



**UPDATED AMENDED AGENDA
COMMITTEE OF THE WHOLE
MEETING OF THURSDAY, JULY 20, 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

UNFINISHED BUSINESS

Workshop

1. **DEFERRED TO AUGUST 10, 2017**
Risk Management Approach: Crystal Pool and Wellness Centre
Replacement Project (Report to Follow)
~~--T. Soulliere, Director of Parks, Recreation and Facilities~~

[Addenda]

LAND USE MATTERS

2. Development Permit with Variances Application No. 00036 for 1479
Fort Street (Rockland)
--J. Tinney, Director of Sustainable Planning and Community Development

7 - 23

A report providing information and recommendations regarding the Development Permit Application to increase the number of self-contained units within the rental apartment from eight to nine for the property located at 1479 Fort 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 a Development Permit Application No. 00036 for 1479 Fort Street, in accordance with: 1. Plans date stamped June 8, 2017. 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances: i. Reduce the required parking stalls from twelve to six, increasing the existing non-conformity by two stalls. ii. Reduce the setback from a street

for an accessory building from 7.50m to 6.47m. iii. Reduce the separation space between an accessory building and the principle building from 2.40m to 1.50m. 3. The Development Permit lapsing two years from the date of this resolution."

[1 Report DPwV 1479 Fort Street](#)

[2 Attachment Subject Map](#)

[3 Attachment Aerial Map](#)

[4 Attachment Plans dated June 8, 2017](#)

[5 Attachmnet Letter from Applicant to Mayor](#)

3. Development Variance Permit Application No. 00193 for 1421 Fairfield Road (Fairfield) 25 - 77
--J. Tinney, Director of Sustainable Planning and Community Development

A report providing information and recommendations regarding a proposed Development Variance Permit Application to subdivide the existing lot and construct three single-family dwellings.

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 Permit application No. 00193 for 1421 Fairfield Road, in accordance with: 1. Plans date stamped June 23, 2017. 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances: Proposed Lot F: a. Part 1.2.5 (a): Reduce the front setback from 7.5m to 6.2m; b. Part 1.2.5 (b): Reduce the rear setback from 7.5m to 3.5m. 3. The Development Permit lapsing two years from the date of this resolution. This authorization is conditional on the property being subdivided into three strata lots generally in accordance with the subdivision application dated April 29, 2016."

[1 Report Development Variance Permit 1421 Fairfield Rd](#)

[2 Attachment Subject Map](#)

[3 Attachment Aerial Map](#)

[4 Attachment Plans date stamped June 23, 2017](#)

[5 Attachment Ltr from applicant to Mayor and Council dated April 24, 2017](#)

[6 Attachment September 8, 2016 Council Meeting Minutes](#)

[7 Attachment Ltr from the Fairfield Gonzales CALUC, dated May 19, 2017](#)

4. Development Permit with Variances Application No. 00033 for 1421 Fairfield Road (Fairfield) 79 - 84
--J. Tinney, Director of Sustainable Planning and Community Development

A report providing information and recommendations regarding a Development Permit with Variances Application for two panhandle lots required for the subdivision of the property.

(For attachments see Item No. 4)

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 Permit Application No. 00033 for 1421 Fairfield Road, in accordance with: 1. Plans date stamped June 23, 2017. 2. Development meeting all Zoning Regulation requirements, except for the following variances: Proposed Lot D: i. Schedule H(3)(a): Increase the height from 5.00. to 6.66m. ii. Schedule H(3)(a): Increase the number of storeys from 1 to 1.5. Proposed Lot E: i. Schedule H(3)(a): Increase the height from 5.00m to 7.01m. ii. Schedule H(3)(a): Increase the number of storeys from 1 to 1.5. 3. The Development Permit lapsing two years from the date of this resolution. This authorisation is conditional on the property being subdivided into three strata lots generally in accordance with the subdivision application dated April 29, 2016.*

[1 Report Development Permit with Variances 1421 Fairfield Rd](#)

STAFF REPORTS

5. Enforcement Update on Cannabis-Related Businesses 85 - 94
--C. Coates, City Clerk

A report providing information on enforcement processes with respect to gaining compliance with cannabis-related businesses.

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

[1 Report Enforcement Update on Cannabis-Related Businesses](#)

[2 Attachment Cannabis-Related Business Regulation Bylaw](#)

6. Urban Deer 95 - 119
--C. Coates, City Clerk

A report providing information and recommendations regarding an update on the status of urban deer management strategies within the region, funding opportunities, and implications of examining the problem in Victoria.

Late item: *Presentation*

Recommendation: *That Council receive this report for information*

[1 Report Urban Deer](#)

[2 Appendix A Lessons Learned Oak Bay Deer Management Pilot](#)

[3 Late Presentation Urban Deer](#)

[Addenda]

NOTICE OF MOTIONS

NEW BUSINESS

7. Endorsing the We Speak Translate project and training City of Victoria Frontline Staff 121 - 125
--Councillor Loveday and Mayor Helps

A Council Member motion providing information and recommendations regarding the We Speak Translate program.

Late Item: Appendix

Recommendations: 1. That Council endorse the We Speak Translate program and that the Mayor writes to partner municipalities in the CRD to inform them of the We Speak Translate program. 2. That the We Speak Translate initiative be brought forward to the South Island Prosperity Project as part of the Smart South Island Plan soon getting underway. 3. That Council and all staff in the Engagement Department receive the 45 minute training as soon as practicable. 4 That Council direct staff to report back at the next Quarterly Update on the implications of the Human Resources Department coordinating with the Intercultural Association to have the ICA provide 45-minute We Speak Translate training sessions to all frontline service delivery staff.

[1 Report We Speak Translate Motion](#)

[2 Late Appendix Google We Speak Translate ICA summer trainings.2017](#)

[Addenda]

ADJOURNMENT OF COMMITTEE OF THE WHOLE

CONVENE COUNCIL MEETING

MOTION TO CLOSE THE JULY 20, 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.

APPROVAL OF CLOSED AGENDA

READING OF CLOSED MINUTES

UNFINISHED BUSINESS

CORRESPONDENCE

NEW BUSINESS

1. Land
--*P. Rantucci, Head of Strategic Real Estate*
2. **Late Item:** Employee Relations
--*Mayor Helps*

[Addenda]

CONSIDERATION TO RISE & REPORT

ADJOURNMENT



Committee of the Whole Report

For the Meeting of July 20th, 2017

To: Committee of the Whole **Date:** July 7th, 2017

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

Subject: Development Permit with Variances Application No. 00036 for 1479 Fort 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 Permit Application No. 00036 for 1479 Fort Street, in accordance with:

1. Plans date stamped June 8th, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Reduce the required parking stalls from twelve to six, increasing the existing non-conformity by two stalls
 - ii. Reduce the setback from a street for an accessory building from 7.50m to 6.47m
 - iii. Reduce the separation space between an accessory building and the principle building from 2.40m to 1.50m.
3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 1479 Fort Street. The proposal is to increase the number of self-contained units within the rental apartment from eight to nine.

The variances are related to parking and the location of the covered Class 2 bicycle parking structure.

The following points were considered in assessing this application:

- the proposal is consistent with the Development Permit Area 7B(HC): Corridors Heritage designation contained in the *Official Community Plan 2012 (OCP)*, which supports multi-family housing along main corridors that transitions well with lower-medium density on adjacent streets
- the proposal is consistent with the *Rockland Neighbourhood Plan, 1987*, which encourages the retention of existing buildings and sensitive infill development
- the parking variance to reduce the required number of parking stalls from twelve to six (a total variance request of two stalls, given the existing non-conforming parking) is supportable as the property is on a major transportation route, and the applicant will be providing 10 new covered Class 2 bike parking stalls
- The setback variances from the new Class 2 bike parking structure are supportable. The structure has minimal impact on the streetscape and neighbouring properties, and will provide the units with partially-weather protected bicycle parking.

BACKGROUND

Description of Proposal

The proposal is to increase the number of self-contained units within the apartment from eight to nine. Specific details include:

- the additional suite would be located within the existing building and does not include any additional floor area
- the new unit would be located in the basement and a new sunken entrance and window would be added
- a new covered Class 2 bicycle parking structure with bike racks totalling 10 stalls would be constructed in the side yard
- the applicant has proposed landscaping improvements including a new side yard pathway, and new plantings in the front and side yards.

The proposed variances are related to:

- reducing the required parking stalls from twelve to six, increasing the existing non-conformity by 2 stalls
- reducing the setback from a street for an accessory building from 7.50m to 6.47m
- reducing the separation space between an accessory building and the principle building from 2.40m to 1.50m.

Sustainability Features

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

Active Transportation Impacts

The application proposes a new covered Class 2 bicycle parking structure.

Public Realm Improvements

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

Accessibility Impact Statement

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

Existing Site Development and Development Potential

The site is presently an eight unit multi-family building. The proposed suite would be installed in the basement of the existing building.

Data Table

The following data table compares the proposal with the existing R3-AM-2 Zone, Mid-rise Multiple Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone. A double asterisk is used where the conditions are existing non-conforming to the zone.

Zoning Criteria	Proposal	Zone Standard R3-AM-2
Site area (m ²) - minimum	741.00**	920.00
Number of units - maximum	9	n/a
Density (Floor Space Ratio) – maximum	0.53	0.60
Total floor area (m ²) - maximum	389.73	n/a
Unit size (m ²) - minimum	46.73	33.00
Lot width (m) - minimum	15	n/a
Height (m) - maximum	8.50	12.00
Storeys - maximum	2 and basement	4
Site coverage of main building % - maximum	32.80**	30.00
Open site space % - minimum	30.10	30.00
Setbacks (m) – minimum:		
Front	3.56**	7.5
Rear	20.00 (approx.)	4.26
Side (East)	1.54**	4.26
Side (West)	1.01**	4.26
Parking - minimum	6*	10 (existing use) 12 (proposed use)
Bicycle parking stalls (minimum)		
Class 1	-	n/a
Class 2	10 space rack	n/a

Zoning Criteria	Proposal	Zone Standard R3-AM-2
Accessory Bicycle Parking Structure		
Location	Side yard	Not in front yard
Separation space main building and accessory building (m) - minimum	1.51*	2.4
Height (m) - maximum	3.00	3.50
Setback from street (m) – minimum	6.47*	7.50
Side yard setback (East) (m) – minimum	1.46	0.6
Site Coverage (%) – maximum	1.12 (approx.)	10.00

Relevant History

A Development Permit with Variance for the same proposal was previously approved by Council on September 14th, 2014. This previous Development Permit expired before work on the project began. The only change between the previously approved permit and the current proposal involves minor differences to the bicycle parking area.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on June 27th, 2017 the application was referred for a 30-day comment period to the Rockland 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

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP)* identifies this property within Development Permit Area: 7B (HC), Corridors Heritage. The proposal is consistent with the policies and design guidelines within this designation. The proposal supports the Development Permit Area vision of intensification of multi-family development along the Fort Street corridor, with low-to-medium level density that supports transit-oriented development. The proposal supports the OCP neighbourhood strategic direction to support the maintenance of existing buildings.

The proposed bicycle shelter, which is an accessory structure, and the new landscaping are subject to DPA: 7B Corridors Heritage. In DPA 7B, the form, character, finishes and landscaping details for new development are controlled and regulated in relation to the *Advisory*

Design Guidelines for Buildings, Signs and Awnings 1981. Staff have no concerns about the appearance or siting of the bike shelter and the new landscaping would improve the current site conditions.

Local Area Plans

The proposal is consistent with the *Rockland Neighbourhood Plan* which supports the retention of existing buildings.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no protected trees or any public trees affected by this application.

CONCLUSIONS

The proposed addition of one unit to an existing eight unit multiple-dwelling building is generally consistent with the relevant policy and design guidelines. The proposed parking variance is considered supportable based on the additional Class 2 bicycle parking provided, as well as the location of the property along a major transportation corridor. The variances for the bike structure are supportable given that it adds to bicycle parking options and has minimal visual impact on the streetscape and neighbouring properties. Staff recommend that Council consider supporting this application.

ALTERNATE MOTION

That Council decline DPV Application No. 00036 for the property located at 1479 Fort Street.

Respectfully submitted,



Chloe Tunis
Planning Technician
Sustainable Planning and Community
Development Department



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

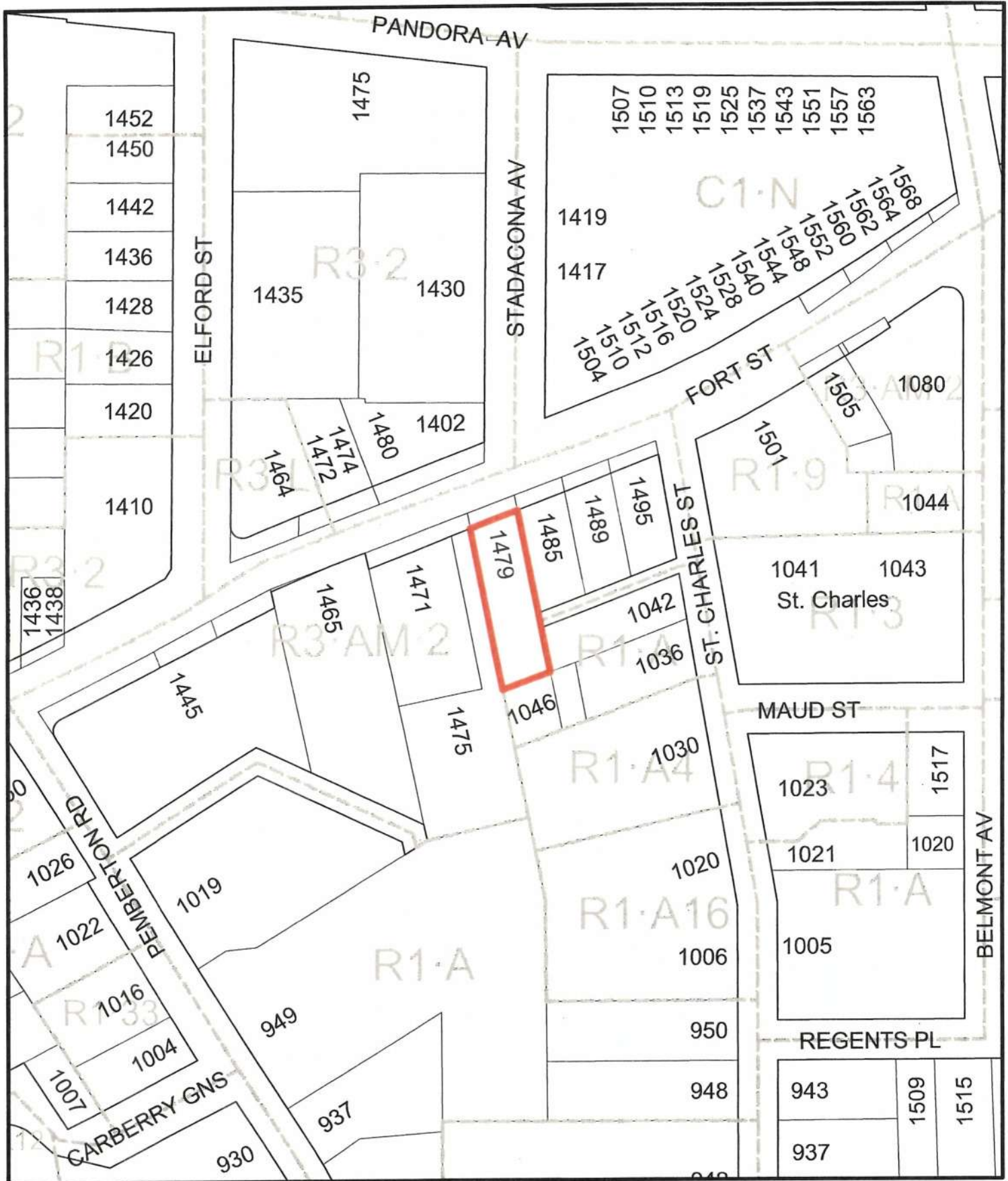


Date:

July 12, 2017

List of Attachments

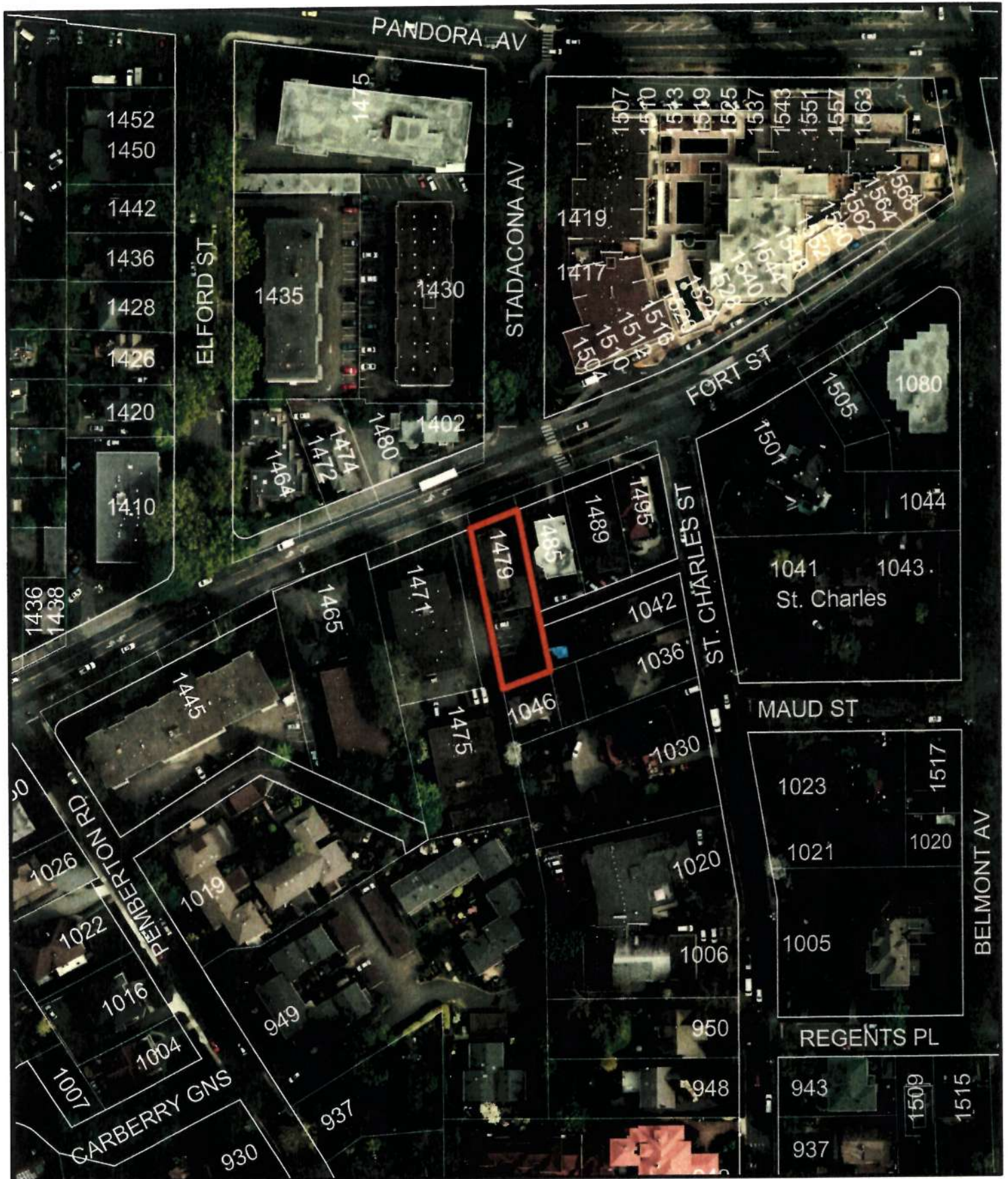
- Subject Map
- Aerial Map
- Plans dated June 8th, 2017
- Letter from applicant to Mayor and Council dated June 8th, 2017



1479 Fort Street

Development Variance Permit #00036

Development Permit with Variances Application No. 00036 for ...



1479 Fort Street

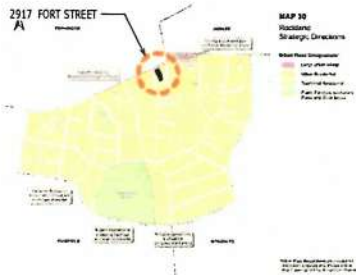
Development Variance Permit #00036

Development Permit with Variances Application No. 00036 for ...



FORT STREET FACADE

REAR YARD FACADE



Sheet List			
Sheet Number	Sheet Name	Sheet Issue Date	Revised
A100	Cover Sheet	03/07/2017	
A101	Site Plan	01/02/2017	
A102	Basement & Level 2	03/07/2017	
A103	Level 2 Plan	05/03/17	
A104	Elevations	03/07/2017	
A105	Building Section	02/02/2017	

Basement Proposed Unit

Unit #	Type	Size	Occupant/s	Car
9	1 Bedroom	503 sf	N/A	0
Total Areas		503 sf		0

Level 1 Existing Units

Unit #	Type	Size	Occupant/s	Car
1	bachelor	346 sf	Business owner	1
2	2 bedrooms	674 sf	Self employed	1
3	2 bedrooms	524 sf	Students	0
Corridors		130 sf		
Total Areas		2,224 sf		2

Level 2 Existing Units

Unit #	Type	Size	Occupant/s	Car
4	bachelor	318 sf	Self employed	0
5	1 bedroom	465 sf	Student	1
6	1 bedroom	448 sf	Student	1
7	1 bedroom	367 sf	Student	0
8	1 bedroom	337 sf	Students	0
Corridors		241 sf		
Total Areas		1,971 sf		2

DATA:

Zone: R3-AM-2

Building Footprint approx.: 222 sm

Min. Allowable Site Area: 920 sm

Current Site Area: 741 sm

Current Floor Area: 389.7 sm

FSR: (Not including added Suite)
Floor area / Lot Area =
389.7 sm / 741 sm = 0.52

FSR Allowable: 0.6:1 (2 Storeys)

Max. Allowable Site Coverage: 30%

Current Site Coverage: 32.8%
(243 sm of 741sm)Mini. Req'd open Site Space: 30%
(222.3 sm of 741 sm)Current Open Site Space: 30.1 %
(518 sm non-open leaves
223 sm of 741 sm)

#No. of Storeys: 2

Required Parking: 12 stalls
(1.3 stalls per Dwelling Unit)

Parking on Site: 6 stalls

Bicycle Parking: 10

Building Height approx. 10.49m (34'-6")
Midpoint of roof: 8.52m (28'-0")Existing: 8 units
Proposed: 9 unitsCURRENT SETBACKS:
Front setback: 3.56 m
Side setbacks (East): 1.58m
Side setbacks (West): 1.0 mALLOWABLE SETBACKS:
All sides: 9m

RELATION OF PROJECT TO OCP:

The building meets the criteria of the Urban Residential zone in the OCP which focuses buildings detached or attached up to 3 stories as well as multi-unit buildings up to 6 stories.

- Variable setbacks with primary doorways facing the street.
- Front yard landscaping and street tree planting
- on street parking and collective driveway to the rear yard.
- ground oriented multi-unit residential.
- FSR up to 1.2

Project description:

It is proposed to add 1(one) additional 1 Bedroom Suite, in the basement, to an existing 8 Unit apartment building.

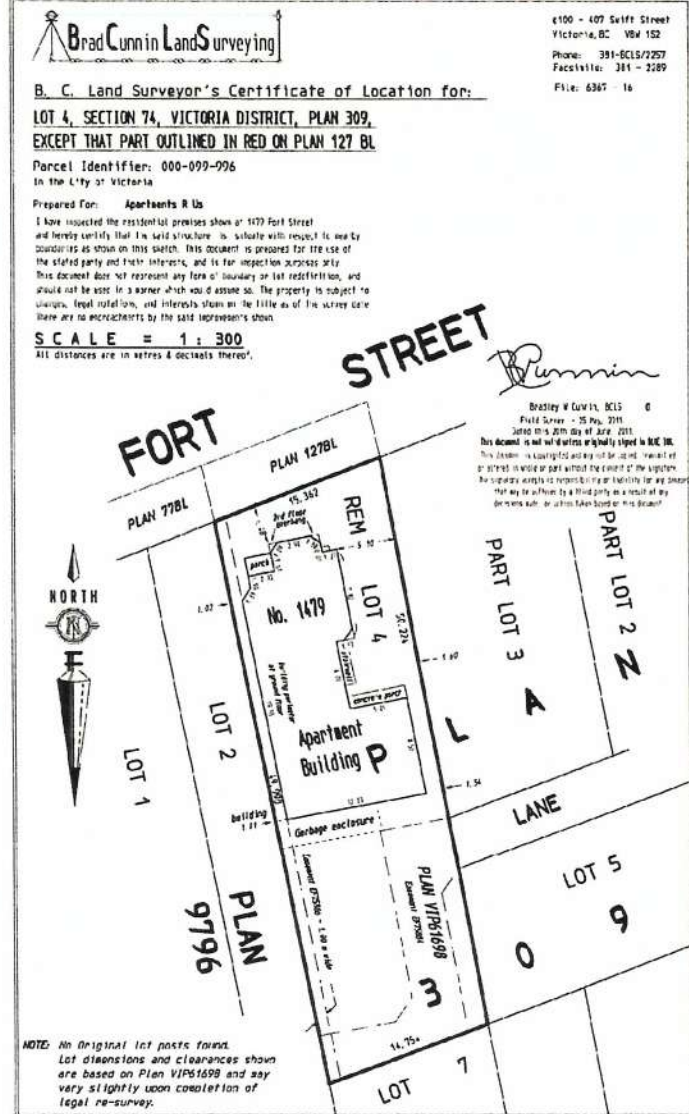
Total number of proposed units: 9

1 Bedroom: 5 Units (5, 6, 7, 8 & 9)
2 Bedroom: 2 Units (2 & 3)
Bachelor: 2 Units (1 & 4)

CITY OF VICTORIA
RECEIVED
DEEMED

JUL 06 2017

JUN 08 2017



7/6/2017 9:42:56 AM

ERIC BARKER ARCHITECT INC.
121 HANCOCK AVENUE, VICTORIA, B.C.
V8V 1K9
250-595-4555 Fax: 250-595-4556 V8V 1K9

Building classification:
Group C, up to 5 stories, (PART 9)
unsprinkled
Building Max. Area: 600 sm

Combustible or noncombustible construction
Floors to be rated 45 mins. Roof, no FR
required. Suites separated by 45 mins. rated
walls/floors, except for 2 story suites.

SCOPE OF WORK:

**INSTALL NEW
BASEMENT SUITE
IN BUILDING**

Civic Address:

1479 Fort Street
Victoria, BC
V8S 1Z4

Legal Address:

Lot 4, Section 74
Victoria District, Plan 309

No.	Date	Description
20	June 5, 2017	Revised setbacks
21	May 26, 2017	Adjusted front setback
22	May 26, 2017	Adjusted open site space
18	09/18/2014	Revised parking adjustment
8	08/08/2014	Revised setbacks
5	08/08/2014	Revised floor area

4. Approved drawings 211005 Apartments R Us -
1479 Fort Street, Victoria, B.C. 2017 rev 1

Development Permit
June 5, 2017

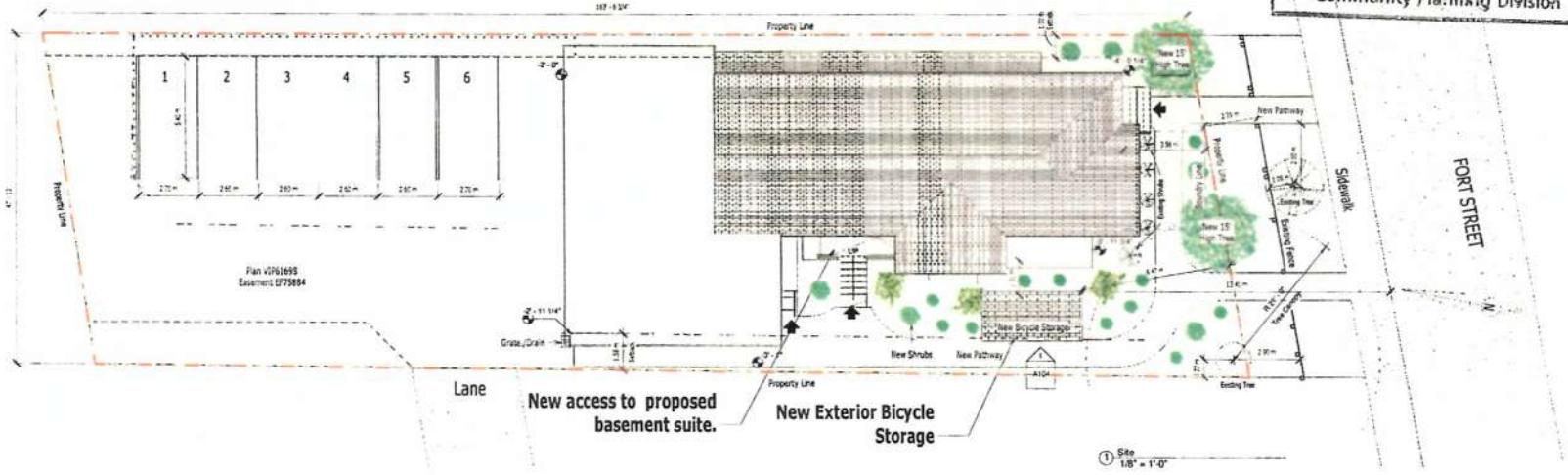
1479 Fort St.
Victoria, B.C.

Cover Sheet

Project number	211005
Date	03/07/2017
Drawn by	JB
Checked by	Checker
A100	
Date	

Received
City of Victoria
JUN 08 2017
Planning & Development Department
Community Planning Division

07/2017 9:23:13 AM
ERIC BAYCE ARCHITECT Inc.
257 HANCOCK AVENUE, VICTORIA, B.C.
250-598-4000 Fax: 250-439-1991 www: 1-800-...



- Landscapes Listed
- Kousa Dogwood 2.5m
 - Star Magnolia 1.2m
 - Deciduous Azalea 0.75m
 - Rhododendron 0.5m
 - Existing Cherry Tree
 - Existing Cedar Tree
 - Existing Shrub



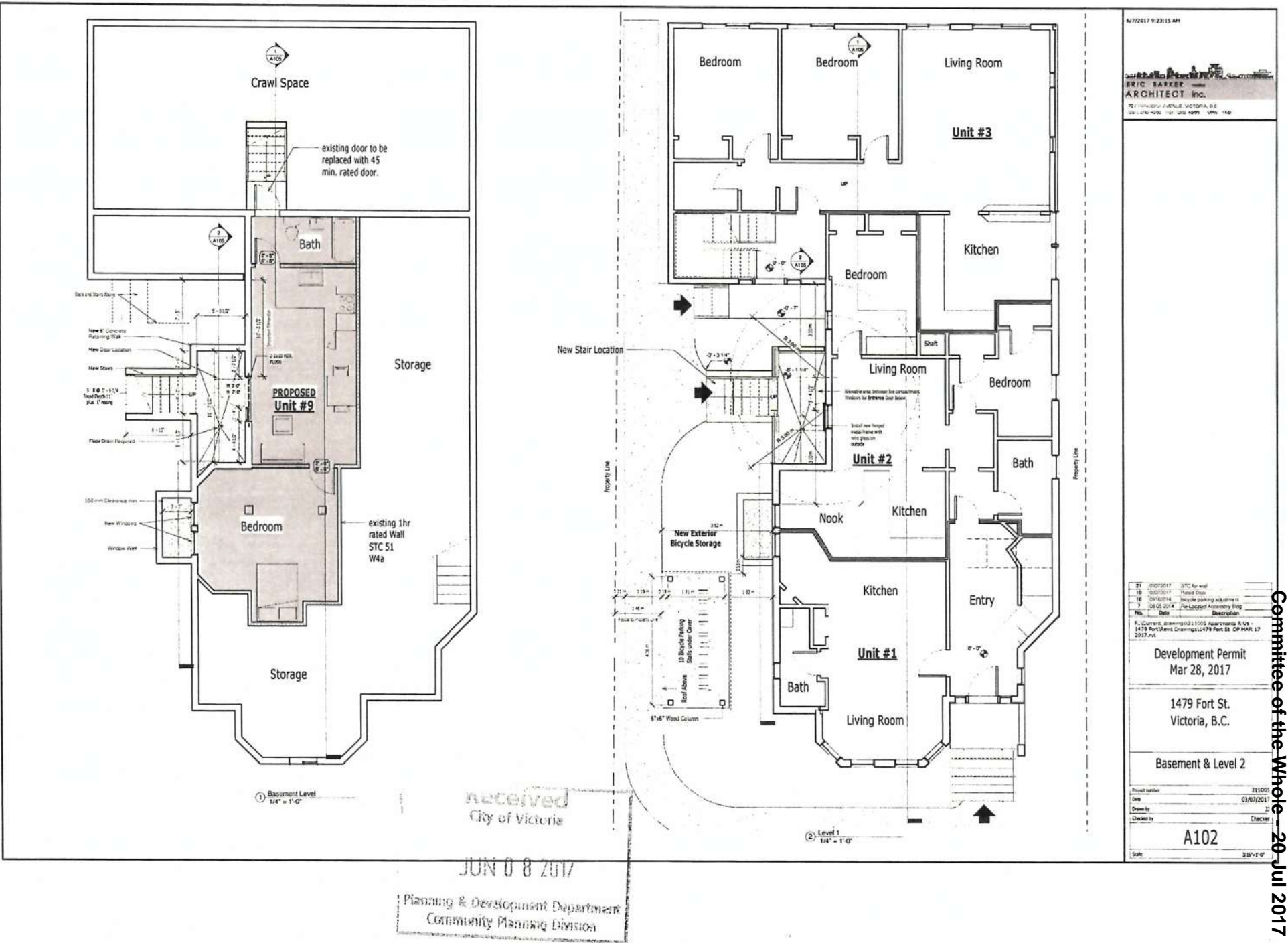
Aerial Site Capture



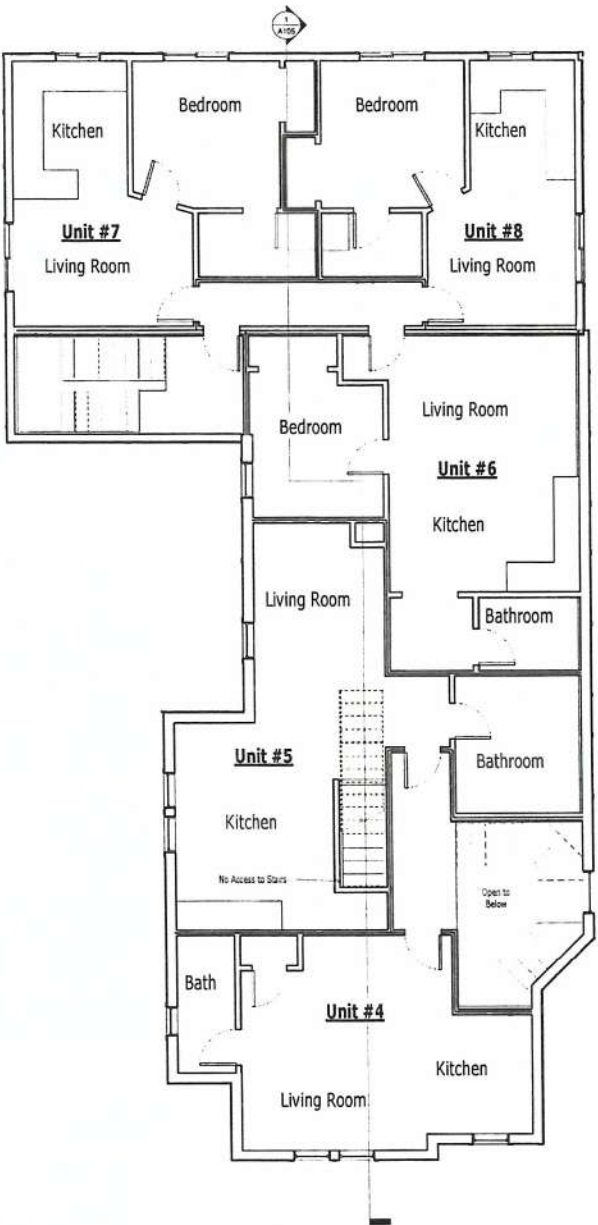
3D Frontage

20	May 08, 2017	Adjusted Front setback
18	10/10/2014	Original parking adjustment
15	10/10/2014	Preparation drawings for proposed building
14	10/10/2014	Setback from the street for bike storage
12	14/08/2014	Revised Landscape Details
11	14/08/2014	Adjusted Coverage
8	06/05/2014	Adjusted Existing Trees
7	08/05/2014	Re-located Ancillary Entry
No.	Date	Description
R:\Current Drawings\1211005 Apartments R Us 1479 Fort Street Drawings\1479 Fort St. DP PLAN 1.7 2017.rvt		
Development Permit Mar 28, 2017		
1479 Fort St. Victoria, B.C.		
Site Plan		
Project number	211005	
Date	01/02/2017	
Drawn by	J	
Checked by		Checker
A101		
Scale		

Committee of the Whole - 20-Jul 2017



4/7/2017 9:23:16 AM



No.	Date	Description
1	05/23/17	Development Permit Mar 28, 2017
2	05/23/17	1479 Fort St. Victoria, B.C.
3	05/23/17	Level 2 Plan
Project number	21100	
Date	05/23/17	
Drawn by	Arch	
Checked by	Check	
A103		
Scale		



16/7/2017 9:23:18 AM

ERIC BARBER
ARCHITECT INC.
121 KANACHA AVENUE, VICTORIA, B.C.
250-688-8888 • 604-688-8888 • WWW.ERICBARBERARCHITECT.COM

Received
City of Victoria

JUN 08 2017

Planning & Development Department
Community Planning Division

20 10070047 1/2 measure protection
9 04/05/2014 Added Existing Trees
7 05/05/2014 The Located Accessory Bldg.
No. 1 Date Description

Development Permit
Mar 28, 2017

1479 Fort St.
Victoria, B.C.

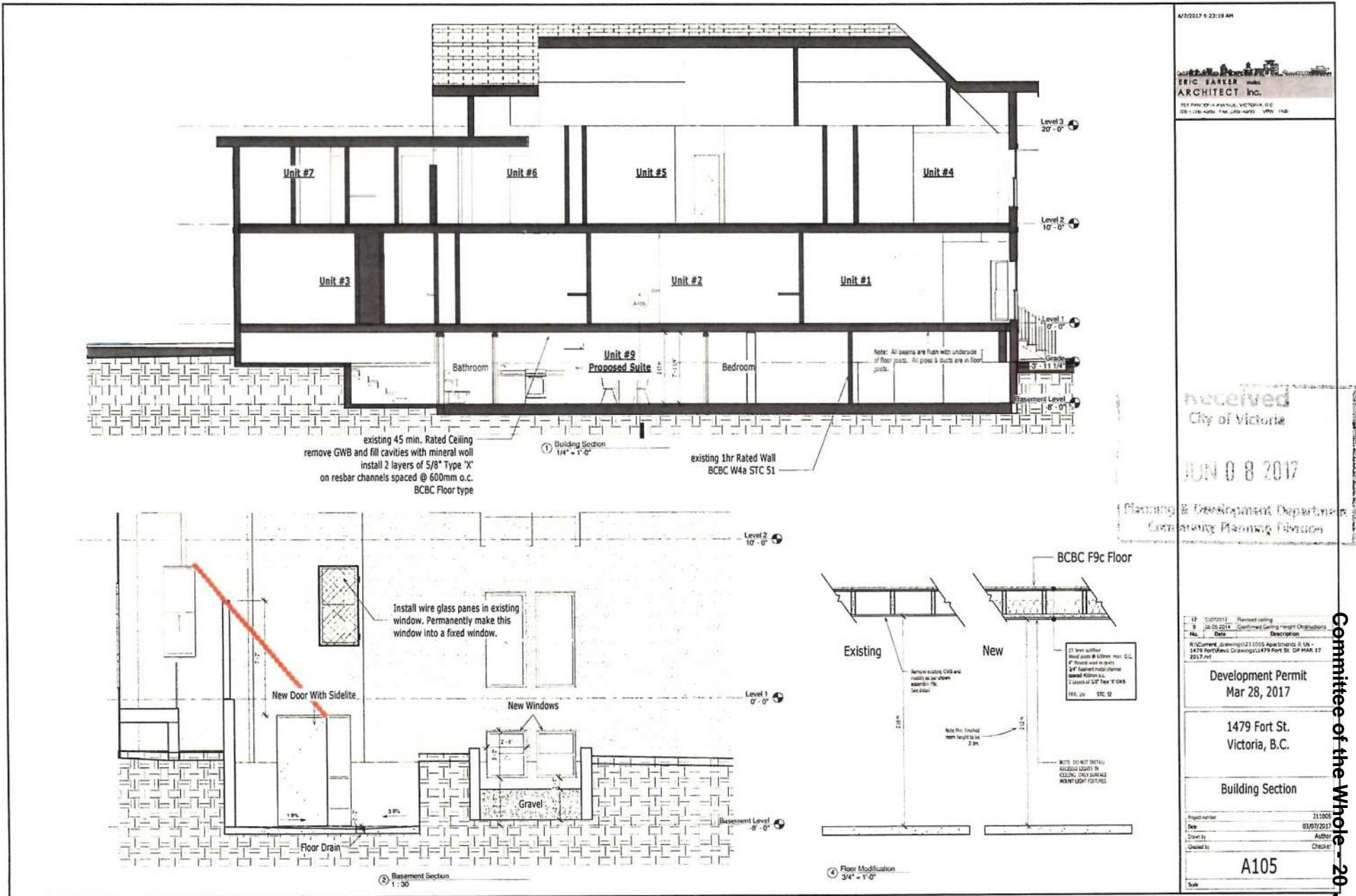
Elevations

Project number 211000
Date 03/03/2017
Drawn by Author
Checked by Checker

A104

Scale

Committee of the Whole - 20 Jul 2017



6/7/2017 9:23:19 AM
ERIC SARKER ARCHITECT INC.
 111 PRINCE OF WALES AVENUE, VICTORIA, B.C.
 (604) 681-1000 FAX: (604) 681-1001 WWW: ESARCA.COM

received
 City of Victoria

JUN 08 2017

Planning & Development Department
 Community Planning Division

12	10/07/2017	Revised ceiling
9	06/05/2017	Confirmed Ceiling Height Constraints
No.	Date	Description
R10 Current drawings 11005 Apartments A 105 - 1479 Portlands, Drawings 1479 Port St. GP 1048 17 2017.rvt		
Development Permit Mar 28, 2017		
1479 Fort St. Victoria, B.C.		
Building Section		
Project number	211005	
Date	03/07/2017	
Drawn by	Author	
Checked by	Checker	
A105		
Scale		

July 7, 2017

Mayor and Council
City of Victoria
1 Centennial Square
Victoria, B.C.
V8W 1P6

CITY OF VICTORIA
RECEIVED **DEEMED**
JUL 07 2017 JUN 08 2017

Re: 1479 Fort Street

Dear Mayor and Council,

We are applying for a development variance permit approval to add 1 suite to the existing 8 suites currently in the house. The suite is being added into the basement and therefore does not change the building footprint or appearance other than adding windows in the basement wall. The variance is required because the current house with 8 suites and 6 parking stalls doesn't meet schedule 'C' of the Zoning By-law and the addition of our suite adds to the variance.

The argument for this variance is that the house, in its central location, provides rental accommodation for young singles and couples working in the downtown area. This is an important component to supporting the viability of the working population downtown. Unusual to most houses like this, there are 6 parking stalls behind the house accessible by a lane off St. Charles. The addition of the suite in this context will not create additional pressure for parking on site nor in the neighbourhood.

Two other variances are required for the location of the bike parking structure (1. setback from the street and 2. separation space from the principle dwelling).

Regards,

Eric Barker,



Architect AIBC, LEED AP
EJB/ab

ERIC BARKER, MAIBC
ARCHITECT inc.



Committee of the Whole Report For the Meeting of July 20, 2017

To: Committee of the Whole **Date:** July 6, 2017
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Development Variance Permit Application No. 00193 for 1421 Fairfield Road

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 Permit Application No. 00193 for 1421 Fairfield Road, in accordance with:

1. Plans date stamped June 23, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Proposed Lot F

- a. Part 1.2.5 (a): Reduce the front setback from 7.5m to 6.2m
- b. Part 1.2.5 (b): Reduce the rear setback from 7.5m to 3.5m.
3. The Development Permit lapsing two years from the date of this resolution.

This authorization is conditional on the property being subdivided into three strata lots generally in accordance with the subdivision application dated April 29, 2016."

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 1421 Fairfield Road. The proposal is to subdivide the existing lot and construct three single-family dwellings. This Development Variance Permit is for Lot F; a Development Permit with Variances is required for the two Panhandle Lots which are being proposed in conjunction with this application and is

discussed in a separate report.

The requested variances are to reduce the front and rear setbacks. These variances are due to the short depth of the proposed lot and do not have a substantial impact on shading and privacy of the adjacent lots. The proposed front setback is approximately in line with the adjacent houses on Fairfield Road.

BACKGROUND

Description of Proposal

The proposal is to construct three single-family houses. Lot D and Lot E are Panhandle Lots and therefore are in Development Permit Area 15B: Intensive Residential – Panhandle Lot which are reviewed under a separate report along with associated variances. Lot F is not a Panhandle Lot but would require variances. Similarly, although all three lots would be in the R1-B Zone, Single Family Dwelling District, Schedule H – Panhandle Lot Regulations would apply only to Lot D and Lot E.

Sustainability Features

As indicated in the applicant's letter dated February 22, 2017, the following sustainability features are associated with this application:

- energy efficiency: New construction to pursue Energuide 80 (or equivalent)
- renewable energy: solar / PV provisions
- water: low flow fixtures
- site permeability: permeable paving stones for hard landscaping
- landscaping: no net loss in number of trees.

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 Development Permit Application.

Accessibility Impact Statement

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

Existing Site Development and Development Potential

The site is presently in the R1-B Zone, Single Family Dwelling District. Under this zone, the site could be subdivided and three single-family homes with secondary suites could be built, subject to Council's approval of a Panhandle Development Permit Application.

Data Table

The following data table compares the proposal with the R1-B Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal Lot F	Zone Standard R1-B Zone
Site area (m ²) - minimum	504.00	460.00
Lot width (m) - minimum	28.60	15.00
1st & 2 nd storey floor area (m ²) - maximum	239.00	280.00
Total floor area (m ²) - maximum	290.50	300.00
Height (m) - maximum	7.59	7.6
Storeys - maximum	2	2
Site coverage % - maximum	26.30	40.00
Setbacks (m) - minimum		
Front (Fairfield Rd.)	6.20 *	7.50
Rear (south)	3.50 *	7.50
Side (east)	3.50	2.86
Side (west)	7.60	3.00
Combined side yards	11.10	4.50
Parking - minimum	1	1

Relevant History

A previous application (DPV No.00004) was received for 1421 Fairfield Road to subdivide the property into three lots and construct three single-family dwellings. The proposal was declined by Council at the September 8, 2016 Council Meeting (minutes attached). The subject of this report is a revised application for the same site.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on May 18, 2017 the application was referred for a 30-day comment period to the Fairfield Gonzales CALUC; a letter dated May 19, 2017 is attached to this report.

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

ANALYSIS

Regulatory Considerations

The applicant is requesting variances as follows:

- reducing the front yard setback from 7.50m to 6.20m
- reducing the rear yard setback from 7.50m to 3.50m.

These variances are the result of the proposed house being sited towards the side lot line (Moss Rock Place) instead of the front lot line (Fairfield Road is defined as the front in accordance with the *Zoning Regulation Bylaw*). The requested setback variances would be reduced if Moss

Rock Place was considered to be the front lot line. The setbacks do not have a substantial impact on the adjacent lot and usable outdoor space is provided in the side yard. Additionally, the proposed front setback is approximately in line with the adjacent houses on Fairfield Road.

Tree Preservation and Urban Forest Management

There are no bylaw protected trees on the development's proposed residential lots. There is one large protected Arbutus tree directly across from the development on Moss Rock Place. There are three privately owned protected Western Red Cedar trees immediately adjacent to the development's east property boundary. Their critical root zones do not extend into the proposed building envelopes; however, they do extend into the subdivision's servicing easement. The Tree Preservation Plan outlines protection measures for these neighbour's trees to be employed during construction. A project arborist will be required to be on site during excavation works for the proposed services to these lots within the road right-of-way on Moss Rock Place, to ensure the Arbutus root zone is protected.

Boulevard landscaping along the Fairfield Road frontage will be secured at the time of subdivision approval, including grass and three new boulevard canopy trees.

CONCLUSIONS

The proposal to construct three new houses requires variances associated with the house on Fairfield Road (Lot F). The variances are supportable because they will not have a substantial impact on the privacy of the adjacent house. Staff recommend that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00193 for the property located at 1421 Fairfield Road.

Respectfully submitted,



Rob Bateman
Senior Process Planner
Development Services Division




Jonathan Timney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date: July 12, 2017

List of Attachments

- Subject Map
- Aerial Map
- Plans date stamped June 23, 2017
- Letter from applicant to Mayor and Council dated April 24, 2017
- September 8, 2016 Council Meeting Minutes
- Letter from the Fairfield Gonzales CALUC, dated May 19, 2017





Page 31 of 31
CITY OF

PROPOSED SUBDIVISION OF: 1421 Fairfield Road VICTORIA, BC



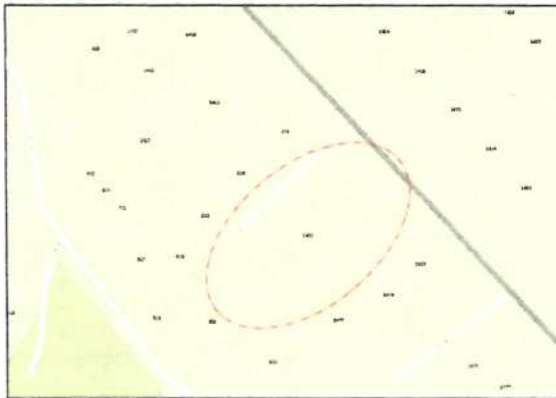
PROJECT INFORMATION:

SITE ADDRESS: 1421 FAIRFIELD ROAD
LOT A, PLAN VIP17481,
LAND DISTRICT S7,
FAIRFIELD FARM ESTATE
OWNER: MOSS ROCK DEVELOPMENT LTD

SCOPE OF WORK:

SUBDIVISION OF EXISTING R1-B
PARCEL INTO 3 R1-B STRATA LOTS

KEY PLAN:



SHEET INDEX:

- A0.0 COVER SHEET
A1.1 COMMUNITY PLAN
A1.2 PROPOSED NEIGHBORHOOD PLAN
A1.3 EXISTING SURVEY
A1.4 PROPOSED SUBDIVISION PLAN
A1.5 PROPOSED SITE PLAN
A1.6 PROPOSED SITE SERVICING PLAN
A1.7 PROPOSED LANDSCAPE PLAN
A1.8 SHADOW STUDY
A1.9 PROPOSED TREE PLAN
A2.1 DEVELOPMENT ELEVATIONS
A3.1 DEVELOPMENT PERSPECTIVES
A3.2 DEVELOPMENT PERSPECTIVES
A3.3 DEVELOPMENT PERSPECTIVES
A3.4 DEVELOPMENT PERSPECTIVES
D0.0 STRATA LOT D - COVER SHEET
D2.1 STRATA LOT D - FLOOR PLANS
D2.2 STRATA LOT D - FLOOR PLANS
D2.3 STRATA LOT D - SECTION
D4.1 STRATA LOT D - ELEVATIONS
D4.2 STRATA LOT D - ELEVATIONS
D5.1 STRATA LOT D - PRIVACY VIEW
E0.0 STRATA LOT E - COVER SHEET
E2.1 STRATA LOT E - FLOOR PLANS
E2.2 STRATA LOT E - FLOOR PLAN & SECTION
E4.1 STRATA LOT E - ELEVATIONS
E4.2 STRATA LOT E - ELEVATIONS
E5.1 STRATA LOT E - PRIVACY VIEW
F0.0 STRATA LOT F - COVER SHEET
F2.1 STRATA LOT F - FLOOR PLANS
F2.2 STRATA LOT F - FLOOR PLAN & SECTION
F4.1 STRATA LOT F - ELEVATIONS
F4.2 STRATA LOT F - ELEVATIONS
F5.1 STRATA LOT F - PRIVACY VIEW
G0.0 DEVELOPMENT PERSPECTIVE

PROJECT DIRECTORY:

DESIGNER: RYAN HOYT DESIGNS INC.
250.959.9893
INFO@RYANHOYTDIGNS.COM
GENERAL CONTRACTOR: TBD
STRUCTURAL ENGINEER: TBD
SURVEYOR: WEY MAYENBURG LAND
SURVEYING INC.
250.656.5155

Received
City of Victoria
JUN 23 2017
Planning & Development Department
Development Services Division

NOTES:
1. All drawings, plans, reports, specifications and other documents submitted for this project shall be the property of the City of Victoria. They shall not be used for any other purpose without the written consent of the City of Victoria.
2. The City of Victoria reserves the right to cancel or suspend any permit issued by it at any time if the permit holder fails to comply with the conditions of the permit or if the permit holder is found to be in violation of the provisions of the Development Variance Permit Act.
3. The City of Victoria reserves the right to require the permit holder to provide a bond or other form of security to ensure that the conditions of the permit are met.
4. The City of Victoria reserves the right to require the permit holder to provide a bond or other form of security to ensure that the conditions of the permit are met.

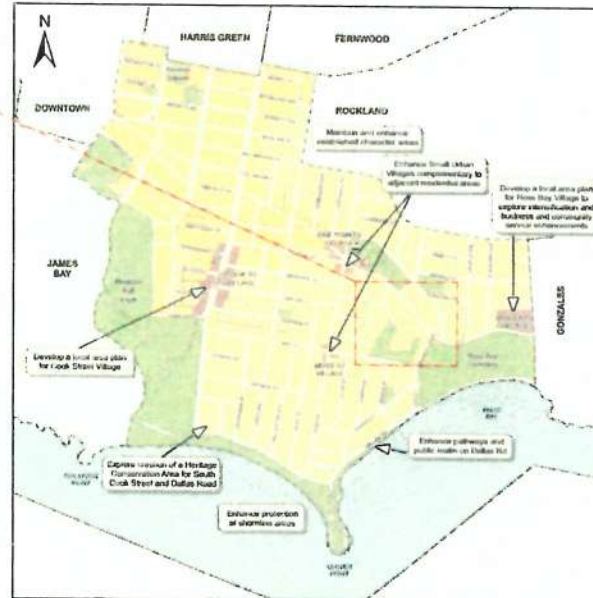
Date:	Description:	By:	No.	Issued:
15/05/2017	Issue for Design Review	RH	1	
15/05/2017	Issue for Design Review	RH	2	
15/05/2017	Issue for Design Review	RH	3	
15/05/2017	Issue for Design Review	RH	4	
15/05/2017	Issue for Design Review	RH	5	
15/05/2017	Issue for Design Review	RH	6	
15/05/2017	Issue for Design Review	RH	7	
15/05/2017	Issue for Design Review	RH	8	
15/05/2017	Issue for Design Review	RH	9	
15/05/2017	Issue for Design Review	RH	10	

RYAN HOYT
RYAN HOYT DESIGNS INC.
250.959.9893
INFO@RYANHOYTDIGNS.COM
1421 FAIRFIELD RD.
VICTORIA, BC V8M 1A6

Committee of the Whole
1421 Fairfield Rd.
1511
A0.0

Project No.: 1511
Sheet: A0.0

Committee of the Whole - 20 Jul 2017

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Planning & Development Department
Development Services Division

6. An international group, including scientists, economists and other professionals to research the ecological, demographic and economic consequences of the proposed changes in land use and land cover in the study area. The group will also be responsible for the development of a set of indicators to monitor the progress of the project and the impact of the proposed changes on the environment.
7. The responsibility of the international group will be to provide a scientific basis for the development of the project and to monitor the progress of the project. The group will also be responsible for the development of a set of indicators to monitor the progress of the project and the impact of the proposed changes on the environment.
8. The international group will also be responsible for the development of a set of indicators to monitor the progress of the project and the impact of the proposed changes on the environment.
9. The international group will also be responsible for the development of a set of indicators to monitor the progress of the project and the impact of the proposed changes on the environment.

Date	Description	By	No.	Amount
15Oct91	Wash Day - Permit	RM	1	
15Oct91	Day Permit	RM	2	
16Oct91	Day Permit Reasonableness	RM	3	
16Oct91	Day Permit Reasonableness	RM	4	
17Oct91	Day Permit Reasonableness	RM	5	
17Oct91	Day Permit Reasonableness	RM	6	
17Oct91	Day Permit Reasonableness	RM	7	

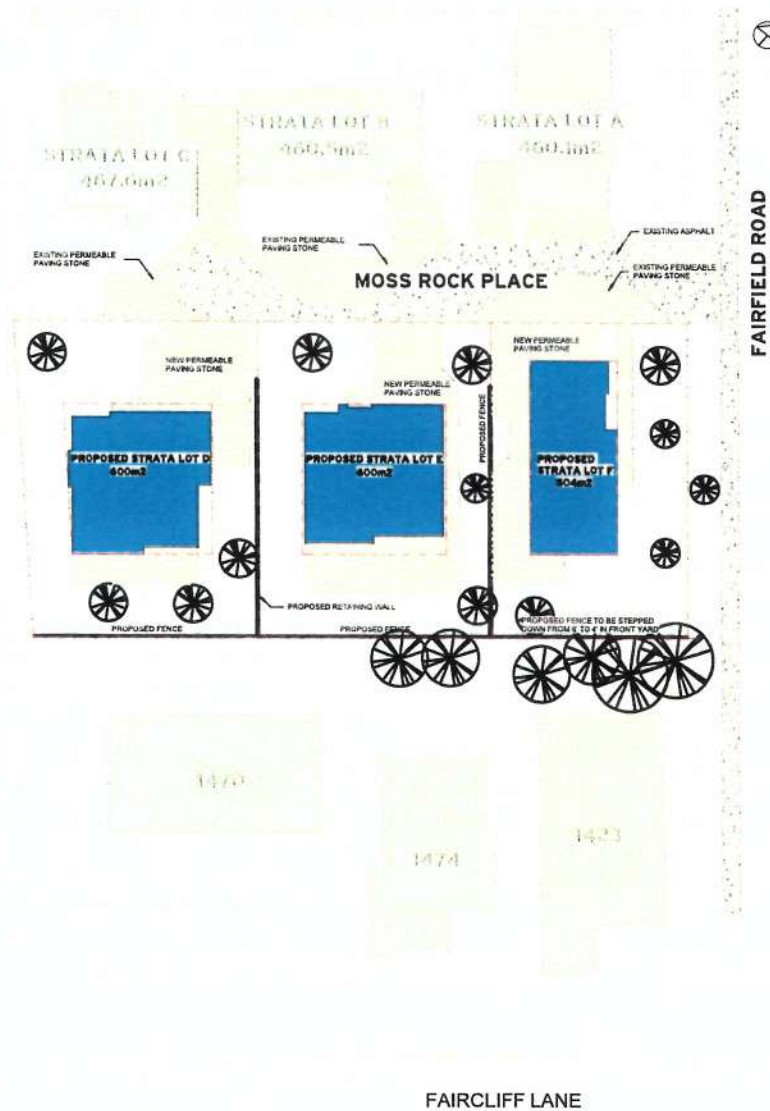
ryan holt
RYAN HOLT
Ryan Holt Design Inc.
Suite 207, 4475 Wainman Ave.
Victoria, BC V8Z 6L8
250.999.9093
info@ryanholtdesign.com
www.ryanholtdesign.com

Project 1421 Fairfield Rd.	Sheet Title: Committee of
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1511

Sheet A1.1

Committee of the Whole - 20 Jul 2017



Planning & Development Department
Development Services Division

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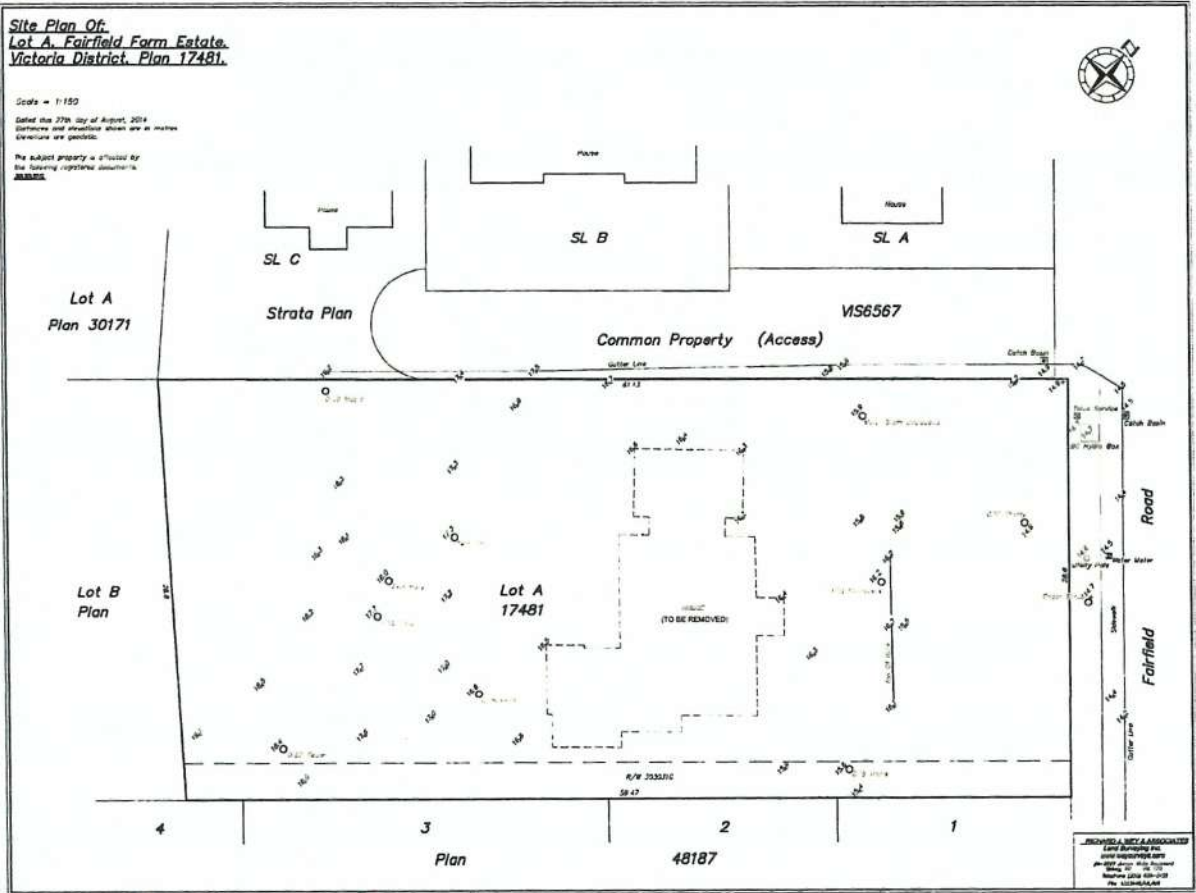
Date:	Description:	By:	No.:
15Oct21	Issue for Div. Perm.	RH	1
15Dec18	Div. Perm. Reassignment	RH	2
10Apr13	Div. Perm. Reassignment	RH	3
14Sep02	Div. Perm. Reassignment	RH	4
14Sep02	Div. Perm. Reassignment	RH	5
14Sep05	Div. Perm. Reassignment	RH	6
12June21	Div. Perm. Reassignment	RH	7



Street Title: _____

A1.2

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JUN 23 2017
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Development Services Division



① Existing Survey
1:150

1. The applicant must ensure that the proposed development is in accordance with the relevant provisions of the Planning and Development Act 2014 and the Planning and Development Regulations 2014.

2. The applicant must ensure that the proposed development is in accordance with the relevant provisions of the Planning and Development Act 2014 and the Planning and Development Regulations 2014.

3. The applicant must ensure that the proposed development is in accordance with the relevant provisions of the Planning and Development Act 2014 and the Planning and Development Regulations 2014.

4. The applicant must ensure that the proposed development is in accordance with the relevant provisions of the Planning and Development Act 2014 and the Planning and Development Regulations 2014.

Date	Description	By	No.
15/08/14	Issue for Development Permit	RD	1
15/08/14	Issue for Development Permit	RD	2
15/08/14	Issue for Development Permit	RD	3
15/08/14	Issue for Development Permit	RD	4
15/08/14	Issue for Development Permit	RD	5
15/08/14	Issue for Development Permit	RD	6
15/08/14	Issue for Development Permit	RD	7

chd
CHD Design & Drafting Inc.
417 A F...
Bayside Development Inc.
255-679-8892
255-679-8892
www.chd.com.au

Project
1421 Fairfield Rd.
Sheet Title
151

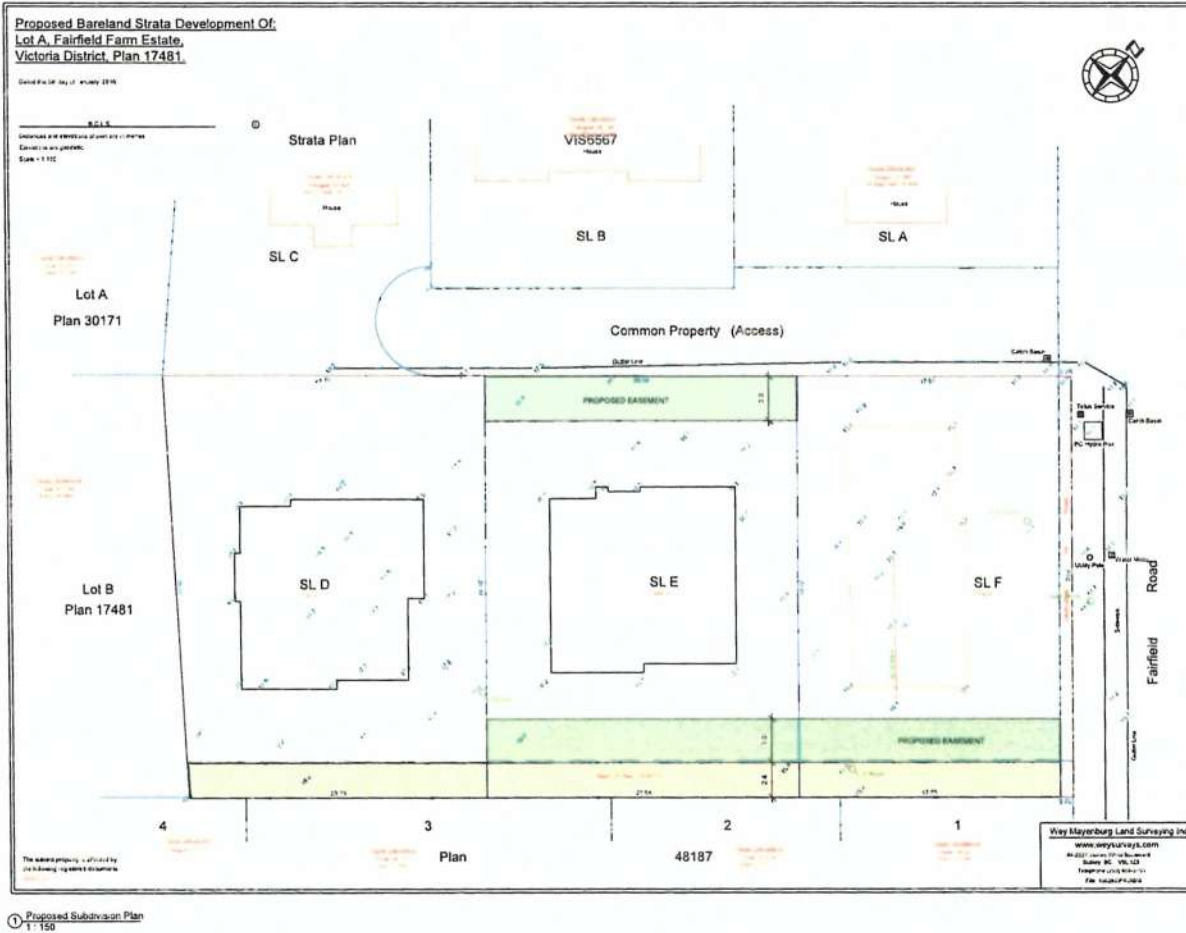
Project No.: 151
Sheet: A1.

Continued on the Whole - 20 Jul 2017

Received
City of Victoria

JUN 23 2017

Planning & Development Department
Development Services Division



GENERAL NOTES

1. The applicant is responsible for obtaining all necessary permits and approvals from the relevant authorities, including the City of Victoria, the Planning and Development Department, and the Development Services Division.

2. The applicant is responsible for obtaining all necessary permits and approvals from the relevant authorities, including the City of Victoria, the Planning and Development Department, and the Development Services Division.

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9. The applicant is responsible for obtaining all necessary permits and approvals from the relevant authorities, including the City of Victoria, the Planning and Development Department, and the Development Services Division.

10. The applicant is responsible for obtaining all necessary permits and approvals from the relevant authorities, including the City of Victoria, the Planning and Development Department, and the Development Services Division.

Date	Description	By	No.
15/05/2016	Issue for Dev. Permit	BD	1
15/05/2016	Dev. Permit Dismissal	BD	2
15/05/2016	Dev. Permit Dismissal	BD	3
15/05/2016	Dev. Permit Dismissal	BD	4
15/05/2016	Dev. Permit Dismissal	BD	5
15/05/2016	Dev. Permit Dismissal	BD	6
15/05/2016	Dev. Permit Dismissal	BD	7

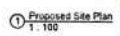
Way Mayenburg Land Surveying Inc.
www.waymayenburg.com
40-4000 James Street West, Victoria BC V8N 1A8
Telephone: (250) 363-1111
Fax: (250) 363-1112

Project:
1421 Fairfield Rd.

Sheet No.:
151

Sheet:
A1.4

Committee of the Whole - 20 Jul 2017

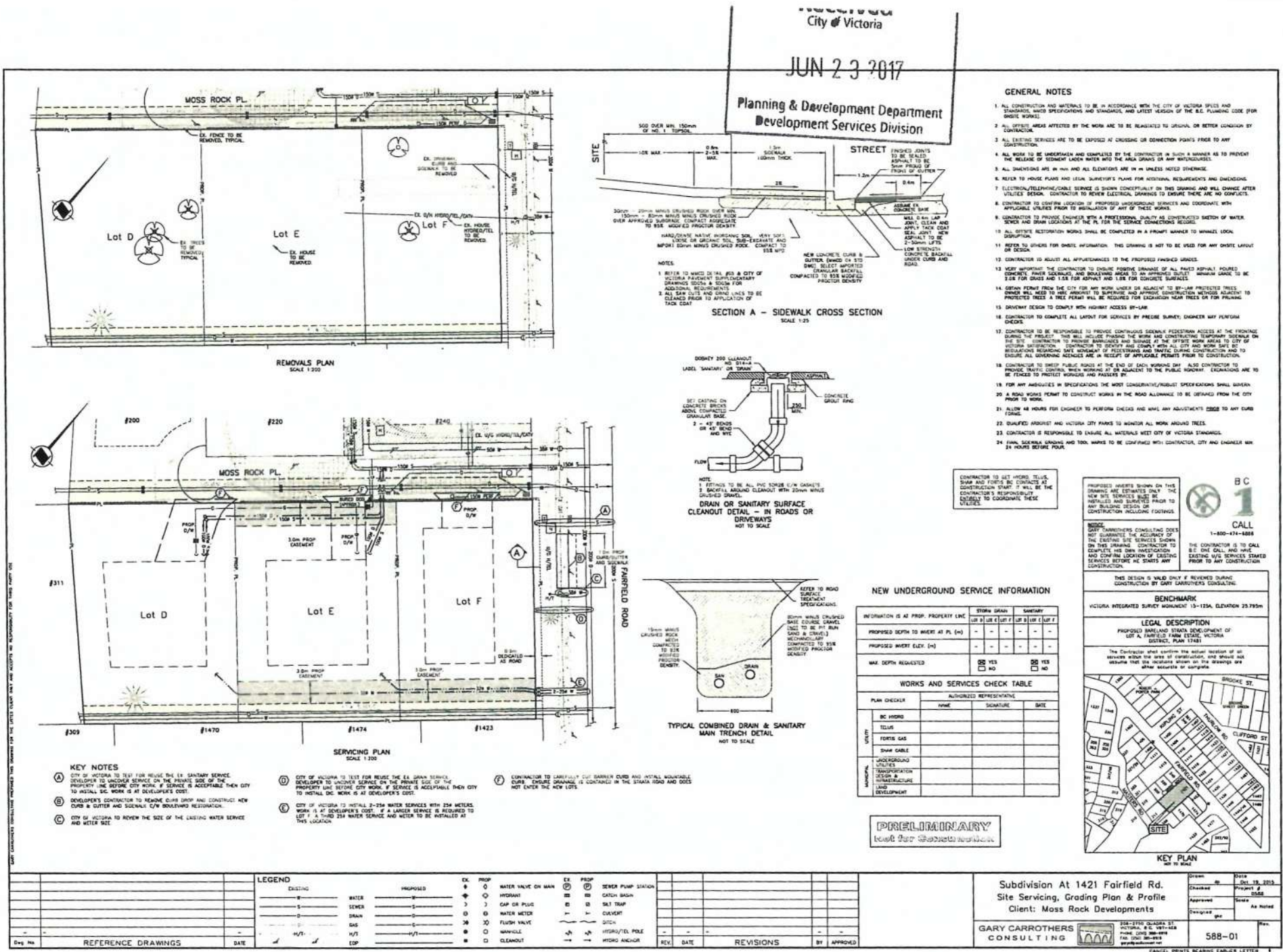


1. An abstract class, *Vehicle*, contains methods *accelerate()* and *brake()* that are implemented by the *Vehicle* subclasses. The *Vehicle* subclasses are *Car*, *Truck*, *Motorcycle*, and *Bus*. The *Vehicle* class has a *color* attribute that is a *String*. The *Vehicle* class has a *get_color()* method that returns the *color* attribute. The *Vehicle* class has a *set_color()* method that sets the *color* attribute. The *Vehicle* class has a *color* attribute that is a *String*. The *Vehicle* class has a *get_color()* method that returns the *color* attribute. The *Vehicle* class has a *set_color()* method that sets the *color* attribute.
2. A *Vehicle* class has a *color* attribute that is a *String*. The *Vehicle* class has a *get_color()* method that returns the *color* attribute. The *Vehicle* class has a *set_color()* method that sets the *color* attribute. The *Vehicle* class has a *color* attribute that is a *String*. The *Vehicle* class has a *get_color()* method that returns the *color* attribute. The *Vehicle* class has a *set_color()* method that sets the *color* attribute.
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4. A *Vehicle* class has a *color* attribute that is a *String*. The *Vehicle* class has a *get_color()* method that returns the *color* attribute. The *Vehicle* class has a *set_color()* method that sets the *color* attribute. The *Vehicle* class has a *color* attribute that is a *String*. The *Vehicle* class has a *get_color()* method that returns the *color* attribute. The *Vehicle* class has a *set_color()* method that sets the *color* attribute.

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Committee of the Whole - 20 Jul 2017



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City of Victoria

JUN 23 2017

Planning & Development Department
Development Services Division



NOTES:
1. All proposed plantings shall be installed in accordance with the City of Victoria's Planting Standards and Specifications (2015).
2. All proposed structures shall be installed in accordance with the City of Victoria's Building Bylaw (2015).
3. All proposed surfaces shall be installed in accordance with the City of Victoria's Engineering Department's Standards and Specifications (2015).
4. All proposed plantings shall be installed in accordance with the City of Victoria's Planting Standards and Specifications (2015).
5. All proposed structures shall be installed in accordance with the City of Victoria's Building Bylaw (2015).
6. All proposed surfaces shall be installed in accordance with the City of Victoria's Engineering Department's Standards and Specifications (2015).
7. All proposed plantings shall be installed in accordance with the City of Victoria's Planting Standards and Specifications (2015).

Date	Description	By	No.
15/06/17	Issue for Dev. Permit	RH	1
16/06/17	Dev. Permit Enrolment	RH	2
16/06/17	Dev. Permit Enrolment	RH	3
16/06/17	Dev. Permit Enrolment	RH	4
17/06/17	Dev. Permit Enrolment	RH	5
17/06/17	Dev. Permit Enrolment	RH	6
17/06/17	Dev. Permit Enrolment	RH	7

rh
Landscape Architecture
Ryan Berg Design Inc.
Suite 207, 4375 Vancouver Ave.
Victoria, BC V8E 6L6
Tel: 250-383-1111
www.ryanbergsdesign.com

Committee of the Whole - 20 Jul 2017
Project: 1421 Fairfield Rd.
Sheet Title: edscapslandscaped

Project No: 15115
Sheet: A1.7

NOTES
1. All proposed developments, including residential and commercial, must be designed to meet the minimum standards set out in the City of Victoria's Development Bylaw (2006) and the City of Victoria's Official Development Plan (2012).
2. The City of Victoria's Official Development Plan (2012) sets out the minimum standards for all proposed developments, including residential and commercial. The City of Victoria's Official Development Plan (2012) also sets out the minimum standards for all proposed developments, including residential and commercial.
3. The City of Victoria's Official Development Plan (2012) sets out the minimum standards for all proposed developments, including residential and commercial. The City of Victoria's Official Development Plan (2012) also sets out the minimum standards for all proposed developments, including residential and commercial.
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Date	Description	By	No.
15 Oct 11	Initial Dev. Permit	RM	1
15 Oct 11	Dev. Permit Renubmission	RM	2
15 Oct 11	Dev. Permit Renubmission	RM	3
15 Oct 11	Dev. Permit Renubmission	RM	4
15 Oct 11	Dev. Permit Renubmission	RM	5
15 Oct 11	Dev. Permit Renubmission	RM	6
15 Oct 11	Dev. Permit Renubmission	RM	7

ch
RYAN POYI
Ryan Hoy Design Inc.
Suite 207, 4475 Westminster Ave.
Victoria, BC V8L 6L6
info@ryanhoydesign.com
www.ryanhoydesign.com

Project:
1421 Fairfield Rd.

Sheet Title:
Shadow Study

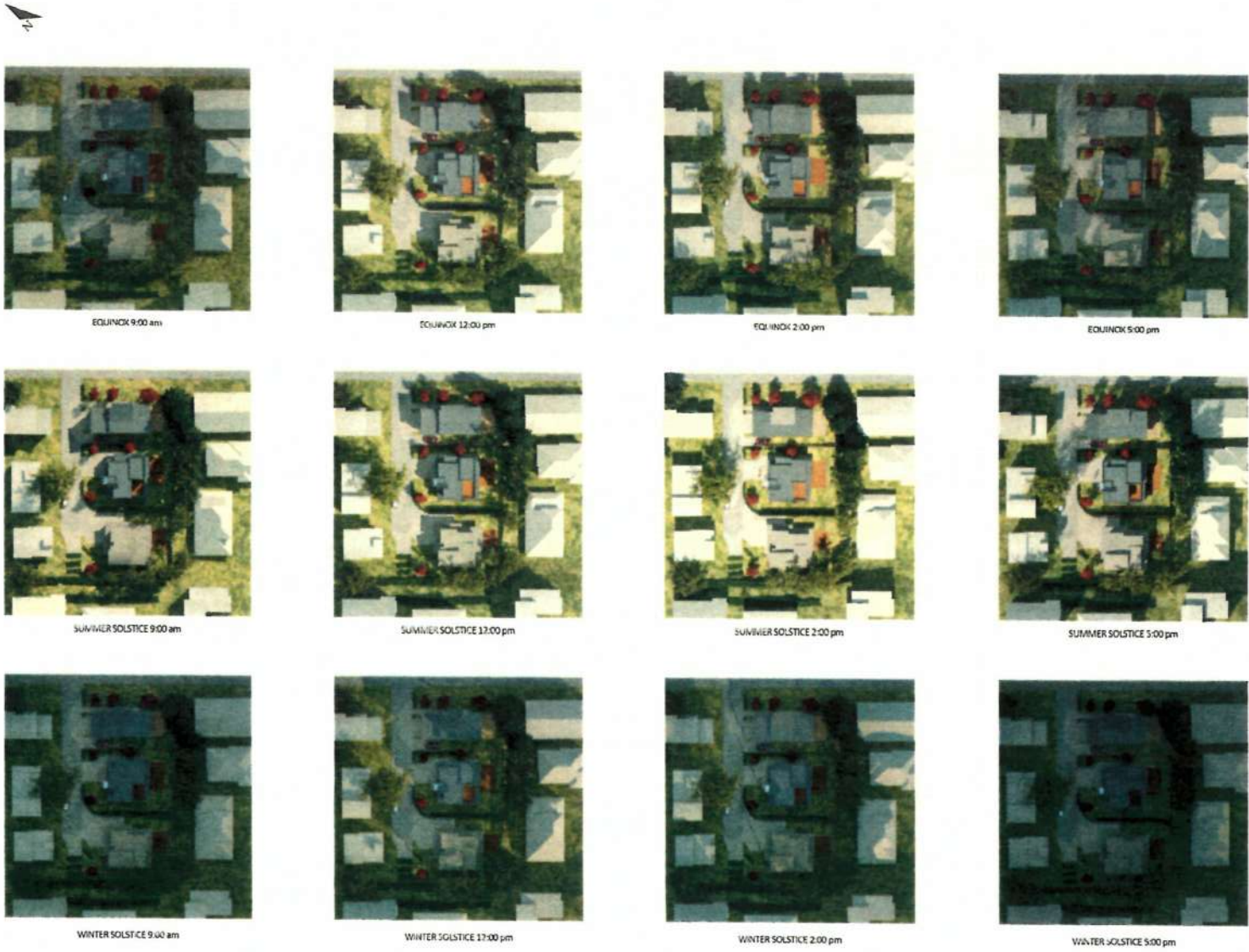
Project No.:
15115

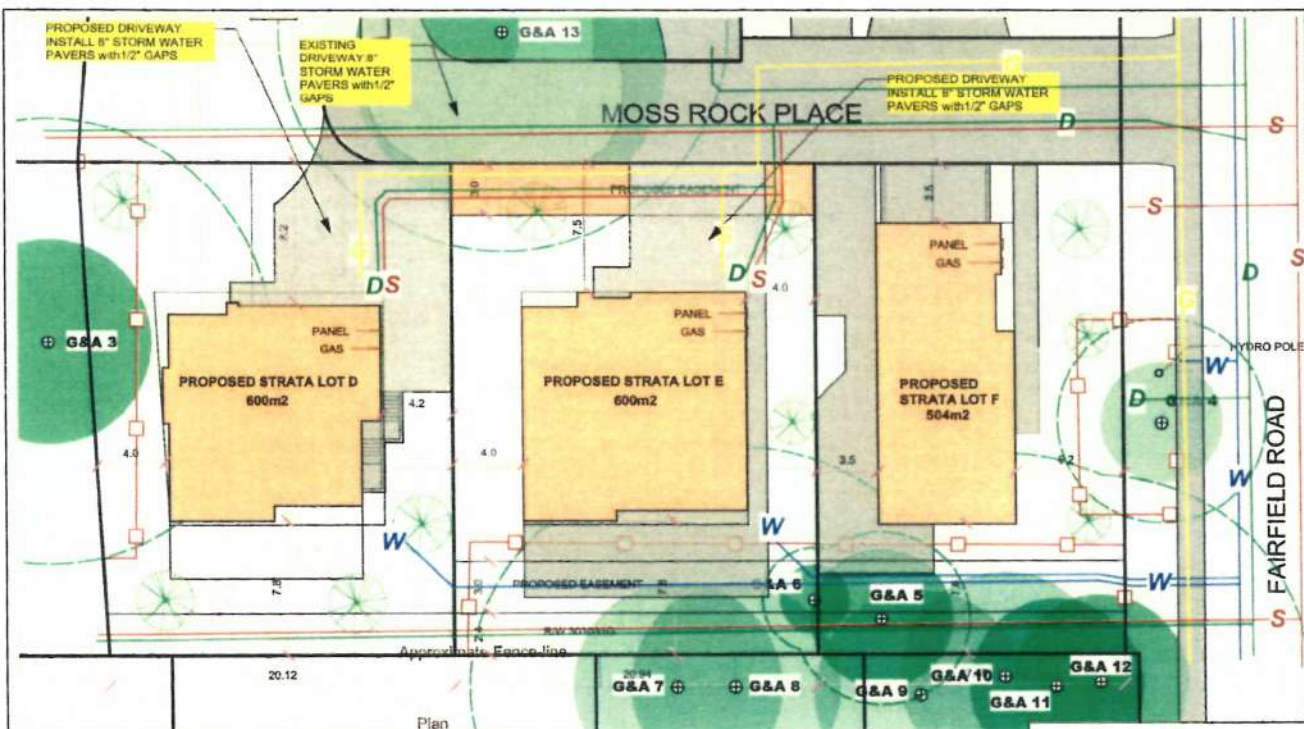
Sheet:
A1.8

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JUN 23 2017

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Development Services Division





- ### TREE PRESERVATION MEASURES
1. Before site preparation begins, erect tree protection fencing and armoring as indicated. Contact project arborist to inspect fencing & armored area and review tree protection plan drawing with building contractor on site. In sections adjacent to trees designated for removal, it is recommended that fencing be delayed until after tree removal is complete. Chip up tree branches and leave chip mulch on site for distribution within sensitive tree areas (see Note 6 below). These conditions must be completed before a building permit can be issued by the City of Victoria.
 2. The owner and contractor shall meet with the project arborist to review the Tree Protection Plan and associated measures.
 3. The arborist shall be present to oversee excavation, service trenching, site grading or blasting within, or adjacent to, the tree protection areas (TPAs).
 4. Any damaged tree roots or branches shall be pruned back to undamaged tissue by the arborist.
 5. Temporary construction access within a TPA must be approved and supervised by the project arborist.
 6. If it is not possible to fence off the entire protected root zone, the unfenced area must be protected ("armored") with a cover of 3/4" plywood. (See drawing note.) In areas subject to heavy machine use, use a temporary cover of geo-textile and 200mm of road-base, moderately compacted with a plate compactor.
 7. No equipment, materials or excavated soil shall be placed or stored within the TPA. THIS PARTICULARLY INCLUDES HOARDING OF EXCAVATED SOILS NEEDED FOR BACKFILLING OF THE BUILDING FOUNDATION.
 8. No replacement trees required to be planted on this site as part of this project.

Tree Protection Fencing Detail

Robust Tree Protection Fencing shall be constructed with a 2x4 frame and supports. (See photo below.) Snow-fencing will then be affixed to the frame using zip-ties, staples wire or nails. All-weather signage will be attached, clearly designating the area within as a TREE PROTECTION AREA - NO TRESPASSING.

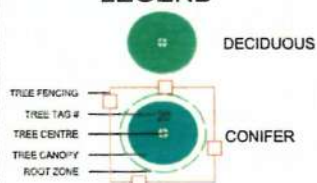


Tree #	Common Name	DBH (cm)	PRZr (m)	Structural Condition	Health	Action
3 (off-site)	Bigleaf maple X2	70/50	13	Fair	Good	Retain
4 (Boulevard)	Lawson cedar (golden)	35	6	Good	Good	Retain
5	Liquid amber (Sweet-gum)	25	5	Good	Good	Retain
6	Japanese maple	15	3	Good	Good	Retain
7 (off-site)	Red cedar	65	12	Good	Good	Retain
8 (off-site)	Red cedar	75	14	Good	Good	Retain
9 (off-site)	Red cedar	45	8	Good	Good	Retain
10 (off-site)	Red cedar	70	13	Fair- Good	Good	Retain
11 (off-site)	Lombardi poplar	55	10	Good	Good	Retain
12 (off-site)	Lombardi poplar	65	12	Good	Good	Retain
13 (off-site)	Arbutus	112	13	Good	Fair	Retain

NOTE: Off-site trees are not tagged.



LEGEND



Gye and Associates.ca
PROJECT
1421 Fairfield Rd, Victoria, BC
SHEET TITLE
Tree Management Plan-Construction Phase
(for Development Permit App.)

			PROJECT NO.	15-043
			DATE	October 31, 2015
			SCALE	1:250
			DRAWN BY	JG
			SHEET NO.	T - 2
1	FOR REVIEW	JUN 23 2017		
REV NO	DESCRIPTION	DATE		

Received
City of Victoria

JUN 23 2017

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Development Services Division

1. A tree protection plan (TPP) shall be submitted to the City of Victoria for review and approval. The TPP shall include a site plan showing the location of all trees on the site, the proposed tree protection measures, and the proposed tree removal schedule. The TPP shall also include a list of all trees on the site, including their species, size, and location. The TPP shall be prepared by a qualified arborist or tree care professional.

2. The owner and contractor shall meet with the project arborist to review the Tree Protection Plan and associated measures.

3. The arborist shall be present to oversee excavation, service trenching, site grading or blasting within, or adjacent to, the tree protection areas (TPAs).

4. Any damaged tree roots or branches shall be pruned back to undamaged tissue by the arborist.

5. Temporary construction access within a TPA must be approved and supervised by the project arborist.

6. If it is not possible to fence off the entire protected root zone, the unfenced area must be protected ("armored") with a cover of 3/4" plywood. (See drawing note.) In areas subject to heavy machine use, use a temporary cover of geo-textile and 200mm of road-base, moderately compacted with a plate compactor.

7. No equipment, materials or excavated soil shall be placed or stored within the TPA. THIS PARTICULARLY INCLUDES HOARDING OF EXCAVATED SOILS NEEDED FOR BACKFILLING OF THE BUILDING FOUNDATION.

8. No replacement trees required to be planted on this site as part of this project.

Date	By	No.	Description
15/04/15	JG	1	Initial Design
15/04/15	JG	2	Design Review
15/04/15	JG	3	Design Review
15/04/15	JG	4	Design Review
15/04/15	JG	5	Design Review
15/04/15	JG	6	Design Review
15/04/15	JG	7	Design Review
15/04/15	JG	8	Design Review
15/04/15	JG	9	Design Review
15/04/15	JG	10	Design Review

Project: 1421 Fairfield Rd.

Sheet Title: Tree Management Plan-Construction Phase

Project No: 1511

Scale: A1.9



Project: **1421 Fairfield Rd.**

Sheet: **A2.1**

Project No.: **15115**

Committee of the Who

Development

Sheet Title:

RYAN HOYD

Ryan Hoyd Designer Inc.
 Suite 107, 4075 Westmont Ave.
 Veterans, NC 28548
www.ryanhoyddesigner.com

Date	Description	By	No.
150921	Issue for Dept. Permit	RH	1
150921	Dept. Permit Revision	RH	2
150921	Dept. Permit Revision	RH	3
150921	Dept. Permit Revision	RH	4
150922	Dept. Permit Revision	RH	5
150922	Dept. Permit Revision	RH	6
150922	Dept. Permit Revision	RH	7
150922	Dept. Permit Revision	RH	8
150922	Dept. Permit Revision	RH	9
150922	Dept. Permit Revision	RH	10
150922	Dept. Permit Revision	RH	11
150922	Dept. Permit Revision	RH	12
150922	Dept. Permit Revision	RH	13
150922	Dept. Permit Revision	RH	14
150922	Dept. Permit Revision	RH	15
150922	Dept. Permit Revision	RH	16
150922	Dept. Permit Revision	RH	17
150922	Dept. Permit Revision	RH	18
150922	Dept. Permit Revision	RH	19
150922	Dept. Permit Revision	RH	20
150922	Dept. Permit Revision	RH	21
150922	Dept. Permit Revision	RH	22
150922	Dept. Permit Revision	RH	23
150922	Dept. Permit Revision	RH	24
150922	Dept. Permit Revision	RH	25
150922	Dept. Permit Revision	RH	26
150922	Dept. Permit Revision	RH	27
150922	Dept. Permit Revision	RH	28
150922	Dept. Permit Revision	RH	29
150922	Dept. Permit Revision	RH	30
150922	Dept. Permit Revision	RH	31
150922	Dept. Permit Revision	RH	32
150922	Dept. Permit Revision	RH	33
150922	Dept. Permit Revision	RH	34
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150922	Dept. Permit Revision	RH	80
150922	Dept. Permit Revision	RH	81
150922	Dept. Permit Revision	RH	82
150922	Dept. Permit Revision	RH	83
150922	Dept. Permit Revision	RH	84
150922	Dept. Permit Revision	RH	85
150922	Dept. Permit Revision	RH	86



1. *How does the author develop the argument that the author's view on the subject is not shared by all?*

The author develops the argument by using the following evidence:
a. The author uses the words "many people" and "most people" to indicate that the view is not shared by all.
b. The author uses the words "some people" and "others" to indicate that there are different views.
c. The author uses the words "it is not true that" and "it is not the case that" to indicate that the view is not shared by all.
2. *What is the author's main purpose in writing this passage?*

The author's main purpose is to inform the reader about the author's view on the subject and to provide evidence to support the author's view.
3. *What is the author's attitude toward the subject?*

The author's attitude is neutral and objective. The author does not express any personal feelings or opinions about the subject.
4. *What is the author's tone in writing this passage?*

The author's tone is formal and academic. The author uses a clear and concise style of writing.
5. *What is the author's conclusion?*

The author's conclusion is that the author's view on the subject is not shared by all.

Date	Description	By	No.	Amount
15/01/21	Interest for Div. Parnis	RH	1	
15/01/16	Div. Parnis Reconstitution	RH	2	
15/01/15	Div. Parnis Reconstitution	RH	3	
15/01/22	Div. Parnis Reconstitution	RH	4	
17/01/22	Div. Parnis Reconstitution	RH	5	
12/01/25	Div. Parnis Reconstitution	RH	6	
12/Jan/21	Div. Parnis Reconstitution	RH	7	

rhod
RYAN HOYT

Ryan Hoyt Designs Inc.
Suite 207, 4473 Vineland Ave.
Victoria, BC V8Z 6L8
250.999.9893
info@ryanhoytdesigns.com
www.ryanhoytdesigns.com

Project 1421 Fairfield Rd.	Sheet Title: Development Commitment
-------------------------------	-------------------------------------------

Project No: 15115
Sheet: A3.1



Received
City of Victoria
JUN 23 2017
Planning & Development Department
Development Services Division

1. The applicant is required to provide a copy of this report to the City of Victoria, Planning & Development Department, Development Services Division, at the time of the final report. The report shall be in the form of a PDF file and shall be submitted to the City of Victoria, Planning & Development Department, Development Services Division, at the time of the final report. The report shall be in the form of a PDF file and shall be submitted to the City of Victoria, Planning & Development Department, Development Services Division, at the time of the final report.

Date	Description	By	No.
15/05/15	Draw. Final Design	BH	1
15/05/15	Draw. Final Design	BH	2
15/05/15	Draw. Final Design	BH	3
15/05/15	Draw. Final Design	BH	4
15/05/15	Draw. Final Design	BH	5
15/05/15	Draw. Final Design	BH	6
15/05/15	Draw. Final Design	BH	7

ch
City of Victoria
Ryan Hays Design Inc.
1000 West 10th Avenue
Victoria, BC V8T 4L8
250.666.9893
info@ryanhaysdesign.com

Project:
1421 Fairfield Rd.
Sheet Title:
Development
seal/signed
development

Project No.: 15115
Sheet: A3.2

Planning & Development Department
Development Services Division


[illegible]

Date	Description	By	No
15/04/11	Issue for Des. Payment	RH	1
15/04/11	Des. Permit Resubmission	RH	2
16/04/11	Des. Permit Resubmission	RH	3
16/04/12	Des. Permit Resubmission	RH	4
17/04/07	Des. Permit Resubmission	RH	5
17/04/07	Des. Permit Resubmission	RH	6
17/04/07	Des. Permit Resubmission	RH	7



Project
1421 Fairfield Rd.

Project No.:

Sheet A3.3 

Committee of the Whole - 20 Jul 2017

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City of Victoria

JUN 23 2017

Planning & Development Department
Development Services Division



NOTES:

1. The applicant is responsible for obtaining all necessary permits from the appropriate authorities. The City of Victoria is not responsible for obtaining these permits.

2. The applicant is responsible for ensuring that the proposed development complies with all applicable laws, regulations, and standards.

3. The applicant is responsible for ensuring that the proposed development does not cause any adverse effects on the surrounding environment or community.

4. The applicant is responsible for ensuring that the proposed development is in accordance with the City of Victoria's zoning bylaws and development standards.

5. The applicant is responsible for ensuring that the proposed development is in accordance with the City of Victoria's official community plan and other relevant policies.

6. The applicant is responsible for ensuring that the proposed development is in accordance with the City of Victoria's heritage conservation policies.

7. The applicant is responsible for ensuring that the proposed development is in accordance with the City of Victoria's environmental protection policies.

8. The applicant is responsible for ensuring that the proposed development is in accordance with the City of Victoria's social and economic development policies.

9. The applicant is responsible for ensuring that the proposed development is in accordance with the City of Victoria's transportation policies.

10. The applicant is responsible for ensuring that the proposed development is in accordance with the City of Victoria's public works policies.

Date	Description	By	No.	Issue
15/05/2017	Issue for Dev. Permit	RH	1	
15/05/2017	Dev. Permit Resubmission	RH	2	
16/06/2017	Dev. Permit Resubmission	RH	3	
17/06/2017	Dev. Permit Resubmission	RH	4	
17/06/2017	Dev. Permit Resubmission	RH	5	
17/06/2017	Dev. Permit Resubmission	RH	6	
17/06/2017	Dev. Permit Resubmission	RH	7	

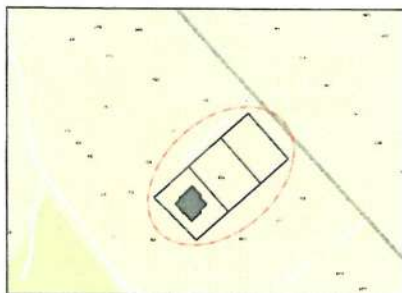
RYAN HOYT
Ryan Hoyt Design Inc.
Suite 207, 4475 Vancouver Ave.
Victoria, BC V8Z 6L8
Phone: 250-383-1111
www.ryanhoytdesign.com

1421 Fairfield Rd.
Project No: 1511
Sheet: A3.4
Committee of the Whole - 20 Jul 2017

1511
A3.4

1421 FAIRFIELD ROAD
VICTORIA, BC

KEY PLAN:



ZONING ANALYSIS:

ZONE: R1-B
LOT AREA: 600.0m2

GRADES: AVERAGE GRADE: 17.76m
F.S.R: ALLOWABLE

GROSS FLOOR AREA: ALLOWABLE

CROSS-SECTION AREA:	ALLOWABLE
SECOND FLOOR	
MAIN FLOOR:	
BASEMENT	
GARAGE	
TOTAL	280.0m2

LOT COVERAGE: **ALLOWABLE**
25%

HEIGHT:	ALLOWABLE
HOUSE	5.00m

STOREYS:	ALLOWABLE
HOUSE:	1 STOREY

SETBACKS:	ALLOWABLE
FRONT (N)	7.5m
REAR (S)	7.5m
SIDE (E)	4.0m
SIDE (W)	4.0m

PROJECT INFORMATION:

SITE ADDRESS: PROPOSED STRATA LOT D
1421 FAIRFIELD ROAD
LOT A, PLAN VIP17481,
LAND DISTRICT 57,
FAIRFIELD FARM ESTATE

SCOPE OF WORK:

CONSTRUCTION OF A NEW SINGLE FAMILY DWELLING

PROJECT DIRECTORY:

DESIGNER: RYAN HOYT DESIGNS INC.
250.999.9893
INFO@RYANHOYTDDESIGNS.COM

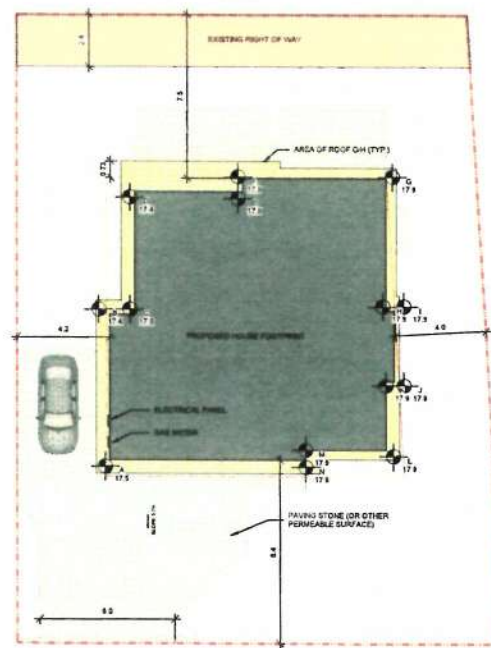
GENERAL CONTRACTOR: TBD

STRUCTURAL ENGINEER: TBD

SURVEYOR WEY MAYENBURG LAND
SURVEYING INC
250.656.5155

SHEET INDEX:

D0.0 STRATA LOT D - COVER SHEET
D2.1 STRATA LOT D - FLOOR PLANS
D2.2 STRATA LOT D - FLOOR PLAN & SECTION
D4.1 STRATA LOT D - ELEVATIONS
D4.2 STRATA LOT D - ELEVATIONS
D5.1 STRATA LOT D - PRIVACY VIEW



① Site Plan
1 100

[illegible]

Received
City of Victoria
JUN 23 1987
Planning & Development Department
Development Services Division

[illegible]

Date	Description	By	No
15/04/21	15/4/21 for Dow. Permit	BR4	1
15/05/16	Dow. Permit Reassessment	BR4	2
16/06/15	Dow. Permit Reassessment	BR4	3
16/06/22	Dow. Permit Reassessment	BR4	4
17/07/07	Dow. Permit Reassessment	BR4	5
12/06/05	Dow. Permit Reassessment	BR4	6
12/06/21	Dow. Permit Reassessment	BR4	7

rh
RYAN HOYT

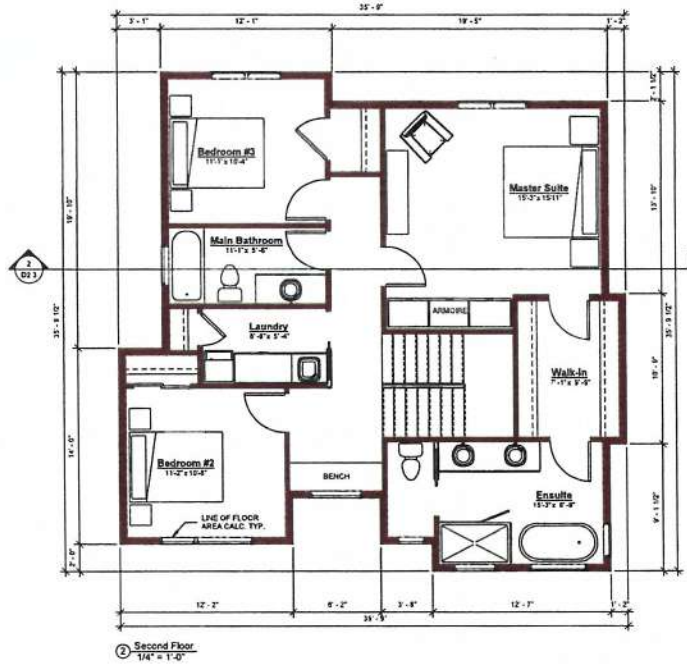
Ryan Hoyt Designs Inc.
Suite 207, 4475 Vismant Ave.
Victoria, BC V8Z 6L8
250.999.9893
info@ryanhoytdesigns.com
www.ryanhoytdesigns.com

Project
1421 Fairfield Rd.

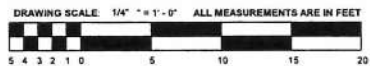
Sheet Title:
Drainage
Sheet

Sheet: D0.0

Committee of the Whole - 20 Jul 2017



FLOOR AREA	
MAIN	1030 SF
UPPER	1009 SF
BASEMENT	558 SF
TOTAL	2597 SF
GARAGE	415 SF



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City of Victoria

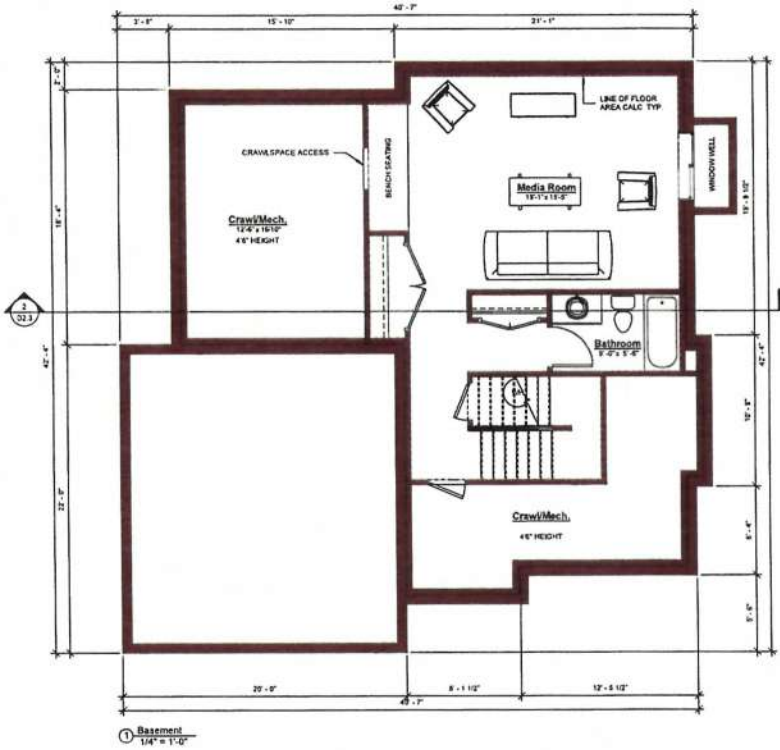
JUN 23 1967

Planning & Development Department
Development Services Division

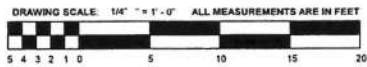
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Plans

Committee of the Whole - 20 Jul 2017



FLOOR AREA	
MAIN	1030 SF
UPPER	1009 SF
BASMENT	316 SF
TOTAL	2355 SF
GARAGE	415 SF



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City of Victoria
JUN 23 2017
Planning & Development Department
Development Services Division

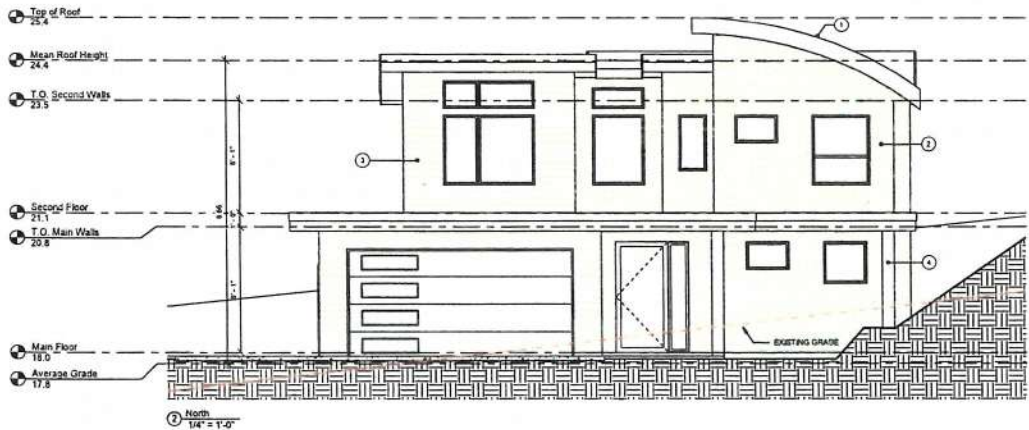
1. The City of Victoria is a member of the British Columbia Association of Municipalities (BCAM) and is a signatory to the BCAM Code of Ethics. The City of Victoria is committed to the highest standards of ethical conduct and to the transparency of its decision-making process. The City of Victoria is committed to the highest standards of ethical conduct and to the transparency of its decision-making process.

Date	Description	By	No.
15 Oct 11	Issue for Dev. Permit	RH	1
15 Oct 11	Dev. Permit Recommendation	RH	2
15 Oct 11	Dev. Permit Recommendation	RH	3
15 Oct 11	Dev. Permit Recommendation	RH	4
15 Oct 11	Dev. Permit Recommendation	RH	5
15 Oct 11	Dev. Permit Recommendation	RH	6
15 Oct 11	Dev. Permit Recommendation	RH	7

City of Victoria
1421 Fairfield Rd.
Victoria, BC V8L 2L8
250.686.6666
www.cityofvictoria.ca

Project: 1421 Fairfield Rd.
Project No.: 15115
Sheet: D2.2

Committee of the Whole - 20 Jul 2017



ELEVATION NOTES LEGEND	
1	2 PLY MODIFIED BITUMEN ROOFING
2	ACRYLIC STUCCO
3	FINE LINE WOOD SIDING
4	1X1X12\"/>



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City of Victoria

JUN 23 2017

Planning & Development Department
Development Services Division

1. The purpose of this document is to provide information to the public regarding the proposed development and the City's role in the process. This document is not a contract and does not constitute an offer of any services. The City is not responsible for the accuracy or completeness of the information provided in this document. The City is not responsible for the consequences of any actions taken based on the information provided in this document. The City is not responsible for the consequences of any actions taken based on the information provided in this document.

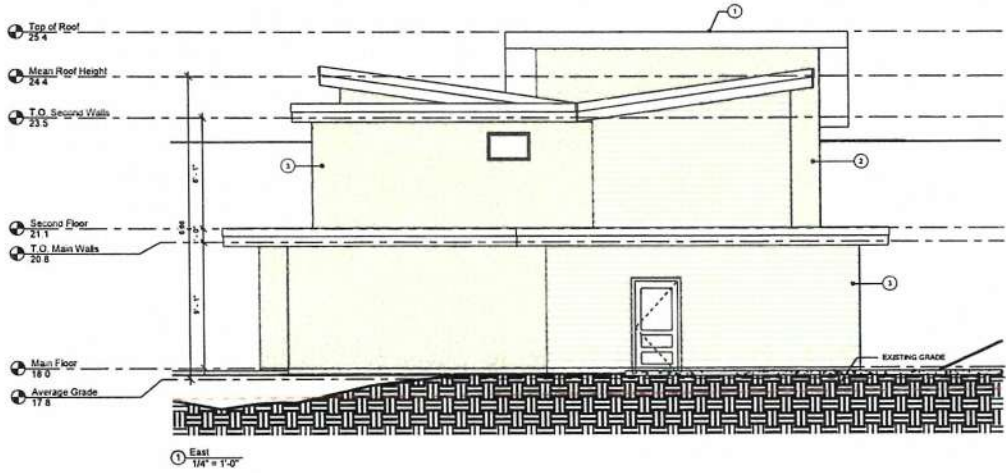
Date	Description	By	No.
15 Oct 11	Issue for Dev. Permit	BH	1
15 Oct 11	Issue for Dev. Permit	BH	2
15 Oct 11	Issue for Dev. Permit	BH	3
15 Oct 11	Issue for Dev. Permit	BH	4
15 Oct 11	Issue for Dev. Permit	BH	5
15 Oct 11	Issue for Dev. Permit	BH	6
15 Oct 11	Issue for Dev. Permit	BH	7

RYAN H. D.Y.T.
Ryan H. D.Y.T. Inc.
14475 Victoria Ave.
Victoria, BC V8Z 1A8
604.666.6625
www.ryanhdyt.com

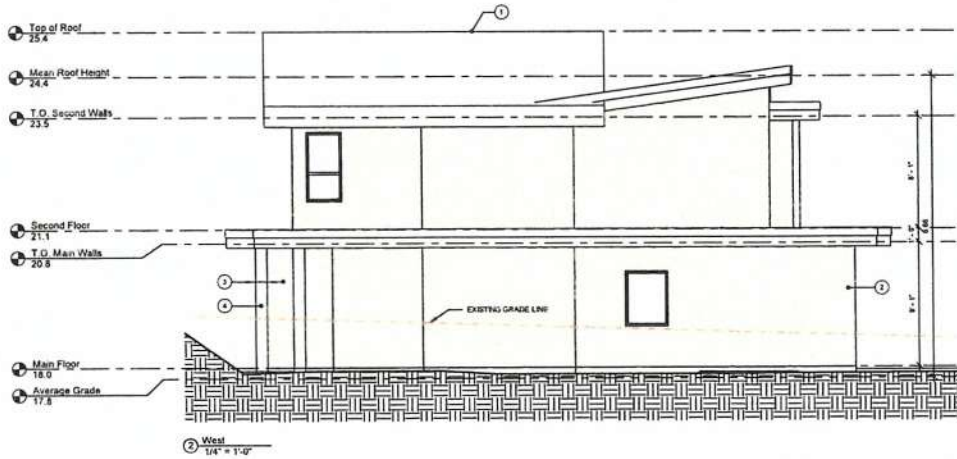
Project: 1421 Fairfield Rd.
Committee of the Whole - 20 Jul 2017

Proposed No. 151

Sheet D4.



ELEVATION NOTES LEGEND	
1	2 PLY MODIFIED BUTEN ROOFING
2	ACRYLIC STUCCO
3	FANLING WOOD SKING
4	10"x12" WOOD POST



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City of Victoria
JUN 23 2017
Planning & Development Department
Development Services Division

GENERAL NOTES

1. The applicant shall ensure that the proposed development complies with the applicable provisions of the City of Victoria's Development Bylaw and the applicable provisions of the City of Victoria's Zoning Bylaw.

2. The applicant shall ensure that the proposed development complies with the applicable provisions of the City of Victoria's Development Bylaw and the applicable provisions of the City of Victoria's Zoning Bylaw.

3. The applicant shall ensure that the proposed development complies with the applicable provisions of the City of Victoria's Development Bylaw and the applicable provisions of the City of Victoria's Zoning Bylaw.

4. The applicant shall ensure that the proposed development complies with the applicable provisions of the City of Victoria's Development Bylaw and the applicable provisions of the City of Victoria's Zoning Bylaw.

5. The applicant shall ensure that the proposed development complies with the applicable provisions of the City of Victoria's Development Bylaw and the applicable provisions of the City of Victoria's Zoning Bylaw.

Date	Description	By	No.
15/05/21	Issue for Dev. Permit	RH	1
15/05/21	Dev. Permit Reconsideration	RH	2
15/05/21	Dev. Permit Reconsideration	RH	3
15/05/21	Dev. Permit Reconsideration	RH	4
15/05/21	Dev. Permit Reconsideration	RH	5
15/05/21	Dev. Permit Reconsideration	RH	6
15/05/21	Dev. Permit Reconsideration	RH	7

chp

CHP CONSULTING INC.
715-255-1475
4475 Viewmont Ave.
Suite 202
Victoria, BC V8S 4L8
www.chpconsulting.com

Project

1421 Fairfield Rd.

Project No.

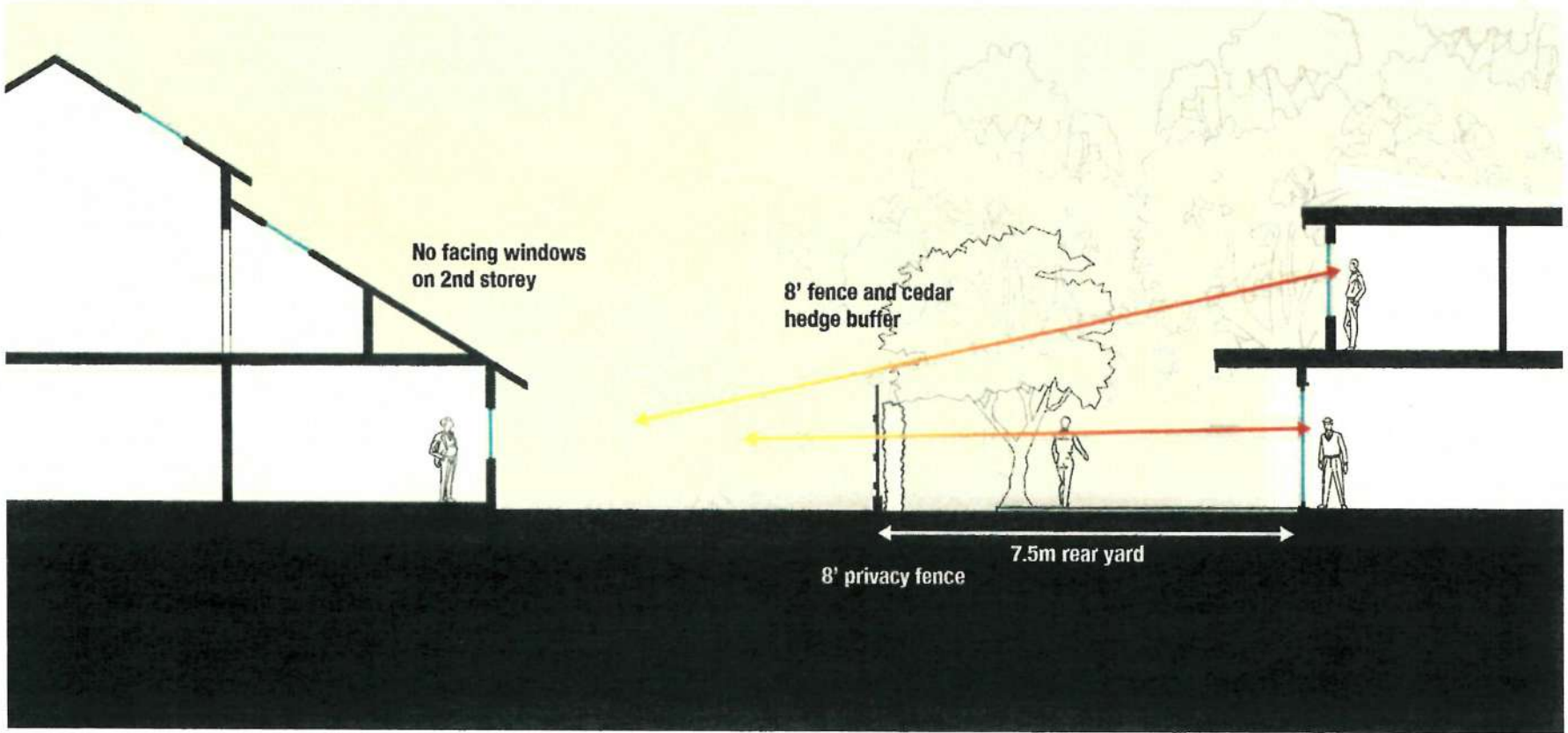
151

Sheet

D4.2

Committee of the Whole

20 Jun 2017



Received
City of Victoria
JUN 23 2017
Planning & Development Department
Development Services Division

1. The City of Victoria is a member of the Victoria Regional Council (VRC) and is responsible for the development of the City of Victoria. The VRC is responsible for the development of the City of Victoria and is responsible for the development of the City of Victoria. The VRC is responsible for the development of the City of Victoria and is responsible for the development of the City of Victoria.

Date	Description	By	No.
15/05/21	Issue for Dev. Permit	RM	1
15/05/21	Dev. Permit Application	RM	2
15/05/21	Dev. Permit Application	RM	3
15/05/21	Dev. Permit Application	RM	4
15/05/21	Dev. Permit Application	RM	5
15/05/21	Dev. Permit Application	RM	6
15/05/21	Dev. Permit Application	RM	7
15/05/21	Dev. Permit Application	RM	8

RYAN HOYT
Ryan Hoyt Design Inc.
Suite 207, 207, 4475 Viewmont Ave.
Victoria, BC V8Z 6L8
Tel: 250.686.9595
www.ryanhoytdesign.com

Project: 1421 Fairfield Rd.
Sheet Title: Committee of the Whole

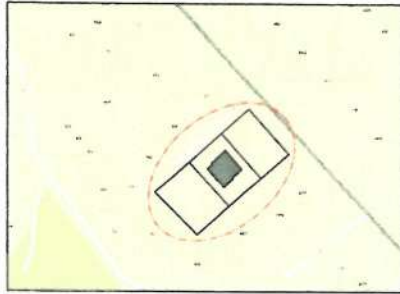
Project No.: 1511
Sheet: D5.1

20 Jul 2017

NEW CUSTOM HOME: STRATA LOT E

1421 FAIRFIELD ROAD
VICTORIA, BC

KEY PLAN:



PROJECT INFORMATION:

SITE ADDRESS: PROPOSED STRATA LOT E
1421 FAIRFIELD ROAD
LOT A, PLAN VP17481,
LAND DISTRICT 57
FAIRFIELD FARM ESTATE

SCOPE OF WORK:

CONSTRUCTION OF A NEW SINGLE FAMILY DWELLING

PROJECT DIRECTORY:

DESIGNER: RYAN HOYT DESIGNS INC.
250 559 5893
INFO@RYANHOYTDIGNS.COM

GENERAL CONTRACTOR: TBD

STRUCTURAL ENGINEER: TBD

SURVEYOR: WEY MAYENBURG LAND
SURVEYING INC
250 559 5155

ZONING ANALYSIS:

ZONE: R1-B
LOT AREA: 600 0m2

GRADES: AVERAGE GRADE 15.02m
F.S.R.: ALLOWABLE
NO RESTRICTION

GROSS FLOOR AREA: ALLOWABLE
SECOND FLOOR: 90.2m2 (90.2m2/139.0 = 65%)
MAIN FLOOR: 150.0m2
BASEMENT: 59.0m2
GARAGE: 39.0m2
TOTAL: 280.0m2

LOT COVERAGE: ALLOWABLE
25%
HOUSE 150.0m2 (150.0/600 = 25.0%)

HEIGHT: ALLOWABLE
HOUSE: 5.00m

STOREYS: ALLOWABLE
HOUSE: 1 STOREY

SETBACKS: ALLOWABLE
FRONT (N): 7.5m
REAR (S): 7.5m
SIDE (E): 4.0m
SIDE (W): 4.0m

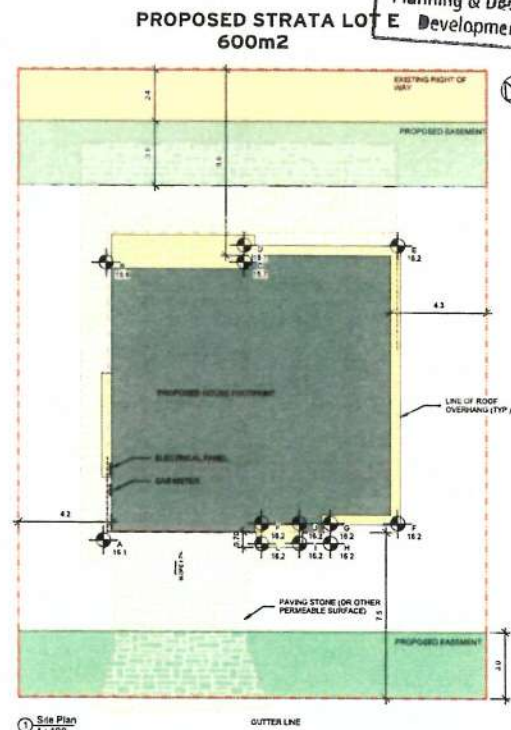
SHEET INDEX:

E0.0 - STRATA LOT E - COVER SHEET
E2.1 - STRATA LOT E - FLOOR PLANS
E2.2 - STRATA LOT E - FLOOR PLAN & SECTION
E4.1 - STRATA LOT E - ELEVATIONS
E4.2 - STRATA LOT E - ELEVATIONS
E5.1 - STRATA LOT E - PRIVACY VIEW

AVG GRADE CALC. (PROPOSED GRADE)			
GRADE POINTS	AVG. OF POINTS	DIST. BETWEEN	TOTALS
POINT "A"	A-B (15.2 + 15.2) / 2	X 12.0m	= 364.1
POINT "B"	B-C (15.2 + 15.2) / 2	X 8.4m	= 103.7
POINT "C"	C-D (15.2 + 15.2) / 2	X 0.6m	= 13.0
POINT "D"	D-E (15.2 + 15.2) / 2	X 8.5m	= 125.3
POINT "E"	E-F (15.2 + 15.2) / 2	X 12.0m	= 204.1
POINT "F"	F-G (15.2 + 15.2) / 2	X 3.3m	= 33.5
POINT "G"	G-H (15.2 + 15.2) / 2	X 0.6m	= 13.0
POINT "H"	H-I (15.2 + 15.2) / 2	X 0.6m	= 13.0
POINT "I"	I-J (15.2 + 15.2) / 2	X 0.6m	= 4.5
POINT "J"	J-K (15.2 + 15.2) / 2	X 2.2m	= 35.8
POINT "K"	K-L (15.2 + 15.2) / 2	X 0.5m	= 4.9
POINT "L"	L-A (15.2 + 15.2) / 2	X 0.6m	= 127.5
TOTAL		53.2m	= 862.1
GRADE CALCULATION			862.1 / 53.2m = 16.2m

AVG GRADE CALC. (EXISTING GRADE)			
GRADE POINTS	AVG. OF POINTS	DIST. BETWEEN	TOTALS
POINT "A"	A-B (15.1 + 15.0) / 2	X 12.0m	= 198.7
POINT "B"	B-C (15.6 + 15.7) / 2	X 8.4m	= 100.2
POINT "C"	C-D (15.7 + 15.7) / 2	X 0.6m	= 12.6
POINT "D"	D-E (15.7 + 15.2) / 2	X 8.5m	= 123.7
POINT "E"	E-F (15.2 + 15.6) / 2	X 12.0m	= 207.9
POINT "F"	F-G (15.8 + 15.7) / 2	X 3.3m	= 55.3
POINT "G"	G-H (15.7 + 15.7) / 2	X 0.6m	= 13.4
POINT "H"	H-I (15.7 + 15.6) / 2	X 0.6m	= 13.3
POINT "I"	I-J (15.6 + 15.6) / 2	X 0.3m	= 5.0
POINT "J"	J-K (15.6 + 15.3) / 2	X 2.2m	= 36.2
POINT "K"	K-L (15.3 + 15.3) / 2	X 0.3m	= 4.8
POINT "L"	L-A (15.3 + 15.1) / 2	X 0.6m	= 105.9
TOTAL		53.2m	= 655.1
GRADE CALCULATION			655.1 / 53.2m = 12.3m

AVG GRADE CALC. (LOWEST GRADE)			
GRADE POINTS	AVG. OF POINTS	DIST. BETWEEN	TOTALS
POINT "A"	A-B (15.1 + 15.0) / 2	X 12.0m	= 198.7
POINT "B"	B-C (15.6 + 15.7) / 2	X 8.4m	= 100.2
POINT "C"	C-D (15.7 + 15.7) / 2	X 0.6m	= 12.6
POINT "D"	D-E (15.7 + 15.2) / 2	X 8.5m	= 123.7
POINT "E"	E-F (15.2 + 15.2) / 2	X 12.0m	= 204.1
POINT "F"	F-G (15.2 + 15.2) / 2	X 3.3m	= 33.5
POINT "G"	G-H (15.2 + 15.2) / 2	X 0.6m	= 13.0
POINT "H"	H-I (15.2 + 15.2) / 2	X 0.6m	= 13.0
POINT "I"	I-J (15.2 + 15.2) / 2	X 0.6m	= 4.5
POINT "J"	J-K (15.2 + 15.2) / 2	X 2.2m	= 35.8
POINT "K"	K-L (15.2 + 15.2) / 2	X 0.5m	= 4.9
POINT "L"	L-A (15.2 + 15.2) / 2	X 0.6m	= 127.5
TOTAL		53.2m	= 852.2
GRADE CALCULATION			852.2 / 53.2m = 16.0m



Site Plan
1:100

MOSS ROCK PLACE

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City of Victoria

JUN 23 2017

Planning & Development Department
Development Services Division

NOTES:
1. The proposed development is subject to the following conditions:
2. The proposed development is subject to the following conditions:
3. The proposed development is subject to the following conditions:
4. The proposed development is subject to the following conditions:
5. The proposed development is subject to the following conditions:

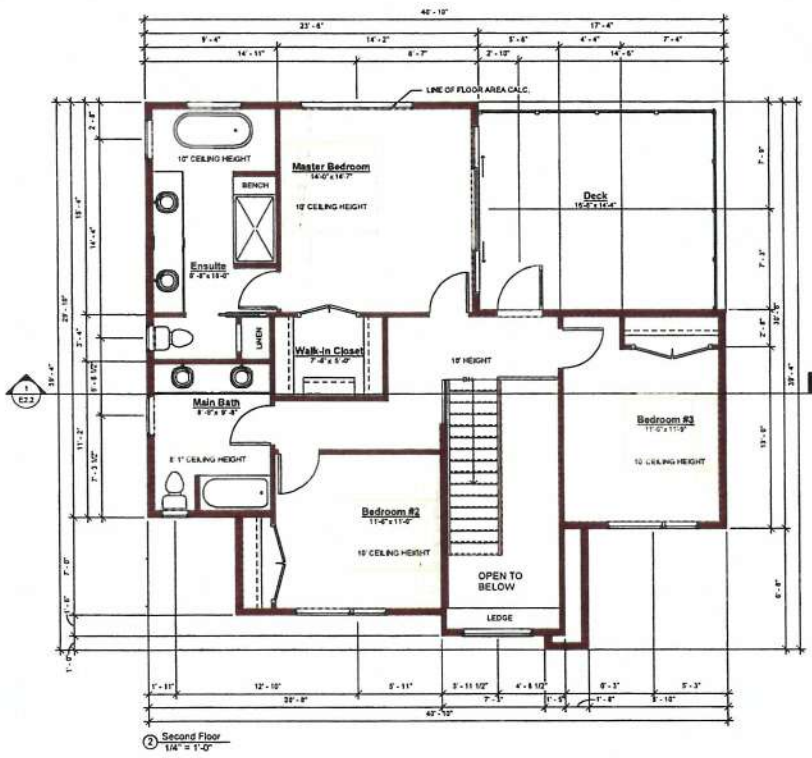
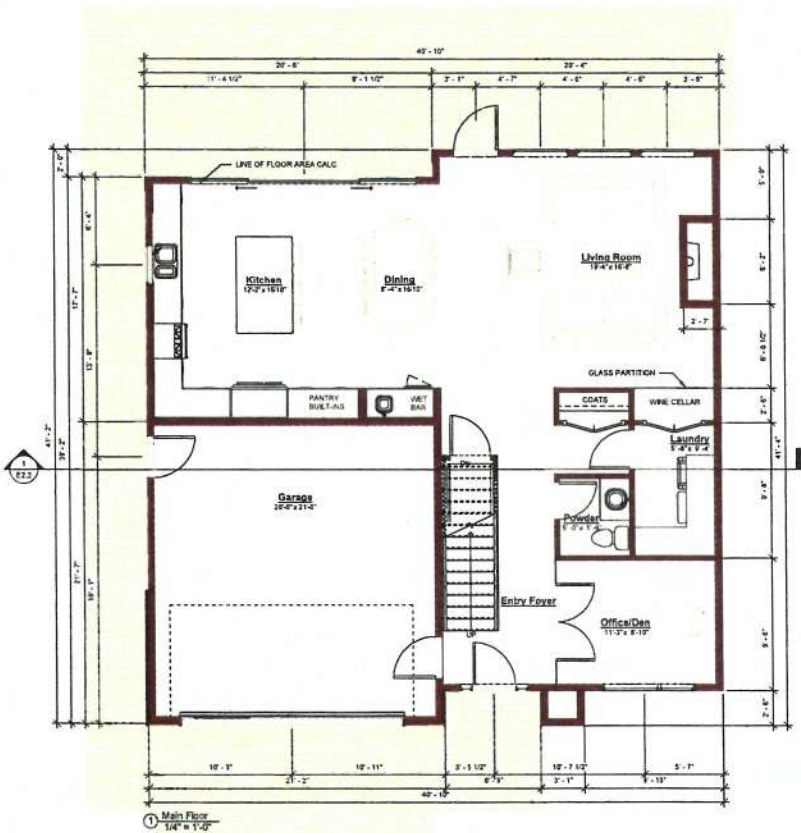
Date	Discipline	By	No.
15/04/17	Issue for Dev. Permt.	RH	1
15/04/17	Dev. Permt. Representation	RH	2
15/04/17	Dev. Permt. Representation	RH	3
15/04/17	Dev. Permt. Representation	RH	4
15/04/17	Dev. Permt. Representation	RH	5
15/04/17	Dev. Permt. Representation	RH	6
15/04/17	Dev. Permt. Representation	RH	7

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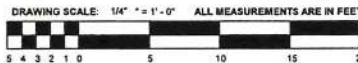
Project
1421 Fairfield Rd. -
Strata Lot E

Sheet
E0.0

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FLOOR AREA	
BASEMENT	547 SF
MAIN	1079 SF
UPPER	271 SF
TOTAL	2585 SF
GARAGE	426 SF



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Project: 1421 Fairfield Rd. - Strata Lot E

Sheet: E2

Project No: 151

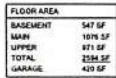
Project Name: RYAN HOYT

Project Address: Suite 207, 4475 Westwood Ave, Victoria, BC V8S 4L8

Project Phone: (250) 388-8888

Project Email: ryan.hoyt@cityofvictoria.ca

Date	Description	By	No.
15Dec16	Rev. 1: Initial Design	RH	1
15Dec16	Rev. 2: Final Design	RH	2
15Dec16	Rev. 3: Final Design	RH	3
15Dec16	Rev. 4: Final Design	RH	4
15Dec16	Rev. 5: Final Design	RH	5
15Dec16	Rev. 6: Final Design	RH	6
15Dec16	Rev. 7: Final Design	RH	7



DRAWING SCALE 1/4" = 1' - 0" **ALL MEASUREMENTS ARE IN FEET**

5 4 3 2 1 0 5 10 15 20

Planning & Development Department
Development Services Division

[illegible]

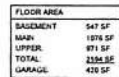
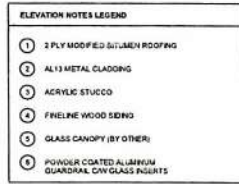
Date	Description	By	No.
12/24/01	Inst. for Dev. Parent	RH	1
12/24/01	Dev. Parent Structuration	RH	2
12/24/01	Dev. Parent Structuration	RH	3
12/24/01	Dev. Parent Structuration	RH	4
12/24/01	Dev. Parent Structuration	RH	5
12/24/01	Dev. Parent Structuration	RH	6
12/24/01	Dev. Parent Structuration	RH	7



Project	1421 Fairfield Rd. - Sirata Lot E
Sheet Title	Common Plan & Section

Project No.: 15118
Sheet: E2.2

Committee of the Whole - 20 Jul 2017



DRAWING SCALE: 1/4" = 1' - 0" **ALL MEASUREMENTS ARE IN FEET**

A graphic scale bar consisting of alternating black and white rectangular segments. Below the bar are numerical markings at intervals of 5 units: 5, 10, 15, and 20. The first segment between 0 and 5 is further divided into four smaller equal parts.

Planning & Development Department
Development Services Division

10. *At the same time, the Commission has been asked to consider the possibility of introducing a new system of financing the research and development of the private sector. The Commission has been asked to consider the possibility of introducing a new system of financing the research and development of the private sector. The Commission has been asked to consider the possibility of introducing a new system of financing the research and development of the private sector.*

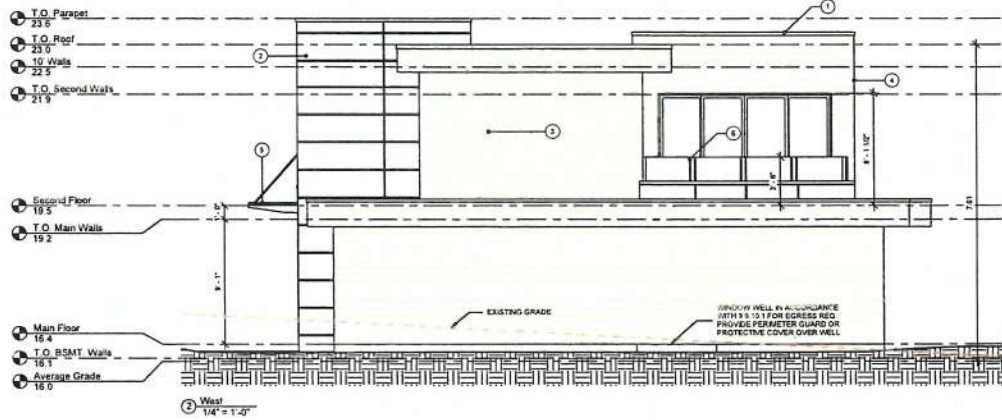
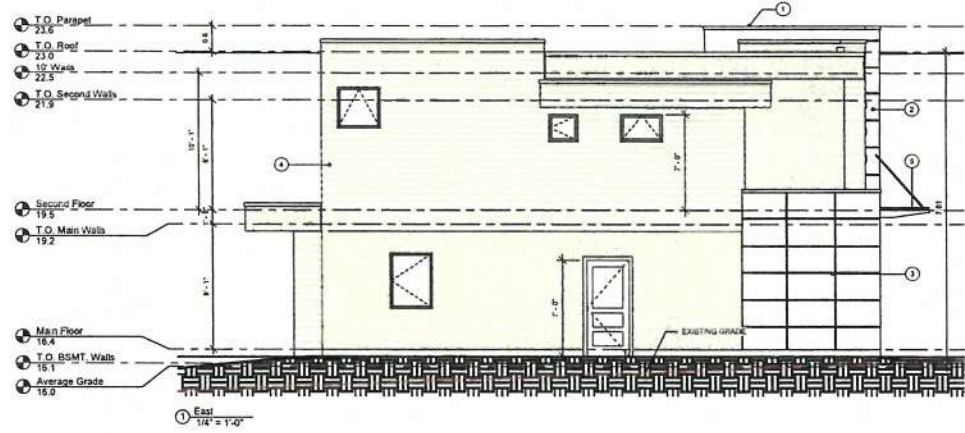
Date	Description	By	No.	Amount
15 Oct 21	Issued for Dev. Permit	RH	1	
15 Oct 21	Dev. Permit Reimbursement	RH	2	
10 Apr 13	Dev. Permit Reimbursement	RH	3	
16 Apr 22	Dev. Permit Reimbursement	RH	4	
17 Feb 07	Dev. Permit Reimbursement	RH	5	
17 Apr 05	Dev. Permit Reimbursement	RH	6	
17 June 21	Dev. Permit Reimbursement	RH	7	

ryan
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Project:
1421 Fairfield Rd. -
Strata Lot E

Project No.: 15116
Sheet: E4.1



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City of Victoria
JUN 23 2017
Planning & Development Department
Development Services Division

1. The purpose of this drawing is to show the proposed development and to provide a visual representation of the proposed development. The drawing is to be used for the purpose of the Development Services Division and is not to be used for any other purpose.

2. The drawing is to be used for the purpose of the Development Services Division and is not to be used for any other purpose.

3. The drawing is to be used for the purpose of the Development Services Division and is not to be used for any other purpose.

4. The drawing is to be used for the purpose of the Development Services Division and is not to be used for any other purpose.

5. The drawing is to be used for the purpose of the Development Services Division and is not to be used for any other purpose.

6. The drawing is to be used for the purpose of the Development Services Division and is not to be used for any other purpose.

7. The drawing is to be used for the purpose of the Development Services Division and is not to be used for any other purpose.

Date	Description	By	No.
15/05/17	Issue for Dev. Permit	RH	1
15/05/17	Issue for Dev. Permit	RH	2
15/05/17	Issue for Dev. Permit	RH	3
15/05/17	Issue for Dev. Permit	RH	4
15/05/17	Issue for Dev. Permit	RH	5
15/05/17	Issue for Dev. Permit	RH	6
15/05/17	Issue for Dev. Permit	RH	7

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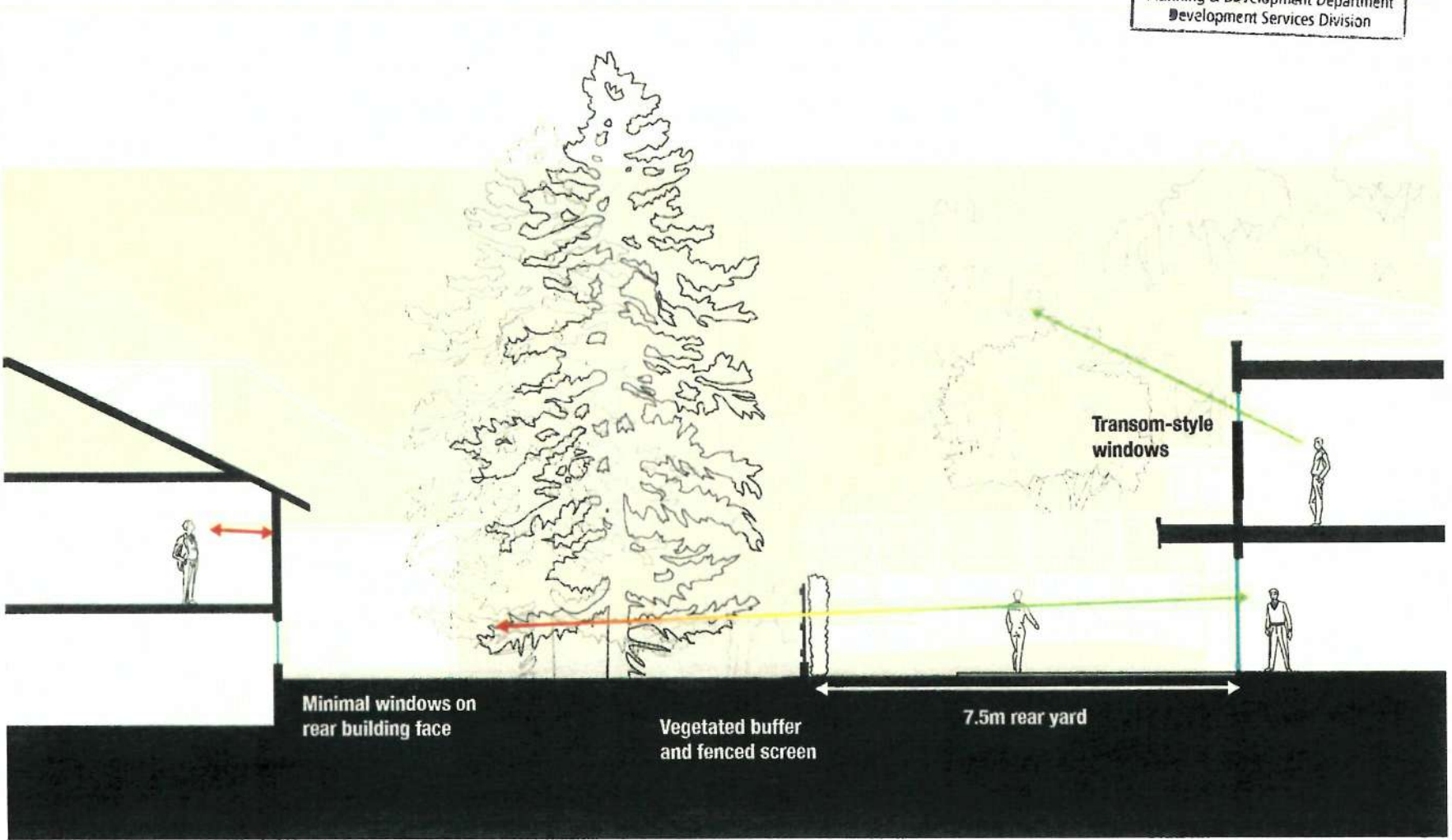
Project: 1421 Fairfield Rd. -
Strata Lot E
Sheet: 1511

Project No.: 1511
Sheet: E4.2



FLOOR AREA	
BASEMENT	547 SF
MAIN	1076 SF
UPPER	671 SF
TOTAL	2294 SF
GARAGE	420 SF

Committee of the Whole - 20 Jul 2017



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JUN 23 117
Planning & Development Department
Development Services Division

GENERAL NOTES:
1. All drawings, plans, sections, elevations and other documents submitted by the Applicant shall be the property of the City of Victoria and shall remain the property of the City of Victoria. The City of Victoria shall not be responsible for the return of any documents submitted by the Applicant.
2. The Applicant shall be responsible for obtaining all necessary permits and approvals from the relevant authorities. The City of Victoria shall not be responsible for the return of any documents submitted by the Applicant.
3. The Applicant shall be responsible for obtaining all necessary permits and approvals from the relevant authorities. The City of Victoria shall not be responsible for the return of any documents submitted by the Applicant.
4. The Applicant shall be responsible for obtaining all necessary permits and approvals from the relevant authorities. The City of Victoria shall not be responsible for the return of any documents submitted by the Applicant.

Date	Description	By	No.
15/06/11	Issue for Dev. Permit	BN	1
15/06/11	Issue for Dev. Permit	BN	2
15/06/11	Issue for Dev. Permit	BN	3
15/06/11	Issue for Dev. Permit	BN	4
15/06/11	Issue for Dev. Permit	BN	5
15/06/11	Issue for Dev. Permit	BN	6
15/06/11	Issue for Dev. Permit	BN	7

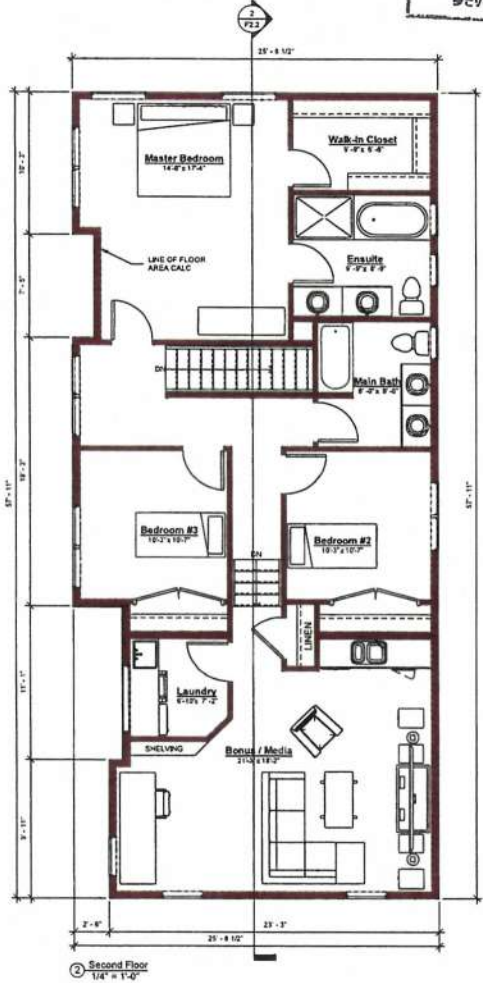
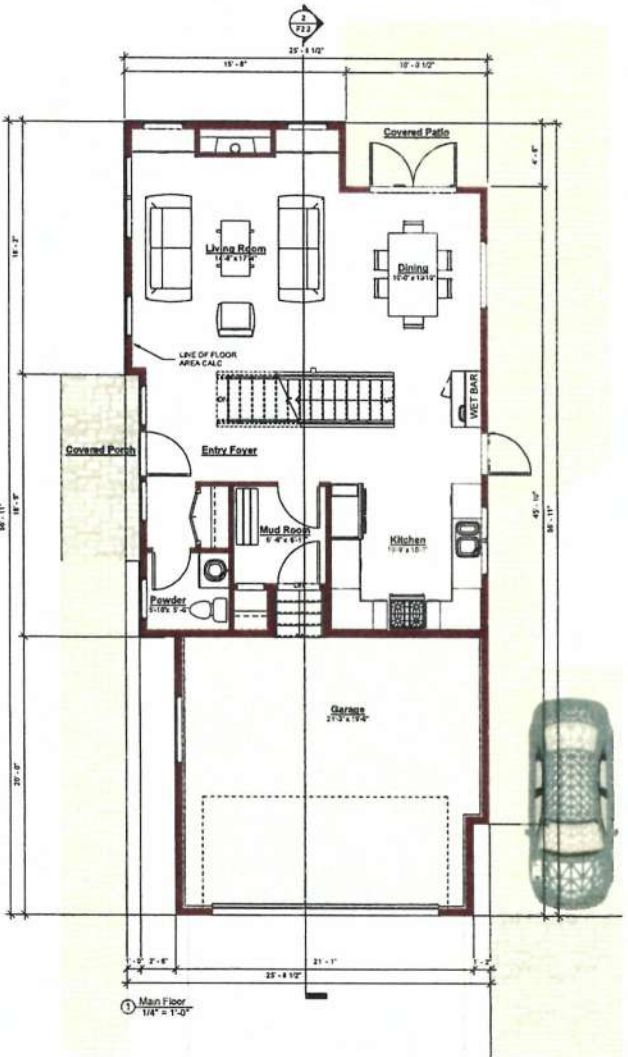
ch RIAN HOUS
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250.754.4444
www.ryanhoydesign.com

Project: 1421 Fairfield Rd. - Strata Lot E

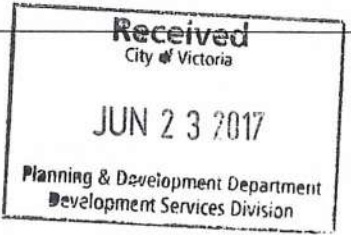
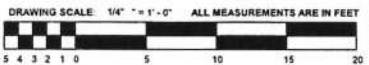
Project No.: 1511

Sheet: E5.1

Committee of the Whole - 20 Jul 2017



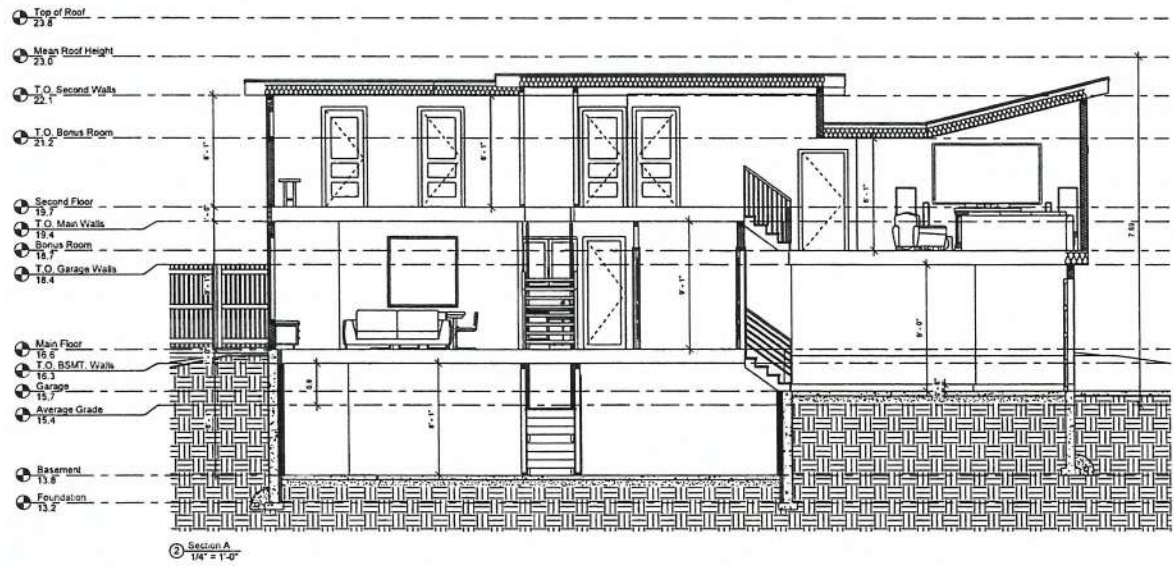
FLOOR AREA	
BASEMENT	688 SF
MAIN	623 SF
UPPER	1294 SF
TOTAL	2605 SF
GARAGE	688 SF



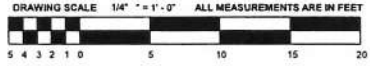
Date	Description	By	No.
15/05/15	Rev. Final	RM	1
15/05/15	Rev. Final	RM	2
15/05/15	Rev. Final	RM	3
15/05/15	Rev. Final	RM	4
15/05/15	Rev. Final	RM	5
15/05/15	Rev. Final	RM	6
15/05/15	Rev. Final	RM	7
15/05/15	Rev. Final	RM	8
15/05/15	Rev. Final	RM	9
15/05/15	Rev. Final	RM	10
15/05/15	Rev. Final	RM	11
15/05/15	Rev. Final	RM	12
15/05/15	Rev. Final	RM	13
15/05/15	Rev. Final	RM	14
15/05/15	Rev. Final	RM	15
15/05/15	Rev. Final	RM	16
15/05/15	Rev. Final	RM	17
15/05/15	Rev. Final	RM	18
15/05/15	Rev. Final	RM	19
15/05/15	Rev. Final	RM	20

Project: 1421 Fairfield Rd.
Sheet: 1511
F2.1

Committee of the Whole - 20 Jul 2017



FLOOR AREA	
BASEMENT	658 SF
MAIN	823 SF
UPPER	1284 SF
TOTAL	<u>2865 SF</u>
GARAGE	408 SF



Planning & Development Department
Development Services Division

1. At strategic points, research agencies, consultants and other organisations prepared by South Africa (Sagitt) and Jostel in consultation with the private sector, a number of studies were carried out. These included:
 - a. A study of the role of the private sector in the development of the country.
 - b. A study of the role of the private sector in the development of the country.
 - c. A study of the role of the private sector in the development of the country.
2. The role of the private sector in the development of the country was studied. This was done by a number of research agencies, consultants and other organisations. The studies included:
 - a. A study of the role of the private sector in the development of the country.
 - b. A study of the role of the private sector in the development of the country.
 - c. A study of the role of the private sector in the development of the country.
3. The role of the private sector in the development of the country was studied. This was done by a number of research agencies, consultants and other organisations. The studies included:
 - a. A study of the role of the private sector in the development of the country.
 - b. A study of the role of the private sector in the development of the country.
 - c. A study of the role of the private sector in the development of the country.

Date:	Description:	By:	No.:
15/03/11	Money for Drive Permit	BA1	1
15/03/11	Dir. Permit Issuance/extension	BA1	2
16/03/11	Dir. Permit Resubmission	BA1	3
16/03/11	Dir. Permit Resubmission	BA1	4
17/03/11	Dir. Permit Resubmission	BA1	5
17/03/11	Dir. Permit Resubmission	BA1	6
17/03/11	Dir. Permit Resubmission	BA1	7

rhod
RYAN HOYT

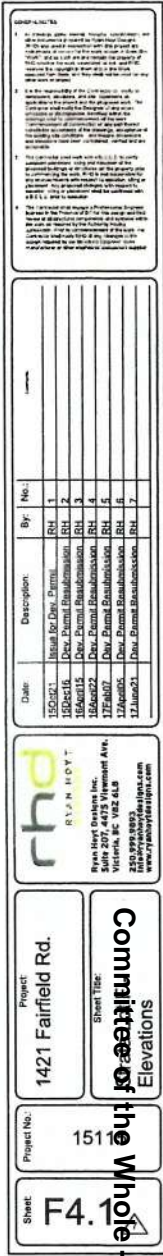
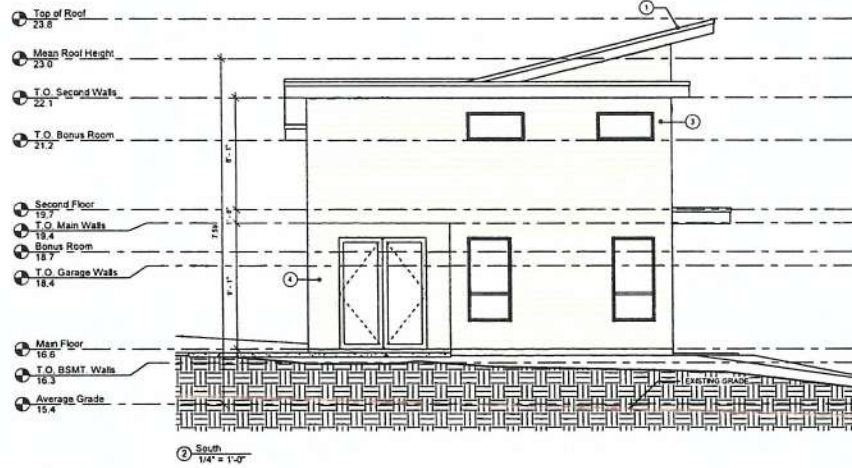
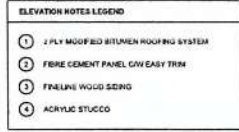
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Project	1421 Fairfield Rd.
Sheet Title	Committee of Plan & Section

1511

Start F2.2 whole

Committee of the Whole - 20 Jul 2017



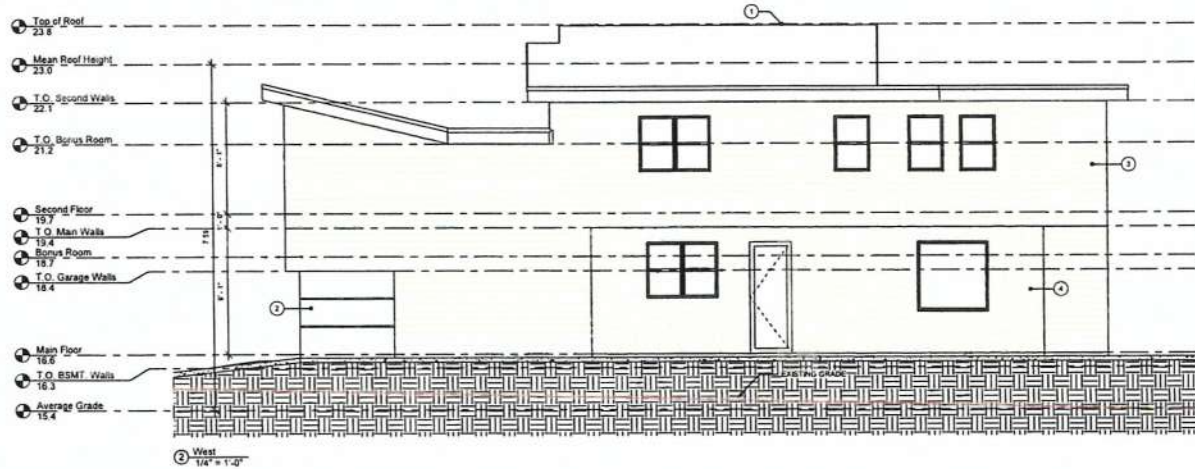


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JUN 23 2017

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Development Services Division

ELEVATION NOTES LEGEND	
1	3 PLY MODIFIED BITUMEN ROOFING SYSTEM
2	FIBRE CEMENT PANEL CANE EASY TRIM
3	FINE LINE WOOD SIDING
4	ACRYLIC STUCCO



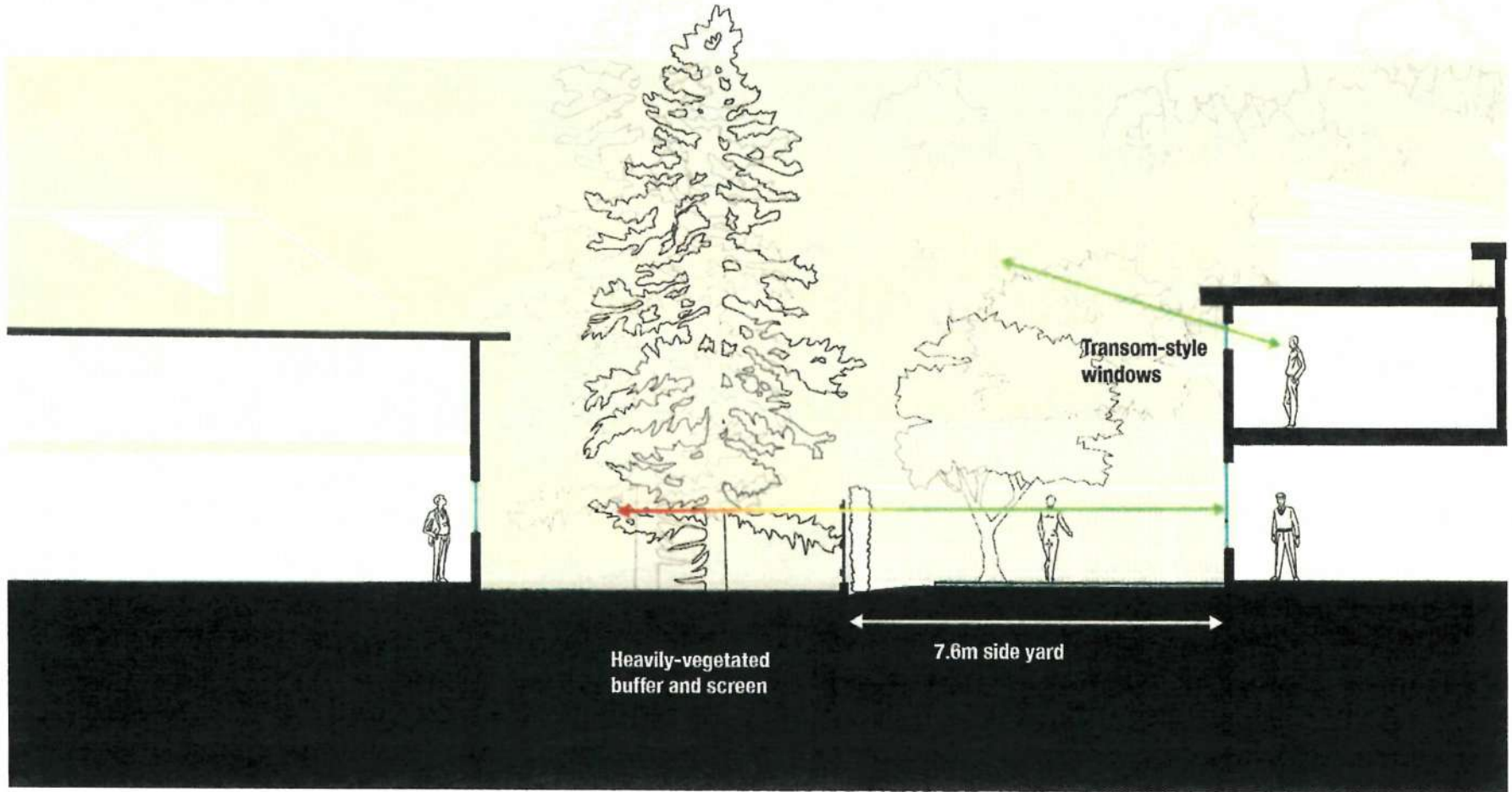
REVISIONS	
No.	Description
1	Initial Design
2	Revised Design
3	Revised Design
4	Revised Design
5	Revised Design
6	Revised Design
7	Revised Design
8	Revised Design
9	Revised Design
10	Revised Design

Date	Description	By	No.
15/06/17	Initial Design	RL	1
16/06/17	Revised Design	RL	2
16/06/17	Revised Design	RL	3
16/06/17	Revised Design	RL	4
16/06/17	Revised Design	RL	5
16/06/17	Revised Design	RL	6
16/06/17	Revised Design	RL	7
16/06/17	Revised Design	RL	8
16/06/17	Revised Design	RL	9
16/06/17	Revised Design	RL	10

CH CITYARCHITECTURE
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Project: 1421 Fairfield Rd.
Sheet: F4.2
Project No.: 1511

Committee of the Whole
20 Jul 2017



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City of Victoria

JUN 23 2017

Planning & Development Department
Development Services Division

1. The purpose of this document is to provide information to the public regarding the proposed development and the reasons for the proposed variance. It is intended to assist the public in understanding the proposed development and the reasons for the proposed variance.

2. The proposed development is located at 1421 Fairfield Rd, Victoria, BC V8Z 6A8. The proposed development consists of a single-story residential building with a total area of 1,200 square meters. The proposed development is situated on a lot that is 14.21 meters wide and 14.21 meters deep.

3. The proposed development is a single-story residential building with a total area of 1,200 square meters. The proposed development is situated on a lot that is 14.21 meters wide and 14.21 meters deep.

4. The proposed development is a single-story residential building with a total area of 1,200 square meters. The proposed development is situated on a lot that is 14.21 meters wide and 14.21 meters deep.

5. The proposed development is a single-story residential building with a total area of 1,200 square meters. The proposed development is situated on a lot that is 14.21 meters wide and 14.21 meters deep.

Date	Description	By	No.
15/05/17	Initial Design	RH	1
15/05/17	Design Development	RH	2
15/05/17	Design Development	RH	3
15/05/17	Design Development	RH	4
15/05/17	Design Development	RH	5
15/05/17	Design Development	RH	6
15/05/17	Design Development	RH	7

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Project: 1421 Fairfield Rd.
Sheet Title: 15115

Project No: 15115
Sheet: F5.1

Committee of the Whole - 20 Jul 2017



Received
City of Victoria

JUN 23 2017

Planning & Development Department
Development Services Division

1. The purpose of this report is to provide information to the public and the Planning & Development Department regarding the proposed development and the reasons for the proposed development. The information provided in this report is for informational purposes only and does not constitute a recommendation or approval of the proposed development. The Planning & Development Department will consider the information provided in this report and make a decision on whether to approve the proposed development.

2. The proposed development is located on a lot that is currently zoned for residential use. The proposed development is a multi-story residential building that will provide a mix of housing types, including single-family homes and townhouses. The proposed development is designed to be a high-quality residential development that will enhance the character of the neighborhood.

3. The proposed development is designed to be a high-quality residential development that will enhance the character of the neighborhood. The proposed development is designed to be a high-quality residential development that will enhance the character of the neighborhood.

4. The proposed development is designed to be a high-quality residential development that will enhance the character of the neighborhood. The proposed development is designed to be a high-quality residential development that will enhance the character of the neighborhood.

Date	Description	By	No.
15/05/16	Initial for Dev. Term.	RM	1
15/05/16	Dev. Term. Extension	RM	2
15/05/16	Dev. Term. Extension	RM	3
15/05/16	Dev. Term. Extension	RM	4
15/05/16	Dev. Term. Extension	RM	5
15/05/16	Dev. Term. Extension	RM	6
15/05/16	Dev. Term. Extension	RM	7

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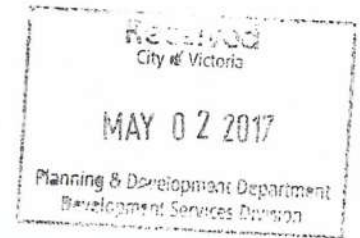
Project: 1421 Fairfield Rd.
Sheet: 15115
G0.0

Committee of the Whole - 20 Jul 2017



April 24, 2017

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



Dear Mayor & Council,

RE: Development Permit Application - 1421 Fairfield Road - Victoria, BC

On behalf of Moss Rock Developments Ltd. (the Owner), Ryan Hoyt Designs Inc. (RHD) has submitted a revised Development Permit application (the Proposal) with variances for a three (3) lot subdivision at 1421 Fairfield Road (the Property). Our original Development Proposal was not approved following a split vote at a public hearing September 8, 2016. We have since worked with a Planner to engage with our neighbors, and revised our proposal in an effort to alleviate some of the concerns.

The following information outlines the details of this proposal.

1.0 BACKGROUND

The Property is located on the SW side of Fairfield Road just before Memorial Crescent and Fairfield Road fork around the Ross Bay Cemetery. The Property is currently zoned R1-B (Residential Single Family) with an existing Single Family Dwelling currently on the Property. The existing parcel size is 1704m².

The existing single family dwelling on the Property suffered a fire recently (prior to the purchase of the Property by the Owner) and remains in disrepair, while the Site has been overgrown and rather unsightly for some time now.

2.0 LOCATION

Bordering the Property are:

- One R1-B (Single Family) lot to the West (address on Masters Road above),
- Four R1-B (Single Family) lots to the South (addresses on Faircliff Lane)
- Three R1-B (Single Family) lots to the North (addresses on Moss Rock Place)

The three lots noted above with addresses on Moss Rock Place were created by subdivision circa 2008. The original parcel (1419 Fairfield Road) was of comparable size to the subject Property.



Height:	R1-B:	7.6m
	Schedule H:	5.0m
Storeys:	R1-B:	2-Storeys
	Schedule H:	1-Storey
Site Coverage:	R1-B:	40%
	Schedule H:	25%

The existing development on Moss Rock Place (completed circa 2008) was approved prior to the introduction of the Zoning Regulations Bylaw (No. 80-159) Schedule H - Panhandle Lot Regulations, and thus the approved constructions already in-situ along Moss Rock Place would not comply with the Schedule H - Panhandle Lot Regulations today as they all are at least 2-storeys, with heights exceeding 5.0m, and Site Coverage exceeding 25%.

The overall goal of the Proposal is to achieve three (3) new single family dwellings that 'round out' Moss Rock Place, with comparable styling, massing, and density, such that years following the development it will appear less as a phased or uncoordinated development.

To achieve this goal, variances are required, as summarized in the following section.

5.0 PROPOSED VARIANCES

The Proposal includes a total of seven (6) variances requested.

A detailed breakdown of the proposed variances is as follows:

1. Lot D: Height variance from 5.0m to 6.66m
2. Lot D: Increase from 1 storey to 1.5 storey.
3. Lot E: Height variance from 5.0m to 7.01m
4. Lot E: Increase from 1 storey to 1.5 storey.
5. Lot F: Front Setback 7.5m to 6.2m
6. Lot F: Rear Setback: 7.5m to 3.5m



910 Lucas Ave, Victoria, BC

evan@barefootplanning.com

barefootplanning.com

778.967.2575

Cover Letter

To: City of Victoria
 From: Evan Peterson, Barefoot Planning
 Date: February 8, 2017
 Att: Mayor and Council
 Re: 1421 Fairfield Road – Revisions and Neighbourhood Consultation

Introduction

Following the Council meeting on September 8, the owners of 1421 Fairfield Road engaged Barefoot Planning to [a] assess the current application, [b] consult with neighbours about the project and key concerns, and [c] provide subsequent recommendations to improve the proposal.

This covering letter serves to briefly highlight 7 key issues identified by and discussed with neighbours, as well as related improvements made or clarifications discussed to alleviate concerns. Please, see the updated application package for full details.

1. Privacy & View Impacts

Summary The new homes will replace an empty lot, having some impacts on neighbouring homes.

Neighbours Initially, two neighbours on Faircliff Lane and one on Masters Road had concerns with regard to privacy and view impacts. After the below response, concerns have been significantly reduced.

Response The rear face of the homes on Lots F and E have been reworked, *replacing standard windows with high 'transom'-style windows* on the upper floors. The applicant has also committed to work with the neighbours to improve fencing and vegetated screening.

Moreover, further engagement provided the opportunity to discuss the actual impacts: For example, the neighbouring houses on Masters Road are at a significantly higher elevation, greatly reducing privacy impacts, and the houses on Faircliff Lane have significant screening in their rear yards and limited rear-facing windows.

Rear-facing upper storey windows are transom style to reduce impacts.



City of Victoria – 1421 Fairfield Road

barefoot

910 Lucas Ave, Victoria, BC

evan@barefootplanning.com

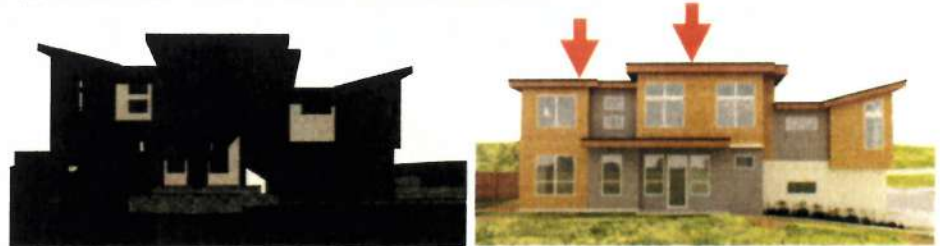
barefootplanning.com

778 967 2575

Proposed two-storey homes will be expressed as two storeys, not three.



Perceived scale of Lot F home has been reduced.

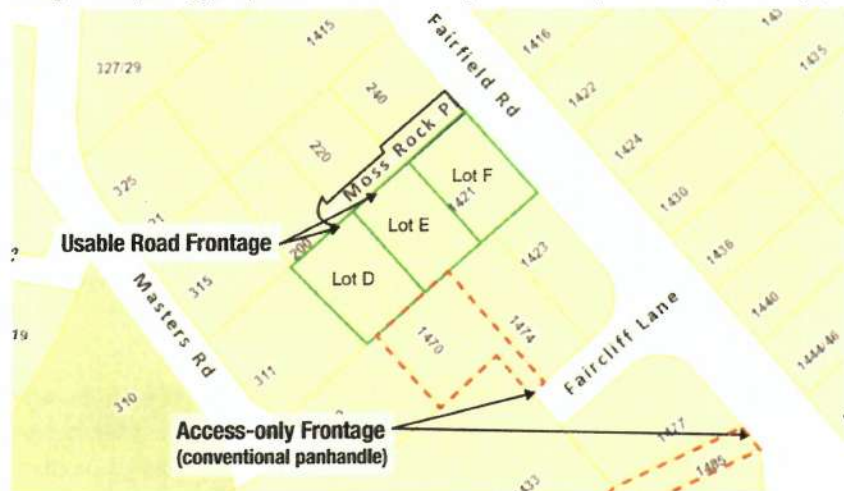


3. Panhandle Considerations & Height Variance

Summary The two back lots (D and E) of this proposal are subject to Schedule H Panhandle Regulations, despite having road frontage. This is because Moss Rock Place is a private strata road.

Neighbours Several neighbours took exception to the height variances for Lots D and E, largely based on principle. Once the above/below was explained, neighbour concerns were significantly reduced.

Image comparing proposed lots and true panhandle (access only frontage).



Response Lots D and E *do not function as panhandle lots* and, upon approval, all three lots will become part of the existing Moss Rock Place strata. Thus, the variances proposed to the Schedule H regulations hold significant merit relative to a 'true' panhandle context.



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additional driveway space. Moreover, the proposal will result in a net decrease in driveways accessing Fairfield Road.

6. Shadows

Summary A few neighbours have expressed concern over potential shadowing from the new homes.

Response A shadow diagram can now be found in the application package. In summary, due to its location on the north side of Moss Rock and adjacent to large evergreen trees, there is *virtually no shadowing impacts* from the proposed homes on neighbouring lots..

7. Neighbourhood Consultation & Perception

Summary Perhaps the most significant issue with the original application was the (lack of) consultation with neighbours.

Neighbours Many neighbours felt frustrated with the lack of communication regarding the project leading up to the initial application, and this was also accompanied by some misinformation and rumours.

Response Barefoot Planning engaged neighbours (one-on-one) on all sides of the development, including Faircliff Lane, Masters Road, and Fairfield Road. Consultations were all amicable and generally very in-depth, with plenty of time given to talk through key issues – as well as potential design responses.

With regard to rumours, it is worth clarifying (again) that the previous house burnt down and was condemned two owners prior to the applicants.

Conclusion

Through additional consultation with neighbours, the enclosed proposal has been improved. While not reinventing the wheel, as the vision for this project remains as the 'completion' of Moss Rock Place, meaningful changes have been made to reduce impacts on neighbours and better integrate these homes with the neighbourhood. Moreover, constructive conversations have allowed for misinformation to be corrected and many concerns to be reduced or alleviated.

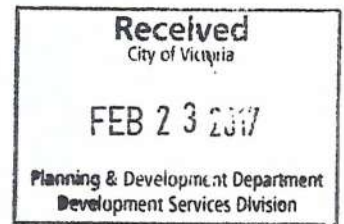
Sincerely,

Evan Peterson
 Principal
 Barefoot Planning



info@ryanhoyt designs.com
www.ryanhoyt designs.com

RH Designs Inc.
250.999.9893



February 22nd, 2017

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

Dear Mayor & Council,

RE: Green Features - 1421 Fairfield Road - Victoria, BC

On behalf of Moss Rock Developments Ltd. (the Owner), Ryan Hoyt Designs Inc. (RHD) has submitted a Development Permit application with variances for a proposed 3 lot subdivision at 1421 Fairfield Road (the Property). The following 'green features' are considered for this project:

Building Retention and Reuse:	The existing building suffered a fire and is in disrepair. All demolition waste will be recycled where possible.
Transportation:	Required parking does not exceed the minimum number of off-street spaces
Energy Efficiency:	New Construction to pursue Energuide 80 (or equivalent)
Renewable Energy:	Solar / PV provisions
Water:	Low flow fixtures
Site Permeability:	Permeable paving stones for hard landscaping
Landscaping:	No net loss in number of trees

Yours truly,

Ryan Hoyt Designs Inc.

Ryan Hoyt, ASCT, RBD, LEED®AP
Principal

PUBLIC AND STATUTORY HEARINGS

3. Development Permit with Variances and Development Variances Permit Application No. 00004 for 1421 Fairfield Road

a. Hearing

Development Permit with Variances Application No. 00004 for 1421 Fairfield Road

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 1421 Fairfield Road, in Development Permit Area 15B Intensive – Panhandle Lot, for purposes of allowing two single-family dwellings on panhandle lots.

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

Proposed Lot D

- Schedule H (3)(a): Increase the height from 5.0m to 6.8m;
- Schedule H (3)(a): Increase the number of storeys from 1 to 2.

Proposed Lot E

- Schedule H (3)(a): Increase the height from 5.0m to 7.5m;
- Schedule H (3)(a): Increase the number of storeys from 1 to 2;
- Schedule H (5)(a): Increase the site coverage from 25% to 27.4%.

b. Development Variance Permit Application No. 00004 for 1421 Fairfield Road

The Council of the City of Victoria will consider issuing a Development Variance Permit for the land known as 1421 Fairfield Road for purposes of reducing the front and rear setbacks to allow a single-family dwelling.

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

Proposed Lot F

- Part 1.2.5 (a): Reduce the front setback from 7.5m to 6.25m;
- Part 1.2.5 (b): Reduce the rear setback from 7.5m to 3.5m.

R. Bateman (Planner): Provided information regarding the application, which is requesting to subdivide the existing lot and construct three single-family dwellings. The Development Permit with Variances is for two proposed Panhandle Lots and the Development Variance Permit is required for the third lot.

Mayor Helps opened the public hearing at 11:12 p.m.

Ryan Hoyt Designs (Applicant): Provided detailed information regarding the application.

Maria Abbott (Masters Road): Expressed concerns regarding the application's proposed variances for height and foot print, due to privacy concerns.

Gail Harris (Fairfield Road): Expressed concerns regarding the application's proposed variances as they will affect sunlight and heritage trees.

Dale Bate (Fairfield Road): Expressed concerns regarding the application due to the proposed variances, past history, and how it will effect traffic and neighbouring homes.

Ben How (Faircliff Lane): Expressed concerns regarding the application due the proposed variances, as it will negatively affect neighbouring homes and privacy.

Council discussed the following:

- l) *Whether the basement would be above or below ground.*
- m) *What could be built on the site if no variances were requested.*

Mayor Helps closed the public hearing at 11:48 p.m.

c. **Development Permit with Variances Approval**

Motion:

It was moved by Councillor Young, seconded by Councillor Lucas, that Council authorize the issuance of Development Permit with Variances Application No. 00004 for Fairfield Road, in accordance with:

1. Plans date stamped April 29, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Proposed Lot D

- i. Schedule H (3)(a): Increase the height from 5.0m to 6.8m;
- ii. Schedule FI (3)(a): Increase the number of storeys from 1 to 2.

Proposed Lot E

- i. Schedule FI (3)(a): Increase the height from 5.0m to 7.5m;
- ii. Schedule H (3)(a): Increase the number of storeys from 1 to 2;
- iii. Schedule FI (5)(a): Increase the site coverage from 25% to 27.4%.

3. The Development Permit lapsing two years from the date of this resolution.

This authorization is conditional on the property being subdivided into three Strata lots generally in accordance with the subdivision application dated April 29, 2016.

Development Permit with Variances Approval

That Council authorize the issuance of Development Variance Permit Application No. 00004 for 1421 Fairfield Road, in accordance with:

1. Plans date stamped April 29, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Proposed Lot F

- a. Part 1.2.5 (a): Reduce the front setback from 7.5m to 6.25m;
- b. Part 1.2.5 (b): Reduce the rear setback from 7.5m to 3.5m;

3. Development Permit lapsing two years from the date of this resolution.

This authorization is conditional on the property being subdivided into three Strata lots generally in accordance with the subdivision application dated April 29, 2016.

Council discussed the following:

- n) *Whether the massing of the house is reasonable in comparison to neighbouring homes.*
- o) *The amount of opposition from immediate neighbours.*

Defeated

For: Mayor Helps, Councillors Lucas and Young

Opposed: Councillors Alto, Isitt, and Loveday

Katie Lauriston

From: ALICE ALBERT [REDACTED]
Sent: Friday, May 19, 2017 8:04 AM
To: David Biltek; Katie Lauriston
Cc: Lisa Helps (Mayor); Chris Coleman (Councillor); Jonathan Tinney
Subject: Re: Revised Plans Received for 1421 Fairfield Road - DPV No. 00033

Thanks David, points well ade. Alice

Sent from Samsung tablet

----- Original message -----

From: David Biltek <[REDACTED]>
Date: 05-19-2017 07:55 (GMT-08:00)
To: Katie Lauriston <klauriston@victoria.ca>
Cc: "Lisa Helps (Mayor)" <mayor@victoria.ca>, "Chris Coleman (Councillor)" <ccoleman@victoria.ca>, Jonathan Tinney <JTinney@victoria.ca>
Subject: RE: Revised Plans Received for 1421 Fairfield Road - DPV No. 00033

Katie:

Please convey to the Mayor and Council our ongoing concern about variances that are beyond a 15% change or reduction in the standard.

In this particular case all the variances are between a 20 to 50% change in the standard. We view changes such as these not simple variances but major changes to the nature of the building set on the property.

We have seen recently a house set on property as an approved variance that was located within one foot of the property line. This has caused much grief for the property owner and neighbours but was an approved variance.

We continue to receive variance notices that are all well beyond the 15% we have set as our marker to comment. All such referrals to us have been above this 15% marker. Given this it may be time for Council to ask Planning Staff to review these standards. In one case on which we have previously commented, there were 10 - 12 variances for each of three houses on a newly subdivide parcel of land. Changes such as these are not simple but rather may have a significant impact on the built property and neighbours.

All standards have been set for a reason: safety (from fire spread), aesthetics, privacy between neighbours, street scape, etc...it may be time that some of these are amended.

David Biltek
Chair
Fairfield Gonzales Community Association Land Use Committee



Committee of the Whole Report For the Meeting of July 20, 2017

To: Committee of the Whole **Date:** July 6, 2017
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Development Permit with Variances Application No. 00033 for 1421 Fairfield Road

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 Permit Application No. 00033 for 1421 Fairfield Road, in accordance with:

1. Plans date stamped June 23, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Proposed Lot D

- i. Schedule H (3)(a): Increase the height from 5.00m to 6.66m
- ii. Schedule H (3)(a): Increase the number of storeys from 1 to 1.5.

Proposed Lot E

- i. Schedule H (3)(a): Increase the height from 5.00m to 7.01m
- ii. Schedule H (3)(a): Increase the number of storeys from 1 to 1.5.

3. The Development Permit lapsing two years from the date of this resolution.

This authorization is conditional on the property being subdivided into three strata lots generally in accordance with the subdivision application dated April 29, 2016."

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 1421 Fairfield Road. The proposal is to subdivide the existing lot and construct three single-family dwellings. This Development Permit with Variances is for two proposed Panhandle Lots. A Development Variance Permit is required for the third lot located on Fairfield Road and is discussed in a separate report.

The following points were considered in assessing these applications:

- the proposal is generally consistent with the objectives for sensitive infill in Development Permit Area 15B: Intensive Residential – Panhandle Lot of the *Official Community Plan* (OCP)
- the proposal is generally consistent with the design specifications of the *Small Lot House Design Guidelines* (2002)
- the proposed variances relate to height and number of storeys. These variances reflect the context across the lane and do not have a substantial impact on the privacy of the adjacent properties.

BACKGROUND

Description of Proposal

The proposal is to construct three single-family houses. Lot D and Lot E, the subjects of this application, are Panhandle Lots and therefore are in Development Permit Area 15B: Intensive Residential – Panhandle Lot. Lot F is not a Panhandle Lot but would require variances which are reviewed under a separate report. Similarly, although all three lots would be in the R1-B Zone, Single Family Dwelling District, Schedule H – Panhandle Lot Regulations would apply only to Lot D and E.

Specific details include:

- one and a half storey buildings with basements
- design elements such as contemporary low slope rooflines, covered front entryways, and contemporary styled windows
- the exterior materials include wood siding, acrylic stucco siding, metal cladding, fibre cement panel and aluminium guard rails with glass inserts
- new hard and soft landscaping would be introduced, including permeable paving stone driveways and paths, trees, shrubs and ground cover.

Sustainability Features

As indicated in the applicant's letter dated February 22, 2017, the following sustainability features are associated with this application:

- energy efficiency: New construction to pursue Energuide 80 (or equivalent)
- renewable energy: solar / PV provisions
- water: low flow fixtures

- site permeability: permeable paving stones for hard landscaping
- landscaping: no net loss in number of trees.

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 Development Permit Application.

Accessibility Impact Statement

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

Existing Site Development and Development Potential

The site is presently in the R1-B Zone, Single Family Dwelling District. Under this zone, the site could be subdivided and three single-family homes with secondary suites could be built, subject to Council's approval of a Panhandle Development Permit Application.

Data Table

The following data table compares the proposal with the R1-B Zone and the Panhandle Regulations. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal Lot D	Proposal Lot E	Zone Standard R1-B Zone
Site area (m ²) - minimum	600.00	600.00	600.00
Lot width (m) - minimum	21.74	20.94	18.00
Total floor area (m ²) - maximum	279.80	280.00	280.00
Height (m) - maximum	6.66 *	7.01 *	5.00
Storeys - maximum	1.5 *	1.5 *	1
Site coverage % - maximum	24.90	25.00	25.00
Setbacks (m) - minimum			
Front (Moss Rock Pl.)	8.40	7.50	7.50
Rear (south)	7.50	8.60	7.50
Side (east)	4.20	4.20	4.00
Side (west)	4.00	4.30	4.00
Parking - minimum	1	1	1

Relevant History

The three single-family dwellings located across Moss Rock Place were constructed prior to revisions to the Panhandle Lot Regulations and therefore the Panhandle Lot Regulations did not apply at the time.

A previous application (No.00004) was received for 1421 Fairfield Road to subdivide into three lots and construct three single-family dwellings. The proposal was declined by Council at the September 8, 2016 Council Meeting (minutes attached). The subject of this report is a revised application for the same site.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on May 18, 2017 the application was referred for a 30-day comment period to the Fairfield Gonzales CALUC; a letter dated May 19, 2017 is attached to this report.

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

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP)* identifies this property within Development Permit Area 15B: Intensive – Panhandle Lot. The Design Guidelines for a Small Lot House (2002) apply to Panhandle Lot Development.

Proposed Lot D – New Single Family Dwelling

The proposal is for a one and a half storey house with a basement. The design of the house incorporates architectural elements such as contemporary low slope rooflines, covered front entryways, and contemporary styled windows. The exterior design, materials, form and character are in keeping with the buildings across the lane, and the proposed Lot F.

Proposed Lot E – New Single Family Dwelling

The proposal is for a one and a half storey house with a basement. The design of the house incorporates architectural elements such as contemporary low slope rooflines, covered front entryways, and contemporary styled windows. The exterior design, materials, form and character are in keeping with the buildings across the lane, and the proposed Lot F.

Regulatory Considerations

The single-family dwellings across Moss Rock Place were not subject to the Panhandle Regulations at the time of their construction. This application proposes variances to permit increased height and number of storeys which would be more in keeping with these existing houses.

Proposed Lot D – New Single Family Dwelling

The applicant is requesting variances for the house on Lot D as follows:

- increasing the height from 5.00m to 6.66m
- increasing the number of storeys from 1 to 1.5

A new fence and new trees are proposed to mitigate potential privacy impacts on the adjacent house (1470 Faircliff Lane) which may result from an increased building height. The proposed house is offset and the rear setback is 7.5m so that the existing house will see past it. The other adjacent property (311 Masters Road) will not be substantially impacted because it is at a much higher elevation due to a steep grade change.

Proposed Lot E – New Single Family Dwelling

The applicant is requesting variances for the house on Lot E as follows:

- increase the height from 5.00m to 7.01m
- increase the number of storeys from 1 to 1.5.

These variances will not have a substantial impact because the adjacent existing house does not have any windows on the rear elevation and there are existing trees on the adjacent lot that will screen the view between the two buildings. The windows on the rear of the house are small in size and number.

Tree Preservation and Urban Forest Management

There are no bylaw protected trees on the development's proposed residential lots. There is one large protected Arbutus tree directly across from the development on Moss Rock Place. There are three privately owned protected Western Red Cedar trees immediately adjacent to the development's east property boundary. Their critical root zones do not extend into the proposed building envelopes; however they do extend into the subdivision's servicing easement. The Tree Preservation Plan outlines protection measures for these neighbour's trees to be employed during construction. The project arborist will be required to be on site during excavation works for the proposed services to these lots within the road right-of-way on Moss Rock Place, to ensure the Arbutus root zone is protected as well.

Boulevard landscaping along the Fairfield Road frontage will be secured at the time of subdivision approval, including grass and three new boulevard canopy trees.

CONCLUSIONS

This proposal to construct three new houses requires a Development Permit with Variances for the two Panhandle Lots. Although the application is not in compliance with Schedule H, which provides regulations related to height and number of storeys, the proposal is generally consistent with Development Permit 15B: Intensive Residential – Panhandle Lot. The new houses will fit in with the existing neighbourhood and the variances will not have a substantial impact on the privacy of the adjacent lots. Staff recommend that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00033 for the property located at 1421 Fairfield Road.

Respectfully submitted,




Rob Bateman
Senior Process Planner
Development Services Division

Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:


July 12, 2017

List of Attachments

- Subject Map
- Aerial Map
- Plans date stamped June 23, 2017
- Letter from applicant to Mayor and Council dated April 24, 2017
- September 8, 2016 Council Meeting Minutes
- Letter from Fairfield Gonzales CALUC dated May 19, 2017



Committee of the Whole Report

For the Meeting of July 20, 2017

To: Committee of the Whole **Date:** July 10, 2017
From: Chris Coates
Subject: Enforcement Update on Cannabis-Related Businesses

RECOMMENDATION

That Council receive this report for information.

EXECUTIVE SUMMARY

Council established a regulatory regime for Cannabis Dispensaries and related Businesses that came into effect September 22, 2016. In April of 2017 Council indicated that the City was taking enforcement action against these businesses that had not applied for rezoning, where required, and/or or had not applied for a business license.

At the Committee of the Whole Meeting held July 6, 2017, Council posed questions about the status and process for enforcing City bylaw for cannabis-related businesses that are not complying with regulations.

To date, six (6) of thirty-five (35) operating dispensaries have not applied for rezoning and three (3) of thirty-five (35) operating dispensaries have not applied for a Business License. In addition, two businesses are in operation that are known to be permitting the consumption of cannabis on premises contrary to the City's regulations. All violations of these businesses are being addressed by increasing levels of enforcement.

Enforcement starts with education of the regulations, then warning operators of the consequences of non-compliance, followed by ticketing. Businesses are regularly inspected for compliance with all of the requirements for operating as a Storefront Cannabis Retailer. Staff are determining which non-compliant operators have reached the stage where injunctive relief is required. Direction to seek injunctions has been provided by Council at the City Solicitor's discretion.

PURPOSE

The purpose of this report is to provide information on the process of gaining compliance with the Cannabis-Related Business Regulation Bylaw.

BACKGROUND

The Cannabis-Related Business Regulation Bylaw was adopted on September 22, 2016. Section 11 of the bylaw permits businesses that were in existence when the bylaw was introduced on July 28, 2016 to continue to operate without a business licence, provided they actively pursue rezoning. Since adoption of the bylaw, enforcement has been proactive, initially focusing on education on the regulations, what is required and assisting the applicants to navigate through the process. Those businesses that were not moving forward were encouraged to apply, warned and then ticketed for non-compliance.

ISSUES & ANALYSIS

Staff continue to perform regular inspections of businesses for compliance. Balancing compliance of the regulations while assisting new businesses to navigate the permitting process is staff's goal in order to value customers and their experience dealing with City processes. To that end, all bylaw officers are involved in the monitoring of dispensaries and providing customer service to those with concerns about operations, which is the same consideration that would be provided to any new business applicant.

Over the past nine months, a variety of actions have happened with respect to the operation of cannabis businesses: most have submitted rezoning and business licences applications; businesses that were open and applied for licenses have closed; others have opened and not applied for licences and some have changed their business model to remove any cannabis-related retail. All nine (9) Bylaw staff are involved in compliance monitoring, enforcement activities and administration of Cannabis Dispensaries and related businesses.

At the July 6, 2017 Committee of the Whole meeting, the question of daily ticketing of non-compliant businesses was raised. Though this is an enforcement option, staff weigh this option with the objective of gaining compliance through consultation which is balanced with the knowledge that tickets can be disputed, which is a court process. However, once the steps of enforcement have progressed to the stage of obtaining injunctive relief, compliance can be reinforced through continued ticketing.

The following points summarize actions that have occurred:

- Thirty (30) operating businesses have applied for rezoning
- Three (3) not open businesses have applied for rezoning
- Six (6) operating businesses have not applied for rezoning or a business license
- Two (2) operating businesses have closed
- Thirty-four (34) businesses have applied for a business licence
- One (1) business licence has been issued
- Four (4) have received rezoning and four (4) are close to receiving their business licences
- Three (3) new dispensaries have opened since September 2016 and not applied for rezoning or a business licence, and continue to operate
- Two (2) applications have been denied
- Thirty-five (35) businesses are being inspected for compliance with operating regulations
- Thirty-nine (39) tickets have been issued
- Two (2) businesses are permitting consumption on their premises; enforcement is underway

The following table summarizes ticketing actions:

Bylaw	Offence	Amount	Tickets Issued	Total
Business	No licence	\$250	2	\$500
Cannabis	Allow Consumption	\$500	8	\$4,000
Cannabis	Display prohibited signs	\$250	1	\$250
Cannabis	Failure to maintain air filtration	\$500	1	\$500
Cannabis	Failure to provide required staff	\$500	1	\$500
Cannabis	Operate outside of permitted hours	\$250	1	\$250
Cannabis	Operate without valid licence	\$1,000	15	\$15,000
Sign	No sign permit	\$250	4	\$1,000
Street & Traffic	No portable sign permit	\$250	1	\$250
Zoning	use/allow use contrary to bylaw	\$350	5	\$1,750
			39	\$24,000

On April 20, 2017, Council authorized the City Solicitor to commence legal proceedings against cannabis-related businesses operating in contravention of City bylaws. Commencement of legal proceedings requires careful preparation and staff have been gathering evidence necessary to file applications for injunctions with the BC Supreme Court. Applications will be brought against offending businesses individually and, because of resources available, will be done in phases rather than all at once. This approach allows the City to better utilize its resources and it provides further opportunity for voluntary compliance. The City Solicitor advises that first injunction applications should be commenced this month.

To date, Council has approved four (4) cannabis-related retailers through the rezoning process and one (1) cannabis-related retailer has received a business licence. There are six (6) rezoning applications ready for public hearing and twenty-three (23) rezoning applications are with planning staff and are at various stages moving through the process. Nine (9) operators have not applied for a rezoning application and two (2) applications have been denied.

OPTIONS & IMPACTS

Since adoption of the bylaw, staff resourcing has exceeded the 35 hours allotted to cannabis enforcement. It is anticipated that once all cannabis retailers are through the rezoning process and only those permitted are operating, ongoing compliance can be monitored and enforced with the allocated 35 hours a week.

2015 – 2018 Strategic Plan

The current approach to achieving compliance supports objective 7 from the 2015-2018 Strategic Plan: Facilitate Social Inclusion and Community Wellness and objective 13: Demonstrate Regional Leadership.

CONCLUSIONS

Until federal government legislation comes into effect next year, there will continue to be many unknowns in regulating the sale of cannabis. In the meantime, bylaws implemented by the City to

reduce the community impact of cannabis-related businesses will continue to be enforced by:

1. Seeking compliance through consultation with the business to apply for rezoning and business licence.
2. Continuing to inspect open dispensaries for compliance with the regulations.
3. Ticketing the business for non-compliance.
4. Seeking injunctive relief as appropriate.

Respectfully submitted,



Nancy Johnston
Manager of Bylaw & Licensing




Chris Coates
City Clerk



Jocelyn Jenkyns
Deputy City Manager

Report accepted and recommended by the City Manager:

Date:



July 14, 2017

Attachment: Cannabis-Related Business Regulation Bylaw

NO. 16-061

CANNABIS-RELATED BUSINESS REGULATION BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to provide for the regulation of cannabis-related businesses to minimize any adverse effects that operation of such businesses may have on the safety, health and well-being of the community in anticipation of changes to the federal laws regarding distribution of cannabis.

Contents

PART 1 - INTRODUCTION

- 1 Title
- 2 Definitions
- 3 Application of this Bylaw

PART 2 - BUSINESS LICENCES

- 4 Business licences required for cannabis-related businesses
- 5 Licence Inspector's authority to refuse a licence

PART 3 - OPERATING REQUIREMENTS

- 6 Requirements for all cannabis-related businesses
- 7 Requirements for businesses that keep cannabis on the premises
- 8 Requirements for storefront cannabis retailers

PART 4 – GENERAL PROVISIONS

- 9 Offences
- 10 Severability
- 11 Transition provisions

PART 1 – INTRODUCTION

Title

- 1 This Bylaw may be cited as the "Cannabis-Related Business Regulation Bylaw".

Definitions

- 2 In this Bylaw:

"cannabis"

means cannabis as defined in the *Controlled Drugs and Substances Act* and includes any products containing cannabis;

"cannabis-related business"

means carrying on of activity where

- (a) the use of cannabis for medical or any other purposes is advocated or promoted;
- (b) cannabis or paraphernalia used in the consumption of cannabis are sold or otherwise provided to persons for any purpose;
- (c) cannabis is stored for a purpose of sale or distribution; or
- (d) cannabis is consumed in any form;

"shareholder"

means a shareholder with a 10% or greater interest;

"storefront cannabis retailer"

means a cannabis-related business where cannabis is sold or otherwise provided to a person who attends at the premises.

Application of this Bylaw

- 3 The provisions of this Bylaw do not apply to production and distribution of cannabis licensed by Health Canada under the Access to Cannabis for Medical Purposes Regulations of the *Controlled Drugs and Substances Act* (Canada).

PART 2 - BUSINESS LICENCES

Business licences required for cannabis-related businesses

- 4
 - (1) A person must not carry on cannabis-related business unless the person holds a valid licence issued under the provisions of this Bylaw and the Business Licence Bylaw.
 - (2) A person applying for the issuance or renewal of a licence to carry on a cannabis-related business where cannabis is kept or present on the premises must:
 - (a) make application to the Licence Inspector on the form provided for that purpose
 - (b) pay to the City the applicable licence fee prescribed under subsection (3)
 - (c) provide a security plan for the premises that, in the opinion of the Licence Inspector, describes adequate security measures to mitigate risk of theft or robbery at the premises;
 - (d) provide proof of a security alarm contract that includes monitoring at all times during the period for which the licence is being sought, and
 - (e) provide proof of ownership or legal possession of the premises, and
 - (f) provide a current police information check for:

- (i) the applicant
 - (ii) if the applicant is a corporation, each shareholder, officer and director, and
 - (iii) each on-site manager.
- (3) The licence fee for purposes of subsection (2)(b) is:
- (a) \$5,000 for a storefront cannabis retailer and a cannabis-related business where cannabis is kept on the premises, and
 - (b) \$500 for all other cannabis-related businesses where cannabis is not kept on the premises.

Licence Inspector's authority to refuse a licence

- 5 (1) The Licence Inspector may suspend or refuse to issue or renew a licence for a business where cannabis is kept on the premises if:
- (a) the applicant or licensee, or a shareholder, officer, director or on-site manager of the applicant or licensee:
 - (i) was convicted anywhere in Canada of an offence involving dishonesty
 - (ii) was convicted, found guilty of, or liable for any contravention or offence relating to the conduct of a business similar to that to which the licence relates
 - (iii) was convicted, found guilty of, or liable for any contravention or offence, in Victoria, against this bylaw or against any bylaw authorizing the issuance of a business licence or regulating the conduct of a business, or
 - (iv) was guilty of misrepresentation, nondisclosure or concealment of any material fact, relating to the subject matter of the licence or required to be stated in, the application.
- (2) A decision of the Licence Inspector under subsection (1) may be appealed to Council by submitting a request in writing to the City Clerk within 30 days of the decision.

PART 3 - OPERATING REQUIREMENTS

Requirements for all cannabis-related businesses

- 6 A person carrying on a cannabis-related business must not:
- (a) allow a person under the age of 19 on the premises

- (b) advertise or promote the use of a cannabis to a person under the age of 19
- (c) allow a person to smoke, vape, consume or otherwise ingest cannabis or products containing cannabis on the premises, or
- (d) display any advertising or sign that is visible from outside of the premises except for a maximum of two signs which display no images and contain only:
 - (i) alpha-numeric characters,
 - (ii) the business name, and
 is in a size as permitted under the *Sign Bylaw*.

Requirements for businesses that keep cannabis on the premises

- 7 In addition to the requirements of section 6, a person carrying on a business where cannabis is kept or present on the premises must:
- (a) install video surveillance cameras that monitor all entrances and exits and the interior of the business premises at all times
 - (b) retain video camera data for at least 21 days after it is gathered
 - (c) install a security and fire alarm system that is, at all times, monitored by a licenced third party
 - (d) not allow cannabis, products containing cannabis or other valuables to remain on the premises when the business is not open to the public, unless the cannabis, products and other valuables are securely locked in a safe on the premises, and
 - (e) install and maintain an air filtration system that effectively minimizes odour impacts on neighbouring properties.

Requirements for storefront cannabis retailers

- 8 In addition to the requirements of sections 6 and 7, a person carrying on the business of a storefront cannabis retailer must:
- (a) prominently display a sign on the premises indicating that no persons under 19 years of age are permitted on the premises;
 - (b) ensure that two employees are present on the premises at all times when the business is open to the public, including one manager;
 - (c) not use the premises to carry on business other than the cannabis-related business and accessory uses;

- (d) ensure that windows on any street frontage of the premises are not blocked by translucent or opaque material, artwork, posters, shelving, display cases or similar elements;
- (e) not be open for business between the hours of 8 p.m. and 7 a.m. the next day;
- (f) promptly bring to the attention of the Licence Inspector:
 - (i) the name of any new on-site manager, officer, director or shareholder of the licensee, and
 - (ii) any criminal charge brought against the licensee or an on-site manager, officer, director or shareholder of the licensee, and
- (g) promptly provide to the Licence Inspector a current police information check for any new on-site manager, officer, director or shareholder of the licensee.

PART 4 – GENERAL PROVISIONS

Offences

- 9 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw, and the *Offence Act* if that person
 - (a) contravenes a provision of this Bylaw,
 - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
 - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each day that a contravention of a provision of this Bylaw continues is a separate offence.

Severability

- 10 Each section of this Bylaw shall be severable. If any provision of this Bylaw is held to be illegal or invalid by a Court of competent jurisdiction, the provision may be severed and the illegality or invalidity shall not affect the validity of the remainder of the bylaw.

Transition Provisions

- 11 (1) Notwithstanding section 4(1), a storefront cannabis retailer that was in existence in the same location on the date this bylaw received first reading may continue to operate without a business licence while an application for a rezoning to permit a storefront cannabis retailer use at its location is actively pursued and has not been denied by Council.
- (2) A cannabis-related business that was in existence on the date this bylaw received first reading is not subject to the requirements of section 7 until 60 days after

adoption of this bylaw.

Consequential Amendment

12 That the Business Licence Bylaw (No. 89-071) be amended to prohibit cannabis consumption on site at any licenced business in the City by adding the following new section 35:

35 No consumption of cannabis, as defined in the Cannabis-Related Business Regulation Bylaw, shall be permitted at any business licensed under the Business Licence Bylaw.

READ A FIRST TIME the	28th	day of	July	2016.
READ A SECOND TIME the	28th	day of	July	2016.
AMENDED on the	8th	day of	September	2016.
READ A THIRD TIME the	8th	day of	September	2016.
ADOPTED on the	22nd	day of	September	2016.

"CHRIS COATES"
CITY CLERK

"LISA HELPS"
MAYOR



Committee of the Whole Report

For the Meeting of June 22, 2017

To: Committee of the Whole
From: Chris Coates, City Clerk
Subject: Urban Deer

Date: June 16, 2017

RECOMMENDATION

That Council receive this report for information.

EXECUTIVE SUMMARY

Within the Capital Region, deer are an issue involving such things as conflicts with human activities such as gardening as well as vehicle conflicts, and in rural areas with commercial farming activities. The Capital Regional District did initiate discussions on a regional basis to seek out ways in which to address these issues. The different issues within the various municipalities resulted in more independent approaches being taken by some communities.

In December 2016, Council directed staff to report back on the status of urban deer management in the region. To date, several municipalities including Central Saanich, Oak Bay and Esquimalt have undertaken deer management initiatives, with the support of both the Capital Regional District and Provincial Government.

The City's 2016 Operation Plan identified the interest in providing a report on activities of neighbouring municipalities and identifying potential solutions.

Differing views on the jurisdictional responsibility for urban deer management remains: with the Province asserting that municipalities are responsible for urban deer, while municipalities expect the Province to play a larger role in the issue.

At this point, limited data has been collected in the City of Victoria, making it difficult to determine the full extent of the urban deer issue. However, studies authored by the Province and CRD suggest that deer-human conflicts are on the rise in the region. It is clear that deer are present in the City and there have been complaints received from residents, although the volume of complaints is not significant in numbers.

Should Council choose to proceed with a deer management strategy, there are a number of tools, including population counts, inventories and public opinion surveys, which can help determine the extent of the problem and to develop appropriate solutions for consideration.

PURPOSE

The purpose of this report is to provide Council with an update on the status of urban deer management strategies within the region, including funding opportunities as well as discuss the implications of examining the problem in Victoria.

BACKGROUND

Council Direction

At the December 1, 2016 Committee of the Whole meeting, as part of the Quarter Three Update, Council passed the following motion:

That Council request staff to provide a report at the next Quarterly Strategic Update on the implications of examining the urban deer problem in Victoria such as determining the extent of the problem and what funding might be available to examine this.

The above motion was in relation to an initiative identified in the 2016 Operational Plan:

Monitor the efforts in neighbouring municipalities and create a report regarding a solution to the urban deer problem.

Deer-Human Conflicts

Conflicts between deer and humans have become increasingly common in urban environments throughout the Capital Regional District. Urban deer come into conflict with people by eating landscape and garden vegetation, defecating, colliding with motorists and by attacking pets and more rarely, people. Concurrently, urban deer are often highly regarded by residents. Many people enjoy viewing them and are concerned for their welfare. This division has created significant management challenges in many communities in the region.

Deer Management Options

Options for managing deer populations fall into several broad categories:

Conflict Reduction - hazing and frightening, landscaping alternatives, repellants and fencing

Population Reduction – capture and relocation, capture and culling, controlled public hunting.

Deer-Vehicle Collision Mitigation Options – roadway design, signage, wildlife crossings, speed limit reductions

Fertility Control – immunocontraception vaccines

Public Education – information campaigns

Both the capture and relocation and fertility control options are considered experimental. Research projects on capture and relocation are currently underway in several Kootenay municipalities.

Provincial Role in Deer Management

Traditionally, the provincial government has supported local governments through:

- Participation on community-based deer management committees
- The provision of technical advice
- The development of hunting regulations and the issuance of permits to manage deer populations within or near urban areas
- The loaning of available equipment to communities

More recently, the provincial government has:

- Jointly delivered an Urban Deer Workshop in collaboration with UBCM
- Convened a Provincial Urban Deer Advisory Committee to provide support to local governments in BC managing urban deer conflicts

Funding Opportunities

The Province established the Urban Deer Operation Cost Share Program, which provides \$100,000 (total) to local governments in BC for operational or research projects related to urban deer management. Five local governments, including Invermere, Grand Forks, Elkford, Cranbrook and Oak Bay were recently awarded funding for both conflict and population reduction measures. The Province has not yet committed to another round of funding under this program.

Regional Urban Deer Management Strategies

In the region, the Capital Regional District and several municipalities including Oak Bay, Central Saanich and Esquimalt have undertaken deer management initiatives.

Capital Regional District

- Published a Regional Deer Management Strategy, which included short, medium and long term recommendations for both urban and rural environments.
- Developed conflict reduction and public education tools for all municipalities.
- Funded two pilot projects in Central Saanich and Oak Bay.

Since the completion of the pilot projects in 2015, the CRD has reduced its role in regional deer management.

Central Saanich

- Participated in a pilot project, which included public education, population counts, crop damage inspections, deer collision mitigation such as improved signage and road way brushing and advocating for changes to Hunting and Trapping Regulations. The majority of this work was completed in spring/fall of 2013. CRD staff consider the pilot successful.

Oak Bay

- Participated in a pilot project focused on both conflict reduction and population control, which included a communications plan, population counts and the capture and culling of 11 deer. A permit was issued by the Province to cull up to 25 deer. Most of the pilot project took place during 2014, with the cull completed in February of 2015.
- Completed a Lessons Learned document that is attached as Appendix A.
- For 2017, Oak Bay was awarded a grant under the urban deer cost-share program to radio-collar up to 20 deer and place motion-activated video cameras on trails frequented by deer.

Esquimalt

- In 2016, completed a public survey of residents to document their attitudes and wishes regarding deer as well as a public education initiative. A population count is currently planned for 2017.

Urban Deer Management Strategies across the Province

Municipalities in the Kootenays including Kimberley, Cranbrook, Invermere and Elkford have pursued deer management strategies, including two types of population reductions measures: capture and cull as well as the more experimental capture and relocation.

ISSUES & ANALYSIS

Jurisdictional Responsibility

Local governments contend that wildlife remains a provincial responsibility and that the provincial government should play a larger role in deer management and provide more effective solutions specific to urban deer, as traditional wildlife management techniques such as hunting are not as relevant, practical or safe, in dense urban environments. The Province asserts that municipalities must determine the attitudes and opinions of their residents and that urban deer should primarily be managed by municipalities. Given this, many local governments, including those noted above have chosen to lead deer management initiatives with the support of the Province.

Extent of the Problem in Victoria

The City of Victoria does not currently track public complaints of nuisance deer or the number of deer-vehicle collisions and a population count of deer in the City has never been performed. Data from other sources such as ICBC is reported for Vancouver Island and is not currently available at the municipal level.

With limited baseline data, it is difficult to determine the true extent of the problem. However, staff do occasionally receive complaints from residents. For example, urban deer conflicts was a frequently raised issue during the Growing in the City project and some residents are investing in conflict reduction tools, including fencing and landscaping alternatives. Although the extent of the problem in Victoria is currently unknown, Provincial reports, including the British Columbia Urban Ungulate Conflict Analysis and the CRD's Urban Deer Regional Management Strategy suggest that deer-human conflicts are increasing in the region. Anecdotally, this does impact residents of the city to some degree.

Next Steps

Should Council wish to take an active role in deer management, there are a number of tools at the City's disposal, which could be used to determine the extent of the problem and identify appropriate solutions.

These include:

- Population counts
- Public opinion surveys
- Inventory of impacts
- Public education campaigns
- Community Advisory Committees

The above can be completed independently but more often is conducted as part of a larger community deer management plan. Engaging the Capital Regional District and neighbouring municipalities in developing collaborative approaches is a further alternative. No funding is currently allocated in the 2017 budget for this work. Should Council wish to pursue deer management initiatives, staff recommend providing direction to develop a project plan and bring that forward for Council's consideration for the 2018 budget process. Development of program details, costs and implementation timelines can be accommodated in Quarter 4 of 2017.

Respectfully submitted,



Shannon Jamison
Legislative Planning Analyst



Chris Coates
City Clerk



Jocelyn Jenkyns
Deputy City Manager

Report accepted and recommended by the City Manager: _____

Date: _____ June 16, 2017

List of Attachments:

Appendix A: Lessons Learned: Resulting from the District of Oak Bay's Participation in the Capital Regional District Deer Management Strategy Urban Pilot Project



Lessons Learned:
Resulting from the District of Oak Bay's
Participation in the Capital Regional District
Deer Management Strategy Urban Pilot Project

April 30, 2015

Lessons learned resulting from the District of Oak Bay's participation in the CRD Deer Management Strategy Urban Pilot Project.

Purpose: The District of Oak Bay wishes to share with other interested communities some insights and lessons learned resulting from the District of Oak Bay's participation in the CRD's Deer Management Strategy Urban Pilot Project.

Background: Wildlife management is the responsibility of the Provincial Government but is now being managed by local governments. In 2011 the Ministry of Environment directed the CRD to develop a Deer Management Strategy for the Capital Region. The Regional Deer Management Strategy was developed by the CRD and a Citizen's Advisory Group with input from wildlife and animal health experts from the provincial government and the private sector. The strategy explains the population of black-tailed deer, addresses the issues of deer-human conflicts and makes recommendations to effectively and humanely address public safety, health and wildlife issues.

There is an overpopulation of deer living in urban areas throughout the Capital Region. Our coastal climate offers urban deer an abundance of year round food and green space while enabling them to live in the absence of any natural predators. As a consequence, deer populations are increasing. Does give birth to twins, and we are now seeing more triplets born every spring – an indication of a strong and reliable food source and a safe environment in which to raise and habituate fawns. Deer-human conflicts are on the rise with real public safety implications.

District of Oak Bay: Complaints and concerns from residents are on the rise in Oak Bay. Conflicts and concerns include: vehicular collisions; aggressive deer interactions with pets and people; native plant and property damage; and deer feces in parks, yards and school fields. In response to the growing numbers of residents' concerns, the District of Oak Bay Council (the District) agreed to participate in the Capital Regional District's urban pilot project in November 2013 at an estimated cost of \$25,000.00. The pilot project guided the District through a number of deer-human conflict reduction measures. During the 2014 calendar year, the District:

- Reviewed fencing bylaws to ensure that rear and side fencing heights were appropriate to discourage deer from entering back yards.
- Re-printed copies of the CRD's public information brochures (2 brochures) and distributed them through the Oak Bay News to every household in the District.
- Reviewed the District's practices to ensure that Parks and Recreation departments were applying deer repellants to the District's parks and gardens and planting deer resistant plants.
- Increased fines for feeding the deer to \$300.00 and supported this initiative with education posters in high traffic areas throughout the community.
- Website updates and newspaper editorials.
- Increased signage in areas known for high concentrations of deer and high incidents of deer-vehicle collisions.
- Supported the CRD with a deer count in June 2014 to better understand the population densities in Oak Bay neighbourhoods.

As a condition of the District's participation in the CRD Deer Management Strategy pilot project, the District asked the CRD to ensure that every possible population management option be examined and implemented prior to the decision to reduce the population through a cull.

The decision to proceed with population reduction in the District of Oak Bay in 2014 was interrupted by the destruction of the Modified Clover Traps during the cull in Kimberly. The provincial government was not able to support the District with the necessary traps and for many months, it was unclear as to whether or not the traps would be rebuilt for the District's use. Late in 2014, the province confirmed their commitment to provide 5 Modified Clover Traps to support the District's decision to apply to the Province for a permit to harvest up to 25 black-tailed deer in Oak Bay.

Twenty three deer fatalities were addressed by Oak Bay police and Oak Bay public works in 2012. The number grew to forty in 2013 and thirty nine in 2014.

The 2014 municipal election provided all Councillors with an opportunity to publicly declare their position on deer management, and specifically, population reduction. The issue of whether or not to conduct a cull in Oak Bay was a high profile and very public election issue. Oak Bay residents elected Mayor and Council with a mandate to proceed with a cull.

The District applied to the Ministry of Forest Lands and Natural Resource Operations for a permit to reduce the population of deer in the District of Oak Bay by 25 deer in October 2014. The District engaged a contractor to lead the initiative and 11 deer were harvested over 16 days in February 2015. Homeowners offered their properties and the deer were given to local First Nations for Traditional food and ceremonial purposes.

Urban Pilot Study Area: Oak Bay – Lessons learned

Executive Summary:

There is a financial cost to doing nothing as well as a social cost. There are also real risks to public safety. The costs to taxpayers for managing deer fatalities and to homeowners through property damage, and fencing investments has not been calculated, however it should be noted as it is likely more significant that anyone realizes. We have reports of residents in Oak Bay who have been chased up their walkways to the door, whose children have been challenged by bucks in rut in their own play area, and whose pets have been trampled in their yards. The deer in Oak Bay are 6 and 7 generation habituated deer and they have lost much of their fear of humans. Escalating human deer conflicts are to be expected and learning more about these wild animals and how to live safely and responsibly with them in our neighbourhoods is an important part of any deer management strategy.

Greater, collaborative involvement from the province, who have overall responsibility for wildlife management in BC and who have the knowledge and expertise is an overarching theme in the lessons learned.

The District has no wildlife specialist on staff and therefore was reliant on information provided through the CRD's Deer Management Strategy team. The CRD in turn were relying on the expertise of the professional staff in the Provincial Government who have over-all responsibility for wildlife management in B.C. Wildlife management is a specialized area of expertise and more needs to be done to improve upon the access and exchange of clear, factual information that is written specifically for public consumption. The public demanded more factual information than was available. Given the sensitive nature of the issue, access to subject matter experts and knowledge to promote greater understanding is of paramount importance.

The District attended a Deer Management workshop in January 2015 led by the Union of BC Municipalities and the Ministry of Forest Lands and Natural Resource Operations. This workshop was attended by ministry staff, and representatives from 12 local governments all struggling with the same challenges around how to live safely and responsibly with growing populations of deer living in their communities. This was a very helpful and informative session.

The District observed that a very different model of operational and planning engagement was employed in the Kootenays, a model that saw a more active role for the MFLNRO regional wildlife biologist at the planning table shaping and implementing the deer management strategy in partnership with the municipal government and with citizen representatives from the local deer committee. Having subject matter experts actively taking part in informing and implementing a deer management strategy with local citizen involvement appears to be a model that promotes collaboration and shared understanding of all the intricate dynamics involved in addressing the challenges of urban deer in a responsible and humane manner. Improved collaboration between the provincial government staff and the planning team in the community would address many of the District's lessons learned in this document.

While there were residents living in the District of Oak Bay that were entirely opposed to population reduction – or were opposed to the only permitted methodology of capture and euthanize – the 2014 municipal election gave the District of Oak Bay a mandate to proceed. Ways to strengthen that mandate could have included a survey or a referendum question.

Population reduction options are limited and what few are available to urban municipalities are further reduced to only one permitted methodology: capture and euthanize. The nature of this undertaking in an urban setting is very challenging. While we believe that the majority of people in Oak Bay supported the cull, a well-organized and articulate public opposition from citizens, and from animal welfare organizations from across the country and throughout the world played a significant role in how the project was viewed outside of the District. This is to be anticipated going forward.

The District of Oak Bay was the first urban coastal community to undertake a cull. With the support of private property owners, eleven deer were harvested over sixteen days without detection or disturbing neighbourhoods. We learned that while difficult, it is possible providing there is leadership and sufficient social licence in the community. Regardless of having the support of the silent majority in our community, there is currently no permitted and socially acceptable way to responsibly and ethically manage a growing population of urban deer in a manner that does not financially and emotionally severely challenge the municipal leadership who are taking action.

Public safety continues to be an important lens in the evaluation as the real implications of deer-human conflicts continue. The issues of vehicle collisions, the biological carrying capacity of our environment and the socio-economic carrying capacity of our residents (property damage, fencing costs, vehicle damage, veterinary bills, stress) all continue.

District of Oak Bay Pilot Project Overview:

1. Data Monitoring

Deer fatalities in the District of Oak Bay

Though not scientific, this is a meaningful raw statistic and speaks to public safety concerns. These numbers were generated by the District's public works department as they along with the municipal police were most involved in responding to injured and dead deer. While responding to problem or injured wildlife would normally be dealt with by the provincial conservation office, the responsibility fell to our local police. To ensure that this was done properly, our police were trained by conservation staff.

Year	Number of deer deaths
2012	23
2013	40
2014	39

Complaints

The CRD Deer Management Strategy Pilot Project attempted to lessen the District's burden by directing complaints to their website. This call to action to the CRD was posted also on the District's website. In reality, the District received a steady volume of verbal complaints, emails and letters. These most often went directly to the District's Mayor and Council. Over time, the amount of information became overwhelming at the District, and there was no one person responsible for records management for this aspect of the project.

- **Lessons learned:**

While the intention was to have the CRD manage and track complaints and inquiries, the reality is that the District was a natural point of contact. The heavy volume of inquiries over the duration of the project would have benefited from a dedicated resource to implement a proper records management process at the District.

Urban Deer Count

Wildlife experts in the provincial government informed us that Black-tailed does do not migrate very far from where they were born. They generally don't cover more than a few square blocks. Home range in urban areas is estimated to be about 2.5 square kms. Bucks, however, will cover slightly more ground looking for females during the rut and for prime food.

Deer generally will not move to a new area unless they are pushed because of predation (animal or people), dense populations and/or a lack of desirable habitat.

The CRD with support from the District undertook a deer count over a period of 5 days in June 2014. The methodology that they used was informed by the Ministry of Forest Lands and Natural Resource Operations (MFLNRO) biologist responsible for rural wildlife management. The scientific merit and validity of the District's count methodology was continually challenged.

- **Lessons learned: Urban Deer Count**

Although there were many other influencing factors, the Pilot Project focussed on a deer count to inform population density and link these extrapolated estimates to determine the need for population reduction measures. Counting deer in an urban setting is challenging at best. Identifying a threshold for other aspects of deer human conflict in addition to population density would be a helpful guide to determine when there is a need for population reduction.

The count methodology used in the District, while recognized as a standard count practise in the wild, had never before been applied to an urban setting.

The District would recommend adopting the methodology used in the Kootenays. It includes citizen participation and involves driving/walking in a grid through all neighbourhoods over a number of days. The contractor that the District hired upon reviewing our local process indicated that the District's process would benefit from adopting what was done in the Kootenays as it is more suitable for an urban setting.

In the Kootenays, conservation officers, whose authorities include enforcement, were part of the planning and implementation team. The District and the CRD requested the support of the conservation office from the Province. They did not have the staff resources to lend to the initiative.

2. Education and Communications

There was an assumption built into the CRD Deer Management Strategy Pilot Project that community engagement and outreach had already taken place during the development of the CRD Deer Management Strategy as this process was very heavily focused on consultation and engagement.

The District's educational component was therefore limited to acting upon the recommendations within the pilot project as referenced at the beginning of this report. The District did however invest in the reproduction of the CRD educational brochures to ensure they were distributed through the local paper to every household and accessible on the District's website.

The District also worked directly with the CRD and the MFLNRO to strengthen the public information regarding permitted population reduction options. The District adopted a pro-active media engagement approach to encourage stronger awareness and understanding of the issues, to demonstrate that the District would be accessible to media and was prepared to

address public concerns. The spokesperson however was not a subject matter expert and as such the factual information presented was often challenged.

The District was learning in real time throughout this Pilot Project. The role of the BCSPCA leading up to and during the cull was not clear. Their very public opposition to the Oak Bay cull (but not the cull in Cranbrook) was confusing. The permit to undertake a cull is held by the Ministry of Forest Lands and Natural Resources. The permit provides municipalities with legal authority to proceed abiding by strict protocols. We were advised at the time of the cull, however, that once the deer is in the trap, the animal becomes the responsibility of the BCSPCA who have provincial oversight for the animal's humane handling.

The District, the District's contractor, along with staff from MFLNRO and the CRD met with the BCSPCA representatives. The BCSPCA acknowledged the appropriate expertise of the contractor and affirmed that the methodology of capture and euthanize is not an offence nor did it contravene either the Prevention of Cruelty to Animals Act or the Criminal Code of Canada.

- **Lessons learned: Education and Communication**

While citizens in Oak Bay were largely supportive of population reduction, more substantive educational outreach in the community would have helped the entire process as it would have identified earlier and remedied earlier the challenges associated with getting factual information from the provincial government out into the community.

Provincial government information sheets posted on line, while informative, are not sufficiently clear nor are they written for the purposes of addressing public concerns regarding population reduction. Citizens challenged the District's claims when it came to population reduction methodologies – what was allowed and what was not allowed by the Province, why and why not. Given that the authority for the permitting lies with the Provincial Government, the education with regard to options should be informed by the Ministry of Forest Lands and Natural Resource Operations and information should be clearly laid out and easily accessible for all.

There remains significant public confusion and debate over what population reduction options exist for municipalities in B.C., and then what population options the authorities in the provincial government will permit.

Greater collaborative involvement from the province, who have overall responsibility for wildlife management in BC and who have the knowledge and expertise would be a tremendous benefit reducing dramatically the risks associated with misinformation.

- **Lessons learned: BCSPCA**

Given that the Ministry of Forest Lands and Natural Resources is responsible for issuing a permit for population reduction, and that BCSPCA falls under the Ministry of Agriculture, assistance from the province to appropriately define the role and responsibilities of the BCSPCA in deer management strategies is needed.

The BCSPCA's dual role as advocates and enforcement adds a complicated and confusing element to this already emotionally charged initiative. It may be there is a larger role for this organization to play in helping address this emerging challenge of overpopulations of urban deer. The District was fortunate to be able to provide a letter of approval written by the BCSPCA regarding the professional conduct of the Oak Bay contractor. The letter acknowledged his professional services in another community.

3. Population Reduction Options:

What considerations and options were explored with the Province of BC and the CRD to address population reduction in Oak Bay?

Capture and Relocate: This method is not currently supported by the Ministry of Forest Lands and Natural Resource Operations for black-tailed deer in this region. The Ministry Forest Lands and Natural Resource Operations stated that it will not authorize the capture and relocation of black-tailed deer due to the transportation stress and resulting high mortality rate. Deer habituated to urban and suburban environments do not fare well when introduced into wild environments.

Tranquilize and Relocate: The Ministry of Forest Lands and Natural Resource Operations has stated that it will not authorize the use of tranquilizers to aid in relocation due to the high risk of the deer reacting poorly to the tranquilizer. Risks range from no reaction to the deer succumbing to the tranquilizer causing death. Deer habituated to urban and suburban environments do not fare well when introduced into wild environments. Residual tranquilizers can impact other animals that consume deer that have been tranquilized.

Immunocontraceptives: This method involves trapping a deer in a clover trap, releasing the males, marking the females and injecting them with a contraceptive. This is currently only possible and legal as part of a research project and the contraceptive application must be supervised by Provincial staff. It is necessary to trap the deer in a Clover Trap in order to give the inoculation and manage any appropriate tagging or radio collaring for tracking. The inoculation not only sterilizes the doe, it also makes the meat unfit for human consumption. If the animal dies, scavengers that feed on the inoculated carcass could become contaminated. Approximately 70-90% of the doe population must be treated in order to start slowing population growth. Best results occur in geographically isolated populations. The contraceptives are not currently licenced or approved by Health Canada for use except when being used for experimental scientific research and by permit only. Immunocontraceptive treatment needs to be ongoing in order to be effective over the long term. Treated deer will live out the remainder of their natural life.

Farming: The farming of black-tailed deer has not been supported as a deer management option by the government of BC. This is to reduce the risk of transferring diseases between wild populations and domesticated, farmed big game animals. According to the Provincial Big Game Farm Act, the only big game animals that can be legally farmed in the province are Fallow Deer, Reindeer and Bison.

Capture and Euthanize: Under the direction of professional wildlife experts, deer are baited into modified Clover traps. The wildlife experts use the trap to constrain the deer and employ a bolt gun to euthanize the deer. The deer dies quickly, and the meat, uncontaminated by tranquilizers or contraceptives, can be consumed rather than wasted.

- **Lessons Learned: Population Reduction Options**

Achieving social license to undertake a deer management plan that involves capture and euthanize population reduction measures is going to remain challenging for the provincial government, municipal governments and communities. Factual public education that includes subject matter experts is a critical success factor – so is providing a forum for innovation.

Those that are opposed to capture and euthanize are not necessary opposed to the need to implement a responsible deer management strategy. There is no one in Oak Bay who would not welcome an alternative option to achieving the necessary objective of reducing the population of urban deer providing it is: humane, ethical, legal and affordable.

It is important to note however that the District received many inquiries from residents who wanted to buy the deer meat, and editorial coverage included strong sentiments that the deer meat would be welcomed by those families in our region who are living in poverty. In speaking with the communities in the Kootenays, the food banks are extremely grateful to take the meat. Our First Nations communities were pleased to receive the deer honouring the animal as a food source and for cultural purposes.

The question remains, would harvesting deer on an annual basis find greater acceptability over time? Education and leadership are the two key success factors.

Earlier engagement with a neutral third party to help with the public education throughout the community – such as Wild Safe BC, an organization that specialize in educating the public on how to live safely with wildlife and avoid conflict – would have helped create a foundation of important, trusted knowledge.

4. Modified Clover Traps

The provincial government confirmed in the fall of 2014 that it would provide 5 modified Clover traps to the CRD in support of the Oak Bay pilot.

Online footage of a trapped deer being handled by people inside the trap made its way prominently into the social media and mainstream media networks. The MFLNRO confirmed that the footage posted and aired was not indicative of the capture and euthanize practices. While a person would enter the trap to tag a deer or to administer a shot, no one enters the trap during capture and euthanize. The images of a frightened, trapped animal were disturbing for many viewers. Our local media were very responsive to the correction and took down the footage.

- **Lessons learned: Modified Clover Traps**

A media strategy that engages much earlier as a component of the public outreach education may have helped address the misperceptions around the utilization of the trap and the trapping. Educating the public on the fact that deer and other wildlife are trapped as part of responsible practise in the wild to tag them and monitor them may have eased some concerns. The animal is only startled during the period that it is being approached which is a matter of a few minutes.

5. Permitting

The District applied to the MFLNO for a permit to reduce the population of deer in Oak Bay by 25 in October 2014 and received the permit in January 2015. The permit was valid for the time period up until March 15.

- **Lessons learned: Permitting**

Municipalities that are attempting a population reduction would benefit from consistent guidelines across the province to standardize the permit application content and process.

6. Contracting and Training

The CRD wrote a request for proposal to attract a contractor to implement the population reduction within the strict conditions of the permit. Given that the permit methodology is restricted to capture and euthanize, those individuals locally with any relevant experience was very limited. Some of those who were identified as strong candidates were not interested in such a controversial assignment, and others who may have been interested determined that the remuneration was not sufficient given the controversy involved.

The District reached out to the most experienced person in this highly sensitive and specialized area. He came to us from the Kootenays. The District's contractor fast became an invaluable resource bringing his many years of experience and wisdom to the District's plan. Of great significance was the professional recognition by the BCSPCA for his professionalism. The contractor was only available, however for 21 days.

The contractor training on the use of the Modified Clover Trap and the Captive Bolt Gun is undertaken by the provincial government. A team of two contractors is necessary to undertake the cull, one lead and one assistant. The training took place out of town over 1.5 days.

- **Lessons learned: Contracting and training**

Finding a contractor with the appropriate experience and appropriate demeanor is challenging. Someone who is a hunter does not necessarily have the appropriate skills and temperament to manage all of the complex requirements that accompany something as sensitive in nature as this initiative.

The District would have benefited greatly from engaging with our contractor at the beginning of the Pilot Project to hear first-hand his experience and recommended approach to community engagement, the count, the qualifications of the contractor etc.

In addition, the contractor's long standing relationship with the subject matter experts working in the MFLNR would have allowed for improved direct communication and may have strengthened the quality of the information crafted and shared with the public.

Some of the contractor's observations included:

- Recommendation of a different count methodology
- Recommendation that the Deer Management Strategy team be established before there is a need for a population reduction and that this team include local citizens, municipal staff, provincial biologist and conservation officer.
- Observed that the District started the cull too late in the allowable season. He noted that our mild coastal climate and the unseasonal mild February weather created a lush food source for the deer. The deer were not as tempted by the bait in the traps as the deer in the Kootenays that are being trapped when there is snow cover over their food.
- Observed that the District has a healthy population of raccoons and rats that were interfering with the process by triggering the traps shut as they entered to dine on the bait. They also caused damage to the netting.
- Observed that a cull would take longer than other jurisdictions because of the abundance of natural food habitat and that therefore, more time and more traps would be required.
- Recommended that minor modifications to clover traps would be beneficial.

7. Trapping Locations

Home owners volunteered their properties to host the traps. The District had many more properties volunteered than available traps. Locations were selected based on areas where there were known populations of deer and consideration was given to privacy and topography of the yard. Through discussions with homeowners, the District learned that private home insurance would likely not cover any incidents that might take place on the homeowner's property during the cull. Given the high profile challenges to the cull, and given the precedent in other communities for trespass and vandalism, the District entered into agreements with property owners to ensure that the District would be responsible for any property damage associated with the cull. The District also received releases from the property owners to allow for the District and the CRD staff to manage any issues of trespass and potential media attention that might result. As there were no incidents that took place during the cull, these arrangements were not tested.

8. Donations of Meat

As deer meat is a Traditional food source for First Nations, the District through the CRD worked directly with local First Nations to arrange for the deer to be given to them. The harvested deer were used for food and for ceremonial purposes.

- **Lessons learned: donations of meat**
While the province has developed health protocols that inform how harvested deer meat must be treated and inspected before it is given to shelters and food banks, we could not find any protocols that govern in the same way the donation of culled game meat to

First Nations communities who preferred to receive the animal whole and hang and butcher the animal in Traditional ways.

The document, Donated Game Meat: Standards for the Donation of Culled Game Meat should be updated in cooperation with First Nations to include the donation of culled game meat to Aboriginal communities.

The District also suggests exploring opportunities with First Nations to take a greater role in the harvesting of deer in communities.

9. Costs:

The District signed onto a Pilot Project with the understanding that the scope of investment would be \$25,000.00. The nature of a Pilot Project assumes learning and responding in real time which inevitably has cost implications. While the hopeful intention was the CRD would be operationalizing the Pilot Project in Oak Bay, the District and the CRD soon realized the limitations of this approach as much of the implementation required local knowledge of the community and the District. Given that the District did not have an internal staff resource who had the time or the expertise to assume this responsibility – and given the highly sensitive political nature of the initiative itself, the CAO assumed the leadership role on the implementation of the Pilot Project and contracted part time a local citizen with communications, risk management and project management experience to assist.

In addition, other expenses were incurred in the following areas:

- The deer count required the unexpected involvement of the District's animal control contractor;
- The additional insurance policy required to protect home owners resulted in corresponding legal costs;
- The CRD provided to each municipality in the region a few copies of two educational brochures. The District printed a second run and distributed them through the Oak Bay News to ensure that every resident in Oak Bay received these two information brochures at their home;
- The District increased signage in key areas;
- The District chose to create and distribute posters and hand bills to educate the community on the fine increases for feeding wildlife;
- The higher than anticipated contracting costs due to the need to hire a contractor from the Kootenays;
- Attendance at the UBCM Deer Management Forum;
- The cost of staff time involved in implementing something as high profile and sensitive as this initiative;
- The District would have benefited from an earlier Deer Management Forum where the subject matter experts from the province, and those with authority including the BCSPCA and municipalities are sharing and hearing the same information. The efficiencies that would result from greater collaboration between the province and municipalities along with the standardization of accessible information would have positive financial implications to the overall initiative. The learning curve is costly.

At the Deer Management Forum, the District found the model used by Invermere's Urban Deer Management Committee (Deer Committee) to be an interesting one. The goal of the committee was not to find consensus where all concerns could be met, nor was it to eradicate the deer population from the community. The Deer Committee was tasked with identifying resident issues and concerns, researching and evaluating solutions, determining which potential solutions may work in Invermere and making recommendations to implement proposed actions. It is important to note that despite this grass roots approach, the District of Invermere still concludes that there is no simple solution to address the concerns of all residents and at the end of the day, leadership is what is required.

Seeking alternative sources of funding to help lessen the burden on municipalities/taxpayers is needed. The responsibility for wildlife management in BC is with the provincial government. As this issue of urban deer begins to escalate throughout the province, perhaps the role of ICBC could also be considered given the high number of vehicle collisions that take place across the province.

10. Next steps:

- District of Oak Bay to continue to monitor deer human conflicts going forward.
- District to receive CRD Project evaluation following a second deer count undertaken by the CRD in June.
- District awaits recommendations from CRD regarding Deer Management Strategy to determine next steps for the Capital Region including Oak Bay.

Urban Deer Management



Purpose

To provide Council with an update on the status of urban deer management strategies within the region, including funding opportunities as well as discuss the implications of examining the problem in Victoria.



Urban Deer Committee of the Whole July 20, 2017

Background

At the December 1, 2016 Committee of the Whole meeting, as part of the Quarter Three Update, Council passed the following motion:

That Council request staff to provide a report at the next Quarterly Strategic Update on the implications of examining the urban deer problem in Victoria such as determining the extent of the problem and what funding might be available to examine this.



Urban Deer Committee of the Whole July 20, 2017

Deer Management Options

Conflict Reduction - hazing and frightening, landscaping alternatives, repellants and fencing

Population Reduction – capture and relocation, capture and culling, controlled public hunting

Deer-Vehicle Collision Mitigation Options – roadway design, signage, wildlife crossings, speed limit reductions

Fertility Control – immunocontraception vaccines

Public Education – information campaigns



Urban Deer Committee of the Whole July 20, 2017

Provincial Role in Deer Management

- Participation on community-based deer management committees
- The provision of technical advice
- The development of hunting regulations and the issuance of permits to manage deer populations within or near urban areas
- The loaning of available equipment to communities

More recently:

- Jointly delivered an Urban Deer Workshop in collaboration with UBCM
- Convened a Provincial Urban Deer Advisory Committee



Urban Deer Committee of the Whole July 20, 2017

Funding Opportunities

- Launched the Urban Deer Operation Cost Share Program, which provides \$100,000 (total) to local governments.
- Five local governments, Oak Bay, Cranbrook, Invermere, Elkford, Grand Forks were recently awarded funding for both conflict and population reduction measures.
- Oak Bay was awarded a grant under the urban deer cost-share program to radiocollar up to 20 deer and place motion-activated video cameras on trails frequented by deer.



Urban Deer Committee of the Whole July 20, 2017

Regional Deer Management Strategies

Capital Regional District

- Published a Regional Deer Management Strategy
- Developed public education tools for all municipalities
- Funded two pilot projects, between 2013-2015 in Central Saanich and Oak Bay, which included both conflict reduction and population control measures.

Esquimalt

- In 2016, completed a public survey of residents to document their attitudes and wishes regarding deer as well as a public education initiative. A population count is currently planned.



Urban Deer Committee of the Whole July 20, 2017

Issues and Analysis

- Differing views on jurisdictional responsibility between the Province and local governments.
- Extent of the problem in Victoria is currently unknown but reports suggest that deer-urban conflicts are on the rise in the region and anecdotal evidence suggests that residents in the City are being impacted to a degree.



Urban Deer Committee of the Whole July 20, 2017

Next Steps

- Should Council wish to proceed with a deer management strategy, there are a number of tools, including population counts, public opinion surveys, education campaigns and deer management plans that could be used to determine the extent of the problem and develop appropriate solutions for consideration.
- No funding is currently allocated to the 2017 budget for this work. Should Council wish to pursue deer management strategies, staff recommend providing direction to develop a project plan to bring forward for Council's consideration for the 2018 budget process.



Urban Deer Committee of the Whole July 20, 2017



Council Member Motion
For the Committee of the Whole meeting of July 20th, 2017

Date: July 11, 2017

From: Councillor Jeremy Loveday and Mayor Helps

Subject: Endorsing the We Speak Translate project and training City of Victoria Frontline staff

Background:

The We Speak Translate project recently launched in Victoria is the first of its kind globally. It's a partnership between the Inter-Cultural Association (ICA) and Google Translate that utilizes the Google Translate app for refugee resettlement and newcomer inclusion in communities.

The We Speak Translate project engages community stakeholders, businesses, community agencies, institutions, and the public sector in Google Translate training. Upon completion of the 45-minute training, community stakeholders and partners receive a We Speak Translate decal. This is a visible symbol of inclusion and the communities' commitment to promoting diversity and communication across language barriers. Familiarity with the Google Translate App establishes a common platform for communication while English language skills develop.

In April 2017, the We Speak Translate project launched in Victoria. Roque Silva, one of two Google Translate Interactions Designers, attended the launch event with over 200 attendees. To date, over 500 community stakeholders have received the training and interest in the project continues to expand across Canada and beyond. According to Silva, "Google is humbled and excited to be supporting this project with the goal of helping New Canadians make the often challenging transition to life in Canada through language and engagement."

In addition, at the South Island Prosperity Project AGM the Executive Director announced the development of a Smart South Island Plan in order to respond to the federal government's recently announced Smart Cities competition. This competition is meant to develop solutions to municipal issues and increase the liveability of communities using data and smart technologies. The Prosperity Project is leading the coordination of the submission to the federal government on behalf of its members including its 10 municipal members. The We Speak Translate program can be leveraged to strengthen the Smart South Island Smart City competition submission.

Recommendations.

1. That Council endorse the We Speak Translate program and that the Mayor writes to partner municipalities in the CRD to inform them of the We Speak Translate program.

2. That the We Speak Translate initiative be brought forward to the South Island Prosperity Project as part of the Smart South Island Plan soon getting underway.
3. That Council and all staff in the Engagement Department receive the 45 minute training as soon as practicable.
4. That Council direct staff to report back at the next Quarterly Update on the implications of the Human Resources Department coordinating with the Intercultural Association to have the ICA provide 45-minute We Speak Translate training sessions to all frontline service delivery staff.



Councillor Jeremy Loveday



Mayor Helps

We Speak Translate Training Info

Training Goals & Benefits:

1. **Encourage** welcoming communities that value diversity, inclusion and integration.
2. **Become** familiar with the Google Translate app (free, downloadable app for smartphones and tablets).
3. **Establish** a common platform for communication with newcomers while English language skills develop.

Length of Workshop:

30 – 45 minute

Group Size:

Suggested number of participants at 25-35 persons/minimum 8 participants.

Workshop Costs:

The workshop is free. The workshop includes a facilitator, Google Translate training, We Speak Translate decals for all participants, a printed summary of information covered in the workshop and audio visual equipment.

Workshop Date, Time, & Logistics:

The workshop can be delivered at a convenient location for your organization or business with access to Wi-Fi.

Workshop Format:

1. Introduction and overview of project/objective (5-10 mins)
2. Google Translate training presentation (20-30 mins)
 - Explore the capacity of the Google Translate app
 - Learn how to effectively use the Google Translate app
 - Interact with the app

3. Distribution of We Speak Translate decals

Project Media:

<http://www.vicnews.com/news/local-cultural-association-breaking-down-language-barriers-for-newcomers/>

<http://vancouverisland.ctvnews.ca/video?clipId=1096563>

<http://www.cheknews.ca/theres-an-app-for-that-google-translate-launches-pilot-project-in-victoria-299374/>

<http://www.timescolonist.com/news/local/google-translate-enlisted-to-help-victoria-businesses-serve-immigrants-1.13963730>

http://citiesofmigration.ca/good_idea/we-speak-translate/

We Speak Translate Summer Trainings



ICA is hosting 3 public We Speak Translate training's this summer.

July 19, 2017, 2:30 pm - 3:15 pm <https://lnkd.in/gcpfcmS>

July 31, 2017, 12:15 pm – 1:00 pm <https://lnkd.in/gM5SEna>

August 22, 2017, 9:30 am – 10:15 am https://lnkd.in/g5BSP_a

Join us for a free training session, where you will become more familiar with the capacity of the Google Translate app as a means of connecting with new immigrants and refugees in the region. Upon completion of the training you will receive a decal which indicates to newcomers and the wider community your commitment to diversity, inclusion and multiculturalism in Victoria, BC.

The We Speak Translate project is a first of its kind collaboration between Google Translate and the Inter-Cultural Association of Greater Victoria (ICA) utilizing the Google Translate app for refugee resettlement and newcomer inclusion in communities.

Google is humbled and excited to be supporting this project with the goal of helping New Canadians make the often challenging transition to life in Canada through language and engagement - Roque Silva, Interaction Designer, Google Translate

Workshop Format:

1. Introduction and overview of project/objective (5-10 mins)
2. Google Translate training presentation (20-30 mins)
 - i. Explore the capacity of the Google Translate app
 - ii. Learn how to effectively use the Google Translate app
 - iii. Interact with the app
3. Distribution of We Speak Translate decals

We Speak Translate Training Facilitator:

Kate Longpre is the Community Integration Coordinator at ICA. Kate works strategically across sectors to ensure that resettled refugees entering the Greater Victoria area are successfully integrated into welcoming communities. Kate approached Google Translate in September 2016 with the idea for the We Speak Translate project. In April 2017 the project launched in Victoria, BC, the first location worldwide to initiate the project.

Kate Longpre

Community Integration Coordinator
Inter-Cultural Association of Greater Victoria

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