UPDATED AMENDED AGENDA
COMMITTEE OF THE WHOLE
MEETING OF THURSDAY, AUGUST 10, 2017, AT 9:00 A.M.
COUNCIL CHAMBERS
CITY HALL, 1 CENTENNIAL SQUARE

Located on the traditional territory of the Esquimalt and Songhees People

Page

APPROVAL OF AGENDA

CONSENT AGENDA

READING OF MINUTES

1. Minutes from the Meeting held July 27, 2017 — 7 - 24

   2017_07_27_Minutes

Workshop

2. Risk Management Approach Crystal Pool and Wellness Centre Replacement Project — 25 - 48
   --T. Soulliere, Director of Parks, Recreation & Facilities

   A workshop regarding the risk management approach for the Crystal Pool and Wellness Centre Replacement Project.

   Late Item: Presentation

   Recommendation:That Council: 1. Approve the Risk Management Approach for the Crystal Pool and Wellness Centre Replacement Project; 2. Accept the key risks and mitigation strategies outlined for the project.

   1_Report_Risk Management Approach Crystal Pool and Wellness Centre Replacement Project
   2_LATE_Presentation

[Addenda]

11:00 a.m. Performance by the Korean Kids Choir
--Korea Child Song Global Association

The choir will perform two to three songs for Council.

UNFINISHED BUSINESS

LAND USE MATTERS

3. Rezoning Application No. 00574 for 543 Herald Street (Downtown) 49 - 124
--J. Tinney, Director of Sustainable Planning and Community Development

A report providing information and recommendations regarding an application to allow for the retail sale of cannabis.

Late Item: Presentation & Letter

Recommendation:That Council decline Rezoning Application No. 00574 for the property located at 543 Herald Street.

1_Report_REZ 00574 for 543 Herald Street
2_Attachment A & B_Maps
3_Attachment C_Plans
4_Attachment D_Letter to Mayor and Council
5_Attachment E_Correspondence
6_LATE_Presentation
7_LATE Letter

[Addenda]

4. ~~Rezoning Application No. 00590 for 608 Johnson Street (Downtown)~~
~~*--J. Tinney, Director of Sustainable Planning and Community Development*~~

~~*A report providing information and recommendations regarding an application to allow for the retail sale of cannabis.*~~

~~***Recommendation:That Council decline Rezoning Application No. 00590 for the property located at 608 Johnson Street.***~~

Deferred to September 7th Committee of the Whole

[Addenda]

5. Rezoning Application No. 00584 for 818-826 Johnson Street (Downtown) 125 - 143
--J. Tinney, Director of Sustainable Planning and Community Development

A report providing information and recommendations regarding an application to allow for the retail sale of cannabis.

Late Item: Presentation

Recommendation: ***That Council decline Rezoning Application No. 00584 for the property located at 818-826 Johnson Street.***

1_Report_REZ 00584 for 818-826 Johnson Street
2_Attachment A & B_Maps
3_Attachment C_Plans
4_Attachment D_Letter to Mayor and Council
5_LATE_Presentation

[Addenda]

6. Development Variance Permit No. 00191 for 1501 Haultain Street (Fernwood) 145 - 171

--J. Tinney, Director of Sustainable Planning and Community Development

A report providing information and recommendations regarding an application to reduce the required number of parking spaces from 12 to 5 in order to permit a restaurant.

Late Item: Presentation

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. 00191 for 1501 Haultain 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 number of parking spaces from 12 to 5. 3. Install a bike rack onsite to accommodate five bikes under the cantilever roof on the east side of the building, and install four new planter boxes in the parking area on the west side of the building. 4. Recreation vehicles shall not be stored on the subject property. 5. The Development Permit lapsing two years from the date of this resolution.***

1_Report_DVP 00191 for 1501 Haultain Street
2_Attachment A & B_Maps
3_Attachment C_Plans
4_Attachment D_Letter to Mayor and Council
5_Attachment E_Parking Analysis
6_Attachment F_Correspondence
7_LATE_Presentation

[Addenda]

7. 409 - 411 Government Street 173 - 179

--J. Tinney, Director of Sustainable Planning and Community Development

A report providing information and recommendations regarding a tenant plan for the proposed strata conversion application.

Recommendation: ***That Council approve the proposed tenant plan provided with the strata conversion application for 409 - 411 Government***

Street, subject to one of the existing rental units be secured for a five (5) year period. That Council instruct staff to prepare the necessary Housing Agreement in order to secure one of the proposed strata units as rental for five (5) years

1_Report_409-411 Government Street
2_Attachment_Tenant Plan
3_Attachment_Residential Strata Titling Policy
4_Attachment_Location Information Map

STAFF REPORTS

8. Sheltering Data 181 - 184
--C. Coates, City Clerk

A report providing information regarding sheltering in the City.

Recommendation:*That Council receive this report for information.*

1_Report_Sheltering Data
2_Appendix A_BC Housing Sheltering Data to December 31, 2016

9. Advisory Bodies to Council 185 - 198
--C. Coates, City Clerk

A report providing information and recommendations regarding a draft policy for advisory bodies to Council.

Late Item: Presentation

Recommendation:*1. That Council approve the Overarching Committee Policy. 2. That staff review Terms of Reference for Advisory Bodies and bring forward recommended changes if needed to ensure consistency with the Overarching Policy.*

1_Report_Advisory Bodies to Council
2_Appendix A_January 19, 2017 COTW Report
3_Appendix B_Draft Overarching Advisory Bodies Policy
4_LATE_Presentation

[Addenda]

10. Proclamation: "International Overdose Awareness Day" August 31, 2017 199 - 206

1_Report_Proclamation_International Overdose Awareness Day August 31, 2017
2_Appendix A_Proclamation_International Overdose Awareness Day August 31, 2017

3 Appendix B List of Previously Approved Proclamations

NOTICE OF MOTIONS

NEW BUSINESS

ADJOURNMENT OF COMMITTEE OF THE WHOLE

CONVENE COUNCIL MEETING

MOTION TO CLOSE THE AUGUST 10, 2017 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the Community Charter for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the Community Charter, namely:

- *Section 90(1)(c) labour relations or other employee relations;*
- *Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
- *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

READING OF CLOSED MINUTES

1. Minutes from the special closed meeting held July 27, 2017

2. Minutes from the closed meeting held July 27, 2017

UNFINISHED BUSINESS

3. Land
   --P. Rantucci, Head of Strategic Real Estate

4. Legal Advice
   --Mayor Helps

CORRESPONDENCE

NEW BUSINESS

5. **Late Item:** Law Enforcement
   --C. Coates, City Clerk

[Addenda]

6. ~~**Late Item:** Law Enforcement~~

~~*--C. Coates, City Clerk*~~

[Addenda]

7. **Late Item:** Law Enforcement
--C. Coates, City Clerk

[Addenda]

8. **Late Item:** Employee Relations
--Mayor Helps

[Addenda]

CONSIDERATION TO RISE & REPORT

ADJOURNMENT

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD THURSDAY, JULY 27, 2017, 9:00 A.M.

1. THE CHAIR CALLED THE MEETING TO ORDER AT 9:03 A.M.

Committee Members Present: Mayor Helps (Chair), Councillors Alto, Loveday, Lucas, Madoff, Thornton-Joe, and Young

Absent for a portion of the meeting: Councillors Coleman and Isitt

Staff Present: J. Johnson – City Manager; J. Jenkyns – Deputy City Manager; P. Bruce - Fire Chief; J. Jensen – Head of Human Resources; T. Soulliere – Director of Parks, Recreation, & Facilities; C. Havelka – Deputy City Clerk; A. Hudson – Assistant Director of Community Planning; A. Meyer – Assistant Director of Development Services; J. Paul – Assistant Director of Engineering & Public Works; C. Mycroft – Manager of Executive Operations; J. O'Connor – Manager of Financial Planning; J. Potter – Manager of Engagement; R. Bateman – Senior Planner; L. Milburn – Senior Planner, Housing Policy; L. Taylor – Senior Planner; M. Conley – Senior Heritage Planner; C. Tunis – Planning Technician; A. M. Ferguson – Recording Secretary

2. APPROVAL OF AGENDA

Motion: It was moved by Councillor Coleman, seconded by Councillor Loveday, that the Agenda of the July 27, 2017, Committee of the Whole meeting be approved.

Amendment: It was moved by Councillor Alto, seconded by Councillor Loveday, that the Agenda of the July 27, 2017, Committee of the Whole meeting be amended as follows:

Consent Agenda:

Item No. 1 - Minutes from the Meeting held July 6, 2017

Item No. 6 - Heritage Designation Application No. 000165 for 750 Pemberton Road

Item No. 8 - Capital Regional District Arts and Culture Support Service Establishment Amendment Bylaw

Item No. 10 - Proclamation "World Hepatitis Day" July 28, 2017

Item No. 12 - Regional Coordination on Invasive Species Removal

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Amendment: It was moved by Councillor Isitt, seconded by Councillor Lucas, that the Agenda of the July 27, 2017, Committee of the Whole meeting be amended as follows:

Item No. 13 - Inclusive Housing and Community Amenity Policy- Draft for Discussion, be moved to item no. 1.

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

That the Agenda of the July 27, 2017, Committee of the Whole meeting be approved with the following amendments:

Consent Agenda:

Item No. 1 - Minutes from the Meeting held July 6, 2017

Item No. 6 - Heritage Designation Application No. 000165 for 750 Pemberton Road

Item No. 8 - Capital Regional District Arts and Culture Support Service Establishment Amendment Bylaw

Item No. 10 - Proclamation "World Hepatitis Day" July 28, 2017

Item No. 12 - Regional Coordination on Invasive Species Removal

Other Item:
Item No. 13 - Inclusive Housing and Community Amenity Policy- Draft for Discussion, be moved to item no. 1.

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

3. CONSENT AGENDA

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that the following items be approved without further debate:

3.1 Minutes from the Meeting held July 6, 2017

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Minutes from the Meeting held July 6, 2017 be adopted.

CARRIED UNANIMOUSLY 17/COTW

3.2 Heritage Designation Application No. 000165 for 750 Pemberton Road

Committee received a report dated June 28, 2017, from the Director of Sustainable Planning and Community Development regarding an application to designate the property as heritage.

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that Council consider the following motion:
"That Council consider the designation of the Carriage House located on the property at 750 Pemberton Road, pursuant to Section 611 of the *Local Government Act,* as a Municipal Heritage Site."

CARRIED UNANIMOUSLY 17/COTW

3.3 Capital Regional District Arts and Culture Support Service Establishment Amendment Bylaw

Committee received a report dated July 20, 2017, from the City Clerk regarding the CRD *Arts and Culture Support Services Establishment Amendment Bylaw*.

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that Council consent to the adoption of the Capital Regional District Bylaw No. 4127, Arts and Culture Support Services Establishment Bylaw.

CARRIED UNANIMOUSLY 17/COTW

3.4 Proclamation "World Hepatitis Day" July 28, 2017

Committee received a report dated July 20, 2017, from the City Clerk providing information regarding a proclamation for World Hepatitis Day on July 28, 2017.

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that the World Hepatitis Day, July 28, 2017 Proclamation be forwarded to the July 27, 2017 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY 17/COTW

3.5 Regional Coordination on Invasive Species Removal

Committee received a Council member motion dated July 21, 2017, from Councillor Isitt regarding regional coordination on invasive species removal.

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that Council endorse the following resolution and direct staff to forward copies to the Capital Regional District Board and local governments in the Capital Region, requesting favourable consideration:

Resolution: Regional Coordination on Invasive Species

WHEREAS the Capital Region Invasive Species Partnership (CRISP) has served the needs of local governments in the region to coordinate invasive

species planning, monitoring, treatment, provincial mapping and reporting, training, public engagement, contractor management, and disposal;

AND WHEREAS the success of the inter-governmental CRISP team has led to consistent Provincial funding to aid in the coordination of efforts for the region;

AND WHEREAS the existing administrative model (an ad-hoc working group of staff from various municipalities) has required CRISP to partner with outside organizations to administer the funds, resulting in conditions of unstable and insecure employment with high turnover and low retention for the Provincially-funded position of Regional Invasive Species Coordinator – creating a situation where the region risks losing this Provincial funding and having local governments assume responsibilities, services and activities currently provided by CRISP.

THEREFORE BE IT RESOLVED THAT the City of Victoria request the Capital Regional District Board direct staff to do a report on the implications, feasibility and recommendations to house the duties of a Regional Invasive Species Coordinator within the CRD.

CARRIED UNANIMOUSLY 17/COTW

4. NEW BUSINESS

4.1 Inclusive Housing and Community Amenity Policy- Draft for Discussion

Committee received a Council member motion dated July 21, 2017, from Mayor Helps and Councillors Loveday and Isitt regarding a proposed inclusive housing and community amenity policy.

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

1. Replace the City of Victoria Density Bonus Policy with an Inclusive Housing and Community Amenity Policy to better support the provision of non-market housing units within developments seeking density beyond the existing legal entitlement in the Zoning Regulation Bylaw.
2. Consider best practices in local governments in British Columbia's lower mainland and other relevant jurisdictions regarding density benefits for amenities and non-market housing.
3. Consider the attached Inclusive Housing and Community Amenity Policy - Draft for Discussion and provide advice on why any of these provisions should not be included in the final policy.
4. Invite comment on the proposed changes from Community Associations, the Urban Development Institute and agencies working in the field of housing affordability.
5. Report back to Council on a priority basis with any revisions to the proposed Inclusive Housing and Community Amenity Policy for final consideration by Council.

6. Examine actions identified within the Victoria Housing Strategy Implementation and other housing-related initiatives to determination which may be expedited to complete in 2017 or early 2018.
7. Consider additional resources required to complete and expedite the above work.

Committee discussed:
- Timelines and resources for this initiative.
- Creating a clear policy to indicate the preference for affordable units and creation of housing, including best practices of other jurisdictions.
- Concerns about amenity contributions going to housing rather than a common community benefit.

CARRIED 17/COTW

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

Councillor Isitt withdrew from the meeting at 9:29 a.m. to attend a meeting with the Island Corridor Foundation.

5. Presentation

5.1 Johnson Street Bridge Quarterly Update

Committee received a report dated July 20, 2017, from the Project Director for the Johnson Street Bridge Replacement Project providing an update on the project's quarterly progress.

Committee discussed:
- Rust concerns and whether the issue has been remedied.
- Timeframes for the bridge and marine-way closures.
- Integrating the public realm improvements for the Northern Junk site with the construction of the bridge.
- Estimates on local job creation from this project.
- During rush hour, alternating the side of the road with two lanes, similar to the designs in Vancouver.

Motion: It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council receive the presentation for information.

Committee discussed:
- Design and treatment for areas surrounding the bridge.

CARRIED UNANIMOUSLY 17/COTW

Committee recessed at 10:16 a.m. and returned at 10:21 a.m. Councillor Alto was not present at the time the meeting reconvened.

Councillor Coleman withdrew from the meeting at 10:21 a.m. due to a pecuniary conflict of interest with the following item, as his wife works for the Anglican Synod of the Diocese of B.C.

Councillor Alto returned to the meeting at 10:23 a.m.

6. LAND USE MATTERS

6.1 Rezoning Application No. 00588, Development Variance Permit Application No. 00195, and Heritage Designation Application No. 000167 for 1002 Vancouver Street

Committee received reports dated July 13, 2017 and July 20, 2017, from the Director of Sustainable Planning and Community Development regarding an application to convert the existing building at 1002 Vancouver Street to a multiple dwelling consisting of 78 supportive housing and 15 affordable rental units for seniors over the age of 50 and designate the property as heritage.

Committee discussed:

- Rationale for the statutory right of way and whether or not it is necessary considering the pedestrian traffic in the area.
- The evaluation of the prospective residents and mitigating concerns for the neighbours.
- The Province's authority to override the City's zoning regardless of Council's decision.
- Rationale for entering into legal agreements with Cool Aid rather than BC Housing.

Motion: It was moved by Mayor Helps, seconded by Councillor Alto:

Rezoning Application No. 00588

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00588 for 1002 Vancouver 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:
   a. Preparation of the following documents, executed by the Applicant to the satisfaction of City Staff:
      i. Legal Agreement to secure the following criteria with respect to supportive and affordable rental housing on the subject property:
         - a maximum of 78 supportive housing units
         - a maximum of 15 affordable rental housing units
         - all residents must be over the age of 50
         - potential supportive housing residents will be subject to a VAT (Vulnerability Assessment Tool) assessment to determine their eligibility, and only those who meet a low-to-moderate support requirement will be admitted
         - illicit substance use will not be permitted on the premises
         - 24/7 staffing, including a fulltime client services worker to assist supportive housing residents

ii. Statutory Right-of-Way of 3.67m on Rockland Avenue in accordance with the 2003 Greenways Plan.

b. Revise the site plan to show the Statutory Right-of-Way of 3.67m and relocate the garbage enclosure to the satisfaction of staff.

c. Establishment of a legal mechanism to secure the landscape security deposit for onsite hard and soft landscaping in accordance with the landscape plan dated May 23, 2017 to the satisfaction of staff.

Development Variance Permit Application No. 00195

2. 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. 00588, if it is approved, consider the following motion:
"That Council authorize the issuance of Development Variance Permit Application No. 00195 for 1002 Vancouver Street, in accordance with:
   1. Plans date stamped May 23, 2017.
   2. Development meeting all *Zoning Regulation Bylaw* requirements, except for a variance to reduce the required number of parking spaces from 21 to 12 for supportive and affordable rental housing.
   3. The Development Permit lapsing two years from the date of this resolution."

Heritage Designation Application No. 000167

3. "That Council approve the designation of the heritage-registered property located at 1002 Vancouver Street, pursuant to Section 611 of the *Local* Government *Act,* as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set, subject to:
   a. Applicant revising elevation drawings dated July 13, 2017 to indicate that the third floor double-hung and fixed wood windows will be restored to ensure their long-term conservation, and staircase addition will be clad with brick to match the brick on the original Mount Edwards Court Apartments to the satisfaction of the Director of Sustainable Planning and Community Development."

Committee discussed:

- Providing advice and direction about Council's desires for the site, recognizing the Province's authority over City zoning.
- Taking caution around discussing the potential behaviours of residents and sticking to the land use considerations.

Amendment: It was moved by Mayor Helps, seconded by Councillor Thornton-Joe, that the motion be amended to include the following:

Rezoning Application No. 00588

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00588 for 1002 Vancouver 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:
   d. That the following list of questions be answered and provided to Council as a condition of the Public Hearing:

- **The calls for service by both fire and ambulance, at both the current operations and from when it was an extended care facility.**
- **The police calls at the new playground and Pioneer Square.**
- **Clear definition of transitional housing vs. supportive and affordable housing.**
- **The operational experience at Fairway Woods, Hillside Terrace, Olympic Vista, and Cottage Grove.**
- **Information regarding the current demographic at the building.**
- **Explanation of the Vulnerability Assessment Tool (VAT).**
- **Clarification on the operating agreement regarding the use of illicit substances not being permitted on premise and will the VAT process will limit that use.**
- **A break down on how many low and medium need individuals will be placed according to the VAT assessment.**
- **Whether the applicant is looking at working with the Ready to Rent Program for residents.**
- **Whether or not pets are permitted, especially dogs and cats.**
- **Whether there are accessible units.**

Committee discussed:

- Working with operators to mitigate problems that may arise and concerns raised by the neighbours.

Councillor Loveday withdrew from the meeting at 11:13 a.m. and returned at 11:14 a.m.

<u>Amendment to the amendment:</u>

It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that the amendment be amended to include the following:

d. That the following list of questions be answered and provided to Council as a condition of the Public Hearing:

- **The calls for service by both fire and ambulance, at both the current operations and from when it was an extended care facility.**
- **The police calls at the new playground and Pioneer Square.**
- **Clear definition of transitional housing vs. supportive and affordable housing.**
- **The operational experience at Fairway Woods, Hillside Terrace, Olympic Vista, and Cottage Grove.**
- **Information regarding the current demographic at the building.**
- **Explanation of the Vulnerability Assessment Tool (VAT).**
- **Clarification on the operating agreement regarding the use of illicit substances not being permitted on premise and will the VAT process will limit that use.**
- **A break down on how many low and medium need individuals will be placed according to the VAT assessment.**
- **Whether the applicant is looking at working with the Ready to Rent Program for residents.**
- **Whether or not pets are permitted, especially dogs and cats.**

- **Whether there are accessible units.**
- **<u>The rationale for the ratio of supportive housing to affordable housing and whether there is opportunity to change that ratio.</u>**

<u>On the amendment to the amendment:</u>
CARRIED UNANIMOUSLY 17/COTW

<u>Amendment to the amendment:</u>

It was moved by Councillor Loveday, seconded by Mayor Helps, that the amendment be amended to include the following:

d. That the following list of questions be answered and provided to Council as a condition of the Public Hearing:

- **The calls for service by both fire and ambulance, at both the current operations and from when it was an extended care facility.**
- **The police calls at the new playground and Pioneer Square.**
- **Clear definition of transitional housing vs. supportive and affordable housing.**
- **The operational experience at Fairway Woods, Hillside Terrace, Olympic Vista, and Cottage Grove.**
- **Information regarding the current demographic at the building.**
- **Explanation of the Vulnerability Assessment Tool (VAT).**
- **Clarification on the operating agreement regarding the use of illicit substances not being permitted on premise and will the VAT process will limit that use.**
- **A break down on how many low and medium need individuals will be placed according to the VAT assessment.**
- **Whether the applicant is looking at working with the Ready to Rent Program for residents.**
- **Whether or not pets are permitted, especially dogs and cats.**
- **Whether there are accessible units.**
- **The rationale for the ratio of supportive housing to affordable housing and whether there is opportunity to change that ratio.**
- **<u>Would changing the ratio of supportive housing in the building impact the people receiving the supports they need.</u>**

<u>On the amendment to the amendment:</u>
CARRIED UNANIMOUSLY 17/COTW

<u>Main motion as amended:</u>

<u>Rezoning Application No. 00588</u>

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00588 for 1002 Vancouver 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:
   a. Preparation of the following documents, executed by the Applicant to the satisfaction of City Staff:

i. Legal Agreement to secure the following criteria with respect to supportive and affordable rental housing on the subject property:
   - a maximum of 78 supportive housing units
   - a maximum of 15 affordable rental housing units
   - all residents must be over the age of 50
   - potential supportive housing residents will be subject to a VAT (Vulnerability Assessment Tool) assessment to determine their eligibility, and only those who meet a low-to-moderate support requirement will be admitted
   - illicit substance use will not be permitted on the premises
   - 24/7 staffing, including a fulltime client services worker to assist supportive housing residents

ii. Statutory Right-of-Way of 3.67m on Rockland Avenue in accordance with the 2003 Greenways Plan.

b. Revise the site plan to show the Statutory Right-of-Way of 3.67m and relocate the garbage enclosure to the satisfaction of staff.

c. Establishment of a legal mechanism to secure the landscape security deposit for onsite hard and soft landscaping in accordance with the landscape plan dated May 23, 2017 to the satisfaction of staff.

d. That the following list of questions be answered and provided to Council as a condition of the Public Hearing:
   - The calls for service by both fire and ambulance, at both the current operations and from when it was an extended care facility.
   - The police calls at the new playground and Pioneer Square.
   - Clear definition of transitional housing vs. supportive and affordable housing.
   - The operational experience at Fairway Woods, Hillside Terrace, Olympic Vista, and Cottage Grove.
   - Information regarding the current demographic at the building.
   - Explanation of the Vulnerability Assessment Tool (VAT).
   - Clarification on the operating agreement regarding the use of illicit substances not being permitted on premise and will the VAT process will limit that use.
   - A break down on how many low and medium need individuals will be placed according to the VAT assessment.
   - Whether the applicant is looking at working with the Ready to Rent Program for residents.
   - Whether or not pets are permitted, especially dogs and cats.
   - Whether there are accessible units.
   - The rationale for the ratio of supportive housing to affordable housing and whether there is opportunity to change that ratio.
   - Would changing the ratio of supportive housing in the building impact the people receiving the supports they need.

<u>Development Variance Permit Application No. 00195</u>

2. 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. 00588, if it is approved, consider the following motion:
   "That Council authorize the issuance of Development Variance Permit Application No. 00195 for 1002 Vancouver Street, in accordance with:
   1. Plans date stamped May 23, 2017.

2. Development meeting all *Zoning Regulation Bylaw* requirements, except for a variance to reduce the required number of parking spaces from 21 to 12 for supportive and affordable rental housing.
3. The Development Permit lapsing two years from the date of this resolution."

Heritage Designation Application No. 000167

3. "That Council approve the designation of the heritage-registered property located at 1002 Vancouver Street, pursuant to Section 611 of the *Local* Government *Act,* as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set, subject to:
   a. Applicant revising elevation drawings dated July 13, 2017 to indicate that the third floor double-hung and fixed wood windows will be restored to ensure their long-term conservation, and staircase addition will be clad with brick to match the brick on the original Mount Edwards Court Apartments to the satisfaction of the Director of Sustainable Planning and Community Development."

On the main motion as amended:
CARRIED 17/COTW

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

6.2 Rezoning Application No. 00564, Development Permit and Development Variance Permit Application No. 000564 for 2695 Capital Heights

Committee received reports dated July 13, 2017, from the Director of Sustainable Planning and Community Development regarding an application to subdivide the property, retain the existing single-family dwelling in the R-2 Zone and construct a new small lot house.

Motion: It was moved by Councillor Alto, seconded by Councillor Thornton-Joe:

Rezoning Application No. 00564 for 2695 Capital Heights

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00564 for 2695 Capital Heights, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Variance Permit Application No. 000564 for 2695 Capital Heights

2. 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. 00564, if it is approved, consider the following motions:
   1. That Council authorize the issuance of a Development Permit Application for 2695 Capital Heights, in accordance with:
      a. Plans date stamped June 9, 2017.
      b. Development meeting all *Zoning Regulation Bylaw* requirements.
      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 2695 Capital Heights, in accordance with:
   a. Plans date stamped June 9, 2017.
   b. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
      i. reduce the rear setback from 7.50m to 1.01m.
   c. The Development Permit lapsing two years from the date of this resolution.

Committee discussed:

- Concerns raised by community association and neighbours regarding the inclusion of the sidewalk.

Amendment: It was moved by Councillor Alto, seconded by Councillor Madoff, that the motion be amended as follows:

Rezoning Application No. 00564 for 2695 Capital Heights

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00564 for 2695 Capital Heights, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set**, and;**
2. **That prior to the public hearing staff facilitate a further conversation with the Oaklands Community Association to consider alternatives to a sidewalk installation, the results of such conversation to be reported to the Public Hearing**.

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

Rezoning Application No. 00564 for 2695 Capital Heights

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00564 for 2695 Capital Heights, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set, and;
2. That prior to the public hearing staff facilitate a further conversation with the Oaklands Community Association to consider alternatives to a sidewalk installation, the results of such conversation to be reported to the Public Hearing.

Development Variance Permit Application No. 000564 for 2695 Capital Heights

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. 00564, if it is approved, consider the following motions:

1. That Council authorize the issuance of a Development Permit Application for 2695 Capital Heights, in accordance with:
   a. Plans date stamped June 9, 2017.
   b. Development meeting all *Zoning Regulation Bylaw* requirements.
   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 2695 Capital Heights, in accordance with:
   a. Plans date stamped June 9, 2017.
   b. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
      i. reduce the rear setback from 7.50m to 1.01m.
   c. The Development Permit lapsing two years from the date of this resolution.

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

6.3 Development Variance Permit Application No. 000190 for 1358 and 1360 Thurlow Road

Committee received a report dated July 14, 2017, from the Director of Sustainable Planning and Community Development regarding an application to create a new small lot house and reduce the rear yard setback of the existing house.

Motion: It was moved by Councillor Lucas, seconded by Councillor Alto, 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 Permit Application No.00190 for 1358 and 1360 Thurlow Road, in accordance with:

1. Plans date stamped June 22, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
   Proposed Lot A
   i. relax front lot definition for irregular lots to allow the street line to be considered the property line along Thurlow Road
   ii. reduce the front setback from 7.50m to 3.05m
   iii. reduce the side yard setback from 1.97m to 1,50m.
   Proposed Lot B
   iv. relax front lot definition for irregular lots to allow the street line to be considered the property line along Thurlow Road
   v. reduce the minimum lot width from 15.00m to 13.70m
   vi. reduce the minimum flanking street side yard setback of an accessory building from 7.50m to 7.31m.
2. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY 17/COTW

6.4 Rezoning Application No. 00508, Development Variance Permit Application No. 00194, and Heritage Designation Application No. 000162 for 121 Menzies Street

Committee received reports dated July 20, 2017, and July 11, 2017, from the Director of Sustainable Planning and Community Development regarding an application to permit a 10 dwelling unit house conversion and designate the property as heritage.

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

Rezoning Application No. 00508

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00508 for 121 Menzies 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:
    1. Preparation of the following documents, executed by the applicant:
        a. Housing Agreement Bylaw to secure the 10 dwelling units as rental housing in perpetuity with a caretaker living on site to the satisfaction of the Director of Sustainable Planning and Community Development.
        b. Statutory Right-of-Way of 1.78 metres along Menzies Street to the satisfaction of the Director of Engineering and Public Works.

Development Variance Permit Application No. 00194

2. 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. 00508, if it is approved, consider the following motion:
    "That Council authorize the issuance of Development Variance Permit Application No. 00194 for 121 Menzies Street in accordance with:
    1. Plans date stamped May 25, 2017.
    2. Development meeting all *Zoning Regulation Bylaw* requirements, except *for* the following variances:
        a. decrease the dwelling unit floor area (minimum) from 33.00m2 to 28.98m2
        b. decrease the number of parking stalls from eight to one
        c. locate the parking in the front yard
        d. locate accessory buildings in the side yard
        e. increase total site coverage from 40% to 42.30%
        f. increase the height of one accessory building from 3.50m to 4.41m
        g. decrease the rear setback of an accessory building from 0.60m to 0.50m
        h. decrease the side setback of accessory buildings from 0.60m to 0.40m
        i. decrease the separation space between an accessory building and a principle building from 2.40m to 1,0m
        j. increase the rear yard site coverage for an accessory building from 25.00% to 29.80%
    3. The Development Permit lapsing two years from the date of this resolution."

Heritage Designation Application No. 000162

3. That Council consider the following motion:
    "That Council approve the designation of the property located at 121 Menzies Street, pursuant to Section 611 of the *Local Government Act,* as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY 17/COTW

7. STAFF REPORTS

7.1 Engagement Framework and 2017 - 2018 Public Engagement Road Map

Committee received a report dated June 27, 2017, from the Deputy City Manager providing information and recommendations regarding the engagement framework and public engagement road map.

Councillor Coleman returned to the meeting at 11:41 a.m.

Councillor Alto withdrew from the meeting at 11:42 a.m. and returned at 11:44 a.m.

Committee discussed:

- Ensuring engagement opportunities are accessible to all.
- Allowing Council to access the raw engagement material rather than a summary.

Motion: It was moved by Mayor Helps, seconded by Councillor Alto, that Council adopt the Engagement Framework and 2017 - 2018 Public Engagement Road Map.

Amendment: It was moved by Mayor Helps, seconded by Councillor Alto, that the motion be amended as follows:
That Council adopt the Engagement Framework and 2017 - 2018 Public Engagement Road Map **and add a section on the City's principles of accessible engagement**.

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:
That Council adopt the Engagement Framework and 2017 - 2018 Public Engagement Road Map and add a section on the City's principles of accessible engagement.

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

8. NEW BUSINESS CONTINUED

8.1 Upholding Non-Discrimination Principles at City Land Use Consultations

Committee received a Council member motion dated July 20, 2017 from Councillors Alto and Loveday regarding non-discrimination principles at land use consultations.

Motion: It was moved by Councillor Alto, seconded by Councillor Loveday:
RESOLVED that Mayor and Council act to ensure that all City endorsed public consultations regarding land use and development be carried out in a manner that upholds the City's commitment to non-discrimination;

AND BE IT FURTHER RESOLVED that Council direct staff to create policies to guide and facilitate safe, inclusive, and constructive public consultations that include the following measures:

- Communicate to the public the terms of reference to be addressed in rezoning/development applications, including direction that an individual's race, gender, age, religion, political or ethnic affiliation, sexual orientation, marital of family status, social or economic status, or disability, are not acceptable considerations for approval or denial of these applications.
- Prepare, present and post at a CALUC or other city-endorsed land use review meetings a list of guidelines that outline acceptable behaviours in public consultations, including anti bullying and anti-discrimination best practices.
- Develop and implement procedures to confront bullying and discriminatory conduct that violates the City's commitment to human rights, anti-racism and anti-discrimination, and denies or restricts the participation of organizations and individuals in CALUC meetings or public hearings.
- Provide opportunities for public sessions in which dialogue is had that will help to confront community stigma associated with poverty and addictions

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

That the following motion be referred to the next quarterly update and direct staff to report back at the update on the potential implications and staff resources to carry out this work:

RESOLVED that Mayor and Council act to ensure that all City endorsed public consultations regarding land use and development be carried out in a manner that upholds the City's commitment to non-discrimination;

AND BE IT FURTHER RESOLVED that Council direct staff to create policies to guide and facilitate safe, inclusive, and constructive public consultations that include the following measures:

- Communicate to the public the terms of reference to be addressed in rezoning/development applications, including direction that an individual's race, gender, age, religion, political or ethnic affiliation, sexual orientation, marital of family status, social or economic status, or disability, are not acceptable considerations for approval or denial of these applications.
- Prepare, present and post at a CALUC or other city-endorsed land use review meetings a list of guidelines that outline acceptable behaviours in public consultations, including anti bullying and anti-discrimination best practices.
- Develop and implement procedures to confront bullying and discriminatory conduct that violates the City's commitment to human rights, anti-racism and anti-discrimination, and denies or restricts the participation of organizations and individuals in CALUC meetings or public hearings.

- Provide opportunities for public sessions in which dialogue is had that will help to confront community stigma associated with poverty and addictions

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Committee discussed:
- Concerns about the enforceability of the principles at community associations.
- Concerns about censoring comments while ensuring discrimination and stereotyping does not occur.

Main motion as amended:

That the following motion be referred to the next quarterly update and direct staff to report back at the update on the potential implications and staff resources to carry out this work:
RESOLVED that Mayor and Council act to ensure that all City endorsed public consultations regarding land use and development be carried out in a manner that upholds the City's commitment to non-discrimination;

AND BE IT FURTHER RESOLVED that Council direct staff to create policies to guide and facilitate safe, inclusive, and constructive public consultations that include the following measures:
- Communicate to the public the terms of reference to be addressed in rezoning/development applications, including direction that an individual's race, gender, age, religion, political or ethnic affiliation, sexual orientation, marital of family status, social or economic status, or disability, are not acceptable considerations for approval or denial of these applications.
- Prepare, present and post at a CALUC or other city-endorsed land use review meetings a list of guidelines that outline acceptable behaviours in public consultations, including anti bullying and anti-discrimination best practices.
- Develop and implement procedures to confront bullying and discriminatory conduct that violates the City's commitment to human rights, anti-racism and anti-discrimination, and denies or restricts the participation of organizations and individuals in CALUC meetings or public hearings.
- Provide opportunities for public sessions in which dialogue is had that will help to confront community stigma associated with poverty and addictions

On the main motion as amended:
CARRIED 17/COTW

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

8.2 Councillor Sharing – Update on the Supervised Consumption Services Partners' Project

Committee received a Council member memo dated July 23, 2017, from Councillor Alto regarding an update on the supervised consumption services partners' project.

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

CARRIED UNANIMOUSLY 17/COTW

9. ADJOURNMENT

Motion: It was moved by Councillor Alto, seconded by Councillor Lucas, that the Committee of the Whole meeting of July 27, 2017, be adjourned at 12:13 p.m.

CARRIED UNANIMOUSLY 17/COTW

CERTIFIED CORRECT:

CITY CLERK

MAYOR

DRAFT

CITY OF VICTORIA

Committee of the Whole Report

For the Meeting of August 10, 2017

To:	Committee of the Whole	**Date:**	July 21, 2017
From:	Thomas Soulliere, Director of Parks, Recreation and Facilities		
Subject:	Risk Management Approach: Crystal Pool and Wellness Centre Replacement Project		

RECOMMENDATION

That Council

1. Approve the Risk Management Approach for the Crystal Pool and Wellness Centre Replacement Project;
2. Accept the key risks and mitigation strategies outlined for the project

EXECUTIVE SUMMARY

Identifying, monitoring, minimizing, and mitigating risks with the greatest potential to impact budget and schedule are critical to positioning the Crystal Pool and Wellness Centre Replacement Project for success.

This report builds on the June 22, 2017 progress update to Council, which reviewed project planning, communications and engagement, funding opportunities and partnerships. The focus of this report is the risk management approach, which also aligns with the City's Project Management Framework and Project Management Institute's Project Management Body of Knowledge best practice of consistent reporting to key stakeholders regarding project risks.

The report is intended to provide Council with information on the extensive work completed to establish an industry-standard, ongoing risk management approach over the life of the project, as well as work undertaken to identify and assess key risks and the strategies to manage their impact. The Project Team has identified five key risk areas which must be managed, as well as response strategies for each, outlined in Attachment 1.

Council approval of the methodology to managing risk and specifically the five key risk areas identified, is an important action for this major project. This approach will help to ensure the Project Team, Council, stakeholders and citizens are aware of the expectations and processes associated with risk management.

PURPOSE

The purpose of this report is to provide Council with a description of the risk management approach for Crystal Pool and Wellness Centre Replacement Project, as well as highlight the key risk areas identified to-date and responses for each.

BACKGROUND

The Crystal Pool and Wellness Centre Replacement Project is a major infrastructure initiative to replace the current community aquatic and recreation facility. The new facility will be fully accessible and inclusive, meet environmental and operational standards, and serve the growing needs of citizens of all ages and abilities from across Greater Victoria for generations to come.

The Project Team is committed to an open, transparent and accountable approach to managing this project and will continue to engage Council and the public at regular intervals throughout the project. To date, several key updates and/or decisions have taken place:

- February 16, 2017 - Council approved the replacement at a cost of no more than $69.4 million, including $10 million from the Buildings and Infrastructure Reserve and the remainder through a combination of external borrowing and other funding opportunities. Council also directed staff to update the 2017-2021 Financial Plan, to include funding for the Crystal Pool Project, as well as to consult with citizens and stakeholders and develop a communication plan.
- June 15, 2017 - Council received a staff report on the "Lessons Learned from the Johnson Street Bridge Project", with advice relating to the Crystal Pool Project
- June 22, 2017 - Council received a Project Update report, with information on project planning, communications and engagement, funding opportunities and partnerships.

The material in this report is a continuation of that commitment.

ISSUES & ANALYSIS

The Crystal Pool and Wellness Centre Replacement Project will have a distinct impact on Greater Victoria. By removing barriers and being more accessible, the new facility is expected to accommodate 35% more visits, allowing citizens of all ages and abilities to be active and social for decades to come.

Designing and building a facility to meet these operational goals is a challenge, however there are numerous aquatic, wellness and recreation facilities of similar size and scope built every year across North America. Like the Crystal Pool project, these facilities are created to be centres of active, inclusive communities.

The Project Team is drawing on these experiences and lessons learned, and considering proven mechanical, electrical, structural, and pool technologies, to set priorities and proactively manage and mitigate risks that have the greatest potential to impact successful project delivery.

Project Priorities

Based on lessons learned from past City projects as well as peer-reviews across Canada, six priorities will define the success of the project:

- Delivering the project within budget
- Managing overall risk
- Achieving best value for money based on a total life cycle approach, considering capital and operating costs
- Achieving project scope that includes a 50-metre pool tank, dry floor recreation spaces and multi-purpose rooms
- Achieving a high-quality fitness and wellness facility that is barrier-free, inclusive, a place for community, and is efficient and sustainable
- Delivering the project on schedule

These priorities form the basis of the Project Plan and risk management approach.

Risk Management Approach

Civic infrastructure planning requires fiscal prudence and clear, accountable risk identification and management over the entire life of the project.

The Project Team developed a risk management methodology at the outset of the project that is based on industry best practices; continuously identifying and reviewing key risks, assessing their impact and probability, evaluating each risk, and implementing the appropriate strategies to minimize or mitigate their impact.

As shown in the table below, there are a number of key elements to this approach, including Regular Risk Workshops, a Risk Management Committee (comprised of senior City staff, consultants and expert advisors), and regular reporting to Council. All of this information is documented in the Risk Management Plan for the project.

Table 1: Risk Management Approach

Monthly	Quarterly	Key Milestones
Report to the Project Team and Steering Committee Risk Register Update Project Status Reports (risk, cost, schedule, scope)	Risk Management Committee Review Council Update	Formal Risk Review and Third Party Risk Register Review: 1. Upon receipt of Revised Cost (Class D) Cost Estimate 2. After Owner's Representative Project Manager is procured 3. After Design Consultant is procured 4. After Construction Manager is procured 5. At 50% and 100% Design 6. When all tenders are awarded

Risk Management Plan

The Risk Management Plan defines how project risks with the greatest potential impact to budget, scope and schedule will be identified, monitored, controlled and mitigated throughout the project

life cycle. The plan also provides a framework for managing risk that is proactive and identifies the required resources, expertise and processes at the earliest possible stages.

Importantly, the Risk Management Plan is integrated into the Project Plan and meets the standards of the City's Project Management Framework and the Project Management Institute's Project Management Body of Knowledge.

The Risk Management Plan has five elements:

1. Risk Identification
2. Risk Analysis
3. Risk Response Planning
4. Risk Monitoring and Control
5. Risk Reporting

1. Risk Identification

As the prudent first step in project planning, the Project Team identified a preliminary list of risks by:

- Conducting two Risk Management Workshops to identify all known risks
- Reviewing the risks and lessons learned from similar construction projects underway locally and across Canada, as well as the Johnson Street Bridge project, and
- Establishing a Risk Register that is a living document to be updated monthly over the life of the project and to ensure early risk identification and mitigation occurs at every step of the project.

During design and construction, the Project Manager is responsible for adding any newly-identified risks to the register.

2. Risk Analysis

The Project Team has and will continue to engage external advisors in a review of the Risk Register and utilize the Risk Workshops to analyze all known risks and identify the priority risks.

The Project Team is responsible for ongoing risk analysis, including residual probability and cost/schedule impact, should a key risk transpire, as outlined in Table 1.

3. Risk Response Planning

The City developed risk responses in four categories based on industry standard: avoid/exploit, transfer/share, mitigate/enhance, or accept, and assigned responsibility for each identified risk.

Through the Risk Workshops, the Project Team reviewed a range of planned responses for each risk. A clear, single point of contact has been assigned responsibility and accountability for response, and monitoring any residual risk.

To ensure input is continuously gathered, five formal Risk Management Workshops are planned at key project milestones.

As *Table 1* illustrates, risk reviews and response planning continues throughout the project.

4. Risk Monitoring and Control

As project planning progresses this summer and fall, the Project Team will monitor and reassess all the risks in the register at two key milestones; upon receipt of revised cost (Class D) estimate, and when the Owner's representative Project Manager is procured.

During design and construction, the single point of contact assigned responsibility for risk response will monitor the indicators that a specific risk may or may not be changing. For key risks, this individual will report monthly to the Project Team on the risk status. The Project Team will use this input to assess the probability and cost/time impact if the key risk events happen.

The Project Team is responsible for risk control, using industry best practice to continuously monitor and control the net impact of risks to the project schedule, cost, scope and quality.

5. Risk Reporting

Proactive reporting on risks continues throughout all phases of the project. The Project Manager will update the Steering Committee monthly through Project Status Reports, establishing an early warning mechanism of any emerging or present risks and enabling timely, appropriate risk responses; the City's Deputy Project Manager will report to the Steering Committee on the key risks and if any new risks arise that may impact the project; and, the Director of Parks, Recreation and Facilities will update Council quarterly.

Key Risks and Responses To-Date

The Project Team has presently highlighted five key risk areas with the greatest potential impact on the project budget and schedule. These risk areas include:

- Market conditions, competition, labour availability, cost escalation
- Funding and spending requirements
- Site conditions
- Traffic, parking, community impact
- Operation of the existing facility

A detailed summary of each, along with the risk response strategy, and actions taken to-date are included in Attachment 1. It is important to note that this does not represent the full list of all risks identified in the Risk Register, but rather those deemed to be the most critical at this stage of the project. In addition, a summary of the risk evaluation of the project delivery model is provided in Attachment 2.

OPTIONS & IMPACTS

Council approve the Risk Management Approach, as well as key risks and responses for the Crystal Pool and Wellness Centre Replacement Project

The risk management approach noted above is rooted in leading industry practice, experiences and lessons from other major projects, and City policies and practices. The methodology is intended to help guide this initiative to a successful outcome in a pro-active, transparent and accountable manner. Staff recommend Council approve this risk management approach.

Accessibility Considerations

According to Recreation Integration Victoria, one in five residents is excluded from using the current facility due to its physical design. The new building will incorporate major physical and service enhancements to ensure the future building removes barriers to participation and is accessible for patrons of all ages, abilities and gender identification.

2015 – 2018 Strategic Plan

The Crystal Pool and Fitness Centre Replacement Project align with Objective 7: Facilitate social inclusion and community wellness, seek opportunities for accessible sports and fitness by children and adults.

Impacts to Financial Plan

Council has committed $10 million from capital reserves toward the project cost of $69.4 million. The remainder will be acquired through a combination of external borrowing, which requires electoral approval, and other external funding opportunities.

CONCLUSIONS

As detailed in this report, the Project Team is committed to implementing industry and City standards to manage, minimize and mitigate risks, and delivering a high-quality facility within budget and schedule expectations. The methodology outlined is intended to provide a pro-active, transparent and accountable approach, which will position this major initiative for success.

Respectfully submitted,

Nav Sidhu
Assistant Director
Parks, Recreation and Facilities

Thomas Soulliere
Director
Parks, Recreation and Facilities

Ralf Nielsen
Principal and Director of Sustainability
Colliers Project Leaders
Crystal Pool Project Management Advisor

Report accepted and recommended by the City Manager: _____

Date: July 27, 2017

List of Attachments:
Attachment 1: Summary of Key Risks and Responses (as of July 14, 2017)
Attachment 2: Summary of Risk Evaluation of Project Delivery Models

Attachment 1

Key Risks and Responses

Risk: Market Conditions, Competition, Labour Availability and Cost Escalation

In the current, heated, local construction market, the availability of local skills and labour presents the greatest schedule and cost escalation risk for this project.

Response Strategy 1: Ongoing cost estimating

- Retain an independent Quantity Surveyor (QS) to provide cost escalation estimates with the refined Cost (Class D) Cost Estimate in August 2017.
- Update the cost estimates and escalation figures at three key design milestones: 50%, 75% and pre-tender to monitor cost escalation, develop forecasts and refine escalation contingencies.
- Hold Project Team accountable (through contracts and plans) to deliverables that allow the timely development of cost estimates by the QS.

Response Strategy 2: Proceeding with Schematic Design in Fall 2017 to avoid future escalation costs

- Proceeding with facility design in Fall 2017 creates project readiness in Spring 2018 and avoids higher costs later in the project.

Response Strategy 3: Using experience and qualifications based evaluation for critical procurements (Project Manager, Design Consultant, and Construction Manager)

- Key consultants will be required to demonstrate:
    - local experience in designing and constructing pool and wellness projects of similar scope and budget, and
    - track record of working in heated construction markets.

Response Strategy 4: Using the Construction Management for Services and Construction delivery model

- Construction Manager (CM) brings local knowledge of market conditions, constructability, trade and labour availability in very early to the design development stage.
- CM prepares trades procurement and labour supply plans for review by the City.
- The City will review and approve the plans to ensure minimal impact on cost, quality and schedule.
- Transfer of risk for cost, schedule and quality to the Construction Manager once the construction trades packages are awarded (excluding those outside their control).

See Attachment 2 for a risk evaluation of the project delivery models.

Response Strategy 5: Using contingency planning

- Escalation Contingencies are included within the project budget.

Risk: Funding and Spending Requirements

Federal and provincial negotiations on budget allocations for the social infrastructure component of the Investing in Canada Plan are expected in late 2017/early 2018. Resulting agreements may fast-track the project schedule to meet funding requirements.

Response Strategy 1: Tracking and monitoring negotiations between the federal and provincial governments

- Continue engaging with government representatives.
- Identify and track other government funding opportunities.
- Apply for applicable programs.

Response Strategy 2: Tracking spending requirements of funding programs

- Track any conditions and spending requirements of federal funding programs.
- An alternate schedule can be implemented that requires the Construction Manager to issue work packages in sequence to enable substantial completion of the project by Fall 2020.

Response Strategy 3: Borrowing required funds from Municipal Finance Authority

- Implement the plan to borrow the required funds from the Municipal Finance Authority pursuant on a referendum.
-

Response Strategy 4: Ongoing Schedule and Cost Reviews that consider funding and spending requirements

- Apply best practice in regular schedule and cost reviews that integrate funding and spending requirements alongside **market cost escalation** and other key risks.

Risk: Site Conditions

Underground conditions are to be confirmed and the mature trees may pose potential design challenges and cost risks.

Response Strategy 1: Conducting site due diligence and integrating findings into cost estimate

- An Environmental Site Assessment (Level 2) and Geotechnical study recently completed to determine if any significant site conditions are present; results are being analyzed.

Risk: Site Conditions

Underground conditions are to be confirmed and the mature trees may pose potential design challenges and cost risks.

Response Strategy 2: Conducting Arborist study (tree survey)

- An arborist studied the trees in Central Park and provided a recommendation on how to minimize the project's impact.
- Design Consultant is developing building orientations and set-backs to minimize impact.
- Engage the local neighborhood throughout the project.

Response Strategy 3: Using contingency planning

- The Project Team included Design and Construction Contingencies within its budget.

Risk: Traffic, Parking and Community Impact

The new facility is expected to increase visits by 35%, which will likely impact the community in terms of higher traffic and parking demand.

Response Strategy 1: Analyzing transportation and parking requirements

- A Transportation Demand Management Study is underway.
- Design Consultant and Project Team to develop options for managing transportation impacts.
- The Project Team interviewed Canadian peers on lessons learned to determine best practice to manage demand.

Response Strategy 2: Integrating all modes of transportation into design

- Design integrates with all modes of transportation, including safe crossings, protected bike lanes, improved transit facilities as well as parking lot replacement.
- Engage local neighbourhood in planning, design and construction stages.
- Consult with BC Transit to accommodate the changing demand for transportation to and from the facility.

Response Strategy 3: Construction traffic management plan

- Construction Manager required to develop and implement a traffic management plan for construction.
- The City will review and approve the plan to ensure the safety and minimal impact on the community.

Risk: Operation of the Existing Facility
Given the age and condition of the existing facility, the systems and components may fail before the new facility is completed and operation. This can impact the high-use of the facility today, and potentially disrupt, reduce or terminate the delivery of services and programs in future.
Response Strategy 1*: *Risk management planning for the existing pool
• A Risk Management Plan has been established to address the existing pool's critical systems should they fail.
Response Strategy 2: Increasing inspections and maintenance
• Increased frequency of inspections of the facility's systems to bi-monthly. • Increased funding for maintenance.

Attachment 2

Steering Committee
Crystal Pool and Wellness Centre Replacement Project
City of Victoria
1 Centennial Square
Victoria, BC, V8W 1P6

July 20, 2017

RE: Crystal Pool and Wellness Centre Replacement Project: Project Delivery Model Risk Evaluation

Background

Colliers Project Leaders has collaborated with over 80 municipalities across Canada to deliver more than 8,000 projects – from libraries, to pools, community centres and arenas. In addition, we've delivered in excess of $1 billion in municipal infrastructure since 2012. Specific to Vancouver Island, Colliers Project Leaders has delivered more than 40 capital projects for clients such as BC Hydro, Camosun College, Public Services Procurement Canada, the District of Saanich and the University of Victoria.

Through our provision of pre-construction Advisory Services to the Crystal Pool and Wellness Centre Replacement Project, we have worked with the Project Team and Steering Committee to develop the analysis of project schedules, risk identification and an assessment of the project delivery models.

Risk Evaluation of Project Delivery Models

The selection of a project delivery model is considered a form of managing project risk. Each project delivery model presents risks and benefits to meeting a project's priorities and objectives. Collaboratively, the Project Team, Steering Committee and Colliers Project Leaders evaluated the risks and benefits of four industry standard design and construction procurement models:

1. Design-Bid-Build (DBB) – The City engages a design consultant to develop a detailed design. A tender is issued and General Contractors submit bids. The contractor with the lowest (qualified) bid is selected. Construction commences.
2. Construction Management for Services (CM as Agent) – The City engages a design consultant and a CM is retained at the same time to comment on constructability and cost. Once design is complete, the CM issues several tender packages and the City enters into contracts directly with the trades.
3. Construction Management for Services and Construction (CM at Risk) - The City engages a design consultant and a CM is retained at the same time similar to CM 'as Agent'. The CM tenders and enters into contracts directly with the trades. At a mutually agreeable point, the construction manager's contract is converted to a fixed price (at Risk) construction contract.
4. Design-Build (DB) – The City engages an owner's technical consultant to develop performance specifications and indicative design. A RFQ/RFP process is used to select a Design-Build contractor. The City enters into a fixed price contract to design and construct the project.

These options were evaluated through balanced multi-criteria assessment through a Delivery Model Workshop with the Project Team using Colliers Project Leaders' Delivery Methodology Assessment Tool. Evaluation criteria included the project priorities, risks, benefits, budget and

schedule requirements. Extensive best practice review, gathering of lessons learned and interviews with peers. A Risk Workshop further confirmed the outcomes of the assessment. Based on this work, the Project Team and Steering Committee determined a CM at Risk as the most beneficial and thus, the preferred delivery model (Figure 1).

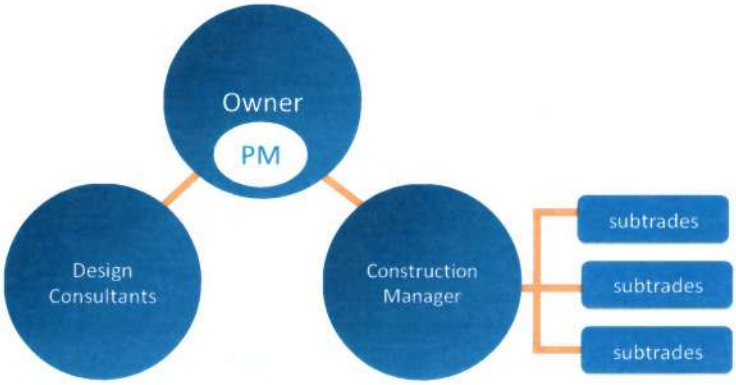


Figure 1 Construction Management for Services and Construction (CM at Risk) Delivery Model

As part of the risk evaluation of the delivery model, a review of the retained risks and options analysis were conducted. The main points are as follows:

a) Maintaining optimum control over the project

The City of Victoria maintains optimum control over the project risks, cost, scope and quality through the CM at Risk model. The model allows the City to provide significant input and control over the design. The City, Design Consultant and CM work in collaboration during design to help assure a high quality, sustainable facility with optimum total cost of ownership. During design, the City's financial exposure is limited to the cost of the CM's Pre-Construction Services.

b) Managing costs in a heated construction market

In Vancouver Island's heated construction market, the CM at Risk delivery method gives the City the most flexibility to manage and mitigate market risks.

By engaging a builder early in the process, the City obtains realistic costing based on current market conditions and local trades. This will complement the advice obtained from the City's Quantity Surveyor. Once the CM's contract is converted to a fixed-price for construction, the City transfers the risks for cost and schedule.

The CM will consider the local market size, labour and skills availability to design the size and scope of trade packages to be attractive and stimulate competition within the Vancouver Island contracting industry.

c) Integrating project management, design and construction

Because the CM and Design Consultant can be retained at the same time, their expertise, together with the Project Manager and Quantity Surveyor, enables constructability, value engineering, market conditions and costing to be considered in an integrated manner across the Project Team.

The Design Consultant, CM and Project Manager are then accountable for identifying significant market constraints as design progresses and developing appropriate mitigation responses. This

step is prudent in case of specialized components requiring significant lead times or "off-Island" suppliers.

The method applies an "open book" approach for bids from trade tenders, allowing the City to be involved in the quality screening of sub-contractors and thereby allowing further control of costs and quality.

d) Identifying qualified and experienced contractors

Unlike traditional construction tendering (lowest price), the procurement of the CM is based on qualifications and experience with projects of similar scope and budget. The evaluation should include a review of their financial health and capacity to undertake the project as well as project methodology and sustainability. The CM becomes an active member of the Project Team during the design and tendering stages (Pre-Construction stage); proactively contributing to costing, constructability, scheduling, planning, materials and systems selection, value engineering and other, related services include market advice and insight.

Retained Risks (CM at Risk)

Every project poses risk to the City. The residual risks with CM at Risk need to be managed by the City and the Project Manager. These have been identified as:

1. **No early confirmation of construction cost.** This is not typically established until the majority of trade packages are tendered for construction.
   Recommended Risk Response: Parallel tendering of trade packages (rather than staggered) can allow an earlier confirmation of the cost of construction. The benefit of this may outweigh the cost escalation incurred with staggered tendering.
2. **Construction Manager motivated to include contingencies in initial estimates.**
   Recommended Risk Response: The City should retain a Quantity Surveyor to provide a series of cost estimates at 50%, 75% and pre-tender. The requirement to provide "open book" disclosure of bids for trade packages to the City should be included in the CM's contract.
3. **Risk for the quality of the design, design errors and omissions are retained by the City.**
   Recommended Risk Response: The City should commit internal subject matter expertise and user resources to engage with the Design Consultant and support project coordination. It should also conduct a Bid Document Review prior to issuing tenders to identify errors and omissions in the construction drawings.
4. **Uncertainty around market capacity on the island for this method over the next two years.**
   Recommended Risk Response: Procure the CM based on experience, qualifications, financial health, methodology and sustainability. The City should require the CM, as part of their contract, to provide a labour supply plan and trade package procurement strategy for review and approval. The City should be involved in the selection of subcontractors for quality screening.

Risk Analysis of other Models

As described in the April 10th, 2017 Committee of the Whole report, the Project Team established a comprehensive risk management approach and outlined the project risks that have the greatest potential impact on project budget and schedule. Through the multi-criteria Delivery Model Assessment, industry best practice and lessons learned review; the other three industry standard design and construction procurement models were identified as not suitable to meet the project priorities.

The traditional **Design-Bid-Build** model is a longer, sequential process that poses significant escalation cost risk. The model is primarily used when achieving project scope is of primary importance, and when cost and schedule are secondary. Typically, the construction contractor has no involvement during the design and project planning phases, posing significant risk to integrating market conditions, trade cost insights and constructability early in the project. In

addition, the contract is typically awarded based on lowest price rather than experience and qualification.

The **Design-Build** model is not typically used in pool and wellness centre projects, particularly in the past 10 years. While this model provides cost certainty and an early transfer of cost and schedule risk, it requires early and significant staff commitment and user input in developing specifications that could impact operational, funding and other specific schedule and budget requirements. In this model, the focus is on initial costs rather than longer term quality or schedule. Even minor changes during construction pose a risk to not achieving the project scope. There is also risk associated with the contractor selecting lower cost and lower quality equipment that can result in higher operating costs and less than optimum total cost of ownership. These factors could impact the City's goals for a high-quality facility.

CM as Agent requires significant administrative resources to be applied during tendering and contract administration of the trade packages during construction. By entering into contracts directly with the trades, the City would retain the risks of being the constructor of the project. The City does not currently have the resources or expertise available to fulfill this role and assume these risks. This model would require the City to retain significant cost, schedule and quality risks during construction.

Conclusion

In summary the **Construction Manager for Services and Construction (CM at Risk)** delivery method has been evaluated to present the least risk to the City against the other three (3) project delivery options assessed. It comes at an estimated cost of $100,000 to $150,000 (0.14 to 0.22% of the project value) for the CM's services prior to converting to a fixed price (at Risk) construction contract. This is insignificant in comparison to the cost of the potential risk in pursuing some of the other delivery methods.

Best regards,

Richard Harris, **PEng., PMP, LEED AP BD+C**
Vice President, Pacific
T. (604) 692-1107
E. richard.harris@colliersprojectleaders.com

Colliers Project Leaders
1110 – 1175 Douglas St.
Victoria, BC V8W 2E1

890886-0091(2.0)

cc: Ralf Nielsen, Colliers Project Leaders

Risk Management : Crystal Pool and Wellness Centre Replacement

Committee of the Whole

August 10, 2017

CITY OF VICTORIA

Purpose

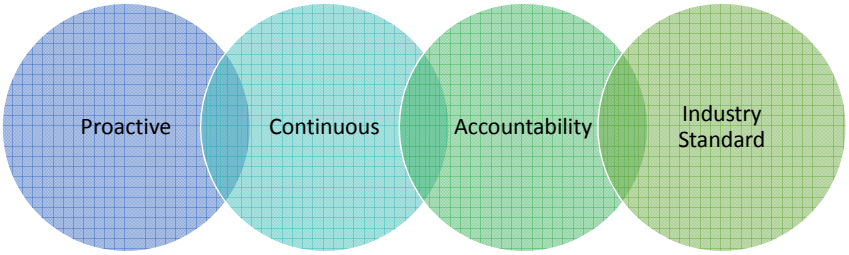
- Project Priorities
- Risk Management Approach
- Key Risks and Responses to Date
- Recommendation

Background

- Feasibility Study (2016)
- Council approval of Crystal Pool replacement project (Feb 2017)
- $10M from City reserve allocated
- Project launch March 2017

Project Priorities

Risk Management Approach
Principles



Risk Management Approach
Risk Management Plan

Risk Management Approach

Review Frequency

Monthly	Quarterly	Key Milestones
Reporting • Project Team • Steering Committee **Risk Register Update** **Project Status Reports** • Risk • Cost • Schedule • Scope	**Risk Management Committee Review** **Council Update**	**Formal Review of Risks and Third Party Review of Risk Register:** 1. Revised Cost (Class D) Estimate 2. Owner's Representative Project Manager (procured) 3. Design Consultant (procured) 4. Construction Manager (procured) 5. 50% and 100% Design 6. All tenders awarded

Key Risks & Responses

1. Market Conditions, Competition, Labour Availability and Cost Escalation
2. Funding and Spending Requirements
3. Site Conditions
4. Traffic, Parking and Community Impact
5. Operation of the Existing Facility

1. Market Conditions, Competition, Labour Availability and Cost Escalation

Response Strategies

1. Ongoing cost estimating
2. Proceeding with Schematic Design in Fall 2017
3. Pre-qualification for critical procurements
4. Using Construction Management for Services and Construction (CM at Risk)
5. Contingency planning

2. Funding and Spending Requirements

Response Strategies

1. Monitoring government negotiations regarding funding agreements
2. Identifying spending requirements of funding programs
3. Referendum and borrowing funds from Municipal Finance Authority as required

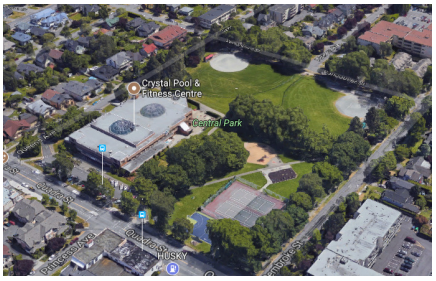
BRITISH COLUMBIA

Government of Canada | Gouvernement du Canada

3. Site Conditions

Response Strategies

1. Conducting site due diligence and integrating findings
2. Contingency planning



Update: Crystal Pool Replacement Project

4. Traffic, Parking and Community Impact

Response Strategies

1. Analyzing transportation and parking requirements
2. Integrating all modes of transportation into design
3. Construction traffic management plan

Update: Crystal Pool Replacement Project

5. Operation of Existing Facility

Response Strategies

1. Risk management planning for the existing pool
2. Increasing inspections and maintenance

Summary

- The Project Team is committed to implementing industry and City standards to manage, minimize and mitigate risks, and delivering a high-quality facility within budget and schedule expectations
- The methodology outlined is intended to provide a pro-active, transparent and accountable approach, which will position this major initiative for success

Recommendation

That Council

1. Approve the Risk Management Approach for the Crystal Pool and Wellness Centre Replacement Project;
2. Accept the key risks and mitigation strategies outlined for the project

CITY OF VICTORIA

Committee of the Whole Report
For the Meeting of August 10, 2017

To:	Committee of the Whole	**Date:**	July 27, 2017
From:	Jonathan Tinney, Director, Sustainable Planning and Community Development		
Subject:	**Rezoning Application No. 00574 for 543 Herald Street**		

RECOMMENDATION

That Council decline Rezoning Application No. 00574 for the property located at 543 Herald Street.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures, as well as, the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 543 Herald Street. The proposal is to rezone from the CA-3C Zone, Old Town District, to a site-specific zone in order to allow for the retail sale of cannabis.

The following points were considered in assessing this application:

- the proposal is consistent with the Core Historic designation in the *Official Community Plan, 2012*
- the proposal is consistent with the Historic Commercial designation in the *Downtown Core Area Plan*
- the proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy*, as the application is within 400m of the storefront cannabis retailer at 546 Yates Street.

BACKGROUND

Description of Proposal

This Rezoning Application is to allow for the retail sale of cannabis in an existing building. A new door for fire exit purposes is being proposed near the south west corner of the building and if this rezoning is approved a development permit would be required for this alteration. The following differences from the standard zone are being proposed and would be accommodated in the new zone:

- storefront cannabis retailer would be a permitted use
- only one storefront cannabis retailer would be permitted to operate on the property at a time
- storefront cannabis retailer would be restricted to the ground floor
- storefront cannabis retailer would be restricted to a maximum floor area of $100m^2$, which is in keeping with the size of the existing operation.

All other requirements within the CA-3C Zone, Old Town District remain the same.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this application.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Accessibility Impact Statement

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

Land Use Context

The subject property is located within Chinatown. The area is characterized by low-rise brick buildings, many of which are heritage designated, with retail and restaurant uses on the ground floor and residential uses on the upper floors.

Existing Site Development and Development Potential

The site is presently a two-storey building with commercial uses on the ground floor and residential units on the second floor. The building has heritage value through its representation of early 1900's industrial architecture in Victoria's Chinatown; however, the building is not heritage designated or registered.

Under the current CA-3C Zone, Old Town District, the property could be developed up to a height of 15m with a maximum floor space ratio of 3:1. A variety of commercial uses, with residential uses on the upper storeys, are permitted in this zone.

Community Consultation

Consistent with the *Storefront Cannabis Retailer Rezoning* Policy, the requirement to arrange and participate in a Community Association Land Use Committee (CALUC) Community meeting is waived unless the application involves construction of a new building; however, the Application was referred to the Downtown Residents Association CALUC. Also consistent with the Policy, the Application has been referred to School District No. 61 and the Victoria Police Department. At the time of writing this report no comments had been received.

ANALYSIS

Official Community Plan

The *Official Community Plan*, *2012* (OCP) identifies this property within the Core Historic urban place designation, within which at-grade commercial uses, including retail, are envisioned.

Local Area Plans

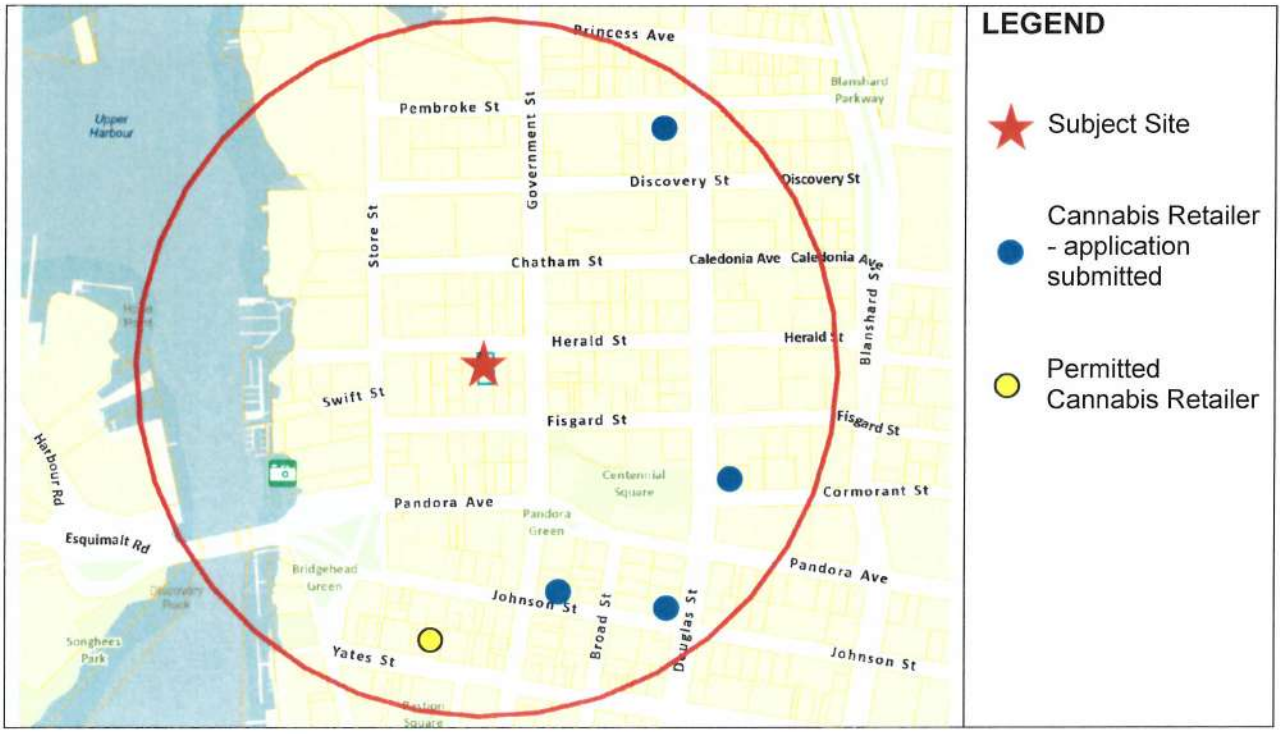
The *Downtown Core Area Plan* identifies the property within the Historic Commercial designation, within which a range of active commercial uses such as retail stores are envisioned.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application.

Storefront Cannabis Retailer Rezoning Policy

This application was one of the sites identified as operating as a storefront cannabis retailer at the time of Council adopting the regulations and policy framework related to cannabis. At the time of submission, this application was consistent with the *Storefront Cannabis Retailer Rezoning Policy*; however, as a result of updates to the policy, the application is now inconsistent with the new 400m buffer between permitted storefront cannabis retailers, as the storefront cannabis retailer at 546 Yates Street is 284m from the subject site. Although there are no elementary, middle, or secondary schools within 200m of the property, the Chinese Public School, which teaches Chinese culture and language, is 137m from the subject site.



CONCLUSIONS

This proposal to permit the storefront cannabis retailer use is consistent with the *Official Community Plan* and the *Downtown Core Area Plan* in accommodating commercial retail uses fronting the street. However, the proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy* as there is a permitted storefront cannabis retailer within 400m of the property.

ALTERNATE MOTION

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00574 for 543 Herald Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

2. That Council after the Public Hearing for Rezoning Application No. 00574, if it is approved, consider the following motion:

   "That Council authorize the issuance of a Development Permit for 543 Herald Street, in accordance with:
   - i. Plans date stamped June 6, 2017;
   - ii. Development meeting all *Zoning Regulation Bylaw* requirements;
   - iii. The Development Permit lapsing two years from the date of this resolution."

Respectfully submitted,

Michael Angrove
Planner
Development Services

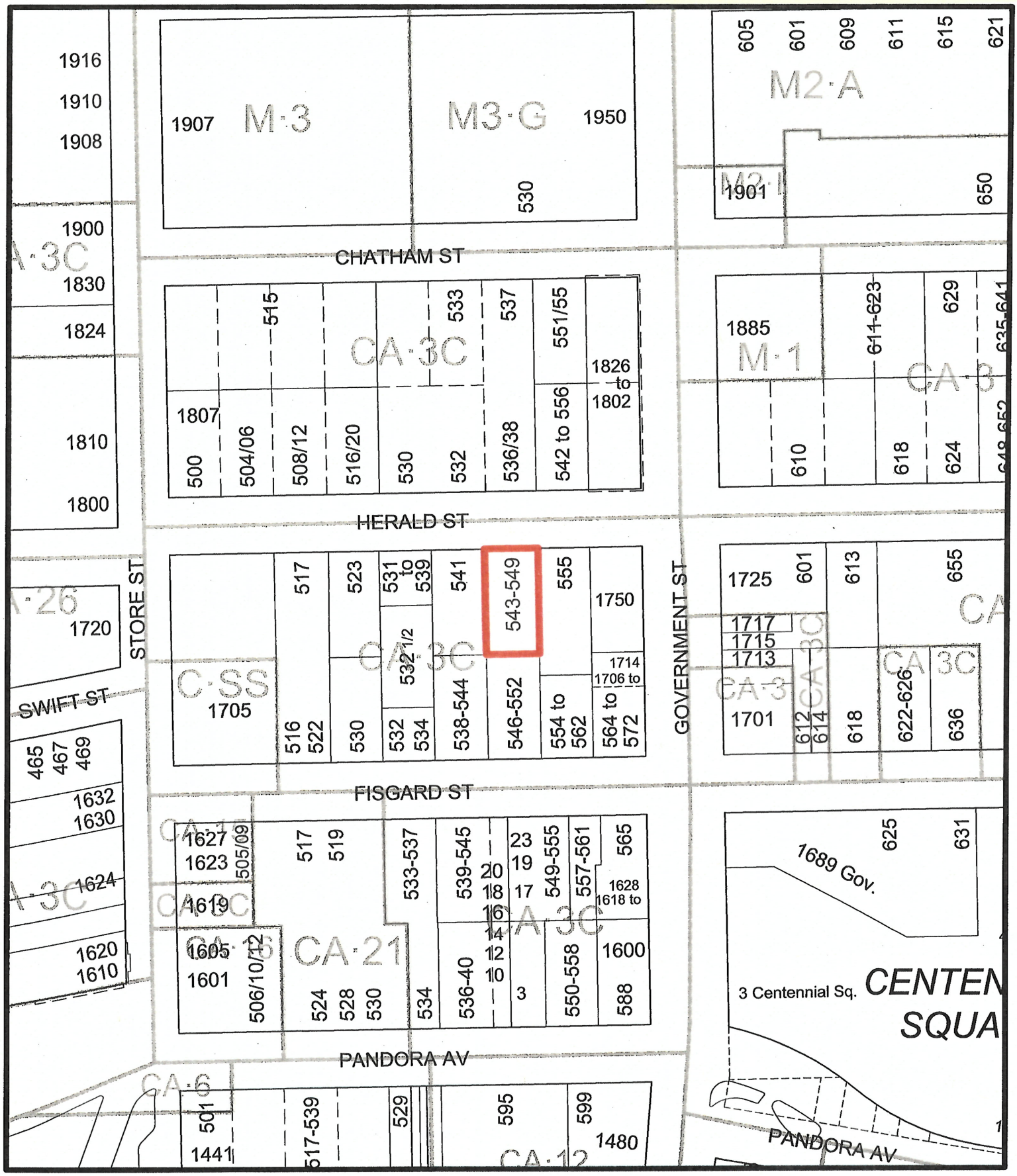
Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date: August 3, 2017

List of Attachments

- Attachment A – Subject Map
- Attachment B – Aerial Map
- Attachment C – Plans date stamped June 6, 2017
- Attachment D – Letter from applicant to Mayor and Council dated June 29, 2017
- Attachment E – Correspondence

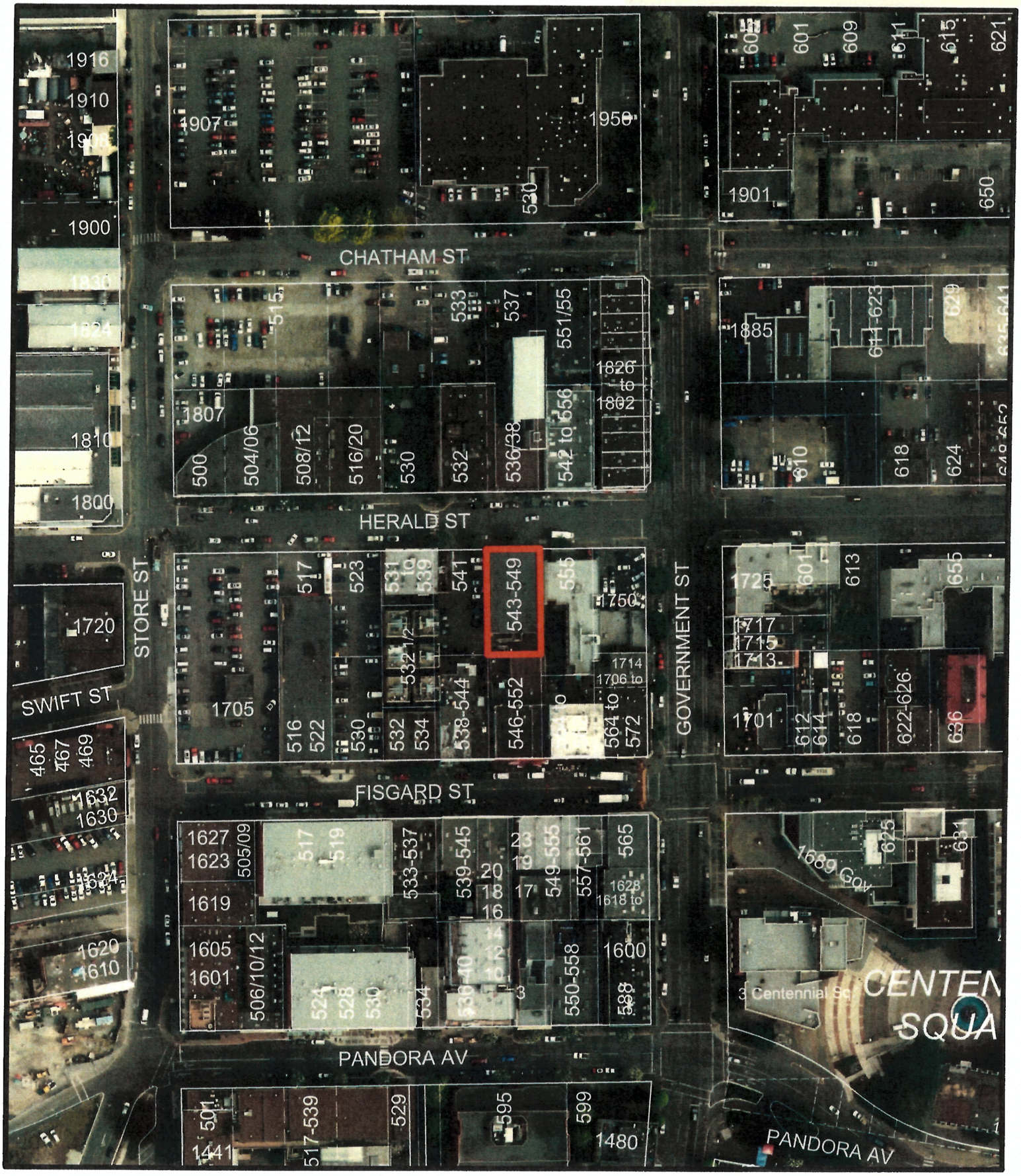


N

543 Herald Street

Rezoning No.00574

CITY OF VICTORIA



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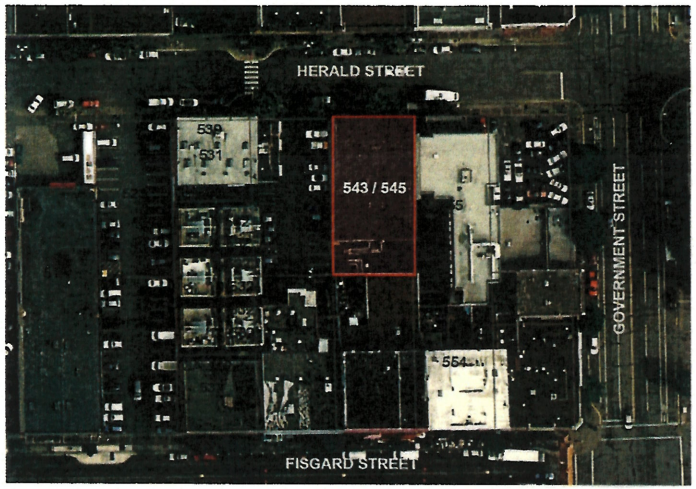
543 Herald Street

Rezoning No.00574

Received
City of Victoria
JUN 0 6 2017
Planning & Development Department
Community Planning Division



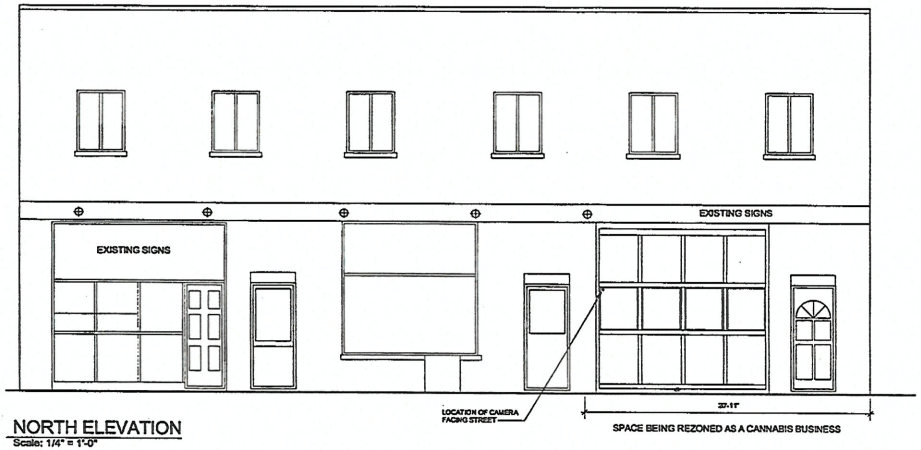
SITE PLAN
SCALE: N/A

N

PROJECT DATA INFORMATION

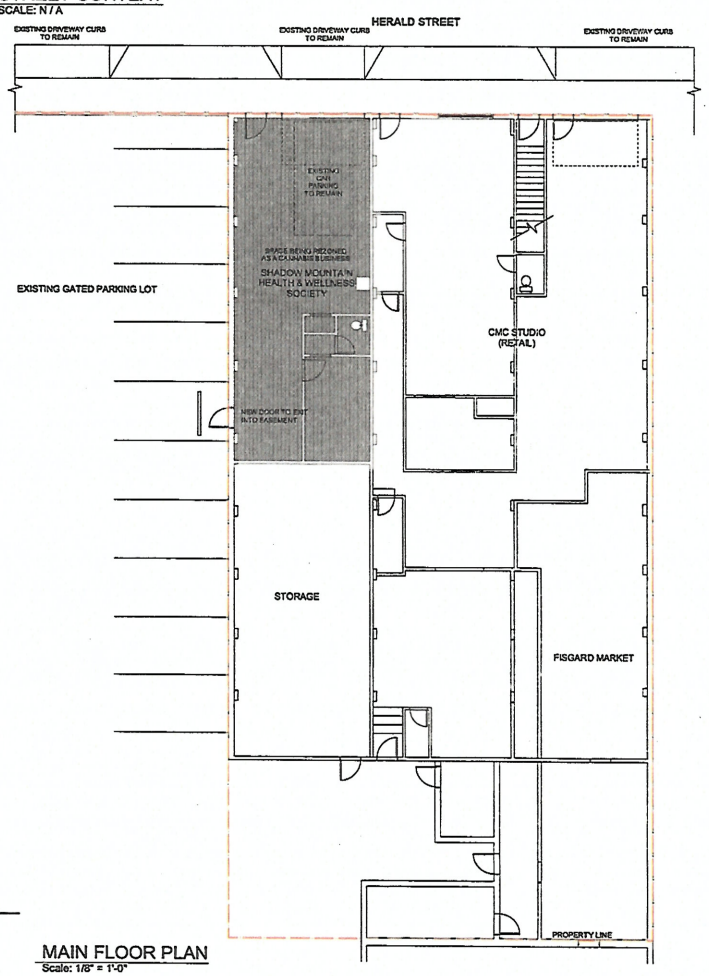
CIVIC ADDRESS: 543-545 HERALD STREET
LEGAL DESCRIPTION: LOT 462, VICTORIA CITY, P.ID 009-370-668

ZONE (EXISTING): CA-3C
SITE AREA (M2): 700 SQ.M
UNIT FLOOR AREA (M2): 93 SQ.M.
PARKING STALLS: N/A
BICYCLE PARKING: REFER TO LETTER



NORTH ELEVATION
Scale: 1/4" = 1'-0"

STREET CONTEXT
SCALE: N/A



MAIN FLOOR PLAN
Scale: 1/8" = 1'-0"

KEAY CECCO ARCHITECTURE LTD.
1124 FORT STREET, VICTORIA, V8V 3K8
tel: 250 382 3823
email: info@kearchitecture.ca

COMMENTS

No.	DESCRIPTION	DATE	BY
1	ISSUED FOR REZONING	MAY 2017	
2	ISSUED FOR DPA PERMIT	MAY 2017	
3	REVISED FOR REZONING	MAY 2017	

GENERAL NOTES

Use of these drawings is limited to that identified in the issue/revision column.

Do not construct from these drawings unless marked "Issued for construction"

PROJECT

SHADOW MOUNTAIN HEALTH & WELLNESS SOCIETY REZONING

543 / 545 HERALD STREET

SHEET TITLE

CONTEXT SITE PLAN FLOOR PLAN ELEVATION

SCALE: AS SHOWN	JOB No. 1722
DATE PLOTTED: MAY 26, 2017	A1.0
DRAWN BY: SK / NP	

Shady Mountain Health and Wellness Society
DBA Shadow Mountain
543 Herald Street
Victoria, BC
V8W 1S5

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

June 29, 2017

Dear Mayor Helps and City Councillors,

Thank you for receiving our application of rezoning for a cannabis related business at 543 Herald Street. We look forward to working with you toward a formal acceptance of our society and its place within the downtown community via the rezoning process.

Summary of Proposal:
Shadow Mountain Health and Wellness Society serves our neighbourhood's alternative medicinal needs at 543 Herald Street. We have a unique storefront which provides a safe, supportive, and positive environment for our patients as we assist them in making informed decisions about their medical needs. We have over 8000 members in our society. We have come together to create a support group for medical cannabis patients.. We provide a community that cares about the environment and food security. We raise awareness through our social media campaigns about the struggle of local farmers, the lack of local food and the need for Vancouver Island to secure its own food sources. We currently have over 8,000 members. The members of our society have expressed appreciation for our welcoming and bright space and knowledgeable staff. Our patients appreciate learning what alternative medicinal options are available to them and we encourage that they ask questions, educate themselves, and find solutions that work for them.

Our storefront is in a location that serves the community well. We are on a commercial block of Chinatown and most of our members find our location convenient, living within a few blocks. We are not located within 200

metres from any school district property or other dispensary that has been zoned for the use as a Cannabis Retailer.

Environmental/Social Impact:

Community service is at the core of the Shadow Mountain ethos. We strive each day to have a positive effect on our neighbourhood as safely, sustainably, and responsibly as possible. We have a history of helping to protect the environment, supporting local farmers, local businesses, and backing food security efforts and are more committed than ever to those causes. We are looking at ways to reduce the use of plastic and any other non-renewable in our store and are also in the process of becoming a Surfrider Approved Business - a Vancouver Island Green Businesses Certification (VIGBC) program that links businesses to responsible actions that will help keep our local beaches and waterways clean. We use only paper exit bags and the plastic that we do use, was specifically chosen for being bio-degradable. We hosted a successful fundraising event for Standing Rock, organized by our staff - this event brought together several dozen community members who are passionate about creating a better future both locally and globally.

We strive to maintain a socially progressive atmosphere, welcoming all walks of life and have been well received by the LGBTQ community in Victoria as we offer a safe and supportive environment for anyone and everyone over the age of 19. We have worked with the Victoria Pride Society and supported the King Fling Fundraiser. But more than anything else, Shadow Mountain prides itself on its continued positive social impact by providing alternative medicines that eases the pain and suffering of Victorians. Shadow Mountain cares about its members and the community. We act as a hub to put members and the public in touch with community support for mental health, addictions counselling, coping skills, stress management, depression and life skills programs.

Several testimonials from our patients as well as our neighbours and fellow small business owners accompany this letter.

Safety and Security:

We have demonstrated a commitment to follow any applicable city bylaws in order to remain compliant. We are fundamentally committed to the safety and security of our staff, our patients, and our neighbourhood. We have a minimum of two staff members on at all times, one of whom is always a manager. We are committed to established CPTED strategies in order to deter criminal behaviour. All front of store product is positioned safely behind a counter or in a drawer and out of sight from the street. Only small quantities of inventory is kept on the sales floor and we practice industry standard secure handling of our back stock which is in a locked room and in a safe. All edibles for sale have been removed as required by VIHA. We perform regular cash drops into a secured safe and all product is secured and out of view during closing hours. We have a security alarm system,

multiple security cameras, and fire detection devices wired directly to professional security companies and monitored 24 hours per day. We have established "security zones" on our premises which specify who is allowed in which areas of the store, whether they be a patient, a staff member, or a manager. We have outdoor lighting along the front of our building, on the side of the building in the parking lot and a street lamp directly outside of our door which provides ample security lighting. Consumption of cannabis or cannabis products is strictly forbidden on site or anywhere in the vicinity of our storefront. In addition, we have deployed a powerful carbon filter air filtration system inside the shop.

Design Permit Guidelines:

543 Herald Street has CA-3C zoning which allows for the use of the premises for retail sales without requiring any off-street parking stalls. We are close to most major bus routes, the Galloping Goose Trail, and regularly allow patients to bring their bicycles right into the shop during their visit. The property does not have heritage status and no heritage buildings are affected by this application. An additional emergency door will be installed should we be successful with our rezoning and is detailed on our floor plans. We will be keeping our parking spot in our store and this is also detailed in the floor plans. You will also notice we have changed our signage. The city requested our current sign be removed and to use a blade (projecting) sign to be consistent with other signage in the neighbourhood and this has been completed to remain in compliance with city bylaws.

Recently the Green Dragon Dispensary of 541 Herald St was denied their rezoning due to proximity of 155m to the Chinese Language School. Green Dragon is 155m from the school and Shadow Mountain is approximately 10m closer. City Council Policy for Cannabis Retailers dated February 23, 2017 states in section C item 2. *A storefront cannabis retailer should be at least 200 m (in a straight line from closest lot line to closest lot line) from a public or independent elementary, middle or secondary school.* The school in proximity to Shadow Mountain does not fall within this definition. It is a Chinese Language School and the hours that school is in session are limited. During the week classes are from 4:10pm to 5:50pm for kids and the adult programs go from 7:00pm to 9:00pm. On Saturdays the school is open from 9:00am to 1:00pm. Shadow Mountain has existed in our location, at this proximity to the Chinese Language School for almost 3 years with no incidents or objections to date.

Furthermore, it is important to bring to your attention Farmacy Dispensary of 3055 Scott St. which was awarded their business license although they are only 150m from lot line to lot line to the Landsowne Middle School. This school falls within the definition outlined in the policy of a public middle school. We are aware that it was obtained under a different set of requirements, however it does set a precedent that the 200m buffer is not actually being required for all dispensaries. This dispensary clearly violates the school policy considerations yet they are permitted to conduct business.

Neighbourhood Impacts:

We support members of our community who exercise their right to use cannabis for medical reasons. Our presence, with our well trained and proactive staff, contribute to the vibrancy of the community and have become a welcome thread in the fabric of our neighbourhood. Being located on Herald St, we service the residential over age population that does not require transportation. Our shopfront is unobtrusive and fits in nicely to our neighbourhood.

Should you ever set foot in our facility, you will appreciate the warm and welcoming aesthetic we have created. We have an abundance of live plants, reclaimed wood countertops, reclaimed wood paneling, and a waterfall fountain. The room has a distinctly west coast feel which is pleasing to our clients.

Conclusion:

Thanks to the continued outpouring of support from our patients, staff, neighbours, and the community at large, we are convinced that we are an ideal candidate for cannabis storefront rezoning approval. We are committed to the protection of the environment, local food security, to the health and wellness of our members, to being a contributing member of Victoria and to providing a safe and welcoming environment to anyone over the age of 19. We are eager to move forward onto the next step and are grateful for the hard work and leadership of this city's Mayor, Council, and staff throughout this complex landscape.

Elizabeth Lampard
Director
Shady Mountain Health and Wellness Society

Chris Russell JB's Colwood-Langford Auto Supply Ltd. (Victoria)
Manager
[redacted]
[redacted]
2017 Government Street
VICTORIA, BC
V8T 4N9
Bumper to Bumper
CANADA'S PARTS PEOPLE
BUMPERTOBUMPER.CA JBGROUP.CA

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I would like to express my support of Shadow Mountain Health and Wellness Society at 543 Herald St. I am aware that it is a medical cannabis dispensary and they have caused no disturbances and produce no offensive odours.

Approving their rezoning will allow for a location to provide a range of essential health, wellness and food security services in the Chinatown area and I feel these are positive impacts on the neighbourhood.

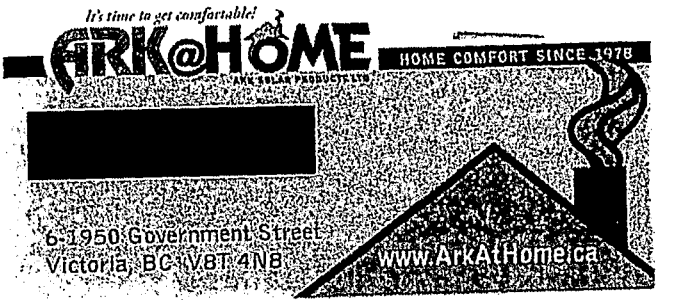
I believe the proposed zoning is suitable, well-concealed from public view and I appreciate the increased security the society has provided to our neighbourhood and community.

I am urging the Zoning Board and Victoria City Council to approve the proposed rezoning application by Shady Mountain Health and Wellness Society.

Sincerely,

Chris Russell.

Charlie Frenette



City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am the neighbour of Shadow Mountain Health and Wellness Society at 543 Herald St. I would like to state that I have no problems with their application for a Cannabis Retail Storefront.

I have found them to be a welcome addition to our neighbourhood and am happy to see them providing access to this essential medicine.

I feel the building is not outrageous and fits in with our neighbourhood. The staff are always friendly and welcoming when we see them on the street.

Shady Mountain Health and Wellness Society has my full support and you should approve their rezoning application.

Sincerely,

Charlie Frenette
Ark Solar Products

REBECCA SORENSEN
Showroom Manager
1820 Government St.
Victoria, BC
[redacted]
www.urbantimber.ca

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am the neighbour of Shadow Mountain Health and Wellness Society at 543 Herald St. I would like to state that I have no problems with their application for a Cannabis Retail Storefront.

I have found them to be a welcome addition to our neighbourhood and am happy to see them providing access to this essential medicine.

I feel the building is not outrageous and fits in with our neighbourhood. The staff are always friendly and welcoming when we see them on the street.

Shady Mountain Health and Wellness Society has my full support and you should approve their rezoning application.

Sincerely,

Sales Manager
Urban Timber Reclaimed Wood Co.

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am a neighbour of Shadow Mountain Health and Wellness Society located at 543 Herald St and I would like to express my support in their application to becoming a Cannabis Retailer.

I pass by their location daily and have never observed customer loitering, extreme smell or any criminal activity.

They have been upstanding members of the business community and should be allowed to continue to provide this medicine to Canadians.

I support them completely and would like to see them continue to be a part of our neighbourhood.

Sincerely,

Alan Bowles

ALAN BOWLES
ALAN
@shopvictoriasolutions.ca
[redacted]
shopvictoriasolutions.ca
SHOP VICTORIA
SOLUTIONS FOR BUSINESS
PROUDLY LOCAL

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I would like to express my support of my neighbour Shadow Mountain Health and Wellness Society at 543 Herald St. I am aware that it is a medical cannabis dispensary and they have caused no disturbances and produce no offensive odours.

Approving their rezoning will allow for a location to provide a range of essential health, wellness and food security services in the Chinatown area and I feel these are positive impacts on the neighbourhood.

I believe the proposed zoning is suitable, well-concealed from public view and I appreciate the increased security the society has provided to our neighbourhood and community.

I am urging the Zoning Board and Victoria City Council to approve the proposed rezoning application by Shady Mountain Health and Wellness Society.

Sincerely,

Ines Wall
owner/operator
Bubble Tea Place
532 Fisgard

The Bubble Tea Place
Exotic World Teas
& Thai Massage

532 Fisgard Street,
Victoria, BC V8W 1R4

[redacted]
bubbleteaplace.com

BUBBLE TEA
Free

VARSHA
INDIAN KITCHEN

101-1600 GOVERNMENT ST.
VICTORIA BC V8W 1Z3
250.590.6252

VARSHA.CA
INFO@VARSHA.CA

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am happy to offer my support to Shadow Mountain Health and Wellness Society at 543 Herald St on behalf of their rezoning application for a Retail Cannabis Storefront. They have caused no problems for me, I have observed no unruly activity and have never had any issues with noise or odours.

I believe the approval of the rezoning will allow them to dispense essential medicine to those that wish not to use opiates or other meds that cause many symptoms and have negative impacts on their health.

I see no issue with their storefront and urge the city to approve this application.

Sincerely,

VARSHA INDIAN KITCHEN

infovictoria@moeshome.com

Victoria Store
523 Fisgard Street
250.590.MOES (6637)

MADE SIMPLE.

@moeshomevic

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I would like to express my support of Shadow Mountain Health and Wellness Society at 543 Herald St. I am aware that it is a medical cannabis dispensary and they have caused no disturbances and produce no offensive odours.

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I am urging the Zoning Board and Victoria City Council to approve the proposed rezoning application by Shady Mountain Health and Wellness Society.

Sincerely,

Curtis Vertefeuille
Moes Home Victoria
[redacted]

Free House Import Co.
Victoria Dragon Village

Kitchenwares & Chinawares

David Yuen
[redacted]
facebook/victoria dragon village
E-mail:freehouseid@hotmail.com

534 Fisgard St.
Victoria B.C V8W 1R4
Canada

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I would like to express my support of Shadow Mountain Health and Wellness Society at 543 Herald St. I am aware that it is a medical cannabis dispensary and they have caused no disturbances and produce no offensive odours.

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I believe the proposed zoning is suitable, well-concealed from public view and I appreciate the increased security the society has provided to our neighbourhood and community.

I am urging the Zoning Board and Victoria City Council to approve the proposed rezoning application by Shady Mountain Health and Wellness Society.

Sincerely,

BAMBOO
IN THE ♥ OF CHINATOWN
UNIQUE BEADS ◦ GEMS ◦ PEARLS ◦ FINDINGS
CLASSES ◦ LOCAL & WORLD JEWELLERY
ART ◦ ANTIQUES ◦ ACCESSORIES
250-595-2061
bamboobeadsandbling@shaw.ca
www.bamboobeadsandbling.com
544 FISGARD ST. ◦ VICTORIA, B.C. ◦ CANADA ◦ V8W 1R4

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I would like to express my support of Shadow Mountain Health and Wellness Society at 543 Herald St. I am aware that it is a medical cannabis dispensary and they have caused no disturbances and produce no offensive odours.

Approving their rezoning will allow for a location to provide a range of essential health, wellness and food security services in the Chinatown area and I feel these are positive impacts on the neighbourhood.

I believe the proposed zoning is suitable, well-concealed from public view and I appreciate the increased security the society has provided to our neighbourhood and community.

I am urging the Zoning Board and Victoria City Council to approve the proposed rezoning application by Shady Mountain Health and Wellness Society.

Sincerely,

Michael Nichol

香港樓 DYNASTY RESTAURANT
CANTONESE and SZECHUAN
粵菜/川菜
全日點心
DIM SUM (All Day)
Dine In, Pick up and Delivery
In Heart of Chinatown
Wing Chow
Tel: 250.388.6818
546 Fisgard Street, Victoria, B.C. V8W 1R4

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I would like to express my support of Shadow Mountain Health and Wellness Society at 543 Herald St. I am aware that it is a medical cannabis dispensary and they have caused no disturbances and produce no offensive odours.

Approving their rezoning will allow for a location to provide a range of essential health, wellness and food security services in the Chinatown area and I feel these are positive impacts on the neighbourhood.

I believe the proposed zoning is suitable, well-concealed from public view and I appreciate the increased security the society has provided to our neighbourhood and community.

I am urging the Zoning Board and Victoria City Council to approve the proposed rezoning application by Shady Mountain Health and Wellness Society.

Sincerely,

WING CHOW

Shadowmountainvic@gm

Ian Vosberg
(250) 418-7992
trigvintage@shaw.ca

TRIG Vintage
545 Herald Street
Victoria, BC V8W 1S6
(250) 384-8084
www.trigvintage.com

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am happy to offer my support to Shadow Mountain Health and Wellness Society at 543 Herald St on behalf of their rezoning application for a Retail Cannabis Storefront. They have caused no problems for me, I have observed no unruly activity and have never had any issues with noise or odours.

I believe the approval of the rezoning will allow them to dispense essential medicine to those that wish not to use opiates or other meds that cause many symptoms and have negative impacts on their health.

I see no issue with their storefront and urge the city to approve this application.

Sincerely,
Ian Vosberg
Owner Trig Vintage

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

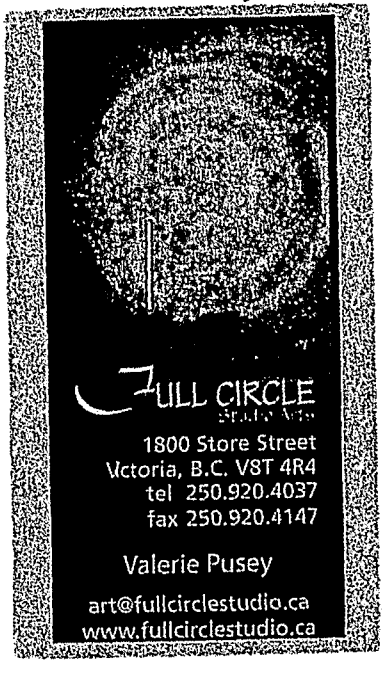
I am happy to offer my support to my neighbour Shadow Mountain Health and Wellness Society at 543 Herald St on behalf of their rezoning application for a Retail Cannabis Storefront. They have caused no problems for me. I have observed no unruly activity and have never had any issues with noise or odours.

I believe the approval of the rezoning will allow them to dispense essential medicine to those that wish not to use opiates or other meds that cause many symptoms and have negative impacts on their health.

I see no issue with their storefront and urge the city to approve this application

Sincerely,

FULL CIRCLE



DUCHESS & DUKE

Modern Vintage Consignment

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
[redacted]

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am the neighbour of Shadow Mountain Health and Wellness Society at 543 Herald St. I would like to state that I have no problems with their application for a Cannabis Retail Storefront.

I have found them to be a welcome addition to our neighbourhood and am happy to see them providing access to this essential medicine.

I feel the building is not outrageous and fits in with our neighbourhood. The staff are always friendly and welcoming when we see them on the street.

Shady Mountain Health and Wellness Society has my full support and you should approve their rezoning application.

KASIA WASSMANN

Sincerely,

LeFevre & Company
PROPERTY AGENTS LTD.

March 30, 2017

Zoning Liaison
City Hall
1 Centennial Square
Victoria BC V8W 1P6

Dear Members of the Zoning Board and Victoria City Council,

SUBJECT: Shadow Mountain Health

As Landowner and Developer in old town, I have never experienced any concerns over the operation of Shadow Mountain Health. They has been no out of normal street activity and my observation has been that they have conducted business in a manner typical to all other businesses operating in this vicinity.

Yours,

Chris Le Fevre

CEL:tc

530 Herald Street, Victoria, B.C. Canada V8W 1S6

[redacted]

City Hall
1 Centennial Square
Victoria, BC V8W 1P6

Attn: Zoning Liaison

Dear Members of the Zoning Board and Victoria City Council.

As a senior student of natural and integrative medicine at Pacific Rim College in Market Square, I have had the opportunity to be part of the progressive health community in Victoria, as well as learn from a number of world renowned doctors and health care professionals. With completing my 360 plus clinical training hours, I have a dynamic avenue in which I am able to engage with the community on a regular basis. Through this engagement I have witnessed first hand the healing potential of nutritional therapy and natural medicine. I have attended workshops taught by leading neuroscientists, who are involved in the research of cannabinoids for treating numerous neurological conditions like MS, Alzheimer's, and especially Parkinson's disease. As I will be focusing on nutritional therapy in my future practice, I find it especially intriguing that there is substantial research happening with cannabinoids and the treatment of metabolic disorders like type 2 diabetes (which is said to reach 13.9 million/33% of adult Canadians by 2026.) I believe that the information is there to support the medical relevance of cannabis, however many conditions that it is intended to treat are not conducive to smoking. Having access to medicinal products which may be ingested as an alternative is needed if we want to see Victoria progress and move towards a better public health picture.

I believe medical dispensaries like Shadow Mountain Health & Wellness should continue to operate, and would be of benefit to the surrounding community. As a volunteer at this establishment, I find myself amidst a team of individuals who genuinely care about the well being of community members, and it shows. Just like your local café: we know our regulars by name. have developed relationships with them, as well as been a part of their health journeys-seeing immense improvements. People will often pull me aside to reveal how grateful they are that Shadow Mountain is able to accommodate the services that we do, in the way that we do. Our mission here is to provide people with safe access to medicine, education around different options, and creating a supportive environment which reminds people that they have the potential to take control over their health. I am honored to work alongside such innovative team members, as we stand with hundreds of other advocates in the support of keeping Shadow Mountain open. I anticipate the collaboration of all these avenues, as well as look forward to contributing to innovative and progressive ideas about community and public health in Victoria.

Sincerely,

Nicole Bartsch

[redacted]

City Hall
1 Centennial Square
Victoria, BC V8W 1P6

% Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

As a member of the Board of Directors for the Victoria Pride Society and the organization's Media Coordinator, as well as the producer of the King Fling fundraisers for the Victoria Pride Society, I consider it my responsibility to actively engage with Victoria's LGBTQ community in order to understand the issues that affect the various different groups within the community. As such, I am able to say with confidence that Shadow Mountain Health & Wellness has been nothing but supportive of the community here. Their efforts to erase the shame associated with herbal medicinal use help put queer young adults, a group especially susceptible to high levels of anxiety, at ease when learning about the various options available to them. All patients are treated with respect and care, and I have witnessed young transgender adults especially enter the store with trepidation only to very quickly feel safe and at ease. The welcoming and supportive environment that they have created at their shop makes it a painless process for everyone to get the information they need, and from knowledgeable budtenders.

As a volunteer at Shadow Mountain Health & Wellness and as an openly queer woman, I have personally never felt more supported by any group of individuals than I have from the team at Shadow Mountain. They have been instrumental in my mental, emotional, and physical healing over the last several months. Never have I worked with another group of people who've made me feel so safe and even celebrated to be my true authentic self. They have also shown overwhelming support for the work I do in the community and were more than happy to assist with ticket sales for the upcoming King Fling II. Without a doubt this is an establishment that actively and continually works to have a positive effect on the community and this city as a whole.

Sincerely,

Eva Patenaude

Eva Patenaude
[redacted]
V8P 1T3

Gmail

Shadow Mountain <shadowmountainvic@gmail.com>

Matt Love's letter to the Zoning Board.

1 message

Matt Love [redacted] Thu, Mar 23, 2017 at 2:31 PM
To: Shadow Mountain [redacted]bm>

Dear Members of the Zoning Board and Victoria City Council,

My name is Matt Love, and I would just like to show my support for *Shadow Mountain Health and Wellness Society* at 543 Herald St in their application to becoming a cannabis retailer. I live in the neighbourhood (556 Herald St.) and have never seen or experienced any issues due to their business. There has never been any negative or criminal behaviour that I have seen, no smells drifting outside, nothing that would make me feel anything other than safe and welcome. The people who work there, the patients, etc, have shown nothing but kindness and respect for the surrounding neighbours and businesses. I fully support their business of *safe access* cannabis, and the continued education they have been sharing with the public. I see all sorts of patients coming and going from the shop every day and I would hate to see them have to go anywhere else. Please allow Shadow Mountain to be approved and continue bringing people the medicine they need.

- Matt Love

www.therealmattlove.com
[redacted]

Gmail

Shadow Mountain <[redacted]

Zoning

1 message

Scott Johnston <[redacted] Sun, Mar 26, 2017 at 4:26 PM
To: [redacted]

Dear members of the Zoning Board and Victoria City Council,

I am a member and neighbour of Shadow Mountain Health and Wellness Society at 543 Herald St. I would like to let you know that they are an amazing group of people, and I would love for their application to go through for a Cannabis Retail Storefront.

They are a loving business in this beautiful community, they add vibrance to the neighbourhood and support the safe and medical supply of cannabis products to people in need.

This neighbourhood would have a significant loss with this business gone. I 100% stand behind this business and group of people.

Thank you for your time and consideration
Sincerely, Scotty Johnston.

Sent from my iPhone

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am the neighbour of Shadow Mountain Health and Wellness Society at 543 Herald St. I would like to state that I have no problems with their application for a Cannabis Retail Storefront.

I have found them to be a welcome addition to our neighbourhood and am happy to see them providing access to this essential medicine.

I feel the building is not outrageous and fits in with our neighbourhood. The staff are always friendly and welcoming when we see them on the street.

Shady Mountain Health and Wellness Society has my full support and you should approve their rezoning application.

Sincerely,

JENN MINER
V8S 3R5

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am the neighbour of Shadow Mountain Health and Wellness Society at 543 Herald St. I would like to state that I have no problems with their application for a Cannabis Retail Storefront.

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Shady Mountain Health and Wellness Society has my full support and you should approve their rezoning application.

Sincerely,

Brent Wallis

[redacted]

1950 Government St.

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am happy to offer my support to Shadow Mountain Health and Wellness Society at 543 Herald St on behalf of their rezoning application for a Retail Cannabis Storefront. They have caused no problems for me, I have observed no unruly activity and have never had any issues with noise or odours.

I believe the approval of the rezoning will allow them to dispense essential medicine to those that wish not to use opiates or other meds that cause many symptoms and have negative impacts on their health.

I see no issue with their storefront and urge the city to approve this application.

Sincerely,

Kieg Jones [redacted]
The Fabulous Ford 536 Herald

City Hall
1 Centennial Square
Victoria BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am happy to offer my support to my neighbour Shadow Mountain Health and Wellness Society at 543 Herald St on behalf of their rezoning application for a Retail Cannabis Storefront. They have caused no problems for me. I have observed no unruly activity and have never had any issues with noise or odours.

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I see no issue with their storefront and urge the city to approve this application.

Sincerely,

JOHN ELLIOTT
V9A-7L9

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

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Shady Mountain Health and Wellness Society has my full support and you should approve their rezoning application.

Sincerely,

Maurice Gourley
V9C 3L7

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am happy to offer my support to my neighbour Shadow Mountain Health and Wellness Society at 543 Herald St on behalf of their rezoning application for a Retail Cannabis Storefront. They have caused no problems for me. I have observed no unruly activity and have never had any issues with noise or odours.

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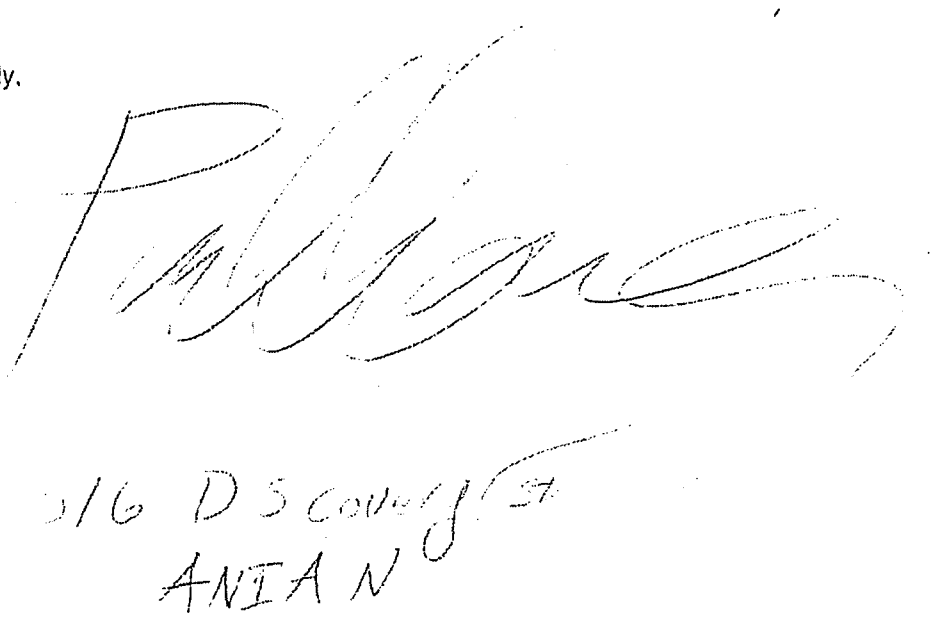
Sincerely,



216 D Cowan St
ANIAN

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am the neighbour of Shadow Mountain Health and Wellness Society at 543 Herald St. I would like to state that I have no problems with their application for a Cannabis Retail Storefront.

I have found them to be a welcome addition to our neighbourhood and am happy to see them providing access to this essential medicine.

I feel the building is not outrageous and fits in with our neighbourhood. The staff are always friendly and welcoming when we see them on the street.

Shady Mountain Health and Wellness Society has my full support and you should approve their rezoning application.

Sincerely,

Emma
V8T 4R4

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am the neighbour of Shadow Mountain Health and Wellness Society at 543 Herald St. I would like to state that I have no problems with their application for a Cannabis Retail Storefront.

I have found them to be a welcome addition to our neighbourhood and am happy to see them providing access to this essential medicine.

I feel the building is not outrageous and fits in with our neighbourhood. The staff are always friendly and welcoming when we see them on the street.

Shady Mountain Health and Wellness Society has my full support and you should approve their rezoning application.

Sincerely, Frank Flewelling

V8T 4G5.

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I would like to express my support of Shadow Mountain Health and Wellness Society at 543 Herald St. I am aware that it is a medical cannabis dispensary and they have caused no disturbances and produce no offensive odours.

Approving their rezoning will allow for a location to provide a range of essential health, wellness and food security services in the Chinatown area and I feel these are positive impacts on the neighbourhood.

I believe the proposed zoning is suitable, well-concealed from public view and I appreciate the increased security the society has provided to our neighbourhood and community.

I am urging the Zoning Board and Victoria City Council to approve the proposed rezoning application by Shady Mountain Health and Wellness Society.

Sincerely,

V9Z-0J4

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I would like to express my support of Shadow Mountain Health and Wellness Society at 543 Herald St. I am aware that it is a medical cannabis dispensary and they have caused no disturbances and produce no offensive odours.

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I am urging the Zoning Board and Victoria City Council to approve the proposed rezoning application by Shady Mountain Health and Wellness Society.

Sincerely,

Ocean Garden
V8W 1R4

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am happy to offer my support to Shadow Mountain Health and Wellness Society at 543 Herald St on behalf of their rezoning application for a Retail Cannabis Storefront. They have caused no problems for me. I have observed no unruly activity and have never had any issues with noise or odours.

I believe the approval of the rezoning will allow them to dispense essential medicine to those that wish not to use opiates or other meds that cause many symptoms and have negative impacts on their health.

I see no issue with their storefront and urge the city to approve this application.

Sincerely,

V8W 3G9

Lacey Mullett

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am happy to offer my support to Shadow Mountain Health and Wellness Society at 543 Herald St on behalf of their rezoning application for a Retail Cannabis Storefront. They have caused no problems for me, I have observed no unruly activity and have never had any issues with noise or odours.

I believe the approval of the rezoning will allow them to dispense essential medicine to those that wish not to use opiates or other meds that cause many symptoms and have negative impacts on their health.

I see no issue with their storefront and urge the city to approve this application.

Sincerely,

Janit Cory. FAN TAN Home + Style
541 Fisguard St.
Victoria, BC V8P 2K4
[redacted]

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am happy to offer my support to Shadow Mountain Health and Wellness Society at 543 Herald St on behalf of their rezoning application for a Retail Cannabis Storefront. They have caused no problems for me, I have observed no unruly activity and have never had any issues with noise or odours.

I believe the approval of the rezoning will allow them to dispense essential medicine to those that wish not to use opiates or other meds that cause many symptoms and have negative impacts on their health.

I see no issue with their storefront and urge the city to approve this application.

Sincerely,

V8W 1W3

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council.

I am happy to offer my support to Shadow Mountain Health and Wellness Society at 543 Herald St on behalf of their rezoning application for a Retail Cannabis Storefront. They have caused no problems for me, I have observed no unruly activity and have never had any issues with noise or odours.

I believe the approval of the rezoning will allow them to dispense essential medicine to those that wish not to use opiates or other meds that cause many symptoms and have negative impacts on their health.

I see no issue with their storefront and urge the city to approve this application.

Sincerely,

TANG LING
Victoria BBQ House
1714 Government St
V8W 1R4

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am happy to offer my support to Shadow Mountain Health and Wellness Society at 543 Herald St on behalf of their rezoning application for a Retail Cannabis Storefront. They have caused no problems for me, I have observed no unruly activity and have never had any issues with noise or odours.

I believe the approval of the rezoning will allow them to dispense essential medicine to those that wish not to use opiates or other meds that cause many symptoms and have negative impacts on their health.

I see no issue with their storefront and urge the city to approve this application.

Sincerely,

Kelly McDougall V8T-3G9

[redacted]

V8W 1S5

MAR 24 2017

To whom it may concern,

I started visiting Shadow Mountain Dispensary to purchase their CBD pills are personal care products. I now volunteer for Shadow Mountain and see the number of patients purchasing CBD oil products. It's clear to me that people are benefiting from the use of cannabis related products, especially CBD oils.

Shadow Mountain Dispensary is a healthy environment — the shop is clean, the staff are friendly and informative, and the culture is inclusive and positive.

I would like to see Shadow Mountain Dispensary continue to thrive as a business as the medicinal products they sell are benefiting my life and the lives of others.

Alison Webb

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am the neighbour of Shadow Mountain Health and Wellness Society at 543 Herald St. I would like to state that I have no problems with their application for a Cannabis Retail Storefront.

I have found them to be a welcome addition to our neighbourhood and am happy to see them providing access to this essential medicine.

I feel the building is not outrageous and fits in with our neighbourhood. The staff are always friendly and welcoming when we see them on the street.

Shady Mountain Health and Wellness Society has my full support and you should approve their rezoning application.

Sincerely,

STEVEN SAUNDERS
THE VORPAL GNOME
556 B PANDORA AVE

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I am happy to offer my support to Shadow Mountain Health and Wellness Society at 543 Herald St on behalf of their rezoning application for a Retail Cannabis Storefront. They have caused no problems for me, I have observed no unruly activity and have never had any issues with noise or odours.

I believe the approval of the rezoning will allow them to dispense essential medicine to those that wish not to use opiates or other meds that cause many symptoms and have negative impacts on their health.

I see no issue with their storefront and urge the city to approve this application.

Sincerely,

ANDREW ANDERSON
CAVITY CURIOSITY SHOP
556 PANDORA. AVE.

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

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I see no issue with their storefront and urge the city to aprove this application

Sincerely,

INFINITI NIGHTCLUB
#27-560 JOHNSON ST
VIBW 3C6

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

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Sincerely,

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I would like to express my support of Shadow Mountain Health and Wellness Society at 543 Herald St. I am aware that it is a medical cannabis dispensary and they have caused no disturbances and produce no offensive odours.

Approving their rezoning will allow for a location to provide a range of essential health, wellness and food security services in the Chinatown area and I feel these are positive impacts on the neighbourhood.

I believe the proposed zoning is suitable, well-concealed from public view and I appreciate the increased security the society has provided to our neighbourhood and community.

I am urging the Zoning Board and Victoria City Council to approve the proposed rezoning application by Shady Mountain Health and Wellness Society.

Sincerely,

LOGAN STOLAR
626 FISGARD St. #810
V8W 1R6

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

I would like to express my support of Shadow Mountain Health and Wellness Society at 543 Herald St. I am aware that it is a medical cannabis dispensary and they have caused no disturbances and produce no offensive odours.

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I am urging the Zoning Board and Victoria City Council to approve the proposed rezoning application by Shady Mountain Health and Wellness Society.

Sincerely,

Gwen Wong

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250-385-5711

re Zoning Liaison

Dear members of the Zoning Board and Victoria City Council,

I am a neighbour of Shadow Mountain Health and Wellness Society located at 543 Herald St and I would like to express my support in their application to becoming a Cannabis Retailer.

I pass by their location daily and have never observed customer loitering, extreme smell or any criminal activity.

They have been upstanding members of the business community and should be allowed to continue to provide this medicine to Canadians.

I support them completely and would like to see them continue to be a part of our neighbourhood

Sincerely,

ALAN RAWLEY.

UNION PACIFIC COFFEE CO.
537 HERALD STREET
VICTORIA

[redacted]

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

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I am urging the Zoning Board and Victoria City Council to approve the proposed rezoning application by Shady Mountain Health and Wellness Society.

Sincerely,

STUDIO Y DESIGN - MGR.
ANDY TRIKALA
520 HERALD ST VICTORIA
V8W 1S6

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

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I support them completely and would like to see them continue to be a part of our neighbourhood.

Sincerely,

Government St Tattoo
V8W 1Z5

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

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I am urging the Zoning Board and Victoria City Council to approve the proposed rezoning application by Shady Mountain Health and Wellness Society.

Sincerely,

V9b 6J5

[redacted]

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

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I feel the building is not outrageous and fits in with our neighbourhood. The staff are always friendly and welcoming when we see them on the street.

Shady Mountain Health and Wellness Society has my full support and you should approve their rezoning application.

Sincerely,

Brian Lyle
mama oli
at the victoria public market

[redacted]

C-1701 Douglas st
V8W 0C1

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

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I believe the approval of the rezoning will allow them to dispense essential medicine to those that wish not to use opiates or other meds that cause many symptoms and have negative impacts on their health.

I see no issue with their storefront and urge the city to approve this application.

Sincerely,

DOUG LAND (MGR)
QUSALE ELECTRONICS.
2017 Government ST BC
V8T 1G8

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

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Shady Mountain Health and Wellness Society has my full support and you should approve their rezoning application.

Sincerely,

ALEX GRIFFITHS
V8W 1S6.

City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Telephone: 250 385 5711

c/o Zoning Liason:

Dear members of the Zoning Board and Victoria City Council,

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Shady Mountain Health and Wellness Society has my full support and you should approve their rezoning application.

Sincerely,

Joe Hughes
V9A 7C3

MAYOR'S OFFICE
MAR 27 2017
VICTORIA, B.C.

FOCUS
Friends of Canada United States
on Mutual Interests

Founder: Ken Warren
KENNETH R WARREN
306-4535 VIEWMONT AVE
VICTORIA BC V8Z 5L3

March 27, 2017

Her Honour Mayor Helps
and Victoria City Council.

This letter is written in support of re-zoning and achieving a business license for Shadow Mountain Health & Wellness Dispensary at 543 Herald St. in Victoria.

Shadow Mountain Medicinal Dispensary was born when the family which operated Shadow Mountain Organic Farm, 4901 Sooke Rd, sold the farm because they could no longer fight Monsanto's poisons and Fast Food's cancer-producing fare. Eight years of trying to convince Canadians that they should support and encourage more local organic farm produce seemed futile.

I think it is very important that the City of Victoria knows the quality of the people who are operating their cannabis businesses. That's why I want to tell you what the former Shadow Mountain organic farmer brings to his health and wellness dispensary. He brings: (a) business acumen, (b) food security, (c) civic responsibility, (d) care of fellow Canadians, (e) generosity, and (f) especially care for children.

(a) He has successfully run two Victoria businesses (1) WBS pressure washing, and (2) Bachelors Mens Wear on Douglas Street at Dairy Queen.

(b) He is a certified Master Organic Gardener (RRU) and all veggies, meat and fruit at the farm was organically grown.

(c) He has attended at all city hall meetings involving dispensary issues.

(d) His fight against negative corporations was for Canadian's health.

(e) As a prizefighter, he turned over more than half of his three winnings to Wild ARC in Metchosin, and three years of selling Christmas trees at the farm and on Douglas St., all profits to Mustard Seed and Sooke Food Bank. I know, because I was roadside Santa all three years.

(f) Shadow Mountain Farm was connected with Edward Milne School and most Sooke elementary schools — where teaching garden classes and animal husbandry was conducted with scores of visiting student classes on the farm. The fact that the ex-farmer also coached the school rugby teams at Sir James Douglas, Central Middle School and Vic High as a volunteer should confirm that his protection of children is paramount.

more

In addition, the ex-farmer has been a Castaway rugby player for many years and has played internationally with Team Canada on two occasions to Britain. Having had both knees operated on and both cheek and jaw bones broken, he is a medicinal cannabis user himself. (oops, just one cheek bone and one jaw bone) I, too, am a medicinal cannabis user; however, since I can't have smoke in my lungs and don't want the effect of THC, I rely on getting raw flowers and leaves from Shadow Mountain Dispensary and use them in a blender with spinach, fruit and water.

Thank you for your interest and support of this initiative.

Yours Sincerely,

Kris Warren

PS: I am not just writing this in bias fashion of my son, Kris Warren; all of what I have written is chronicled in my files and/or researchable from city documents or interviews with educators or donor recipients.

(2)

Noraye Fjeldstad

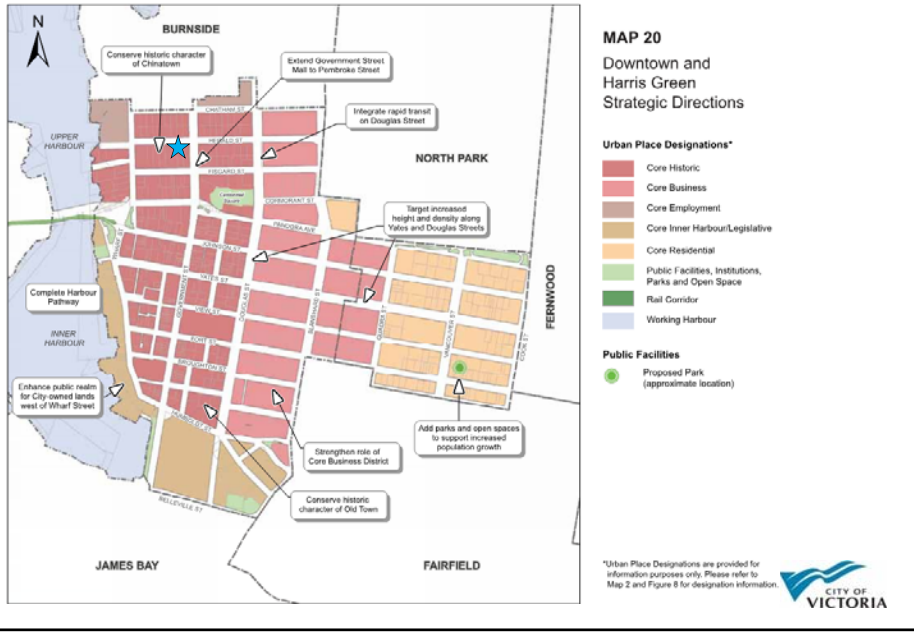
From: Sagers <[redacted]>
Sent: Monday, March 27, 2017 3:46 PM
To: Victoria Mayor and Council
Subject: Re: Sager's Home Living - marijuana dispensary zoning objection

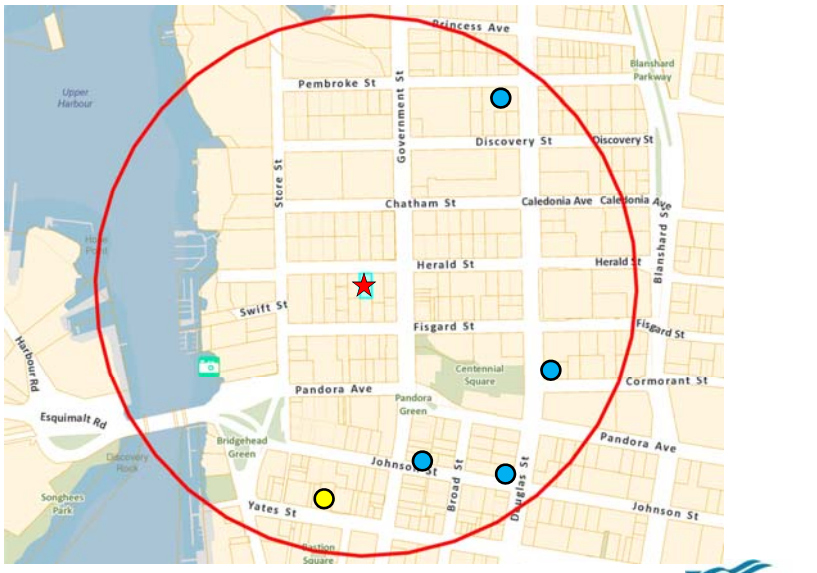
Dear Mayor and Council,
We have been approached by the Shadow Mountain marijuana dispensary and asked to sign a zoning application petition. We declined to sign because of the ever-present odour situation we face. Since the Shadow Mountain and Green Dragon dispensaries have been open we have experienced the day to day problem of people smoking marijuana in the alley that connects Herald and Discovery streets behind our premises and our ventilation system intakes the smoke and smell into our store where it is a serious disruption to our business. On numerous occasions our staff has had to leave customers in order to ask the smokers in the alley to smoke elsewhere. I obtained "no smoking" signs from City Hall to try and dissuade people from smoking in the alley to no effect. When I mentioned this problem to the individual seeking our signature he mentioned that "people smoke all over the city." I responded that we have only had this problem since the dispensaries set up shop. We have been in business and paying property tax at our Government Street location since 1970 and wish to confirm our objection to zoning that allows the dispensaries and the continuous and ongoing disruption to our business caused by the consumption of the products they sell. I note that both the Shadow Mountain and Green Dragon dispensaries are within half a block of the Victoria Chinatown Care Center.
Thank you,
Scott Coltart
Manager
Sager's Home Living

Rezoning Application
for
543 Herald Street

SHADOW MOUNTAIN
exotic stone
OPEN

541


MAP 20
Downtown and
Harris Green
Strategic Directions
Urban Place Designations*
Core Historic
Core Business
Core Employment
Core Inner Harbour/Legislative
Core Residential
Public Facilities, Institutions, Parks and Open Space
Rail Corridor
Working Harbour
Public Facilities
Proposed Park (approximate location)
*Urban Place Designations are provided for information purposes only. Please refer to Map 2 and Figure 8 for designation information.
CITY OF VICTORIA
N
BURNSIDE
NORTH PARK
FERNWOOD
JAMES BAY
FAIRFIELD
UPPER HARBOUR
INNER HARBOUR
Conserve historic character of Chinatown
Extend Government Street Mall to Pembroke Street
Integrate rapid transit on Douglas Street
Target increased height and density along Yates and Douglas Streets
Complete Harbour Pathway
Enhance public realm for City-owned lands west of Wharf Street
Add parks and open spaces to support increased population growth
Strengthen role of Core Business District
Conserve historic character of Old Town


Princess Ave
Blanshard Parkway
Pembroke St
Government St
Discovery St
Discovery St
Store St
Chatham St
Caledonia Ave
Caledonia Ave
Blanshard St
Herald St
Herald St
Swift St
Fisgard St
Fisgard St
Harbour Rd
Centennial Square
Cormorant St
Pandora Ave
Pandora Green
Esquimalt Rd
Bridgehead Green
Pandora Ave
Johnson St
Broad St
Douglas St
Johnson St
Yates St
Songhees Park
Upper Harbour
CITY OF VICTORIA

Shady Mountain Health and Wellness Society
DBA Shadow Mountain
543 Herald Street
Victoria, BC
V8W 1S5

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

August 9th, 2017

Dear Mayor Helps and City Councillors,

Thank you for receiving our application of rezoning for a cannabis related business at 543 Herald Street. We look forward to working with you toward a formal acceptance of our society and its place within the downtown community via the rezoning process.

Summary of Proposal:
Shadow Mountain Health and Wellness Society serves our neighbourhood's alternative medicinal needs at 543 Herald Street. We have a unique storefront which provides a safe, supportive, and positive environment for our patients as we assist them in making informed decisions about their medical needs. We have over 8000 members in our society. We have come together to create a support group for medical cannabis patients. We provide a community that cares about the environment and food security. We raise awareness through our social media campaigns about the struggle of local farmers, the lack of local food and the need for Vancouver Island to secure its own food sources. The members of our society have expressed appreciation for our welcoming and bright space and knowledgeable staff. Our patients appreciate learning what alternative medicinal options are available to them and we encourage that they ask questions, educate themselves, and find solutions that work for them.

Our storefront is in a location that serves the community well. We are on a commercial block of Chinatown and most of our members find our location convenient, living within a few blocks. We are not located within 200

metres from any school district property or other dispensary that has been zoned for the use as a Cannabis Retailer.

Environmental/Social Impact:
Community service is at the core of the Shadow Mountain ethos. We strive each day to have a positive effect on our neighbourhood as safely, sustainably, and responsibly as possible. We have a history of helping to protect the environment, supporting local farmers, local businesses, and backing food security efforts and are more committed than ever to those causes. We are looking at ways to reduce the use of plastic and any other non-renewable in our store and are also in the process of becoming a Surfrider Approved Business - a Vancouver Island Green Businesses Certification (VIGBC) program that links businesses to responsible actions that will help keep our local beaches and waterways clean. We use only paper exit bags and the plastic that we do use, was specifically chosen for being bio-degradable. We hosted a successful fundraising event for Standing Rock, organized by our staff - this event brought together several dozen community members who are passionate about creating a better future both locally and globally.

We strive to maintain a socially progressive atmosphere, welcoming all walks of life and have been well received by the LGBTQ community in Victoria as we offer a safe and supportive environment for anyone and everyone over the age of 19. We have worked with the Victoria Pride Society and supported the King Fling Fundraiser. But more than anything else, Shadow Mountain prides itself on its continued positive social impact by providing alternative medicines that eases the pain and suffering of Victorians. Shadow Mountain cares about its members and the community. We act as a hub to put members and the public in touch with community support for mental health, addictions counselling, coping skills, stress management, depression and life skills programs.

Several testimonials from our patients as well as our neighbours and fellow small business owners accompany this letter.

Safety and Security:
We have demonstrated a commitment to follow any applicable city bylaws in order to remain compliant. We are fundamentally committed to the safety and security of our staff, our patients, and our neighbourhood. We have a minimum of two staff members on at all times, one of whom is always a manager. We are committed to established CPTED strategies in order to deter criminal behaviour. All front of store product is positioned safely behind a counter or in a drawer and out of sight from the street. Only small quantities of inventory is kept on the sales floor and we practice industry standard secure handling of our back stock which is in a locked room and in a safe. All edibles for sale have been removed as required by VIHA. We perform regular cash drops into a secured safe and all product is secured and out of view during closing hours. We have a security alarm system,

multiple security cameras, and fire detection devices wired directly to professional security companies and monitored 24 hours per day. We have established “security zones” on our premises which specify who is allowed in which areas of the store, whether they be a patient, a staff member, or a manager. We have outdoor lighting along the front of our building, on the side of the building in the parking lot and a street lamp directly outside of our door which provides ample security lighting. Consumption of cannabis or cannabis products is strictly forbidden on site or anywhere in the vicinity of our storefront. In addition, we have deployed a powerful carbon filter air filtration system inside the shop.

Design Permit Guidelines:

543 Herald Street has CA-3C zoning which allows for the use of the premises for retail sales without requiring any off-street parking stalls. We are close to most major bus routes, the Galloping Goose Trail, and regularly allow patients to bring their bicycles right into the shop during their visit. The property does not have heritage status and no heritage buildings are affected by this application. An additional emergency door will be installed should we be successful with our rezoning and is detailed on our floor plans. We will be keeping our parking spot in our store and this is also detailed in the floor plans. You will also notice we have changed our signage. The city requested our current sign be removed and to use a blade (projecting) sign to be consistent with other signage in the neighbourhood and this has been completed to remain in compliance with city bylaws.

Recently the Green Dragon Dispensary of 541 Herald St was denied their rezoning due to the proximity to the Chinese Language School. Green Dragon is 155m from the school and Shadow Mountain is approximately 10m closer. City Council Policy for Cannabis Retailers dated February 23, 2017 states in section C item 2. *A storefront cannabis retailer should be at least 200 m (in a straight line from closest lot line to closest lot line) from a public or independent elementary, middle or secondary school.* The school in proximity to Shadow Mountain does not fall within this definition (see attached letter from the Ministry of Education). It is a Language School and the hours that school is in session are quite limited. During the week classes are from 4:10pm to 5:50pm for kids and the adult programs go from 7:00pm to 9:00pm. On Saturdays the school is open from 9:00am to 1:00pm. The hours of operation in this case make it more analogous to any business that offers instructional services. It is assumed that the basis for having a space between true schools is principled. It is anticipated that there may be a large number of students in and about the area of a true school at all times of day, with the students having recess consisting of unsupervised time, making the possibility of exposure to the sale and use of marijuana more likely. In this case, the same risks are not present. These are after school language programs of a little over an hour. Parents typically wait with their children, or return to pick them up from Fisgard Street. There are no child-centric businesses, nor attractions in the vicinity of Shadow Mountain that would draw participants to the area, across the busy government street and down a side road. The Language School is not analogous to a true school where attendance is in the hundreds, five days a week with the potential to wander during recess periods. Shadow Mountain has existed in our location, at this proximity to

the Language School for almost 3 years with no incidents or objections to date. Shadow Mountain is open to compromising with council to limit our hours of operation to be closed during the above mentioned school hours.

Furthermore, it is important to bring to your attention to Farmacy Dispensary of 3055 Scott St. which was awarded their business license although they are only 150m from lot line to lot line to the Lansdowne Middle School. Landsdowne falls within the definition outlined in the policy of a public middle school. We are aware that it was obtained under a different set of requirements, however it does set a precedent that the 200m buffer is not an absolute for all dispensaries. Clearly in some cases the circumstances specific to the location and the school can be considered in isolation. It is our submission that in this case it should be acknowledged that this is not the type of institution the policy was crafted to apply to, and if the policy were applied so broadly so as to capture any business that offered instructional classes, there is likely no location in Victoria that could be squarely approved.

Neighbourhood Impacts:

We support members of our community who exercise their right to use cannabis for medical reasons. Our presence, with our well trained and proactive staff, contribute to the vibrancy of the community and have become a welcome thread in the fabric of our neighbourhood. Being located on Herald St, we service the residential over age population that does not require transportation. Our shopfront is unobtrusive and fits in nicely to our neighbourhood.

Should you ever set foot in our facility, you will appreciate the warm and welcoming aesthetic we have created. We have an abundance of live plants, reclaimed wood countertops, reclaimed wood paneling, and a waterfall fountain. The room has a distinctly west coast feel which is pleasing to our clients.

We encourage all staff and clients to move off of the block to a private area to consume their medicine.

Conclusion:

Thanks to the continued outpouring of support from our patients, staff, neighbours, and the community at large, we are convinced that we are an ideal candidate for cannabis storefront rezoning approval. We are committed to the protection of the environment, local food security, to the health and wellness of our members, to being a contributing member of Victoria and to providing a safe and welcoming environment to anyone over the age of 19. We are eager to move forward onto the next step and are grateful for the hard work and leadership of this city's Mayor, Council, and staff throughout this complex landscape.

Shady Mountain Health and Wellness Society

5

From: Stewart, Terry J EDUC:EX [mailto:Terry.J.Stewart@gov.bc.ca]
Sent: June 26, 2017 1:30 PM
To: 'robert bradbury'

Subject: RE: VICTORIA CHINESE PUBLIC SCHOOL, 636 FISGARD STREET, VICTORIA, V8W 1R6

Hello

The Victoria Chinese Public School is not a BC certified independent school.

Under the Independent School Act, schools that offer solely language or cultural programs to school aged students are not required to be certified as BC independent schools in order to operate. It is my understanding that the Victoria Chinese Public School offers primarily language programs to school aged students after regular school hours. Information on the school's programs may be found here: http://www.victoriabbs.com/sponsors/vcps.html.

I hope you find this information helpful.

Terry Stewart
Policy Analyst
Independent Schools Branch
International Education, Independent Schools and Partner Relations Division
Ministry of Education
Ph: 778-679-2883

BRITISH COLUMBIA | Ministry of Education

CITY OF VICTORIA

Committee of the Whole Report
For the Meeting of August 10, 2017

To:	Committee of the Whole	**Date:**	July 28, 2017
From:	Jonathan Tinney, Director, Sustainable Planning and Community Development		
Subject:	**Rezoning Application No. 00584 for 818-826 Johnson Street**		

RECOMMENDATION

That Council decline Rezoning Application No. 00584 for the property located at 818-826 Johnson Street.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures, as well as, the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 818-826 Johnson Street. The proposal is to rezone from the current CA-HG Zone, Harris Green District, to a site-specific zone in order to allow for the retail sale of cannabis.

The following points were considered in assessing this application:

- the proposal is consistent with the Core Business designation in the *Official Community Plan*, 2012
- the proposal is consistent with the Central Business District designation in the *Downtown Core Area Plan*
- the proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy*, as there is a permitted storefront cannabis retailer within 400m.

BACKGROUND

Description of Proposal

This Rezoning Application is to allow for the retail sale of cannabis in an existing building. No alterations to the building are proposed. The following differences from the standard zone are being proposed and would be accommodated in the new zone:

- storefront cannabis retailer would be a permitted use

- only one storefront cannabis retailer would be permitted to operate on the property at a time
- storefront cannabis retailer would be restricted to the ground floor
- storefront cannabis retailer would be restricted to a maximum floor area of 115m^2, which is in keeping with the size of the existing operation.

All other requirements within the CA-HG Zone, Harris Green District remain the same.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this application.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Accessibility Impact Statement

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

Land Use Context

The area is characterized by buildings of differing architectural styles and wide-variety of uses that include office, storage, commercial, and residential.

Existing Site Development and Development Potential

The site is presently a four-storey building with commercial uses on the ground floor and self-storage on the upper storeys. Upon submission of the application, the building's heritage value was identified by the Senior Heritage Planner; however, the building is neither heritage designated nor heritage registered.

Under the current CA-HG Zone, Harris Green District, the property could be developed up to a height of 43m with a maximum floor space ratio of 3:1. A variety of commercial uses, with residential uses on the upper storeys, are permitted in this zone.

Community Consultation

Consistent with the *Storefront Cannabis Retailer Rezoning* Policy, the requirement to arrange and participate in a Community Association Land Use Committee (CALUC) Community meeting is waived unless the application involves construction of a new building; however, the Application was referred to the Downtown Residents Association CALUC. Also consistent with the Policy, the Application has been referred to School District No. 61 and the Victoria Police Department. At the time of writing this report no comments had been received.

ANALYSIS

Official Community Plan

The *Official Community Plan, 2012* (OCP) identifies this property within the Core Business urban place designation, within which commercial uses, including retail, are envisioned.

Downtown Core Area Plan

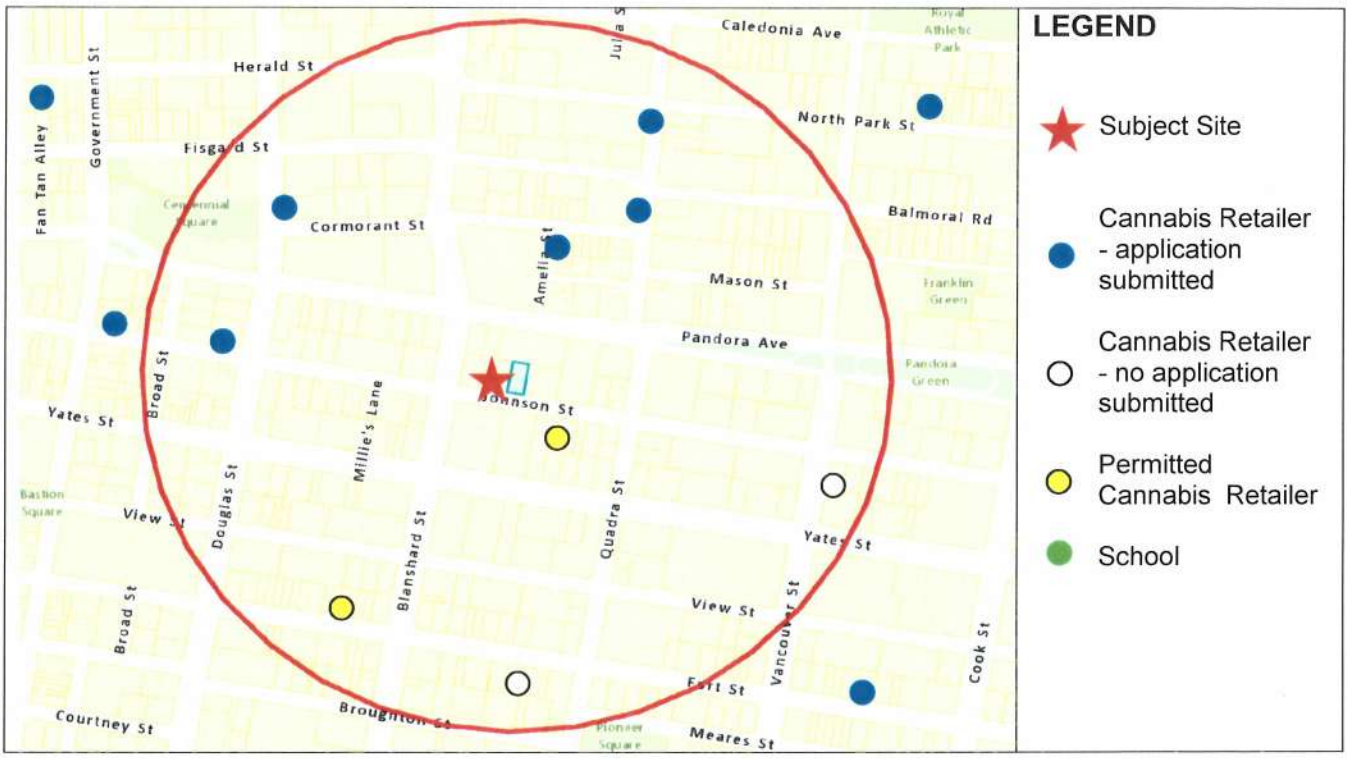
The *Downtown Core Area Plan* identifies the property within the Central Business District designation, within which commercial development and complementary retail uses are envisioned.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts nor any impacts to public trees associated with this application.

Storefront Cannabis Retailer Rezoning Policy

This application was one of the sites identified as operating as a storefront cannabis retailer at the time of Council adopting the regulations and policy framework related to cannabis. This application is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy*, as there are two approved storefront cannabis retailers within 400m of the subject site: 778 Fort Street is 277m away and 851 Johnson Street is 76m away. The policy does note that Council may consider variances to the separation distances; for instance, in locations such as the downtown or a Large Urban Village. Furthermore, the subject property is within 400m of the following storefront cannabis retailers with applications submitted to the City: 1402 Douglas Street (297m away), 1601 Douglas Street (272m away), 853 Cormorant Street (138m away), 1625 Quadra Street (220m away), and 1719 Quadra Street (289m away). 1011 Johnson Street (385m away) and 849 Fort Street (321m away) are storefront cannabis retailers with no applications submitted to the City. There are no elementary, middle, or secondary schools within 200m of the property.



CONCLUSIONS

This proposal to permit the storefront cannabis retailer use is consistent with the *Official Community Plan* and the *Downtown Core Area Plan* in accommodating commercial retail uses. However, the proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy* as there are two permitted storefront cannabis retailer within 400m of the property.

ALTERNATE MOTION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00584 for 818-826 Johnson 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,

Michael Angrove
Planner
Development Services

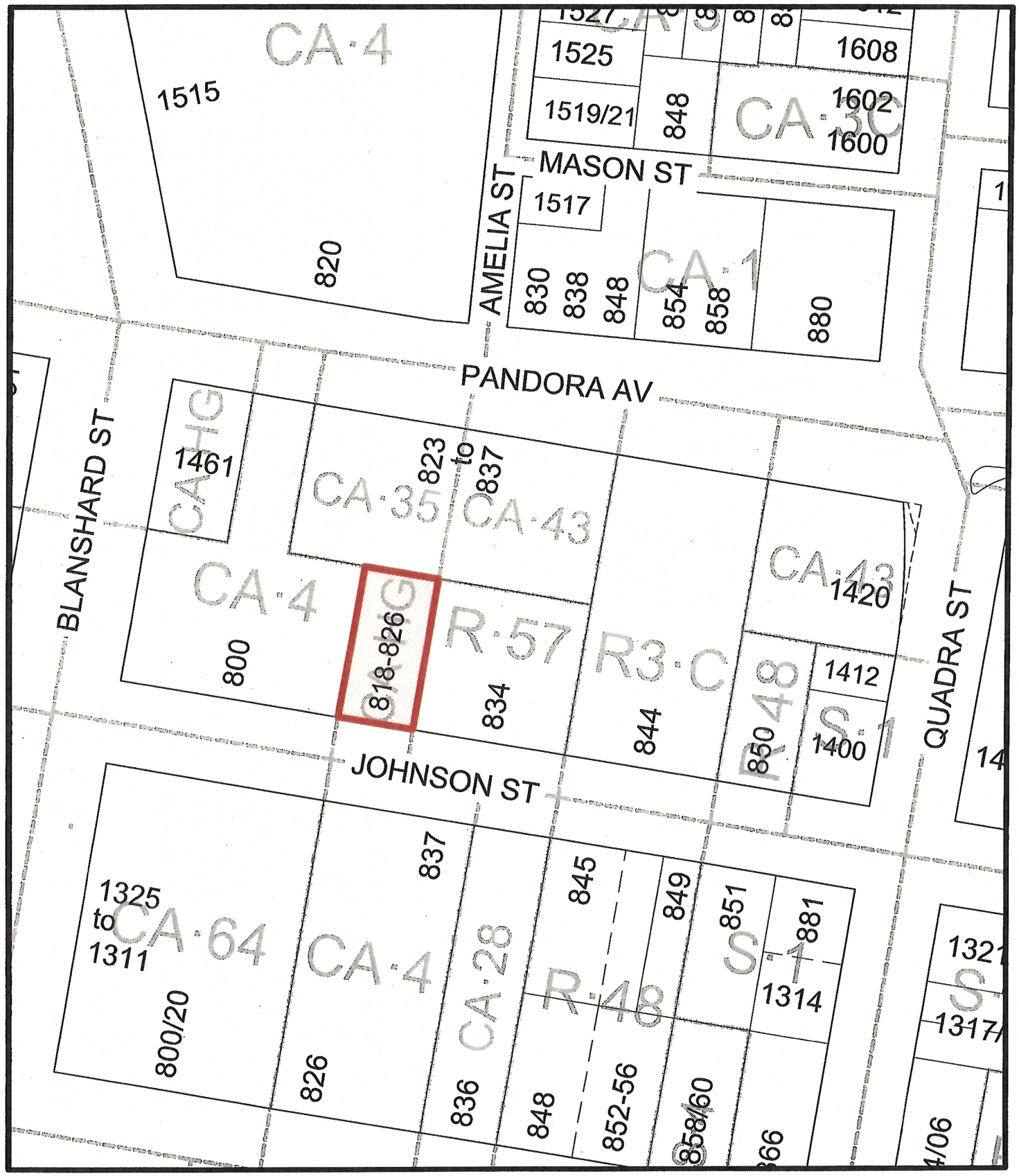
Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager: Jocelyn Jenkyns

Date: August 3, 2017

List of Attachments

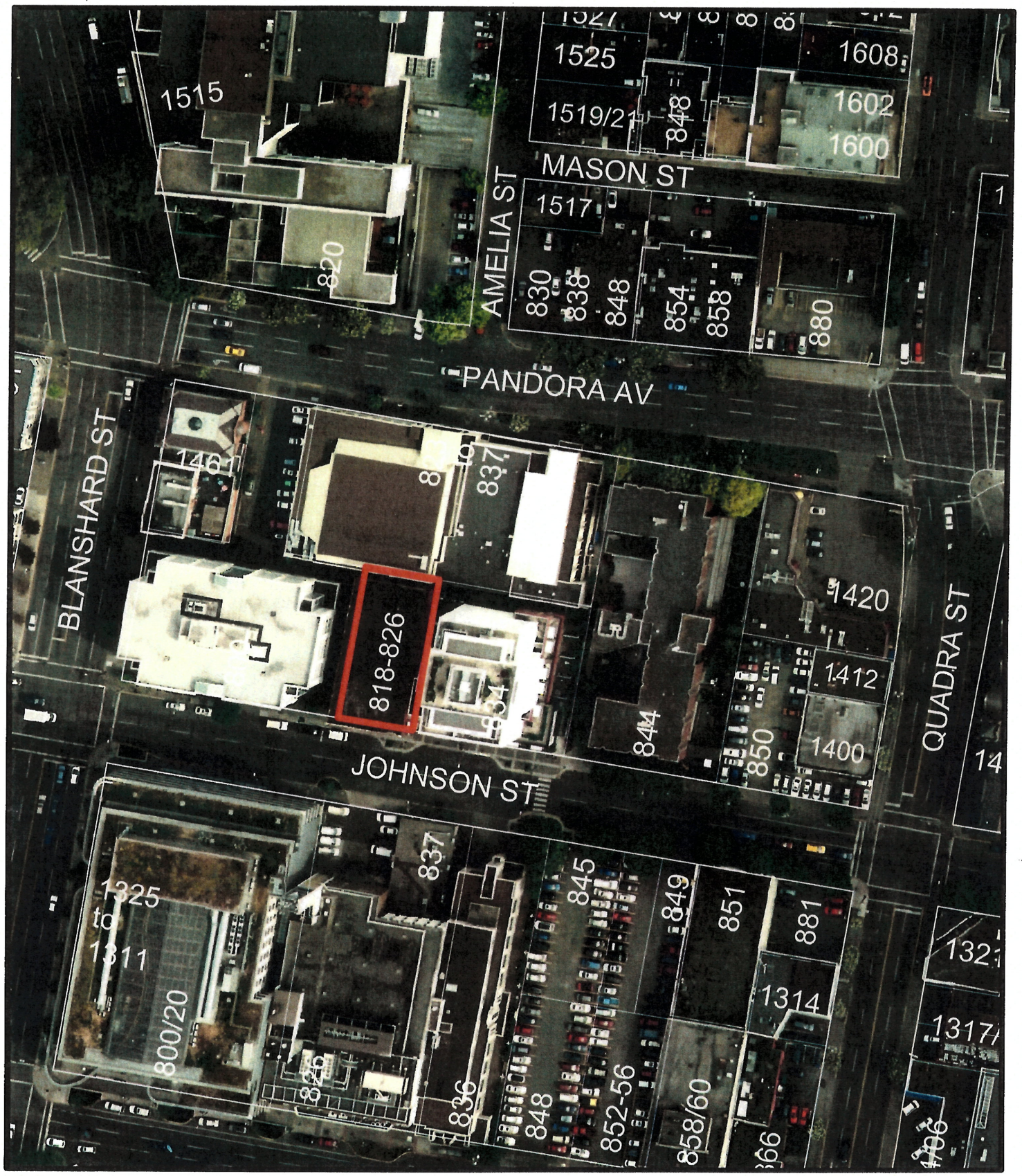
- Attachment A – Subject Map
- Attachment B – Aerial Map
- Attachment C – Plans date stamped May 12, 2017
- Attachment D – Letter from applicant to Mayor and Council dated April 22, 2017



N

818-26 Johnson Street
Rezoning No.REZ00584

CITY OF VICTORIA



N

818-26 Johnson Street
Rezoning No.REZ00584

CITY OF VICTORIA

Rezoning to

VICTORIA CANNABIS BUYERS CLUB, 826 JOHNSON STREET

Fayaz Kara
Victoria Cannabis Buyers Club
hellovcbc@gmail.com
(250) 381-4220

Received
City of Victoria
MAY 12 2017
Planning & Development Department
Development Services Division

CODE REVIEW

Item	2012 British Columbia Building Code, Data Matrix	Part 3	Reference
1	Address 818 Johnson Street, Victoria, BC		
2	Legal Description Lot 591, VICTORIA, PLAN 2135 PID 000-019-947, PCL 00-01-028-016		
3	Project Description ☒ Rezoning Restore for use as a Storefront Cannabis Retailer		
4	Classification of Building First Floor: Group A, Division 2 - Assembly Occupancies Second Floor: Group D - Business And Personal Services Occupancies Third Floor: Group F, Division 2 - Medium-Hazard Industrial Occupancies Fourth Floor: Group F, Division 2 - Medium-Hazard Industrial Occupancies		3.1.2.1(1)
5	Total Building Area	668.9 sq.m (7,201 sq.ft.)	1.4.1.2.1
6	Floor Area	662.2 sq.m (7,018 sq.ft.)	1.4.1.2.1
7	Area of Rezoning (Suite)	113.4 sq.m (1,220.6 sq.ft.)	
7	Occupant Load Mezzanine First Floor: 3.70 sq.m per Person for Mezzanine Uses; 51.0 sq.m / 3.70 sq.m = 13.8 Offices: 9.30 sq.m per Person for Offices; 38.2 sq.m / 9.30 sq.m = 4.0 Storage: 46.0 sq.m per Person for Storage; 4.1 sq.m / 46.0 sq.m = 0.1 Total Occupancy: 18 Persons		3.1.17.1
8	Number of Storeys	Four (4) Storeys	1.4.1.2.1, 3.2.1.1
9	Number of Streets Facing	One (1)	3.2.2.10
10	Sprinklered	No	3.2.2.10
11	Group E, Up To 3 Storeys - Existing Non-Combustible 1) A building classified as Group E is permitted to conform to Sentences (2) provided a) it is not more than 3 storeys in building height, and Non-Combustible - Building is 4 storeys in height b) it has a building area not more than the value in Table 3.2.2.94 3 Storeys - Facing 1 Street - 800 sq.m Building Area 2) The building referred to in Sentence (1) is permitted to be of combustible construction or noncombustible construction (wood stud) or a combination, and a) floor assemblies shall be fire separations with a fire-resistance rating of not less than 45 min, and b) roof assemblies shall have a fire-resistance rating not less than 45 min, c) load-bearing walls, columns and arches supporting an assembly required to have a fire-resistance rating shall i) have a fire-resistance rating not less than 45 min, or ii) be of noncombustible construction, and d) load-bearing walls, columns and arches supporting a fire separation shall have a fire-resistance rating not less than that required for the fire separation		3.2.2.83
13	Location of Exits 1) Except as permitted by Sentences (2) and 3.3.3.3(6), if more than one exit is required from a floor area, the exits shall be located so that the travel distance to at least one exit shall be not more than f) 30m in any floor area other than those referred to in Clause (a) to (e) Maximum Travel Distance Provided: 16.2m		3.4.2.5
14	Water Closets 1) Except as permitted by Sentences (4) and (10), the number of water closets required for a mercantile occupancy shall be at least one for each 300 males and one for each 150 females. 29 Persons - 18 Persons of Each Sex Required Water Closets: 1 Male, 1 Female Provided Water Closets: 1 Male, 1 Female		3.7.2.2
15	Accessible Washroom	Not Provided	3.7.2.10

LIST OF DRAWINGS

ARCHITECTURAL

- A-000 Drawing List, Legend, Code Review, Project Information Table & Site Plan
- A-001 Site Plan
- A-002 Existing Floor Plans - Ground Floor, Large Scale Plan
- A-003 Existing Floor Plans - Second Floor, Third Floor, Fourth Floor
- A-004 Exterior Photos
- A-005 200m Radius Map

PROJECT INFORMATION TABLE

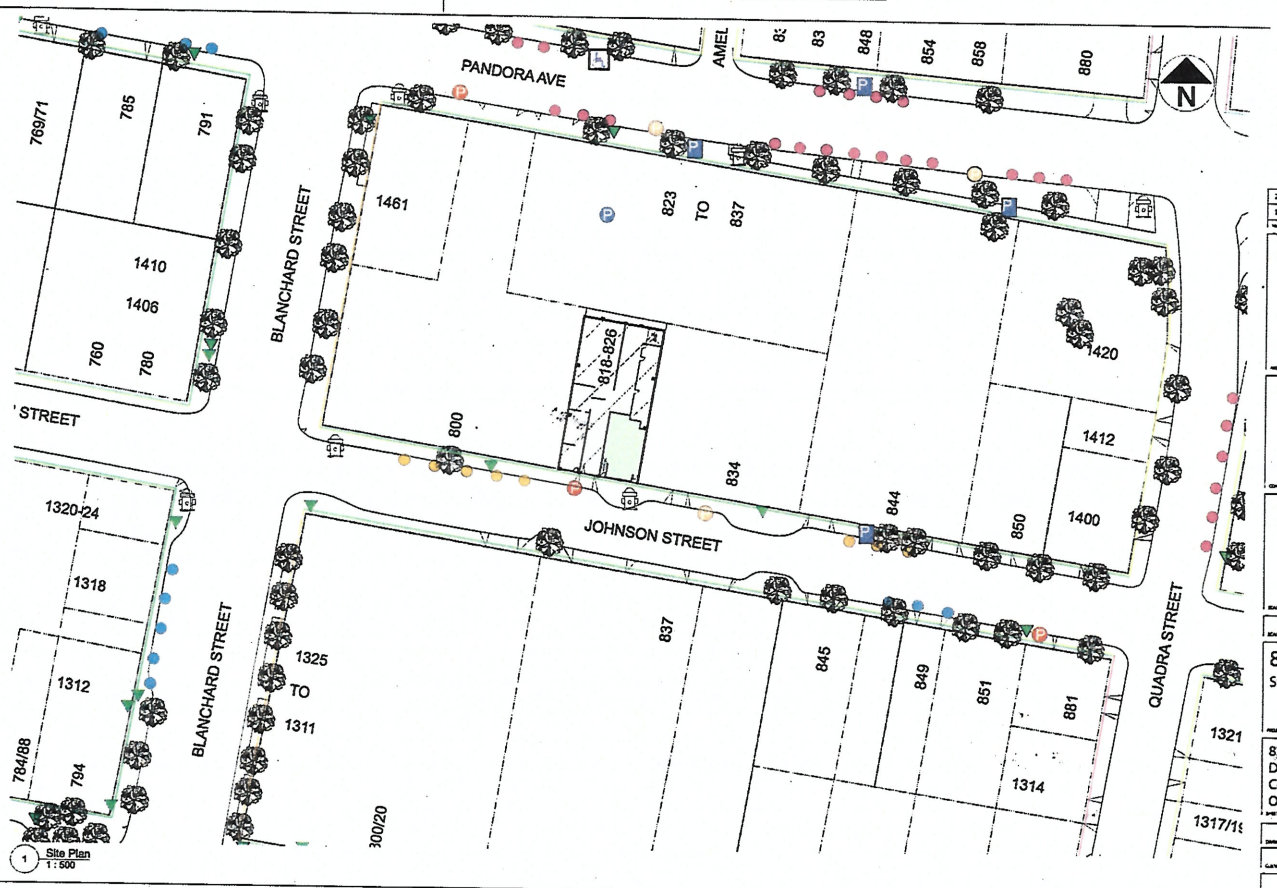
PROJECT INFORMATION TABLE	
Zone (Existing)	CA-HG
Site Area (sq.m)	666.6 sq.m
Unit Floor Area (sq.m)	113.4 sq.m
Parking Stalls (Number on Site)	0
Bicycle Parking Number (Class 1 and 2)	Class 1: 0 , Class 2: 0

Parking Calculation - CA-4 Zoning

CA-4 - Central Area Commercial Office District - No off-street parking facilities are required with the exception of:

(i) premises used for transient accommodation, which shall be provided with off-street parking units for automobiles equal in number to not less than 50% of the number of transient accommodation units thereon; and

(ii) premises used for residential accomodation, which premises shall be provided with off-street automobile parking units equal in number to not less than 70% of the number of dwelling units thereon.



LEGEND

- Regulated Fire Hydrant
- Unregulated Fire Hydrant
- Curb
- Property Lines
- Time Limited Parking
- No Stopping
- Unrestricted Parking
- Unrestricted Parking
- Bike Parking
- Surveyed Tree
- $3/hr (20-90min Max.)
- $2.50/hr (4hrs Max.)
- $2.50/hr (2hrs Max.)
- $2/hr (2hrs Max.)
- Commercial
- Passenger
- Private Parkade
- Pay Station
- Handicap

2	REISSUED FOR REZONING	2017-06-19
1	ISSUED FOR REZONING	2017-04-27

numberTEN architectural group

As Noted | 2017-04-27

826 Johnson Street
Storefront Cannabis Retailer Rezoning

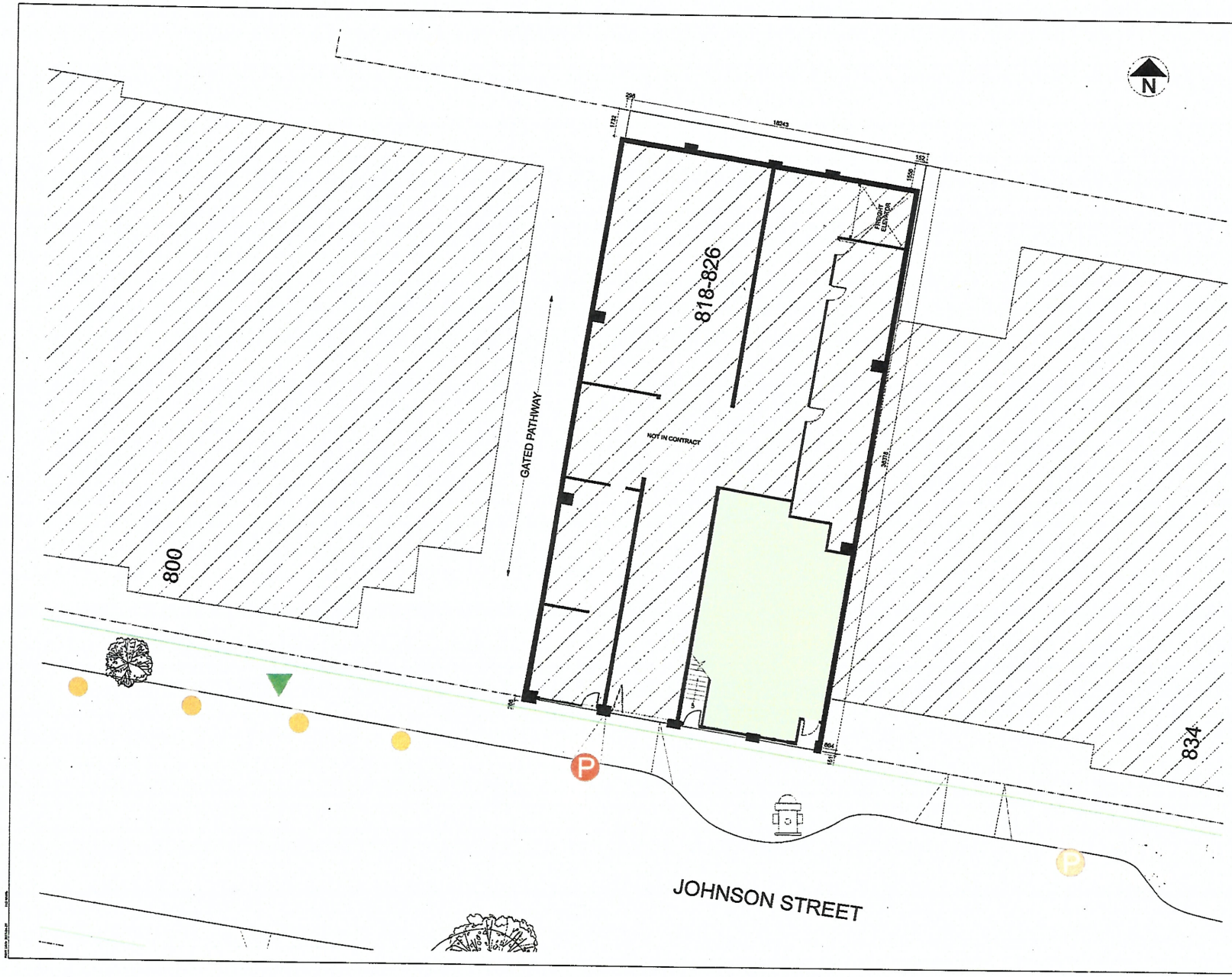
826 Johnson Street
Drawing List, Legend,
Code Review, Project Information Table,
Overall Site Plan

LT

2017519

A-000

Committee of the Whole - 10 Aug 2017



Fayaz Kara
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hellovcbc@gmail.com
(250) 381-4220

Received
City of Victoria
MAY 12 2017
Planning & Development Department
Development Services Division

2	REISSUED FOR REZONING	2017-05-14
1	ISSUED FOR REZONING	2017-04-27

numberTEN architectural group

SCALE 1:100	DATE 2017-04-27

826 Johnson Street
Storefront Cannabis Retailer Rezoning

Site Plan

DRAWN BY LT	CHECKED BY LM
PROJECT NO. 2017519	A-001

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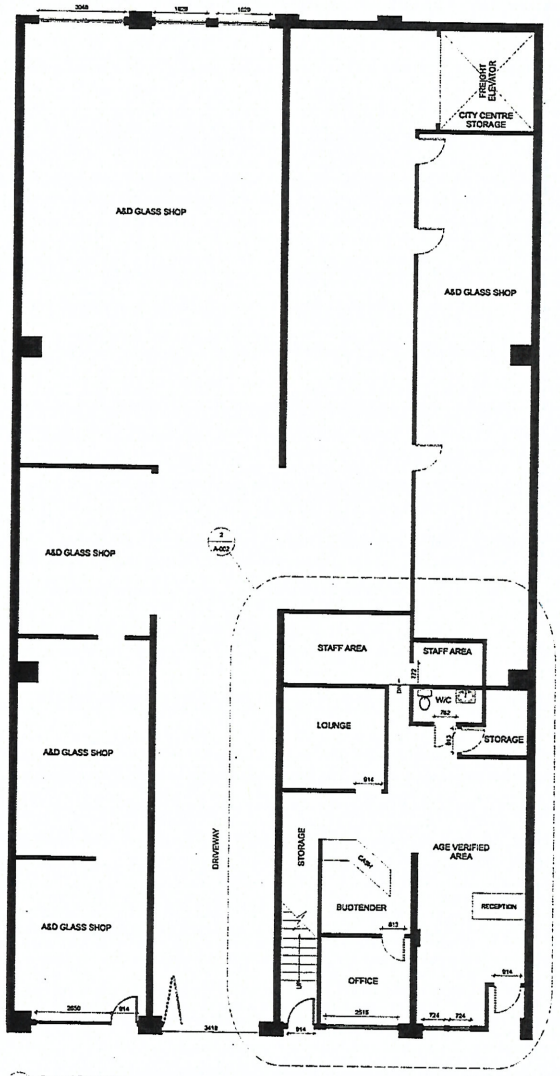
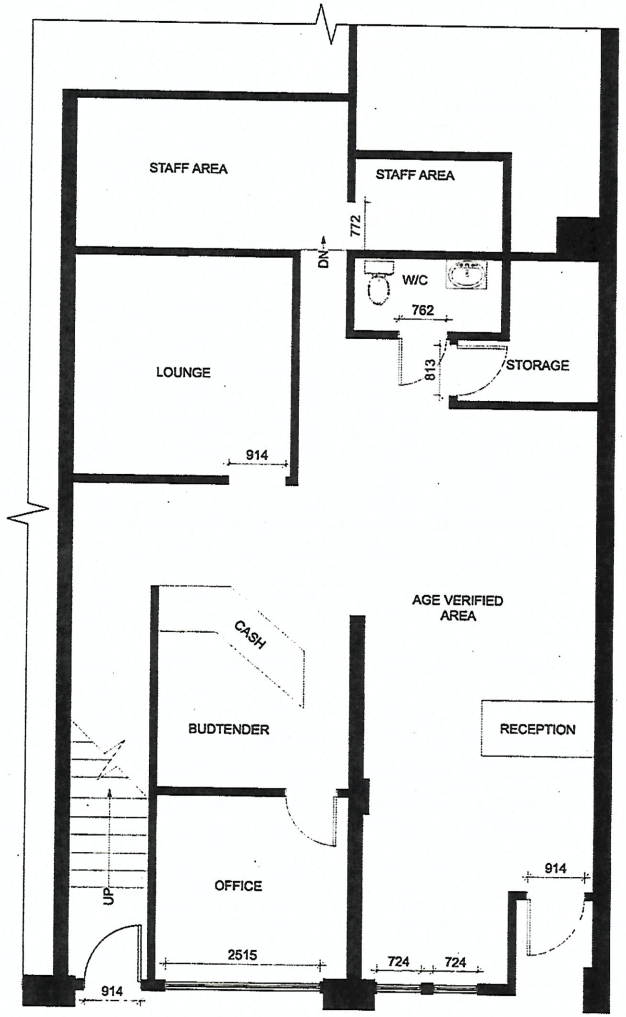


1 Ground Floor Plan
1:75



2 Large Scale Plan - Rezoning Suite
1:35

2	REISSUED FOR REZONING	2017-05-14
1	ISSUED FOR REZONING	2017-04-27

numberTEN architectural group

SCALE: As Noted
DATE: 2017-04-27

826 Johnson Street
Storefront Cannabis Retailer Rezoning

Ground Floor Plan
Large Scale Plan

DRAWN BY: LT
CHECKED BY: LM
2017519
A-002

1 Second Floor Plan - Office Space
1:85

2 Third Floor Plan - Storage Lockers
1:85

3 Fourth Floor Plan - Storage Lockers
1:85

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Community Planning Division

1	ISSUED FOR REZONING	2017-04-27

numberTEN architectural group

As Noted | 2017-04-27

826 Johnson Street
Storefront Cannabis Retailer Rezoning

Second Floor Plan
Third Floor Plan
Fourth Floor Plan

LT | LM

2017519

A-003

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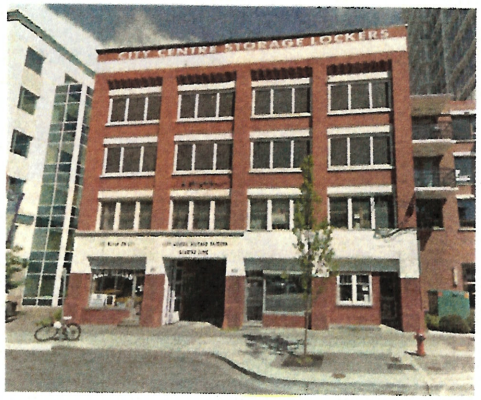
1 Exterior Photo - West Face of Exterior



2 Exterior Photo - South Face of Exterior

3 Exterior Photo - East Face of Exterior

4 Exterior Photo - Gated Pathway, West

5 Exterior Photo - Suite Entrance

1	ISSUED FOR REZONING	2017-04-27

numberTEN architectural group

Not To Scale | 2017-04-27

826 Johnson Street
Storefront Cannabis Retailer Rezoning

Exterior Photos

LT | LM

2017519 | A-004

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Community Planning Division

1	ISSUED FOR REZONING	2017-04-27

numberTEN architectural group

1:1000	2017-04-27

826 Johnson Street
Storefront Cannabis Retailer Rezoning

200m Radius Map

LT	LM
2017519	A-005

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City of Victoria
MAY 1 2 2017
Planning & Development Department
Development Services Division

Mayor Lisa Helps and Council
City of Victoria
No. 1 Centennial Square
Victoria, BC
V8W 1P6

April 22, 2017

Dear Mayor Helps and Council,

Thank you for the opportunity to present information about the Victoria Cannabis Buyers Club for the purposes of rezoning.

We have provided medical cannabis to our members and have been an active part of the downtown Victoria community for over 20 years. We have both the historic perspective and positive reputation to continue to be a leader in the area of medical cannabis in Victoria.

Please see below for the details of how we operate and the benefits that we provide to our neighbourhood and the Victoria community.

1. Description of Proposal

The Victoria Cannabis Buyer's Club, (VCBC), has been an integral part of the medical cannabis dispensary infrastructure in Victoria for over 20 yrs. We have established policies and procedures for members to be able to access medical cannabis. We ensure a medical need and work individually with each member to help them find the products that meet their medical goals. We have an established storefront at 826 Johnston St. where we have been for the past 16 years.

During our 20 year history we have contributed to the medical cannabis legislation through Supreme Court challenges and decisions that have shaped the industry today. We continue to advocate for our members and others who rely on medical cannabis.

Our location is a considerable distance from all schools, (more than 1.4 kilometers), and more than 100 metres from a new dispensary, Medijuana.

2. City Policy

The VCBC has worked collaboratively with the City of Victoria and we strive to comply with all cannabis policy and bylaws. We have been active in providing feedback to the city on the effects of new bylaws on our members and community. We take pride in working with the City of Victoria in providing safe and accessible medical cannabis to the many patients that are members of our VCBC community.

3. Project Benefits and Amenities

Economic Benefits:

The VCBC is a non-profit, service driven society, with over 3,500 active members. The economic benefits include providing our members with a variety of affordable, medical grade, cannabis products for medicinal purposes. Affordability is a very big issues for our members on disability and those surviving on low income, many who continue to work with a medical condition. In the past, VCBC has provided those struggling with extreme poverty access to medical cannabis through donations and emergency funds, (approximately $10,000 per year in donations).

VCBC directly employ 11 individuals. Of these personnel, more than half have conditions that are obstacles for regular employment. The VCBC also provides income for 21 highly specialized boutique producers of medical cannabis. Through these relationships we are able to offer up to 19 varieties of medical cannabis and 55 different kinds of cannabis infused products such as topical oils, ointments, cannabis infused caplets, and edible products. These infused products offer different kinds of relief from pain, nausea, and assist our many clients who are looking for alternatives to smoking cannabis. Medical studies have consistently shown that these alternatives help to keep levels of medicinal cannabinoids at consistent levels for pain and other symptom relief.

Environmental/ Social Benefits:

VCBC has been an integral part of the medical cannabis community for over 20 years. As a non-profit, we believe in a community model in all aspects of our operation. Our membership is active in shaping our policies and procedures through an elected Board of Directors. We have relationships with many disabled individuals in the downtown area and have created a safe place for such individuals to access affordable, medical cannabis to help them cope with many illnesses including; cancer, multiple sclerosis, chronic pain, tremors, nerve damage, fibromyalgia, etc. Doctors refer to us and we are an essential part of many individual medical treatment plans.

Every new member is provided with an individualized, in depth orientation to help them find the medical products that will best meet their needs. The club itself is a safe space for community networking with information on resources and events of interest to our members. We have provided a Safe Consumption Lounge where our members can consume medical cannabis and get support from each other and our knowledgeable staff. This was also beneficial because many of our members do not have a safe place to consume cannabis due to restrictions in their living or other situations. The lounge was monitored by staff who possess first aid training and has a hospital grade HEPA filtration system to protect our neighbours.

VCBC operates a green facility. We reduce, re-use and recycle wherever possible. We encourage responsible consumption of cannabis products with our members. Many of our members are social and environmental activists who hold us to a high standard of environmental consciousness as part of the Victoria community.

4. Neighbourhood

The VCBC has been an accepted member of the Victoria community for over 20 years. We have established relationships with; our clients, our members, medical professionals, city of Victoria personnel, and other stakeholders. As a non-profit, we have established ourselves as experts in the area of medical cannabis with a reputation to put people before profits.

We have resided in our current location and neighbourhood for over 16 years. Any concerns have been addressed through informal, collaborative processes resulting in no formal complaints. Our block neighbours appreciate us and the foot traffic we generate. We have a collaborative relationship with our local law enforcement.

5. Impacts:

The VCBC has existed in the neighbourhood for over 16 years. Our discreet storefront provides a feeling of safety for our members and blends in smoothly with the other neighbouring businesses. Our Safe Consumption Lounge provided a safe environment for members and the opportunity to connect with others struggling with a variety of medical conditions. We have been active in shaping the policies and procedures around medical cannabis dispensaries and have been a leader in advocating for patients.

We are driven by a desire to help those in need. Our non-profit governance along with an active membership is consistent with our commitment to put people before profit in what is rapidly becoming a profit driven industry. We will continue to provide client centred information and feedback to our community as the city moves towards licensing with new policies and procedures.

6. Design and Development Permit Guidelines:

826 Johnston St has CA-3C zoning which allows for the use of the premises for retail purposes without requiring assigned off street parking stalls. We are easily accessible by bus and have ample city street parking along Johnston St.

7. Safety and Security:

VCBC continuously engages in risk assessments and have been pro-active in maintaining a safe and secure environment.

Some of our security components include:

- Designing a discreet store front to provide privacy and safety for our members
- Installing CCTV in the facility and street front to ensure surveillance of the the building and operations
- Installing an alarm system
- Purchasing a 4ft by 3ft 1,000+ lbs. safe where our product and on hand cash is stored

- Installing glazed windows that cannot be broken easily to ensure security and privacy for our members while inside the store.
- Installing gates and shutters on doors and windows
- Installing a 2-way window in the office to monitor street activity

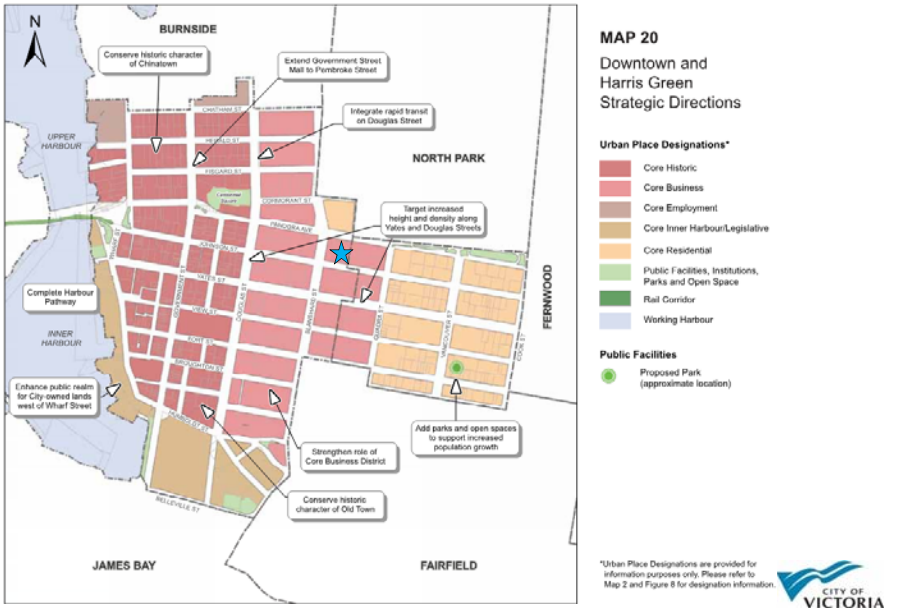
8. Transportation:
The facility is on the 800 block of Johnston St. and meets the vehicle parking standards for the zoning of the block. There is ample city street parking in front of and adjacent to the facility. In addition, we are less than a city block away from the Johnston St. Parkade. The parkade and our facility are both wheel chair accessible.

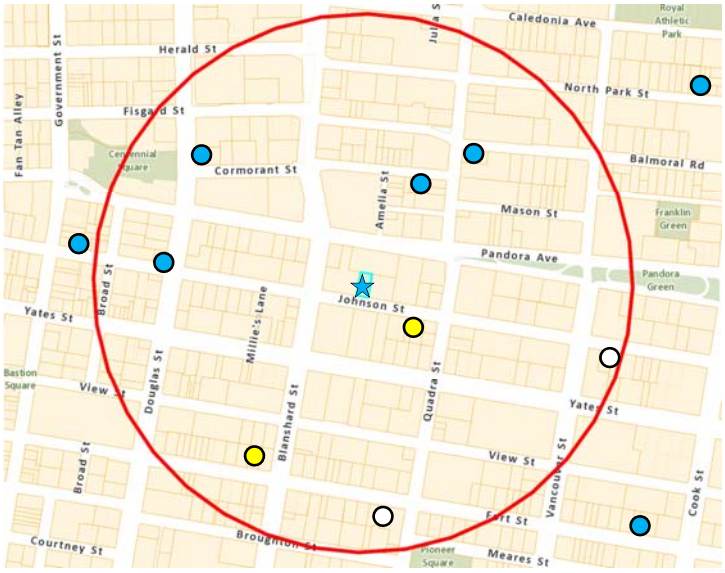
9. Heritage:
Heritage status – Not a heritage site.

Thank you again for this opportunity to continue to serve the Victoria Community. We look forward to hearing from you.

Rezoning Application
for
826 Johnson Street

CITY OF VICTORIA


N
BURNSIDE
Conserve historic character of Chinatown
Extend Government Street Mall to Pembroke Street
Integrate rapid transit on Douglas Street
UPPER HARBOUR
NORTH PARK
Target increased height and density along Yates and Douglas Streets
Complete Harbour Pathway
INNER HARBOUR
FERNWOOD
Enhance public realm for City-owned lands west of Wharf Street
Add parks and open spaces to support increased population growth
Strengthen role of Core Business District
Conserve historic character of Old Town
JAMES BAY
FAIRFIELD
MAP 20
Downtown and Harris Green Strategic Directions
Urban Place Designations*
Core Historic
Core Business
Core Employment
Core Inner Harbour/Legislative
Core Residential
Public Facilities, Institutions, Parks and Open Space
Rail Corridor
Working Harbour
Public Facilities
Proposed Park (approximate location)
*Urban Place Designations are provided for information purposes only. Please refer to Map 2 and Figure 8 for designation information.
CITY OF VICTORIA


Herald St
Caledonia Ave
Royal Athletic Park
North Park St
Government St
Fisgard St
Fan Tan Alley
Centennial Square
Cormorant St
Balmoral Rd
Amelia St
Mason St
Franklin Green
Pandora Ave
Pandora Green
Broad St
Johnson St
Yates St
Millie's Lane
Bastion Square
View St
Douglas St
Blanshard St
Quadra St
Yates St
View St
Vancouver St
Cook St
Broad St
Fort St
Courtney St
Broughton St
Pioneer Square
Meares St
CITY OF VICTORIA

CITY OF VICTORIA

Committee of the Whole Report
For the Meeting of August 10, 2017

To: Committee of the Whole **Date:** July 27, 2017

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

Subject: **Development Variance Permit No. 00191 for 1501 Haultain Street**

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. 00191 for 1501 Haultain 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 number of parking spaces from 12 to 5.
3. Install a bike rack onsite to accommodate five bikes under the cantilever roof on the east side of the building, and install four new planter boxes in the parking area on the west side of the building.
4. Recreation vehicles shall not be stored on the subject property.
5. 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 1501 Haultain Street. The proposal is to reduce the required number of parking spaces from 12 to five in order to permit a restaurant.

The following points were considered in assessing this Application:

- the proposal is consistent with the Official Community Plan with respect to enhancing Haultain Corners Village

- the proposal is consistent with the objectives and design guidelines outlined in Development Permit Area 16: General Form and Character
- The subject property is located in the Fernwood neighbourhood; however, when the *Fernwood Neighbourhood Plan* was established, the subject property was still part of the Jubilee Neighbourhood therefore the policies in the *Jubilee Neighbourhood Plan (1996)* would apply. The Plan encourages commercial and mixed-use development that takes into consideration its relationship with pedestrians, cyclists and the neighbourhood. The proposal is consistent with this Plan
- the variance to reduce the required number of parking spaces is supportable given the location of the subject property and the walkability of the neighbourhood as well as its close proximity to transit and bicycle infrastructure.

BACKGROUND

Description of Proposal

The proposal is for a parking variance to permit a restaurant. Specific details include:

- two-storey mixed-use building consisting of ground floor commercial and two dwelling units above (rental)
- no exterior changes to the building except for a new awning above the main entrance to the restaurant
- restaurant would contain 20 seats
- four planter boxes would be installed in the parking area on the west side of the building
- existing landscape strip along the north and east property lines would be retained
- a new bicycle rack would be installed against the east side of the building.

The proposed variance is related to reducing the required number of parking spaces from 12 to five.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The applicant proposes to install one bike rack onsite to accommodate five bike, which supports active transportation.

Public Realm Improvements

The applicant will reinstate a portion of the boulevard with soft landscaping on the corner of Haultain and Belmont Avenue that was previously paved.

Existing Site Development and Development Potential

The site is presently occupied by a two-storey mixed-use building with ground floor commercial and residential above.

Data Table

The following data table compares the proposal with the existing C-1 Zone, Limited Commercial District. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks are used to identify where the proposal is non-conforming.

Zoning Criteria	Proposal	Zone Standard C-1 Zone
Site area (m^2) - minimum	510.00	n/a
Density (Floor Space Ratio) - maximum	0.67:1	1.40:1
Total floor area (m^2) - maximum	342.00	n/a
Height (m) - maximum	7.30	12.00
Storeys - maximum	2	n/a
Setbacks (m) – minimum:		
Front	7.01	6.00
Rear	10.67	6.00
Side (south)	2.44 (building)/1.40**(stairs)	2.40
Flanking street (Haultain)	2.44	2.40
Parking - minimum	5*	12
Bicycle parking stalls (minimum)		
Class 1	0	0
Class 2	6	0

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on May 5, 2017, the application was referred for a 30-day comment period to the Fernwood 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

Local Area Plan

When the *Fernwood Neighbourhood Plan* was established, the subject property was still part of the Jubilee Neighbourhood; therefore, the policies contained in the *Jubilee Neighbourhood Plan (1996)* apply. The *Jubilee Neighbourhood Plan* encourages future commercial developments that take into consideration the relationship with pedestrians, cyclists and the neighbourhood, rather than exclusively the region and the automobile. The Plan also views mixed-use buildings (ground floor commercial with residential uses above) as a positive way to encourage housing,

provide a broad range of businesses that are compatible with the neighbourhood, enliven buildings, and add to the safety and security of businesses and residents.

Providing adequate parking for commercial uses without undue impact on residential streets is mentioned in the Plan, and the Applicant is alleviating this impact by encouraging restaurant patrons to walk, cycle and take transit, as well as, providing covered bicycle parking onsite. Overall the proposal is consistent with the objectives outlined in this Plan.

Regulatory Considerations

The applicant is proposing to reduce the required number of parking spaces from 12 to five. Based on Schedule C: Off-street Parking requirements, ten parking spaces are required for the commercial uses and two parking spaces for the residential uses. The applicant prepared a parking analysis (attached) for Council's consideration. The proposed variance is supportable given the location of the subject property and the walkability of the neighbourhood, as well as, its close proximity to transit and bicycle infrastructure.

CONCLUSIONS

The proposal for a parking variance at 1501 Haultain Avenue in order to permit a restaurant in a walkable, bicycle and transit-friendly neighbourhood is supportable and will help activate and enhance the economic vitality of Haultain Corners Village. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline DVP Application No. 00191 for the property located at 1501 Haultain Avenue.

Respectfully submitted,

Leanne Taylor
Senior Planner
Development Services Division

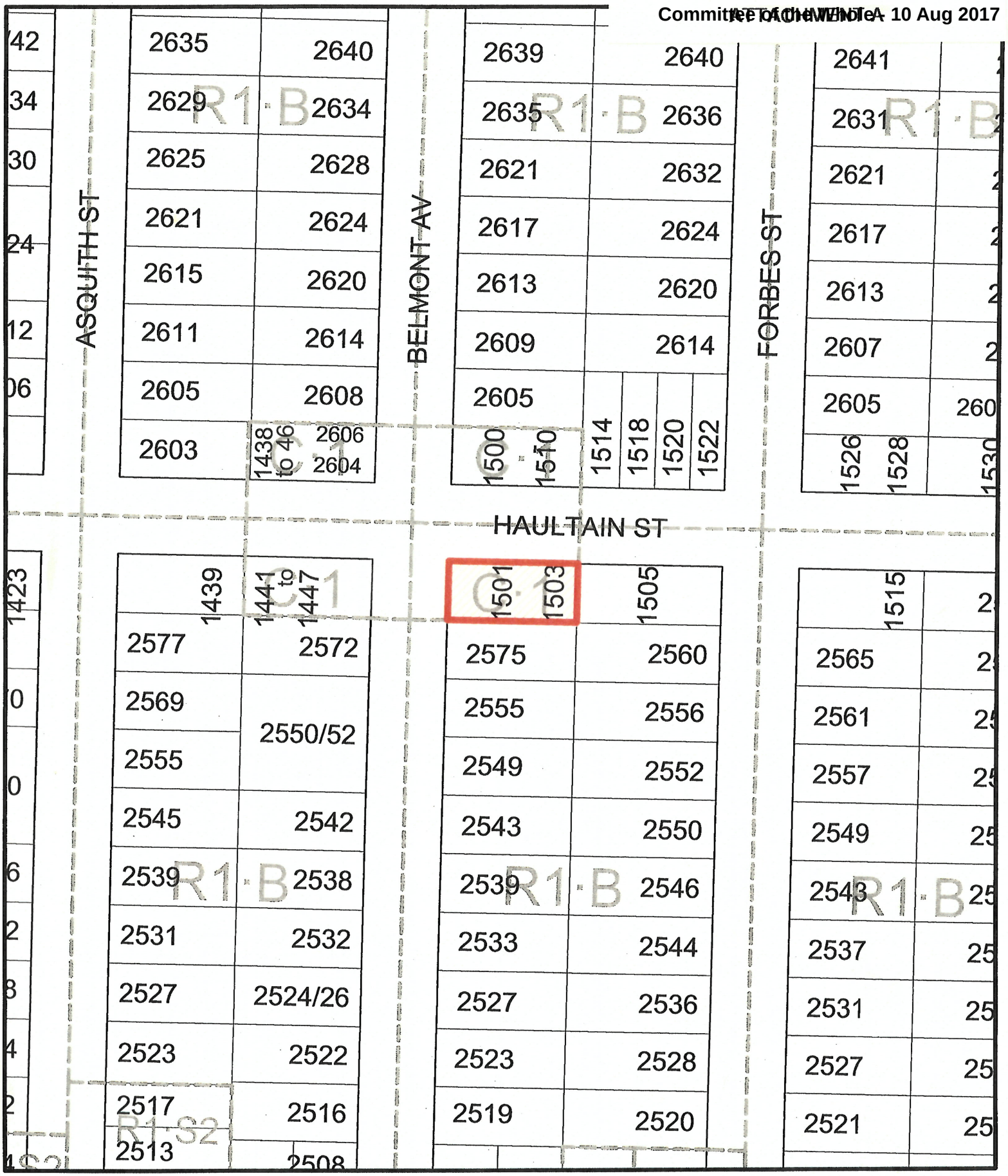
Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager

Date: August 3, 2017

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped July 13, 2017
- Attachment D: Letter from applicant to Mayor and Council dated July 13, 2017
- Attachment E: Parking Analysis dated April 19, 2017
- Attachment F: Correspondence (Letters received from residents)



N

1501 and 1503 Haultain Street

Development Variance Permit #00191

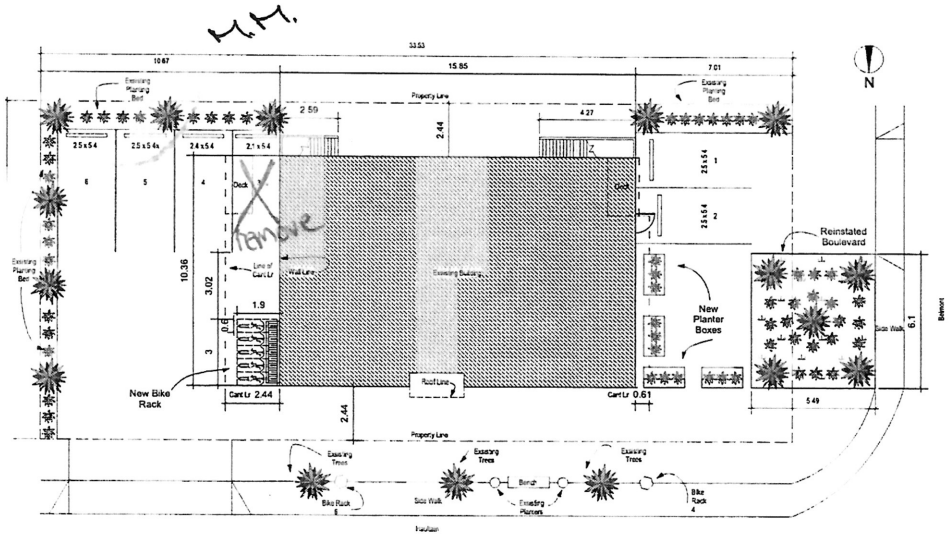
CITY OF VICTORIA

N

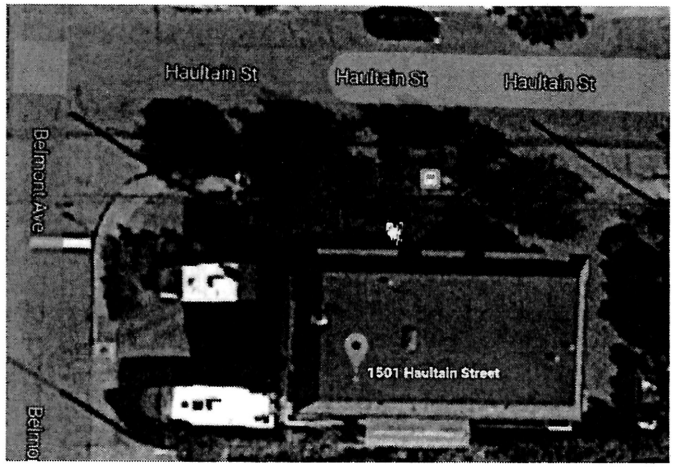
1501 and 1503 Haultain Street

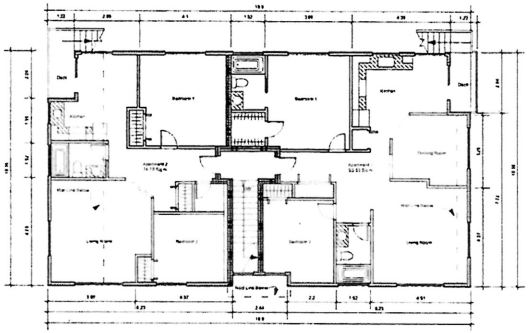
Development Variance Permit #00191

CITY OF VICTORIA

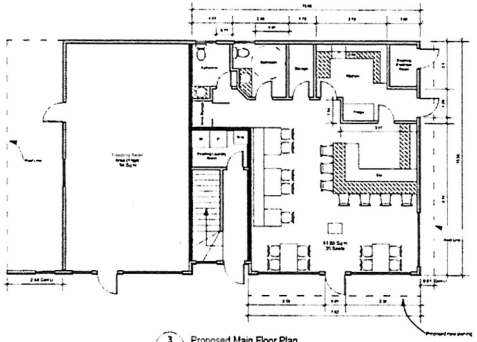


1/4 Site Plan
Scale: 1:100





2/4 Existing Second Floor Plan
Scale: 1:100

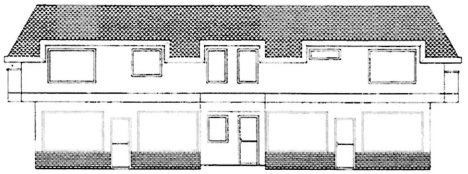


3/4 Proposed Main Floor Plan
Scale: 1:100

Project Information Table

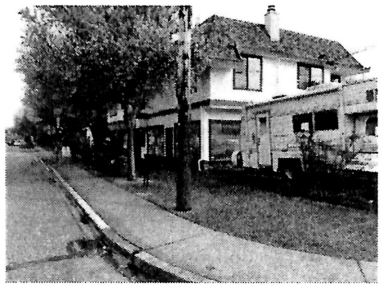
	Existing	Required
Zoning	C -1	N/A
Site area (m2)	510 m	N/A
Total floor area (m2)	342 m	N/A
Floor space ratio	.67:1	N/A
"Parking stalls on site"	~~4~~ 5	10
Bicycle parking on site	0	5

M.M.



4/4 Front Elevation
Scale: 1:100

Received
City of Victoria
JUL 13 2017
Planning & Development Department
Development Services Division



M DESIGN	Wine Bar for 1501 Haultain
Date: July 6, 2017	Scale: As Noted
Drawn by: G Mantoka	Site Plan
Approved By:	1501 Haultain Street Victoria, BC V8R 6L7

Received
City of Victoria
JUL 13 2017
Planning & Development Department
Development Services Division

To Victoria Mayor and City Council,

My name is Michael Manhas and I have been a small business owner in the Oakland's/Fernwood area going on 10 years. I started Koffi in 2008, when the Haultain Corners was rundown and derelict. Since its inception, Koffi has become a community hub, and started the resurgence of the neighborhood. The goal from day one has always been to make the area better, constantly asking the question of what we can do to be better.

An opportunity has arisen in the area, with a commercial space coming vacant across the street at 1501 Haultain. A relationship with the owner of the building has been established and an offer made to lease the unit. Speaking with people in the community and discussions from the Roundtable meetings that have taken place, one thing identified as missing in this area is a nighttime gathering space. You only have to look at the area of Fernwood and Gladstone and see how vibrant that corner has become due in large part to the unique nighttime spots. It is my goal to open a small intimate wine bar in the Oakland's/Fernwood area and create that type of atmosphere that has sorely been missed in our neighborhood.

Parking is always an issue, especially in neighborhoods. A variance is needed in this case, even though we would be encouraging people to seek alternative transportation given the sale of alcohol. There are two large parking areas available, one is located onsite at 1501 and the other is across the street at koffi, which would have the opposite hours of the wine bar. The lot onsite is used by the yoga studio, which would also have opposite hours to the wine bar. The city has also emphasized urban villages and walkability, and this seems like the ideal case. The no.22 bus also stops right in front.

There has been only positive feedback from the community regarding this venture. A community meeting was held and the neighbors showed strong support. My goal at the end of the day has always been to improve our community, and this endeavor will be no different.

Sincerely,

Michael Manhas

ATTACHMENT E

Received
City of Victoria
APR 19 2017
Planning & Development Department
Community Planning Division

Buddha Group Holdings Inc
By email: michaeltmanhas@gmail.com

RE: PARKING REVIEW, 1501 HAULTAIN STREET

The following is a review of parking conditions associated with the 1501 Haultain Street development proposal. This review considers the adequacy of the proposed parking supply, as well as parking management and transportation demand management (TDM) approaches to mitigate any parking issues.

1.0 OVERVIEW

1.1 LOCATION

The subject site is 1501 Haultain Street, immediately east of the Koffi site. It is within an area identified in the Official Community Plan (OCP) as a "Small Urban Village" (Haultain Corners) that currently includes low-rise residential and mixed use commercial. The site is approximately 2-km from downtown Victoria and can be walked in approximately 15 to 20 minutes. Public transit is available via the no.22 Vic General/Hillside Mall route which stops immediately adjacent to the site, and via numerous routes on Shelbourne Street approximately 500m to the east of the site.

1.2 LAND USE

The proposal is for a 20-seat restaurant in the current building, which currently includes two residential units and a yoga studio. Land use is summarized in **Table 1**. The restaurant will be the primary use fronting Haultain Street and will be a casual-sit-down wine bar focused on serving the Fernwood and Oaklands neighbourhood.

TABLE 1. **PROPOSED LAND USE**

Land Use	Description	Quantity
Restaurant	Wine bar featuring wine and beer, And small plates of food served to Customers via on-site seating	950 sqft 20 seats

1.3 PARKING SUPPLY

The building includes 6 parking spaces, 3 located on each side of the property.

2.0 PARKING REQUIREMENT

The site parking requirement is based on minimum parking supply rates contained in the City's Zoning bylaw, Schedule C. The total requirement is for 10 spaces, 4 more than proposed. See **Table 2.**

TABLE 2. **REQUIRED PARKING SUPPLY**

Land Use	Quantity	Required Supply Rate	Total Requirement
Wine Bar	20 seats	1 space per 5 seats	4

3.0 PARKING MANAGEMENT

Four parking spaces should be assigned for the restaurant use at all times in order to meet the City's requirement. The hours of operation proposed for the wine bar are opposite the other business in the building. Customers could use the allotted spaces designated to the studio as extra parking. The 2 residential units have 2 parking spaces allotted to them, 1 less than the City's requirement. Recent research for the update to the City's Off-Street Parking Regulations ("Schedule C") found that market rental apartment sites average 0.49 owned vehicles

per unit. This suggests that one vehicle will be owned among occupants of the two residential units. [1]

4.0 PRECEDENT SITE

The 2009 Fernwood Road project recently received a parking variance and is slightly larger in a more densely populated area. The two urban villages are similar as well in size and location.

5.0 ON-STREET PARKING CONDITIONS

On-street parking conditions were reviewed nearby the site (Haultain Street, Belmont Street) in the event that residents seek parking during the weekday daytime or more than one resident vehicle is owned. Conditions were observed over five periods – Thursday, March 2 @ 5:30pm; Friday, March 3 @ 7:30pm; Saturday, March 11 @ 8:00pm, Wednesday, March 15 @ 9:30pm; Friday, March 17 @ 6pm. Only those spaces that could potentially accommodate site residents, employees or customers were considered (no residential parking only spaces).

Results found that the Friday evening observation exhibited the highest on-street parking utilization, when 5 of 12 available spaces were occupied, an occupancy rate of 41% (excluding resident only spaces). This suggests, that on-street parking capacity is not met in the evening and there is space available for the wine bar.

6.0 DEMAND MANAGEMENT

Transportation demand management (TDM) refers to targeted programs to influence individual travel behavior, most commonly applied to reduce single-occupant vehicle travel and support reduced parking demand. The following TDM options will be pursued at the subject site to support non-vehicular travel.

---

[1] Vehicle ownership rate is based on ICBC records of 34 market rental apartment sites in the City of Victoria, from 2013 to 2016.

1. **Bicycle Parking**
   There are currently two Class 2 bicycle parking in front of the proposed site.

2. **Hiring within the area**
   The goal for the wine bar is to hire staff who live within the area, thus making it a real sense of community. We want the employees to know the customer base and have that relationship defined early.

3. **Existing transit stop**
   There is currently a transit stop in front of the proposed site that is serviced by the no.22 bus, which can provide staff and patrons transportation, alleviating the parking demand.

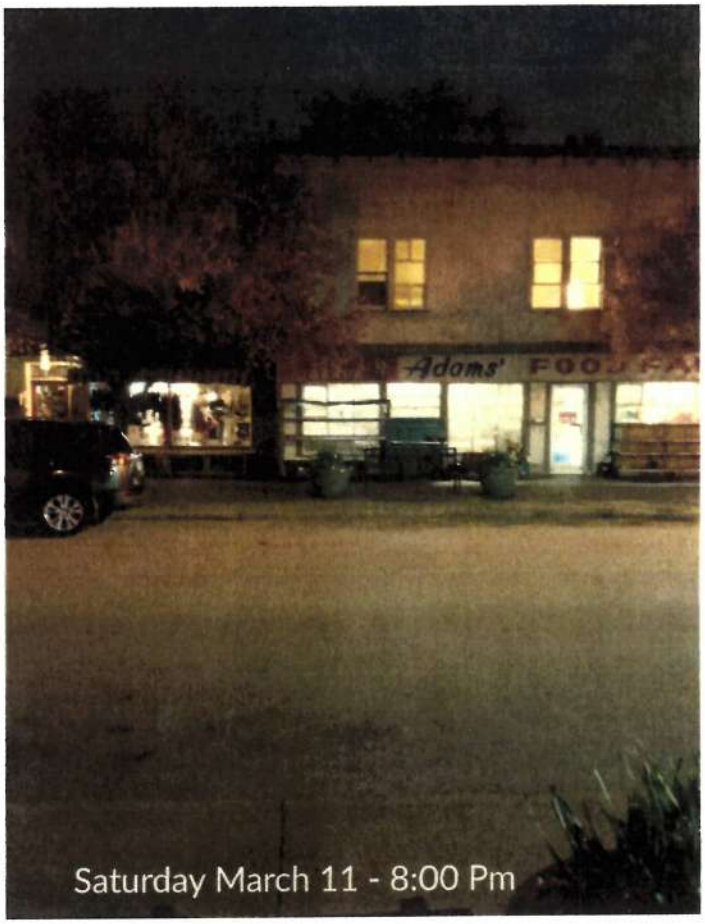
7.0 SUMMARY

Parking demand associated with the 1501 Haultain Street site can be accommodated on-site within minimal impact on surrounding on-street parking. By using the on-site parking that will be available from the yoga studio once they have closed as well as the proprietor's adjacent business on-site parking, there will be sufficient space to accommodate the patrons of the proposed wine bar.

Friday March 17 - 6:00 Pm

Friday March 17 - 6:15 Pm

THRIVE
Thursday March 2 - 5:30 Pm


Adams'
Saturday March 11 - 8:00 Pm

To the Mayor and City Council,

I have been working three doors down from Michael for the six years now. What I have found from this experience is that Michael has created a wonderful hub for the neighborhood. When I heard he wanted to start a wine bar in our neighbourhood (and as my potential neighbour) I was thrilled!
I think it'll be great for the haultain corners surrounding businesses, and it will give our little neighbourhood a much-needed facelift. The more funky and cool businesses in the hood the better.
On a personal level, I also live in the neighbourhood and I believe having a wine bar close to home will be fabulous!
If you have any questions or concerns please do not hesitate to call me at 744-4762

Warmly

Kim Wilson
Owner and Operator of Thrive Studio

Received
City of Victoria
APR 19 2017
Planning & Development Department
Community Planning Division

poppet

CREATIVE

Received
City of Victoria
APR 19 2017
Planning & Development Department
Community Planning Division

March 16, 2017

To Whom It May Concern:

I am the business owner of Poppet Creative, an art studio for all ages in the Haultain Corners. We have been in operation for just over a year and are seeing a wonderful community growth in our neighbourhood and the businesses around us.

Michael has approached me and explained his plans for the corner building across from my studio and I completely support it. This community corner is begging for a neighbourhood hub. We often host classes late at night and I feel vulnerable being the only business open. An evening space would bring security to the neighbourhood and the businesses surrounding.

We have amble parking and are on a bus and bike route. The location is ideal for this concept.

I am also a resident of Oaklands and live just around the corner on Forbes St. Our family would love to see a new business open in the corners.

Sincerely,
Andrea Soos

1508 Haultain Street
Victoria BC V8R 2K2
info@poppetcreative.com

THE LOCAL GENERAL STORE

THE LOCAL GENERAL STORE

1440 Haultain Street

Victoria BC V8R 2J9

778 265 6225

To whom it may concern

As co-owners of The Local General Store in Haultain Corners since 2013, we wish to state in the strongest possible terms our support for the wine bar proposed for the corner of Haultain and Belmont, kitty-corner to our business.

Haultain Corners is a remarkable and unique community for many reasons. It is located in a wonderfully central part of Victoria and is on a well-used bike and bus transportation route. Many of our shoppers are car-less. It is home to a growing number of businesses, owned by people who care about the local community, and people overall. Most importantly, it is in the middle of a vibrant and involved residential area, blessed with many wonderful locals who shop here daily but also meet up with and chat with neighbours. Many of these residents have played an active role in beautifying the Corners with plant boxes, benches and bike racks.

This is the kind of neighbourhood that ideally should enrich every part of every city.

At present, when the local businesses here close their doors in the late afternoon or early evening, the Corners goes quiet and empty. While vandalism has diminished since more businesses like ours have opened, it is still vulnerable in the evenings. Case in point is the rock thrown through our main glass window one night last June.

There is nothing but positive we feel would come to the Haultain Corners with the presence of a vibrant evening wine bar. It would add more colour to the neighbourhood, would greatly benefit business profiles for folks like us with the increased walk-by traffic, and to restate, would serve to make a safer neighbourhood in the evening hours.

We urge the City of Victoria to approve such a business application.

Thank you

Alix and Chris Harvey

Received
City of Victoria
APR 19 2017
Planning & Development Department
Community Planning Division

Shelley Motz
1448 Bay Street
Victoria, BC V8R 2A8
March 31, 2017

Mayor and City Council
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

Dear Mayor and City Council:

I am a long-time resident and homeowner, and I am writing to express my full support for Michael Manhas's plan to open a small wine bar on Haultain Corners.

I know Michael as the proprietor of Koffi, a community-focused coffee shop in the Oaklands neighbourhood, where I live. When my partner and I purchased our home in 2006, the neighbourhood lacked a gathering place. When Michael and his former business partner Alan Pang announced plans to open Koffi, I was eager to see how the establishment would transform the neighbourhood. I have not been disappointed.

I believe the current economic viability and strong sense of community that exist today at Haultain Corners were nurtured, in large part, by the presence and success of Koffi. Since the establishment opened, we have seen more entrepreneurs invest in the Oaklands neighbourhood. Notable examples from Haultain Corners include the owners of The Local General Store and Thrive yoga studio.

Over the years, my family and I have seen Michael at work. I believe he is a positive force in the neighbourhood. He has created jobs and increased economic activity, provided a safe, welcoming place for people to gather, and regularly supports community events and not-for-profit initiatives. He displays a strong sense of corporate social responsibility and respect not only for his patrons but for those who live and work in the vicinity of Koffi.

I understand that there may be concerns about the impact a wine bar would have on the area's limited parking as well as noise levels. As a homeowner in the area that would be affected, I have no such concerns. I believe the wine bar would attract customers who are looking for a quiet night out. Many if not most would likely live in the vicinity and walk to the establishment or take the #22 bus, which stops in front of the proposed location for the wine bar. I trust that Micheal would work with the City and with concerned citizens to address any concerns and mitigate any risks.

Please feel free to contact me if you would like to discuss this proposal in more detail.

All the best,

Shelley

Received
City of Victoria
APR 19 2017
Planning & Development Department
Community Planning Division

March 27, 2017

Dear Mayor and City Council,

We would like to express our support for a proposed wine bar at the Haultain and Belmont Corners. Michael Manhas has been a business owner at The Corners for nine years now and his coffee shop has had a significant and positive effect on our community. It provides a warm and welcoming space for community members to meet and socialize, and has truly become a keystone business in our neighbourhood. Michael has also been supportive of local community groups and initiatives such as block parties and other fundraising events.

As members of the Haultain/Belmont Beautification Project we are excited to hear about Michael's proposal for a wine bar. This new venture would help to create a vibrant people friendly atmosphere in the evenings, much like The Corners are during the daytime.

It is our belief that parking for the proposed wine bar would not be an issue in this neighbourhood. Not only is Haultain Street a major bike route for the city, but we are part of a very walkable neighbourhood and have good transit options along this thourougfare. Parking would also be available on the street when other businesses close at the end of the day.

We believe that neighbourhoods such as Oaklands and Fernwood benefit from having integrated commercial and residential areas, including restaurants, grocery stores, coffee shops, and establishments such as wine bars, so that community members can walk to and support small local businesses close to home.

Thank you for your consideration of this letter.

Kay Marshall (2549 Belmont Ave.)

Barb Donaldson (1423 Haultain St.)

Lisa MacDonell (2543 Belmont Ave.)

Jim Kerr (1423 Haultain St.)

Development Variance Permit Application No. 00191

1501 Haultain Street

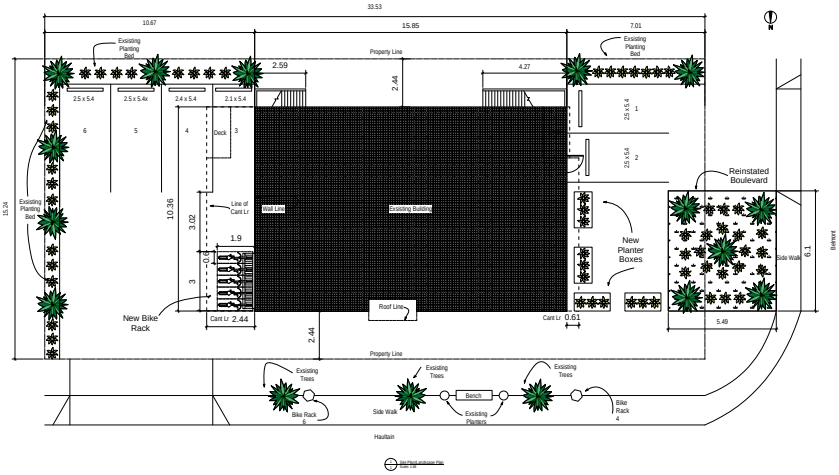
1501 Haultain Street – Two-storey mixed-use building

Neighboring Property – North (mixed use commercial residential building)

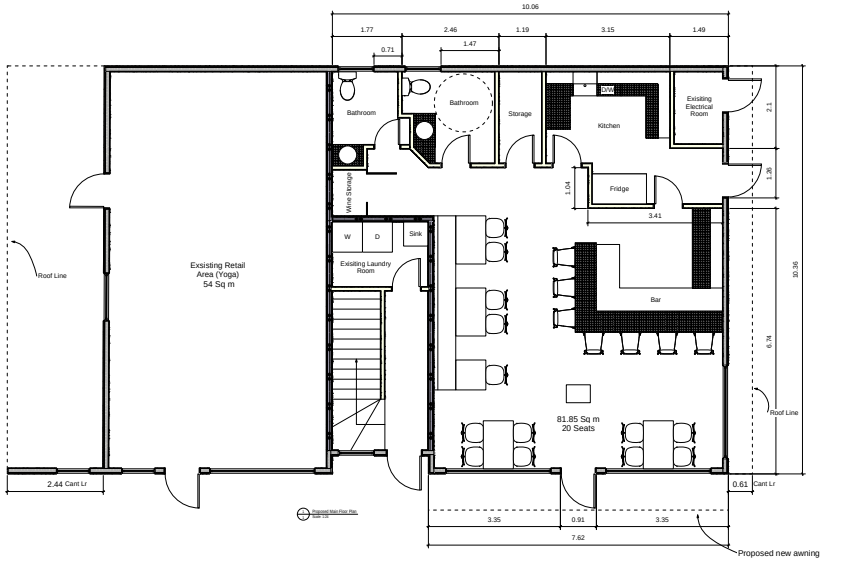
Neighboring Property – South (Single Family Dwelling)

Neighboring Property – East (Single Family Dwelling)

Neighboring Property – West (Haultain Grocery)



Site Plan/Landscape Plan



Proposed Floor Plan

1501 Haultain Street

CITY OF VICTORIA

Committee of the Whole Report
For the Meeting of August 10, 2017

To: Committee of the Whole **Date:** July 28, 2017

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

Subject: 409 - 411 Government Street

RECOMMENDATION

That Council approve the proposed tenant plan provided with the strata conversion application for 409 - 411 Government Street, subject to one of the existing rental units be secured for a five (5) year period.

That Council instruct staff to prepare the necessary Housing Agreement in order to secure one of the proposed strata units as rental for five (5) years.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's approval of a tenant plan, which is under a fixed term lease, submitted with an application to strata title a duplex at 409 - 411 Government Street. One half of the duplex is currently occupied by one tenant renting on a yearly lease basis and the other half is owner occupied.

The applicant, Taylor Holmes has applied to the Approving Officer to convert the existing purpose built duplex into two (2) strata units. The applicant has included a tenant plan with the strata conversion application for Council's consideration. Sustainable Planning and Community Development staff advises that the proposed use complies with the R-2 (Two Family Dwelling) Zone.

Previous strata conversion tenant plan approvals have set secured rental periods of 2-5 years, and so this project falls within the range of previously approved tenant plans. Staff evaluated the tenant plan and strata conversion application and recommend maintaining a consistent approach that secures one unit, without restrictions, as rental for the full five (5) years.

BACKGROUND

Under Section 242 of the *Strata Property Act*, "conversion of previously occupied buildings" requires approval from the Municipal Approving Authority. This authority has been delegated to the Approving Officer. In this instance the City of Victoria's current policy requires that Council is the approving authority with respect to only the approval of the tenant plan accompanying a strata conversion application where there is a rental occupancy in one or more of the units.

The applicant has submitted a basic tenant plan and has agreed to keep one of the units as rental for a period of 5 years (60 consecutive months).

The basic one-unit rental for 5 years proposal can be secured by means of a Housing Agreement registered on title of the property. This is a practice which is consistent with similar applications that have involved strata conversions. The legal costs associated with preparation and registration of the covenant is the responsibility of the applicant. The unit maybe sold as a strata however, the new

owner cannot occupy the unit and has to make the unit available for rental purposes for the duration of five consecutive years. This is the minimum term that would be incorporated within the Housing Agreement.

Issues & Analysis:

This proposal has been referred to Sustainable Planning and Community Development for evaluation and staff have no objections to securing by means of an acceptable legal agreement registered on title, one of the existing rental units.

The tenant plan for 409-411 Government Street proposes that when the current tenancy ends, the unit will be placed back into the rental pool with a new lease agreement signed, lending some assurance that this unit will continue to be operated as long-term rental. However, based on the current vacancy rate of 0.5% and the increasing cost of rental housing as indicated by CMHC's most recent Rental Market Report, it is advisable that Council consider further securing the strata unit as rental housing for a minimum period of five years. It is also advised that no rental restrictions be permitted on the Strata contract.

It should be noted that the Residential Strata Titling Policy is now twenty years old (established in 1997), and does not contain minimum standards for length of secured rental, nor considerations for more security for established tenants or affordable units, and considering today's rental market. However, previous conversion approvals have set secured rental periods of 2-5 years, and so this project falls within the range of previously approved tenant plans. Staff recommend keeping a consistent approach that secures one unit, without restrictions, as rental for the full five (5) years.

Options & Impact:

The impact of this approval is consistent with similar requests for duplex conversions of this nature. This approval ensures that one of the existing units is maintained within the rental pool for a reasonable length of time, in this case five (5) years and will be secured by a Housing Agreement. The agreement would be required to be registered on the property's title. This would take effect at time of registration of the strata plan.

Recommendation:

That Council approve the proposed tenant plan provided with the strata conversion application for 409 - 411 Government Street, subject to one of the existing rental units be secured for a five (5) year period.

That Council instruct staff to prepare the necessary Housing Agreement in order to secure one of the proposed strata units as rental for five (5) years.

Respectfully submitted,

Jonathan Tinney
Director, Sustainable Planning
and Community Development

Craig Stenberg
Deputy Approving Officer

Report accepted and recommended by the City Manager:

Date: August 4, 2017

Attachments
409 & 411 Government – Tenant Plan
Residential Strata Titling Policy
Location Information Map

Application No. _____

Corporation of the City of Victoria

Engineering Department, Land Development Section

TENANT PLAN – STRATA TITLING

☒ **Preliminary Application** ☐ **Final Application**

APPLICANTS NAME (PRINT)	ADDRESS	PHONE # / FAX #
Taylor Holmes	668 Cairndale Rd., Victoria BC, V9C 3L3	250-686-1636

PROJECT ADDRESS	# EXISTING UNITS RENTED 1, OWNER OCCUPIED 1, VACANT 0
409 & 411 Government St., Victoria BC, V8V 2L4	
# NEW UNITS IN PROJECT: 0	# TOTAL PROPOSED STRATA UNITS: 2

EXPLAIN NATURE OF PROJECT AND REASON FOR STRATA TITLING:

Current ownership of both units is under a common title. Goal is to go to 2 separate titles. Both existing units are fully self contained, 1 parking stall located on the property for each unit, and each unit has its own address. One unit is currently lived in by the owner, Elizabeth (Linda) Richards - Unit 409. The other unit, unit 411, is being rented to a tenant (Carmen).

EXPLAIN TYPES OF ASSISTANCE / OFFERED TO TENANTS:

☒ - Fixed Term Tenancy - Current tenant (Carmen) in unit 411 is currently under a 1 year lease with option to renew once it is up - Sept 2017. If Carmen elects not to renew her lease, the unit will be placed back into the rental pool and a new tenant will be found and a new lease will be formed.

☐ - Option to Purchase -

☐ - Rental Assistance -

☐ - Alternative Rental -

☐ - Other -

TENANT INFORMATION (Please Print)

TENANT'S SIGNATURE	PHONE #	UNIT #	DATE ACCEPTED	DATE COMPLETED
	250-589-3763	411	May 18, 2017	

NOTE: If the above space is insufficient use back of form.

APPLICANT'S CERTIFICATION

FINAL / PRELIMINARY

I Taylor Holmes confirm that the information contained in this form is correct to the best of my knowledge and certify to the City of Victoria that I will provide the tenant (s) with the assistance as accepted by the tenant as outlined on this TENANT PLAN.

Applicant's Signature (Confirming Offer Accepted) — Date: May 19, 2017

Applicant's Signature (Confirming Offer Completed) — Date

NOTE: THIS TENANT PLAN CAN BE MADE AVAILABLE IN OTHER LANGUAGES UPON REQUEST.

v:\l&d\develop\forms_dev\tenant plan_strata titling

Revised March 2004

CITY OF VICTORIA ENGINEERING POLICIES	
POLICY: Residential Strata Titling	
Prepared By: Land Development	Date: 1997
Authorized By: Victoria City Council	Date: 1997

1. A preliminary approval obtained from City Council or the Approving Officer is valid for a period of one year from the date Council's resolution to approve is adopted.

2. When the rental apartment vacancy rate as provided by Canada Mortgage and Housing Corporation falls below 4% for Metro Victoria, no applications to convert existing residential rental buildings containing more than four rental dwelling units shall be accepted.

3. Any owner/developer denied the privilege to apply to convert existing residential buildings to strata lots for the reason outlined in Paragraph (2) has the right to appeal to City Council and a successful appeal is required before the City Engineer will accept a formal application to convert.

4. The vacancy rate applicable to an application shall be the rate that prevails in the rental statistics provided by C.M.H.C. on the date the preliminary application is received at City Hall.

5. <u>Tenant Plan - Rental Residential Strata Conversions</u>

   Any preliminary application to convert a building containing active rental dwelling units shall be accompanied with a Tenant Plan which will set out:

   a. Certification that the owner/developer has notified the tenants of the building of the proposal to convert the building into strata units.

   b. A complete list of the tenants in the building.

   c. The type of choices such as a continued fixed-term tenancy, option to purchase rental unit, etc. offered to the tenants that would allow them to continue to occupy their units after the strata conversion has been completed.

   d. Any monetary assistance to be offered, such as rental-free period, moving expenses, etc.

   e. Formal notification that tenants have been advised of other agencies that may be of assistance, such as Pacifica Housing, the Capital Regional District, etc.

The Tenant Plan shall be submitted to Council for review at the preliminary application stage and the owner/developer shall certify that the Tenant Plan, as adopted by Council, has been carried out prior to final approval. The Tenant Plan shall be signed by all the tenants.

City of Victoria
City Hall: 1 Centennial Square
Victoria, BC, V8W 1P6
www.victoria.ca

Internal Property Report
Produced by the City of Victoria
Geographic Information System
July 25, 2017

409-411 Government Street - Proposed Strata Conversion

Property Information

Address: 409 GOVERNMENT ST

Unit: N/A

PID: 017-803-519

Folio: 02167011

Legal Information: LOT A, OF LOTS 1801 AND 1802, VICTORIA, PLAN VIP54367

Planning

Zoning: R-2

Development Permit Area: DPA 16 (CHECK EXEMPTIONS)

Land Use Contract: N/A

Councillor Liaison: MARGARET LUCAS (250) 361-0217

Heritage Status: N/A

Area Planner: MIKO BETANZO 250.361.0604

Special Restrictions: N/A

Sign Zone Planning: Refer to map.

Neighbourhood: JAMES BAY

Current Applications

Development Applications: N/A

CITY OF VICTORIA

Committee of the Whole Report
For the Meeting of August 10, 2017

To:	Committee of the Whole	**Date:**	August 3, 2017
From:	Chris Coates, City Clerk		
Subject:	Sheltering Data		

RECOMMENDATION

That Council receive this report for information.

EXECUTIVE SUMMARY

Sheltering in the City continues to be an ongoing issue that is managed by many different agencies in the City. During a closed Council meeting in May, Council directed that staff provide a public report on information about sheltering in City Parks, as well as information on shelter spaces and transitional housing in the City between May 1, 2016 and April 30, 2017.

The tables below note the City's involvement managing sheltering in parks. The first table shows the numbers of people and shelters in the parks where sheltering occurs in the 12 month period. The second table shows the breakdown by month.

	Beacon Hill Park	Cecilia Ravine	Irving Park	Redfern Park	Reeson Park	Topz Park	All Other
Structure	1237	196	41	33	552	346	149
People	2292	239	139	50	1163	618	503
Calls	440	206	193	56	247	329	1321

	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17
Structures	164	149	225	305	279	219	168	142	178	201	220	302
People	399	392	475	648	576	463	320	230	289	286	388	536
Calls	276	249	321	318	262	233	199	199	181	170	211	171

Information from BC Housing is provided on Appendix A attached, supplies the data on Transitional Housing and Shelter Mats within the City. The information presented is to December 31, 2016.

City staff, VicPD, and a number of agencies led by BC Housing are undertaking continued, targeted outreach to people experiencing homelessness in the City to establish their needs and connect them with Services and available housing in the region.

Respectfully submitted,

Chris Coates
City Clerk

Jocelyn Jenkyns
Deputy City Manager

Report accepted and recommended by the City Manager:

Date: August 4, 2017

List of Attachments

Appendix A: BC Housing Sheltering Data to December 31, 2016

Appendix A

Emergency Shelter and Housing for the Homeless - city of Victoria - as of 31 December, 2016

Service Allocation	Service Allocation Subgroup	Project Name	Housing Provider	Supportive Housing	Units	Total
Emergency Shelter and Housing for the Homeless	Homeless Housed	844 Johnson St.	BC Housing	Yes	147	
		Camas Gardens	Pacifica Housing Advisory Association	Yes	44	
		Clover Place	Pacifica Housing Advisory Association	Yes	18	
		Desmond House Redevelopment	The Victoria Cool Aid Society	Yes	27	
		Johnson Manor	The Victoria Cool Aid Society	Yes	20	
		Medewiwin Apartments	Pacifica Housing Advisory Association	Yes	26	
		Our Place	Our Place Society	Yes	45	
		Pandora Ave	The Victoria Cool Aid Society	Yes	40	
		Queens Manor	The Victoria Cool Aid Society	Yes	36	
		Rock Bay Landing	The Victoria Cool Aid Society	Yes	23	
		Siem Lelum Phase 1	Victoria Native Friendship Centre		26	
		St. Vincent de Paul Centre	Society of Saint Vincent de Paul of Vancouver Island	Yes	43	
		Swift House	The Victoria Cool Aid Society	Yes	49	
		Tonto Rosette	M'akola BCH Housing Society		8	
	Homeless Housed Total					552
	Homeless Rent Supplements	AHOP RS Victoria Native Friendship	Victoria Native Friendship Centre		10	
		Caribbean Apartments	South Vancouver Island Health Service Area		19	
		Cook Street	South Vancouver Island Health Service Area		10	
		HOP RS - Camas Gardens	Pacifica Housing Advisory Association		135	
		HOP RS - Camas Gardens - Pacifica Streets to Homes (S2H)	Pacifica Housing Advisory Association		73	
		HOP RS Burnside Gorge Community Association	Burnside Gorge Community Association		5	
		HOP RS Courthouse Campers	Pacifica Housing Advisory Association		20	
		HOP RS Pacifica - Integrated Offender Management Program (IOM) in Victoria	Pacifica Housing Advisory Association		3	
		HOP RS Threshold Housing Society	Threshold Housing Society		15	
		HOP RS Victoria Cool Aid Society	The Victoria Cool Aid Society		20	
		HPP (AHMA) RS Victoria Native Friendship Centre	Victoria Native Friendship Centre		20	
		HPP RS Beacon Community Association	Beacon Community Association		20	
		HPP RS Burnside Gorge Community Association	Burnside Gorge Community Association		10	
		HPP RS Courthouse Campers	Pacifica Housing Advisory Association		15	
		HPP RS Pacifica Housing Advisory Association	Pacifica Housing Advisory Association		17	
		HPP RS The Cridge Centre for the Family	The Cridge Centre for the Family		15	
		HPP RS Threshold Housing Society	Threshold Housing Society		20	
		HPP RS Victoria Women's Transition House Society	Victoria Women's Transition House Society		15	
		Scattered Addresses	Pacifica Housing Advisory Association		9	
		Vancouver Island Health Authority - Brain Injury Program / Memorial Pavilion	Vancouver Island Health Authority, Brain Injury Program / Memorial Pavilion		15	
		Vancouver Island Health Authority - Mental Health	Vancouver Island Health Authority		6	
		View Towers	BC Housing		1	
	Homeless Rent Supplements Total					473
	Homeless Shelters	Addictions and Rehabilitation Centre	The Governing Council of the Salvation Army in Canada, Victoria		21	
		Next Steps	The Victoria Cool Aid Society		15	
		Rock Bay Landing (Shelter spaces)	The Victoria Cool Aid Society		86	
		Sandy Merriman House	The Victoria Cool Aid Society		25	
	Homeless Shelters Total					147
Grand Total						1,172

Prepared by BC Housing's Research & Corporate Planning Dept, June 2017
Data Source: Unit Count Report, December 31, 2016

Notes:

1. BC Housing only tracks units where we have a financial relationship. There may be other subsidized housing units in the community.
2. BC Housing's 'Housing Continuum' reports are based on 'units' (housing units, beds, spaces and rent supplements, depending on each program) and do not report on the number of 'people' assisted.
3. Service Allocation definitions:
   a. Homeless Sheltered: Short stay housing. The shelters provide single or shared bedrooms or dorm-like sleeping arrangements, with varying levels of support services provided for the clients.
   b. Homeless Housed: Housing for clients who are at the risk of homelessness, or formerly homeless for a period of at least 30 days and up to two or three years. This type of housing includes the provision of on- or off-site support services to help the clients move towards independence and self-sufficiency.
   c. Homeless Rent Supplement: This program connects people who are homeless to housing, income assistance, and community-based support services. The number of units shown represent an estimate of rent supplements given monthly based on available funding. Homeless Rent Supplement projects were first initiated in the 2008/2009 fiscal year.
   d. Homeless Prevention Program (HPP): The number of HPP Rent Supplements ('units') identified herein does not reflect the number of 'people' assisted through the program. It is an accurate representation of the number of rent supplements allocated to a service provider, but as not all clients require the maximum amount possible, the program allows service providers the flexibility to assist more 'people' than 'rent supplements' allocated.
4. Homeless Shelter results do not include Temporary, Winter Response or Extreme Weather Response shelter spaces. They are reported separately.
5. This information is limited to housing under the 'Emergency Shelter and Housing for the Homeless' section of the Housing Continuum in the city of Victoria. Additional subsidized housing is provided within the city of Victoria.

The following additional shelters (Temporary and Winter Response) were available during the 2016/17 year:

Community	Shelter Name	Housing Provider	Shelter Type		Total Spaces
			Temp	Winter	
Victoria	Temp Shelter - Victoria 1st Metropolitan	Our Place Society	55		55
	Temp Shelter - Victoria My Place	Our Place Society	40		40
	Winter Shelter - Cool Aid Seasonal Shelter D	Victoria Cool Aid		40	40
	Winter Shelter - the Out of the Rain Night S	Beacon Community Association		30	30
Grand Total			95	70	165

Shelter types are defined as:

1. Year-round (permanent) shelters – these are counted in the Unit Count/Service Plan under 'Homeless Shelters', generally operating 24/7
2. Temporary shelters – shelters that may be operating for 12 months+ in order to meet a community need, generally operating 24/7
3. Winter Response shelters – available during the winter season (Nov to March), generally operating overnight – approx 12 hours
4. Extreme Weather Response shelters – available during the winter season (Nov to March) and opened <u>only</u> when the community issues an Extreme Weather Alert

The following EWR Shelters were available in the CRD during the 2016/17 Winter Season:

Community	Shelter Name	Society	Total
Saanich	EWR Victoria Native Friendship Centre	Victoria Native Friendship Centre	25
Victoria	EWR Addictions & Rehabilitation Centre (A	Governing Council of the Salvation Army in Canada	30
Victoria	EWR Our Place Society	Our Place Society	30
Grand Total			85

As mentioned, 'Supportive Housing' is housing with integrated support programs/services that help people to maintain a stable housing situation. For example, some of these may include, but not limited to, programs that address mental health and/or substance use issues. 'Transitional Housing' is a subset of 'Supportive Housing'. The key difference is that 'Transitional Housing' may only allow tenants to stay for a limited time, e.g. 2 or 3 years, as they transition to more independent housing (housing without programs/services). Not all tenants are able to transition to more independent housing, as they may require the support programs/services for longer periods of time. These tenants would, preferable, be housed in a 'Supportive Housing' development.

CITY OF VICTORIA

Committee of the Whole Report
For the Meeting of August 10, 2017

To:	Committee of the Whole	**Date:**	January 9, 2016
From:	Chris Coates, City Clerk		
Subject:	Advisory Bodies to Council		

RECOMMENDATION

1. That Council approve the Overarching Committee Policy.

2. That staff review Terms of Reference for Advisory Bodies and bring forward recommended changes if needed to ensure consistency with the Overarching Policy.

EXECUTIVE SUMMARY

In January 2017, Council directed staff to bring forward policy options to address process enhancements for Advisory bodies to Council to address. A copy of the July 12, 2017 Committee of the Whole Report is attached as Appendix A. The Draft Policy is attached as Appendix B.

Attached for Council's consideration is a draft Policy that addresses a number of issues relating to these Advisory Bodies with the objective to provide:

- clear definitions of the roles and responsibilities of committee members, council liaisons and staff support;
- a strong connection to Council's strategic plan by initiating an annual work plan approved by Council;
- sequencing the work plan completion with the City's budget cycle to address all financial implications during the budget process;
- consistent criteria for meeting procedures and minute taking practices;
- a clear process for moving Committee recommendations forward for Council to consider

The proposed policy is intended to focus committee activities to maximize effectiveness, as well as manage the time commitment of the participants. Should Council approve the Policy, Terms of Reference for Advisory Bodies should be reviewed, and revised where necessary to ensure consistency with the new Policy.

PURPOSE

The purpose of this report is to provide a draft policy covering Advisory Bodies to Council to clarify a number of issues to enhance functionality and create stronger linkages to the Strategic and Financial Plans and to create a more fulfilling experience for members of Committees in the City.

BACKGROUND

Council has established a number of Advisory Bodies that provide a valuable contribution to the City. On January 26, 2017 Council passed the following motion:

"That Council direct Staff to bring forward policy options to address process enhancements for Advisory Bodies to Council".

ISSUES AND ANALYSIS

Council has established a number of Advisory Bodies to Council where citizen participants provide a wide range of expertise and advice to Council on a variety of subject areas. These include such things as Accessibility, Active Transportation, Land Use applications, heritage matters etc.

These committees each have varying terms of reference that address some issues, predominantly area of focus related. There are a number of other issues that Council may consider addressing in an overarching policy that could assist with meeting functionality, reporting procedures and creating a stronger connection to Council, and Council's Strategic and Financial Plans. Primary objectives of the proposed policy include consistency city-wide for all groups which in turn provides Council with consistency in terms of how Committee information comes forward for consideration.

Most importantly to sustain an engaged citizen based group functional clarity can create efficiencies that will create a more productive committee and be thoughtful of the time commitments of the committee members.

The draft Policy:

- confirms that members are at the Policy level providing advice to Council;
- Identifies conflict of interest provisions similar to those applicable to council members
- clarifies the supportive role of the council liaison;
- identifies the role of staff supporting committees;
- clarifies meeting and minute taking procedures;
- establishes a reporting process for Council to consider recommendations from Committees.
- establishes the requirement for a Work Plan approved by Council to create the important connections with Financial and Strategic Plans.

Accessibility Impacts

There are no specific impacts of this Policy in terms of Accessibility issues.

2015– 2018 Strategic Plan

Council's Strategic Plan in Objective 1 Innovate and Lead, identifies an outcome to "Introduce focused advisory committees and taskforces to build capacity and include public input within specific projects and timelines. Focus mandate and meeting frequency of broad topical advisory committees". The proposed policy is developed to meet this objectives.

Impacts to Financial Plan

There are no impacts on the Financial Plan that result from his Policy. If approved it will establish a better connection with the Financial Plan process and address the Committee's resourcing and financial requirements.

CONCLUSIONS

Advisory Bodies provide valuable advice and information to Council. Focused advisory groups are identified in Council's strategic Plan. Having clear procedures in place can greatly enhance the experience for the residents of the City who participate in these groups.

Respectfully submitted,

Chris Coates
City Clerk

Jocelyn Jenkyns
Deputy City Manager

Report accepted and recommended by the City Manager: _____

Date: August 4, 2017

List of Attachments:

Appendix A: January 19, 2017 Committee of the Whole Report
Appendix B – Draft Overarching Advisory Bodies Policy

CITY OF VICTORIA

Committee of the Whole Report

For the Meeting of January 19, 2016

To:	Committee of the Whole	**Date:**	January 9, 2016
From:	Chris Coates, City Clerk		
Subject:	Advisory Bodies to Council		

RECOMMENDATION

That Council direct staff to bring forward policy options to address process enhancements for advisory bodies to Council.

EXECUTIVE SUMMARY

Council's Strategic Plan identifies an outcome to "introduce focused advisory committees and taskforces to build capacity and include public input within specific projects and timelines. Focus mandate and meeting frequency of broad topical advisory committees".

Advisory bodies to a local government can be very effective and provide valuable information to Council. In order for these types of committees to function efficiently and effectively, Terms of Reference should establish:

- a clear mandate;
- a connection with Council's Strategic Plan;
- appropriate staff support; and,
- a clear reporting process to have the recommendations come forward to Council for consideration.

Council has established a number of citizen based Advisory Committees, Task Forces and Working Groups to assist the City and to ultimately provide recommendations to Council. Committees have been established by Council resolution along with the Terms of Reference for them. In reviewing the existing committees, it has come to light that in some cases, the Terms of Reference do not include reporting back provisions or a provision for staff review of the recommendations from financial and operational perspectives. Another consideration currently missing is, the appropriate resourcing of the Committee to formulate recommendations with resource implications consistent with Strategic Objectives and City plans and activities. Finally, and perhaps even more importantly, focus and process for advisory bodies should produce the added benefit of focusing and assisting citizen based groups with their mandate in providing input to the City.

There is currently no standardized approach for the issues noted above and bringing forward multiple amendments to the Terms of Reference for each existing Committee would be cumbersome.

In keeping with the City's ongoing continuous improvement process, Council may wish to consider enacting an overarching Policy covering the Advisory Bodies. A policy of this nature would provide clarity and certainty for Committee members and for Council. Such a policy would also provide for an informed discussion when recommendations do come forward to Council for consideration.

Respectfully submitted,

Chris Coates
City Clerk

Jocelyn Jenkyns
Deputy City Manager

Report accepted and recommended by the City Manager: Jocelyn Jenkyns

Date: Jan 12, 2017

CITY OF VICTORIA	ADVISORY BODIES TO COUNCIL POLICY	
		Page 1 of 3
SUBJECT: Advisory Bodies to Council Policy		
PREPARED BY: Legislative Services		
AUTHORIZED BY: City Council		
EFFECTIVE DATE:	**REVISION DATE:**	
REVIEW FREQUENCY: Two Years		

A. PURPOSE

The purpose of this Policy is to establish and clarify the governance, terms of reference and administrative support requirements for Council's Advisory Bodies. This policy outlines the terms relating to decision making (governance), roles, operational and administrative considerations, support and reporting and recommendations process.

B. OBJECTIVES

1. To establish clear and transparent governance for Advisory Bodies in order to support their mandate, as defined in the Terms of Reference.
2. To establish a direct link between the Advisory Body recommendations, and Council's Strategic Plan.
3. To define and provide the appropriate staff resourcing to support the Advisory Body's efforts.

C. APPLICABILITY

1. This Policy applies to Council appointed Advisory Bodies, Committees or other working groups established by Council excluding time-limited groups of 6 months or less, such as Task Forces or other groups, as defined in this Policy. For the purposes of this policy these groups shall be referred to as Committees.

D. ROLE OF COMMITTEE MEMBERS

Appointed Committee members are intended to provide policy recommendations to the City to inform the development and management of City policies, and may conduct related independent research and feedback to the Committee subject to the Work Plan for the Committee. Where a Committee requires information specific to the City's existing policy, procedures and practices that information shall be requested through the staff or Council liaison, and will be shared back by staff or the Council Liaison to all members of the Committee. Committee members shall not make direct requests to other City staff not associated with the Committee.

E. CONFLICT OF INTEREST

The Conflict of Interest provisions of the Community Charter shall apply to all members of Council's Committees to ensure a fair process for consideration of issues before Committee.

In addition, in relation to any matters being considered by a Committee that involve land or land use, a conflict of interest is considered to occur if the committee member has an interest in property within 200 metres of the land being discussed.

F. ROLE OF COUNCIL LIAISON

The primary role of Council Liaison is to help facilitate discussions by providing insight into Council's decisions, priorities and Strategic Plan. Council Liaison should not participate in the Committees debates or deliberations except for the purpose of seeking or providing clarification of issues under discussion.

G. ROLE OF CITY STAFF

City staff tasked to provide support to Committees shall advise the Committee of existing City Policy and related operational background including, where incorporated into the approved work plan (see below), providing research and deliverables to the Committee to help implement the Committee's work plan. Staff resources shall be carefully managed, and appropriate resources shall be selected and managed by the affected City Director(s) (and communicated to the City Clerk and City Manager), in support of the Committee's work plan.

H. WORK PLAN

1. Committees shall prepare an annual work plan to present to Council for consideration and approval. The work plan shall address items that are within Council's Strategic Plan.

2. Emerging issues that are not within Council's Strategic Plan may be included in the Work Plan for Council's consideration.

3. The work plan when submitted for Council's consideration shall be accompanied by a staff report that includes financial and resource implications that the work plan anticipates.

4. The work plan must be submitted to the City Clerk by May 1 each year, in order to align with the City's budget cycle, and assess overall resource and financial implications

I. MEETING PROCEDURES AND SCHEDULE

1. The procedures for conducting meetings of Advisory Bodies is governed by the City's Council Procedures Bylaw.

2. The meeting schedule shall be determined by the Advisory Body and City Staff.

3. Minute taking shall be in the form consistent to that used for Council. For clarity all Committee motions shall be recorded and key points of supporting rationale shall be included in the minutes. Minutes should not be a transcript of the meeting.

I. REPORTING PROCEDURES

1. Approved Committee recommendations shall be forwarded to the City Staff Liaison to be incorporated into a staff report to Committee of the Whole providing details of the recommendations and as well as the associated implications.

2. The Committee Chair or designate may attend the Committee of the Whole meeting to be available to address any committee related issues, upon request from Council.

J. POLICY REVIEW

1. Council shall review this policy at two-year intervals.

Overarching Committee Policy

Background

- January 2017 Council direction given to staff to bring forward an overarching Policy to address Committees and Advisory Boards to Council.
- This will cover all groups who directly report to Council including the various planning oriented Committees all of whom are not delegated decision making authority but make recommendations to Council.

Title of powerpoint presentation – access on master slide

Background

- Terms of References for the various Advisory Bodies are not consistent, nor is there a clear operational mandate in many cases.
- These bodies are policy oriented groups
- There are no direct connections with the Council's strategic plan

Title of powerpoint presentation – access on master slide

Purpose

- a clear mandate
- a clear and focused operational approach
- a connection with Council's Strategic and Financial Plans
- appropriate staff support
- a clear reporting process to have the recommendations come forward to Council for consideration.

Title of powerpoint presentation – access on master slide

Recommended Approach

- Tighter link of Advisory Bodies focus to Council's Strategic Plan
- Begin with developing an Annual Work Plan to address the focus for the year.
- Identify resourcing requirements for required staff support to the annual work plan of the Committee.
- Recognize that Committee members are policy oriented.
- That Committees are established by Council and make recommendations only.

Title of powerpoint presentation – access on master slide

Next Steps

- Bring Forward the Draft Policy for Council's consideration.
- If approved, harmonize the Terms Of references with the new Policy where necessary

Title of powerpoint presentation – access on master slide

Recommendations

1. **That Council approve the Overarching Committee Policy**

2. **That staff review Terms of Reference for Advisory bodies to Council and recommend changes if needed to ensure consistency with the Overarching Policy**

CITY OF VICTORIA

Committee of the Whole Report
For the Meeting of August 10, 2017

To:	Committee of the Whole	**Date:**	August 4, 2017
From:	Chris Coates, City Clerk		
Subject:	Proclamation "International Overdose Awareness Day" August 31, 2017		

RECOMMENDATION

That the International Overdose Awareness Day Proclamation be forwarded to the August 10, 2017 Council meeting for Council's consideration.

EXECUTIVE SUMMARY

Attached as Appendix A is the requested International Overdose Awareness Day Proclamation. Council has recently 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 2016 and 2017 Proclamations is provided as Appendix B in accordance with the new 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,

Chris Coates
City Clerk

Appendix A: Proclamation "International Overdose Awareness Day"
Appendix B: List of Previously Approved Proclamations

"INTERNATIONAL OVERDOSE AWARENESS DAY"

WHEREAS *International Overdose Awareness Day (iOAD) is a global event which provides opportunity for people to publicly mourn the loss of loved ones without shame or guilt; and*

WHEREAS *iOAD aims to raise awareness of the overdose crisis and reduce the stigma of overdose death; and*

WHEREAS *iOAD aims to raise awareness that the number of people lost to drug overdoses in B.C in 2016 was 944 and the projected deaths in B.C. for 2017 is 1400, each one preventable. Each death represents a human being, a member of a family and a member of the community; and*

WHEREAS *Worldwide the number of known overdose deaths in a single year is more than 200,000, all preventable losses; and*

WHEREAS *Every person lost to drug overdose is a member of a family, and a community. Each loss brings a wide path of grief; and*

WHEREAS *Through iOAD we may send a strong message to substance users that they are valued and that the community is working to mitigate harms and overdose; and*

WHEREAS *We wish to support those who use substances by providing evidence based policies and wide access to treatments; and*

WHEREAS *We wish to bring awareness to the public that drug use and overdose can happen to anyone in any family; and*

WHEREAS *Through iOAD we wish through bringing awareness, to prevent overdose deaths and to stimulate discussion in Victoria and world-wide about overdose prevention; and*

WHEREAS *We wish to bring basic information on services available to our community; and*

WHEREAS *International overdose Awareness Day was first declared in Australia in 2001 and has been marked internationally every year in cities across the world ever since. and*

NOW, THEREFORE *I do hereby proclaim August 31st, 2017 as* ***"International Overdose Awareness 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 10th day of August, Two Thousand and Seventeen.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored By:
Leslie McBain
Moms Stop the Harm

Appendix B

Council Meetings	Proclamations
Jan. 14, 2016	BC Aware 2016: Be Secure, Be Aware Days" January 25 – February 5, 2016
Jan. 28, 2016	Eating Disorder Awareness Week - February 1 to February 7, 2016 Variety – The Children's Charity Week - February 8 to February 14, 2016 Black History Month 2016 – February 2016
Feb. 11, 2016	Darwin Day – February 12, 2016 Bullying Stops Here – Pink Shirt Day - February 26, 2016 Rare Disease Day – February 29, 2016 Health, Wellness & Sustainability Festival Day – February 27, 2016 Chamber of Commerce Week – February 15 – February 19, 2016
Feb. 25, 2016	Tibet Day – March 10, 2016
Mar. 3, 2016	Victoria Co-op Day - March 5, 2016
Mar. 10,2016	World Plumbing Day – March 11, 2016 Purple Day for Epilepsy Awareness – March 26, 2016 World Poetry Day and National Poetry Month – March 21, 2016 and April 2016 World Kidney Day – March 10, 2016 International Day to Eliminate Racial Discrimination – March 21, 2016
Mar. 24, 2016	National Volunteer Week – April 10-16, 2016 Canadian Oncology Nursing Day - April 5, 2016 Project Management Day – April 15, 2016 Autism Awareness Day – April 2, 2016 Everyone Matters Day – April 12, 2016 International Transgender Day of Visibility – March 31, 2016 Canadian Cancer Society's Daffodil Month – April 2016 National Day of Mourning – April 28, 2016
Apr. 14, 2016	World Wish Day - April 29, 2016 Highland Games Week – May 17 – May 23, 2016 Earth Day Power Hour – 11:59 am – 12:59 pm the Friday preceding Earth Day – April 22, 2016 Child Abuse Prevention Month – April 2016
Apr. 28, 2016	National Missing Children's Month and Missing Children's Day – May 2016 Huntington Awareness Month – May 2016 Putting Investors First Month – May 2016 Brian Tumour Awareness Month – May 2016
May 12th, 2016	Parachute Safe Kids Week – May 30 to June 5, 2016 Public Works Week – May 15 to 21, 2016

	Kids Help Phone – Walk So Kids Can Talk Day – May 1, 2016
May 26th, 2016	Orca Awareness Month – June 2016 Intergenerational Day Canada – June 1, 2016 ALS Awareness Month (Lou Gehrig's Disease) – June 2016 National Tourism Week – May 29 to June 4, 2016 World Oceans Week – June 1 to June 8, 2016 World Oceans Day and Rivers to Oceans Week – June 8, 2016 and June 8 to June 14, 2016 Medical Marijuana Day – June 11, 2016 Brain Injury Awareness Month – June 2016 Built Green Day – June 8, 2016
June 9th, 2016	Sri Chinmoy Oneness – Home Peace Run – June 24, 2016 Men's Mental Health Awareness Day – June 14, 2016 World Refugee Day – June 20, 2016 Access Awareness Day – June 4, 2016
June 23rd, 2016	Pride Week – July 1 to July 10, 2016
July 28th, 2016	World Hepatitis Day – July 28, 2016
Aug. 25, 2016	Childhood Cancer Awareness Month – September 2016 Prostate Cancer Awareness Month – September 2016
Sept. 8, 2016	KidSport Week – September 10 – 17, 2016 Peace One Day – September 21, 2016 Literacy Month – September 2016
Sept. 22, 2016	Community Living Month – October 2016 Manufacturing Month – October 2016 Occupational Therapy Month – October 2016 Fire Prevention Week 2016 – October 9th to 15th, 2016 International Blasphemy Rights Day – September 30, 2016 (amended)
Oct. 13, 2016	World Mental Health Day – October 10, 2016 National Teen Driver Safety Week – October 16 to October 22, 2016 Waste Reduction Week – October 17 to 23, 2016
Nov. 10, 2016	UNiTE to End Violence Against Women Day – November 25, 2016
Nov. 24, 2016	Think Local Week – November 27 to December 3, 2016 HIV/AIDS Awareness Week – November 24 to December 1, 2016 World AIDS Day – December 1, 2016 Aboriginal AIDS Awareness Week – December 1 to December 5, 2016 Buy Local Week – November 28 to December 4, 2016 International Day of Persons with Diversabilities – December 3, 2016

	GivingTuesday – November 29, 2016 National Day of Remembrance and Action on Violence Against Women – December 6, 2016
Dec. 8, 2016	National Homeless Persons' Memorial Day – December 21, 2016 Year of Reconciliation - 2017
Jan. 12, 2017	BC AWARE 2017: Be Secure, Be Aware Days - January 30 - February 10, 2017
Jan. 26, 2017	Heart Month - February 2017
Feb. 9, 2017	Rare Disease Day - February 28, 2017 Chamber of Commerce Week - February 20-24, 2017
Feb. 23, 2017	Tibet Day - March 10, 2017 Victoria Co-op Day - February 25, 2017
Mar. 9, 2017	Purple Day for Epilepsy Awareness - March 26, 2017 Neighbour Day - May 7, 2017 World Kidney Day - March 9, 2017
Mar. 23, 2017	Canadian Oncology Nursing Day - April 4, 2017 Autism Awareness Day - April 2, 2017 World Hemophilia Day - April 17, 2017
Apr. 13, 2017	Parkinson's Awareness Month - April 2017 St. George Day - April 23, 2017 Human Values Day - April 24, 2017 Speech and Hearing Awareness Month - May 2017 Global Love Day - May 1, 2017 Child Abuse Prevention Month - April 2017 Earth Day - April 22, 2017
Apr. 27, 2017	Motorcycle Safety Awareness Month - May 2017 Putting Investors First Month - May 2017 Huntington Awareness Month - May 2017 Cruise Industry Day - May 2, 2017 Highland Games Week - May 16 - 22, 2017 Speech and Hearing Awareness Month - May 2017 - Revised
11-May-17	Intergenerational Day Canada - June 1, 2017
25-May-17	Victims and Survivors of Crime Week - May 28 to June 3, 2017 ALS Awareness Month - June 2017 Orca Awareness Month - June 2017 Parachute's Safe Kids Week - June 5 to June 11, 2017 Built Green Day - June 7, 2017

	Access Awareness Day - June 3, 2017 Doug Hudlin Awareness Day - June 11, 2017 National Tourism Week - May 28 to June 3, 2017
8-Jun-17	World Refugee Day - June 20, 2017
22-Jun-17	Pride Week - July 1 to July 9, 2017
27-Jul-17	World Hepatitis Day