be that if you are going to 'grandfather' short term rental units in the downtown core, that you include all existing short term renters in the surrounding communities. Another suggestion is to undertake an in-depth study on some proper measures that can be taken to provide affordable housing in Victoria without, intentionally or unintentionally, forcing current homeowners from their homes.*

On behalf of this client and many others in the industry, please consider the harsh impact that your proposed regulation will have on many of your constituents. My clients are keen to work with the city and feel that the recent taxation decision to work with the STVR industry to mutual benefit is a step in the right direction. The proposed regulatory framework from your council does not work with the industry in a collaborative way but a combative one. I hope that this issue will be given more thoughtful



consideration by council and staff as this is a very complex issue with the livelihoods of clients such as the one above hanging in the balance.

Sincerely,

Nancy Paine  
CEO SpaceHost



**NANCY PAINE** CEO Co-founder



spacehost.ca

February 22, 2018

Dear Mayor and Council,

Further to my written submission to the Committee of the Whole meeting of November 23, 2017, I would like to re-iterate our Coalitions' position, specifically those of strata owners, on the proposed Short-Term Rental (STR) Regulation Bylaw.

Many strata owners, and more importantly strata corporations still believe that the City of Victoria has no right to grant a residential strata lot owner a commercial business license to operate what is a commercial activity in a strata lot that is titled 'residential' under the Land Title Act, and is a central tenet under the Strata Property Act.

However, I believe that city staff has attempted to take a balanced approach to these overlapping legislative jurisdictions by including the following section in the STR Regulation Bylaw:

- (d) if the premises where the short-term rental will be offered are located within a strata lot, provide a letter from the strata council confirming that provision of short-term rental does not contradict any bylaws of the strata corporation or applicable provisions of the Strata Property Act; and

From our Coalition strata partners perspective, the requirement to seek and secure permission from the strata corporation before a STR business license can be granted is substantial, and is key to keeping the spread of STVR's in check within a strata. As I have mentioned before, it was our legal counsel that stated, firmly, that the city cannot license a use that is contrary to a strata's bylaws. City staff have quite rightly incorporated this requirement into the STR Bylaws.

I encourage Council to approve the current Short Term Rental Regulation Bylaws, as presented for 1<sup>st</sup> and 2<sup>nd</sup> readings, specifically Section D, in its entirety, as described above.

Eric Ney

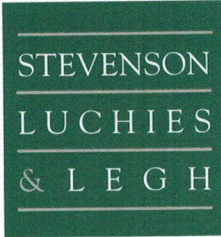
Citizen Coalition Against Short-Term Vacation Rentals

Facebook: [www.facebook.com/yyjagainststvr](http://www.facebook.com/yyjagainststvr)

Twitter: [twitter.com/yyjagainststvr](https://twitter.com/yyjagainststvr)

Petition: [http://www.victoriavoice.ca/restrict\\_short\\_term\\_vacation\\_rentals](http://www.victoriavoice.ca/restrict_short_term_vacation_rentals)

February 22, 2018  
File #14480-22



Barristers & Solicitors

**TELEPHONE**

250 381 4040  
604 569 0654  
888 381 8555

**FACSIMILE**

250 388 9406  
604 687 8996

**EMAIL**

LAWYERS@SLL.CA

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CANADA V8W 1E1

**VANCOUVER**

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938 HOWE STREET  
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CANADA V6Z 1N9

**WESTSHORE**

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BRITISH COLUMBIA  
CANADA V9B 3V5

**SOOKE**

6689 SOOKE ROAD  
(DIRECT CORRESPONDENCE  
TO VICTORIA OFFICE)

Reply to: Justin J. Hanson  
Downtown Office  
Phone ext. 2508  
hanson@SLL.ca

Legal Assistant: Melissa Gunson  
Phone ext. 2521  
melissa@SLL.ca

**Victoria City Hall**  
1 Centennial Square  
Victoria, BC V8W 1P6

Dear Victoria City Council:

**Re: Proposed Bylaw NO. 18-036 - Short Term Rental Regulation Bylaw**

It has been brought to my attention that the proposed bylaw NO. 18-036, SHORT-TERM RENTAL REGULATION BYLAW, contains the following provision as a requirement for licensing:

3(2) (d) if the premises where the short-term rental will be offered are located within a strata lot, provide a letter from the strata council confirming that provision of short-term rental does not contradict any bylaws of the strata corporation or applicable provisions of the Strata Property Act

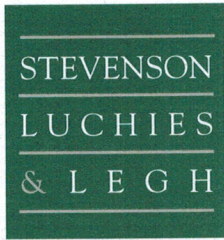
I must inform you that this provision would be very problematic for strata councils, strata owners and their underlying strata corporations.

Strata corporations, and in turn strata councils, are governed wholly by the Strata Property Act. The Act prescribes what information must be kept by strata corporations and what information must be provided upon the request of a strata owner. There is no requirement in the Act to provide information upon the request of an owner, or any other body for that matter, outside of the prescriptive sections of the Act. A letter as described by 3(2)(d) would fall outside any of these prescriptive sections of the Act.

Strata councils are under no obligation to provide any letter of any kind to an owner with respect to their interpretation of the strata corporation's bylaws. Further, no strata council would be in a position to offer an interpretation of any provisions of the Strata Property Act for the City's benefit. The prudent legal advice that would likely be provided to any strata council asked for such a letter would be to not respond, as there is no requirement to do so, and to avoid any liability that may arise from responding.

The City is in effect making a strata council an approving body for the issuance of a business license. The City is creating a requirement of a strata owner to seek approval from a strata council, and that strata council has no commensurate requirement to respond. Again, prudent legal advice to that strata council would be to not respond, as there is no statutory requirement to do so.





Barristers &amp; Solicitors

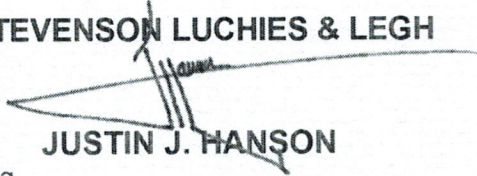
Consequently, the application process for the strata owner is frustrated through no fault of their own and through no fault of the strata council, but by the design of the City's application requirements. This in turn could lead to issues within the strata corporation itself.

As a strata lawyer who has drafted bylaws for many strata corporations to limit or ban short-term rentals I offer this perspective as someone who is interested in the responsible governance of strata corporations and their strata councils, not as someone who supports short-term rentals. Strata councils have a very demanding set of responsibilities as per the Strata Property Act. Trying to involve strata councils in something that is very much the City's business and that which falls outside of the prescribed activities of the Strata Property Act does not support the goal of promoting responsible governance within strata corporations.

For the reasons provided above, I would strongly recommend that you strike 3(2)(d) from the proposed bylaw. If you must involve strata corporations at all in your process, I would suggest that you replace it with a requirement to provide a copy of current bylaws and that your licensing officer be given adequate training to be able to identify those bylaws which would expressly restrict short-term rentals in a given strata building.

Respectfully,

**STEVENSON LUCHIES & LEGH**



**JUSTIN J. HANSON**

/mg



**Pamela Martin**

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**Subject:** FW: I can't make the March 8th meeting on amendments to short term rentals Victoria so please read

**From:** Mark Cammiade [REDACTED]

**Date:** February 27, 2018 at 2:20:21 PM PST

**To:** "[ccoates@victoria.ca](mailto:ccoates@victoria.ca)" <[ccoates@victoria.ca](mailto:ccoates@victoria.ca)>

**Subject: Fw: I can't make the March 8th meeting on amendments to short term rentals Victoria so please read**

**Subject:** I can't make the March 8th meeting on amendments to short term rentals Victoria so please read

Dear Mayor and Council,

I'm a long time resident of the Greater Victoria area. Two years ago my wife and I recently bought a house in the James Bay area and we love our neighborhood.

I totally understand and support councils efforts to improve the affordability of housing in our area.

Having said that, when my wife and I were looking for a new home, we felt that we could offset the very high mortgage payments on our home by putting a nice basement suite in it for Vacation rental so we looked for and found a perfect area for this.

We went to the City of Victoria's Permits Department and showed them our plans. We told them we were building it for a Vacation rental, they told us they didn't see any reason this would be a problem. When the building inspector, Lorne Bielle, came to see the suite's progress, we mentioned that we were doing it for a Vacation short term rental; he also said he knew of nothing wrong with our plan.

I agree that the City of Victoria can have it both ways, by charging the Vacation rental in-home suite owners the annual fee, of \$1,500 to allow their suite to be a short term rental.

The fee can go towards a subsidy or towards building apartments for lower income earners housing.

In the Times Colonist's article "B.C. Airbnb reach tax deal" it stated that the City of Victoria has lost 1,100 hotel rooms thus limiting the potential tourism revenues of businesses in the city, the article also mentions of sympathy for people who have run short term rentals in a basement suite as a mortgage helper, these rentals also help other groups using these units, for example the families of loved ones that are needing to be in a Victoria hospital for a short time. The city estimates there were 1,500 Vacation rentals in this area. If 1,000 of the short term rentals paid the annual fee, it would amount to 1.5 million dollars a year, which would be a substantial contribution towards the housing situation.

My wife and I would be proud to be part of this housing solution and sincerely hope that you are considering units in homes in areas that are more suitable to tourists as opposed to general workforce in the amendment **licence required** 3(b) \$1,500 for all short term rentals that do not qualify under paragraph (a).

Thank You for your time,

Mark Cammiade

613 Marifield Ave.

Victoria BC V8V 1N5

ph.# [REDACTED]

**Pamela Martin**

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**From:** Peter Bonyun [REDACTED]  
**Sent:** March 1, 2018 4:28 PM  
**To:** Public Hearings  
**Subject:** Short Term Rental Regulation ByLaw No. 18-036

Dear Mayor Helps and Councillors,

I am writing in support of this Bylaw that is being considered by council on Thursday, March 8.

I am convinced that passage of this Bylaw is fundamental to creating a healthy housing market in Victoria. From both an home ownership and long-term rental perspective, housing costs will be more reasonable for residents of the city if they are not competing with visitors for accommodation that can be provided by our local hotel industry. At the same time, investors in long-term rental real estate will retain an ability to realize returns consistent with historical standards. A return to investors from short-term rentals that is substantially above historical standards is not worth the harm created by widening the gap between the relatively well to do and those who are struggling to have a decent standard of living in our city. In the end, deterioration in the quality of life in Victoria would hurt all of us.

I urge you to vote in favour of this bylaw.

Yours truly,

Peter Bonyun  
737 Humboldt Street, Unit S707  
Victoria, BC V8W 1B1





**Lacey Maxwell**

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**From:** Ellen Henry [REDACTED]  
**Sent:** February 21, 2018 4:46 PM  
**To:** Victoria Mayor and Council  
**Subject:** Fwd: Short Term Rentals and a Hot Tourism Sector

Good afternoon,

I am forwarding an email I sent to you last month as I understand you will be reviewing this matter at tomorrow's meeting. I see that staff is recommending a licence fee of \$1500 for STRs that are not principal residences. I strongly disagree with this recommendation. It is not the job of one sector to cover enforcement costs and this fee is punitive. Why should a one bedroom STR pay more in licence fees than does a hotel?

In light of the recent Airbnb agreement which would see revenues generated to support affordable housing, it would appear that the City of Victoria is trying to stifle this initiative. Fewer licenced, tax collecting STRs means less money for this affordable housing budget. If anything you should be encouraging moves to add to housing stock. Why not come up with incentives for those who do decide to provide long term housing rather than punish those who don't?

I encourage you to reconsider the hard line the City has taken against STRs, especially by reducing the licence fee.

Thank you,  
Ellen

----- Forwarded message -----

**From:** Ellen Henry <[REDACTED]>  
**Date:** Thu, Jan 18, 2018 at 8:38 AM  
**Subject:** Short Term Rentals and a Hot Tourism Sector  
**To:** [mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca)

Good morning,

Tourism reports show that 2017 was another incredible year for the industry. After a number of years of solid growth, we are poised for more in 2018. However, staying in this city is in danger of becoming something only available to the wealthy. With hotels already near capacity and more closing to convert to long term housing, there is more pressure on room rates to rise. Tourism Victoria, nudged along by the hotel lobby, is delighted with this situation and reticent to allow any competition for hotels. Those travelling with children will be hard pressed to find affordable places to stay. When more than one bedroom is needed, rates of \$200 per night per room make our City off limits.

An alternative for families and for those who prefer a more home like accommodation option is short term vacation rentals. This is an excellent time for the City to work together with the growing short term rental industry to nurture growth of accommodation options.

Instead, the vacation rental industry is under attack in a short sighted move to solve the long term housing crisis. This is the wrong target not only for the above reasons, but also because the situation we are in was not caused by STRs. It was caused by many years of decisions that created an atmosphere where rental housing was not being built. We are now playing catch up, as are cities across Canada, and that unfortunately will take time.

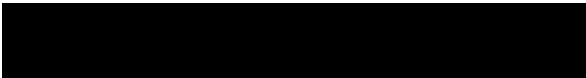
I applaud the City's actions in streamlining zoning for "garden suites" and encouraging other innovation such as the proposal for 1126 Rockland to add 6 more rental units within the existing footprint. I also support cracking down on STRs in areas where the zoning never intended for their existence and they are creating a problem for residential neighbourhoods. The City squandered its ability to deal with this by not enforcing the existing bylaws and instead passing the harsh new policies in September. There are many other ways the City can encourage an increase in long term rental stock. Attacking the STR industry and hampering tourism growth is not one of them.

At our AGM last night, The Union passed some bylaws to help better manage STRs in the complex. I know that some buildings have issues with poorly managed units and stratas do have the ability to create rules and bylaws around this. A heavy handed approach by the City is not required.

There are many more measured steps that can be taken to address the long term housing challenge. I encourage you to explore other ideas and focus less on hampering the already at capacity tourism accommodation sector by shutting down STRs.

Thank you,  
Ellen

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[Ellen Henry](#)



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[Ellen Henry](#)



**Alicia Ferguson**

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**From:** Public Hearings  
**Subject:** RE: proposed changes to bylaws (18-036 and 18-035) to regulate short term rentals

**From:** Peggy Hunter | David Bellows  
**Sent:** March 4, 2018 11:46 AM  
**To:** Public Hearings <PublicHearings@victoria.ca>  
**Subject:** RE: proposed changes to bylaws (18-036 and 18-035) to regulate short term rentals

**Victoria City Council**  
**RE: proposed changes to bylaws (18-036 and 18-035) to regulate short term rentals**

**I object strenuously to the proposed bylaws aimed at regulating air bnb. These bylaws are regressive and punitive. Moreover, they are being generated in a complete absence of data to evaluate the bigger economic and social impacts of such a backward decision (by a seemingly forward thinking city council) in a world where the sharing economy is so emergent.**

There is considerable data to indicate that air bnb benefits cities and their citizens.

**The sharing economy benefits the tourism industry** tremendously. Moreover, the sharing economy makes it affordable for people to travel to places like Victoria and to extend their stay here.

**Air bnb combats middle class income stagnation and helps homeowners afford their homes.** Most air bnb hosts are not operating 'businesses'; they are trying to survive economically in cities that have become increasingly unaffordable.

There is no evidence to suggest that the wealthy multinational corporations that run most of Victoria's hotels have suffered significant income loss due to air bnb. There is however, evidence to suggest that **hotels in municipalities where air bnb is used have responded by reducing prices, an impact that benefits all consumers**, not just participants in the sharing economy.

**While rental availability may be affected by air bnb in areas of the city close to tourist amenities, this has been attributed to a small segment (<10%) of air bnb hosts who have multiple listings available for full time air bnb.** The proposed bylaws penalize the >90% of air bnb hosts who are not running an air bnb business. **These bylaw amendments will drive homeowners (and tourists) out of the downtown core.**

**There is a very real need for short term rental.** People coming to Victoria for educational programs or business development, people between homes, people leaving relationships, people looking for housing need short term accommodation.

**Tax revenue collected at source (through air bnb on every rental) is administratively simple.** This air bnb revenue should be earmarked for development of affordable / rental / social housing. Targeting homeowners who use air bnb to subsidize their housing related expenses is punitive to an already financially challenged group of citizens. Moreover **policing homeowners and administering the collection of licence fees or fines is likely to be costly or ineffectual (or quite possibly) both.**

I urge Victoria councillors to focus their time, energy and precious taxpayer dollars on collecting tax revenues at source (VRBO / air bnb) rather than policing homeowners. Please **reconsider the bigger picture** and the overall impact socially, culturally and economically of every aspect of the shared economy before passing these truly regressive bylaws.

Respectfully  
P. Hunter  
Victoria BC





**Pamela Martin**

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**From:** Steve and Trish Young [REDACTED]  
**Sent:** March 6, 2018 3:45 PM  
**To:** Public Hearings  
**Subject:** Short-Term Rental By-Laws Public Hearing March 8 2018

Tuesday, March 6, 2018

Stephen Young  
1295 Walnut Street  
V8T 1N5

Dear Mayor and Council.

I no longer see the validity of enacting the Short-Term Rental Regulation Bylaw, as proposed.

At the September 22, 2017 Council meeting Councilor Ben Isitt said he was happy the bylaw amendment was adopted because it begins to address Victoria's low vacancy rate.

"I think we need these units for housing, and that's more important in my opinion than having these units used for commercial purpose of transient accommodation," he said.

However, according to a survey conducted in Seattle in December 2016, nearly all housing experts surveyed in Zillow's quarterly survey agreed short-term home rentals like those offered on Airbnb® and HomeAway® do not have a meaningful and large impact on housing affordability. Also, as it currently stands, the Province of BC is committing to the construction of 114,000 units in BC to help relieve the housing shortage, so the reason for Councilor Isitt's submission is, in my opinion, no longer a relevant or valid issue.

Isn't it also true that hundreds of new "rental-only" apartments are rapidly becoming available in new, downtown rental towers, such as the ones at Hudson Place? Predictions are that many more will soon be available as more and more of these apartment projects are completed. The housing "crisis" is just about over, so what is the real purpose of this STR bylaw?

In addition, it was earlier proposed by members of Council that any municipal taxes collected, as part of this new Bylaw would be allocated to easing the long-term housing "crisis" in our City. As it now stands, Mayor Helps has publicly stated that these taxes will NOT be allocated to offset the housing crisis but, instead will be transferred to Tourism Victoria in order for them to continue promoting our City as a tourism destination. This was not, in my opinion, the original intent and therefor nullifies the need for the punitive licensing fees proposed under these new regulations. So this transfer of funds indicates to me that there is NO housing crisis in our city that can be resolved through the new taxes derived from STR's.

As well, I feel extremely uncomfortable with the notion that license fees remitted by Short-Term Rental owners will be used to finance a third party "monitoring department" to watch for vacation rentals being operated contrary to zoning regulations. In other words, the fees will be used to "spy" on STR owners, so these owners will in fact be a means of funding a programme that is not in-place for any other business operations in Victoria where By-Law compliance comes out of general tax revenues.

I also ask, why it is that the \$1,500 fee would apply only to *downtown* units that qualify for legal non-conforming status and are grandfathered in? It would appear to me this is a move that is motivated by members of the existing downtown hotel industry (most of who see the bulk of their revenues transferred out of Victoria to large, multinational corporations (Marriott, Delta, Hilton etc.) to ensure that their dominant market position in Victoria is not compromised by the more affordable STR's.

Why is it that Councilor Isitt said when addressing Council "I think it is important for us to move forward with filling this regulatory vacuum that currently exists in ensuring that the impacts of these types of businesses are minimized on other residents of the city"?

Given my aforementioned comments, I fail to understand what impact STR's have on other residents of our city and, in fact, can only foresee a bylaw that punishes "the little guys" who have poured their life savings into property investments in the hopes that, someday, they would derive a source of income to support their pensions.

As well, it will have a huge impact upon potential visitors to Victoria, specifically those who cannot afford the exorbitant room rates charged by the hotel. What will happen to the working, middle-class visitors who wish to bring their families and children to Victoria for a holiday? The elimination of many of the STR's in the City means there will no longer be "room at the STR" for them. Instead they will either have to pay rates of anywhere from \$200 - \$400 per night, plus tips, plus parking, plus other "hotel guest charges", instead of approximately \$150 per night for a full apartment with kitchens, laundry facilities, free parking and more. The latter sector will now have to increase their rates to cover off the significant implementation fees and license fees, thus they will become less affordable to the working middle-class visitors, as well as those in need of affordable accommodations while loved ones and family members are hospitalized or in our City for other medical issues. Will this portend a huge downturn in those sectors of Victoria's visitors market? I predict that it will.

It should also be noted that the Snowbirds and other STR occupants offer a significant and valuable contribution towards the City's stated plan of creating a "vibrant downtown core." As the numbers of these visitors dwindle and eventually die, this will have a negative impact upon the downtown core.

Furthermore, should Victoria win the bid to host the 2020 Aboriginal Games, during which approximately 5,000 athletes, plus their friends, family members, coaches and chaperones may descend upon Victoria, where will they stay? Existing hotel capacity will not accommodate them all and without a good pool of STR's available to them, what is the City's plan for such an event?

Finally, the proposal by the Provincial Government to implement a "speculation tax" that will rise to 2% of property values next year for those who own rental condominiums will effectively kill the hopes and dreams of hard-working, honest, tax paying residents of our community, as this will apply to us as well as to outside investors. The "tax credit" that the government has hinted would be available will only benefit the high-income earners, but for the average property owner who makes only a supplemental income from their STR it will be negligible and will only serve to have a huge, negative impact upon them.

Think too about the BC Landlord Tenancy Act that was recently amended in November by the Provincial Government. No one will be encouraged to turn their properties into long-term rentals as the new regulations will prevent them from terminating the leases of tenants, even if they have signed "fixed-term" leases. Should one have undesirable tenants it will be almost impossible to end their tenancies.

In closing, while I agree that some regulations are required in the STR sector, I feel strongly that the licensing fees and the allocation of the municipal room taxes to support the local tourism "hotel" industry, instead of the originally intended fund to be directed at the "housing crisis," are unjust and uncalled for, will serve only to kill

our inbound tourism market and will have a huge negative impact on the associated employment and spending from which our City currently benefits as a result of our STR industry. I therefore urge Mayor and Council to amend the By-Law to ensure fairness in all tourism accommodations and related business sectors.

Respectfully Submitted  
Stephen Young  
Victoria Resident/Taxpayer

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**Pamela Martin**

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**From:** Tim Grant [REDACTED]  
**Sent:** March 6, 2018 1:23 PM  
**To:** Public Hearings  
**Subject:** Short Term Rental Regulation Bylaw

Dear Mayor and Council:

As you continue your deliberations regarding the Short Term Regulation Bylaw, I ask you to consider a revised approach that does not treat all owners in the same manner.

I understand the need for a license fee, and believe you have a duty to manage the same. However such a fee needs to align with the magnitude of the business / income. Taxes, various offences and many other fees are based on thresholds, why can't you develop a similar approach for this regulation? Such an approach is important to me because we only plan to rent our unit to recover tax and strata fees. Such may be a total of 1 month a year. The balance of the time is for our, and our family member's personal enjoyment. For me to be faced with the same license fee as someone who aims to rent a unit out for a full year is inequitable. Though it is easier for the Municipality to administer, such does not represent a fairness of approach. It will also not solve your housing crisis. It may have a reverse affect of pushing me to increase the number of short term rentals to recover costs. You can be sure it will not push me to long term rental scenarios. You already have created one of the more punitive pieces of regulations for landlords that I am aware of.

Your proposed action, combined with the Provincial Government's proposed Speculation Tax, is creating a very negative perception of your Province's view on the tourism industry. These combined actions will turn away tourist dollars, and for myself, send a very divisive message to Canadians about your Province welcoming tourist dollars and investment.

Please consider a right and fair measure that is aligned with the degree to which owners rent out their properties.

Thank you for your attention,

Regards,

Tim Grant



**Monica Dhawan**

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**From:** Ken McKellar <[REDACTED]>  
**Sent:** Thursday, March 08, 2018 9:12 AM  
**To:** Victoria Mayor and Council  
**Subject:** Business license changes

Dear Mayor,

If your objective is to get short term rental suppliers to pull out of Victoria this is the way to do it.

I also spend two months a year in beautiful Victoria with my family in our condo and our friends and relatives have been coming from the UK to spend time in Victoria for several years.

However, our rental only matches our expenses on fully booked months, so it would not make sense to keep this property if this huge increase to the business license goes through.

I would miss coming every year, and you would be losing many future visitors.

I hope this increase is kept to a minimum.

Ken McKellar  
603  
728 Yates Street  
Victoria

**From:** Ellen Henry <[REDACTED]>  
**Sent:** Wednesday, February 21, 2018 4:46 PM  
**To:** Victoria Mayor and Council  
**Subject:** Fwd: Short Term Rentals and a Hot Tourism Sector

Good afternoon,

I am forwarding an email I sent to you last month as I understand you will be reviewing this matter at tomorrow's meeting. I see that staff is recommending a licence fee of \$1500 for STRs that are not principal residences. I strongly disagree with this recommendation. It is not the job of one sector to cover enforcement costs and this fee is punitive. Why should a one bedroom STR pay more in licence fees than does a hotel?

In light of the recent Airbnb agreement which would see revenues generated to support affordable housing, it would appear that the City of Victoria is trying to stifle this initiative. Fewer licenced, tax collecting STRs means less money for this affordable housing budget. If anything you should be encouraging moves to add to housing stock. Why not come up with incentives for those who do decide to provide long term housing rather than punish those who don't?

I encourage you to reconsider the hard line the City has taken against STRs, especially by reducing the licence fee.

Thank you,  
Ellen

----- Forwarded message -----

**From:** Ellen Henry [REDACTED]  
**Date:** Thu, Jan 18, 2018 at 8:38 AM  
**Subject:** Short Term Rentals and a Hot Tourism Sector  
**To:** [mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca)

Good morning,

Tourism reports show that 2017 was another incredible year for the industry. After a number of years of solid growth, we are poised for more in 2018. However, staying in this city is in danger of becoming something only available to the wealthy. With hotels already near capacity and more closing to convert to long term housing, there is more pressure on room rates to rise. Tourism Victoria, nudged along by the hotel lobby, is delighted with this situation and reticent to allow any competition for hotels. Those travelling with children will be hard pressed to find affordable places to stay. When more than one bedroom is needed, rates of \$200 per night per room make our City off limits.

An alternative for families and for those who prefer a more home like accommodation option is short term vacation rentals. This is an excellent time for the City to work together with the growing short term rental industry to nurture growth of accommodation options.

Instead, the vacation rental industry is under attack in a short sighted move to solve the long term housing crisis. This is the wrong target not only for the above reasons, but also because the situation we are in was not caused by STRs. It was caused by many years of decisions that created an atmosphere where rental housing was not being built. We are now playing catch up, as are cities across Canada, and that unfortunately will take time.

I applaud the City's actions in streamlining zoning for "garden suites" and encouraging other innovation such as the proposal for 1126 Rockland to add 6 more rental units within the existing footprint. I also support cracking down on STRs in areas where the zoning never intended for their existence and they are creating a problem for residential neighbourhoods. The City squandered its ability to deal with this by not enforcing the existing bylaws and instead

passing the harsh new policies in September. There are many other ways the City can encourage an increase in long term rental stock. Attacking the STR industry and hampering tourism growth is not one of them.

At our AGM last night, The Union passed some bylaws to help better manage STRs in the complex. I know that some buildings have issues with poorly managed units and stratas do have the ability to create rules and bylaws around this. A heavy handed approach by the City is not required.

There are many more measured steps that can be taken to address the long term housing challenge. I encourage you to explore other ideas and focus less on hampering the already at capacity tourism accommodation sector by shutting down STRs.

Thank you,  
Ellen

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Ellen Henry

Mobile: [REDACTED]  
Email: [REDACTED]

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Ellen Henry

Mobile: [REDACTED]  
Email: [REDACTED]

**From:** [REDACTED]  
**Sent:** Thursday, March 01, 2018 10:50 AM  
**To:** Victoria Mayor and Council  
**Subject:** Short-Term Rental Regulation Bylaw No. 18-036

To Mayor and Councillors:

I live in the Belvedere condominium on Humboldt street, and prior to passing a bylaw limiting the rental period to one month, we were plagued with a number of problems with short-term vacationers. The problems included setting off fire sprinklers, garbage strewn in stairwells, bicycles in lobby and hallways, noisy parties, and distraction of caretaker from his regular duties.

I therefore strongly urge the approval of the subject Bylaw No. 18-036 at the forthcoming Council meeting.

Thank you  
Laurence Mackett

**From:** Peter Bonyun [REDACTED]  
**Sent:** Saturday, March 03, 2018 11:36 AM  
**To:** Victoria Mayor and Council  
**Subject:** Short Term Rental Regulation ByLaw No. 18-036

Dear Mayor Helps and Councillors,

I am writing in support of this Bylaw that is being considered by council on Thursday, March 8.

I am convinced that passage of this Bylaw is fundamental to creating a healthy housing market in Victoria. From both an home ownership and long-term rental perspective, housing costs will be more reasonable for residents of the city if they are not competing with visitors for accommodation that can be provided by our local hotel industry. At the same time, investors in long-term rental real estate will retain an ability to realize returns consistent with historical standards. A return to investors from short-term rentals that is substantially above historical standards is not worth the harm created by widening the gap between the relatively well to do and those who are struggling to have a decent standard of living in our city. In the end, deterioration in the quality of life in Victoria would hurt all of us.

I urge you to vote in favour of this bylaw.

Yours truly,

Peter Bonyun  
737 Humboldt Street, Unit S707  
Victoria, BC V8W 1B1



**Monica Dhawan**

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**From:** Sue Candy [REDACTED]  
**Sent:** Sunday, March 04, 2018 3:11 PM  
**To:** Victoria Mayor and Council  
**Subject:** STVRs new bylaws

To the Mayor and the City Council

I would like to urge the City Council to postpone and re-evaluate the proposed re-zoning of the downtown core for STVR's.

I have read many of the submissions given by both sides as well as the report submitted to Council by the City officials to try and understand what motivated the City Council to move so swiftly on this issue?

Our immediate family consists of 2 retired boomers and 2 working, professional children. Between us, we own 4 condos in downtown Victoria, purchasing our first one in 2007. In the last 10 years, 3 of our family members have lived in these condos for between 3 and 7 years. We have also used them as STVR's and for longer term rentals. Currently, 2 are registered as STVRs and 2 have longer term tenants. My partner and I have (and still serve) on the strata councils of two separate buildings. I believe that my perspective has been gained through my experience as a **landlord, strata council member and tenant** in the downtown area of Victoria. I do not have the narrow perspective of just one stakeholder group.

My experience has been the following:

- **STVR tenants are quieter, more respectful of my properties and the strata rules than long term tenants and there is far less wear and tear on the property.**
- The "issues" of noise, damage, "increased security risks", etc. put forward by concerned persons are largely a prejudice and not borne out by experience. **90% of the complaints received on our strata councils were about long term tenants.**
- **The STVR tenants spend far more \$/day in our city than the "residents"**. This might be obvious, but worth mentioning it for the benefit of Council who is serving the interests of **ALL** the stakeholders in Victoria. ie. that includes restaurants, retail outlets and other tourist businesses, not just "concerned citizens" and possibly hotels.
- when discussing the concerns of owners, tenants and other strata council members wrt STVRs, most of them are based more on feelings, prejudice and popular myths rather than facts and figures.

**Furthermore, our family travels to many parts of the world** and we very seldom use hotels; our primary accommodation is booking private, self contained accommodation through AirBnB. If a region has no private accommodation, we skip it and go somewhere else. We do not want to rent a room in someone else's house. We believe that many baby boomers and young professionals who are traveling feel this way. Feedback from our guests is that once they have stayed in self contained, private accommodation with a kitchen, they will never stay in hotels again. If Victoria stops offering this type of accommodation, tourists will choose another destination ..... they will not book hotels or rent a room in a house instead. There are always plenty of other destinations to choose from. If Victoria stops catering to this huge, fast growing sector of the tourist market, the whole city will lose out on tourist dollars. We canvassed a lot of our friends and guests, who said the same thing. **I believe we represent the fastest growing segment of the tourist market which is why AirBnB has blossomed and why the AirBnB market in downtown Victoria has grown so rapidly in recent years.**

I will not re-iterate the many points from both sides. However, I would like to make some observations on the process and the way the City has approached this issue. I was under the impression that the Council was there to serve the interests of ALL stakeholders in the City, not just specific groups. My observations are:

1. that the quality and scope of the pro-STVR group had a much wider perspective on the issues, were well supported by documented evidence and tried to address the needs of a wider group of stakeholders (see David Langlois, Michael & Karyn Allard, AirBnB and David Chard as examples).
2. The report to Council by the City officials appeared to address a very narrow view of the issues and based on some discussions and "experiences" of a number of other municipalities. The main focus seemed to be on whether STVRs were reducing inventory available to long term renters and driving up prices and whether they are competition to hotels. I saw virtually no hard statistics, surveys, etc. to support the findings of the report. There appeared to be no evidence that hotels were suffering negatively as STVRs appeal to a different type of tourist including "snowbirds". There was no attempt to look at creative options being considered by other cities, eg. Seattle. There was no analysis of the wider implications to other stakeholders like tourism, restaurants, retail, etc.

3. The submissions by the anti-STVR group (eg. Eric Ney, petitioners on the streets, community groups, etc.) were not supported by data, statistics, etc. In fact, they were often based on prejudice and/or perpetuating falsehoods based on rumour.

**In summary**, it appears to me that the City is reacting in a knee jerk, regressive fashion to a narrow group of vocal stakeholders creating negative publicity by using inflammatory language and accusations to guilt the City Council into feeling badly about the less advantaged. AirBnB, Uber, etc. are part of our new reality; we need to be creative in addressing these new realities, not reactive.

I am very disappointed that the Council would consider only the needs of a vocal minority group when the quiet, hard working majority, eg. local businesses, investors and taxpayers will be negatively impacted by such changes, not to mention loss of revenue to the City. With respect, this is Economics 101. For example, why not be creative and use some of the revenue generated by tourists to build affordable housing for the disadvantaged which would benefit everyone and the city as a whole?

**I believe the new regulations will not achieve their objectives because a lot of the newer buildings in downtown Victoria that have STVRs will still not be affordable for the low wage earners, even with the change in regulations. The net effect could be less \$ for the City (less tourists and low to no tourist growth due to a perception of Victoria being tourist unfriendly) and everyone is worse off. If STVR zoning is restricted to say 5 blocks of the inner harbour, the City will not lose tourists and there are still plenty of areas for long term renters to live in.**

Sincerely

Sue Candy



**From:** am lohner [REDACTED]  
**Sent:** Monday, March 05, 2018 1:29 PM  
**To:** Victoria Mayor and Council  
**Cc:** Ruth Annis  
**Subject:** please enact bylaws to ban short-term rentals

Please enact bylaws to ban short-term rentals (STRs) in new and existing condo buildings. STRs are bad for condo communities, imposing, as they do, transients on the regular residents and owners, transients who have no investment in the buildings or communities, communities that include children and the elderly.

The STR concept is a parasitic business model that feeds on the investments, both financial and interpersonal, that regular residents and owners make in their buildings and communities. STRs thus undermine communities and neighborhoods as well as hotels.

Hotels have systems in place for policing their guests to insure the hotel and its guests are not troubled by anyone's smoking, drinking, partying, criminal behavior, and excessive wear and tear on the building.

Stratas aren't designed to perform that policing function.

Even when transients are well behaved, they undermine the community by behaving as though they are in a hotel where a nod and a civil greeting is not necessarily required. But when those nods and civil greetings don't occur in a condo building, the community begins to disintegrate.

If condo buildings start filling up with STRs, an exodus of regular residents and owners will begin, and the buildings and downtown will deteriorate.

**Monica Dhawan**

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**From:** Catherine Campbell [REDACTED]  
**Sent:** Monday, March 05, 2018 8:21 PM  
**To:** Victoria Mayor and Council  
**Subject:** short term rentals

One of the reasons I bought in the Aria was because we do not allow short term rentals. This feature is very important to me, an older woman and I am against them. There are rental units under lease in my part of the building and most tenants are well behaved. There has been bad press about partying in a B and B atmosphere, and of those buying units with no intention of living in them, only to make money, where neighbouring condos are impacted by noise and disrespect. I'd hate to see that continue. Fair business licences and some authoritative regulatory body seems reasonable to me. I had envisioned spending the next 10 years here in peace. I hope that continues.  
C Campbell

**From:** Victoria Mayor and Council  
**Sent:** Wednesday, March 07, 2018 3:03 PM  
**To:** Victoria Mayor and Council  
**Subject:** FW: Condo Rentals.

-----Original Message-----

From: Karel Kuun [REDACTED]  
Sent: Monday, March 05, 2018 1:23 PM  
To: Victoria Mayor and Council <[mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca)>  
Subject: Condo Rentals.

To whom it may concern:

I'm a long term resident in the Humboldt Valley. I believe that the two proposals are both sensible and desirable.

Karel Kuun,  
#S1006 The Aria,  
737 Humboldt St.,  
Victoria V8W1B1.

[REDACTED]  
Sent from Karel's iPad



**Monica Dhawan**

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**From:** Miranda Jones [REDACTED]  
**Sent:** Monday, March 05, 2018 1:48 PM  
**To:** Victoria Mayor and Council  
**Subject:** STRs and public hearing Bylaw No. 18-036

Dear Mayor Helps and Council,

I would like to comment on section 3 (2) (d) of the above Bylaw.

Basically I would like to state that it is TOTALLY appropriate for a unit owner to seek the approval of their Strata Council before asking for a municipal business licence to operate an STR in the building in which they live. Each building has bylaws pertaining to their specific residential building and owners should KNOW whether an STR contravenes their own bylaws. People buy into a condo building knowing full well that they live communally and their actions affect all other residents. My husband and I live in a building where we have a bylaw restricting rentals to a six month minimum and this we knew before buying here.

Strata Councils SHOULD BE ALLOWED to have this authority and I think it is absolutely right that the Victoria City Council business licencing department should be able to SEE that the applicant has the approval of the strata council when making their application to have an STR.

Thank you for counting my opinion.

Sincerely,

Miranda Jones  
South 1006 - 737 Humboldt Street  
Victoria, BC V8W 1B1

[REDACTED]

**Monica Dhawan**

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**From:** Paul Rushton [REDACTED]  
**Sent:** Monday, March 05, 2018 4:04 PM  
**To:** Victoria Mayor and Council  
**Subject:** Short Term Rentals

I live in a downtown strata unit (Belvedere) and I fully support restricting short term rentals within strata buildings. Subjecting rentals of the entire unit to a substantial tax (\$1500/year) is reasonable as those owners are most likely intentionally competing (unfairly) with hotels. Allowing owners to rent out part of their dwelling, while they live there, should not be subject to that tax since those owners are likely using such revenue to supplement their income. I also support the requirement that owners planning to use their strata lot as a short-term rental provide a letter, from the relevant Strata Council, to the city stating such use does not contravene strata bylaws.

In general, I am supportive of all measures that restrict or prohibit short term rentals of **entire units**; however, rental of part of a unit **while the owner is present**, should be allowed.

Paul Rushton  
Owner in the Belvedere

**Monica Dhawan**

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**From:** Brent&Jennifer Baynton [REDACTED]  
**Sent:** Tuesday, March 06, 2018 5:21 PM  
**To:** Victoria Mayor and Council  
**Subject:** Short Term Rental Regulation Bylaw 18-036

Hello Mayor and Council

**re: Short Term Rental Regulation Bylaw 18-036**

Further to our correspondence on this topic during 2017, we urge you to follow through and vote to implement the proposed bylaws regarding Short Term Rentals.

We feel strongly that Victoria should implement measures and policies that encourage a high percentage of long-term residents in our city's residential buildings, versus policies that encourage investors and short-term visitors, who have other options for accommodation and investment. Long-term residents contribute to their buildings, their neighbourhoods and their cities in way that vacationers and investors simply do not.

Specifically, we feel it's reasonable for business licence applicants to provide a letter from their Strata Council, verifying that their intended usage doesn't contravene their strata's bylaws. We don't see the point in the City possibly approving an applicant's business licence, if the business is going to be operating against the rules of the very building that will house it. This will create even less clarity and much more angst, as all the parties try to figure out "who rules".

We also believe that the proposed fees are very reasonable.

Please continue to move in the direction of increased liveability, affordability and availability. These three issues are at the top of your mission and should continue to be paramount. When voting, please ask yourselves if your vote promotes these three concepts, or works against them.

thank you for reading our letter

Brent and Jennifer Baynton  
737 Humboldt St  
Victoria

**Monica Dhawan**

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**From:** webforms@victoria.ca  
**Sent:** Tuesday, March 06, 2018 10:37 AM  
**To:** Victoria Mayor and Council  
**Subject:** Mayor and Council email

From: Nancy and Terry Sherwood  
Email : [REDACTED]  
Reference : <http://www.victoria.ca/EN/main/city/mayor-council-committees/contact-mayor-council.html>  
Daytime Phone : [REDACTED]  
March 5, 2018

Mayor and City Council Members  
Victoria, BC

Re: Our Support for the Short Term Rental Regulation Bylaw

First, we would like to thank the Victoria City Council for the policy changes you enacted last Fall concerning Short-Term Vacation Rentals (STVRs). Our condo building (The Falls) of 155 units includes about 1/3 STVRs, but your new law has reduced the number somewhat. We now have permanent residents living above and below us. However, we still have a STVR unit beside us.

Second, we strongly support the Short Term Rental Regulation Bylaw on which you will vote March 8th. These regulations would be invaluable for encouraging owners to convert their STVRs to long-term rentals. Last summer a STVR visitor in the unit beside us flooded his place and 3 other units. Our condo, which is our permanent home, required three months to be restored after the flood. Strata insurance does not pay victims to live or eat outside their condo during the restoration. We were holed up in a single bedroom for most of the time during renovations. It is critical to prevent STVRs from invading the space of permanent or long-term residents.

Third, new long-term rental space will not be created unless you ban or, at least, regulate STVRs so that some owners will be encouraged to change their units to long-term rentals. The business tax is an excellent idea. As permanent owners, we already pay for extra cleaning of the building and garbage room and for extra security measures due to the STVRs. It is fitting that the city should receive tax money to monitor the STVRs and keep them honest.

Thank you for considering this letter.

Sincerely yours,

Nancy and Terry Sherwood  
1005-708 Burdett Avenue  
Victoria, BC

**IMPORTANT NOTICE:** This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The City of Victoria immediately by email at [publicservice@victoria.ca](mailto:publicservice@victoria.ca). Thank you.

IP Address: 24.69.134.149

**Monica Dhawan**

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**From:** Doug Boyd [REDACTED]  
**Sent:** Wednesday, March 07, 2018 2:26 PM  
**To:** Councillors  
**Subject:** Short Term Rental Regulations - Public Hearing - March 8  
  
**Categories:** STVR

Hello Council

I am writing to express my strong support for the Short Term Rental Regulation bylaw, which you will be voting on tomorrow evening. I am President of a Strata Council, that has by-laws preventing STVRs. Section 3(2)d of the by-law will further protect our interests as it would allow us to be aware of and object to an attempt by any owner or renter in our building to try and circumvent our by-laws. In my view, the provisions in the by-laws regarding licensing and fees are very reasonable, and very much needed for our community.

I am very interested in plans for enforcement of the licensing aspect, as this is key for successful implementation of this by-law.

Regards

Doug Boyd  
648 Herald Street



**Monica Dhawan**

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**From:** MK [REDACTED]  
**Sent:** Wednesday, March 07, 2018 11:48 AM  
**To:** Victoria Mayor and Council  
**Subject:** Concern about Short-term Rentals

I have been a downtown condo resident for seven years, as well as being an original Victorian, born-and-raised. I incur significant costs to own and maintain my condo downtown. I don't want my residence spoiled by short-term vacation rentals with the potential for neglect, parties, bylaw infractions and hotel-like behaviours. Please don't institute something that would contradict the strata bylaws that we have voted for. We have passed bylaws with a reasonable minimum term on rentals and would like to keep it that way.

MF Kearns  
737 Humboldt Street

Sent from [Mail](#) for Windows 10

**Monica Dhawan**

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**From:** ron proulx [REDACTED]  
**Sent:** Wednesday, March 07, 2018 10:40 AM  
**To:** Victoria Mayor and Council  
**Cc:** Aria Victoria  
**Subject:** Short term rentals

Dear Mayor and Council,

I own a condo at 737 Humboldt.

I do NOT want short term rentals - eg AirBnB style rentals - in my building.

I am from Toronto, and I have seen how it has ruined the lives of friends there who live and own in buildings that have allowed it.

Ron Proulx  
N511 737 Humboldt st. Victoria

**Monica Dhawan**

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**From:** Stewart Ballantyne [REDACTED]  
**Sent:** Wednesday, March 07, 2018 3:21 PM  
**To:** Victoria Mayor and Council  
**Subject:** STVR Bylaw

Dear Mayor and Councilors,

I am writing to urge you to vote in favour of the proposed bylaw (Short Term Rental Regulation Bylaw No. 18-036) to control the operation of STVRs in downtown condominium buildings.

Sincerely  
Stewart Ballantyne  
788 Humboldt St., Victoria

**Monica Dhawan**

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**From:** Steve and Trish Young [REDACTED]  
**Sent:** Wednesday, March 07, 2018 2:02 PM  
**To:** Victoria Mayor and Council  
**Subject:** Re: STR By Laws Public Hearing

March 07, 2018

As an addendum to my last E-mail, for inclusion in the Public Hearing surrounding the implementation of the new Short-Term-Rental By-Laws, I feel it is important for all to note the following.

As the intent of these new By-Laws is to limit, or indeed, eliminate the Short-Term Rentals in Victoria in the hopes that this will free-up many units so as to make more Long-Term Rentals available, I now pose the following question.

“Who on earth would want to be a Long-Term Rental landlord when it is no longer possible to end a fixed-term, or any other tenancy for that matter unless you, as a Landlord or a close family member wishes to take possession of the premises?”

It seems to me that there is absolutely NO incentive, in fact there is a HUGE disincentive for anyone considering to enter into a Long-Term rental agreement, to do so.

I quote the following from the recently amended BC Landlord Tenancy Act.

**Effective December 11, 2017, fixed term tenancy agreements can no longer include a vacate clause requiring a tenant to move out at the end of the term unless:**

- **The tenancy agreement is a sublease agreement; or**
- **The tenancy is a fixed term tenancy in circumstances prescribed in section 13.1 of the Residential Tenancy Regulation. This Regulation specifies situations where a landlord or landlord’s close family member plans in good faith to occupy the rental unit**

Sincerely,

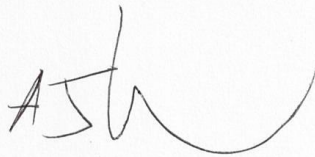
Stephen Young  
1295 Walnut Street

To Council and staff at the City of Victoria

March 8, 2018

I, *AJ McEwan*, of *The Cozy* would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.



*AJ McEwan*  
owner, 507-732 Cormorant St.





March 8, 2018

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

Dear Mayor Helps & Council,

**Re: Transient Zoning License Fees & Short-Term Vacation Rentals (STVR)**

I am writing to express my ongoing disappointment with Council's decision to essentially eliminate the Transient Zoning designation from downtown Victoria.

Over the past 15 years, my company has championed the urbanization of downtown Victoria. We have delivered close to 500 completed homes to date and are currently constructing an additional 466 rental, condominium and affordable condominium homes. Furthermore, we have submitted for approval for an additional 160 homes with more projects currently in the planning phase.

Every project is unique and has its own challenge. Every project contributes to the urban, economic and social fabric of Victoria. Further, every project has the ability to financially devastate a developer should unreasonable or new restrictions be placed upon it especially during the lengthy development process. Typically, a downtown project in Victoria has a lifespan of 5 to 7 years from securing a piece of land to moving the first residents into the building. While only 254 of Chard's 1,000+ homes developed, under construction or contemplated are designated as Transient Zoning, there is one in particular that will be significantly and negatively impacted by the elimination of that zoning.

Transient zoning has become more beneficial in recent years with the rise in popularity of web-based, STVR services. These services have directly contributed to economic investment in the City by tourists and part-time residents alike. With the elimination of Transient Zoning, I believe this council will send an unwelcome message to tourists, visiting professionals, students and part-time residents, resulting in undue economic hardship on downtown shops, services and restaurants. I remind Council to consider that only a few short years have passed since empty store fronts prevailed in downtown Victoria. I believe that the prevalence of STVR in those areas has directly contributed to downtown's revitalization.

Those visitors and part-time residents who were able to take advantage of transient accommodation provide significant economic benefit to the downtown core. The elimination of this alternative will surely encourage them to look elsewhere. The already strong occupancy rates of hotel accommodations are unlikely to be able to accommodate this demand. And while local hotel operators have expressed concern that the condominiums under construction in the City would provide more opportunity for STVR, thereby eroding their market, I would remind



Council that the majority of the new condominium or rental projects to the east of Blanshard Street are not designated as Transient Zoning. Rather, it is the Old Town area that provided the most significant share of the Transient Zoning and it is this area that has directly benefited from these rentals. The provincial government has recently provided these short-term rentals a means for tax correction which I consider to be a positive economic benefit for the Province.

Further, in recent years, the City of Victoria has proudly claimed a reputation as a thriving technology centre. Those who work in this industry are typically forward thinking, enthusiastically embracing modern day technologies like AirBnB that add value to their homes and their lives. The message sent by a decision that expressly thwarts these technologies seems counter to supporting said industry.

Finally, I believe that the removal of Transient Zoning for future projects within the previously designated area will reduce the number of new multi-family developments in downtown. Development projects are required to meet strict pre-sale targets to obtain construction financing. Those targets must be met within 9 months under the Real Estate Development Marketing Act. Historically, this has been a significant hurdle in Victoria and has relied on a projects ability to appeal to a diverse group of buyers, including investors. In areas designated with Transient Zoning, the participation of investors has significantly helped developers' chances of meeting those pre-sale targets. Whether local Victorians looking to invest in the downtown economy or out-of-province purchasers looking for a part-time home they can offer as short-term accommodation when not in use by them, these buyers have directly contributed to the success and development of numerous downtown projects. Without participation from this group, I fear that developments will fail to meet these pre-sale targets and will not be able to move forward.

Development is a complex business. Government intervention can be good and bad and must walk the line between regulation and complete restriction. While I do support the implementation of a flat fee payable by each operator of a STVR, regardless of whether it is their principal residence, or the number of units offered, in my view, Council's decision to eliminate Transient Zoning altogether has increased development risk and, I fear, will reduce the number of new housing units constructed.

I respectfully request that Council consider reinstating the Transient Zoning for the economic benefit of downtown Victoria.

Yours Truly,

A handwritten signature in blue ink, appearing to read 'David Chard', written in a cursive style.

David Chard

Cc: Director of Planning

To Council and staff at the City of Victoria

March 8, 2018

I, Darrell Epp, of #302-528 Pandora Ave, Victoria, would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

*Darrell Epp*

Pure Body Balance

#201 – 1621 Dufferin Cres.

Nanaimo, BC, V9S 5T4

March 8, 2018

Dear Mayor and Council,

I wrote my first letter to Mayor and Council about short-term vacation rentals in November 2014 in response to Sage Baker's presentation at the October 23rd meeting of the Governance and Priorities Committee, where Ms. Baker proposed a potential partnership between the City and Airbnb.

Now, more than 3 ½ years after my first letter, and nearly a dozen presentations to Council, I hope to find that this letter, is the last letter I ever write in the matter of short-term rentals now that Council is on the cusp of adopting the current Short-Term Rental Regulation Bylaw.

I ask, at this time, that Council unanimously support and adopt the current implementation of the regulations. These regulations are by no means perfect, and I still firmly believe that the City of Victoria has no right to grant a residential strata lot owner a commercial business license to operate what is a commercial activity in a strata lot that has been titled 'residential' under the Land Title Act. However, by adopting these STR regulations in their current form, will allow the city to collect, monitor and assess what the actual short-term rental impacts are in Victoria. Without a regulatory framework in place, we will only be left guessing what truly is happening.

As I reported earlier today, there are some property owners, who have received a heritage tax-exemption under the Tax Incentive Program, that are using their tax-exempt properties as de-facto hotels, rather than the required residential use under the conditions of TIP. The adoption of the STR Regulation Bylaw will provide an effective process for City staff to prevent these tax-cheats from obtaining a short-term rental business license and prospering at the expense of those residents of Victoria that pay residential taxes.

Those Council members that have been waiting for the results of the latest provincial budget before making a final decision on whether they would support these current STR regulations can now be assured that the province is taking notice of the short-term rental industry, but has not, nor are they likely to, develop a comprehensive policy of their own, other than requiring operators to collect applicable and local taxes.

From a strata perspective it is very encouraging to read that the Minister of Municipal Affairs and Housing, the Honorable Selina Robinson, recognized the significant negative impact that short-term rentals pose to strata in her 30-point plan for housing affordability. This recognition has led the Minister to propose changes to Strata Property Act "...empowering strata corporations to charge increased fines

and penalties against rule-breakers who disrupt people's sense of peace and housing security."

If the province recognizes that strata owners and strata corporations are taking the brunt of the sharing economy, then Councillor's are also needing to recognize these negative impacts as well, and by doing so should realize that only strong regulation and strong enforcement will minimize these impacts.

I look forward to the adoption of the Short-Term Rental Regulation Bylaw at this evenings Council meeting.

Best regards,

Eric Ney

Citizen Coalition Against Short-Term Vacation Rentals

Facebook: [www.facebook.com/yyjagainststvr](http://www.facebook.com/yyjagainststvr)

Twitter: [twitter.com/yyjagainststvr](https://twitter.com/yyjagainststvr)

Petition: [http://www.victoriavoice.ca/restrict\\_short\\_term\\_vacation\\_rentals](http://www.victoriavoice.ca/restrict_short_term_vacation_rentals)



To Council and staff at the City of Victoria

March 8, 2018

We, Frieda Fung and Sam Huang, of 306 528 Pandora Ave, Victoria BC would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

Signature



Frieda Fung and Sam Huang

Owner of 306 528 Pandora Ave, Victoria BC

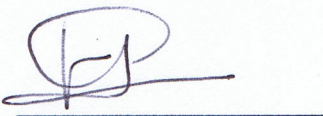
To Council and staff at the City of Victoria

March 8, 2018

I, George Dragun, of N606, 707 Courtney St., Victoria, would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

Signature,

A handwritten signature in blue ink, appearing to be 'G Dragun', written over a horizontal line.

George Dragun

N606, 707 Courtney St., Victoria

**Monica Dhawan**

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**From:** Neil Baird <[REDACTED]>  
**Sent:** Thursday, March 08, 2018 8:32 AM  
**To:** Victoria Mayor and Council  
**Cc:** [REDACTED]  
**Subject:** Proposed short-term rental regulations

>>  
>> Dear Mayor and City Council,  
>>  
>> I understand that Council is about to hold a public meeting to hear comments regarding your proposed new regulations governing short-term rentals in the city. In this letter I would like to say that while I agree that greater control needs to be brought to the present situation, I feel that the two-tier fee structure being proposed makes little sense and could very well cause more economic harm to the city than any possible benefits.  
>> My wife and I live in Victoria for about five months every winter. Then, during the summer months we try to rent it to visitors to the city for a minimum of one week at a time. I'm guessing that numerous other owners in the city do much the same thing. To abide by present city regulations, we have always obtained a licence to do this - now for \$120 per year.  
>> Now, I am not at all concerned about raising this fee by a small amount. I even think it would be reasonable to establish a per-bedroom rate. But to charge \$1500 per year, just because we don't live in our condo for the whole year makes no sense at all. The likely result of this excessive charge will either be the temptation to ignore it all together, or for Victoria to loose present and future residents like us who pay property taxes, hire Victoria-based people to look after our unit when we are not there and buy all sorts of goods and services during the winter months from Victoria businesses.  
>> I urge you NOT to proceed with the two-tier fee structure now being proposed. Instead, establish a uniform fee for all types of short-term rentals - perhaps on the basis of number of bedrooms rented - and set the fee at a level that makes sense from the city's and the owners' points of view. The present proposal is more likely to kill the golden geese than to produce more eggs.  
>>  
>> Yours sincerely,  
>> Neil Baird  
>> 751 Fairfield Road  
>>

To Council and staff at the City of Victoria

March 8, 2018

I, Naomi Tellerman, of N606, 707 Courtney St., Victoria, would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

Signature,

A handwritten signature in black ink that reads "Naomi Tellerman" with a stylized flourish at the end.

Naomi Tellerman

N606, 707 Courtney St., Victoria

To Council and staff at the City of Victoria

March 8, 2018

I, Courtney Hilverda, of Premiere Suites Victoria, would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

Signature

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

Courtney Hilverda

Premiere Suites Victoria

TH 1- 834 Johnson St, Victoria BC



To Council and staff at the City of Victoria

March 8, 2018

I, Guy Breckenridge, of 21 Erie Street, Victoria, BC, would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs, including: B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. Further, I motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local property owner, I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing and outcomes need to be recorded and published. Once sustainable routine in the program is established, quarterly detailed reporting would be recommended.



Guy Breckenridge, owner  
21 Erie Street, Victoria, BC

To Council and staff at the City of Victoria

March 8, 2018

I Ross Shortreed\_\_\_\_, of Remax Camosun would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

Signature



*Offices in Sidney, Chatterton, Oak Bay, Langford &  
Sooke*

*Residence: 528 - 203 Kimta Rd  
Victoria V9A6T5*

To Council and staff at the City of Victoria

March 8, 2018

I, Frederic Torres, of (732 Cormorant Unit# 506) would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.



732 Cormorant St, Unit# 506

Victoria, BC

V8W 3C8

To Council and staff at the City of Victoria

March 8, 2018

We, Dan Stein and Ravina Chandra, of 307-838 Broughton Street, Victoria BC would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. We do not agree with the proposed approach and would instead recommend that all short-term rentals be treated equally, using a licensing fee with a clear and transparent basis. Additionally, the fee of \$1,500 fee on non-primary residences seems like an unreasonably large increase, and \$150 would be more appropriate.

We support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed short-term rental program in a transparent manner. We do not think that the unregulated market as it currently exists benefits the city, and would like to see transparent reporting of these operations. Once the program is established and we can see how these changes have affected the city, detailed reporting on the short-term rental situation can be used to justify any more drastic changes.

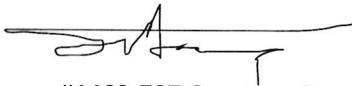
Dan Stein & Ravina Chandra

To Council and staff at the City of Victoria

March 8, 2018

I, Susan Ann Tong, of #1402-707 Courtney Street, Vancouver, B.C. would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.



#1402-707 Courtney Street, Victoria, B.C.



To Council and staff at the City of Victoria

March 8, 2018

We, Susan Jackson and Hubert Gajowski, of 301-528 Pandora Ave, Victoria, support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published publicly. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

Signature

A handwritten signature in black ink, appearing to be 'Susan Jackson', written in a cursive style.

Susan Jackson

Hubert Gajowski

March 6, 2018

**To Council and staff at the City of Victoria**

**Re.: Motion to amend the proposed licencing fee**

I, George Schuller, of B103 379 Tyee Road, Victoria, BC, V9A 0B4 would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.



George Schuller

**B103 379 Tyee Road,  
Victoria, BC, V9A 0B4**



March 7, 2018

**To Council and staff at the City of Victoria**

**Re.: motion to amend the proposed licencing fee**

I, Karin Conradi, of B103 379 Tyee Road, Victoria, BC, V9A 0B4 would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.



Karin H. Conradi

B103 379 Tyee Road,  
Victoria, BC, V9A 0B4



DR. PAUL C. TERLIEN

6190 ROOME RD,

DUNCAN BC V9L 4N6

To Council and staff at the City of Victoria

March 8, 2018

I, Dr. Paul Cullen Terlien, co-owner of 902-732 Cormorant street, Victoria B.C., support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

Yours sincerely



Dr. Paul C Terlien

To Council and staff at the City of Victoria

March 8, 2018

I, Frederic Torres, of (732 Cormorant Unit# 506) would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

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732 Cormorant St, Unit# 506

Victoria, BC

V8W 3C8





To council and staff at the City of Victoria

March 8, 2018

I, Ann Squires Ferguson, CEO of Western Interior Design Group Ltd, at 100-2105 Dowler Place, Victoria BC would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen, I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting if the program be mandated. For example, initially monthly reporting on the number of rentals checked in the month period, the findings, policing, and outcome be published. Once a sustainable routine in the program is established quarterly detailed reporting would be recommended.

Ann Squires Ferguson  
RID LEED-AP BID IDIBC IDC

**CEO, WESTERN INTERIOR DESIGN GROUP LTD.**

e:

c:

Celebrating 27 Years of Success! 1991-2018

Winner of the Victoria Chamber of Commerce Business Leadership Award 2017

To Council and staff at the City of Victoria

March 8, 2018

I, Ryan Canning, of 2551 Prior St, Victoria BC would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.



Ryan Canning

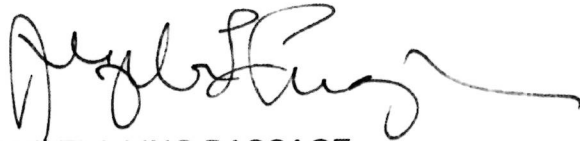
2551 Prior St, Victoria BC

To Council and staff at the City of Victoria

March 8, 2018

I, Angela Ling Bassage of 402-21 Dallas Rd, Victoria, BC V8V 4Z9 would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further support a motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request a further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.



ANGELA LING BASSAGE

402-21 Dallas Rd

Victoria, BC, V8V 4Z9

To Council and staff at the City of Victoria

March 8, 2018

I, Terence Parry Scandrett of 402-21 Dallas Rd, Victoria, BC V8V 4Z9 would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further support a motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request a further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

A handwritten signature in black ink, appearing to read 'T. Scandrett', written in a cursive style.

TERENCE PARRY SCANDRETT

402-21 Dallas Rd

Victoria, BC, V8V 4Z9


To Council and staff at the City of Victoria

March 8, 2018

I, Daryl Goudie, of (707 – 373 Tyee Rd) would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

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Tax Roll #13-079-292



Daryl Goudie



March 6, 2018

To the Honourable John Horgan:

john.horgan.MLA@leg.bc.ca

premier@gov.bc.ca .

CC: Mayor Stew Young - [dkiedyk@langford.ca](mailto:dkiedyk@langford.ca)

Dear Premier Horgan,

**RE: the Speculation Tax**

**We are NOT in favor of the Speculation Tax!** Our short term rental property, managed by Premiere Executive Suites of Victoria, is vital to the Victoria region. It has a **significant economic impact** to the retail and hospitality communities. Our guests purchase food, clothing, household items, entertainment and support restaurants, theatres, and tourism. Some guests participate in the business community involving commercial and industrial transactions. This property will not contribute to solving the homeless problem.

Like all people who have invested in British Columbia we are concerned about the issues of affordability and the rampant speculation that has been taking place in the city of Victoria and the province. Indeed, plans have been approved by the city of Victoria for building affordable housing as an extension to the current development at Dockside Green.

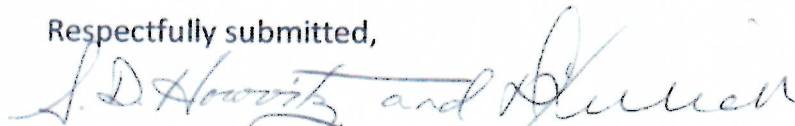
Unfortunately, the actions taken by the City of Victoria and the new proposed speculation tax do little to aid in affordability or to stop speculation but, instead, are killing the vacation rental industry that has been a strong part of the BC tourism economy for 25 years.

The vacation rental industry supplies tourism, jobs and boosts the economy of British Columbia. This new proposed tax is a punitive tax. We feel that B.C's NDP government **treating us Canadians as foreigners.**

We strongly hope that the proposed legislation is not passed and that a vacation rental industry working group of industry professionals is struck by the province to explore a way to address real estate speculation without eliminating an industry that employs thousands of British Columbians.

The proposed tax is a "**punishment tax**", designed to sharply discourage vacation home ownership. It is discriminatory and its motives are highly suspect and needs to be rescinded

Respectfully submitted,



Sidney Horovitz and Dianna Killick

A704 – 373 Tyee Rd, Victoria BC V9A 0B3

**DR CHRISTIAAN AVENANT**

1002 Pacific Place  
Duncan, BC, V9L5S5  
Fax/Phone: 250 715 0430  
Cell: 250 715 6343

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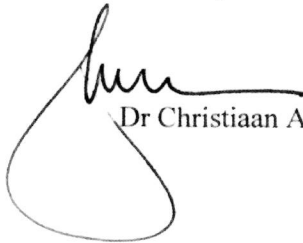
March 6, 2018

To Council and staff at the City of Victoria  
March 8, 2018

I, Dr Christiaan Avenant, owner of 907 732 Cormorant St, Victoria, would like to support a motion to amend the proposed licensing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licensing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

Sincerely



Dr Christiaan Avenant

To Council and staff at the City of Victoria

March 8, 2018

I, Elizabeth Swain, of 401-399 Tyee Rd in Victoria would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

Elizabeth Swain

6454 Willowpark Way

Sooke BC V9Z 1J9

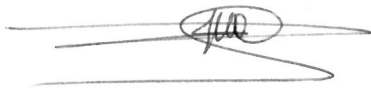
To Council and staff at the City of Victoria

March 8, 2018

I, Dakia Watson of Premiere suite would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

Dakia Watson



234 Johnson Street  
Victoria, BC V8W 1N3

To Council and staff at the City of Victoria

March 8, 2018

I, *Ann Stoessel*, of *Premiere Suites* would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

*Ann Stoessel.*

*#7 - 4061 Larchwood Dr.  
Victoria BC.*



To Council and staff at the City of Victoria

March 8, 2018

I, *Rachelle Kealey* of *Premiere Suites* would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

*Rachelle Kealey*  
*#1-1811 Oak Bay Ave*  
*Victoria BC*

To Council and staff at the City of Victoria

March 8, 2018

I, *Hannah Hale*, of *Premiere Suites* would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

*Hannah Hale*  
↳ *3980 Blenkinsop Road, Victoria BC*

To Council and staff at the City of Victoria

March 8, 2018

I, *Beverly Booth*, of *Premier Suites* would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

*Beverly Booth*  
*Premiere Suites Victoria*  
*4252 Moorpark Place*  
*Victoria, B.C.*  
*V8Z 6P2*

To Council and staff at the City of Victoria

March 8, 2018

I, *Dennis L*, of *Premiere Suites* would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

*Dennis L* March 7, 2018

*TH-834 Johnson street  
Victoria BC  
V8W 1N3*

Shane Onil David Boyce  
1040B Sutlej St  
Victoria, BC  
V9A 0B3

March 8, 2018

To Council and staff at the City of Victoria

I, Shane Onil David Boyce, of 1040 Sutlej St, would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned. I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.

Sincerely,





March 8, 2018

To City of Victoria Members of Council and Staff

Re: Licensing fees

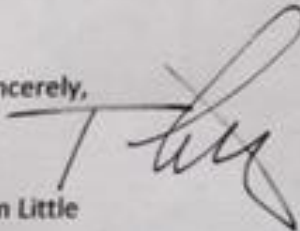
We are the owners of a strata Unit at 601 Herald Street in Victoria and would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria.

We believe that a level playing field ought to be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. Further, we request that Council amend the currently proposed fee from \$1500 to \$150 for all concerned. Imposing a massive increase to \$1500 doesn't at all fit with the otherwise progressive initiative the city is implementing.

We support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As business license holders helping to bring visitors and business operators to Victoria, we must say we are very disappointed in the city's record of policing the STR community and request that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked in the month period, the findings, policing, and outcome ought to be published.

Once a sustainable routine in the program is established quarterly detailed reporting could be recommended.

Sincerely,



Tim Little

Isla Carmichael

Lions Head, Ontario

To Council and staff at the City of Victoria

March 8, 2018

I, Tracy McEwan of *Premiere Suites Victoria* would like to support a motion to amend the proposed licencing fee currently being considered by City Hall Victoria. I suggest that a level playing field be established for all STRs including; B&Bs, AirBnB, VRBO, Hotels, vacation rentals and corporate rentals alike, with a single licencing fee that would encourage compliance and transparency. I further motion to amend the currently proposed fee on non-primary residences from \$1500 to \$150 for all concerned.

I support the city's initiative of auditing, policing, enforcing and most importantly reporting on the newly proposed STR program in a transparent manner. As a local citizen I am very disappointed in the city's record of policing the STR community and request or further motion that transparent reporting of the program be mandated. For example, initially monthly reporting on the number of rentals checked, the findings, policing, and outcomes need to be recorded and published. Once a sustainable routine in the program is established, quarterly detailed reporting would be recommended.



Tracy McEwan

TH #1, 834 Johnson St  
Victoria, BC  
V8W 1N3



City of Victoria  
1 Centennial Square  
Victoria BC V8W 1P6

Re: Short Term Vacation Rentals

March 8, 2018

Dear Mayor and Council -

UDI Capital Region is writing this letter to share our thoughts on the regulation of Short Term Vacation Rentals (STVR) in the City of Victoria including the licensing regime that is currently under consideration.

UDI was disappointed with the decision to remove vacation rentals from the definition of “transient accommodation” in the downtown core. This decision was made quickly and was premised on the belief that allowing STVR’s in the downtown core has a net detrimental impact on housing availability and affordability; a belief that has not been supported by sufficient evidence. The benefit of STVRs to restaurants, retailers, and other local businesses in the downtown core was also overlooked in the rush to limit STVR.

Housing affordability is a complex issue which will require collaboration between governments and private industry. In our view, increasing the supply and diversity of the housing stock in Victoria ought to be the focus of government. Restricting STVR in the downtown core has worked against this goal in several ways.

Removing STVRs from the downtown core has restricted the number of people willing to buy into in these project early on. This includes people dependant on additional income to enter the housing market at all and those interested in purchasing with a long term view of moving to Victoria.

Very often a project’s financing is contingent on achieving a successful pre-sale campaign early on in the marketing phase. If there is not sufficient pre-sales, then this increases the likelihood that the project will not come to market at all.

The change to the definition of “transient accommodation” has also resulted in projects planned for the downtown core to no longer be economically feasible, further restricting the supply and diversity of housing in Victoria. The recent announcement of the Speculation Tax by the Provincial Government further aggravates these challenges as it will make it more costly for Canadians outside of British Columbia to invest in British Columbia.

UDI supports the concept of licensing STVRs in order to level the playing field between traditional commercial hotels and individual operators. The recent initiatives announced between the Province of British Columbia and Air BnB for the taxation of these services makes sense for the same reason.

UDI is also supportive of allowing STRVs in principal residences as a home occupation. This provides people with another option to achieve housing affordability and enter the housing market.

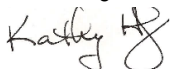
However, UDI is concerned with the approach to the licensing regime under consideration. The approach is based on an underlying assumption that allowing STVRs has a net detrimental impact on housing availability and affordability, and in particular, the approach is focused on deterring non-principal residence operators from offering STVR. UDI understands a two tier licensing fee is under consideration, with a \$150 fee applicable to principal residence operators and a \$1,500 fee applicable to non-principal residence operators. It is not clear whether the \$1,500 non-principal resident licensing fee will apply to each unit offered for STVR by a non-principal resident operator or will apply once to the non-resident operator regardless of the number of units offered for STVR.

A related concern is the recent removal of fixed term tenancies under the *Residential Tenancy Act*. People who own secondary properties and used to rent them out for a fixed term of less than a year, may not do so now. If a significant non-principal operator licensing fee applies to these same people, they may very well be encouraged not to offer STVR. The result is that properties which used to be rented may now sit vacant, which is detrimental to restaurants, retailers, and other local businesses.

UDI recommends implementing a flat fee, payable by each operator of STVR regardless of their principal residence and regardless of the number of units offered for rent. This approach will simplify the licensing regime, reduce the cost of enforcement by the City of Victoria, will support the increase of supply and diversity of the housing stock in Victoria, and will support local business in the downtown core for the reasons set out above.

We conclude our remarks by once again thanking the City of Victoria for the opportunity to comment and for the work staff, Mayor and Council have put into this issue.

Kind Regards,



Kathy Hogan – Executive Director  
(on behalf of the UDI Capital Region Board of Directors)





**REPORTS OF COMMITTEES****2. Committee of the Whole – February 22, 2018**

Mayor Helps withdrew from the meeting at 12:06 a.m. due to a potential non-pecuniary conflict of interest with the following item, due to her relationship with an AirBnB operator. Councillor Thornton-Joe assumed the Chair in her absence.

Councillor Lucas withdrew from the meeting at 12:16 a.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel.

Councillor Madoff withdrew from the meeting at 12:16 a.m. due to a pecuniary conflict of interest with the following item, as she runs a Bed and Breakfast in her home.

**5. Short-Term Rentals Business Regulations****Motion:**

It was moved by Councillor Isitt, seconded by Councillor Young, that Council:

1. Approve of the proposed short-term rental annual business licence fee of \$150 for principal residence and \$1,500 for all other short-term rentals;
2. Direct staff to bring forward the Short-Term Rental Regulation Bylaw at the February 22, 2018 Council meeting for introductory readings;
3. Approve holding an opportunity for receiving public comments on the proposed Bylaw in conjunction with the Public Hearing for Zoning Amendment Bylaw (Short-Term Rental Home Occupations) Bylaw No. 18-035; and,
4. Direct staff to report back to Council in Quarter 4 of 2018 with an update on the short-term rental program, including budget implications.

**Motion to permit speaker for a second time:**

It was moved by Councillor Isitt, seconded by Councillor Coleman, that Councillor Alto be permitted to speak to the question for a second time.

**On the motion to permit speaking for a  
second time:  
Carried**

**For:** Councillors Alto, Coleman, Isitt, Loveday, and Thornton-Joe  
**Opposed:** Councillor Young

**Amendment:**

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council:

That staff be directed to further investigate, and report back to Council on, the impact (if any) of recent provincial government agreements and/or policies on short-term rentals, and that consideration of these recommendations be postponed until receipt of that report.

**On the amendment:  
Defeated**

**For:** Councillors Alto and Coleman  
**Opposed:** Councillors Isitt, Loveday, Thornton-Joe, and Young

**Main motion:**

That Council:

1. Approve of the proposed short-term rental annual business licence fee of \$150 for principal residence and \$1,500 for all other short-term rentals;

2. Direct staff to bring forward the Short-Term Rental Regulation Bylaw at the February 22, 2018 Council meeting for introductory readings;
3. Approve holding an opportunity for receiving public comments on the proposed Bylaw in conjunction with the Public Hearing for Zoning Amendment Bylaw (Short-Term Rental Home Occupations) Bylaw No. 18-035; and,
4. Direct staff to report back to Council in Quarter 4 of 2018 with an update on the short-term rental program, including budget implications.

**On the main motion:**  
**Carried**

**For:** Councillors Coleman, Isitt, Loveday, and Young  
**Opposed:** Councillors Alto and Thornton-Joe

DRAFT



Mayor Helps withdrew from the meeting at 1:24 p.m. due to a potential non-pecuniary conflict of interest with the following item, due to her relationship with an AirBnB operator. Councillor Thornton-Joe assumed the Chair in her absence.

Councillor Lucas withdrew from the meeting at 1:24 p.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel.

Councillor Madoff withdrew from the meeting at 1:24 p.m. due to a pecuniary conflict of interest with the following item, as she runs a Bed and Breakfast in her home.

## 6. STAFF REPORTS

### 6.1 Short Term Rentals Business Regulations

Committee received a report dated February 15, 2018, from the City Clerk regarding proposed short term rental business regulations.

- Motion:** It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council:
1. Approve of the proposed short term rental annual business licence fee of \$150 for principal residence and \$1,500 for all other short-term rentals;
  2. Direct staff to bring forward the Short Term Rental Regulation Bylaw at the February 22, 2018 Council meeting for introductory readings;
  3. Approve holding an opportunity for receiving public comments on the proposed Bylaw in conjunction with the Public Hearing for Zoning Amendment Bylaw (Short Term Rental Home Occupations) Bylaw No. 18-035; and,
  4. Direct staff to report back to Council in Quarter 4 of 2018 with an update on the short term rental program, including budget implications.

**Postpone:** It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that staff be directed to further investigate, and report back to Council on, the impact (if any) of recent provincial government agreements and/or policies on short term rentals, and that consideration of these recommendations be postponed until receipt of that report.

On the motion to postpone:  
DEFEATED/18COTW

For: Councillors Coleman, Alto, and Thornton-Joe  
Against: Councillors Isitt, Loveday and Young

- Main motion:** It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council:
1. Approve of the proposed short term rental annual business licence fee of \$150 for principal residence and \$1,500 for all other short-term rentals;
  2. Direct staff to bring forward the Short Term Rental Regulation Bylaw at the February 22, 2018 Council meeting for introductory readings;
  3. Approve holding an opportunity for receiving public comments on the proposed Bylaw in conjunction with the Public Hearing for Zoning Amendment Bylaw (Short Term Rental Home Occupations) Bylaw No. 18-035; and,
  4. Direct staff to report back to Council in Quarter 4 of 2018 with an update on the short term rental program, including budget implications.

On the main motion:  
CARRIED 18/COTW

For: Councillors Coleman, Isitt, Loveday, and Young  
Against: Councillors Alto and Thornton-Joe





## Committee of the Whole Report For the Meeting of February 22, 2018

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**To:** Committee of the Whole **Date:** February 15, 2018  
**From:** Chris Coates, City Clerk  
**Subject:** Short Term Rental Regulations – Proposed Business License Fees

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### RECOMMENDATION

That Council:

1. Approve of the proposed short term rental annual business licence fee of \$150 for principal residence and \$1,500 for all other short-term rentals;
2. Direct staff to bring forward the Short Term Rental Regulation Bylaw at the February 22, 2018 Council meeting for introductory readings;
3. Approve holding an opportunity for receiving public comments on the proposed Bylaw in conjunction with the Public Hearing for Zoning Amendment Bylaw (Short Term Rental Home Occupations) Bylaw No. 18-035; and,
4. Direct staff to report back to Council in Quarter 4 of 2018 with an update on the short term rental program, including budget implications.

### EXECUTIVE SUMMARY

On September 21, 2017, Council approved a proposed short term rental regulatory framework, which included allowing short term rental in principal residences, subject to receiving a business licence and complying with operating requirements. Based on community feedback in the fall of 2017, as well as on-going data analysis, staff recommended finalizing business licence fees in Quarter 1 of 2018.

The proposed licence fees have been set at a level necessary to recover anticipated costs of administering and enforcing the proposed regulatory scheme. Four types of business licence fees are included in this report for Council's consideration and include:

- Tiered fee based on the number of bedrooms (e.g. studio, 1 bdrm);
- Tiered fee based on if the dwelling is the principal residence of the operator or not;
- One-time application fee with an annual licence fee; and,
- Flat fee, where all operators pay the same amount.

Based on additional analysis, staff recommend a two-tiered fee structure for principal residence and non-principal residence, which is consistent with the fee structure originally proposed in the September 21, 2017 report to Council. The tiered structure allows for use of fees to discourage short-term rental in non-principal residences. Additional program cost-savings have been identified, which has reduced the costs of business licence fees by 25% for principal residences and 40% for non-principal residences.



Operators who list their entire principal residence occasionally (e.g. while on vacation) and/or rent a private room while they are present would pay \$150 annually. Non-principal residences, including investment properties and second homes would be subject to a \$1,500 annual fee. Given the zoning changes approved by Council in September 2017, the \$1,500 fee would only apply to units that qualify for legal non-conformity based on provisions in the Local Government Act.

The proposed STR Regulation Bylaw is attached as Appendix A. A draft of the bylaw was included in the November 23, 2017 Committee of the Whole Report. The current draft includes minor drafting adjustments, the reduced fee amounts, and clarification that the responsible person must reside within a reasonable distance ( 2 hours travel time ) to the short term rental property.

Should Council approve of the staff recommendations, the new regulations are expected to come into effect in April 2018. Prior to this, new staff will be hired to implement the program and a third-party compliance monitoring firm retained. The regulations will be communicated widely throughout 2018 to ensure operators are aware of the changes and can pro-actively comply with the new rules. Staff will report back to Council six months after the new regulations are enacted in Quarter 4 of 2018 with an update on the program, including a reconciliation of costs to date and forecasts for future revenue and expenses.

## **PURPOSE**

The purpose of this report is to seek Council direction on the proposed business licence fees. Staff are also seeking approval to bring forward the Short Term Rental Regulation Bylaw at the February 22, 2018 Council meeting for introductory readings.

## **BACKGROUND**

### Previous Council Direction

On September 21, 2017, Council approved a proposed short term rental regulatory framework. The regulatory framework included allowing short term rental in a person's primary residence, subject to a business licence and compliance with operating requirements.

Council also approved an enforcement strategy, which involves engaging a third party monitoring service to proactively identify short term rental addresses and identify non-compliant operators. New City staff, both temporary and permanent will be hired to oversee the program, process new business licence applications and pursue enforcement action on all non-complaint operators such as fines, licence revocation and legal proceedings.

On November 23, 2017, based on community feedback and on-going analysis, Council approved finalizing business licence fees in Quarter 1 of 2018. The November report had proposed a fee of \$200 for principal residence and \$2,500 for non-principal residence, with the latter only applicable to legal non-conforming units. A draft of the Short Term Rental Regulation bylaw was also included in the November 23, 2017 report to Council.

This report responds to the following Council Motions from November 23, 2017:

1. Direct staff to report back to Council in Quarter 1 of 2018 with finalized short term rental business licence fees, in conjunction with the short term rental implementation plan.
2. Direct staff to bring forward the short term rental regulation bylaw in Quarter 1 of 2018 for introductory readings.



## ISSUES & ANALYSIS

### Business Licence Fees

City retained an external consulting firm to provide detailed analysis on existing and potential future short term rental use in the City. This information, coupled with the estimated costs to administer the program as well as anticipated compliance rates was used to develop business licence fee structures and amounts for Council's consideration.

Four options were developed:

- One-time application fee with an annual licence fee;
- Tiered fee based on the number of bedrooms;
- Tiered fee based on if the dwelling is the principal residence of the operator or not; and
- Flat fee

Table 1. Proposed Business Licence Fees

Fee Type	Category	Licence Fee (\$)
<b>Application Fee/ Annual Licence Fee</b>	Application Fee	\$115
	Annual Licence Fee	\$445
<b>Number of Bedrooms</b>	Studio	\$400
	1 bdrm	\$450
	2 bdrm	\$475
	3 bdrm	\$500
	4 plus bedroom	\$550
<b>Principal Residence/Non-Principal Residence</b>	Principal Residence	\$150
	Non-Principal Residence	\$1,500
<b>Flat Fee</b>	N/A	\$550

Staff recommend that Council approve of the two-tiered fee structure, which differentiates between whether the short term rental is the principal residence of the operator or not.

All of the options presented were developed to cover anticipated costs of administering the program. However, only the principal residence/non-principal residence option is able to meet multiple City objectives, including administrative simplicity, ease of enforcement and a high likelihood of voluntary compliance. Establishing a high fee for non-principal residence STR (e.g. investment properties or second homes) also discourages this type of commercial use, which Council has indicated is a priority due to its impact on the rental market. Consequently, by setting a higher fee for non-principal residence, the business licence fee for a principal residence STR can be kept extremely low making short-term rental a viable option for occasional use or as a source of supplementary income.

Alternatively, if Council seeks to treat all operators equally, staff recommend selecting an alternative fee option. However, it is important to note, that voluntary compliance is expected to decrease sharply the higher the licence fee is.

Table 2. Fee Structure Evaluation

Objective	Application Fee/ Annual Licence Fee	Number of bedrooms	Principal Residence/Non-Principal Residence	Flat fee
Cost recovery	✓	✓	✓	✓
Administrative simplicity	✓	X	✓	✓
Ease of enforcement	✓	X	✓	✓
Likelihood of voluntary compliance	X	X	✓	X
Promotes Council's objective	X	X	✓	X
Fee is proportional to revenue potential	X	✓	✓	X

#### STR Business Regulation Bylaw

The proposed STR Regulation Bylaw is attached as Appendix A. It is very similar to the draft bylaw presented to Council on November 23, 2017. The proposed Bylaw includes minor drafting adjustments, the reduced fee amounts, and clarification that the responsible person must reside within a two hour travel distance. If Council approves of the recommendations in this report, staff will bring the bylaw to the February 22, 2018 Council meeting for introductory readings.

In addition, under section 59 of the Community Charter, Council must provide an opportunity for the public to make representations to Council, and for Council to consider the process by which notice of the opportunity is provided. Because there are accompanying changes to the Zoning Bylaw associated with the Short Term Rentals, a public hearing is required. This creates an opportunity to combine the Zoning Amendment Bylaw Public Hearing and the Opportunity to make submissions to Council on the proposed Short Term Rental Regulation Bylaw. This could also include combining newspaper notices as an effective and efficient means of notifying the public of this opportunity.

#### Implementation Plan

Pending Council approval, the proposed short term regulations are expected to be enacted by April 2, 2018.

Additional staff have recently been hired to oversee the program, administer business licences and enforce the new regulations. An RFP will be issued shortly for the third-party monitoring and compliance firm. Staff will assess proposals in March and expect to issue a successful award in April. A strong communications plan, both in the lead-up to implementation and as the STR program rolls out will be undertaken, in order to demonstrate the City's seriousness in following through with compliance and enforcement and in achieving policy goals.

Staff will report to Council in Quarter 4 of 2018 to provide an update on the program, including updated costing and suggested improvements prior to business licencing renewal in 2019.



Table 3. Proposed Implementation Plan

Activity	Date
Committee of the Whole/Council/Bylaw Approval	February/March 2018
New staff begin	End of February 2018
RFP Issued for third-party monitoring firm	End of February 2018
Launch STR communications program	March 2018
Business licence application and process testing	March 2018
Third-party monitoring firm begins	April 2, 2018
STR regulatory framework enacted	April 2, 2018
Report back to Council with 6 month review of program	October 2018
First annual renewal of STR business licence	January 2019

## OPTIONS & IMPACTS

### Business Licence Fees

**Option 1 (Recommended): Approve of an annual business licence fee of \$1,500 for non-principal residence and \$150 for principal residence STR.**

This option is easy to administer as well as verify compliance as applicants will need to provide proof of principal residence at the time of submission of their application. The fee for principal residence has been kept as low as possible to encourage a high rate of voluntary compliance – a key component of a successful STR program.

Licence fees for non-principal residence have been lowered from original estimates but still kept high to discourage this type of STR activity due to its potentially negative impact on rental market. Because year-round rental of an entire unit STR can generate more revenue than principal residence, where STR is a secondary use, the higher fee is still considered affordable and reasonable.

Option 2: Council may approve an alternative fee structure and amount (not recommended).

Council may choose another fee structure and amount. Both the flat fee and the application fee with the annual licence fee treat all STR operators equally but that translates into higher fee amounts for all operators. Fees based on number of bedrooms charges slightly more based on potential revenue generation (i.e. more bedrooms) However, this fee option is the most difficult to administer as well as verify, so is not recommended.

### *Accessibility Impact Statement*

There are no impacts on accessibility associated with the recommendations contained in this report.

### *2015 – 2018 Strategic Plan*

This work is identified as a key priority in the Strategic Plan under Objective 6: Make Victoria More Affordable 2017 Actions: Strengthen policy and regulations related to Short Term Rentals.

### *Impacts to Financial Plan*

The objective of the licence fees is to achieve full cost recovery to administer the regulatory regime. This will be impacted by the level of compliance and enforcement efforts necessary. First year costs have been refined to approximately \$375,000 from an original estimate of \$512,000. The update report in Q4 will address the degree of cost recovery based on the uptake of licenses in the initial

term. At this point it is not clear what the degree of success will be initially. Costs and revenues will have to be monitored to identify whether any changes to the fees would be required going forward.

*Official Community Plan Consistency Statement*

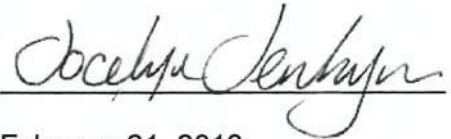
The recommended approach aligns with the directions in the Official Community Plan of "Land Management and Development" and "Housing and Homelessness"

Respectfully submitted,



Chris Coates  
City Clerk

**Report accepted and recommended by the City Manager:**



**Date:** February 21, 2018

**List of Attachments**

- Appendix A – STR Regulation Bylaw
- Appendix B – November 23, 2017 CoTW Report
- Appendix C - September 21, 2017 CoTW Report



## NO. 18-036

SHORT-TERM RENTAL REGULATION BYLAW  
A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to provide for the regulation of short-term rentals including vacation rentals in operator's principal residences where permitted under the Zoning Regulation Bylaw No. 80-159 and where permitted pursuant to section 528 of the *Local Government Act*.

**Contents**

1	Title
2	Definitions
3	Licence Required
4	Power to Refuse a Licence
5	Licence Number to be Included in Advertising
6	Responsible Person
7	Offences
8	Penalties
9	Severability
10	Transition Provisions
11	Commencement

Pursuant to its statutory powers, including section 8(6) of the *Community Charter*, the Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

**Title**

- 1 This Bylaw may be cited as the "Short-term Rental Regulation Bylaw".

**Definitions**

- 2 In this Bylaw

"operator" means a person who rents out, or offers for rent, any premises for short-term rental but does not include a person who acts as an intermediary between the short-term rental tenant and the person who receives the rent;

"principal residence" means the usual place where an individual makes their home;

"responsible person" means a person designated by the operator as the primary contact under section 6.

"short-term rental" means the renting of a dwelling, or any part of it, for a period of less than 30 days and includes vacation rentals;

"strata corporation", "strata council", and "strata lot" have the same meaning as in the *Strata Property Act*.



**Licence Required**

- 3 (1) A person must not carry on business as a short-term rental operator unless the person holds a valid licence issued under the provisions of this Bylaw and the Business Licence Bylaw.
- (2) A person applying for the issuance or renewal of a licence to operate a short-term rental must, in addition to meeting the requirements of the Business Licence Bylaw:
- (a) make an application to the Licence Inspector on the form provided for that purpose;
  - (b) pay to the City the applicable licence fee prescribed under subsection (3);
  - (c) provide, in the form satisfactory to the Licence Inspector, evidence that:
    - (i) the person owns the premises where the short-term rental will be offered, or
    - (ii) the owner of the premises where the short-term rental will be offered has consented to their use as a short-term rental;
  - (d) if the premises where the short-term rental will be offered are located within a strata lot, provide a letter from the strata council confirming that provision of short-term rental does not contradict any bylaws of the strata corporation or applicable provisions of the Strata Property Act; and
  - (e) provide, in the form satisfactory to the Licence Inspector,
    - (i) evidence that the premises where the short-term rental will be offered are occupied by the operator as their principal residence; or
    - (ii) provide the name and contact information for the responsible person in relation to the short-term rental premises.
- (3) The licence fee for purposes of subsection (2)(b) is:
- (a) \$150 where the short-term rental is offered in the operator's principal residence; or
  - (b) \$1,500 for all short-term rentals that do not qualify under paragraph (a).

**Power to Refuse a Licence**

- 4 The Licence Inspector may refuse to issue a licence for a short-term rental if, in the opinion of the Licence Inspector,
- (a) the applicant has failed to comply with section 3; or
  - (b) the short-term rental operation would contravene a City bylaw or another enactment.

**Licence Number to be Included in Advertising**

- 5 A person may offer to rent premises for rent as a short-term rental only if a valid business licence number is included in any advertising, listing, or promotion material that is intended to communicate availability of the premises for short-term rental.

**Responsible Person**

- 6 (1) A person may only operate a short-term rental in premises other than their principal residence if they designated a responsible person who, at all times that the short-term rental is operated, has access to the premises and authority to make decisions in relation to the premises and the rental agreement.
- (2) A person may only operate a short-term rental if they ensures that the name and contact information of the responsible person is prominently displayed in the short-term rental premises at all times when the short-term rental is operated.
- (3) The operator may be the responsible person except when subsection (5) applies.
- (4) The responsible person must be able to attend at the short-term rental premises within two hours of being requested to do so.
- (5) If a person who operates a short-term rental in their principal residence is going to be away during the term of the short-term rental, they must designate a responsible person and comply with this section.

**Offences**

- 7 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the Offence Act if that person
- (a) contravenes a provision of this Bylaw;
  - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw; or
  - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each instance that a contravention of a provision of this Bylaw occurs and each day that a contravention continues shall constitute a separate offence.

**Penalties**

- 8 A person found guilty of an offence under this Bylaw is subject to a fine of not less than \$100.00 and not more than \$10,000.00 for every instance that an offence occurs or each day that it continues.

**Severability**

- 9 If any provision or part of this Bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the Bylaw and the balance of the Bylaw, or its application in any circumstances, shall not be affected and shall continue to be in full force and effect.

**Transition Provisions**

- 10 (1) In the calendar year that this bylaw is adopted only, the fee payable under section 3 shall be prorated by 1/12 for each month in that year prior to the adoption of this bylaw, including the month the bylaw is adopted.
- (2) Any operator who, at the time of adoption of this bylaw, holds a valid licence for a short-term rental under the Business Licence Bylaw shall be credited with amount paid for that licence towards the fee payable under section 3.

**Commencement**

- 11 This bylaw comes into force on adoption.

READ A FIRST TIME the	day of	2018
READ A SECOND TIME the	day of	2018
READ A THIRD TIME the	day of	2018
ADOPTED on the	day of	2018

CITY CLERK

MAYOR





## Committee of the Whole Report For the Meeting of November 23, 2017

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**To:** Committee of the Whole **Date:** November 16, 2017  
**From:** Chris Coates, City Clerk  
**Subject:** Short Term Rental Business Regulations – Community Engagement Results and Draft Short Term Rental Business Regulation Bylaw

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### RECOMMENDATION

That Council:

1. Direct staff to report back to Council in Quarter 1 of 2018 with finalized short term rental business licence fees, in conjunction with the short term rental implementation plan; and,
2. Direct staff to bring forward the short term rental regulation bylaw in Quarter 1 of 2018 for introductory readings.

### EXECUTIVE SUMMARY

On September 21, 2017, Council approved a proposed short term rental (STR) regulatory framework. Council further directed staff to engage with stakeholders on proposed business regulations contained in the framework to refine the proposed approach and to report back in Quarter 4 of 2017 with the bylaws required to enact the regulations.

During the month of October, staff informed the community of the proposed regulations through fact sheets, updates to the website, social media, and at an open house held October 30, 2017. Participants were invited to provide specific feedback on three components of the business regulations; (1) principal residence (2) business licence fees and (3) operating requirements, either at the open house, or through email submissions. The majority of feedback received was from STR operators or individuals employed in the industry.

Most of the feedback related to where short term rentals would not be allowed (i.e. prohibited in secondary suites and garden suites unless occupied by the principal resident) as well as the non-principal residence business licence fee of \$2,500 for STR's that can continue as a non-conforming use. Most open house participants felt that the operating requirements were reasonable.

No changes to principal residence or operating requirements are recommended. Permitting STR in the usual place where an individual makes their home (i.e. principal residence) is consistent with previous Council direction and City of Victoria housing policy. Operating requirements have been kept simple (i.e. posting a business licence number on advertisements) and are aligned with best practises for regulating STR.

Staff recommend finalizing business licence fees when the STR implementation plan including schedule, refined resourcing proposal and impacts to the financial plan is brought to Council for consideration in Quarter 1 of 2018. Aligning the business licence fees with the implementation plan

will allow staff to better estimate the required fees to cover the cost of the program. Additional analysis will also determine the most appropriate fee structure (e.g. a tiered system, flat fee or one-time administrative fee).

Should Council approve these recommendations, staff will report back in Quarter 1 of 2018 with final business licence fees and an implementation plan as well as the STR regulation bylaw for reading and adoption. The new rules would come into effect shortly after.

## PURPOSE

The purpose of this report is to provide Council with the results of public consultation on the proposed business regulations as well as a draft of the STR business regulation bylaw for consideration. Staff are also seeking Council approval to finalize the business licence fees in Quarter 1 of 2018 alongside the implementation plan prior to bylaw adoption.

## BACKGROUND

### Previous Council Direction

On September 21, 2017 Council approved a proposed STR regulatory framework. The regulatory framework included allowing STR in principal residences, subject to obtaining a business licence and complying with operating requirements.

Council also approved an enforcement strategy on September 14, 2017, which involves engaging a third party monitoring service to proactively identify STR addresses and non-compliant operators, and hiring new City staff, both temporary and permanent, to oversee the program, process new business licence applications, and pursue punitive action on non-complaint operators such as fines, licence revocation and court action.

This report responds to the following Council Motion from September 21, 2017:

*Direct staff to engage stakeholders on the proposed business regulations, and report back to Council in Q 4 of 2017 with the bylaws required to enact these regulations.*

### Communications and Engagement

During the month of October 2017, City staff informed the community, including neighbourhood, tourism and housing associations as well as STR operators and host platforms, of the proposed regulatory changes to STR, and to solicit feedback on those changes.

The following communications and engagement tools were used:

- STR webpage on the City's website
- Fact sheets
- Ads in local papers
- Stakeholder emails
- Social media
- Open House
- Feedback period for email submissions

Approximately 130 people attended the Open House, which was held on October 30, 2017. Attendees were asked to provide feedback on three components of the business regulations; (1) principal residence (2) business licence fees (3) operating requirements. Of the approximately 130 individuals in attendance at the open house, 68 self-identified as owners/operators of short term rentals and 22 identified as being employed in the short-term rental industry. The remainder did not



identify their affiliation with the topic. Staff also received over one hundred email submissions from stakeholders.

A summary of community engagement on the business regulations is included as Appendix A. Feedback from the Open House is attached as Appendix B. E-mail submissions are included as Appendix C.

A large volume of electronic feedback was also submitted directly to Council. These emails were shared with staff but have not been included in the engagement summary as they were not part of the consultation process on the proposed business regulations.

#### Draft STR Regulation Bylaw

The September 21, 2017 Committee of the Whole Report identified a proposed list of requirements that STR operators would need to adhere to. These requirements have been expanded upon and refined in the draft STR regulation bylaw, attached as Appendix D, and include:

- Proof of Principal Residence
- Business Licence Requirement
- Business licence fees (rates have not been finalized)
- Letter from Strata Councils (proof that the STR is not operating contrary to Strata Bylaws)
- Letter from property owners (proof of permission to operate STR for renters)
- Compliance with City Bylaws
- Business Licence numbers posted on all STR advertisements
- Responsible Person
- Penalties

A supplementary report, Zoning Bylaw Amendments - Schedule D, Home Occupations will be presented to Council on November 23, 2017. The Zoning Bylaw amendments, attached as Appendix E are required to permit STR in zoning per the regulatory framework (as home occupations and in principal residences in all dwelling types) and are consistent with the provisions identified in the above draft STR regulation bylaw.

## **ISSUES & ANALYSIS**

### General Feedback on STR

Much of the feedback received was outside of the scope of the proposed business regulations but has been included in this report for context. Key themes included:

- Support for STR, including the ability to supplement income for operators and provide flexible accommodation for visitors
- A lack of understanding that entire unit STRs were never a permitted use outside of transient accommodation zones
- Frustration at the decision to remove STR as a permitted use in transient accommodation zones
- Concern that long term rentals in the City would not be increased with these proposed changes as the units are occupied on a part-time basis by operators, or their family and friends
- Concern around a lack of data to support decision making
- Concern around the cost and difficulty of enforcement
- Frustration with the lack of public consultation on the topic

### Business Regulation Feedback

#### *Principal Residency Requirement*

- At the open house, 71 of 94 participants were opposed to the proposal for STRs in principal residences only
- Many attendees reported that they were currently operating STRs in dwelling units that were not their principal residences (e.g. in transient zones or in secondary suites)
- Most of the feedback suggests that principal residence should include secondary suites (e.g. basement, garden suite) if the operator lives on the property

Despite this feedback, no change to the principal residence requirement is recommended. Secondary suites and garden suites are permitted in zoning in Victoria in recognition of the need of infill rental housing. The Victoria Housing Strategy 2016-2025, which aims to improve housing affordability by increasing the supply and diversity of housing in the City, specifically identifies the removal of barriers to secondary suite and garden suite development as a way to increase the supply of long-term rental housing.

Earlier this year, through actions stemming from the Strategy, Council approved the removal of Schedule J – Secondary Suites, which contained restrictions limiting where secondary suites could be developed, as well as the removal of the rezoning requirement for garden suites for the express purpose of increasing the supply of long term rental housing in Victoria.

This recommendation is also consistent with previous Council direction to staff. In March 9, 2017, Council passed a motion prohibiting entire secondary suites (basement suites, garden suites) for use as short term rental.

#### *Operating Requirements*

- 41 of 56 open house participants agreed with the proposed operating requirements to post business licence numbers on all advertisements and comply with existing City bylaws
- In general, people felt that the requirements were reasonable and would not be overly difficult to achieve

No changes to operating requirements are recommended. Requirements are aligned with best practise for regulating STR (keep it simple and use business licence numbers to monitor compliance).

#### *Business Licence Application and Fees*

- 81 of 92 open house participants opposed the proposed business licence fees
- In particular, many felt that the \$2,500 non-principal residence fee was too high and punitive, referencing lower business licence fees for large hotels

The current proposed fee structure includes two tiers – one for principal residence (\$200) and one for non-principal residence (\$2,500). The latter only applies to legal non-conforming units.

The proposed fee structure was developed to (a) recover the costs of administering the program, (b) 'level the playing field' between STR operators and traditional accommodation providers (c) ensure that operators pay a fee commensurate with revenue generated (d) discourage casual operators.

Upon review, staff recommend further analysis before a final fee structure and rate is adopted. As part of the development of the implementation plan, staff are currently collecting additional data on the scale and scope of STR in Victoria. This information can be used to better estimate



how many existing STR's may be eligible for business licences under the new rules and the type of fees that can be expected.

In addition, based on community feedback, staff are considering alternative fee structures, including a flat fee that all STR operators would pay, regardless of unit type, a tiered structure based on number of rooms (existing licence fees are based on this model) or a one-time registration fee with a lower annual business licence fee to reflect the high start-up cost of the program, with lower operating costs. Staff will report back to Council on options in Q1 of 2018 following this analysis, in conjunction with the implementation plan.

## OPTIONS & IMPACTS

### **Option 1 (Recommended): Finalize business licence fees in Quarter 1 of 2018 in conjunction with the STR implementation plan prior to bylaw adoption**

Staff recommend aligning the finalization of the business licence fees with the implementation plan to ensure that business licence fees and the fee structure are set appropriately. This recommendation will delay the adoption of the business regulation bylaw to Quarter 1 of 2018 but will not affect the date at which the new rules will be enacted, currently scheduled for March 2018.

### **Option 2: Approve of \$200 and \$2,500 as the business licence fee structure and give first, second and third reading of the STR regulation bylaw in Quarter 4 (not recommended)**

Staff do not recommend this option based on the feedback received through the engagement process. Additional data on the scale and scope of STR in Victoria is currently being collected as part of the implementation plan that can be used to inform final fees and fee structure. Adoption of the bylaw in 2017 will not lead to quicker implementation as new staff and the third-party monitoring firm need to be retained prior to enactment of the new rules.

#### *Accessibility Impact Statement*

There are no impacts on accessibility associated with the recommendations contained in this report

#### *2015 – 2018 Strategic Plan*

This work is identified as a key priority in the Strategic Plan under Objective 6: Make Victoria More Affordable 2017 Actions: Strengthen policy and regulations related to Short Term Rentals.

#### *Impacts to Financial Plan*

On September 14, 2017 Council approved a resourcing strategy that anticipates an annual cost of approximately \$512,000, which includes third-party monitoring, three additional staff, a legal contingency fund and communication costs to widely broadcast the new rules, regulations and consequences of non-compliance. Staff will report back to Council in Quarter 1 of 2018 with an implementation plan including a schedule, further refined resourcing proposal and impacts to the financial plan. The objective in establishing this new regulatory regime is to achieve cost recovery from the licence fees and fines. Additional data will greatly assist in identifying the fees that could accomplish cost recovery, recognizing that it could be a challenge to fully recover costs as that is contingent on uptake of licences.

#### *Official Community Plan Consistency Statement*

The recommended approach aligns with the directions in the Official Community Plan of "Land Management and Development" and "Housing and Homelessness"

Respectfully submitted,



Shannon Jamison  
Legislative Planning Analyst



Chris Coates  
City Clerk

Report accepted and recommended by the City Manager:



Date:

Nov 16, 2017

**List of Attachments**

- Appendix A - STR Business Regulation Community Engagement Summary
- Appendix B - STR Business Regulation Open House Community Engagement Feedback
- Appendix C - STR Business Regulation Email Submissions
- Appendix D – Draft STR Business Regulation Bylaw
- Appendix E – CoTW Zoning Bylaw Amendments, Schedule D, Home Occupations





**Committee of the Whole Report  
For the Meeting of September 21, 2017**

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**To:** Committee of the Whole **Date:** September 19, 2017  
**From:** Chris Coates, City Clerk  
**Subject:** Proposed Short Term Rental Regulatory Framework

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## RECOMMENDATIONS

That Council:

1. Approve the proposed short term rental regulatory framework, as described in this report, which allows short-term rentals in principal residences, subject to a business licence and compliance with operating requirements;
2. Direct staff to engage stakeholders on the proposed business regulations, and report back to Council in Q 4 of 2017 with the bylaws required to enact these regulations; and,
3. Direct staff to report back to Council in Q 1 of 2018 with an implementation plan, including schedule, resourcing proposal, and impacts to the financial plan.

## EXECUTIVE SUMMARY

Short Term Rentals (STR), defined as stays of less than 30 days, are occurring across the City of Victoria, despite being permitted in only two instances: multi-unit residential buildings zoned for transient accommodation and in up to two bedrooms in an occupied single family dwelling.

Over the last year, Council has directed staff to proceed with four main strategies to manage short term rentals, including the development of comprehensive business regulations, a proactive enforcement strategy, advocating for fair taxation, and zoning amendments. This report describes proposed business regulations for short term rentals, as well as outlines an enforcement strategy.

In summary, the proposed business regulations are:

1. Permit STR use in all principal residences (i.e. the place where an individual usually lives and conducts their daily affairs). This includes owners and renters.
2. Require STR operators to obtain a business licence
3. Require STR operators to comply with operating requirements

The enforcement strategy involves engaging a third party monitoring service to proactively identify short term rental addresses and identify non-compliant operators. New City staff, both temporary and permanent, would be hired to oversee the program, process new business licence applications and pursue punitive action on all non-compliant operators such as fines, licence revocation, and court action.



Should Council approve the proposed regulatory framework, staff will engage with stakeholders, including neighbourhood, tourism and housing associations as well as outreach to short term rental operators and host platforms to refine the proposed business regulations and report back to Council in Q 4 of 2017 with the bylaws needed to enact the regulations. Following bylaw adoption, staff will prepare an implementation plan, including financial implications, and schedule for Council approval in Q 1 of 2018.

## **PURPOSE**

The purpose of this report is to provide Council with a proposed regulatory framework for short term rentals in the City of Victoria, including business regulations and an enforcement strategy.

## **BACKGROUND**

Short term rentals are defined as the renting of a dwelling, or any portion of it, for a period of less than 30 days. This can include an entire dwelling (i.e. condo or house) or a room (shared or private), within an occupied dwelling. Over the last decade, online platforms such as Airbnb have developed profitable marketplaces that connect people looking for this type of short term accommodation with people who want to rent their homes.

### **Short Term Rental in Victoria**

In Victoria, there are:

- Close to 1,500 unique listings, which include entire units, private and shared rooms
- A concentration of short term rentals in the downtown core and in adjacent neighbourhoods
- Numerous multiple listing hosts (commercial operators)
- A prevalence of entire units for rent (as opposed to private or shared rooms)

### **Existing Permitted STR**

In Victoria, short term rentals are currently permitted to operate in two instances:

1. Multi-unit residential buildings zoned for transient accommodation, which allow for the commercial use of residential units as short term rentals in some areas of the City; and,
2. Up to two bedrooms in an occupied single family dwelling, as a home occupation.

Council is currently considering amending the zoning bylaw to remove transient accommodation as a permitted use. If approved, these units will be affected in that their underlying zoning will change, but their right to operate a STR will continue due to non-conforming use provisions of the Local Government Act.

Despite existing regulations, short term rentals are occurring in various forms throughout the City.

### **STR Impacts**

The rapid growth of short term rentals in many communities has led to both positive and negative impacts. For travellers, STRs are often cheaper, more amenity-rich, personalized, and localized than traditional hotels. For residents, the ability to easily and relatively safely commodify an existing asset (a home) can be a means of income supplementation. Negative impacts meanwhile can include a decrease in the availability of long-term rental housing when a short term rental is used as a commercial enterprise, public safety and nuisance concerns, and unfair advantages over traditional accommodation providers such as lack of regulation and taxation. The City's role in regulating STR is to balance these competing objectives.

### Previous Council Direction

Council direction has focused on four main strategies to manage short term rentals: the development of comprehensive business regulations, a proactive enforcement strategy, advocating for fair taxation, and zoning amendments. This report responds to the following Council motions:

Table 1. Previous Council Motions

Date	Direction
March 9, 2017	<ul style="list-style-type: none"> <li>Report back to Council on options for permitting and enforcing limited use of residential properties (in multi-unit and single family dwellings, in all neighbourhoods in the city) by the occupants (owners or renters) for a limited number of maximum days in each calendar year for the commercial purpose of providing short-term vacation rentals</li> <li>Permitted: 1-2 bedrooms in occupied dwellings, including a house or condo for STR</li> <li>Prohibited: entire secondary suites, including basement suites and garden suites for use as STR</li> </ul>
June 22, 2017	<ul style="list-style-type: none"> <li>Bring forward a comprehensive scheme of business regulations for existing and future STR, including business licencing, fees and rules of operation</li> <li>Report back with a short term rental enforcement strategy</li> </ul>
July 13, 2017	<ul style="list-style-type: none"> <li>Council referred a report to staff containing supplementary material to be considered in the regulatory and business licencing framework for STR.</li> </ul>

A compilation of all Council Motions related to short term rentals is attached as Appendix A. Staff also developed an analysis and evaluation of proposed Council requirements to consider when developing short term rental business regulations, attached as Appendix B, based on the above July 13, 2017 Council Motion.

An additional staff report brought forward to Council on September 7, 2017, attached as Appendix C, addresses a subsequent motion related to STR: transient accommodation zoning changes. A public hearing on the proposed zoning changes is scheduled for September 21, 2017.

### Emerging Best Practice in Regulating Short Term Rentals

There is no 'one size fits all' regulatory approach for short term rentals, as each jurisdiction is solving problems unique to their community. However, based on interviews with municipal staff, including in Tofino, Kelowna, Vancouver, Toronto and Bend, Oregon as well as industry experts across North America, coupled with additional desktop research and analysis, some best practice has emerged:

1. **Say yes to STR** - STR bans have proven ineffective in stemming STR growth
2. **Keep it simple** – simple, straightforward regulatory requirements achieve higher levels of voluntary compliance
3. **Point of non-compliance** – is best achieved through business licence verification, not on whether a unit or room has been rented
4. **Avoid relying on host platforms for help regulating STR** – municipalities and host platforms often have competing objectives
5. **Utilize technology** – third party monitoring firms have sophisticated tools to verify compliance efficiently and effectively



6. **Communicate widely** – proactive and widespread communication of regulations can generate high rates of voluntary compliance
7. **Be adaptable** - the rapid growth and fluid nature of the industry means that best practices will evolve over time and policy approaches may need to change

### Common Regulatory Tools

Stemming from these best practices, some common regulatory tools to manage STR are being implemented across North American municipalities, including:

1. **Principal Residence** – STR is only permitted in the *usual place that a person makes their home*
2. **Night Caps** – establishes a maximum number of days that a unit can be rented per calendar year
3. **Business Licence** – a special business licence or permit is required prior to operating an STR
4. **Safety Provisions** – can include enhanced fire safety, a maximum number of occupants, compliance with building codes
5. **Nuisance Provisions** – can include parking restrictions, liability insurance and host contact information
6. **Taxation** – can include provincial sales tax, municipal and regional tax, lodging tax, and others. *Note: the City of Victoria does not have sales tax authority.*

The usage and specifics of each of these regulatory tools is dependent on individual jurisdictions and the specific problems or policy objectives they are trying to solve, as well as their legislative authority.

### ISSUES & ANALYSIS

Research, comparative analysis and previous Council direction have informed the following recommendations, which seek to enable some forms of STR, while mitigating negative impacts.

The basis of the proposed regulations is to allow individuals to rent out their homes in ways that do not materially impact the long-term rental housing market, subject to obtaining a business licence and adhering to operating requirements.

In summary, the proposed regulations are:

1. Permit STR use in all principal residences (i.e. the place where an individual usually lives and conducts their daily affairs). This includes both owners and renters.
2. Require STR operators to obtain a business licence
3. Require STR operators to comply with operating requirements

Investment properties, commercial operations, and housing including apartments, secondary and garden suites that are not principally occupied by a long-term resident would all be prohibited from STR use to ensure the greatest retention of long-term rental stock for residents.

As previously noted, there will remain some exceptions to the principal resident requirement due to transient zoning or non-conforming use provisions of the Local Government Act in areas previously zoned for transient accommodation.<sup>1</sup>

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<sup>1</sup>Non-conforming use provisions of the Local Government Act is dependent on approval of forthcoming proposed amendments to the *Zoning Regulation Bylaw* as outlined in Appendix C. Should these bylaw amendments not be approved, areas zoned for transient accommodation will continue to permit full-time commercial STR use. In either case, some full-time STR use will continue in Victoria due to existing zoning.



### **Principal Residence vs. Night Caps**

The following section responds to the March 9, 2017 Council Motion to report back with options for permitting occasional use of residential properties (all dwelling types) as short term rentals.

Staff recommend that the principal residence requirement be used instead of a maximum number of days, or a 'night cap' requirement. Both of these regulatory tools serve the same purpose: to limit the number of days that a unit can be rented. However, there are more benefits to the principal residence approach.

Principal residence is defined as the *usual place that a person makes their home*. A principal residence is where an individuals live and conduct their daily affairs like paying bills and receiving mail and is generally the residence used in government records (e.g. income tax, medical services plan, driver's licence and vehicle registration). In contrast, night caps require a municipality to set a maximum number of days (e.g. 60) that a unit can be rented.

Between the two, principal residence is substantially easier to enforce. Under the principal resident requirement, business licences will not be granted to operators unless they can prove that the place they wish to rent is the place they normally reside. Enforcing a night cap requirement meanwhile is reliant on cooperation from platforms such as Airbnb to provide an accurate report of the number of nights the unit is rented.

As platforms and municipalities often have competing objectives – the former to protect their users (operators) and maximize business and profits, and the latter to regulate and limit STR to mitigate negative impacts – transparent data exchange can prove difficult if not impossible. In other jurisdictions where a platform is in disagreement with a municipality, legal proceedings have resulted, and have been complex and drawn out, leading to significant time and expense on the part of the municipality as well as delays in enforcement and the continued proliferation of STR in the meantime.

Enforcing a night cap without platform cooperation is extremely challenging and requires significant municipal resources, as ascertaining the number of booked nights for each listing requires extensive data analysis, tracking, and observation, each of which is limited in its ability to be accurate to the degree that a municipality can clearly ascertain when an operator has gone a day over their limit. The burden on operators who want to cooperate is also high, as the operator would need to keep comprehensive records, tallying nights spent, and commit to producing regular reports to the City, and what has been seen in other jurisdictions is that compliance drops steeply the more complex the regulations become.

While the principal residence requirement does not guarantee that unpermitted STR will not occur, it is expected that this will be the exception rather than the rule due to registration requirements, active monitoring and auditing of listings for adherence to regulations, and high fine structure for non-compliance. Further, the simplicity and enforceability of the principal residence requirement over night caps ensures that more operators are likely to voluntarily comply with regulations and the City will more easily be able to enforce the regulations.

### **Business Licencing**

The proposed regulations establish a new type of business licence for short term rental operators. The registration process has been kept intentionally as simple as possible as it has been repeatedly demonstrated that jurisdictions with simple registration processes see the highest compliance rates.



In order to obtain a licence, operators will have to:

1. Submit an application form, including all mandatory documentation
2. Pay a fee, ranging from \$200-\$2,500, depending on the type of STR
3. Agree to comply with operating requirements

#### Application Form

When submitting an application form to operate an STR, individuals will need to include the following mandatory documentation:

1. Two items proving principal residence, one of which must include government issued photo ID. Examples include a recent utility bill, drivers licence, Medical Services Plan or Canada Revenue Agency mail.
2. If a renter, a letter from the owner permitting STR use
3. If in a strata, a letter from the Strata council permitting STR use

Applicants will also be advised at the time of licencing that all STR operators will be subject to verification and audit.

#### Supplementary Material

As part of receiving a business licence, operators will be provided with the following supplementary material:

- A user-friendly guide and FAQ for operators on the new business regulations
- City of Victoria Home Fire Safety Checklist, which provides helpful tips on how to protect homes from a fire and how to prepare for emergencies
- Guest Guidelines, which will include information on relevant city bylaws (e.g. quiet hours), guest parking, recycling schedules and host contact information
- A neighbour notification template, which will allow hosts to share details on their short-term rental as well as their contact information with neighbours, if they choose.

#### Fees

Staff recommend a two-tiered fee schedule that is applied by type of STR and ranges from \$200-\$2500 annually. The lowest fees will apply to operators who occasionally list their entire unit (e.g. while on vacation) or rent a shared room or private room while they are present (home occupation). The highest fees will apply to entire units that are able to operate year-round and are not the principal residence of the operator (either due to non-conforming use provisions of the Local Government Act or as transient accommodation, depending on zoning bylaw changes scheduled for September 21, 2017).

Table 2. Proposed Business Licence Fees

STR Type	Example	Annual Business Licence Fee
Home share	<ul style="list-style-type: none"> <li>• Entire unit while principal resident is away (e.g. vacation)</li> <li>• Shared room (i.e. couch) while principal resident is present (home occupation)</li> <li>• Private room while principal resident is present (home occupation)</li> </ul>	\$200
Commercial	<ul style="list-style-type: none"> <li>• Entire unit with non-conforming use provisions of the Local Government Act or an entire unit zoned for transient accommodation</li> </ul>	\$2,500

Proposed fees for home sharing are in line with other municipalities but are substantially higher for commercial operators. Staff recommend the proposed fee structure to:



- recover the costs of reviewing and issuing licence applications and renewals
- 'level the playing field' between STR operators and traditional accommodation providers, especially as changes to provincial sales tax legislation are expected to take time
- ensure that commercial operators pay a fee commensurate with revenue generated, (especially important in Victoria, which is unique amongst municipalities for transient accommodation considerations in zoning bylaws)
- discourage casual operators who are unwilling to pay to operate

### **Operating Requirements**

Jurisdictions with complicated operating requirements do not see fewer STRs, but rather lower compliance with regulations and more illegal operations. Therefore staff recommend operating requirements be kept to a minimum in order to achieve a "critical mass" of compliance with new regulations.

Operators will be required to display their business licence number in all advertisements for the STR listing, either in a specific field created by the platform or in the unit description. In addition, all operators will have to adhere to City bylaws, including the Noise bylaw and Nuisance bylaw.

### **Communications and Engagement**

Council did not direct staff to undertake a formal engagement process on short term rentals prior to developing the proposed regulations. However, Section 59 of the Community Charter states that before adopting a business regulation bylaw, persons affected by this bylaw must be given an opportunity to provide feedback. Therefore, feedback will be sought on the proposed registration process, licence fees and operating requirements.

Staff recommend providing both online and an in-person opportunity for feedback on the business regulations. Through the fall of 2017, stakeholders will be informed of the proposed business regulations through email, social media and the City's website. Stakeholders can also provide feedback at an open house and by email, prior to returning to Council with the business regulation bylaws for adoption.

### **Enforcement Strategy**

In a Closed Council meeting on September 14, 2017, Council approved a short term rental enforcement strategy which includes two phases; (1) identification and compliance monitoring and (2) enforcement action. A third party monitoring service will be retained to complete Phase 1. This will include identifying addresses of online listings, monitoring the listings (e.g. determining type of unit listed, frequency of booking) and assessing if a listing is non-compliant (e.g. operating without a business licence). New staff will also be hired (two temporary administrative positions as well as a permanent bylaw officer position), to oversee the program, process new applications, administer fines and address ongoing enforcement where necessary.

The enforcement strategy anticipates that the cost of enforcement will total approximately \$512,000, which includes the cost of third-party monitoring, the three additional staff, a legal contingency fund, and communication costs to widely broadcast the new rules, regulations, and consequences of non-compliance. These expenses would likely decrease as the number of STRs are reduced, and the implementation plan will identify reporting mechanisms to appraise Council of changes in funding required following implementation. The enforcement approach also analysed possible cost-recovery mechanisms and noted that fee and fine collection could at least partly cover these expenses. However, it is recommended that Council direct staff to also include potential financial implications with the implementation plan to determine the level to which this work will impact future financial plans.

**OPTIONS AND IMPACTS**

**Option 1 (Recommended):** Approve the proposed short term rental regulatory framework.

**Option 2:** Council may identify further amendments or considerations to be included in the short term rental regulatory framework. It should be noted that any significant changes to this framework would delay implementation.

*Accessibility Impact Statement*

There are no impacts on accessibility associated with the recommendations contained in this report.

*2015 - 2018 Strategic Plan*

This work is identified as a key priority in the Strategic Plan under Objective 6: Make Victoria More Affordable 2017 Actions: Strengthen policy and regulations related to Short Term Rentals.

*Impacts to Financial Plan*

No funding has been allocated in the current Financial Plan for this work. However, the proposed business licence fees have been developed to offset some of the increased costs of these new regulations, including additional staff resources. The licence fees and degree of cost recovery will require ongoing monitoring.

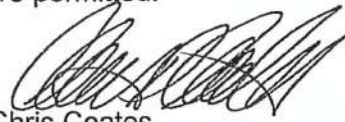
*Official Community Plan Consistency Statement*

The recommended approach aligns with the directions in the Official Community Plan of "Land Management and Development" and "Housing and Homelessness."

**CONCLUSIONS**

The preceding report outlines an evidence-based, straightforward set of regulations that, combined with proactive enforcement of these regulations, will assist Victoria in achieving its policy objectives of allowing some STR in ways that do not negatively affect long-term rental housing stock and with provisions that limit their negative impacts where permitted.

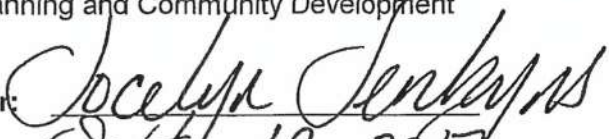
  
Shannon Jamison  
Legislative Planning Analyst

  
Chris Coates  
City Clerk

  
Lindsay Milburn  
Senior Planner - Housing Policy  
Community Planning

  
For  
Jonathan Tinney  
Director  
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:

  
Date: Sept. 19, 2017.

**List of Attachments**

- Appendix A: Short Term Rental Council Motions
- Appendix B: Evaluation and Analysis of July 13, 2017 Council Motion
- Appendix C: September 7, 2017 Zoning Bylaw Amendments Council Report



# Short Term Rental Business Regulations

Report Back on License Fees and Implementation



## Purpose

- Provide Council with proposed License fees for STR's
- Outline the Implementation Plan for the proposed Regulations



CoTW February 22, 2018 STR Business Regulations

## Previous Council Direction

- September 14, 2017 – Approved an enforcement strategy including hiring a third-party compliance monitoring service and new City staff
- September 21, 2017 – Approved a regulatory framework, allowing STR in principal residences, subject to obtaining a business licence and complying with operating requirements
- November 23, 2017, report back in Q1, 2018 with recommended license fees and implementation plan



CoTW February 22, 2018 STR Business Regulations

## Draft STR Bylaw

Includes:

- Principal residence
- Business licence and fees
- Letter from Strata Councils
- Letter from property owners
- Compliance with City Bylaws
- Advertisements
- Responsible Person
- Penalties



CoTW February 22, 2018 STR Business Regulations

## License Fee Considerations

- Costs to administer and enforce the regulatory regime
- Distinctions between use of space in principal residences versus entire units that can be rented full-time and are not the principal residence of the operator (for example: investment properties or second homes), unoccupied short term rental usage of dwellings with non-conforming use status
- Achieving a balance to maximize voluntary compliance versus costly enforcement.
- License fees proportional to revenue



CoTW February 22, 2018 STR Business Regulations

## License Fee Options

Fee Type	Category	Licence Fee (\$)
Application Fee/ Annual Licence Fee	Application Fee	\$115
	Annual Licence Fee	\$445
Number of Bedrooms	Studio	\$400
	1 bdrm	\$450
	2 bdrm	\$475
	3 bdrm	\$500
	4 plus bedroom	\$550
Principal Residence/Non-Principal Residence (Recommended Option)	Principal Residence	\$150
	Non-Principal Residence	\$1,500
Flat Fee	N/A	\$550



CoTW February 22, 2018 STR Business Regulations



## Implementation

- Should Council approve moving forward, give introductory readings to the proposed Bylaw February 22<sup>nd</sup>
- Hold formal opportunity for Public comment in conjunction with Zoning Bylaw Schedule D (STR) Home Occupation Amendments
- Engage Staff to set up for application processing
- RFP for ongoing Third party Monitoring
- Receive applications in April
- Report back in early Q4 on uptake, enforcement and financial considerations



CoTW February 22, 2018 STR Business Regulations

## Objectives and Risks

- Objective is cost recovery for the estimated annual \$375,00 costs for the administration of the regulations.
- Primary risk involves low up take on licenses and heavy enforcement/legal costs



CoTW February 22, 2018 STR Business Regulations

## Recommendations

- Approve of the proposed short term rental annual business licence fee of \$150 for principal residence and \$1,500 for all other short-term rentals;
- Direct staff to bring forward the Short Term Rental Regulation Bylaw at the February 22, 2018 Council meeting for introductory readings;
- Approve holding an opportunity for receiving public comments on the proposed Bylaw in conjunction with the Public Hearing for Zoning Amendment Bylaw (Short Term Rental Home Occupations) Bylaw No. 18-035; and,
- Direct staff to report back to Council in Quarter 4 of 2018 with an update on the short term rental program, including budget implications.



**REPORTS OF COMMITTEES**

**3. Committee of the Whole – November 23, 2017**

*Mayor Helps withdrew from the meeting at 1:41 a.m. due to a potential non-pecuniary conflict of interest with the following item, due to her relationship with a previous AirBnB operator.*

*Councillor Isitt assumed the Chair in her absence.*

*Councillor Lucas withdrew from the meeting at 1:40 a.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel.*

*Councillor Madoff withdrew from the meeting at 1:40 a.m. due to a pecuniary conflict of interest with the following item, as she runs a Bed and Breakfast in her home.*

**7. Short Term Rental Business Regulations – Community Engagement Results Draft – Short Term Rental Business Regulation Bylaw**

**Motion:**

It was moved by Councillor Thornton-Joe, seconded by Councillor Young, that Council:

1. Direct staff to report back to Council in Quarter 1 of 2018 with finalized short term rental business licence fees, in conjunction with the short term rental implementation plan; and
2. Direct staff to bring forward the short term rental regulation bylaw in Quarter 1 of 2018 for introductory readings.

**Carried Unanimously**



## Committee of the Whole Report For the Meeting of November 23, 2017

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**To:** Committee of the Whole **Date:** November 16, 2017  
**From:** Chris Coates, City Clerk  
**Subject:** Short Term Rental Business Regulations – Community Engagement Results and Draft Short Term Rental Business Regulation Bylaw

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### RECOMMENDATION

That Council:

1. Direct staff to report back to Council in Quarter 1 of 2018 with finalized short term rental business licence fees, in conjunction with the short term rental implementation plan; and,
2. Direct staff to bring forward the short term rental regulation bylaw in Quarter 1 of 2018 for introductory readings.

### EXECUTIVE SUMMARY

On September 21, 2017, Council approved a proposed short term rental (STR) regulatory framework. Council further directed staff to engage with stakeholders on proposed business regulations contained in the framework to refine the proposed approach and to report back in Quarter 4 of 2017 with the bylaws required to enact the regulations.

During the month of October, staff informed the community of the proposed regulations through fact sheets, updates to the website, social media, and at an open house held October 30, 2017. Participants were invited to provide specific feedback on three components of the business regulations; (1) principal residence (2) business licence fees and (3) operating requirements, either at the open house, or through email submissions. The majority of feedback received was from STR operators or individuals employed in the industry.

Most of the feedback related to where short term rentals would not be allowed (i.e. prohibited in secondary suites and garden suites unless occupied by the principal resident) as well as the non-principal residence business licence fee of \$2,500 for STR's that can continue as a non-conforming use. Most open house participants felt that the operating requirements were reasonable.

No changes to principal residence or operating requirements are recommended. Permitting STR in the usual place where an individual makes their home (i.e. principal residence) is consistent with previous Council direction and City of Victoria housing policy. Operating requirements have been kept simple (i.e. posting a business licence number on advertisements) and are aligned with best practises for regulating STR.

Staff recommend finalizing business licence fees when the STR implementation plan including schedule, refined resourcing proposal and impacts to the financial plan is brought to Council for consideration in Quarter 1 of 2018. Aligning the business licence fees with the implementation plan



will allow staff to better estimate the required fees to cover the cost of the program. Additional analysis will also determine the most appropriate fee structure (e.g. a tiered system, flat fee or one-time administrative fee).

Should Council approve these recommendations, staff will report back in Quarter 1 of 2018 with final business licence fees and an implementation plan as well as the STR regulation bylaw for reading and adoption. The new rules would come into effect shortly after.

## **PURPOSE**

The purpose of this report is to provide Council with the results of public consultation on the proposed business regulations as well as a draft of the STR business regulation bylaw for consideration. Staff are also seeking Council approval to finalize the business licence fees in Quarter 1 of 2018 alongside the implementation plan prior to bylaw adoption.

## **BACKGROUND**

### Previous Council Direction

On September 21, 2017 Council approved a proposed STR regulatory framework. The regulatory framework included allowing STR in principal residences, subject to obtaining a business licence and complying with operating requirements.

Council also approved an enforcement strategy on September 14, 2017, which involves engaging a third party monitoring service to proactively identify STR addresses and non-compliant operators, and hiring new City staff, both temporary and permanent, to oversee the program, process new business licence applications, and pursue punitive action on non-complaint operators such as fines, licence revocation and court action.

This report responds to the following Council Motion from September 21, 2017:

*Direct staff to engage stakeholders on the proposed business regulations, and report back to Council in Q 4 of 2017 with the bylaws required to enact these regulations.*

### Communications and Engagement

During the month of October 2017, City staff informed the community, including neighbourhood, tourism and housing associations as well as STR operators and host platforms, of the proposed regulatory changes to STR, and to solicit feedback on those changes.

The following communications and engagement tools were used:

- STR webpage on the City's website
- Fact sheets
- Ads in local papers
- Stakeholder emails
- Social media
- Open House
- Feedback period for email submissions

Approximately 130 people attended the Open House, which was held on October 30, 2017. Attendees were asked to provide feedback on three components of the business regulations; (1) principal residence (2) business licence fees (3) operating requirements. Of the approximately 130 individuals in attendance at the open house, 68 self-identified as owners/operators of short term rentals and 22 identified as being employed in the short-term rental industry. The remainder did not



identify their affiliation with the topic. Staff also received over one hundred email submissions from stakeholders.

A summary of community engagement on the business regulations is included as Appendix A. Feedback from the Open House is attached as Appendix B. E-mail submissions are included as Appendix C.

A large volume of electronic feedback was also submitted directly to Council. These emails were shared with staff but have not been included in the engagement summary as they were not part of the consultation process on the proposed business regulations.

#### Draft STR Regulation Bylaw

The September 21, 2017 Committee of the Whole Report identified a proposed list of requirements that STR operators would need to adhere to. These requirements have been expanded upon and refined in the draft STR regulation bylaw, attached as Appendix D, and include:

- Proof of Principal Residence
- Business Licence Requirement
- Business licence fees (rates have not been finalized)
- Letter from Strata Councils (proof that the STR is not operating contrary to Strata Bylaws)
- Letter from property owners (proof of permission to operate STR for renters)
- Compliance with City Bylaws
- Business Licence numbers posted on all STR advertisements
- Responsible Person
- Penalties

A supplementary report, Zoning Bylaw Amendments - Schedule D, Home Occupations will be presented to Council on November 23, 2017. The Zoning Bylaw amendments, attached as Appendix E are required to permit STR in zoning per the regulatory framework (as home occupations and in principal residences in all dwelling types) and are consistent with the provisions identified in the above draft STR regulation bylaw.

### **ISSUES & ANALYSIS**

#### General Feedback on STR

Much of the feedback received was outside of the scope of the proposed business regulations but has been included in this report for context. Key themes included:

- Support for STR, including the ability to supplement income for operators and provide flexible accommodation for visitors
- A lack of understanding that entire unit STRs were never a permitted use outside of transient accommodation zones
- Frustration at the decision to remove STR as a permitted use in transient accommodation zones
- Concern that long term rentals in the City would not be increased with these proposed changes as the units are occupied on a part-time basis by operators, or their family and friends
- Concern around a lack of data to support decision making
- Concern around the cost and difficulty of enforcement
- Frustration with the lack of public consultation on the topic

Business Regulation Feedback*Principal Residency Requirement*

- At the open house, 71 of 94 participants were opposed to the proposal for STRs in principal residences only
- Many attendees reported that they were currently operating STRs in dwelling units that were not their principal residences (e.g. in transient zones or in secondary suites)
- Most of the feedback suggests that principal residence should include secondary suites (e.g. basement, garden suite) if the operator lives on the property

Despite this feedback, no change to the principal residence requirement is recommended. Secondary suites and garden suites are permitted in zoning in Victoria in recognition of the need of infill rental housing. The Victoria Housing Strategy 2016-2025, which aims to improve housing affordability by increasing the supply and diversity of housing in the City, specifically identifies the removal of barriers to secondary suite and garden suite development as a way to increase the supply of long-term rental housing.

Earlier this year, through actions stemming from the Strategy, Council approved the removal of Schedule J – Secondary Suites, which contained restrictions limiting where secondary suites could be developed, as well as the removal of the rezoning requirement for garden suites for the express purpose of increasing the supply of long term rental housing in Victoria.

This recommendation is also consistent with previous Council direction to staff. In March 9, 2017, Council passed a motion prohibiting entire secondary suites (basement suites, garden suites) for use as short term rental.

*Operating Requirements*

- 41 of 56 open house participants agreed with the proposed operating requirements to post business licence numbers on all advertisements and comply with existing City bylaws
- In general, people felt that the requirements were reasonable and would not be overly difficult to achieve

No changes to operating requirements are recommended. Requirements are aligned with best practise for regulating STR (keep it simple and use business licence numbers to monitor compliance).

*Business Licence Application and Fees*

- 81 of 92 open house participants opposed the proposed business licence fees
- In particular, many felt that the \$2,500 non-principal residence fee was too high and punitive, referencing lower business licence fees for large hotels

The current proposed fee structure includes two tiers – one for principal residence (\$200) and one for non-principal residence (\$2,500). The latter only applies to legal non-conforming units.

The proposed fee structure was developed to (a) recover the costs of administering the program, (b) 'level the playing field' between STR operators and traditional accommodation providers (c) ensure that operators pay a fee commensurate with revenue generated (d) discourage casual operators.

Upon review, staff recommend further analysis before a final fee structure and rate is adopted. As part of the development of the implementation plan, staff are currently collecting additional data on the scale and scope of STR in Victoria. This information can be used to better estimate



how many existing STR's may be eligible for business licences under the new rules and the type of fees that can be expected.

In addition, based on community feedback, staff are considering alternative fee structures, including a flat fee that all STR operators would pay, regardless of unit type, a tiered structure based on number of rooms (existing licence fees are based on this model) or a one-time registration fee with a lower annual business licence fee to reflect the high start-up cost of the program, with lower operating costs. Staff will report back to Council on options in Q1 of 2018 following this analysis, in conjunction with the implementation plan.

## OPTIONS & IMPACTS

### **Option 1 (Recommended): Finalize business licence fees in Quarter 1 of 2018 in conjunction with the STR implementation plan prior to bylaw adoption**

Staff recommend aligning the finalization of the business licence fees with the implementation plan to ensure that business licence fees and the fee structure are set appropriately. This recommendation will delay the adoption of the business regulation bylaw to Quarter 1 of 2018 but will not affect the date at which the new rules will be enacted, currently scheduled for March 2018.

### **Option 2: Approve of \$200 and \$2,500 as the business licence fee structure and give first, second and third reading of the STR regulation bylaw in Quarter 4 (not recommended)**

Staff do not recommend this option based on the feedback received through the engagement process. Additional data on the scale and scope of STR in Victoria is currently being collected as part of the implementation plan that can be used to inform final fees and fee structure. Adoption of the bylaw in 2017 will not lead to quicker implementation as new staff and the third-party monitoring firm need to be retained prior to enactment of the new rules.

#### *Accessibility Impact Statement*

There are no impacts on accessibility associated with the recommendations contained in this report

#### *2015 – 2018 Strategic Plan*

This work is identified as a key priority in the Strategic Plan under Objective 6: Make Victoria More Affordable 2017 Actions: Strengthen policy and regulations related to Short Term Rentals.

#### *Impacts to Financial Plan*

On September 14, 2017 Council approved a resourcing strategy that anticipates an annual cost of approximately \$512,000, which includes third-party monitoring, three additional staff, a legal contingency fund and communication costs to widely broadcast the new rules, regulations and consequences of non-compliance. Staff will report back to Council in Quarter 1 of 2018 with an implementation plan including a schedule, further refined resourcing proposal and impacts to the financial plan. The objective in establishing this new regulatory regime is to achieve cost recovery from the licence fees and fines. Additional data will greatly assist in identifying the fees that could accomplish cost recovery, recognizing that it could be a challenge to fully recover costs as that is contingent on uptake of licences.

#### *Official Community Plan Consistency Statement*

The recommended approach aligns with the directions in the Official Community Plan of "Land Management and Development" and "Housing and Homelessness"

Respectfully submitted,



Shannon Jamison  
Legislative Planning Analyst



Chris Coates  
City Clerk

Report accepted and recommended by the City Manager:



Date:

Nov 16, 2017

**List of Attachments**

- Appendix A - STR Business Regulation Community Engagement Summary
- Appendix B - STR Business Regulation Open House Community Engagement Feedback
- Appendix C - STR Business Regulation Email Submissions
- Appendix D – Draft STR Business Regulation Bylaw
- Appendix E – CoTW Zoning Bylaw Amendments, Schedule D, Home Occupations





## Short Term Rental Business Regulations Engagement Summary

November 2017

The community was invited to provide feedback on proposed business regulations for short term rentals at an open house on October 30, 2017 and by email by November 3, 2017. Approximately 130 people attended the open house and over one hundred emails were received by staff.

Participants were asked to provide feedback, using a combination of dots and comments on three components of the business regulations (1) principal residence (2) business licence application and fees (3) operating requirements.

Of those in attendance at the open house, 68 self-identified as owners/operators of short term rentals and 22 identified as being employed in the short-term rental industry. The remainder did not identify their affiliation. The overwhelming majority of email submissions were from short term rental operators.

### **General feedback**

Much of the feedback received was outside of the scope of the proposed business regulations, particularly the feedback received by email.

Many people described the benefits of short term rentals: they supplement income, pay mortgages and help operators save for retirement. According to much of the feedback, short term rentals provide another flexible housing type for tourists and visitors to the City.

There was significant confusion and misunderstanding, both in email submissions and at the open house about where short term rentals are currently allowed. Many people did not understand that entire unit short term rentals have never been a permitted use outside of transient accommodation zones.

Many people felt that the change to remove short term rentals as a permitted use in transient accommodation zones was unfair. Operators in transient accommodation zones who had been operating lawfully before the zoning changes felt that they were being punished. We heard that many units are operated on a part-time basis as short term rentals and used by the operator at other times so these units would not be available for long term rentals. Many people appreciate the flexibility of renting their units on a short term basis.

There were concerns that the decisions being made are not based on data and that there has been limited opportunity for public consultation. Some people suggested looking to other cities, such as Seattle, to model that City's approach (where operators are permitted to have two short term rentals and revenues go into an affordable housing fund).

We heard a small amount of support for the City's efforts to make changes to short term rental business regulations to address housing shortages. However, most participants were not in favour of the City's approach. Participants did not feel that it was their responsibility to provide long-term housing for residents and believed that the proposed changes would be beneficial to the hotel industry but hurt Victoria's economy.

Lastly, many participants at the open house expressed concerns over the cost and difficulty of enforcing this industry.

## **Business Regulation Feedback**

### Principal Residence

- At the open house, 71 of 94 participants were opposed to the proposal for STRs in principal residences only.

Many participants felt that secondary suites, especially if the owner lives on the property, should be allowed for short term rentals. Several participants felt that property owners should have the right to choose how to use their properties as they see fit. Some expressed concern about the safety and practicality of renting out rooms in their homes.

### Business licence application and fees

- 81 of 92 open house participants opposed the proposed business licence requirements and fees.

Many felt that the \$2,500 non-principal resident fee was too high and punitive, referencing lower business licence fees for large hotels. Several participants suggested that existing business licence fees were reasonable. Some suggested that short term rentals should be subject to a tax (e.g. hotel tax) instead of a licencing fee. Others suggested that business licence fees should be based on the type of unit (e.g. studio, 1 bedroom) or be a percentage of income earned.

### Operating requirements

- 41 of 56 open house participants agreed with the proposed operating requirements.

In general, people felt that the requirements were reasonable and would not be overly difficult to achieve. Many participants stated that they already display their business licence and comply with City bylaws. Other participants asked questions around monitoring compliance and enforcement.

## Short Term Rental Business Regulation Feedback

**Date: October 30, 2017**

**Event Type: Open House**

**Location: City Hall – Antechamber**

**# of attendees: 130**

### **Short term rentals will only be allowed in principal residences**

#### **Do you agree with this approach?**

- Yes – 21
- Neutral or Not Sure – 2
- No – 71

#### **Why or Why Not?**

- A suite in someone's home is their residence to do with as they are comfortable.
- If a property is not your primary residence, it is a luxury!
- Thought – What about the family who has the kid who struggles and needs a place to live as an adult but with support but tries to live on their own but needs a place to come back to but the family cannot afford to carry the suite in the months he is not there? (true story)
- Council cannot even keep illegal operations out of the Mayor's own home.
- Currently enforcement is ineffective. What assurance is there that this plan will work?
- I am worried that we will see a lot of current "short term" rental properties go up for sale. Is Council worried?
- As an older traveler I want a private space!
- Need to grandfather; leave existing short-term rentals in place and start new rules going forward.
- Should remove all short term vacation rentals in condos!
- I am a tenant and rent a place to live. As an investment I bought a condo which is a STR. I would not be able to own a condo that is my retirement plan without renting it as an STR. My condo is too small for me to live in now which is why I STR it out.
- This plan is fair.
- No, I don't agree with this approach. It seems to be an approach to cover what the majority is currently doing.
- How are you going to enforce? Why not go after software platform?
- Proactive enforcement
- STR affects community, short term tenants often on holiday make noise and do not contribute to community.
- STR affects permanent tenants – see Harrison Hot Springs policy on this.
- As single parent, I need the income and flexible space of my garage/cottage, I have my parents visiting from Vancouver once a month and I rent it out STR other times.
- As a single parent of two girls, it is unsafe for me to have AIRBNB or other STR guest INSIDE my home. I need the income and want to be able to rent my garage/cottage (no kitchen) for STR. We use it for our own use for part of each month, so LTR cannot work.

- Many home-owner occupied STR spaces are in neighbourhoods. STR support local micro-economies.
- Maybe you should force the hotels to change their business model to accommodate the ever-evolving market. City Hall putting the onus on the homeowner.
- We pay enough property taxes already and anybody renting out a space in their own home needs the income.
- We use two non-transient STRs to offset costs of our long-term rentals such that two seniors on fixed incomes and three young families (13 people!) have no rent increase in 2 – 5 years. Without STR we must raise rents!
- They should be allowed anywhere in a principal residence. In the principal living area only is a silly artificial constraint.
- Definition of occasionally away? Principal residence?
- Personal property should have limited imposed restrictions on use motivated by short term political motives.
- Schedule “D” Home Occupations does not require shared kitchen and bath. Health issues, safety requires private unit.
- Who besides hotels/big business benefits from this initiative?
- People will not want to invest in Victoria anymore and this will affect jobs and economy of our city.
- This targets one of the very smallest business opportunities available to families that have just bought and need the extra income.
- As a senior on a fixed income, I used my house next door for visiting family and use STR to pay mortgage. This will be my income for old age. Do not stop STR.
- Some of the vacation rentals are owner’s secondary residences and they should not be taxed as a sole business.
- Why are you discouraging something that both benefits people who choose to stay in Airbnb and those who chose to host? It also helps people afford their homes. People don’t want to stay in hotels; that’s obvious.
- Needs effective enforcement.
- Three bedrooms please! So much easier for me.
- What is the evidence based data on which this decision was made?! DATA, DATA, DATA.
- “They want to treat rental housing, private-sector rental house as though it were a public utility. Well it’s not a public utility”...
- Separate suite should be allowed – YES! I agree.
- A small group of people who invested in Victoria should not be forced to bear the costs of a societal problem.
- It should be the City’s task to provide affordable housing to their citizens, not the task of a private home owner.
- Why is it better in a principle residence? It’s much more dangerous for a woman to have a stranger stay in her spare bedroom rather than in a separate rental unit. Why are you against us using our own rental properties we have paid a lot for?
- Separate suites should be included within a household. Too hard to regulate principal dwelling.
- AirBnB should be allowed in duplexes, triplexes, and suites.
- These changes are not going to help the long-term rental problem for the people who need it most. An average one bedroom transit zoned condo sells for almost \$400K. With all their fees and taxes they are going to need to rent a one bedroom for close to \$2,000 a month. Who can afford that?
- Property owners should have the right to decide the length a tenant or guest stays.
- Our STR has never been the cause of a problem in our neighbourhood. Leave us homeowners alone. First a business license, then what? More sewer fees? More water bill fees?



- As a pensioner, why should my STR be the instrument to fix the city social problem? I will never rent out for a long-term rental.

## Proposed business licence requirements & fees

### Proposed business licence fees

#### Do you agree with this approach?

- Yes – 10
- Neutral or Not Sure – 1
- No – 81

#### Why or why not?

- Now principal licence way overboard.
- Why don't you fine the illegal STR's to fund the bylaw enforcement?
- Why does Council feel they have the right to bully property owners into less desirable activities when both are legal?
- Too restrictive
- What recourse will exist for compliant STR's if/when enforcement fails?
- I pay PST, GST, MRDT. Is this a level playing field?
- Business licence going from \$100 or so to \$2,500? What is the rationale? Why should an \$80/night STR pay same as \$500/night hotel?
- Why not keep business licence fee as is and change/collect a fee like hotel tax as a percentage of nightly rate?
- Cleaner Hotel - \$13 hour; Short Term \$50 hour
- Principal residence fee of \$200 is too high from someone (renter) who is just gone one month/year and rent out for \$900 - \$1,000 – suggest \$50!
- Does Council want compliance? \$2,500 is expensive and will lead to more non-compliance. Excessive \$ is BULLYING!!!
- I assume this \$2,500 goes to affordable housing and not partilettes, right?
- \$2,500 licence fee is grossly unfair. Empress Hotel – 477 rooms pays \$2,485.
- Outrageous!
- How about asking for the four unit minimum to pay MRDT be removed and then all legal STR's will pay MRDT?
- Why is there misinformation coming out of City Hall?
- Licensing fees should be comparable and to scale, e.g. if the Empress Hotel pays \$2,480/year, why would a single micro-suite pay \$2,500? Also, there should be a sliding scale, e.g. a micro-suite that rents for \$79/night should not pay the same licensing fee as a three bedroom penthouse renting for \$1,000/night.
- I don't agree with a \$2,500 business license for these units – way too high!!
- Proposed regulations are too tight. My basement STR is unsuitable for LTR, but keeps my mortgage affordable.
- I should be paying a licence fee at same cost of January 2017 for \$115 – not \$2,500 to go forward.
- Will the current business application form be adapted to reflect the new changes, please?
- This fee structure is punitive and doesn't properly represent the issues.
- Money grab by City. Why raise the fee from \$115 to \$2,500 ABSURD!!!
- People won't want to invest in Victoria anymore; this will affect economy here.
- Name a municipality anywhere in the world that has increased vacancy by regulating Airbnb!!  
DATA

- I think regulating STR is fine. I think business license is fine. Increasing taxes to DOUBLE is steep enough.
- Hotel license \$5/room; Short Term Rental \$2,500?
- There is no rationale to charge \$2,500 per unit. All rentals can be operated continuously. How much per room do downtown hotels pay for licensing?
- Why is it fair that one STR would pay the same business fee as the Empress?
- Is there legal recourse? It feels like a done deal.
- Why is there no data on the number of STR's in Victoria?
- Why does my 300 sq. ft. condo cost so much more than hotels?
- Should have to rezone like a B & B does. If approved, okay but prefer long term place to live.
- No data seems available to support regulating STR as an effective solution to reducing rental rates or increasing.
- Licensing fee should be scaled according to type and number of units.
- Why \$200 licence fee? Vancouver is \$49! Cash grab?
- Any other businesses in strata units required to have a strata permission letter? Business licences are not the business of a strata, strata bylaw enforcement is not the business of the City.
- Let's be fair!! \$500 maybe; not over.
- Principal residence \$200 fee/month too high for people who rent out one month (say \$900/month)
- The hotels do not pay \$2,500/room. Why should principal residence pay \$200? This is completely punitive which is not the purpose of licence fees.
- Non-principal use \$2,500 per year? If this is meant to be a deterrent it should be much higher. A condo downtown rental as STR will make this in one month.
- Licence amount does not fairly represent the income earned. Hotels have lower tax bracket on revenue earned and lower business licence fees. This does not make sense. Why are you penalizing the tax payers/owners of STR's?
- Why not take a percentage of income instead of a flat tax business licence of \$2,500. Not affordable to part time STVR.
- Do not agree. Why is government butting in on something that has worked well and is still working? Another tax and rules which are not needed. BUTT OUT!
- \$2,500 – the hotels do NOT pay \$2,500 a unit/room.
- \$2,500 is simply pettily punitive and very small-minded.
- This makes good sense. Licensing is needed and enforcement is needed. \$2,500 is not onerous if it is a full-time STVR.
- The City is using its large legal strength to attack a group of individuals who do not have the financial means to fight. It is easier to do this than to fight large corporations (hotels, etc.). Attacking the weakest members.
- City does not have good data (second, separate comment added to sticky note “here here”).
- \$2,500 fee is much greater than what the hotels pay. GET REAL!!
- Fees are way too high. I agree that a more moderate system based on percentage of revenue is more palatable.
- This is ridiculously high amount, which discourages people from working legally with a business licence. Do hotels pay \$2,500 a room? Our tiny unit should not have to pay more than the Fairmont. These changes will not have any effect on affordable housing either.
- Non-principal use - \$2,500 license is punitive. Level playing field please. Same fees for everyone.
- Why do the hotels not give up space for “homeless” workers? Level all fees to equitable amount, e.g. \$200 P.A. for all residences.
- The licence fee is way too high. Hotels and businesses do not pay anything close to that amount. You are forgetting individuals. Not right!
- How will the City “police” this?
- Too much money.

- Three bedrooms please. Also, on more occasions than on vacation, e.g. six months of the year. Vacation too short for my economic situation.
- How about a one to two percent tax on short term rental income?
- Try Seattle's more moderate approach.
- I do not need a business licence to rent a spare room to a UVic student! Why the different rules?
- Licensing fee of \$2,500 out of whack with income generated. A money grab with no known benefits.
- Fee proposals are too high. The entire Empress Hotel business licence is \$2,480. One unit is \$2,500!!
- Do you charge business a licence fee based on their income? If not, then why short term rentals?
- \$2,500 is way too high.
- Absolutely hate this fee. We bought our condo with the understanding City anted STR here. WE also use it for such.
- Why aren't licence requirements applied equally to normal rentals as well as STR's?
- Fee for non-principal use is too high.
- The cost of licence will prohibit me from occasional rental.
- Feels like a tax grab.
- No, I do not agree. This is higher than hotels pay or any licence in Victoria per unit.
- Why do hotels pay so much less? Their profits usually go overseas.
- Don't make owning a home in Victoria more expensive and more taxed.
- Non-principal use fee justifications make it a tax. City cannot levy such a tax.
- Only impose a licence if a "defined" threshold volume is exceeded.
- Guests should pay the MRDT, not punish the host. The Business licence fee is punitive and it is not a tax.
- We hope to move to Victoria and live there until we find and buy our house, but \$2,500 is bull "poo".
- Registration (licensing) is essential for monitoring and tracking these businesses. Just like any other business.
- Will that money go toward affordable housing?
- Strata letter should not be required when the bylaw permit such usage. The bylaws copied should suffice.
- Fees way too high for single, one unit operator.
- \$2,500 is punitive! Where is your data?
- As you obviously want to collect more taxes, then in fairness to all taxpayers, everyone (short/long term) should pay for a business licence.
- For current STR operators with licenses, fully compliant with municipal bylaws and paying income tax on our income, the proposed imposition of a new licence fee rate of \$2,500 a year is a massive and punishing increase of 2500%. Why do Council members believe this is fair? It appears Council believes operators should bear the entire cost of monitoring and enforcement of the new bylaws. Is this true for other types of businesses in Victoria? Do all other types of business have fees that completely cover the City's monitoring and enforcement costs? As part of a more measured implementation plan, to be fair to the many current law-abiding STR operators, will Council please consider a gradual increase in licence fees? Even doubling or tripling fees to \$200-300 in year one (2018) would be a large increase. If it is fair to grandfather in current operators, it is similarly fair to avoid a huge licensing fee increase. (I wonder how this \$2500 rate compares with municipal licence fees to operate other kinds of small businesses.) Attached docs suggest third party monitoring, temp staff and added enforcement will cost about \$500K. At \$2500 each, the first 200 licence renewals will cover that cost. So the new fee rate looks to me like a cash grab on the backs of STR operators.

## Proposed Operating Requirements

These are intended to be simple to make it easy for people to follow the rules.

### Do you agree with this approach?

- Yes – 41
- No – 15

### Why or why not?

- I agree with compliance...but what are the “simple” criteria?
- I agree; fair play.
- Having a licence is fine. It is the cost that is too much.
- Banning is heavy-handed. Provide a service, family, hospital – why not allowing just as is? What about taxpayers?
- Should be pricier to deter every third house becoming a mini-hotel.
- Proposal too restrictive/add value to the rental market by renting to students eight months a year and rent three months of the year short term.
- Have you listened to the owner/operator of STR’s??
- How do those who use Airbnb as the mechanism for their STR assure the business licence number is in our listing?
- What kind of cost will there be to monitor this?
- Hard to get compliance; who will monitor?
- To provide legal, level playing field.
- Already comply with all of this, STR renters are not noisy and obey rules.
- No need to change; too much control. Taxing and taking opportunities away from homeowners is heavy handed and unfortunate.
- \$500,000 for monitoring is one third of annual compliance budget.
- This is the only change I can agree with. We already display our licence number and adhere to all laws in running our Airbnb.
- Not if our licence is higher than hotels - \$2,500 – NO.
- No argument here.
- Active, effective not complaint driven enforcement.
- Of course! Let’s be compliant! That’s the whole point!
- Bureaucracy is NEVER the answer. EVER

### General Feedback

- So request received today for 29 days from a family of four doing home renos is not permitted? Where do they go? Should Victoria ban renovations? What about the 15 day reno?
- With the combo of buildings like Harbour Towers now changing to residential units and chopping STR’s with a 95% full hotel system this past summer...how does this work?
- This has been the most insulting “public consultation” – you are not listening to homeowners!!! It is kind of like the Treaty Process.
- The lack of affordable housing is not the fault of STR owners – stop punishing them and figure out better solutions.
- Where is the research and data that shows that these changes will convert to more available long-term housing? I use my downtown condo mid-week to avoid commute from Sooke, and I won’t be giving that up (using as STR on weekends).



- With 1,000 hotel rooms converted to condos in the last four years, where are people to stay in a 5% hotel vacancy rate in 2016.
- People will not want to invest their money in Victoria anymore. Will be a loss to economy and jobs.
- Where is the data that shows STR's are responsible for rental issues in Victoria?
- Banning STR's doesn't necessarily mean they will become long term rentals. Many don't want the potential hassles.
- Stopping my STR does not improve my income.
- How does stopping short term rentals provide accommodation options?
- If you want to provide equity, let's have an avenue for business licence and pay the hotel tax.
- A long term rental has far greater impact on neighbours, particularly if they are an inconsiderate tenant.
- STR in houses where the owners live should not be affected – including suites.
- No short term rental in residential zones. Otherwise reduce my property tax to compensate.
- STR is the only way I have been able to afford my home in this market. Please do not regulate it so heavily.
- If you want more low income housing; build it. Most condo sales in town are aimed at high end. Buy land and build.
- Will be taking none of this – looking at next election – votes for your proposed STR will not get my vote.
- AirBnB does nothing to build thriving community except being in affordable places for tourist to stay with families.
- Where is your data? PS – I don't run an STR.
- You are funding housing on the backs of people who bought in areas zoned for TA.
- There are only about 300 STR's in the Legal Zone with 50% of those never going back into the housing market as the owners use them. This small amount will not affect the housing market. The 3,500 units coming in 18 months will.
- I bought my condo for my retirement and I could not afford to have bought it without renting it as an STR. I have had long term tenants wreck my place in less than a year. Short term renters treat properties with more respect.
- Really well-intentioned, but really stupid! Do you really think the renters are anything but tourists?
- How does this provide short term rental options?
- Yes, good ideas for providing more short term rental options.
- Not equitable – where do hotels contribute?
- Why is the City supporting multi-nationals at the expense of small business and your electorate?
- One bedroom suites I manage will never be in the affordable housing pool. They would rent for \$1,600 unfurnished or \$1,800 furnished!!!
- I don't agree with this as it will increase the cost of housing.
- There are few people who will rent or purchase downtown condos as they are very expensive. Your reasoning is faulty on opening up rentals.
- The unit that I rent will never be low rental housing because I live in it. The issue is it is larger than two rooms.
- This really helpful to earn additional income. I am single, self-employed, am close to retirement, no pension, very large student debt. The income will definitely keep me from poverty as I age further.
- For the City to think that investors will become social housing advocates is past silly.
- The issue is low income housing STR's do not help or solve this problem. As owners, we would have been open to a \$5 - \$10 levy on all bookings put towards building low income housing. In Seattle they did it and it worked.
- I think that you will find the cost of rentals will go up with these proposed changes.

- STR provides accommodations for our community in the time of need.
- Ban any new hotel builds...create co-op STR opportunities to decentralize and not “quarantine” tourists to hotels.
- This is fair.
- Rental vacancies are not low, there are numerous rental buildings coming on market and then we will be flooded by renters which will bring our investments in property down.
- Changes penalize homeowners, support hotel operators, impose “Big Brother approach”, and blame short term rentals for housing situation.
- Short term rentals do not have negative impact on neighbours or neighbourhoods, they bring money to the communities from the people staying at the STR.
- It would be better to focus on other priorities? It will not help housing and will hurt tourism.
- Short term vacation properties (units bought to run as a business) are the issue. Not bedrooms for rent in people’s homes – there is a difference. Units removed from the market impact this “community”.
- When I bought my condo it was for the purpose of STR in a transient zone with “Any” type of rental allowed. The City has not right to change this.
- Let’s develop advocacy and work together to develop a workable solution that doesn’t feel like punishment o the one group of STR owners. We are all promoting this city and need to work in harmony.
- Many of the affected properties were built for short term rentals and don’t provide a good solution for long term.
- The City should work with owners in the transient areas to come up with solutions that would benefit everyone.
- Short term rentals have dramatic impact on rental stock availability and prices. Victoria is 60% renter market and we have less than 1% availability! This is a problem.
- I have recently renovated my basement as a purpose AirBnB without a stove/oven and with our laundry and storage room in the suite. It is not suitable as an LTR as we have to get in.
- The STR are the most respectable people. Never any problems for the neighbours. I have in past years had long term renters and encountered many problems.
- If we ever decide to put our STR to long term, it would be a premium/executive rental. We furnished it at a premium so our units wouldn’t help the housing crisis.
- Long term rentals that are available are not affordable...short term rentals if forced back into the long term rental pool will also remain unaffordable. Hmm – need to address THAT!
- STR can take away parking in residential streets.
- Where do visitors stay (affordably) when motels are being knocked down to build luxury condos? These proposed regulations will harm Victoria’s tourism industry.
- There are 3,000 rental units coming in 2018. Why not wait to see this effect?
- Changing the rules does not promote equity with punitive licence costs. Multi-unit buildings with transient zoning are being paralyzed by high fee for licence.
- Hotels are totally unaffordable! We charge \$67/night for our AirBnB – this allow families or low-moderate income folks to visit.
- There should be an ability to be “grandfathered” in for those with existing suites. We depend on our AirBnB to keep our house.
- It is not my responsibility to provide housing for long term renters. If you want that in the city, then develop apartment buildings for people to rent.
- Get proper facts; this is not correct thinking.
- Frankly they are part of the housing affordability continuum.
- The downtown AirBnB unit we have (and other have) will NEVER be “affordable housing”! If our basic monthly costs are \$2,400, do you think we are going to rent it out as a long term person for

let's say \$900/month and subsidize it ourselves by \$1,500/month?!! Heart of downtown areas are for tourist and people with good incomes.

- Read: I can be paid off.

## Where are they currently allowed?

### Comments/Notes from the Public

- Creating long term rental opportunities should not be the responsibility of private home owners. The burden should fall on local and provincial governments. Should be allowed secondary suite in primary residence!
- Separate living areas with private entry should be allowed.
- I do not want to share my home with long term tenants (in my separate suite). I want to be able to have friends and family stay there when visiting and be able to rent short term. I need the flexibility in my primary residence.
- Ridiculous! Proposed regulations too tight.
- I agree; separate living with private eating should be allowed.
- Our STR guests – many are families – want private space and their own kitchen and laundry – not sharing room (s) in a house!
- Whole buildings are pre-existing non-conforming – why are you demanding proof from individual owners?
- Short term rental if qualifies?? This sounds to me like expropriation of private property – forcing property owners to use private holdings according to new rules.
- You cannot use licence fees as a tax – Community Charter. Empress pays \$2,485.
- So if legal, non-conforming is allowed, why punish with \$2,500 fee?!?
- The City is so obviously being swayed by the hotel industry. STR's are filling a need for families, workers, visitors, and people here for non-vacation purposes.
- Too restrictive, fines are punitive, shared kitchen – get rid. Why not “grandfather” clause all for a period of time and collect DATA.
- Should be more relaxed.
- They should be allowed with tolerance of this niche market.
- In Holland they allow STR in owner's home; either suite or bedrooms...BUT only 40% of house.
- Yet another bone-headed attempt to address a real problem. Housing a huge issue, tied to poverty; not about visitors to Victoria looking for short term accommodation!!
- Rumour is your proposals have small homeowners paying more than hotels for the licence per room; how can this be?
- Neighbourhoods need STR to bring business to local businesses.
- ABSURD – it has worked well. Get actual facts before you do anything.
- Incentivize people to adjust housing to accommodate more people without 100% feeling of loss of privacy. Guest are well-behaved if secondary suite with owner in building. Flexibility.
- We need to allow owner-occupied use of suites and cottages for STR.
- My single family home in Victoria is unaffordable without STR.
- We rent our house out and live in the suite in the house. We have had tenants long term who had the audacity to put chickens on the front lawn in a very good neighbourhood. They also wrecked the house and we could not get them out. Since then, we have rented out to STR's and have welcomed many families who respectfully look after our home. Please do not stop STR's.
- Should be as many as they like.
- STR income is higher than LTR and creates incentive to push out LTR renting families out of city.
- This would allow a condo to be rented as STR, which is a much more suitable LTR than low ceiling basement without kitchen.
- This is fair.

- AirBnB and STR are all very full. Victoria's tourism needs us.
- Most garages/cottages are NOT acceptable as long term homes.
- They often do not have kitchen facilities and we need them for our own personal use occasionally.
- STR appear to add more vehicles parked on narrow residential streets, like many in our Fairfield area. Also changes the feel of safe neighborhood when strangers are constantly coming and going. Our lots are narrow and houses are close.
- We (STR's) are filling a need that hotels do not. Families and people who otherwise could not afford to visit our beautiful city. This is not good for tourism.

### **Recent zoning changes: Short term rental is no longer a permitted use in transient accommodation zones.**

#### **Comments/Notes from the Public**

There were some comments on the map on this board:

- A map you can't read; how professional!!
- Be great if you could read the detail!
- We need it legible please.
- Illegible!

#### **Additional Comments/Notes from the Public**

- No far enough, legal non-conforming makes sense for the individual unit. Why the entire building?
- Too restrictive in application. Favours the hotel industry.
- Should be an application and rezoning to offer neighbours some input.
- STR brings value to locals throughout Victoria – allow everywhere.
- City consultants and City staff told you this was a blunt, ineffective tool to use. So why?
- People cannot afford in this area because properties are being rented as vacations homes.
- Would like to see criteria here for qualifications.

#### **Any other comments or feedback?**

- I do not see it as my responsibility to provide accommodation for the hospitality industry.
- All short term rentals in downtown condos should be stopped to release units for long term rentals.
- Too many vacation rentals in Chinatown.
- My AirBnB guests stay in my cottage for births of grandkids, cancer treatment, meeting locals, house hunting, graduate, job interviews, and family reunions.
- Making renting our place less affordable as an STR may leave as homeless. Ironically what you are trying to fix.
- I have addressed Council; I have emailed Council and Mayor, I have shown up tonight with the exception of Charlayne, no one has bothered to really reply. Sadly, only saw one Councillor here tonight.
- No more new hotels. Turn hotels into micro-apartments and create more "co-ops" hotels made of suites owned by individuals who can chose to live in their unit or not. Downtown are too expensive and prices go "up" and that is just the way it is. Decentralizing the profits helps community.
- People will not want to invest in Victoria which will affect our economy and also jobs.
- Homeowners should be also required to pay a nightly tax to the city as the hotels are required.

- This was a short-sighted policy trying to blame the housing problems on a handful of owners. The same City Councillors promoting this policy also shut down every development proposal which strives to add more units. We need more supply! Not more rules.
- Many STR's are not primary residence and not in interest or serve long term inhabitants nearby.
- Licensing staff inconsistent and appear opposed demanding document proof even where licences already in building!
- This does not make sense. What makes you think that homeowners want permanent tenants? The City should not be making this a homeowner problem.
- Thank you for having this forum. From listening to others I can tell it is an emotional issue. Again, my concern is that my home is here and going to be a long-term rental. It is set to help me with debt issues caused by doing an advanced degree at an advanced age.
- I do not believe there has been adequate consultation with stakeholders. When asked what and how City Hall has reached out, I was informed that inadequate consultations. Would be fair feedback because I wanted to write an email and was told I had until Friday! Not only is that not an adequate timeframe, you ran out of handouts.
- STR's bring good economy to the city in all aspects and the city has thrived from this; not only downtown, but in neighbourhoods too.
- Property owners' rights to choose are being taken away – long term/short term use, furnished/unfurnished.
- Why are homeowners outside transit zone being penalized by BIG BROTHER?
- The purchase cost and small size of most downtown units make them much too expensive for families. These units would almost never be used by lower income people as they are just too expensive.
- Have had no complaints from neighbours; only positive feedback.
- My two bedroom suite will never be long term, especially with the proposed changes to lease agreements. It will go to 30 days and sit empty when not in use by visiting friends and family, and Victoria will lose the 80-100K per year that goes into the local economy.
- Need more creative approaches this is going to negatively impact small business. One approach is to allow STR during summer and for student housing September to April. This both pressures tourism and small business and provides stable housing.
- My guest spend at restaurants, sports, rental, whale watching, they buy souvenirs, clothing, groceries – all local. They will not come here if the only option is \$350/night hotels.
- Did not have the email address to send feedback to on the handout. Obviously this is too rushed for City Hall too.
- My interest is multi-faceted. Governance – not data sought to respond to city wide interests in STR. Economic benefit to community as a whole – not just downtown!
- Why doesn't the City of Victoria follow Seattle's successful STR policy?
- Why are empty hotel beds not being used to counter the "homeless" situation in the City?
- Where are the facts and details to warrant a \$2,500 business licence?
- Where are the facts to say people that stay in STR's are a danger to other residents?
- This will hurt tourism...most cities in the world offer AirBnB in homes outside of downtown.
- How can possibly dictate what use I can have in my home – don't we pay enough taxes?
- It is wrong to expect people who have invested in Victoria to take losses to solve a societal problem.
- The September 21, 2017 public hearing was a FARCE. No Councillor was actually listening to the public. Council's decision was made in advance based on no DATA, made under pressure from the hotel industry.
- Homeowners are being used as scape goats and are being made responsible for the homeless problem.
- More nuanced approach with more rights for homeowners please.



- How does this improve long term rentals? As far as I can see, the only winners are government who keep charging fees.
- Fee for principal sublet - \$200/year is way too high for tenants who stay one month (say at \$1,000).
- City Planners and City Councillors – No vision over the last several years to address the housing “crisis”.
- You need proactive enforcement. Make the software platforms accountable.
- Is there a shortage of hotels?
- Exactly who are these “homeless” people that STR’s are purportedly affecting? Can they not live in Saanich and take a bus to work?
- Tourists want the B & B experience. As an elderly person, this is the only way I can afford to stay in my house.
- Set a threshold of time rented out to require a licence.
- Provincial government is stopping fixed term – with vacate clause, so anything longer than 30 days the homeowner (for secondary suite) has no control. This along with Residential Tenancy Act allows no flexibility for homeowners with suite in primary residence.
- Why are owners/operators of STR shouldering the blame for housing shortage? Where were the City Planners five to 10 years ago?
- What are the next steps? Please put them on the website; thanks.
- The City is supporting the big hotels and not the single house homeowner who is paying plenty of property tax already.
- Totally disagree with this approach!
- Trying to stop my short term rental will NOT help the housing crisis. My rental is 240 sq. ft., no parking and is not for long term use.
- What about people who make a living cleaning STR’s? They will suffer.
- This will result in me not renting long term, but keeping property for own use. Therefore, no help to shortage issue.
- Why are the property owners in Victoria expected to be the ones to provide housing? Why are the hotels not providing housing for their staff?
- City Council blames STR for housing “crisis” and homelessness and lacks vision and fortitude to address the real housing situation.
- You need to get proper facts and speak to owners to get data.
- STR in owner occupied units should be fully allowed. People don’t STR of suites on a whim. It is a pain and it is a lot of work.
- It is your job for affordable housing; not mine.
- Many STR operators have invested heavily in businesses and properties. The onerous \$2,500 fees proposed for some types of STR’s will bankrupt them.
- Layabouts is another name for the supposed “homeless”.
- There should be more protections for landlords to encourage long term tenancies.
- STR is one of the only ways that a lot of people can get into the housing market in Victoria. Don’t make ownership even harder!
- We are a local, small STR agency concerned about our future because of imposed bylaw changes. We require all of our properties to obtain a business licence, are located in a zoned transient areas, and abide by strata bylaws; but yet we are being punished with imposed fines of “proposed” \$2,500K!!
- I feel you have gone about this very wrong. I tried to do the right thing by purchasing in transient zone. If you need to licence the units, do it at a reasonable cost. You are simply trying to shut us down. We are not the cause of the housing shortage.
- Income made by STR staying in our community.

- There are no hotels in the hospital neighbourhood, cancer clinic, hospital, etc. Furnished rentals with flexible stays are needed.
- How will fees be collected? How will bylaw be enforced?
- We constantly monitor our condo building for AirBnB rental to stop them. We are not zoned transient.
- Where was that “Chicken S\*\*#& Ben Issite tonight? Afraid to face us who are “realists”?”
- We will never use our STR for long term rentals. The BC Landlord Tenancy Act is too prohibitive and past experiences with long term renters have been AWFUL.
- Secondary suites in primary residence should be able to be licensed for STR.
- City Council bowed to pressure from hotel industry/Tourism Victoria. Has not demographics on who uses STR. Lacks data to support decision.
- Why is it the homeowner’s responsibility to provide rental accommodation for homeless individuals or “fix” the low vacancy rate?
- We will lose a significant amount of tourism income.
- Why did Council not enforce the non-compliant STVR and implement business licences for all instead of the “mass” enforcement and Bylaw change – not fair to us that ABIDE BY ALL THE RULES!
- The homeless issue is not a result of vacation rentals.
- What type of city do you want to live in? One that is run to represent tourists? Or one that is a rich community that looks out for the people who live here? I support the move to structure short term vacation rentals.
- City of Victoria, show me the proof that STR is the reason for the affordable housing crisis.
- If you are coming to have a family reunion and want all your family together in one house, what do you do – rent six room at a hotel? Come now!!!
- STR is used by family members coming for birth of baby, people going for hospital treatment. They need private space in cottage/suite.
- HST does not apply to income less than \$30K and the PST is not applicable on rentals. Generally more tax is collected as personal income. Hotel tax is not applicable as STR are not hotels.
- I understand that locals need housing but I only own one property (principal) and like the option of renting it out for a few weeks a year while I am on vacation. Victoria is expensive and this supplement of money would be enormous to my quality of life.
- Low income people would not afford my unit. This change would not help.
- Why not call Victoria what it is; a tax haven for residential properties as INVESTMENTS AND HOTELS.
- It is not our responsibility to fix the homeless problem or affordable housing.
- Why are the property owners expected to solve the housing shortage? Where are our tax dollars going and why is this our responsibility? If we own an STR unit.
- Greed drives downtown property purchases as revenue streams and DOES affect homelessness.
- Why 30 days? What about one week minimum?
- All levels of government should stay out of private homes. You have no right to tell me what I can do/not do in my home. Your tax system is inefficient – sort out your homeless issues - not by trying to force homeowners to fill in the gap. Force business to change to accept consumer demands.
- The changes will force the business underground.
- This has been the most frustrating “public consultation”. You are not listening and responding to nuanced needs of our community. It is just like oil companies “consulting” with First Nations.
- So short-sighted. We stay in AirBnB’s all over the world from Victoria to Buenos Aires. It is an amazing experience and people love it; it is so incredibly popular. Why discontinue it?
- Not private homes responsibility to provide housing.
- Why is it the responsibility of property owners to solve the City’s housing crisis?

- Interfering with my right to make a living and to exist – I don't have to become dependent on the system for financial assistance.
- Possible reasonable thoughts to consider: limit foreign ownership of units and STR's, tax and regulate STR's anywhere in the city, limit STR's in any one building, require neighbor consent, and don't blame STR's for rental shortages.
- If the proposed changes are passed, I would qualify for a STR in my one guest bedroom of my home. I would apply for a business licence. I have to ask though – that the form for this be tailored to this particular form of STR please.
- When setting amounts know that some website include refundable deposits as income to inflate fees; others do not. What some say is revenue is not accurate.
- AirBnB should apply to suites and not just a bedroom.
- This open house and dialogue should have happened year(s) ago. Perfectly timed with the upcoming election!
- Charge a \$10 a night booking fee and make money to build affordable housing.
- We rent the suite in the house we live in – part of the year. Hospital patients, visiting students other parts of the year. Provide a service.
- How can you outright ban. Not licence. We will leave our suite empty before we would rent out unfurnished.
- Why is it my responsibility to house hotel workers? Let the hotel house them!
- Can the City please provide some valid data to support these changes? NO HEARSAY.
- Has anyone thought about taking some of the ever-increasing empty retail space and turning it into housing? These are parts of Victoria that look like ghost towns with many empty store fronts, mall space, etc. Also, lots of empty space above retail downtown.
- This seems to help hotel and big business by taxing the small business – home operated business – SHAME on Council.
- What benefit will people looking for housing get from any fees collected?
- Most STR's area providing a little bit of extra income to keep us in our homes. The property taxes alone with sewer and water levies and street cleaning levies are all adding up to make it harder for us. Soon we are going to have to pay more for the bridge (that may never get completed) and the new sewage treatment scheme – we are being forced out of the city we love by these costs.
- The City could do a lot if they work with us instead of shutting us out.
- Short term rentals should be allowed in duplexes and triplexes.
- STR is just a small hotel or B&B. Should be more effort to create longer term rentals that are not 70% of your wage.
- The City required me to make many expensive change to my home and to bring up to today's codes. My suites will not become affordable housing once on the market. AirBnB has helped me and provides me insurance against bad tenants. A bad tenant would bankrupt me. Duplexes and triplexes should be allowed.
- Many STR's in non-transient zoning would love to have this industry properly regulated. Otherwise it will just go underground and become a risky, bad industry. We want fair regulation.
- Council choosing multi-national corporations over its own local citizens – thanks Victoria.
- Suites in homes where owners live should be able to be licenced.
- Some business people on Council would be good for the city.
- 200 legal transit vacation rentals in Victoria.
- So people who have invested their dollars to buy property will bear responsibility for Victoria's massive housing/poverty problem; wildly simplistic and WRONG.
- Maybe 1201 Fort St. development should be affordable rentals (over 95 suites) instead of luxury unaffordable condos rather than putting the burden on homeowners with suites.
- Why do this? It is not broken; it will not increase rentals; it will negatively affect tourism.
- Fine the illegal operators \$2,500 to fund the enforcement.

- Some of the Council must have interest in the transient zone; if they own condos there.

**Why are you here today**

I am a short term rental host. My rental is			I am considering becoming a host	I am employed in the short-term rental industry	Other
In my home: 30	Not in my home: 36	Other: 2	7	22	2

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 11:20 AM  
**To:** Legislative Services email  
**Cc:** Lisa Helps (Mayor)  
**Subject:** Airbnb / Home Sharing

City of Victoria,

Airbnb and home sharing is a detriment to the hotel industry in Victoria.

As a former personal information Harbour Towers Hotel & Suites, I know first-hand the impact that these unregulated businesses have had on our city.

Throughout 2016 — a year of booming numbers in Victoria’s tourism industry — hotels saw a decline in occupancy rates (2-3% year over year), despite increases in visitor numbers. Airbnb is the platform that swallowed this growth.

Not only did private businesses suffer (including Harbour Towers, whose owners ultimately saw more return in a conversion to an apartment building amidst these record-breaking numbers), but the city and province suffers. Evading GST, PST and accommodation taxes, these unregulated home sharing businesses get an unfair advantage against traditional accommodation services, and governments miss opportunities to generate spend-based revenue.

I urge the city to immediately take action to regulate and tax home sharing businesses, before their share of the accommodation market becomes detrimental to the tourism industry.

Sincerely,

personal information



**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 4:46 PM  
**To:** Legislative Services email  
**Subject:** Airbnb

To whom it may concern,

I am a 74 year old widow and have some spare room in my house. My husband passed away year 2000 and we had just been given the down payment from our son to invest in a home. We moved in 21 Aug 2000 and my husband past away  
personal information I was left with a mortgage and bills. I have had foreign students and worked as a Insurance broker, still in that field. I have no pension other than a small CPP and OAS.

I would hopefully be able to retire in a few years with a supplemental income from my Airbnb.

Airbnb provides a great service and I have had wonderful guests that have been been able to stay here for \$74/night this season and a bit more in the summer, compared to the hotel rates \$125 - \$500/night.

Respectfully

personal information

Sent from my iPad

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 3:13 PM  
**To:** Legislative Services email  
**Subject:** AirBnB Feed back from a single parent

Hi, I received an email in regards to feedback about AirBnb. I am a long term employed single parent who owns my own home. Yet I have struggled severely for years to keep mine and my sons head above water, We have lived on the personal information and have done our best to grasp at straws to not have to go there. To the point of personal information

My personal information and with all he has learned through this super awesome group he has set his personal information, now keep in mind we cannot afford food, his body has trained itself to not need lunches, he eats breakfast and dinner only. Yes his school has contacted me to say hey personal information

Only this year we have discovered AirBnB and just as I am thinking holy crap finally here's a ticket out of poverty, if I can just get my head above water this year I can then put the income towards the personal information he will need. But then just as quickly as I see a way out the rug appears to be getting pulled out and I feel as though someone want to stand on my head to ensure I sink.

So I am not sure it will help but that's my feedback on AirBnB. Obviously I would like it to stay, I do understand putting restrictions on people who have multiples and don't reside in them but for families grasping to stay afloat and finally feeling a weight being lifted making them suffer seem cruel.

Thank you for your consideration,

personal information



Virus-free. [www.avast.com](http://www.avast.com)

**Rob Gordon**

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**From:** personal information  
**Sent:** Friday, Nov 3, 2017 8:53 PM  
**To:** Legislative Services email  
**Subject:** Airbnb

Any crack down on full unit STRs should come with a BAN on building new hotels. We need more affordable housing built, more micro-apts/"adult dorms".

Lets decentralize the profits and keep them in this city with "co-op hotel"/airbnb friendly buildings. I've heard a lot of personal stories and there are some very good reasons people have turned to STR.

Because of my own building's fearmongering about safety re people staying WITH me renting out the spare room when we are not using it... I've been trying to find a roommate instead but no one wants to pay the price of a room at one of these expensive downtown condos!! I might be forced to move.

I know you can't change condo by-laws, but you can certainly set a tone... as you have already differentiating between whole unit STR and renting out a room in primary residences. But to meet demands of tourists and house them all I would suggest you strongly encourage Strata to relax on STR, just deal with repeat offenders-case by case, and they can sign up with Airbnb's new service which give everyone access to guest lists, and whole-building insurance, since they are worried about such things! [or any similar service who wants to offer that peace of mind]

**Rob Gordon**

---

**From:** personal information  
**Sent:** Thursday, Nov 2, 2017 1:07 PM  
**To:** Legislative Services email  
**Cc:** personal information  
**Subject:** Arbnb

Hello,

I am a longtime user of Arbnb worldwide and also know of friends who run Arbnbs. My rich experience using a Arbnb was much richer because I was able to integrate into the community, experienced local shops and businesses. But mostly I now can afford to travel and stay at these places because I am not paying for corporate accommodations.

This is list of many positives that Arbnbs bring to our community and I hope that my voice is heard in saying that if you apply restrictions to current Arbnbs you will suffocate the culture and local business Arbnb brings along with it.

1. Vistors around the world coming in local communities.
2. Investing in LOCAL communities rather than the corporate rich centre
3. Bringing in cultural diversity to local communities
4. Retired people being able to afford their homes because I can create income
5. For those people who have illegal suites that the city does not allow renters, this is a way for homeowners to afford their homes
6. Investing in LOCAL interactions rather than just the reguar tourist traps
7. It's LOCAL communities that are profiting rather than corporations
8. LOCALS are recommending their local businesses to go to rather that corporate businesses
9. This brings in more diversity, cultural experience and will attract more vistors to our beautiful city
10. A

Kind Regards,

H

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 12:21 PM  
**To:** Legislative Services email  
**Subject:** Argument in Favor of Condoshare @ Airbnb

I understand that some changes are being made for AirBnB in Victoria. As the host of a Condoshare (I live there and rent my spare room) I must say that Airbnb has massively improved my mental health and financial stability. It has permitted me to develop my career, improved my Social and <sup>personal informatio</sup> by freeing up time, and introduced me to contacts around the world.

The homeshare I believe is the original ideal of airbnb and restricting homeshares is short sighted. I understand how the system is being abused by large entities, please go after them. Not the individual who deserves the liberty to host travelers and make friends.

Sincerely  
personal information

Sent from my Huawei Mobile



**Rob Gordon**

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**From:** Bonnie Hardy <strollers@shaw.ca>  
**Sent:** Wednesday, Nov 1, 2017 12:04 PM  
**To:** Legislative Services email  
**Subject:** City of Victoria Airbnb

TO City of Victoria, 1 Centennial Square, Victoria BC

In 1997 after **personal information** Government Street with

3 bed and breakfast rooms. I Registered the Name: **A Downtown Strollers** with the city and was one of the First to Advertise on the web with Internet Vacations. Home Computers were just becoming popular and folks from around the world began flooding to Bed and Breakfasts in Victoria BC. Because of our location (3 blocks south of the Empress Hotel) we referred guests to many other Bed and Breakfasts until they too joined the web. Victoria, BC Canada became the Canadian version of British Bed and Breakfast stays. Most B&B couples were 40 to 70 years of age.

In December of 2005, Tragedy struck when my first **personal information**  
 the MU2 in Canada.) .) We had tried to petition a ban on

The following years After **personal information** I no longer advertised my B&B, but I kept my license because over the years my 3 Alberta guests had become Friends and they continued to book with A Downtown Strollers whenever travelling to Victoria.

Last Year, the deck off my kitchen had rotted, & had to be replaced. Having no income other than my **personal information**  
 I registered with Airbnb to earn the \$4,500 cost to replace that deck. My **personal information**  
 guests arrived Easter week April 17<sup>th</sup> and the last guests departed August 27<sup>th</sup>. I had earned sufficient funds to have my deck rebuilt.

If not for Airbnb I would have a Locked door off my 2<sup>nd</sup> story kitchen with no deck.

While doing Bed and Breakfast my Annual Website fee was \$1,200. Airbnb does the Advertising and deducts a portion for their advertising expenses per client. Without Airbnb's assistance I would still have a second story door going nowhere.

In past years Victoria Hotels have complained about Bed and Breakfasts. But I feel Victoria has that Old World Charm **Because of Bed and Breakfasts!** In **personal information**

~ Home Stays were prevalent in Britain, France and Spain then. If Victoria hotels are not competitive in Booking Guests allow them to transition to apartment Blocks.

I believe there is room for all ranges of accommodation ~ airbnb is a blessing allowing the younger generation to travel to Victoria too.

Sincerely Bonnie Hardy Business Licence #9636

**Rob Gordon**

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**From:** Alex Dagg <alex.dagg@airbnb.com>  
**Sent:** Thursday, Nov 2, 2017 1:38 PM  
**To:** Chris Coates; Lindsay Milburn; Shannon Jamison; Jonathan Tinney; Legislative Services email  
**Cc:** Patricia  
**Subject:** Committee of the Whole Report - Response from Airbnb

Good afternoon,

We are writing in response to the proposed short-term rental regulatory framework that Victoria City Council received on September 21, 2017.

Airbnb is pleased to see that Victoria is moving toward regulating home sharing and that the framework will legalize short-term rentals in all residential areas. We have reviewed the regulatory framework to change the *Zoning Regulation Bylaw* and we look forward to ongoing participation in this policy process and to continuing to share data and information about our community with city staff and council.

Airbnb is proud to represent a diverse community of hosts and guests who collectively make up our home sharing community. Airbnb connects people to unique travel experiences, in more than 65,000 cities and 191 countries.

Keeping our community safe, both online and offline, is one of the most important things we do. There have been more than 200 million guest arrivals in Airbnb listings to date, and negative incidents are extremely rare.

Even so, we're constantly working to improve our platform, our policies, and our protections, because even one incident is one too many. In fact, our Trust and Safety department has offices spanning the globe in San Francisco, Portland, Dublin, and Singapore. Our team is made up of engineers, 24/7 response agents, data scientists, product managers, designers, law-enforcement liaisons, crisis managers, and victim-advocacy specialists, in addition to policy, privacy, cybersecurity, insurance, and fraud experts—all working together to keep our community safe.

Hosting on Airbnb in Victoria helps everyday people afford to stay in their homes. As of September 1, 2017, the typical Victoria host shared space in their home for 56 nights per year and earned an annual income of \$9,400 on the platform, or about \$780/month. In the past 12 months, there have been 78,500 guest arrivals to Victoria on our platform, with an average length of stay of 3 days. The top five origin cities for Airbnb guests visiting Victoria are the neighbouring cities of Vancouver, Seattle, Calgary, and Victoria and Toronto.

Airbnb is transforming travel by allowing people to experience cities like a local, visit family members who may live in Victoria, and support neighbourhood businesses that would never see tourists otherwise. The Airbnb host community also supplements the available hotel stock during peak travel seasons and generate additional tourism revenue. This is particularly important in Victoria, since [tourists face a tight market for hotel rooms](#) (Times Colonist, January 2017). Paul Nurse, the chief executive of Tourism Victoria, noted earlier this year that the hotel occupancy rate was affected by reduced hotel room supply and the room rate was affected by inflation, contributing to a record year for tourism to Victoria ([Times Colonist, February 2017](#)).

At this time, we are somewhat discouraged by the Victoria council's indicated approach. There is a perceived inequity in that the new business license for primary-residence STR hosts is two times that of a traditional

business license in Victoria (\$200 versus \$100). With respect to business licenses, we support a simple, online process with a modest fee, that is commensurate with the typically casual nature of home sharing.

We are also concerned about the effects of excluding secondary suites from the framework. Families are diverse and change over time, as do their needs for the extra space in their homes, including secondary suites. We have hosts who use secondary suites to rent to university students only during semester months. We also have hosts who keep basement suites for the use of aging parents and adult children when they visit. As currently proposed, the bylaw would unfairly restrict the rights of Victoria residents based on a mistaken assumption these units would go into the permanent long-term rental market.

A positive component of this proposal is the ability of both renters and owners to home share. It is important that renters are able to participate in home sharing, so that they too have the ability to earn meaningful, supplemental income needed to pay the bills and afford to keep living in Victoria. However, the bylaw currently places additional burdens on renters to obtain a letter of permission, and unnecessarily inserts the city between tenants and landlords. In an intensely competitive rental market, the current draft will only chill the ability of renters to home share and place them at a further disadvantage compared to Victoria residents who own their homes.

We ask the City of Victoria to continue working collaboratively with platforms like Airbnb to design a more appropriate and straightforward regulatory system. We want to work with you to ensure the rules are fair and easy to comply with for all Victoria residents.

Sincerely,

--



Alex Dagg  
Public Policy  
Canada

[\(416\) 573-8193](tel:4165738193)

[#WeAccept](https://twitter.com/WeAccept)

**Rob Gordon**

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**From:** City Life Suites <stay.citylifesuites@gmail.com>  
**Sent:** Thursday, Nov 2, 2017 4:05 PM  
**To:** Legislative Services email  
**Subject:** Direct Opposition to Proposed Changes / Short Term Rentals Victoria

To whom it may concern,

**We are writing this letter today to express our direct opposition to the proposed changes for short term rentals in Victoria. We strongly urge council not to proceed with the proposed new business regulations.**

Our background is as follows; we own a small local family owned short term rental agency in Victoria. We purchased this 11 year old existing business in February 2015, and relocated to Victoria from southern Saskatchewan. This agency is our only source of income. We work tirelessly to maintain a reputable agency and with the proposed new business regulations regarding short term rentals in Victoria, if passed, will have detrimental effects for our business.

We are a hands on agency and currently manage 15 properties in downtown Victoria. All of our properties are located in transient zoned buildings, all of our owners are required to purchase City of Victoria business licences annually, and we abide by the rental bylaws of our strata lots. According to documents presented on the City's website, we have legal non-conforming status with all of our properties. However, even though we have done everything required, we are extremely concerned that if council proceeds with the proposed rate fee increase of \$2500.00, our owners will sell, and we will be left with no business at all. You may think this is an exaggeration, but believe me, it is not. We feel councillors have put our business future in jeopardy. As small business owners, we work very hard to maintain a good reputation, a strong customer base, and a trustworthy environment. Mayor and councillors, you are putting our future at risk. In addition, we collect MRDT, PST & GST on all short term rental reservations and remit quarterly.

We wonder why council did not consider enforcing the non-compliant short term operators who a.) were operating in non-transient zoned areas of the city and b.) were operating without a licence? This approach would have been an acceptable starting point to cleanse the short term rental market, instead of "bringing down the hammer" on all short term rentals, lumping us into one large group even though we operate very differently.

We also wonder how the city enforced short term rental owners / operators to purchase business licences. After many conversations at the "open house" October 30th, we determined most were operating without business licenses. What enforcement was used to implement operators to purchase business licences? It does not seem like a very difficult task. All listings are available to the public on vacation rental platforms, contacting hosts is easy. Why was this not implemented before extreme action was taken? Or does council want to eliminate short term rentals completely?

Lastly, the city claims to be making these changes to short term rentals because of the concern for availability of housing for residents of Victoria. Would it not make more sense to enforce the short term rentals in **non** transient zoned areas of Victoria, introducing large sectors of availability for residential housing. In addition, enforce those owners who are currently operating short term rentals in transient zoned buildings/areas, to acquire a 2017 business licence by the end of this year. If owners do not comply at that time, they may then face a penalty. Council's proposal is penalizing all short term vacation rentals owners, even those who comply to all requirements (licence, transient zoned, strata bylaws). Lack of affordable housing is a very complex problem in most cities across the country. In our opinion, council's approach on proposing the new regulations will not solve this problem.

We hope mayor and councillors hear our appeal. Do not proceed with the proposed new business regulations. Do not implement the \$2500.00 licensing fee.

Sincerely,  
 Rod Carroll and Melissa Frank



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 City Life Suites Ltd.  
 Self-Catering Vacation Rentals in Downtown Victoria BC  
[Trip Advisor/FlipKey's Top Vacation Rental Victoria, BC 2011, 2012, 2013, 2014, 2015](#)  
<http://www.citylifesuites.com>

<http://www.citylifesuites.co.uk/>  
E-mail [stay@citylifesuites.com](mailto:stay@citylifesuites.com)  
Phone 250-360-0774 Pacific Time  
[Follow Us On FaceBook](#)



**Rob Gordon**

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**From:** personal information  
**Sent:** Thursday, Nov 2, 2017 7:00 PM  
**To:** Legislative Services email; Lisa Helps (Mayor); Community Planning email inquiries; Victoria Mayor and Council; Business Licence; Public Hearings; Ben Isitt (Councillor)  
**Subject:** feedback regarding their proposed regulations on short-term rentals.  
**Attachments:** Marcia Freeman letter to city.docx

I am writing with feedback for the city's proposed regulations on short term rentals. Here are some of the points I would like to make:

Short term rentals are an affordable option for visitors to stay in the city of Victoria. I have had over 100 guests stay at my STR this year for an average stay of 3 nights, these people prefer to stay in a place they can call their own whilst they stay in the city. Some who needed to stay longer even checked out of hotels as they prefer being in a unit since it is more friendly and is more like being at home.

These people spend their money in the communities and visit the tourist attractions.

I bought my condo as an investment for what I call will be my old age home. I do not have a pension and the condo is too small for me to currently live in. I have experienced long term renters who have been much more of a problem, they have wrecked brand new carpets and painted walls and even broken an oven which wasn't very old. It had to be replaced. Because of this I switched to STR and visitors treat the place with respect and abide by the house rules they are given.

I have a business license which cost \$115.00 Jan 2017, to increase the cost of a new license to a rate of \$2500.00 would be absurd. STR's are small businesses (1 small unit) and we should not be penalized or have to pay a license fee at an

increase of 2200% . We bought units which were allowed transient rentals and we should not be punished.

STRs are worldwide and nowadays people expect to be able to stay at them whenever and wherever they go. People visiting Victoria will expect to be able to choose to stay at an STR or a hotel or hostel, people like choices and do not want to be told they can't choose what they would like to do.

I would like to travel in my own country more often, I would like to visit Vancouver more often but the affordability of staying in a hotel in Vancouver makes it unaffordable.... it is cheaper to go to the USA for a weekend than it is to go to Vancouver, that is sad as I want to support my country not the USA. If STR's were more available I would be able to go to Vancouver more frequently rather than maybe once a year.

With the new buildings that are going up in the city that are for rentals only <https://victoria.citifed.ca/rentals/>

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Victoria, BC New-Build Rental Listings | Citified Victoria ...

victoria.citifed.ca

Citified Victoria's rentals list is the only comprehensive database of new-build rental apartments and townhomes throughout metropolitan Victoria, Canada.

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These will provide a total of 644 units in the downtown core alone. There is no lack of places to rent in the city for long term renters.

If STR's are prevented or made hard to conduct legally then people will not invest in the numerous buildings currently being constructed in the city. This will cause job loss and will eventually lead to recession. Victoria is a booming city lets keep it that way.

The STR industry has created many jobs – this has also brought money to the city of Victoria and people have more money to spend here in the communities.

I ask the city to gather Data, do a study over the next 2 years to gather your facts. Read the stories from people who use STRs to stay in.

Please do not rush into making decisions about this industry when it is so apparent that the city does not have facts and when they have the facts they will then see what a benefit they are to our great city!

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 5:53 PM  
**To:** Legislative Services email  
**Subject:** Input on Home Sharing Legislation

Dear Sir/Madam -

My husband and I have been Airbnb hosts in the Langford area for the past four years.

It has been both an incredibly interesting and a financially helpful experience.

We have met and hosted people from many parts of the world - visiting as tourists - and we have also hosted guests who are visiting family in the area (e.g. at holiday times).

Royal Roads students often stay here during their residency periods.

Our suite is a part of our home - on the ground level and is self-contained. It was professionally renovated and is bright and clean and well-equipped.

While it is all of these things, I suspect it would be too small for anyone to rent long term.

We are also reluctant to rent long term as we want to have the flexibility to use our suite for our own visiting family and friends.

Having an Airbnb suite allows us to do that (as we simply block off the dates we need for ourselves).

The income (\$12-15,000 annually) allows us to cover most of the maintenance costs for our home.

We pay federal and provincial taxes on that income and would not object to paying for a business license, if the City of Langford required us to do so.

Home sharing has been a wonderful way to connect with people from other parts of our country and the world. We've had a chance to share a bit about our culture, and as well to learn about our guests' home countries. (Some times we have lots of contact - other times very minimal). It can make the world feel a little friendlier, frankly. And, the income allows us to stay in our own home, as we move into retirement.

Thank you for taking the time to read these comments.

personal information

Victoria, BC  
personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 11:31 AM  
**To:** Legislative Services email  
**Subject:** Letter regarding Short Term Rentals  
**Attachments:** City\_of\_Victoria\_letter\_in\_pdf.pdf

Good morning,

I am responding to the call for letters regarding our opinion regarding the City of Victoria's upcoming meeting Nov 18th regarding Short Term Rentals. Please find our letter attached. Thank you.

Paige

personal information



November 1, 2017

Legislative Services Department  
c/o City of Victoria

To whom it may concern:

We have been looking to purchase a condo in Victoria for the last 3 months. We are aware of the challenges Victoria faces surrounding Short Term Rental's and have been to the City recently to clarify what our position would be when we find the right unit to purchase. We currently live full time in Kelowna, BC and our city too has struggles with STR's, high rents, and low vacancy rates. In fact many larger cities have their own set of circumstances with the common problem of lack of affordable long term housing.

Our goal, as we near full retirement, is to be able to subsidize our mortgage with short term rentals when we are not staying in Victoria. Our numbers show that we would be renting it out approximately 60-70% of the time with the balance as personal use with the rentals declining over the years as we prepare for full retirement. Your goal of providing long term rentals would not be met with us as we would not rent our condo out at all if STR's were not allowed.

To make STR's onerous or prohibited is unfair on various levels.

- The proposed \$2,500 /year business license fee is extreme. For us it would trigger a situation where we wouldn't rent it at all.
- To disallow them altogether would again trigger a "no rent" policy for us
- To allow them only in single family homes would take away the opportunity for us as investors to purchase in Victoria and be able to enjoy our property when we choose.
- To charge STR's property tax at a 100% Commercial Rate is unfair. We agree that STR's should contribute to the City's coffers on the marketing done to attract tourism dollars. However there needs to be a sliding scale of some sort so that those that use them personally, as many do, are not lumped in with those that rent them out full time.

Not having STR's also will take away visitor dollars as many folks won't be able to afford to visit as the hotel rates in downtown Victoria are extremely high. In our exploring of Victoria as a potential investment recently, we stayed at both a hotel and an Airbnb. The Airbnb was half the hotel cost and absolutely comparable. Both experiences were excellent.

We live in a democratic society where everyone has opportunity. Home sharing or STR's is important to us to allow us to purchase a second home in Victoria, to

provide affordable and alternate accommodation to visitors who are budget conscious, and to help bring in more visitors to Victoria.

To disallow STR's to investors who have worked hard and invested carefully all their lives in order to retire and enjoy life as they see fit seems very backward indeed. We own rental properties in Kelowna and have seen many different types of tenants over the years. On many occasions, we have subsidized our tenants when we felt they were in difficult situations and needed a hand up thereby giving back to our community. We don't believe that we should have to subsidize people just for the sake of it. If the rent is too high or there are too few rentals available in the downtown core, then folks will have to look elsewhere, just like we did.

Many cities have had issues surrounding STR's and many have come up with great solutions. We ask that the City of Victoria hear what a growing number of people are saying and find a solution that works for everyone, not just the few.

Sincerely,



**Rob Gordon**

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**From:** personal information  
**Sent:** Friday, Nov 3, 2017 12:18 PM  
**To:** MAH.Minister@gov.bc.ca; SDPR.Minister@gov.bc.ca; TAC.Minister@gov.bc.ca; FIN.Minister@gov.bc.ca; Premier@gov.bc.ca; MCF.Minister@gov.bc.ca  
**Cc:** AG.Minister@gov.bc.ca; MCF.Minister@gov.bc.ca; CC.Minister@gov.bc.ca; Victoria Mayor and Council; EDUC.Minister@gov.bc.ca; CITZ.Minister@gov.bc.ca; carole.james.mla@leg.bc.ca; Marianne Alto (Councillor); Legislative Services email  
**Subject:** Fixed leases and good landlording

Dear Premier Horgan and Ministers:

I have included you in this communication because I believe that while some have a direct relationship to the issue at hand, there are likely unrealized connection to your portfolios arising from a more nuanced appreciation of the matter exemplified in the landlord-tenant communication that is forwarded below.

Kindly do me the courtesy of reading through as I hope it may inform a broader understanding of the interdependencies among issues currently seen and addressed as separate matters. And, I hope you will support my request for an alternative means to achieve the stated goal of ending fixed term lease abuses in a way that does not worsen certain situations.

Disclaimer: I am the landlord in this communication. I have redacted all identifying information of my tenant to respect privacy. Kindly respect that as well.

My personal situation is that I am a “small owner” who must hang onto property for my fast approaching old age. It will be my pension if and when I can pay down mortgages sufficiently. At the moment, though revenue is taxed as if in hand, in fact revenue goes to operations and the mortgage and my partner (past retirement age) and I struggle to earn money to pay tax so as to retain the property for the future. I use 2 short term rentals to offset rising costs so that long term tenants do not experience an annual rent increase (none in 2-5 years for two seniors on fixed incomes and three young families-a total of 13 people, babes to octogenarians).

Re fixed term leases: we use these religiously and do not raise rents annually or above the government set rate in a given year.

The fixed term lease provides an incentive to tenants who might otherwise make life uncomfortable for their in-building and next door neighbours (as has happened). In such as case, uncomfortable co-existence carries on forever, or an unpleasant and protracted eviction process must be pursued.

A fixed lease scenario permits mutual agreement three months before lease end (in our practice) and a new lease at the same rent or, when we must, as the government set rate for the year. By its very nature, it provides a natural coming together of landlord and tenant with opportunity to learn if anything needs attention, something many tenants are reluctant to do independently.

**Government does not have to end fixed leasing to achieve the goal of fair treatment of tenants.**

Our practice protects both tenants and landlords. A simple and effective alternative to ending fixed term leases would be to:

**Establish in law that if the current tenant is offered a new consecutive lease, any increase in rent must be identical to that government sets for month-to-month leases.**

Please focus on the outcome (a stop to abuses of the fixed lease) and implement the alternative approach described above.

I would be pleased to answer any questions that may arise or to discuss these matters if that would be helpful. Thanks for your attention to a constituent landlord who voted for your government. Please don't let me down.

Sincerely,

personal information

Begin forwarded message:

**From:** <redacted>  
**Subject: Re: Short term rentals**  
**Date:** November 3, 2017 at 8:17:23 AM PDT  
**To:** personal information

Thanks John, I value all of your comments indeed.

<redacted>

On Nov 3, 2017 8:10 AM, personal information wrote:  
Hi <redacted>

Quick note to acknowledge you[r] message to Council. Thx.

Pls. do know that when rents increase, we always do so using the amount government sets for month to month rentals. Our use of the fixed lease has been consistent because some tenants need that incentive to respect the tenant community they are part of. It is the only mechanism a landlord has other than an eviction process that is so hurtful to all. Unfortunately, the fixed term lease is going to disappear and then if a tenant causes difficulty for you or others, there will be little we can do about it.

It is true that it's a problem for us in that we fall behind every year, but we also truly value our little community and do everything we can to keep you and others with us.

Thanks again for supporting the STR concept. Easily 65% of our STR tenants have been Islanders and people on medical treatment at RJH, or families (from 7-8 countries) placing kids at school, university or for language study, pros and others on short term academic or work projects. Hotels cannot meet their needs without hardship. The remainder are people who, like us, specifically go to places where living like a local is an alternative to a hotel in a tourist zone. They shop locally supporting neighbourhood small businesses and would be lost to Victoria without STR.

I am arguing that Council actually study the issue and learn about the economic benefits and social well being that STR contributes—all while allowing us to support our long term tenants and provide accommodation for family that, previously, we could not welcome for gatherings (we don't have the necessary guest space).

Public policy should be made on a foundation of knowledge, not the kind of stuff the hotel industry has been saying, so we really appreciate your support.

Kind regards,  
personal information

On <redacted> wrote:

Honourable Mayor and Council Members:

With respect to the ongoing challenge of housing and rental shortages in Victoria, I am writing on behalf of both my landlords and myself.

I am a Senior with fixed pension income. I live in the Oaklands community as a long term renter, in a suite with a fixed term Rental Agreement. While I wouldn't say my rent is cheap, it is doable, but only if it doesn't increase.

To date, my landlords have not raised my rent in three years, because income from their short term rentals has been such, that it wasn't deemed necessary.

On the other hand, I am an ideal, responsible tenant who is quiet, timely with rent, aware of increasing costs, so I keep utilities at a conservative use, and maintain my suite as if it were my own home, giving added value back to my landlords.

So I speak for both - for my landlords, that they may continue to maintain their short term rentals. And for myself, I am appealing to City government to do away with fixed term rental contracts.

I live in constant concern, knowing that when my current rental Agreement is up, my rent could be raised to any amount my landlord desires, which could exceed the current allowable percentage increase on regular Rental Agreements. If mine were raised more than the allowable amount, I would need to move out of Victoria, to seek affordable housing elsewhere. This would cause unlimited stress, not only due to

personal information

my doctor, community

events involvement and much more.

With respect to all parties, it is my earnest hope that mutually beneficial solutions can be reached for the peace of mind of all who are affected.

Thank you.

<redacted>



**Rob Gordon**

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**From:** personal information  
**Sent:** Friday, Nov 3, 2017 9:50 AM  
**To:** Legislative Services email  
**Subject:** Hello to the City of Victoria,.pdf  
**Attachments:** Hello to the City of Victoria,.pdf

All the best, personal information  
Cell:

# Hello to the City of Victoria,

I understand you have made the decision to change zoning and the rules on Short Term Rentals in the City of Victoria.

As a business owner and resident I am uncertain of the true reasons for this. I do understand that you are having a housing issue but have other solutions been looked at as well? This issue of the housing appears to be more complex than just the Short Term Rentals.

The Short Term Rental market appears to bring upwards of over \$50 million dollars of tourism to the City of Victoria each year. The hotels are sometimes fully booked, or have an occupancy rate of over 90%. Tourists are looking for other means due to this. As well tourists often are looking for accommodations where they may have some additional room, a kitchen to cook or have the option to eat out. Additionally some tourists are not able to afford the costs for booking with hotels and are looking for more affordable accommodations. I wonder if the Short Term Rental market was taken completely away from the City of Victoria what the impact would be on tourism and then the after affects of where they spend their monies. Are you able to show to me a longitudinal study outlining the affects of this? Have you analyzed the data on this?

Many cities, one in particular, Toronto, welcomes the Short Term Rental market to its community.

With respect to being a home owner, we should be able to make our own choices on how we want to make use of our properties. With the Short Term Rental Market zoning being changed the City of Victoria is not allowing individuals to make their own choices on their properties.

Should instead you leave the zoning and do as you have institute the business license fees and possibly other items to ensure that all parties are maintaining their properties?

I hope the City of Victoria takes into consideration all the outlying factors with the Short Term Rental market.

Sincerely,



A concerned citizen

**Rob Gordon**

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**From:** personal information  
**Sent:** Friday, Nov 3, 2017 5:40 PM  
**To:** Legislative Services email  
**Subject:** Home sharing.

I work out of town and I live along and pay taxes and proud of my city Victoria. I do Airbnb home sharing to help with the bills and only do that when I am away few days I'm a month. Before I moved to Victoria, I used to come to here lots and at so many occasions I could find accommodation as the whole city was full especially summer time. The. I decided to have my own and contribute to the city i love. Unfortunately, some people are not happy with the situation and want to regulate this situation. Not only speaking for myself. Life is hard in this town especially in winter time when business is down. All home owners are trying to do is help pay the bills which are high because of the same regulations that are in place. People are having a hard time making a living. Airbnb is a way to help low income people with houses supplement life with a little bit of cash for bills and groceries while living in the city they love and call home. The people proposing the regulations are in no need for a bit of. Change to help pay for food as they are well established. And most have special interests trying to leave all the rental market to hotels and they get paid by those managers for personal gain.

I have one question, give a list of 20 problems that Airbnb rentals and home sharing have done to the city besides being in more tourist and families who can't afford hotels to he city?

Almost non, because they are under the care of the home owner. Maybe the regulations should focus more on the homeless and the drug addicts who are using services like ambulance all the time when overdose happens and costing us taxes payers money which we pay and contribute to the city while the people you are turning a blind eye on are the problem and sucking the hell out of the economy day and night by having fire fighters and nurses busy and yet they are not contributing anything to the society!

There are over 30 new building being constructed in Victoria, no specific statistical data but i head only 5% will be for rentals. So if you wanna regulate something to make more housing for people in the city, maybe look at those new big buildings coming mg up as it is gonna be hard to go and tell someone who owns and pay tax what to do with his or her house, not even you would like that!

Don't destroy creativity if it's helping people and the economy because one day so and yet you do nothing about the homeless and drug addiction people sucking the system day and night!

Be productive for once and do the right thing. Old Canadians who ha e paid for the retirement and benefits all their lives can barely get an ambulance on time because they are busy with addicts who are just sucking the system.

That's a broken world you need to fix.

Don't start fixing house sharing that's not broken!!

And and hope you do the right thing.

personal information

Sent from my iPhone

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 9:23 AM  
**To:** Legislative Services email  
**Subject:** Home Sharing

Hello,

I am a part-time Victoria resident and part-time AirBnB host. My suite is in a building (The Palladian) currently designated transient for short-term stays, and I am hoping it stays that way.

Since I live in 2 different cities (and pay taxes in both) I think my situation is perhaps unique, but it is quite important to me that I recover my mortgage expenses for the 50% of the time when I'm not in my suite.

I also understand the concerns of both hoteliers and people trying to find long-term rentals in Victoria. As an AirBnB host, I would be willing to pay some sort of "hospitality" charge so that I am not just merely profiting unfairly. I would expect the fee to be reasonable.

AirBnB is not likely to go away. I have heard of many owners in buildings that are clearly designated "non-rental" listing their places on the site in defiance of their strata regulations and even AirBnB rules. I am also aware of owners who do not reside in Victoria and have no intention of doing so simply "scooping" up properties to run solely as AirBnB businesses. I am quite comfortable with cracking down on both of these kinds of owners.

Thanks,  
personal information

Victoria/Calgary



**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 9:09 AM  
**To:** Legislative Services email  
**Subject:** Home Sharing

As a retiree on a reduced, and fixed income, my wife and I wish to remain in our family home, but also want to enjoy travel. Home sharing allows us to do both. Rather than let our home sit “empty”, or pay someone to “house sit”, we find home sharing to be an excellent solution to maintain our quality of life and enjoy our retirement years.

This is our primary residence. We did not purchase this residence to generate income, but rather to live in for 90% of the year. We do not live in the downtown core, but in a residential neighbourhood. We offer accommodation that is not available in hotels.

It makes no sense to restrict home sharing for people like us.

Thank you.

**Rob Gordon**

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**From:** Laurie Ingalls <info@ultimatebnb.com>  
**Sent:** Thursday, Nov 2, 2017 10:29 PM  
**To:** Legislative Services email  
**Cc:** hello@airbnbmail.com  
**Subject:** Home Sharing and Short Term Rental

Dear Sir/Madam,

As you consider the issues surrounding the question of home-sharing and short-term rentals in the City of Victoria we would like to add our voice to the discussion.

Full Disclosure: In the past, the City of Victoria has recognized us on more than one occasion with their prestigious annual hospitality award as retail tenants in the Victoria Conference Centre. Presently we operate a 5-Star, fully licensed B & B in Greater Victoria that is located in our principal residence. So while we are not currently within the jurisdiction of the City of Victoria per se, we offer a credible point of view. In this writing we would like to present a number of important points not often discussed in the press coverage of this issue.

Our short-term rental accommodation, like so many others in Greater Victoria, offers a unique, highly valued guest experience. We have been told on more than one occasion our guests would not have visited Victoria had these options been unavailable. We offer a high-end vacation experience that includes quiet privacy with five-star amenities; a fully stocked and equipped chef's kitchen, hot-tub, private garden and access to our seasonal productive vegetable garden. Many of our guests have special dietary needs. The ability to cater to those needs is paramount in their decision to visit Greater Victoria over other options they may have.

These accommodations are not 'affordable housing'! They were never meant to be so. The high quality short-term rental offered by us and so many colleagues are often mistakenly represented as such. The point so often missed is that many of us in the home-sharing/short-term rental segment offer a product not currently on offer at local Inns and Hotels. There simply is no conflict. We offer a markedly different product and overall vacation experience. We are attracting an affluent and active clientele that contributes significantly to the local economy. But they don't want the 'executive' hotel accommodation while on holidays. That is something they experience while working. Our client seeks the quiet and privacy of a suburban residence. They seek some interaction with the 'locals'. The European wants a connection with Canada and with Canadians. More importantly, after having enjoyed a unique social experience getting to know 'real Canadians', these travelers are spreading the word amongst friends and colleagues back home.

Home-Sharing and Short-Term Rentals offer a unique and widely sought after vacation experience. If the decision is made to remove this option here in Victoria, travelers will

simply go elsewhere. The notion that this sector negatively impacts the affordable housing market is simply false. We, and many other property owners we have spoken with agree that our rental properties would be empty and sold if the short-term rental option is removed. Many of the folks who offer short-term rental are quiet, dedicated ambassadors for this area. The 5-Star rating system is a valuable industry standard that fosters very high standards. Hosts and owners strive to attain, preserve, and protect their coveted ranking with the end result that everyone in this area benefits from our burgeoning tourist industry.

Many participants in the short-term rental sector are retired or semi-retired and supplement their pensions and income by home-sharing. The side-benefits are enormous. They create purpose, physical activity, creative thought, entrepreneurial spirit and dedication that keeps them in their homes and off the health-care system. Later on that same secondary accommodation can house care-givers, keeping folks out of our expensive health-care institutions helping to relieve pressures on our already struggling health-care system..

These are but a few examples of the ways in which home-sharing and the short-term rental movement make palpable and marked contributions, not just to the region but to our social fabric. The narrow focus on just 'affordable housing' that so often monopolizes this conversation can often miss "the forest for the trees".

At the same time we (and others that we know) understand and concur with the notion of creating a level playing field. We're all for reasonable and responsible regulations and fair taxation. Let's start the conversation, take some time to get this right and create a win-win for all sides.

Thank-you for your time. We appreciate the opportunity to add to the discussion.

Warm regards,

Laurie Ingalls/Faye Wardrop

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UltimateBnB...could it be your 'ultimate getaway'?

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 9:52 AM  
**To:** Legislative Services email  
**Subject:** Home Sharing Feedback

City of Victoria,

Thank you for taking feedback regarding this important issue. My family has a legal suite in our home that we rent out for short and long term stays. While every situation is different, we believe there are many benefits for our family and area by having this unit.

As a stay at home mom, I manage the unit, including correspondence, finances, cleaning, and maintenance. It gives me a way to financially contribute to our family and show our children my skills and work ethic in a 'job'. Greater Victoria is an expensive place to live and our suite provides valuable income. And as with many, we have friends and family who live far away. By having a space that is not occupied full time, it means we have somewhere for our family to stay.

We host guests from around the world for stays of 3 days to 6 months and interact with them frequently, offering travel help and tips on the area and local businesses to enjoy. We live at the Vic West/Esquimalt border and bring tourists to an area outside of downtown and encourage them to visit businesses that tourists would normally miss. Our service is something that families appreciate and may not find in traditional accommodations that they can afford.

Lastly, having guests from many different places is wonderful for our children. They get to meet people from all walks of life and learn about different cultures. We develop relationships with our guests and have invitations to many places around the world. This is also a relationship that many travellers are looking for, that they cannot get in traditional accommodations. It also teaches our children to be conscientious and respectful to others in their everyday lives. It also means they need to be conscious of their noise level, which we really appreciate ☺.

There are so many benefits for our family to have the flexibility of short term rentals and we feel that we do it in a responsible and respectful way. Our suite is legal and safe, there is ample parking available on our street and we are bringing travelers to other parts of the area.

Thank you for considering our feedback as you develop legislation regarding home sharing and short term rentals.

Sincerely,  
personal information

Sent from my iPhone

**Rob Gordon**

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**From:** personal information  
**Sent:** Thursday, Nov 2, 2017 1:09 PM  
**To:** Legislative Services email  
**Subject:** Home sharing legislation

To Whom It May Concern,

I have a house in James Bay which has been extensively renovated into a luxury furnished suite. I use it part time when I'm downtown, and the remainder of the time it is rented short term via online sites. It is fully booked through the summer months with European families who are not interested in a hotel, but prefer a home environment with kitchen and laundry. In the past, I have rented suites and homes long term. I can tell you that should you legislate against me using my property for short term rentals, I would NEVER return to renting it as a residence to locals because of the terrible experiences with property abuse and damage. The RTA in BC is ridiculously in favour of the renter and Victoria is riddled with spoiled, entitled, disrespectful tenants who are not held responsible for their behaviour and actions. If you were to tour my furnished property you would quickly understand that disallowing it on short term rentals would only hurt the local tourism economy and would in no way aid in low income housing.

Low income housing doesn't belong in the downtown core of capital city which has an economy largely based on tourism. The demand for such housing is a reflection of the failure of the greater Victoria municipalities to amalgamate and provide effect rapid transit to lower cost neighbouring communities. This short-sightedness is really starting to cost Victoria dearly, as our reputation as a clean, safe city is in decline.

Sincerely,  
personal information



**Rob Gordon**

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**From:** personal information  
**Sent:** Saturday, Nov 4, 2017 2:54 PM  
**To:** Legislative Services email  
**Subject:** home sharing through Airbnb

Good morning,

My husband and I live in Langford. A few years ago we opened our house to home sharing through Airbnb and it has been a rewarding experience for us. First of all its allowed us to meet people from all over the world and to show them the charms of our beautiful little city of Victoria. Its has also allowed us to make our house available to others when we are out of town.

The main benefit to our **visitors** is the comfort of staying in a real home that is fully furnished and private, well supplied with cooking facilities and a large array of appliances, reading material, linens, toys for children, and a quiet neighbourhood where they feel safe and comfortable.

The main benefit of Airbnb to our **community** is that that most of the people who visit our house would not be able to come at all if this kind of accommodation wasn't available. They are mostly families, often with children or senior parents, and they need multiple bedrooms to accommodate everyone - staying in a hotel would be prohibitively expensive. Also many visitors are here to cheer on a family member in a sports event, or to attend a family wedding - again something they might not be able to do if they had no option other than a hotel.

Except for the loss of business that might occur to the hotel/motel industry, Airbnb supplies many other benefits to the tourism industry These are people who are eating out in restaurants, taking tours, visiting gardens, whale watching, visiting the museums and IMAX, and discovering all the wonderful natural parks in the area. Many of our visitors have rebooked again for next year, and will bring new friends and family to show them the wonders of Victoria.

We report all our Airbnb earnings and pay taxes on the income. We also hire a local woman to help manage the business end, which keeps her employed through the slow summer months. So besides paying more taxes we are also assisting local employment.

I would urge the city authorities not to cater to the narrow concerns of the hotel/motel industry in making home sharing too regulated or difficult, but to take a larger view and see the expanded benefits to our whole community to the potential that Airbnb and other organizations provide.

Regards,

personal information

Victoria

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 12:33 PM  
**To:** Legislative Services email  
**Subject:** Home Sharing

Good day:

I would like to express my desire to continue to be able to utilize the 2 bedroom in our house for home sharing. My wife and I are retired and we used the Airbnb program to be able to offer our empty rooms on a short term basis to out of town guests. It was our experience that the people staying with us were only in Victoria because of the affordability of our home. If they had to rent hotel rooms at a far greater cost they would not have visited. When in Victoria however, they did spend money at restaurants, buses, bars and events. Some came for courses and some just needed a place to put their head down as they passed through.

My wife and I our retired, we made enough in revenue to cover our yearly strata cost, that is all. We enjoyed the company and I think represented our community in a positive light. By our reviews we did our job and more...

Our own experience visiting Vancouver, in order to take my wife personal information , made clear as to why people were staying with us. We stayed at a medium hotel on West Broad St and had to pay \$250.00 plus tax for a regular hotel room, and that was with the medical discount. The regular rate was \$350.00 per night plus tax making it a \$400.00 stay. we now understand why people liked our home, and it gives them more to spend in the community.

Please don't take way our ability to be ambassadors for the community.

Thank you,

personal information

Victoria BC

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Thursday, Nov 2, 2017 3:12 PM  
**To:** Legislative Services email  
**Subject:** Proposed short-term rental regulation

Dear Council,

Thank you for the opportunity to hear from the public before finalizing the proposed regulations. I am writing as a long-term resident of Victoria and a person directly affected by the proposed regulations.

I have been providing short-stays (minimum 4 days) in my home for a number of years now. I have been doing it through Airbnb as I find it a flexible, affordable and helpful service which I also use as a guest when I travel. I report all of my Airbnb income on my annual tax declaration and pay the associated provincial and federal taxes.

If the proposed regulations go ahead as written I will have to stop providing short-term stays. My guests and I share my house but they have their own kitchen and living space. This places me outside of the proposed rules.

I started doing this shortly after I lost my husband and found myself living in our family home on my own. This meant living in a space that was too big for just me and too expensive for just one income. I considered selling but this is our family home and when my

personal information lost their father, they needed and deserved to have the stability of knowing we still had our family home and all of the memories it represents.

I made the modest changes that were required to create a physical division between two autonomous living spaces. I chose to do short-term rentals rather than having a long-term renter for two reasons:

The first and most important was because I wanted to be able to control my calendar for when the space would be available to rent.

This allows me to block off periods in the calendar personal information and out-of-town family and friends come to visit so that I can accommodate them. (My living space is just one bedroom.)

The second reason is because I liked the idea of meeting different people and sharing my space with families who were seeking a home-away-from-home travel experience. I have not been disappointed, and neither have my guests.

People who come stay for between 4 and 10 days, on average. They are either older couples who come to Victoria usually to attend their son or daughter's university graduation, or alternatively, to settle them into university. One family recently came to celebrate their father's 100th birthday. He lives here in a care home and family from various places around the world all came to celebrate. I have also had several young families with a new baby who saved up to be able to have a little holiday away from their home up-island or from the States. They wanted a place that would tolerate a baby crying at night (I do) and where they could also bring their family dog. These are just a few examples. Everyone who comes falls in love with Victoria and loves being here in a neighbourhood rather than downtown. They shop for their groceries and supplies at the nearby neighbourhood mall and eat at neighbourhood restaurants. In the summer months, they love the Moss Street market for its organic products and local crafts.

I understand and support Council's desire to increase rental stock for people looking for long-term rental accommodation. I agree with the proposed approach to bring accountability to the downtown condominium developers and owners who do not see their place as their home, but rather a way to make money through hotel-type renting. However, impact of

the proposed regulations goes beyond this target group to include people like me, a homeowner, long-term resident and person who accomodates people in my own home. If I have to stop doing short-term rentals, I will. I don't know what that will do to help Council achieve their objective of increasing rental stock, as I will not rent out the space on a permanent long-term basis. As I noted above, I chose to do short-term rentals because it allows me to block off my calendar to be able to accomodate family and friends in my home. And I believe that shutting off options such as mine to people who travel to Victoria actually works against the interests of Council's efforts to build strong neighbourhoods and to encourage sustainable tourism.

I hope you will consider this perspective in your deliberations.

Sincerely,

personal information

Victoria, BC

personal information

2 Nov. 2017

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 10:04 AM  
**To:** Legislative Services email  
**Subject:** My personal STR story

Hello, This isn't the first time I've shared my STR situation, in fact I even shared it on my Application for Business Licence. However, I am sharing it here, again. Our STR is not a 100% commercial endeavour. It is, at most, used as STR 60% of the time and that percentage is and will continue to decrease dramatically as our personal use will increase in the coming year(s).

I am one of the lucky few who will be grandfathered for STR as I am at The Janion. I purchased my unit, years ago, with the aim to be using it as often as possible, personally, because I love the City of Victoria and want to be there as much as I can. I took a partner, in order to purchase, and she and her husband also aim to use it personally, as often as possible. She's from Victoria, has lots of family there personal information

You are not taking people like us into account when you set your fees or ask BC Assessment to deem us Commercial Use. We aren't, at least not 100% of the time. We just rent our 300 square foot studio through AirBnB and HomeAway, when we aren't using it ourselves. If we didn't rent through AirBnB, we wouldn't suffer dramatically, financially, but the City of Victoria would. They'd lose out on the spending power and habits of all of the guests we host.

The solution can not be a one-size-fits-all, punitive approach, using inflated fees from law-abiding owners to finance the policing of others. The CRA does not view us as 100% Commercial. They view every night unoccupied, as well as the nights our partners and I actually are guests ourselves, as personal use. Which is completely fair. You are not being fair. You are not seeing, nor listening, to us and others like us. You've got blinders on.

We have purchased a Business Licence to the end of this year. We will await the CoV's final call on BL Fees and see if it's worth us taking one for 2018. I/we will fight to the bitter end any attempt to deem us Commercial, at least at a 100% level. Whatever happens, I can 100% guarantee you that punishing us for earning the right to purchase at The Janion and to use it personally, as well as provide temporary short-term accommodation to guests and visitors, will NOT result in our unit being offered up for long-term rental. It just won't. The City of Victoria will lose out and, so will we but not as much as the City and its coffers will.

You have heard these individual-owner stories from others, I know. You've had your Open House - though very few staffers or Council members chose to attend and truly listen - and you've had many similar views expressed. So, again, here I am reiterating, please reconsider. Do not treat everyone the same way. Look at the many different situations and, come up with a solution that is fair and in keeping with other levels of government and their views of STRs, from a tax/business standpoint.

Regards,

personal information



**Rob Gordon**

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**From:** personal information  
**Sent:** Thursday, Nov 2, 2017 3:47 PM  
**To:** Legislative Services email  
**Subject:** New Business Regulations

Dear To Whom It May Concern:

We are writing this letter today to express our direct opposition to the proposed changes for short term rentals in Victoria. We strongly urge council not to proceed with the proposed new business regulations. We own one apartment, in a transient zoned building. We have a current 2017 City of Victoria business license, and have had a city business license since we started renting our apartment. We follow all bylaws of our strata lot pertaining to short term rentals. According to documents presented on the City's website, we have legal non-conforming status. Yet, even though we have followed all the municipal rules and regulations, the proposed fee of \$2500.00 per year is a punishing increase of 2500%. How does council think this is appropriate? It appears council believes fully compliant short-term rental owners should bear the entire cost of monitoring and enforcement of the new bylaw.

As part of a more measured implementation plan, to be fair to the many current law abiding Short Term Rental owners, will Council please consider a gradual increase in license fees? Even doubling fees to \$200 in year one (2018) would be a large increase. If it is fair to "grandfather" compliant short-term rental owners (legal non-conforming), it is similarly fair to avoid a huge licensing fee increase.

The City's documents suggest third party monitoring, temporary staff and added enforcement will cost approximately \$500,000.00. At \$2500 each, the first 200 license renewals, will cover that cost. The proposed licensing fee of \$2500.00 looks like a cash grab on the backs of Short Term Rental owners. It was stated that over 1500 short term rental listings appear in Victoria. If half of those are required to pay the proposed licensing fee, that would result in \$1,875,000.00 revenue for the City. In addition, we collect MRDT, PST & GST on all short-term rental reservations and remit quarterly.

Furthermore, why did council not consider enforcing the non-compliant short-term operators who a.) were operating in non-transient zoned areas of the city and b.) enforce short term rental owners operating without a license? This approach would have been an acceptable gradual start, instead of "bringing down the hammer" on all short-term rentals, lumping us into one large group even though we operate very differently.

Lastly, the city claims to be making these changes to short term rentals because of the concern for availability of housing for residents of Victoria. Would it not make more sense to enforce the short term rentals in non-transient zoned areas of Victoria, introducing large sectors of availability for residential housing! In addition, enforce those owners who are currently operating short- term rentals in transient zoned buildings/areas, to acquire a 2017 business license by the end of this year. If owners do not comply at that time, they may then face a penalty. Council's proposal is penalizing all short-term vacation rentals owners, even those who comply to all requirements (license, transient zoned, strata bylaws). Lack of affordable housing is a very complex problem in most cities across the country. In our opinion, council's approach on proposing the new regulations will not solve this problem.

Thank you for your time.

Sincerely,

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Thursday, Nov 2, 2017 4:35 PM  
**To:** Legislative Services email; Victoria Mayor and Council  
**Subject:** Proposed change to short term rental zoning for downtown Victoria

To the Mayor and the City Council

I would like to urge the City Council to postpone and re-evaluate the proposed re-zoning of the downtown core for STVR's.

I have read many of the submissions given by both sides as well as the report submitted to Council by the City officials to try and understand what motivated the City Council to move so swiftly on this issue?

Our immediate family consists of personal information . Between us, we own 4 condos in downtown Victoria, purchasing our first one in 2007. In the last 10 years, 3 of our family members have lived in these condos for between 3 and 7 years. We have also used them as STVR's and for longer term rentals. Currently, 2 are registered as STVRs and 2 have longer term tenants. My partner and I have (and still serve) on the strata councils of two separate buildings. I believe that my perspective has been gained through my experience as a **landlord, strata council member and tenant** in the downtown area of Victoria. I do not have the narrow perspective of just one stakeholder group.

My experience has been the following:

- **STVR tenants are quieter, more respectful of my properties and the strata rules than long term tenants and there is far less wear and tear on the property.**
- The "issues" of noise, damage, "increased security risks", etc. put forward by concerned persons are largely a prejudice and not borne out by experience. **90% of the complaints received on our strata councils were about long term tenants.**
- **The STVR tenants spend far more \$/day in our city than the "residents".** This might be obvious, but worth mentioning it for the benefit of Council who is serving the interests of **ALL** the stakeholders in Victoria. ie. that includes restaurants, retail outlets and other tourist businesses, not just "concerned citizens" and possibly hotels.
- when discussing the concerns of owners, tenants and other strata council members wrt STVRs, most of them are based more on feelings, prejudice and popular myths rather than facts and figures.

**Furthermore, our family travels to many parts of the world** and we very seldom use hotels; our primary accommodation is booking private, self contained accommodation through AirBnB. If a region has no private accommodation, we skip it and go somewhere else. We do not want to rent a room in someone else's house. We believe that many baby boomers and young professionals who are traveling feel this way. Feedback from our guests is that once they have stayed in self contained, private accommodation with a kitchen, they will never stay in hotels again. If Victoria stops offering this type of accommodation, tourists will choose another destination ..... they will not book hotels or rent a room in a house instead. There are always plenty of other destinations to choose from. If Victoria stops catering to this huge, fast growing sector of the tourist market, the whole city will lose out on tourist dollars. We canvassed a lot of our friends and guests, who said the same thing. **I believe we represent the fastest growing segment of the tourist market which is why AirBnB has blossomed and why the AirBnB market in downtown Victoria has grown so rapidly in recent years.**

I will not re-iterate the many points from both sides. However, I would like to make some observations on the process and the way the City has approached this issue. I was under the impression that the Council was there to serve the interests of ALL stakeholders in the City, not just specific groups. My observations are:

1. that the quality and scope of the pro-STVR group had a much wider perspective on the issues, were well supported by documented evidence and tried to address the needs of a wider group of stakeholders (see David Langlois, Michael & Karyn Allard, AirBnB and David Chard as examples).
2. The report to Council by the City officials appeared to address a very narrow view of the issues and based on some discussions and "experiences" of a number of other municipalities. The main focus seemed to be on whether STVRs were reducing inventory available to long term renters and driving up prices and whether they are competition to hotels. I saw virtually no hard statistics, surveys, etc. to support the findings of the report. There appeared to be no evidence that hotels were suffering negatively as STVRs appeal to a different type of tourist including "snowbirds". There was no attempt to look at creative options being considered by other cities, eg. Seattle. There was no analysis of the wider implications to other stakeholders like tourism, restaurants, retail, etc.
3. The submissions by the anti-STVR group <sup>personal information</sup> petitioners on the streets, community groups, etc.) were not supported by data, statistics, etc. In fact, they were often based on prejudice and/or perpetuating falsehoods based on rumour.

**In summary**, it appears to me that the City is reacting in a knee jerk, regressive fashion to a narrow group of vocal stakeholders creating negative publicity by using inflammatory language and accusations to guilt the City Council into feeling badly about the less advantaged. AirBnB, Uber, etc. are part of our new reality; we need to be creative in addressing these new realities, not reactive.

I am very disappointed that the Council would consider only the needs of a vocal minority group when the quiet, hard working majority, eg. local businesses, investors and taxpayers will be negatively impacted by such changes, not to mention loss of revenue to the City. With respect, this is Economics 101. For example, why not be creative and use some of the revenue generated by tourists to build affordable housing for the disadvantaged which would benefit everyone and the city as a whole?

**I believe the new regulations will not achieve their objectives because a lot of the newer buildings in downtown Victoria that have STVRs will still not be affordable for the low wage earners, even with the change in regulations. The net effect could be less \$ for the City (less tourists and low to no tourist growth due to a perception of Victoria being tourist unfriendly) and everyone is worse off. If STVR zoning is restricted to say 5 blocks of the inner harbour, the City will not lose tourists and there are still plenty of areas for long term renters to live in.**

Sincerely

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Thursday, Nov 2, 2017 8:30 PM  
**To:** Victoria Mayor and Council; Marianne Alto (Councillor); Chris Coleman (Councillor); Ben Isitt (Councillor); Jeremy Loveday (Councillor); Margaret Lucas (Councillor); Pam Madoff (Councillor); thornnton-joe@victoria.ca; Geoff Young (Councillor); Legislative Services email; Community Planning email inquiries; Lisa Helps (Mayor); Business Licence  
**Subject:** Proposed Changes to Short Term Rentals

To whom it may concern,

We are writing this letter today to express our direct opposition to the proposed changes for short term rentals in Victoria. We strongly urge council not to proceed with the proposed new business regulations. We own one apartment, in a transient zoned building. We have a current 2017 city of victoria business license, and have had a city business licence since we started renting our apartment. We follow all bylaws of our strata lot pertaining to short term rentals. According to documents presented on the City's website, we have legal non-conforming status. Yet, even though we have followed all the municipal rules and regulations, the proposed fee of \$2500.00 per year is a punishing increase of 2500%. How does council think this is appropriate? It appears council believes fully compliant short term rental owners should bear the entire cost of monitoring and enforcement of the new bylaw.

As part of a more measured implementation plan, to be fair to the many current law abiding Short Term Rental owners, will Council please consider a gradual increase in license fees? Even doubling fees to \$200 in year one (2018) would be a large increase. If it is fair to "grandfather" compliant short term rental owners (legal non-conforming), it is similarly fair to avoid a huge licensing fee increase.

The City's documents suggest third party monitoring, temporary staff and added enforcement will cost approximately \$500,000.00. At \$2500 each, the first 200 license renewals, that will cover that cost. The proposed licensing fee of \$2500.00 looks like a cash grab on the backs of Short Term Rental owners. It was stated that over 1500 short term rental listings appear in Victoria. If half of those are required to pay the proposed licensing fee, that would result in \$1,875,000.00 revenue for the City. Is it the money council is after? In addition, we collect MRDT, PST & GST on all short term rental reservations and remit quarterly.

Furthermore, why did council not consider enforcing the non-compliant short term operators who a.) were operating in non-transient zoned areas of the city and b.) enforce short term rental owners operating without a licence? This approach would have been a acceptable gradual start, instead of "bringing down the hammer" on all short term rentals, lumping us into one large group even though we operate very differently.

Lastly, the city claims to be making these changes to short term rentals because of the concern for availability of housing for residents of Victoria. Would it not make more sense to enforce the short term rentals in non transient zoned areas of Victoria, introducing large sectors of availability for residential housing. In addition, enforce those owners who are currently operating short term rentals in transient zoned buildings/areas, to acquire a 2017 business licence by the end of this year. If owners do not comply at that time, they may then face a penalty. Council's proposal is penalizing all short term vacation rentals owners, even those who comply to all requirements (licence, transient zoned, strata bylaws). Lack of affordable housing is a very complex problem in most cities across the country. In our opinion, council's approach on proposing the new regulations will not solve this problem.

Yours very truly,  
 personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 9:30 PM  
**To:** Legislative Services email  
**Subject:** Proposed regulation on short term rental

Hello,

Thanks for working on making clear rules regarding the short term rental in Victoria.

I think it's really important for renters, home owners, and visitors if the rules are as clear and simple as possible as you have noted in the report.

I would also like to mention that there is also a possibility of being a STR AND provide long term rental. People are moving to Victoria for various reasons and various time. Some might provide STR during the summer months for tourists and switch to long term (6 to 9 months) rental to people who are just looking for a temporary accommodation before moving back home, or buying a home etc... When those STR will be charged with a \$2500 business licence fee they might not be willing to provide mid term (3/6/9 months) rental as they will need to recover the cost of their business licence.

Just my thoughts.

Again, I want to thank you for the diligent work your are doing and taking good practices into consideration when proposing new policy.



**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 9:41 AM  
**To:** Legislative Services email  
**Subject:** Proposed regulations for short-term rentals in Victoria

It's absurd to shut down all short-term rentals in Victoria when we are seeing an upswing in tourism. Many people who want to visit this city cannot afford hotels or else want cooking facilities while they stay here. The citizens who offer STR accommodation to visitors provide an important alternative for visitors and people who are here for work, study, or medical reasons. I understand that the city wants to increase affordable long-term rentals in the city, however it's unlikely that this move will do much to achieve that goal. Most people who own short-term rentals cannot afford to offer rents less than market prices. And why should people who have invested in downtown Victoria take a financial loss to solve a societal problem? It's unfair to target a small group of owners who are simply trying to create a way to supplement their pension income or make their mortgage payments. The proposed license fee of \$2500 is cruel and punitive. I suggest the city look at ways to go after owners of multiple units and tax them or shut them down while allowing people who have invested in one additional STR to continue. Take a look at what Seattle has done. It's a much more nuanced approach that doesn't create hardship for individuals.

personal information

Victoria BC

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 11:31 AM  
**To:** Legislative Services email  
**Subject:** Proposed Regulations on Short Term Rentals

Good day,

I would like to provide my input supporting the ability for homeowners to list their units as short term rentals.

It makes the city more attractive to tourists due to the shortage and extreme pricing of hotels here, which contributes immensely to the local tourism economy. It also allows young or middle class people the chance at owning a home here in the Victoria area, given the very high real estate prices.

The hotels which generate hundreds of thousands or millions in revenue are upset because they are losing their monopoly as visitors have more options for experiencing this great city. However, individual homeowners should not have the opportunity to pay down their mortgages just so hotel owners can become wealthier while less tourists can afford to come here.

Modern travelers are increasingly using the sharing economy / short-term rentals. It would be a shame to take our city off of the list of potential destinations for these people.

At the same time, if the proposed legislation moves forward and legitimate hosts pay the appropriate fees and complete the appropriate paperwork, the city absolutely must shut down the hosts who are not in compliance.

Thank you for your consideration,

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 10:52 AM  
**To:** Legislative Services email  
**Subject:** proposed regulations on short-term rentals

Hello,

I am writing as a 10 year resident of the city of Victoria (previously Saanich). Renting my home (apartment) on Airbnb while I am away has allowed me to live debt free and spend at local shops while I am home.

The ability to rent my home has not changed my travel plans or travel spending habits, however because I have additional money coming in while I am away I do not have to spend as much time saving when I am not on vacation, allowing me to visit local restaurants, festivals and other events that I would not otherwise be able to. In addition since I started renting my home while away I have paid zero dollars in credit card interest. These factors combine to keep more of my dollars in the local economy.

If I were to purchase a house in the future (which I plan to do) the ability to rent out my living area while I was away would help pay down any mortgage and would be one of the largest factors in my choice to buy in a particular municipality.

As an economist I am appalled at the proposed regulations. The city limiting peoples' ability to make use of an underutilised asset is not the way of the future. Limiting this type of use will increase the demand for land that is already extremely high in this city. The exorbitant hotel rates in the summer months highlight this demand that the new regulations will only compound.

By all means restrict people from running a business. But a much better model to restrict this kind of use would be the one adapted by some other cities where the number of days a property can be rented is restricted to x days per month or per year.

Lastly, please do tax us! I have no issue with having to charge guests the same hotel tax rates that hotel guests have to pay. The obvious solution would be to have those taxes applied by airbnb and remitted to the city. Thus, there would be little administration cost to the city and everyone would be on a "level playing field".

Allowing airbnb rentals will keep more money in the community and less in the head offices of marriot, best western and the like.

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 8:08 PM  
**To:** Legislative Services email  
**Subject:** Proposed regulations on short-term rentals

Hello,

I am writing to express my concern that the regulations on short-term rentals will be amended to prohibit them in the city of Victoria. I am clearly not in favour of such an amendment.

I am a single mother who gleans about 50% of my income from rent. When I am not renting my suite, it is an ideal place for my out-of-town family and friends to stay. I come from a personal information and my house is small, so my rental space is very important to my family. Should I change my suite to a longer-term rental, I would greatly decrease my income, and have nowhere for my family to stay.

In addition to renting through airbnb, I am often booked by the Belfry Theatre to house their artists. The Belfry is an active, vibrant community resource and without the reasonable rents that I, and others, offer to them, they will not be able to afford the quality of artists that Victoria has come to know and admire. In addition, personal information and have come to rely upon the many connections I make through housing Belfry artists. My career is literally dependent upon the colleagues I meet through my rental situation.

In summary, should I *not* be able to rent short-term:

- I would lose up to 50% of my income
- I would have nowhere for my friends and family to stay when they visit Victoria
- I could no longer support the Belfry Theatre
- I would no long make significant career connections through the artists who stay in my suite.

I understand that housing is in short supply in Victoria, but I am also aware of the many housing development projects currently active in this city. Punishing hardworking people is not the answer.

I ask that you protect working people, professional theatre and keep short-term rentals in Victoria.

Many thanks,

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 11:08 AM  
**To:** Legislative Services email  
**Subject:** Proposed short term rental restrictions

Hello,

I am writing as a 10 year resident of the city of Victoria (previously Saanich). Renting my home on Airbnb while I am away has allowed me to pay down debt faster and have more money to spend at local shops.

The ability to rent my home has allowed me to pay down my mortgage faster than I otherwise would be able to. Which in turn allows me to spend less money on interest and more money in the local economy.

As an accountant I am appalled at the proposed regulations. The city limiting peoples' ability to make use of an underutilized asset is not the way of the future. Limiting this type of use will increase the demand for land that is already extremely high in this city. The exorbitant hotel rates in the summer months highlight this demand that the new regulations will only compound.

By all means restrict people from running a business. But a much better model to restrict this kind of use would be the one adapted by some other cities where the number of days a property can be rented is restricted to x days per month or per year.

Lastly, please do tax us! I have no issue with having to charge guests the same hotel tax rates that hotel guests have to pay. The obvious solution would be to have those taxes applied by airbnb and remitted to the city. Thus, there would be little administration cost to the city and everyone would be on a "level playing field".

Allowing airbnb rentals will keep more money in the community and less in the head offices of marriot, best western and the like.



**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 9:51 PM  
**To:** Legislative Services email  
**Subject:** Regulating Airbnb

I like the general direction of your new by-laws, seeking to allow short-term rentals, but am concerned by a number of factors:

- The length of 'short-term' has different meanings to different people. I just took a parental leave from work and our family went travelling for 4 months. This would not qualify under your definition of less than 30 days, but certainly is regarded as short term to us as long-term home owners. We would not have been able to afford to travel if not for the income from renting our home. And our home would not have been in the 'normal' rental pool for only 4 months while we were gone.
- I am concerned that applying for a business license may come with overly-burdensome documentation (as cities tend to require). The city will shoot themselves in the foot through this approach, by reducing our cities hospitality for tourists.
- The costs associated with applying for your business licenses don't make sense. If a couple want to Airbnb their home for one weekend of the year, it won't be worth paying a \$200 business license fee. And a \$2500 fee for non-primary residences seems very high. Sounds like an under-handed cash grab, especially as this is already taxable income.

I think AirBnbs should be allowed with very little regulation. Homeowners do not need the local municipality to micro-manage their residential dealings. Certainly there are growing pains as the market gets used to new forms of accommodation for travellers, but the market will settle itself out over time and should be allowed to do so. If more rental housing is needed in the city, this should be purposefully built.

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Friday, Nov 3, 2017 11:00 AM  
**To:** Legislative Services email  
**Subject:** proposes legislation on short-term rentals

To Whom it May Concern,

I am writing to you in regard to recent proposed legislation on the subject of short-term rentals in the city of Victoria.

To give you a little background, my husband and I live in Mill Bay and are property owners in two condo buildings in the downtown area. We bought our first one about personal information with the idea of having a place to stay on our frequent trips into the city. We had always hoped to lend it out to family and friends when we weren't using it but became aware of the short term rental market through other owners in our building. We became aware that we were in a Transient Zone meaning we were legally allowed to use our property this way. We purchased our second personal information as we happened upon the perfect little unit and thought it a good investment and again, legally allowed to rent short term. We divide our time between the 2 units.

In light of recent developments on the subject of short-term rentals we felt we should add our comments to the debate.

While we understand there are challenges with management of the recent growth of the home-sharing industry, this trend towards shared economies continues to grow throughout the world and on many fronts, Uber and bike/car sharing are the first ones that come to mind. The internet has offered far-reaching changes to the global community and economy and this trend is just the latest offering.

We are in agreement with the city that there needs to be regulations put in place to address concerns that have arisen. We believe that trying to effectively close the door on this new and exciting trend seems short-sighted. After recently traveling extensively in Southeast Asia and Europe, I am impressed how cities around the world have embraced and managed this new way of doing things. While we are ardent defenders of the quaint, small town feel of Victoria, we recognize that to compete in the tourist market which is definitely a huge revenue source for the city, we have to keep up with these changes. People are traveling differently now, looking for a "local" experience that you can't get from a stay at a hotel.

We are very proud of the way we manage our 2 rental units. We take great pains to screen our guests, recognizing the potential impact to our neighbours. We have always operated within the rules of our strata and the city bylaws. The proposed changes would unfairly cause financial hardship to us and others like us who, in good faith entered into this investment. Being "grandfathered" in for the period of our ownership of these properties doesn't address the drop in resale value due to these new restrictions that would be put on new owners. I don't propose to fully understand the reasons behind the proposed changes but they seem to be "throwing the baby out with the bathwater" so to speak. We believe the vast majority of short-term rental owners are responsible, like-minded individuals who pay attention to the rights of their neighbour and work within the law.

I would respectfully suggest the following as a possible solution:

1. If the low vacancy rate in Victoria is the main issue behind these zoning/bylaw changes, invest the City of Victoria resources to effectively police those individuals who are operating outside the rules set out by the city. This seems a logical place to start and would undoubtedly free up many units into the long term rental market. This would also help address the concerns of property owners in areas that are not zoned appropriately.
2. If the fact that Airbnbs are not currently legally required to have business licences or pay appropriate taxes, come up with a system that is fair and equitable, given the fact that they are essentially operating as businesses. This

would allow for better monitoring as well as adding to the tax revenue for the city. This would also address concerns of the hotel lobby in the city that are likely feeling the inequities at play.

3. Establish a set of guidelines for operation of a short-term rental property, taking into consideration the rights of all interest groups: other owners, strata councils, hotels, the City of Victoria, etc.

Sincerely,  
**personal information**

**Rob Gordon**

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**From:** personal information  
**Sent:** Friday, Nov 3, 2017 2:36 PM  
**To:** Shannon Jamison; Thom Pebernat; Marianne Alto (Councillor); Legislative Services email  
**Cc:** Checked In Victoria; personal  
**Subject:** personal information 599 Pandora business license

Dear Mayor and Council, City of Victoria,

I ask you to please consider other methods for funding the campaign to regulate STR's other than by fining the legal operators who have done their due diligence by purchasing and operating in a legal way. Shutting down legal STR's in Victoria will not solve its housing crisis.

About half of the 300 legal STR units are owned by people like me, for use as vacation and later as retirement homes. I pay property tax, utilities, mortgage, insurance, management and cleaning fees, all of which go to companies and individuals in Victoria. There is little left over. If I am forced out, then perhaps my unit will have to be sold, leaving fewer potential 'affordable housing' options. Out of those housing options, are any of the high-end condos that can rent between \$1500-\$2500 really considered to be 'affordable housing'? According to CFA, with the 3500 rental units coming on board in the next 18 months the vacancy rate will go to 4 – 5 %.

"Charging the business license fee of \$2500 will 'level the playing field.' With whom? Are the STR's making too much money? Does the city feel it needs more income to pay for tourism?"

Before, the city of Victoria had great foresight when they included STR's in transient accommodations because it is a great way to travel for business people, film crews, families visiting relatives in the hospitals, families visiting elderly parents and families that cannot afford \$450/night with no kitchen.

STR's serve a valuable place in the market – cutting them out only helps the hotel chains that send their money out of Victoria. How about some fair competition? The people who own STR's include locals and others that have invested their hard earned dollars into a legal operation and now the city is trying to take that away from them. I am not rich, and not big corporation. I want to be able to live in Victoria when I retire, and this is the best way I can manage it. Please let people like me continue to contribute to Victoria until I am able to live there full time.

Yours truly

personal information



**Rob Gordon**

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**From:** personal information  
**Sent:** Thursday, Nov 2, 2017 10:58 AM  
**To:** Legislative Services email  
**Subject:** Re: Airb&b / short-term rentals

Dear Sir / Madam,

No one should argue that Airbnb is a great creation. It might have some impact on hotel industry and long-term rental market, but before we rush to interfere, we should give it a good thought.

If people like Airbnb better than hotels, we can bet it is not mainly because hotels are subject to GST/hotel room tax while Airbnb are not. Many articles and researches have already provided detailed analysis on this subject. Simply to put, Airbnb can provide the things which hotels cannot. It has much less to do with the taxes.

As to the impact on long-term rental market, first, a lot of Airbnb are the places which previously were not on the long-term rental market anyway. In most cases, if some landlords like the short-term rental than the long-term, it is not because the short-term may or may not generate more revenues. In fact, many other factors play more important roles in this choice making. Most Airbnb hosts can confirm that with you. In addition, we have to rely on the market force to work. If too many Airbnb on the market and become over-supply, many short-terms will go back to the long -terms; the long-term rental shortage will also attract more supplies (new developments and new landlords go into the rental market).

There is not much benefit economically to force Airbnb hosts to register and pay licence fees. It just creates "paper works" for every party involved. If this eventually leads to get Airbnb hosts pay GST / hotel room tax, I'm afraid it won't work without rewriting tax codes by the feds and the province. In order for a business to be subject to GST, its annual sales have to reach \$30,000. I double how many Airbnb hosts are able to collect \$30,000 annually. For the hotel room tax to work, likely a major change to the tax act is also required.

We should not waste our time to fight against Airbnb this great creation when we have so many other important things to deal with.

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 9:39 AM  
**To:** Legislative Services email  
**Subject:** RE: The City of Victoria is currently accepting feedback regarding their proposed regulations on short-term rentals.

I have a small (approx 425 sq ft) semi one-bedroom suite in my house (bedroom is partly open to living room area and there is no closet in bedroom). Due to the size of the suite, it is not suitable for couples or families. I have tried to rent out the suite for longer terms, ie. one-year, but had very poor responses (mainly due to size of suite). The suite, however, is perfect for a student or for short-term rental.

Due to the cost of purchasing a home in Victoria, I need income from my house and I rent out my suite with AirBnB in the summertime only and then rent to a University student full-time during the school-term of 9 months.

Based on proposed regulations in Vancouver, even though I own my house and live in it full-time, I would not be allowed to do the above rental arrangements. I would like the City of Victoria to consider my situation when proposing their regulations. I would like to see regulations in place where there is no owner living in the actual property on a full-time basis.

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Thursday, Nov 2, 2017 3:02 PM  
**To:** Legislative Services email  
**Subject:** Re: Why STR are good for the community

During the beginning on the internet being used as a business tool personal information

During this process I became interested in knowledge management and cultures that are both innovative and deliver excellent services. I came to understand that "Intellectual Capital" was more important than money and physical assets to be successful in today's economy. Intellectual Capital is defined as Human Capital; Systems Capital and Relationship Capital which all flows into continuous innovation.

Recently I have meet many of the STR owners and I have been impressed with their intelligence, effectiveness and efficiency. They are coming together in a collaborative manner and have the capacity to do something very special for the community. Unlike large companies there is a powerful synergies that are available for a group of interdependent group.

I am confused why the council would want to have this group focused on competing against the city council rather than focused on common objectives that will allow Victoria to be excellent which in turn will attract both companies and tourists. I am totally confused why Tourism Victoria would be worried about "over tourism" while advertising they want to double the number of visitors to our city. Where will this people stay? What will they tell friends and family? How will businesses be able to employ citizens that need both a job and affordable housing?

Victoria citizens are interdependent not independent and "win-win" solutions that grow the city the right way involve innovative people who are vested in the community. People who own a unit downtown but live elsewhere in the Victoria area are now stakeholders who do more than visit downtown.

Bottom line is that STR's are powerful use of intellectual capital in the total community. An engaged community is a powerful community that can compete in the next 20 years. An alienated community (and that represents a lot of people who do STR's that have attended meetings of the council and read stories) leaves us unable to leverage our assets of good weather etc. Will a person staying in Seattle come over to Victoria if there are a very limited number of STR's. Of course they won't and Seattle with their innovative win-win solution makes the proposed solution of Victoria city council look like an unformed and unimaginative approach.

Please get out of the box and move forward with an understanding of the new economy.

Thank you

personal information

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**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 9:41 AM  
**To:** Legislative Services email  
**Subject:** short term rentals

I am writing about the proposed \$2500 license fee to operate a short term business. I purchased a unit in the Janion at 360sqft! This is certainly not large enough for a person to live in full time. This was purchased with the correct zoning in place knowing it would never rent out to a full time tenant and come close to covering it's costs. Once you add the mortgage, the strata the insurance and all the bills it just doesn't make sense! If the \$2500 license comes into affect this will drop the value of this very purpose built building that the municipality allowed! To allow such a building (without parking) and then to take away it's use, or not take it away but rather charge such astronomical fees, it makes the units not valuable to anyone, I won't be able to use it, or sell it but will have this debt of a few hundred thousand dollars that will almost instantly be cut in half. This is a mistake of city hall! Victoria allowed the building, and now you are working to take away it's use. As you know the units rent out for 99/nt and are vacant often. You can do the math, mortgage is 1000-1500 depending on the unit, then you have strata fees 200-300, then hydro, cable/internet and a parking pass of about 250/mnth to use outside parking, you add the licence and all of the sudden, we have several units for sale! Guess what, NO buyers! The equation just doesn't work. When you look at a permanent renter, they don't exist either, my unit at 360 sq ft is actually on the larget side, many are just under 300sqft and even at 360sqft, there is NO WAY someone could live in that space on a full time basis, especially without parking. The city allowed this building! To take away the ability to cover itself or come close to is a massive mistake on the city's part. To have the individual owners pay for that is unacceptable.

Kindly acknowledge receipt.

Regards,

personal information

Janiion Owner



**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 6:22 PM  
**To:** Legislative Services email  
**Subject:** Short Term Rentals

We believe short term rentals is important to us as it provides a service to people who can't afford hotels, women who don't want to be in a hotel downtown and allows for more intimate exchange for foreigners and visitors to Victoria. Our space sits empty when the grandchildren are not visiting and helps with income supplement for homeowners who own their own home, especially those without pensions. We have stayed in Air BB short term rental around the world and prefer it to hotel stays - we get to meet locals and experience their home and lifestyles. Also few hotels have cooking facilities and having the option to cook or eat food in a short term rental is much healthier.

personal information

Sent from my iPhone

**Rob Gordon**

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**From:** personal information  
**Sent:** Thursday, Nov 2, 2017 2:29 AM  
**To:** Legislative Services email; Victoria Mayor and Council; bmackenzie@timescolonist.com  
**Cc:** personal information  
**Subject:** Regulations on vacation rentals in Victoria

Please add my comments to the official record;

In regards to the new regulations brought forward by Council on September 21st, I feel that as a taxpayer that is dependant on the revenue from my Airbnb rental to pay my mortgage and my city taxes, I and hundreds others are being unfairly targeted by this legislation. I feel that the lobbying from big-name developers and hotel owners have been able to influence city council to bring these regulations forward that specifically target their competition. I feel this legislation is also a political move by certain politicians to give the "appearance" they are doing something to "address" the issue of rental availability. When really this is mostly just an effort to take a cut and make a cash grab from the vacation rental industry that is helping to fuel the popularity of Victoria as a tourist destination, and appease the big-name Mainland developers that help fund local election campaigns.

This legislation will hurt tourism in Victoria because there will no longer be an alternative for the thousands of would-be guests who can't afford the extremely-high pricing from the local downtown hotels, but want to visit Victoria and enjoy a small taste of luxury and spend the money they save instead at local restaurants and businesses, and tourism related activities.

I, like hundreds of other tax-paying residents here purchased my home in a location that was zoned transient and vacation rental-allowed specifically so that I would be able to afford to own a home in this amazing, beautiful city.

Unfortunately Victoria isn't able to supply me with the job in the field I work in here, so I like many others I must commute to the Mainland to earn an income to live and pay my mortgage and taxes.

This is very costly for me to commute back and forth, but it is worth it to be able to enjoy the lifestyle that attracted me to this amazing city I call home. The only thing that makes the costs associated with having to work outside this city affordable, is that I can let tourists come and enjoy my beautiful home in the time I'm away working. The money I collect helps to pay my mortgage and employs a local woman to manage and clean my apartment while guests are here and I'm away working.

These tourists have come from all over the world and leave with 5-star experiences of Victoria.

My home in one year so far has attracted over 50 guests from all over the world that have come here to this city as tourists and have spent their money at the local shops, pubs, stores and so forth.

Because I have a work schedule that only allows me to spend my weekends here, there is no chance I can have a tenant in place of my current, flexible home-sharing situation that Airbnb affords.

With these new regulations I will be forced to leave my prime location condo empty and vacant while I work. I will now face a struggle in the future to pay my mortgage expenses here, while also paying for temporary accommodation on the Mainland while I work there. Just so that the city politicians can say they're taking "steps" to make more housing available to local renters, while they are actually forcing me to leave my condo vacant, and there will no longer be 50+ guests from around the world bringing thousands of dollars to spend in the local economy.

As a new and permanent resident to this great and amazing city, I will be forever voting for councillors and mayoral candidates that did not support this misguided and unfair legislation. I have voted in every single-election I have been

eligible to do so in my life, including all civic elections. I will be hence forth rallying all of the 158 other strata owners in my building alone to remember NOT to vote for any politician who supported and helped pass these biased and unfair regulations. Not to mention to do what I can to help influence the thousands of other Victoria property owners affected by these impending laws.

With all due respect and sincerity,

**personal information**

Victoria, BC

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 11:34 AM  
**To:** Legislative Services email  
**Subject:** short - term rentals proposed changes.

the proposed changes and high fee would be very negative for everyone involved in a recreational property in victoria . the owner could not use his property as intended for recreational purposes from time to time if forced to minimum 30 day rental term , or forced to pay high fees so that the property could still be available for his use and stay in the rental market, so he would probably be forced to withdraw the unit from any rental .

this would have the following effects :

1. the owner is denied quiet enjoyment of his property for the purpose that he bought it .
2. the total number of places available for rent in victoria would be reduced ..... which is very opposite to the city's stated reason for the changes. currently, the unit is available for both short term or long term rental (more than 30 days), depending on the rental market, and is also available to the owner for his quiet enjoyment from time to time. the proposed changes and high fees would make that impractical.

3. the changes would cause economic harm to everyone involved, including :

recreational property owners are denied quiet enjoyment of their property and income from the property when not using it.

tourists who use short term rentals .... may be discouraged from visiting, or be forced to stay in less desirable accommodation.

management personnel who manage recreational property for owners get no management income from the property.

cleaning and other service staff get no income from the property.

city then gets no license fees at all from the property. province and federal government gets reduced income taxes from owner.

regards,

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 11:31 AM  
**To:** Legislative Services email  
**Subject:** short term rental

Dear council, first off I want to say you are all doing a horrible job. I know your citizens of Victoria but you are all out of tune. If you were a Symphony it would be a disgrace to those musicians that play together and practice together. I will not swear not call out names nor be disrespectful but I will say that Council you should all be embarrassed with how bad of a job you are doing.

Now the main and only focus besides above is about short term rentals. So here goes.

Council we have a huge housing crisis and in order to move forward we need to understand that this issue is just not Victoria it is EVERYWHERE world wide so in order to solve or fix this problem you need to think outside the box and think in REAL terms. Meaning Victoria is very expensive but on the world stage it is cheap. So how do we control it or even do we just let it roll out because we have a lot of people moving to the lower Island. We have tech companies moving to Victoria with big dollars that are increasing the rent rates and value rates something you Never talk about you just praise the fact they are coming to fort street. You never talk about why the rates are getting so high. For example Retirees from around the world with large sums of money are buying above price because they can also tech workers coming with large sums of money are buying up because it is still cheap. Now something that you rarely ever talk about the amount of students that come every year to Victoria that have mommy and daddy paying for rent, thousand of students are taking up houses full houses, condos, apartments at above asking price or even just the price but which is already high because the parents are paying. Force Uvic Royal Roads and Camousun to free up thousands Not hundreds but Thousand of rooms just by them building for students. Also be aware in terms of build out. Oak bay Gordon Head Saanich All need to have a cap of 5000 square feet of a house. Whistler did it we can do it. Anybody building a 5000 and above square feet house is Not going to rent out a room or a back cottage or a suite. They are private high members and they should not have to But the sheer size takes away from those that would build and rent out something. Another thing you never talk about it the fact that Victoria is just plain expensive and a sleepy town. So let people know it is expensive and going to get a lot more expense so if you need to move away too get ahead that is what needs to done. A lot of us have done that. Stop blaming and look at what your not fixing and you will see the lack of foresight is within you as a council. You approved the Hudson rentals so you should know that a one bedroom with parking with bills is \$2000.00 per month. Who can afford this but a tech or a retired or a professional. The high rate of rent has everything to do with A) Victoria is cheap on the world market B) Tech companies are moving here C) Retirees that have money are coming here D) Every year we have thousands of students that mommy and daddy are paying for rent this is the truly biggest one you have no idea how big this is E) houses being built bigger than 5000 square feet every room counts and these people don't rent out they don't need to but then don't give them the allowance to build a fortress either. Now one other big factor and a very big factor is the Hospitality Industry in Victoria. The amount of workers for this industry is HUGE. So tell the CEO of the tourism and Hospitality to start pushing companies for Full Time or tell him or her to go and hide for lack of courage. The majority of this workforce is working part time in the busiest time let alone the four months of quite time. So if your average worker in this industry is working two jobs just to barely meet a full time job how do you think they fit in the A) rental pool or B) the buying pool. Thats Right the main industry of Victoria the workers have NO chance. Don't blame anyone other than the industry itself. No benefits No nothing for the majority of workers in the money making scheme of the largest industry the Hospitality industry. Face that and talk about that. Truly I dare you to be truthful and say "Hey Victoria the Hospitality part time workers truly do NOT have a chance.



Start being bold you started it with the expensive rainbow paint job you did the tearing up the streets for bike paths that junkies use to ride their scooters. Those are bold moves council and you need to do the same for housing like hey All money making Schools you Now have to supply four thousand beds by tomorrow at a rate that will make them stay there and not enter the open market. That is what truly needs to be done. The project you Allowed at Yates and Johnson two towers by Chard is a joke. This proves how out of touch you are. So you approved one tower to have restrictions. mmmm making under \$100,000.00 per year first time owner. Are you crazy that number should have been under \$60,000.00 and the craziest part is after only TWO years they can sell it to anybody no restrictions. So the so called restriction building is only for two years. What a joke. You should have passed it only with a full restrictions of always making a certain amount. You failed at that and you passed it. What a joke. Please start taking care of Current tax payers start listening and realize that **TWO** of our biggest assets are killing the housing market in terms of affordability 1) the Hospitality industry getting away with large amounts of part time and low wages and 2) All of the University and Colleges are getting away with not helping out. I truly hope you think outside of the box and with the response you are getting you select two groups of twenty people and learn from them Why and How. Please get outside of your minds and into the communities minds. As a family man a Victoria downtown Business man and someone that is from a town that I can't afford to live (Sidney) and a tax paying citizen also someone that went to Camosun and works in the Hospitality Industry, someone that has four bikes and hates the bike lanes I am reaching out to you and saying the bigger picture does not look good but it is the new world and things get corrected when the Big things get fixed. Please take action towards listening because you all have a lot to learn. Yours truly  
personal information

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Monday, Nov 6, 2017 6:11 AM  
**To:** Legislative Services email  
**Subject:** Short term rental discussion

Thank you for the opportunity to provide comment. A greater time frame for responding would have been appreciated.

Our reasons for providing accommodation:

We enjoy meeting people of all ages and backgrounds

As retirees, the extra income has been instrumental in allowing us to maintain and upgrade this aging house

This home has been in the family and continuously occupied by family members personal information  
The suite which we rent out was built with the house in the personal information  
Has always been occupied by family members or students  
Proximity to UVic and Camosun means students have sought out the space, often by word of mouth  
Our primary occupants during the year are students renting anywhere from 6 weeks for course work or research time up to 8 months covering a full academic year  
We have offered our suite free of charge on several occasions to accommodate refugee arrivals  
We do not rent out the full house

Bottom line: we strongly submit that we are contributing to the pool of available affordable housing in a city that has a shrinking supply.

Thank you  
personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Thursday, Nov 2, 2017 2:53 PM  
**To:** Legislative Services email  
**Subject:** Short Term Rental Feedback

To whom it may concern,

I wanted to write in as a local small business owner and Victoria resident to share my opinion about the proposed regulations on short term rentals.

As someone who has lived in Victoria for the last 10 years, I very much SUPPORT the bylaw amendment that would shut down future short term rentals. The current rental market in Victoria is viewed by myself, many of my friends, family and community members as elitist, and a deterrent to making this city healthy, vibrant and inclusive. I've seen many leave this city on the premise that they could not find a long term rental to allow them to stay in Victoria, despite their love of this city.

This bylaw would be a step in the right direction towards providing housing for the many Victoria residents who are in need.

Kind regards,  
personal information

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personal information

**Rob Gordon**

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**From:** David Langlois <david@agentdavid.com>  
**Sent:** Friday, Nov 3, 2017 7:49 AM  
**To:** Lisa Helps (Mayor); Marianne Alto (Councillor); Chris Coleman (Councillor); Ben Isitt (Councillor); Jeremy Loveday (Councillor); Margaret Lucas (Councillor); Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor); Legislative Services email  
**Cc:** greatervictoriastr@gmail.com  
**Subject:** Short Term Rental Regulation  
**Attachments:** GVSTRA-Positions.pdf

Dear Mayor, Councillors and Staff,

The Greater Victoria Short Term Rental Alliance, GVSTRA, represents a significant group of short term rental owners in the City of Victoria. Please find attached our response to the proposed regulatory framework concerning short term rentals. We will be seeking direct meetings with Mayor and Council on this issue in the coming weeks as the city appears to be moving exceptionally quickly to implement what we consider to be a flawed regulatory regime, with little to no public consultation, or regard for property owners rights. We look forward to discussing this matter in a positive and constructive manner.

Best Regards,

David Langlois  
GVSTRA Committee  
personal information

**GVSTRA Positions Regarding Proposed STR Regulatory Structure:**

The Greater Victoria Short Term Rental Alliance is a group of concerned and engaged citizens who either own or operate short term rentals, (STRs), in the city of Victoria. GVSTRA has been formed in response to what we perceive to be an unwarranted attack on the legal business of providing STRs in the city of Victoria. The GVSTRA is committed to seeking solutions for the STR industry in the city of Victoria. The GVSTRA would like to work with the city to create meaningful solutions but recognizes that legal action towards the city may be the only option available should the city not wish to recognize the rights held by STR owners and operators. The GVSTRA is committed to political action in support of owners and operators of STRs.

<b>Proposed Regulatory Item</b>	<b>GVSTRA Position</b>
<b>Application form</b>	
<ol style="list-style-type: none"> <li>1. <b>Two items proving principal residence</b></li> <li>2. <b>If a renter a letter from the owner...</b></li> <li>3. <b>If in a strata, a letter from the strata council permitting STR use</b></li> </ol>	<ol style="list-style-type: none"> <li>1. No position</li> <li>2. No position</li> <li>3. Strong objection. The city has no jurisdiction with respect to strata bylaws. Strata corporations have no standing in the issuance of business licences. Does this rule apply equitably to all strata properties in the city?</li> </ol>
<b>Supplementary Material</b>	No Objections
<b>Fees</b>	
<ol style="list-style-type: none"> <li>1. <b>Home share \$200</b></li> <li>2. <b>Commercial \$2500</b></li> </ol>	<ol style="list-style-type: none"> <li>1. Objection. This business licence fee is out of step with those of other accommodation providers</li> <li>2. Strong Objection. There can be no justification for a 2000% licence fee increase.</li> </ol>
<b>Operating Requirements</b>	
<ol style="list-style-type: none"> <li>1. <b>Display licence number</b></li> <li>2. <b>Adhere to city bylaws</b></li> </ol>	<ol style="list-style-type: none"> <li>1. No Objection.</li> <li>2. No Objection.</li> </ol>
<b>Communication and Engagement</b>	
<ol style="list-style-type: none"> <li>1. <b>No formal engagement process</b></li> </ol>	<ol style="list-style-type: none"> <li>1. Strongly object. Communication and engagement with ALL stakeholders group should be a priority in any regulatory development process, particularly with the stakeholder group most affected. Stakeholders include those who are or are interested in operating STR, not only those deemed by the City to be eligible under current bylaws.</li> </ol>
<b>Enforcement Strategy</b>	
<ol style="list-style-type: none"> <li>1. <b>\$512,000 third party enforcement</b></li> </ol>	<ol style="list-style-type: none"> <li>1. Strong objection. Enforcement of existing zoning bylaws regarding STRs outside of now legal non-conforming zones is straightforward and such an extravagant course of action is unwarranted and unjustified.</li> </ol>



### Application Form

The requirement that owners of strata units must seek a letter of permission from their respective strata councils to operate an already legal short term rental is strongly objected to. The city has no basis in law in which to compel an owner of private property to seek third party approval for what the owner holds to be a legal and legitimate use. As the City points out in it's FAQ's:

"My strata bylaws state that short term rentals are not permitted in the building.  
Can I still have a short term rental?"

No. You must comply with your strata bylaws regardless of the City regulations.  
The City is not responsible for nor able to enforce strata bylaws."

"The city is not responsible for nor able to enforce strata bylaws." Compliance to strata bylaws is a matter solely between an owner and their respective strata corporation. It is the position of the GVSTRA that this requirement exists solely to create a potential friction point between STR owners and their respective stratas, in furtherance of their goals to eliminate STRs from the city of Victoria.

### Fees

The current fee for a transient accommodation unit is between \$100 and \$120. Doubling the fee to \$200 for a home stay licence is on the face of it unreasonable. Raising an entire unit licence fee by 2000%-2500% is wholly indefensible.

"Staff recommend the proposed fee structure to:

- recover the costs of reviewing and issuing licence applications and renewals
- 'level the playing field' between STR operators and traditional accommodation providers, especially as changes to provincial sales tax legislation are expected to take time
- ensure that commercial operators pay a fee commensurate with revenue generated, (especially important in Victoria, which is unique amongst municipalities for transient accommodation considerations in zoning bylaws)
- discourage casual operators who are unwilling to pay to operate"

The city of Victoria's justification for the increase makes it plain that the city is proposing a tax on STRs that it has no right to levy. The city has no standing to "level the playing field" between one accommodation provider and another on the basis of provincial taxation policy and presumes a bias in favour of the traditional accommodation providers without a basis in evidence. Further a fee linked to revenue generated by a rental property must be considered a tax and not a fee.

To put this into perspective, a single unit at, for example, the Janion, of approximately 300 square feet would be charged a business licence fee of \$2500.00. At the same time the business licence fee for the entire Empress Hotel in 2017 was \$2480.00. The city has forecasted an average business licence cost of \$162 for 2017 for nearly 9000 licences. An STR licence would be more than 15 times the average.

It is clear from this proposed "fee" structure that the intent of the city is to not only "discourage casual operators who are unwilling to pay", but to discourage all operators with the threat of exorbitant, and in the view of the GVSTRA, illegal fees.

### **Communications and Engagement**

Council and staff did not undertake any engagement with affected stakeholder group prior to proposing their regulatory framework. It is the hope of GVSTRA that feedback received concerning the proposed regulations be considered seriously and that amendments to the proposed framework be incorporated based upon received feedback. The fact that council chose to change the zoning of over 140 zones within the city in the span of less than three weeks with only one public hearing indicates that its practices in open and transparent governance are not consistent with its commitment to the public.

### **Enforcement strategy**

According to city documents, the entire budget for bylaw & licencing services is approximately \$1,300,000.00. The city is proposing to increase this budget by \$512,000.00, or almost 40% to enforce land use and business licence bylaws with respect to STRs. Further, it is understood that the revenues to be gained from this surveillance of taxpayers will be less than the expenditure. The GVSTRA believes this to be outrageous fiscal policy.

The city has taken no steps to identify the actual number and composition of the STR inventory in Victoria. The city does not know how many single units exist that are employed as STRs. The city does not know how many STRs are homeshares. The city does not know how many STRs are used both by owners and rental occupants, making them available only on a part time basis. The city does not know how many STR units are operated on a full-time basis. The city does not know how many STR units are within the legal, now legal non-conforming, transient zones. The city does not know how many STR units are outside of the transient zones. The city has not evaluated the economic and social benefit of STR units. The city has conducted little to no due diligence in identifying where and what, or even whether, there is a problem in the operation of STRs.

The GVSTRA holds that implementing an enforcement strategy that has not yet identified or quantified the nature of the problem to which it will be applied is irresponsible. Proposing such an unfocused enforcement regime with a budget equivalent to almost 40% of the current bylaw & licencing services budget, and proposing it be done by an outside third party is fiscally irresponsible.

### **Achieving Stated Policy Objectives of Availability and Affordability**

There is no clarity provided on the relationship between STR units inside or outside the transient zone in relation to the stated goal of increasing availability of housing, particularly affordable housing, in Victoria. The position is not based on evidence, a fundamental requirement in sound public policy.

Considerations are biased against taxpayers who seek to retain property assets in favour of those who seek rental accommodation without regard for the well being of owners hard pressed to maintain housing stock in light of ever-increasing costs and the realities of the marketplace.

It is a reality of the accommodation market that a segment of the population requires accommodation for short term periods (locum placements, term projects, medical treatment, school term start/finish, family events, etc.). The City is silent on how the legitimate needs of citizens and visitors will be met without hardship under the proposed regime. Similarly, the City has not presented analysis of data related to need for STR in the arts, academic, business and taxpaying constituent sphere. Indeed, the City has failed to identify the character and scope of STR from either the consumer or purveyor perspective.

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 2:05 PM  
**To:** Legislative Services email  
**Subject:** Short term Rental

Dear Council

I would like to have my voice heard in regards to the short term rental regulations.

This residence is my home to which I come to several times a year to enjoy. Until which time I am able to retire and settle there permanently.

I was able to renovate and beautified my century home and bring back to life this old lady, all because of short term rentals. Had we not taken the time to properly restore this residence, it most certainly would have been turned into a duplex, for which the land has been zoned.

I would like to be able to short term rent this home for several reasons; I want to maintain the property and house to excellent standards. I use my short term income to do this. I supply a home to families at a reasonable rate (some families can not afford Victoria hotel rates for an entire family) and then these families can enjoy Victoria. This in turn will also supply Victoria with tourism income. I also use a cleaning and yard maintenance company, so I use local businesses regularly.

There are many reasons to allow short term rental, with only one reason not to and that is to have more long term rentals.

I believe that only a small percentage of these homes will return to long term rentals, some will remain empty, as mine will. Some will be sold off to investors and/or builders who, in turn, will sell to investors.

Committing my house to a long term rental market negates the reasoning for renting my home short term, which is so I can spend time in Victoria myself.

Help us supply affordable rentals to your tourism industry and keep Victoria, Canadian and not an investment supply for wealthy foreign investors.

Thank you for your time!

**Rob Gordon**

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**From:** personal information  
**Sent:** Friday, Nov 3, 2017 2:37 PM  
**To:** Legislative Services email  
**Subject:** short term rentals.

this is to let you know that I disapprove of council' s plans to prohibit short term rentals in suites in houses and garden suites which are owner-occupied.

this will not improve the long term rental market as these owners will not be amenable to renting out to long long term. many of the owners need these suites to accommodate their own family members or friends and do not wish to be involved in a landlord-tenant relationship.

**Rob Gordon**

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**From:** personal information  
**Sent:** Friday, Nov 3, 2017 10:34 AM  
**To:** Legislative Services email  
**Subject:** Short Term Rentals

To whom it may concern,

My wife and I recently purchased a pre-completion condo in downtown Victoria. After purchasing our first home with the minimum down payment and seeing how the value of our property increased, we began to worry how our daughter (turning 1 year old in a couple weeks), would be able to get into the market in 20+ years. My wife and I used some equity to purchase this condo, that will be completing in the fall of 2018, for our daughter to one day move into.

We purchased this after an immense amount of due diligence, and confirmation of city zoning and bylaws/uses of the building when it completes. From there we came up with a business plan, based off approved uses and the city's zoning to rent the unit short term - completely legally. We are both shocked at the city's decision to change zoning and no one can answer our questions about how this impacts buildings that are under construction but not yet complete. Our business plan was to use the transient zoning to run a short term vacation rental, that would be completely by the letter of the law with business licenses etc. If this zoning is not grandfathered to us, we will be devastatingly impacted. How the city can make such a change without considering those of us in this situation and still providing no answers is quite dumbfounding.

If those reading this could put themselves in our shoes, they would see how great of an impact this would have. The change in value is immense, and this was a long term plan from local Victoria citizens. We aren't wealthy citizens who have hoards of these types of rentals, but we came up with this plan to purchase just one and followed the city rules and zoning and are potentially being burnt by sweeping and abrupt changes and will in the end have a substantial financial impact on my family and I. I am lifelong Victorian, that I would hope my city has some concern for.

If I could draw a hypothetical comparison, I couldn't imagine a family coming up with a business plan to start a business (ex. restaurant, bakery) and after purchasing the property and once they begin to construct their kitchen, already having paid a substantial amount of money, being told by the city that the zoning no longer allows their intended use.

Please consider those of us that are in this situation and are worried about the long term ramifications on my family and I.

Thanks for reading,

personal information



**Rob Gordon**

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**From:** personal information  
**Sent:** Friday, Nov 3, 2017 10:16 AM  
**To:** Legislative Services email; Lisa Helps (Mayor); Victoria Mayor and Council; Community Planning email inquiries; Business Licence; Public Hearings; Ben Isitt (Councillor)  
**Subject:** Short Term rentals

Hello

I am emailing you all to let you know that I am concerned about councils position on short term rentals. I have been a Realtor in the city for 11 years now and I have seen our market change a few times over those years. Right now we are in a rental crunch and the housing market has done a major up swing which, does add stress on our lower income citizens. I do understand that finding a solution for housing is very important and something that does have to be delt with. I do not however believe going after investors who have bought a property in the transit zoning area along with following the bylaws set by the strata. These people have followed the rules. I do believe that the Greater Victoria area needs to address illegal vacation rentals. Opening up of a basement suite in Saanich would help with student rentals or a whole house to house a local family. These are the issues that need to be addressed not attack investors whom played by your rules and pay the taxes.

I might also add that your solution is short sighted, we have a lot of rentals being built at the moment and this rental crunch is going to end and we are going to be left with vacant properties. Our city needs to come up with a healthy long term plan and not a knee jerk reaction.

I am also someone who loves to travel and my husband and I prefer to stay in a vacation rental condo or home as it lets us travel with family and friends as the cost goes down allowing everyone to afford the trip. The average hotel in Victoria cost over \$150 a night and when you have a large family the cost of getting 3 or more rooms is very expensive. Having vacation rentals does provide a healthy balance of choice for travellers. Our city relays and tourists spending money in and around Victoria, if we take affordable options away from travellers we will see less dollars being spent.

Vacation rentals provide an option for travellers , allow snowbirds to afford living in more then one place, gives options to people who have been displaced by home issues such as major water damage in condos, interim living between purchasing homes, short term living while moving to Victoria, a home to a someone who is getting divorced ... Short term rentals have a place in our city and my family has used them for all these reasons above. My cousins can't afford to stay in Victoria at a hotel with their kids, they book a condo with a kitchen for \$90 a night. My Grandmother was displaced from her condo for 4 months and she stayed in a condo in Humboldt valley giving her a place to land that made her feel at home where a hotel would not have worked, my

personal information  
 my mom needed a place furnished for 3 months before she could get her own place. Our city needs to look at the bigger picture and find a healthy balance.

personal information

Owner of personal information

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Saturday, Nov 4, 2017 5:09 PM  
**To:** Legislative Services email  
**Subject:** Short term rentals

Dear Victoria City Council

We are writing to convey our concerns with the proposed Short Term Rental business licence and property tax changes.

We are new property owners in Victoria, and purchased such property with the intention of exploring the short term rental market. This investment property is intended on supplementing our retirement income, as well as supplemental income as we support our growing family. We have always found Victoria to be a welcoming and enjoyable city as a couple, and now as a family. We enjoy spending holiday time exploring the city, and wanted to share that experience with others through our Short Term Rental. We have often used Short Term Rental properties for our accommodations, as we find them more suitable, flexible and affordable for our family. We sincerely hope that City Council hears the concerns of Short Term Rental owners, and does not increase business licence and property tax rates, which would in the end impact the not only the owner, but the consumer.

We look forward to continue to enjoy time in Victoria.

personal information

**Rob Gordon**

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**From:**  
**Sent:** Friday, Nov 3, 2017 9:34 AM  
**To:** Legislative Services email; Lisa Helps (Mayor); Victoria Mayor and Council; Community Planning email inquiries; Business Licence; Public Hearings; Ben Isitt (Councillor)  
**Subject:** Short term rentals in Victoria BC  
**Attachments:** bottom.letterhead

Hi there

I am emailing you all to let you know that I am deeply concerned about councils position on short term rentals. We purchased downtown at the Era 728 Yates, in the transient zoning purposely for this as a legal short term rental. We wanted a legal suite that wasn't suitable for someone to live in, but would return a decent rate of return as an investment to supplement either of us not having a pension. The suite is 480 sq ft bachelor and not liveable for anyone but a transient person. Also I wanted to mention that a lot of our seniors in town are snowbirds which depend on this income to supplement their livelihood while they are down south or whatever the case. We have a tonne of these people in Victoria as I am sure you know! Go after the illegal short term rentals. We are fine with having a typical \$100 business license to operate this in Victoria. We pay taxes on this income, and it gives tourists another option to come visit our beautiful city at an affordable rate. The hotels are constantly booked solid throughout Victoria especially in the high season. Fair competition is a healthy thing for business and I hope you don't overlook the other side of the coin as we all love this city and want to find a solution.

All the best!

Sincerely

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Friday, Nov 3, 2017 11:34 AM  
**To:** Legislative Services email  
**Subject:** Short Term Rentals

Greetings all,

Our heritage condo renovation was completed & sold in early 2000 when city policy was to encourage development of short term rentals to support the tourism industry. Strata bylaws state short term rentals are permitted - part of the live/work units they were sold as. Many owners bought into this concept & utilize their property as occasional short term rentals others long term rentals & although long term rentals generate far more damage & costly problems for the strata owners both have coexisted. Likely our building does not conform to the use provisions of the Local Government Act & this proposed change of policy has generated a new hostile attitude towards us. How else can a business license that can be \$100 but in our case of \$2,500 be viewed? Most of us are single unit owners, not on par with accommodation business lobby groups. The report touts a simple approach to regulating STR's and simple approaches to complex issues appeal to simple minds. This report's recommendations around the broad-based approach to the housing crunch unfairly targets families seeking extra income to address housing affordability. Adding additional government levied costs only drives the final housing costs up in communities as the extra costs are passed onto end users. \$2,500 is an unreasonable licensing fee & is unfair to a large group of people who have engaged in the beginning of a shared community. The pull of going back to housing as it used to be is attractive but the reality of affordable housing means people have to find new ways to make ends meet. A more reasoned, measured solution to the licensing costs of STR is what the community of people living in Victoria need & the recommendations of the report to Council fall well short.

Regards,

personal information



**Rob Gordon**

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**From:** personal information  
**Sent:** Friday, Nov 3, 2017 4:28 PM  
**To:** Victoria Mayor and Council; Legislative Services email  
**Subject:** Short Term Vacation Rentals - comments re your proposed changes

To the attention of Mayor Helps and the City Council,

I am writing to ask you to seriously reconsider the draconian changes you have recently proposed to make life harder for those of us working very diligently to provide wonderful short-term rental accommodation for guests to Victoria from Canada and around the world.

My husband and I, both in our sixties, took the calculated risk earlier this year to drain our home equity to allow us to get an expensive, small, short-term vacation rental unit in Chinatown, which will one day hopefully help us in a decade or so, as we have no pension plans. Since opening, we have poured hundreds of hours of our time and hard work (& 1000s of dollars) into ensuring our guests have a wonderful stay here in Victoria. Being honest, ethical people, we purposely chose an area that the City's website assured us allowed short-term vacation rentals as a permitted use, ensured that the building itself allowed them in the bylaws, and immediately purchased a business license before opening. Our very personal attention to our guests, our top notch furnishings, and the prime tourist location where our unit is situated have led to us having all 5-star reviews since day 1. Our guests have spent many, many thousands of dollars on restaurants, sightseeing, festivals, shopping, etc., and have all told us they would love to come back again to Victoria as they had such a great time in our centrally-located rental unit, and that they would tell their friends both about Victoria and about our accommodation. This is, I'm sure, precisely what you as the current leaders of this city would like to have happen!

Would those guests have stayed in hotels if it hadn't been for us? Perhaps a few, but many people want a personalized 'home-away-from-home' experience rather than a standardized hotel chain experience. Those staying longer or travelling continually greatly appreciate a washer/dryer for their clothes, and a kitchen, and a personal connection with residents like us. And then there is the financial reality that stops many people from coming to visit expensive cities like Victoria—the hotels are just too expensive for many, allowing little money left in the budget for sightseeing or eating out. Without alternative options like ours, many prospective tourists here would go elsewhere (Parksville, San Juan Islands, etc). This summer when I had an acquaintance from personal information visiting and our rental unit was not available, as most of the affordable hotels were full and those with available rooms were charging \$350-\$450 a night (!), he & his brother went and stayed in Campbell River instead! The only night he got to stay in Victoria was when I found him a nice Airbnb unit that was good value. Both hotels and Airbnbs get filled in high season especially—there are enough guests wanting to stay in Victoria that there is enough business for both hotels and rental owners to meet the need. Closing our services down will have unforeseen consequences on many local businesses who rely on the guests staying with rental owners such as ourselves.

Most people I've spoken with who are knowledgeable about short-term vacation rental units are shocked and perplexed why you as City Council would decide that those of us providing these services legally should be the only group targetted in the City for an approximately **2,174% increase** in the cost of a business license!! We have one little 539 sq ft one-bedroom unit—do the hotels pay \$2,500 per room?! Apart from important issues of fairness, I think that such a move would simply push people (out of financial necessity) into running their units secretly without business licenses, advertising on less well-known sites, as they can't afford to do otherwise. If you keep the business license at a reasonable amount for all short-term vacation rental units, such

as even the \$200 (already a huge jump from \$115) you proposed for home-based rentals, the vast majority of us will pay it, post our business license numbers on our web ads, etc and will continue to do everything legally.

We are also perplexed why you think you should discriminate against those of us renting let's say a one-bedroom unit where allowed downtown, charging us \$2,500, when someone renting a one- or two-bedroom suite in their house should pay \$200?? \$200 is more than an adequate amount for either group to pay, and we are both providing the exact same service, so why the discrimination? And in practice, it is much safer for hosts to not have total strangers sleeping in the bedroom next to their children, but to have dedicated apartment space where both hosts and guests can feel safe.

I realize that the issue of affordable housing is of concern to you and to all city councils across the world. These proposals were probably made in the hopes of freeing up more units for long-term housing. Unfortunately however, as with most complex issues in life, what seems like simple solutions often do not work out in actuality as hoped. As a realtor myself, the hard reality is: prices are largely based on "location, location, location". Units in the heart of the touristy areas of downtown—where most Airbnbs are located—will NEVER be "affordable housing! Units that cost owners \$400,000 - \$700,000 will NEVER be rented out for \$1,000 a month or less to those needing affordable housing—when the monthly costs of mortgage, condo fees, property taxes and insurance are on average between \$2000 - \$3000 a month for owners! And if we sell them, only wealthy people will be able to buy them. So even if you were to close down every downtown Airbnb, you would probably have almost zero additional "affordable housing". You need to look at other more effective means of providing affordable housing, rather than unrealistically expecting that we are personally going to subsidize other people's housing for units that we have paid a great deal for. The hard reality is actually, that as in every major city of the world, those with low-income jobs need to realistically live in less desirable, less central areas. Many of us would love to live in Oak Bay or the Uplands, but know that our income does not allow it. This is likewise the situation for downtown, where countless people would like to live.

I have many more comments—including about how you passed major zoning changes with no real public consultation except for one non-advertized meeting--but as I think your deadline is in 5 minutes, I need to close.

Thank you for considering these comments and those from the 100s who attended Monday's Open house, and we trust that you will do the fair thing in revising your proposed changes to be more fair and reasonable.

Sincerely,

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 11:38 AM  
**To:** Legislative Services email  
**Subject:** Short-term rentals

Hi there!

I was at the meeting on Monday at City Hall. It was impressive in that it was very well organized thank you for being on your collective game!

My husband & I own a suite in The Oriental (562 Yates St) and currently have an application in with your offices for a business license to continue operating our Airbnb business, which we started on July 1st, 2015. I understand that there is a very good chance that we will be allowed to continue pending a few additional pieces of information which we will be forwarding immediately.

We just want to table a couple of things about the proposed business license fees. While at first we balked at the proposed \$1500/year fee, upon further consideration we feel that a weightier fee might be good to weed out the operators who are not serious about their rental business. At the same time, if we are to pay more than the \$100/year business license that everyone else pays to operate in Victoria, we do want to ensure that this fee or at least a good portion of it finances public housing in some fashion (ie: creating more low income long term rentals, etc.).

We also want to add our voices to the alternate concept of a rental taxation rate rather than a hefty yearly fee that we can perhaps build into our fees as traditional hotels do. But again, we believe that ALL listings should be licensed and approved by the city. If we owners want to operate as businesses, then we should be prepared to legitimize.

Thank you!

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 5:16 PM  
**To:** Legislative Services email  
**Subject:** Short-term rentals

Dear Mayor & Council,

I am excited to call Victoria my new home away from home as I reside in Vancouver but now spend part of my time in your wonderful city. I like to plan out my future well in advance. My partner and I are keen to move to the island eventually and as part of this transition I was lucky enough to be one of the original purchasers of a Janion micro-loft back in 2013. This amazing project not only brought a beautiful building back to life, but also was strategically zoned for short-term rentals and was established many decades ago. This was critical for me, as I knew I would not be in Victoria full-time, but would offer me a vacation spot, as well as a place for my family to stay which would encourage them to come down island more often.

Instead of have it sit vacant most of the year, we could make it a viable situation by utilizing Airbnb while no one is there and help drive the booming tourism industry and pay our bills. Unfortunately the extremely aggressive attack on VRs is going to drive us to leave our suite vacant for 90% of the time as I am not willing to give up my planned vacation spot by renting it out long-term. Not only will I be losing money, the Victoria economy will be losing money directly as my staff that help me manage the property will also be out of work.

This plan seems to be an extreme measure designed to appease the big corporations who dominate the tourism accommodation sector in Victoria and I do not personally think it is in the best interest of residents or the city. I support regulation if done right and is able to strike logical balance, this proposed change unfortunately does not, it is effectively a ban.

Below is a letter from my Strata council which shares the sentiment from our Janion Community.

Thanks for your time,

personal information

Dear Mayor & Councillors,

We are writing to object to the recent downzoning of The Hotel Janion Building in Old Town,

Victoria and specifically, to proposed new regulations now being contemplated that will apply to Janion Owners who operate under the now grandfathered Transient Accommodation zoning.

In 2013, Janion owners purchased their units with the understanding that the 120 micro-loft units were zoned for residential AND vacation rental use. The design of the building itself was conceived specifically with Transient Accommodation use in mind and the average size of the units is below 300 square feet.

Since completion in December 2016, the building has been operating very successfully with a mix of full-time residents who rent or own their suites, part-time residents who operate their suites as VR accommodation when they are not in Victoria and a small number of suites that are operated as VR accommodation on a full-time basis.

Many Janion owners, including full-time residents, rely on income from vacation rental in order to pay their mortgages and meet other financial obligations. Owners purchased their Janion units in good faith, relying on zoning that had been in place since 1994. Buyers at the Janion were cognizant of the zoning and of neighbouring buildings with mixed condominium and transient uses such as the Victoria Regent and Delta Hotel and had no reason to suspect that the zoning was under threat of the downzoning that has taken place.

Provisions in the Local Government Act provide that the use is grandfathered, but it appears that the city is now going to use unreasonable annual licensing fees and bureaucracy to force an end to the VR use of our building. It is our understanding that each of our owners who wishes to obtain a business license will require a letter of approval from the Strata Council.

Please consider this letter as your official notification that the Strata Council approves of Transient Accommodation use of any of the Janion's 120 units and that no strata bylaws are being contemplated to forbid the use, which is widely supported in this building.

Transient Accommodation under Victoria's current Fees Bylaw is \$100.00 plus \$5.00 per room. We find that the proposed fee of \$2500.00 a year for a Business License is patently unfair, discriminatory and unreasonable and we ask that you reconsider taking a punitive approach.

The proceeds of licensing paid by owners operating legally should not be used to enforce against operators who have always been operating outside of zoning. One can only conclude that the exorbitant fee is another direct attack on our owners. We respectfully request that you reconsider.

Yours truly,  
Ken Hancock  
President EPS #3614  
Janion Strata Council

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personal information



personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 3:50 PM  
**To:** Legislative Services email  
**Subject:** Short Term Rentals

To whom it may concern,

I attended the Open House regarding proposed changes to the Short Term Rental Regulations. I would appreciate you adding this additional comment to your consultation process.

I understand the reasons for change in regulation, however the plan seems to focus on the individuals who run short term rentals on a high volume, multiple unit and high revenue basis. In such situations I can accept the need for expensive licensing. However, I feel there should be some flexibility for people who have secondary property and rent such out purely for cost recovery and primarily use the unit for their own enjoyment. We have been frequent visitors to this beautiful City and recently purchased our own unit. Our intent is to provide short term rentals on a minimal basis to recover our taxes, utilities and other associated costs. If I understand your proposal correctly, I will now be faced with a \$2500 license requirement. I feel that one cost for all owners, no matter what the size of the business, is unacceptable. Such will probably result in us not renting out the property, hence more accommodation availability issues for tourists. Already a challenging issue for the City.

As such, I would appreciate a licensing system that incorporates tiers or thresholds that are relative to rental durations or gross revenue levels.

Thank you for your consideration.

personal information

Sent from my iPad

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 3:36 PM  
**To:** Legislative Services email  
**Subject:** Short term rentals

As a single parent, this kind of Short term rental helps me save for property taxes.  
Implying that I need a business license is simply a money grab. Or maybe to fund the ridiculous bike lanes you putting in.  
I am against this proposal !

personal  
information

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 9:58 AM  
**To:** Legislative Services email  
**Subject:** Short Term Rentals

Nov 1

City of Victoria

Re: Short Term Rentals

To Whom It May Concern,

Hosting guests from around the world in my home is important to my guests and to my livelihood.

My entire home rents to families, groups of people and business travellers.

It is very rewarding to provide a safe environment for families to gather, children, Mothers, fathers, grandparents, use my home as a place of uniting and sharing the family experience.

Sharing the neighbourhood is a wonderful way for guests to understand the environment that they would not experience staying at a local hotel. Its economical and allows people to be a part of the community for a short while.

The tourists staying spend money. Tourism is the life breath of our economy.

Hard to believe that there is a problem here.

I would very much like to hear what the downside of all this is, why are you opposed or even considering limiting this shared economy.

I will vigorously defend my right to provide accommodation to guest visiting our area.

personal information



**Rob Gordon**

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**From:** personal information  
**Sent:** Saturday, Nov 4, 2017 5:09 PM  
**To:** Legislative Services email  
**Subject:** Short term rentals

Dear Victoria City Council

We are writing to convey our concerns with the proposed Short Term Rental business licence and property tax changes.

We are new property owners in Victoria, and purchased such property with the intention of exploring the short term rental market. This investment property is intended on supplementing our retirement income, as well as supplemental income as we support our growing family. We have always found Victoria to be a welcoming and enjoyable city as a couple, and now as a family. We enjoy spending holiday time exploring the city, and wanted to share that experience with others through our Short Term Rental. We have often used Short Term Rental properties for our accommodations, as we find them more suitable, flexible and affordable for our family. We sincerely hope that City Council hears the concerns of Short Term Rental owners, and does not increase business licence and property tax rates, which would in the end impact the not only the owner, but the consumer.

We look forward to continue to enjoy time in Victoria.

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 9:59 AM  
**To:** Legislative Services email  
**Subject:** STR proposal to ban

It seem to me it's very ironic that the stated goals on why your doing this takes away the very same tool that we used to solve those issues, and finally start a family. You can imagine how that makes us feel the position it puts us in.

Have a good day

**Rob Gordon**

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**From:** personal information  
**Sent:** Thursday, Nov 2, 2017 10:17 PM  
**To:** Legislative Services email  
**Subject:** STR Regulations

My name <sup>personal information</sup> My wife and I purchased a property last year as a investment since a single family home was way too expensive.

My wife is a stay at home mom and she manages the condo through the AIRBNB app. This job has been proven to be a perfect chance for my wife to still be available for the family, but still giving her an opportunity to "contribute" to society again after almost 8 years of personal information

We were at the council meeting when it was decided that STR ruling would be changed. However we thought that the way the proposed changes were set out in an unfair way. We both understand that there are illegal units being rented out through the vacation rental websites and we are all for stopping those outside of the Transient Zoned areas as we did pay a premium on our unit in the Falls to acquire a properly zoned condo.

Also, a potential \$2500 license is steep considering that number what drastically dip into the potential profits we hope for. Why is it that businesses such as car dealerships and stores like Best Buy that generate millions in revenue are only subject to \$100 licenses and the Empress Hotel having multiple outlets being charged close to the \$2500 in annual fees, but they have hundreds of rooms to generate revenue.

I can tell you that I remit GST to the federal government on my unit and am happy to do so as it is my duty as a citizen of Canada. I am also happy to have the resort taxes and other fees applicable to be remitted. But again I thought that those fees were to assist The city in promoting itself to tourism, and if that is the case should STR's be marketed as such to be fair?

We believe in regulating this sector and we also agree on shutting down illegal suites, but the comments of certain councillors and members of the public stating that we need more units back on the rental market are looking down the wrong street. We hope you can see that if units can no longer operate profitably, those units WILL end up on the rental market but not at an affordable \$1100 per month. Owners will likely have rents of \$1700+ as those suites are located in the more upscale building in town and will likely be rented out fully furnished.

Should restrictions be placed by way of heavy fees the City is likely to see many units being put up for sale and then having to deal with available suites but not for rental but on the MLS listing with people who now have to deal with stricter and tighter lending rules for mortgages. Again, empty suites as not many people will be able to qualify for the mortgages. The people looking for affordable housing in downtown Victoria will still be looking. This is also not even mentioning the people who rely on the STR business to pay their mortgages. Foreclosure might be a word too early to mention but could easily be on the horizon.

Sent from my iPhone

**Rob Gordon**

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**From:** personal information  
**Sent:** Friday, Nov 3, 2017 11:41 AM  
**To:** Legislative Services email  
**Subject:** STR

Dear Folks:

You have asked for feedback on the proposed report and regulations regarding Short Term Rentals in Victoria (STR). I am happy to give you my feedback.

First I want to state who I am and what my interest is in STRs. My wife and I own a condo <sup>personal information</sup> Yates Street. We are a retired couple who currently reside in Burnaby. We have been attempting to move to Victoria on a permanent basis but needed to wait out our youngest son getting on his feet. We used to visit Victoria often and we spent a lot of time looking at real estate. Over the years the prices continued to rise and so we decided to buy the condo on Yates.

We like to try to visit for a week every month and the rest of the time we advertise our property as a STR via HomeAway (VRBO) and TripAdvisor. The ability to rent out to tourists allows us the ability to visit Victoria and soon to find a new home for ourselves in the city.

We don't seem to fit your two standards of license, this is not a permanent home yet, nor are we commercial. The cost of the license is punishment not a permit to operate a part time STR. What other businesses pay \$2500 annually to operate a part time, or for that matter, a full time business?

When we purchase our condo it was clear that the city was encouraging STR development in this building and that was a consideration to purchase at that time (2008) and now the city seems to want to 'kick' us in the teeth. How is this fair and to what purpose? I will not rent on a long term basis as we need it for our own use and only rent STR to defray our expenses, hardly a money maker, it is similar to folks who look for homes with a suite for a revenue helper - to make it affordable.

The \$2500 fee will take about 50% of our annual 'profit' from our renting. You have become a partner. What value do you bring to the table?

Please reconsider this. There needs to be a middle ground.

Sincerely,

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Friday, Nov 3, 2017 4:28 PM  
**To:** Legislative Services email  
**Subject:** Vacation rentals

Hi ,

My wife and I recently purchased a small studio condo, at 599 Pandora Ave. We live in, and work from this studio. Our purpose for purchasing this condo is to have it as a primary residence, and rent it short term while we visit family from time to time. These family visits will be anywhere from two weeks, up to to months. The frequency of our family visits will likely increase as we step further away from working.

We will apply for appropriate licences, and of course, pay appropriate taxes, as we will have our condo managed by a reputable STR company, that has been in business for many years in Victoria. Our concern is that with the new proposed city bylaws, the building at 599 Pandora Ave, is not being grandfathered as legal non conforming, allowing STR's.

Prior to us purchasing this new condo, we had been living in a larger suite in 599 Pandora. The building was probably the leader in the STR industry in Victoria. At one time there were 22 suites(owned by the developers family) operating as STR's, along with several others. As a matter of fact, we learned to really embrace the industry, to the point persona

semi retirement income. This industry has become part of our informat

I guess the purpose of my letter is to show that we are an example of a proposed STR, that makes sense for everyone, and doesn't negatively affect housing in Victoria.

We look forward to applying for our licence, but will likely wait until one of our owners has acquired the legal nonconforming status for the building.

Thanks for listening, regards , personal information Sent from my iPad



**Rob Gordon**

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**From:** personal information  
**Sent:** Thursday, Nov 2, 2017 3:21 PM  
**To:** Legislative Services email  
**Subject:** When tenants are short term

Missing from the short term rental discussion is the fact that hotels do not meet the needs of short term tenants. That is a matter of cost, location and space requirements. The City's focus on an artificial "transient zone" may suit hotel owners—but it does not factor in the needs of short term tenants or the landlords who serve them.

From experience, 60-65% of STR tenants in neighbourhoods need accommodation for very specific purposes in proximity to that purpose. They often bring caregivers, or pets, or family members who cannot be left behind. They need accommodation in neighbourhoods and have as much right to that as any other citizen.

Typical stays support pre and post medical treatment prep/recovery. For example:

- A mother and daughter from Campbell River stayed to gain control of nerves before an operation at nearby RJH. Doctors had advised against the long drive home so post surgery, they have a peaceful respite—the stay totalled 12 nights.
- A less invasive medical treatment brought an artist from the Comox Valley with her mother. Their two stays of 4 nights served a similar purpose for consultation and a second post-op check-up.
- An open fridge for medications and place to prepare meals is critical, as is space that can place the patient in a quiet room with a caregiver nearby but in a separate space is important.
  - This type of tenancy is not compatible with room sharing in someone's private living space where the lack of privacy and sense of imposition adds stress, often embarrassment.
  - Comparable space in a hotel runs upwards of several hundred dollars/night, a serious burden to most (all?) and adds insult to injury when imposed by the City.

Other needs for short term tenancy include the following true examples:

- personal information respectively used the same property for their stay in Victoria—initially under 30 days, extended to two months while here.
  - Each prof needed proximity to UVIC and sufficient desk/table space for separate but related work, and each required a bedroom. Their budget could not permit a hotel stay and shared living space was out of the question for these tenants.
- personal information . Short term tenancy in a neighbourhood whole unit means that they can approximate a family life—last time, a fiancée accompanied the dad whose stay in a "family space", picnics in the garden, private space for the couple and daughter, made meeting a new future step-mum successful. The little girl thinks of the house as "her time at dad's house" and we are holding her travel bag with toys and personal belongings in anticipation of next year's stay.
  - The City's proposal that this reunion take place in one or two bedrooms in some stranger's personal dwelling is ridiculous.
  - Knowing of children of divorced parents whose visits are painful stays in cramped hotel rooms—I that short term tenancy makes all the difference. The City proposal is heartless.
- personal information came expressly because they could find a short term tenancy that offered good separation of spaces that could accommodate such a larger group comfortably, conscious of weird jet lag and age related sleeping habits.
  - Shared personal space as required by the City cannot comfortably accommodate such a large, multigenerational group.
  - Comparable hotel space (easily 600-850/night for several rooms) would have meant not coming—I asked. Victoria would simply lose out.

- Families from Mexico, Korea, Japan, China and India, as well as Ontario, Northwest Territories and the Okanagan have accompanied children from age 6 to university age for language study or to settle into Victoria schools. Depending on the size and configuration of the family, they may choose a one bedroom with pull-out or a two-bedroom with pull-out and room for air mattresses. In all cases, they seek a kitchen for preparation of familiar foods, and often seek a specific configuration to support multi-generational needs. Stay are typically 5 - 14 days to settle children into a new experience in a new country, or a week or so where it is a BC family setting kids into residence or a rental.
  - Shared space in someone's "dwelling" simply cannot meet the needs of these short term tenants. If forced into hotels to place kids at university, Victoria would simply lose the business of a longer stay. Or, as in the case of Ontario STR tenants where the family stayed while the daughter studied at UVIC, they would not have come, or selected the course offered in a more welcoming Maritime university where a similar content was available—I asked.
  - Already hard-pressed by foreign student fees, travel costs, etc., hotel rooms are simply not an option. There are plenty of places to study English—Victoria would lose the business.

35-40% of STR tenants are "neighbourhood explorers" in Victoria for 3-60 days. These people do not want to stay near the Inner Harbour. They do not want the noise and bustle. They want to experience "local living". They tend to stay longer or come back often. They patronize very local shops, coffee spots, restaurants, community markets and fairs as part of feeling like a Victorian. They visit most of the usual tourist attractions, too, but choose not to stay in a tourist zone where every step reminds them they do not belong. They interact with their STR landlords as part of cultural exchange through food, sometimes music, always conversation. These people see STR owners as ambassadors and they chose destinations that enable the experience they want.

STR renters seek out personal information about the owner, looking for similarities in interests, in demographic (are they old/young like us? do they fit some other category that indicates acceptance of diversity? will we be safe and able to access the owners for local tips without sacrificing the privacy we need?). The usual websites are used by long and short term tenants now, so for some guests, it is a lease under the Residential Tenancy Act. For others, the reservation booking that comes with \$1 million in insurance per night.

On the flip side, STR tenants meet critical needs for Victoria taxpayers who find costs of maintaining property rising every year — an especially serious situation for those older Victorians who must count on the suite in their home or the still mortgaged second house bought as a hedge against old age. If your pension is not indexed—or if you are self-employed and bought a property for old age, STR is critical in getting to a lower mortgage so that you can have any personal income at all.

A long term suites can have features that make renting difficult (e.g. stairs). So, STR offsets mortgage and operational costs until the next long term tenant. That's just necessary to pay bills between long term tenants. And, some long term tenants benefit from STR units that offset costs such that rents do not increase every year.

Members of Council are spending tax dollars in order to harm taxpayers. And, they are breaking a bond of trust without understanding of the realities faced by both STR tenants and owners throughout the City.

Please reconsider and support your constituents who are small owners whose STR brings business to Victoria neighbourhoods while enabling young families to protect the greatest investment they will make and seniors to retain independence in their remaining years.

It should be quite possible to distinguish between the small owner and the corporate entity coupling up tens of condos, and it is high time neighbourhoods got fair treatment to benefit residents and tenants—long and short term.

Sincerely,  
personal information

Taxpayer  
Victoria, BC

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 9:21 AM  
**To:** Legislative Services email  
**Subject:** Why home sharing is important

I understand the City of Victoria is gathering information on why home sharing on sites such as airbnb is important. With the cost of living (whether you are renting or owning a home) sky rocketing in Victoria beyond what many families can afford, I personally could not keep my housing without renting my second bed room. I am was a single parent and personal information which is far more affordable for her. It's important to both of us that I maintain a bedroom for her because she comes home for the summers and Christmas. Therefore having a roommate is not an option for me because I need to keep a room for my daughter. Being able to rent out my secondary room furnished helps me to pay my rent. I could not have a room for my daughter on my income without being able to share my home with people looking for short term accommodation.

Thank you.

personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Thursday, Nov 2, 2017 9:28 AM  
**To:** Legislative Services email  
**Subject:** STRs

I live in Los Angeles, CA, and visit Victoria about five times a year.

personal information

When I'm not visiting my Victoria condo, I rent it short-term, mostly on Airbnb.

It is not suitable to rent long-term, as I visit frequently.

I get small groups of students, snowbirds from Saskatchewan, families with kids, all kinds of people for whom a formal hotel is not suitable. If STRs were banned, it would sit empty.

I have cleaners and managers who would suffer, as I pay them \$150 per turnover.

And deeming these rentals "commercial use" is crazy. It's not commercial use when I rent it for 31 days, but is when I rent for 29 days? In both cases it's my personal property and my home.

Don't rush into this STR business without hearing from all affected.

The hotel industry saw what Uber did to Taxis and are fighting tooth and nail to ban them, citing "affordable housing" as the argument. Well, let's build more!

I urge you to move SLOWLY and LISTEN.

personal  
information

**Rob Gordon**

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**From:** personal information  
**Sent:** Thursday, Nov 2, 2017 11:00 PM  
**To:** Legislative Services email  
**Subject:** STVR

Dear Sir,

I am sure you have received many letters of concern regarding your proposed plans to legislate changes to the STVR existence so I will make it short.

I feel you totally misunderstand the situation of many downtown condo owners and are punishing us unjustly. We purchased our 300 square foot condo as a way to afford our retirement. We live up Island and my husband works in sales which requires him drive to Victoria periodically for his work. This condo seemed the answer to all our problems. He would have a place to stay while working and we could rent it out during the other times to help pay the mortgage. Our profit margins are slight but it affords us the opportunity to pay for our retirement if all goes well. We only rent part time and you want to charge us a full time rate that is higher than hotels.

I don't understand why we have to pay to police ourselves when nobody else has to. Some simple education would do just as well. We are not sucking money out of the community and stashing it in overseas accounts. We live on the Island, spend on the island and provide services for the Island. There are many strong beliefs that City Council is supporting the hotel industry who sends much of their profits out of the country.

Please understand that many of us are the little guys just trying to get ahead and work with us instead of punishing us. Thank you

personal information



**Rob Gordon**

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**From:** personal information  
**Sent:** Friday, Nov 3, 2017 11:40 AM  
**To:** Nancy Johnston  
**Cc:** Legislative Services email  
**Subject:** Submitting letter regarding proposed short term rental changes  
**Attachments:** letter regarding proposed short term rental changes.docx

Dear Nancy,

I would like to thank you for your time, I felt you listened and cared about my concerns and solutions. I am not sure how to format my letter so have sent it as the body of this email and as an attachment.

I think the proposed changes are too restrictive and believe my business model enhances all stakeholders' desires and values.

I offer affordable accommodation options to both students and tourists, through offering accommodation to students from Sept through May and BnB the other 3 months. I have also become an affordable alternative for my neighbour's visitors as their own homes are full. This enables me to keep rents reasonable for long term tenants and provides a way to save for capital cost like windows and roof.

I am a great ambassador for the city, I grew up in Victoria. I pay \$20.00 per hour for cleaning, above the living wage in hopes of putting pressure on larger industry counterparts which my understanding pay \$12.00 - \$13.00 per hour.

I believe small businesses create the character of our city and are more apt to support living wages and ecological foot prints. I support this by purchasing locally made and or grown supplies for guests, which also highlights the locally diversity for them.

Providing a BnB 3 mths per year had gratefully subsidized increasing expenses\* and has enabled me to save for capital costs like windows and roofs. I am of the understanding the cost to replace my roof today is aprox. \$30,000.00, which means I have to save for it.

The friend who introduced me to this Bnb concept of 3 months and 9 months is 75 years old and truly fears speaking up. She like me and most people I have met in this business live in multi unit homes because of affordability; unfortunately never felt able to support the mortgage and maintenance of a

single family dwelling.

I would like to suggest that a resident would have to prove two items to qualify for a 3 month license. They are a resident of Victoria and they have a tenancy agreement longer than 5 months in any given year. This will help ease rentals for students, accommodation cost for tourist, have we not all had a budget, and keep homes in good repair.

\*

Expense	In 2004	In 2016	% increase
Taxes	2,589.13	5780.46	123%
Water	531.39	1808.88	240%
Insurance	1294.00	3030.70	134%

Thank you for your time and consideration,  
personal information

**Rob Gordon**

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**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 5:43 PM  
**To:** Legislative Services email  
**Subject:** The Benefits of Airbnb

My husband and I have operated Airbnb from our home for close to five years in the City of Langford. We occupy the home ourselves and have two areas that we rent out on a nightly (two night minimum) basis through the Airbnb Website.

My husband and I are empty nesters; our children left to pursue their own education & careers after completing High School. We found the house empty and too big for just the two of us. As we enjoy travelling ourselves and we really enjoy meeting people from different parts of the world, we found it easy and natural to “open our house” to guests.

When you listen to the News on Victoria TV or the Paper, all you hear is about this awful “Airbnb Short Term Rentals” as if the people who are renting out properties are somehow heartless souls that are “exploiting the tourist industry by renting out a bare bones room for a high rental rate thus taking away revenue from the business tax base” OR “unfeeling about the people who are looking for long term rentals at an affordable price; we are exploiting short term rentals to maximize our own revenue”. That may be true of land owners who buy homes for the commercial reason of operating Airbnb,

Not all Airbnb Hosts are Landlords who are in the Business Just to Earn Money — They are Super Hosts

*Many Airbnb Hosts are simply very caring/sharing, proud citizens of the City of Victoria who have the capacity to give up a “piece of their own privacy” and welcome strangers into their home [we do not discriminate based on religion, nationality, ethnic, or sexual orientation].*

*We give Airbnb Guests who :*

*(1) Cannot afford to stay in hotels in the Victoria area at the high nightly rates charged during the high seasons. There are a lot of young adults that are travelling the world and they have to watch what they spend. There is also a lot of older people on fixed incomes who cannot afford the prices either.*

*(2) Are wanting to get to know Canadians and Canadian life/values. They cannot get that when they book a hotel room and then spend the evening alone in that room.*

*(3) Are staying in Victoria/Langford for another reason other than visiting. If they are here to seek medical treatment - they want a home base. If they are here to visit family who do not have enough room for them to stay - they want a home base. If they are here alone or are young - they want a couple who are older so that they can have a ‘friend’ to come home to.*

*We have had about 200 people visit us in our Langford home over the past five years. We have put ourselves into welcoming every one of them to our home, to our community, to our City. We have represented VICTORIA and its tourist sites; its visitor attractions; its restaurants; its festivals; its universities; its culture with pride and openness.*

*We have people that have become good friends and we still visit & communicate with. We have responded to the struggles of some of our guests by reducing our nightly rate or giving of ourselves. We know that the financial gain is secondary to the blessings that we are getting by creating an “Openness in our Own Home”.*

*I simply do not understand how the City of Victoria Council who support tourism; who support the rights of the individual; who support an open society; who support inclusiveness; who encourage the entrepreneurial spirit (we supplement our income); who love to hear praise of how welcoming we are — would not be proud and encouraging of house occupied Airbnb Hosts.*

personal information

**Rob Gordon**

---

**From:** personal information  
**Sent:** Wednesday, Nov 1, 2017 1:19 PM  
**To:** Legislative Services email

I believe downtown Victoria is no longer attractive to tourists. People opening their homes presents a more pleasant picture of out town...ie fewer drug addicts, mentally challenged, and other homeless.

It makes it a more affordable for people who might otherwise not be able to afford to travel to a city such as Victoria.

It helps the home owners with the ever increasing costs of maintaining a home in Victoria.

Regards

personal information





November 14, 2017

Dear Mayor and Council  
City of Victoria

## **Re. Importance of following through on the proposed Short-Term Vacation Rental Regulatory Framework**

Dear Mayor and Council,

Further to my address to Council on November 9, please accept this written submission outlining why it is vital for Council to follow through on its proposed Short-Term Vacation Rental (STVR) Regulatory Framework.

Council has already engaged in extensive stakeholder consultation and taken time to carefully consider this issue. On September 21, at Committee of the Whole, Council settled on an elegant and effective approach that required STVR hosts to obtain a business licence and permission from their strata or landlord.

This is a very strong model that would serve to reduce tension and friction between residents and visitors where housing stock is being used for commercial accommodation.

It is also a timely solution to an issue that urgently needs to be addressed. If the responsible jurisdiction does not enact and enforce regulations as planned, our available housing stock will continue to be swamped by very efficient short-term rental platforms. In contemplating your decision regarding the regulatory framework, we ask you to consider the following:

### **Context**

Research repeatedly demonstrates that STVRs are creating housing shortages, driving up rental rates, inflating residential real estate prices, and undermining development in the mainstream, tax-contributing tourism and hospitality sector.<sup>1</sup>

Most recently, a comprehensive study by McGill University's School of Urban Planning<sup>2</sup> confirmed that alarming growth in conversion of housing stock to "de-facto hotels" via platforms such as Airbnb is not only undermining accessibility and affordability of housing in Montreal, Toronto, and Vancouver but also changing neighbourhoods in negative ways.

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<sup>1</sup> See CBRE Ltd, 13 September 2017. *An Overview of Airbnb and the Hotel Sector in Canada – Final Report*.

(<http://www.hotelassociation.ca/pdf/An%20Overview%20of%20Airbnb%20and%20the%20Hotel%20Sector%20in%20Canada/Full%20Report.pdf>)

<sup>2</sup> Wachsmuth, D. et al., (2017) *Short-term Cities: Airbnb's Impact on Canadian Housing Markets*. Available at <http://upgo.lab.mcgill.ca/airbnb>



The research highlighted the especially adverse impacts of single hosts with multiple STVR listings and proposed three regulatory principles:

1. One rental per host (to prevent commercial operators and property managers converting multiple properties to STVRs)
2. No full-time, entire-home STVRs (home-sharing should not be a full-time business)
3. Platforms must be responsible for compliance (listing platforms should ensure regulations are enforced).

### **Non-Traditional Stays**

Those opposed to regulating short-term rentals claim that the proposed regulations will prevent temporary stays such as locum placements or academic exchanges. This is simply not true. The provincial government makes a clear distinction between short-term and long-term rentals when it comes to PST and MRDT. After 30 days, a stay is exempt from PST and MRDT.

The City of Victoria's framework proposed the same 30-day distinction between short-term and long-term rentals. Therefore, if a landlord is focused on executive stays, locums, or academic exchanges — as many legitimate companies are — the 30 day definition is clear and it works. There is no need to water it down or amend the framework.

Tourism Victoria strongly supports the work Council has done on the regulatory framework, and we urge you to be wary about groups lobbying to divert attention, mislead or confuse. We have heard confusing and inaccurate commentary from these groups about enforcement, as well as statements about taxation that parse the intent of the rules and muddy the picture.

City staff put together a very robust framework to support a housing-first principle. Weakening the regulatory scheme or cutting corners on enforcement will result in lost housing opportunities for residents.

### **Social License**

The tourism industry relies on social license and, therefore, we urge the City to do everything within its means to prevent short-term vacation rentals from undermining the quality of life citizens are entitled to expect and enjoy in strata buildings and residential neighbourhoods. Council has made the right decision by requiring the approval of landlords or strata corporations before issuing a licence for a short-term rental.

Changing or qualifying this decision could create ill-will between residents and the tourism industry, as has happened in other destinations such as Barcelona and Venice as well as Banff, Lake Louise and Niagara Falls.

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## Housing

Perhaps most importantly, council's decision was seen as a win in the fight against lack of affordable workforce housing options in our city. All industries need to be able to attract and keep quality employees. With Greater Victoria experiencing a profound housing crunch, the City of Victoria earned commendation for council's decision to curb short-term rentals. All evidence points to this being the right thing to do.

A recent article in *Harvard Business Review*<sup>3</sup> describes how Airbnb has undermined housing availability as well as social license in Paris, Lisbon, San Francisco, Reykjavik, and Joshua Tree, generating persistent socio-economic problems. Research reported by Skift<sup>4</sup> (the world's largest travel industry insights platform) confirms that focusing too much on quantity-tourism, driven by Airbnb's business model and strategy, has fueled a broad range of housing and social problems within communities, compromising quality of life for residents.

There are reports of STVRs undermining housing availability for workers in Whistler and Toronto<sup>5</sup>, and the problem is increasingly evident in Vancouver and the Lower Mainland as well as Victoria.

## Mega Hosts

Airbnb and similar STVR platforms claim to focus on hosts renting a spare room in their house. This is increasingly not the case. Analysis of Airbnb's Mega Hosts<sup>6</sup> — hosts with many listings, often more than 100 — confirms Airbnb is working strategically towards becoming a large-scale travel booking platform akin to Expedia.

Airbnb and its Mega Hosts collaborate very closely to build commercial opportunities. Airbnb has dedicated teams that work with property managers and cleaning services to bring large-scale hosts onto the platform.

Airbnb offers management tools<sup>7</sup> to help these hosts coordinate and rent large numbers of properties while synchronizing with Airbnb's systems<sup>8</sup>. Airbnb provides coaching and management support for these large hosts. In turn, the Mega Hosts profit from Airbnb's unfair competitive advantage arising from lack of regulation and taxation.

Airbnb's very deliberate strategic alignment with large-scale commercial hosts and property managers is a real and growing concern that works directly against housing availability.

<sup>3</sup> Slee, T. (2016) Airbnb Is Facing an Existential Expansion Problem.

Available at <https://hbr.org/2016/07/airbnb-is-facing-an-existential-expansion-problem>.

<sup>4</sup> Whyte, P. (2017) Amsterdam, Airbnb and the Very Real Problem of Overtourism.

<sup>5</sup> See <http://www.cbc.ca/news/canada/british-columbia/whistler-rentals-airbnb-housing-1.4149027> and <http://www.cbc.ca/news/canada/toronto/city-hall-air-bnb-rules-1.4155938>.

<sup>6</sup> O'Neill, S. (2017) *Airbnb Reverses Strategy in Return to Affiliate Partnerships With Big Players*.

Available at: <https://skift.com/2017/10/17/airbnb-reverses-strategy-in-return-to-affiliate-partnerships-with-big-players>.

<sup>7</sup> Skift Article 171016 - Airbnb Debuts New Tools for a Bigger Cut of Vacation Rental Industry.

Skift Article 171017 - Airbnb Reverses Strategy in Return to Affiliate Partnerships With Big Players.

<sup>8</sup> Ting, D. (2017) *Airbnb Debuts New Tools for a Bigger Cut of the \$138 Billion Vacation Rental Industry*.

Available at: <https://skift.com/2017/10/16/airbnb-debuts-new-tools-for-a-bigger-cut-of-the-138-billion-vacation-rental-industry>.

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Whereas in 2012, 10 per cent of property managers in the U.S. used Airbnb, today the number is closer to 50 per cent and rising rapidly.

STVR platforms such as Airbnb are moving further and further from their original premise of facilitating rental of a spare room in a primary residence. The world's most prolific Airbnb owner has 881 properties in London and earns \$20 million per year.<sup>9</sup>

## **Mixed Messages from Platforms**

A representative of Phocuswright Travel, Tourism and Hospitality Research observed: "There's a message they're trying to convey – home sharing, travelling like a local, experience local culture, stay in a private home – but actually a growing per cent of (Airbnb's) listings are not really someone's home. It's a condo that is one of 1,000 others that look the same and are run by a hotel-like property management company with a front desk check-in."

Analysts have so far identified more than 100 hosts on Airbnb's site with more than 100 listings, including 39 hosts with more than 200 listings each. This is Airbnb's direction and other STVR platforms are following their lead.

In Victoria, some hosts have from 20 to 30 STVRs, which is equivalent to operating a mid-size hotel. It is clear that despite well-crafted public relations and advocacy, STVR platforms such as Airbnb and Vacation Rentals by Owner (VRBO) need to continuously attract and support new hosts in order to grow.

This moves them increasingly towards large-scale commercial operators, at high cost to local residents and legitimate businesses. Airbnb's business strategy is in major and direct conflict with efforts to reduce housing shortages.

## **Residential and Workforce Housing**

In August 2017, Chemistry Consulting surveyed<sup>10</sup> a broad range of businesses (n=250) in Greater Victoria to determine whether the shortage of housing is making it difficult to recruit and/or retain staff. Three in four businesses (76 per cent) confirmed the lack of rental housing is impacting ability to attract and retain staff, from entry level positions to senior management. For one third of these businesses, the housing shortage is also seriously undermining recruitment. Almost half of the businesses surveyed (47 per cent) attributed the shortage of workforce housing to increased short-term vacation rentals.

## **Impact on Commercial Operations**

There is currently a 16 per cent total sales tax on hotel rooms in Victoria. All levels of government will need to work together to align the short-term vacation rental industry in terms of equitable taxation. Any argument suggesting STVRs should be exempt is unfounded and nonsensical.

<sup>9</sup> [http://www.telegraph.co.uk/travel/news/airbnb-top-earnings-cities-landlords/?WT.mc\\_id=tmgliveapp\\_iosshare\\_AptSYICt4nc1](http://www.telegraph.co.uk/travel/news/airbnb-top-earnings-cities-landlords/?WT.mc_id=tmgliveapp_iosshare_AptSYICt4nc1)

<sup>10</sup> Report available at [http://www.chemistryconsulting.ca/factors\\_impacting\\_recruitment](http://www.chemistryconsulting.ca/factors_impacting_recruitment)



Short-term vacation rentals are increasingly a commercial leisure product operating in the grey economy. STVRs are not akin to children's clothes or other necessities, and do not warrant exemption from sales tax.

With more STVRs taking up housing stock, it's worth noting that hotels are also reporting an increasing decline in winter snowbird business.

### **Global View**

Victoria Council's decision is not only the right thing to do but it reflects the same concerns being addressed by jurisdictions around the world. Regulatory compliance has been achieved in many cases globally. In jurisdictions where taxation and regulations have been implemented, short-term vacation rental platforms such as Airbnb and VRBO have been able to adapt readily to policy requirements.

For example the City of London, United Kingdom, imposed a limit of 90 rental days per year on each STVR host along with a variety of taxes. As well, the platform, rather than host, is held to account. Airbnb adapted rapidly with some modifications to its coding, in order to keep doing business in one of the world's leading tourism cities. Leverage and terms should always remain with the regulator rather than with the company or platform. Vancouver has just approved <sup>11</sup> new short term rental regulations that stipulate only principal residences can be rented for less than 30 days.

### **Monitoring**

As I mentioned in an earlier address to Council, online tools have made monitoring STVRs simple. We don't need to argue about numbers and locations any more. There are online platforms which track listings and aggregate them quickly and accurately. To address the adverse impacts of short-term rentals on housing stock, Tofino uses online booking aggregators very effectively and efficiently to ensure they know who is renting and whether they comply with their regulatory program.

### **Provincial Role:**

Tourism Victoria continues to work closely with the Provincial Government on fair and forward-thinking approaches to provincial taxation on commercial accommodation, including STVRs. We have written Provincial Ministers asking for government help to level the field, tax-wise, specifically by:

1. Implementing PST and MRDT on all commercial rooms, including short-term rentals
2. Requiring all properties used for short-term rentals to pay Commercial Property Tax
3. Adjusting the MRDT system to incorporate the changing dynamics of the STVR industry.

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<sup>11</sup> <http://vancouver.ca/news-calendar/council-approves-new-short-term-rental-regulations.aspx>



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These measures will not only ensure STVR platforms are taxed and regulated appropriately as commercial businesses, but also remove the current incentives to operate in the grey economy.

It is equally imperative for the regulator to have the ability to enforce its rules. The City of Victoria decision reflects this. We strongly urge council to not back down in the face of efforts of a small group representing a special interest contrary to the public good. Enforcement is fundamental to ensuring that regulations do what they are designed to do and make measurable improvements to the quality of civic life.

After considering this issue since June 2016, Victoria City Council is poised to implement a progressive and innovative regulatory framework for Short-Term Vacation Rentals. Council has received significant input from all perspectives and staff have provided excellent policy based analysis. The Proposed Short-Term Rental Regulatory Framework, approved by the Committee of the Whole on September 21, is comprehensive, elegantly putting resident housing first.

This regulatory framework uses all available municipal policy levers to begin levelling the playing field with commercial accommodations. It also gives residents a clear signal about the visitor economy, online sharing-economy platforms and real-estate investors — all commercial activity, including short-term vacation rentals, must work in balance with the community and residents' needs, along with stated public policy priorities such as affordable housing. Tourism Victoria strongly supports this approach and urges Council to complete work on this file and move towards implementation.

Best regards,



Paul Nursey,  
President and CEO  
Tourism Victoria



## Statement on Commitment to Sustainability

Tourism Victoria's Vision Statement Reads: "Tourism Victoria will be internationally recognized as a leader in sustainable tourism development, ensuring Greater Victoria remains one of the top destinations in the world."

### What are Tourism Victoria's Current Efforts in Sustainability?

- Tourism Victoria has measured its own impact as an organization and is working diligently to reduce it through a series of internal initiatives.
- Tourism Victoria is a certified Green Business by the Vancouver Island Green Business Certification program.
- Tourism Victoria is a proud Gold Level Sponsor of the Vancouver Island EcoStar Awards.
- A central tenant of Tourism Victoria Strategy is to work on seasonality, spreading the business throughout the year.
- Tourism Victoria is one of the few Destination Marketing Organizations that pursues a yield strategy and not a volume strategy. Through segmentation, we are focused on attracting a better customer which spends more and connects with the community as opposed to simply attracting more travellers.
- Tourism Victoria's management team is having brave and difficult conversations with its members about the future and the need to operate responsibly and in a sustainable manner, whilst at the same time presenting a business plan which inspires investment in new, cleaner technology. This has inspired significant new investment.
- Tourism Victoria and three highly regarded partners have launched the IMPACT Sustainable Travel and Tourism Conference with the intent of it taking place each January in Victoria.

### What are Tourism Victoria's Planned Future Efforts?

- There is a global effort underway to develop a tested and repeatable methodology to fight "over-tourism." Tourism Victoria is watching how this model, currently in its infancy, develops.
- Tourism Victoria is working to develop a reliable, conservative and legitimate methodology to measure the economic impact in the community. Many economic impact models exaggerate contributions through induced and other indirect contributions. Work is underway but more work is required.
- In the medium term (3-5 years), Tourism Victoria will work with other progressive tourism leaders and academics to attempt to measure the carrying capacity of southern Vancouver Island from a tourism perspective. This will require research and modelling as well as government and citizen input. Tourism Victoria is currently researching best practices around the world.

# The Sharing Economy and Housing Affordability: Evidence from Airbnb

Kyle Barron\*      Edward Kung†      Davide Proserpio‡

October 5, 2017

## Abstract

We assess the impact of home-sharing on residential house prices and rental rates. Using a comprehensive dataset comprised of Airbnb listings from the entire United States, we regress zipcode level house prices and rental rates on the number of Airbnb listings, using fixed effects to control for permanent differences across zipcodes as well as arbitrary CBSA level time trends, and using an instrumental variable based on Google search interest for Airbnb to control for any remaining endogeneity. We find that a 10% increase in Airbnb listings leads to a 0.42% increase in rents and a 0.76% increase in house prices. Moreover, we find that the effect of Airbnb is smaller in zipcodes with a larger share of owner-occupiers, a result consistent with absentee landlords taking their homes away from the long-term rental market and listing them on Airbnb. We present a simple model that rationalizes these findings.

Keywords: Sharing economy, peer-to-peer markets, housing markets, Airbnb  
JEL Codes: R31, L86

CAUSATION  
not  
correlation

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‡Marshall School of Business, USC; proserpi@marshall.usc.edu.

fore consistent with absentee landlords substituting away from the rental and for-sale markets for long-term residents and allocating instead to the short-term market.

## 6 Conclusion

Our results suggest that Airbnb growth can explain 0.27% in annual rent growth and 0.49% in annual house price growth from 2012 to 2016. The increases to rental rates and house prices occur through two channels. In the first channel, home-sharing increases rental rates by inducing some landlords to switch from supplying the market for long-term rentals to supplying the market for short-term rentals. The increase in rental rates through this channel is then capitalized into house prices. In the second channel, home-sharing increases house prices directly by enabling homeowners to generate income from excess housing capacity. This raises the value of owning relative to renting, and therefore increases the price-to-rent ratio directly.

Our paper contributes to the debate surrounding home-sharing policy. Critics of home-sharing argue that it raises housing costs for local residents, and we find evidence confirming this effect. On the other hand, we also find evidence that home-sharing increases the value of homes by allowing owners to better utilize excess capacity. In our view, regulations on home-sharing should (at most) seek to limit the reallocation of housing stock from the long-term to the short-term markets, without discouraging the use of home-sharing by owner-occupiers. One regulatory approach could be to only levy occupancy tax on home sharers who rent the entire home for an extended period of time, or to require a proof of owner-occupancy in order to avoid paying occupancy tax.

To summarize the state of the literature on home-sharing, researchers have found that home-sharing 1) raises local rental rates by causing a reallocation of the housing stock; 2) raises house prices through both the capitalization of rents and the increased ability to use excess capacity; and 3) induces market entry by small suppliers of short-term housing who compete with traditional suppliers (Zervas et al. (2017)). More research is needed, however, in order to achieve a more complete welfare analysis of home-sharing. For example, home-sharing may have positive spillover effects on local businesses if it drives a net increase in tourism demand. On the other hand, home-sharing may have negative spillover effects if tourists create negative amenities, such as noise or congestion, for local residents. **Moreover, home-sharing introduces**



an interesting new mechanism for scaling down the local housing supply in response to negative demand shocks—a mechanism that was not possible when all of the residential housing stock was allocated to the long-term market.

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**Amanda Ferguson**

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**Subject:** FW: Commits on Proposed Short Term Rentals Changes In Victoria

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**From:** [REDACTED]  
**Sent:** Friday, November 03, 2017 2:27 PM  
**To:** Victoria Mayor and Council <mayorandcouncil@victoria.ca>  
**Cc:** Legislative Services email <LegislativeServices@victoria.ca>  
**Subject:** Commits on Proposed Short Term Rentals Changes In Victoria

Attention Mayor Helps and City Council,

My wife and I this year purchased a condo unit in the [REDACTED] building to use for a short term rental. We paid approximately [REDACTED] for this unit. This was quite expensive but we wanted to run a legal and above board short term rental and this unit was both zoned in the transient area and as well the strata allowed short term rentals.

The reason we decided on this venture is because we are both self-employed and have no pensions (other than government CPP) and hope to build some equity in the condo over the next 5 to 10 years at which time we hope to retire.

Before purchasing the unit we checked with the City Zoning and Strata to make sure there were no issues in operating this as a short term rental.

Our purchasing decision was based on the expectation that we would be able to operate this business.

Once purchased we obtained our business license and purchased over \$12,000 of new furniture for the condo. We purchase all high end sheets, duvets, etc. to make this an above average accommodation in the heart of Victoria.

Since we have opened we have hosted dozens of guests (couples and families) from around the world who have come to Victoria to view the wonderful city and sites nearby. We have been very attentive hosts having obtained both Super Host and Business Host status and as well have received 5 star ratings for accommodation and service from every single guest who has stayed. We have not had one problem with guests or with the other Strata owners about our business or guests. So we are doing a great job and really making the guest's Victoria stay memorable.

These guests have decided to stay with us because we provide a superior quality accommodation and host services at quite a bit less cost than the local hotels charge.

We always ask our guest why they have chosen to stay with us and invariably it is because of condo size, no charge parking, location, included patio, and multiple services like high speed internet, countless TV channels, coffee/tea, flowers, milk and cream, a full kitchen with every appliance and the list goes on.

These guests have spent thousands of dollars at the local downtown restaurants, shops, and various merchants. We purchase all our supplies locally from downtown sources.

By providing a lower cost premium accommodation, our guests have money to spend in Victoria which is what we all want.

Recently we saw the published changes of the City and its intended changes to the short term rental. We also attended the open house and reviewed the comments.

The following seemed to be the justification presented in the information:

Council wants to return short term rentals to the housing pool to allow more family rentals

This sounds really good and makes some sense when taken out of context. However, in most cases the units being used for short term rentals (especially small condos like we have) will never be used for rentals for many reasons. Here are a few:

1. The high cost of purchase [REDACTED] means that the monthly cost for us is about [REDACTED] a month just to pay the mortgage and basic utilities. We also have to pay income tax on any revenues which is another 30% of the current costs. The condo is 540 sq. ft. with one small bedroom. This unit size is only suitable for 1 or 2 people and would never work long term for a family as any family will need 2 or more bedrooms. Secondly, no family and especially a young family could afford this and would likely live out of the downtown core where prices are cheaper and more suitable accommodation could be found.

A typical 2 bedroom rental in Victoria runs \$1500 to \$1800 a month. For us to rent in this market would mean that we would have to subsidize the rent by at least \$700 to \$1000 a month. This is obviously silly and no one would ever do this and nor could we ever afford to do that. So this really means our condo would never be used to provide rentals to families.

If your intention is to provide downtown rentals to wealth, high income single or couple then your proposal makes some sense. But for families the reasoning is faulty as it really is not affordable or doable by them.

2. It is not house or condo owners responsibility to provide low cost rental accommodation to families and individuals. If this is something that the current council wants to happen then the City should take a proactive action rather than loading this onto the short term rentals property owners.

You could perhaps consider the following:

- a) Set aside city owned property and designate it for low cost rental housing and sell at a reduced cost to developers.
- b) Provide property tax breaks to encourage developers to build low cost rental housing (It has to have some profit).
- c) Reduce the multiple and expensive business license fees to make building less expensive.

I am sure there are many more things that could be done by the City to reduce the construction costs of low cost rental units.

The lower cost development means lower rents and more families can afford it.

Short Term Rentals in Homes Versus Self-Contained Units

You are proposing to make it easier and a lower cost business license fee for people owning home who rent out one or two rooms.

And much more difficult for units fully designated for rental. It seems that this has not really been thought out.

A friend of ours who owns a home and rents a room for short term rental (due to financial necessity) is constantly worried about the people who come to stay. They are mostly unknown and she feels a lot of stress from the possibility of something happening to her or her son. In a self-contained condo like ours this can never happen as the guests are isolated in their own unit with no access to us or anyone else in the building. This is a lot safer situation for the hosts.

It would seem to me that a condo like ours would really be a better and safer situation for rentals. From this I don't understand the City's logic of differentiating the Primary Resident rentals and the standalone units. I would be very interested in hearing the City's comments and rationalization for this. We think both types of rentals should be treated the same as they provide the same service.

#### Proposed Business License Requirements

The Strata Letter requirement has the following serious problem:

1. Strata councils are voluntary and most people overworked. It seems like having strata councils having to provide to the City a letter is going to be very difficult. Additionally the strata can add a fee for this service. I don't think that the City has legislative authority or should be involved in decisions that are between property owners and the Strata. Likewise, I don't think Strata councils should be forced to do work that the City should be responsible for. Rather, a voluntary declaration by the licensee application should be sufficient. It seems to work in most other business requirements in the city. If there are problems the owners and Strata can sort it out themselves.

#### Proposed Business License Fees

We paid \$115 for our business license to operate our short term rental this year. We thought that was a reasonable fee. We also publish the fact we have a business license and include it in our advertising.

Your proposal of increasing our rental business license fee to \$2500 is absolutely unreasonable. There is no merit or reason to do this.

It is our understanding that the hotels pay an average of \$5 per room licensing fee in Victoria. It is our understanding that the maximum current business license is \$600 in Victoria. Where is the justification for such a high amount?

The statement "As the units can be operated as short term rental full time, the proposed fee is higher" makes no sense. The Principal Resident rentals can just as well operate full time and could have significant incomes if fully occupied during the year.

Do you charge a business license fee to any other business in Victoria based on their potential income or ability to operate year round?

You propose that Principal Residence pay \$200 which I think should be the same for both types of rentals as they provide basically the same service.

This fee should not be a tax grab but rather a fee amount base to pay reasonable cost recovery by the City.

Finally, let me ask this questions. Do you think the people who live in the high end area of Lansdowne should be forced to provide low rental accommodation for families? Your proposal suggests this is the same as the short term rental requirements proposed. In any city in Canada, people with more money buy more expense houses and those of less income purchase houses at a lower cost which often is out of the more expense city core.

It is highly unfair to put the rental policy on the heads of a very small proportion of short term rentals when there are thousands of longer term rentals that are not affected in anyway and do not require business Licensing because they are covered by the BC Tenancy Act. Just because you have jurisdiction for short term rentals does not mean you have to take draconian measures against this small group of business people in Victoria.

I have tried to be objective in my response here. However, I can't help having the following questions which I would like to know the answers to:

1. Why are the short term rentals being so unjustly treated? Is this based on lobbying from the hotel/motel group in Victoria who simply do not want any competition? Everyone knows competition drives down prices. Therefore allowing guests to come to Victoria instead of staying away provides to them the possibility of spending more money at local stores, merchants, or tourist sites.
2. Why was the recent proposed changes not advertised to us even though we had a short term business license? We found out about this reading it afterwards in the papers rather than being notified as we should have since we are the ones affected by the proposed changes.
3. Why did the Council vote goes against the recommendations of the City Staff?
4. Why did the zoning vote go ahead when so many of the City Councillors had recused themselves? Shouldn't this indicate further discussion and work were needed? A small special interest group in the Council should not have made such far reaching decisions without first having a Public Hearing to allow discussion and information dissemination by and to those affected.

Thank you for taking time to read my comments. I hope you will seriously consider these and not proceed with with these changes. I request that you take a step back and work with the rental community to work out a better strategy that protects the interest of the rental owners and promotes Victoria as a world class tourist location.

We are proud of the service and accomodation we provide to tourists but think these changes may cause us to reconsider continuing this. The City will suffer a revenue reduction and many people will just no longer come here but go to other Cities with more reasonable short term rental policies. This does not help families, the City, or us.

Sincerely,

██████████  
██████████

NO. XX-XXX

SHORT TERM RENTALS REGULATION BYLAW  
A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to provide for the regulation of short term rentals including rentals in operator's principal residences where permitted under the Zoning Regulation Bylaw No. 80-159 and where permitted pursuant to section 528 of the *Local Government Act*.

**Contents**

- 1 Title
- 2 Definitions
- 3 Licence Required
- 4 Power to Refuse a Licence
- 5 Licence Number to be Included in Advertising
- 6 Responsible Person
- 7 Offences
- 8 Penalties
- 9 Severability
- 10 Commencement

Pursuant to its statutory powers, including section 8(6) of the *Community Charter*, the Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

**Title**

- 1 This Bylaw may be cited as the "Short term Rental Regulation Bylaw".

**Definitions**

- 2 In this Bylaw

"operator" means a person who rents out, or offers for rent, any premises for short term rental but does not include a person who acts as an intermediary between the short term rental tenant and the person who receives the rent;

"principal residence" means the usual place where an individual makes their home;

"responsible person" means a person designated by the operator as the primary contact under section 6.

"short-term rental" means the renting of a dwelling, or any part of it, for a period of less than 30 days and includes vacation rentals;



“strata corporation”, “strata council”, and “strata lot” have the same meaning as in the *Strata Property Act*.

### **Licence Required**

- 3
- (1) A person must not operate a short term rental unless the person holds a valid licence issued under the provisions of this Bylaw and the Business Licence Bylaw.
  - (2) A person applying for the issuance or renewal of a licence to operate a short term rental must, in addition to meeting the requirements of the Business Licence Bylaw:
    - (a) make an application to the Licence Inspector on the form provided for that purpose;
    - (b) pay to the City the applicable licence fee prescribed under subsection (3);
    - (c) provide, in the form satisfactory to the Licence Inspector, evidence that:
      - (i) the person owns the premises where the short term rental will be offered, or
      - (ii) the owner of the premises where the short term rental will be offered has consented to their use as a short term rental;
    - (d) if the premises where the short term rental will be offered are located within a strata lot, provide a letter from the strata council confirming that provision of short term rental does not contradict any bylaws of the strata corporation or applicable provisions of the Strata Property Act;
    - (e) provide evidence, in the form satisfactory to the Licence Inspector, that the premises where the short term rental will be offered are occupied by the person as the principal residence; and
    - (f) provide the name and contact information for the responsible person in relation to the short term rental premises.
  - (3) The licence fee for purposes of subsection (2)(b) is:  
XXXX

### **Power to Refuse a Licence**

- 4
- The Licence Inspector may refuse to issue a licence for a short term rental if, in the opinion of the Licence Inspector,
- (a) the applicant has failed to comply with section 2; or
  - (b) the short-term rental operation would contravene a City bylaw or another enactment.

**Licence Number to be Included in Advertising**

- 5 A person may offer to rent premises for rent as a short term rental if they include the business licence number in any advertising, listing, or promotion material that is intended to communicate availability of the premises for short term rental.

**Responsible Person**

- 6 (1) A person may only operate a short term rental in premises other than their principal residence if they designate a responsible person who, at all times that the short term rental is operated, has access to the premises and authority to make decisions in relation to the premises and the rental agreement.
- (2) A person may only operate a short term rental if they ensure that the name and contact information of the responsible person is prominently displayed in the short term rental premises at all times when the short term rental is operated.
- (3) The operator may designate themselves as the responsible person.

**Offences**

- 7 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the Offence Act if that person
- (a) contravenes a provision of this Bylaw;
  - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw;  
or
  - (c) neglects or refrains from doing anything required by a provision of this Bylaw;
- (2) Each instance that a contravention of a provision of this Bylaw occurs and each day that a contravention continues shall constitute a separate offence.

**Penalties**

- 8 A person found guilty of an offence under this Bylaw is subject to a fine of not less than \$100.00 and not more than \$10,000.00 for every instance that an offence occurs or each day that it continues.

**Severability**

9 If any provision or part of this Bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the Bylaw and the balance of the Bylaw, or its application in any circumstances, shall not be affected and shall continue to be in full force and effect.

**Commencement**

10 This bylaw comes into force on adoption.

READ A FIRST TIME the day of 20

READ A SECOND TIME the 20

READ A THIRD TIME the 20

ADOPTED on the 20

CITY CLERK

MAYOR

# Short Term Rental Business Regulations

Community Engagement Results and Draft STR Bylaw



## Purpose

- Provide Council with the results of public consultation on the proposed business regulation as well as a draft of the STR business regulation bylaw
- Seek Council direction to finalize business licence fees in Quarter 1 of 2018



CoTW November 23, 2017 STR Business Regulations

## Previous Council Direction

- September 14, 2017 – Approved an enforcement strategy including hiring a third-party compliance monitoring service and new City staff
- September 21, 2017 – Approved a regulatory framework, allowing STR in principal residences, subject to obtaining a business licence and complying with operating requirements



CoTW November 23, 2017 STR Business Regulations

## Previous Council Direction

- Direct staff to engage stakeholders on the proposed business regulations, and report back to Council in Q 4 of 2017 with the bylaws required to enact these regulations



CoTW November 23, 2017 STR Business Regulations



## Community Engagement

- STR page on the City's website
- Fact sheets
- Ads in local papers
- Stakeholder emails
- Social media
- Open House
- Feedback period for email submissions



CoTW November 23, 2017 STR Business Regulations

## Community Engagement

### Principal residence

- Feedback suggested that secondary suites should be allowed as STR
- No change recommended
- Secondary and garden suites are an important supply of long-term rental housing
- Inconsistent with previous Council direction



CoTW November 23, 2017 STR Business Regulations

## Community Engagement

### Operating requirements

- Support for operating requirements
- No change recommended

### Mid Century Old Town Chicago Home

Chicago, IL, United States **★★★★★** 27 reviews



Morgan

Entire home/apt
3 guests
1 bedroom
1 bed

#### About this listing

Stay in the heart of Chicago Old Town! This bright, cool & comfortable one bedroom & one bath is decked out in mid century modern furniture, exposed brick, new appliances & has a true city feeling! It comfortably sleeps two (3rd person can sleep on the couch), just 2 blocks to Lincoln Park, and 3 blocks to the famous Second City & stellar Old Town bars. Not to mention a quick 5 minute Uber ride to river north district!

License or registration number  
R17000013198  
[Learn about this field](#)



CoTW November 23, 2017 STR Business Regulations

## Community Engagement

### Business licence application and fees

- \$2,500 for non-principal residence (legal non-conforming units) is too high and punitive
- Based on community feedback and additional analysis, recommend finalizing fees and structure in Quarter 1 2018



CoTW November 23, 2017 STR Business Regulations

## Draft STR Bylaw

Includes:

- Principal residence
- Business licence and fees
- Letter from Strata Councils
- Letter from property owners
- Compliance with City Bylaws
- Advertisements
- Responsible Person
- Penalties



CoTW November 23, 2017 STR Business Regulations

## Options and Impacts

- Option 1 (Recommended): Finalize business licence fees in Quarter 1 of 2018 in conjunction with the STR implementation plan prior to bylaw adoption
- Option 2: Approve of \$200 and \$2,500 as the business licence fee structure and give first, second and third reading of the STR regulation bylaw in Quarter 4 (not recommended)



CoTW November 23, 2017 STR Business Regulations

## Recommendation

- Direct staff to report back to Council in Quarter 1 of 2018 with finalized short term rental business licence fees, in conjunction with the short term rental implementation plan
- Direct staff to bring forward the short term rental regulation bylaw in Quarter 1 of 2018 for introductory readings







**REPORTS OF COMMITTEES**

2. **Committee of the Whole – September 21, 2017**

11. **Short Term Rental Business Regulations and Enforcement Strategy**

**Motion:**

It was moved by Councillor Isitt, seconded by Councillor Young, that Council:

1. Approve the proposed short term rental regulatory framework, as described in this report, which allows short-term rentals in principal residences, subject to a business licence and compliance with operating requirements;
2. Direct staff to engage stakeholders on the proposed business regulations, and report back to Council in Q 4 of 2017 with the bylaws required to enact these regulations; and,
3. Direct staff to report back to Council in Q 1 of 2018 with an implementation plan, including schedule, resourcing proposal, and impacts to the financial plan.

**Carried Unanimously**

## 7. STAFF REPORTS

### 7.4 Short Term Rental Business Regulations and Enforcement Strategy

Committee received a report dated September 19, 2017, from the City Clerk regarding a proposed regulatory framework for short term rentals in the City of Victoria, including business regulations and an enforcement strategy.

Committee discussed:

- Consideration of requiring a hotel tax for all short term rentals.

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council:

1. Approve the proposed short term rental regulatory framework, as described in this report, which allows short-term rentals in principal residences, subject to a business licence and compliance with operating requirements;
2. Direct staff to engage stakeholders on the proposed business regulations, and report back to Council in Q 4 of 2017 with the bylaws required to enact these regulations; and,
3. Direct staff to report back to Council in Q 1 of 2018 with an implementation plan, including schedule, resourcing proposal, and impacts to the financial plan.

Committee discussed:

- Increasing housing stock for residents and ensuring minimal impacts to neighbourhoods.

CARRIED UNANIMOUSLY 17/COTW



**Committee of the Whole Report  
For the Meeting of September 21, 2017**

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**To:** Committee of the Whole **Date:** September 19, 2017  
**From:** Chris Coates, City Clerk  
**Subject:** Proposed Short Term Rental Regulatory Framework

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**RECOMMENDATIONS**

That Council:

1. Approve the proposed short term rental regulatory framework, as described in this report, which allows short-term rentals in principal residences, subject to a business licence and compliance with operating requirements;
2. Direct staff to engage stakeholders on the proposed business regulations, and report back to Council in Q 4 of 2017 with the bylaws required to enact these regulations; and,
3. Direct staff to report back to Council in Q 1 of 2018 with an implementation plan, including schedule, resourcing proposal, and impacts to the financial plan.

**EXECUTIVE SUMMARY**

Short Term Rentals (STR), defined as stays of less than 30 days, are occurring across the City of Victoria, despite being permitted in only two instances: multi-unit residential buildings zoned for transient accommodation and in up to two bedrooms in an occupied single family dwelling.

Over the last year, Council has directed staff to proceed with four main strategies to manage short term rentals, including the development of comprehensive business regulations, a proactive enforcement strategy, advocating for fair taxation, and zoning amendments. This report describes proposed business regulations for short term rentals, as well as outlines an enforcement strategy.

In summary, the proposed business regulations are:

1. Permit STR use in all principal residences (i.e. the place where an individual usually lives and conducts their daily affairs). This includes owners and renters.
2. Require STR operators to obtain a business licence
3. Require STR operators to comply with operating requirements

The enforcement strategy involves engaging a third party monitoring service to proactively identify short term rental addresses and identify non-compliant operators. New City staff, both temporary and permanent, would be hired to oversee the program, process new business licence applications and pursue punitive action on all non-compliant operators such as fines, licence revocation, and court action.



Should Council approve the proposed regulatory framework, staff will engage with stakeholders, including neighbourhood, tourism and housing associations as well as outreach to short term rental operators and host platforms to refine the proposed business regulations and report back to Council in Q 4 of 2017 with the bylaws needed to enact the regulations. Following bylaw adoption, staff will prepare an implementation plan, including financial implications, and schedule for Council approval in Q 1 of 2018.

## PURPOSE

The purpose of this report is to provide Council with a proposed regulatory framework for short term rentals in the City of Victoria, including business regulations and an enforcement strategy.

## BACKGROUND

Short term rentals are defined as the renting of a dwelling, or any portion of it, for a period of less than 30 days. This can include an entire dwelling (i.e. condo or house) or a room (shared or private), within an occupied dwelling. Over the last decade, online platforms such as Airbnb have developed profitable marketplaces that connect people looking for this type of short term accommodation with people who want to rent their homes.

### Short Term Rental in Victoria

In Victoria, there are:

- Close to 1,500 unique listings, which include entire units, private and shared rooms
- A concentration of short term rentals in the downtown core and in adjacent neighbourhoods
- Numerous multiple listing hosts (commercial operators)
- A prevalence of entire units for rent (as opposed to private or shared rooms)

### Existing Permitted STR

In Victoria, short term rentals are currently permitted to operate in two instances:

1. Multi-unit residential buildings zoned for transient accommodation, which allow for the commercial use of residential units as short term rentals in some areas of the City; and,
2. Up to two bedrooms in an occupied single family dwelling, as a home occupation.

Council is currently considering amending the zoning bylaw to remove transient accommodation as a permitted use. If approved, these units will be affected in that their underlying zoning will change, but their right to operate a STR will continue due to non-conforming use provisions of the Local Government Act.

Despite existing regulations, short term rentals are occurring in various forms throughout the City.

### STR Impacts

The rapid growth of short term rentals in many communities has led to both positive and negative impacts. For travellers, STRs are often cheaper, more amenity-rich, personalized, and localized than traditional hotels. For residents, the ability to easily and relatively safely commodify an existing asset (a home) can be a means of income supplementation. Negative impacts meanwhile can include a decrease in the availability of long-term rental housing when a short term rental is used as a commercial enterprise, public safety and nuisance concerns, and unfair advantages over traditional accommodation providers such as lack of regulation and taxation. The City's role in regulating STR is to balance these competing objectives.



### Previous Council Direction

Council direction has focused on four main strategies to manage short term rentals: the development of comprehensive business regulations, a proactive enforcement strategy, advocating for fair taxation, and zoning amendments. This report responds to the following Council motions:

Table 1. Previous Council Motions

Date	Direction
March 9, 2017	<ul style="list-style-type: none"> <li>Report back to Council on options for permitting and enforcing limited use of residential properties (in multi-unit and single family dwellings, in all neighbourhoods in the city) by the occupants (owners or renters) for a limited number of maximum days in each calendar year for the commercial purpose of providing short-term vacation rentals</li> <li>Permitted: 1-2 bedrooms in occupied dwellings, including a house or condo for STR</li> <li>Prohibited: entire secondary suites, including basement suites and garden suites for use as STR</li> </ul>
June 22, 2017	<ul style="list-style-type: none"> <li>Bring forward a comprehensive scheme of business regulations for existing and future STR, including business licencing, fees and rules of operation</li> <li>Report back with a short term rental enforcement strategy</li> </ul>
July 13, 2017	<ul style="list-style-type: none"> <li>Council referred a report to staff containing supplementary material to be considered in the regulatory and business licencing framework for STR.</li> </ul>

A compilation of all Council Motions related to short term rentals is attached as Appendix A. Staff also developed an analysis and evaluation of proposed Council requirements to consider when developing short term rental business regulations, attached as Appendix B, based on the above July 13, 2017 Council Motion.

An additional staff report brought forward to Council on September 7, 2017, attached as Appendix C, addresses a subsequent motion related to STR: transient accommodation zoning changes. A public hearing on the proposed zoning changes is scheduled for September 21, 2017.

### Emerging Best Practice in Regulating Short Term Rentals

There is no 'one size fits all' regulatory approach for short term rentals, as each jurisdiction is solving problems unique to their community. However, based on interviews with municipal staff, including in Tofino, Kelowna, Vancouver, Toronto and Bend, Oregon as well as industry experts across North America, coupled with additional desktop research and analysis, some best practice has emerged:

1. **Say yes to STR** - STR bans have proven ineffective in stemming STR growth
2. **Keep it simple** – simple, straightforward regulatory requirements achieve higher levels of voluntary compliance
3. **Point of non-compliance** – is best achieved through business licence verification, not on whether a unit or room has been rented
4. **Avoid relying on host platforms for help regulating STR** – municipalities and host platforms often have competing objectives
5. **Utilize technology** – third party monitoring firms have sophisticated tools to verify compliance efficiently and effectively



6. **Communicate widely** – proactive and widespread communication of regulations can generate high rates of voluntary compliance
7. **Be adaptable** - the rapid growth and fluid nature of the industry means that best practices will evolve over time and policy approaches may need to change

### Common Regulatory Tools

Stemming from these best practices, some common regulatory tools to manage STR are being implemented across North American municipalities, including:

1. **Principal Residence** – STR is only permitted in the *usual place that a person makes their home*
2. **Night Caps** – establishes a maximum number of days that a unit can be rented per calendar year
3. **Business Licence** – a special business licence or permit is required prior to operating an STR
4. **Safety Provisions** – can include enhanced fire safety, a maximum number of occupants, compliance with building codes
5. **Nuisance Provisions** – can include parking restrictions, liability insurance and host contact information
6. **Taxation** – can include provincial sales tax, municipal and regional tax, lodging tax, and others. *Note: the City of Victoria does not have sales tax authority.*

The usage and specifics of each of these regulatory tools is dependent on individual jurisdictions and the specific problems or policy objectives they are trying to solve, as well as their legislative authority.

### ISSUES & ANALYSIS

Research, comparative analysis and previous Council direction have informed the following recommendations, which seek to enable some forms of STR, while mitigating negative impacts.

The basis of the proposed regulations is to allow individuals to rent out their homes in ways that do not materially impact the long-term rental housing market, subject to obtaining a business licence and adhering to operating requirements.

In summary, the proposed regulations are:

1. Permit STR use in all principal residences (i.e. the place where an individual usually lives and conducts their daily affairs). This includes both owners and renters.
2. Require STR operators to obtain a business licence
3. Require STR operators to comply with operating requirements

Investment properties, commercial operations, and housing including apartments, secondary and garden suites that are not principally occupied by a long-term resident would all be prohibited from STR use to ensure the greatest retention of long-term rental stock for residents.

As previously noted, there will remain some exceptions to the principal resident requirement due to transient zoning or non-conforming use provisions of the Local Government Act in areas previously zoned for transient accommodation.<sup>1</sup>

<sup>1</sup>Non-conforming use provisions of the Local Government Act is dependent on approval of forthcoming proposed amendments to the *Zoning Regulation Bylaw* as outlined in Appendix C. Should these bylaw amendments not be approved, areas zoned for transient accommodation will continue to permit full-time commercial STR use. In either case, some full-time STR use will continue in Victoria due to existing zoning.



## Principal Residence vs. Night Caps

The following section responds to the March 9, 2017 Council Motion to report back with options for permitting occasional use of residential properties (all dwelling types) as short term rentals.

Staff recommend that the principal residence requirement be used instead of a maximum number of days, or a 'night cap' requirement. Both of these regulatory tools serve the same purpose: to limit the number of days that a unit can be rented. However, there are more benefits to the principal residence approach.

Principal residence is defined as the *usual place that a person makes their home*. A principal residence is where an individual lives and conducts their daily affairs like paying bills and receiving mail and is generally the residence used in government records (e.g. income tax, medical services plan, driver's licence and vehicle registration). In contrast, night caps require a municipality to set a maximum number of days (e.g. 60) that a unit can be rented.

Between the two, principal residence is substantially easier to enforce. Under the principal residence requirement, business licences will not be granted to operators unless they can prove that the place they wish to rent is the place they normally reside. Enforcing a night cap requirement meanwhile is reliant on cooperation from platforms such as Airbnb to provide an accurate report of the number of nights the unit is rented.

As platforms and municipalities often have competing objectives – the former to protect their users (operators) and maximize business and profits, and the latter to regulate and limit STR to mitigate negative impacts – transparent data exchange can prove difficult if not impossible. In other jurisdictions where a platform is in disagreement with a municipality, legal proceedings have resulted, and have been complex and drawn out, leading to significant time and expense on the part of the municipality as well as delays in enforcement and the continued proliferation of STR in the meantime.

Enforcing a night cap without platform cooperation is extremely challenging and requires significant municipal resources, as ascertaining the number of booked nights for each listing requires extensive data analysis, tracking, and observation, each of which is limited in its ability to be accurate to the degree that a municipality can clearly ascertain when an operator has gone a day over their limit. The burden on operators who want to cooperate is also high, as the operator would need to keep comprehensive records, tallying nights spent, and commit to producing regular reports to the City, and what has been seen in other jurisdictions is that compliance drops steeply the more complex the regulations become.

While the principal residence requirement does not guarantee that unpermitted STR will not occur, it is expected that this will be the exception rather than the rule due to registration requirements, active monitoring and auditing of listings for adherence to regulations, and high fine structure for non-compliance. Further, the simplicity and enforceability of the principal residence requirement over night caps ensures that more operators are likely to voluntarily comply with regulations and the City will more easily be able to enforce the regulations.

## Business Licencing

The proposed regulations establish a new type of business licence for short term rental operators. The registration process has been kept intentionally as simple as possible as it has been repeatedly demonstrated that jurisdictions with simple registration processes see the highest compliance rates.



In order to obtain a licence, operators will have to:

1. Submit an application form, including all mandatory documentation
2. Pay a fee, ranging from \$200-\$2,500, depending on the type of STR
3. Agree to comply with operating requirements

#### Application Form

When submitting an application form to operate an STR, individuals will need to include the following mandatory documentation:

1. Two items proving principal residence, one of which must include government issued photo ID. Examples include a recent utility bill, drivers licence, Medical Services Plan or Canada Revenue Agency mail.
2. If a renter, a letter from the owner permitting STR use
3. If in a strata, a letter from the Strata council permitting STR use

Applicants will also be advised at the time of licencing that all STR operators will be subject to verification and audit.

#### Supplementary Material

As part of receiving a business licence, operators will be provided with the following supplementary material:

- A user-friendly guide and FAQ for operators on the new business regulations
- City of Victoria Home Fire Safety Checklist, which provides helpful tips on how to protect homes from a fire and how to prepare for emergencies
- Guest Guidelines, which will include information on relevant city bylaws (e.g. quiet hours), guest parking, recycling schedules and host contact information
- A neighbour notification template, which will allow hosts to share details on their short-term rental as well as their contact information with neighbours, if they choose.

#### Fees

Staff recommend a two-tiered fee schedule that is applied by type of STR and ranges from \$200-\$2500 annually. The lowest fees will apply to operators who occasionally list their entire unit (e.g. while on vacation) or rent a shared room or private room while they are present (home occupation). The highest fees will apply to entire units that are able to operate year-round and are not the principal residence of the operator (either due to non-conforming use provisions of the Local Government Act or as transient accommodation, depending on zoning bylaw changes scheduled for September 21, 2017).

Table 2. Proposed Business Licence Fees

STR Type	Example	Annual Business Licence Fee
Home share	<ul style="list-style-type: none"> <li>• Entire unit while principal resident is away (e.g. vacation)</li> <li>• Shared room (i.e. couch) while principal resident is present (home occupation)</li> <li>• Private room while principal resident is present (home occupation)</li> </ul>	\$200
Commercial	<ul style="list-style-type: none"> <li>• Entire unit with non-conforming use provisions of the Local Government Act or an entire unit zoned for transient accommodation</li> </ul>	\$2,500

Proposed fees for home sharing are in line with other municipalities but are substantially higher for commercial operators. Staff recommend the proposed fee structure to:



- recover the costs of reviewing and issuing licence applications and renewals
- 'level the playing field' between STR operators and traditional accommodation providers, especially as changes to provincial sales tax legislation are expected to take time
- ensure that commercial operators pay a fee commensurate with revenue generated, (especially important in Victoria, which is unique amongst municipalities for transient accommodation considerations in zoning bylaws)
- discourage casual operators who are unwilling to pay to operate

### **Operating Requirements**

Jurisdictions with complicated operating requirements do not see fewer STRs, but rather lower compliance with regulations and more illegal operations. Therefore staff recommend operating requirements be kept to a minimum in order to achieve a "critical mass" of compliance with new regulations.

Operators will be required to display their business licence number in all advertisements for the STR listing, either in a specific field created by the platform or in the unit description. In addition, all operators will have to adhere to City bylaws, including the Noise bylaw and Nuisance bylaw.

### **Communications and Engagement**

Council did not direct staff to undertake a formal engagement process on short term rentals prior to developing the proposed regulations. However, Section 59 of the Community Charter states that before adopting a business regulation bylaw, persons affected by this bylaw must be given an opportunity to provide feedback. Therefore, feedback will be sought on the proposed registration process, licence fees and operating requirements.

Staff recommend providing both online and an in-person opportunity for feedback on the business regulations. Through the fall of 2017, stakeholders will be informed of the proposed business regulations through email, social media and the City's website. Stakeholders can also provide feedback at an open house and by email, prior to returning to Council with the business regulation bylaws for adoption.

### **Enforcement Strategy**

In a Closed Council meeting on September 14, 2017, Council approved a short term rental enforcement strategy which includes two phases; (1) identification and compliance monitoring and (2) enforcement action. A third party monitoring service will be retained to complete Phase 1. This will include identifying addresses of online listings, monitoring the listings (e.g. determining type of unit listed, frequency of booking) and assessing if a listing is non-compliant (e.g. operating without a business licence). New staff will also be hired (two temporary administrative positions as well as a permanent bylaw officer position), to oversee the program, process new applications, administer fines and address ongoing enforcement where necessary.

The enforcement strategy anticipates that the cost of enforcement will total approximately \$512,000, which includes the cost of third-party monitoring, the three additional staff, a legal contingency fund, and communication costs to widely broadcast the new rules, regulations, and consequences of non-compliance. These expenses would likely decrease as the number of STRs are reduced, and the implementation plan will identify reporting mechanisms to appraise Council of changes in funding required following implementation. The enforcement approach also analysed possible cost-recovery mechanisms and noted that fee and fine collection could at least partly cover these expenses. However, it is recommended that Council direct staff to also include potential financial implications with the implementation plan to determine the level to which this work will impact future financial plans.



**OPTIONS AND IMPACTS**

**Option 1 (Recommended):** Approve the proposed short term rental regulatory framework.

**Option 2:** Council may identify further amendments or considerations to be included in the short term rental regulatory framework. It should be noted that any significant changes to this framework would delay implementation.

*Accessibility Impact Statement*

There are no impacts on accessibility associated with the recommendations contained in this report.

*2015 - 2018 Strategic Plan*

This work is identified as a key priority in the Strategic Plan under Objective 6: Make Victoria More Affordable 2017 Actions: Strengthen policy and regulations related to Short Term Rentals.

*Impacts to Financial Plan*

No funding has been allocated in the current Financial Plan for this work. However, the proposed business licence fees have been developed to offset some of the increased costs of these new regulations, including additional staff resources. The licence fees and degree of cost recovery will require ongoing monitoring.

*Official Community Plan Consistency Statement*

The recommended approach aligns with the directions in the Official Community Plan of "Land Management and Development" and "Housing and Homelessness."

**CONCLUSIONS**

The preceding report outlines an evidence-based, straightforward set of regulations that, combined with proactive enforcement of these regulations, will assist Victoria in achieving its policy objectives of allowing some STR in ways that do not negatively affect long-term rental housing stock and with provisions that limit their negative impacts where permitted.



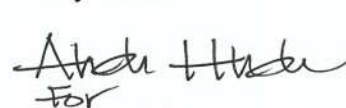
Shannon Jamison  
Legislative Planning Analyst



Chris Coates  
City Clerk

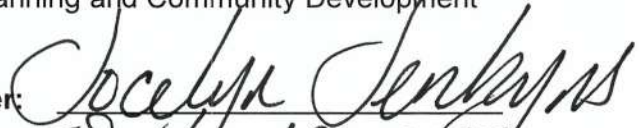


Lindsay Milburn  
Senior Planner - Housing Policy  
Community Planning



For  
Jonathan Tinney  
Director  
Sustainable Planning and Community Development

**Report accepted and recommended by the City Manager:**



**Date:** Sept. 19, 2017.

**List of Attachments**

- Appendix A: Short Term Rental Council Motions
- Appendix B: Evaluation and Analysis of July 13, 2017 Council Motion
- Appendix C: September 7, 2017 Zoning Bylaw Amendments Council Report



## REPORTS OF COMMITTEES

### 2. Committee of the Whole – July 13, 2017

#### 6. Supplementary Material on Short-Term Rental Regulatory Framework

**Motion:**

It was moved by Councillor Isitt, seconded by Councillor Coleman, that Council refer this report and the attachments to staff, and request that the following provisions be considered for inclusion in the City of Victoria's regulatory and business licensing framework for Short-Term Rentals:

- One host = One listing;
- Proof of the host's identity and municipal address;
- Proof of a current police background check;
- Proof that the property is the host's principal/primary residence;
- Proof that the listed space is in a habitable room in the principal/primary residence;
- Proof that the host has sufficient insurance coverage;
- Proof that mortgage terms are not violated, if an owner;
- Proof that short-term rentals are consistent with the use of the strata lot in the host's land titles declaration, if a strata resident;
- Proof that the host's strata council rules permit short-term rentals, if a condominium resident;
- Proof that the listing does not violate existing zoning by-laws, building codes, fire codes and health and safety standards;
- Submission of site and floor plans accurately depicting the size and location of the existing dwelling;
- Submission of the number and location of the designated off and on-street parking spaces and the number of vehicles allowed for overnight guests, if applicable;
- Submission of a list of responsible contact persons;
- Submission of a list of all online platforms used to advertise the listing.

**Carried**

**For: Councillors Alto, Coleman, Isitt, Loveday, and Thornton-Joe**  
**Against: Councillor Young**

Council Meeting – July 13, 2017

**REPORTS OF COMMITTEES**

**2. Committee of the Whole – June 15, 2017**

**6. Correcting the Zoning of Residential Strata Buildings in Downtown Victoria**

**Motion:**

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council direct staff to:

1. Prepare bylaw amendments for first reading to correct the zoning of residential strata property in Downtown Victoria, removing transient accommodation as a permitted use;
2. Provide the following information to Council when the bylaw amendments are considered for first reading: (a) the number of buildings and units to which this change would apply; and (b) the resource requirements of initiating this change to the Zoning Regulation Bylaw; (c) legal non-conforming status;
3. Convene a public hearing as part of the rezoning process to provide members of the public, including owners of residential strata property in Downtown Victoria, with the opportunity to provide input to Council prior to final consideration of the bylaw amendments;
4. Invite residential strata councils to indicate to the City whether they consent by mutual agreement to amending Housing Agreements registered on title, to clarify that provisions barring strata councils from introducing bylaws restricting rentals shall apply only to rentals under the Residential Tenancy Act, and that strata councils shall have the authority to introduce bylaws restricting transient accommodation and short-term rentals.
5. Prepare these bylaw amendments for Council's consideration on a priority basis, reflecting the severity of the housing affordability and housing availability crisis in Victoria.

**Carried**

**For: Councillors Alto, Coleman, Isitt, Loveday, and Thornton-Joe**  
**Opposed: Councillor Young**

Council Meeting - June 22, 2017

2. That staff report back with policy, regulatory, and enforcement recommendations based on the workshop discussion.

**Amendment:**

It was moved by Councillor Loveday, seconded by Councillor Thornton-Joe, that Scenario 2 be amended as follows:

**Scenario 2: Entire condo with transient zoning**

Direct staff to provide advice on what tools are available to limit the number of Short-Term Vacation Rentals where they are currently allowed, and that this report includes **options for:**

**(a) a City-initiated rezoning to remove transient accommodation as a permitted use from residential strata property, with an "opt-out" process where stratas can apply to retain transient accommodation as a permitted use, where a majority of strata lot owners in a residential strata indicate their support for that use.**

**(b) a business license scheme for Short-Term Vacation Rentals that is consistent with the Strata Property Act and does not include granting licences for stratas that do not allow Short-Term Vacation Rentals in their bylaws.**

**(c) maintaining transient accommodation as a permitted use, with the option of an "opt-in" mechanism for a City initiated rezoning to prohibit transient accommodation as a permitted use, where a majority of owners of units in a residential multi-unit building (condominium) downtown indicate their preference for this rezoning.**

*Council discussed the following:*

- *That the amendment will allow for more available options and considerations.*

**On the amendment:**  
**Carried Unanimously**

**Amendment:**

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Scenario 2 be amended as by removing part c, as follows:

**Scenario 2: Entire condo with transient zoning**

Direct staff to provide advice on what tools are available to limit the number of Short-Term Vacation Rentals where they are currently allowed, and that this report includes options for:

**(a) a City-initiated rezoning to remove transient accommodation as a permitted use from residential strata property, with an "opt-out" process where stratas can apply to retain transient accommodation as a permitted use, where a majority of strata lot owners in a residential strata indicate their support for that use.**



**Main motion as amended:**

**Scenario 1: Entire condo with no transient zoning**

1. That Council direct staff to proactively enforce current prohibition in zoning so Short-Term Vacation Rentals cease.
2. That staff report back to Council on options for permitting and enforcing limited, ancillary use of residential properties (in multi-unit and single-family dwellings, in all neighbourhoods in the city) by the occupants (owners or renters) for a limited number of maximum days in each calendar year for the commercial purpose of providing short-term vacation rentals.
3. Motion to refer to the February 16, 2016 Committee of the Whole meeting and invite comment from the BnB Association, the Hotel Association and other operator, industry representatives that want to provide comment:  
That the City write to the province asking there be a repeal of Section 78(1)(b) of the Provincial Sales Tax exemption and refund regulation.

**Scenario 2: Entire condo with transient zoning**

Direct staff to provide advice on what tools are available to limit the number of Short-Term Vacation Rentals where they are currently allowed, and that this report includes **options for:**

- (a) a City-initiated rezoning to remove transient accommodation as a permitted use from residential strata property, with an "opt-out" process where stratas can apply to retain transient accommodation as a permitted use, where a majority of strata lot owners in a residential strata indicate their support for that use.
- (b) a business license scheme for Short-Term Vacation Rentals that is consistent with the Strata Property Act and does not include granting licences for stratas that do not allow Short-Term Vacation Rentals in their bylaws.
- (c) maintaining transient accommodation as a permitted use, with the option of an "opt-in" mechanism for a City initiated rezoning to prohibit transient accommodation as a permitted use, where a majority of owners of units in a residential multi-unit building (condominium) downtown indicate their preference for this rezoning.

**Scenario 3: 1-2 bedrooms within occupied condo**

That Council direct staff to permit and proactively enforce through business license registration and tracking.

**Scenario 4: Entire homes**

That Council direct staff to proactively enforce current regulations so Short-Term Vacation Rentals cease.

**Scenario 5: Entire secondary suites (including garden suites)**

That Council direct staff to proactively enforce current regulations so Short-Term Vacation Rentals cease.

**Scenario 6: 1 - 2 Bedrooms within occupied SFD**

That Council direct staff to proactively enforce current zoning rights through business license registration and monitor use through business license tracking.

**REPORTS OF COMMITTEES**

1. **Committee of the Whole – February 16, 2017**
2. **Short Term Vacation Rental – Motion to Refer from the January 26, 2017 Council Meeting**

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Isitt, that the City write to the province asking there be a repeal of Section 78(1)(b) of the *Provincial Sales Tax Exemption and Refund Regulation*.

**Carried Unanimously**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council reconsider the motion on short-term vacation rentals.

**Carried Unanimously**

**Motion:**

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council refer the issue of short-term vacation rentals to the next Committee of the Whole Meeting.

**Carried Unanimously**

Council Meeting – February 23, 2017



4. That staff report back with policy, regulatory and enforcement recommendations based on the workshop discussion.

**Carried Unanimously**

*Councillor Loveday withdrew from the meeting at 1:05 a.m. due to a potential pecuniary conflict of interest with the following item, due to his association with Tourism Victoria.*

**Motion:**

**Scenario 1: Entire condo with no transient zoning**

6. Motion to refer to the February 16, 2016 Committee of the Whole meeting and invite comment from the BnB Association, the Hotel Association and other operator, industry representatives that want to provide comment:

That the City write to the province asking there be a repeal of Section 78(1)(b) of the Provincial Sales Tax exemption and refund regulation.

*Council discussed the following:*

- *Clarification on when a letter would be written to the provincial government.*

**Carried Unanimously**

Council Meeting – January 26, 2017

**REPORTS OF COMMITTEES**

**2. Committee of the Whole – October 27, 2016**

**4. Short-Term Vacation Rentals**

It was moved by Councillor Coleman, seconded by Councillor Young, that this item be referred to a Committee of the Whole workshop in January 2017.

**Amendment:**

It was moved by Councillor Isitt, seconded by Councillor Alto, that the motion be amended as follows:

That this item be referred **back to staff to report back** to a Committee of the Whole workshop in January 2017.

**Amendment to the amendment:**

It was moved by Councillor Loveday, seconded by Councillor Isitt, that the amendment be amended as follows:

That this item be referred **back to staff to report back** to a Committee of the Whole workshop in January 2017, **and direct staff to highlight any applications coming forward that include transient accommodations.**

**On the amendment to the amendment:**  
**Carried Unanimously**

**Amendment to the amendment:**

It was moved by Councillor Isitt, seconded by Councillor Alto, that the amendment be amended as follows:

That this item be referred **back to staff to report back** to a Committee of the Whole workshop in January 2017, **and no further residential land use applications will be considered until this review has been completed** ~~direct staff to highlight any applications coming forward that include transient accommodations.~~

**The Chair ruled that the amendment to the amendment was out of order.**

**On the amendment:**  
**Carried Unanimously**

**Main motion as amended:**

That this item be referred back to staff to report back to a Committee of the Whole workshop in January 2017, and direct staff to highlight any applications coming forward that include transient accommodations.

**On the main motion as amended:**  
**Carried Unanimously**



Appendix B

	Council Motion	Included in regulatory approach?	Rationale
1	One host = One listing	Partially	<ul style="list-style-type: none"> <li>In principal, this is aligned with staff's recommended Citywide regulatory approach, except if the units continue to be zoned as transient accommodation (or if the units meet the non-conforming use provisions of the Local Government Act)</li> <li>Residents could not rent a unit that is not their principal residence, so can only have one property they are renting short term (the one they normally reside in); however, one host could have multiple listing types within the same unit (i.e. entire dwelling occasionally, private room and shared room)</li> </ul>
2	Proof of the host's identity and municipal address/ proof that the property is the host's principal/primary residence	Yes	<ul style="list-style-type: none"> <li>Except for properties zoned for transient accommodation (or if the units meet the non-conforming use provisions of the Local Government Act), operators will be required to show government ID verifying their address and identity, and documentation to prove the STR licence is for a unit they normally reside in (ex. utility bills, tax documents, drivers licence etc.)</li> </ul>
3	Proof of a current police background check	No	<ul style="list-style-type: none"> <li>Police record checks are usually required for individuals working with children or vulnerable adults</li> <li>Not a requirement of any other business licence in the City</li> <li>Potentially significant privacy intrusion which offers little effective control as there are no criteria for how the information would be used</li> </ul>
5	Proof that the listed space is in a habitable room in the principal/primary residence	No	<ul style="list-style-type: none"> <li>Definition of habitable is subjective</li> <li>Inconsistent with municipal and provincial policy – verifying a unit meets building code or other metric of habitability is not a requirement of a residential tenancy or occupation of dwelling units</li> <li>Hosts provide photos and descriptions of rooms, which guests view ahead of renting the space to make a determination of whether they want to pay for and stay in that space</li> <li>The purpose of STR is to accommodate people on a short term basis, ex. traveling for business or pleasure, so people are not making 'hard choices' based on scarcity as they might for a long term tenancy</li> </ul>
6	Proof that the host has sufficient insurance coverage	No	<ul style="list-style-type: none"> <li>The City would not have an exposure to third party liability claims for bodily injury or property damage arising out of the business licencing process</li> <li>STR operate as private for-profit ventures and should assess their risks and insurance requirements with the benefit of professional licensed brokers</li> <li>As part of a business licence for STR, the City could include a standard indemnity clause</li> <li>If any insurance requirements were considered, the City would have to bear further administrative burden to review or audit without appreciable benefit</li> </ul>
7	Proof that mortgage terms are not violated, if an owner	No	<ul style="list-style-type: none"> <li>Not a requirement of any other business licence in the City</li> <li>Enforcement of mortgage terms is a private matter between property owner and lender, and not a proper basis for the City to deny a business licence</li> <li>Would create unnecessary administrative burden to review and interpret mortgage terms</li> </ul>
8	Proof that short-term rentals are consistent with the use of the strata lot in the host's land titles declaration, if a strata resident	Yes	<ul style="list-style-type: none"> <li>Addressed through item 9</li> </ul>
9	Proof that the host's strata council rules permit short-term rentals, if a condominium resident	Yes	<ul style="list-style-type: none"> <li>STR operators in strata buildings will need to submit a letter of approval from the Strata Council confirming that the STR is not operating contrary to strata rules in order to receive a business licence</li> <li>A Strata Council will be allowed to raise any legitimate objections to STR use under the Strata Property Act, including strata bylaws, land title declarations, etc.</li> </ul>

10	Proof that the listing does not violate existing zoning bylaws, building codes, fire codes and health and safety standards	Partially	<ul style="list-style-type: none"> <li>• This is not required in long-term rental arrangements under residential tenancy agreements</li> <li>• Zoning compliance is part of routine business licence review</li> <li>• Fire and safety information will be shared with operators as part of receiving a business licence</li> <li>• A restriction can be made that a business licence can be denied if there are unresolved non-compliance issues on record at the City (ex. an outstanding bylaw violation or order)</li> </ul>
11	Submission of site and floor plans accurately depicting the size and location of the existing dwelling	No	<ul style="list-style-type: none"> <li>• Not a requirement of long term landlords</li> <li>• Each listing already posts pictures and fulsome descriptions and are regularly reviewed by users</li> <li>• Address data for each operation can be provided by third party monitoring firms</li> <li>• Unclear how this information would be used by the City</li> </ul>
12	Submission of the number and location of the designated off and on-street parking spaces and the number of vehicles allowed for overnight guests, if applicable	Partially	<ul style="list-style-type: none"> <li>• While not required to obtain a licence, STR operators will share parking details with guests as part of the guest guidelines</li> <li>• Parking requirements are outlined under Schedule D of the Zoning Regulation Bylaw (Home Occupations)</li> </ul>
13	Submission of a list of responsible contact persons;	Yes	<ul style="list-style-type: none"> <li>• Host contact information will be required as part of the business licence application form</li> </ul>
14	Submission of a list of all online platforms used to advertise the listing	No	<ul style="list-style-type: none"> <li>• Online marketplace means these may frequently change from time of business application and so any information manually collected could be quickly out of date; managing updates will be administratively challenging</li> <li>• Third party monitoring firms can easily determine this information</li> </ul>





## Council Report

For the Meeting of September 7, 2017

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**To:** Council **Date:** August 28, 2017  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Correcting the Zoning of Residential Strata Buildings in Downtown Victoria

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### RECOMMENDATIONS

1. That Council consider first and second readings of Bylaw No. 17-084;
2. That Bylaw No. 17-084 be considered at a Public Hearing.

### BACKGROUND

Currently, short term rentals (STR) are permitted in entire residential units where 'transient accommodation' is listed as a permitted use in zoning (primarily in downtown Victoria). The purpose of this report is to introduce bylaw amendments to remove short term rental use.

This matter came before Council on June 15, 2017 where the following resolutions were approved:

1. Prepare bylaw amendments for first reading to correct the zoning of residential strata property in Downtown Victoria, removing transient accommodation as a permitted use;
2. Provide the following information to Council when the bylaw amendments are considered for first reading: (a) the number of buildings and units to which this change would apply; and (b) the resource requirements of initiating this change to the Zoning Regulation Bylaw; (c) legal non-conforming status;
3. Convene a public hearing as part of the rezoning process to provide members of the public, including owners of residential strata property in Downtown Victoria, with the opportunity to provide input to Council prior to final consideration of the bylaw amendments;
4. Invite residential strata councils to indicate to the City whether they consent by mutual agreement to amending Housing Agreements registered on title, to clarify that provisions barring strata councils from introducing bylaws restricting rentals shall apply only to rentals under the Residential Tenancy Act, and that strata councils shall have the authority to introduce bylaws restricting transient accommodation and short-term rentals.
5. Prepare these bylaw amendments for Council's consideration on a priority basis, reflecting the severity of the housing affordability and housing availability crisis in Victoria.



### *Zoning Amendments*

In accordance with directions 1, 3, and 5 to prepare zoning amendments, attached for Council's initial consideration are copies of an amendment to the *Zoning Regulation Bylaw* which, if approved, will remove short term rental as a permitted use in zones that currently permit transient accommodation, with the exception of home occupations, which permit use of up to 2 bedrooms as STRs within an occupied single-family home. Home occupation STRs allow homeowners to supplement their income with STRs without impacting the long-term rental market. Per previous Council direction, this use may be expanded to multi-family dwellings as part of future regulatory considerations to provide residents in other housing forms with equal opportunity to offset housing costs.

### *Additional Information for Council Consideration*

Per direction 2, which directs staff to provide additional information on number of buildings/units affected, resource requirements, and legal non-conforming status, staff can share the following information:

- a) It is estimated that approximately 1700 residential units will be affected by this change; however, staff are unable to provide an exact number without a comprehensive inventory, which would be time and cost prohibitive in light of Council's direction to prepare these bylaws on a priority basis. Also, as emphasized in previous staff reports, these units will be affected in that their underlying zoning will change, but their right to operate a STR will continue due to legal non-conforming legislation.
- b) The resource considerations associated with this change involve the standard statutory public hearing notification expenses, as well as additional costs due to the complexity of enforcing regulations in buildings with multiple legal non-conforming operations in place. These financial impacts will be more fully explored in staff's STR Enforcement Strategy report, coming forward to Council this fall.
- c) Currently, the City does not have an inventory nor precise addresses for STRs, and therefore are unable to estimate how many buildings will maintain legal non-conforming status. As legal non-conforming status will apply to all units within any building which currently has a STR operating within it, and given the proliferation of STR as reported anecdotally and evidenced by aggregate information provided to the City, it is reasonable to assume that a large number of buildings will be able to continue to operate STRs under legal non-conforming rules should this change take effect.

### *Amending Existing Housing Agreements*

Item 4 directs staff to invite residential strata councils to indicate to the City whether they consent by mutual agreement to amend existing Housing Agreements to distinguish STR from long-term rental in strata rental provisions. The Housing Agreement template was changed to make this distinction in early 2017, and staff will provide communication to alert stratas of the opportunity to make amendments to existing agreements in Fall 2017.

### **PUBLIC FEEDBACK**

To date, no formal public engagement on this matter has been undertaken; however, since Council began considering these issues in 2016, hundreds of items of correspondence have been received at the City expressing a broad range of opinion on the issue of rezoning and the acceptance of STRs in general. This correspondence will be included in the public hearing documents for Council consideration.

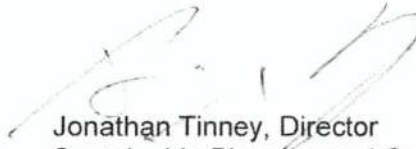
**CHANGES AND CONSIDERATIONS**

The Council motion specifies 'downtown' as the zoning area to be corrected, likely due to the fact that the majority of properties where both transient accommodation and residential use are permitted are typically located downtown. Other properties in the downtown core area and beyond will be affected by this amendment; however, short term rental as an accessory home occupation has been maintained where it is currently permitted. The proposed approach to the zoning amendments are recommended as the most thorough way to expedite Council's direction.

Respectfully submitted,




Lindsay Milburn  
Senior Planner – Housing Policy



Jonathan Tinney, Director  
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:

  
Date: Aug 30, 2017

**Attachments:**

Appendix 1 – Bylaw No. 17-084 (Zoning Regulation Amendment Bylaw)

NO. 17-084

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Zoning Regulation Bylaw by amending the definition of Transient Accommodation, adding a definition for Short-Term Rental and prohibiting Short-Term Rentals in the entire City unless where expressly allowed.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1112)".
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended:
  - (a) in section 17, by adding a new subsection (4) as follows:
 

“(4) Without limiting the generality of subsection (1), short-term rentals, whether as a principal or accessory use, are prohibited in all zones except

    - (a) where they are expressly permitted subject to regulations applicable in those zones;
    - (b) rental of no more than two bedrooms in a self-contained dwelling unit, as home occupation, provided that:
      - (i) the self-contained dwelling unit is occupied by the operator of the short-term rental; and
      - (ii) short-term rental complies with all regulations in Schedule D as if it were transient accommodation.”
  - (b) in Schedule A – Definitions by:
    - (i) deleting the words "vacation rentals" in the "Transient Accommodation" definition; and
    - (ii) adding a definition of "Short-Term Rental" immediately after the definition for "Setback" as follows:
 

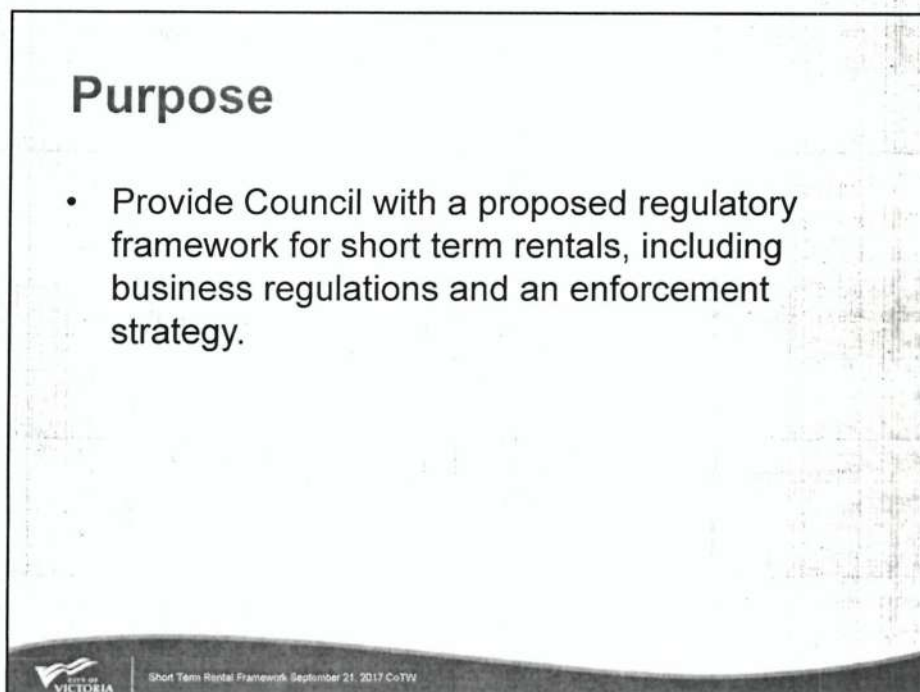
""Short-Term Rental" means the renting of a dwelling, or any portion of it, for a period of less than 30 days and includes vacation rentals."
- 3 This bylaw comes into force on adoption.

READ A FIRST TIME the	day of	2017
READ A SECOND TIME the	day of	2017
Public hearing held on the	day of	2017
READ A THIRD TIME the	day of	2017
ADOPTED on the	day of	2017

CITY CLERK

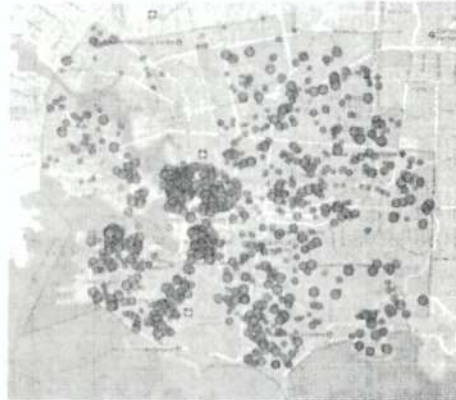
MAYOR





## Background

- Victoria Context
- Benefits and Challenges
- Previous Council Direction



Short Term Rental Framework September 21, 2017 CoTW

## Emerging Best Practice

- Say yes to STR
- Keep it simple
- Point of non-compliance
- Avoid relying on host platforms
- Utilize technology
- Communicate widely
- Be adaptable



Short Term Rental Framework September 21, 2017 CoTW



## Issues and Analysis – Proposed Business Regulations

1. Permit STR use in all principal residences
2. Require STR operators to obtain a business licence
3. Require STR operators to comply with operating requirements



Short Term Rental Framework September 21, 2017 CoTW

## Issues and Analysis – Business Licencing and Operations

### Business Licence

- Submit application form with mandatory documentation
- Pay Fee, either \$200 or \$2,500, depending on type of STR

### Operating Requirements

- Display business licence number on all advertisements
- Adhere to City bylaws (e.g.) quiet hours



Short Term Rental Framework September 21, 2017 CoTW

## Issues and Analysis – Enforcement Strategy

- September 14, 2017 Closed Council approved short term rental enforcement strategy
- Includes retaining a third party monitoring service and hiring of new staff
- Budget is estimated at \$512,000
- Licencing fee and fines could at least partly cover these expenses



Short Term Rental Framework September 21, 2017 CoTW

## Next Steps

### Fall 2017

- Consultation required under the Community Charter
- Feedback will be sought on proposed business regulations, including registration process, licence fees and operating requirement

### Quarter 4 2017

- Report back to Council with necessary bylaws

### Quarter 1 2018

- Implementation plan



Short Term Rental Framework September 21, 2017 CoTW

## Recommendations

That Council:

- Approve the proposed short term rental regulatory framework, as described in this report, which allows short-term rentals in principal residences, subject to a business licence and compliance with operating requirements;



Short Term Rental Framework September 21, 2017 CoTW

## Recommendations

That Council:

- Direct staff to engage stakeholders on the proposed business regulations, and report back to Council in Q 4 of 2017 with the bylaws required to enact these regulations; and,
- Direct staff to report back to Council in Q 1 of 2018 with an implementation plan, including schedule, resourcing proposal, and impacts to the financial plan.



Short Term Rental Framework September 21, 2017 CoTW

NO. 18-035  
A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by updating the home occupation provisions of Schedule D to allow short term rentals in principal residences.

The Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

1. This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1147)”.
2. (1) Bylaw No. 80-159, the Zoning Regulation Bylaw is amended in Schedule A – Definitions, by inserting a new definition of “Principal Residence” between the definition of “Preschool” and “Private Garage”, as follows:
 

““Principal Residence” means the usual place where an individual makes their home.”
- (2) Bylaw No. 80-159, the Zoning Regulation Bylaw is further amended in Schedule D – Home Occupations by:
  - (a) in section 6(2),
    - (i) deleting the period at the end of paragraph (l) and replacing it with “; and”; and
    - (ii) adding the following as the new paragraph (m):
 

“(m) except as provided in Section 12, short-term rental.”
  - (b) Adding the following as the new subsection (4) to section 8:
 

“(4) More than one person may operate a short-term rental in their principal residence.”
  - (c) adding the following as new subsections (5) and (6) to section 11:
    - (5) A single family dwelling may be used for transient accommodation whether or not the property contains a secondary suite or garden suite provided however that only one transient accommodation use is permitted on the property.
    - (6) Transient accommodation is restricted to no more than two bedrooms and cannot occupy an entire self-contained dwelling unit.”
  - (d) adding, immediately after section 11, the following new section 12:
 

“12 Subject to the following requirements, a short term rental is permitted as a home occupation in a principal residence.”

- (1) subject to subsection (2), no more than two bedrooms may be used for short-term rental and the short-term rental cannot occupy an entire self-contained dwelling unit;
- (2) the entire principal residence may be used for a short-term rental only occasionally while the operator is temporarily away;
- (3) no liquor may be provided to short-term rental guests; and
- (4) no sign may be erected, used, or maintained for the purpose of advertising short-term rental.”

READ A FIRST TIME the **22<sup>nd</sup>** day of **February** 2018

READ A SECOND TIME the **22<sup>nd</sup>** day of **February** 2018

Public hearing held on the day of 2018

READ A THIRD TIME the day of 2018

ADOPTED on the day of 2018

CITY CLERK

MAYOR



NO. 18-036

SHORT-TERM RENTAL REGULATION BYLAW  
A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to provide for the regulation of short-term rentals including vacation rentals in operators' principal residences where permitted under the Zoning Regulation Bylaw No. 80-159 and where permitted pursuant to section 528 of the *Local Government Act*.

**Contents**

1	Title
2	Definitions
3	Licence Required
4	Power to Refuse a Licence
5	Licence Number to be Included in Advertising
6	Responsible Person
7	Offences
8	Penalties
9	Severability
10	Transition Provisions
11	Commencement

Pursuant to its statutory powers, including section 8(6) of the *Community Charter*, the Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

**Title**

- 1 This Bylaw may be cited as the "Short-Term Rental Regulation Bylaw".

**Definitions**

- 2 In this Bylaw

"operator" means a person who rents out, or offers for rent, any premises for short-term rental but does not include a person who acts as an intermediary between the short-term rental tenant and the person who receives the rent;

"principal residence" means the usual place where an individual makes their home;

"responsible person" means a person designated by the operator as the primary contact under section 6.

"short-term rental" means the renting of a dwelling, or any part of it, for a period of less than 30 days and includes vacation rentals;

"strata corporation", "strata council", and "strata lot" have the same meaning as in the *Strata Property Act*.

**Licence Required**

- 3
- (1) A person must not carry on business as a short-term rental operator unless the person holds a valid licence issued under the provisions of this Bylaw and the Business Licence Bylaw.
  - (2) A person applying for the issuance or renewal of a licence to operate a short-term rental must, in addition to meeting the requirements of the Business Licence Bylaw:
    - (a) make an application to the Licence Inspector on the form provided for that purpose;
    - (b) pay to the City the applicable licence fee prescribed under subsection (3);
    - (c) provide, in the form satisfactory to the Licence Inspector, evidence that:
      - (i) the person owns the premises where the short-term rental will be offered, or
      - (ii) the owner of the premises where the short-term rental will be offered has consented to their use as a short-term rental;
    - (d) if the premises where the short-term rental will be offered are located within a strata lot, provide a letter from the strata council confirming that provision of short-term rental does not contradict any bylaws of the strata corporation or applicable provisions of the Strata Property Act; and
    - (e) provide, in the form satisfactory to the Licence Inspector,
      - (i) evidence that the premises where the short-term rental will be offered are occupied by the operator as their principal residence; or
      - (ii) provide the name and contact information for the responsible person in relation to the short-term rental premises.
  - (3) The licence fee for purposes of subsection (2)(b) is:
    - (a) \$150 where the short-term rental is offered in the operator's principal residence; or
    - (b) \$1,500 for all short-term rentals that do not qualify under paragraph (a).

**Power to Refuse a Licence**

- 4
- The Licence Inspector may refuse to issue a licence for a short-term rental if, in the opinion of the Licence Inspector,
- (a) the applicant has failed to comply with section 3; or
  - (b) the short-term rental operation would contravene a City bylaw or another enactment.

**Licence Number to be Included in Advertising**

- 5 A person may offer to rent premises for rent as a short-term rental only if a valid business licence number is included in any advertising, listing, or promotion material that is intended to communicate availability of the premises for short-term rental.

**Responsible Person**

- 6 (1) A person may only operate a short-term rental in premises other than their principal residence if they designated a responsible person who, at all times that the short-term rental is operated, has access to the premises and authority to make decisions in relation to the premises and the rental agreement.
- (2) A person may only operate a short-term rental if they ensures that the name and contact information of the responsible person is prominently displayed in the short-term rental premises at all times when the short-term rental is operated.
- (3) The operator may be the responsible person except when subsection (5) applies.
- (4) The responsible person must be able to attend at the short-term rental premises within two hours of being requested to do so.
- (5) If a person who operates a short-term rental in their principal residence is going to be away during the term of the short-term rental, they must designate a responsible person and comply with this section.

**Offences**

- 7 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the Offence Act if that person
- (a) contravenes a provision of this Bylaw;
  - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw; or
  - (c) neglects or refrains from doing anything required be a provision of this Bylaw.
- (2) Each instance that a contravention of a provision of this Bylaw occurs and each day that a contravention continues shall constitute a separate offence.

**Penalties**

8 A person found guilty of an offence under this Bylaw is subject to a fine of not less than \$100.00 and not more than \$10,000.00 for every instance that an offence occurs or each day that it continues.

**Severability**

9 If any provision or part of this Bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the Bylaw and the balance of the Bylaw, or its application in any circumstances, shall not be affected and shall continue to be in full force and effect.

**Transition Provisions**

- 10 (1) In the calendar year that this bylaw is adopted only, the fee payable under section 3 shall be prorated by 1/12 for each month in that year prior to the adoption of this bylaw, including the month the bylaw is adopted.
- (2) Any operator who, at the time of adoption of this bylaw, holds a valid licence for a short-term rental under the Business Licence Bylaw shall be credited with amount paid for that licence towards the fee payable under section 3.

**Commencement**

11 This bylaw comes into force on adoption.

READ A FIRST TIME the	<b>22<sup>nd</sup></b>	day of	<b>February</b>	2018
READ A SECOND TIME the	<b>22<sup>nd</sup></b>	day of	<b>February</b>	2018
READ A THIRD TIME the	<b>22<sup>nd</sup></b>	day of	<b>February</b>	2018
ADOPTED on the		day of		2018

CITY CLERK

MAYOR

**BYLAWS**

**1. Bylaw for Gonzales Neighbourhood Plan**

**Motion:**

It was moved by Mayor Helps, seconded by Councillor Loveday, that Council refer *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 21) No. 18-003* for the Gonzales Neighbourhood Plan to the March 1, 2018 Committee of the Whole meeting to be considered with the Fairfield Neighbourhood Plan Workshop.

**Motion to extend:**

It was moved by Councillor Coleman, seconded by Councillor Isitt, that the meeting be extended to 12:45 a.m.

**On the motion to extend:**  
**Carried**

**Amendment:**

It was moved by Mayor Helps, seconded by Councillor Alto, that the motion be amended as follows: That Council Refer *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 21) No. 18-003* for the Gonzales Neighbourhood Plan to the March 1, 2018 Committee of the Whole meeting to be considered with the Fairfield Neighbourhood Plan Workshop, **and to hold an Opportunity for Public Comment on the draft plan to date, at the March 8, 2018 Council Meeting.**

**Amendment to the amendment:**

It was moved by Councillor Isitt, that the amendment be amended to include the following:  
**agree not to consider adoption of the bylaws on March 8<sup>th</sup>.**

**On the amendment to the amendment:**  
**failed due to no seconder**

**On the amendment:**  
**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Madoff, Thornton-Joe, and Young  
**Opposed:** Councillor Isitt

**Main motion as amended:**

That Council Refer *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 21) No. 18-003* for the Gonzales Neighbourhood Plan to the March 1, 2018 Committee of the Whole meeting to be considered with the Fairfield Neighbourhood Plan Workshop, **and to hold an Opportunity for Public Comment on the draft plan to date, at the March 8, 2018 Council Meeting.**

**On the main motion as amended:**  
**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Madoff, Thornton-Joe, and Young  
**Opposed:** Councillor Isitt





## Council Report

For the Meeting of February 22, 2018

**To:** Council **Date:** February 15, 2018  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 21) No. 18-003

### RECOMMENDATION

That Council consider the following in relation to the proposed bylaw for the Gonzales Neighbourhood Plan:

1. Rescind second reading of Official Community Plan Amendment Bylaw No. 18-003;
2. Amend Official Community Plan Amendment Bylaw No. 18-003 and Exhibit 4 to correct numbering of maps and Policies in sections 8 and 10 and to correct for transcription errors and for clarity in Exhibit 4 in guidelines 3)a.i., 3)b. and 3.b.i.;
3. Give second reading to Official Community Plan Amendment Bylaw No. 18-003 as amended;
4. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan, pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw;
5. That Council consider approval of the Gonzales Neighbourhood Plan, 2018, at the same Council meeting at which the above bylaw is considered, and allow public comment; and
6. That upon approval of the Gonzales Neighbourhood Plan, 2018, that Council rescind the Gonzales Plan, 2002.

### EXECUTIVE SUMMARY

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 18-003.

Council provided feedback on the draft Gonzales Neighbourhood Plan on July 13, 2017, considered the proposed Official Community Plan amendments on September 21, 2017, and on December 14, 2017 Council gave first and second reading to the proposed bylaw.

However, the proposed bylaw as presented on December 14 contained errors which have been corrected in the amendments to Bylaw No. 18-003 as attached:

- Section 8 of the bylaw as read on December 14, 2017 indicated to replace Map 50 with a new Map 48. This has been corrected to indicate a new Map 50.
- Section 10 of the bylaw read on December 14 indicated to insert language into section 2.(b)(i)(2)(B) of the OCP. This has been corrected to read section 2.(b)(i)(1)(B)
- In Exhibit 4 of the bylaw read December 14, 2017, Guideline 3)a.i. read "Townhouse buildings should be designed parallel to the street with unit entrances oriented to and directly

accessed from the fronting street. Both front and rear yards should be provided." This guideline was a repetition of a guideline already in another section and had replaced the intended Guideline 3)a.i. For consistency with the guideline document consulted upon, this guideline has been corrected to read: "Modulation in massing or roof forms are encouraged to differentiate individual units within townhouse and attached dwelling building complexes and to provide architectural interest."

- In Exhibit 4 of the bylaw read December 14, 2017, in Guideline 3)b. and 3)b.i., the word "form" has been inserted before "materials". This is to make the guideline internally consistent, since the sub-sections of this guideline address form as well as materials and finishes.

In order to correct these errors, Council may wish to consider amendments to Bylaw No. 18-003 as outlined in the recommendation.

Respectfully submitted,



Jonathan Tinney  
Director, Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:



Date:

Feb 19, 2018

**List of Attachments:**

- Bylaw No. 18-003



No. 18-003

## A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Official Community Plan to make changes to Urban Place Designations in order to implement the future land use, urban form and character directions identified in the Gonzales Neighbourhood Plan.

Under its statutory powers, including section 472 and 488 of the *Local Government Act*, the Council of the Corporation of the City of Victoria, in a public meeting, enacts as follows:

**Title**

- 1 This Bylaw may be cited as "OFFICIAL COMMUNITY PLAN BYLAW, 2012, AMENDMENT BYLAW (No. 21)".

**Official Community Plan Bylaw**

- 2 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in the Table of Contents, List of Maps as follows:
- a) by replacing the text, "Map 23: Gonzales Strategic Directions" with the text "Map 23: Gonzales Neighbourhood".
  - b) by inserting the following text immediately after the text "Map 48B: DPA 6A: Small Urban Villages – Burnside at Harriet":
 

"Map 48C: Small Urban Villages: Fairfield at Lillian/Wildwood Village and Fairfield at Irving Village"
  - c) by inserting the following text immediately after the text "Map 56: DPA 7A: Corridors – Shelbourne Avenue":
 

"Map 56B: DPA 7A: Corridors – Fairfield Road Corridor"
- 3 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Section 6: Land Management and Development, as follows:
- a) By repealing Map 2: Urban Place Designations and replacing it with a new Map 2: Urban Place Designations, which is attached to this Bylaw in Exhibit 1.
  - b) In Figure 8: Urban Place Guidelines, in the Designation "Traditional Residential," under the category "Built Form," by adding the following words immediately after the phrase "Multi-unit buildings up to three storeys, including attached residential and apartments on arterial and secondary arterial roads":
 

"and on Fairfield Road between St. Charles Street and Foul Bay Road."
- 4 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Section 14: Economy, as follows:
- a) By repealing Map 14: Employment Lands and replacing it with a new Map 14: Employment Lands, which is attached to this Bylaw in Exhibit 1.

- 5 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Section 21: Neighbourhood Directions, as follows:
- a) By repealing Map 23: Gonzales Neighbourhood Directions and replacing it with a new Map 23: Gonzales Neighbourhood, which is attached to this Bylaw in Exhibit 1.
  - b) In section 21.10.6, by adding the words “and at Fairfield and Lillian Street/Wildwood Avenue.” immediately after the words “Fairfield Road and Irving Road”.
  - c) By adding the following section immediately after section 21.10.6.:  
“21.10.7. Support small apartment buildings and townhouses along Fairfield Road, which is identified as a frequent transit route, between St. Charles Street and Foul Bay Road.”
- 5 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Appendix A, Overview, as follows:
- a) In section 2(a)(v)(2), by deleting the word “or” and replacing it with a comma; and by adding the following text immediately after “DPA 13, Core Songhees”:  
“DPA 15F, Intensive Residential – Townhouse and Attached Dwelling”
- 6 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Appendix A: Development Permit Areas and Heritage Conservation Areas:
- a) By repealing Map 32: Composite Map of Development Permit Areas and Heritage Conservation Areas and replacing it with a new Map 32: Composite Map of Development Permit Areas and Heritage Conservation Areas, which is attached to this Bylaw in Exhibit 1.
- 7 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Appendix A, DPA 6A: Small Urban Villages, as follows:
- a) In section 1, by deleting the words “Maps 48A and 48B” and replacing them with the words “Maps 48A, 48B and 48C”.
  - b) By adding the following sections immediately after section 5(b)(ii):  
“(iii) to Fairfield at Lillian/Wildwood Village and Fairfield at Irving Village:  
    > Design Guidelines for: Multi-Unit Residential, Commercial and Industrial (2012).  
    > Revitalization Guidelines for Corridors, Villages and Town Centres (2017).”
  - c) By repealing Map 48: DPA 6A: Small Urban Villages and replacing it with a new Map 48: DPA 6A: Small Urban Villages, which is attached to this Bylaw in Exhibit 1.
  - d) Immediately after Map 48B, by inserting a new map 48C: DPA 6A: Small Urban Villages – Fairfield at Lillian/Wildwood Village and Fairfield at Irving Village, which is attached to this Bylaw in Exhibit 1.
- 8 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Appendix A, DPA 7A: Corridors, as follows:



- a) In Section 4(c), by adding the phrase “, Fairfield Road” immediately after the words “Oak Bay Avenue”.
  - b) By adding the following section immediately after Section 5(b)(iii) and renumbering the subsequent sections accordingly:
    - “(iv) Fairfield Road corridor:
      - › Design Guidelines for: Multi-Unit Residential, Commercial and Industrial (2012).
      - › Revitalization Guidelines for Corridors, Villages and Town Centres (2017).”
  - c) By repealing Map 50: DPA 7A: Corridors and replacing it with a new Map 50: DPA 7A: Corridors, which is attached to this Bylaw in Exhibit 1.
  - d) Immediately after Map 56, by inserting a new map 56B: DPA 7A: Corridors – Fairfield Road Corridor, which is attached to this Bylaw in Exhibit 1.
- 9** Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Appendix A, immediately after DPA 15E: Intensive Residential, by adding DPA 15F: INTENSIVE RESIDENTIAL – TOWNHOUSE AND ATTACHED DWELLING” which is attached to this bylaw as Exhibit 2.
- 10** Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Appendix A, DPA 16: General Form and Character, as follows:
- a) in section 2.(b)(i)(1)(B), adding the following text immediately after the text “DPA 15E, Intensive Residential – Garden Suites”:
- “DPA 15F, Intensive Residential – Townhouse and Attached Dwelling”
- 11** This Bylaw comes into force on adoption.

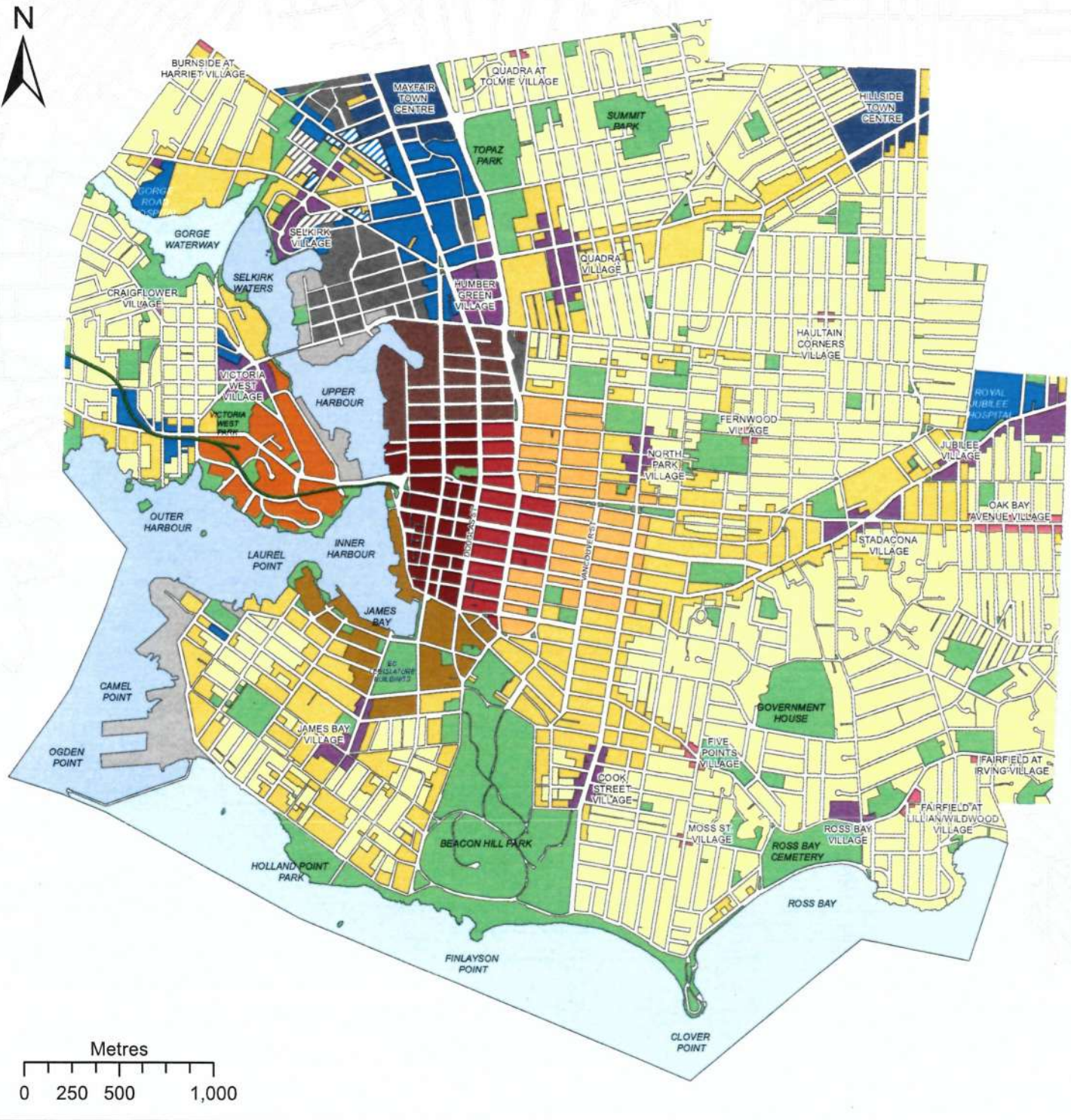
READ A FIRST TIME the	day of	2017
READ A SECOND TIME the	day of	2017
Public hearing held on the	day of	2018
READ A THIRD TIME the	day of	2018
ADOPTED on the	day of	2018

CITY CLERK

MAYOR

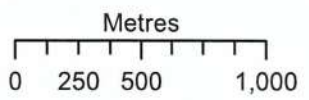


# MAP 2 Urban Place Designations



- Core Historic
- Core Business
- Core Employment
- Core Inner Harbour/Legislative
- Core Songhees
- Core Residential
- General Employment
- Employment-Residential
- Industrial Employment
- Industrial Employment-Residential
- Marine Industrial
- Town Centre
- Large Urban Village
- Small Urban Village
- Urban Residential
- Traditional Residential
- Public Facilities, Institutions, Parks and Open Space
- Rail Corridor
- Working Harbour
- Marine

Urban Place Designations extend to the centerlines of adjacent streets.

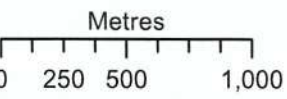
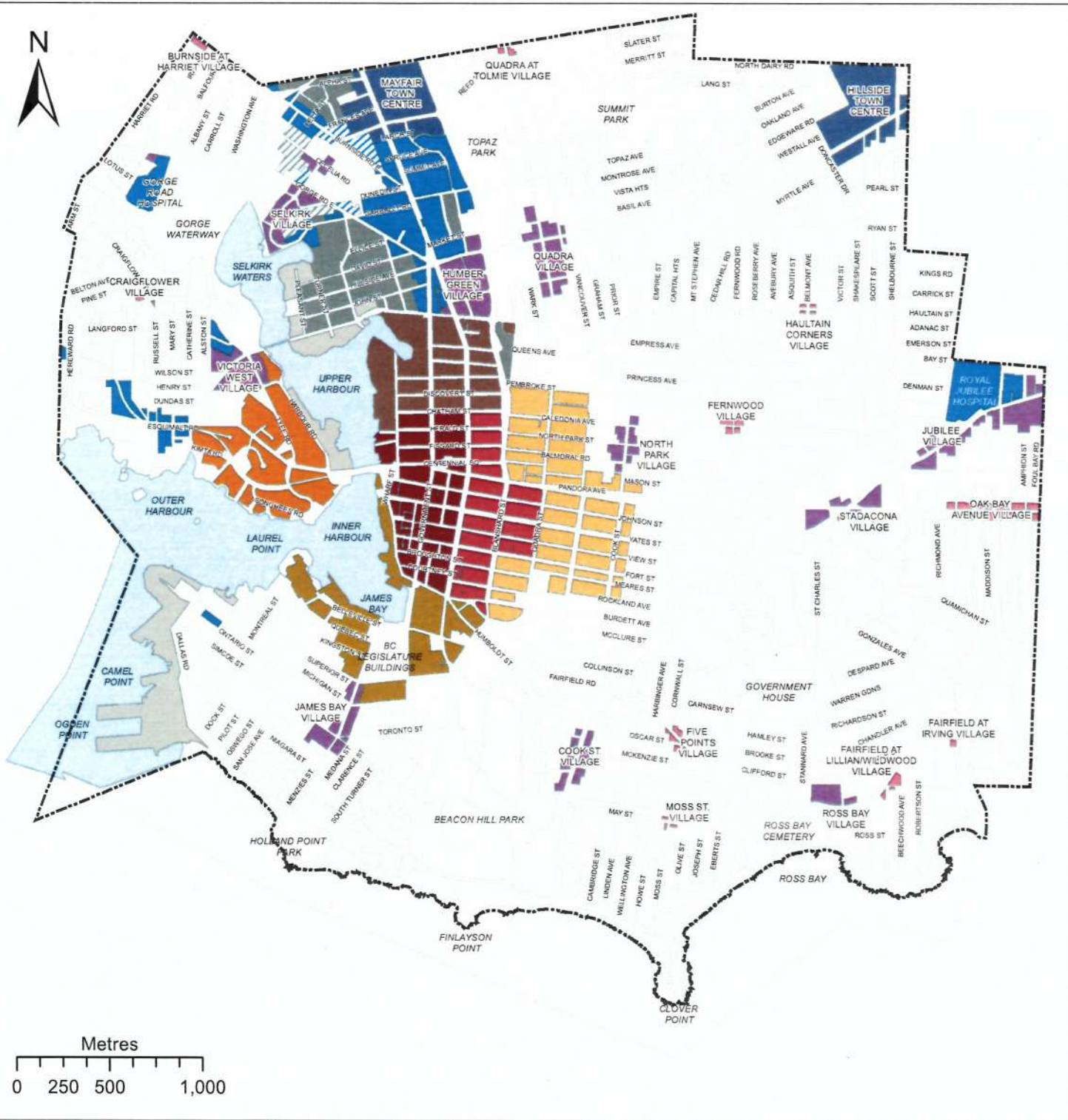




# MAP 14

## Employment Lands

- Core Historic
- Core Business
- Core Employment
- Core Inner Harbour/Legislative
- Core Songhees
- Core Residential
- General Employment
- Industrial Employment
- Marine Industrial
- Town Centre
- Large Urban Village
- Small Urban Village
- Marine - Harbour
- Employment-Residential
- Industrial Employment-Residential



Urban Place Designations are provided for informational purposes only. Please refer to Map2 and Figure 8 for designation information.



# MAP 23

## Gonzales Neighbourhood

### Urban Place Designations\*

- Urban Residential
- Large Urban Village
- Small Urban Village
- Traditional Residential
- Public Facilities, Institutions, Parks and Open Space
- Marine

### Public Facilities

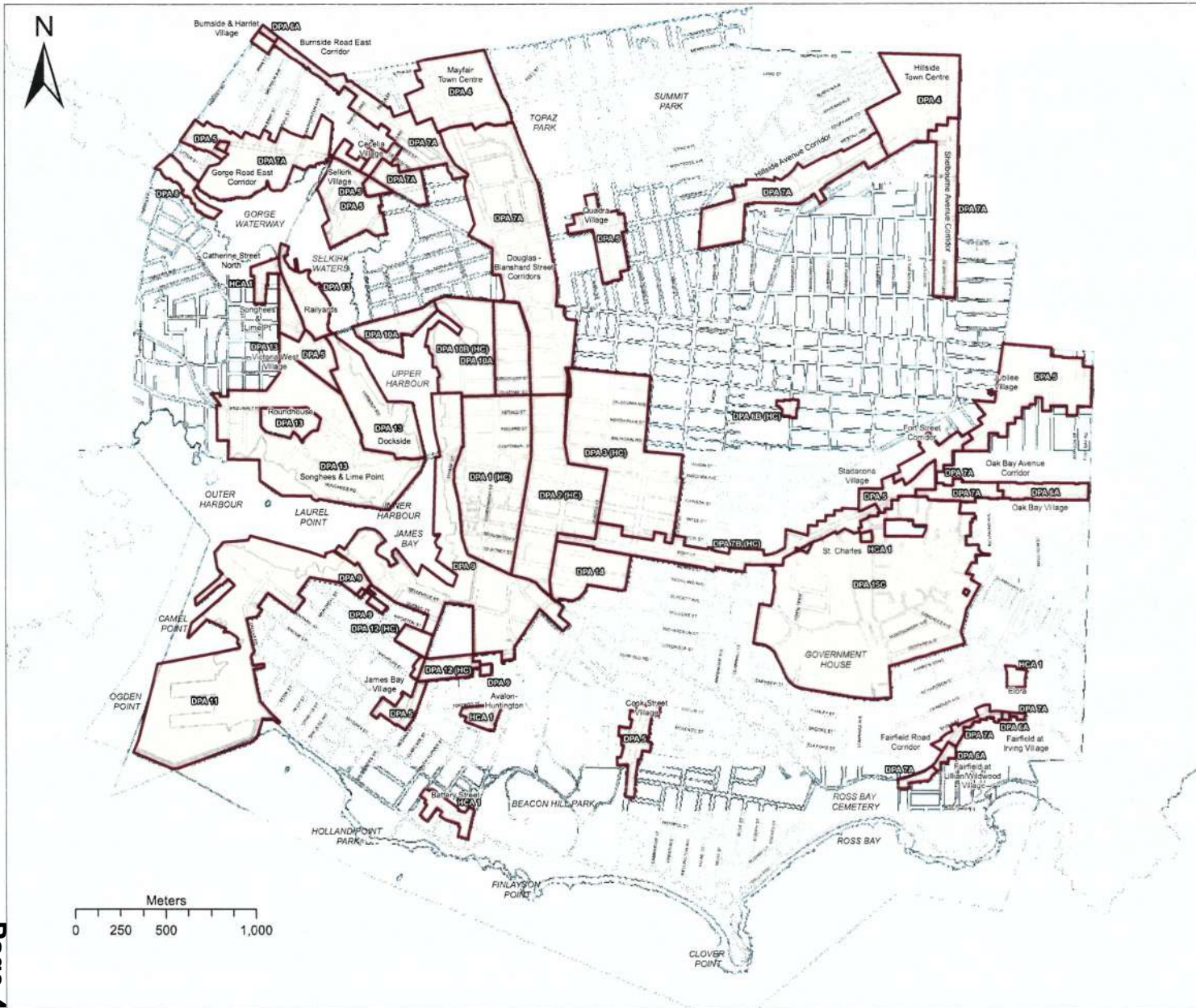
- Existing Public School

\*Urban Place Designations are provided for information purposes only. Please refer to Map 2 and Figure 8 for designation information.



# MAP 32

## COMPOSITE MAP OF DEVELOPMENT PERMIT AREAS AND HERITAGE CONSERVATION AREAS



- DPA 1 (HC): Core Historic
- DPA 2 (HC): Core Business
- DPA 3 (HC): Core Mixed-Use Residential
- DPA 4: Town Centres
- DPA 5: Large Urban Villages
- DPA 6A: Small Urban Villages
- DPA 6B (HC): Small Urban Villages Heritage
- DPA 7A: Corridors
- DPA 7B (HC): Corridors Heritage
- DPA 8: Victoria Arm Gorge Waterway
- DPA 9 (HC): Inner Harbour
- DPA 10A: Rock Bay
- DPA 10B (HC): Rock Bay Heritage
- DPA 11: James Bay and Outer Harbour
- DPA 12 (HC): Legislative Precinct
- DPA 13: Core Songhees
- DPA 14: Cathedral Hill Precinct
- HCA 1: Traditional Residential
- DPA 15C: Intensive Residential Rockland

The following designations apply to all areas within the City of Victoria and are not shown on this map:

- DPA 15A: Intensive Residential Small Lot
- DPA 15B: Intensive Residential Panhandle Lot
- DPA 15D: Intensive Residential Duplex
- DPA 15E: Intensive Residential Garden Suites
- DPA 16: General Form and Character

This composite map is provided for reference only. Please see the map and provisions for each designated DPA and HCA for legal information.



Map 48: DPA 6A: Small Urban Villages



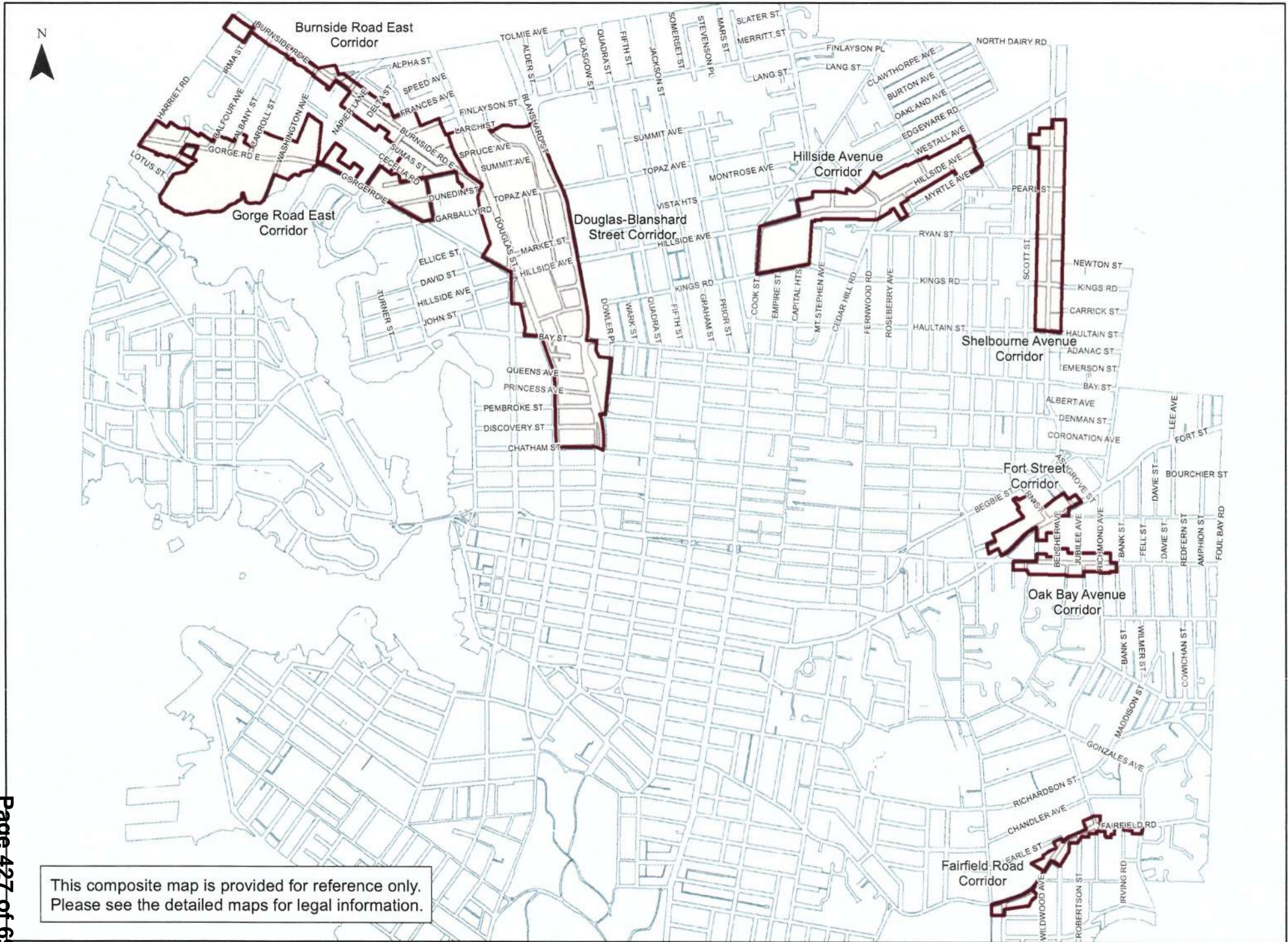


# Map 48C: Small Urban Villages -- Fairfield at Lillian/Wildwood Village and Fairfield at Irving Village





Map 50: DPA 7A: Corridors









## Bylaw 18-003, Exhibit 2

## DPA 15F: INTENSIVE RESIDENTIAL – TOWNHOUSE AND ATTACHED DWELLING

1. Pursuant to Section 488 (1) (e) of the Local Government Act, the following area is designated as Development Permit Area DPA 15F, Intensive Residential – Townhouse and Attached Dwelling, for the purpose of establishment of objectives for the form and character of intensive residential development:
  - (a) Areas designated as Traditional Residential Urban Place Designation, as shown on Map 2 of the Official Community Plan (2012), as amended, within the boundaries of Gonzales Neighbourhood, as identified in Map 18 of the Official Community Plan (2012), as amended.
2. Application and Exemptions:
  - (a) In this area, "Intensive Residential – Townhouse" means:
    - (i) construction of, addition to or alteration of buildings on a site which contains three or more dwelling units, at least some of which are attached or semi-attached dwellings; or,
    - (ii) construction of, addition to or alteration of buildings on a site within a Townhouse Zone.
  - (b) For the purposes of this section, "Townhouse Zone" means any of the following:
    - (i) Any zone which begins with "R-J", "R-H," "R-K", or "RT"; or
    - (ii) Any zone which has the word "Townhouse" or "Rowhouse" in its name.
  - (c) Development Permits are required for Intensive Residential – Townhouse and Attached Dwelling in accordance with the Local Government Act, subject only to the General Exemptions identified in the "Overview" section of this Appendix and the following exemptions.
  - (d) Specific Exemptions for DPA 15F, Intensive Residential – Townhouse and Attached Dwelling:
    - (i) A Development Permit is not required for:
      - (1) development that is not Intensive Residential – Townhouse;
      - (2) a house conversion as defined in the *Zoning Bylaw* as amended from time to time;
      - (3) multi-unit residential development, other than Intensive Residential – Townhouse;
      - (4) commercial or industrial development;
      - (5) alterations to soft landscaped areas which replace existing vegetation with other forms of vegetation, but which neither expand

the extent of paved or impervious areas nor remove trees or shrubs which are shown in a previously approved Development Permit;

- (6) subdivision of land that is not located within the Queen Anne Heights/ Foul Bay Road/ Gonzales Hill area as identified in the Design Guidelines for Intensive Residential – Townhouse and Attached Dwelling.
3. The special conditions that justify this designation include:
- (a) Victoria's Traditional Residential areas are primarily characterized by low density, ground-oriented dwellings with many detached houses.
  - (b) These neighbourhoods each have a unique sense of place, traditional scale and character.
  - (c) The Traditional Residential areas permit attached and semi-attached dwelling units that may result in a higher density or lot coverage than surrounding context. This results in a more intensive form of residential development that may impact the character of Traditional Residential Areas.
  - (d) The Queen Anne Heights/Gonzales Hill/Foul Bay Road Area has a unique sense of place due to the collection of significant heritage buildings, large lots, urban design that relates to the area's rocky topography and the presence of Gary Oak trees and meadows.
4. The objectives that justify this designation are:
- (a) To accommodate 40% of growth within close walking distance of Town Centres and Large Urban Villages;
  - (b) To accommodate 10% of Victoria's anticipated population growth and associated housing growth in Small Urban Villages, and residential areas, to encourage and support future and existing commercial and community services;
  - (c) To integrate more intensive residential development in the form of townhouses, attached and semi-attached dwellings within Traditional Residential Areas in a manner that preserves architectural integrity and established neighbourhood character;
  - (d) To achieve a high quality of architecture in the design of new townhouses and attached dwellings, as well as a high quality of landscape and urban design to enhance the neighbourhood;
  - (e) To consider townhouse and attached housing forms and siting in the Queen Anne Heights/ Foul Bay Road/ Gonzales Hill areas in such a way as to protect



natural areas and the tree canopy. Maintain the historic, green, large lot character of these areas. Support heritage conservation.

5. Guidelines:

These Guidelines are to be considered and applied for Development Permits:

- (a) Design Guidelines for Intensive Residential – Townhouse and Attached Dwelling.



# Revitalization Guidelines for Corridors, Villages and Town Centres





# Revitalization Guidelines for Corridors, Villages and Town Centres

## Preamble:

These guidelines apply to designated Corridors, Villages and Town Centres and are intended to supplement the *Design Guidelines For: Multi-Unit Residential, Commercial and Industrial, July 2012* which address form and character of developments across the city.

It is intended that both guideline documents will be considered together in conjunction with other applicable guidelines noted in each designated development permit area as detailed in the *Official Community Plan*. Collectively, the guidelines are intended to guide applicants in achieving new development and additions to existing buildings that result in design excellence, livability, and high-quality pedestrian environments. This is intended to contribute to sense of place and urbanism that is responsive to Victoria's context, while enabling flexibility and fostering creativity.

All visuals in this document are provided for illustrative purposes only to support description of the guidelines.

## General Guidelines

### 1) Context and Streetscapes:

- a. Buildings flanking streets should create a sense of enclosure and human scale. To achieve this, buildings fronting streets should provide a "street wall" that is at a height approximately 1/2 to 1/3 the width of the flanking street. This can be expressed as a street-wall-to-street-width ratio range of approximately 1:2 to 1:3. For buildings located on corner sites, this principle should be applied to the facades facing both streets where possible.

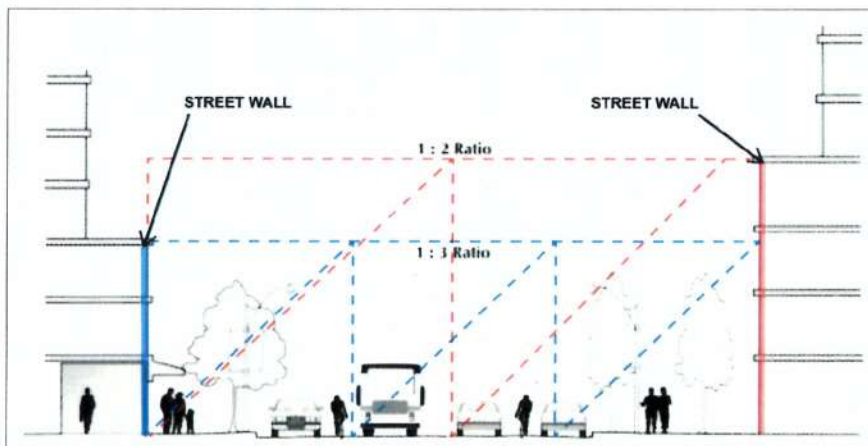


Figure 1: A building height-to-street-width ratio of between approximately 1:3 and 1:2 is recommended to frame streets and provide human scale. Portions of buildings above the street wall are encouraged to step back.

- b. To mitigate the visual impact of building height and to maximize sunlight exposure to the street, the upper portions of buildings above the street wall should be set back by at least two metres.
- c. Where an established pedestrian-friendly street wall exists, the front facade of new buildings should be generally aligned with adjacent buildings to create visual continuity along the streetscape.
- d. Buildings with commercial uses at grade should generally be built up to the sidewalk. Portions of the front facade may be set back from the front property line to accommodate features such as patios, courtyards or seating areas.
- e. Buildings should create "eyes on the street" and public spaces by orienting doorways, windows and balconies to overlook sidewalks, walkways, parks and other open spaces.
- f. Consider unique rooflines for taller buildings that have a visually prominent location (e.g. at corners, or at terminating vistas of streets) in order to create a distinct landmark.

## 2) Building Design:

- a. Building facades, especially those facing streets, should be well-designed and articulated with human-scale architectural features that create visual interest for pedestrians. Facade designs should consider the rhythm and pattern of existing building facades and architectural elements in the surrounding context, such as building articulation, rooflines, window placement, entryways, canopies and cornice lines.
- b. Large expanses of blank walls should be avoided. Where this is not possible, design treatments such as vertical plant materials, landscaping, art (e.g. mosaic, mural or relief) or the use of other building materials and building elements are encouraged to add visual interest.
- c. Weather protection for pedestrians should be provided in the following manner:
  - a) Individual canopies or awnings of sufficient depth should be provided to protect pedestrians from inclement weather, especially at building entrances.
  - b) The underside of canopies should be illuminated.
  - c) Canopies with translucent or frosted glazing are encouraged to maximize winter sunlight, particularly for north-facing facades.
- d. For buildings located on a corner, the corner design should include an architectural feature that addresses and emphasizes the corner. Strategies to achieve this include but are not limited to a chamfered or setback corner, prominent glazing, or a primary building entrance oriented to the corner.
- e. The first storey of a mixed-use or commercial building should be designed with a minimum floor-to-ceiling height of at least 4m and a minimum depth of approximately 10 metres to accommodate a range of commercial uses.
- f. Buildings with commercial uses at grade should be designed with a series of modulated storefronts and entrances, with transparent glazing. This design strategy is encouraged even where the building has a single tenant or use.



*Figure 2: Modulated, transparent storefronts create interest for pedestrians and encourage activity along the street.*

- g. Buildings that extend along sloping sites should be designed to follow and respond to the natural topography while maintaining a strong relationship of facades and building entrances to the street. Where retaining walls are unavoidable, they should be designed to ensure that they do not negatively impact the pedestrian experience along adjacent sidewalks.

## 3) Parking:

- a. Parking should be located underground or to the rear of buildings to provide human scale pedestrian environments. Where rear yard surface parking is proposed, building designs and landscaping interventions should be employed so that parking is integrated into sites in a manner that results in an attractive and safe environment.



#### 4) Livability:

- a. Where two or more buildings are located on a single site, or where a single structure contains two or more building elements above a common base or podium, a comfortable separation space should be provided for residential units, with consideration for window placement, sunlight penetration to residential units, and adequate spaces for landscaping.

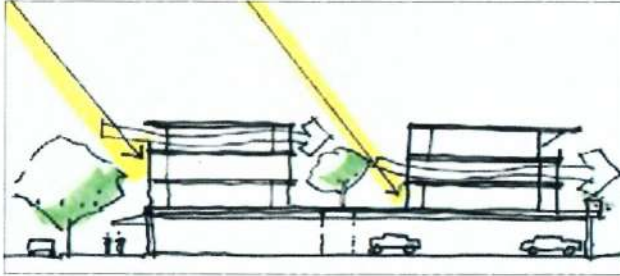


Figure 3: Comfortable separation space allows for sunlight access to individual units and outdoor spaces.

- b. Multi-unit buildings should be designed to provide a sensitive transition in scale to adjacent, smaller developments through considerations for massing and other design features. Strategies to achieve this may include but are not limited to setting upper storeys back, varying roof lines, siting or scaling buildings to reduce shading, etc.
- c. Residential building designs are strongly encouraged to include common outdoor space such as landscaped courtyards or rooftops, where possible.
- d. Buildings with residential use should be designed so that units receive daylight and natural ventilation from at least two sides of the building, or from one side and a roof. Where possible, provide dwelling units with a choice of aspect: front and back, or on two sides (for corner units).
- e. Residential buildings located along busy arterial streets should incorporate design features that minimize noise and pollution impacts (e.g. triple-pane glazing, residential units oriented towards courtyards, design of residential units with multiple orientations or side orientations, and building air intakes located away from the road).
- f. As a means to improve privacy between adjacent buildings, consider design solutions such as window size, window height, window placement and orientation, exterior landscaping, privacy screens or the use of frosted glazing on balconies.
- g. Pedestrian walkways that connect the primary entrance of multi-unit residential or commercial buildings with the adjacent public sidewalk should be a minimum of 2m wide and distinguishable from driving surfaces by using varied paving treatments.

#### 5) Materials and Finishes:

- a. Exterior materials that are high quality, durable and capable of withstanding a range of environmental conditions throughout the year are strongly encouraged, particularly on lower portions of buildings that are more closely experienced by pedestrians. High quality building materials include but are not limited to:
  - Natural wood
  - Composite materials
  - Brick masonry
  - Glazed tile
  - Stone
  - Concrete
  - Flat profile "slate" concrete tiles
  - Glass and wood for window assemblies
  - Standing seam metal roofing
- b. Light-coloured, heat reflective and permeable paving materials are encouraged for hard surfaces such as parking areas, walkways, patios and courtyards as a means to reduce storm water run-off and reduce heat-island effects. Light-coloured or heat reflective materials are also encouraged for rooftops to reduce heat island effects.



## 6) Landscaping and Open Space:

- Buildings that include residential units should include private open space (e.g. balconies, porches) or easily accessed shared open space in the form of courtyards, green spaces, terraces, yards, play areas or rooftop gardens.
- The rear yard of multi-unit or mixed-use buildings adjacent to lower scale residential development should provide landscaping and trees that mitigate the appearance of massing and contribute to a transition in scale.
- Landscape design should consider the local climate and water efficiency through species selection, including selection of draught-tolerant species, efficient irrigation systems or design of unirrigated landscapes, use of run-off for irrigation, presence of rain gardens and other approaches.
- Consider features in landscaping or open space that add to sociability, such as shared areas to sit, garden plots, play areas, balconies fronting courts, etc.

## Area-Specific Guidelines:

In addition to the General Guidelines, the following guidelines apply to each specific designated area.

### 1) Mayfair Town Centre:

- Taller buildings should generally be focused in the western part of the site, near Douglas Street.
- Design taller buildings to have a clear architectural distinction between the base (podium or street wall portion), middle and upper portion of the building.
- The podium base or street wall portion of buildings are encouraged to be three to five storeys (approximately 10–15m) in height.
- Major redevelopment of the Mayfair Shopping Centre should incorporate an internal network of pedestrian-friendly streets and connections between Speed Street, Nanaimo Street and Oak Street in order to create a structure of city blocks and to support permeability for pedestrians, cyclists and vehicles.

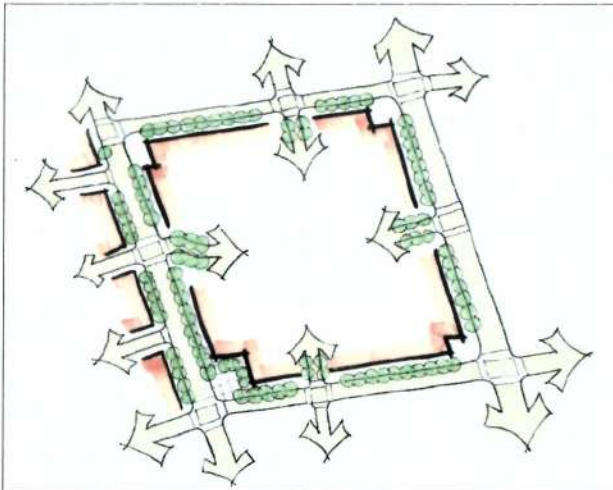


Figure 5: Major redevelopment of the Mayfair Shopping Centre site should establish an internal block structure connecting to adjacent streets.

- Building design should emphasize Douglas Street as the primary retail street of the Mayfair Town Centre. However, building designs should not "turn their back" on adjacent streets. Instead, provide facades that address all street frontages and are consistent with the General Guidelines for Building Designs (SECTION 2).
- Building design that results in a landmark expression is encouraged at the intersection of Douglas and Finlayson Streets.
- The tower portions of buildings above six storeys in height should generally be sited and designed to maintain access to sunlight, with a sufficient face-to-face separation distance between towers on the same site, and a sufficient clear distance to lot lines abutting other developable parcels. A desired face-to-face separation distance for towers at the Mayfair Shopping Centre site (the area bounded by Douglas Street, Nanaimo Street, Blanshard Street and Tolmie Avenue) is 25 metres.

## 2) Gorge at Irma Village:

- a. Development within this village should create multiple smaller storefronts facing Gorge Road and turning the corner onto Irma Street to support a variety of neighbourhood-oriented commercial uses.

## 3) Douglas-Blanshard Corridor:

- a. In the Humber Green area between Douglas and Blanshard Streets, residential units are encouraged to be oriented to inner courtyards or quieter interior streets to mitigate noise impacts from adjacent arterial traffic. However, building designs should not "turn their backs" to Douglas and Blanshard Streets. Instead, provide facades that address all street frontages and are consistent with the General Guidelines for Building Designs (SECTION 2).

## 4) Gorge Road East Corridor

- a. Redevelopment along Gorge Road East should consider site planning and building massing to preserve and enhance view corridors looking south from Balfour Street and Carroll Street toward the Olympic Mountains.

## 5) Fairfield Road Corridor

- a. Multi-unit buildings along Fairfield Road should be designed to be compatible with the scale and rhythm of existing development along the street. For new building facades that appear longer than others within the established context, design strategies should be employed to mitigate the appearance of building length, such as:
  - modulation of massing
  - variations in rooflines
  - composition of architectural features, materials and colours
  - other architectural solutions.
- b. The Fairfield Road corridor is envisioned to be a tree-lined street, supporting the urban forest and contributing to its character. When site planning and landscape design is considered, the following should be addressed:
  - Location of driveway access should strive to preserve existing canopy trees or provide opportunities for new canopy trees within the boulevard by providing enough planting space. A minimum of one planting space per 15 metres of frontage is recommended.
  - Where there is no boulevard, or it is of insufficient width to support trees, canopy trees are encouraged within front yards adjacent to the right-of-way.



Design Guidelines for  
Intensive Residential  
Development -  
Townhouse and  
Attached Dwelling



# Design Guidelines for Intensive Residential Development - Townhouse and Attached Dwelling

## 1) Introduction

### Townhouse and Attached Dwelling Building Typologies

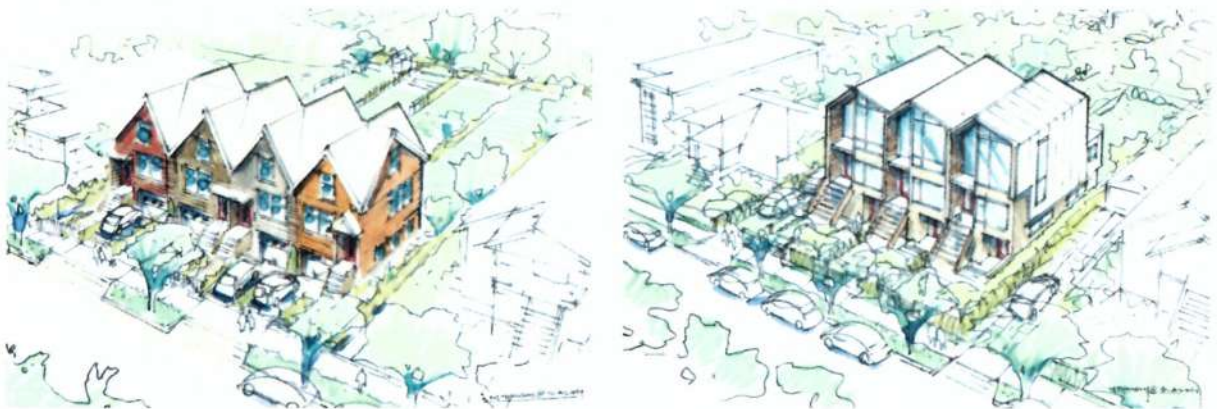
These guidelines apply to residential developments of three or more units on a site, consisting of self-contained units, each having direct access to the outside at grade level, at least some of which share common walls. Townhouses and Attached Dwellings can be designed in different configurations, and may involve more than one building complex on a site which may be organized in more than one row where appropriate and permitted by zoning.

## 2) Site Planning

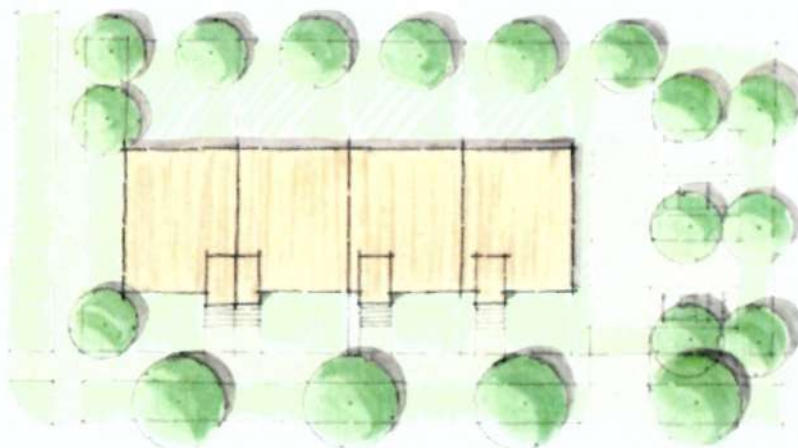
**Objectives:** To site buildings in a manner that considers and maintains the pattern of landscaped front and back yards, that makes a positive contribution to the streetscape and achieves a more compact residential building form while maintaining livability.

### a. Building Placement

- i. Townhouse buildings should be designed parallel to the street with unit entrances oriented to and directly accessed from the fronting street. Both front and rear yards should be provided:



Illustrative example of how townhouses along a street might be arranged.



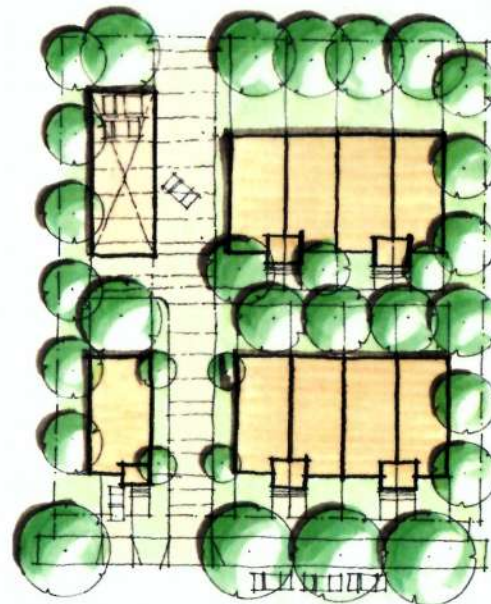
Illustrative example of how townhouses might be organized on a corner lot to minimize curb cuts and provide for on-site open space.



- ii. Some locations and lot sizes may permit townhouse developments sited in more than one building complex on a site (i.e. more than one row). For these developments, the following should be achieved:
  - 1. Site planning should ensure that townhouse units face the street;
  - 2. Townhouse units located in the interior of lots should be designed with adequate separation from other buildings and have access to open space;
  - 3. Vehicle access, parking and circulation should be integrated sensitively so it is not the dominant aspect of the development. See Section 2.c. for further guidance.
- iii. For properties in the Queen Anne Heights/Foul Bay Road/Gonzales Hill area, site planning and buildings should strive to have minimal disturbance on the tree canopy and natural areas. While developments are encouraged to be oriented to streets, alternative siting of townhouses may be considered to facilitate retention of the tree canopy, open space or landscape features. See Section 6 for additional guidelines.



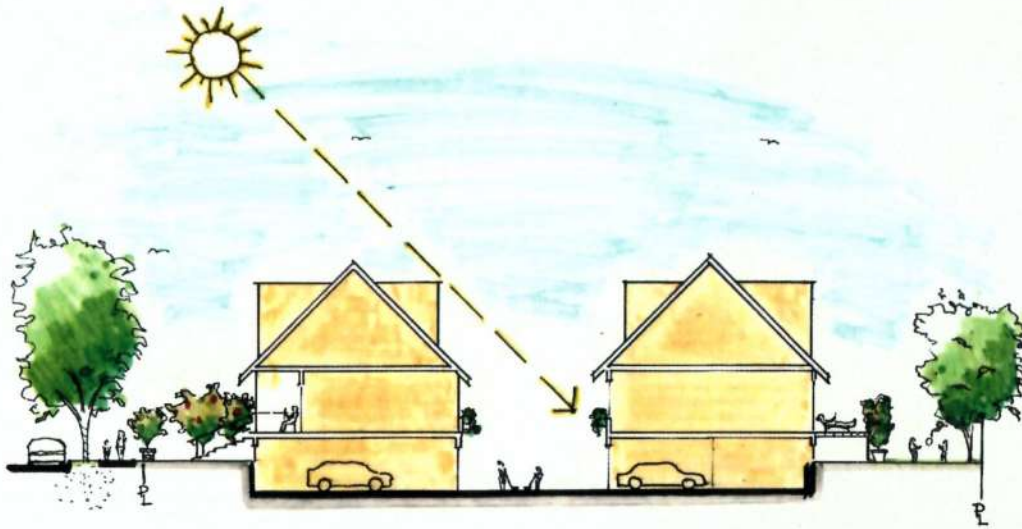
*Illustrative example of how a townhouse complex might be organized into two parallel rows (where permitted) around a parking court*



*Illustrative example of individual townhome units oriented to landscape and pedestrian spaces, with parking clustered to the side of the lot.*



- iv. "Galley-style" townhouses where building complexes are sited perpendicular to streets with residential unit entries oriented internally are strongly discouraged. This layout is discouraged because it does not orient as many residential units towards the street, typically provides less landscaped open space and insufficient separation between buildings.
  - v. For properties that include buildings of heritage value (Heritage Designated or listed on the City's Heritage Register) that may be integrated into townhouse or rowhouse developments, alternative siting of new buildings or additions may be considered to facilitate heritage conservation.
  - vi. For properties that include significant natural features (e.g. significant trees, topography, rocky outcrops), buildings and landscape should be sited and designed to respond to natural topography and protect significant natural features wherever possible. Strategies to achieve this include but are not limited to alternative siting or clustering of buildings to avoid disturbance of natural features, and clustering of parking to reduce pavement on the site. (See also 5.d.) Where retaining walls are unavoidable, they are encouraged to incorporate material responsive to the natural landscape and be stepped as appropriate.
- b. Building Separation for Townhouses sited in more than one row
- i. Where more than one row of townhouses are proposed on one site, a sufficient building separation should be provided between buildings to maximize daylight and minimize shadowing and overlook for indoor and outdoor living areas.
  - ii. Where more than one row of townhouses are proposed on a site, buildings which do not front onto the public street should be sited to provide sufficient separation from shared property lines and adjacent development in order to reduce overlook and shading, protect privacy for residents, and provide space for landscaping.



- c. Vehicular Access, Parking, and Circulation
  - i. Vehicular access, circulation, garage doors and parking should not be the dominant aspect of developments. Design strategies should be employed to minimize the impact of accommodating vehicles on site, including but not limited to the following:
    1. Integrate parking in a manner that provides landscaped areas in rear yards;
    2. Consider grouping driveway access points to minimize the number of driveway cuts and maximize space for landscaping and on-street parking;
    3. Location of driveway access should strive to preserve existing canopy trees or provide opportunities for new canopy trees within the boulevard by providing enough planting space. See Section 5 Open Space Design for further guidance;
    4. Front-accessed parking may be appropriate in some areas in order to avoid excessive pavement in rear yard areas. In these cases, attention to design is required to maintain front yard landscape, tree planting spaces, and to establish a pedestrian-friendly building façade.
    5. Consider ways to minimize the appearance of garage doors through recessing, architectural materials, design which emphasizes residential unit entries, or other design strategies;
    6. Use high quality and, where appropriate, permeable paving materials for driveways;
    7. Use attractive, high quality materials and consider incorporating glazing in garage doors;
    8. See Section 5, Open Space Design for additional design guidelines related to landscaping and screening.

### 3) Building Form and Features

**Objectives:** *To achieve buildings of high architectural quality and interest with human-scale building proportions that are oriented towards and are compatible with the established streetscape character and pattern.*

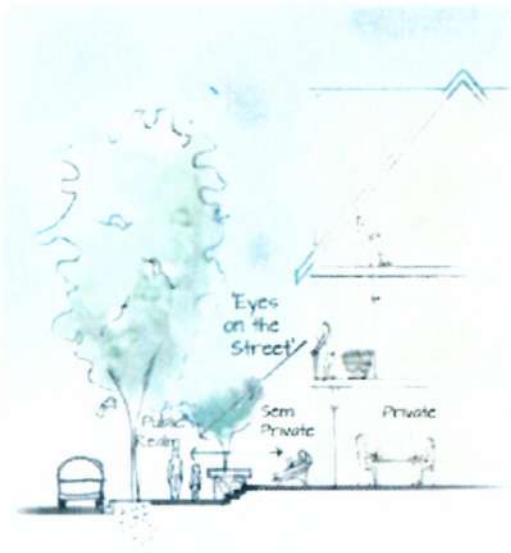
- a. Building Massing and Roof Forms
  - i. Modulation in massing or roof forms are encouraged to differentiate individual units within townhouse and attached dwelling building complexes and to provide architectural interest.
- b. Building Form, Materials and Finishes
  - i. Exterior building form and materials are encouraged to contribute to high-quality architecture by achieving the following:
    1. provide interest to facades by incorporating a range of architectural features and details;
    2. articulate different building features;
    3. use substantive, natural materials that are durable and weather gracefully over time;
    4. help mitigate the impact of blank walls, where necessary;
    5. visually reduce the perception of building massing, where necessary; and
    6. wrap around the corner of buildings, where appropriate.
  - ii. Consider exterior building materials, finishes and colours that are compatible with other developments along the streetscape so new development integrates with existing architectural character.



#### 4) Building Entrances and Windows

**Objective:** To enhance livability by locating windows and entrances to encourage sociability and eyes on the street while minimizing privacy impacts on neighbouring homes.

- a. Townhouse and rowhouse developments should maintain a street-fronting "front-to-back" orientation to the street.
- b. All residential units in townhouse and rowhouse building complexes facing streets should have entries oriented towards, and be clearly accessible and visible, from the street.
- c. For townhouse complexes that have interior-facing units, ensure unit entries are legible and emphasized through design features.
- d. Consider design strategies to delineate private front yard spaces, porches or patios from the public realm, while maintaining visibility of unit entrances. Design strategies may include but are not limited to:



- i. elevating the front entryway or patio slightly above the fronting sidewalk level; or
- ii. where a change in grade is not desired to provide accessibility, delineate the space through other means such as landscaping features, low fencing or planters.

- e. Window placement along shared property lines should consider locations of windows of adjacent properties and be off-set where possible to mitigate privacy impacts.

#### 5) Open Space Design

**Objective:** To enhance the quality of open space, provide privacy where needed, delineate unit entrances and pedestrian circulation, reduce storm water runoff, and to ensure that rear yards are not dominated by parking.

- a. Accessibility should be provided, where possible, in open space design.
- b. Areas within setbacks should consist primarily of landscaped space, but may include paved pedestrian paths.
- c. Landscape areas are encouraged to include a mixture of tree sizes and types, considering exotic and native species.
- d. Landscape on sites with significant natural features (e.g. significant trees, topography, rocky outcrops) should be located and designed to be sympathetic to the natural landscape.
- e. Consider planting tree species and other landscape plants that will tolerate a degree of drought and will survive the summer water restrictions and dry conditions of southern Vancouver Island.
- f. In considering tree placement adjacent to street rights-of-way or along boulevards, a minimum of one planting space per 15 metres of frontage is recommended.
- g. Landscaped screening along circulation and parking areas which abut lot lines is strongly encouraged, while maintaining site lines and enabling casual surveillance. Where possible, other surface parking areas should be screened with landscaping.

- h. Integration of landscaping to soften hardscape areas associated with vehicle circulation and parking is encouraged.
- i. Site design should integrate features to mitigate surface runoff of stormwater. This may include a variety of treatments (e.g. permeable paving for driveways and parking areas, landscape features designed for rainwater management, cisterns or green roofs, and/or other approaches) which are consistent with approved engineering practices and other city policies.
- j. Non-glare lighting should be provided at residential unit entrances, along pedestrian paths and common areas to contribute to safety. Lighting strategies that mitigate undue spill-over for adjacent residential units are encouraged.

## 6) Additional Guidelines for the Queen Anne Heights/Foul Bay Road/Gonzales Hill area

**Objectives:** to support housing forms and siting that protect natural areas and the tree canopy, maintain the historic, green, large lot character of these areas, and support heritage conservation.



Map 1: Queen Anne Heights / Foul Bay Road / Gonzales Hill Area.

- a. These guidelines apply to developments in the Queen Anne Heights/Foul Bay Road/Gonzales Hill area, shown shaded in brown on Map 1.
- b. Where guidelines in this section conflict with guidelines in other sections of this document, the protection of natural areas and tree canopy should be prioritized.
- c. Development in this area should be sited to minimize disturbance to natural areas and the tree canopy. Strategies to achieve this may include, but are not limited to, conversion of an existing building with careful additions; the development of new buildings generally within the footprint of an existing building or previously disturbed area (e.g. an existing parking lot, tennis court, etc.); shared access and/or parking for units in order to minimize pavement on the site; and clustering development in a way which respects existing trees, understory, topography and rock outcroppings.
- d. The character of new buildings, including siting, massing, exterior finish and design should be sympathetic to surrounding buildings especially those with heritage significance.
- e. Where prominent views of houses of heritage significance exist from the street, new development should be sited to accommodate these views.

- f. Any subdivision of land in this area that is subject to the *Guidelines for Intensive Residential Development – Townhouse and Attached Dwelling* should demonstrate that development of such land will meet these guidelines. In meeting these guidelines, a comprehensive development which allows for the clustering or careful location of development may be preferred to subdivision.
- g. Panhandle lot subdivision is not supported in this area.





**BYLAWS**

**5. Bylaw for OCP Amendments for the Gonzales Neighbourhood Plan**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Lucas, that the following bylaw be given first and second reading:

- a. *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 21) No. 18-003*

**For:**

**Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, and Thornton-Joe**

**Opposed:**

**Councillors Madoff and Young**

**Carried**

DRAFT



## Council Report

For the Meeting of December 14, 2017

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**To:** Council **Date:** December 6, 2017  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Proposed Gonzales Neighbourhood Plan and Associated Official Community Plan Amendment Bylaws

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### RECOMMENDATION

1. That Council consider first and second readings of Official Community Plan Amendment Bylaw (Bylaw No. 18-003) concerning Urban Place Designations and Development Permit Areas in the Gonzales Neighbourhood at the December 14, 2017 Council meeting and a public hearing date be set;
2. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
3. That Council consider approval of the Gonzales Neighbourhood Plan, 2018, at the same Council meeting at which the above Bylaws are considered and allow public comment.
4. That upon approval of the Gonzales Neighbourhood Plan, 2018, that Council rescind the Gonzales Plan, 2002.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with the proposed Gonzales Neighbourhood Plan, 2018 for consideration of approval (Attachment 1), and associated Official Community Plan bylaw amendments for consideration of 1<sup>st</sup> and 2<sup>nd</sup> readings. The plan has been created over the last eighteen months with participation from the community, Council and staff. Council provided feedback on the draft Gonzales Neighbourhood Plan on July 13, 2017, considered the proposed Official Community Plan (OCP) amendments on September 21, 2017 and directed staff to undertake one last round of public consultation on the proposed amendments.

Engagement results showed support for most of the proposed changes, with specific concerns related to some topics. Staff have responded by making minor changes to the proposed OCP amendments, along with accompanying changes to the draft neighbourhood plan. The changes include:

- revisions to townhouse development permit area guidelines and plan policies for clarity;
- revisions to the Queen Anne Heights/Gonzales Hill/ Foul Bay Road policies to reinforce the open space objectives for this area;
- new policies to consider the needs of people with mobility challenges in planning for public



- spaces and neighbourhood transportation; and
- not proceeding with implementing the proposed Heritage Conservation Areas (HCAs) at this time in response to feedback from homeowners.

## PURPOSE

The purpose of this report is to seek Council's approval of the proposed Gonzales Neighbourhood Plan, 2018, and introduce an Official Community Plan amendment bylaw for consideration of 1<sup>st</sup> and 2<sup>nd</sup> reading to align with the proposed neighbourhood plan.

## BACKGROUND

The draft Gonzales Neighbourhood Plan, proposed Official Community Plan (OCP) amendments and proposed consultation came before Council on September 21, 2017 where the following resolutions were approved:

1. Consider consultation under Section 475(1) and 475(2) of the Local Government Act and direct staff to undertake consultation with those affected by the proposed amendments to the Official Community Plan through online consultation, a public open house, and a meeting with owners of property within proposed heritage conservation areas, concurrent with public review of the proposed Gonzales Neighbourhood Plan.
2. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff:
  - a. to refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, the School District Board, the Council of Oak Bay, Island Health Board of Directors; and
  - b. that no referrals are necessary to the Capital Regional District Board, or the provincial or federal governments.
3. Direct staff to prepare Official Community Plan amendment bylaws following consultation to adjust urban place designations, adjust development permit area boundaries and guidelines, and create a new heritage conservation area in accordance with feedback received on the proposed Official Community Plan amendments.
4. Direct staff to create Development Permit Area Guidelines for the Small Urban Villages at Fairfield Road, Wildwood Avenue and Lilian Street.
5. Direct staff to develop appropriate tools to make secondary suites permissible in the neighbourhood.
6. Refer the proposed Gonzales Neighbourhood Plan to the meeting of Council at which the above Official Community Plan amendments Public Hearing is held, for consideration of final approval.
7. Following approval of the proposed Gonzales Neighbourhood Plan, rescind the Gonzales Neighbourhood Community Plan (2002).

## PUBLIC FEEDBACK

Staff sought input on revisions to the draft plan (Attachment 2) and proposed OCP amendments (Attachment 3) as per Council direction. A summary and compilation of the engagement results is attached (Attachment 4).

Engagement results showed support for most of the proposed OCP amendments and revisions to the draft plan, with specific concerns related to some topics. Key points include:



- Many people indicated **support for the engagement process, proposed revisions and the content of the plan**. They felt the plan balances new housing and services, while maintaining the character of the neighbourhood.
- Some **expressed concern regarding additional housing/density and associated impacts** on neighbourhood character, parking and traffic management in traditional residential areas, particularly for townhouses and along Fairfield Road.
- Others are **concerned the plan is not ambitious enough**, particularly for new housing types, and future housing for families and people with lower incomes
- There was a **mix of support from homeowners and the community for the proposed HCAs** and revised guidelines. Key concerns included property owner rights, impact on property values and insurance, and lack of financial compensation or access to heritage grants.
- There was support (63% survey/ 82% open house) for **new apartment buildings and townhouses along a portion of Fairfield Road**, with a new development permit area and guidelines. Some concern was expressed regarding parking, traffic impacts and potential change in character.
- There was support (59% survey/ 73% open house) for **designating a new small urban village at Fairfield Road/Wildwood Avenue/Lillian Road**, with a new development permit area and guidelines. Concerns included building heights (both too tall, and not tall enough), traffic impacts and impacts on adjacent properties.
- There was mixed support (48% survey/ 92% open house) for **adding properties at Fairfield Road and Irving Road into the small urban village designation and into a new development permit area** (most concerns related to appropriateness of small urban village designation, rather than the proposed development permit area).
- There was mixed support for **new development permit area guidelines for townhouses** (44% survey respondents/ 74% open house). Many comments relate to general appropriateness of townhouses, and not specifically to proposed content of guidelines. Concerns include potential change in character, particularly for townhouses in more than one row. Others were concerned that the proposed guidelines are too prescriptive and should be more flexible.
- There was strong support for correcting the **urban place designation for Glengarry Hospital**.
- Concern was expressed that the plan needs to **do more to support people with restricted mobility** (e.g. parking for scooters, better access to Gonzales Beach)
- There was a lack of clarity regarding intent of revised **policies and design guidelines for Queen Anne Heights/ Gonzales Hill/ Foul Bay Road**
- There was a lack of clarity regarding **policies and geographic boundaries related to townhouses**
- Continued concern regarding protection and enhancement of the **urban forest**, and protection of natural **habitat at Gonzales Beach**
- A suggestion was made that the plan should provide a **status update** on actions recommended in 2003 Gonzales neighbourhood plan.

## CHANGES AND CONSIDERATIONS

After considering all of the feedback received, staff have made minor changes to the proposed OCP amendments which were first presented to Council on September 21, 2017, along with accompanying changes to the draft Gonzales Neighbourhood Plan. Further, staff do not recommend proceeding with the proposed heritage conservation areas (HCAs) through the neighbourhood plan process. These changes, and their rationale, are detailed as follows:



1. In response to mixed support for the proposed heritage conservation areas from homeowners, staff recommend not proceeding with HCAs through the neighbourhood plan. As directed by Council on July 13, 2017, staff had revised the heritage conservation area boundaries and guidelines to address earlier concerns from owners; support for the revised guidelines was mixed and homeowner feedback is presented in Attachment 4 – part E. Staff recommend that the Upper and Lower Foul Bay areas and Redfern Street area be identified as potential candidates for heritage conservation areas in the future, if there is community support and leadership. This change is reflected in the proposed neighbourhood plan. This is consistent with Council's direction regarding heritage conservation areas as part of the Fairfield neighbourhood plan.
2. In response to an oversight identified in the 2012 Official Community Plan, staff have revised the urban place designation for the Glengarry Hospital site from "Traditional Residential" to "Public Facilities, Institutions, Parks and Open Space". This is consistent with other Island Health properties. This oversight was identified in late September 2017 and was included in community and Island Health consultation.
3. In response to community feedback on the proposed Guidelines for Townhouses and Rowhouses, staff have made the following revisions:
  - a) revised map and guideline text to clarify that townhouses in Queen Anne Heights/Foul Bay Road/ Gonzales Hill area would be considered only if the plan's objectives for the retention of open space can be met.
  - b) added design guideline content specific to the Queen Anne Heights/Foul Bay Road/ Gonzales Hill area, to reinforce the open space and natural areas objectives and policies for the area.
  - c) added additional conceptual diagrams of possible townhouse site layouts.
  - d) enhanced guidelines regarding rear yards, and building separation from adjacent properties; added guideline content addressing siting, design and landscaping for sites that have significant natural features.
  - e) removed previous map from guidelines, as geographic area is described in the plan.
  - f) broadened development permit guidelines for permeable pavement in townhouses to include consideration of other forms of on-site stormwater management. This change is recommended in response to additional discussion with Engineering and Public Works staff, who advised that permeable pavement may not be a suitable treatment for all sites depending on soil conditions, and may in fact exacerbate stormwater impacts.
4. In response to feedback from the community and planning staff regarding townhouse policies in the plan, staff have made the following revisions:
  - a) revised plan and associated guidelines to refer just to "townhouses", rather than "townhouses and rowhouses". Rowhouses are a sub-type of townhouses.
  - b) revised Map 6 (Traditional Residential Housing Sub-Areas) to clarify blocks within Area 3 which are suitable for townhouses in more than one row.
  - c) corrected conversion error for townhouse width (proposed plan stated "36 metres/ 100 feet"; changed to "30 metres/ 100 feet" ).
  - d) clarified that 9 metres rear setbacks are desired for all townhouses in two rows, not just those along Fairfield road (5.14.1.e).
5. In response to feedback from the community and planning staff regarding policies related to Queen Anne Heights/ Foul Bay Road/ Gonzales Hill Areas, staff revised the following:



- a) revised last bullet in policy 5.3 (Queen Anne Heights/ Foul Bay Road/ Gonzales Hill Areas) to clarify that townhouses and attached housing are considered in this area only if they further the plan's policies for open space and natural areas.
  - b) reworded 5.5.7. – 5.5.8. (Queen Anne Heights/ Foul Bay Road/ Gonzales Hill Areas) for clarity.
6. In response to feedback from community and staff, staff have revised plan policies related to townhouses, duplexes, triplexes/fourplexes and small lot houses to clarify support for the retention and re-use of existing houses when these forms of housing are considered for heritage designated or registered properties, and for houses of heritage merit.
  7. In response to community feedback regarding more support in the plan for those with mobility challenges, staff have made the following revisions:
    - a) added new policy 3.1.6. (Active Transportation Network) to consider the needs of people using mobility scooters and other mobility aids as part of improvements to active transportation routes, streetscapes and public spaces.
    - b) revised policy 4.1.8. (Parks and Open Space Network) to consider needs of people using scooters and other mobility aids as part of parks and open space improvements.
  8. In response to community feedback, a new paragraph was added at the beginning of the Action Plan to acknowledge the status of the implementation actions recommended in the 2003 neighbourhood plan.

Staff have carefully considered all feedback and do not recommend additional changes to the OCP amendments or proposed neighbourhood plan beyond those outlined here. In revising the draft plan, staff feel the proposed plan strikes a careful balance between accommodating future housing needs and types, maintaining neighbourhood character, supporting transit and local businesses, supporting the urban forest and preparing for a future population that is less reliant on vehicles.

The urban place designation amendments proposed to the Official Community Plan are minor in nature and consistent with the infrastructure needs identified in the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan.

## OPTIONS & IMPACTS

### *Accessibility Impact Statement*

A design guideline that encourages accessibility in open space design was added to the Design Guidelines for Intensive Residential – Townhouse and Rowhouse on the recommendation of the Advisory Design Panel. New policies to encourage the consideration of the needs of people with mobility challenges in planning for neighbourhood transportation and park improvements have been added to the proposed plan.

### *2015 – 2018 Strategic Plan*

This milestone in the Gonzales Neighbourhood Plan process supports Strategic Plan, Objective 3: Strive for Excellence in Planning and Land Use, which contains actions and outcomes to undertake local area planning focused on urban villages and transportation corridors.

*Impacts to Financial Plan*

Some initiatives related to the proposed Gonzales Neighbourhood Plan will have associated capital and operating costs. The funding status of identified implementation actions is outlined in the Action Plan in Chapter 11 of the proposed plan. Implementation of the plan will need to be balanced with available resources and other City priorities. The actions may be accomplished through a combination of funding sources, including City capital programming, amenity contributions from development, senior government grants and other partnerships.

*Official Community Plan Consistency Statement*

While the draft Gonzales Neighbourhood Plan contains policy directions that are in line with the broad growth objectives and policies of the OCP, some amendments to the OCP are required to align the two plans given the finer grain of detail that emerged out of the neighbourhood plan process and to implement the urban design and heritage objectives.

**CONCLUSIONS**

Consideration of the proposed OCP amendments concurrent with approval of the Gonzales Neighbourhood Plan will ensure the two documents are in alignment immediately, which will provide more clarity for the public, landowners and developers seeking to submit development proposals to the City, and for staff in providing development advice to applicants.

Respectfully submitted,



Kristina Bouris  
Senior Planner  
Community Planning


Alt.



Jonathan Tinney  
Director  
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:

Date:



Dec 7, 2017

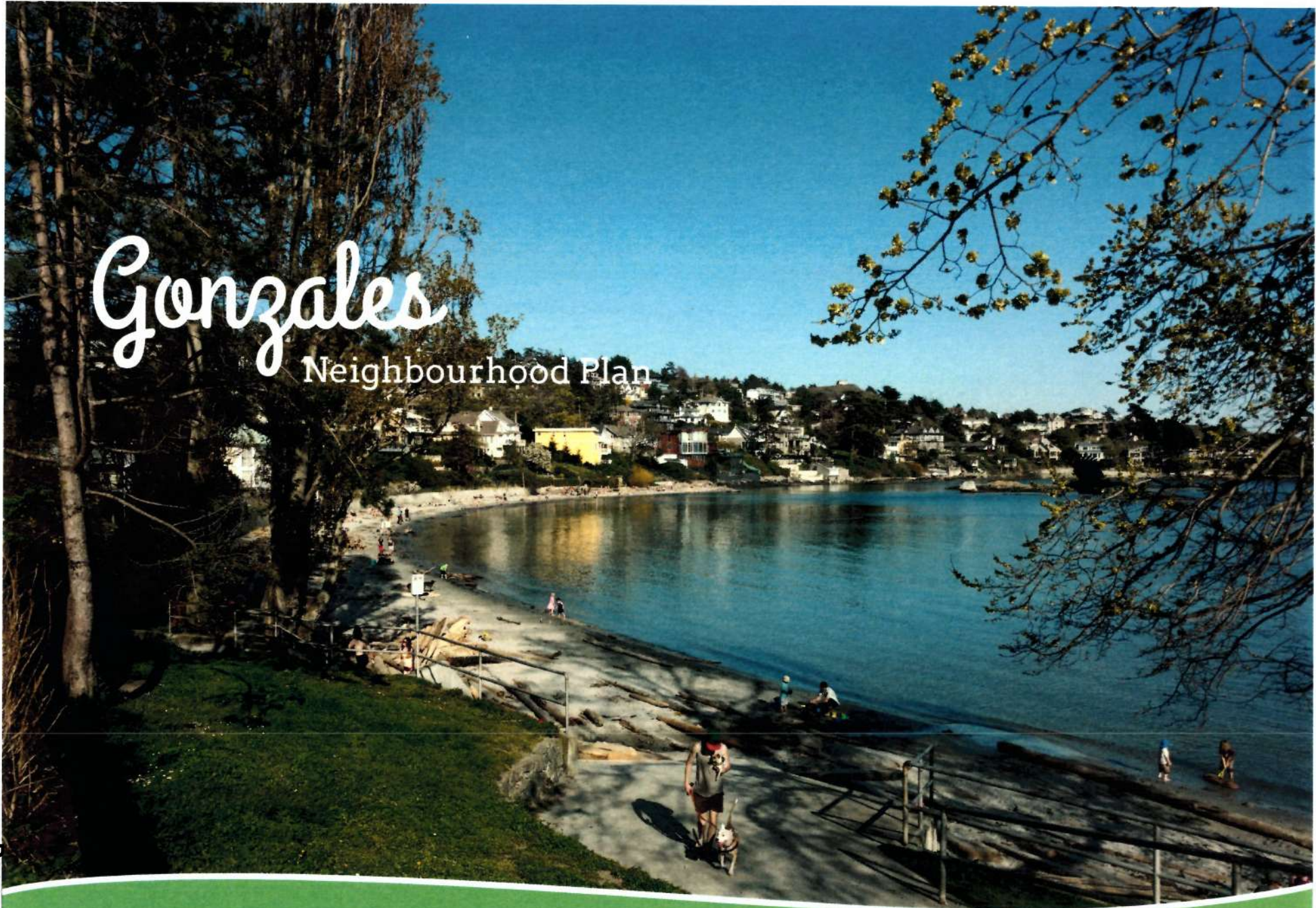
**List of Attachments**

- Attachment 1: Gonzales Neighbourhood Plan, 2017
- Attachment 2: Summary of Revisions to Draft Gonzales Neighbourhood Plan (October 2017)
- Attachment 3: Proposed OCP Amendments Summary Map (October 2017)
- Attachment 4: Engagement Summary and Feedback on Proposed OCP Amendments and Revisions to Draft Plan
- Attachment 5: Minutes from Heritage Advisory Panel Meeting, September 12, 2017
- Attachment 6: Minutes from Advisory Design Panel, August 26, 2017



# Gonzales

Neighbourhood Plan





## **Publishing Information**

Title: Gonzales Neighbourhood Plan

Prepared by: City of Victoria  
Sustainable Planning and Community Development Department

Status: Proposed Plan for adoption - December 2017

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The City of Victoria acknowledges that the land and water of the Gonzales neighbourhood is the traditional territory of the Lekwungen people.

### **With thanks**

The new Gonzales Neighbourhood Plan has been shaped by the participation of many residents, businesses and other stakeholders. The City of Victoria is appreciative of the contributions made by all members of the community.

The City of Victoria would like to recognize and extend special thanks to the Gonzales Neighbourhood Plan Working Group for their guidance and support for community engagement during the creation of this plan:

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# Key Moves in the Plan

**1** Add housing that fits the neighbourhood's character

**2** Make it easier to leave the car behind

**3** Create community "living rooms"

**4** Celebrate neighbourhood heritage



**5** Protect existing neighbourhood commercial corners

**6** Enhance Gonzales Beach

**7** Protect neighbourhood ecosystems

# Key Moves in the Plan



1

## Add housing that fits the neighbourhood's character

### What we heard

New housing diversity should be encouraged while maintaining the low rise feel of Gonzales. More housing for renters and families is needed. A variety of housing types, such as townhouses and more secondary suites would be suitable in Gonzales. As properties redevelop, the trees and natural environment of the neighbourhood should be retained.

### How the plan addresses what we heard

**In most of the residential area**, the plan introduces new housing types and styles that complement the low-rise feel of Gonzales and encourages more rental housing, more mortgage-helpers and more affordable forms of family-friendly housing, such as townhouses and rowhouses.

The plan proposes to:

- Allow secondary suites in small lot houses, and in duplexes on large lots.
- Allow duplexes on standard-sized lots throughout Gonzales (currently only allowed on large lots)
- Support rowhouses on wider lots throughout Gonzales.
- Encourage townhouses between Fairfield Road, Richmond Road, Richardson Road and St. Charles Street, and near Glenlyon Norfolk School to take advantage of nearby transit, schools and shopping areas.

- Introduce new design standards for townhouses, rowhouses and other multi-unit housing to fit in with surrounding streets.

**Along Fairfield Road**, the plan envisions more people living in small apartment buildings and townhouses to support frequent transit and nearby urban villages and parks:

- Create opportunity for small apartment buildings (up to 3 storeys) and townhouses along Fairfield Road between St. Charles Street and Foul Bay Road

**In the Queen Anne Heights/ Foul Bay Road/ Gonzales Hill area (see p. 43)**, the priority is for housing that minimizes additional impact on tree canopy and green spaces:

- Encourage types of housing and siting that limit disturbance to green space
- Continue to discourage subdivisions in this area to retain green spaces and the large lots

### For more information on this Key Move:

See Chapter 5 – Housing (page 39-50) as well as Appendix B – Design Guidelines for the policies and design guidelines that support this vision.





2

## Make it easier to leave the car behind

### What we heard

Gonzales should move away from being a car-centered neighbourhood. Cycling and walking connections and transit services should be improved. Safety and accessibility improvements and slower traffic are needed at key locations.

### How the plan addresses what we heard

The plan seeks to create better and safer connections to allow for greater mobility choice by:

- Improving walking/cycling routes and develop new ones to better connect neighbourhood destinations to the broader city.
- Identifying key intersections and "hot spots" to make walking and cycling more comfortable and safer
- Working with BC Transit to improve bus service

### For more information on this Key Move:

See Chapter 3 – Transportation and Mobility (page 23-30) for transportation policies and improvements that support this vision.



3

## Create community "living rooms"

### What we heard

There is a strong desire for more public spaces in Gonzales. There is an opportunity to transform parks and other facilities into social gathering places or "community living rooms".

### How the plan addresses what we heard

This plan seeks to create and strengthen neighbourhood gathering places by:

- Planning for new features at Pemberton, Hollywood and Gonzales Beach Parks that encourage people of all ages to gather, such as benches, games, public art and picnic tables
- Working with the School District and others to create indoor community space in Gonzales

### For more information on this Key Move:

See Chapter 4 – Parks, Open Space and Urban Forest (page 31-37) for the parks policies and improvements that support this vision, as well as Chapter 9 – Community Facilities (page 63-65) for policies on community gathering places.

# Key Moves in the Plan (cont'd)



## Celebrate neighbourhood heritage

### What we heard

Many places in the neighbourhood have strong heritage value, and there is a desire to protect the historic character of special homes and streets.

### How the plan addresses what we heard

This plan seeks to conserve the special historic character of Gonzales by:

- Encouraging new types of housing, such as a main house + secondary suite + garden suite, for new heritage designated properties

### For more information on this Key Move:

See Chapter 7 – Heritage (page 57-59) for the policies that support this vision.



## Protect existing neighbourhood commercial corners

### What we heard

Neighbourhood "commercial corners" should be enhanced and strengthened over time, so that residents can gather and access shops and services for their daily needs.

### How the plan addresses what we heard

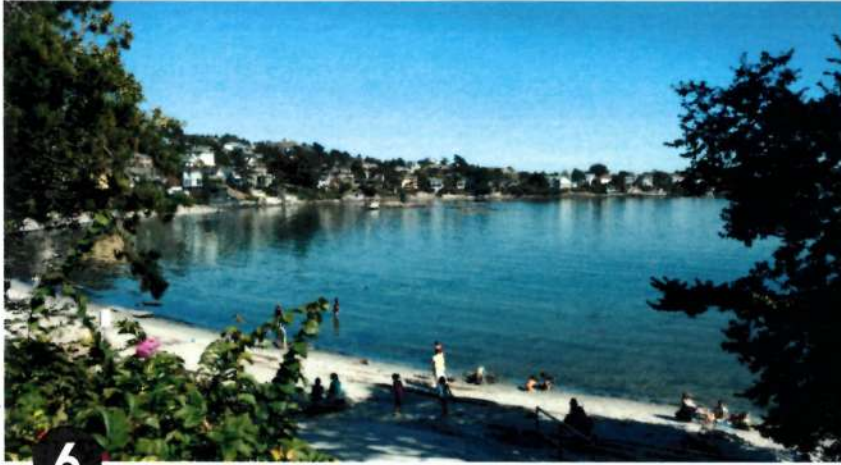
The plan proposes supporting existing commercial areas with new housing options and public space improvements by:

- Designating a new small urban village at Fairfield Rd and Lillian St/Wildwood Ave to support businesses and mixed use buildings along the frequent transit route
- Enhancing the urban village at Fairfield Rd and Irving Rd
- Improving village public spaces including wider sidewalks, street trees, seating and lighting
- Preparing a detailed plan for Oak Bay Avenue Village in 2017

### For more information on this Key Move:

See Chapter 6 – Urban Villages (page 51-55) for more policies related to urban villages.





## Enhance Gonzales Beach

### What we heard

Gonzales Beach is a treasure for the neighbourhood and whole region, and it needs improved visitor facilities, better access and a healthier shoreline ecosystem.

### How the plan addresses what we heard

The plan suggests improvements for a future Gonzales Park plan, such as:

- Improved pedestrian and cycling connections to the park
- Improved ramp and trail access
- Enhanced visitor facilities such as washrooms and bike parking
- More features to encourage community gathering
- Strategies for restoration of coastal bluffs and support for migratory birds

### For more information on this Key Move:

See Chapter 4 – Parks, Open Space and Urban Forest Section 4.2 (page 34) for policies and suggested improvements to achieve this vision.



## Protect neighbourhood ecosystems

### What we heard

The urban forest is an important part of Gonzales. The neighbourhood's green space should be maintained as new houses are built. Green design should be incorporated into new development.

### How the plan addresses what we heard

The plan proposes stewardship and protection of private and public lands, including:

- Restoring natural areas in parks
- Requiring permeable driveways and parking areas for all new housing
- Protecting remnant natural areas in Queen Anne Heights/ Foul Bay Road/ Gonzales Hill area (see p. 43) by encouraging careful house design and conservation covenants

### For more information on this Key Move:

See Chapter 4 – Parks, Open Spaces and Urban Forest Section 4.7-4.9 (page 35-36) for natural areas in parks policies; Chapter 5 – Housing Section 5.3 (page 42) for housing and urban forest policies for Queen Anne Heights/ Foul Bay Road/ Gonzales Hill area; Chapter 8 – Infrastructure and Green Buildings (page 61-62) for permeable driveways and stormwater management policies.



# 1. Introduction

Gonzales, located in the southeast corner of Victoria, is a mostly residential neighbourhood with primarily single family homes. Gonzales has the highest percentage of children living in the neighbourhood.



The Gonzales Neighbourhood Plan was launched in April 2016 in collaboration with the community to ensure future growth and change is shaped by those who know the neighbourhood best. This plan builds on the foundation of the previous Gonzales Neighbourhood Plan (2003), which provided a framework to shape the physical, economic and social development of the neighbourhood while preserving and enhancing the existing sense of community and neighbourhood quality in Gonzales.

The neighbourhood is special because of the quiet, tree-lined streets, diverse and attractive detached houses with gardens, a variety of park spaces (from Gonzales Hill to Gonzales Beach), small neighbourhood stores and services, commercial stores and businesses along Oak Bay Avenue and nearby, a concentration of stores and services at Fairfield Plaza which serve residents in and beyond the neighbourhood. A number of larger institutions, schools, nursing homes and churches, also serve

residents and others. The community wants these features maintained as they contribute to a feeling of wholeness for the neighbourhood.

The 2003 plan contained over 80 recommendations regarding housing; institutions and community facilities; commercial; parks, recreation and open space; transportation; and, heritage, environment and neighbourhood features. The original plan has led to several made-in-Gonzales initiatives, such as:

- A new residential zone that encourages open space through house size, setback, and front yard parking provisions unique to Gonzales
- The first legal secondary suites in Victoria (which since has become city-wide policy)
- A requirement for all residential driveways to have permeable surfacing
- Limits on certain types of subdivision to retain the large lot character in Queen Anne Heights/ Foul Bay Road/Gonzales Hill Area.

These and many others have been carried over to this new plan. The new plan also introduces new policies that address emerging issues in the neighbourhood, such as housing choice and affordability for owners and renters, climate change, retaining the urban forest, better options for walking and cycling, and neighbourhood public places.

As Victoria and Gonzales continue to grow, this neighbourhood plan is intended to guide growth in a way that meets the needs of the Gonzales community, Victoria as a whole, and the region over the next 20-30 years.

## *Neighbourhood Vision Statement*

“

*In 2041 Gonzales will be a diverse, welcoming, safe and resilient neighbourhood steeped in beauty and nature. It will be filled with connected people of all ages, vibrant community places, and strong local businesses.*



# Neighbourhood Plan Goals

The following neighbourhood plan goals were developed based on community input.

Topic	Goals	Chapter
<b>Transportation &amp; Mobility</b>	<ol style="list-style-type: none"> <li>1. Make walking and cycling safe, connected and comfortable</li> <li>2. Improve public transit servicing and connectivity to other parts of the city</li> <li>3. Manage traffic to improve safety and neighbourhood livability</li> <li>4. Manage parking to support business vitality and housing affordability</li> </ol>	<b>3</b>
<b>Parks, Open Space &amp; Urban Forest</b>	<ol style="list-style-type: none"> <li>1. Enhance parks as public gathering places for the neighbourhood</li> <li>2. Refresh park facilities to attract diverse ages and activities</li> <li>3. Improve waterfront access and visitor facilities at Gonzales Beach Park</li> <li>4. Maintain and enhance Gonzales' urban forest and native ecosystems on private and public land</li> <li>5. Protect coastal ecosystems</li> <li>6. Use public lands to help adapt to climate change</li> </ol>	<b>4</b>
<b>Housing</b>	<ol style="list-style-type: none"> <li>1. Encourage more housing diversity and choice while maintaining the low-rise character of the neighbourhood and streets</li> <li>2. Create opportunities for more affordable home ownership</li> <li>3. Create livable, long-term rental housing</li> <li>4. Encourage new housing for families with children</li> <li>5. Protect historic homes</li> <li>6. Retain the urban forest and historic character in Queen Anne Heights/ Foul Bay Road/Gonzales Hill area</li> </ol>	<b>5</b>
<b>Urban Villages</b>	<ol style="list-style-type: none"> <li>1. Retain and strengthen small neighbourhood commercial areas</li> <li>2. Strengthen the design, retail mix and walkability of Oak Bay Avenue Village</li> </ol>	<b>6</b>
<b>Heritage</b>	<ol style="list-style-type: none"> <li>1. Retain the historic character of streets, buildings and other important sites</li> <li>2. Encourage the adaptive re-use of properties of heritage merit as an incentive to promote heritage conservation</li> </ol>	<b>7</b>
<b>Infrastructure &amp; Green Buildings</b>	<ol style="list-style-type: none"> <li>1. Ensure sufficient infrastructure capacity to meet the future needs of residents and businesses</li> <li>2. Use stormwater management to restore ecological processes</li> <li>3. Encourage, promote, and facilitate the development of green buildings and low carbon housing stock</li> </ol>	<b>8</b>
<b>Community Facilities</b>	<ol style="list-style-type: none"> <li>1. Create more places for residents to gather</li> <li>2. Create more public and private childcare and eldercare options</li> <li>3. Encourage existing institutions to minimize impacts on surrounding neighbourhood</li> </ol>	<b>9</b>
<b>Arts, Culture &amp; Placemaking</b>	<ol style="list-style-type: none"> <li>1. Encourage public art and placemaking that celebrate Gonzales' identity</li> <li>2. Support creative entrepreneurs</li> </ol>	<b>10</b>



# What is a Neighbourhood Plan?

By 2041, the City of Victoria is expected to have grown by 20,000 people. The City's Official Community Plan provides high level guidance for where and how those people should live, work, shop and play in the city. The neighbourhood plan translates this guidance to the local level, including:

- What kind of housing is desirable? Where should housing, shops and services be located? And what should they look like?
- How will people move around in the neighbourhood?
- How can parks and public spaces be improved?
- What will future residents and businesses need?

The neighbourhood plan will largely be accomplished through private development. The City uses a neighbourhood plan with other related policies, guidelines and regulations to evaluate the impact and suitability of public and private projects and initiatives related to land use, development, infrastructure, parks, community facilities and transportation. Private and public projects will be reviewed for their ability to help achieve the plan's vision and goals.

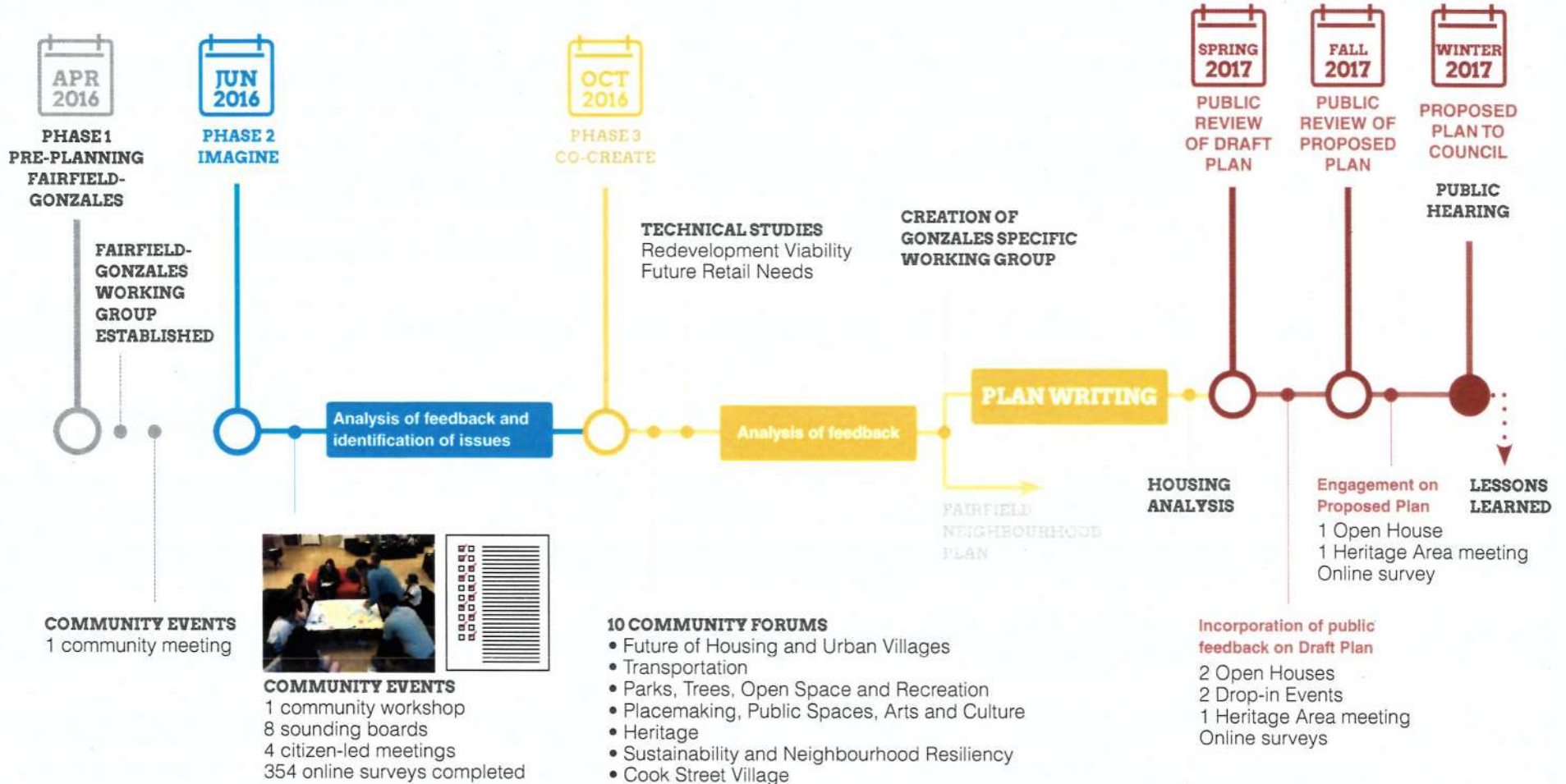
The City also uses a neighbourhood plan as a guide in preparing operating and capital budgets, planning work priorities and determining public improvements.

The neighbourhood plan will be implemented over a 20-30 year time frame, although regular monitoring will take place throughout the life of the plan.

The Gonzales Neighbourhood Plan provides more certainty about the community's vision for the area – for developers, for the City and for residents.



# Gonzales Plan Process





## 2. Neighbourhood Context

### Plan Area

Gonzales is a neighbourhood of approximately 4,175 residents, representing 5% of the City's population.

The neighbourhood is almost entirely residential, and has the highest percentage of families with children (15% of the neighborhood), the highest percentage of home ownership (70%) and the lowest density in the City.

Within Gonzales there are businesses and apartments (along its northern, Oak Bay Avenue boundary) and a number of institutions including Margaret Jenkins School, Glenlyon-Norfolk School and Glengarry Residential Care Facility.

The rich inventory of heritage homes on tree-lined streets, its waterfront including the picturesque Gonzales Bay, and proximity to downtown and cycling pathways make Gonzales a popular place to live, work and visit.



Map 1: Gonzales Neighbourhood Plan Area



# Moments in the History of Gonzales



Archaeological sites dating from before European contact have been identified across the neighbourhood, including Gonzales Hill, Queen Anne Heights and Gonzales Beach.



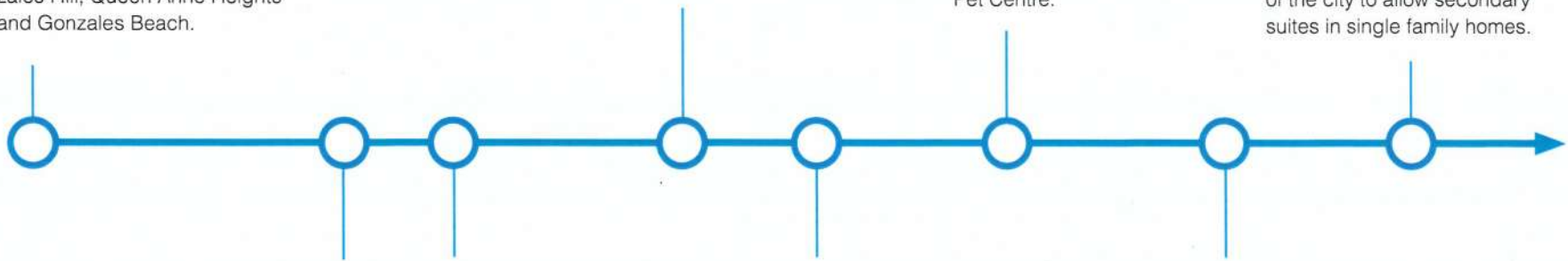
**1909:** Streetcar No. 6 begins service to Gonzales and Fairfield.



**1959:** Hollywood Grocery opens shop at the corner of Lillian and Fairfield Road. Now Hollywood Pet Centre.



**2003:** Neighbourhood plan created for Gonzales. The neighbourhood becomes the first area of the city to allow secondary suites in single family homes.



**1855:** Isabella Ross becomes first female landowner in the colony of British Columbia when she purchases 99 acres from Hudson's Bay Company, later subdivided into the first lot parcels of Gonzales neighbourhood.



**1860:** J. D. Pemberton builds his estate home Gonzales, named after Spanish explorer Gonzalo Lopez de Haro.



**1920:** The Fairview Greenhouses are constructed at 1650 Earle Street. Demolished in the 1950's.



**1986:** The Norfolk House School for Girls merges with Glenlyon Preparatory School for Boys, forming Glenlyon-Norfolk School.



# Neighbourhood Features

Some of the unique features of Gonzales are shown here.



Neighbourhood parks and green feel



Pemberton Park popular for organized sports and children's play area



Quiet, tree-lined streets are walkable and bikable



Fairfield Plaza is on the western border of Gonzales



Local neighbourhood commercial areas



Historic, older homes



Gonzales Beach popular with neighbours and whole city



Gonzales Hill

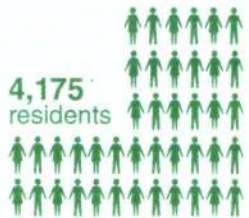


École Élémentaire Margaret Jenkins Elementary School



# Neighbourhood Snapshot

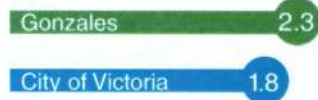
In 2017, the neighbourhood is almost entirely residential with a significantly higher proportion of single family homes as compared with the City of Victoria as a whole. It has the highest percentage of families with children (15%), the highest percentage of home ownership (70%) and the lowest density in the City.



## Median Age



## Average household size



## % Total households that have children at home



## % Households that are one-person households



## Low-income Households



## Median Household Income

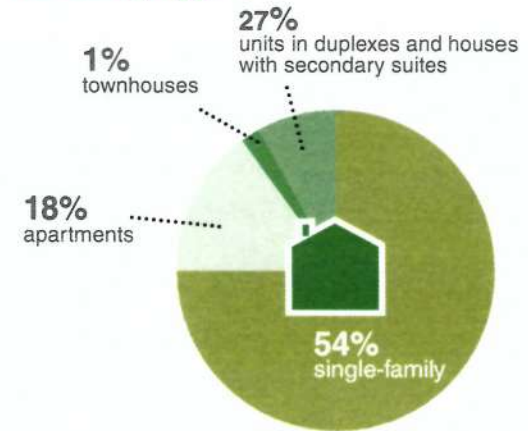


## Average number of children at home for households with children



Source: Statistics Canada Census and National Household Survey, 2011

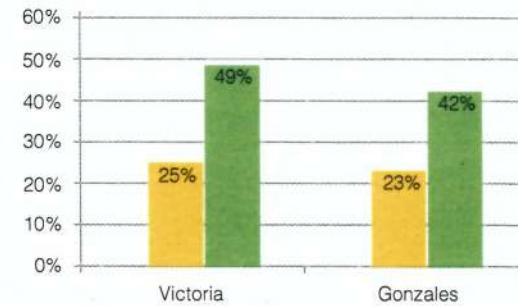
## Housing Types



## Housing Affordability

Percentage of residents spending more than 30% of income on housing

Owner (Yellow)  
Renter (Green)



Source: Statistics Canada National Household Survey, 2011

## Rental vs. Ownership

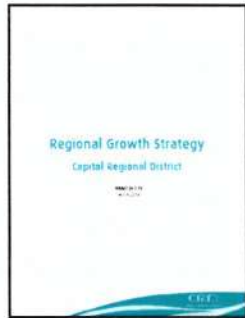


of Gonzales housing units are rented

of City of Victoria housing units are rented

# Policy Context

This plan is to be read in conjunction with the following city-wide plans and policies, which guide planning, priority-setting and funding at the neighbourhood level:



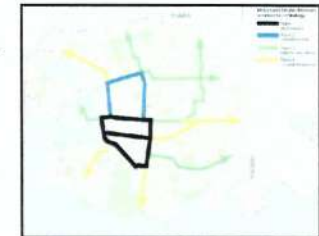
**Regional Growth Strategy** – guides regional decision-making on transportation, population growth, settlement patterns and other regional planning issues.



**Official Community Plan** – contains city-wide objectives and specific direction for areas of growth to guide neighbourhood planning.



**Transit Futures Plan** – prepared by BC Transit, identifies key corridors and improvements for Rapid, Frequent and local transit.



**Bicycle Master Plan** – identifies future active transportation network and priorities.



**Parks and Open Spaces Master Plan** – identifies key needs and priorities for next 25 years.



**Pedestrian Master Plan** – identifies priorities and guidelines for sidewalk network completion.



**Arts and Culture Master Plan** – identifies the City's vision, role and initiatives for supporting local arts and culture.





# 3. Transportation and Mobility



## Goals

1. Make walking and cycling safe, connected and comfortable
2. Improve public transit servicing and connectivity to other parts of the city
3. Manage traffic to improve safety and neighbourhood livability
4. Manage parking to support business vitality and housing affordability

Active transportation refers to any form of human-powered transportation – walking, cycling, using a wheelchair, in-line skating or skateboarding. The City of Victoria recognizes that active transportation provides important health, social, environmental and economic benefits.

Making it easier to use active transportation for daily trips is a priority for Gonzales. To increase the share of people cycling and walking, routes should feel comfortable for

everyone and connect to form a network that provides direct and convenient access to important destinations – like work, schools, parks, shopping areas and routes to other neighbourhoods.

The plan also supports better access to transit, and efficient use of the road network through traffic and parking management.

## Other Relevant Policies & Bylaws

Several City-wide policies guide transportation planning, priority-setting and funding at the neighbourhood level:

- Official Community Plan
- Pedestrian Master Plan
- Greenways Plan
- Bicycle Master Plan
- All Ages and Abilities Active Cycling Network
- Pavement Management Plan
- Zoning Regulation Bylaw Schedule C – off-street parking requirements
- Subdivision and Development Servicing Bylaw – road widths, on-street parking
- Streets and Traffic Bylaw – on-street parking

## Transportation and Mobility

# Neighbourhood Active Transportation

### Intent:

Make walking and cycling safe, connected and comfortable.

### 3.1. Active Transportation Network

3.1.1. Complete gaps and support north-south and east-west active transportation connections to important destinations such as schools, parks, shopping areas and the City-wide All Ages and Abilities network (see Map 2).

3.1.2. Complete gaps in the neighbourhood sidewalk network to the standards, and at locations, outlined in the Pedestrian Master Plan and Greenways Plan.

3.1.3. Where redevelopment occurs on local streets, curb-to-curb widths will generally not be increased (unless needed for cycling and pedestrian routes), but additional right-of-way may be sought to accommodate landscaped boulevards supporting canopy trees, and pedestrian improvements.

3.1.4. Include pedestrian and cyclist-focused public realm improvements in urban villages to encourage walkability and bikeability. This may include new benches, lighting, landscaping, street trees, wayfinding, bicycle parking and other features.

3.1.5. Consider alternative cross-section design for local streets that currently lack curb and gutter. Ensure safe spaces for pedestrians, while considering opportunities for softer, rural character through features such as native landscaping, street trees, bioswales, reduced paving or related design features.

3.1.6. Consider the needs of people using mobility scooters and other mobility aids as part of improvements to active transportation routes, streetscapes and public spaces.



Map 2: Neighbourhood Active Transportation Network



# Neighbourhood Active Transportation (cont'd)

## 3.2. All Ages and Abilities Routes

3.2.1. Develop an All Ages and Abilities route on Richardson Street as a shared road facility, by adding features such as signage, paint markings and other traffic calming features to reduce traffic volumes and speeds.

3.2.2. Develop a pilot project to test possible alignment for an All Ages and Abilities route to Oak Bay Avenue Village that balances concerns regarding parking removal and traffic integration while providing a direct and convenient connection to major destinations in and around Oak Bay Avenue.

3.2.3. Develop an All Ages and Abilities (AAA) route along Irving Road and Richmond Road that connects Gonzales Beach with Oak Bay Avenue Village.

3.2.4. Develop an All Ages and Abilities route along Crescent Road and Hollywood Crescent, linking Ross Bay with Gonzales Beach and the District of Oak Bay.

## 3.3. Other Neighbourhood Active Transportation Routes

3.3.1. Complete the following priority neighbourhood-oriented pedestrian and cycling routes with wayfinding, crossings and other features to create seamless connections and reduce barriers for active transportation:

- a. Gonzales Beach to Oak Bay Avenue Village Connector, linking Gonzales Beach with Oak Bay Avenue Village and Jubilee Hospital
  - i. See Policy 4.8.3. regarding design guidance for Maddison Lane.
- b. School to School Connector, linking École Margaret Jenkins School with Sir James Douglas School

c. Brighton Connector, along Brighton Avenue from Oak Bay border to Richmond, to connect to the Pemberton Trail in Rockland and the waterfront in Oak Bay.

3.3.2. Link the neighbourhood-oriented pedestrian and cycling routes to the All Ages and Abilities Network through wayfinding and other design features.

3.3.3. Look for opportunities to showcase public art, green infrastructure and community-led placemaking opportunities along pedestrian and cycling routes. Add features such as benches and water fountains to improve comfort and enjoyment.

3.3.4. In developing urban forest succession management strategies, ensure continuous street trees where possible along pedestrian and cycling routes to beautify the experience for users.



Example of shared road All Ages and Abilities route from Vancouver, BC. (City of Vancouver)



Example of shared road All Ages and Abilities Route from Portland, Oregon. (bikeportland.org)

**All Ages and Abilities (AAA) bicycle routes** are designed to provide an inviting and low stress cycling experience. They can appeal to a broader spectrum of the population, such as children and seniors, by establishing a safer and more comfortable environment for riding bicycles. On busy streets, it means routes with physical separation from vehicles. On shared streets, it means routes which have low vehicle speeds and traffic volumes. Shared street routes are often shared with on-street parking, vehicles and bicycles.



# Neighbourhood Active Transportation (cont'd)

## 3.4. Neighbourhood-identified Priority Active Transportation Improvements

**3.4.1. Brighton Avenue Route:** Complete a continuous pedestrian and cycling route between Oak Bay and Rockland. Add wayfinding. Complete a new sidewalk on Brighton Avenue between Richmond and Clare Streets. Add a new crossing at Brighton Avenue and Richmond Avenue. Widen street end trails to accommodate cyclists. Evaluate the need for crossing improvements. Design of Brighton Avenue improvements should consider design objectives from the Greenways Plan. Where right-of-way is limited, green infrastructure may take priority over on-street parking in order to achieve the desired character of this route.

**3.4.2. Gonzales Beach to Oak Bay Avenue Route (via Pemberton Park and Maddison Avenue):** Complete a continuous pedestrian and cycling route. Add wayfinding. Widen the path across Ecole Margaret Jenkins School property and Pemberton Park to comfortably accommodate pedestrians and cyclists. Design of Maddison Lane should consider guidance in Policy 4.8.3.

**3.4.3. Chandler Street:** Complete a continuous cycling route (as a shared road facility) and pedestrian route between the Ecole Margaret Jenkins School and Sir James Douglas School. Add wayfinding. Evaluate the need for other improvements for pedestrian and cyclist safety and comfort. Assess the need for a crossing improvement at the Chandler Street and Foul Bay Road intersection.

**3.4.4. Richardson Street:** Build a shared road All Ages and Abilities route. Evaluate road conditions for improvements for

pedestrian and cyclist safety and comfort at major intersections, sidewalk completion, and reduced speeds along the corridor.

**3.4.5. Fairfield Road between St. Charles Street and Foul Bay Road:** Evaluate road conditions for improvements for pedestrians and cyclist comfort and safety, including intersection visibility and crossings. Key locations with community safety concerns include Fairfield Road at Richmond Avenue, Fairfield Road at Lillian Street/ Wildwood Avenue, Fairfield Road at St. Charles Street, and the area in front of Ecole Margaret Jenkins School.

**3.4.6. St. Charles Street between Richardson Street and Fairfield Road:** Evaluate road conditions for improvements for pedestrian and cyclists comfort and safety, including visibility, crossings, vehicle speed and intersection improvements.

**3.4.7. Crescent Road and Hollywood Crescent:** Improve cycling facilities and wayfinding as part of the construction of waterfront All Ages and Abilities Route from James Bay to Fairfield.

**3.4.8. Entrance to Gonzales Beach Park:** Improve pedestrian access to Gonzales Beach Park along Ross Street, Robertson Street and Crescent Street. Assess the need for crossing improvements at Richmond Avenue and Crescent Road, Robertson Street and Crescent Road, and/or Beechwood Avenue and Ross Street. Add end-of-trip facilities for cyclists.

**3.4.9. Quamichan Street at Maddison Street:** Assess the need for a crossing improvement, considering pedestrian traffic generated by nearby schools.

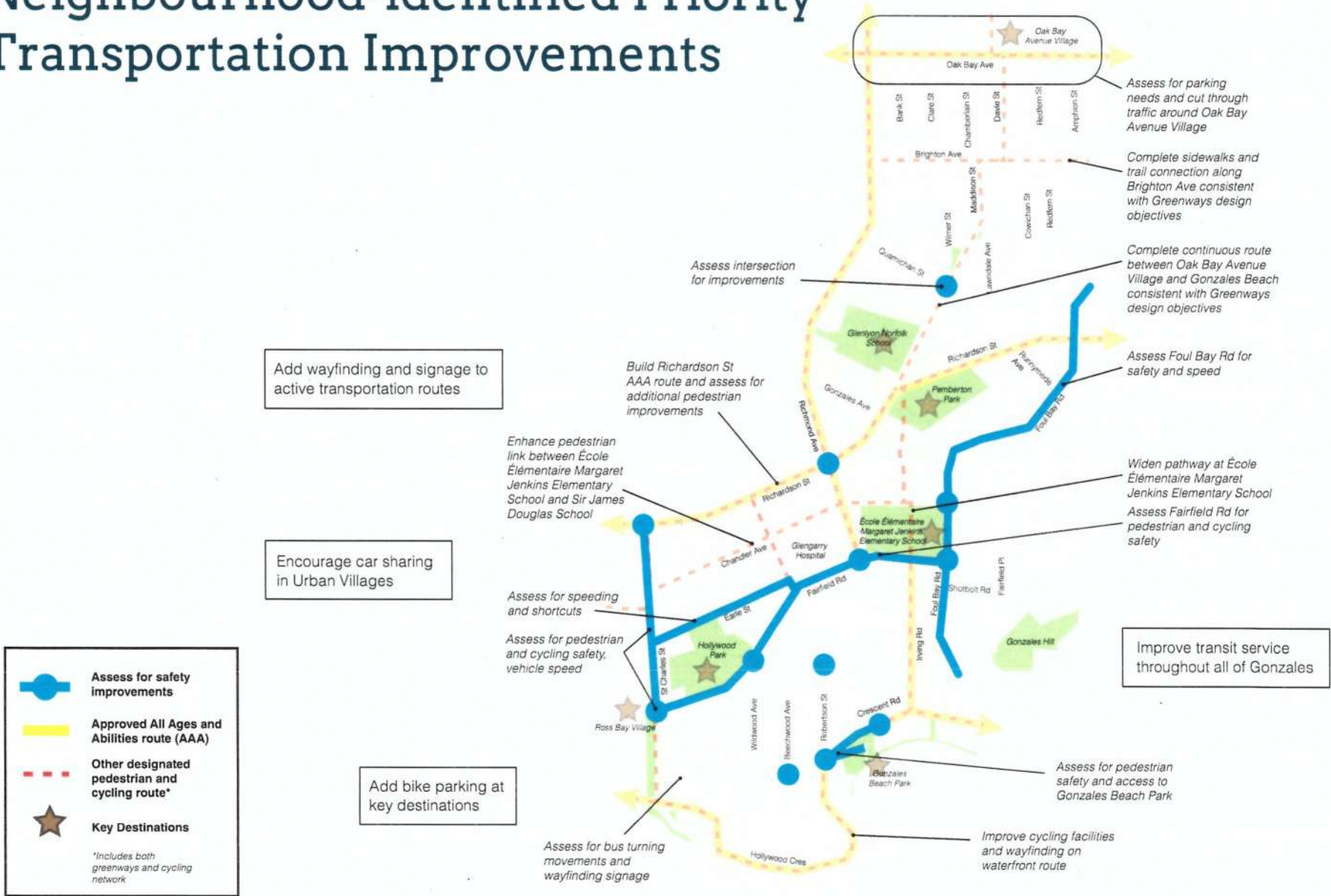


**3.4.10. Ross Street/St. Charles Street/Hollywood Crescent:** Assess vehicle classification, volume and speed on Ross Street and Hollywood Crescent. Improve wayfinding signage for tour buses. Evaluate intersection of St. Charles Street and Ross Street for turning movements.

**3.4.11. Fairfield Road/Earle Street to Richardson Street:** Through redevelopment, establish a new north-south mid-block trail connection from Richardson Street to Fairfield Road/Earle Street.



# Neighbourhood-identified Priority Transportation Improvements



Map 3: Summary of Neighbourhood-identified Priority Transportation Improvements

# Traffic Management

**Intent:**

Manage traffic to improve safety and neighbourhood livability.

### 3.5. Road Network

- 3.5.1. Design and manage the road network to direct through traffic to arterial and collector routes, and to discourage cut through traffic on local roads.
- 3.5.2. Street classification shall comply with the Official Community Plan, or other guidelines for street standards as approved by Council.
- 3.5.3. By way of development approvals, continue to require and negotiate space and rights- of-way to achieve City standards for arterials, secondary arterials, collector roads, local roads, All Ages and Abilities routes and other active transportation routes.

### 3.6. Neighbourhood-identified Priority Traffic Management Improvements

- 3.6.1. Residential Streets South of Oak Bay Avenue Village:** Evaluate road conditions for speeding traffic, short-cutting and other community concerns as part of Oak Bay Avenue Village plan.
- 3.6.2. Foul Bay Road at Quixote Lane:** Add signage to indicate hidden intersection
- 3.6.3. Earle Street:** Evaluate road conditions for speeding traffic and short-cutting.
- 3.6.4. Lillian Road at Robertson Street:** Evaluate safety of intersection.
- 3.6.5. Enforcement:** Encourage Victoria Police department to focus enforcement activities to slow down traffic and encourage vehicle driver and cyclist compliance with stop signs and crossings at the following locations:
  - a. Foul Bay Road between McNeill Avenue and Crescent Road
  - b. Ross Street/ Crescent Road between St. Charles and Richmond Avenue
  - c. St. Charles Street between Fairfield Road and Richardson Street
  - d. Fairfield Road (between St. Charles Street and Foul Bay Road)
  - e. Richardson Street at Richmond Avenue

# Transportation and Mobility

## Transit Network

### Intent:

Improve public transit servicing and connectivity to other parts of the city.

### 3.7. Transit Network

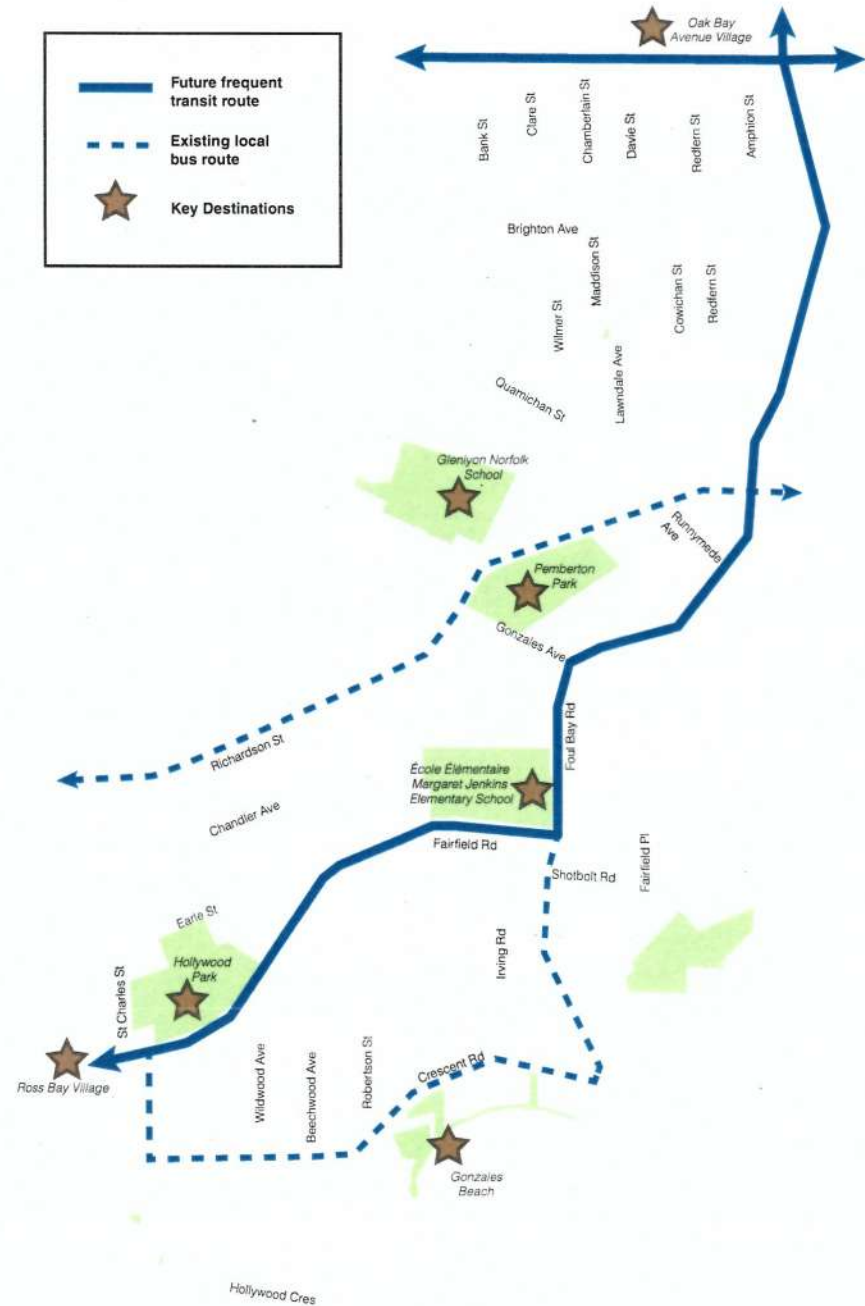
3.7.1. Maintain transit routes as shown on Map 4: Neighbourhood Transit Network.

3.7.2. Work with BC Transit to improve transit services to north and central Gonzales with more frequent and extended hours of service, and more direct route connections between James Bay and Oak Bay.

3.7.3. Improve passenger waiting areas at transit stops with shelters, benches, lighting and bicycle parking along frequent transit routes on Fairfield Road and Foul Bay Road, as part of City-wide bus shelter improvement planning.

### 3.8. Priority Transit Improvements

3.8.1. Discuss improvements to transit services and facilities in Gonzales with BC Transit.



Map 4: Neighbourhood Transit Network



# Parking

**Intent:**

Manage parking to support business vitality and housing affordability.

### 3.9. Vehicle Parking Management

3.9.1. Ensure a sufficient combination of on-street and off-street parking around village centres to support business vitality while working towards the long-term goal of reducing car dependency of urban villages.

3.9.2. Periodically review parking needs around village centres and explore new approaches to parking management, as required.

3.9.3. Encourage businesses and institutions in the neighbourhood to make their on-site parking available, when it is not required, to meet the needs of other properties.

3.9.4. During the development process, consider reductions in parking for multi-unit housing to support greater housing affordability (see 5.8.5).

### 3.10. Bicycle Parking Management

3.10.1. Prioritize end-of-trip cycling facilities such as secure and weather-protected bike parking at neighbourhood destinations including urban villages, neighbourhood parks and Gonzales Beach.

### 3.11. Car Sharing and Low-Carbon Vehicles

3.11.1. Make at least one on-street location available for car sharing in or near each large and small urban village, to reduce single vehicle dependency.

3.11.2. Partner with private industry to provide electric-vehicle charging locations in Oak Bay Avenue Village, such as retail locations, existing parking lots and under-utilized land.

### 3.12. Priority Parking Improvements

3.12.1. Assess on-street parking needs for business and residents and recommend management strategies as warranted during Oak Bay Avenue Village planning.



# 4. Parks, Open Space and Urban Forest



## Goals

1. Enhance parks as public gathering places for the neighbourhood
2. Refresh park facilities to attract diverse ages and activities
3. Improve waterfront access and visitor facilities at Gonzales Beach
4. Maintain and enhance the urban forest and native ecosystems
5. Protect and restore coastal ecosystems
6. Use public lands to help adapt to climate change

## Other Relevant Policies & Bylaws

- Official Community Plan
- Parks and Open Space Master Plan
- Greenways Plan
- Urban Forest Master Plan
- Park Management and Improvement Plans
- Tree Preservation Bylaw

There is a desire for public places in Gonzales where residents can gather and connect with each other, year-round. Without the plazas or hardscaped areas of more urban neighbourhoods, there is an opportunity to look at new design and facilities in Gonzales parks that encourage parks as outdoor neighbourhood "living rooms". Features such as picnic areas, clustered benches, and playful public art can be integrated into the Gonzales neighbourhood fabric to add interest, mark special places, provide moments of rest, and connect neighbours.

The urban forest provides important ecosystem services such as cleaner air and water, habitat for wildlife and improved rainwater absorption and gives Gonzales its character and sense of place. Gonzales makes an important contribution to the city's tree canopy including coastal bluff ecosystems and significant areas of native Garry Oak, especially in the Queen Anne Heights, Lower Foul Bay Road and Gonzales Hill areas. The plan aims to retain and increase urban forest on both private and public lands, through restoration efforts, replanting and development practices.





Gonzales Hill Regional Park



Hollywood Park



Gonzales Beach Park



Gonzales Beach



Maddison Green



Gonzales Beach is important habitat for Bufflehead Ducks



Pemberton Park



Hollywood Park



École Élémentaire Margaret Jenkins Elementary School

# Parks, Open Space and Urban Forest

## Neighbourhood Parks

### Intent:

Enhance parks as public gathering places for the neighbourhood.

Refresh park facilities to attract diverse ages and activities.

Improve waterfront access and visitor facilities at Gonzales Beach Park.

### 4.1. Parks and Open Space Network

4.1.1. Engage Songhees and Esquimalt Nations to determine interest and appropriate recognition of sites of interest in parks, beaches and archaeological sites.

4.1.2. Protect and maintain the existing parks and open space network identified on Map 5: Parks and Open Space Network.

4.1.3. Design and refresh amenities in neighbourhood parks and open spaces to meet the needs of a range of ages, abilities and activities.

4.1.4. Enable neighbourhood parks to serve as "community living rooms" by adding amenities and programming that encourage social gathering, year-round.

4.1.5. Improve recreational access and visitor facilities for waterfront parks.

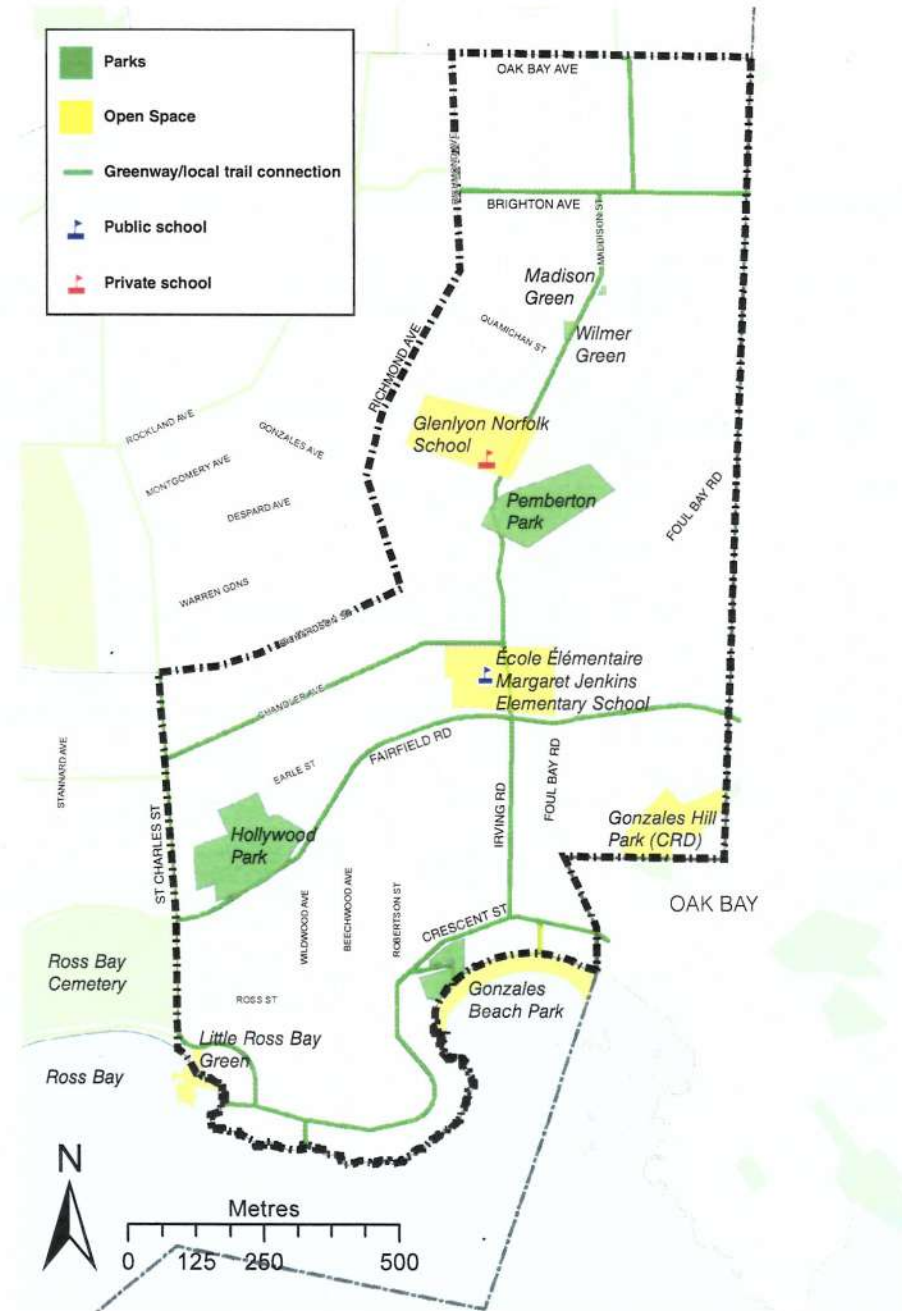
4.1.6. Continue to work with recreation service providers to offer programming in neighbourhood parks and facilities.

4.1.7. Encourage the animation of neighbourhood parks through arts and cultural installations, public events and interactive public art.

4.1.8. Improve access and create a more enjoyable experience for a wide variety of ages, abilities and travel modes to Gonzales parks through the addition of new crossings as well as accessibility and public realm improvements such as improved pathways, street trees, seating, bike racks, lighting and wayfinding.

4.1.9. Use interpretive signage in parks for educational opportunities, and to connect people to the human and natural history of the neighbourhood.

4.1.10. Support urban ecological systems, wildlife habitat and stormwater management practices in all parks, in accordance with the Parks and Open Spaces Master Plan.



Map 5: Neighbourhood Park and Open Space Network



# Park Improvements

## 4.2. Gonzales Beach Park and Access Points

4.2.1. Create a park improvement plan for Gonzales Beach and waterfront access points in collaboration with Oak Bay and Federal and Provincial partners. Improvements may include:

- a. Recognizing Gonzales beach's importance as part of the Victoria Harbour Migratory Bird Sanctuary, assess shoreline health and needs of migratory waterfowl, and recommend management strategies.
- b. Create a strategy for continued restoration of the coastal bluff vegetation.
- c. Improve ramp, stair and path access to the beach for people with mobility issues, strollers or carrying watercraft, and address drainage issues along the pathway.
- d. Enhance visitor facilities, such as upgraded washrooms, increased bicycle parking, a rinse station for washing watercraft and feet; water fountain; and relocated picnic tables.
- e. Improve wayfinding signage to Gonzales Beach for pedestrians, cyclists and vehicles.
- f. Improve pedestrian safety and comfort across Ross and Robertson Streets.
- g. Enhance the "street level" of the park and create a community gathering place that capitalizes on the views and treed, shady areas. Suggested improvements from residents include play features, bocce court, wheelchair accessible picnic tables, public art, community notice board and public barbeque facilities.

h. Consider re-orientation of parking and removal of the stub street (Ross Street) to increase park and green space.

i. Consider opportunities for other visitor amenities, including commercial uses (e.g. food service) and/or adjacent rezoning, as part of park improvement planning.

4.2.2. Update and assess erosion control and shoreline protection measures for Gonzales shoreline.

## 4.3. Hollywood Park

4.3.1. Add picnic tables and clusters of benches to encourage gathering.

4.3.2. Make improvements to sports fields, infrastructure and other amenities at Hollywood Park to improve condition, usability and accessibility (underway in 2017).

4.3.3. Explore opportunity for future allotment gardens and other food features, where residents and community organizations express an interest.

## 4.4. Pemberton Park

4.4.1. Develop a new park improvement plan to:

a. Encourage new features such as picnic tables, clustered benches, outdoor board games and other elements to encourage social gathering

b. Upgrade play opportunities for older children and/or youth. Through engagement, neighbourhood children suggested adventure play features, natural playgrounds and bicycle facilities.

c. Enhance the multi-purpose path through Pemberton Park to comfortably accommodate pedestrians and cyclists

d. Protect and improve the natural areas of the park.

e. Continue to practice good stewardship and reduce maintenance requirements by planting and encouraging the growth of native vegetation, where appropriate.

f. Explore opportunities for future allotment gardens and other food features, where residents and community organizations express interest.

## 4.5. Little Ross Bay Green

4.5.1. Add clustered benches to encourage community gathering.

## 4.6. Waterfront Access Points

4.6.1. Improve wayfinding and habitat restoration at public beach accesses from Foul Bay Road to Little Ross Bay.



Harlequin Duck



# Urban Forest and Native Ecosystems

**Intent:**

Preserve and enhance Gonzales' urban forest and native ecosystems on public and private land.

## 4.7. Trees and Native Ecosystems in Public Parks

4.7.1. Identify tree replacement strategies as part of park improvement plans and other capital projects and service renewals. Select species that are resistant to climate change impacts and native species, where possible.

4.7.2. Restore and expand native ecosystems and natural areas in Pemberton Park, Gonzales Beach Park and at public waterfront access points.

4.7.3. Continue to preserve and manage Maddison Green and Wilmer Green as Garry Oak meadows.

4.7.4. Identify suitable locations for community orchards in parks and open space, where residents and community organizations express interest in stewardship agreements.

## 4.8. Boulevards and Street Trees

4.8.1. Recognize the role that boulevard and street trees play in establishing neighbourhood character and sense of place.

- a. Consider urban forest quality and diversity, consistent with the Urban Forest Master Plan, when replacing or planting street trees.
- b. Use best management practices to extend the life of street trees.
- c. Stagger the replacement of older street trees, where possible, to minimize impacts to neighbourhood character
- d. Select species that maximize urban forest benefits and have the resilience to deal with emerging climate change impacts, applying the concept of "the right tree in the right place."

4.8.2. In Small Urban Village areas, add new street trees, where possible, with adequate soil volumes as part of public realm improvements.

4.8.3. Implement improvements to Maddison Lane, such as permeable road surfacing and increased native landscaping to enhance and protect its rural ambience. Identify opportunities for stormwater management as part of underground utility upgrades.

4.8.4. Encourage driveway access to be designed to support new and existing trees on the boulevard and in front yards.





#### 4.9. Trees and Native Ecosystems on Private Lands

4.9.1. When additions to existing buildings or new buildings are proposed, consider granting variances, if required, to retain significant trees, landscape or native ecosystem features.

4.9.2. During the development process, encourage property owners in Queen Anne Heights/Foul Bay Road/Gonzales Hill area to register covenants protecting significant trees and other natural features. Where possible, encourage the protection of groups of trees and native understorey.

4.9.3. Support the retention of the tree canopy, native ecosystems and large open spaces on private property in the Queen Anne Heights/Foul Bay Road/ Gonzales Hill area through housing policies outlined in sections 5.3 and 5.5.

4.9.4. Encourage the owners of property on Gonzales Hill to preserve Garry Oak meadows and other natural features.

4.9.5. Encourage institutions, including School District 61 and Island Health, to plant trees and restore native ecosystems.

4.9.6. Develop pilot projects in Gonzales through the implementation of the Urban Forest Master Plan to increase tree canopy on private property, such as providing free or subsidized trees for homeowners.

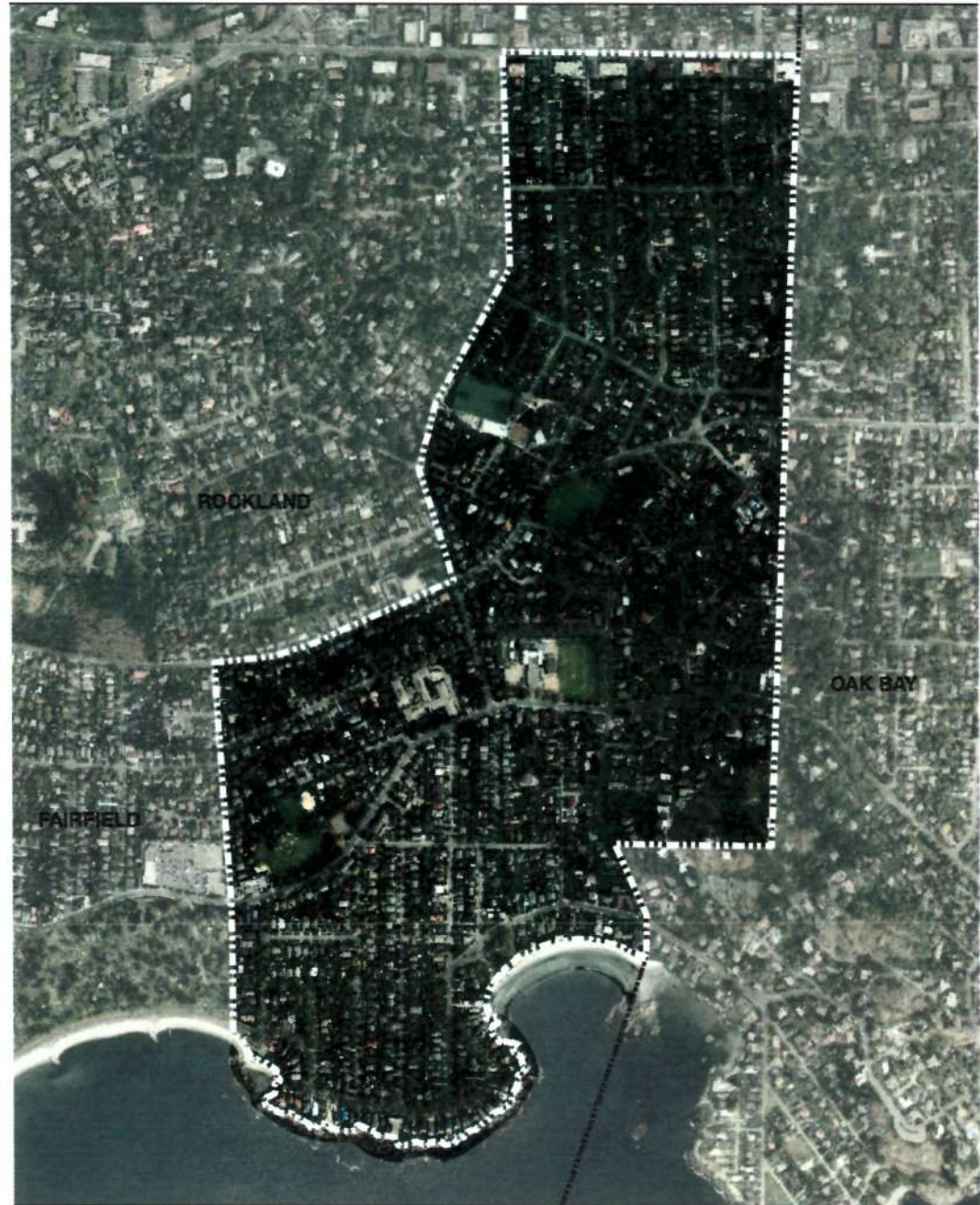


Figure 1: Gonzales tree canopy

## Coastal Restoration

**Intent:**

Protect and restore coastal ecosystems

### 4.10. Coastal Restoration:

4.10.1. Through the development process, encourage private landowners to retain and enhance coastal bluff ecosystem along the Gonzales Bay and Ross Bay shoreline, particularly within 15 metres of the high tide mark.

4.10.2. Through the development process, strongly discourage the installation of hard structural shore protection measures (e.g., riprap structures, lock block walls, concrete walls) to address shoreline erosion. Instead, the use of non-structural options is preferred, such as bio-engineering techniques, locating new buildings/structures farther from the shoreline, or installing on-site drainage improvements.

4.10.3. Develop management strategies to address the needs of migratory waterfowl at Gonzales Beach Park, located within the Victoria Harbour Migratory Bird sanctuary.

4.10.4. Develop management strategies for restoration of coastal bluffs in Gonzales Beach Park and other waterfront access points through park improvement plans, and as opportunities arise.

## Adapting to Climate Change

**Intent:**

Use public lands to help adapt to climate change

### 4.11. Climate Change Adaptation and Mitigation

4.11.1. On public lands, use vegetation to shade impervious areas and buildings to reduce heat island effect.

4.11.2. Identify plants and ecosystems vulnerable to climate change and development management strategies to mitigate impacts, through implementation of the City's Parks and Open Space Master Plan.

4.11.3. As part of the park improvement planning for Gonzales Beach Park and waterfront access points, identify vulnerabilities to climate change impacts and develop mitigation strategies.





# 5. Housing



## Goals

1. Encourage more housing diversity while maintaining the low-rise character of the neighbourhood and streets
2. Create opportunities for more affordable ownership
3. Create rental housing attractive for long-term residents
4. Encourage new housing attractive to families with children
5. Protect historic homes
6. Retain the urban forest and historic character in Queen Anne Heights/Lower Foul Bay/Gonzales Hill areas

Gonzales is characterized by its tree-lined residential streets, historic homes, landscaped front yards and generous backyards. While it appears to be mainly a single family neighbourhood in character, there are many secondary suites, heritage conversions and some garden suites. Duplexes, small apartment buildings and some townhouses add to Gonzales' housing mix. Most of the neighbourhood is designated as a Traditional Residential area, with the exception of Oak Bay Avenue Village and small commercial areas along Fairfield Road.

Gonzales has a significant population over the age of 65, as well as a high proportion of families with children living at home. The majority of residents own their home and there is a lower proportion of renters compared to the rest of the City. The need for infill development, renovation and replacement of housing are likely to continue, and the design and fit of new and old is an important neighbourhood concern.

This plan supports a mix of housing options for people of different income levels and household sizes and more choice for people to stay in the neighbourhood as they age. It encourages different ground-oriented housing options that fit into the neighbourhood's existing scale and character. This includes family-friendly townhouses and rowhouses in different parts of Gonzales, and low-rise multi-unit buildings near transit and urban villages on Fairfield Road. Housing options are intended to increase the supply and diversity of quality rental housing and make home ownership more affordable through expanded "mortgage-helping" suites. New housing is intended to complement the existing character of Gonzales through features such as generous open space in front and rear yards, and building design that encourages neighbourliness.

## Other Relevant Policies & Bylaws

Several City-wide policies guide our priorities for housing diversity at the neighbourhood level:

- Official Community Plan
- Victoria Housing Strategy
- Rental Retention Strategy (upcoming)
- Design Guidelines
- Urban Forest Master Plan

While these approaches can increase the choice of housing and help meet housing need, affordable housing (defined as housing that costs no more than 30% of a household's gross annual income) for people with modest incomes will continue to rely on the support of or partnership with non-profit societies or government.

While diverse housing options are encouraged for most of the neighbourhood, this should be tempered in the Queen Anne Heights, Foul Bay Road and Gonzales Hill areas. These areas are characterized by large lots and significant Garry Oak meadows and other trees. Because of the significant contribution that this area makes to the tree canopy in both Gonzales and the whole city, retaining the surrounding trees and terrestrial ecosystems is a priority. Future housing in this area should intensify the existing buildings or footprint, rather than expanding into open space.







## Housing

# Principles for Housing in Traditional Residential Areas

Housing within the Traditional Residential areas is intended to provide a range of ground-oriented forms of housing supporting ownership and rental opportunities for different household sizes.



### 5.1. Guiding Principles for Housing in Traditional Residential Areas:

- 5.1.1. Maintain neighbourhood character of green, landscaped front and back yards with tree-lined streets.
- 5.1.2. Provide new housing attractive to a wide variety of people including families with children.
- 5.1.3. Provide opportunities for more affordable home ownership.
- 5.1.4. Provide more quality rental opportunities for a range of household sizes and types.

5.1.5. Support livability and access to outdoor space.

5.1.6. In the Queen Anne Heights/ Foul Bay Road/ Gonzales Hill areas, retaining tree canopy and open space is a priority.

5.1.7. Encourage new development to complement historic buildings and streets.

## Housing

# Traditional Residential Housing Sub-Areas

Within its Traditional Residential areas, Gonzales contains a wide variety of lot sizes, configurations, topography and varying proximity to amenities such as transit, parks and commercial areas. Based on these conditions, Gonzales can be divided into three general sub-areas. Different conditions support different types of housing appropriate to each of these sub-areas.

### 5.2. Traditional Residential Area 1: Fairfield Road Corridor

#### Intent:

Create a mix of housing options attractive for rental and ownership for a range of income levels and household types including singles, couples, seniors and young families. Increase the number of residents living on Fairfield Road to support frequent transit and retail businesses in the urban villages.

#### 5.2.1. Appropriate housing and other uses types in this area include:

- Low rise apartment building up to three storeys
- Townhouses in one row or more than one row (see Section 5.8)
- House conversion (of heritage house to multiple units)
- Triplex
- Duplex + secondary suite
- Single detached house + two secondary suites (with heritage designation)
- Single detached house + secondary suite + garden suite (with heritage designation)

### 5.3. Traditional Residential Area 2: Queen Anne Heights/ Foul Bay Road/ Gonzales Hill Areas:

#### Intent:

Support housing forms and siting in the Queen Anne Heights/ Foul Bay Road/ Gonzales Hill areas in order to protect natural areas and the tree canopy. Maintain the historic, green, large lot character of these areas. Support heritage conservation.

#### 5.3.1. Appropriate housing types in this area include:

- House conversion (of heritage house to multiple units)
- Triplex
- Duplex
- Duplex + secondary suites
- Single detached house + secondary suite
- Single detached house + garden suite
- Single detached house + two secondary suites (with heritage designation)
- Single detached house + secondary suite + garden suite (with heritage designation)
- Single detached house
- Other forms of ground-oriented attached housing such as townhouse that generally fall within previously disturbed areas and meet the policies in Section 5.5. may be considered.
- Further panhandle or small lot subdivision is not supported in these areas.



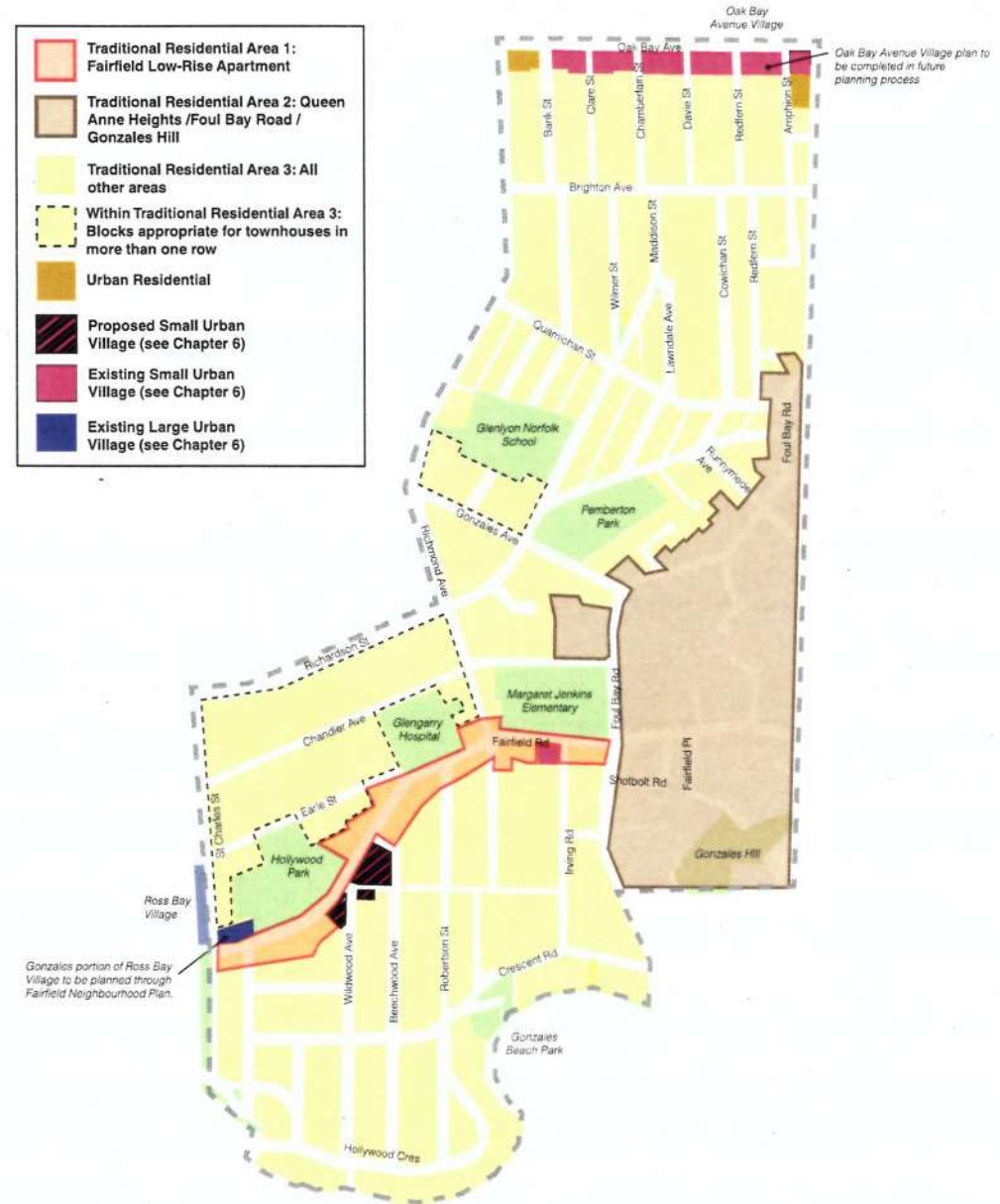
## 5.4. Traditional Residential Area 3: All Other Areas

### Intent:

Expand options for diverse ground-oriented housing, including units attractive for families with children, while being compatible with the neighbourhood.

5.4.1. Appropriate housing types in this area include:

- Townhouses (Townhouses in more than one row in limited areas; see Section 5.8)
- House conversion (of heritage house to multiple units)
- Triplex
- Duplex
- Duplex + secondary suites
- Small lot house
- Small lot house + secondary suite
- Single detached house + secondary suite
- Single detached house + garden suite
- Single detached house
- Single detached house + two secondary suites (with heritage designation)
- Single detached house + secondary suite + garden suite (with heritage designation)
- Panhandle lot subdivision is generally not supported in these areas.



Map 6: Traditional Residential Housing Sub-Areas

## 5.5. Land Use Policies for Traditional Residential Area 2: Queen Anne Heights/ Foul Bay Road/Gonzales Hill

The following policies are intended to guide land development in these areas to support the intent in Section 5.3, and should be considered in conjunction with design guidelines developed pursuant to this plan.

- 5.5.1. Encourage thoughtful site planning to minimize disturbance to open space and the tree canopy.
- 5.5.2. Encourage new housing development to meet the relevant objectives for Traditional Residential Housing Types in this chapter. Where there is conflict between these objectives and the protection of natural areas, site planning should prioritize the protection of natural areas.
- 5.5.3. Support the conversion of existing buildings to multiple unit buildings (two or more units) as an alternative to the subdivision of large lots or to small lot rezonings.
- 5.5.4. Support rezonings for residential uses where retention of the urban forest on the site is maximized, such as conversion of existing building with careful additions or new buildings generally within the footprint of the existing building or previously disturbed area (eg. existing parking lot, tennis court, etc.).
- 5.5.5. For new developments, encourage property owners to register natural area covenants protecting trees, native ecosystems and landscape features.
- 5.5.6. Small lot house rezoning applications are not supported in this area.
- 5.5.7. The existing panhandle lot policies notwithstanding, new panhandle lot subdivisions and further fragmentation of existing panhandle lots into fee-simple or strata lots are not supported in the Queen Anne Heights/ Foul Bay/ Gonzales Hill area. City regulations should be updated to reflect this policy.
- 5.5.8. Subdivision into standard-sized (ie. R1-G) lots may be considered if the policies of Section 5.5 are achieved. Development Permit Area guidelines should be updated to implement this policy.
- 5.5.9. Support the conservation and designation of houses of heritage merit, including sensitive rehabilitation and careful additions.

## 5.6. Policies for Waterfront Properties

- 5.6.1. Townhouses and rowhouses are not supported on waterfront lots.
- 5.6.2. Subdivision into panhandle lots or small lots will not be supported on waterfront lots.
- 5.6.3. Design that retains views of the water between buildings from public streets and lands is encouraged.
- 5.6.4. With any rezoning which adds density, respect the Urban Form and Character Objectives for Infill Development (5.12) of this plan.
- 5.6.5. Adopt city-wide guidance for future development consistent with provincial guidance on sea level rise.



## Housing

# Traditional Residential Housing Types

This section describes the desirable characteristics for types of housing appropriate within the Traditional Residential Areas in Gonzales. This is not meant to be an exhaustive or prescriptive list, and creativity in design and site layout is encouraged, while respecting the intent and appropriate design guidelines.



Local example of a small apartment building

### 5.7. Small Apartment Buildings

#### Intent:

To provide opportunities for additional multi-unit living along a transit corridor in close proximity to existing urban villages.

**5.7.1. Locations:** Along Fairfield Road between St. Charles Street and Foul Bay Road

**5.7.2. Density:** 1.0 FSR

**5.7.3. Height:** Multi-unit residential buildings up to three storeys in height.

**5.7.4. Properties of Heritage Merit:** Where a house which is protected by heritage designation, listed on the City's Heritage Register, or is considered to have heritage value, see Section 7.3, Adaptive Reuse of Properties of Heritage Merit, for further policies.



Figure 2: Illustrative example of a street facing rowhouse, showing private driveway, and private frontyard and backyard.

### 5.8. Rowhouses and Townhouses

#### Intent:

To provide more housing options for residents seeking ground-oriented housing units with access to on-site open space, as an alternative to single detached homes.

#### 5.8.1. Locations:

a. Townhouses in a single row are supported throughout the neighbourhood

b. Townhouse in more than one row are supported in the following areas:

- i. in lots fronting onto Fairfield Road
- ii. In the blocks bounded by Fairfield Road, Richmond Avenue, Richardson Street, and St. Charles Street
- iii. in the blocks bounded by Gonzales Avenue, Maddison Street, Glenlyon Norfolk School, and Richmond Avenue



Figure 3: Illustrative example of street-facing townhouses, showing shared driveway and parking access.

#### 5.8.2. Site Requirements:

a. Townhouses in a single row with parking accessed from in front of individual units are supported on lots with a minimum width of 23 metres (75 ft). Row /townhouses with parking accessed from a rear lane or side are supported on narrower lots.

b. Townhouses in more than one row are supported on lots with a minimum width of 30m (approx. 100 ft) and a minimum depth of 42 metres (approx. 137 ft) within the areas identified in 5.8.1.b. Consolidation of lots is supported to encourage good quality design for livability and open space.

c. Variations on these criteria may be supported on lots of varying dimensions provided they meet all desired form and character objectives.



## Housing

# Traditional Residential Housing Types (cont'd)

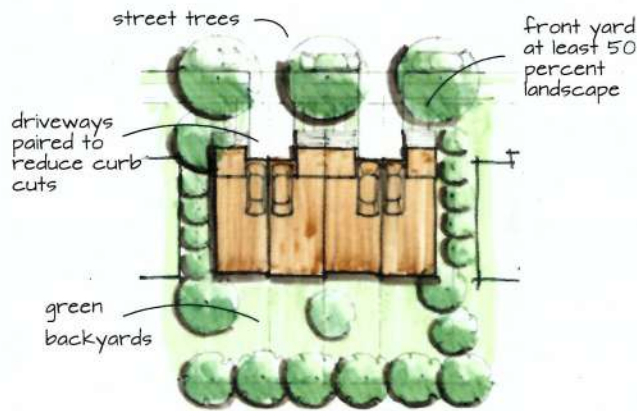


Figure 4: Illustrative example of street-fronting rowhouses showing front, rear and side setbacks that complement the development pattern of other houses on the street.

### 5.8.3. Density:

a. Up to approximately 0.75 floor space ratio (may be varied where below-grade habitable space is not included in a development, or for larger assembled lots whose site layout accommodates sufficient landscaped open spaces and setbacks.

b. On Fairfield Road between St. Charles Street and Foul Bay Road: Up to 1.0 floor space ratio.

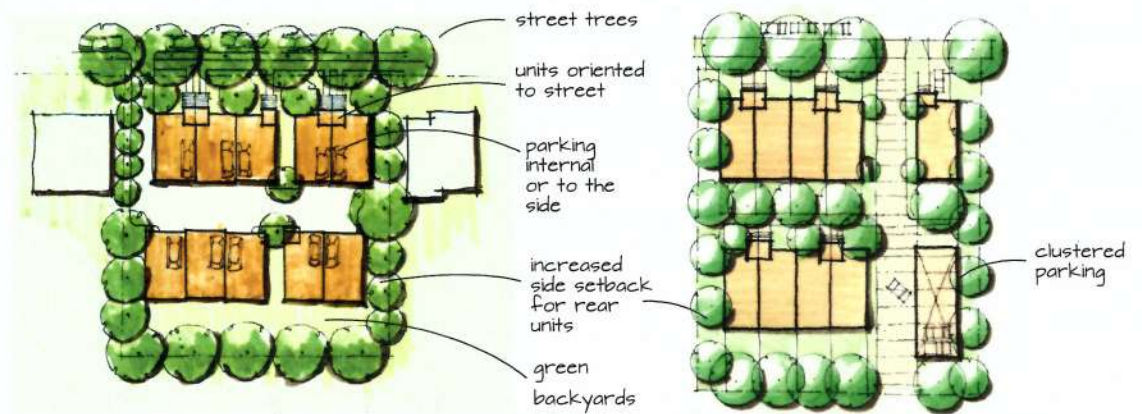


Figure 5: Illustrative examples of townhouses in two rows on a consolidation of two lots. Front, rear and side setbacks complement the development pattern of other homes on the street. Side setbacks for rear units are more generous to respect adjacent yards and buildings. At right, separation of parking from units can improve the relationship of units to open space and reduce the amount of the site designed around car movement.

### 5.8.4. Height:

a. 2 storeys where no habitable basement is present; or, 1 ½ storeys above a habitable basement, consistent with Gonzales residential zoning. Where the height of the buildings in the surrounding area exceed two storeys, additional height up to 2 ½ storeys may be considered if compatible with immediate neighbours.

b. On Fairfield Road west of Foul Bay Road, up to 3 storeys.

**5.8.5. Parking:** Consider the reduction of on-site parking requirements to support quality site plans and unit livability, based on proximity to services and transit, and the availability of on-street parking.

**5.8.6. Properties of Heritage Merit:** Where a house which is protected by heritage designation, listed on the City's Heritage Register, or is considered to have heritage value, see Section 7.3., Adaptive Reuse of Properties of Heritage Merit, for further policies.



## Housing

# Traditional Residential Housing Types (cont'd)



Figure 6: Illustrative example of a duplex, with or without suite

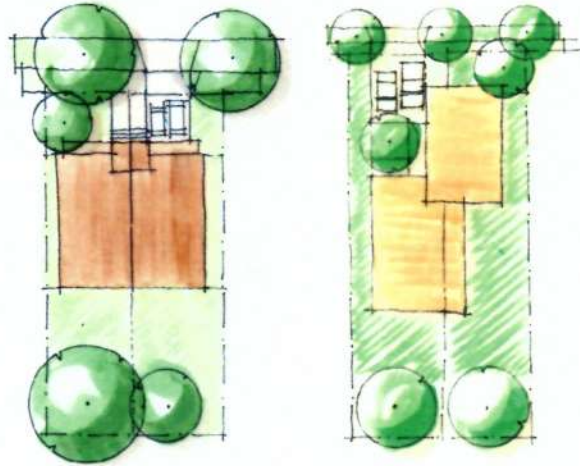


Figure 7: Illustrative examples of duplex units sited on a 15m wide lot to establish a façade fronting the street, maintain front and rear yard green space, support the urban forest, and minimize the prominence of parking and vehicle circulation on the site.

### 5.9. Duplexes and Triplexes

#### Intent:

Support more intensive forms of ground-oriented housing that are compatible with the single family character of the neighbourhood.

**5.9.1. Locations:** Triplexes, duplexes, and duplexes with secondary suites are supported throughout Gonzales in accordance with site requirements.

#### 5.9.2. Site requirements:

a. Current *Neighbourliness Guidelines for Duplexes* notwithstanding, duplexes without suites are supported on lots of at least 460m<sup>2</sup> (5000 sq ft) in area and 15 metres in width.

b. Duplexes with suites are supported on lots of at least 555 m<sup>2</sup> (6000 sq ft) in area and 18 metres in width (for interior block lots) or 15 metres in width (for lots with two frontages, including corner lots and those with laneway access).

c. Triplexes are supported on lots with more than one frontage (including corner lots), of at least 555m<sup>2</sup> (6000 sq ft) and 18m width. These lot locations allow more flexibility for site designs to minimize pavement for on-site parking and vehicle circulation.

d. Development permit guidelines for duplexes will be updated to address duplexes on 15m wide lots and duplexes with suites, incorporating direction in 5.12, Urban Form and Character Objectives for Infill Development.

**5.9.3. Density:** Up to approximately 0.65:1 floor space ratio, limited by maximum building size consistent with zoning.

**5.9.4. Height:** 2 storeys where no habitable basement is present; or, 1 ½ storeys above a habitable basement, consistent with Gonzales residential zoning. Where the height of the buildings in the surrounding area exceed two storeys, additional height up to 2 ½ storeys may be considered if compatible with immediate neighbours.

**5.9.5. Properties of Heritage Merit:** Where a house which is protected by heritage designation, listed on the City's Heritage Register, or is considered to have heritage value, see Section 7.3., Adaptive Reuse of Properties of Heritage Merit, for further policies.

## Housing

# Traditional Residential Housing Types (cont'd)



Figure 8: Illustrative example of a small lot house

### 5.10. Small Lot House

#### Intent:

Support small lot homes to add compatible density, expand rental housing options and provide more diverse homeownership opportunities.

5.10.1. Small lot homes are supported consistent with the Small Lot Home Rezoning Policy, with the following exceptions:

- a. Small lot homes are supported on lots of at least 300m<sup>2</sup> in area
- b. Small lot homes in Gonzales neighbourhood may have a secondary suite.



Figure 9: Illustrative example of a heritage home converted into multiple housing units

### 5.11. Heritage Conservation and Retention

#### Intent:

Support the heritage designation of buildings of heritage merit by allowing innovative housing types that provide additional density and revenue opportunities to offset the cost of maintaining heritage buildings.

For policies, see Adaptive Reuse of Properties of Heritage Merit Section 7.2.

### 5.12. Housing Affordability

5.12.1. Encourage new housing initiatives that partner with other levels of government, agencies, private industry, community organizations and individuals to leverage expertise and resources.

5.12.2. Support private sector and community organizations to support and pilot innovative approaches that facilitate more affordable rental and ownership housing in Gonzales, such as alternative financing, community land trusts and innovative housing forms.



## Housing

# Urban Form and Character Objectives for Infill Development

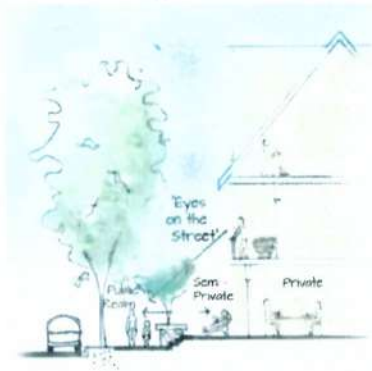


Figure 10. Front yard open space delineated yet visible from the public realm.



Figure 11. Example of duplex with legible front entries.

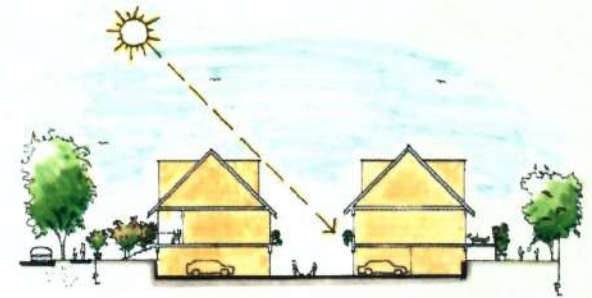


Figure 12. Cross section of a townhouse development, showing internal building separation.

The following objectives should inform the creation of zoning and design guidelines for infill development of two or more units in the Traditional Residential areas:

### 5.13. Urban Form and Character Objectives

- 5.13.1. To achieve street-fronting buildings that present a friendly face to the street.
- 5.13.2. To encourage design strategies that delineate private front-yard spaces from the public sidewalk while maintaining visibility of housing units
- 5.13.3. To site buildings in a manner which maintains Gonzales' pattern of green front yards, tree-lined streets, generous back yards, adequate separation between houses and respect for privacy and sunlight.
- 5.13.4. To encourage site planning which results in rear yards not dominated by parking.

- 5.13.5. To soften the appearance of and reduce runoff from driveways and parking areas
- 5.13.6. To encourage the conservation and adaptive reuse of heritage properties by supporting variations to form and siting.
- 5.13.7. To minimize impact of parking and vehicle circulation on the rear yard, by supporting front- and side-yard parking.
- 5.13.8. To site main buildings in the front of the lot, thereby supporting open space, landscape and accessory buildings in the rear.
- 5.13.9. To design driveway access to support canopied trees in the boulevard and front yard.

- 5.13.10. For the design and site planning of townhouses: to encourage a front row of townhouses facing the street; to discourage townhouses oriented perpendicular to the street; to provide for outdoor space; and to respect privacy where townhomes are oriented to the side lot line.
- 5.13.11. To encourage design and site planning that supports access to sunlight for living spaces and outdoor spaces.
- 5.13.12. To design parking areas to support pedestrian comfort, access to sunlight, and attractive entries to housing units.
- 5.13.13. To provide individual units with access to usable outdoor open space.

5.13.14. To support well-designed duplexes whether oriented side-by-side, front-to-back or up-down.

5.13.15. In front-to-back duplexes, to encourage designs which have legible front entries and which provide each unit with adjacent usable landscaped open space.

5.13.16. In the Queen Anne Heights/ Foul Bay Road/ Gonzales Hill area, to respect existing topography, natural features such as rock outcrops, mature trees and plantings, and historic landscapes. To retain and incorporate existing and natural landscape features, as much as possible, in any proposed development.

5.13.17. To consider, through a future city-wide initiative, additional guidelines for minimizing stormwater runoff.

e. Rear setback for multi-unit development along Fairfield Road: 9 metres

f. Rear setback for townhouses in more than one row: 9 metres

g. Rear setback for all other forms: Greater of 9 metres or 30% of lot depth

5.14.2. Update the *Zoning Regulation Bylaw* so that single detached homes on panhandle lots and small lots in Gonzales cannot exceed the maximum size permitted on standard lots.

#### 5.14. Considerations for Zoning

5.14.1. In order to support the Urban Form and Character Objectives for Infill Housing (5.12), consider the following recommended setbacks in developing zoning for duplexes, triplexes, rowhouses and townhouses:

a. Front setback: Approximately 6 metres

b. Side setback adjacent to another lot for buildings fronting a public street: 1.5 metres

c. Side setback for buildings not fronting a public street (e.g. townhouses interior to the lot): 4 metres

d. Side setback adjacent to a flanking street or public right-of way: 3.5 metres or consistent with existing character of the surrounding area.



# 6. Urban Villages



## Goals

1. Retain and strengthen small neighbourhood commercial areas
2. Strengthen the design, retail mix and walkability of Oak Bay Avenue Village

Urban villages provide walkable shops and services, encourage a neighbourhood social life and provide different housing options. Retaining and strengthening the commercial areas in Gonzales will contribute to the vitality and viability of these locations, and add character to the neighbourhood. This plan supports the existing Small Urban Village at Fairfield and Irving, and adding a new Small Urban Village at Fairfield and Lillian/Wildwood, to reflect and strengthen the existing historic neighbourhood commercial corners here. It also supports the on-going development of the Large Urban Village along Oak Bay Avenue, which will be planned in detail in 2018, and future planning for Ross Bay Large Urban Village which straddles the border of Fairfield.

The quality of design of buildings and their relationship with the existing urban form, in terms of appropriate density, massing, and height of buildings will be a key consideration in assessing development proposals in urban villages - as will good circulation, pedestrian and cycling linkages and a high quality public realm.

## Other Relevant Policies & Bylaws

City-wide policies and guidelines inform how we identify and plan for current and future urban villages:

- Official Community Plan
- Design guidelines

## Urban Villages

# Small Urban Villages



Figure 13. Illustrated design concept Fairfield at Irving Village

### 6.1. Fairfield at Irving Village

#### Intent:

This plan supports the on-going development of the Small Urban Village at Irving Road and Fairfield Road to retain and strengthen the commercial area and provide a community focal point across from Ecole Margaret Jenkins School. New development should reinforce the primary commercial role of the area. Public realm enhancements should support business viability and community gathering.

6.1.1. Encourage a mix of residential, commercial and public service uses to enhance the primary commercial role of the village, with residential uses above commercial uses.

6.1.2. New buildings should have active, storefront-type uses built out to the street.

6.1.3. Include pedestrian-focused public realm improvements through redevelopment to encourage walkability. This may include wider sidewalks, new benches, lighting, landscaping, street trees, wayfinding and other features.

6.1.4. Locate customer parking at the rear and/or underground so as not to dominate the overall development.

6.1.5. Consider lower parking requirements to support retail businesses or heritage conservation, where requested.

6.1.6. Work with BC Transit to provide covered bus shelters and bicycle parking to support frequent transit route.





## 6.2. Fairfield at Lillian/Wildwood Village

### Intent:

This plan supports the development of a Small Urban Village at Fairfield Road, Lillian Street and Wildwood Avenue to retain and strengthen the circa 1911 historic mixed use area and provide a community focal point near parks and transit. Mixed use or residential buildings are encouraged, with sensitive transitions to the adjacent residential neighbourhood. New development is encouraged to complement and retain the modest historic commercial buildings and small groupings of worker's cottages built during the residential boom of 1908 to 1913, reflecting the extension of the streetcar.

6.2.1. Support low-rise mixed use or residential buildings up to 3 storeys in height in the Small Urban Village along Fairfield Road. Buildings south of Lillian Street should generally be limited to 2 1/2 storeys for compatibility with the surrounding neighbourhood. (Note: Some properties have existing zoning for up to 12 metres or 3-4 storeys).

6.2.2. Ground floor uses fronting Fairfield Road should be commercial, or a mix of commercial and residential. Uses fronting Lillian Street may be either commercial or residential.

6.2.3. Support the heritage designation and retention of the historic commercial building at 1702-1710 Lillian Road as a condition of rezonings which add density to this block.

6.2.4. Support the heritage designation, retention and adaptive re-use of the Montague Court townhouses as part of a rezoning and redevelopment which adds density to the site.

6.2.5. If redevelopment occurs, create a gradual transition in building massing and design for compatibility with residential properties across Beechwood Avenue and Lillian Street at Wildwood Avenue.

6.2.6. Include pedestrian-focused public realm improvements through redevelopment such as wider sidewalks, new benches, lighting, landscaping, street trees, wayfinding and other features.

6.2.7. Update zoning to encourage buildings built close to the sidewalk edge to improve the pedestrian experience.

6.2.8. Consider lower parking requirements to support viability of retail businesses or heritage conservation, where requested.

6.2.9. Refresh the existing public space at the corner of Fairfield Road and Wildwood Avenue to add features that promote informal community gathering such as benches and public art.

6.2.10. Work with BC Transit to provide covered bus shelters and bike parking to support the frequent transit route.



### 6.3. Oak Bay Avenue Village

#### Intent:

Support the long-term development of Oak Bay Avenue Village as a bustling commercial and residential area between Richmond Avenue and Foul Bay Road. Encourage a gradual transition to the surrounding neighbourhoods, and planning and land use that will support business vitality and active transportation. Detailed planning for this area will take place in 2018 as part of planning for the Fort Street and Oak Bay Avenue corridors.

- 6.3.1. Develop policies to guide rezoning applications and strategic improvements to the public realm, transportation and infrastructure.
- 6.3.2. Establish a public gathering space in Oak Bay Avenue Village.
- 6.3.3. Assess traffic and parking management needs on surrounding residential streets.
- 6.3.4. Develop pilot alignment project for an All Ages and Abilities cycling route to Oak Bay Avenue Village.

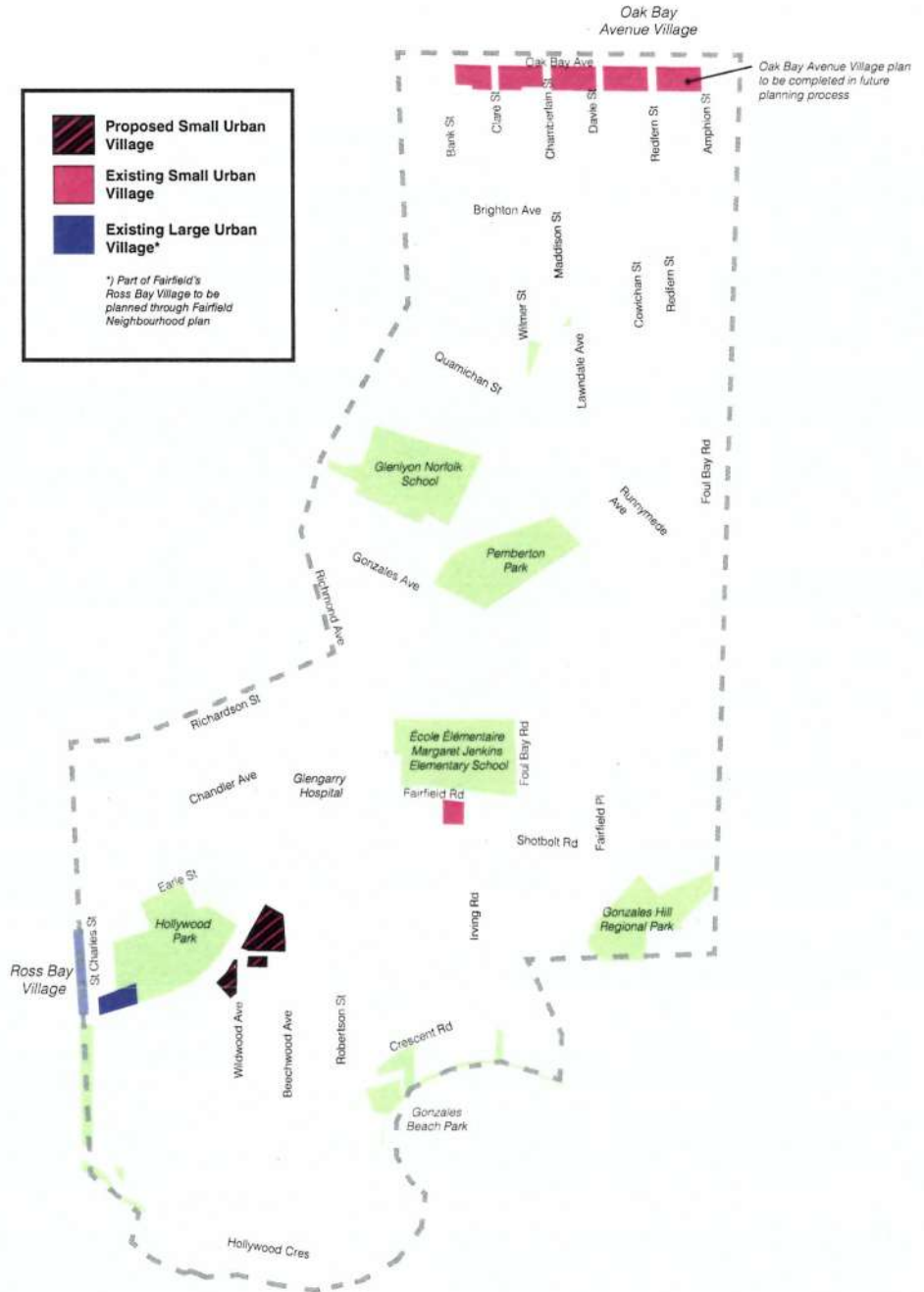
### 6.4. Ross Bay Large Urban Village

#### Intent:

Support the long-term development of a Ross Bay Village as a 3-4 storey mixed use, walkable neighbourhood hub with supportive land uses, housing forms and active transportation planning in the surrounding area. Although a portion of Ross Bay Large Urban Village is located in Gonzales, more detailed planning for this area will take place in 2017-2018 as part of the Fairfield Neighbourhood Plan.

- 6.4.1. Develop detailed guidance for the east side of St. Charles Street as part of the planning for Ross Bay Village through the development of the Fairfield Neighbourhood Plan.
- 6.4.2. Continue to encourage Gonzales residents to participate in the long-term planning and development process for the future of Ross Bay Village.





Map 7: Gonzales Urban Villages



# 7. Heritage



## Goals

1. Retain the historic character of streets, buildings and other important sites.
2. Encourage the adaptive re-use of properties of heritage merit as an incentive to promote heritage conservation.

## Other Relevant Policies & Bylaws

- Official Community Plan
- City of Victoria Heritage Register
- Heritage Bylaw

Gonzales has a rich heritage legacy, with special places of historic value to the neighbourhood. The neighbourhood plan policies will complement city-wide Heritage initiatives to maintain and strengthen that legacy.

## Heritage, cont'd.

### 7.1. Heritage Designated and Registered Properties

#### Intent:

Protect the historic character of significant buildings and important sites.

7.1.1. Encourage landowners to consider the protection of heritage resources through the designation of properties listed on the City's Register of Heritage Properties, identified on Map 8, including through the rezoning process.

7.1.2. Consider future additions of properties to the City's Register of Heritage Properties in consultation with property owners.

### 7.2. Historic Areas

#### Intent:

Recognize the special character of neighbourhood historic areas.

7.2.1. Facilitate citizen-initiated efforts to establish heritage conservation areas for areas of heritage merit in Gonzales.

7.2.2. Consider the following areas as potential candidates for future heritage conservation areas due to their heritage merit:

- The Upper and Lower Foul Bay Road area
- The Redfern Street area

7.2.3. Where a heritage conservation area is desired, work with the community and property owners to develop boundaries and area-specific guidelines.



Map 8: Heritage registered and designated properties in Gonzales



### 7.3. Adaptive Re-Use of Heritage Properties

#### Intent:

Support the heritage designation of buildings of heritage merit by allowing innovative housing types that provide additional density and revenue opportunities to offset the cost of retaining and maintaining heritage buildings.

7.3.1. Support single detached homes with a secondary suite and a garden suite, or with two secondary suites, where the house is subject to heritage designation (see Figure 14). Consider forms of housing, building massing and site layouts that support heritage conservation.

7.3.2. Encourage the retention and designation of properties of heritage merit as a condition of any rezoning that adds additional housing units as follows:

a. Where a building that is protected through heritage designation or listed on the heritage register exists, it should be retained and reused.

b. Where a building is considered to have heritage value, assessment for potential heritage merit and consideration of adaptive re-use is encouraged. (see 10.4)

7.3.3. Consider the relaxation of regulatory requirements to encourage heritage conservation (e.g. reduced parking requirements, variances to setbacks or site coverage) while encouraging development that supports the overall objectives in this plan.

7.3.4. Update the *House Conversion Regulations* to support the addition of habitable space through sensitive additions (e.g. lifting house, rear addition, or garden suite.)



Figure 14: Illustrative example of a heritage property with a secondary suite and a garden suite



Figure 15: Illustrative example of house conversion featuring three units.



# 8. Infrastructure and Green Buildings



## Other Relevant Policies & Bylaws

- Sewer Master Plan
- Water Master Plan
- Stormwater Master Plan
- Rainwater Rewards Program
- Victoria Sustainability Framework
- City Climate Leadership Strategy and 100% Renewable Energy by 2050 Commitment
- Sustainability Checklist for New Construction (to be updated in 2017)
- City-wide education and incentive programs

As a primarily residential neighbourhood, Gonzales has the opportunity to be a leader in creating a low carbon housing stock. A vital aspect to any plan is to forecast infrastructure demands and ensure proposed land use changes can be accommodated in a sustainable manner.

### Goals

1. Ensure sufficient infrastructure capacity to meet the future needs of residents and businesses.
2. Use stormwater management to restore ecological processes.
3. Encourage, promote, and facilitate the development of sustainable buildings and low carbon housing stock.

#### 8.1. Infrastructure Upgrades

##### Intent:

Ensure sufficient infrastructure capacity to meet the future needs of residents and businesses.

8.1.1. Consider the capacity of utility networks, including water distribution, sanitary sewer and storm drainage, in reviewing development applications and other land use changes.

8.1.2. Continue upgrading the underground infrastructure in the Gonzales neighbourhood as directed by City-wide master plans for water distribution, sanitary sewer and storm drainage upgrades.

#### 8.2. Stormwater Management on Public Lands

##### Intent:

Use infrastructure to mimic and restore ecological processes.

8.2.1. Continue to monitor stormwater outfalls emptying in Ross Bay and Gonzales Bay.

8.2.2. Work with property owners and institutions to identify options for mitigating stormwater impacts on sites with high impervious cover, and thereby reducing the stormwater utility costs for these properties.

8.2.3. Identify opportunities to incorporate green stormwater infrastructure or "green streets" as part of utility, active transportation and other street improvements. Potential locations include priority pedestrian and cycling routes, such as Maddison Street, and visible locations such as around urban villages.

8.2.4. Identify opportunities for stormwater management as part of public development projects or improvement on City-owned lands.



## Infrastructure and Green Buildings, cont'd.

### 8.3. Stormwater Management on Private Lands

#### Intent:

Promote stormwater management practices on private property.

8.3.1. Extend the zoning requirement for permeable driveway surfacing to all driveway and parking areas on residential properties in Gonzales to soften the green appearance and reduce surface run-off.

8.3.2. Encourage private property owners to reduce impervious surfaces, particularly along the waterfront.

8.3.3. Encourage new developments to foster rainwater infiltration through the use of absorbent landscaping, swales, rain gardens, pervious paving, green roofs, infiltration trenches, and other appropriate methods.

8.3.4. Encourage property owners to seek stormwater rebates through the City's rainwater rewards program

### 8.4. Green Buildings

#### Intent:

Encourage, promote, and facilitate the development of sustainable buildings and low carbon housing stock

8.4.1. Encourage home owners and institutions to be leaders in reducing greenhouse gas emissions from housing, by participating in City-wide programs that support:

- a. the transition from heating oil-based home heating systems to either heat pump or natural gas systems, such as through rebate programs;
- b. home energy assessments and labels for new and existing homes;
- c. green building rating systems for new homes; and
- d. other green building, sustainable design and sustainability initiatives.



# 9. Community Facilities



## Goals

1. Create more places for residents to gather
2. Create more public and private childcare and eldercare options
3. Encourage existing institutions to minimize impacts on surrounding neighbourhood

Gonzales has several existing institutions and community facilities that provide services to support the neighbourhood and wider city. These include schools, healthcare facilities and childcare providers. The plan encourages larger institutions to work collaboratively to help meet identified community needs such as facilities for community gathering, childcare and eldercare.

## Community Facilities, cont'd.

### 9.1. Neighbourhood Gathering Places

#### Intent:

Create places for residents to gather

9.4.1. Work with the School District and Fairfield Gonzales Community Association to make Ecole Margaret Jenkins School and other facilities more broadly available for community programming, sports, indoor and outdoor gathering space and expanded childcare.

9.4.2. Work with Glenlyon-Norfolk school to explore opportunities to make school facilities and playing fields more broadly available for community programming, gathering space and community recreation.

9.4.3. Look at options for improved access to indoor community gathering space and programming for Gonzales residents through city-wide recreational facilities planning.

9.4.4. Incorporate new amenities in neighbourhood parks to encourage outdoor community gathering and social life, through park improvements and management plans. See section 5.2: Park Improvements for details.

### 9.2. Childcare

#### Intent:

Create more public and private childcare and eldercare options

9.2.1. Support the retention and addition of child and youth care spaces at Ecole Margaret Jenkins School.

9.2.2. Support daycare and eldercare as a use throughout the neighbourhood in accordance with zoning and appropriate to the scale of the surrounding area. Consider reduced parking requirements where requested.

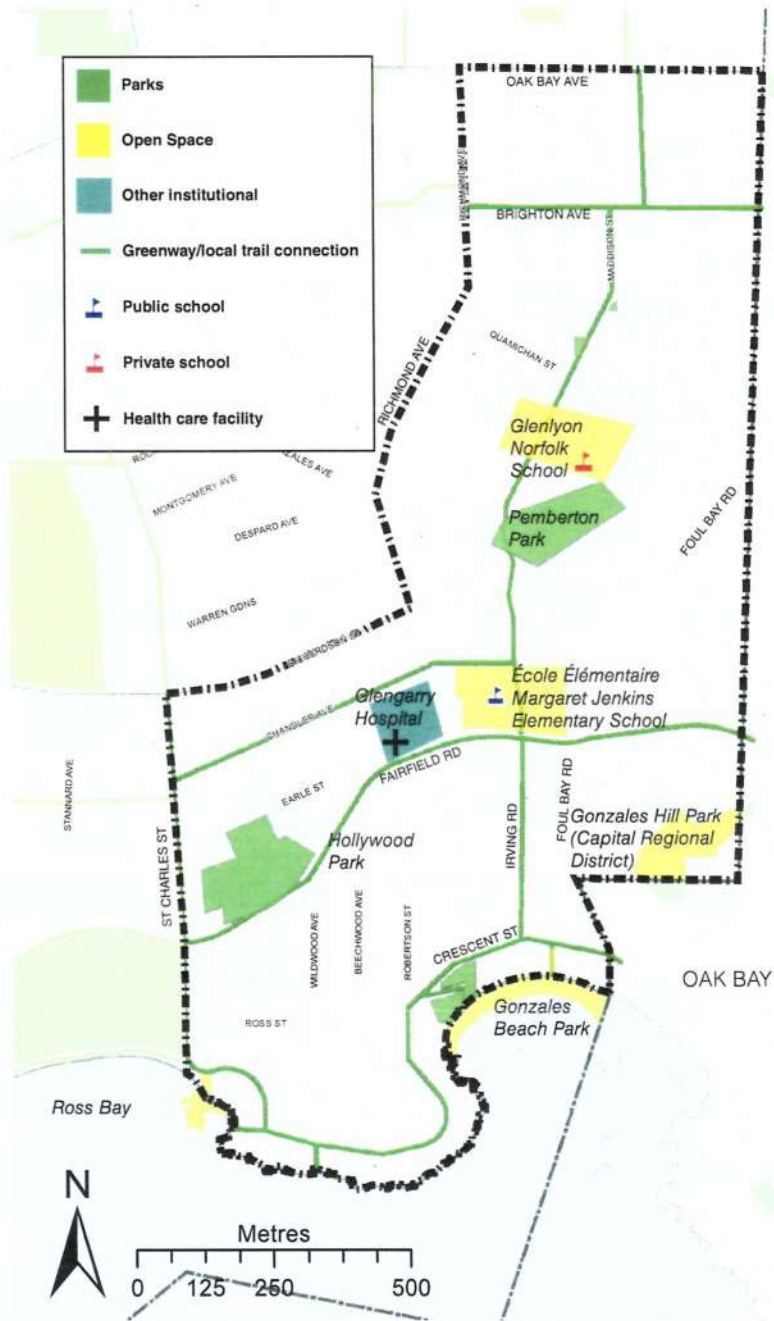
### 9.3. Neighbourhood Institutions

#### Intent:

Encourage existing institutions to minimize impacts on surrounding neighbourhood

9.3.1. Apply the Guiding Principles for Institutional Rezoning for consideration in any rezoning application in Public Facilities, Institutions, Parks and Open Space lands identified in Map 10.

- a. New proposals should detail how the application will provide community benefits and amenities, (e.g. public use of playing fields, meeting rooms, infrastructure improvements etc.).
- b. There should be a demonstrated need for the rezoning to meet an institution's anticipated needs and planning alternatives should have been explored before any application for rezoning is made (e.g. joint use of playgrounds, innovative use of existing buildings and properties)
- c. Traffic, parking and green space impacts on residential neighbours should be minimized.
- d. The loss of houses should be minimized.
- e. The landscaping and green character of the neighbourhood should be reflected in site planning and design.
- f. The residential scale and character of the neighbourhood should be reflected in site planning and design.



Map 9: Public Facilities, Institutions, Parks and Open Space





# 10. Arts, Culture and Placemaking



## Other Relevant Policies & Bylaws

- Arts and Culture Master Plan (underway – 2018)

### Goals

1. Encourage public art and placemaking that celebrate Gonzales' identity
2. Support creative entrepreneurs

A vibrant, creative and diverse community weaves arts and culture into everyday life and helps create a strong sense of place. Opportunities for creative placemaking, including temporary and permanent public art opportunities in parks and other public spaces, can celebrate Gonzales' unique identity and reinforces the neighbourhood's human and natural heritage.

## Arts, Culture & Placemaking, cont'd.

### 10.1. Neighbourhood Public Art and Placemaking

#### Intent:

Encourage art and placemaking initiatives that celebrate Gonzales' identity.

10.1.1. Engage Songhees and Esquimalt Nations to determine interest and appropriate recognition of places of interest in parks, beaches and archaeological sites.

10.1.2. Introduce public art into small urban village areas, parks and trails. Through public engagement, there was strong interest in public art that celebrates Gonzales' rich indigenous and post-settlement history, and natural history.

10.1.3. Partner with arts organizations to encourage art installations in neighbourhood public spaces, such as temporary pop-ups and artist-in-residence initiatives.

10.1.4. Establish a new public gathering place through future development in Oak Bay Avenue Village.

### 10.2. Support Creative Entrepreneurs

#### Intent:

Create/strengthen opportunities to showcase and feature neighbourhood artists and creators.

10.2.1. Through the Arts and Culture Master Plan (underway 2018), engage the arts community and non-profit groups in identifying opportunities, incentives and partnerships to create an incubator space including affordable gallery, studio and creative incubation spaces.

10.2.2. Through the Arts and Culture Master Plan, explore ways to link potential creative entrepreneurs, home-based studios and self-employed individuals to available resources for business assistance, skills sharing and access to spaces to make and sell goods.

10.2.3. Support community-led events that celebrate and recognize Gonzales artists and creators.

# 11. Gonzales Neighbourhood Action Plan

The action plan provides a high-level list of actions identified in this Plan. Implementation of this action plan must be balanced with available resources and other City priorities. The improvements may be accomplished through a combination of funding sources including City capital programming, amenity contributions from development, senior government grants, and partnerships with other public, non-profit or private entities.

Staff has reviewed the status of the policies and actions of the previous Gonzales Neighbourhood Community Plan (2002). Those that are still relevant have been carried forward into the policies and actions of this Plan.

## Plan Monitoring

The action plan is to be used as a working document and should be reviewed periodically (every 3-5 years) with the community as part of monitoring and adaptive management of the plan, in order to consider changing circumstances, desires and progress made.

Short term actions	2017-2019	Year	Lead*	Funded?
<b>Housing</b>	Create guidelines for intensive residential and multi-unit development	2017 - concurrent with plan adoption	SPCD	√
	Update zoning and guidelines for duplexes to implement the duplex policies of this plan (eg. duplex with secondary suite, duplex on 15 m wide lot)	2018	SPCD	√
	Create zoning to support ground-oriented infill development including townhouses, rowhouses, triplexes, fourplexes, and small apartments as described in this Plan, and extend the requirement for permeable pavement for driveway and parking areas for new development	2018	SPCD	√
	Revise Small Lot House Rezoning policy to support secondary suites in small lot homes in Gonzales	2018	SPCD	√
	Identify means to implement policies for Queen Anne Heights / Foul Bay Road / Gonzales Hill (e.g. zoning, tree preservation bylaw, development permit guidelines).	2018	SPCD	
	Revise zoning to ensure maximum house size for panhandle and small lots is no larger than what is permitted on R1-G zoned lots in Gonzales	2018	SPCD	√
<b>Urban Villages</b>	Amend the Official Community Plan to establish a new Small Urban Village at Fairfield at Lillian/Wildwood	2017 - concurrent with plan adoption	SPCD	√
	Develop guiding principles for future Ross Bay Large Urban Village	2017 - through Fairfield neighbourhood plan	SPCD	√
	Create guidelines for small urban village development at Fairfield at Lillian/Wildwood.	2017 - concurrent with plan adoption	SPCD	√

\* SPCD: Sustainable Planning and Community Development Department, EPW: Engineering and Public Works Department, PRF: Parks, Recreation and Facilities Department



Topic	2017-2019	Year	Lead*	Funded?
<b>Heritage</b>	Develop neighbourhood plan policies for Oak Bay Avenue Village	2017-2018	SPCD	√
	Amend zoning to allow for a secondary suite and garden suite, or 2 secondary suites, on heritage designated properties	2018	SPCD	√
<b>Transportation and Mobility</b>	Add signage to indicate hidden intersection in 300 block of Foul Bay Rd at Quixote Lane	2017 - complete	EPW	√
	Assess street conditions on Earle Street for speeding and cut-through traffic and develop action plan, if warranted	2017	EPW	√
	Complete sidewalk and related improvements on Brighton Avenue between Davie and Clare Streets	2017	EPW	√
	Through the development of policies for Oak Bay Avenue Village, seek preliminary input from the community on an alignment pilot project for an All Ages and Abilities route to Oak Bay Avenue Village	2018	SPCD	√
	Complete sidewalk on Brighton Avenue between Clare Street and Richmond Street	2018	EPW	
	Create new pedestrian crossing at Brighton Avenue and Richmond Avenue	2018	EPW	
	Assess transportation conditions at the following locations and update Neighbourhood Plan and Action Plan with suggested improvements, as warranted:	2018 (through 2018 budget planning)	EPW	
	Lillian Road at Robertson Street, for pedestrian and cyclist safety			
	Foul Bay Road between McNeill and Crescent Road, for speeding traffic			
	Foul Bay Road at Fairfield Road intersection, for pedestrian and cyclist safety conditions and develop action plans, if warranted			
	Fairfield Road from Cook Street to Foul Bay Road, for intersection visibility, appropriateness, pedestrian crossings, and cyclist and pedestrian safety. Priority areas include intersections at Fairfield Rd at Richmond Avenue, Fairfield Road at Lillian Street/Wildwood Avenue, and Fairfield at St. Charles, and roads adjacent to Ecole Margaret Jenkins School.			
St. Charles Street between Richardson Street and Fairfield Road, for visibility, crossings and intersection improvements				

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Topic	2017-2019	Year	Lead*	Funded?
<b>Transportation and Mobility, cont.</b>	Assess transportation conditions at the following locations and update Neighbourhood Plan and Action Plan with suggested improvements, as warranted:	2019 (through 2019 budget planning)	EPW	
	Quamichan Street at Maddison Street, for crossing improvement			
	Foul Bay Road at Chandler Street, for crossing improvement			
	Ross Street/St. Charles Street/Hollywood Crescent for vehicle classification, volume, speed, wayfinding signage and turning movements for tour buses			
	Work with Ecole Margaret Jenkins School to complete a north-south multi-use trail connection across school property	2019	PRF	Partial
<b>Parks, Open Space and Urban Forest</b>	Improve sports fields, infrastructure and some facilities at Hollywood Park.	2017	PRF	√
	Add signage to waterfront access on Hollywood Crescent	2018	PRF	√
	Update and assess erosion control and shoreline protection measures from Ogden Point to Gonzales Beach	2017-2018	EPW	√
	Develop and implement park improvement plan for Pemberton Park, including restoration plan for natural areas	2019	PRF	
	Add picnic tables and clusters of benches to Hollywood Park	2019	PRF	

Topic	Mid-term Actions (2019-2022)	Year	Lead*	Funded?
<b>Transportation and Mobility</b>	Build an All Ages and Abilities route on Richardson Street, including additional improvements for pedestrian safety and comfort at major intersections, and reduced speeds along the corridor. Implement improvements, as warranted	2019-2022 (to be requested through 2019 budget planning)	EPW	

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Topic	Long-term Actions (2022+)	Year	Lead*	Funded?
<b>Transportation and Mobility</b>	Assess other priority pedestrian and cycling routes for needed improvements to encourage pedestrian and cycling comfort and safety, such as wayfinding crossings, traffic calming and other features. Develop implementation plan.	TBD	EPW, PRF	
	Implement wayfinding on key neighbourhood walking and cycling routes	TBD	EPW, PRC	
	Implement All Ages and Abilities route along Irving Road, Richmond Road, Crescent Road and Hollywood Crescent, as shown in the long-term All Ages and Abilities cycling network plan	TBD	EPW	
	Assess pedestrian conditions on Ross Street, Robertson Street and Crescent Street to improve pedestrian access to Gonzales Beach Park, and end-of-trip facilities for cyclists. Implement improvements, as warranted.	2022+ (concurrent with Gonzales Beach Park or All Ages and Abilities route improvements)	EPW, PRF	
<b>Parks, Open Space and Urban Forest</b>	Develop and implement park improvement plan for Gonzales Beach	2022+	PRF	
	Add clustered seating to Little Ross Bay Green.	2022+	PRF	
	Restore native ecosystem along waterfront access between 1661 and 1659 Hollywood Crescent.	2022+	PRF	

Topic	On-going Actions (Operational)	Year	Lead*	Funded?
<b>Transportation and Mobility</b>	Complete minor bicycle and pedestrian improvements as resources allow and as streets are resurfaced.		EPW	
<b>Parks, Open Space and Urban Forest</b>	Replant native ecosystems on public lands as part of park and infrastructure projects, as resources allow.		PRF	
<b>Heritage</b>	Continue to prepare or update Statements of Significance for properties listed on the City's Register of Heritage Properties, and for properties proposed to be added to the Register.		SPCD	√
<b>Infrastructure and Green Buildings</b>	Continue underground infrastructure upgrades consistent with City Master Plans.		EPW	
	Identify opportunities for stormwater management on public lands and streets as part of road resurfacing, active transportation projects and other opportunities, as resources allow.		EPW	
<b>Arts, Culture and Placemaking</b>	Integrate public art into the development of streetscapes, parks and waterfront access in the neighbourhood through existing public art programs		PRF	

\* SPCD: Sustainable Planning and Community Development Department, EPW: Engineering and Public Works Department, PRF: Parks, Recreation and Facilities Department



# Appendix A - Glossary of Terms

**Adaptive Re-use:** The process of re-using a building for a purpose other than which it was built for.

**All Ages and Abilities Network (AAA):** A city-wide connected grid of safe connected bicycle routes across the entire city. The All Ages and Abilities bike routes will consist of physically separated bike lanes as well as shared roadways and multi-use trails.

**Apartment:** A dwelling located in a multi-story, multi-unit building that accesses the ground via shared corridors, entrances and exits.

**Attached Housing:** Any form of housing where more than two individual dwellings are structurally attached including duplexes, townhouses, row-houses, and apartments, regardless of tenure.

**Building Separation:** The horizontal distance between two buildings.

**Density:** The number of dwelling units on a site expressed in dwelling units per acre (u.p.a) or units per hectare (u.p.ha) or Floor Space Ratio (FSR)

**Duplex:** A two-unit dwelling.

**Dwelling Unit:** Any room or suite of rooms, intended for use by one household exclusively as a place of residence.

**Fee Simple:** Private ownership of property with no strata-title ownership or obligations.

**Rowhouse (Fee Simple):** Three or more dwelling units, located side by side and separated by common party walls extending from foundation to roof, where each unit is privately owned with no strata-title ownership or obligations.

**Floor Space Ratio (FSR):** The ratio of the total floor area of a building to the area of the lot on which it is situated.

**Fourplex:** Four self-contained housing units sharing a dividing partition or common wall.

**Frequent Transit:** Transit service that provides medium to high density land use corridors with a convenient, reliable, and frequent (15 minutes or better) transit service all day long. The goal of the Frequent Transit network is to allow people to spontaneously travel without having to consult a transit schedule and is characterized by transit priority, right-of-way improvements, a high level of transit stop amenities, and corridor branding.

**Green Building:** (also known as green construction or sustainable building) refers to both a structure and the using of processes that are environmentally responsible and resource-efficient throughout a building's life-cycle: from siting to design, construction, operation, maintenance, renovation, and demolition.

**Ground-Oriented Housing:** A residential unit that has individual and direct access to the ground, whether detached or attached, including single-detached dwellings, duplexes, rowhouses and townhouses, as well as the principal unit and secondary suite in a single-detached dwelling.

**Heritage Conservation:** Includes, in relation to heritage, any activity undertaken to protect, preserve or enhance the heritage value or heritage character (including but not limited to character-defining elements) of heritage property or an area.

**Heritage Designation:** Bylaw to protect a heritage property that is formally recognized for its heritage value from exterior alterations, removal or demolition without the approval of City Council.

**Heritage Property:** A structure, building, group of buildings, district, landscape, archaeological site or other place in Canada that has been formally recognized for its heritage value.

**Heritage Register:** A list of property that is formally recognized by the local government to have heritage value or heritage character.

**Heritage Value:** The historic, cultural, aesthetic, scientific or educational worth or usefulness of (heritage) property or an area.

**House Conversion:** The change of use of a building constructed as a single family dwelling or duplex, to create more housing units.

**Housing (Dwelling) Unit:** Any room or suite of rooms, intended for use by one household exclusively as a place of residence.

**Infill Housing:** Additional housing inserted into an existing neighbourhood through additional units built on the same lot, by dividing existing homes into multiple units, or by creating new residential lots through subdivision. In the Gonzales Neighbourhood, this term refers specifically to the addition of housing within the Traditional Residential areas, including duplexes, triplexes, rowhouses, townhouses and small lot houses.

**Intensive:** See intensification

**Intensification:** The development of a property, site or area at a higher density than currently exists through: a) redevelopment; b) the development of vacant and/or underutilized lots within previously developed area; c) infill development; and d) the expansion or conversion of existing buildings.

**Low-Rise:** A building four storeys or less in height.

**Natural Areas:** An area characterized primarily by vegetation, landscape and other natural features.

**Mixed Use:** Different uses in relatively close proximity either in the same building (e.g. apartments above a store) or on the same site or, when referring to an area or district, on an adjacent site (e.g. light industry adjacent to an office building).



**Multi-unit:** A building containing three or more dwelling units, also referred to as multi-family or a multiple dwelling.

**Official Community Plan:** An Official Community Plan (OCP) provides the longer term vision for the community through objectives and policies that guide decisions on planning and land use management, respecting the purposes of local government.

**Open Space:** Land that provides outdoor space for unstructured or structured leisure activities, recreation, ecological habitat, cultural events or aesthetic enjoyment that is generally publicly-accessible, and that is not a designated City of Victoria park. Open space includes private lands, public lands and City-held property.

**Park:** Land managed by the City of Victoria that provides outdoor space for unstructured or structured leisure activities, recreation, ecological habitat, cultural events, or aesthetic enjoyment, not including planted areas within street rights of way.

**Placemaking:** A holistic and community-based approach to the development and revitalization of cities and neighbourhoods that creates unique places of lasting value that are compact, mixed-use, and pedestrian and transit-oriented with a strong civic character.

**Public art:** Works of art in any media that has been planned and executed with the specific intention of being sited or staged in the physical public domain, usually outside and accessible to all.

**Rowhouse:** An attached dwelling in its own legal parcel with a formal street address.

**Sense of Place:** The subjective experience of a place as having physical and social attributes that make it distinctive and memorable.

**Setbacks:** The shortest horizontal distance from a boundary of a lot to the face of the building.

**Single Detached House:** A detached building having independent exterior walls and containing only one self-contained dwelling unit.

**Small Urban Village:** consists of a mix of commercial and community services primarily serving the surrounding residential area, in low-rise, ground-oriented multi-unit residential and mixed-use buildings generally up to four storeys in height along arterial and secondary arterial roads and three storeys in height in other locations.

**Small Lot House:** A single detached house with a maximum floor area of 190m<sup>2</sup> located on a lot of at least 260m<sup>2</sup> in area.

**Stormwater Management:** The management and design of rain and runoff in urban areas, to reduce flooding, treat stormwater quantity and quality, and conserve rainwater as a resource.

**Street-fronting:** Buildings with entries, windows and front yard spaces oriented to face sidewalks and the street.

**Streetscape:** All the elements that make up the physical environment of a street and define its character, such as paving, trees, lighting, building type, style, setbacks, pedestrian amenities and street furniture.

**Townhouse:** Three or more self-contained dwelling units, each having direct access to the outside at grade level, where individual units share adjacent walls in common under a strata title. Stacked townhouses are located on top of each other, each with its own direct access to outside.

**Traditional Residential:** consists primarily of residential and accessory uses in a wide range of primarily ground-oriented building forms including single, duplexes, townhouses and row-houses, house conversions, and low-rise multi-unit residential and mixed-use buildings up to three storeys in height located along arterial and secondary arterial roads.

**Tree Canopy:** The layer of leaves, branches and stems of trees that cover the ground when viewed from above.

**Triplex:** Three self-contained housing units sharing a dividing partition or common wall.

**Urban Forest:** Sum total of all trees and their associated ecosystems, including understory biota and soils. Urban forest occurs both on public and private lands, including parks, boulevards, remnant ecosystems, residential yards, commercial and industrial lands and open spaces.





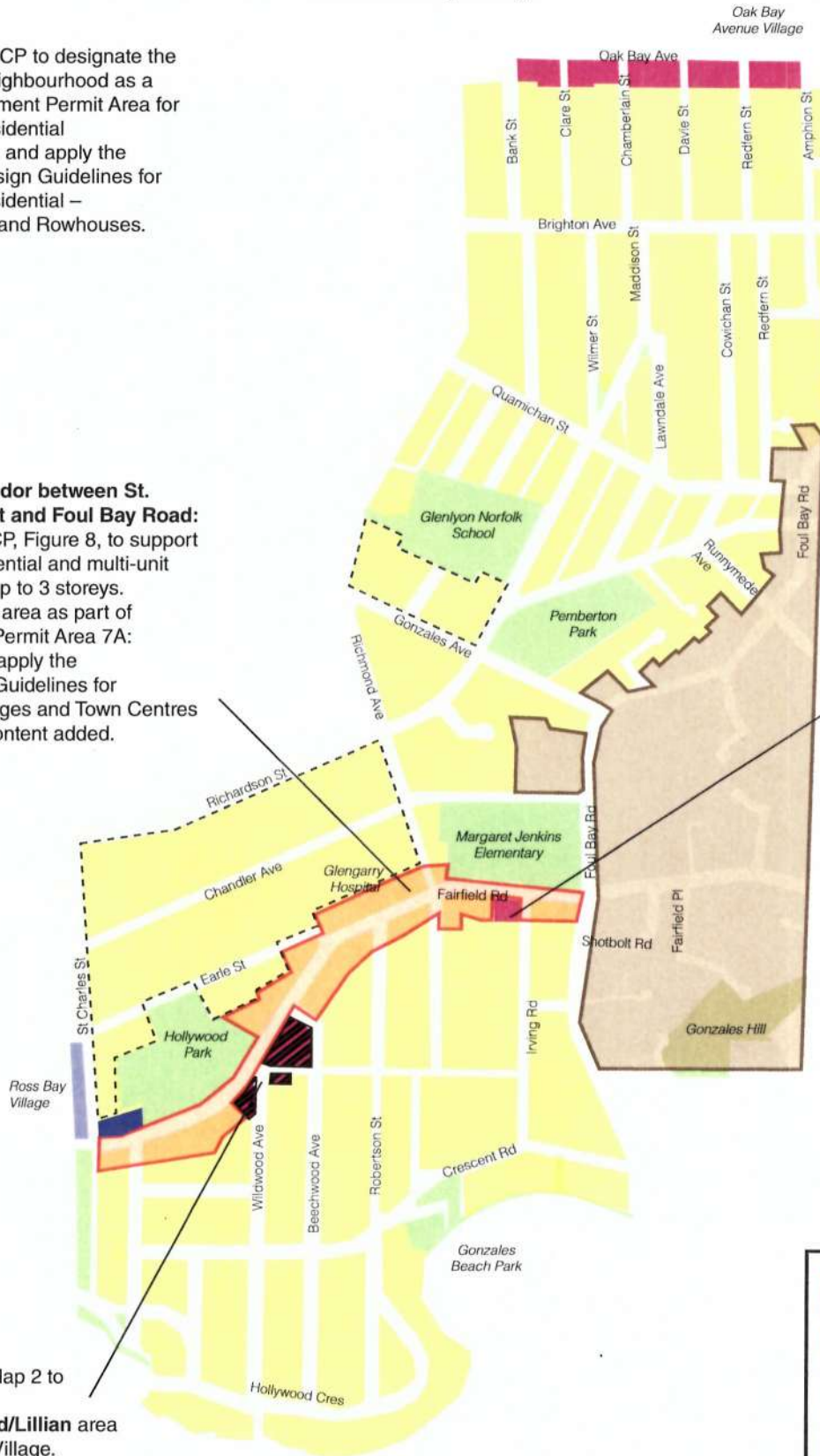
# PROPOSED OFFICIAL COMMUNITY PLAN (OCP) AMENDMENTS (PRESENTED TO COUNCIL ON SEPTEMBER 21, 2017)

Amend the OCP to designate the Gonzales Neighbourhood as a new Development Permit Area for Intensive Residential development, and apply the proposed Design Guidelines for Intensive Residential – Townhouses and Rowhouses.

**Fairfield Corridor between St. Charles Street and Foul Bay Road:**  
Amend the OCP, Figure 8, to support attached residential and multi-unit development up to 3 storeys. Designate this area as part of Development Permit Area 7A: Corridors and apply the Revitalization Guidelines for Corridors, Villages and Town Centres with specific content added.

**Fairfield at Irving Village:**  
Amend the OCP to Designate this area as part of Development Permit Area 6A: Small Urban Villages and apply the Revitalization Guidelines for Corridors, Villages and Town Centres with specific content added.

Amend the OCP, Map 2 to designate the **Fairfield/Wildwood/Lillian** area as a Small Urban Village. Designate this area as part of Development Permit Area 6B: Small Urban Villages Heritage and apply the Revitalization Guidelines for Corridors, Villages and Town Centres with specific content added.



**Attachment 4:  
Engagement Summary and Feedback on  
Proposed OCP Amendments and Revisions to Draft Plan**

Part A: Engagement Summary



## Gonzales Neighbourhood Plan

### Engagement Summary: Plan revisions and Official Community Plan Amendments

Community engagement on the proposed Gonzales neighbourhood plan was held between October 10 and October 29, 2017. The community was invited to attend an open house and complete an online survey on revisions to the draft plan and amendments to the Official Community Plan to align with the new plan. 60 people attended the open house and 69 survey responses were received. Homeowners in the three areas proposed Heritage Conservation Area were also brought together to gather input. The information about heritage conservation areas is summarized below.



\*The following support levels combine “very” and “somewhat” supportive rankings.

#### FEEDBACK ON REVISIONS TO THE DRAFT PLAN

Many people were pleased with the engagement process and the content of the plan. They felt that it struck a good balance of new housing and services, while maintaining the character of the neighbourhood. Some community members continue to have concerns about the plan and its impact to the ambience of the neighbourhood, traffic management and parking. Others were concerned that the plan does not go far enough in its support for new housing types, future housing for families and people with lower incomes. There was concern expressed that the plan does not do enough to support people with restricted mobility. Some expressed concern about not being made aware of the process early enough.

#### FEEDBACK ON PROPOSED OFFICIAL COMMUNITY PLAN AMENDMENTS

##### Fairfield Corridor

We asked the community’s level of support for updating the Official Community Plan to support small apartment buildings and townhouses along Fairfield Road (between St Charles & Foul Bay Rd), establishing a new Development Permit Area, and adopting new design guidelines.

- 63% of survey respondents were supportive (22% not in support) and 82% of open house participants were supportive.

While the majority of people felt that this was an appropriate plan for this corridor, there were concerns about loss of character, green space, parking, and increased traffic, particularly in proximity to schools and parks. Suggestions included only allowing one row of townhouses, increasing the height limit and decreasing the height limit on buildings, and requiring that Council approve development applications (not staff).

##### Commercial Area at Fairfield Road/Wildwood Avenue/Lillian Road

We asked the community’s level of support for updating the Official Community Plan to designate this area as a small urban village, as part of Development Permit Area 6A and apply the revitalization guidelines for corridors, villages and town centres. 59% of survey respondents were supportive (17% not in support) and 73% of open house participants were supportive.



Some commented that this is an ideal location for housing on the upper floors. Concerns included impact to traffic and parking, tall buildings overshadowing neighbours and height limits being too tall or too restrictive. There was mixed feedback on the heritage value of Montague Court.



#### **Fairfield Road at Irving Road**

We asked the community's level of support for updating the Official Community Plan to add this area to Development Permit Area 6A and apply the revitalization guidelines for corridors, villages and town centres. This area is already designated as a small urban village in the Official Community Plan. 48% of survey respondents were supportive (26% not in support) and 92% of open house participants were supportive. While we heard support for the new development permit area, concerns included impact to traffic, overly restrictive policy and too small of an area to designate.

#### **New guidelines for townhouse and rowhouse**

44% of survey respondents were supportive (34% not in support) and 74% of open house participants were supportive of the new guidelines for townhouse and rowhouse. While we heard support for more family friendly housing, a few people were concerned about allowing two rows of housing. Others were concerned that the guidelines and neighbourhood plan policies for townhouses are too restrictive and should be more flexible. We heard that there needs to be good design tools to ensure they are built using high quality materials.

#### **Correcting Urban Place Designation for the Glengarry Hospital**

60% of survey respondents were supportive of correcting the Urban Place Designation for the Glengarry Hospital and 100% of open house participants were completely supportive. There were a few concerns raised about what type of future development could happen on the site.

#### **Heritage Conservation Areas**

The City hosted a meeting with the homeowners in the proposed Gonzales Heritage Conservation Area, including new homeowners from the expanded boundaries on Redfern. The 24 neighbours in attendance engaged in a very passionate discussion about their shared love of the neighbourhood and character of the homes, as well as their individual rights as property owners.

Each homeowner was supplied with a form to take home and return. Of the 15 forms that were received, 4 were very supportive, 4 somewhat supportive, 1 not very supportive and 6 not at all supportive of establishing a Gonzales Heritage Conservation Area. The online survey results were also split with 42% supportive and 49% not supportive. 71% of open house participants were in support.

Feedback in support of the Heritage Conservation Area included protecting the character and history of the area. Concerns included limiting property owner rights, impacting property values and insurance and property tax costs. Several people felt that homeowners in a Heritage Conservation Area should be able to access funding for upgrades.

Some homeowners in the expanded Redfern Street boundaries were upset at being included late in the process and were concerned that it was impacting relationships between neighbours.

**Attachment 4:  
Engagement Summary and Feedback on  
Proposed OCP Amendments and Revisions to Draft Plan**

Part B: Survey Report

## Proposed Gonzales Neighbourhood Plan

## Q1 Do you have any comments on the proposed revisions to the draft plan?

Answered: 41 Skipped: 28

#	RESPONSES	DATE
1	Make sure that it is clear that homeowners have the right to refuse Heritage Conservation measures on their own houses.	10/29/2017 10:53 AM
2	Good, except: Historic Montague court is an optimum location for a new mixed use development. These buildings are not stunning examples of architectural significance. Do not restrict new development on this site.	10/28/2017 7:53 PM
3	I have lived in this neighbourhood since 1996 and the engagement efforts I have experienced by the City to be involved in this neighbourhood plan are to be commended. I have 2 comments to the proposed revisions. 1 - I am confused on page 8 where it's stated "Consider townhomes at Fairfield Road & Quamichan " as the two streets don't meet? Hmm. 2 - those people who argue that density from suites/multi use dwellings is going to create parking nightmares need to understand that many young people who rent those suites in walkable neighbourhoods like ours, often don't have cars. Due to the walkability of the neighbourhood, unless their place of work/study is really far away, bike lanes and bus routes, not to mention safe streets, can get you from A-B quite easily. We have had 3 tenants in our one-bedroom suite and 2 have had cars, and the 5 plex of suites beside us has 3 cars. These complainers need to understand that not everyone has a car, and in fact apartment buildings are being designed with NO parking, and car/bike sharing is being promoted.	10/27/2017 1:39 PM
4	The plan, particularly as revised, fails to deliver on the commitment to encouraging more, new family-oriented development in the neighbourhood. It is way too restrictive / conservative in its overall orientation.	10/26/2017 2:06 PM
5	I am glad that design guidelines have been indicated. Front yard parking could affect on street parking. Include better pedestrian crossing at St Charles and Fairfield Rd. Actually it is 2 corners as it is not a "T" but a "Z".	10/25/2017 4:39 PM
6	Heritage Conservation areas should be scraped as this should be a voluntary designation not enforced on homeowners. Unfair to exclude houses built after 1940 if you have a house built prior to this that requires substantial upgrades,	10/25/2017 1:07 AM
7	All ages all abilities is the catchword used in the transportation and mobility improvements, yet all amenities and services are entirely focused on pedestrians and cyclists and public transit. There is no mention of design or planning enhancements to accommodate people with restricted mobility. We need smooth and unobstructed sidewalks that accommodate mobility scooters, walkers and wheelchairs. The plans make room for lots of bike racks, but where do I park my mobility scooter at the commercial centres, the park, community gathering places, or the beach? Why are there no level paved trails and viewing platforms at the top of stairs or ramps to the beaches at Gonzales Bay, Ross Bay, Little Ross Bay or Clover Point so those with disabilities can fully engage and enjoy their neighbourhood too? Don't overlooked the fact that we have a long term care facility in the neighbourhood whose residents like to get outside and participate in neighbourhood activities as well. Often able bodied persons fail to appreciate or recognize the many barriers and obstructions faced by those with mobility challenges unless they have spent a day in our wheelchairs.	10/24/2017 5:51 PM



## Proposed Gonzales Neighbourhood Plan

8	As we live beside the Hollywood Pet Hospital, we are concerned about development that could take place at this site. Although zoned commercial with the potential of a 3-4 story structure beside us, there seems little concern for our needs - light and space between us and any development. Therefore, what are the easements, set backs etc. that would protect our space and investment. As well, parking in front of our house is problematic for on street parking as it is not designated "Residential" and at the north end of Wildwood Ave. is often full with those who work at the mall, shop at the "court", visit the pet clinic, stay in the apartments to the west of our property or on the weekend from those attending baseball (summer) or soccer (winter). It is interesting that the pressure for parking is on the north side of Fairfield Rd. and on Wildwood as Pinewood and St. Charles are Residential only parking streets. For future any future development, parking will have to be addressed.	10/24/2017 4:52 PM
9	Sounds good.	10/23/2017 8:07 PM
10	Yes. More encompassing heritage protection, beyond "zones" and language about landscape.	10/23/2017 6:43 PM
11	sound sensible	10/23/2017 5:19 PM
12	The open house highlighted some "housekeeping" for the Glengarry facility but we see no reference to changes in this recent draft. Concerned that plan equates eldercare services and childcare services however these are distinctly different in terms of user needs and infrastructure. Suggest keeping it separate. We are concerned that the Glengarry facility may be repurposed in the same way that Mount Edwards facility has been without neighbourhood support.	10/23/2017 5:19 PM
13	Montague Court ... important to retain history for the neighbourhood.	10/23/2017 4:42 PM
14	It looks good except they haven't addressed blasting for new developments that changes the water tables for the trees and causes fractures in a seismically sensitive area. The rock is 6 million years old and should be conserved.	10/23/2017 4:26 PM
15	Overall I support the revised plan, though I think there are still too many obstacles in the way of town house development.	10/23/2017 2:08 PM
16	no attention to low income housing	10/23/2017 1:46 PM
17	Please track issues you have said are out of scope and referred to other departments or planning processes. The people have spoken and there should be some accountability	10/23/2017 11:50 AM
18	no	10/23/2017 11:30 AM
19	Very pleased to see how the neighbourhood feedback has been incorporated into the draft.	10/23/2017 11:30 AM
20	We're strongly opposed to the heritage conservation areas.	10/23/2017 4:26 AM
21	Heard the city is adding whole streets to the heritage conservation areas and I don't want my house added.	10/21/2017 10:17 PM
22	No to HCAs.	10/20/2017 9:06 PM
23	It is very much appreciated that the views of residents and home-owners in the Gonzales neighbourhood have been taken into consideration.	10/18/2017 9:46 AM
24	yes	10/17/2017 12:30 PM
25	I have comments regarding the fact that I have lived on Pinewood Avenue for 12 years and I was not informed in a useful manner about any of this. The more disturbing fact is that I am an Architect and the neighbour behind me on Fairfield Road is an Architect and we knew nothing about this nor we were asked to be part of the process. The City really should be reaching out to Architects that live in these communities to be getting their input and feedback.	10/17/2017 9:50 AM
26	Yes	10/16/2017 9:32 AM
27	Yes, several back yard lanes exist in Gonzales neighbourhood and these have not been noted nor addressed in the draft planning document. There is unique potential for garden suites in addition to pedestrian walkways that should have been assessed and highlighted for discussion and feedback. In speaking with residents along these lanes they see the potential for land use which has not been brought forward for discussion. Ps...The townhomes on Chandler and Foul Bay have not been highlighted on plans and in description...this is a unique enclave that should be addressed as an example of existing town homes in the Gonzales area.	10/15/2017 11:42 AM
28	• Generally a very good plan • Appreciate that changes have been made to respond to some of the concerns/feedback expressed by Gonzales neighbourhood	10/15/2017 11:40 AM



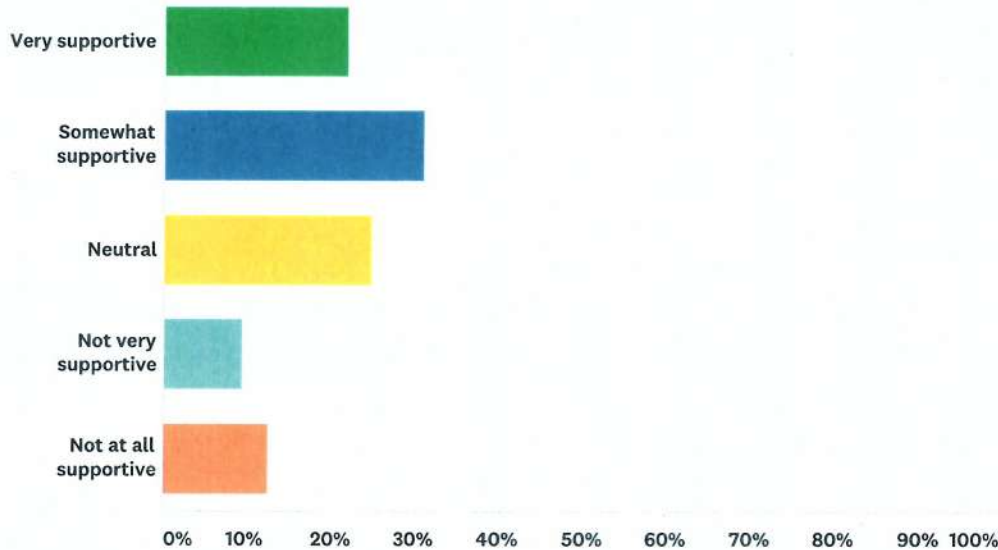
## Proposed Gonzales Neighbourhood Plan

29	No to forced Heritage Designations.	10/14/2017 9:55 PM
30	Do not want my home of 40 years to be under heritage coverage	10/14/2017 8:54 PM
31	It is a great idea to allow legal secondary suites in duplexes that qualify for safety and fire codes.	10/13/2017 2:30 PM
32	Panhandle lots in Queen Anne Heights area should not be subject to any limitation beyond what is in the current zoning.	10/13/2017 2:12 AM
33	The Heritage Conservation Area should not be forced on current owners. It would be far better to put in place that when one of the homes is sold the purchaser knows that they will need to conform to the rules of the Heritage Conservation Area. Current owners have generally maintained their homes with very little exterior change aside from repairs, paint & minor details. They purchased them as they liked them and the area - unlike companies that only see the potential to get zoning they want pushed through so they can tear down and increase the land coverage to make money. All the homes in the Redfern St. suggested area are not cedar shingle siding. They are a combination of cedar shingles, stucco, concrete siding, concrete shingles, long boards, etc.	10/12/2017 9:30 PM
34	Would like to see the Heritage Conservation plan not be put in place for current owners but a clause be put into any future sales that there are restrictions being placed from the point of sale on re being a Heritage Conservation Area. Current owners have bought their homes because they like the way the home is now & where it is located. External changes have been minimal and rarely are more than repairs, paint, siding, etc. Not all the homes in the Redfern suggested area are cedar shingles. They are a mix of cedar shingles, stucco, cement siding, plank siding, etc.	10/12/2017 9:19 PM
35	Yes. See later answers.	10/12/2017 4:54 PM
36	in support of them	10/12/2017 2:28 PM
37	So far, I like the improvements as they seem to reflect the concerns expressed by residents.	10/12/2017 11:10 AM
38	I am happy with them	10/12/2017 9:33 AM
39	No	10/12/2017 8:31 AM
40	Make the heritage conservation areas an optional program. There is a reduction in current and future increases in resale value that the city is ignoring and failing to compensate in any way. There are so many things wrong with this and the city is disregarding so many individuals personal property rights. It is a shame. This survey is a sham and just an exercise to tick a box to avoid a lawsuit. It is so transparent that it is pathetic.	10/11/2017 6:47 PM
41	Would like stricter guidelines about building design to combat proliferation of box like structures that have infiltrated this area. These are single family homes bad are ruining the heritage of our area. Developers such as Abstract just build condo properties that are carbon copies of each building with no regard to character of neighbourhood.	10/11/2017 6:20 PM

Proposed Gonzales Neighbourhood Plan

Q2 How supportive are you of Official Community Plan amendment for the Fairfield Corridor between St. Charles Street and Foul Bay Road?

Answered: 64 Skipped: 5



ANSWER CHOICES	RESPONSES	
Very supportive	21.88%	14
Somewhat supportive	31.25%	20
Neutral	25.00%	16
Not very supportive	9.38%	6
Not at all supportive	12.50%	8
<b>TOTAL</b>		<b>64</b>

#	COMMENTS	DATE
1	As long as Fairfield remains a treed street with a mix of development, I think it's good. There should be only one row of town houses so the next block's back yards so not compromised.	10/29/2017 7:04 PM
2	Without details it is very hard to be for or against. Can anyone tell me with any degree of accuracy what affect the amendment will have on traffic?	10/27/2017 4:32 PM
3	The original plan makes more sense - changes affect the area without giving much additional living space.	10/27/2017 3:47 PM
4	Height limit is too restrictive; 4 stories would be fine.	10/26/2017 2:07 PM
5	only problem I see is possibility of 4 stories. Not a fan. Really require developers to protect existing trees on property and the boulevard. Tree do not have to be "protected " trees. All trees should be considered for retention.	10/25/2017 4:48 PM
6	it is ironic that the City wants to enforce Heritage Conservation Areas on some homeowners but at the same time is proposing changes, such as along Fairfield, which over time will result in the loss of existing structures and heritage value.	10/25/2017 1:13 AM
7	I would be much more supportive if there were more "housing options" for renters - young and old who do not make "professional" wages, which comprise many unserved people in our community.	10/24/2017 4:55 PM



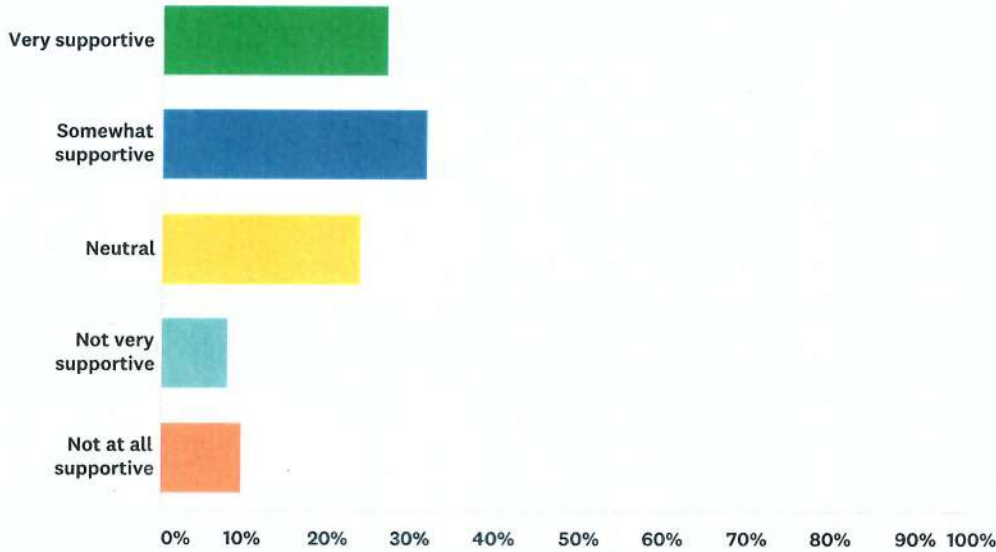
## Proposed Gonzales Neighbourhood Plan

8	Would encourage you to ensure some green space and adequate parking for all Buildings to keep my support high	10/23/2017 5:22 PM
9	This will increase traffic around schools and parks and an old-age care home. In most part, it isn't commercial, but traditional residential and character will be irrevocably altered.	10/23/2017 11:52 AM
10	This area isn't suited to single bedroom or two bedroom units.	10/23/2017 11:39 AM
11	Encourage units with 3+ bedrooms.	10/23/2017 4:32 AM
12	The need for additional housing in and near urban centres is fully recognized and although there may be some apartment buildings in this area, there is a potential that over time development will force all the existing single family dwellings out of this area. That would be a real shame! I for one certainly wouldn't want to be boxed in between two apartment buildings if I had a single family home along that strip.	10/18/2017 10:07 AM
13	This is not a suitable corridor for density. There are schools and parks along this road and the increased density means increased traffic and danger to children that are very abundant in this area. The fabric of this area is single family housing. There are also PLENTY of secondary suites in the neighbourhood to support rental. As an Architect I'm appalled that you think that a section of street near a park, cemetery and school are appropriate places to increase density for those that don't even live or participate in the local community! We need to support FAMILIES in this neighbourhood, not increase transient renters! This will be so dangerous for that section of land.	10/17/2017 9:56 AM
14	Oversight and approval should be by Council (not staff); concerned about interface/buffer and impact on neighbouring properties and their privacy/light.	10/15/2017 11:47 AM
15	Yes this needs special consideration with a separate plan developed like you are the city will be undertaking on Oak Bay Ave.	10/15/2017 11:45 AM
16	The people that own homes along that stretch of Fairfield or adjacent to it should have the most say as to what changes if any are made. They have probably bought there due to the current nature of the neighborhood and that there aren't many apartment buildings that far from the town centre.	10/12/2017 9:33 PM
17	This should be a question that is discussed with those that live along that portion of Fairfield or adjacent to it as it will affect them directly. Most of them probably live there because there are not a lot of apartment blocks.	10/12/2017 9:24 PM
18	Supportive if it means that additional population can be accommodated while maintaining the character of less-busy streets.	10/12/2017 4:57 PM
19	comments stated under "what we heard" make sense to me.	10/12/2017 2:29 PM
20	This area must be left as small height village. Any development will erode the trees, shrubs, and urban plantings. Just look at the two multi-story apt buildings that are currently in this area and their lack of green surroundings.	10/12/2017 11:12 AM
21	The facade of the buildings should be consistent with the architecture of the neighborhood.	10/12/2017 7:49 AM
22	There is a definitely need more housing options in our community. The Fairfield Corridor seems to be an appropriate area for small apartment buildings and townhouses.	10/11/2017 8:50 PM
23	Make sure that any development plans include lots of parking. I read something about council reducing the amount of parking in future developments because renters don't use as much parking. Parking will get used. If there is not enough parking people will just park on the street. Encourage developers to create mostly 3-4 bedroom units. One bedroom units may be more profitable but 3-4 bedroom units these are what are needed if families are to live in the city. The developers will still make money and council will have done the city a great service. To conclude - lots of parking. Only 3-4 bedroom units. Encourage townhouses built with attractive, high quality exteriors.	10/11/2017 6:58 PM
24	Providing homes fit in with character of the area.	10/11/2017 6:21 PM

Proposed Gonzales Neighbourhood Plan

Q3 How supportive are you of Official Community Plan Amendment for the Commercial Area at Fairfield/Wildwood/Lillian?

Answered: 63 Skipped: 6



ANSWER CHOICES	RESPONSES	
Very supportive	26.98%	17
Somewhat supportive	31.75%	20
Neutral	23.81%	15
Not very supportive	7.94%	5
Not at all supportive	9.52%	6
<b>TOTAL</b>		<b>63</b>

#	COMMENTS	DATE
1	We should not fear new development. This is the best area for increasing density. We should not be nostalgic and try to preserve buildings that are not that significant.	10/28/2017 7:58 PM
2	What will the affect be on traffic volume and flow?	10/27/2017 4:35 PM
3	only concern is how to handle traffic/parking and making sure houses east of 300 block of Beechwood are not overshadowed	10/25/2017 4:56 PM
4	Neutral but very supportive if our concerns are looked at. Again, our house is near to one of these proposed areas, but parking and density is an issue. Just this past week, car parking pressure has been such that parking on yellow lines and driveway encroachment has been very noticeable.	10/24/2017 5:02 PM
5	Could there be oversight by a design panel? I'm not sure staff or politicians have the knowledge to make the right decision.	10/23/2017 6:47 PM
6	Love the historical ambiance at Wildwood and Lillian. Do not want that to change. Do not want Commercial Buildings developed in this area.	10/23/2017 4:48 PM
7	giving staff "additional oversight" will in practice mean more red tape and less likelihood of any viable redevelopment here	10/23/2017 2:11 PM
8	Too close to Fairfield Plaza. Keep commercial areas to minimum	10/23/2017 11:53 AM



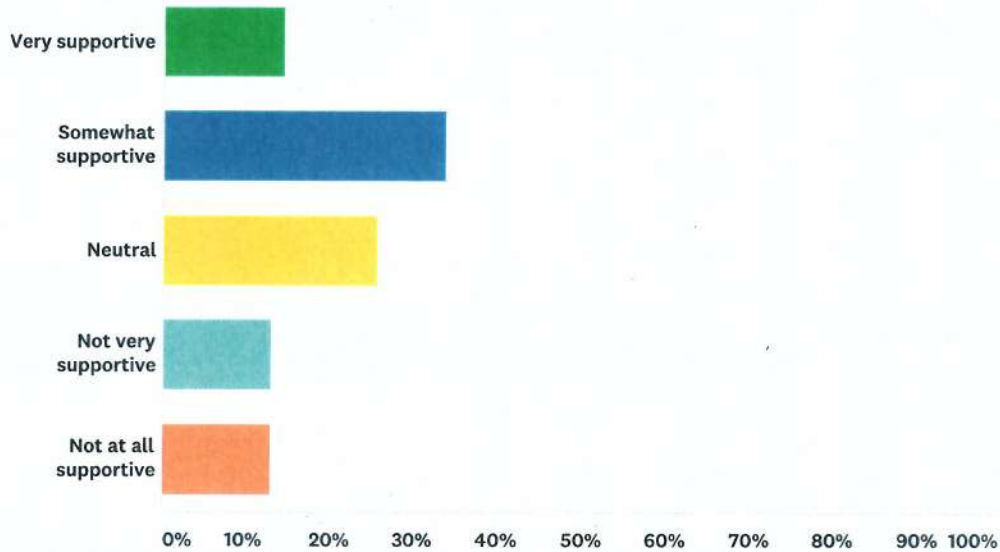
## Proposed Gonzales Neighbourhood Plan

9	3+ Bedroom units only	10/23/2017 4:33 AM
10	This would appear to be a logical location for such a proposal if supported by local residents. These corner properties are well suited to mixed use buildings and would have minimal impact on adjacent properties so far as sight lines etc are concerned. The nature of the business, however, could very much change the complexion of the neighbourhood by either providing needed services or conversely, by creating noise, smell, parking, and overcrowding issues that currently don't exist.	10/18/2017 10:20 AM
11	These buildings are junk and have no historic value. The only value is their scale. The idea of retail on main and residential on upper was done POORLY where the lash studio is across from Margaret Jenkins. It was done exceptionally well with an existing building at the pharmacy/fairfield branch. Fairfield plaza is a close enough node to everyone and supports our community exceptionally well. Knowing how this works we'll just end up getting a 7-11 in some crappy building just like downtown. Until there is a requirement on the quality of retail tenant this is not wanted in our community.	10/17/2017 9:59 AM
12	This area already has a commercial component that draws the neighbours so including some living space above the shops would increase the walkability of the area.	10/12/2017 9:36 PM
13	Very supportive as I strongly believe that Montague Court is worthy of preservation. I like the idea of some mixed use there also.	10/12/2017 6:32 PM
14	Supportive if it means accommodating more population while maintaining character of less busy streets.	10/12/2017 4:57 PM
15	The fact that there is commercial development in the area should not be used as a precedent. The permission to create these buildings was a mistake and was not supported by residents at the time. Limit commercial growth to Fairfield Plaza.	10/12/2017 11:14 AM
16	Sounds great	10/12/2017 9:37 AM
17	Please retain buildings which have historic value	10/12/2017 7:50 AM
18	Love the idea of supporting housing on the upper floors of commercial buildings.	10/11/2017 8:51 PM
19	Small rental apartments and small condos are a really bad idea for this location. This is a family neighbourhood and this should be prioritized for future development. Higher density is ok but one bedroom and bachelor suites are unsuitable for this area. Encourage buildings with units like that downtown and allow families to live among families in this area. Developers will still make money if they're only allowed to build 3-4 bedroom units in his area. Make developers build additional parking. It will get used. Do not be nearsighted on this. You have an opportunity to maintain Fairfield as a great family neighbourhood. Do not sell us out by building a bunch of one bedroom condos and apartment buildings. Save them for downtown.	10/11/2017 7:32 PM

Proposed Gonzales Neighbourhood Plan

### Q4 How supportive are you of Official Community Plan Amendment for the Fairfield at Irving Village?

Answered: 62 Skipped: 7



ANSWER CHOICES	RESPONSES	
Very supportive	14.52%	9
Somewhat supportive	33.87%	21
Neutral	25.81%	16
Not very supportive	12.90%	8
Not at all supportive	12.90%	8
<b>TOTAL</b>		<b>62</b>

#	COMMENTS	DATE
1	This is 2 buildings? Could it be expanded with business and residential above in adjacent buildings?	10/29/2017 7:10 PM
2	Please don't create more development permit areas... Let zoning and designers do their job.	10/29/2017 3:12 PM
3	We don't need to micro manage design st an intersection that is perfectly suited to new development. Let's not fear change. The existing zoning is fine.	10/28/2017 8:00 PM
4	What will be the affect on traffic volume and flow?	10/27/2017 4:36 PM
5	This area already has multi units & commercial space.	10/27/2017 3:50 PM
6	the drawings included in the OCP Revitalizaion guidelines show 4 story buildings which could give developers the wrong idea of what is appropriate.	10/25/2017 4:59 PM
7	As mentioned previously about our concerns on Wildwood Ave. are addressed, then I would be very supportive for this amendment for the Fairfield at Irving Village.	10/24/2017 5:04 PM
8	Again, could we have design expertise. The "design" oversight in this city seems to be dominated by engineers fixated on concrete sidewalks and curbs. Add some designers to the mix please.	10/23/2017 6:48 PM

## Proposed Gonzales Neighbourhood Plan

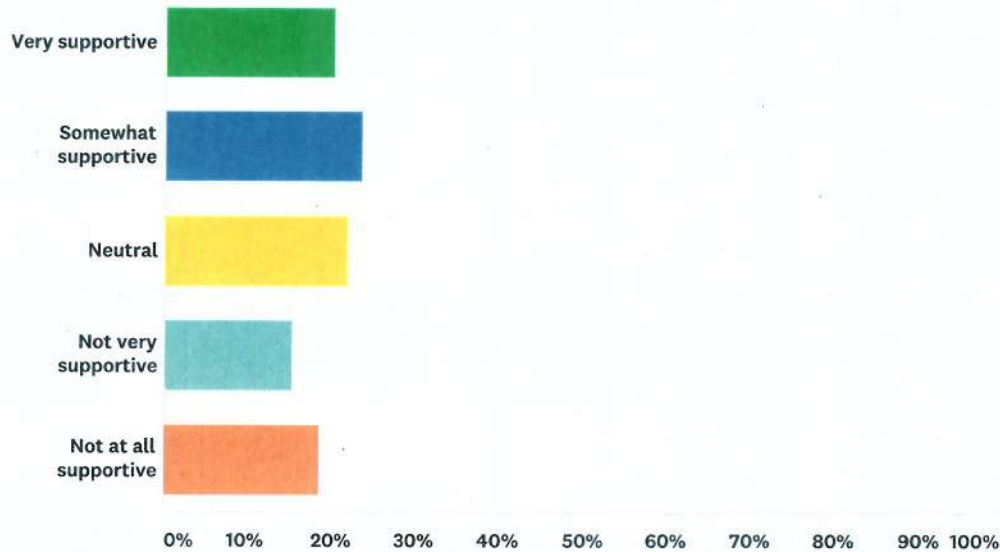
9	It seems you are targeting Irving Road and Lillian Road in the whole of the Gonzales area why these two.	10/23/2017 4:50 PM
10	This is putting more red tape in the way of any viable redevelopment here	10/23/2017 2:12 PM
11	Not needed and the whole idea that this constitutes a "village" is a planner's concept, not locals'.	10/23/2017 11:54 AM
12	too small an area?	10/23/2017 11:31 AM
13	Improved guidelines, if that's what they are, to new or upgraded buildings in what is already a commercial zone would be of benefit to the neighbourhood overall. Presumably they would be fairly similar to the guidelines proposed for Amendment #2.	10/18/2017 10:27 AM
14	A local business has already developed this area in a VERY community oriented way. There is no need to change what is working.	10/17/2017 10:00 AM
15	Proposed "village" limited to one corner of one street so looks like spot zoning for a particular development; why does "village" not extend along to Richmond?	10/15/2017 11:52 AM
16	Thoughts are much the same as for question #3 except for the increased traffic/parking so close to a school that has a large percentage of the youth that walk to/from school.	10/12/2017 9:38 PM
17	This survey question doesn't describe what development is allowed here at this time. How can we answer "what powers should council should be given" when we don't know what powers they have now and what rights you propose to strip away from the existing owners. Maybe you should make a survey that takes the rights of the existing owners into account.	10/11/2017 7:37 PM



Proposed Gonzales Neighbourhood Plan

Q5 How supportive are you of Official Community Plan Amendment for new guidelines for townhouse and rowhouse?

Answered: 59 Skipped: 10



ANSWER CHOICES	RESPONSES	
Very supportive	20.34%	12
Somewhat supportive	23.73%	14
Neutral	22.03%	13
Not very supportive	15.25%	9
Not at all supportive	18.64%	11
TOTAL		59

#	COMMENTS	DATE
1	I'm supportive of single rows.	10/29/2017 7:12 PM
2	Will corner lots be allowed to have developments on either Street?	10/27/2017 4:41 PM
3	Guidelines further restrict building forms now permitted, raising costs and limiting opportunities for redevelopment.	10/26/2017 2:09 PM
4	Not keen on Row or town house anywhere in Gonzales except for along Fairfield or possibly Richardson ,Oak bay Ave. for sure not in Queen Anne Heights	10/25/2017 5:10 PM
5	Very supportive if there is affordable housing and not the proposed "Attainable Housing" touted by developers I have heard speak. How do we really create community?	10/24/2017 5:05 PM
6	I support townhouses being a viable option in Gonzales, I am not sure if these guidelines will do that	10/23/2017 2:13 PM



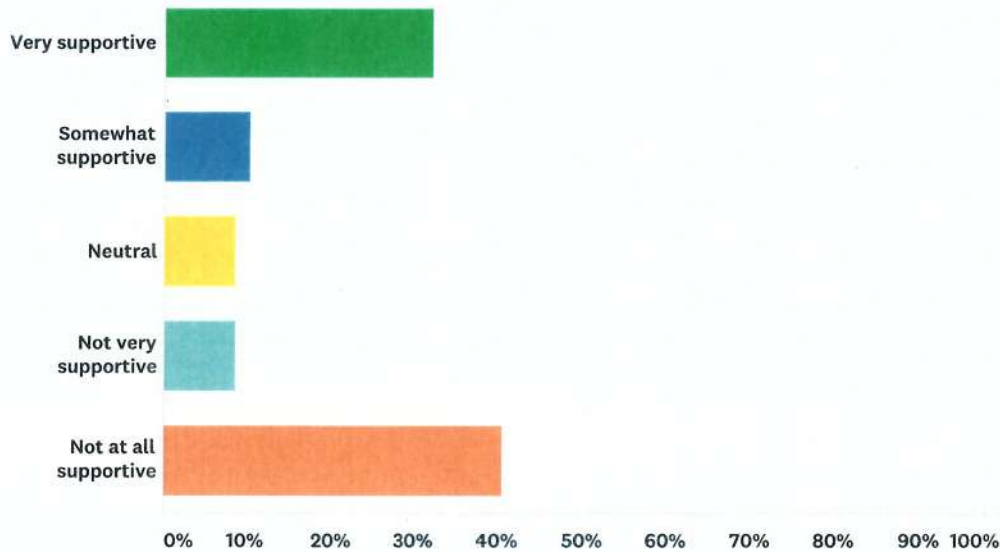
## Proposed Gonzales Neighbourhood Plan

7	Cautious. I don't see anything in design guidelines about height. Multiple driveways decrease parking and decrease road and pedestrian safety. However, I have seen these work. Need to ensure that they do not look monolithic, but use different colours and finishes as do regular single family homes adjacent to one another. Narrow footstep may limit accessibility of this form of housing to seniors and people with mobility impairments, as they have to be vertical and include stairs.	10/23/2017 11:58 AM
8	These guidelines appear to be well thought out and well intended, but, why can't one set of guidelines/by-laws or whatever, be universally applicable across the GVRD.	10/18/2017 10:41 AM
9	I support townhouses/rowhouses on fairfield road and nowhere else in Gonzales. This is an inappropriate proposed development anywhere other than Fairfield road	10/17/2017 12:45 PM
10	"Use attractive, high quality materials". Until you ban toxic materials like vinyl and hardie board and have Architects input on the character of community based architecture this will just bring more cheaply built, fake modern, poorly integrated architecture. I think that these kinds of developments should be Part 3 and REQUIRE the use of an Architect. Architects are the only ones trained to address the "concern about townhouses and rowhouses changing the character of the neighbourhood". Not designers. Not contractors. Not developers. Not City Planners.	10/17/2017 10:04 AM
11	Two rows of townhouses or rowhouses too dense. Inclusion of Queen Anne Heights/Foul Bay/Gonzales inconsistent with GNP stated intent to discourage subdivisions and retain large lot character, tree canopy and green space.	10/15/2017 12:08 PM
12	As long as these units were not out of place in size & design to the current buildings on the street it may be okay. Overshadowing of neighbours should not be allowed.	10/12/2017 9:46 PM
13	Things are really starting to change.. I am fine with that as long as there is some congruence. I am v supportive of increased density.	10/12/2017 6:34 PM
14	Really important,as I am seeing more single family residences coming down and being replaced with higher density buildings and not all are congruent w neighbourhood.I am also v supportive of increased density to mitigate urban sprawl and increase affordability.	10/12/2017 9:41 AM
15	Makes sense to me! Looking forward to having more of this housing type, and happy to see guidelines put in place.	10/11/2017 9:00 PM
16	Why don't you show where they are proposed to be built? It seems like you are hiding this from homeowners. How about you include the map that shows where you propose to have the built or where the location has been "narrowed". That is a huge component of what you are asking to be supported. This survey is shambolic, deceptive and completely self-serving.	10/11/2017 7:42 PM
17	Families don't need 3+ bedrooms, 3 is probably sufficient. Properties with 3+ bedrooms won't be affordable to most families. There are already a number of houses with 3+ bedrooms in this area and they are not affordable for most people let alone families.	10/11/2017 6:27 PM

Proposed Gonzales Neighbourhood Plan

### Q6 How supportive are you of Official Community Plan Amendment for new Heritage Conservation Areas

Answered: 59 Skipped: 10



ANSWER CHOICES	RESPONSES	
Very supportive	32.20%	19
Somewhat supportive	10.17%	6
Neutral	8.47%	5
Not very supportive	8.47%	5
Not at all supportive	40.68%	24
<b>TOTAL</b>		<b>59</b>

#	COMMENTS	DATE
1	Square boxes and maximum build, bull dozing the properties flat and removing all the trees is not what we want for this neighborhood.	10/29/2017 7:17 PM
2	Undue hardship for new development.	10/28/2017 8:01 PM
3	Guidelines too restrictive, particularly for upper Foul Bay area.	10/26/2017 2:09 PM
4	Standards and Guidelines for the Conservation of Historic Places in Canada is an inappropriate standard as this document is for full restoration to full heritage status.	10/25/2017 1:22 AM
5	The character of our community must be maintained; therefore, creativity within what exists needs to be looked into.	10/24/2017 5:07 PM
6	These areas are not big enough, much more of Gonzales should be designated heritage conservation.	10/24/2017 1:55 PM
7	I support protecting our heritage and character homes in Gonzales.	10/23/2017 8:08 PM
8	You're going to leave huge areas unprotected and the devastation of neighbourhood character that has destroyed Vancouver will happen here. We are trending towards Surrey Suburban style.	10/23/2017 6:51 PM



## Proposed Gonzales Neighbourhood Plan

9	While we do not live in the proposed areas we have reservations of needing city approval for aesthetics. If a homeowner wants to have a home designated as heritage, they should receive incentives to do so.	10/23/2017 5:30 PM
10	No heritage housing in this area and more regulation means lower property values .not needed owners should decide what happens on there property not planners	10/23/2017 4:33 PM
11	I think there needs to be more areas designated as heritage.	10/23/2017 4:27 PM
12	Individual designations is the way to go. That way, you don't harm economic interests of homeowners for no cultural/heritage value. Too little is known about impact. I've heard that some property owners may not be able to get insurance or costs go up. Lenders may be reluctant. Take this out of scope of this plan.	10/23/2017 12:00 PM
13	Neighbour knocked on my door and told me about this and sent me this survey. We really don't want what is happening to them to happen to us. We heard whole streets have been added near the end of the process and we're to close to those areas for comfort. Let people decide for themselves if they want to have a heritage home.	10/23/2017 11:42 AM
14	not all older houses have heritage value.	10/23/2017 11:32 AM
15	Mainly filled out the survey because of this. Our family strongly opposes this. We talked to neighbours who are effected by this and they asked for our support. We're a bit concerned that the heritage conservation area could spread to our side of the street and we really don't want that. We wouldn't want it done to us. Please don't do it to them.	10/23/2017 4:38 AM
16	I don't support heritage conservation areas. Homeowners should be able to choose if they want their homes to be included. I was speaking with a neighbour who said the city was turning their property into a heritage home without their consent. They also showed me how half of another street was added late in the process. I live across the street from them and do not want my house to be added. I can't afford for the city to swoop in and erase massive amounts of equity from my home and I don't want to encourage these policies.	10/21/2017 6:44 AM
17	Spoke with some neighbours about this. They said that a whole half of a street was added about a year and a half into the process. I live on a street with lots of old houses and I don't want my home to be turned into a heritage house. I also heard from a neighbour whose house is going to be in a heritage conservation area. They said city staff at a meeting told them that there was barely any difference between a heritage designation and a heritage conservation area. I don't normally do these surveys but my neighbour sent me a link and I want to support them. I also don't want the city to make my home a heritage house.	10/20/2017 9:14 PM
18	Is there a mandate to create HCA's? The whole of Gonzales is full of fabulous old homes - designate the whole area an HCA or permit anyone who specifically wants to take part to apply to be included. I like that the boundaries have been expanded but why are some properties excluded? Boundaries should go from street corner to street corner and include all properties therein. Otherwise, you create different rules/guidelines for different properties contained within invisible boundaries. For example the end house in the Redfern HCA originally would have been subject to the inequality of different guidelines than those of the neighbour behind, adjacent to, and across the street. I personally don't like that the "power" to make changes is taken out of the hands of the home owner and entrusted to a third party. If part of the intent is to ensure that an area is important from a historical perspective why isn't appropriate signage good enough - "ie the 1000 Block Redfern Street is considered Victoria's first known subdivision" as an example? This all appears to be a "good ideas" initiative rather than something specifically requested by the residents of the neighbourhood! Unless specifically zoned differently, I expect to be governed by the exact same guidelines as every other resident on my street and so long as my maintenance, renovation or replacement is within the building code, by-laws or whatever existing guidelines exist that should be adequate compliance with City of Victoria requirements.	10/18/2017 11:19 AM
19	This amendment does not go far enough. There should not be any densification in this area. In fact the city should use funds to slowly buy up this area so that it becomes a large park. I would rather my tax dollars currently going to the CRD parks fund go to buying local important land	10/17/2017 12:48 PM
20	Who is deciding on the architectural significance? "approved by a City planner and/or Council". Why are there no Architect's involved?? What does a planner know about Architecture????	10/17/2017 10:06 AM
21	No long redeeming value in this initiative.	10/15/2017 11:57 AM
22	Don't do this. This is the only reason I filled out this survey.	10/14/2017 9:57 PM
23	Leave my street alone	10/14/2017 8:57 PM

## Proposed Gonzales Neighbourhood Plan

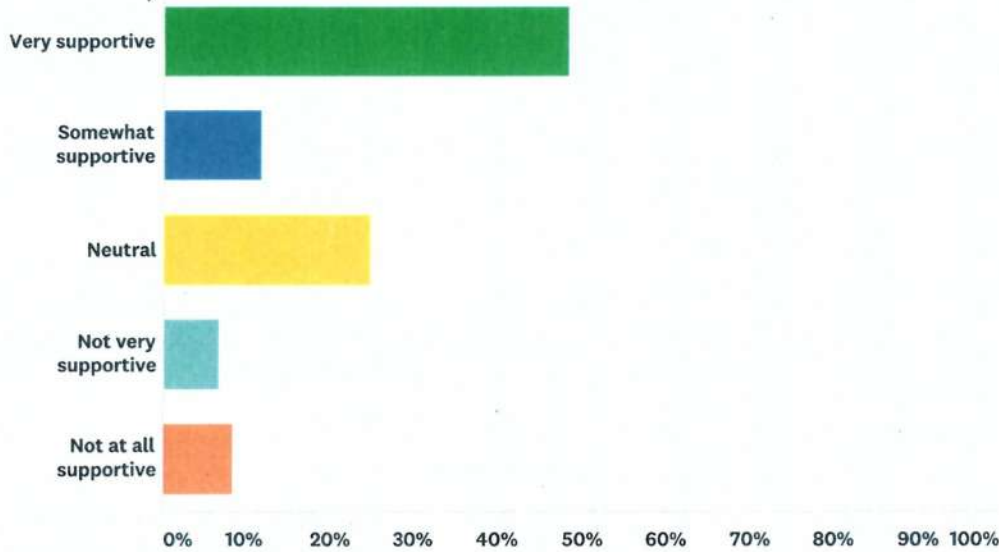
24	This question was my main reason for filling out this survey. Please cancel the HCA or make it optional.	10/13/2017 2:23 AM
25	The city needs to respect property rights.	10/13/2017 2:19 AM
26	Places extra stress & cost on homeowners - if someone wishes to have their home designated as heritage they could apply for it. These areas are not gated communities where everyone is required to live in "ticky tacky boxes" that all look the same. These areas of town are special because of the homes that are there and their individual decorating. New homes should be built to fit the neighborhood not force existing homeowners to conform to "sameness".	10/12/2017 9:51 PM
27	Recognizing the heritage value is important, but I also understand the concerns by property owners.	10/11/2017 9:01 PM
28	Allow homeowners to opt out if they don't want to be included. Homeowners must be compensated if property rights are taken from them. The expropriation of property rights should not be legitimized through an internet survey. If you want my property rights you had better pay me or I will start a class action lawsuit to sue the city.	10/11/2017 7:45 PM



Proposed Gonzales Neighbourhood Plan

### Q7 How supportive are you of Official Community Plan Amendment to correct the Glengarry Hospital Urban Place Designation

Answered: 60 Skipped: 9



ANSWER CHOICES	RESPONSES	
Very supportive	48.33%	29
Somewhat supportive	11.67%	7
Neutral	25.00%	15
Not very supportive	6.67%	4
Not at all supportive	8.33%	5
<b>TOTAL</b>		<b>60</b>

#	COMMENTS	DATE
1	Since this is a long-term elder care facility, we believe it should be characterized as a residential use not as an institution. Concern that changing the designation may facilitate the consideration of the property as a transitional housing / Mt. Edward type of project which would not be welcomed so close to a school or park.	10/23/2017 5:33 PM
2	It's always good to admit mistakes	10/23/2017 12:00 PM
3	Completely logical!	10/18/2017 11:20 AM
4	Having a 2 or 3 story building put on the site would be okay as long as there was a good setback on the Chandler side so as not to overshadow the other side of the street. Putting in a 4+ story hospital, etc. would be opening the area to increased density & traffic issues.	10/12/2017 10:18 PM
5	Sounds logical, though keeping it as Traditional Residential may allow for possible future residential use on the large, low-density site.	10/11/2017 9:03 PM
6	When the hospital is gone maybe it should become residential again. This would be better suited to the neighbourhood.	10/11/2017 7:48 PM

**REPORTS OF COMMITTEES****2. Committee of the Whole – September 21, 2017****8. Official Community Plan Amendments to Align with Gonzales Neighbourhood Plan****Motion:**

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council:

1. Consider consultation under Section 475(1) and 475(2) of the Local Government Act and direct staff to undertake consultation with those affected by the proposed amendments to the Official Community Plan through online consultation, a public open house, and a meeting with owners of property within proposed heritage conservation areas, concurrent with public review of the proposed Gonzales Neighbourhood Plan.
2. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff:
  - a. to refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, the School District Board, the Council of Oak Bay, Island Health Board of Directors; and
  - b. that no referrals are necessary to the Capital Regional District Board, or the provincial or federal governments.
3. Direct staff to prepare Official Community Plan amendment bylaws following consultation to adjust urban place designations, adjust development permit area boundaries and guidelines, and create a new heritage conservation area in accordance with feedback received on the proposed Official Community Plan amendments.
4. Direct staff to create Development Permit Area Guidelines for the Small Urban Villages at Fairfield Road, Wildwood Avenue and Lilian Street.
5. Direct staff to develop appropriate tools to make secondary suites permissible in the neighbourhood.
6. Refer the proposed Gonzales Neighbourhood Plan to the meeting of Council at which the above Official Community Plan amendments Public Hearing is held, for consideration of final approval.
7. Following approval of the proposed Gonzales Neighbourhood Plan, rescind the Gonzales Neighbourhood Community Plan (2002).

**Carried**

**For:** Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Madoff, and Thornton-Joe  
**Opposed:** Councillor Young



## 7. STAFF REPORTS

### 7.1 Official Community Plan Amendments to Align with Gonzales Neighbourhood Plan

Committee received a report dated September 1, 2017, from the Director of Sustainable Planning and Community Development regarding proposed amendments to the OCP and the public review of the proposed Gonzales Neighbourhood Plan.

Committee discussed:

- Zoning changes for the neighbourhood that do not require OCP amendments.

**Motion:** It was moved by Councillor Coleman, seconded by Councillor Alto, that Council:

1. Consider consultation under Section 475(1) and 475(2) of the Local Government Act and direct staff to undertake consultation with those affected by the proposed amendments to the Official Community Plan through online consultation, a public open house, and a meeting with owners of property within proposed heritage conservation areas, concurrent with public review of the proposed Gonzales Neighbourhood Plan.
2. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff:
  - a. to refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, the School District Board, the Council of Oak Bay, Island Health Board of Directors; and
  - b. that no referrals are necessary to the Capital Regional District Board, or the provincial or federal governments.
3. Direct staff to prepare Official Community Plan amendment bylaws following consultation to adjust urban place designations, adjust development permit area boundaries and guidelines, and create a new heritage conservation area in accordance with feedback received on the proposed Official Community Plan amendments.
4. Refer the proposed Gonzales Neighbourhood Plan to the meeting of Council at which the above Official Community Plan amendments Public Hearing is held, for consideration of final approval.
5. Following approval of the proposed Gonzales Neighbourhood Plan, rescind the Gonzales Neighbourhood Community Plan (2002).

**Amendment:** It was moved by Councillor Madoff, seconded by Councillor Coleman, that the motion be amended to include the following point:

4. **Direct staff to create Development Permit Area Guidelines for Small Urban Villages at Fairfield Road, Wildwood Avenue and Lilian Street.**

On the amendment:  
CARRIED UNANIMOUSLY 17/COTW

**Amendment:** It was moved by Councillor Alto, seconded by Mayor Helps, that the motion be amended to include the following point:

**5. Direct staff to develop appropriate tools to make secondary suites permissible in the neighbourhood.**

On the amendment:  
CARRIED UNANIMOUSLY 17/COTW

Committee discussed:

- Concerns about the transitions with allowing multi-unit buildings on Fairfield Road.

**Main motion as amended:**

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council:

That Council:

1. Consider consultation under Section 475(1) and 475(2) of the Local Government Act and direct staff to undertake consultation with those affected by the proposed amendments to the Official Community Plan through online consultation, a public open house, and a meeting with owners of property within proposed heritage conservation areas, concurrent with public review of the proposed Gonzales Neighbourhood Plan.
2. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff:
  - a. to refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, the School District Board, the Council of Oak Bay, Island Health Board of Directors; and
  - b. that no referrals are necessary to the Capital Regional District Board, or the provincial or federal governments.
3. Direct staff to prepare Official Community Plan amendment bylaws following consultation to adjust urban place designations, adjust development permit area boundaries and guidelines, and create a new heritage conservation area in accordance with feedback received on the proposed Official Community Plan amendments.
4. Direct staff to create Development Permit Area Guidelines for the Small Urban Villages at Fairfield Road, Wildwood Avenue and Lilian Street.
5. Direct staff to develop appropriate tools to make secondary suites permissible in the neighbourhood.
6. Refer the proposed Gonzales Neighbourhood Plan to the meeting of Council at which the above Official Community Plan amendments Public Hearing is held, for consideration of final approval.
7. Following approval of the proposed Gonzales Neighbourhood Plan, rescind the Gonzales Neighbourhood Community Plan (2002).

On the main motion as amended:  
CARRIED 17/COTW

For: Mayor Helps, Councillors Alto, Coleman, Loveday, and Thornton-Joe  
Against: Councillors Isitt, Madoff, and Young





## Committee of the Whole Report

For the Meeting of September 21, 2017

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**To:** Committee of the Whole **Date:** September 1, 2017  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** OCP Amendments to Align with Gonzales Neighbourhood Plan

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### RECOMMENDATION

That Council:

1. Consider consultation under Section 475(1) and 475(2) of the *Local Government Act* and direct staff to undertake consultation with those affected by the proposed amendments to the Official Community Plan through online consultation, a public open house, and a meeting with owners of property within proposed heritage conservation areas, concurrent with public review of the proposed Gonzales Neighbourhood Plan.
2. Consider consultation under Section 475(2)(b) of the *Local Government Act* and direct staff:
  - a. to refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, the School District Board, the Council of Oak Bay, Island Health Board of Directors; and
  - b. that no referrals are necessary to the Capital Regional District Board, or the provincial or federal governments.
3. Direct staff to prepare Official Community Plan amendment bylaws following consultation to adjust urban place designations, adjust development permit area boundaries and guidelines, and create a new heritage conservation area in accordance with feedback received on the proposed Official Community Plan amendments.
4. Refer the proposed Gonzales Neighbourhood Plan to the meeting of Council at which the above Official Community Plan amendments Public Hearing is held, for consideration of final approval.
5. Following approval of the proposed Gonzales Neighbourhood Plan, rescind the Gonzales Neighbourhood Community Plan (2002).

### EXECUTIVE SUMMARY

The purpose of this report is to advise Council on proposed amendments needed for the Official Community Plan (OCP) to ensure it aligns with the Gonzales Neighbourhood Plan, and for Council to turn their minds to consultation necessary for the proposed OCP amendments. Based on consultation on the draft Gonzales Neighbourhood Plan with the public, affected stakeholders, and Council, staff are preparing the final plan and parallel amendments to the OCP to align urban place designations and implement development permit areas (DPA) and heritage conservation areas (HCA).

In accordance with Section 475 of the *Local Government Act*, Council must turn their minds to appropriate public consultation for the proposed OCP amendments. This includes timing of the consultation (whether early, repeated, etc.), who will be affected, and therefore ought to be

consulted, and the extent of that consultation. It is recommended that consultation be in the form of online public consultation, outreach to key stakeholders, a public open house regarding the proposed plan and OCP amendments, and a homeowner's meeting regarding the proposed HCAs. Following this, the findings of the consultation and the proposed OCP amendments will be considered by Council. After readings of the OCP amendment bylaws, there will be a Public Hearing for the OCP amendments, and at the same Council meeting, consideration of the final Gonzales Neighbourhood Plan for approval.

## PURPOSE

The purpose of this report is to seek Council's direction to consult with those affected by proposed amendments to the OCP as outlined in this report, concurrent with public review of the proposed Gonzales Neighbourhood Plan.

## BACKGROUND

On July 13, 2017, Council considered the draft Gonzales Neighbourhood Plan and directed staff to:

1. Refer the draft Gonzales Neighbourhood Plan and draft Design Guidelines for Intensive Residential Development - Townhouse and Rowhouse to the Advisory Design Panel for comment.
2. Refer the draft Gonzales Neighbourhood Plan to the Heritage Advisory Panel for comment.
3. Direct staff to create Gonzales-specific guidelines or exemptions for the proposed Heritage Conservation Areas that address feedback from homeowners, community and Heritage Advisory Panel.
4. Invite further public comment to inform Council's consideration of the next iteration of the plan.

Following the Council workshop, staff made a number of revisions to the draft Gonzales Neighbourhood Plan, and are currently in the referral process with the Advisory Design Panel and Heritage Advisory Panel on the above items.

## LEGISLATIVE AUTHORITY

Section 475 of the *Local Government Act* requires that during an amendment of an official community plan, the proposing local government must provide one or more opportunities it considers appropriate for consultation (in addition to the public hearing requirements later on in the process). In addition to the general requirement to consider appropriate consultation with persons, organizations and authorities it considers will be affected, the local government must specifically consider whether consultation is required with the following:

- the board of the regional district in which the area covered by the plan is located, in the case of a municipal official community plan
- the board of any regional district that is adjacent to the area covered by the plan
- the council of any municipality that is adjacent to the area covered by the plan
- first nations
- boards of education, greater boards and improvement district boards
- the provincial and federal governments and their agencies.



## ISSUES & ANALYSIS

### Proposed OCP Amendments

The following OCP amendments are proposed to align with the land use and urban design directions in the Gonzales Neighbourhood Plan, which has been informed by public engagement during 2016-2017:

1. Revise urban place designations to reflect the following (Attachment A):
  - a. add opportunities for multi-unit buildings up to 3 storeys on Fairfield Road between St. Charles Street and Foul Bay Road, as part of the Traditional Residential Urban Place Designation in Figure 8: Urban Place Designations
  - b. designate properties at Fairfield Road, Wildwood Avenue and Lillian Street as "Small Urban Village."
2. Expand Development Permit Area 7A: Corridors, to include Fairfield Road between St. Charles Street and Foul Bay Road and apply the *Revitalization Guidelines for Corridors, Villages and Town Centres* with content specific to Gonzales added (Attachment A, B).
3. Propose a new Development Permit Area 15F: Intensive Residential - Townhouse and Rowhouse with new guidelines to apply to the entire Gonzales neighbourhood (Attachment C).
4. Create a new Heritage Conservation Area 2: Traditional Residential for portions of Redfern Street, Lower Foul Bay Road and Upper Foul Bay Road, with clear permit exemptions and guidelines for minor alterations to newer homes and to balance heritage conservation principles with energy efficiency retrofits (Attachment D).

The proposed OCP amendments are in the process of referral to Advisory Design Panel and Heritage Advisory Panel, and their input will be considered in making revisions to proposed amendments.

### Recommended Consultation

To meet the requirements of the *Local Government Act* when OCP amendments are considered, staff propose online engagement and a public engagement event, anticipated as follows:

- September: Invite homeowners affected by the proposed HCAs to a meeting for information on the proposed OCP amendments.
- October: Initiate online public engagement, refer to the affected groups noted below. Hold a public open house and meeting with homeowners in the proposed HCAs.  
Revise OCP amendments based on the results of public consultation
- November: Provide a summary of engagement to Council when the OCP amendment bylaws are introduced for readings.
- December: Hold a Public Hearing on the OCP amendments and consider approval of the final Gonzales Neighbourhood Plan.

Referral to the following groups are recommended:

- Songhees Nation and Esquimalt Nation as the Gonzales neighbourhood is located within their traditional territories
- Island Health as adjustments to Urban Place Designations affect the Glengarry Hospital site
- the Greater Victoria School District Board (GVSD) as adjustments to an Urban Place Designation affect the Margaret Jenkins School site
- the Gonzales Neighbourhood Plan will be referred to District of Oak Bay as a courtesy due to the shared boundary with Gonzales.

Staff do not recommend referral to other groups including the Capital Regional District Board or the provincial and federal governments as the proposed OCP amendments do not impact these entities or the use of properties owned by these entities.

**OPTIONS & IMPACTS**

*Accessibility Impact Statement*

A design guideline that encourages accessibility in open space design was added to the Design Guidelines for Intensive Residential – Townhouse and Rowhouse on the recommendation of the Advisory Design Panel.

*2015 – 2018 Strategic Plan*

This milestone in the Gonzales Neighbourhood Plan process supports Strategic Plan, Objective 3: Strive for Excellence in Planning and Land Use, which contains actions and outcomes to undertake local area planning focused on urban villages and transportation corridors.

*Impacts to Financial Plan*

The proposed OCP amendments do not impact the Financial Plan as costs associated with public engagement are provided under the current project budget.


*Official Community Plan Consistency Statement*

While the draft Gonzales Neighbourhood Plan contains policy directions that are in line with the broad growth objectives and policies of the OCP, some amendments to the OCP are required to align the two plans given the finer grain of detail that emerged out of the neighbourhood plan process and to implement the urban design and heritage objectives.

**CONCLUSIONS**

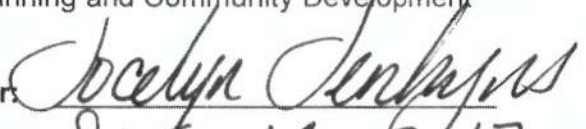
Bringing forward proposed amendments to the OCP in parallel with the Gonzales Neighbourhood Plan will provide engagement efficiencies, meet the consultation requirements of the *Local Government Act*, and ensure both plans are aligned. Plan alignment will provide more clarity for the public, landowners and developers seeking to submit development proposals to the City, and for staff in providing development advice to applicants.

Respectfully submitted,

  
 Kristina Bouris  
 Senior Planner  
 Community Planning

*Att.*   
 Jonathan Tinney  
 Director  
 Sustainable Planning and Community Development

Report accepted and recommended by the City Managers:

  
 Date: Sept. 14, 2017

**List of Attachments**

- Attachment A: Proposed OCP Amendments: Land Use and Development Permit Areas
- Attachment B: Draft Revitalization Guidelines for Corridors, Villages and Town Centres
- Attachment C: Draft Design Guidelines for Intensive Residential Development - Townhouse and Rowhouse
- Attachment D: Proposed OCP Amendment: Heritage Conservation Areas



PROPOSED OFFICIAL COMMUNITY PLAN (OCP) AMENDMENTS

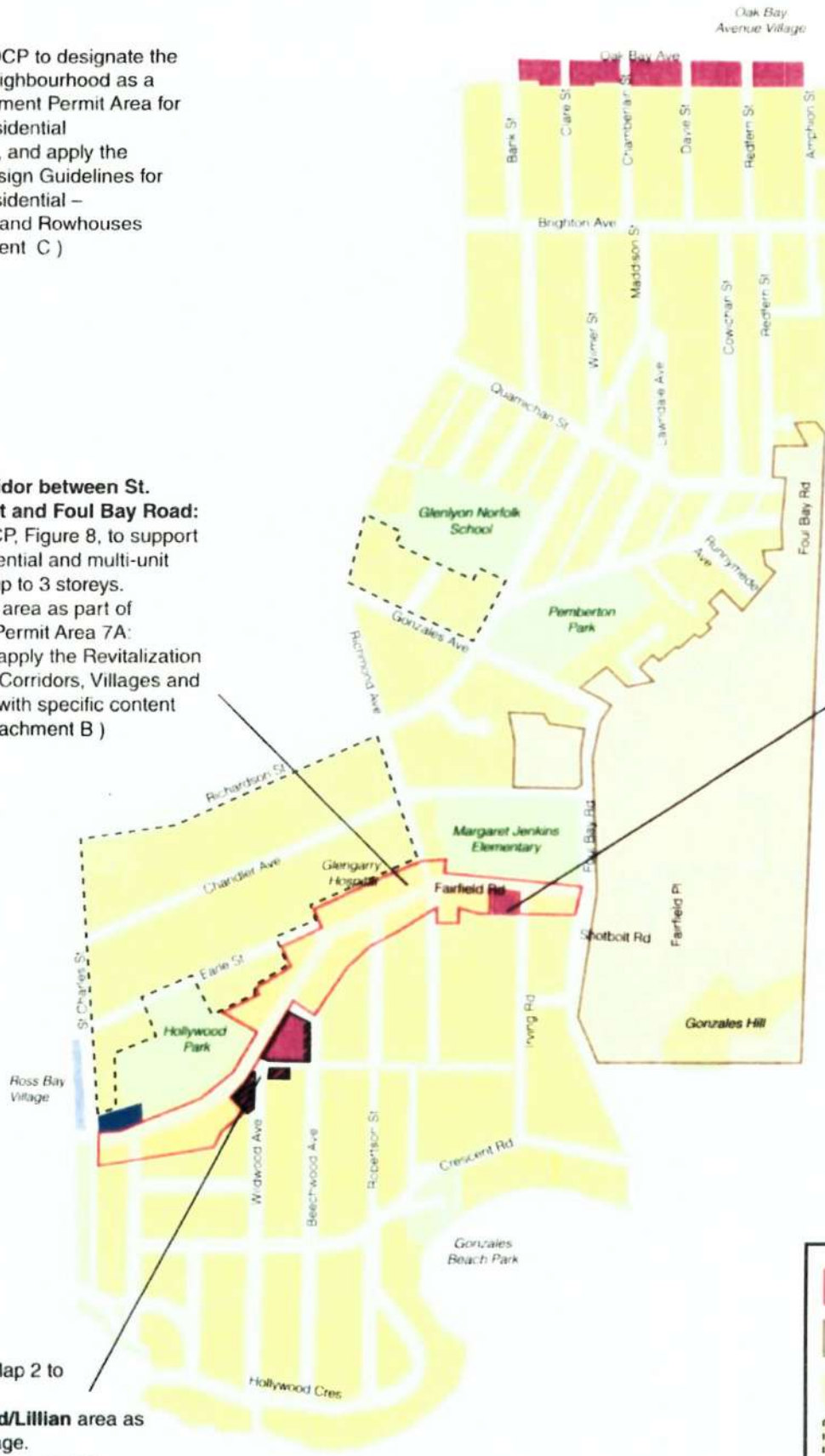
ATTACHMENT A

Amend the OCP to designate the Gonzales Neighbourhood as a new Development Permit Area for Intensive Residential development, and apply the proposed Design Guidelines for Intensive Residential – Townhouses and Rowhouses (see Attachment C )

**Fairfield Corridor between St. Charles Street and Foul Bay Road:**  
Amend the OCP, Figure 8, to support attached residential and multi-unit development up to 3 storeys. Designate this area as part of Development Permit Area 7A: Corridors and apply the Revitalization Guidelines for Corridors, Villages and Town Centres with specific content added (see Attachment B )

**Fairfield at Irving Village:**  
Amend the OCP to Designate this area as part of Development Permit Area 6A: Small Urban Villages and apply the Revitalization Guidelines for Corridors, Villages and Town Centres with specific content added (see Attachment B )

Amend the OCP, Map 2 to designate the **Fairfield/Wildwood/Lillian** area as a Small Urban Village. Designate this area as part of Development Permit Area 6B: Small Urban Villages Heritage and apply the Revitalization Guidelines for Corridors, Villages and Town Centres with specific content added (see Attachment B )



	Traditional Residential Area 1: Fairfield Low-Rise Apartment
	Traditional Residential Area 2: Queen Anne Heights /Foul Bay Road / Gonzales Hill
	Traditional Residential Area 3: All other areas
	Traditional Residential Area 3: Blocks appropriate for townhouses
	Proposed Small Urban Village (see Chapter 6)
	Existing Small Urban Village (see Chapter 6)
	Existing Large Urban Village (see Chapter 6)



# Revitalization Guidelines for Corridors, Villages and Town Centres





# Revitalization Guidelines for Corridors, Villages and Town Centres

## Preamble

These guidelines apply to designated Corridors, Villages and Town Centres and are intended to supplement the *Design Guidelines For: Multi-Unit Residential, Commercial and Industrial, July 2012* which address form and character of developments across the city.

It is intended that both guideline documents will be considered together in conjunction with other applicable guidelines noted in each designated development permit area as detailed in the *Official Community Plan*. Collectively, the guidelines are intended to guide applicants in achieving new development and additions to existing buildings that result in design excellence, livability, and high-quality pedestrian environments. This is intended to contribute to sense of place and urbanism that is responsive to Victoria's context, while enabling flexibility and fostering creativity.

All visuals in this document are provided for illustrative purposes only to support description of the guidelines.

## General Guidelines

### 1) Context and Streetscapes

- a. Buildings flanking streets should create a sense of enclosure and human scale. To achieve this, buildings fronting streets should provide a "street wall" that is at a height approximately 1/2 to 1/3 the width of the flanking street. This can be expressed as a street-wall-to-street-width ratio range of approximately 1:2 to 1:3. For buildings located on corner sites, this principle should be applied to the facades facing both streets where possible.

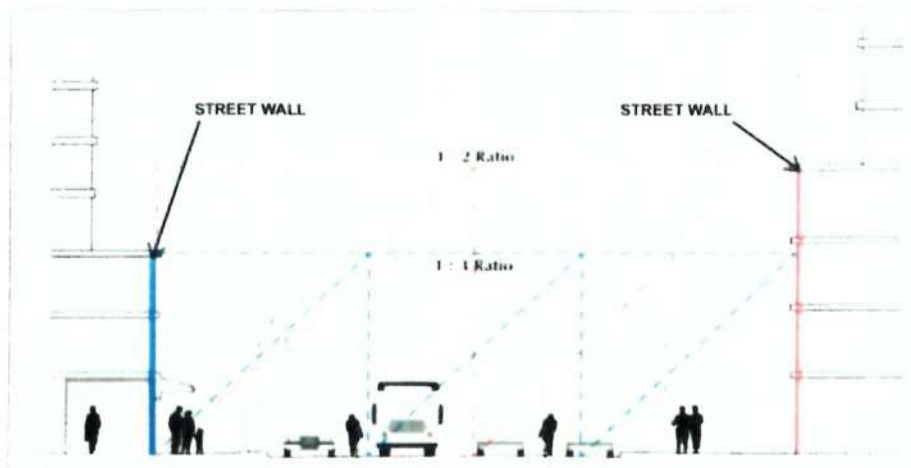


Figure 1: A building height-to-street-width ratio of between approximately 1:3 and 1:2 is recommended to frame streets and provide human scale. Portions of buildings above the street wall are encouraged to step back.

- b. To mitigate the visual impact of building height and to maximize sunlight exposure to the street, the upper portions of buildings above the street wall should be set back by at least two metres.
- c. Where an established pedestrian-friendly street wall exists, the front facade of new buildings should be generally aligned with adjacent buildings to create visual continuity along the streetscape.
- d. Buildings with commercial uses at grade should generally be built up to the sidewalk. Portions of the front facade may be set back from the front property line to accommodate features such as patios, courtyards or seating areas.
- e. Buildings should create "eyes on the street" and public spaces by orienting doorways, windows and balconies to overlook sidewalks, walkways, parks and other open spaces.
- f. Consider unique rooflines for taller buildings that have a visually prominent location (e.g. at corners, or at terminating vistas of streets) in order to create a distinct landmark.

## 2) Building Design

- a. Building facades, especially those facing streets, should be well-designed and articulated with human-scale architectural features that create visual interest for pedestrians. Facade designs should consider the rhythm and pattern of existing building facades and architectural elements in the surrounding context, such as building articulation, rooflines, window placement, entryways, canopies and cornice lines.
- b. Large expanses of blank walls should be avoided. Where this is not possible, design treatments such as vertical plant materials, landscaping, art (e.g. mosaic, mural or relief) or the use of other building materials and building elements are encouraged to add visual interest.
- c. Weather protection for pedestrians should be provided in the following manner:
  - a) Individual canopies or awnings of sufficient depth should be provided to protect pedestrians from inclement weather, especially at building entrances.
  - b) The underside of canopies should be illuminated.
  - c) Canopies with translucent or frosted glazing are encouraged to maximize winter sunlight, particularly for north-facing facades.
- d. For buildings located on a corner, the corner design should include an architectural feature that addresses and emphasizes the corner. Strategies to achieve this include but are not limited to a chamfered or setback corner, prominent glazing, or a primary building entrance oriented to the corner.
- e. The first storey of a mixed-use or commercial building should be designed with a minimum floor-to-ceiling height of at least 4m and a minimum depth of approximately 10 metres to accommodate a range of commercial uses.
- f. Buildings with commercial uses at grade should be designed with a series of modulated storefronts and entrances, with transparent glazing. This design strategy is encouraged even where the building has a single tenant or use.



*Figure 2 Modulated, transparent storefronts create interest for pedestrians and encourage activity along the street*

- g. Buildings that extend along sloping sites should be designed to follow and respond to the natural topography while maintaining a strong relationship of facades and building entrances to the street. Where retaining walls are unavoidable, they should be designed to ensure that they do not negatively impact the pedestrian experience along adjacent sidewalks.

## 3) Parking

- a. Parking should be located underground or to the rear of buildings to provide human scale pedestrian environments. Where rear yard surface parking is proposed, building designs and landscaping interventions should be employed so that parking is integrated into sites in a manner that results in an attractive and safe environment.



#### 4) Livability

- a. Where two or more buildings are located on a single site, or where a single structure contains two or more building elements above a common base or podium, a comfortable separation space should be provided for residential units, with consideration for window placement, sunlight penetration to residential units, and adequate spaces for landscaping.

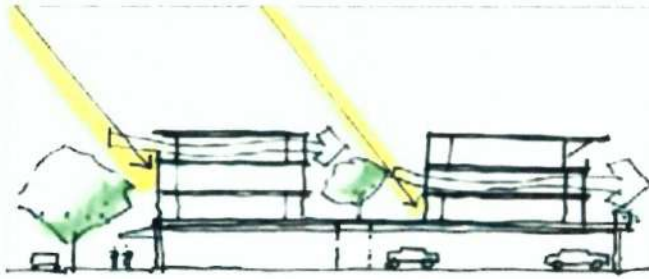


Figure 3. Comfortable separation space allows for sunlight access to individual units and outdoor spaces.

- b. Multi-unit buildings should be designed to provide a sensitive transition in scale to adjacent, smaller developments through considerations for massing and other design features. Strategies to achieve this may include but are not limited to setting upper storeys back, varying roof lines, siting or scaling buildings to reduce shading, etc.
- c. Residential building designs are strongly encouraged to include common outdoor space such as landscaped courtyards or rooftops, where possible.
- d. Buildings with residential use should be designed so that units receive daylight and natural ventilation from at least two sides of the building, or from one side and a roof. Where possible, provide dwelling units with a choice of aspect: front and back, or on two sides (for corner units).
- e. Residential buildings located along busy arterial streets should incorporate design features that minimize noise and pollution impacts (e.g. triple-pane glazing, residential units oriented towards courtyards, design of residential units with multiple orientations or side orientations, and building air intakes located away from the road).
- f. As a means to improve privacy between adjacent buildings, consider design solutions such as window size, window height, window placement and orientation, exterior landscaping, privacy screens or the use of frosted glazing on balconies.
- g. Pedestrian walkways that connect the primary entrance of multi-unit residential or commercial buildings with the adjacent public sidewalk should be a minimum of 2m wide and distinguishable from driving surfaces by using varied paving treatments.

#### 5) Materials and Finishes

- a. Exterior materials that are high quality, durable and capable of withstanding a range of environmental conditions throughout the year are strongly encouraged, particularly on lower portions of buildings that are more closely experienced by pedestrians. High quality building materials include but are not limited to:
  - Natural wood
  - Composite materials
  - Brick masonry
  - Glazed tile
  - Stone
  - Concrete
  - Flat profile "slate" concrete tiles
  - Glass and wood for window assemblies
  - Standing seam metal roofing
- b. Light-coloured, heat reflective and permeable paving materials are encouraged for hard surfaces such as parking areas, walkways, patios and courtyards as a means to reduce storm water run-off and reduce heat-island effects. Light-coloured or heat reflective materials are also encouraged for rooftops to reduce heat island effects.

## 6) Landscaping and Open Space:

- Buildings that include residential units should include private open space (e.g. balconies, porches) or easily accessed shared open space in the form of courtyards, green spaces, terraces, yards, play areas or rooftop gardens.
- The rear yard of multi-unit or mixed-use buildings adjacent to lower scale residential development should provide landscaping and trees that mitigate the appearance of massing and contribute to a transition in scale.
- Landscape design should consider the local climate and water efficiency through species selection, including selection of draught-tolerant species, efficient irrigation systems or design of unirrigated landscapes, use of run-off for irrigation, presence of rain gardens and other approaches.
- Consider features in landscaping or open space that add to sociability, such as shared areas to sit, garden plots, play areas, balconies fronting courts, etc.

## Area-Specific Guidelines:

In addition to the General Guidelines, the following guidelines apply to each specific designated area.

### 1) Mayfair Town Centre:

- Taller buildings should generally be focused in the western part of the site, near Douglas Street.
- Design taller buildings to have a clear architectural distinction between the base (podium or street wall portion), middle and upper portion of the building.
- The podium base or street wall portion of buildings are encouraged to be three to five storeys (approximately 10–15m) in height.
- Major redevelopment of the Mayfair Shopping Centre should incorporate an internal network of pedestrian-friendly streets and connections between Speed Street, Nanaimo Street and Oak Street in order to create a structure of city blocks and to support permeability for pedestrians, cyclists and vehicles.

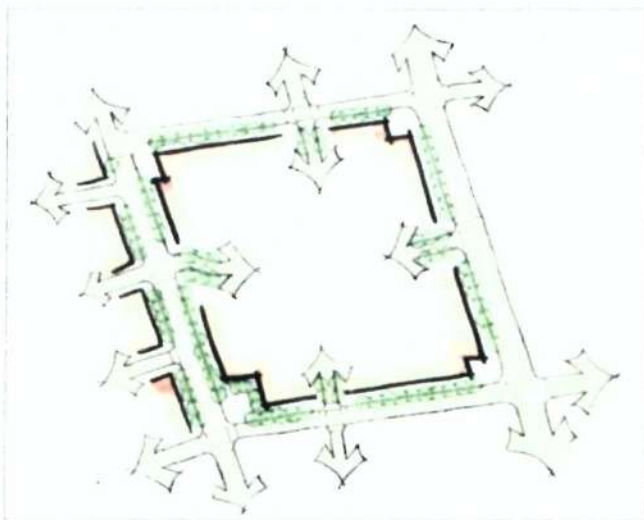


Figure 5: Major redevelopment of the Mayfair Shopping Centre site should establish an internal block structure connecting to adjacent streets.

- Building design should emphasize Douglas Street as the primary retail street of the Mayfair Town Centre. However, building designs should not “turn their back” on adjacent streets. Instead, provide facades that address all street frontages and are consistent with the General Guidelines for Building Designs (SECTION 2).
- Building design that results in a landmark expression is encouraged at the intersection of Douglas and Finlayson Streets.
- The tower portions of buildings above six storeys in height should generally be sited and designed to maintain access to sunlight, with a sufficient face-to-face separation distance between towers on the same site, and a sufficient clear distance to lot lines abutting other developable parcels. A desired face-to-face separation distance for towers at the Mayfair Shopping Centre site (the area bounded by Douglas Street, Nanaimo Street, Blanshard Street and Tolmie Avenue) is 25 metres.



## 2) Gorge at Irma Village

- a. Development within this village should create multiple smaller storefronts facing Gorge Road and turning the corner onto Irma Street to support a variety of neighbourhood-oriented commercial uses.

## 3) Douglas-Blanshard Corridor

- a. In the Humber Green area between Douglas and Blanshard Streets, residential units are encouraged to be oriented to inner courtyards or quieter interior streets to mitigate noise impacts from adjacent arterial traffic. However, building designs should not "turn their backs" to Douglas and Blanshard Streets. Instead, provide facades that address all street frontages and are consistent with the General Guidelines for Building Designs (SECTION 2).

## 4) Gorge Road East Corridor

- a. Redevelopment along Gorge Road East should consider site planning and building massing to preserve and enhance view corridors looking south from Balfour Street and Carroll Street toward the Olympic Mountains.

## 5) Fairfield Road Corridor

- a. Multi-unit buildings along Fairfield Road should be designed to be compatible with the scale and rhythm of existing development along the street. For new building facades that appear longer than others within the established context, design strategies should be employed to mitigate the appearance of building length, such as:
  - modulation of massing
  - variations in rooflines
  - composition of architectural features, materials and colours
  - other architectural solutions.
- b. The Fairfield Road corridor is envisioned to be a tree-lined street, supporting the urban forest and contributing to its character. When site planning and landscape design is considered, the following should be addressed:
  - Location of driveway access should strive to preserve existing canopy trees or provide opportunities for new canopy trees within the boulevard by providing enough planting space. A minimum of one planting space per 15 metres of frontage is recommended.
  - Where there is no boulevard, or it is of insufficient width to support trees, canopy trees are encouraged within front yards adjacent to the right-of-way.

**DESIGN GUIDELINES FOR:  
INTENSIVE RESIDENTIAL DEVELOPMENT – TOWNHOUSE AND ROWHOUSE**

**1. Introduction**

**Townhouse and Rowhouse Building Typologies**

Within these guidelines, the term "rowhouse" means a single row of attached housing, with each housing unit on its own legal lot (i.e. fee-simple rowhouse) and with its own driveway access.

The term "townhouse" also means attached housing, but can be designed in different configurations and may involve more than one building complex on a site (i.e. more than one row).

These guidelines address both types of attached housing forms.

**2. Site Planning**

**Objectives:** *To site buildings in a manner that considers and maintains the pattern of landscaped front and back yards, that makes a positive contribution to the streetscape and achieves a more compact residential building form while maintaining livability.*

**a. Building Placement**

- i. Townhouse and rowhouse buildings should be designed parallel to the street with unit entrances oriented to and directly accessed from the fronting street. Both front and rear yards should be provided:



*Illustrative example of rowhouses along a street.*

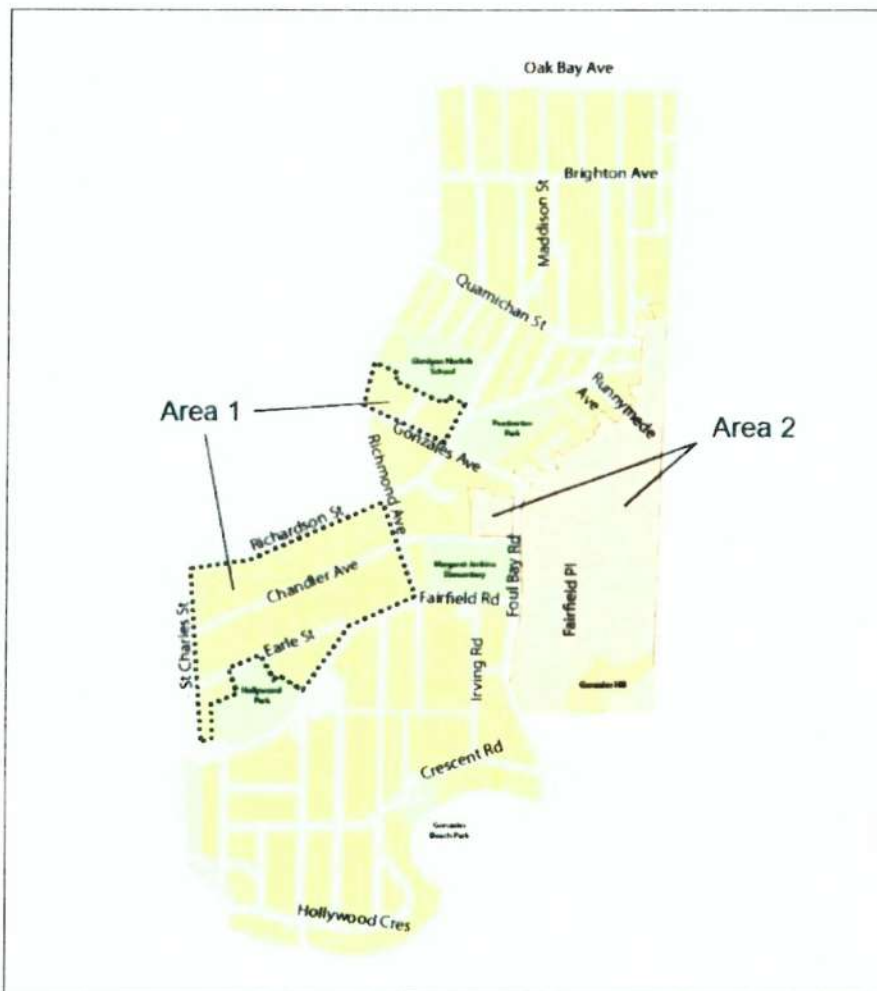


- ii. Townhouse developments that involve more than one building complex on a site (i.e. more than one row) are suitable in the following areas shown below, due to the appropriate block and lot sizes that can accommodate these forms of development:

For the Gonzales Neighbourhood:

**Area 1:** Limited areas within lands designated for Traditional Residential use, delineated below with a black dashed line;

**Area 2:** The Queen Anne Heights/Foul Bay Road/Gonzales Hill area, shown shaded in brown.

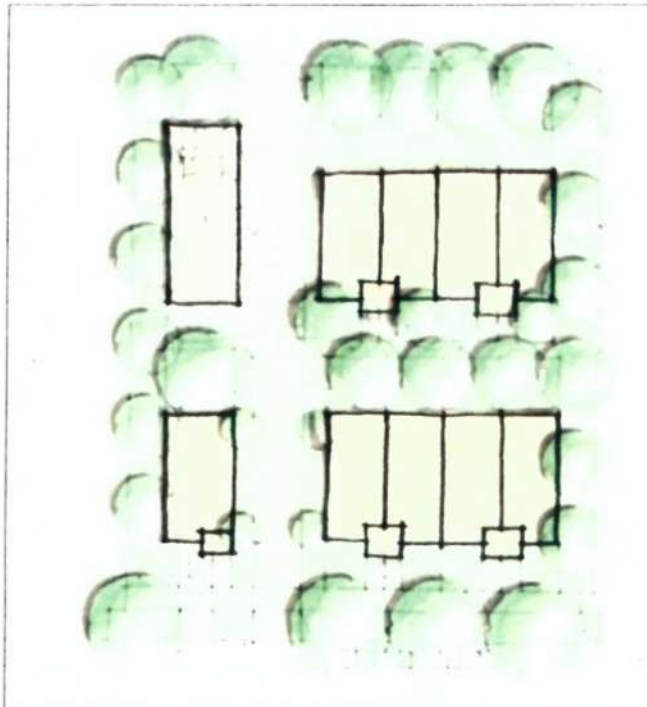


Map 1: Gonzales Neighbourhood Sub-Areas

- iii. For townhouse developments that include multiple building complexes (i.e. more than one row), the following should be achieved:
  - 1. Site planning should ensure that townhouse units face the street;
  - 2. Townhouse units located in the interior of lots should be designed with adequate separation from other buildings and have access to open space;
  - 3. Vehicle access, parking and circulation should be integrated sensitively so it is not the dominant aspect of the development. See Section 2.c. for further guidance.



*Illustrative example of a townhouse complex organized into two parallel rows around a parking court.*

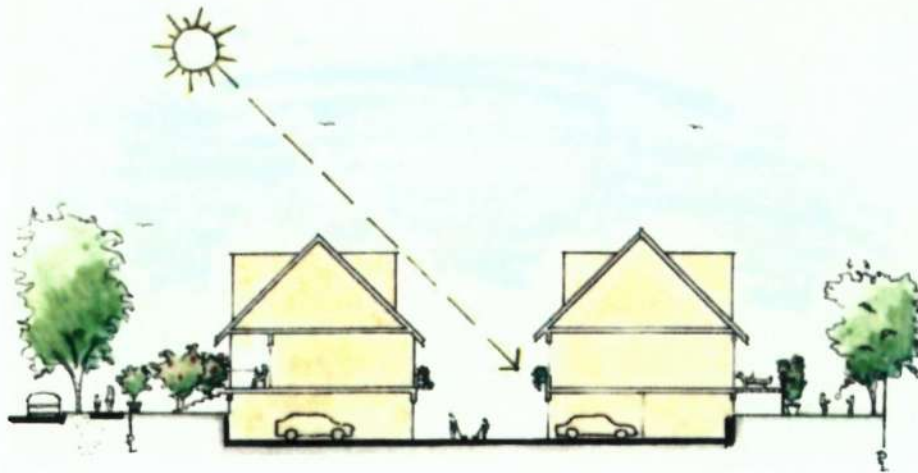


*Illustrative example of individual townhome units oriented to landscape and pedestrian spaces, with parking clustered to the side of the lot.*

- iv. "Galley-style" townhouses where building complexes are sited perpendicular to streets with residential unit entries oriented internally are strongly discouraged. This layout is discouraged because it does not orient as many residential units towards the street, typically provides less landscaped open space and insufficient separation between buildings.
- v. For properties that include buildings of heritage value (Heritage Designated or listed on the City's Heritage Register) that may be integrated into townhouse or rowhouse developments, alternative siting of new buildings or additions may be considered to facilitate heritage conservation.
- vi. For properties in the Queen Anne Heights/Foul Bay Road/Gonzales Hill area (Area 2), site planning and buildings should strive to have minimal disturbance on the tree canopy. While developments are encouraged to be oriented to streets, alternative siting of townhouses or rowhouses may be considered to facilitate retention of the tree canopy, open space or landscape features.

#### **b. Building Separation**

- i. Where more than one row of townhouses are proposed on one site, a sufficient building separation should be provided between buildings to maximize daylight and minimize shadowing and overlook.



#### **c. Vehicular Access, Parking, and Circulation**

- i. Vehicular access, circulation, garage doors and parking should not be the dominant aspect of townhouse and rowhouse developments. Design strategies should be employed to minimize the impact of accommodating vehicles on site, including but not limited to the following:



1. Integrate parking in a manner that provides landscaped areas in rear yards.
2. Consider grouping driveway access points to minimize the number of driveway cuts and maximize space for landscaping and on-street parking;
3. Location of driveway access should strive to preserve existing canopy trees or provide opportunities for new canopy trees within the boulevard by providing enough planting space. See Section 5 Open Space Design for further guidance;
4. Consider ways to minimize the appearance of garage doors through recessing, architectural materials, design which emphasizes residential unit entries, or other design strategies.
5. Use high quality and permeable paving materials for driveways;
6. Use attractive, high quality materials and consider incorporating glazing in garage doors;
7. See Section 5, Open Space Design for additional design guidelines related to landscaping and screening.

### 3. **Building Form and Features**

**Objective:** *To achieve buildings of high architectural quality and interest with human-scale building proportions that are oriented towards and are compatible with the established streetscape character and pattern.*

#### **a. Building Massing and Roof Forms**

- i. Modulation in massing or roof forms are encouraged to differentiate individual units within townhouse and rowhouse building complexes and to provide architectural interest.

#### **b. Building Materials and Finishes**

- i. Exterior building materials are encouraged to contribute to high-quality architecture by achieving the following:
  1. provide interest to facades by incorporating a range of architectural features and details;
  2. articulate different building features;
  3. use substantive, natural materials that are durable and weather gracefully over time;
  4. help mitigate the impact of blank walls, where necessary;



5. visually reduce the perception of building massing, where necessary; and
  6. wrap around the corner of buildings, where appropriate.
- ii. Consider exterior building materials, finishes and colours that are compatible with other developments along the streetscape so new development integrates with existing architectural character.

#### 4. **Building Entrances and Windows**

**Objective:** *To enhance livability by locating windows and entrances to encourage sociability and eyes on the street while minimizing privacy impacts on neighbouring homes.*

- a. Townhouse and rowhouse developments should maintain a street-fronting "front-to-back" orientation to the street.
- b. All residential units in townhouse and rowhouse building complexes facing streets should have entries oriented towards, and be clearly accessible and visible, from the street.
- c. For townhouse complexes that have interior-facing units, ensure unit entries are legible and emphasized through design features.
- d. Consider design strategies to delineate private front yard spaces from the public realm, while maintaining visibility of unit entrances. Design strategies may include but are not limited to:



- i. elevating the front entryway or patio slightly above the fronting sidewalk level; or
- ii. where a change in grade is not desired to provide accessibility, delineate the space through other means such as landscaping features, low fencing or planters.

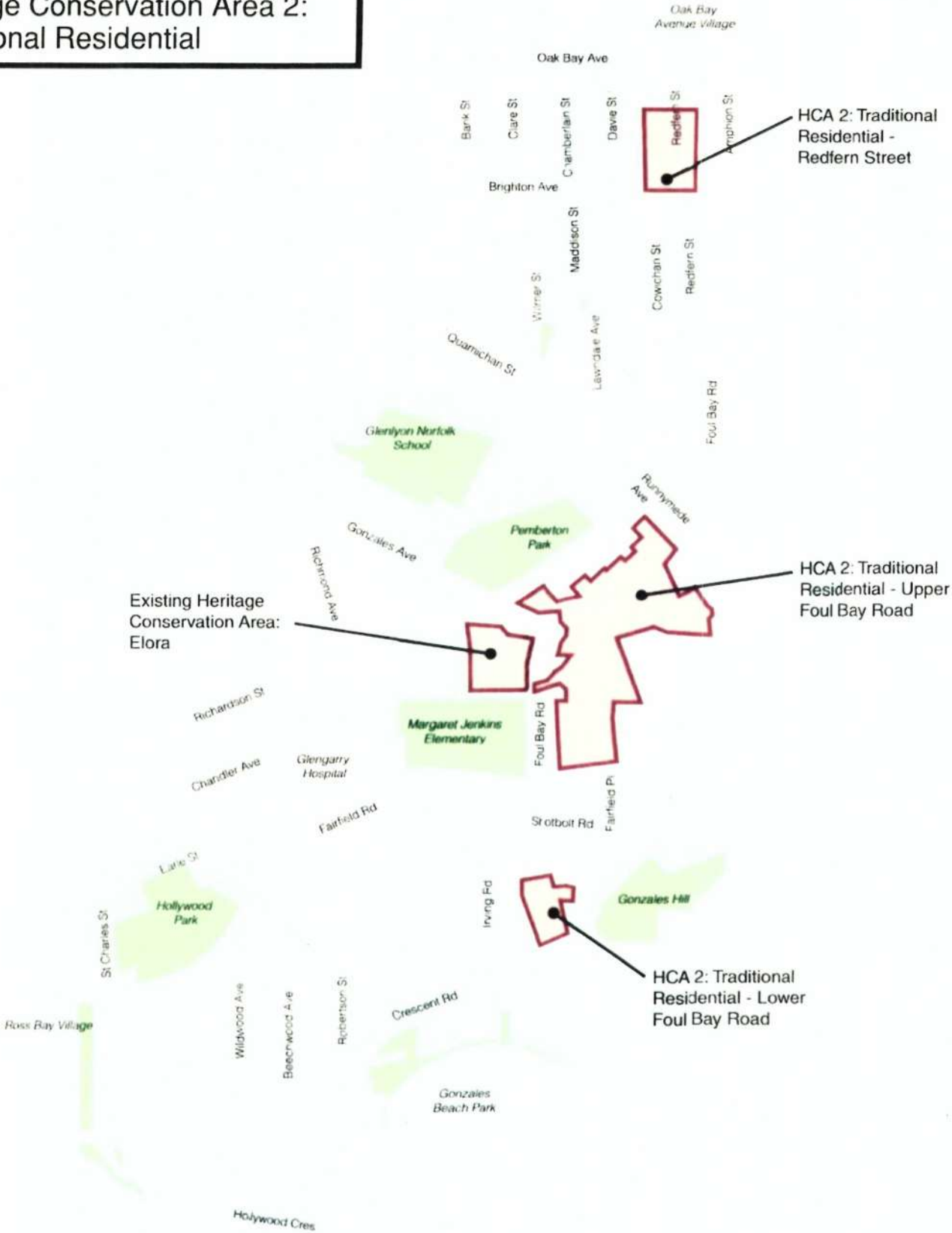
- e. Window placement along shared property lines should consider locations of windows of adjacent properties and be off-set where possible to mitigate privacy impacts.

## 5. Open Space Design

**Objective:** *To enhance the quality of open space, provide privacy where needed, delineate unit entrances and pedestrian circulation, reduce storm water runoff, and to ensure that rear yards are not dominated by parking.*

- a. Accessibility should be provided, where possible, in open space design.
- b. Areas within setbacks should consist primarily of landscaped space, but may include paved pedestrian paths.
- c. Landscape areas are encouraged to include a mixture of tree sizes and types, considering exotic and native species.
- d. Consider planting tree species and other landscape plants that will tolerate a degree of drought and will survive the summer water restrictions and dry conditions of southern Vancouver Island.
- e. In considering tree placement adjacent to street rights-of-way or along boulevards, a minimum of one planting space per 15 metres of frontage is recommended.
- f. Landscaped screening along circulation and parking areas which abut lot lines is strongly encouraged, while maintaining site lines and enabling casual surveillance. Where possible, other surface parking areas should be screened with landscaping.
- g. Integration of landscaping to soften hardscape areas associated with vehicle circulation and parking is encouraged.
- h. Driveways and surface parking areas should include permeable paving to help manage on-site run-off and to mitigate the visual impact of hard-surfaced areas.
- i. Non-glare lighting should be provided at residential unit entrances, along pedestrian paths and common areas to contribute to safety. Lighting strategies that mitigate undue spill-over for adjacent residential units are encouraged.

Proposed areas to be included in Heritage Conservation Area 2: Traditional Residential





## HCA 2: TRADITIONAL RESIDENTIAL

1. Pursuant to Section 614(1) of the Local Government Act (formerly Section 970.1(1)), the area that is shaded and circumscribed by solid lines on Map X is designated as Heritage Conservation Area HCA 2, Traditional Residential, for the purpose of heritage conservation.

### 2. Application and Exemptions:

(a) Heritage Alteration Permits are required in accordance with the Local Government Act except for:

(i) Exterior painting;

(ii) Any of the following alterations for homes that were built in 1940 or after, including:

- window replacement;
- roof replacement;
- new deck construction;
- solar panel installation;
- additions under 100m<sup>2</sup>, when not visible from ground level of the main right of way abutting the property

(iii) Landscaping changes not related to stone walls, mature landscaping, and large trees;

(iv) Installation of any of the following energy efficiency upgrades:

- solar panels when the installations will not be visible from ground level of the main right of way abutting the property;
- interior insulation;
- envelope air sealing (e.g., weather-stripping);
- mechanical system upgrades (including those with exterior equipment such as heat pumps and air conditioning units).

### 3. The special features, characteristics and special conditions that justify this designation include:

(a) Victoria has high quality examples of Victorian, Edwardian and mid-century Modern architecture, streetscapes and street patterns in its residential areas.

(b) Traditional Residential areas in this plan are the primary location of ground-oriented housing. They have some capacity for building additions and infill including but not limited to small-lot subdivisions, garden suites, duplexes and low-rise multi-family (multi-unit) and mixed use residential development.

(c) Low-density single-family dwellings, duplexes, multi-unit residential and residential mixed-use along arterial and secondary arterial streets are identified in this plan for Traditional Residential areas, with built form and place character appropriate to an established and stable context.



- (d) Lower Foul Bay Road's character is defined by Tudor Revival elements, Arts and Crafts houses, mature landscaping and large trees, and remnants of stone walls and gateposts that recall the original grand estates typical of the neighbourhood in the early twentieth century.
- (e) Upper Foul Bay Road's character is defined by a number of large, early twentieth century mansions, the irregular winding route of the road, mature landscaping, large trees, and rough stone walls. The varied architectural styles of the neighbourhood, and picturesque streetscape features make this area an important reminder of the early development of Victoria's residential suburbs.
- (f) Redfern Street represents an important part of the eastward expansion of Victoria during the construction boom period of the early twentieth century. Many of the houses are of a similar form, with Edwardian Arts and Crafts architectural style, and homes are close to the front of the lot, have mature, well landscaped front yards, gable roof forms and wood shingle finishes.
- (g) The predominant architectural styles identified in (d) through (f) are representative of homes generally built prior to 1940, thus the exemptions described in 2 (a) (ii) correspond with that date. This ensures that the requirement for permits for properties developed after 1940 are focused on proposed alterations that could have the greatest impact on the character of the area.

4. The objectives of this designation include:

- (a) To conserve and enhance the heritage value, special character and the significant buildings, features and characteristics of low-scale residential areas.
- (b) To maintain and enhance the function, form and character of Traditional Residential areas through low-scale residential development, and low-scale residential mixed-use development along major roads.
- (c) To enhance the area through infill and building additions with a high quality of architecture, landscape and urban design that responds to its historic setting through sensitive and innovative interventions.
- (d) To encourage energy efficiency retrofits balanced with heritage conservation principles.

5. Guidelines:

These Guidelines are to be considered and applied for Heritage Alteration Permits:

- (a) for Lower Foul Bay Road:
  - Standards and Guidelines for the Conservation of Historic Places in Canada.
  - Advisory Design Guidelines for Buildings, Signs and Awnings (1981).
  - New development should be compatible in scale, design, form and materials to surrounding development.
- (b) for Upper Foul Bay Road:
  - Standards and Guidelines for the Conservation of Historic Places in Canada.

- Advisory Design Guidelines for Buildings, Signs and Awnings (1981).
- New development should be compatible in scale, design, form and materials to surrounding development.

(c) for Redfern Street:

- Standards and Guidelines for the Conservation of Historic Places in Canada.
- Advisory Design Guidelines for Buildings, Signs and Awnings (1981).
- New development should be compatible in scale, design, form and materials to surrounding development.

(d) for energy efficiency upgrades in all areas:

- Window replacement:
  - Refurbishment should be prioritized over replacement - refurbishment through resealing and the installation of interior storm windows can result in energy performance similar to new windows without sacrificing heritage character.
  - If refurbishment is not an acceptable option, replacement in kind with respect to materiality and design should be prioritized.
- Solar panels:
  - The installation should be located so as to minimize visual impact for the public from the main right of way abutting the property.
  - The installation should, when possible, lay flat on the roof. In the case of flat roofs or other special circumstances, different installation methods will be considered.
- Exterior mechanical systems, such as the air intake for a heat pump system:
  - The system should, when possible, be screened to minimize visual impact for the public.

GONZALES NEIGHBOURHOOD PLAN:  
**OCP Amendments to  
Align with Gonzales  
Neighbourhood Plan**



## Purpose

- To propose amendments to the OCP for alignment with the Gonzales Neighbourhood Plan
- For Council to consider consultation on the proposed OCP amendments with affected parties.



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## Proposed Amendments to OCP Urban Place Designations

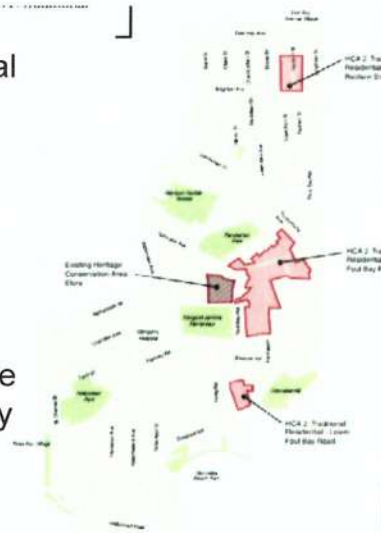
- Support multi-unit buildings up to 3 storeys on Fairfield Road between St. Charles Street and Foul Bay Road
- New “Small Urban Village” at Fairfield Road, Wildwood Avenue and Lillian Street



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## Proposed Amendments to HCAs

- New HCA 2: Traditional Residential for portions of Redfern Street, Lower Foul Bay Road and Upper Foul Bay Road
- Exemptions for certain works for newer houses
- New guidelines to balance heritage conservation with energy efficiency retrofits



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## Proposed Amendments to DPAs

- New DPA 15F: Intensive Residential – Townhouse and Rowhouse
- Expand DPA 7: Corridors, to include Fairfield Road between St. Charles and Fairfield Road



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## Proposed Engagement for OCP Amendments

- Open House (October)
- On-line questionnaire
- Referral to Esquimalt Nation, Songhees Nation, Island Health, School District and Oak Bay
- Letter and meeting with HCA homeowners
- Promotion to residents, businesses and landowners



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## Recommendations

- Direct staff to consult on OCP amendments
- Direct staff to prepare OCP amendment bylaws following consultation



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No. 18-003

## A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Official Community Plan to make changes to Urban Place Designations in order to implement the future land use, urban form and character directions identified in the Gonzales Neighbourhood Plan.

Under its statutory powers, including section 472 and 488 of the *Local Government Act*, the Council of the Corporation of the City of Victoria, in a public meeting, enacts as follows:

**Title**

- 1 This Bylaw may be cited as “OFFICIAL COMMUNITY PLAN BYLAW, 2012, AMENDMENT BYLAW (No. 21)”.

**Official Community Plan Bylaw**

- 2 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in the Table of Contents, List of Maps as follows:
  - a) by replacing the text, “Map 23: Gonzales Strategic Directions” with the text “Map 23: Gonzales Neighbourhood”.
  - b) by inserting the following text immediately after the text “Map 48B: DPA 6A: Small Urban Villages – Burnside at Harriet”:
 

“Map 48C: Small Urban Villages: Fairfield at Lillian/Wildwood Village and Fairfield at Irving Village”
  - c) by inserting the following text immediately after the text “Map 56: DPA 7A: Corridors – Shelbourne Avenue”:
 

“Map 56B: DPA 7A: Corridors – Fairfield Road Corridor”
- 3 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Section 6: Land Management and Development, as follows:
  - a) By repealing Map 2: Urban Place Designations and replacing it with a new Map 2: Urban Place Designations, which is attached to this Bylaw in Exhibit 1.
  - b) In Figure 8: Urban Place Guidelines, in the Designation “Traditional Residential,” under the category “Built Form,” by adding the following words immediately after the phrase “Multi-unit buildings up to three storeys, including attached residential and apartments on arterial and secondary arterial roads”:
 

“and on Fairfield Road between St. Charles Street and Foul Bay Road.”
- 4 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Section 14: Economy, as follows:
  - a) By repealing Map 14: Employment Lands and replacing it with a new Map 14: Employment Lands, which is attached to this Bylaw in Exhibit 1.



- 5 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Section 21: Neighbourhood Directions, as follows:
- a) By repealing Map 23: Gonzales Neighbourhood Directions and replacing it with a new Map 23: Gonzales Neighbourhood, which is attached to this Bylaw in Exhibit 1.
  - b) In section 21.10.6, by adding the words “and at Fairfield and Lillian Street/Wildwood Avenue.” immediately after the words “Fairfield Road and Irving Road”.
  - c) By adding the following section immediately after section 21.10.6.:  
“21.10.7. Support small apartment buildings and townhouses along Fairfield Road, which is identified as a frequent transit route, between St. Charles Street and Foul Bay Road.”
- 5 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Appendix A, Overview, as follows:
- a) In section 2(a)(v)(2), by deleting the word “or” and replacing it with a comma; and by adding the following text immediately after “DPA 13, Core Songhees”:  
“DPA 15F, Intensive Residential – Townhouse and Attached Dwelling”
- 6 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Appendix A: Development Permit Areas and Heritage Conservation Areas:
- a) By repealing Map 32: Composite Map of Development Permit Areas and Heritage Conservation Areas and replacing it with a new Map 32: Composite Map of Development Permit Areas and Heritage Conservation Areas, which is attached to this Bylaw in Exhibit 1.
- 7 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Appendix A, DPA 6A: Small Urban Villages, as follows:
- a) In section 1, by deleting the words “Maps 48A and 48B” and replacing them with the words “Maps 48A, 48B and 48C”.
  - b) By adding the following sections immediately after section 5(b)(ii):  
“(iii) to Fairfield at Lillian/Wildwood Village and Fairfield at Irving Village:
    - › Design Guidelines for: Multi-Unit Residential, Commercial and Industrial (2012).
    - › Revitalization Guidelines for Corridors, Villages and Town Centres (2017).”
  - c) By repealing Map 48: DPA 6A: Small Urban Villages and replacing it with a new Map 48: DPA 6A: Small Urban Villages, which is attached to this Bylaw in Exhibit 1.
  - d) Immediately after Map 48B, by inserting a new map 48C: DPA 6A: Small Urban Villages – Fairfield at Lillian/Wildwood Village and Fairfield at Irving Village, which is attached to this Bylaw in Exhibit 1.
- 8 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Appendix A, DPA 7A: Corridors, as follows:

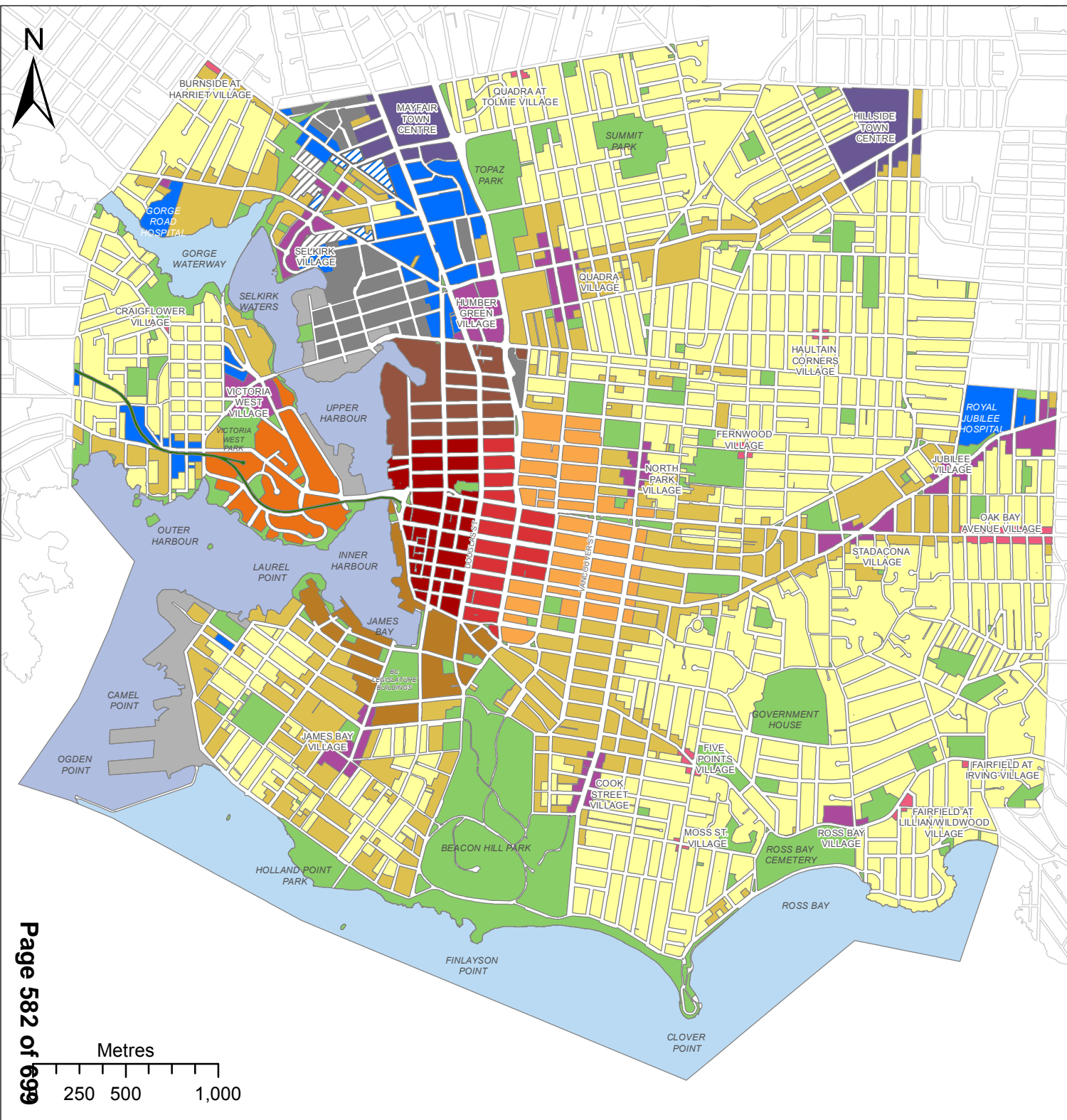
- a) In Section 4(c), by adding the phrase “, Fairfield Road” immediately after the words “Oak Bay Avenue”.
  - b) By adding the following section immediately after Section 5(b)(iii) and renumbering the subsequent sections accordingly:
    - “(iv) Fairfield Road corridor:
      - › Design Guidelines for: Multi-Unit Residential, Commercial and Industrial (2012).
      - › Revitalization Guidelines for Corridors, Villages and Town Centres (2017).”
  - c) By repealing Map 50: DPA 7A: Corridors and replacing it with a new Map 50: DPA 7A: Corridors, which is attached to this Bylaw in Exhibit 1.
  - d) Immediately after Map 56, by inserting a new map 56B: DPA 7A: Corridors – Fairfield Road Corridor, which is attached to this Bylaw in Exhibit 1.
- 9** Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Appendix A, immediately after DPA 15E: Intensive Residential, by adding DPA 15F: INTENSIVE RESIDENTIAL – TOWNHOUSE AND ATTACHED DWELLING” which is attached to this bylaw as Exhibit 2.
- 10** Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in Appendix A, DPA 16: General Form and Character, as follows:
- a) in section 2.(b)(i)((1)(B), adding the following text immediately after the text “DPA 15E, Intensive Residential – Garden Suites”:
- “DPA 15F, Intensive Residential – Townhouse and Attached Dwelling”
- 11** This Bylaw comes into force on adoption.

READ A FIRST TIME the	day of	2017
READ A SECOND TIME the	day of	2017
Public hearing held on the	day of	2018
READ A THIRD TIME the	day of	2018
ADOPTED on the	day of	2018

CITY CLERK

MAYOR

# MAP 2 Urban Place Designations



- Core Historic
- Core Business
- Core Employment
- Core Inner Harbour/Legislative
- Core Songhees
- Core Residential
- General Employment
- Employment-Residential
- Industrial Employment
- Industrial Employment-Residential
- Marine Industrial
- Town Centre
- Large Urban Village
- Small Urban Village
- Urban Residential
- Traditional Residential
- Public Facilities, Institutions
- Parks and Open Space
- Rail Corridor
- Working Harbour
- Marine

Metres

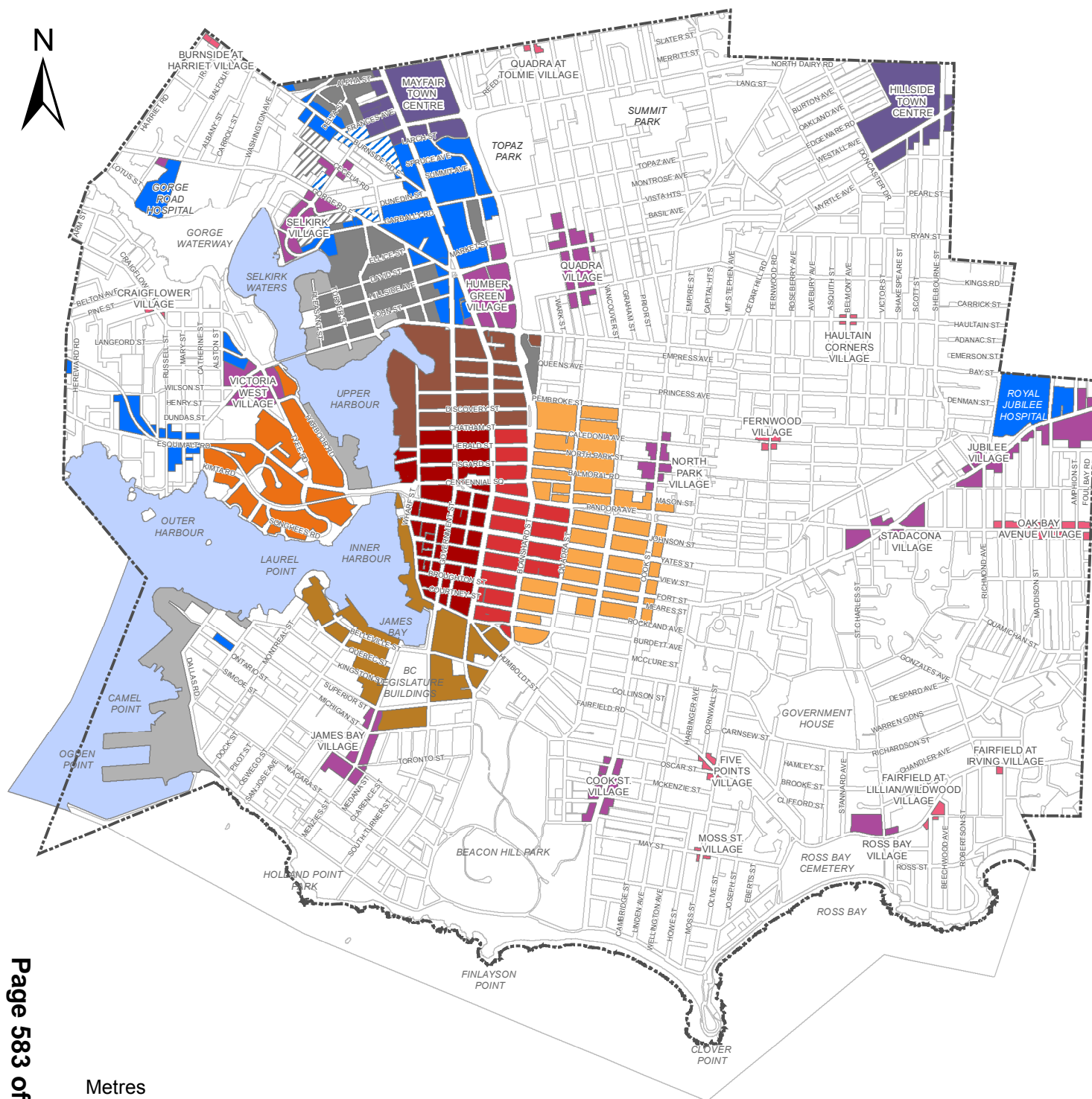
250 500 1,000

Urban Place Designations extend to the centerlines of adjacent streets.



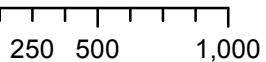
# MAP 14

## Employment Lands



- Core Historic
- Core Business
- Core Employment
- Core Inner Harbour/Legislative
- Core Songhees
- Core Residential
- General Employment
- Industrial Employment
- Marine Industrial
- Town Centre
- Large Urban Village
- Small Urban Village
- Marine - Harbour
- Employment-Residential
- Industrial Employment-Residential

Metres



Urban Place Designations are provided for information purposes only. Please refer to Map2 and Figure 8 for designation information.





FERNWOOD

JUBILEE

# MAP 23

## Gonzales Neighbourhood

### Urban Place Designations\*

-  Urban Residential
-  Large Urban Village
-  Small Urban Village
-  Traditional Residential
-  Public Facilities, Institutions, Parks and Open Space
-  Marine

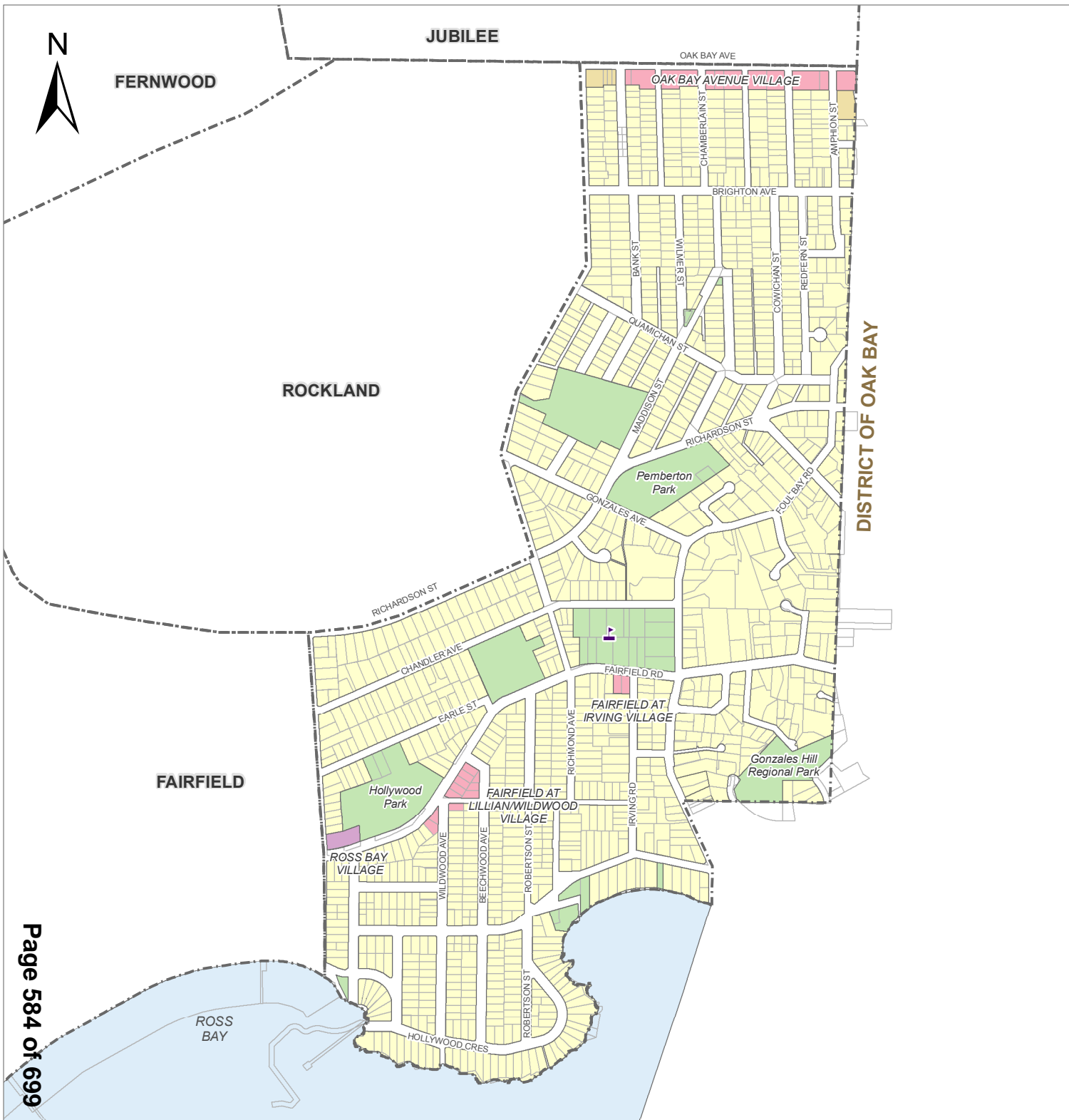
### Public Facilities

-  Existing Public School

ROCKLAND

FAIRFIELD

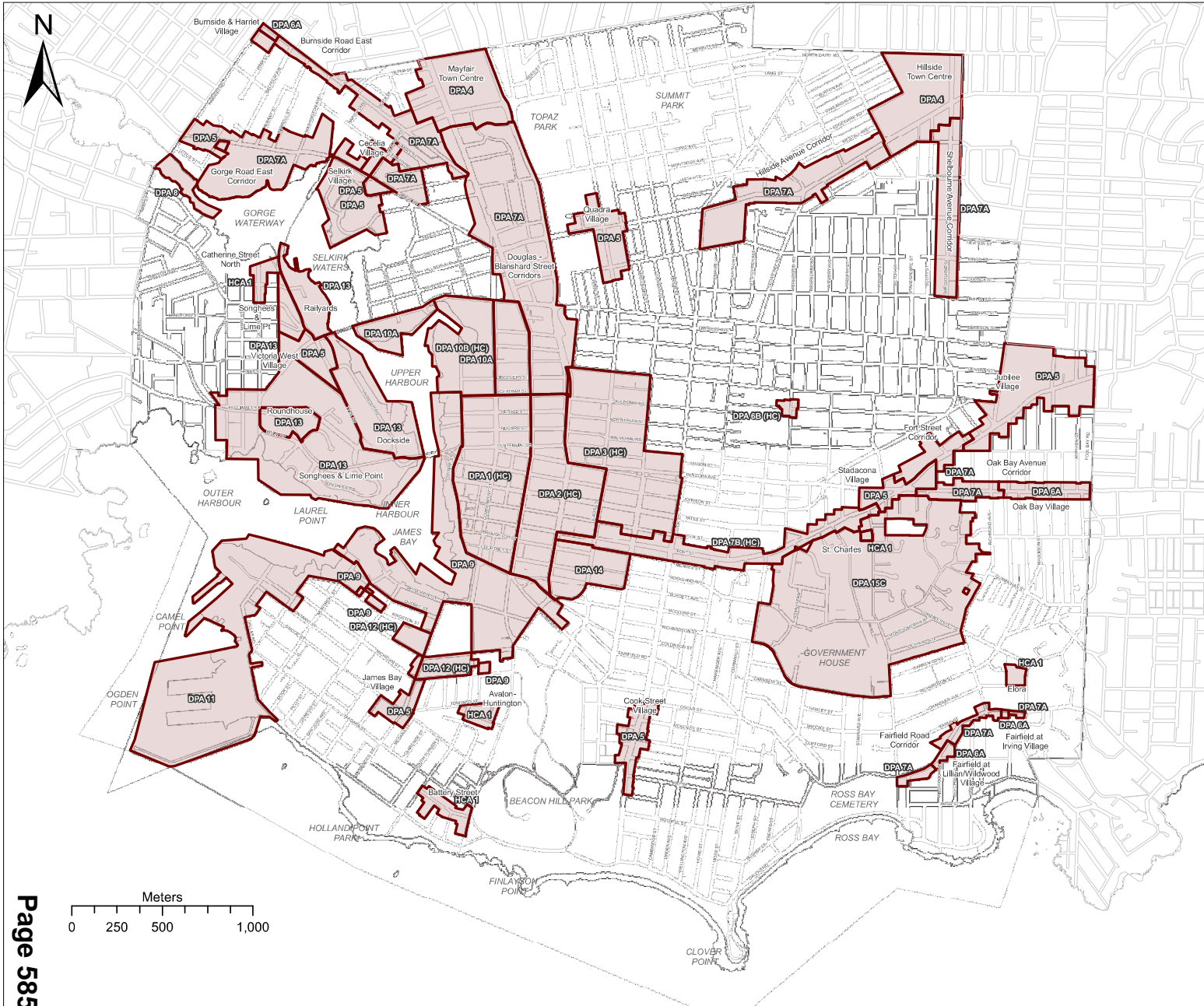
DISTRICT OF OAK BAY



\*Urban Place Designations are provided for information purposes only. Please refer to Map 2 and Figure 8 for designation information.

# MAP 32

## COMPOSITE MAP OF DEVELOPMENT PERMIT AREAS AND HERITAGE CONSERVATION AREAS



- DPA 1 (HC): Core Historic
- DPA 2 (HC): Core Business
- DPA 3 (HC): Core Mixed-Use Residential
- DPA 4: Town Centres
- DPA 5: Large Urban Villages
- DPA 6A: Small Urban Villages
- DPA 6B (HC): Small Urban Villages Heritage
- DPA 7A: Corridors
- DPA 7B (HC): Corridors Heritage
- DPA 8: Victoria Arm Gorge Waterway
- DPA 9 (HC): Inner Harbour
- DPA 10A: Rock Bay
- DPA 10B (HC): Rock Bay Heritage
- DPA 11: James Bay and Outer Harbour
- DPA 12 (HC): Legislative Precinct
- DPA 13: Core Songhees
- DPA 14: Cathedral Hill Precinct
- HCA 1: Traditional Residential
- DPA 15C: Intensive Residential Rockland

The following designations apply to all areas within the City of Victoria and are not shown on this map:

- DPA 15A: Intensive Residential Small Lot
- DPA 15B: Intensive Residential Panhandle Lot
- DPA 15D: Intensive Residential Duplex
- DPA 15E: Intensive Residential Garden Suites
- DPA 16: General Form and Character

This composite map is provided for reference only. Please see the map and provisions for each designated DPA and HCA for legal information.

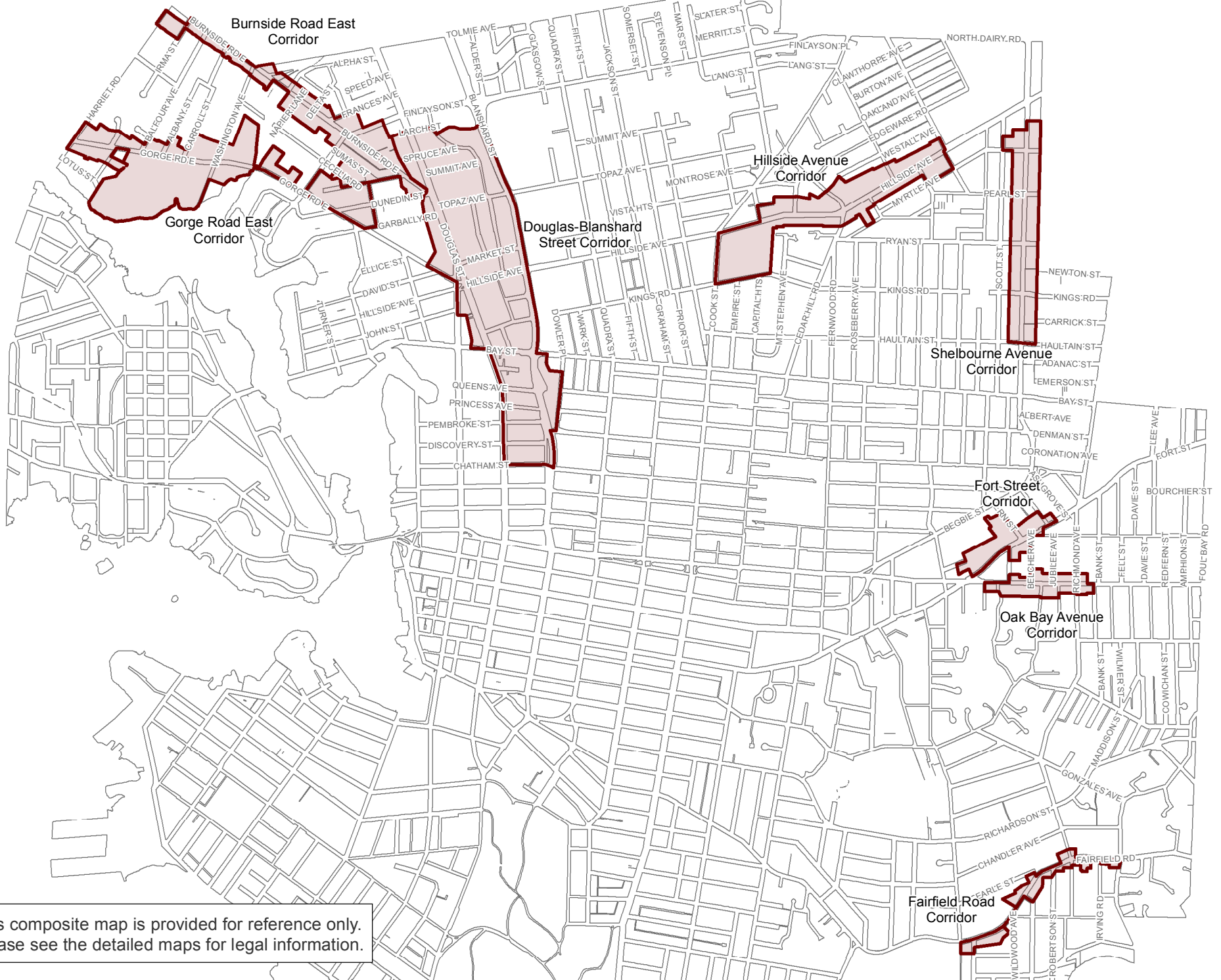


This composite map is provided for reference only. Please see the detailed maps for legal information.

# Map 48C: Small Urban Villages -- Fairfield at Lillian/Wildwood Village and Fairfield at Irving Village







This composite map is provided for reference only.  
Please see the detailed maps for legal information.



## DPA 15F: INTENSIVE RESIDENTIAL – TOWNHOUSE AND ATTACHED DWELLING

1. Pursuant to Section 488 (1) (e) of the Local Government Act, the following area is designated as Development Permit Area DPA 15F, Intensive Residential – Townhouse and Attached Dwelling, for the purpose of establishment of objectives for the form and character of intensive residential development:
  - (a) Areas designated as Traditional Residential Urban Place Designation, as shown on Map 2 of the Official Community Plan (2012), as amended, within the boundaries of Gonzales Neighbourhood, as identified in Map 18 of the Official Community Plan (2012), as amended.
2. Application and Exemptions:
  - (a) In this area, “Intensive Residential – Townhouse” means:
    - (i) construction of, addition to or alteration of buildings on a site which contains three or more dwelling units, at least some of which are attached or semi-attached dwellings; or,
    - (ii) construction of, addition to or alteration of buildings on a site within a Townhouse Zone.
  - (b) For the purposes of this section, “Townhouse Zone” means any of the following:
    - (i) Any zone which begins with “R-J”, “R-H,” “R-K”, or “RT”; or
    - (ii) Any zone which has the word “Townhouse” or “Rowhouse” in its name.
  - (c) Development Permits are required for Intensive Residential – Townhouse and Attached Dwelling in accordance with the Local Government Act, subject only to the General Exemptions identified in the “Overview” section of this Appendix and the following exemptions.
  - (d) Specific Exemptions for DPA 15F, Intensive Residential – Townhouse and Attached Dwelling:
    - (i) A Development Permit is not required for:
      - (1) development that is not Intensive Residential – Townhouse;
      - (2) a house conversion as defined in the *Zoning Bylaw* as amended from time to time;
      - (3) multi-unit residential development, other than Intensive Residential – Townhouse;
      - (4) commercial or industrial development;
      - (5) alterations to soft landscaped areas which replace existing vegetation with other forms of vegetation, but which neither expand

the extent of paved or impervious areas nor remove trees or shrubs which are shown in a previously approved Development Permit;

- (6) subdivision of land that is not located within the Queen Anne Heights/ Foul Bay Road/ Gonzales Hill area as identified in the Design Guidelines for Intensive Residential – Townhouse and Attached Dwelling.

- 3. The special conditions that justify this designation include:
  - (a) Victoria's Traditional Residential areas are primarily characterized by low density, ground-oriented dwellings with many detached houses.
  - (b) These neighbourhoods each have a unique sense of place, traditional scale and character.
  - (c) The Traditional Residential areas permit attached and semi-attached dwelling units that may result in a higher density or lot coverage than surrounding context. This results in a more intensive form of residential development that may impact the character of Traditional Residential Areas.
  - (d) The Queen Anne Heights/Gonzales Hill/Foul Bay Road Area has a unique sense of place due to the collection of significant heritage buildings, large lots, urban design that relates to the area's rocky topography and the presence of Gary Oak trees and meadows.
- 4. The objectives that justify this designation are:
  - (a) To accommodate 40% of growth within close walking distance of Town Centres and Large Urban Villages;
  - (b) To accommodate 10% of Victoria's anticipated population growth and associated housing growth in Small Urban Villages, and residential areas, to encourage and support future and existing commercial and community services;
  - (c) To integrate more intensive residential development in the form of townhouses, attached and semi-attached dwellings within Traditional Residential Areas in a manner that preserves architectural integrity and established neighbourhood character;
  - (d) To achieve a high quality of architecture in the design of new townhouses and attached dwellings, as well as a high quality of landscape and urban design to enhance the neighbourhood;
  - (e) To consider townhouse and attached housing forms and siting in the Queen Anne Heights/ Foul Bay Road/ Gonzales Hill areas in such a way as to protect



natural areas and the tree canopy. Maintain the historic, green, large lot character of these areas. Support heritage conservation.

5. Guidelines:

These Guidelines are to be considered and applied for Development Permits:

- (a) Design Guidelines for Intensive Residential – Townhouse and Attached Dwelling.



# Revitalization Guidelines for Corridors, Villages and Town Centres

# Revitalization Guidelines for Corridors, Villages and Town Centres

## Preamble:

These guidelines apply to designated Corridors, Villages and Town Centres and are intended to supplement the *Design Guidelines For: Multi-Unit Residential, Commercial and Industrial, July 2012* which address form and character of developments across the city.

It is intended that both guideline documents will be considered together in conjunction with other applicable guidelines noted in each designated development permit area as detailed in the *Official Community Plan*. Collectively, the guidelines are intended to guide applicants in achieving new development and additions to existing buildings that result in design excellence, livability, and high-quality pedestrian environments. This is intended to contribute to sense of place and urbanism that is responsive to Victoria's context, while enabling flexibility and fostering creativity.

All visuals in this document are provided for illustrative purposes only to support description of the guidelines.

## General Guidelines

### 1) Context and Streetscapes:

- a. Buildings flanking streets should create a sense of enclosure and human scale. To achieve this, buildings fronting streets should provide a "street wall" that is at a height approximately 1/2 to 1/3 the width of the flanking street. This can be expressed as a street-wall-to-street-width ratio range of approximately 1:2 to 1:3. For buildings located on corner sites, this principle should be applied to the facades facing both streets where possible.

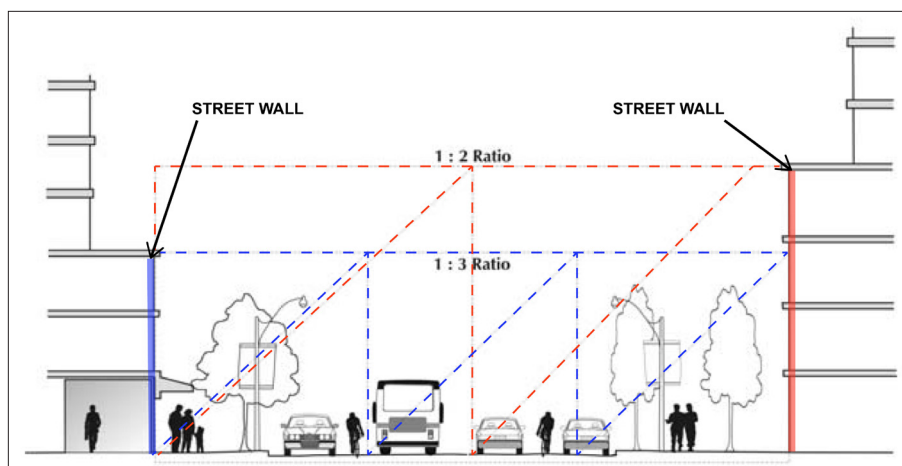


Figure 1: A building height-to-street-width ratio of between approximately 1:3 and 1:2 is recommended to frame streets and provide human scale. Portions of buildings above the street wall are encouraged to step back.

- b. To mitigate the visual impact of building height and to maximize sunlight exposure to the street, the upper portions of buildings above the street wall should be set back by at least two metres.
- c. Where an established pedestrian-friendly street wall exists, the front facade of new buildings should be generally aligned with adjacent buildings to create visual continuity along the streetscape.
- d. Buildings with commercial uses at grade should generally be built up to the sidewalk. Portions of the front facade may be set back from the front property line to accommodate features such as patios, courtyards or seating areas.
- e. Buildings should create "eyes on the street" and public spaces by orienting doorways, windows and balconies to overlook sidewalks, walkways, parks and other open spaces.
- f. Consider unique rooflines for taller buildings that have a visually prominent location (e.g. at corners, or at terminating vistas of streets) in order to create a distinct landmark.

## 2) Building Design:

- a. Building facades, especially those facing streets, should be well-designed and articulated with human-scale architectural features that create visual interest for pedestrians. Facade designs should consider the rhythm and pattern of existing building facades and architectural elements in the surrounding context, such as building articulation, rooflines, window placement, entryways, canopies and cornice lines.
- b. Large expanses of blank walls should be avoided. Where this is not possible, design treatments such as vertical plant materials, landscaping, art (e.g. mosaic, mural or relief) or the use of other building materials and building elements are encouraged to add visual interest.
- c. Weather protection for pedestrians should be provided in the following manner:
  - a) Individual canopies or awnings of sufficient depth should be provided to protect pedestrians from inclement weather, especially at building entrances.
  - b) The underside of canopies should be illuminated.
  - c) Canopies with translucent or frosted glazing are encouraged to maximize winter sunlight, particularly for north-facing facades.
- d. For buildings located on a corner, the corner design should include an architectural feature that addresses and emphasizes the corner. Strategies to achieve this include but are not limited to a chamfered or setback corner, prominent glazing, or a primary building entrance oriented to the corner.
- e. The first storey of a mixed-use or commercial building should be designed with a minimum floor-to-ceiling height of at least 4m and a minimum depth of approximately 10 metres to accommodate a range of commercial uses.
- f. Buildings with commercial uses at grade should be designed with a series of modulated storefronts and entrances, with transparent glazing. This design strategy is encouraged even where the building has a single tenant or use.



*Figure 2: Modulated, transparent storefronts create interest for pedestrians and encourage activity along the street.*

- g. Buildings that extend along sloping sites should be designed to follow and respond to the natural topography while maintaining a strong relationship of facades and building entrances to the street. Where retaining walls are unavoidable, they should be designed to ensure that they do not negatively impact the pedestrian experience along adjacent sidewalks.

## 3) Parking:

- a. Parking should be located underground or to the rear of buildings to provide human scale pedestrian environments. Where rear yard surface parking is proposed, building designs and landscaping interventions should be employed so that parking is integrated into sites in a manner that results in an attractive and safe environment.



#### 4) Livability:

- a. Where two or more buildings are located on a single site, or where a single structure contains two or more building elements above a common base or podium, a comfortable separation space should be provided for residential units, with consideration for window placement, sunlight penetration to residential units, and adequate spaces for landscaping.

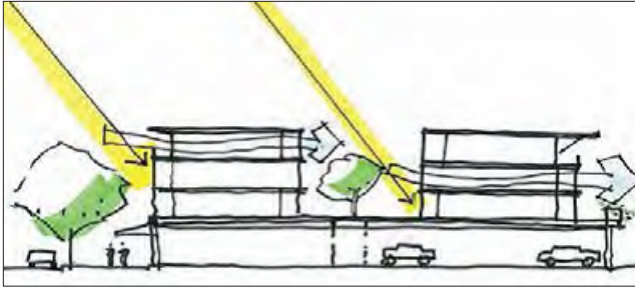


Figure 3: Comfortable separation space allows for sunlight access to individual units and outdoor spaces.

- b. Multi-unit buildings should be designed to provide a sensitive transition in scale to adjacent, smaller developments through considerations for massing and other design features. Strategies to achieve this may include but are not limited to setting upper storeys back, varying roof lines, siting or scaling buildings to reduce shading, etc.
- c. Residential building designs are strongly encouraged to include common outdoor space such as landscaped courtyards or rooftops, where possible.
- d. Buildings with residential use should be designed so that units receive daylight and natural ventilation from at least two sides of the building, or from one side and a roof. Where possible, provide dwelling units with a choice of aspect: front and back, or on two sides (for corner units).
- e. Residential buildings located along busy arterial streets should incorporate design features that minimize noise and pollution impacts (e.g. triple-pane glazing, residential units oriented towards courtyards, design of residential units with multiple orientations or side orientations, and building air intakes located away from the road).
- f. As a means to improve privacy between adjacent buildings, consider design solutions such as window size, window height, window placement and orientation, exterior landscaping, privacy screens or the use of frosted glazing on balconies.
- g. Pedestrian walkways that connect the primary entrance of multi-unit residential or commercial buildings with the adjacent public sidewalk should be a minimum of 2m wide and distinguishable from driving surfaces by using varied paving treatments.

#### 5) Materials and Finishes:

- a. Exterior materials that are high quality, durable and capable of withstanding a range of environmental conditions throughout the year are strongly encouraged, particularly on lower portions of buildings that are more closely experienced by pedestrians. High quality building materials include but are not limited to:
  - Natural wood
  - Composite materials
  - Brick masonry
  - Glazed tile
  - Stone
  - Concrete
  - Flat profile "slate" concrete tiles
  - Glass and wood for window assemblies
  - Standing seam metal roofing
- b. Light-coloured, heat reflective and permeable paving materials are encouraged for hard surfaces such as parking areas, walkways, patios and courtyards as a means to reduce storm water run-off and reduce heat-island effects. Light-coloured or heat reflective materials are also encouraged for rooftops to reduce heat island effects.

## 6) Landscaping and Open Space:

- a. Buildings that include residential units should include private open space (e.g. balconies, porches) or easily accessed shared open space in the form of courtyards, green spaces, terraces, yards, play areas or rooftop gardens.
- b. The rear yard of multi-unit or mixed-use buildings adjacent to lower scale residential development should provide landscaping and trees that mitigate the appearance of massing and contribute to a transition in scale.
- c. Landscape design should consider the local climate and water efficiency through species selection, including selection of draught-tolerant species, efficient irrigation systems or design of unirrigated landscapes, use of run-off for irrigation, presence of rain gardens and other approaches.
- d. Consider features in landscaping or open space that add to sociability, such as shared areas to sit, garden plots, play areas, balconies fronting courts, etc.

## Area-Specific Guidelines:

In addition to the General Guidelines, the following guidelines apply to each specific designated area.

### 1) Mayfair Town Centre:

- a. Taller buildings should generally be focused in the western part of the site, near Douglas Street.
- b. Design taller buildings to have a clear architectural distinction between the base (podium or street wall portion), middle and upper portion of the building.
- c. The podium base or street wall portion of buildings are encouraged to be three to five storeys (approximately 10–15m) in height.
- d. Major redevelopment of the Mayfair Shopping Centre should incorporate an internal network of pedestrian-friendly streets and connections between Speed Street, Nanaimo Street and Oak Street in order to create a structure of city blocks and to support permeability for pedestrians, cyclists and vehicles.

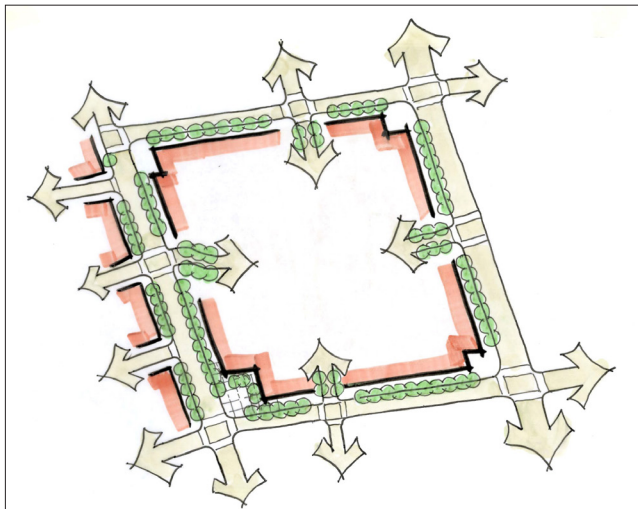


Figure 5: Major redevelopment of the Mayfair Shopping Centre site should establish an internal block structure connecting to adjacent streets.

- e. Building design should emphasize Douglas Street as the primary retail street of the Mayfair Town Centre. However, building designs should not “turn their back” on adjacent streets. Instead, provide facades that address all street frontages and are consistent with the General Guidelines for Building Designs (SECTION 2).
- f. Building design that results in a landmark expression is encouraged at the intersection of Douglas and Finlayson Streets.
- g. The tower portions of buildings above six storeys in height should generally be sited and designed to maintain access to sunlight, with a sufficient face-to-face separation distance between towers on the same site, and a sufficient clear distance to lot lines abutting other developable parcels. A desired face-to-face separation distance for towers at the Mayfair Shopping Centre site (the area bounded by Douglas Street, Nanaimo Street, Blanshard Street and Tolmie Avenue) is 25 metres.

## 2) Gorge at Irma Village:

- a. Development within this village should create multiple smaller storefronts facing Gorge Road and turning the corner onto Irma Street to support a variety of neighbourhood-oriented commercial uses.

## 3) Douglas-Blanshard Corridor:

- a. In the Humber Green area between Douglas and Blanshard Streets, residential units are encouraged to be oriented to inner courtyards or quieter interior streets to mitigate noise impacts from adjacent arterial traffic. However, building designs should not “turn their backs” to Douglas and Blanshard Streets. Instead, provide facades that address all street frontages and are consistent with the General Guidelines for Building Designs (SECTION 2).

## 4) Gorge Road East Corridor

- a. Redevelopment along Gorge Road East should consider site planning and building massing to preserve and enhance view corridors looking south from Balfour Street and Carroll Street toward the Olympic Mountains.

## 5) Fairfield Road Corridor

- a. Multi-unit buildings along Fairfield Road should be designed to be compatible with the scale and rhythm of existing development along the street. For new building facades that appear longer than others within the established context, design strategies should be employed to mitigate the appearance of building length, such as:
  - modulation of massing
  - variations in rooflines
  - composition of architectural features, materials and colours
  - other architectural solutions.
- b. The Fairfield Road corridor is envisioned to be a tree-lined street, supporting the urban forest and contributing to its character. When site planning and landscape design is considered, the following should be addressed:
  - Location of driveway access should strive to preserve existing canopy trees or provide opportunities for new canopy trees within the boulevard by providing enough planting space. A minimum of one planting space per 15 metres of frontage is recommended.
  - Where there is no boulevard, or it is of insufficient width to support trees, canopy trees are encouraged within front yards adjacent to the right-of-way.

# Design Guidelines for Intensive Residential Development - Townhouse and Attached Dwelling





# Design Guidelines for Intensive Residential Development - Townhouse and Attached Dwelling

## 1) Introduction

### Townhouse and Attached Dwelling Building Typologies

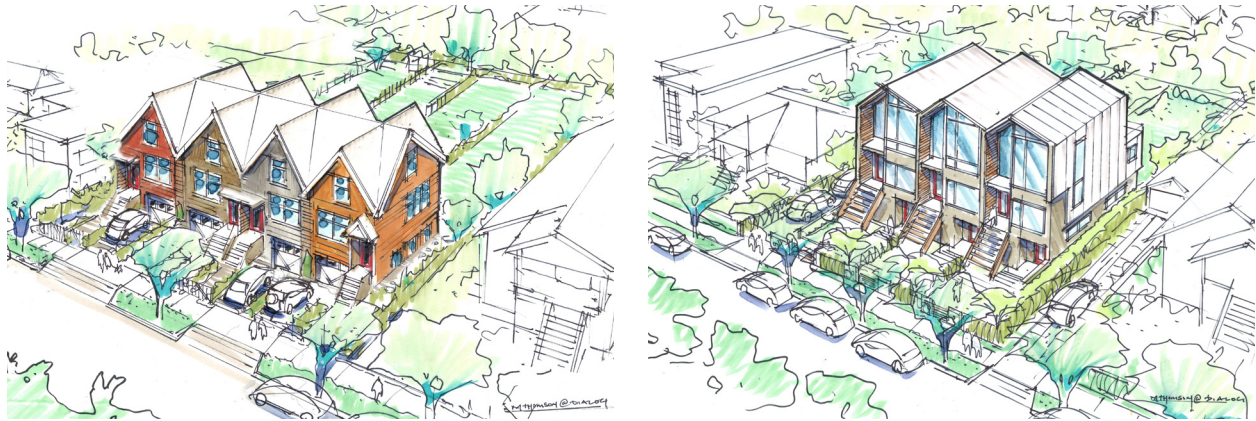
These guidelines apply to residential developments of three or more units on a site, consisting of self-contained units, each having direct access to the outside at grade level, at least some of which share common walls. Townhouses and Attached Dwellings can be designed in different configurations, and may involve more than one building complex on a site which may be organized in more than one row where appropriate and permitted by zoning.

## 2) Site Planning

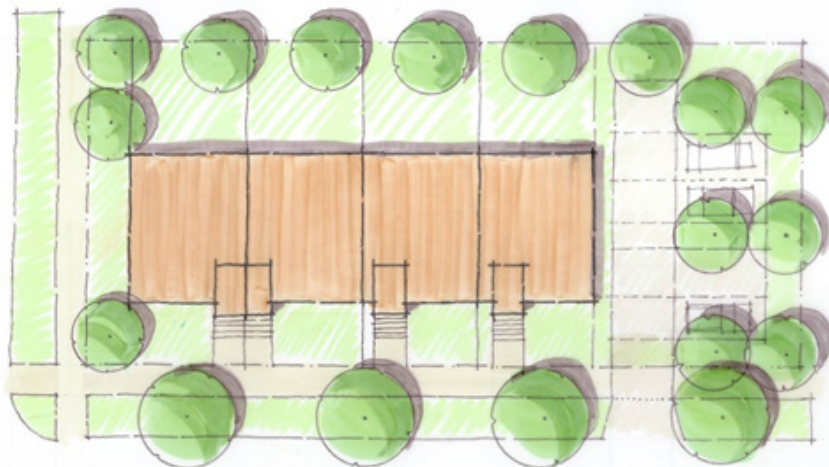
**Objectives:** To site buildings in a manner that considers and maintains the pattern of landscaped front and back yards, that makes a positive contribution to the streetscape and achieves a more compact residential building form while maintaining livability.

### a. Building Placement

- i. Townhouse buildings should be designed parallel to the street with unit entrances oriented to and directly accessed from the fronting street. Both front and rear yards should be provided:



Illustrative example of how townhouses along a street might be arranged.



Illustrative example of how townhouses might be organized on a corner lot to minimize curb cuts and provide for on-site open space.

- ii. Some locations and lot sizes may permit townhouse developments sited in more than one building complex on a site (i.e. more than one row). For these developments, the following should be achieved:
  - 1. Site planning should ensure that townhouse units face the street;
  - 2. Townhouse units located in the interior of lots should be designed with adequate separation from other buildings and have access to open space;
  - 3. Vehicle access, parking and circulation should be integrated sensitively so it is not the dominant aspect of the development. See Section 2.c. for further guidance.
- iii. For properties in the Queen Anne Heights/Foul Bay Road/Gonzales Hill area, site planning and buildings should strive to have minimal disturbance on the tree canopy and natural areas. While developments are encouraged to be oriented to streets, alternative siting of townhouses may be considered to facilitate retention of the tree canopy, open space or landscape features. See Section 6 for additional guidelines.



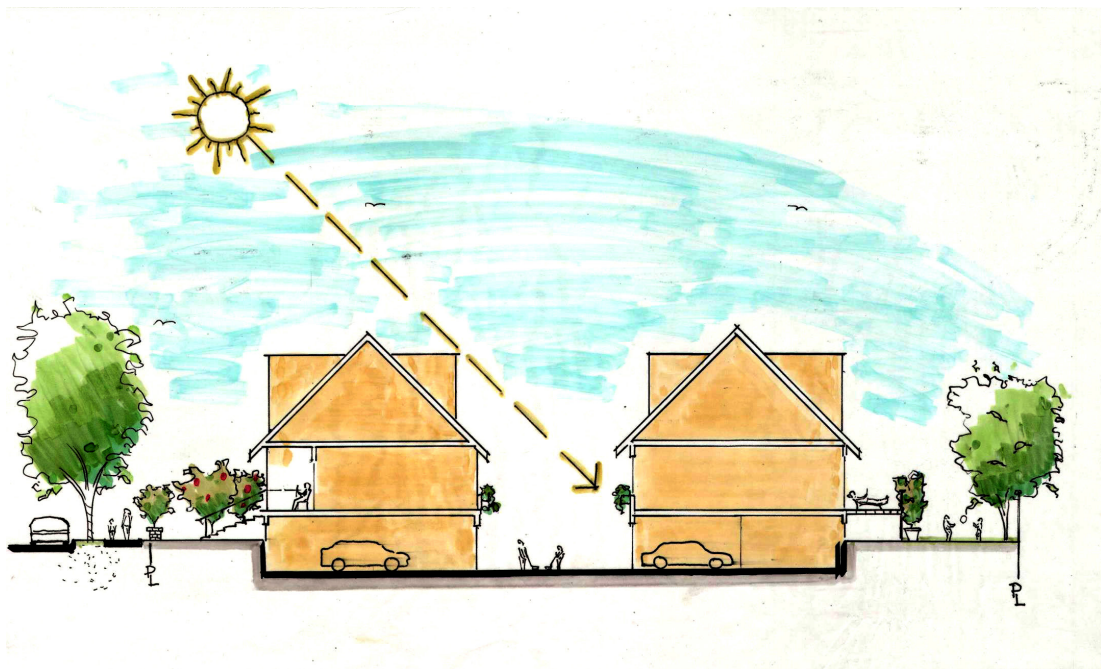
*Illustrative example of how a townhouse complex might be organized into two parallel rows (where permitted) around a parking court*



*Illustrative example of individual townhome units oriented to landscape and pedestrian spaces, with parking clustered to the side of the lot.*



- iv. “Galley-style” townhouses where building complexes are sited perpendicular to streets with residential unit entries oriented internally are strongly discouraged. This layout is discouraged because it does not orient as many residential units towards the street, typically provides less landscaped open space and insufficient separation between buildings.
  - v. For properties that include buildings of heritage value (Heritage Designated or listed on the City’s Heritage Register) that may be integrated into townhouse or rowhouse developments, alternative siting of new buildings or additions may be considered to facilitate heritage conservation.
  - vi. For properties that include significant natural features (e.g. significant trees, topography, rocky outcrops), buildings and landscape should be sited and designed to respond to natural topography and protect significant natural features wherever possible. Strategies to achieve this include but are not limited to alternative siting or clustering of buildings to avoid disturbance of natural features, and clustering of parking to reduce pavement on the site. (See also 5.d.) Where retaining walls are unavoidable, they are encouraged to incorporate material responsive to the natural landscape and be stepped as appropriate.
- b. Building Separation for Townhouses sited in more than one row
- i. Where more than one row of townhouses are proposed on one site, a sufficient building separation should be provided between buildings to maximize daylight and minimize shadowing and overlook for indoor and outdoor living areas.
  - ii. Where more than one row of townhouses are proposed on a site, buildings which do not front onto the public street should be sited to provide sufficient separation from shared property lines and adjacent development in order to reduce overlook and shading, protect privacy for residents, and provide space for landscaping.



- c. Vehicular Access, Parking, and Circulation
  - i. Vehicular access, circulation, garage doors and parking should not be the dominant aspect of developments. Design strategies should be employed to minimize the impact of accommodating vehicles on site, including but not limited to the following:
    1. Integrate parking in a manner that provides landscaped areas in rear yards;
    2. Consider grouping driveway access points to minimize the number of driveway cuts and maximize space for landscaping and on-street parking;
    3. Location of driveway access should strive to preserve existing canopy trees or provide opportunities for new canopy trees within the boulevard by providing enough planting space. See Section 5 Open Space Design for further guidance;
    4. Front-accessed parking may be appropriate in some areas in order to avoid excessive pavement in rear yard areas. In these cases, attention to design is required to maintain front yard landscape, tree planting spaces, and to establish a pedestrian-friendly building façade.
    5. Consider ways to minimize the appearance of garage doors through recessing, architectural materials, design which emphasizes residential unit entries, or other design strategies;
    6. Use high quality and, where appropriate, permeable paving materials for driveways;
    7. Use attractive, high quality materials and consider incorporating glazing in garage doors;
    8. See Section 5, Open Space Design for additional design guidelines related to landscaping and screening.

### 3) Building Form and Features

**Objectives:** *To achieve buildings of high architectural quality and interest with human-scale building proportions that are oriented towards and are compatible with the established streetscape character and pattern.*

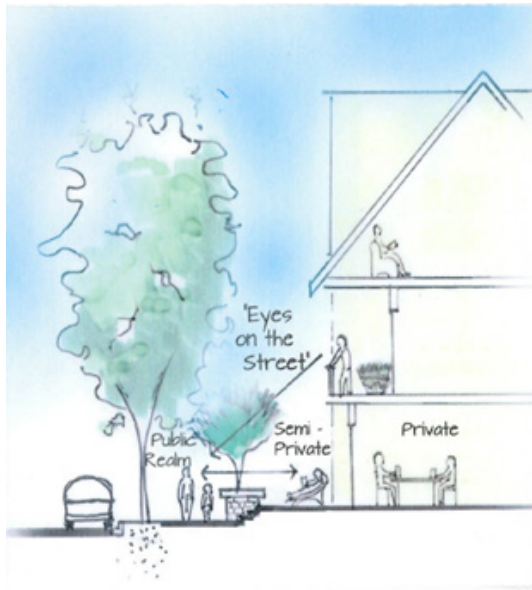
- a. Building Massing and Roof Forms
  - i. Modulation in massing or roof forms are encouraged to differentiate individual units within townhouse and attached dwelling building complexes and to provide architectural interest.
- b. Building Form, Materials and Finishes
  - i. Exterior building form and materials are encouraged to contribute to high-quality architecture by achieving the following:
    1. provide interest to facades by incorporating a range of architectural features and details;
    2. articulate different building features;
    3. use substantive, natural materials that are durable and weather gracefully over time;
    4. help mitigate the impact of blank walls, where necessary;
    5. visually reduce the perception of building massing, where necessary; and
    6. wrap around the corner of buildings, where appropriate.
  - ii. Consider exterior building materials, finishes and colours that are compatible with other developments along the streetscape so new development integrates with existing architectural character.



#### 4) Building Entrances and Windows

**Objective:** To enhance livability by locating windows and entrances to encourage sociability and eyes on the street while minimizing privacy impacts on neighbouring homes.

- a. Townhouse and rowhouse developments should maintain a street-fronting “front-to-back” orientation to the street.
- b. All residential units in townhouse and rowhouse building complexes facing streets should have entries oriented towards, and be clearly accessible and visible, from the street.
- c. For townhouse complexes that have interior-facing units, ensure unit entries are legible and emphasized through design features.
- d. Consider design strategies to delineate private front yard spaces, porches or patios from the public realm, while maintaining visibility of unit entrances. Design strategies may include but are not limited to:



- i. elevating the front entryway or patio slightly above the fronting sidewalk level; or
- ii. where a change in grade is not desired to provide accessibility, delineate the space through other means such as landscaping features, low fencing or planters.

- e. Window placement along shared property lines should consider locations of windows of adjacent properties and be off-set where possible to mitigate privacy impacts.

#### 5) Open Space Design

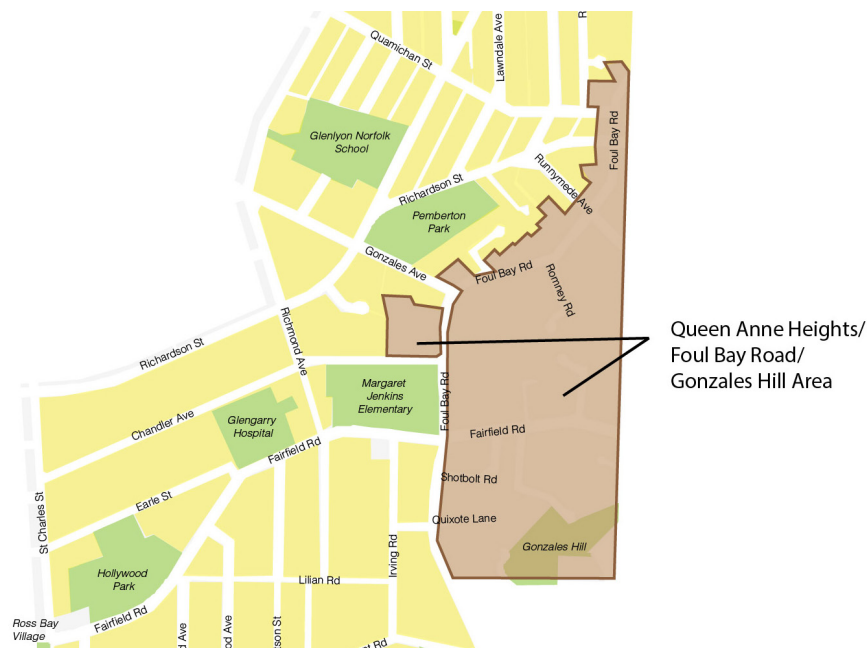
**Objective:** To enhance the quality of open space, provide privacy where needed, delineate unit entrances and pedestrian circulation, reduce storm water runoff, and to ensure that rear yards are not dominated by parking.

- a. Accessibility should be provided, where possible, in open space design.
- b. Areas within setbacks should consist primarily of landscaped space, but may include paved pedestrian paths.
- c. Landscape areas are encouraged to include a mixture of tree sizes and types, considering exotic and native species.
- d. Landscape on sites with significant natural features (e.g. significant trees, topography, rocky outcrops) should be located and designed to be sympathetic to the natural landscape.
- e. Consider planting tree species and other landscape plants that will tolerate a degree of drought and will survive the summer water restrictions and dry conditions of southern Vancouver Island.
- f. In considering tree placement adjacent to street rights-of-way or along boulevards, a minimum of one planting space per 15 metres of frontage is recommended.
- g. Landscaped screening along circulation and parking areas which abut lot lines is strongly encouraged, while maintaining site lines and enabling casual surveillance. Where possible, other surface parking areas should be screened with landscaping.

- h. Integration of landscaping to soften hardscape areas associated with vehicle circulation and parking is encouraged.
- i. Site design should integrate features to mitigate surface runoff of stormwater. This may include a variety of treatments (e.g. permeable paving for driveways and parking areas, landscape features designed for rainwater management, cisterns or green roofs, and/or other approaches) which are consistent with approved engineering practices and other city policies.
- j. Non-glare lighting should be provided at residential unit entrances, along pedestrian paths and common areas to contribute to safety. Lighting strategies that mitigate undue spill-over for adjacent residential units are encouraged.

## 6) Additional Guidelines for the Queen Anne Heights/Foul Bay Road/Gonzales Hill area

**Objectives:** to support housing forms and siting that protect natural areas and the tree canopy, maintain the historic, green, large lot character of these areas, and support heritage conservation.



Map 1: Queen Anne Heights / Foul Bay Road / Gonzales Hill Area.

- a. These guidelines apply to developments in the Queen Anne Heights/Foul Bay Road/Gonzales Hill area, shown shaded in brown on Map 1.
- b. Where guidelines in this section conflict with guidelines in other sections of this document, the protection of natural areas and tree canopy should be prioritized.
- c. Development in this area should be sited to minimize disturbance to natural areas and the tree canopy. Strategies to achieve this may include, but are not limited to, conversion of an existing building with careful additions; the development of new buildings generally within the footprint of an existing building or previously disturbed area (e.g. an existing parking lot, tennis court, etc.); shared access and/or parking for units in order to minimize pavement on the site; and clustering development in a way which respects existing trees, understory, topography and rock outcroppings.
- d. The character of new buildings, including siting, massing, exterior finish and design should be sympathetic to surrounding buildings especially those with heritage significance.
- e. Where prominent views of houses of heritage significance exist from the street, new development should be sited to accommodate these views.

- f. Any subdivision of land in this area that is subject to the *Guidelines for Intensive Residential Development – Townhouse and Attached Dwelling* should demonstrate that development of such land will meet these guidelines. In meeting these guidelines, a comprehensive development which allows for the clustering or careful location of development may be preferred to subdivision.
- g. Panhandle lot subdivision is not supported in this area.

**Pamela Martin**

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**From:** S Moreau [REDACTED]  
**Sent:** March 6, 2018 12:35 PM  
**To:** Public Hearings  
**Subject:** Gonzales Plan feedback

hi there,

I have several noted corrections for typos and a couple of recommendations for issues that appear to be missed in the plan.

I believe there's an incorrect name for Maddison Street in the following:

"**3.4.2. Gonzales Beach to Oak Bay Avenue Route (via Pemberton Park and Maddison Avenue)**: Complete a continuous pedestrian and cycling route. Add wayfinding. Widen the path across Ecole Margaret Jenkins School property and Pemberton Park to comfortably accommodate pedestrians and cyclists. Design of Maddison Lane should consider guidance in Policy 4.8.3."

What part of Maddison Street is the Lane? I don't believe that part is marked on any map, so the plan needs to be clear about what section it's citing.

The map on page 24 should show all the streets named on pages 25 and 26, e.g., Irving Street where it connects to Richmond Avenue. "3.2.3. Develop an All Ages and Abilities (AAA) route along Irving Road and Richmond Road that connects Gonzales Beach with Oak Bay Avenue Village."  
 ...and Lillian street as mentioned on page 26.

typo re Crescent Road "**3.4.8. Entrance to Gonzales Beach Park**: Improve pedestrian access to Gonzales Beach Park along Ross Street, Robertson Street and Crescent **Street**."

Traffic management on Foul Bay Road, "**3.6.5. Enforcement**: Encourage Victoria Police department to focus enforcement activities to slow down traffic and encourage vehicle driver and cyclist compliance with stop signs and crossings at the following locations:

a. Foul Bay Road between McNeill Avenue and Crescent Road"

Another issue is lane width. Especially regarding the section from Fairfield Road to Crescent Road, the centre line painted along this section of Foul Bay Road is dead centre; however, parked cars along the west side (southbound) reduce available space for traffic. There is not a sidewalk along the east (northbound) roadside, hence parking is limited to the boulevard where there is space available. Still, there is not enough shy distance for vehicles travelling south along foul bay road to stay on their side of the road (west side). I strongly recommend that parking be prohibited on the east side of the road and move the centreline to the east to increase the available lane width, to allow more perceived and actual space for vehicles travelling south to stay on their side of the road.

I have observed that southbound vehicles are moving so far into the oncoming lane that it is hazardous when exiting driveways on that stretch of road. Even when checking both directions, vehicles can swerve over the centreline erratically. I believe with better placement of the centre line to accommodate parked vehicles along the west side of the road, drivers will be more confident in where they are driving relative to the oncoming lanes.

speed enforcement. the downside of the above is that with added driver confidence speed could increase. therefore I also strongly recommend that speed humps are installed especially along the narrow hillier sections of foul bay road, such as at the intersection with Gonzales Ave. and between Fairfield Road and Crescent Road. in addition, now that BC Transit has added more busses along this section of Foul Bay which are running very frequently, the intrusion over the centreline issue may become more urgent. There is often very little room for two vehicles to pass in opposite directions and, if there are cars parked on the east side, the extra width of busses exacerbates this problem.

In summary, please consider the following traffic calming and safety improvements along foul bay road from Richardson/McNeil Ave to Fairfield Road:



1. reduce crash potential (with parked and oncoming vehicles) - increase the lane width on the southbound side (east): prohibit parking on the east side of the road and move the centreline to the east to allow more perceived and actual space for vehicles travelling south to stay on their side of the road;
2. manage speeding without police enforcement: install speed humps especially along the narrow hillier and curvier sections of foul bay road, such as at the intersection with Gonzales Ave. and between Fairfield Road and Crescent Road.

thank you,  
Suzanne Moreau  
886 Maddison Street  
and  
337 Foul Bay Road

**Pamela Martin**

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**Subject:** FW: Letter of Opposition to Gonzales Neighbourhood Plan

**From:** Caleb [REDACTED]  
**Date:** March 7, 2018 at 12:33:56 PM PST  
**To:** <[councillors@victoria.ca](mailto:councillors@victoria.ca)>  
**Cc:** <[Planandzone@fairfieldcommunity.ca](mailto:Planandzone@fairfieldcommunity.ca)>  
**Subject:** Letter of Opposition to Gonzales Neighbourhood Plan

March 7, 2018

Mayor and Council  
City of Victoria  
Centennial Square, Victoria BC

cc: David Biltek, Fairfield Gonzales Land Use Committee

Re: Opposition to Proposed Gonzales Neighbourhood Plan

Honorable Mayor and Council:

I am writing to express my opposition to the proposed Gonzales Neighbourhood Plan on the basis that it encourages densification of our neighbourhood without consultation, increases traffic congestion, increases emergency vehicle response time, and increases the cost of transportation.

I am the owner of two adjoining homes on Gonzales Ave, and have lived on this property for 50 years. I was shocked to see the so-called Neighbourhood Plan call for double row townhouses on my quiet residential street, with absolutely no consultation with those of us who live here.

I am further horrified by the combination of densification throughout the neighbourhood combined with elimination of the last functional thoroughfare to downtown, that being Richardson Rd, which services not only this neighbourhood, but also South Oak Bay. Where does council think the growing number of cars (as densification implies) will go when "traffic speeds are lowered and volumes reduced"? Shall we learn to levitate?

This council has been absolutely ignorant of the fact that a city needs a functional transportation network so that goods and services can be delivered, emergency vehicles can get through, taxis can provide an efficient and economical service, and people can get to downtown and back.

Please add my voice to the growing number of people that are opposed to this flawed plan that promises to change the whole landscape and character of our neighbourhood, congest our roads, and destroy the quality of life

this neighbourhood represents.

In Opposition,

William Caleb Small  
1832 Gonzales Ave  
Victoria, BC

**Pamela Martin**

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**From:** Public Hearings  
**Subject:** FW: Proposed Plan for Gonzales Neighbourhood  
**Attachments:** image001.gif

**From:** Darryl [REDACTED]  
**Date:** March 7, 2018 at 8:04:32 AM PST  
**To:** <[councillors@victoria.ca](mailto:councillors@victoria.ca)>  
**Cc:** <[planandzone@fairfieldcommunity.ca](mailto:planandzone@fairfieldcommunity.ca)>  
**Subject:** **Proposed Plan for Gonzales Neighbourhood**



We are writing to express our concern that the proposed plan for Gonzales Neighbourhood was developed without sufficient consultation with the residents of this community.

Darryl and Christine Harker  
1695 Richardson Street  
Victoria, BC



**Pamela Martin**

---

**From:** Public Hearings  
**Subject:** FW: Gonzales

**From:** Deborah Lowry [REDACTED]  
**Date:** March 7, 2018 at 8:41:41 AM PST  
**To:** <[councillors@victoria.ca](mailto:councillors@victoria.ca)>, <[planandzone@fairfieldcommunity.ca](mailto:planandzone@fairfieldcommunity.ca)>  
**Subject:** Gonzales

To Mayor and Council, and whoever is actually listening,

I along with many of my fellow residents of Gonzales have grave concerns over the proposed changes to the Gonzales Plan and its horrible impact it will have on our community. For all intents and purposes it looks like a plan drawn up by developers not the whole family of people it will directly and indirectly impact.

First of all I cannot imagine what is so terribly wrong with our neighbourhood that requires blanket rezoning and rezoning of properties that have not requested it.

Most developers will be wringing their hands at these proposals whilst the rest of us are living in dread of these changes. Once again we are under attack. Our once charming community turned into an unrecognizable urban experiment with terrible results.

I am concerned with the process and lack of real engagement. I can only speculate that this is done as Gonzales residents are well known to be opinionated and protective of our way of life. Many of my usually well informed neighbours and friends were and are unaware this process was even going on.

When I asked a city planner why we were redoing our plan now he said "because the plan had not been updated for 15 years" and this was a 25 year plan. This made little or no sense to me. This current plan which was meant to offer a certain amount of protection has never been implemented. It has however been twisted and turned at every opportunity to the advantage of those that look at Gonzales as a cash

cow. This includes a money hungry planning department and city council.

We love and are proud of our "Hood" .Not for what it could become but for what it

is. We have fought hard for this. This is why it is now a sought after place to live.

If only a third of what are proposed changes are allowed this will alter and not for the better. The plan is reminiscent of James Bay in the 70's. Disasterous!

We need to preserve and protect affordable old stock housing. Historically when old homes are torn down up go seriously unaffordable, light obstructive ,no green space monsters, that resemble storage units more than homes.

The cities vision for the future of Gonzales is disturbing and unsettling. It is not our vision. We need thoughtful sympathetic growth. No blanket rezoning but a case by case merit based system with neighbour and neighbourhood consultation.

This is the only way a harmonious happy and safe community can be developed.

Judging by the fliers we are already receiving in our mail boxes by realtors the Vultures are already circling. Please do not consider this seriously flawed plan.

Sincerely

Long time resident,

Home owner,

and committed Voter

Deborah Lowry  
1829 Lillian Rd.

**Pamela Martin**

---

**Subject:** FW: Proposed Gonzales Neighborhood Plan

**From:** Marion Clare [REDACTED]  
**Date:** March 7, 2018 at 12:03:46 PM PST  
**To:** <[councillors@victoria.ca](mailto:councillors@victoria.ca)>, <[planandzone@fairfieldcommunity.ca](mailto:planandzone@fairfieldcommunity.ca)>, [REDACTED]  
**Subject:** Proposed Gonzales Neighborhood Plan

*Marion Clare & Denis Clare*

1847 Gonzales Avenue,  
Victoria, B.C.  
Canada. V8S 1T9  
Phone: [REDACTED]  
Email: [REDACTED]

The Mayor and Council  
[councillors@victoria.ca](mailto:councillors@victoria.ca)

David Biltek, Chair of the Fairfield Gonzales land use committee  
[planandzone@fairfieldcommunity.ca](mailto:planandzone@fairfieldcommunity.ca)

8<sup>th</sup> March 2018

**Re: Proposed Gonzales Neighbourhood Plan**

**City Council Meeting March 8 2018**

As we will both be unable to attend the meeting on March 8<sup>th</sup> we would like to strongly oppose this development, especially related to the stretch of Gonzales Avenue between Richmond and Richardson where our house is located.

We are shocked to see from your website report that Public Feedback has already been taken and was divulged at the council meeting on December 2017. As home owners in the Gonzales area why were we not notified to give our opinions at that time.

- Also how come this part of Gonzales Road between Richmond and Richardson used to be zoned as Rockland but now has been changed to the new extended part of Gonzales. As before why were we not notified of this change.
- Our main concerns are that the council are proposing to densify building and infill in this area of quality, single family dwellings, the majority of which are valued over 1 million dollars.
- We invested a lot of money into our house and should the multi house townhouse development go ahead on the opposite side of our road, the value of our house would drop considerably and the quality of life of our surroundings and that of our neighbors would be very much inferior to what it is now. Our road has nicely spaced our larger detached houses, a tree lined street and a general up market ambience of this Oak Bay border location.

- Will the City of Victoria compensate us for the devaluation of our properties, especially in a lump sum and lower property taxes, although this is not the preferred approach?

Our main concerns about the proposed Gonzales Plan Development in particular to the stretch of Gonzales between Richmond and Richardson are as follows

1. Our immediate Gonzales Road area is amongst one of the most prestigious in the city next to others like Oak Bay and Ten Mile Point. Homes are generally spread out with spaces in between, are set back with front yards and have a more superior feel than other parts of the city. Why over develop this area with high density housing such as multiple townhouse developments and condos, when you could channel this idea to other cheaper areas like parts of Esquimalt and View Royal.
2. No single family house should be demolished and used for multiple density housing. One house as now, one house in the future.
3. It is said in your report “When additions to existing buildings or new buildings are proposed, consider granting variances, if required, to retain significant trees, landscape or native ecosystem features.” We say that variances to extend the building line of any new development are not to be used purely to make the single family dwelling larger. At present a builder can go to city to extend the building lines and usually win at variance. This practice is wrong.
4. The area should be for families not high density rentals or executive type housing.
5. Families need space. Children need to play. Adults like the recreation of their own space, not herded together in townhouse or condo developments
6. In fill be limited only to duplex or single family homes on places where single family dwelling currently exist
7. No trees removed for any new development
8. No bicycle lanes anywhere in the Gonzales area for two reasons.
  - The roads are getting busier. If the area develops there will be even more cars. There is not enough room to move cars around safely with bicycle lanes taking up lots of space
  - With existing bicycle lanes a large proportion of cyclist we have seen still continue to use the roads.
  - When cyclists pay a road tax, however small, then this will be justified. Until then it is not right that non cyclists have to fund this in their property taxes





**Lacey Maxwell**

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**From:** Ian Sherwin [REDACTED]  
**Sent:** March 4, 2018 5:25 PM  
**To:** Victoria Mayor and Council; planandzone@fairfieldcommunity.ca  
**Subject:** GONZALES PLAN IS HUGE MISTAKE

**MAYOR AND COUNCILLORS VICTORIA B.C.**

**IT TAKES A 100 YEARS TO GROW A REAL NEIGHBORHOOD**

**IT TAKE ONLY ONE FOOLISH PLANNING MESS TO DESTROY IT  
THIS NEW PLAN IS CLEARLY ANOTHER COSTLY DISASTER  
IN THE MAKING IN BOTH CONCEPT AND EXECUTION.**

**GONZALES BAY IS A RARE NEIGHBOURHOOD TODAY  
WHERE EVERYONE RICH OR POOR KNOWS THEIR NEIGHBOUR.  
THERE IS A HISTORIC REASON FOR THIS.**

**GONZALES BAY (PROPER) GREW POST 1912 WITH THE EXTENSION OF  
THE NO 6 STREET CAR LINE ALONG MAY & FAIRFIELD ROAD TO ITS  
TERMINUS AT FOUL BAY ROAD. IT PROVIDED ACCESS FOR  
SMALL HOUSES ON SMALL LOTS FOR WORKING PEOPLE AND  
THE MODEST RETIRED. THOSE FEW THAT COULD AFFORD A CAR  
USED FAIRFIELD ROAD.**

**NORTH OF FAIRFIELD ROAD WAS THE SWAMP AND MARKET GARDENS AND  
PEMBERTON WOODS THE LAST TINY REMNANT OF WHICH IS PEMBERTON  
PARK.**

**THAT IS WHY GONZALES BAY STARTED AS A REAL KNOW YOUR NEIGHBOUR  
NEIGHBOURHOOD WITH ITS SIMPLE TENNIS COURT AND SANDY BEACH.  
I FIRST SWAM IN GONZALES BAY OVER 70 YEARS AGO. IT STILL FEELS  
LIKE A REAL NEIGHBOURHOOD. THIS IS A VERY RARE THING TODAY.**

**NORTH OF PEMBERTON WOODS THE LAND SLOPED TOWARDS OAK BAY  
AND THIS AREA WAS SERVED BY THE NO1 OAK BAY STREET CAR  
AND CARS IN THIS AREA BY OAK BAY AVENUE. THIS IS AN AREA  
OF LARGER LOTS AND LARGER HOUSES AND MORE CITIFIED.  
LUMPING THESE AREAS TOGETHER IS FOOLISH IN THE EXTREME**

**LANGFORD WITH STU YOUNG HAS VERY COMPETENT GOVERNANCE  
AND MASSES OF LAND OPEN FOR NEW DEVELOPMENT AT SPECTACULAR  
ROYAL BAY AND AND AREA, ALL WITHOUT ADDING TO VICTORIA'S  
INCREASINGLY CONSTIPATED ROAD SYSTEM.**

**WHY DESTROY GONZALES BAY A NEIGHBOURHOOD THAT STILL WORKS ?**

**IAN M. SHERWIN 1863 HOLLYWOOD CR. VICTORIA B.C.**

**Lacey Maxwell**

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**From:** Barbara Abercrombie [REDACTED]  
**Sent:** February 22, 2018 12:23 PM  
**To:** Victoria Mayor and Council  
**Subject:** Draft Gonzales Neighbourhood Plan

As a resident of the stretch of Richardson St. between St. Charles and Richmond, I am opposed to any plan that would allow street-fronting townhouses on wider lots in this area, as well as densification by means of unrestricted development using small apartment buildings and townhouses up to three storeys along the Fairfield corridor. This area already has more vehicle traffic than it can cope with. Furthermore, our existing infrastructure is not equal to the challenges posed by densification. The existing Official Community Plan for Gonzales should be respected, and any departures from that plan thoroughly discussed with area residents.

Thank you for your consideration.

Barbara Abercrombie  
1657 Richardson St.



**Lacey Maxwell**

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**From:** VIVIENNE PHILLIPS [REDACTED]  
**Sent:** March 6, 2018 8:21 PM  
**To:** Victoria Mayor and Council  
**Subject:** Proposed Gonzales Neighbourhood Plan Input

Dear Mayor and Council,

PROPOSED GONZALES NEIGHBOURHOOD PLAN

Today in the mail I recieved a flyer from Michael McMullen, Realtor with Re-Max Camosun it says:

*"Hello Neighbour,*

*I have been reading with interest the proposed Gonzales Neighbourhood plans. What a time of CHANGE for your community!*

*I am sure everyone will be watching closely for the results of the upcoming Council meeting and Public Hearing. I believe the outcome could provide an exciting opportunity to anyone who is considering selling in Gonzales area.*

It was a shock to think that a realtor was waiting on the outcome of this plan.

I love where I live, we have a amazing community where twice a year we all congregate for pot-luck suppers in the local church hall. We catch up on the news of each others lives. There are very few changes of neighbours as everyone LOVES living here. Most people renovate their homes as they don't want to move. We have everything here the local grocery shop in walking distance, the wonderful family based beach where we all meet in the summer in "our spot", when it snows someone clears a neighbours sidewalk. We take care of each other ... and you want to change all of this .... NO NO NO. We live in old stock homes that are loved and cared for, a few square block cement homes have squeeked in, which upsets the look and feel of the neighbourhood.

There is nothing wrong with the way Gonzales is presently, we love it the way it is. Why do you want to change it please leave it alone.

Vivienne Phillips

Voter and home owner

**Lacey Maxwell**

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**From:** Mike Fenger [REDACTED]  
**Sent:** March 7, 2018 9:41 AM  
**To:** Victoria Mayor and Council  
**Cc:** planandzone@fairfieldcommunity.ca  
**Subject:** Input to meeting Thursday and concerns with Gonzales neighbor plan

Dear Mayor and Council of City of Victoria

March 7<sup>th</sup> 2017

We are write regarding the proposed Gonzales Neighbourhood Plan and provide our concerns and why we think the plan as written should not be approved without major amendments. We cannot attend the meeting being held Thursday March 8<sup>th</sup> 6:30 at City Hall hence we are sending this statement.

The character of the Gonzales neighborhood is defined by older well-built and well maintained single family houses built 40 to 100 years ago. Gonzales was fully built out a few decades ago and contains a great stock of older homes and these define the Gonzales neighborhood. Absent from the Gonzales plan is any statement of the need to maintain existing older homes that define the Gonzales. Protection of older homes needs to be a stated principle in the Gonzales plan and it is not.

Newer homes in our estimation are not as well built as the existing homes, for example the recent use of oriented strand board (OSB) to lower building costs by a developer means a home, townhouse or condo built to day will simply not last as long as existing home and most existing homes with regular maintenance will outlast new construction even if the older home are already 100 years old. The Gonzales plan will destroy the older homes of Gonzales and it will do so by design unless it is amended. It is so sad that this plan encourages the destruction of good quality old homes under the pretense of a better future through densification and “*modern row and townhouses*”. Taking down older homes and replacing them with newer poor quality structures in the name of densification is so misguided. The Gonzales Plan is so misguided.

The statement “*new housing diversity should be encouraged*” is a statement that signals the Gonzales plan means a shift towards new townhouses and row houses and is a signal to developers to amalgamate properties and build new townhouses and demolish single family homes. Giving such incentives to nonresident’s developers and speculators means the plan is focused on the interests of developer/speculators over the interests of the existing owners. So sad that if this plan is approved it is a clear signal that Council and planning staff support developers and speculators over the current residents and taxpayers. Please change the focus back to the existing resident land owners.

Council can refocus the Gonzales plan to enable the existing home owners the means to achieve greater density and affordability. Affordable housing and increased density will not come to Gonzales from developers and those who are looking to maximize their return by building for upper-end clientele. There are a number of commercial builders in Gonzales who have built executive style boxes that maximize the height and minimize setbacks and in some cases seek variances on setbacks to better their financial bottom lines. These newer executive boxes are not designed to be affordable nor are they in character in Gonzales but are within the allowed zoning so staff must approve. It is discouraging to see in the plan mention of housing diversity and the link or nod to the executive box as well as the townhouse and row house all of which are foreign to the Gonzales and the existing character but are now the now preferred developer style. The Gonzales plan needs to be changes so that it puts a full stop on what is now a developer maximum-return vision for Gonzales neighborhood.

It is unclear if the number of secondary suites legal or otherwise is understood fully understood. Gonzales may already have achieved the increase density goals which we understand to be 1200 new units within a decade if the current suites are added and grandfathered or recognized and encouraged. Council must change the plan focus away from incentives for developers to demolish existing homes to a focus that enables residents and property owners more easily to add secondary suites in existing houses or build smaller modest lane way type houses in rear yards when they maintain the existing houses.

We attended the Gonzales public input sessions last summer at Margret Jenkins school. At that time we understood through questioning planning staff that they were in favor of zoning for row housing and townhouses and thought this was the way to increase density. Those ideas have persisted in the plan and show a city hall staff writing into the plan their preferred solution as new townhouses and row houses. What was troubling was the staff indicated they preferred this type of zoning as it eased their workload. What was even more troubling for us at least was that the very character of Gonzales i.e. the stock of existing well-built house could be collateral damage as means for planners to achieve a reduced workload.

At the open house planning staff also stated they did not favor resident lead initiatives to achieve higher densities such as adding a second small rear yard smaller home for example to increase the livable area on their properties. If the ambience of Gonzales is to endure we have far greater confidence that the solutions to increase density that come from current land owners working with their neighbors and city planning staff will better main the Gonzales character than what is reflected in the Gonzales plan as currently written. The plan appears to be an arrangement between planning staff and developers with residents as secondary or allowed some future role or perhaps or no role at all once high density zoning is approved. If council is really supportive of this approach it means that council sees land owners and taxpayers as secondary to increasing density in Gonzales and developers and speculators as the solution. That is the way the plan is written. Council is that your preferred approach?

Please do not approve the Gonzales plan. Please rewrite the current Gonzales plan so that it puts the resident property owners first on ideas and proposals for increasing density on our properties. We believe that the residents of Gonzales and the city will achieve greater density and keep the Gonzales neighbor character and ambience if given an opportunity in a neighborhood plan that puts us first. Thanks for considering a refocusing of the plan.

Mike Fenger and Valerie Hignett  
511 Foul Bay Road.

Wednesday, March 7, 2018

To whom it may concern:

I live on 160 Passmore St and want to start by saying thank you for fresh ideas and plans for the future of Gonzales. It's a lot of work. Though we disagree in part I appreciate your efforts and good will to listen to those who live here, own property and want to see the right thing done to keep most of Gonzales a rare and valuable neighbourhood/asset in Victoria.

From my careful study of lot sizes from your 2018 redevelopment plan for Gonzales it appears the 2002 plan need not be altered to the degree you wish it. The new plan far over-reaches and will result in over-densification and the destruction of our valuable Victoria neighbourhood character and lifestyle.

Some of the new plan defeats the intimate, relaxed character highly valued by residents and tourists and investors alike. Areas close to the ocean are an enclave. By you allowing new condo development in Gonzales on the scale you propose, it will destroy a quality of life people in Victoria, all over Canada, and the world long for.

For example, the new plan would allow tiny Passmore St or Ross St with existing single family lots over 5000 sq. feet to be torn down and replaced by triple row houses. Stats show your plans permits taking about 88% of my neighborhood's homes and making them open to developers to plug in 3 townhouses. Along Fairfield Road you are proposing 3 story condominium projects; this should be limited to 2 stories. Double of rows of townhouses are proposed for St. Charles and several other streets, completely unacceptable, alien to and for the low key, family feeling Gonzales neighbourhood.

***Out of the 871 residences in Gonzales only 109 existing single-family dwellings would be excluded from development into duplexes, triplexes and duplexes with suites, this over development would completely disturb likely ruin the livability we currently enjoy in Gonzales. The increase in population that would result from the proposed development would overwhelm our minuscule parks and green spaces.***

Thank you for the hard work and now your openness and care in considering what residents like myself are telling you. Please don't take away the quality of life and views that make Victoria unique and a haven for the happy.

Sincerely,

Don Morris  
160 Passmore St  
Victoria V8S 3V7

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**Lacey Maxwell**

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**From:** Janice and Kevin [REDACTED]  
**Sent:** March 7, 2018 2:34 PM  
**To:** Victoria Mayor and Council  
**Subject:** Feedback on Draft Gonzales Neighbourhood Plan

We wanted to first thank the City of Victoria for your efforts engaging the community to revise the Gonzales Neighbourhood Plan.

Through the years, Fairfield Road has maintained abundant green space and mostly single-family homes that provide a comfortable residential feel to the community. The family friendly environment and general lack of higher density units on Fairfield Road sets Gonzales aside from other areas of the city, making the area very desirable to live.

Our key concern of the proposed Gonzales Neighbourhood Plan is the impact on the Fairfield Corridor. The plan proposes multi-unit living along Fairfield corridor and more specifically small apartment buildings from St. Charles to Foul Bay. The plan provides detail on townhouses and residential housing, but provides no information or constraints (other than 3 stories and a density of 1.0 FSR) for smaller apartments.

The proliferation of poorly situated and designed apartment buildings will impact the experience of residents and especially those living in proximity to Fairfield Road. The lack of any detail in the plan could result in a ramshackle of congested buildings crammed into the available space. Regardless of the type of multi-unit living units or multiple dwellings, there should be strong constraints placed on the building sites and designs.

We ask the counsel that the density of the Fairfield corridor be limited to two story townhouses or row housing. Though I am strongly opposed to apartments, if they are to be considered, we would like to propose the following:

- Minimum lot size of 670m<sup>2</sup>
- Minimum setbacks be required of 9m for the rear, 7.5m for the front, and sides of 1.5m
- Site coverage limited to a maximum of 35% (40% open space)
- Maximum building heights be 2 ½ stories and 8.5m to ensure limited neighbourhood impact
- At least 1.5 on-site parking spaces be provided per unit
- Minimum density of 1.0 :1 FSR as stated in the draft plan

Thank you for your consideration.

Janice Linton and Kevin Warren

356 Robertson Street

**Lacey Maxwell**

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**From:** Janice and Kevin [REDACTED]  
**Sent:** March 7, 2018 5:32 PM  
**To:** Victoria Mayor and Council  
**Subject:** Feedback on Draft Gonzales Neighbourhood Plan

I sent the Mayor and Counsel an email earlier opposing 3 story apartments along the Fairfield corridor. Since then I have had conversations with a few of my neighbours and though they were aware of the proposed Gonzales Neighbourhood Plan, they had not read the drafts or participated in the consultation (myself included). They found it alarming the proposed plan enables a 35 foot high wall of buildings along our rear yards.

Looking at a map of the area, it appears that over 70 residents could have an immediate negative impact by the construction of 3 story buildings along Fairfield Road between St. Charles and Foul Bay. There will also be a loss of green space, sunlight, cityscape and the neighbourhood ambiance along Fairfield Road.

I believe city planners may have failed to take into consideration the negative impact of those living in proximity of Fairfield Road when they proposed 3 story multi living units. The implications to this neighbourhood and community are far greater than the few additional units created.

On the assumption that opinions of those living around Fairfield Road that are directly affected have not been properly expressed and the clear impact of the proposed Gonzales Neighbourhood Plan, I would ask that the Mayor and Council delay approval at your March 8<sup>th</sup> meeting. This would allow city planners to engage the affected home owners and/or allow a petition opposing the densification to be circulated to those living next to Fairfield Road.

Please feel free to disregard this request if the Mayor and Council have directed staff to remove all references allowing 3 story multi living units/apartments and replaced it with two story, single row rowhouses/townhouses along the Fairfield Corridor.

Thank you for your consideration.

Kevin Warren

**Lacey Maxwell**

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**From:** Karen Ayers [REDACTED]  
**Sent:** February 27, 2018 10:27 AM  
**To:** Councillors  
**Cc:** planandzone@fairfieldcommunity.ca; Kristina Bouris  
**Subject:** Gonzales Neighbourhood Plan

Dear Mayor and Council:

I am writing regarding the proposed Gonzales Neighbourhood Plan.

The new plan has a number of improvements, and in particular builds on the 2002 Plan with respect to Queen Anne Heights/Gonzales Hill, with clearer language and recognition of the need to protect the large lot heritage character, Garry Oak woodlands and green space. I would like to express my appreciation to Kristina Bouris who worked with us to better reflect the neighbourhood's vision for this area within the plan.

However, the new plan also proposes changes which will dramatically change the overall landscape, look and feel of Gonzales, and to which I am opposed. The plan:

- significantly increases housing density - by at least double, and in some areas of Gonzales by more than quadruple the current density
- proposes multi-storey apartment buildings along Fairfield, and triplexes, duplexes with secondary suites and townhouse developments throughout Gonzales, with double rows of townhouses in multiple areas
- encourages land assembly and the demolition of existing affordable and rental housing, with no plans to replace it with any affordable housing
- makes no provision for schools, parks or other public infrastructure needed to support such a dramatic increase in density
- takes away the ability of residents to have an effective say in future development projects, by designating what form of housing (e.g. apartment building, townhouses) can go on which lots, essentially "pre-zoning" properties for development throughout Gonzales, and
- removes Richardson as a major vehicle transportation route, diverting vehicle traffic volumes to Fairfield (which is already congested at peak times), and up to Rockland Avenue.

Although I support the need for additional and varied forms of housing in Gonzales, population growth projections for Victoria do not support the need for the density levels proposed in this plan. The "trickle down" theory that if you build sufficient housing it will result in affordable housing has not worked in any city in the world, and current research debunks that approach. The plan makes no provision for affordable housing, in fact will do the opposite, as affordable and rental housing is demolished to make way for new developments. Land assembly is encouraged (and already occurring in anticipation of the plan), which will destabilize neighbourhoods.

The lack of an appropriate interface between the multi-storey buildings proposed for the Fairfield Corridor and the surrounding homes will cause consideration friction, and is not supportable as proposed. Double rows of townhouses are also not supportable (too dense, loss of green space and parking issues).

New housing is expensive and generally affordable only to those with high incomes and those seeking to invest in our community. Opportunities to increase density without demolishing existing housing stock are not fully realized in the plan, for example allowing both a secondary and a garden suite on suitably sized properties.

The January 2018 Union of BC Municipalities report "A Home for Everyone" states "It has long been recognized that because a change in use – for example from a house to a three-story apartment building – impacts surrounding properties, neighbouring residents must be notified of the proposed change and be able to have a say in whether the change proceeds." This plan takes away the ability of residents to have an effective say in future development. By designating what form of housing (e.g. apartment building, townhouses) can go where, by individual lot within Gonzales, a clear signal is sent to the development community as to what the City will approve. It is treated as a form of "pre-zoning", and has already resulted in Gonzales residents being told by developers that multi-rows of townhouses are approved for their block.

Encouraging residents to leave their cars behind is a positive move, however given the aging demographic and the fact that Gonzales has the oldest demographic in the City, it is not realistic to plan on the basis of a significant shift to cycling. Cars will remain the dominant form of transportation in Gonzales for the foreseeable future.

The transportation plan proposes an All Ages and Abilities route for Richardson Street, and the City's transportation staff have advised that vehicle traffic is to be reduced along Richardson by lowering the speed limit (currently 40 km), installing speed humps and narrowing the road at various points in order to make it "uncomfortable" for drivers; vehicle traffic is to be diverted to other roads. Richardson is a major transportation corridor for residents of Fairfield, Gonzales, and south Oak Bay. Diverting traffic to Fairfield Road is of concern, given the morning congestion at Margaret Jenkins and Sir James Douglas schools, and in entering/exiting from the Fairfield Plaza. This situation will be exacerbated given the density increases proposed for along Fairfield Road (apartment buildings/double row townhouses), and the area between Richardson and the Fairfield Corridor (double row townhouses). Rockland Avenue will also experience a significant increase in vehicle traffic from those seeking to avoid a "vehicle unfriendly" Richardson.

The public engagement process did not ensure that residents could participate to develop the draft plan, or to provide informed feedback. As a result, most Gonzales residents that I speak with do not understand the plan nor are they aware of its impacts. Many residents were not aware the planning process was underway, so had no opportunity to participate in the sessions leading up to the initial draft of the plan. Some residents did not receive the Key Moves brochure. Those that did could provide input based on reading either seven high level themes (with a few bullets under each), or a 75 page draft plan. It is not reasonable to expect residents to read a 75 page document in order to become appropriately informed about what is proposed for their community.

The housing session (which I attended) was structured to pressure residents into agreeing to building forms and densities the participants did not support. Participants were not asked whether they wanted multi-storey buildings, for example, rather were repeatedly shown multi-storey developments and asked where in Gonzales that should be built. The outcome was a housing plan that came from a "top down" rather than a collaborative and community driven process that could consider a broader range of options for accommodating future density.

The consultation process was open to anyone to participate, whether or not they pay taxes, live or work in Gonzales. It is impossible to know who provided input to the plan.

Major concerns with the draft plan identified by residents, such as the high density levels and double rows of townhouses have not resulted in substantive changes to the plan.



Council's decision on the Gonzales Neighbourhood Plan will impact future decisions on the Fairfield Neighbourhood Plan. Similarly the Fairfield Plan, for example as it relates to the Fairfield Plaza, will affect many in the Gonzales neighbourhood. While I support continuing with separate plans, the local area plans for both neighbourhoods should be complimentary, consistent in approach, and should be considered by Council at the same or a similar time.

Gonzales residents are proud of their community. This plan does not sufficiently recognize or value what we have, rather it apparently seeks to demolish and replace it. We need a neighbourhood plan that reflects our vision for Gonzales, with growth that enhances our community, not over-development without due regard for or input from residents.

We want real collaboration between the City and Gonzales residents, and propose that the City work with us to revise the plan to better ensure that it reflects our values and vision for the future of the Gonzales neighbourhood.

Thank you for your consideration.

Karen Ayers

**Lacey Maxwell**

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**From:** Darryl [REDACTED]  
**Sent:** March 7, 2018 8:05 AM  
**To:** Councillors  
**Cc:** planandzone@fairfieldcommunity.ca  
**Subject:** Proposed Plan for Gonzales Neighbourhood

**Categories:** LAP

We are writing to express our concern that the proposed plan for Gonzales Neighbourhood was developed without sufficient consultation with the residents of this community.

Darryl and Christine Harker  
1695 Richardson Street  
Victoria, BC

**Lacey Maxwell**

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**From:** Deborah Lowry [REDACTED]  
**Sent:** March 7, 2018 8:42 AM  
**To:** Councillors; planandzone@fairfieldcommunity.ca  
**Subject:** Gonzales

To Mayor and Council, and whoever is actually listening,

I along with many of my fellow residents of Gonzales have grave concerns over the proposed changes to the Gonzales Plan and its horrible impact it will have on our community. For all intents and purposes it looks like a plan drawn up by developers not the whole family of people it will directly and indirectly impact.

First of all I cannot imagine what is so terribly wrong with our neighbourhood that requires blanket rezoning and rezoning of properties that have not requested it.

Most developers will be wringing their hands at these proposals whilst the rest of us are living in dread of these changes. Once again we are under attack. Our once charming community turned into an unrecognizable urban experiment with terrible results.

I am concerned with the process and lack of real engagement. I can only speculate that this is done as Gonzales residents are well known to be opinionated and protective of our way of life. Many of my usually well informed neighbours and friends were and are unaware this process was even going on.

When I asked a city planner why we were redoing our plan now he said "because the plan had not been updated for 15 years" and this was a 25 year plan. This made little or no sense to me. This current plan which was meant to offer a certain amount of protection has never been implemented. It has however been twisted and turned at every opportunity to the advantage of those that look at Gonzales as a cash cow. This includes a money hungry planning department and city council.

We love and are proud of our " Hood" .Not for what it could become but for what it  
Is.We have fought hard for this.This is why it is now a sought after place to live.  
If only a third of what are proposed changes are allowed this will alter and not for  
the better.The plan is reminiscent of James Bay in the 70's.Disasterous!

We need to preserve and protect affordable old stock housing.Historically when  
old homes are torn down up go seriously unaffordable, light obstructive ,no green  
space monsters, that resemble storage units more than homes.

The cities vision for the future of Gonzales is disturbing and unsettling.It is not our  
vision.We need thoughtful sympathetic growth.No blanket rezoning but a case by  
case merit based system with neighbour and neighbourhood consultation.

This is the only way a harmonious happy and safe community can be developed.  
Judging by the fliers we are already receiving in our mail boxes by realtors the  
Vultures are already circling.Please do not consider this seriously flawed plan.

Sincerely

Long time resident,

Home owner,

and committed Voter

Deborah Lowry  
1829 Lillian Rd.



**Lacey Maxwell**

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**From:** Marion Clare [REDACTED]  
**Sent:** March 7, 2018 12:04 PM  
**To:** Councillors; planandzone@fairfieldcommunity.ca; fgnpa@shaw.ca  
**Subject:** Proposed Gonzales Neighborhood Plan

*Marion Clare & Denis Clare*

1847 Gonzales Avenue,  
Victoria, B.C.  
Canada. V8S 1T9  
Phone: [REDACTED]  
Email: [REDACTED]

The Mayor and Council  
[councillors@victoria.ca](mailto:councillors@victoria.ca)

David Biltek, Chair of the Fairfield Gonzales land use committee  
[planandzone@fairfieldcommunity.ca](mailto:planandzone@fairfieldcommunity.ca)

8<sup>th</sup> March 2018

**Re: Proposed Gonzales Neighbourhood Plan**

**City Council Meeting March 8 2018**

As we will both be unable to attend the meeting on March 8<sup>th</sup> we would like to strongly oppose this development, especially related to the stretch of Gonzales Avenue between Richmond and Richardson where our house is located.

We are shocked to see from your website report that Public Feedback has already been taken and was divulged at the council meeting on December 2017. As home owners in the Gonzales area why were we not notified to give our opinions at that time.

- Also how come this part of Gonzales Road between Richmond and Richardson used to be zoned as Rockland but now has been changed to the new extended part of Gonzales. As before why were we not notified of this change.
- Our main concerns are that the council are proposing to densify building and infill in this area of quality, single family dwellings, the majority of which are valued over 1 million dollars.
- We invested a lot of money into our house and should the multi house townhouse development go ahead on the opposite side of our road, the value of our house would drop considerably and the quality of life of our surroundings and that of our neighbors would be very much inferior to what it is now. Our road has nicely spaced our larger detached houses, a tree lined street and a general up market ambience of this Oak Bay border location.
- Will the City of Victoria compensate us for the devaluation of our properties, especially in a lump sum and lower property taxes, although this is not the preferred approach?

Our main concerns about the proposed Gonzales Plan Development in particular to the stretch of Gonzales between Richmond and Richardson are as follows

1. Our immediate Gonzales Road area is amongst one of the most prestigious in the city next to others like Oak Bay and Ten Mile Point. Homes are generally spread out with spaces in between, are set back with front yards and have a more superior feel than other parts of the city. Why over develop this area with high density housing such as multiple townhouse developments and condos, when you could channel this idea to other cheaper areas like parts of Esquimalt and View Royal.
2. No single family house should be demolished and used for multiple density housing. One house as now, one house in the future.
3. It is said in your report “When additions to existing buildings or new buildings are proposed, consider granting variances, if required, to retain significant trees, landscape or native ecosystem features.” We say that variances to extend the building line of any new development are not to be used purely to make the single family dwelling larger. At present a builder can go to city to extend the building lines and usually win at variance. This practice is wrong.
4. The area should be for families not high density rentals or executive type housing.
5. Families need space. Children need to play. Adults like the recreation of their own space, not herded together in townhouse or condo developments
6. In fill be limited only to duplex or single family homes on places where single family dwelling currently exist
7. No trees removed for any new development
8. No bicycle lanes anywhere in the Gonzales area for two reasons.
  - The roads are getting busier. If the area develops there will be even more cars. There is not enough room to move cars around safely with bicycle lanes taking up lots of space
  - With existing bicycle lanes a large proportion of cyclist we have seen still continue to use the roads.
  - When cyclists pay a road tax, however small, then this will be justified. Until then it is not right that non cyclists have to fund this in their property taxes

**Lacey Maxwell**

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**From:** Caleb [REDACTED]  
**Sent:** March 7, 2018 12:34 PM  
**To:** Councillors  
**Cc:** Planandzone@fairfieldcommunity.ca  
**Subject:** Letter of Opposition to Gonzales Neighbourhood Plan

March 7, 2018

Mayor and Council  
City of Victoria  
Centennial Square, Victoria BC

cc: David Biltek, Fairfield Gonzales Land Use Committee

Re: Opposition to Proposed Gonzales Neighbourhood Plan

Honorable Mayor and Council:

I am writing to express my opposition to the proposed Gonzales Neighbourhood Plan on the basis that it encourages densification of our neighbourhood without consultation, increases traffic congestion, increases emergency vehicle response time, and increases the cost of transportation.

I am the owner of two adjoining homes on Gonzales Ave, and have lived on this property for 50 years. I was shocked to see the so-called Neighbourhood Plan call for double row townhouses on my quiet residential street, with absolutely no consultation with those of us who live here.

I am further horrified by the combination of densification throughout the neighbourhood combined with elimination of the last functional thoroughfare to downtown, that being Richardson Rd, which services not only this neighbourhood, but also South Oak Bay. Where does council think the growing number of cars (as densification implies) will go when "traffic speeds are lowered and volumes reduced"? Shall we learn to levitate?

This council has been absolutely ignorant of the fact that a city needs a functional transportation network so that goods and services can be delivered, emergency vehicles can get through, taxis can provide an efficient and economical service, and people can get to downtown and back.

Please add my voice to the growing number of people that are opposed to this flawed plan that promises to change the whole landscape and character of our neighbourhood, congest our roads, and destroy the quality of life this neighbourhood represents.

In Opposition,

William Caleb Small  
1832 Gonzales Ave  
Victoria, BC

**Lacey Maxwell**

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**From:** Jennifer Earle [REDACTED]  
**Sent:** March 7, 2018 5:27 PM  
**To:** Councillors  
**Cc:** planandzone@fairfieldcommunity.ca  
**Subject:** March 8/18 meeting, Proposed Gonzales Neighbourhood Plan

Jennifer R. Earle  
1615 Pinewood Avenue  
Victoria, BC V8S 1K8  
[REDACTED]

March 7, 2018

Mayor Helps and Victoria Council Members  
City of Victoria  
Delivered electronically to: [councillors@victoria.ca](mailto:councillors@victoria.ca)

Dear Mayor Helps and Council Members:

My name is Jennifer Earle, and I live in the Gonzales neighbourhood of our city. I write this letter to most vehemently oppose the November 2017 Proposed Gonzales Neighbourhood Plan ("Plan"), for reasons that I describe below.

As background for the context in which I write this letter, I bought my modest 105-year-old house three years ago and have thoroughly enjoyed living in the neighbourhood, even moreso since I retired and started collecting a pension last year.

Before I purchased my home, I considered the usual property-purchasing criteria: size/age/condition of the house, nearby amenities, proximity to the ocean, local crime and safety statistics, price, proximity to professional services, parking, available public transportation, road and traffic noise levels, whether there is a local sense of community, curb appeal of the house and district, local zoning, and, neighbourhood. The most important criterion to me was the neighbourhood. There are many things that one can do to improve a house, however, one's options are limited when it comes to enhancing a quaint and charming neighbourhood that is well over a century old.

I was overjoyed to have found my home: a 105-year-old small character bungalow, on a 50' x 100' lot on a quiet side street with treed boulevards. Similar houses, though mostly larger, surround me. I live directly across from, and beside, Heritage-designated houses. I paid a "premium" for the house: it was old and in need of some TLC, but the Gonzales neighbourhood was what really drew me to the home and I couldn't be happier with my new, old, house.

I am extremely dismayed to imagine the degradation of neighbourhood that the residential zoning changes in the Plan would render.



Page 8 of the Plan reads, “. . . more rental housing, more mortgage-helpers, and more affordable forms of family-friendly housing, such as townhouses and rowhouses.” Why is an established 100+-year-old neighbourhood expected to retrofit itself with affordable housing? I am aware that cost of housing in Gonzales is prohibitively expensive for many people. However, I cannot comprehend any rationale or plan that proposes that it comes to residents and property-owners in this established neighbourhood to change zoning to accommodate those who are unable to afford the price of a home here. Would not the same rationale mean also that, because others want to buy or live in a home in Uplands, that that neighbourhood also needs to rezone and lower its standards to enable more people to afford to reside there? The notion that the neighbourhood of Uplands would be expected to do that is absolutely absurd. So is any expectation for existing residents and property owners of Gonzales.

Building in planned communities remains a way to accommodate renters and those entering the market—not by destroying the “character” that this Plan claims to appreciate. New housing is being created downtown, and in areas north and west of Victoria. A reasonable expectation for those starting off in the housing market would be for them to start in places like that, or at least work with existing housing and zoning in older areas. I have two adult children who aspire to enter the housing market, but I have no expectation that they could afford to live in one of Victoria’s more expensive neighbourhoods.

Pages 7 and 8 of the Plan read, “Add housing that fits the neighbourhood’s character”, and “New housing diversity should be encouraged . . .” These two statements are inconsistent. Our neighbourhood’s character is comprised of the existing housing. How could Gonzales be diversified and stay the same?

Pages 8 and 54 of the Plan read, “Create opportunity for small apartment buildings (up to 3 storeys) . . .”, and “Support the long-term development of a Ross Bay Village as a 3-4 storeys mixed use . . .” It is deceiving that the Plan requires the reader to drill down to the fine print from page 8 to 54 to learn that “up to 3 stories” actually means 4 stories.

Page 30, 3.9.4., Vehicle Parking Management, states “. . . consider reductions in parking for multi-unit housing to support greater housing affordability”. Page 46 of the Plan, 5.8.6., reads, “Consider the reduction of on-site parking requirements to support quality site plans and unit livability . . .” Another absurdity in the Plan. Reductions in off-street parking will directly correlate to a worsened situation an already difficult parking situation in the area. The house beside mine has two tenanted suites, and there are a total of seven vehicles belonging to those who live there. The owner of a house across the street from me operates transient “Air B&B” accommodation. Another owner of a house a few doors down also operates transient accommodation. An owner of a house around the corner, on Fairfield Drive, has off-street parking that accommodates 6 vehicles, yet continuously parks at least one of his “overflow” vehicles near my house because parking is already limited on Fairfield Drive. The row housing, townhouses, 4-story apartments, triplexes, and duplexes (complete with “reductions in parking”) now proposed on Fairfield Drive and in the vicinity that currently has single family houses would make my ever being able to park in front of my home practically impossible.

Page 8 of the Plan reads, “. . . minimizes additional impact on tree canopy and green spaces.” “Encourage housing and siting that limit disturbance to green space.” “Continue to discourage subdivisions . . .” This language is entirely vague and commits to nothing. It is also contradictory, as this Plan very much encourages subdivision through extensive rezoning.

It took me a lifetime to work and afford my way into my home and neighbourhood. I would never have purchased a home here if I had known such an abomination for a neighbourhood plan were being

created. However, now that I am living in this community, I will use my available means to protect and preserve it.

I implore you to reject this Plan.

Thank you for your consideration.

Very truly yours,

Jennifer R. Earle

cc: David Biltek, Chair, Fairfield Gonzales Land Use Committee

March 7, 2018

Nic Humphreys  
167 Passmore Street  
Victoria, BC  
V8S 3V6

Dear Mayor and Council:

### **RE Gonzales Neighbourhood Plan**

I am writing this letter even though I have registered to speak at tomorrows meeting, not sure I can make the meeting.

First, I would like to thank you for the hard work you have put in on this file. I have several concerns about the proposed Gonzales plan.

#### Community Engagement

For whatever reason the citizens of Gonzales did not become adequately engaged in the consultation process around the new plan. This lack of engagement has led to frustration and anger from the people in the neighbourhood. I look enviously at Vic - West, from talking with people from that community most seem pretty happy with the process and feel that they have been able to contribute positively to the development of a plan. How did Vic-West have what seems to have been a very successful engagement process and Gonzales such a poor process? Were there different and more effective organizations representing the residents, were there more community meetings, were the meetings better advertised and more accessible? I do not know the reasons, but I do know we have two completely different outcomes.

I would like to see the formation of the Gonzales plan continued for several months to enable real community engagement and consultation. Perhaps whoever organized the Vic-West plan could be put in charge of the Gonzales plan. This time I would like to see more attention paid to the current tax paying residents as opposed to developers and non-residents.

#### Development Density

The amount of development proposed, and the level of increased density are the two main complaints that I hear in the neighbourhood. The double rows of townhouses proposed for Fairfield and Vic-West have been eliminated from the respective plans but still exist for Gonzales? They need to be eliminated from the Gonzales plan as well.

Gonzales would also like to be treated the same as Fairfield when it comes to minimum lot size. In the Fairfield plan a lot must be a minimum of 6000 sq. feet to be considered for a duplex, the Gonzales plan only requires 5000 sq. feet. For a triplex the Fairfield limit is 7000 sq. feet, for Gonzales only 6000 sq. feet. The Gonzales minimum lot size for increased development needs to be at least as large as what is required for Fairfield.

The 3-story height for condominiums developments along Fairfield road need to be reduced to 2 stories, to fit in with the existing neighbourhood and to prevent shadowing of adjacent properties.

#### Green space, tree canopy and parks within Gonzales.

The proposed Gonzales plan will reduce the tree canopy, private and perhaps public green spaces and with no new parks proposed will over-crowd the limited park lands. While new developments are not supposed to exceed the current building's footprint, there are variances, and I can think of very, very few new developments in Gonzales that have remained within the old footprint. The new Gonzales plan guarantees we will have way more people compounded with a reduction in Green Space.

#### Why I live in Gonzales

I moved to Gonzales 17 years ago because I like the neighbourhood, I liked the ambience, the vibe, the predominance of single family dwellings, clean air, low traffic volume all the things that make Gonzales the great place to live that it is. I have been happily paying a lot of taxes to have the privilege of living where I live. The proposed Gonzales plan changes all that and not for the better. This plan supports developers and people that think they may one day possibly want to live here, not the current tax paying residents.

Thanks again for all the time and effort.

Sincerely,

Nic Humphreys



**Lacey Maxwell**

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**From:** Janet Land [REDACTED]  
**Sent:** March 7, 2018 7:20 PM  
**To:** Councillors  
**Cc:** planandzone@fairfieldcommunity.ca  
**Subject:** Gonzales Neighbourhood Plan

Dear Mayor and Council,

I am writing to express my concern about the proposed neighbourhood plan for the Gonzales neighbourhood. While I support some increase in density the proposal to allow double rows of townhouses on what are now residential single family lots is unacceptable to me. I have asked how many townhouses could be placed on my lot under this proposal but have not been able to get an answer. I do know that two lots near me on Fairfield Rd will be developed into 20 townhouses some of which are 3 and 4 bedrooms. This isn't doubling or tripling density, it is a ten fold increase and inappropriate in a single family residential area. I was told some time ago that I could have a duplex on my lot but could not have an infill house along with my bungalow. But now what is being proposed is double row townhouses at a much higher density. That doesn't make sense to me unless you are trying to appeal only to developers.

Such density will drastically change the nature of our community. Many of the houses on my street are rented and have been for many years. The proposed development will mean that existing houses will be demolished and replaced by much more expensive homes for sale. People currently living here will not be able to afford to buy and the amount of rental accommodation will be drastically reduced. Why not encourage landlords to maintain older rental houses with some incentive like allowing infill housing? I would support allowing duplexes on smaller lots and even triplexes on bigger properties but not multiple townhouses on residential lots. To me that isn't much better than condos.

I chose to buy in my neighbourhood because as a senior I wanted a home where I could age in place. I don't think I want to live in a community high density townhouses, parking problems and only people who can afford to buy expensive new housing. Please don't ruin our neighbourhood.

Janet Land  
1638 Earle St

**Lacey Maxwell**

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**From:** Mully Jackson [REDACTED]  
**Sent:** March 7, 2018 7:44 PM  
**To:** Councillors  
**Subject:** Gonzales Plan

Dear Mayor and Council:

I was shocked and appalled when I received a copy of the Gonzales Neighbourhood Plan that is being discussed at the public hearing on Thursday March 8. I am out of town and wanted my voice to be heard.

Why have you proposed to destroy what the people of Fairfield have moved here to enjoy. The 'neighbourhood' of Fairfield is just that. Small groups of caring people who appreciate space, limited traffic, good schools and walkable amenities. What you are proposing is TERRIBLE.

You propose to increase density - by at least double in some areas and quadruple in others. Shake your (collective) heads.

Your multi-storey apartments with double rows of townhouses will skyrocket the population and density but at the same time, you have made NO PROVISIONS for schools, parks or other public infrastructure needed to support such a dramatic increase in density.

YOUR PROPOSAL WILL RUIN FAIRFIELD.

I just hope there is an election of council so I can vote you ALL OUT OF OFFICE before you can proceed with this TERRIBLE plan.

Yes - increase density with sensible, low rise, low cost, affordable housing on the busy streets such as Fairfield or Dallas Road and leave the 'neighbourhood' just as it is.

Respectfully,

Mully Jackson  
266 Robertson Street  
Victoria.

**Lacey Maxwell**

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**From:** adrian philion [REDACTED]  
**Sent:** March 7, 2018 9:18 PM  
**To:** Councillors  
**Subject:** Gonzales Neighborhood Plan

To the Mayor and Councillors,

My name is Adrian Philion and I live at 1617 Fairfield Road. My house is in the area where multi-story apartment buildings are proposed. My wife and I are appalled at the the thought of living next to an apartment building that will block light from our garden, diminish our privacy, and change the character of the neighborhood that we have loved so much. The only people in this area of Gonzales who would be in support of this new neighbourhood plan are absentee landlords who stand to make a quick dollar by selling to a developer. Consideration must be given to people who live in this area and are directly affected by your decision.

I do not believe that the infrastructure of this part of Victoria is sufficient, nor has the capability to become sufficient, to support the higher density that will result. We have seen the negative consequences of bike lanes being built on wide roads such as Fort and Pandora; I fear what the consequences will be when applied to the narrower two-way streets of Gonzales. Although this plan is intended to encourage active transportation, anybody who does not ride a bike or use public transit will suffer. The elderly in this part of town will be disadvantaged and risk being displaced along with many other long-time residents.

There are so many areas nearby, such as Esquimalt and the Western Communities, where density could be increased without the need to compromise a historic and pleasant neighbourhood such as Gonzales. I understand the temptation to reign in more tax dollars by having higher numbers of property owners in Victoria proper, but this is not the answer. I am vehemently opposed to this new Gonzales neighbourhood plan. I am opposed to the point where I will vote against anybody in public office who supports this plan.

Sincerely,

Adrian Philion

**Lacey Maxwell**

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**From:** [REDACTED]  
**Sent:** March 8, 2018 8:24 AM  
**To:** Councillors  
**Subject:** Gonzales Neighbourhood Plan

Dear Mayor and Councillors,

I am a resident of Gonzales and unfortunately am unable to attend tonight's Council meeting to speak against the Plan in its current form. Densification in our neighbourhood would, as intended, put more people in the neighbourhood but the fact that each of those people would almost definitely own a car is rarely mentioned except to do with where they would be parked. There are already areas where so many vehicles are parked on both sides of the road that it's increasingly difficult and dangerous to navigate the single lane remaining between them. It's true that the Plan stipulates off-road parking in some instances, but those cars are still going to be driven on roads which are not designed for even more traffic than there is at present.

We are seniors who do not own a car but who are MODO (car share) members, and we know not one other resident in our area who does not own a car.

Anne Ashley



**Lacey Maxwell**

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**From:** Ann Steele [REDACTED]  
**Sent:** March 8, 2018 12:48 PM  
**To:** Councillors; planandzone@fairfieldcommunity.ca  
**Subject:** Proposed Gonzales Neighbourhood Plan

Ann Steele [REDACTED]

Good Day,

Having reviewed the proposed draft plan and participated in discussions organized by the City in our neighbourhood, we would like to share a few observations: (We have resided here since 1991)

1. Fairfield Road is narrow and very busy already. Any diversion from Richardson would exacerbate a growing problem. The Fairfield Plaza is frequently overcapacity, especially near weekends and holidays. Increased density along Fairfield Road whether inside or outside Gonzales will further strain the main shopping Plaza (Thrifty Foods). It is difficult to imagine how this small plaza can expand unless it becomes multi level which will drive the demand for more parking as not everything can be done by bicycle or on foot-although we try.

Making Fairfield Road safer for all users, including bicycles is much appreciated as it is a main commuter link to downtown and Cook Street village.

2. The proposed increased density in the area will further congest schools, parks and shopping areas that are already challenged for space. It should be noted that Glenlyon Norfolk private school caters to families outside of the residential area. Gonzales Beach similarly, caters to visitors and local users alike. Tourism not only brings buses including large coaches, but also private vehicles and motor scooters. (Large tour buses not infrequently drive up Beechwood to Hollywood Crescent).

3. The sketches of the proposed style of townhouses/apartments show sensible consideration for the heritage building style of this area. This is in sharp contrast to the gradual replacement of this style by the square, flat-roofed, box style currently in vogue which block out light and have little or no green area around them. Houses disappear overnight to be replaced by very large, out-of character buildings.

Thank you for your consideration,

Ann and Jim Steele

**Pamela Martin**

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**From:** Public Hearings  
**Subject:** FW: Proposed Gonzales Neighbourhood Plan

**From:** [REDACTED]  
**Date:** March 7, 2018 at 3:05:48 PM PST  
**To:** <[councillors@victoria.ca](mailto:councillors@victoria.ca)>  
**Cc:** <[planandzone@fairfieldcommunity.ca](mailto:planandzone@fairfieldcommunity.ca)>  
**Subject:** **Proposed Gonzales Neighbourhood Plan**

We wanted to express our concern regarding what would be allowed under the proposed Fairfield plan.

Numerous family homes have recently been demolished in the Gonzales neighbourhood and replaced with huge, multi million dollar homes. This has greatly increased the value of other homes; but with huge increases in property taxes. For those of us who are seniors and on fixed incomes, this is of great concern.

We totally disagree with allowing DOUBLE rows on townhouses on our street as well as other streets. Allowing 4 storey apartment buildings along Fairfield Rd. should only be considered if the units would be for low income or "working poor" families. We feel that no houses should be demolished without a guarantee that they will be replaced with affordable housing - affordable for the average family! The only ones to benefit from the proposals currently being considered are the developers and realtors. (We have already had realtors approach us with a view to purchasing our strata duplex - hoping your proposed plan is approved.)

Traffic near Richmond and Gonzales is congested at peak times of the day. Numerous students cross at the corner (often on their bikes) and allowing more density would increase the danger. The City took out crosswalks at this corner years ago so cars speed along with no recognition of people waiting to cross.

We urge you, the City Mayor and Councillors, not to approve the drastic proposals for Fairfield and collaborate with residents who live or work in Gonzales to come with a suitable plan.

Kathleen and Gary Rankin  
1820 Gonzales Avenue

**Pamela Martin**

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**From:** Public Hearings  
**Subject:** FW: Proposed Gonzales Plan

**From:** VIVIENNE PHILLIPS [REDACTED]  
**Date:** March 7, 2018 at 3:35:19 PM PST  
**To:** <[councillors@victoria.ca](mailto:councillors@victoria.ca)>  
**Subject:** Proposed Gonzales Plan

Dear Mayor and Council,

#### PROPOSED GONZALES NEIGHBOURHOOD PLAN

Today in the mail I recieved a flyer from Michael McMullen, Realtor with Re-Max Camosun it says:

*"Hello Neighbour,*

*I have been reading with interest the proposed Gonzales Neighbourhood plans. What a time of CHANGE for your community!*

*I am sure everyone will be watching closely for the results of the upcoming Council meeting and Public Hearing. I believe the outcome could provide an exciting opportunity to anyone who is considering selling in Gonzales area.*

It was a shock to think that a realtor was waiting on the outcome of this plan.

I love where I live, we have a amazing community where twice a year we all congregate for pot-luck suppers in the local church hall. We catch up on the news of each others lives. There are very few changes of neighbours as everyone LOVES living here. Most people renovate their homes as they don't want to move. We have everything here the local grocery shop in walking distance, the wonderful family based beach where we all meet in the summer in "our spot", when it snows someone clears a neighbours sidewalk. We take care of each other ... and you want to change all of this ... NO NO NO. We live in old stock homes that are loved and cared for, a few square block homes have squeeked in, which upsets the look and feel of the neighbourhood.

There is nothing wrong with the way Gonzales is presently, we love it the way it is. Why do you want to change it please leave it alone.

Vivienne Phillips

Voter and home owner

**Lacey Maxwell**

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**From:** Susan [REDACTED]  
**Sent:** February 20, 2018 10:06 PM  
**To:** Victoria Mayor and Council; Lisa Helps (Mayor); Marianne Alto (Councillor); Chris Coleman (Councillor); Ben Isitt (Councillor); Jeremy Loveday (Councillor); Margaret Lucas (Councillor); Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor)  
**Subject:** Request to Council to give the public engagement process for Fairfield & Gonzales Plans an additional three months.

Dear Mayor and Councillors:

We the undersigned are writing to you on the subject of community engagement in local area planning, specifically the Gonzales and Fairfield Neighbourhood Plans. We are residents of Fairfield and Gonzales who live around the Fairfield Neighbourhood Plaza between Fairfield and Richardson, and Stannard Ave and Richmond Roads.

The City policy on public engagement states that the process for neighbourhood planning should be at the 'involve' level. We certainly do not feel involved when we saw the detailed plans in September for Gonzales and in November for Fairfield, and given a short periods of time to offer feedback. We have not been given sufficient time to learn, absorb and understand the implications of the changes Council, planners and developers are proposing to our neighbourhood.

As the City policy states: "Community members are experts in their neighbourhoods and are best positioned to identify neighbourhood needs and outline strategies for both the short-term and long-term success of the area. Community members can participate in neighbourhood planning in many different ways, including participating at events and on advisory groups, developing and leading engagement activities, **and co-creating aspects of the plan.**"

Residents are now talking to one another about this and request Council to give the public engagement process for Fairfield & Gonzales Plans an additional three months more time to allow us, the residents, to complete our own engagement process, submit our recommended changes, and to recognize this "**residents' response phase**" as a necessary component of the overall engagement process. We also request that Council not consider Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 21) to affect Gonzales land use until residents have this opportunity to respond.

After submission of our residents' response we commit to working with City staff to incorporate our recommended changes.

Yours sincerely,

Jessica Knowles, Tom Gregory, Dave Beulah, Suzan Doricic, John Luton, Heather Dickinson, Ivan Miller, Michael Sharpe, Barbara Power, Jim Fuller, Chris Ayles, Sara Ritchie, Lisa Buchan, Brett Pretty, Patricia Williams, Diane Pinch, Rob Schuckel, Glen Gerein, Rita Isaac, Dara Frere, Wayne Regan, Susan Kangasniemi, Ben Kangasniemi, Candice Csaky, Twila Lavender, F L Rippon, Carla Ode, Todd Polvi, Cris Hope, Bruce Heagle, Samir Jinnah, Frank Bea, Jared Boudreau, Susan Kainer\*, Helen Fletcher, Adrianna Thompson, Maureen Thompson, Mike Thompson, S. Horak, David Knee, Ron Willson, Jim Johnson, Calvin Jones, Koksun Loo, David Clark, Melanie Austin, Louise Joly, Lucas Lindley, Paula Parkinson.



Residents of Sub Area 4 & Earle St  
Fairfield Plaza Neighbourhood

\*Member FGCA CALUC Any views or opinions expressed are solely mine and do not represent those of the FGCA CALUC.

**Pamela Martin**

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**From:** Public Hearings  
**Subject:** FW: Re zoning plans for Fairfield and Gonzales Districts

**From:** Marg Penfold [REDACTED]  
**Date:** March 8, 2018 at 9:22:08 AM PST  
**To:** <[councillors@victoria.ca](mailto:councillors@victoria.ca)>  
**Subject:** Fwd: Re zoning plans for Fairfield and Gonzales Districts

Sent from my iPhone

Begin forwarded message:

**From:** Marg Penfold [REDACTED]  
**Date:** March 8, 2018 at 9:09:23 AM PST  
**To:** [planandzone@fairfieldcommunity.ca](mailto:planandzone@fairfieldcommunity.ca)  
**Subject:** Re zoning plans for Fairfield and Gonzales Districts

Good Morning,  
I will be travelling today, so will miss the public meeting regarding rezoning.

I am providing feedback based on what I have read online about the proposed changes. I understand the need to increase density, but I have concerns about some of the proposed actions.

My concerns about the changes are:

- by dramatically reducing parking, will we lose the diversity of tourists who visit locations like Dallas Road, Gonzales Beach, etc. (Public transport is not as easy to follow here as it is in Europe, nor is it as frequent)
- by dramatically reducing parking will we lose how involved our seniors are in the larger community because they are unable to take public transit. (example, my neighbour who does quite a bit of city bus travel, finds it just too physically challenging to shop at her Shoppers Drug Mart because she has to take 2 buses, and the overall trip lasts more than 1.5 hours.

When I drive her, the trip is 5 minutes, so we are able to shop at ease, have a coffee together and get her home before she is exhausted.

- by dramatically reducing parking, will we lose the diversity of families from outlying areas coming to Victoria for the day? (ie. too much "stuff" to bring when there are several children in tow.
- Could sidewalks be widened to accommodate bicycles, scooters, and perhaps golf carts?

I appreciate you taking my concerns into consideration.

Marg Penfold  
204 St. Charles Street

**Pamela Martin**

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**From:** Public Hearings  
**Subject:** FW: Proposed Gonzales Neighbourhood Plan

**From:** Susan Phillips [REDACTED]  
**Date:** March 8, 2018 at 10:28:07 AM PST  
**To:** <[councillors@victoria.ca](mailto:councillors@victoria.ca)>, <[planandzone@fieldcommunity.ca](mailto:planandzone@fieldcommunity.ca)>  
**Subject:** **Proposed Gonzales Neighbourhood Plan**

Dear Mayor, Councillors and Mr Biltek -

I am writing to let you know that I am strongly opposed to the proposed Gonzales neighbourhood plan. The plan does not appear to recognize the views and opinions of the majority of people that live in the neighbourhood. Further, it does not seem to recognize a number of practicalities such as the lack of infrastructure to support such a large increase in the local population. There are no plans for additional parks and schools, or ways to mitigate traffic congestion or to increase shopping areas. The Gonzales area is currently a pleasant neighbourhood with much green space, the majority of which would be built on or paved over if this plan should go ahead.

In addition, there are a number of houses currently rented in the area, and there are no plans to replace these houses/apartments with new rental housing if they are torn down.

Please consider the views of the people that live in the area and have much to lose in terms of their quality of life, if the proposed plan should go forward.

Sincerely -

Susan Phillips  
710 Laurentian Place

Sent from my iPad

**Pamela Martin**

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**Subject:** FW: Gonzales resident feedback

**From:** Kathy [REDACTED]  
**Date:** March 8, 2018 at 2:50:35 PM PST  
**To:** <[councillors@victoria.ca](mailto:councillors@victoria.ca)>, <[planandzone@fairfieldcommunity.ca](mailto:planandzone@fairfieldcommunity.ca)>  
**Subject:** Gonzales resident feedback

Dear Council,

As a long time resident of Fairfield, I would like to oppose several aspects of your proposed plan..

I feel that this amazing neighbourhood is in danger.

- 1.The densification in downtown Victoria should be meeting the needs for more housing.
- 2.The plan for Richardson to be made less attractive to street traffic will only serve to make Fairfield, Rockland and Richmond more congested than they already are.
3. Finding a parking spot at Fairfield Plaza is already difficult. How will our stores and services meet the needs of such an increase in density?
4. I drive a mobility scooter and the sidewalks are difficult enough without the added inconvenience and damage caused by construction and large vehicles like cement trucks,etc.

I feel that not enough planning has been done to ensure our infrastructure is ready for your vision.

I'm not opposed to having more affordable housing being built, but not at the expense of changing the look and character of Gonzales. Perhaps a grant to help build secondary suites would help the affordable accommodation needs?

I've been a taxpayer for 15 years, and am feeling railroaded into accepting this plan. I know I should have spoken up before but would appreciate being part of the solution henceforth. I look forward to attending the meeting online tonight.

Thank you.

Best regards,

Kathy Burch



Gerald E. Stinson  
1851 Hollywood Crescent  
Victoria B.C.  
V8S 1J2

Victoria Mayor and Council  
#1 Centennial Square  
Victoria B.C.  
V8W 1P6

FAX [REDACTED]

March 07 2018

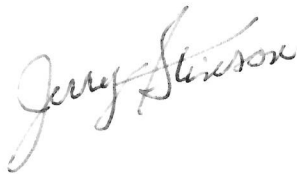
SUBJECT: Proposed Gonzales Neighbourhood Plan

Mayor and Council

I am thoroughly opposed to the proposed development plan, to be discussed and hopefully defeated at the weekly council meeting of March 08 2018. Again, access and egress to the area is limited to the north. Parking, is horrendous and roadways congested with stuff, cars, trucks, trailers, campers, some never moving for days. This added density limits land cultivation and can inhibit natural light, increased crime, leading to a ghetto type style life. I believe adopting this plan will destroy this liveable area.

It is all about money, follow it!

As ever , Jerry Stinson



[REDACTED]

**Lacey Maxwell**

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**From:** Kathy [REDACTED]  
**Sent:** March 8, 2018 2:51 PM  
**To:** Councillors; planandzone@fairfieldcommunity.ca  
**Subject:** Gonzales resident feedback

Dear Council,

As a long time resident of Fairfield, I would like to oppose several aspects of your proposed plan.. I feel that this amazing neighbourhood is in danger.

- 1.The densification in downtown Victoria should be meeting the needs for more housing.
- 2.The plan for Richardson to be made less attractive to street traffic will only serve to make Fairfield, Rockland and Richmond more congested than they already are.
3. Finding a parking spot at Fairfield Plaza is already difficult. How will our stores and services meet the needs of such an increase in density?
4. I drive a mobility scooter and the sidewalks are difficult enough without the added inconvenience and damage caused by construction and large vehicles like cement trucks,etc.

I feel that not enough planning has been done to ensure our infrastructure is ready for your vision.

I'm not opposed to having more affordable housing being built, but not at the expense of changing the look and character of Gonzales. Perhaps a grant to help build secondary suites would help the affordable accommodation needs?

I've been a taxpayer for 15 years, and am feeling railroaded into accepting this plan. I know I should have spoken up before but would appreciate being part of the solution henceforth.

I look forward to attending the meeting online tonight.

Thank you.

Best regards,

Kathy Burch

**Lacey Maxwell**

---

**From:** Maery Callaghan [REDACTED]  
**Sent:** March 8, 2018 3:59 PM  
**To:** Victoria Mayor and Council  
**Cc:** SUSANNE RAUTIO; MAERY CALLAGHAN  
**Subject:** Gonzales Neighbourhood Plan

Dear Mayor & Council.

I had planned to attend tonight's council meeting but I have that terrible flu so I am communicating this way. I love living in Gonzales.....it is beautiful ,green, with lots of wonderful old houses and a great sense of community. The people who live here, choose to live here for these reasons. We have a Gonzales Neighbourhood Plan in which a certain density was agreed to. my main fear was that we would lose too many beautiful old homes to tasteless developers! But now it seems you want to circumvent the established and increase the density even more ! This is so unfair! I didn't vote for this; I didn't agree to this and I don't want this! If I wanted to live in an ugly ,overcrowded, world-class city I could have stayed in Vancouver !!! People, including tourists, love Victoria for a reason.....LET'S NOT LOVE VICTORIA TO DEATH !!!!!

Thanks for your attention

MAERY CALLAGHAN  
324 Richmond Ave.  
V8S 3Y1

March 6, 2018



To: Mayor Helps and Council, City of Victoria

Re: Stand Renewal and Location of Horse Drawn Carriages

**Issue:**

As per Schedule C of the City of Victoria Vehicles for Hire Bylaw, the lease for the sightseeing stands (i.e. operating location) for Tally-Ho Carriage Tours and Victoria Carriage Tours expired as at December 31, 2017. The last lease was renewed effective January 1, 2014, for a 3 year term.

**Request:**

We are seeking a **ten-year renewal** term of our **existing location**. We feel this request is reasonable and highly beneficial to the city for the following reasons:

**10-Year Term**

The current short-term nature of our stand renewal hinders our ability to properly plan for long-term horse care and business operations. Extending our renewal period to ten years will enable us to thoughtfully and properly plan for business demand, infrastructure enhancements, and maximize our ability to operate safely.

**1. Horse-drawn carriage businesses are iconic, well-loved symbols of Victoria:**

- Tally-Ho Carriage Tours is celebrating our 115<sup>th</sup> year anniversary in 2018! We are a highly-recognized and sought-after attraction associated closely with the image of Victoria. As such, we are a key contributor to our local tourism economy.
  - We have plans to implement a memorial scholarship fund and elementary school program this year. These are long-term community commitments that require assurance of ongoing operations.
- We have documented a huge amount of support from residents, local businesses, and world travellers, who love our horses and service, and rave about their experience(s).
- We have long-term contracts with tourism partners.

**2. Welfare of the horses is a top priority:**

- Horses need to be managed as long-term team members. Every horse is a minimum 20-year commitment, with many much longer. In their retirement, many of the horses remain with us and we must have a financial plan for their long-term care.
  - The industry has close to 60 draft horses in various stages of life (in-training, working, retired, etc.) and invests over \$1 million annually in basic care (feed, veterinary, foot care, housing, etc.).
- We have a documented horse training program, developed in consultation with a leading expert in natural horsemanship, designed to ensure the horses are calm and confident in their work. The training process can take up to two years and is a significant investment of time and money.
- The infrastructure required to house and care for the horses is massive. It must be up-kept to high standards, with additional capital investments being financed through banks/loans which prefer low-risk, long-term stability in operating environments.



- Consistency in our staff and their communications with our equine partners is a key element in developing the horses' mental fitness and trust, which is a key contributor to our excellent safety record (0.0001% accident rate over the last 20 years). A longer-term lease assists us to attract and keep longer-term staff.

**3. Recognizes that Victoria's carriage businesses are well run, industry leaders:**

- We work cooperatively with the City to ensure our regulations provide appropriate oversight and care for the horses and we abide by our bylaw. In recent letters to citizens who have expressed their support for the horse-drawn carriage industry, the City of Victoria has acknowledged "We have not witnessed any behaviors that could lead to revoking a business license, for either of the tour operators in Victoria, in the past five years".
- The BC SPCA has not validated any horse-welfare complaints. In a recent letter to the city from the industry's acclaimed farrier, he states "I have worked on backyard horses, ranch horses and show horses in multi-million dollar barns and I have met very few horses that are as well kept and as happy as the horses that work on the streets of Victoria!".
- Donna Friedlander, President, Tally-Ho Carriage Tours, is on the board of the Carriage Operators of North America (CONA). CONA meets annually to discuss and establish best practices in the industry. We are proud to be recognized as a leader in our field.

**4. Aligns with City support for the carriage industry in other cities:**

- In our recent visits to carriage companies in South Carolina and Texas, and through ongoing discussions with operators throughout North America, we have learned that the industry norm is to have dedicated operating space under long-term lease, including barns to house equipment and provide the horses shelter when in the downtown area.
- Stanley Park Carriage Tours has recently signed a 25-year lease with the City of Vancouver, providing this company the necessary security for them to invest in betterments to their space. This not only improves conditions for the horses and staff, but improves the image of the City.

**Existing Location**

**1. The City has invested significant infrastructure and resources in our current location:**

- Our current location (corners of Belleville and Menzies Streets) has been specifically designed for our purposes, including:
  - Access to city water to ensure we are able to frequently offer clean, fresh water to the horses; and clean the streets to reduce horse smells. (Note that one side of the street has had ongoing issues with access to the water for almost two years.)
  - Hitching rails so we can tie our horses up when at rest, and enable our carriage drivers to take breaks/rests.
  - Public benches specifically designed to enable us to store (hide) our necessary but not esthetically pleasing equipment such as manure buckets, cleaning supplies, food, etc.

**2. Community Support:**

- The James Bay Neighborhood Association supports the current operating location, noting we are appropriately positioned so that we are not directly in front of housing or hotels, yet have access to the with necessary amenities (water, drainage, etc.).

**3. Customer Service Standards:**

- While the operating location for Tally-Ho Carriage Tours has moved over the last 115 years (at one time it was in front of the Empress Hotel; and then in front of the Legislative Buildings), the industry has been in the current operating location since the 1970s.

- Our guests and our tourism partners know where we are, and how to find us. We have significant customer loyalty from locals and repeat travellers. A change in location could cost up to \$100,000 in remarketing and may result in a need for us to break established contracts.
- Our tour routes are established based on our current location. Unlike buses or other tour operators, we are restricted in our routes to ensure we remain in low-traffic areas of the city. A change in location would require us to re-route every tour, creating a challenge to ensure we continue to offer visually pleasing, historical tours within set boundaries and timelines.

#### 4. Impact on Horses

- Horses crave consistency as it helps alleviate their natural fears of the world around them: consistency is a key element of their safety and well-being.
  - Our herds have been trained to know that our existing location is their rest place – they know they are safe there, and will relax between tours. These moments of relaxation help keep them grounded and thinking clearly throughout their day.
  - The horses leave from our current location, cover consistent tour routes, and return to their 'home base'. Every piece of their day is as familiar to them as we can make it. No surprises make for great days!
- A change in operating location would require every working horse to be retrained: not only is this an unnecessary stress on our animals, but it would require a significant time and financial investments from us; and would require us to cease operations for an undeterminable amount of time while we completed the retraining process to the point where we could operate safely again.

#### 5. Safety

- With the ever-increasing harassment our young, predominantly female, staff endure on a daily basis, our location offers protection in the following ways:
  - Legislative and inner harbour cameras are positioned to monitor our operations: if something untoward happens, it will be caught on camera.
  - Legislature security guards patrol the area regularly, which adds a level of oversight that may be enough to thwart any potential threats to the staff or horses.

The biggest risk to my horses' welfare is changes to our governing bylaw by the City. Please find attached additional information on Tally-Ho, and the Victoria horse-drawn carriage industry. I would be pleased to host any member of Council at my farm to see our operation first hand, and am available to discuss any aspect of my operation, or this specific request, at your convenience.

Yours truly,

Donna Friedlander, CPA, CMA  
President, Tally-Ho Carriage Tours  
Cell [REDACTED]  
[tallyho@tallyhotours.com](mailto:tallyho@tallyhotours.com)

## Tally-Ho Facts

### History

- The first carriage tour rolled out of the Tally-Ho stables, which was more recently known as the Tally-Ho Sports Bar, 115 years ago. It is Victoria's original transportation company, operating stage coaches pulled by 6 horses and overflowing with locals and travelers. The stages could also be hired for special events such as "shooting parties" in Beacon Hill Park.
- With the onset of the automobile the practical need for stages decreased. Since the 1940s, under the ownership of a few well-known locals including Art Knapp, Anton Henderson, Gordon Argyle, John Olsen and Bruce Wright, the Tally-Ho double horse-drawn wagons became synonymous with Victoria. Many locals still tell tales of sneaking a ride on the back steps as the horses meandered through the city streets.
- Today, Tally-Ho offers private, personalized, single horse-drawn carriage tours, carrying on its long-standing tradition of horse-based tourism.
- Tally-Ho suffered a massive loss in August 2015 when its long-time and much-loved leader, Larry Friedlander, died suddenly while training a new horse in James Bay.
- Larry started his career at Tally-Ho at 15 years old, eventually becoming a partner in 1990, and then owing it outright in 2009. He dedicated his life to the horses and business. Since his death, his wife of 23 years, Donna, the couple's two daughters and the rest of the Tally-Ho team have become the poster children for the term resilience, and despite their deep and complicated grief, are working hard in Larry's memory to ensure Tally-Ho remains an industry-leader.
- The Friedlander family and Manager, Kate Clark, live on Hidden Acres Farm where they share their lives with the Tally-Ho horses. It's a 24/7 job, where life revolves around Tally-Ho.

### Industry Leader

- Tally-Ho is a progressive company that continually implements advancements in the carriage industry, and is leading the world in adhering to high standards of ethics and care.
- The company has developed operating protocols, in consultation with leading experts in horse care, that always consider safety and the well-being of the horses as the highest priority.
- Over the last two years, every aspect of operations has been reviewed, including these key accomplishments:
  - Documented horse training program created in consultation with a leading expert in natural horsemanship that ensures the horses have all the skills and knowledge necessary to work downtown with ease, confidence, and enjoyment.
  - Documented staff training program with a focus on horse care and safety, and includes development opportunities with world-renowned trainers.
  - Customized feed and shoeing programs developed with local experts that ensure the horses' diets are optimized and body's are kept free from strain (just like elite athletes).
  - Custom-fit, ergonomically designed saddles to maximize the horses' comfort while in harness.
  - Constant refurbishment of the carriage fleet, including safety improvements such as new lighting.
  - Refreshed look (rebranding, new uniforms, updated web presence, etc.) that is a nod to our historical service operating in the modern world, and aligns with the beautiful look and feel of Victoria.
  - New horse trailer to provide additional comfort and space while hauling horses from farm to town.
  - 63-page operations manual outlining policies, procedures and core values (dedication to horses; enthusiasm for people; safety and excellence).

### Victoria Carriage Industry Facts

1. **Women-owned and operated Victoria-based businesses.**
2. **Iconic symbols of the city for visitors:**
  - Victoria's carriage horses are admired around the world. Their images are featured in the majority of postcard racks, tourist shops, commemorative books, etc.,
  - Victoria's carriage businesses are significant contributors to Victoria's \$1.9 billion tourism economy.
3. **Part of the community's social fabric.** The historical significance of the relationship between humans and horses is honored through horse-based tourism. In addition to our work downtown, we contribute to our communities by appearing at local fairs, schools and special events so children can experience the magic of the horse (which research shows significantly benefits social and long-term life skills).
4. **Large employer and educator:**
  - Employs over 70 people, many of whom are young women and university students.
  - Educates our staff and the community, drawing on a massive breadth and depth of horse knowledge and communication across the industry.
  - The industry experience we provide to our staff is proven to boost self-confidence and key employment skills such as communications, organization and social awareness; and has helped multiple staff pursue further educational opportunities in related fields such as veterinary medicine.
5. **Outstanding safety record:** In the last 20 years, involving over 1.3 million horse hours on the streets, there have only been a handful of incidents (0.0001%): none have resulted in major injury to person or horse.
6. **Well-treated horses:** Horses live on acreages on the Saanich Peninsula with their owners, where they are treated like family members. [See this video](#) for a behind-the-scenes glimpse into the Tally-Ho horses' home.
7. **Meaningful partnerships with horses:** Horses and humans are better together than they could ever be apart. With the right approach our horses can become calmer, braver, smarter and more athletic on a daily basis, which makes them more comfortable in all of their surroundings. Countless hours go into developing deep and meaningful partnerships with these horses before they ever see downtown.
8. **Horses doing the work they were bred to do:**
  - Draft horses are bred to pull: they can easily pull a wheeled vehicle that is six times their own weight. Our carriage horses are only expending about 20% of their capacity.
  - As herd animals, horses inherently seek interaction and socialization: they receive this in spades from their buddies on the farm, work partners (us) and all our guests.
  - They love their daily grooming, easily load into the trailer for the drive to town, stand calm to be harnessed and hooked to the carriage, and display relaxed body language when working. [See this video](#) of "Kashe" being called for work in the morning, [and this video](#) of "Sarge" enthusiastically 'chomping at the bit' so he can get to work.
9. **Long lives and comfortable retirement.**
  - Carriage horses' regular, low impact work contributes to life spans of up to 10 years longer than the heavy horse average:
  - Victoria veterinary records show there has NEVER been any cases of respiratory disease (we have excellent air quality in Victoria) or joint/musculoskeletal issues (walking on pavement helps strengthen tendons and bones).
  - Victoria's retired horses live out their lives with their herd and with the family of owners and employees who love them.





COPY



CITY OF  
PRINCE GEORGE

**OFFICE OF THE MAYOR**

1100 Patricia Blvd. | Prince George, BC, Canada V2L 3V9  
p: 250.561.7600 | www.princegeorge.ca

MAYOR'S OFFICE

FEB 05 2018

VICTORIA, B.C.

January 29, 2018

BC Minister of Justice and Attorney General  
1001 Douglas Street  
Victoria, BC V8W 2C5

Dear Honourable David Eby,

On behalf of Prince George City Council I am pleased to provide our support to Mayor Lisa Helps and Victoria City Council's letter dated January 17, 2018. We support the request for the Government of British Columbia to review and modernize the BC Motor Vehicle Act to increase safety for all road users and achieve the "Vision Zero" objective of making BC's roads the safest in North America and eliminating road-related injuries and deaths.

Road users who walk, bike or use other modes of active transportation are particularly vulnerable. In Prince George, cycling is becoming an increasingly popular mode of transportation thanks to our additions of new cycling routes and the growing profile of events such as Bike to Work Week. We are working to enhance the accessibility of this active mode of transportation in hopes to recognize benefits to the City. These benefits may include: reduced traffic congestion of motorized vehicles, a reduction of pollution, improved air quality, and enhancement of livability and quality of life for residents. As such, we lend our ongoing support to initiatives focused on improving access and awareness of this transportation option.

Along with the City of Victoria, the City of Prince George is in support of updating the Motor Vehicle Act to enhance the safety of vulnerable road users like cyclists and pedestrians, and we agree that clearly articulated rules, roles and responsibilities can help to increase understanding and compliance with traffic laws, reduce conflicts between road users, and allow law enforcement to prioritize enforcement efforts.

Thank you for your attention to our request; we look forward to hearing from you on this matter.

Sincerely,

Lyn Hall, Mayor  
City of Prince George

cc. Mayor Lisa Helps, City of Victoria



THE CITY OF VICTORIA

OFFICE OF THE MAYOR

BC Minister of Justice and Attorney General  
1001 Douglas Street  
Victoria, BC V8W 2C5

January 17, 2018

Dear Honourable David Eby:

**CORRECTION Re: Modernizing the BC Motor Vehicle Act**

On November 23, 2017 Council endorsed the Road Safety Law Reform Group of British Columbia's Position Paper entitled *Modernizing the BC Motor Vehicle Act*.

On behalf of the City of Victoria, I am requesting that the Government of British Columbia review and modernize the BC Motor Vehicle Act to increase safety for all road users and achieve the "Vision Zero" objective of making BC's roads the safest in North America and eliminating road-related injuries and deaths by 2020.

Cycling and walking are important modes of transportation. According to the 2016 census, 37% of Victoria residents walk, cycle or use other forms of active transportation for their journey to work. Benefits of increased active transportation mode share include congestion management, reduced greenhouse gas emissions and air particulates, enhanced transportation affordability and improved community health.

As a part of the City's commitment to increasing active transportation use, we are in support of updating the Motor Vehicle Act to reflect the importance of all road users, to create new rules that improve cyclist and pedestrian safety, and to add fines for actions that threaten vulnerable road users.

Other jurisdictions have modernized their laws to clarify the rights and responsibilities between motorists and cyclists, to align traffic laws with new infrastructure design standards and traffic management practices, and to ensure that the laws remain equitable for vulnerable road users.

Clearly articulated rules, roles and responsibilities can help to increase understanding and compliance with BC traffic laws and reduce conflicts on the road. Additionally, reforms can assist law enforcement agencies in prioritizing enforcement to target activities most likely to result in collisions, injuries and fatalities among vulnerable road users.

Thank you for your attention to this matter. We look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Helps'.

Lisa Helps  
Victoria Mayor

cc. Premier John Horgan  
Minister of Transportation and Infrastructure – Honourable Claire Trevena  
Members of the Legislative Assembly  
AVICC  
UBCM

1 Centennial Square Victoria British Columbia Canada V8W 1P6  
Telephone (250) 361-0200 Fax (250) 361-0348 Email mayor@victoria.ca

www.victoria.ca

**District of Sicamous**

446 Main Street  
PO Box 219  
Sicamous, BC  
VOE 2V0

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F: 250 836 4314  
E: info@sicamous.ca  
sicamous.ca



February 14, 2018

The Honourable Selina Robinson  
Minister of Municipal Affairs and Housing  
Parliament Buildings  
PO Box 9838 STN PROV GOVT  
Victoria, BC V8V 1X4

**Re: Cannabis Sales Revenue Sharing**

---

As expressed by other local governments within BC, there is a need to discuss impacts to local governments and to share in the revenue generated from the implementation of the legalization of cannabis.

Current discussions regarding revenue sharing involve the Federal and Provincial governments with no inclusion of local governments. Ultimately, the legalization will entail additional costs for local governments both in social and policing costs. A Federation of Canadian Municipalities (FCM) paper is stating that the impact may affect policing, fire services, building codes, city planning, municipal licensing and standards, public health, social services, communications, law, etc.

The District of Sicamous is requesting your support, by agreeing to 50% of the provincial share of the cannabis tax sharing formula be provided to local governments. This is an adequate and equitable share to help support costs and services incurred by local governments.

Regards,  
**DISTRICT OF SICAMOUS**

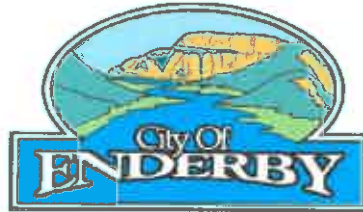
A handwritten signature in black ink, appearing to read "Terry Rysz", is written over a white background.

Terry Rysz  
Mayor

cc: UBCM Member Municipalities







619 Cliff Avenue  
P. O. Box 400  
Enderby, B. C. V0E 1V0

The Corporation of the City of Enderby  
*Where the Shuswap Meets the Okanagan*

Tel: (250) 838-7230  
Fax: (250) 838-6007  
Website: [www.cityofenderby.com](http://www.cityofenderby.com)

February 20, 2018

Hon. Mike Farnworth  
Minister of Public Safety and Solicitor General  
PO Box 9101 Stn Prov Govt  
Victoria, BC V8W 9E2

Dear Minister Farnworth:

Re: Revenue from Cannabis Sales – Equitable Share between Province and Local Government

As expressed by other local governments, the City of Enderby strongly supports the sharing of revenue generated by the sale of cannabis with local government.

The legalization of cannabis will result in additional costs for local government. The financial impact on local governments include social services, land use, planning, business licensing, bylaw enforcement, and fire services.

The City of Enderby respectfully requests that the Province agrees to share at least 50% of its cannabis-related revenues with local governments. This will help local governments offset some of the costs associated with legalization and ensure that taxpayers, and the local government programs they rely on, are not unduly burdened by this decision.

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg McCune", is written over a light blue circular scribble.

Greg McCune  
Mayor

Cc: Hon. Selina Robinson, Minister of Municipal Affairs and Housing  
UBCM Member Municipalities





**Council Member Motion  
For the Council Meeting of March 8, 2018**

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**To:** Council **Date:** March 8, 2018  
**From:** Councillors Alto and Loveday, and Mayor Helps  
**Subject:** Follow up on Council Motion re: Human Rights and Non-Discrimination

---

**Background**

On February 22, 2018, Council adopted the policy position, actions and materials laid out in the Council Member Motion 'Follow up on Council Motion re: Human Rights and Non-Discrimination', encompassed in the document entitled *Building Inclusive Communities - Non-Discrimination Principles in Community Association Land Use Committee Meetings and Public Hearing*, and its Appendix A 'Anti-Discrimination Poster' and Appendix B 'Outreach Engagement Strategy 2017'.

Flowing from that adoption, Council acknowledges that City of Victoria staff will inform CALUCs on the policy, actions and materials so adopted, and facilitate efforts to train volunteer members of the CALUCs and interested community association members in the skills needed to realize the policies so adopted.

**Motion**

That as part of the regular work and support that staff provides to CALUCs that Council direct staff to prepare and deliver skills training to ensure that the policy position, actions and materials included in the Council Member Motion 'Follow up on Council Motion re: Human Rights and Non-Discrimination', and its Appendices, are clearly understood, fairly applied, and that the CALUC Chairs and members have the tools to do the job Council asks of them.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "A. Alto".

Councillor Alto

A handwritten signature in black ink, appearing to read "L. Loveday".

Councillor Loveday

A handwritten signature in black ink, appearing to read "M. Helps".

Mayor Helps





**COMMITTEE OF THE WHOLE MOTIONS**  
**FROM THE MEETINGS HELD FEBRUARY 22 & MARCH 1, 2018**

For the Council Meeting of March 8, 2018, the Committee recommends the following:

**1. Workshop: Fairfield Neighbourhood Plan – from February 22, 2018 COTW Meeting**

That Council direct staff to amend the plan as follows:

1. Infill Housing Menu for Traditional Residential Areas
  - a. Remove option for double row townhouses in housing sub-area 4 (near Ross Bay Village).
  - b. Retain other options for infill housing in draft plan
  - c. Staff review and consideration of additional parking and open space requirements (e.g. additional parking space required if more than one unit on lot)
  - d. Incorporate open space guidelines into development of additional design guidelines for infill housing (2018- 2020)

That Council direct staff to amend the plan as follows:

2. Townhouses near Ross Bay Village (“sub-area 4”)
  - a. Remove “sub-area 4” as a distinct area; would become part of sub-area 1 (General Area).
  - b. As per sub-area 1, remove option for townhouses in more than one row. Support other infill housing options indicated for sub-area 1. Single row townhouses would be considered on suitably-sized lots adjacent to villages and larger corner lots (same as sub-area 1).
  - c. Re-instate option for small lot house development in this area

That Council direct staff to amend the plan as follows:

3. Urban Place Designation West of Cook Street Village (Cook Street to Heywood Street)
  - a. Support “gentle density” approach:
    - i. Re-instate OCP designations for traditional residential areas but expand option for larger houseplexes (4+ units), emphasize adaptation of heritage properties, ground-oriented housing up to 3 storeys, and creative housing on laneways in this area.
    - ii. Retain option for single townhouses in area
    - iii. Add new policy to consider other new and innovative housing types that meet plan objectives
    - iv. Consider reduced parking requirements for houseplexes with more than 3 units in this area

That Council direct staff to amend the plan as follows:

4. Infill Housing East of Cook Street Village
  - a. Support “gentle density” approach:
    - i. East Village sub-area (Cook Street to Chester Street): expand option for larger houseplexes (4+ units), emphasize adaptation of heritage and character properties, ground-oriented housing up to 3 storeys, and creative housing on laneways in this area. Retain option for single row townhouses; review site requirements to consider feedback.
    - ii. Sub-area 3: expand option for larger houseplexes (4+ units), emphasize adaptation of heritage properties, ground-oriented housing up to 2.5

- storeys, and creative housing on laneways in this area. Retain option for single row townhouses; review site requirements to consider feedback.
- iii. Add new policy to consider other creative, innovative housing types that meet plan objectives
- iv. Consider reduced parking requirements for 3+ unit houseplexes.

That Council direct staff to amend the plan as follows:

- 5. Accommodate Larger Share of Fairfield’s growth through “gentle density”
  - a. Encourage more gentle density **in sub-area 2, including** options for larger houseplexes (4+ units), emphasizing adaptation of heritage and character properties and creative laneway housing
  - b. Continue to support other housing types as proposed in plan; review site requirements, open space and parking policies to consider feedback.

Direct staff to work collaboratively with the Neighbourhood working group Fairfield Gonzales Neighbourhood Association CALUC, the Cook Street Village Residents Network, and others in the community to further develop a program of gentle density to meet Fairfield’s diverse population and housing needs.

**2. Workshop: Fairfield Neighbourhood Plan – from March 1, 2018 COTW Meeting**

That Council direct staff to amend the plan as follows:

- 6. Design of Cook Street Village Built Form
  - a. Detailed review of plan policies and guidelines by staff to consider additional adjustments/ revisions based on feedback (e.g. character, setbacks, massing, street wall, shading, impacts to street trees, transitions) through additional urban design analysis. To be incorporated in next version of plan.
  - b. that consideration be given to a two storey street wall with step backs of any additional storeys.

Direct staff to assign an urban designer to work collaboratively with those interested to produce an integrated and completed set of conceptual drawings of urban design and public realm enhancements for the Cook Street Village that can be used as a basis for more detailed public realm design during phase four of the bike network implementation, while not tying the conceptual design to a preferred bike lane treatment.

That Council direct staff to amend the plan as follows:

- 7. Design of Cook Street Village Streetscape and Cycling Infrastructure
  - a. Expand design principles in plan based on community feedback (e.g. recognize Lekwungen history, shading, character, lighting, community gathering, slowing traffic, artistic elements)
  - b. Broaden scope of AAA cycling route design to an Integrated Streetscape Plan for Cook Street Village, pending budget approval, to include sidewalks, boulevards, street trees, on-street parking, loading, public spaces and connections to neighbourhood destinations (2021 design; 2022 implementation).
  - c. Parking management strategy for Cook Street Village area identified as short-term action.

That Council direct staff to amend the plan as follows:

- 8. Effectiveness of Rental Retention Area Policies

- a. Conduct additional analysis of policies related to density bonus (8.1.3.) through development of City-wide inclusionary housing policy
- b. Consider if neighbourhood specific policies are needed following Market Rental Revitalization Strategy and development of inclusionary housing policy (2018)
- c. Retain the emphasis on rental retention including existing rental buildings and affordable housing in the area.
- d. Consider if new zoning tools being contemplated by the province could be used for rental retention and affordable housing in the rental retention area.

That Council direct staff to amend the plan as follows:

9. Northwest Corner and Fort Street
  - a. Maintain direction in plan, with staff review for potential refinements for location of heights, commercial uses in certain locations and public space impacts.
  - b. Some anticipated growth shifted from Cook Street Village area

That Council direct staff to amend the plan as follows:

10. Design Concept for Ross Bay Urban Village (Fairfield Plaza)
  - a. Maintain direction in plan, with revisions to land use and design policies to address concerns regarding transition, parking.
  - b. Develop site-specific design guidelines, with focus on transition to surrounding properties.
  - c. Remove images, to avoid concept being misconstrued as a development application.
  - d. That the designation of Stannard Avenue be consistent along its entire length as traditional residential.
  - e. Direct staff to check in with the surrounding neighbours specifically with the people who wrote in with their specific concerns.

That Council direct staff to amend the plan as follows:

11. Identification of Potential Heritage Conservation Areas
  - a. Remove reference to specific street names/ areas in plan policies (10.2.3).
  - b. Reword to reinforce citizen-initiated efforts to establish heritage conservation areas

That Council direct staff to amend the plan as follows:

12. Topics Outside Scope of Neighbourhood Plan
  - a. Continue approach where neighbourhood plan provides general direction for these topics, with more detail provided by other initiatives.
  - b. Continue to share community feedback with relevant staff. Continue to make reference to concurrent and upcoming City-wide initiatives in neighbourhood plan.

That Council direct staff to clarify the population and housing projections for the Fairfield Local Area Plan which includes a typology of housing growth and a update based on 2016 Census information.

For the remainder of the process, that Council direct staff to collaborate with neighbourhood stakeholders as per the project plan approved by Council in June 2016 and as per the definition provided by the International Association of Public Participation which is "To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution."



3. **Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 21) No. 18-003**

That Council direct staff to do some targeted engagement on the Gonzales neighbourhood plan based on the feedback received and bring the Gonzales plan back for Council's consideration.

**COMMITTEE OF THE WHOLE MOTIONS**  
**FROM THE MEETING HELD MARCH 1, 2018**

For the Council Meeting of March 8, 2018, the Committee recommends the following:

**1. Development Variance Permit No 00205 for Raynor Avenue (Victoria West)**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00205 for 632 Raynor Avenue, in accordance with:

1. Plans date stamped February 2, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. Reduce the required vehicle parking from three stalls to one stall for a triplex conversion.
3. The Development Permit lapsing two years from the date of this resolution."

**2. Attendance at Federation of Canadian Municipalities Annual Conference**

That Council authorize the attendance and associated costs for Councillor Isitt to the FCM Conference to be held in Halifax, May 31 to June 4, 2018.

The approximate cost for attending is:

Registration	\$900.00
Transportation	\$800.00
Accommodation	\$900.00
Meals	\$240.00

***Approximate Cost*    \$2840.00**

**3. Attendance at Local Government Forum on Backcountry Access**

That Council authorize the attendance and associated costs for Councillor Isitt to the Local Government Forum on Backcountry Access, which took place in Port Alberni on February 23, 2018

The approximate cost is attending is:

Accommodation	\$122.00
Meals	\$41.00

***Approximate Cost*    \$163.00**

**4. David Foster Harbour Pathway Extension – Johnson Street Bridge Underpass**

That Council direct staff to:

1. Finalize this detailed design and proceed with procurement and construction of the proposed Johnson Street Bridge Underpass.
2. Update the 2018 Financial Plan to set a project budget of \$544,000 for the extension of the David Foster Harbour Pathway under the new Johnson Street Bridge, consisting of \$444,000 from the Harbour Pathway Capital Budget from the deferred pedestrian bridges and \$100,000 contribution from the Trans Canada Trail Foundation.
3. Incorporate maintenance and operating costs of this new section of the pathway as part of the 2019 Operating budget.

**5. Development Cost Charges Bylaw Update – Parks and Sewer**

That Council direct staff to:

1. Initiate the process for amending the Development Cost Charges (DCC) bylaw to update DCC rates for parks and sewage to reflect newly available engineering and planning information.
2. Replace DCC rates for Parkland Acquisition and Parkland Development with a new rate for Parkland Acquisition and Development as part of the DCC bylaw amendment process.
3. Prepare a bylaw to establish a DCC reserve funds including Parks Acquisition and Development DCCs.
4. Bring forward the bylaw to the March 8, 2018 Council meeting for introductory readings.

**6. National Cycling Strategy**

1. That Council request that the Federation of Canadian Municipalities advocate to the Federal government to create a National Cycling Strategy and that the FCM work to build a knowledge framework and set of tools to inform a national process to advance cycling and active transportation across Canada.
2. That Council forward this motion to the September FCM Board Meeting for consideration.
3. That Council request that the Mayor, on behalf of Council, write to the federal Minister of Transportation and Minister of Environment, encouraging the passage and implementation of Bill C-312, the National Cycling Strategy Act, with electronic copies of the letter sent to Members of Parliament representing constituencies on Vancouver Island.

**COMMITTEE OF THE WHOLE REPORT**  
**FROM THE MEETING HELD MARCH 8, 2018**

For the Council Meeting of March 8, 2018, the Committee recommends the following:

1. **Victoria Housing Fund Application for the North Park Manor at 875 North Park Street**  
 That Council approve a Victoria Housing Fund grant to the North Park Manor Society in the amount of \$30,000 to assist in the construction of three bachelor units of housing for low and medium income seniors at the North Park Manor, located at 875 North Park Street, subject to the following conditions:
  1. The grant will be disbursed to the applicant once the Housing Fund Grant Agreement and Housing Agreement have been executed by the applicant.
  2. The North Park Manor Society enters into a Housing Fund Grant Agreement to the satisfaction of the City Solicitor that includes the requirements that:
    - a) the North Park Manor Society will identify the City of Victoria as a contributor on publications, documents, and public events related to the development, completion and operation of the project;
    - b) upon project completion, North Park Manor Society will submit a final report to the Sustainable Planning and Community Development Department; and
    - c) the grant is to be repaid by the North Park Manor Society if the project does not proceed as proposed.
  3. The North Park Manor Society enters into a Housing Agreement securing the housing units at rental levels consistent with the Victoria Housing Fund Guidelines in a form satisfactory to the City Solicitor and Director of Sustainable Planning and Community Development.
  
2. **Attendance at the Federation of Canadian Municipalities Annual Conference, May 31 - June 3, 2018**  
 That Council authorize the attendance and associated costs for Councillor Alto to attend the FCM Conference to be held in Halifax, NS, May 31 through June 3, 2018.
  
3. **Attendance at the Association of Vancouver Island Coastal Communities 2018 Annual Convention and Annual General Meeting – April 13-15, 2018**  
 That Council authorize the attendance and associated costs for Mayor Helps to attend the AVICC Conference to be held in Victoria, April 13-15, 2018.
  
4. **Advocacy for Youth Programs Funding for Quadra Village Community Centre**  
 That Council request that the Mayor, on behalf of Council, write to the Member of the Legislative Assembly for Victoria-Swan Lake, copying the provincial Minister of Children and Family Development, requesting that funding be identified and allocated within provincial jurisdiction to ensure continuity and improvements over time for youth programs delivered by the Quadra Village Community Centre.
  
5. **Temporary Use Permit Application No. 00007 for 629 and 635 Chatham Street**  
 That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, authorize the issuance of Temporary use Permit Application No. 00007 for 635 Chatham Street in accordance with:
  1. Plans date stamped December 22, 2017
  2. Development meeting all *Zoning Regulation Bylaw* requirements
  3. The applicant providing a landscape cost estimate for the entire cost of the onsite landscaping in accordance with the Landscape Plan prepared by Murdoch de Greeff Landscape Architects dated December 22, 2017, and a landscape security deposit in



- the amount of 120% of the Landscape Cost Estimate payable to the City prior to the issuance of the building permit
4. The Temporary use Permit lapsing three years from the date of this resolution.

**6. Strategic Direction: Inclusionary Housing and Density Bonus Policy**

That Council:

1. Consider the following strategic approaches in the development of a new Inclusionary Housing and Density Bonus Policy and direct staff to:
  - a) Establish affordable housing targets and levels of affordability to guide community amenity contribution negotiations;
  - b) Prioritize City objectives for community amenity contributions given limits on bonus density;
  - c) Develop a framework for the provision of bonus density in exchange for on-site affordable housing units, where feasible, within areas of the City through the zoning bylaw in a manner consistent with the Local Government Act;
  - d) Retain a consultant to update the economic analysis that informed the Density Bonus Policy (2016) to inform the above considerations,
  - e) Direct staff to negotiate approach to CACs
  - f) Direct staff to establish more precise targets and levels of affordability and;
  - g) Direct staff to consider pre-zoning areas of the City (using bonus density zoning) for affordable housing.
2. Direct staff to consult with stakeholders and the Community Association Land Use Committees on a draft policy.

**7. Further Support for the 2020 North American Indigenous Games**

That, should the Songhees Nation be awarded the 2020 North American Indigenous Games, the City of Victoria will:

1. contribute to the 2020 NAIG up to \$225,000 in each of its 2019 and 2020 budget years, from 2018 and 2019 budget surpluses, subject to receiving a detailed budget breakdown once that is possible and the bid documents are no longer confidential;
2. encourage its municipal neighbours to contribute per capita amounts of the same range (approximately \$2.50/per person for two years);
3. work with the 2020 NAIG organizing committee(s) to facilitate use of city sports facilities as needed.

**COMMITTEE OF THE WHOLE MOTIONS**  
**FROM THE MEETING HELD FEBRUARY 22, & MARCH 8, 2018**

For the Council Meeting of March 8, 2018, the Committee recommends the following:

**1. Proposed Animal Control Bylaw Amendments - From February 22, 2018 COTW Meeting**

1. Change the name of our bylaw from Animal Control Bylaw to Victoria Animal Responsibility Bylaw.
2. Under Section 12 of the City of Victoria Animal Control Bylaw Page 7 under Tying Animals, change our wording from:
  - 12 (1) A person must not hitch, tie or fasten an animal to a fixed object by a rope, chain or cord that is directly tied around the animal's neck or to a choke collar.
  - 12(2) A person must not hitch, tie or fasten an animal to a fixed object as the primary means of confinement for an extended period of time.

To wording in Surrey Bylaw 44:

44. No Owner shall cause, permit, or allow a Dog:

- (a) to be hitched, tied, or fastened to a fixed object in such a way that the Dog is able to leave the boundaries of the Owners property;
- (b) to be hitched, tied, or fastened to a fixed object where a Choke Collar forms part of the securing apparatus, or where a rope or cord is tied directly around the Dog's neck;
- or be tethered other than with a collar that is properly fitted to that Dog and attached in a manner that will not injure the Dog or enable the Dog to injure itself by pulling on the tether;
- (c) to be hitched, tied, or fastened to a fixed object except with a tether of sufficient length to enable the full and unrestricted movement of the Dog;
- (d) to be hitched, tied, or fastened to a fixed object unattended at any time; or
- (e) to be hitched, tied, or fastened to a fixed object for longer than four (4) hours within a 24 hour period.

3. Add a section called: Limit on Pets.

1. No person shall keep or allow to be kept on any real property more than a total of six (6) cats and dogs over the age of twelve (12) weeks, and a reasonable number of small and aquatic animals, unless they are a licensee, community cat caregiver, veterinary clinic or animal shelter.
2. If a person is providing temporary care for more than a total of six (6) cats and dogs over the age of twelve (12) weeks, they shall notify the animal bylaw officer with the number and species of animals, reason and estimated length of time they will be providing care.
3. No person shall keep, or allow to be kept on a Lot:
  - a. More than four (4) rabbits older than 12 weeks
  - b. More than four (4) guinea pigs older than 12 weeks
  - c. Any ungulate
  - d. Mink or chinchilla.
  - e. More than twelve (12) hens
  - f. any roosters
4. Add in our bylaw the definition for an aggressive dog, a dangerous dog and a vicious dog.  
 "Aggressive Dog" means a Dog that:

- a. Has without justifiable provocation displayed Aggressive Behavior towards a person or animal; or
  - b. Has without justifiable provocation caused a minor injury to a person or animal.
- “Dangerous Dog” means a Dog that:
- a. Has killed or seriously injured a person;
  - b. Has killed or seriously injured an animal, while in a public place or while on private property, other than property owned or occupied by the person responsible for the dog;
  - c. Has previously been deemed a vicious dog and has since attacked or caused injury to a person or animal after being deemed a vicious dog; or
  - d. As defined in the Community Charter S.B.C. 2003c.26, as amended.
- “Vicious Dog” means a dog that:
- a. Has without justifiable provocation caused a serious injury to a person or animal; or
  - b. Has a known propensity, tendency or disposition to attack without justifiable provocation; or
  - c. Has on more than one occasion caused a minor injury to a person or animal; or
  - d. Has while running at large, aggressively pursued or harassed a person without justifiable provocation or has demonstrated a propensity, tendency or disposition to do so as deemed by and Animal Control Officer or Animal Shelter Manager.
- And add in our Animal Control Bylaw in Section 5 on Dangerous Dogs (Page 12),
- 5. In our Animal Control Bylaw under Part 3 - Animal Welfare add a section titled Animal Cruelty:
    - 48. Notwithstanding any other provision of this bylaw, no person shall:
      - a. abandon any animal
      - b. tease, torment, or provoke and animal;
      - c. cause, permit or allow an animal to suffer, or
      - d. train or allow any animal to fight.
  - 6. And lastly, under our Outdoor Shelter Requirements in section 10 to:
    - 1. A person responsible for an animal shall ensure that the animal has protection from all the elements;
    - 1. No person responsible for an animal shall permit the animal to suffer from hyperthermia, hypothermia, dehydration, discomfort, or exertion causing unnecessary pain, suffering or injury.

Keeping of Urban Hens:

- 4.1 Be a resident of the property where the hens are kept.

Refer the BCSPCA animal responsibility bylaw section on urban hens and urban bees to the urban food table and to the Capital City Beekeeping, indicating that Council has taken no position on these provisions at this time and add as an appendix, the bylaws from the City of Surrey and Duncan

**2. Proposed Animal Control Bylaw Amendments - From March 8, 2018 COTW Meeting**

- 1. Amend our Animal Control Bylaw to prohibit the sale of cats, kittens, dogs, puppies, and rabbits in pet stores or other type of retail premises. The only exemption is if these animals are offered for adoption from a recognized animal rescue society or shelter organization at which time the current bylaw policy would still apply.

2. Vehicle for Hire Bylaw: Each horse while transporting passengers must display an identification number which is visible and legible. This identification number must correspond with the name, description and health record of the horse and is to be provided to the licensing officer and SPCA at the beginning of the season.







**Council Report**  
For the Meeting of March 8, 2018

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**To:** Council **Date:** March 1, 2018  
**From:** C. Coates, City Clerk  
**Subject:** Zoning Regulation Bylaw, Amendment Bylaw (No. 1135) No. 18-007

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**RECOMMENDATION**

That Council consider first and second readings of Bylaw No. 18-007.

**BACKGROUND**

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 18-007.

The issue came before Council on December 14, 2017, where the following resolution was approved:

**Rezoning Application No. 00606 for 350 Sylvia Street**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00606 for 350 Sylvia Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Respectfully submitted,

Chris Coates  
City Clerk

Report accepted and recommended by the City Manager:

Date: March 2, 2018

**List of Attachments:**

- Bylaw No. 18-007



NO. 18-007

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R1-45 Zone, Sylvia Street Conversion District, and to rezone land known as 350 Sylvia Street from the R-2 Zone, Two Family Dwelling District to the R1-45 Zone, Sylvia Street Conversion District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1135)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 1 – DETACHED DWELLING ZONES by adding the following words:  
  

“1.140 R1-45, Sylvia Street Conversion”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 1.139 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 350 Sylvia Street, legally described as Lot 15, Beckley Farm, Victoria City, Plan 293, Except Part in Plan EPP59717 and shown hatched on the attached map, is removed from the R-2 Zone, Two Family Dwelling District, and placed in the R1-45 Zone, Sylvia Street Conversion District.

READ A FIRST TIME the	day of	2018
READ A SECOND TIME the	day of	2018
Public hearing held on the	day of	2018
READ A THIRD TIME the	day of	2018
ADOPTED on the	day of	2018

CITY CLERK

MAYOR



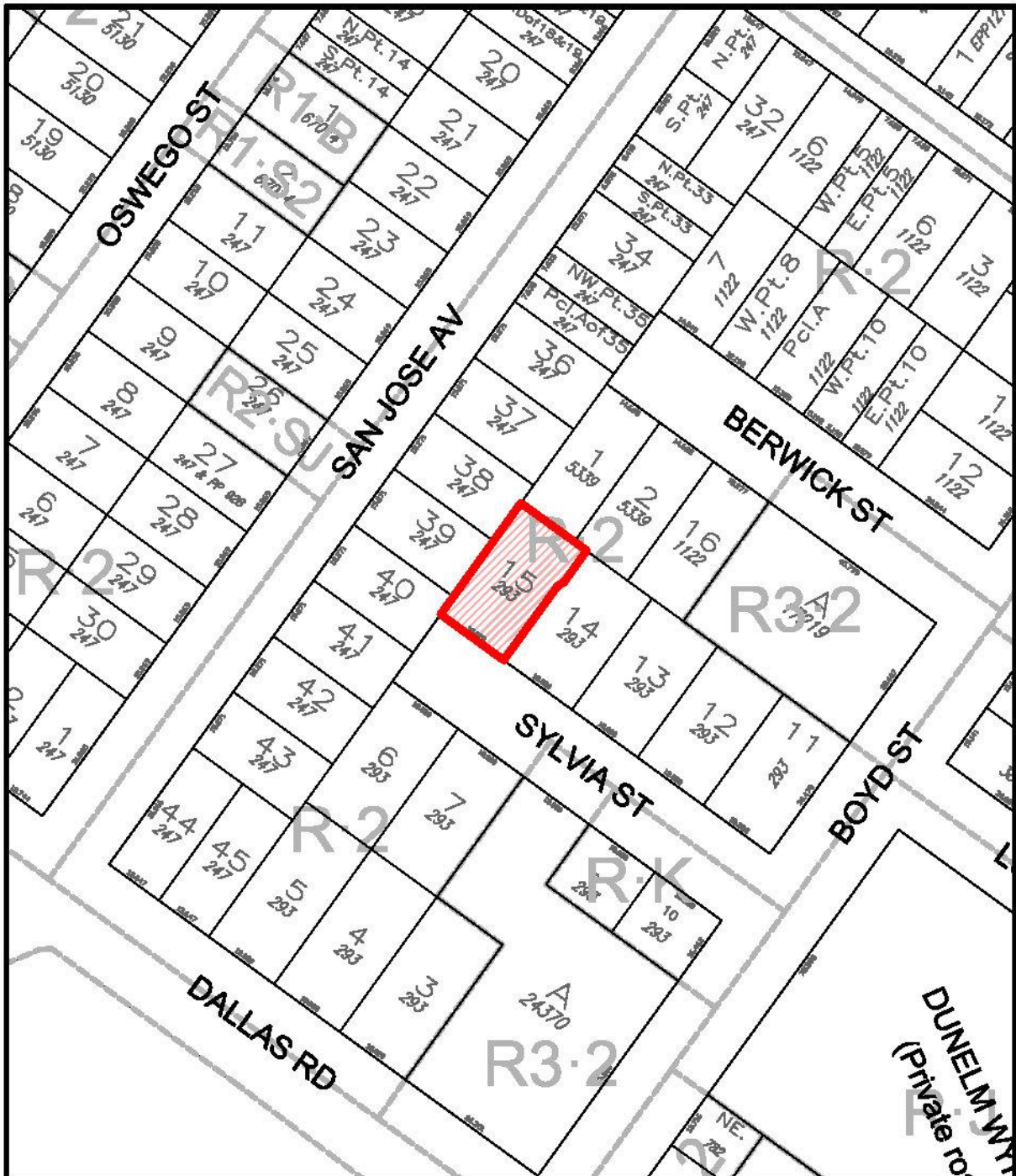
**PART 1.140 – R1-45 ZONE, SYLVIA STREET CONVERSION DISTRICT****1.140.1 Permitted Uses in this Zone**

The following uses are the only uses permitted in this Zone:

- a. Uses permitted in the R-2 Zone, Two Family Dwelling District, subject to the regulations set out in Part 2.1 of the Zoning Regulation Bylaw
- b. Accessory Buildings subject to the regulations in Schedule “F” except that an accessory building may
  - i. contain a toilet facility
  - ii. have more than one plumbing fixture that requires drainage

**1.140.2 General Regulations**

- a. Except as expressly varied herein, the regulations applicable in R-2 Zone, Two Family Dwelling District, apply in this zone.



350 Sylvania Street  
Rezoning No.00606







**Council Report**  
For the Meeting of March 8, 2018

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**To:** Council **Date:** March 1, 2018  
**From:** C. Coates, City Clerk  
**Subject:** Zoning Regulation Bylaw, Amendment Bylaw (No. 1143) No. 18-027

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**RECOMMENDATION**

That Council consider first and second readings of Bylaw No. 18-027.

**BACKGROUND**

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 18-027.

The issue came before Council on January 25, 2018, where the following resolution was approved:


**Rezoning Application No. 00608 for 323 Skinner Street**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00608 for 323 Skinner Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Respectfully submitted,

  
Chris Coates  
City Clerk

Report accepted and recommended by the City Manager:

  
Date: March 2, 2018

**List of Attachments:**

- Bylaw No. 18-027





NO. 18-027

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R1-46 Zone, Skinner Street Daycare District, and to rezone land known as 323 Skinner Street from the R1-B Zone, Single Family Dwelling District to the R1-46 Zone, Skinner Street Daycare District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1143)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 1 – DETACHED DWELLING ZONES by adding the following words:  
  

“1.141 R1-46, Skinner Street Daycare District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 1.140 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 323 Skinner Street, legally described as PID: 018-736-581, Lot 2, Section 31, Esquimalt District, Plan VIP58823 and shown hatched on the attached map, is removed from the R1-B Zone, Single Family Dwelling District, and placed in the R1-46 Zone, Skinner Street Daycare District.

READ A FIRST TIME the	day of	2018
READ A SECOND TIME the	day of	2018
Public hearing held on the	day of	2018
READ A THIRD TIME the	day of	2018
ADOPTED on the	day of	2018

CITY CLERK

MAYOR

**PART 1.141 – R1-46 ZONE, SKINNER STREET DAYCARE DISTRICT****1.141.1 Permitted Uses in this Zone**

The following uses are the only uses permitted in this Zone:

- a. All of the uses permitted in the R1-B Zone, Single Family Dwelling District
- b. A daycare that accommodates not more than 32 children

**1.141.2 Rear Yard Setback**

- a. Rear yard setback (minimum)          6.65m

**1.141.3 Parking**

- |  |  |
|--|--|
| a. Vehicle parking (minimum)   | Subject to the regulations in Schedule "C" except as otherwise specified by the regulations in this Part |
| b. Vehicle parking for a daycare (minimum)                             | 1 stall  |
| c. Bicycle parking for a daycare (minimum)                             | Class 1 – 4 stalls<br>Class 2 – 4 stalls   |
| d. Landscape strip and <u>landscape screen</u> on <u>rear lot line</u> | Not required   |

**1.141.4 General**

Except as provided in this Part, the regulations applicable in the R1-B Zone, Single Family Dwelling District, apply in this Zone.



323 Skinner Street  
Rezoning No.00608









**Council Report**  
For the Meeting of March 8, 2018

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**To:** Council **Date:** March 1, 2018  
**From:** C. Coates, City Clerk  
**Subject:** Development Cost Charges Reserve Establishment Bylaw No. 18-040

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**RECOMMENDATION**

1. That Council consider first, second, and third readings of Bylaw No. 18-040.
2. That upon adoption of the Bylaw, staff be directed to consolidate funds in the former Parks Acquisition and Parks Development Reserves into the new Reserve Fund established under Bylaw 18-040.

**BACKGROUND**

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 18-040.

The issue came before Committee of the Whole on March 1, 2018 where the following motion was approved:

**Development Cost Charges Bylaw Update – Parks and Sewer**

That Council direct staff to:

1. Initiate the process for amending the Development Cost Charges (DCC) bylaw to update DCC rates for parks and sewage to reflect newly available engineering and planning information.
2. Replace DCC rates for Parkland Acquisition and Parkland Development with a new rate for Parkland Acquisition and Development as part of the DCC bylaw amendment process.
3. Prepare a bylaw to establish a DCC reserve funds including Parks Acquisition and Development DCCs.
4. Bring forward the bylaw to the March 8, 2018 Council meeting for introductory readings.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Chris Coates".

Chris Coates  
City Clerk

Report accepted and recommended by the City Manager:

*Cheryl Jenkins*

Date:

*March 2, 2018*

**List of Attachments:**

- Bylaw No. 18-040

NO. 18-040  
A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to establish Reserve Funds for Development Cost Charges

WHEREAS the city has established development cost charges levied in the City in accordance with the Development Cost Charges Bylaw.

AND WHEREAS the Community Charter requires that Reserve Funds shall be established by bylaw

The Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

1. This Bylaw may be cited as the "DEVELOPMENT COST CHARGES RESERVE ESTABLISHMENT BYLAW (NO. 18-040)".
2. In accordance with the City's Development Cost Charges Bylaw, the following Development Cost Charge Reserve Funds are hereby established:
  - a) Transportation Development Cost Charges Reserve Fund
  - b) Water Development Cost Charges Reserve Fund
  - c) Sewage Development Cost Charges Reserve Fund
  - d) Drainage Development Cost Charges Reserve Fund
  - e) Parkland Acquisition and Development, Development Cost Charges Reserve Fund
3. Monies placed to the credit of a reserve fund established by this Bylaw may be expended by resolution of Council, or as expressly authorized by a financial plan bylaw adopted by Council.

READ A FIRST TIME the \_\_\_\_\_ day of \_\_\_\_\_ 2018

READ A SECOND TIME the \_\_\_\_\_ day of \_\_\_\_\_ 2018

READ A THIRD TIME the \_\_\_\_\_ day of \_\_\_\_\_ 2018

ADOPTED on the \_\_\_\_\_ day of \_\_\_\_\_ 2018

CITY CLERK

MAYOR





NO. 18-034

## A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the provisions of the Business Licence Bylaw to remove the mandatory requirement that all liquor primary and liquor primary clubs enter into good neighbour agreements.

Under its statutory powers, including section 8(6) and 15 of the *Community Charter* and section 18 of the *Victoria City Act, 1919*, the Council of The Corporation of the City of Victoria enacts the following provisions:

**Title**

- 1 This Bylaw may be cited as the "BUSINESS LICENCE BYLAW, AMENDMENT BYLAW (NO. 32)".

**Amendments**

- 2 Bylaw No. 89-71, the Business Licence Bylaw, is amended:

- (a) in section 2(2), by:

- i. striking the period after the words "trust company" and replacing it with a semicolon;
- ii. inserting the following definitions immediately after the definition of "financial institution":

"licensed establishment" means a business that is licensed under the provisions of the British Columbia *Liquor Control and Licensing Act*;

"Licence Inspector" means a person appointed by the City as a licence inspector.

- (b) in section 8, by repealing subsection (3) and replacing it with the following:

"(3) A licensed establishment must enter into a good neighbour agreement in a form satisfactory to the City Solicitor as a condition of receiving a new business licence or renewing, transferring or amending an existing business licence if, in the opinion of the Licence Inspector, the licensed establishment has had a negative impact on the neighbouring community resulting in:

- (a) complaints received by the City, including the Victoria Police Department, about the licensed establishment;
- (b) tickets or fines issued against the licensed establishment for breach of City bylaws or provincial or federal laws; or

(c) repeat visits by City bylaw officers or police officers in response to incidents at or complaints about the licensed establishment.”

(c) by repealing Schedule B in its entirety.

**Effective Date**

**3** This bylaw comes into force on adoption.

READ A FIRST TIME the **1<sup>st</sup>** day of **March** 2018

READ A SECOND TIME the **1<sup>st</sup>** day of **March** 2018

READ A THIRD TIME the **1<sup>st</sup>** day of **March** 2018

ADOPTED on the day of 2018

CITY CLERK

MAYOR

# THE CORPORATION OF THE TOWNSHIP OF SPALLUMCHEEN

4144 Spallumcheen Way, Spallumcheen, BC V0E 1B6  
Phone: 250-546-3013 • Fax: 250-546-8878 • Toll Free: 1-866-546-3013  
Email: mail@spallumcheentwp.bc.ca • Website: www.spallumcheentwp.bc.ca



February 22<sup>nd</sup>, 2018

David Allen  
Chief Administrative Officer  
City of Courtenay  
830 Cliffe Ave., Courtenay, BC  
V9N 2J7

To David Allen:

**Re: 2018 Resolution – Asset Management**

Thank you for your email dated February 13<sup>th</sup>, 2018, providing a copy of the City of Courtenay's letter that was sent to the Association of Vancouver Island and Coastal Communities regarding Asset Management.

This is to advise that the Township of Spallumcheen Council passed the following resolution at its Monday, February 19<sup>th</sup>, 2018 Regular Meeting:

***“WHEREAS the purposes of a British Columbia Municipality and Regional District included providing for stewardship of the public assets of its community;***

***AND WHEREAS, the power, duties and functions of British Columbia municipal and regional district Chief Administrative Officers include:***

- (a) Overall management of the operations of the local government;***
- (b) Ensuring that the policies, programs and other directions of the council or board are implemented; and***
- (c) Advising and informing the council or boards on the operation and affairs of the local government.***

***NOW THEREFORE BE IT RESOLVED THAT the Township of Spallumcheen supports sound Asset Management practices as the means to achieve local Sustainable Service Delivery;***

***THAT BC municipalities and regional districts, their respective CAO's and Staff would benefit from guidance to a common communications approach to enhance Asset Management Practices; and***

***THAT the Township of Spallumcheen recommends the Union of BC Municipalities resolve to develop and implement such a common communications approach in partnership with the LGMA and Asset Management BC.”***

If you have any questions in this regard, please contact the undersigned.

Respectfully,

A handwritten signature in blue ink, appearing to read "Cindy Graves", is written over a blue circular scribble.

Cindy Graves  
Corporate Officer

Cc: All BC Municipalities