

Thursday, January 17, 2019, 6:30 P.M. Council Chambers, City Hall, 1 Centennial Square Located on the traditional territory of the Esquimalt and Songhees People

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

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- Laszlo Tamasik
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Council is considering a development permit with variances application to add a third residential storey consisting of three dwelling units.

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- F.4.a Opportunity for Public Comment & Consideration of Approval
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*I.1.b Report from the January 17, 2019 COTW Meeting

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- *I.1.b.a Public Hearing Submissions and Public Comment Policy
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- *I.1.b.f Call for Written Submissions Select Standing Committee on Ride Hailing Services
- *I.1.b.g Extension of Vacancy Taxation Authority to Local Governments
- J. NOTICE OF MOTIONS
- K. BYLAWS

K.1 Bylaw for Rezoning Application for 1402 Douglas Street

A report recommending:

1st and 2nd readings of:Zoning Bylaw 2018, Amendment Bylaw (No. 2) No. 19-016

The bylaw is ready to proceed to Public Hearing and proposes to rezone the property to expand the existing storefront cannabis retailer floor area.

K.2 Bylaw for Temporary Borrowing Bylaw, 2019

A report recommending:

1st, 2nd, and 3rd readings of: Temporary Borrowing Bylaw, 2019 No. 19-008

The purpose of the bylaw is to provide for the borrowing of money that may be necessary to meet the current lawful expenditures of the City.

L. CORRESPONDENCE

L.1	Letter from Employment and Social Development Canada	828
	A letter dated October 1, 2018, in which the City of Victoria was carbon-copied, regarding a redesigned federal homelessness program called Reaching Home: Canada's Homelessness Strategy.	
L.2	Letter from the Minister of Infrastructure and Communities	830

M. NEW BUSINESS

N. QUESTION PERIOD

O. ADJOURNMENT

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July 12, 2018, 6:30 P.M. Council Chambers, City Hall, 1 Centennial Square Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

ABSENT FOR A PORTION OF THE MEETING:

ABSENT: Councillor Loveday

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

A. <u>APPROVAL OF AGENDA</u>

The City Clerk outlined amendments to the agenda.

Councillor Isitt

Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

B. <u>READING OF MINUTES</u>

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That the following minutes be adopted:

- 1. Minutes from the daytime meeting held June 7, 2018
- 2. Minutes from the daytime meeting held June 21, 2018

CARRIED UNANIMOUSLY

C. <u>REQUESTS TO ADDRESS COUNCIL</u>

Moved By Councillor Coleman Seconded By Councillor Alto That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

C.1 Kathleen Gilbert: Film Commission Funding

Outlined why Council should restore the funding or find an alternate revenue stream to fund the Vancouver Island South Film & Media Commission.

C.2 Bob June: Sensible Community Amenity Contributions

Outlined why Council should expedite the adoption of a new Community Amenity Contribution (CAC) calculation from the base line of current zoning and discard the Official Community Plan (OCP) allowance.

C.3 <u>Shelly Urguhart: Fire Hall Relocation</u> Outlined why Council should further review the Fire Hall relocation.

C.4 Chris Zmuda: Negligent of City Hall Members

Outlined why Council should review the allowance of cannabis dispensaries in the City.

Councillor Isitt joined the meeting at 6:54 p.m.

- C.5 <u>Anna Wilkins: Victoria Carriage and Trolley Tourism Industry</u> Outlined why Council should continue to allow the Carriage and Trolley Tourism industry in the City of Victoria.
- C.6 <u>Heather Cormie: Carriage and Trolley Operations in Victoria BC</u> Outlined why Council should continue supporting the Horse Drawn Trolley and Carriages industry.

E. <u>PUBLIC AND STATUTORY HEARINGS</u>

E.1 <u>Rezoning Application No. 00562, Development Variance Permit Application</u> <u>No. 00198 and Associated Official Community Plan Amendments for 3025</u> <u>Douglas Street</u>

Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 22) No. 18-005: To include all of the land known as 3025 Douglas Street in the Town Centre Urban Place Designation.

Zoning Regulation Bylaw, Amendment Bylaw (No. 1134) No. 18-004: To rezone the land known as 3025 Douglas Street from the T-1 Zone, Limited Transient Accommodation, to the R-85 Zone, Douglas Street Motel Conversion District, to permit a motel conversion to affordable rental housing.

Development Variance Permit Application

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 3025 Douglas Street for the purpose of varying certain requirements of the Zoning Regulation Bylaw, Schedule C – Off-Street Parking.

E.1.a Public Hearing & Consideration of Approval

Leanne Taylor (Senior Planner): Advised that the application is to amend the Official Community Plan to change the urban place designation of 3025 Douglas Street to Town Centre, rezone the land to the R-85 Zone, Douglas Street Motel Conversion District, and authorize an agreement for rental housing in order to convert an existing building from a motel to a multiple dwelling consisting of approximately 48 market rental units, and retain the existing commercial storage area in the lower level.

Mayor Helps opened the public hearing at 7:05 p.m.

<u>Robert Rocheleau (Applicant):</u> Provided information regarding the application.

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

Mayor Helps closed the public hearing at 7:10 p.m.

Moved By Councillor Thornton-Joe Seconded By Councillor Lucas

That the following bylaws be given third reading:

- 1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 22) No. 18-005
- 2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1134) No. 18-004

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

That the following bylaws be adopted:

- 1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 22) No. 18-005
- 2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1134) No. 18-004
- 3. Housing Agreement (3025 Douglas Street) Bylaw (2018) No. 18-006

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

That Council authorize the issuance of Development Variance Permit Application No. 00198 for 3025 Douglas Street, in accordance with:

- 1. Plans date stamped August 3, 2017
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required number of parking spaces for residential uses from 62 to 28
 - ii. reduce the required number of visitor parking spaces from 3 to 0

- iii. reduce the required number of parking for commercial and industrial uses from 18 to 0
- 3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

E.2 Rezoning Application No. 00614 for 3103 Washington Avenue

Zoning Regulation Bylaw, Amendment Bylaw (No. 1146) No. 18-031: To rezone the land known as 3103 Washington Avenue from the R1-B Zone, Single Family Dwelling District, to the R1-47 Zone, Washington Cottage Cluster District, to permit four single family dwellings on the lot.

E.2.a Public Hearing & Consideration of Approval

<u>Leanne Taylor (Senior Planner)</u>: Advised that the application is to construct four single family dwellings on the existing lot.

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

<u>Shaun Wedick & Russ Collins (Applicants)</u>: Provided information regarding the application.

<u>Sohail Mahbobi (Washington Avenue):</u> Expressed concerns relating to the application due to the negative impact the setbacks will have on neighbouring properties as well as parking concerns.

Brian Whitford (Cecelia Road): Expressed concerns relating to the application due to the increased density.

<u>Resident (Washington Avenue)</u>: Expressed concerns relating to the application due to the lack of parking in the area.

Council discussed the following:

- That the zoning would not allow for basement suites.
- That the application is meeting the City's parking requirements.

Mayor Helps closed the public hearing at 7:38 p.m.

Moved By Councillor Coleman Seconded By Councillor Alto

That the following bylaw be given third reading:1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1146) No. 18-031

Amendment:

Moved By Councillor Alto Seconded By Councillor Isitt Modify the Section 219 Covenant for the landscape plans to include a fence and a hedge along the property line adjacent to 3103 Washington Avenue, to the satisfaction of the Director of Planning.

CARRIED UNANIMOUSLY

Main motion as amended:

That the following bylaw **be given third reading**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1146) No. 18-031

And modify the Section 219 Covenant for the landscape plans to include a fence and a hedge along the property line adjacent to 3103 Washington Avenue, to the satisfaction of the Director of Planning.

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (7 to 1)

E.3 <u>Rezoning and Development Permit Application No. 00582 and Heritage</u> <u>Alteration Permit with Variances Application No. 00007 for 224 Superior</u> <u>Street</u>

Zoning Regulation Bylaw, Amendment Bylaw (No. 1141) No. 18-019: The purposes of this Bylaw are to rezone the property with the civic address of 224 Superior Street so that:

- the western portion of the property is rezoned to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, in order to permit the land being used for a small lot house; and
- the eastern portion of the property is rezoned to the R2-56 Zone, Superior Street Conversion District, in order to permit the land being used for a fourunit multiple dwelling.

The Bylaw will also repeal the bylaw (90-81) that created the T-15 Zone, Superior Street Transient Accommodation District.

Development Permit with Variance Application:

The Council of the City of Victoria will also consider issuing a Development Permit with a variance for a portion of the land known as 224 Superior Street (in Development Permit Area 15A: Intensive Residential – Small Lot) for the purposes of reducing the side yard (west) setback from 2.40m to 1.50m to allow for two habitable rooms with windows, and approving the exterior design and finishes for the proposed small lot house, as well as, landscaping.

Heritage Alteration Permit With Variances Application:

The Council of the City of Victoria will also consider issuing a Heritage Alteration Permit with variances for the land known as 224 Superior Street, for the purposes of approving the exterior alterations to the existing heritage designated building. Variances on the R2-56 Zone, Superior Street Conversion District.

E.3.a Public Hearing & Consideration of Approval

<u>Leanne Taylor (Senior Planner)</u>: Advised that the application is to convert the existing B&B into a four residential units and to subdivide the property to create a new small lot to build a single family dwelling.

Mayor Helps opened the public hearing at 8:06 p.m.

<u>Donald Halton & Fernando Vazquez (Owners)</u>: Provided information regarding the application.

<u>Ray Willis (Superior Street):</u> Expressed concerns relating to the application due to the removal of the heritage chimneys without permit, and as the development would negatively impact the privacy of their property.

<u>Hillary Strang (Dunsmuir Road):</u> Expressed support for the application due to the design.

<u>Helen Murrenbeld (Superior Street)</u>: Expressed concerns relating to the application due to the removal of the heritage chimneys without permit as well as the proposed setbacks.

<u>Mark Imhoff (Dallas Road):</u> Expressed support for the application due to the size of the lots.

<u>Janice Gottfred (Superior Street)</u>: Expressed support for the application, but also expressed concerns relating to the proximity of the small lot house to its neighbour.

<u>Christopher Thomas (Superior Street)</u>: Expressed support for the application as the current parking proposal is acceptable.

Council discussed the following:

• The purpose of the setback variance.

Mayor Helps closed the public hearing at 8:37 p.m.

Moved By Councillor Lucas Seconded By Councillor Alto

That the following bylaw **be given third reading:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1141) No. 18-019

Council discussed the following:

- That the design of the small lot house is complementary to the existing building.
- The impact that the small lot house would have on neighbours, due to the close proximity.

Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

That Council allow Mayor Helps to speak a second time.

CARRIED UNANIMOUSLY

Council discussed the following:

- Concerns relating to the work without permit that was undertaken by the removal of the heritage chimneys.
- The lack of housing diversity in the application.

Amendment:

Moved By Mayor Helps Seconded By Councillor Isitt

Require that the applicant register a Section 219 Covenant prohibiting restrictions on rentals.

CARRIED UNANIMOUSLY

Main motion as amended:

That the following bylaw be given third reading:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1141) No. 18-019

Require that the applicant register a Section 219 Covenant prohibiting restrictions on rentals.

FOR (4): Mayor Helps, Councillor Alto, Councillor Coleman, and Councillor Lucas OPPOSED (4): Councillor Isitt, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

DEFEATED (4 to 4)

F. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Coleman Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

F.1 Donna Friedlander: Horse Carriages in Victoria

Outlined why Council should consider the difference between Animal Rights Activists and Animal Welfare Activists when considering support of the horse drawn carriages in Victoria.

F.2 Kate Clark: Horse-Drawn Carriage Tours

Outlined why Council should consider the difference between Animal Rights Activists and Animal Welfare Activists when considering support of the horse drawn carriages in Victoria.

Council recessed at 9:19 p.m. and returned at 9:24 p.m.

H. <u>REPORTS OF COMMITTEES</u>

H.1 Committee of the Whole

- H.1.a Report from the June 26, 2018 Special Joint COTW Meeting with the District of Saanich
 - H.1.a.a Referendum Question on Amalgamation on the October 20, 2018 General Local Election Ballots

Moved By Mayor Helps Seconded By Councillor Young

1. That Saanich and Victoria both place the following question on the October 20, 2018 municipal election ballot:

"Are you in favour of spending up to \$250,000 for establishing a Citizen's Assembly to explore the costs, benefits, and disadvantages of the amalgamation between the District of Saanich and the City of Victoria?"

- 2. Co-develop and disseminate educational information in advance of the October 20, 2018 general election as an inclusive election expense.
- 3. Direct the Mayors to write to the Ministry of Municipal Affairs and Housing informing the Hon. Selena Robinson of the intention to pose a ballot question, sharing the wording of the question.

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

H.1.b Report from the July 5, 2018 COTW Meeting

H.1.b.a Motion - Supporting the Creation of More Childcare Spaces in Victoria West

Moved By Councillor Alto Seconded By Councillor Thornton-Joe Council direct staff to assist the Victoria West Community Association with the exploration of upgrades and the associated City approval processes needed to increase the number of childcare spaces at the Victoria West Community Centre.

CARRIED UNANIMOUSLY

H.1.b.b 1351 Vining Street - Development Permit Application (DDP No. 00174) (Fernwood)

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That Council authorize the issuance of a Development Permit Application for 1351 Vining Street (DDP No. 00174), subject to the applicant adding obscured glass to the bathroom window, removing the living area window or maintaining the living room window, but adding obscured glass on the east elevation and the French doors on the west elevation (non-opening windows replace these), to the satisfaction of the Director of Sustainable Planning and Community Development, in accordance with:

- 1. Plans date stamped March 19, 2018, as amended.
- 2. Development meeting all Zoning Regulation Bylaw requirements.
- 3. The Development Permit lapsing two years from the date of this resolution.

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (7 to 1)

H.1.b.c 1245 Oxford Street - Development Permit Application Amendment (DDP No. 00143B) (Fairfield)

Councillor Young withdrew from the meeting at 9:33 p.m. due to a non-pecuniary conflict of interest with the following item, as he lives near the subject property.

Moved By Councillor Coleman Seconded By Councillor Alto

That Council authorize the issuance of a Development Permit Application for 1245 Oxford Street (DDP No.00143B), in accordance with:

- 1. Plans date stamped June 13, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements.

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

CARRIED UNANIMOUSLY

Councillor Young returned to the meeting at 9:34 p.m.

H.1.c Report from the July 12, 2018 COTW Meeting

H.1.c.a 1276-1278 Gladstone Avenue - Rezoning Application No. 00629 (Fernwood)

Moved By Councillor Madoff Seconded By Councillor Thornton-Joe

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00629 for 1276/1278 Gladstone Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way of 1.85m on Gladstone Avenue, to the satisfaction of the Director of Engineering and Public Works.

CARRIED UNANIMOUSLY

H.1.c.b Naming the Topaz Dog Park the PSD Chase Dog Park

Moved By Councillor Thornton-Joe **Seconded By** Councillor Alto Be it resolved that the new dog park at Topaz Park be named the PSD Chase Dog Park and that funds be used to attach a plaque with information regarding PSD Chase.

Amendment:

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That the motion be amended by adding the wording, "or another dog park".

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt Seconded By Councillor Thornton-Joe

That the motion be amended to add the following:

"...and invite comment from the Hillside/Quadra Action Group on this concept."

CARRIED UNANIMOUSLY

Main motion as amended:

Be it resolved that the new dog park at Topaz Park or other dog park be named the PSD Chase Dog Park and that funds be used to attach a plaque with information regarding PSD Chase, and invite comment from the Hillside/Quadra Action Group on this concept.

CARRIED UNANIMOUSLY

H.1.c.c 502 Discovery Street - Rezoning Application No. 00646, Heritage Alteration Permit Application No. 00228 and Heritage Designation Application No. 00173 (Burnside)

> Moved By Councillor Madoff Seconded By Councillor Young

Rezoning Application No. 00646

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00646 for 502 Discovery Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Heritage Alteration Permit Application No. 00228

That Council, after giving notice and after the Public Hearing for Rezoning Application No.00646, if it is approved, consider the following motion:

"That Council authorize the issuance of the Heritage Alteration Permit Application No. 00228 for 502 Discovery Street, in accordance with:

- 1. Plans date stamped May 25, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements
- 3. Heritage Alteration Permit lapsing two years from the date of this resolution."

Heritage Designation Application No. 000173

That Council consider the following motion:

 That Council instruct staff to prepare the necessary Heritage Designation Bylaw that would approve the designation of the Heritage-Registered property located at 502 Discovery Street, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set once the following condition is met:

 Subject to the approval of the Heritage Designation Bylaw for 502 Discovery Street, that Council authorize staff to discharge Heritage Conservation Restrictive Covenant CTK6914 dated March 10, 1983.

CARRIED UNANIMOUSLY

H.1.c.d 1770-1780 Denman Street - Rezoning Application No. 00639 (North Jubilee)

Councillor Isitt withdrew from the meeting at 9:40 p.m. due to a non-pecuniary conflict of interest with the following item, as a family member lives in close proximity to the property.

Moved By Councillor Coleman Seconded By Councillor Young

That the applicant work with staff to revise the proposal so that it is consistent with the objectives and policies found in the *Official Community Plan* and *Jubilee Neighbourhood Plan*.

FOR (6): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young OPPOSED (1): Councillor Madoff

CARRIED (6 to 1)

Councillor Isitt returned to the meeting at 9:41 p.m.

H.1.c.e 944 Heywood Avenue - Update Report: Development Permit with Variances Application No. 00003 (Fairfield)

> Moved By Councillor Alto Seconded By Councillor Lucas

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

"That Council authorize the issuance of Development Permit with Variances Application No. 00003 for 944 Heywood Avenue, in accordance with:

1. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances: Proposed Lot A

i. Reduce the front yard setback from 6.00m to 3.20m

ii. Reduce the rear yard setback from 6.00m to 1.61m

iii. Permit parking to be located between the building and the front lot line.

Proposed Lot B

i. Reduce the front yard setback from 6.00m to 3.25m

ii. Reduce the rear yard setback from 6.00m to 4.63m.

iii. Reduce the side yard (east) setback from 2.4m to 1.5m.

2. Revisions to the plans date stamped November 2, 2017 to address errors and inconsistencies to the satisfaction of the Director of the Sustainable Community Planning and Development Department.

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

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young OPPOSED (1): Councillor Madoff

CARRIED (8 to 1)

H.1.c.f 727 Yates Street - Heritage Alteration Permit with Variances Application No. 00008 (Downtown)

Moved By Councillor Thornton-Joe Seconded By Councillor Madoff

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 Heritage Alteration Permit Application with Variances No. 00008 for 727 Yates Street in accordance with:

- 1. Plans, date stamped May 24, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance(s):
 - a. reduce east side yard setback from 4.5m to 0.851m
 - b. reduce vehicle parking from 8 stalls to 0 stalls
 - c. reduce visitor vehicle parking from 1 stall to 0 stalls.
- 3. Council authorizing City of Victoria staff to execute an Encroachment Agreement in a form satisfactory to the City Clerk, for building encroachment(s) adjacent to 727 Yates Street.
- 4. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development.
- 5. Heritage Alteration Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

H.1.c.g Parks and Open Spaces Master Plan Annual Progress Report

Moved By Councillor Alto Seconded By Councillor Coleman

- 1. That Council receive this report for information.
- 2. Direct staff to work with the Urban Food Table on identifying and tracking additional targets related to urban agriculture and food systems.

CARRIED UNANIMOUSLY

J. <u>BYLAWS</u>

J.1 <u>Bylaws for Rezoning Application for 2813-2887 Quadra Street, and 2814-</u> 2890 and 2780/82 Fifth Street

Moved By Councillor Alto Seconded By Councillor Coleman

That the following bylaw be given first and second readings:

- 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1144) No. 18-028
- 2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1145) No. 18-029

CARRIED UNANIMOUSLY

Moved By Councillor Alto Seconded By Councillor Coleman

That the following bylaw be given first, second, and third readings:

1. Housing Agreement (2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street) Bylaw (2018) No. 18-038

CARRIED UNANIMOUSLY

J.2 Bylaw for Rezoning Application for 308 Menzies Street

Moved By Councillor Alto Seconded By Councillor Lucas

That the following bylaw **be given first and second readings:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1128) No. 18-065

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young OPPOSED (1): Councillor Madoff

CARRIED (7 to 1)

J.3 Bylaw for Zoning Bylaw 2018

Moved By Councillor Thornton-Joe Seconded By Councillor Lucas

That the following bylaw **be given first and second readings:** 1. Zoning Bylaw 2018 No. 18-072

CARRIED UNANIMOUSLY

J.4 Bylaw for Administrative Amendment to Zoning Regulation Bylaw

Moved By Councillor Coleman Seconded By Councillor Lucas

That the following bylaw **be given first and second readings:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1132) No. 18-082

CARRIED UNANIMOUSLY

J.5 <u>Bylaw for Review of Off-Street Parking Regulations and Delegation of Minor</u> <u>Parking Variances</u>

Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

That Council give first and second readings and direct staff to set the Public Hearing for the attached Zoning Regulation Bylaw Amendment Bylaw No. 18-017 to amend Schedule A and replace Schedule C of the Zoning Regulation Bylaw.

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That Council give first, second, and third readings to Land Use Procedures Bylaw Amendment Bylaw No. 18-018 and that Council consider enacting the Land Use Procedures Bylaw Amendment Bylaw No. 18-018 if Zoning Regulation Amendment Bylaw No. 18-017 is approved.

CARRIED UNANIMOUSLY

Moved By Councillor Alto Seconded By Councillor Isitt

That Council direct staff to report back to Council with a scope of work, anticipated timelines and estimated costs associated with a review of barrier-free parking needs in the City of Victoria. This review shall provide recommendations for potential regulations and guidelines that could be adopted by the City.

CARRIED UNANIMOUSLY

J.6 Bylaw for Reserve Fund

Moved By Councillor Coleman Seconded By Councillor Isitt

That the following bylaw **be adopted:** 1. Reserve Fund Bylaw, Amendment Bylaw (No. 1) No. 18-080

CARRIED UNANIMOUSLY

K. <u>CORRESPONDENCE</u>

K.1 Letter from the Town of Sidney

Moved By Councillor Alto Seconded By Councillor Coleman

That the correspondence dated June 28, 2018 from the Town of Sidney be received for information.

CARRIED UNANIMOUSLY

M. <u>QUESTION PERIOD</u> A question period was held.

N. ADJOURNMENT

Moved By Councillor Alto Seconded By Councillor Coleman

That the Council meeting adjourn. TIME: 9:56 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



July 26, 2018, 6:30 P.M. Council Chambers, City Hall, 1 Centennial Square Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

ABSENT FOR A PORTION OF THE MEETING:

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

A. <u>APPROVAL OF AGENDA</u>

The Deputy City Clerk outlined amendments to the agenda.

Councillor Isitt

Moved By Councillor Coleman Seconded By Councillor Alto

That the agenda be approved as amended.

Amendment:

Moved By Councillor Thornton-Joe Seconded By Councillor Loveday

That the agenda be amended by adding James Coccola and Sarah Potts to the second Request to Address Council section of the agenda.

CARRIED UNANIMOUSLY

On the main motion as amended: CARRIED UNANIMOUSLY

B. <u>READING OF MINUTES</u>

Moved By Councillor Thornton-Joe Seconded By Councillor Loveday

That the following minutes be adopted:

- 1. Minutes from the daytime meeting held March 8, 2018
- 2. Minutes from the daytime meeting held March 22, 2018
- 3. Minutes from the daytime meeting held July 5, 2018
- 4. Minutes from the daytime meeting held April 5, 2018
- 5. Minutes from the evening meeting held April 12, 2018
- 6. Minutes from the evening meeting held April 26, 2018

CARRIED UNANIMOUSLY

C. <u>REQUESTS TO ADDRESS COUNCIL</u>

Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

C.1 Ludo Bertsch: Myrtle Avenue Landscape Buffer, C1-L

Outlined why Council should review a development on Myrtle Avenue, relative to the current zoning.

C.2 Robert Showers: Zoning Violations on Myrtle

Outlined why Council should review a development on Myrtle Avenue, relative to the current zoning.

C.3 Kay Blake: Myrtle Avenue Landscape Buffer, C1-L

Outlined why Council should review a development on Myrtle Avenue, relative to the current zoning.

C.4 Sondra Showers: Bylaw C1-L

Outlined why Council should review a development on Myrtle Avenue, relative to the current zoning.

C.5 Peter Bell: Myrtle Avenue Landscape Buffer, C1-L

Outlined why Council should review a development on Myrtle Avenue, relative to the current zoning.

C.6 Kealey Pringle: Myrtle Avenue Development

Outlined why Council should review a development on Myrtle Avenue, relative to the current zoning.

D. PROCLAMATIONS

D.1 <u>"A Day of Happiness" - August 4, 2018</u>

Moved By Councillor Coleman Seconded By Councillor Loveday

That the following proclamation be endorsed: 1. "A Day of Happiness" - August 4, 2018

CARRIED UNANIMOUSLY

E. <u>PUBLIC AND STATUTORY HEARINGS</u>

E.1 <u>Rezoning Application No. 00549 and Development Permit Application No.</u> 000490 for 2813-2887 Quadra Street, 2814-2890 Fifth Street, and 2780/82 Fifth Street

Zoning Regulation Bylaw, Amendment Bylaw (No. 1144 & 1145):

To rezone the land known as 2780/82 Fifth Street from the R-2 Zone, Two Family Dwelling District and the southerly portion of the land known as 2813-2887 Quadra Street, 2814-2890 Fifth Street from the R3-G Zone, Garden Apartment District, to the R-87 Zone, Fifth Street Multiple Dwelling District, as well as rezone the northerly portion of the land known as 2813-2887 Quadra Street, 2814-2890 Fifth Street from the R3-G Zone, Garden Apartment District, to the R3-G Zone, Garden Apartment District, to the R3-G Zone, Garden Apartment District, to the R3-G-QV Zone, Garden Apartment (Quadra Villa) District, to permit three new multi-residential buildings.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 2813-2887 Quadra Street, 2814-2890 Fifth Street, and 2780/82 Fifth Street, in Development Permit Area 16 – General Form and Character, for the purposes of approving the exterior design and finishes for the new multi-residential buildings and accessory buildings as well as landscaping.

E.1.a Public Hearing & Consideration of Approval:

<u>Jim Handy (Senior Planner):</u> Advised that the application proposes that 34 new residential units be located within three new buildings on the existing parking lot and adjacent lot.

Mayor Helps opened the public hearing at 7:06 p.m.

<u>Eric Barker & Andrew Edison (Applicants)</u>: Provided information regarding the application.

Councillor Isitt joined the meeting at 7:21 p.m. and advised that he had been watching the webcast and therefore is able to participate in the Public Hearing.

<u>Sabrina Fox (Quadra Street)</u>: Expressed concerns relating to the application due to the possible noise of the development.

<u>Mishka (Sighalie Road)</u>: Expressed support for the application, as it will provide affordable rental housing.

<u>Jill Sharpe (Fifth Street)</u>: Expressed concerns relating to the application due to lack of parking in the area.

Council discussed the following:

- That the Housing Agreement ensures rental in perpetuity.
- How residents can contact Bylaw Services with concerns relating to construction noise.
- How an evaluation of parking in this area could be undertaken by staff.

Mayor Helps closed the public hearing at 7:40 p.m.

Moved By Councillor Loveday Seconded By Councillor Thornton-Joe

That the following bylaws be given third reading:

- 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1144) No. 18-028
- 2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1145) No. 18-029

Council discussed the following:

- The need for rental housing in the City of Victoria.
- The work done by the applicant to assuage parking concerns in the neighbourhood.

CARRIED UNANIMOUSLY

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Moved By Councillor Thornton-Joe Seconded By Councillor Isitt

That the following bylaw be adopted:

- 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1144) No. 18-028
- 2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1145) No. 18-029
- 3. Housing Agreement (2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street) Bylaw (2018) No. 18-038

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Loveday

Development Permit Application No. 000490

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

- 1. Plans date stamped August 8, 2017.
- 2. Development meeting all *Zoning Regulation Bylaw*

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

CARRIED UNANIMOUSLY

Moved By Councillor Isitt Seconded By Councillor Loveday Motion arising:

That Council direct staff to consider introducing proactive enforcement of street parking regulations on the 2700 and 2800 blocks of Fifth Street.

Council discussed the following:

• That staff can undertake an assessment of the parking needs in this area.

CARRIED UNANIMOUSLY

Councillor Isitt withdrew from the meeting at 8:05 p.m. due to a non-pecuniary conflict of interest with the following item, as his father lives in close proximity.

E.2 <u>Rezoning Application No. 00555 and Development Permit with Variances</u> <u>Application No. 00026 for 308 Menzies Street</u>

Zoning Regulation Bylaw, Amendment Bylaw (No. 1128) No. 18-065:

To rezone the land known as 308 Menzies Street from the C-SS Zone, Special Service Station District, to the C-SM Zone, Menzies Special Service Station District, to permit Service Station, Retail and Office.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 308 Menzies Street, in Development Permit Area 5, Large Urban Villages, for the purposes of approving the exterior design and finishes for the Service Station, Office and Retail use.

E.2.a Public Hearing & Consideration of Approval

<u>Jim Handy (Senior Planner)</u>: Advised that the application is to permit retail and office uses in conjunction with a gas station. Mayor Helps opened the public hearing at 8:05 p.m.

Alan Lowe (Applicant): Provided information regarding the application.

Council discussed the following:

• The proposed hours of operation of the gas station and convenience store.

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

Mayor Helps closed the public hearing at 8:14 p.m.

Moved By Councillor Lucas Seconded By Councillor Coleman

That the following bylaw be given third reading:1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1128) No. 18-065

CARRIED UNANIMOUSLY

Moved By Councillor Lucas Seconded By Councillor Loveday

That the following bylaw **be adopted:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1128) No. 18-065

CARRIED UNANIMOUSLY

Moved By Councillor Lucas Seconded By Councillor Loveday

Development Permit with Variances Application No. 00026

That Council authorizes the issuance of Development Permit Application No. 00026 for 308 Menzies Street, in accordance with:

- 1. Plans date stamped July 26, 2017 (as amended to address overhead canopy design to the satisfaction of the Director of Sustainable Planning and Community Design.)
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Schedule C, Section 16(c), reduce the required number of parking spaces from fifteen to eight;
 - ii. Zoning Bylaw No. 80-159, Part 4.1.6, reduce the required rear yard setback from six metres to 1.52 metres.
- 3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Councillor Isitt returned to the meeting at 8:19 p.m.

Council recessed at 8:19 p.m. and returned at 8:25 p.m.

E.3 Zoning Bylaw 2018

Zoning Bylaw 2018, Bylaw (No. 18-072):

The purpose of this bylaw is to adopt and enact Zoning Bylaw 2018 including new zones, land use regulations and off-street parking requirements for those properties identified in the map below. New zones include the Central Business District-1 Zone (CBD-1), Central Business District-2 Zone (CBD-2), Mixed Use Residential District-1 Zone (MRD-1) and the Old Town District-1 Zone (OTD-1).

E.4 Administrative Amendment to Zoning Regulation Bylaw

Zoning Regulation Bylaw, Amendment Bylaw (No. 1132) No. 18-082:

The purpose of this Bylaw is to amend the Introduction and General Regulations section of Zoning Regulation Bylaw No. 80-159 to exempt from that bylaw those areas of the City of Victoria that will be regulated by the Zoning Bylaw 2018, No. 18-072.

E.5 <u>Schedule C - Off Street Parking Regulations and Delegation of Minor</u> <u>Parking Variances</u>

Zoning Regulation Bylaw, Amendment Bylaw (No. 1130) No. 18-017:

To amend the Zoning Regulation Bylaw:

(a) to replace Schedule C – Off-Street Parking provisions with new off-street parking regulations; and

(b) to add and amend definitions associated with off-street parking regulations in Schedule A – Definitions.

E.3, 4, & 5.a Public Hearing & Consideration of Approval

<u>Robert Batallas (Senior Planner):</u> Advised that the city-led application, proposes approval of Zoning Bylaw 2018, which would divide the City into zones and regulate and control the use of land and buildings within those zones. As well as approval of administrative amendments to Zoning Regulation Bylaw No. 80-159, to exempt from that bylaw those areas of the City that would be regulated by Zoning Bylaw 2018.

<u>Jim Handy (Senior Planner)</u>: Advised that the city-led application proposes approval of bylaws which would create new off-street parking regulations and the allowance of delegation of certain minor parking variances relating to small businesses.

Mayor Helps opened the public hearing at 8:39 p.m.

<u>Olimpia Cisneros:</u> Expressed concerns relating to the allowance of distilleries with Zoning Bylaw 2018.

<u>Cory Burger:</u> Expressed concerns relating to bicycle parking regulations within Off-Street Parking Regulations.

<u>Williams:</u> Expressed support for the bylaws as they will add efficiencies to the zoning and development process.

<u>Alan Lowe:</u> Expressed concerns relating to the density and minimum unit size amendments within Zoning Bylaw 2018.

<u>Justin Fillick:</u> Expressed support for the bylaws as they will add efficiencies to the zoning and development process.

<u>Marg Gardiner:</u> Expressed concerns that variances could be requested to Schedule C - Off Street Parking Regulations.

Council discussed the following:

- The regulations in place for uses of brewpubs and distilleries.
- The changes made to density regulations within the bylaws.
- The requirements to ensure accessibility in the off-street parking regulations.
- The opportunity to include other areas into this framework.

Councillor Thornton-Joe withdrew from the meeting at 9:26 p.m. due to a nonpecuniary conflict of interest, as she is member of an association related to an anticipated application that is being discussed.

 The City Solicitor advised that the new Zoning Bylaw 2018 would would allow for site-specific regulations without the need for multiple zones, so the application in question could include a provision that would exempt it when it comes to Council for a rezoning application.

Councillor Thornton-Joe returned to the meeting at 9:29 p.m.

• That further work is being undertaken by staff to consider design guidelines in relation to bicycles.

Council recessed at 10:15 p.m. and returned at 10:22 p.m.

Moved By Councillor Thornton-Joe Seconded By Councillor Madoff

That the following bylaw **be given third reading:** 1. Zoning Bylaw 2018 No. 18-072

Council discussed the following:

Whether exterior balconies, stairs, and walkways should be considered for exclusion from density calculations.

Amendment:

Moved By Councillor Young Seconded By Councillor Coleman

That the bylaw be amended to remove the following wording from the definition related to Floor Space Ratio: "Exterior hallway, exterior staircases"

Council discussed the following:

- Whether this would be better included in the Old Town Design Guidelines.
- Whether the allowance of exterior hallways and staircases should be reviewed on a case by case basis.

DEFEATED

On the main motion: CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Loveday

That the following bylaw **be adopted:** 1. Zoning Bylaw 2018 No. 18-072

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Young

That the following bylaw **be given third reading:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1132) No. 18-082

CARRIED UNANIMOUSLY

Moved By Councillor Loveday Seconded By Councillor Alto

That the following bylaw **be adopted:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1132) No. 18-082

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Loveday

That the following bylaw be given third reading:1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1130) No. 18-017

Council discussed the following:

• The need for further work and the creation of guidelines.

CARRIED UNANIMOUSLY

Moved By Councillor Coleman Seconded By Councillor Alto

That the following bylaw be adopted:

- 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1130) No. 18-017
- 2. Land Use Procedures Bylaw, Amendment Bylaw (No. 7) No. 18-018

CARRIED UNANIMOUSLY

Motion arising:

Moved By Councillor Young Seconded By Councillor Alto

Direct staff to examine the issue of exterior staircases and exterior hallways as they relate to Floor Space Ratios and report back to Council.

Amendment:

Moved By Councillor Isitt Seconded By Councillor Thornton-Joe

That the motion be amended to change the word Council to Committee of the Whole.

CARRIED UNANIMOUSLY

Main motion as amended:

Direct staff to examine the issue of exterior staircases and exterior hallways as they relate to Floor Space Ratios and report back to Committee of the Whole.

CARRIED UNANIMOUSLY

Moved By Mayor Helps **Seconded By** Councillor Loveday That Council direct staff to review Schedule C every five years.

CARRIED UNANIMOUSLY

F. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Coleman Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

Council Meeting Minutes July 26, 2018

F.1 Chris Zmuda: Disobey Victoria Bylaws

Outlined why Council should review the allowance of cannabis dispensaries in the City.

F.3 <u>Alex Robb: Cannabis Consumption Spaces in the City of Victoria</u> Outlined why Council should look at the viability of cannabis consumption business licenses.

F.4 Addendum: Ted Smith: Safe Consumption Site

Outlined why Council should look at the viability of cannabis consumption business licenses.

- F.5 <u>Addendum: Sariah Korneluk: Safe Consumption Site at VCBC</u> Outlined why Council should look at the viability of cannabis consumption business licenses.
- F.6 <u>Addendum: Julia Veintrop: On Site Consumption (Withdrawn)</u> Outlined why Council should allow the Victoria Cannabis Buyers Club an exemption in order to allow onsite consumption.
- F.7 <u>Addendum: David MacDonald: Condo Residents' Safety</u> Outlined why Council should address the BC Government mandated safety issue of the temperature of hot water delivered to bathtubs.
- F.8 <u>Addendum: James Coccola: Living Wage for Families</u> Outlined why the City of Victoria should become a certified Living Wage Employer.

F.9 <u>Addendum: Sarah Potts: Living Wage for Families</u> Outlined why the City of Victoria should become a certified Living Wage Employer.

G. UNFINISHED BUSINESS

G.1 Letter from the Minister of Environment and Climate Change Moved By Councillor Alto Seconded By Councillor Lucas

That the correspondence dated June 29, 2018 from the Minister of Environment and Climate Change be received for information.

CARRIED UNANIMOUSLY

Motion to extend the meeting: Moved By Councillor Loveday Seconded By Councillor Isitt

That the meeting be extended to 12:00 a.m.

FOR (8): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Coleman

CARRIED (8 to 1)

H. <u>REPORTS OF COMMITTEES</u>

H.1 Committee of the Whole

H.1.a Report from the July 19, 2018 COTW Meeting

H.1.a.a 350 Bay Street - Development Variance Permit Application No. 00217 (Burnside)

Moved By Councillor Thornton-Joe Seconded By Councillor Young

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

"That Council authorize the issuance of Development Variance Permit Application No. 00217 for 350 Bay Street, in accordance with:

- 1. Plans date stamped June 15, 2017.
- Development meeting all Zoning Regulation Bylaw requirements, except for the following variances: Schedule C - Section 16.C.13: Reduce the required parking stalls from 44 to 26 (existing variance of 7 stalls [previously approved] is included within this current request).
- 3. The Development Variance Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

H.1.a.b Late Night Advisory Committee Referral

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

Council agreed to vote on item five separately.

Be it resolved that:

- 1. That the Mayor write to the Liquor Control and Licensing Branch to require Food Primary licensees who consistently serve significantly more alcohol than food to obtain a Liquor Primary or split liquor licence.
- 2. That the Mayor write to the Liquor Control and Licensing Branch requesting an increase in the number of liquor inspectors serving the Greater Victoria area.

- 3. That Mayor and Council direct staff to report back at the next quarterly update on the resource implications to assess the opportunity for developing a municipal alcohol policy with the support of a BC Healthy Communities grant.
- 4. That the City give consideration to a new sidewalk washroom in the 900 block of Douglas Street area in the 2019 budget.
- 6. That the Mailout Notice be forwarded to the Late Night Advisory Committee to review and make recommendations on wording to ensure that those most affected have the opportunity to express whether or not here are any concerns with the application.

CARRIED UNANIMOUSLY

Councillor Thornton-Joe withdrew from the meeting at 10:57 p.m. due to a pecuniary conflict of interest with the following item, as her husband is employed with BC Transit.

Moved By Councillor Alto Seconded By Councillor Loveday

5. That the Mayor write a letter to the BC Transit Commission to support the request for extended late night service.

CARRIED UNANIMOUSLY

Councillor Thornton-Joe returned to the meeting at 10:58 p.m.

H.1.a.c 1415 Broad Street - Application for a Permanent Change to Hours of Service for a Liquor Primary License for the Victoria Event Centre

Councillor Lucas withdrew from the meeting at 10:58 p.m., due to a nonpecuniary conflict of interest, as she is the general manager of a hotel located in close proximity to the application.

> Moved By Councillor Loveday Seconded By Councillor Isitt

That Council direct Staff to provide the following response to the Liquor Licensing Agency:

 Council, after conducting a review with respect to noise and community impacts, does support the application of Victoria Event Centre, located at 1415 Broad Street, to change the hours of liquor service from 5:00 pm to 1:00 am daily, to 9:00 am to 2:00 am daily. Providing the following comments on the prescribed considerations:

- The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request is not expected be a significant issue.
- 2. If the application is approved, the net impact on the community is expected to be positive economically as the approval supports the request of the business and presumably their long term viability as a local business and employer. The Victoria Event Centre is also known to contribute positively to the cultural vitality of the region.
- 3. The views of residents were solicited via a mail-out to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received two letters opposed to the application, one letter from the Downtown Victoria Residents Association stating preferred hours and overall support, and one letter indicating support.
- 4. Council recommends the issuance of the license.
- 5. That a change to a nightclub use would require an application for a change to the license including input from Victoria Council.

FOR (6): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, and Councillor Madoff

OPPOSED (2): Councillor Thornton-Joe, and Councillor Young

CARRIED (6 to 2)

Councillor Lucas returned to the meeting at 11:00 p.m.

H.1.a.d Motion Arising - Liquor License Policy

Moved By Councillor Loveday Seconded By Councillor Alto

That the Mayor write to the provincial government to ask that the province reconsider its liquor license policy to distinguish between not-for-profit and for-profit venues.

CARRIED UNANIMOUSLY

H.1.a.e Crystal Pool and Wellness Centre Replacement Project Update and Parking at Crystal Pool

> Moved By Councillor Alto Seconded By Councillor Coleman

That Council receive this report for information and that staff be requested to examine alternatives for providing parking for pool users to ensure no net loss of park space.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt and that council direct staff to explore alternate siting options for the new pool.

DEFEATED DUE TO NO SECONDER

H.1.a.f Crystal Pool Uses Requiring Park Dedication Removal Bylaw

Moved By Councillor Coleman Seconded By Councillor Alto

That Council receive this report for information.

CARRIED UNANIMOUSLY

H.1.a.g Accessibility at City Hall

Moved By Councillor Isitt Seconded By Councillor Alto

That Council direct staff to report back at the next quarterly update on the implications of achieving 1 and 2:

- 1. Take steps on a priority basis to create a meeting space at City Hall that is accessible to people with a range of disabilities, including people who cannot participate due to allergens / air quality.
- 2. Continue to remove barriers to access in the Council Chamber and other public areas at City Hall, including entrances, corridors and washroom facilities associated with access to, and use of, these public spaces.

CARRIED UNANIMOUSLY

H.1.a.h Adoption of Canadian Code of Advertising Standards

Moved By Councillor Isitt Seconded By Councillor Loveday

That Council direct staff to report back at the next quarterly update on the implications of adopting the Canadian Code of Advertising Standards for advertisements posted on City of Victoria infrastructure, including parking pay stations.

CARRIED UNANIMOUSLY

Councillor Thornton-Joe withdrew from the meeting at 11:04 p.m. due to a pecuniary conflict of interest with the following item, as her husband is employed with BC Transit.

Moved By Councillor Isitt Seconded By Councillor Alto

That Council request that the Mayor, on behalf of Council, write to the Victoria Regional Transit Commission, copying the Chief Executive Officer of BC Transit, requesting that BC Transit consider the adoption of the Canadian Code of Advertising Standards for advertisements posted on bus shelters and transit buses operating within the City of Victoria.

CARRIED UNANIMOUSLY

Councillor Thornton-Joe returned to the meeting at 11:05 p.m.

H.1.b Report from the July 26, 2018 COTW Meeting

H.1.b.a	Urban Food Table	
	Moved By Councillor Isitt Seconded By Councillor Alto	
	 That Council adopt the revised Terms of Reference of the Urban Food Table at Attachment 1. That Council refer to the City's 2019 budget process consideration of an annual allocation of \$6,000 for the Urban Food Table. 	
	CARRIED UNANIMOUSLY	
H.1.b.b	Victoria Airport Authority - Report to Nominators Presentation	
	Moved By Councillor Coleman Seconded By Councillor Lucas	
	That Council receive the report for information.	
	CARRIED UNANIMOUSLY	

H.1.b.c Update Report: 1501 Haultain Street - Development Variance Permit Application No. 00066 (Fernwood)

Moved By Councillor Coleman Seconded By Councillor Lucas

That, subject to the preparation and execution of legal agreements to secure a transportation demand management program, to the satisfaction of the Director of Sustainable Planning and Community Development, which would include:

- purchase of one car share vehicle
- dedication of a car share parking space onsite
- provision of five car share memberships (one for each residential unit)
- provision of car share usage credits in the amount of \$100 towards each car share membership.
- car share membership for each residential unit
- provision of each resident with a \$400 contribution towards the purchase of a bicycle.

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 with Variance Application No. 00066 for 1501 and 1503 Haultain Street, subject to registration of the required legal agreements, to the satisfaction of the City Solicitor, and in accordance with:

- 1. Plans date stamped July 10, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Decrease the front yard setback from 6.00m to 0.22m to building and 0.00m to allow for a canopy projection.
 - ii. Decrease the south side setback from 3.00m to 1.06m for the staircase projection only
 - iii. Decrease the flanking street setback from 2.40m to 1.67m to building and 0.53m to allow for a canopy projection.
 - iv. Decrease the required number of parking spaces from 14 to 3.
- Provide a sketch of the proposed gate to be installed adjacent to the staircase on the north side of the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. The Development Permit lapsing two years from the date of this resolution."

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (2): Councillor Isitt, and Councillor Young

CARRIED (7 to 2)

H.1.b.d	Official Community Plan 5-Year Review

Moved By Councillor Coleman Seconded By Councillor Loveday

- 1. That Council: Receive the following for information and direct staff to communicate the findings and highlights to the public:
 - a. Official Community Plan Annual Review 2017
 - b. City of Victoria 2017 Housing Report
 - c. Official Community Plan Annual Review 2016
 - d. City of Victoria 2016 Housing Report
- Consider the data and trends highlighted in the OCP 5-Year Review to inform future policy initiatives and priorities.
- 3. Direct staff to report back with the second annual review of the Victoria Housing Strategy at a Council workshop in November 2018 to summarize progress on action items and establish new actions for an updated strategy.
- 4. Direct staff to hold a workshop with Council in early 2019 to get direction on which indicators are most important to track and capture in the next 5 years.

CARRIED UNANIMOUSLY

H.1.b.e Climate Leadership Plan and Climate Action Program Update

Moved By Councillor Alto Seconded By Councillor Loveday

That Council approve the City's Climate Leadership Plan for publishing and ongoing work/collaboration with community stakeholders.

CARRIED UNANIMOUSLY

H.1.b.f Overnight Sheltering and Supports Program

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman That Council approve \$100,000 in additional funding for the Overnight Sheltering and Supports program, to be funded from 2018 Financial Plan Contingencies.

CARRIED UNANIMOUSLY

H.1.b.g Living Wage for Families

Moved By Councillor Isitt Seconded By Councillor Alto

That Council:

- 1. Endorse the "Living Wage for Families" campaign.
- 2. Agree in principle to the adoption of a Living Wage Policy, and direct staff to report back with a draft policy for Council's consideration, as a step toward becoming a certified Living Wage Employer.

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

H.1.b.h Sheltering Prohibition in Reeson Park and Quadra Park

Moved By Councillor Lucas Seconded By Councillor Thornton-Joe

1. That Council direct staff to amend the Parks Regulation Bylaw to prohibit overnight sheltering in Reeson Park and Quadra Park.

FOR (6): Mayor Helps, Councillor Coleman, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

OPPOSED (3): Councillor Alto, Councillor Isitt, and Councillor Loveday

CARRIED (6 to 3)

Moved By Councillor Alto Seconded By Councillor Loveday

1. That Council direct staff to work with BC Housing to ensure that in the summer of 2019 there is no net loss of sheltering spaces even while the cold weather beds may need to close because of programming considerations of shelter operators.

CARRIED UNANIMOUSLY

J. <u>BYLAWS</u>

J.1 Bylaw for Rezoning Application for 930 Fort Street

Moved By Councillor Lucas Seconded By Councillor Alto

That the following bylaw be given first and second readings:I. Zoning Regulation Bylaw, Amendment Bylaw (No. 1156) No. 18-071

CARRIED UNANIMOUSLY

J.2 Bylaw for Rezoning Application for 3175-3177 Harriet Road and 105 Burnside Road East

Moved By Councillor Lucas Seconded By Councillor Coleman

That the following bylaw be given first and second readings:1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1155) No. 18-068

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

J.3 Bylaw for Rezoning Application for 356 Harbour Road

Moved By Councillor Loveday Seconded By Councillor Coleman

That the following bylaw be given first and second readings:I. Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055

CARRIED UNANIMOUSLY

J.4 Bylaw for Tax Exemption for 727-729 Johnson Street

Moved By Councillor Madoff Seconded By Councillor Thornton-Joe

That the following bylaw **be given first, second, and third readings:** 1. Tax Exemption (727-729 Johnson Street) Bylaw No. 18-062

CARRIED UNANIMOUSLY

J.5 Bylaw for Tax Exemption for 888 Government Street and 811-813 Wharf Street

Moved By Councillor Lucas Seconded By Councillor Coleman

That the following bylaw be given first, second, and third readings:

1. Tax Exemption (888 Government Street / 811-813 Wharf Street) Bylaw No. 18-063

Council discussed the following:

- Whether council should be subsidizing luxury condos.
- The costs associated with maintaining the heritage facade.
- That the program ensures seismic resilience for heritage properties.

Moved By Councillor Isitt Seconded By Councillor Alto

That Council let Councillor Loveday speak a second time.

CARRIED UNANIMOUSLY

Council discussed the following:

• That the policy has discretion, which allows consideration of other factors.

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young OPPOSED (2): Councillor Isitt, and Councillor Loveday

CARRIED (7 to 2)

L. <u>NEW BUSINESS</u>

L.1 <u>Reconsideration of Rezoning and Development Permit with Variances</u> <u>Application for 224 Superior Street</u>

Moved By Mayor Helps Seconded By Councillor Thornton-Joe

- 1. That Council rescind its decision with regard to third reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1141) No. 18-019.
- 2. That Council direct staff to work with the applicant to secure the changes outlined in the applicant's letter (Appendix A) and return to Council with a revised proposal.

Amendment:

Moved By Councillor Madoff Seconded By Councillor Thornton-Joe

That the letter from the resident at 218 Superior Street also be considered.

Amendment to the amendment :

Moved By Councillor Lucas Seconded By Councillor Thornton-Joe

That the amendment be amended to include the resident from 216 Superior Street.

CARRIED UNANIMOUSLY

On the amendment: CARRIED UNANIMOUSLY

On the main motion as amended:

- 1. That Council rescind its decision with regard to third reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1141) No. 18-019.
- 2. That Council direct staff to work with the applicant to secure the changes outlined in the applicant's letter (Appendix A) and return to Council with a revised proposal.
- 3. That the letters from the residents at 216 and 218 Superior Street also be considered.

FOR (5): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, and Councillor Thornton-Joe

OPPOSED (4): Councillor Isitt, Councillor Loveday, Councillor Madoff, and Councillor Young

CARRIED (5 to 4)

M. QUESTION PERIOD

A question period was held.

N. ADJOURNMENT

Moved By Councillor Alto Seconded By Councillor Loveday

That the Council meeting adjourn. TIME: 11:34 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



August 2, 2018, 6:30 P.M. Council Chambers, City Hall, 1 Centennial Square Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, J. Tinney - Director of Sustainable Planning & Community Development, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, C. Havelka -Deputy City Clerk, C. Mycroft - Manager of Executive Operations, P. Martin - Council Secretary, T. Zworski - City Solicitor, L. Taylor -Senior Planner

A. <u>APPROVAL OF AGENDA</u>

Moved By Councillor Coleman Seconded By Councillor Alto

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

D. <u>PUBLIC AND STATUTORY HEARINGS</u>

D.1 Rezoning Application No. 00645 for 230 Cook Street

Zoning Regulation Bylaw, Amendment Bylaw (No. 1157) No. 18-074: To rezone the land known as 230 Cook Street by amending the CR-3M-1 Zone, Commercial Residential Apartment (Cook Street Village) District to include storefront cannabis retailer as a permitted use.

D.1.a Public Hearing & Consideration of Approval

<u>Leanne Taylor (Senior Planner)</u>: Advised that the application is to rezone the property to allow for the retail sale of cannabis.

Mayor Helps opened the public hearing at 6:32 p.m.

<u>Alex Robb (Applicant):</u> Provided information regarding the application.

Council discussed the following:

The new federal requirements for cannabis related businesses.

Mayor Helps closed the public hearing at 6:39 p.m.

Moved By Councillor Isitt Seconded By Councillor Coleman

That the following bylaw **be given third reading:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1157) No. 18-074

Council discussed the following:

• That having a cannabis businesses close to a pharmacy is beneficial to the community.

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Coleman Seconded By Councillor Alto

That the following bylaw be adopted:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1157) No. 18-074

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

D.2 <u>Development Permit with Variance Application No. 00068 for 1622-1628</u> Store Street

Development Permit with Variances Application No. 00068:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 1622-1628 Store Street, in Development Permit Area 9 (HC), Inner Harbour, for purposes of the construction of a seven-storey residential building with ground floor commercial.

D.2.a Opportunity for Public Comment & Consideration of Approval

<u>Leanne Taylor (Senior Planner)</u>: Advised that the application is to develop a seven storey residential building with ground floor commercial.

Mayor Helps opened the opportunity for public comment at 6:53 p.m.

<u>Franklin Dambrosio & Erica Sangster (Applicant)</u>: Provided information regarding the application.

<u>Darryl Butler (Swift Street)</u>: Expressed concerns relating to the lack of public access and public safety in this area.

Council discussed the following:

• The City's plan for improvements to the David Foster Harbour Pathway.

Mayor Helps closed the opportunity for public comment at 7:15 p.m.

Moved By Councillor Thornton-Joe Seconded By Councillor Lucas

That Council authorize the issuance of Development Permit Application No. 00068 for 1622-1628 Store Street in accordance with:

- 1. Plans date stamped March 29, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the height from 15m to 18.00m
 - ii. increase the interior floor area access length from 4.5m to 6.5m
 - iii. allow residential uses below the second storey.
- 3. Registration of legal agreements on the property's title to secure a Statutory Right-of-Way over the Harbour Pathway, to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. The Development Permit lapsing two years from the date of this resolution.

Council discussed the following:

• That the proposed development integrates and transitions well with the surrounding neighbourhood.

CARRIED UNANIMOUSLY

H. NOTICE OF MOTIONS

H.1 For the August 9, 2018 Council Meeting

That Council direct staff to report back at the next Quarterly Update on the implications of the following actions:

- 1. That staff be directed to investigate regulations in other jurisdictions governing safe consumption sites for cannabis use.
- That this review take into consideration the City and County of Denver, Colorado's Cannabis Consumption Pilot Program, as well as the regulatory context in the City of Victoria arising from regional, provincial and federal regulations.
- 3. That staff report back to Council on the advisability of initiating a Pilot Program or introducing regulations for safe consumption sites for cannabis use.

I. <u>BYLAWS</u>

I.1 Bylaw for Amendment to Parks Regulation Bylaw

Moved By Councillor Lucas Seconded By Councillor Thornton-Joe

That the following bylaw be given first, second, and third readings:

1. Park Regulation Bylaw, Amendment Bylaw (No. 9) No. 18-044

Council discussed the following:

 That these parks are not appropriate for overnight sheltering due to their small size and lack of washroom facilities.

Amendment:

Moved By Councillor Alto Seconded By Councillor Isitt

That Reeson and Quadra Park be removed from the bylaw.

Council discussed the following:

• The rationale for the inclusion of Reeson Park and Quadra Park in this bylaw.

FOR (3): Councillor Alto, Councillor Isitt, and Councillor Loveday OPPOSED (6): Mayor Helps, Councillor Coleman, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

DEFEATED (3 to 6)

On the main motion: CARRIED UNANIMOUSLY

M. ADJOURNMENT

Moved By Councillor Coleman Seconded By Councillor Lucas

That the Council meeting adjourn. TIME: 7:50 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



August 9, 2018, 6:30 P.M. Council Chambers, City Hall, 1 Centennial Square Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

 STAFF PRESENT:
 J. Jenkyns - City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, J. Tinney - Director of Sustainable Planning & Community Development, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer -Head of Engagement, J. O'Connor - Manager of Finance, C. Havelka -Deputy City Clerk, C. Mycroft - Manager of Executive Operations, P. Martin - Council Secretary, T. Zworski - City Solicitor, J. Handy -Senior Planner

A. <u>APPROVAL OF AGENDA</u>

The City Clerk outlined amendments to the agenda.

Moved By Councillor Isitt Seconded By Councillor Alto

That the agenda be approved as amended.

Amendment:

Moved By Councillor Coleman Seconded By Councillor Isitt

That Steve S, Jason Denny, Gill Stuart, and James Dakota Smith be added to the second Request to Address Council section of the agenda.

CARRIED UNANIMOUSLY

Main motion as amended: CARRIED UNANIMOUSLY

B. <u>Poetry Reading</u>

Yvonne Blomer, Poet Laureate, read a poem titled "The whales are suffering from at least three challenges".

C. <u>READING OF MINUTES</u>

Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

That the following minutes be adopted:

- 1. Minutes from the special evening meeting held May 3, 2018
- 2. Minutes from the daytime meeting held July 12, 2018
- 3. Minutes from the daytime meeting held July 19, 2018

CARRIED UNANIMOUSLY

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Coleman Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 <u>Marian McCoy: Making Moveable Tiny Houses Legal in Victoria</u> Outlined why Council should amend the Zoning Bylaw to include movable tiny houses in the definition of garden suites.

D.2 Nicole Chaland: Community Amenity Contributions

Outlined why Council should ensure that 20% of all new developments include housing which is affordable to those who live on low income.

D.3 Lorne Daniel: Community Amenity Contributions

Outlined why Council should revise the Community Amenity Contributions policy in order to recover additional funds from new developments for public space enhancements and affordable housing.

D.4 <u>Naomi Devine: Community Amenity Contributions</u> Outlined why Council should revise the City's approach to community amenity contributions.

E. PROCLAMATIONS

E.1 <u>"World Refugee Day" - June 20, 2018</u>

Moved By Councillor Isitt Seconded By Councillor Loveday

That the following proclamation be endorsed:

1. "World Refugee Day" - June 20, 2018

CARRIED UNANIMOUSLY

E.2 <u>"Literacy Month" - September 2018</u>

Moved By Councillor Isitt Seconded By Councillor Loveday

That the following proclamation be endorsed: 1. "Literary Month" - September 2018

CARRIED UNANIMOUSLY

F. <u>PUBLIC AND STATUTORY HEARINGS</u>

F.1 <u>Rezoning Application No. 00593 and Development Permit with Variances</u> <u>Application No. 000502 for 930 Fort Street</u>

Zoning Regulation Bylaw, Amendment Bylaw (No. 1156) No. 18-071: To rezone the land known as 930 Fort Street from the CA-42 Zone, Harris Green Commercial District to the CA-84 Zone, Harris Green (930 Fort Street) District, to permit a 13-storey, mixed-use building with ground-floor retail fronting Fort Street with residential units above.

Development Permit with Variance Application:

The Council of the City of Victoria will also consider issuing a development permit with variance for the land known as 930 Fort Street, in Development Permit Area 7B (HC): Corridors Heritage for the purposes of approving the exterior design and finishes for the 13-storey, mixed-use building as well as landscaping.

F.1.a Public Hearing & Consideration of Approval

<u>Jim Handy (Senior Planner)</u>: Advised that the application is to allow for a twelve storey, mixed use building with commercial on the ground floor and residential above.

Mayor Helps opened the public hearing at 7:05 p.m.

Fraser McColl (Applicant): Provided information regarding the application.

<u>Ric Houle (Pandora Avenue)</u>: Provided comments regarding the greenspace adjacent to the property.

<u>Larry Lang (Sacramental Avenue)</u>: Expressed concerns relating to the placement of the development as well as concerns relating to the community amenity contributions.

<u>Misha Greengrass (Saghalie Road):</u> Expressed concerns relating to the parking variance.

Council discussed the following:

- How a Housing Agreement could be tied to the development.
- The allocation of funds received through the density bonus.

Moved By Councillor Thornton-Joe Seconded By Councillor Lucas

That the following bylaw **be given third reading:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1156) No. 18-071

Council discussed the following:

• That due to the location and access to transit options the parking variance is supportable.

Amendment:

Moved By Councillor Isitt Seconded By Mayor Helps

That Schedule 1, section 6.98.2 "Community Amenities" (page 179 of Agenda materials), be amended to specify the following allocation for the community amenity contribution:

- \$103,006,80 \$203,006.80 to the Downtown Core Area Public Realm Improvement Fund
- \$100,000.00 to the Housing Reserve
- \$67,668.94 to the Downtown Heritage Buildings Seismic Upgrade Fund.

Council discussed the following:

- That the fund can be used for any improvement relating to capital.
- Whether this is the appropriate stage to make changes to the community amenity contribution.

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Main motion as amended:

That the following bylaw **be given third reading:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1156) No. 18-071

That Schedule 1, section 6.98.2 "Community Amenities" (page 179 of Agenda materials), be amended to specify the following allocation for the community amenity contribution:

- \$103,006,80 to the Downtown Core Area Public Realm Improvement Fund
- \$100,000.00 to the Housing Reserve
- \$67,668.94 to the Downtown Heritage Buildings Seismic Upgrade Fund.

CARRIED UNANIMOUSLY

Adoption of Zoning Regulation Bylaw, Amendment Bylaw (No. 1156) No. 18-0711 was postponed, pending the registration of a Housing Agreement.

Moved By Councillor Thornton-Joe Seconded By Councillor Lucas

That Council authorize the issuance of Development Permit with Variance Application No. 000502 for 930 Fort Street, in accordance with:

- 1. Plans date stamped June 8, 2018;
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. reduce the number of parking stalls to 27.
- Proof of a fully executed car share agreement that includes the purchase of 62 car share memberships and \$100 driving credit for each of the memberships to the satisfaction of the Director of Engineering and Public Works;
- 4. Registration of a covenant on the property's title to secure 62 car share memberships and \$100 of driving credit for each of the memberships, to the satisfaction of the Director of Sustainable Planning and Community Development and in a form satisfactory to the City Solicitor
- 5. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.2 <u>Development Permit with Variances Application No. 00067 for 566, 568, and</u> 570 Yates Street

Development Permit with Variances Application:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 566, 568 & 570 Yates Street, in Development Permit Area 1 – Core Historic, for purposes of allowing residential use on the ground floor of the existing building.

F.2.a Opportunity for Public Comment & Consideration of Approval:

<u>Jim Handy (Senior Planner):</u> Advised that the application is to allow for residential use on the ground level.

Mayor Helps opened the opportunity for public comment at 8:03 p.m.

Michael Alston (Applicant): Provided information regarding the application.

There were no persons present to speak to the proposed application.

Mayor Helps closed the opportunity for public comment at 8:05 p.m.

Moved By Councillor Thornton-Joe Seconded By Councillor Loveday

That Council authorize the issuance of Development Permit with variance Application No. 00067 for 566-570 Yates Street in accordance with:

- 1. Plans date stamped January 11, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - ii. permit residential uses on the ground floor.
- 3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.3 <u>Rezoning Application No. 00579 for 3175-3177 Harriet Road and 105 Burnside</u> <u>Road East</u>

Zoning Regulation Bylaw, Amendment Bylaw (No. 1155) No. 18-068: To rezone the land known as 3175-3177 Harriet Road & 105 Burnside Road East from the C-1 Zone, Limited Commercial District, to the C1-3 Zone, Limited Commercial (Cannabis) District, to permit a storefront cannabis retailer.

F.3.a Public Hearing & Consideration of Approval

<u>Jim Handy (Senior Planner)</u>: Advised that the application is to allow for the retail sale of cannabis.

Mayor Helps opened the public hearing at 8:07 p.m.

Rosetta Duncan (Applicant): Provided information regarding the application.

<u>Ric Houle (Pandora Avenue):</u> Expressed concerns to how the Galloping Goose Trail would be affected.

<u>Resident:</u> Expressed concerns on how school children might be affected when visiting lunch areas nearby.

<u>Resident:</u> Expressed concerns relating to the application due to the limited parking in the area.

<u>Sharon Knights (Marsett Place)</u>: Expressed support for the application as it provides a safe environment.

<u>Martie (Qu'appelle Street)</u>: Expressed concerns relating to the application due to the lack of parking in the area.

<u>Charles Phillip (Rural Drive)</u>: Expressed support for having female operators.

Council discussed the following:

• That the number of parking stalls is sufficient under the Zoning Bylaw.

Moved By Councillor Isitt Seconded By Councillor Loveday

That the following bylaw **be given third reading:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1155) No. 18-068

Council discussed the following:

- The lack of neighbourhood support.
- That there is over a kilometer distance to other cannabis related businesses.
- The lack of parking in the high traffic area.

Moved By Councillor Loveday Seconded By Councillor Alto

That Council allow Councillor Thornton-Joe to speak a second time.

CARRIED UNANIMOUSLY

• That consultation that should have been undertaken by the applicant with neighbours.

FOR (5): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, and Councillor Madoff OPPOSED (4): Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young

CARRIED (5 to 4)

Moved By Councillor Isitt Seconded By Councillor Alto

That the following bylaw **be adopted:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1155) No. 18-068

FOR (5): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, and Councillor Madoff OPPOSED (4): Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young

CARRIED (5 to 4)

Council recessed from 8:58 p.m. until 9:06 p.m.

G. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Isitt Seconded By Councillor Coleman

That Rachael Lawson and Charles Phillip be permitted to address Council in this section.

CARRIED UNANIMOUSLY

Moved By Councillor Coleman Seconded By Councillor Isitt

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

G.2 Chris Zmuda: Negligent of City Management

Outlined why Council should review the allowance of cannabis dispensaries in the City.

G.3 <u>Randall Thompson: Screaming Seagulls at All Hours of the Night and Day -</u> <u>Michigan/Menzies</u>

Outlined why Council should require owners or landlords of buildings to prevent seagulls from nesting on their roofs.

G.4 Chrystal Hanson: Non-Licensed Marijuana Lounges

Outlined why Council should allow licensed cannabis lounges while considering the affect on neighbours.

G.5 <u>Wendy Varga: Raccoon Management</u>

Outlined why Council should take action to control the population of raccoons.

G.7 Marg Gardiner: Sheltering in Parks

Outlined why Council should not include Quadra Park in the proposed Parks Regulation Bylaw to prohibit overnight sheltering in Reeson Park and Quadra Park, unless other parks in residential areas are also included.

G.8 Ted Smith: Safe Consumption Site

Outlined why Council should create bylaws to regulate cannabis lounges.

G.9 Larry Layne: Better Not Bigger with Six Examples

Outlined why Council should follow the phrase "better not bigger".

G.10 <u>Helen Oldershaw & Roy Fletcher: Beacon Hill Park Trust and Clover</u> <u>Forcemain Project</u>

Outlined why Council should reconsider the approval of the Clover Forcemain construction through Beacon Hill Park in light of the City's duties as trustee for the park.

G.12 <u>Steve Sxwithul'txw: Removal of Statue</u>

Expressed support and gratitude for the work done by the City Family and the removal of the John A. MacDonald statue.

G.13 Jason Denny: Removal of Statue

Outlined support for the removal of the John A. MacDonald statue.

G.14 Bill Stewart: Removal of Statue

Outlined support for the removal of the John A. MacDonald statue.

G.15 James Dakota Smith: Removal of Statue

Outlined support for the removal of the John A. MacDonald statue.

G.16 Rachael Lawson: Cannabis Lounge Bylaw Proposal

Outlined why Council should support the motion regarding an investigation of a pilot program for safe consumption sites for cannabis use.

G.17 Charles Phillip: Cannabis Lounge Bylaw Proposal

Outlined why Council should support the motion regarding an investigation of a pilot program for safe consumption sites for cannabis use.

Council recessed from 10:13 p.m. until 10:20 p.m.

I. <u>REPORTS OF COMMITTEES</u>

I.1 Committee of the Whole

I.1.a.b

I.1.a Report from the August 2, 2018 COTW Meeting

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Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

That Council:

- Approve the installation of the historic plaque recognizing Mifflin Wistar Gibbs, shown in Attachment A, in Irving Park: and
- 2. Authorize the Mayor and City Clerk to execute a license agreement (Attachment C) with Parks Canada, with the terms to the satisfaction of the Director of Parks, Recreation and Facilities, in a form acceptable to the City Solicitor.

CARRIED UNANIMOUSLY

Renewing Opportunities for Citizen Involvement in Emergency Preparedness

Moved By Councillor Isitt Seconded By Councillor Loveday

That Council:

1. Requests that staff engage Emergency Management BC, WorkSafeBC, Victoria Firefighters Local 730, and Victoria Emergency Program volunteers and report back to Council in the Quarterly Update in December 2018 with recommendations to renew opportunities for citizen

involvement in emergency preparedness, giving consideration to issues including:

- effective coordination of volunteers with command structures and responsibilities of professional first responders in the Victoria Fire Department and other municipal, provincial and federal agencies;
- insurance coverage for volunteers providing assistance during emergencies;
- opportunities for training and skills development for volunteers; and
- public education opportunities to broaden citizen engagement in emergency preparedness and response efforts.
- 2. Requests that the Mayor, on behalf of Council, write to the BC Minister of Transportation and Infrastructure, requesting that the Province of British Columbia and its agencies Emergency Management BC and WorkSafeBC work with the City of Victoria to renew opportunities for citizen involvement in emergency preparedness, including Public Safety Lifeline Volunteer certification of urban search and rescue volunteers to ensure eligibility for insurance coverage.

CARRIED UNANIMOUSLY

I.1.a.c 90 Saghalie Road - Development Permit Application No. 000525 (Victoria West)

Moved By Councillor Isitt Seconded By Councillor Madoff

That the proposal be referred back to COTW and the Advisory Design Panel after the applicant has made revisions to the proposed design to terrace the upper storeys of the building and further address site topography, consistent with the applicable Design Guidelines and the objectives of Development Permit Area 3, while maintaining adequate distances between existing buildings.

FOR (7): Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young OPPOSED (2): Mayor Helps, and Councillor Coleman

CARRIED (7 to 2)

I.1.a.d 3031 Jackson Street - Update Report for Rezoning Application No. 00627 and Development Permit with Variances Application No. 00063 (Hillside/Quadra)

> Moved By Councillor Alto Seconded By Councillor Coleman

- 1. That first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set for the proposed development outlined in Rezoning Application No.00627 for 3031 Jackson Street.
- 2. That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00627, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00063 for 3031 Jackson Street, in accordance with:

- 1. Plans date stamped March 29, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances
 - i. reduce the lot width from 60.0m to 53.17m
 - ii. reduce the separation space between the building with units 1 & 2 and the building with units 3 & 4 from 7.50m to 4.90m
 - iii. reduce the separation space between the building with units 3 & 4 and the building with units 5, 6, 7 & 8 from 7.50m to 7.30m
 - iv. reduce the distance between the building with units 1 & 2 and the building with units 3 & 4 from 10.0m to 4.90m
 - v. reduce the distance between the building with units 3 & 4 and the building with units 5, 6, 7 & 8 from 10.0m to 6.68m
- 3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development, that state the 7.0m distance behind the visitor parking stalls 3, 12, & 13 does not exceed an 8% grade.
- 4. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

Pilot Dog Leash-Optional Areas Report Back

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

That Council extend the pilot project for two years in Fisherman's Wharf Park, Oaklands Park, and Barnard Park and change the time from 6:30 to 9 a.m.

CARRIED UNANIMOUSLY

I.1.a.e

I.1.a.f Funding for School Crossing Guard Program

Moved By Councillor Isitt Seconded By Councillor Loveday

That Council directs staff to bring forward amendments to the 2018 Financial Plan Bylaw to provide funding in the amount of \$27,725 to the Greater Victoria Crossing Guards Association, to cover costs associated with the School Crossing Guard Program for the remainder of 2018.

CARRIED UNANIMOUSLY

I.1.a.g Funding for the Vancouver Island South Film & Media Commission

Moved By Councillor Alto Seconded By Councillor Loveday

That Council:

- Direct Staff to award an additional \$25,000 from the City's 2018 corporate contingency funds, to the Vancouver Island South Film and Media Commission.
- Direct Staff to Consider Alternative future funding options during the 2019 City budget process and request a business plan from the film commission to assist staff with this work.
- Request that the film commission report to council in 2019 on the economic impact of the film commission in the City of Victoria in 2018.

CARRIED UNANIMOUSLY

I.1.b Report from the August 9, 2018 COTW Meeting

I.1.b.a 1159 View Street - Development Variance Permit Application No. 00213 (Fernwood)

> Moved By Councillor Thornton-Joe Seconded By Councillor Loveday

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

"That Council authorize the issuance of Development Variance Permit Application No. 00213 for 1159 View Street in accordance with:

1. Plans date stamped June 29, 2018.

- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce vehicle parking from 7 stalls to 3 stalls
 - ii. increase the site coverage from 30.00% to 45.56%
 - iii. increase the rear yard site coverage from 25.00% to 29.97%.
- 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

I.1.b.b 727 and 733 Courtney Street - Development Permit Application No. 000529 (Downtown)

Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

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

"That, subject to confirmation that lot consolidation has occurred to the satisfaction of the City, Council authorize issuance of Development Permit with Variances Application No. 00087 for 727 and 733 Courtney Street, in accordance with:

- 1. Plans date stamped June 4, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. relaxation to accommodate offices on the ground floor
 - ii. relaxation to allow rental vehicles to be stored outside the building
 - iii. relaxation to allow motor vehicle parking outside the building
- 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

I.1.b.c

Support for Victoria 2020 Canadian Francophone Games

Moved By Councillor Coleman Seconded By Councillor Alto

That Council approve financial support up to \$50,000 for the 2020 Canadian Francophone Games, with funds from the 2018 budget surplus.

CARRIED UNANIMOUSLY

I.1.b.d 2018 Municipal Election

Moved By Councillor Alto Seconded By Councillor Isitt

That Lucina Baryluk be appointed as a Deputy Chief Election Officer, and effective August 27, 2018, Monica Fedcykowska also be appointed as a Deputy Chief election Officer for the 2018 Municipal Election.

CARRIED UNANIMOUSLY

I.1.b.e Support for a National Strategy to Combat Plastic Pollution

Moved By Councillor Loveday Seconded By Councillor Isitt

That the Mayor write, on behalf of Council, to the federal Minister of Environment, copying the provincial Minister of Environment and Members of Parliament representing constituencies on Vancouver Island, to express support for Bill M-151, A National Strategy to Combat Plastic Pollution.

CARRIED UNANIMOUSLY

I.1.b.f South Island Prosperity Project Annual Presentation

Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

That Council received the report for information.

CARRIED UNANIMOUSLY

I.1.b.g Update Report: 736 Princess Avenue - Rezoning Application No. 00602 (Burnside)

Moved By Councillor Alto Seconded By Councillor Loveday

That Council direct staff to refer the application back to the applicant and request that the proposal that comes back to Committee of the Whole conforms with the Official Community Plan and ask the applicant to provide further clarity regarding the operating model of the electric car share.

FOR (6): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Lucas, and Councillor Thornton-Joe

OPPOSED (3): Councillor Coleman, Councillor Madoff, and Councillor Young CARRIED (6 to 3)

I.1.b.h Victoria Housing Fund Application No. 000017 for 210 Gorge Road East (Burnside)

Moved By Councillor Isitt Seconded By Councillor Thornton-Joe

That Council approve a Victoria Housing Fund grant to the Victoria Cool Aid Society in the amount of \$600,000 to assist in the construction of 50 non-market rental apartment units, with a total of 60 bedrooms for low-to-moderate income residents, located at 210 Gorge Road East, subject to the following conditions:

- 1. The grant will be disbursed to the applicant once the Housing Fund Grant Agreement is executed by the applicant and the Housing Agreement Bylaw has been adopted by Council.
- 2. The Victoria Cool Aid Society enters into a Housing Fund Grant Agreement with terms, to the satisfaction of the Director of Sustainable Planning and Community Development; and in a form to the satisfaction of the City Solicitor, which include requirements that:
 - a. the Victoria Cool Aid Society will identify the City of Victoria as a contributor on publications, documents, and public events related to the development, completion and operation of the project;
 - b. upon project completion, Victoria Cool Aid Society will submit a final report to the Sustainable Planning and Community Development Department; and
 - c. the grant is to be repaid by the Victoria Cool Aid Society if the project does not proceed as proposed
- 3. The Victoria Cool Aid Society enters into a Housing Agreement securing the housing units at affordable rental levels for low-to-moderate incomes in perpetuity, consistent with the Victoria Housing Fund Guidelines, and with terms to the satisfaction of the Director of Sustainable Planning and Community Development, and in a form satisfactory to the City Solicitor, and that Council:
 - a. direct staff to bring forward a Housing Agreement Bylaw for Council's consideration after condition No. 3 is fulfilled; and
 - b. that Council authorize the Mayor and City Clerk to execute the Housing Fund Grant Agreement.

CARRIED UNANIMOUSLY

I.1.b.i Public Opinion Poll on Establishing a Citizens' Assembly on Amalgamation of Victoria and Saanich

Moved By Councillor Coleman Seconded By Councillor Alto That Council:

- Endorse the revised information (see # 2) on the amalgamation referendum question and direct staff to undertake web based and social media notifications as well as a Vic News insert to inform the public of the details, and
- 2. Replace the *Proposed Referendum Information Sheet* with the document provided August 9, 2018 and add at the end of the second paragraph, after 'decide': 'as an independent referendum or as a part of the next election'.

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

l.1.b.j

Fair Trade City

Moved By Mayor Helps Seconded By Councillor Alto

That the following item be referred to the next quarterly update for staff to provide information related to carrying out this work:

WHEREAS Fair Trade is a commercial partnership whose objective is to offer better trade conditions and equity in international trade while ensuring that producers and workers' right are protected and respected by paying a fair market price for their products;

WHEREAS Fair Trade is in line with the City of Victoria's vision because it encourages increased social equity while being economically feasible and promotes using methods deemed more environmentally friendly;

Be it resolved that:

- 1. The City of Victoria becomes a "Fair Trade Town";
- The City of Victoria amend its purchasing policy to require Fairtrade certification for all coffee, and tea served by municipal food services managed by municipal administration;
- 3. The City of Victoria publish campaign/designation information on the municipality's website;
- 4. The City of Victoria attract media attention and promotes its status as a Fair Trade Town;
- 5. The City of Victoria commit to develop and promote ethical and sustainable consumption.

That after the upcoming municipal election, Council appoints a representative to sit on the Victoria Fair Trade Steering Committee for a term of two years.

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

I.1.b.k City Family Story as told from the perspectives of the City Council Members that are part of the City Family: Continued Reconciliation and Removal of Sir John A. MacDonald Statue

> Moved By Councillor Alto Seconded By Councillor Thornton-Joe

That Council:

- 1. Receive this story for information and endorse the decision of the City Family.
- 2. Request the Mayor keep her public commitment to share the intent of the request made by Council today with the City Family.

Council discussed the following:

- The importance of this first step of reconciliation.
- Concerns relating to the lack of public process and relocation of the statue.

Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

That the meeting be extended to 11:30 p.m.

CARRIED UNANIMOUSLY

Council discussed the following:

- The importance of honouring the request from the Songhees and Esquimalt First Nations.
- That the statue doesn't welcome all members of the City into City Hall.

Moved By Councillor Isitt Seconded By Councillor Coleman

That Council allow Mayor Helps to speak a second time.

CARRIED UNANIMOUSLY

Amendment:

Moved By Mayor Helps Seconded By Councillor Coleman

Direct staff to append a transcript of the August 9, 2018 Committee of the Whole meeting, including the Mayor's public commitment, to the minutes of this Council meeting.

Amendment to the amendment:

Moved By Councillor Isitt Seconded By Councillor Coleman

That the amendment be amended to include the August 9, 2018 Council meeting.

CARRIED UNANIMOUSLY

On the amendment: CARRIED UNANIMOUSLY

Main motion as amended:

That Council:

- 1. Receive this story for information and endorse the decision of the City Family.
- 2. Request the Mayor keep her public commitment to share the intent of the request made by Council today with the City Family.
- 3. Direct staff to append a transcript of the August 9, 2018 Committee of the Whole and Council meetings, including the Mayor's public commitment, to the minutes of this Council meeting.

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

K. <u>BYLAWS</u>

K.1 Bylaw for Rezoning Application for 672 Niagara Street

Moved By Councillor Lucas Seconded By Councillor Coleman

That the following bylaw be given first and second readings:I. Zoning Regulation Bylaw, Amendment Bylaw (No. 1164) No. 18-092

CARRIED UNANIMOUSLY

K.2 Bylaw for Rezoning Application for 483/485 Garbally Road and 2960/2962 Bridge Street

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

That the following bylaw **be given first and second readings:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1163) No. 18-089

CARRIED UNANIMOUSLY

K.3 <u>Bylaw for Rezoning Application for 1418 Lang Street</u> Moved By Councillor Alto Seconded By Councillor Lucas

That the following bylaw be given first and second readings:1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1159) No. 18-083

CARRIED UNANIMOUSLY

K.4 Bylaw for Rezoning Application for 502 Discovery Street

Moved By Councillor Madoff Seconded By Councillor Thornton-Joe

That the following bylaw be given first and second readings:

- 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1160) No. 18-084
- 2. Heritage Designation (502 Discovery Street) Bylaw No. 18-079

CARRIED UNANIMOUSLY

K.5 Bylaw for Land Use Procedures for Affordable Housing Fees

Moved By Councillor Isitt Seconded By Councillor Alto

That the following bylaw **be given first, second, and third readings:** 1. Land Use Procedures Bylaw, Amendment Bylaw (No. 9) No. 18-090

CARRIED UNANIMOUSLY

K.6 Bylaw for Tax Exemption for 888 Government Street and 811-813 Wharf Street

Moved By Councillor Madoff Seconded By Councillor Coleman

That the following bylaw be adopted:

1. Tax Exemption (888 Government Street / 811-813 Wharf Street) Bylaw No. 18-063 FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young OPPOSED (2): Councillor Isitt, and Councillor Loveday

CARRIED (7 to 2)

K.7 Bylaw for Amendment to Parks Regulation Bylaw

Moved By Councillor Thornton-Joe Seconded By Councillor Lucas

That the following bylaw be adopted:1. Park Regulation Bylaw, Amendment Bylaw (No. 9) No. 18-044

CARRIED UNANIMOUSLY

Moved By Councillor Isitt Seconded By Councillor Alto

That the meeting be extended to 11:45 p.m.

CARRIED UNANIMOUSLY

M. <u>NEW BUSINESS</u>

M.1 Investigation of Pilot Program for Safe Consumption Sites for Cannabis Use Moved By Councillor Isitt Seconded By Councillor Loveday

That Council direct staff to report back at the next Quarterly Update on the implications of the following actions:

- 1. That staff be directed to investigate regulations in other jurisdictions governing safe consumption sites for cannabis use.
- 2. That this review take into consideration the City and County of Denver, Colorado's Cannabis Consumption Pilot Program, as well as the regulatory context in the City of Victoria arising from regional, provincial and federal regulations.
- 3. That staff report back to Council on the advisability of initiating a Pilot Program or introducing regulations for safe consumption sites for cannabis use.

CARRIED UNANIMOUSLY

N. QUESTION PERIOD

A question period was held.

O. <u>ADJOURNMENT</u>

Moved By Councillor Coleman Seconded By Councillor Alto That the Council meeting adjourn. TIME: 11:34 p.m.

CARRIED UNANIMOUSLY

CITY CLERK	MAYOR
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Appendix A

Verbatim Excerpt of the Minutes from the August 9, 2018 Committee of the Whole Meeting

Item I.3. City Family Story as told from the perspectives of the City Council Members that are part of the City Family: Continued Reconciliation and Removal of Sir John A. MacDonald Statue

Mayor Helps:

I am not going to speak for too long on this, I know we all have a lot to say but I just want to kind of outline where we have come from and where we are and what's next in this process. So last year as you will recall as this was laid out in the report, Council appointed the City Family and asked it to do work in regards to reconciliation and its very unconventional and uncomfortable approach for all of us and has been really interesting for me as someone who is so agenda driven and so focused and so task-oriented to just sit and have dinner once a month and have conversations and listen and learn. What came out very early in the conversation with the City Family was the uncomfortable feeling of coming into City Hall for these gatherings and/or at any other time with the figure of John A. McDonald on the front steps and so we discussed and deliberated for guite a long time about what to do about this. Do we remove it? Do we replace it? Do we take it away forever? And what we've come to with the City Family and decided is that which is where we are today, put the statue safely in storage and have a conversation as a City Family, we as a Nations, as a community about what is the best way to tell the story, the very complex story, of John A. McDonald. And this is where we are now and we've all heard lots of comments and questions over the last few days about this notion of rewriting history and/or erasing history and how do we grapple with that and for me, in particularly, as a historian, this is about rewriting history. History is always rewritten. If you look at the way history was written in the 1920's it's very different the 1980's is very different in 2018. History is always being rewritten and I think the opportunity with the process of reconciliation that we are engaged in is to rewrite this history in a really careful, conscious and collaborative way and so what I imagine and I just so appreciate the letter that we received from the John A. McDonald Society asking to be consulted and involved in the conversation about the future location of the statue. That's awesome! That is reconciliation in action and my greatest fantasy which I will endeavor to make come true is that after we store the statue safely and give the space a bit of time to breathe and the energy around this to diffuse a little bit is that we work really hard as a community with the wider community, with the Nations, with the City Family, with the John A. McDonald Society to have a conversation and continue to talk about it and maybe a forum on reconciliation in Victoria, what it means and how we work through that. The City Family has already turned its mind a little bit to how could the statue be repositioned in a way and a place that tells a broader story. This is about rewriting history but it is not about erasing history and what it's really about as a Council, as a City Family with the Nations and as a community. It's about grappling together with how do we have reconciliation in the 21st century? So that is what Council is being asked to endorse today, all of that thought and all of the feeling and all of the really I would say rational, thoughtful approach that is proposed here. So I will leave it at that and then I am going to go to Councillor Alto who is next and seconded the motion then with respect I will turn to Councillor Thornton-Joe who is another member of the City Family and then I'll look to others to speak.

Councillor Alto:

Thank you Mayor Helps. I am actually going to precede my own comments by reading a short contribution by Janice Simcoe. Janice is another member of the City Family and she has been away for the last couple of weeks and so didn't have an opportunity to provide this as part of the story but would certainly like to have it included and has asked for me to read this for her today.

"My name is Janice Simcoe and I am one of the Indigenous members of the City reconciliation Family. I am a Nation of a Quay and Ojibwe woman and I am both an educator and a community advocate. I joined the City Family at the invitation of the City of Victoria and with the support of both the Esquimalt and Songhees Nations. The collective decision we made to remove the statue of John A. McDonald from the front entry to City Hall was done with much consideration and with regard for many perspectives. It is true that it is unpleasant for me as an Indigenous person to be reminded of McDonald's legacy every time I visit City Hall, but I do not see my or other Indigenous peoples' discomfort is the most compelling reason to move the statue. Its present location either glorifies or ignores the colonial history that McDonald represents, particularly in regards to his influence and leadership in the development of Canada's Indian residential school system and the history that has caused great harm both to Indigenous and non-indigenous peoples. The City of Victoria needs to engage in truth telling and the development of reconciliation with Indigenous people, starting with the local people on whose territories we live our lives. This action moves us forward in developing a shared narrative and a shared future. Thank you for hearing my words."

And that is from Janice Simcoe. I will just add a couple of things. I won't repeat what I contributed to the story. I think it's important for us to remember that were talking about today does not involve any direction or any destruction of the statue and it's neither hiding, in my view, or nor ignoring history at all, as the mayor pointed out, but I have to say it was interesting for me to listen, to speak as a historian about rewriting how that's often done I didn't grasp this notion, but I think that's an important point. But what we're asking today, what we're proposing as a result of the year of conversation with the City Family is to create time and a space to consider a future for a statue that is a representation of a very complicated man. I think what we're looking at here is a place to protect the statue so that we can take the time to reflect the sum of John A. McDonald in both historical and a modern context and try and examine what is a fair and complete picture of an individual who was so influential in the history of the country. I think we also want to provide a space to create safety and inclusivity for every member of our community and it has been made clear that many, many members of our community, Indigenous and non are troubled by having to pass by the statue as they enter the hall. I think it's important also to remember that while a decision of the City Family, the Songhees and Esquimalt members are part of the family and therefore the words of their Chiefs and Councils as have been appended to the reports are very important because it is the Chiefs and Councils of the two Nations who were the witnesses to the work of the family and the City and the residents of all the City. I think the letters of support are important to examine and I want to just read a line from each of them because I think it's very critical to add this to our understanding of how the family came to this decision.

From the Esquimalt Council and Chief, they note that removing the statue is an important step in the City's reconciliation journey and a symbol of progress towards an end to discrimination and oppression.

In a Songhees letter from Chief and Council, " it speaks to the statue's removal is an important step in the reconciliation process of a visible symbol of progress, of rejecting oppression and embracing a new and inclusive way to work, and most importantly the work that we do together lays the foundation for generations to come".

And I think for me which is possibly the most compelling aspect of this conversation, we have an opportunity here to take a remarkable action based on words that we said last year. We took a huge leap of faith and we decided as a corporation that works conventionally and hierarchies and structures that are comfortable and easy, that we would embark on something profoundly different. Where we really had no idea of the path or the demands that the path would make of us. We had an idea of a goal but not an outcome, because in fact the goal itself is the outcome. The goal is reconciliation. The path that we take to get there is the most important part of the work. This is an extraordinary opportunity. I think the City has rarely faced this chance to do something so profound that would, in the words of the Songhees Chief and Council "lay the foundation for generations to come". Generations ahead will look at this moment and whatever they think of the task that we look upon today, I believe they will appreciate that we took a chance and that we believed that the work we are doing together is good. I can't imagine not taking that opportunity and I hope my colleagues will agree.

Mayor Helps:

Thank you.

Councillor Thornton-Joe:

Thank you, and I wanted to first comment that it's been an honour to serve on the committee and be part of the family, and I think the discussion of what to do with the statue of John A. McDonald started even before the family was created and there's been discussions through many years and I think every member of Council will say this is not a new topic. But I think when the City made a decision to declare this year the year of truth and reconciliation, and we recognize that this was not supposed to be just for the year but the start of years of work, and I remember talking about the work that needs to be done and be reminded that it's our work that we need to do thoroughly, that we have to be thoughtful in what we think needs to be done to really do truth and reconciliation. And you know we for years talked about many things that didn't include the statue, everything from documentaries that we were encouraged to watch which were very difficult. We sat, three of us and some staff, and watched the documentaries, read many books that were recommended and I think we all have our own personal experience of being part of the family. I know you know I could talk at length of my experience being there and then when the discussion did come to Sir John A. McDonald, we didn't always all necessary agree. There were different points of view and I think what we learned is from how the First Nations Council works, Chief and Council you keep talking until almost the consensus is formed in everybody's point of view is included and that nobody's point of view is wrong, but we just keep going around and discussing it and so the decision that came forward was not necessary that the statue is gone forever. It is that at this time, it is a recognition that perhaps he should be moved or removed from the front steps of City Hall, a location that is considered a building that is supposed to be welcoming for all and to learn that it may not be is something that was very clear. A lot of the emails that were received, and I think people who have sent emails and letters and of course some have been in support and some have been in an opposition.

One of the words that always seems to come up is "how dare we erase history" and you know history cannot be erased. History is there, but I think how we tell the history and the truth telling. I think one of speakers has already said this, but is really important, one of the things we discussed is how do we? The next phase will be how do we tell the story in a historical modern context, and to get the full truth because I agree there were many great things there, Sir John A. McDonald did for the country and should be recognized, but the other story has to be told that we need to look at

how that story is told. So I think it's the history and given the historical modern context and for people that don't even know who Sir John A. McDonald is. I think we need to teach that. I see people take pictures all the time and think "he must be an important man to be standing in front of City Hall", but we don't tell the full story. I think recognizing the location, is this an appropriate location? And I think even in Sir John A. McDonald Historical Society, City Hall was not the first location that was always envisioned or desired. I think this was the location that was the eventual location that was found and I guess also when the work that's being done for truth and reconciliation. I know we have done things, like we acknowledge territories before meetings and one of things that I remember someone saying is that you know that's really nice, but its meaningful work when it comes to the reconciliation and we need to look for more meaningful ways to acknowledge the history. And in the history, much of it is very positive, but there's also a lot of tragic stories to go along with it. I think it's not to remove the history but to make sure that the City Hall is a welcoming place and I think on a personal note, you know, although this is about reconciliation with City family and the work to the reconciliation with our Esquimalt and Songhees Nations.

I have found it interesting that for now 20-25 years, I conducted tours of Chinatown and part of the tour is the acknowledgment of the fact that the Chinese lost the vote, the fact that the Chinese, you know my grandparents, would have had to pay the head tax to come here. Now I'm going to get emotional, and I was going to try not to, and I lead the tour and I walked by that statue, never knowing that that was the person that did that. So on a personal level, when I see the family members and I hear them tell the committee or tell us members that is not about the history of Indigenous people, but the history of their families for their own personal families homes in a larger way that I had expected when I first read about the family. So when I know some people are saying that it's not the wisest thing to do, but I think it is an appropriate thing to do. I end with a quote from a Chinese philosopher, and we talk about this being a journey, and a Chinese philosopher said "a journey of a thousand miles begins with that one step and it's not the whole step". It's not going to be the only step, but I do think this is the first step that the City of Victoria can show that although history cannot be erased, the acknowledgment that some of the history that has affected many people in our community needs to be acknowledged and I think this is the way. Thank you

Mayor Helps:

Thank you Councillor Thornton-Joe. Other speakers, Councillor Lucas.

Councillor Lucas:

Thank you, I just want to thank Councillors Alto and Thornton-Joe and Mayor Helps for being our representatives on this committee. I think that they've had extreme courage to come back to the table here today and talk to us about what has been decided, and a way forward. We've been talking about this over the years. I've heard this on and off and I go back to, I believe it was Mayor Lowe who actually started a lot of the conversations with the First Nations that was kind of the first steps and then we started this. Councillor Thornton-Joe just said, we started to say before all of our speeches that you know we were thankful to be on the Territories of the Esquimalt and Songhees Nations, and it just seems that here's the progression and it hasn't been just today. This is not the start. This is part of the process that has been going on for quite a few years and I think that what is sad for me is that all I have heard in many of the emails and in the media is that were taking away and they don't talk about the next steps to the statue. It's not just about the removal. There are many more steps that we will be embarking upon. Through our committee that you have,

I think that it's just important steps and we don't all have to agree on everything, but I think it's important that we do, as I've heard from all of you is that we are not rewriting history. All of us. And I would suggest most of us have family members that are immigrants that did not have good stories here for all sorts of reasons and not necessarily through Sir John A. McDonald, but many things have impacted on this country and in the immigrants that came here and no, we can never rewrite that. But for me, we become stronger from the learning, our families have the courage that they had to break through those barriers and now were on to that in many different ways. So I look forward to us continuing on this path and I look forward to finding out how we can tell the story of Sir John A. McDonald because he did some very, very good things for our country and our people and will find the right thing. I'm very comfortable with that. That is going to happen it will take steps to get there but I believe that we will.

Mayor Helps:

Thank you Councillor Lucas.

Councillor Young:

I am unable to support the recommendations in the form in which there they've been put in front of us. I see a lack of respect not just to the Council who received it a couple days ago but that the donors who managed to provide a letter that's just come to us, but mostly to the citizens of the city who also want to participate in this dialogue. As my colleagues have mentioned, there are many questions, not just should we remove the statue? But what should we do with it? What should we replace it with? And indeed where do we go from here in terms of this process of reviewing history, looking at how we commemorated. Yes, this subcommittee, this advisory committee, that's called the City Family has been meeting for a year but it hasn't been a public process. It's an advisory committee like any other, some of the members are paid and meets and perhaps slightly more comfortable circumstances. I take it from the Mayor that the word formal agendas and so forth. But obviously, there was significant discussion and the problem for me is that only those members of the committee, not even sure how many there are from the city, most I guess from outside the city, the Esquimalt and Songhees Bands and others, they have had ample opportunity to work through these issues to discuss them but our citizens have not.

I think that the core recommendation that has come forward has some merit. I put a lot of weight on the letters from the Band Councils of the Esquimalt and Songhees, I am very affected by those who say that they find the presence of the statue at the entrance of City Hall gives a negative impact and sense of unfriendliness so I don't disagree that this is a subject that is worthy of discussion, but I think that it's not just the few members, the three members of Council and the few members of the Aboriginal Nations and others who should have the benefit of that discussion. I think it should be a discussion for all of the citizens of the City, and I guess in the words that Councillor Thornton- Joe used we should keep talking. Yes that was the motto of the Advisory Committee, the City family. Why can't that be the motto for the city as a whole, the issues are not simple, and I guess it's said it's not respectful to our citizens. I don't think it's respectful to our history, the leaders of the past.

Obviously we know that many wrong decisions have been made and that Sir John A. McDonald was an advocate of some of those decisions that were made that we now know to be wrong, but all I would say is if knowing what the right thing to do is so easy, why is it that now Aboriginal representation among the homeless, for example, we've heard within the last couple of weeks, among the incarcerated as we know among children in care, among people living under a boil water advisories. Why have we not solved the problem? Are we going to blame Sir John A.

McDonald still for setting something in train that where that it's impossible for us to address. Why are we so superior? Why do we think we know everything and they knew nothing, and I guess that's in the sense of we know all the answers now that is really something that kind of upsets me.

Part of it is vocabulary and the quotes that we've seen from Sir John A. McDonald in the background material and in the Mayor's, your website Mayor Helps. We've changed our terminology for a whole lot of things we change the way we refer to Aboriginal people, Inuit, African Canadians, East Asians and South Asians, members of the LGBT Communities, people with physical and mental disabilities. All of those, all of that terminology, has changed just within the last few years. My memory and I'm not talking about derogatory or slang terms I'm talking about the terms that people of goodwill used. So, to take up two, to pin the word, to blame somebody of more than a century ago for using the wrong terminology words that we now find insensitive and inaccurate is shooting fish that are in a barrel and it's unfair. I can assure my colleagues that all those terms that I just talked about some of them have changed more than once and some of them will change again in the future and somebody quoting your words in the future, our words in the future, will, if they blame us for using the wrong words will be easy to suggest that we have not been grappling with our problems in the wisest way. So, I guess it's that and I guess I won't repeat comments I made earlier about our reaction to some of the past, shameful actions of this Council of many years ago that Councillor Thornton-Joe referred to, but also the discussion that we had when we also passed a motion that I suggested some people in the future may find equally insensitive and discriminatory.

I guess in brief, I would say as much as I may have some sympathy for the recommendations that came out of a year of deliberation by a group. I think it is important that our citizens too should keep talking, that they too should have a chance to hear the views of those who have concerns about the location of the statue to have a discussion about what should we do with not just this commemoration, but with many others, all of them subject and names. Names of streets, the city itself. There are a whole lot of issues that need to be addressed in terms of how we grapple with our history, what we can do, and what we can't do, and I'm afraid that this recommendation to unbolt the statue with almost no notice and to stick it in the warehouse well again this advisory committee debates on what to do with it, that it's not, and which no doubt will come forward again after many months of deliberation, not satisfactory. I think this is a discussion for the public that the public should take part in.

Mayor Helps:

Thank you very much. Other speakers? Yes, Councillor Madoff.

Councillor Madoff:

Thank you and thank you very much to my colleagues who've spoken prior to me, this is such an important issue, it's a very emotional issue. It's a community issue and the actions that we are contemplating today are profound and are profoundly important. Hearing the stories from our representatives on the City Family, it is very clear that they have experienced an extraordinary journey over the period of the year and it would've been my hope that the next step of that journey would have been bringing along the broader community because reconciliation is about the broader community. It's about all of us and there is a process outlined here that will say what should happen or what might happen or what will happen and we can deal with that. I wish it was slightly more tangible and I wish that that process was identified here because I think we all know what happens, even with the best of intentions. When any kind of an object goes into storage in

particular with the new Council coming in, what guarantee do we have that that process which I think is very well-meaning and very well intended will actually go ahead.

The concern that I have is that the timing of this and the way that the public has been made aware of it has made it unnecessarily contentious and I can't imagine that that would be the desires of those people who participated in this discussion over the last year. And the words that I heard with careful, conscious collaboration which is so critically important. But when I look at this, I feel that even in terms of just notice even if Council's intention is that we will respect the decision of that committee, and basically, we will move forward with it.

How we inform the public is so important and it's, as we all know, I think Council when we first heard about this, I think it was Tuesday evening, we began to hear from the public, but not via their response to, as I understand from what I'd seen, on the City website. It was through other social media so it wasn't being broadcast and that broader way of the media began to ask questions yesterday, which is Wednesday, and so I don't think we can be critical of the shortcomings of the media reporting if they didn't have time to ask the guestions and spend the time to understand it as well with the deadlines looming and then it comes to us this morning and of course, this will move forward this evening, regardless of what the vote is on this and then in the information we have that the statue will be removed on Saturday with the intention that there will be a further discussion that it will be relocated with the whole story being told. And to me that is what has always been quintessentially important with any discussion around with a statue or whatever it is. There's no value in removing something of value, it is in telling the whole story and I was interested to see a post by one of the members of the City Family, where Carey Neman saying exactly the same thing. That was my view when the provincial government decided to obscure the murals in the rotunda of the legislature which means we learned nothing, they should still be there and they should tell the whole story. And so I don't think the public is even had a chance to understand what the whole story is coming forward from the City Family in terms of their intention. The understanding that I'm seeing in the emails that we've been receiving is simply a reaction to your removing the statue and people haven't had time to try to digest that. I think it's so important because surely this is just going to be the first of many actions that the City will take over the long term cycles.

My question perhaps is best posed to representatives on the City Family is why is the timing, the way that it is where it's very difficult for, in good conscience to say to a member of the public who says you're rushing this through, you don't want to hear our views. It's very hard to argue against that. So why are we dealing with it with very little notice on the same day removal on Saturday, what is propelling that for something this important where we want the community to really understand what the intentions were of the City Family deliberations and what the intentions are of Council as they move forward with whatever they determine they think the next appropriate step is. What can we do to ensure that people do not feel that we've intentionally excluded their voices?

Mayor Helps:

Is that a question you'd like answered at this point?

Councillor Madoff:

I would appreciate it if it's in order.

Mayor Helps:

Sure, I guess I can answer that as the head of the family. So, no matter when this decision would be made, it would be a contentious decision. It doesn't matter if there's two days' notice, or 20

days' notice as Councillor Lucas and Councillor Thornton-Joe said, this discussion has been going on for years and so I support everything, for the most part, that Councillor Young has said and that you have said that we need to create room for the dialogue to happen. That's the intention. And if we left the statue there or had a debate for the next two weeks or two months with the public it would be, do we keep the statue or do we get rid of the statue? Do we keep the statue or do we get rid of the statue? And so that's where leadership is required. Remove the statue, put it safely in storage immediately and let's have a conversation about reconciliation. Let's have a conversation that's wider than do we keep it or do we let it go. So that's the thinking of the swiftness of the action.

Councillor Madoff:

Well, I appreciate that. But even as a normal piece of business, this, folks would have been made aware of that on the Friday when our agendas are published and so again the optics are not very good.

Mayor Helps:

Chief Thomas was on the tribal journey and we weren't able to get in touch with him to finalize any of his thoughts until over the weekend so that is unfortunate. Sometimes there are late items and as for the way that the information went out to Council and The Sir John A. McDonald society got a heads up, and then the information was posted just as every other agenda item very publicly on the City's website as soon as the agenda was republished on Tuesday so the information was on the City's website. Just as a regular course of business.

Councillor Madoff:

And I'm not suggesting that by having a timing that would be more part of our more regular proceedings would make this less contentious. I think what it would simply signal is that we are interested in not only hearing from our constituents but also being able to have the time to inform them. I mean, I didn't have time to respond to all of those emails saying "you're just going to trash this thing and your rewriting history". I don't have that opportunity when those emails started to roll in, and I know you're saying well this is a conversation or an issue that has been debated for years, the only time that there was discussion about the removal of the John A. McDonald statue was on the part of the society that had commissioned a statue who had wanted it to go in a location that was more closely associated with provincial or federal levels of government as well. It wasn't the discussion around these kinds of issues so my, I'm just concerned that something that is so important and so profound could be tarnished in a way, with it being difficult to respond to why this is such a tight timeline and then we and this is our last Council meeting and we are gone until September. And it's very hard for the public not to feel that this was something that was choreographed and I'm not suggesting that it was to make sure that we didn't hear their voices, and other opinions, and that we didn't have the time to provide that accurate information and I think that's really unfortunate because as I said earlier. It's about bringing everyone along on the journey that we possibly can and not creating divisiveness at this point. Which isn't to say that everyone would agree, but at least they would have had full information. Thank you.

Mayor Helps:

Thank you very much. I have Councillor Coleman next.

Councillor Coleman:

Thank you. It's always a compelling discussion we have when we get into issues like this and I need to differentiate between the process and the path forward. The process, first of all, is the City Family. It is as I understand it, an unusual and perhaps a unique opportunity within the country to deal with the coming together of First Nations and municipal entities and that is to be celebrated and it's a journey that three members of Council have gone on the rest of us hadn't have had the advantage of and that's profoundly different so nobody else in Canada can compare their stories to what we've gone through here, and the other members of Council, sadly, haven't had that same opportunity. So that's one process.

The second process is the way it arrived on this table so it's been foreshortened in terms of this particular direction coming forward to us and we're trying to catch up and that's awkward, it's frustrating for those of us who weren't part of the journey for the last year and we've gone through issues like this in the past I think not too long ago of the discussion of potentially renaming Begbie Street and that was a discussion we had with the public, we went to the community, we went to our First Nations who were residents here and asked their thoughts and the First Nations said "It's not an issue for us". The neighborhood said "we actually like the old name" but that didn't get all of Council to support that, there were some who still want to change, but the majority of Council said we've had a discussion we've heard different input and so were not going to change that name. This one comes to us much quicker and we have to try and understand, and the compelling part, to me that's different than the Begbie issue was the two letters from the two Nations. Saying, "You need to understand as we get to wrap our minds around truth and reconciliation in moving forward. You need to understand how unwelcoming that statue is at the front door".

Not to argue with you, Madam Mayor, when we talk about rewriting history, I would hope those words will be taken as a negative by some folks. It's probably better articulated as we will be broadening our understanding of history because I think it is saying yes there is a story here, Sir John A. McDonald is in the parlance of the day, a father of the Nation, one of, and there are those who would argue that if he hadn't lead that discussion we could be American or we could be part of an independent nation within the commonwealth we would be different. Because of his actions, we are part of Canada and that's a good thing. There are a whole bunch of other aspects that we need to understand and that is just beginning to come to the forefront now for us.

So it's critically important that we understand that and we carry on that discussion and I look at the different histories that we bring to the table, two years ago, the Anglican bishop of this diocese chose to have a Camino of his own. He walked from during the Lenten period, he walked from the north end of the island to the south end of the island. He started by actually being part of the deconstruction ceremony around St. Michael's residential school in Alert Bay and then he walked the length of the island during the Lenten period asking for forgiveness from First Nations for past histories and permission to re-enter their alliance. 25 years ago, that was unthinkable, but it's a recognition that we are changing and were broadening our understanding of how we move forward together. My father years ago used to do a lot of work with the Gallaudet College in Washington D.C, in those days it was called the Gallaudet College for the Deaf and Dumb, totally insensitive and people now might chastise him for those words of the day it didn't make him a bad person. Society has moved on and we've understood more so I recognize all the emotion that is wrapped up in this and I don't want to diminish it or dismiss it. It's important. But the question for me is as we move forward with this, we need to prove, if we support this, we need to prove that were not rewriting history but were broadening the understanding and in the understanding as good hosts that we make people uncomfortable walking through the front doors.

We need to find a way to reposition the placement of the Sir John A. McDonald statue. There are those we've heard from lots of them, who say you're just going to put it away in some dark corner. I think as we move forward, its incumbent on us to make sure that that doesn't happen, the statue needs to be replaced and given a prominent position that tells the whole story. That talks about how we move forward from something that happened 150 years ago to the way we move forward, and we've begun to understand the tragedies of our history and the glories together and this is one that does need the light of inspection. We should be embarrassed by part of our history as Canadians, but it's also incumbent on us to move on and make things better.

So I don't like the way this is ended up at this table. I think it does lead to distrust in many parts of the community, and I've heard through my FCM connections, lots of people across the country who are bemused, annoyed, angry, but they haven't had the advantage of going through the City Family which is particular to Victoria. So I'm quite willing to show faith that we aren't going to sanitize history, were not going to take the statue down and shove it off in the dark corner never to be seen again. I have faith that we will move forward in a way that does allow us to use Sir John A. McDonald statue in a repurposed way that acts as a classic point of education but I recognize that we have made people very angry in this process and that has not been helpful. Thank you.

Mayor Helps:

Thank you. Councillor Loveday

Councillor Loveday:

Council has accepted that reconciliation is a priority and I think it's one of the most, if not the most, important and lasting legacy that will come of this term if it's done well and continues. That means accepting discomfort on unsettling truths and taking courageous action. I've differently heard as we all have, the concerns that this is erasing history, but I've heard more conversation the last 24 hours about our history and about John A. McDonald, both his accomplishments and the terrible legacy of violence that he left and I think it's important that we have that truth telling as a community and I think it's important that doesn't stop.

I've heard from my colleagues that there needs to be a broader community conversation and I fully agree. We are now having that conversation and I think we need to turn our minds to how we continue to convene that and make sure it brings people in. Councillor Coleman mentioned that there were three people at this table have had a very deep and meaningful process over the last year of conversations as a City Family that others of us at this table were not a part of and so that is an emotional journey that other people need to be brought into. And looking at that, I think the other very important aspect of that is this City as an institution we run on as much as that is a process that is more Indigenous in nature. We still are quite a large bureaucracy that works in electoral cycles, and the fact is we don't know who of us will be at this table in a couple months and we don't know how, so I don't know maybe this work is happening because I'm not part of those conversations, but how we make sure that that work continues, no matter who's at this table and no matter who's at the director level and whatnot so that this is an institutional change so this is more of a community conversation that everyone feels that they're brought into.

We agreed to undertake this process of reconciliation, I think we all knew that that meant that at some point we had to make decisions that were uncomfortable, hard and unsettling, and I think it's also important to remember that we agreed on the framework of what that would look like and we did vote in favour of that. So yes, it was surprising to see this on the agenda, I didn't know it was coming. And yes, that makes for difficult conversations, and yes, I will support the recommendation because we agreed on the process I think I trust the process in which I'm willing to support this and

I'm willing to have faith that this will continue as a broader conversation and this hard and necessary work will continue both at the City Family level, at the institutional level, and at the community level moving forward.

Mayor Helps:

Thank you. Does anyone else wish to add anything else? Yes Councillor Thornton-Joe.

Councillor Thornton-Joe:

Thank you and I just want to thank Councillor Loveday in commenting that yes there's been a lot of discussion in the last few days and I think he used the words "uncomfortable" and "unsettling" and I think those were really profound words to describe the last year and I think one of the things we've learned is we went in and I think Mayor Helps mentions in her dialogue, and in the report is that we sort of went in to say this is how the process is going to look like because that's the way we've always done it and we learned very quickly that no, that might not be the way, just because we've always done it that way, wasn't necessarily right or appropriate and perhaps the most respectful way to work with our partners at the table and so I think that is one of the reasons why it's come forward in this way, and one of the things I've heard in some of the letters in the emails and what I hear from Council, is this may be one of the things that makes individuals uncomfortable, besides all the other things that we've heard, is that uncertainty of what's next and the concern that you know this is just a way to get rid of the statue at which I don't think was the intent and so I'm wondering, I'm going to try and propose an amendment and see if perhaps it could be improved upon or supported, and that is that Council requests that the City Family come back, at the latest in a year, with directions and the process for the future for the Sir John A. McDonald statue.

Mayor Helps:

And can I help?

Councillor Thornton- Joe:

Yes please

Mayor Helps:

So Council requests that the City Family come back, at the latest, let's say in six months with the process for the community to have a conversation about reconciliation, including the John A. McDonald something, including the role of John A. McDonald in Canadian and Victorian history.

Councillor Thornton- Joe:

And I'm happy with that. I think I just -

Mayor Helps:

Moved by myself and seconded by Councillor Thornton-Joe

Councillor Thornton- Joe:

And I'll second that, and I think I gave a longer timeline just because I know from experience that these dialogues take time and I would've, I think that I would've heard that part of that process would be for community engagement but I think having it in the actual motion I think does pick up the piece that I expected but yeah I think needs to be within the motion.

Mayor Helps:

Thank you Councillor Thornton-Joe, and thanks for letting me to interrupt you where I thought you were going is that we would pop out again in a year with "here's what's going to happen with the statue" and I know that wasn't your intention, but I just want to make it really, really, clear and I'm happy to second this and I think the City Family will be honoured that we are requesting and I think Councillor Alto may disagree. Okay, we can have that conversation. Maybe there is more time needed, but it is true that Councillors as part of the City Family have been involved and my comfort with this is again it's we have to be careful not to override the process that Councillor Loveday laid out, which is that were doing things differently and all that Council is doing with this amendment is requesting that the City Family come back. So the City Family may actually say well thanks for your request and you know here's all the work we're doing and here's the time it's going to take, and actually we're doing something that's different than that. So this is a request, and I think there does need to be some form of back-and-forth between this Council and the City Family. So that's the reason with this wording that I am happy to support this. Councillor Alto would you like to weigh in or make any improvements.

Councillor Alto:

I'm not on the track of making any improvements just on the fly. I guess I would urge just a little bit of caution in the sense that as Councillor Loveday pointed out we did last year endorse a process acknowledging that the process was profoundly different than what we usually do in dealing with the corporate affairs. I guess I'm a little uneasy about trying to make that process fit into our own conventions. When we embarked upon this journey last year we acknowledged repeatedly that this was going to be extraordinarily challenging and that it had literally none of the usual parameters that we expect from projects or programs and that it's very essence relied on our ability to accept that reality. And I'm uncomfortable with what, at first glance appears to be an attempt to box in that difference. There is an uncertainty that is within the core of this process, which I think is one of its strengths, and I think if we believe in the process and if we, as I think a number of people said, if we trust in the process. The very essence of this process is around challenging and tackling difficult issues and trying to create a way forward that will have benchmarks that will be things that are familiar to us, that will be no actions which come forward at different times for our consideration but for us to prescribe those in a way which now has a timeline, a report, the things that we usually expect from our own work as we're operating a conventional hierarchical structure. I'm very uncomfortable imposing that on this and I wonder what message that delivers to the Family and to the Nations about our own belief in the way forward as we have set it out and as we have begun to work together.

We are negotiating, we are creating, we are building and nurturing a relationship in a way forward, which is unlike any other and I believe it is true, as others have said that this is unique in the country as a way to work towards reconciliation and I am very uncomfortable about trying to confine that in an anticipatory way by placing conventional constraints around it. Would I be comfortable having the Family focus its attention as a request from his Council into what I believe is the intent behind this? Absolutely. Am I comfortable saying to them this is what we want from you, even as a request, not at all. I think that this undermines the way forward and opens a door I don't wish to open.

Mayor Helps:

Thank you. There may be others who want to speak on this. I have a proposed way forward, and it is going to take trust and it is going to be unconventional and I think you know as even as

Councillor Thornton-Joe was word, looking for words for an amendment and I was looking for help I was wanting to go back to cling to that very familiar process. That we make a motion and then give a time frame, and then something happens. So let's try this instead. So I would suggest we defeat the amendment and not make any amendments but I will, now this is the kind of unconventional part, but I am the Head of the Family, and as the Head of the Family, today I will make a public commitment to bring this issue back to the Family with the almost in a way, as an Indigenous speaker does, to recount the discussions that were had at this table today to bring forward the concerns that I've heard from all of my colleagues, representing all of the different opinions and obviously they could watch the webcast but then we never get back into their own process. So my public commitment is to reflect to the Family and ask the Family, as the Head of the Family, to take very seriously all the words that have been shared here today in public. That is my commitment as the Head of the Family. Councillor Thornton-Joe.

Councillor Thornton- Joe:

Thank you. The comments that Councillor Alto said, she said I feel uncomfortable with and goes back to this whole relationship and the work that is being done. And it is uncomfortable. And with each turn, that is a word that is you know a feeling that is often felt. I like your commitment, but I guess it's trying to find the balance of the two roles that I play in, that recognizing that as part of the Family Member, the way things are done may not be the ways that when I sit at this table is sort of expected. So I wonder, and my concern is, and what brought that motion for this, is in two months or three months that none of us may be at the table and everything may drop without any sort of conclusion, or motion set, that this discussion is just the first step, of the thought of out of sight out of mind, and this is it. I think there needs to be some message that this was one of the first steps. So I take your commitment seriously and support that but I wonder then, whether it should be a Council motion to ask the Head of the Family to take back and that would bring me more comfort because that encompasses what we expect at our table, but recognizing then at the Family table that there's another process that needs to be honoured.

Mayor Helps:

I think that's a good way to do it and I had proposed some wording here request that the Mayor keep her public commitment and make the Family aware of the request. That's an amendment to the amendment, request that the Mayor keep her public commitment and make the Family aware of the request or that make the Family aware of the words spoken today. Okay, moved by me, and seconded by Councillor Loveday. This is really hard. I recognize this is very hard. It feels very awkward but that's what reconciliation feels like, unsettling and awkward. So we've got an amendment to the amendment. Councillor Alto.

Councillor Alto:

So in our rules, I can longer amend. Is that correct?

Councillor Mayor:

That's correct.

Councillor Alto:

So I guess I appreciated and understand again what I believe is the intent behind this, but were it possible, I guess I would prefer different wording, make the Family aware again, sorry, for me, it

goes back to our directorial type of language. I would've preferred something about "request the Mayor share these remarks with the Family and the Nation" something like that.

Councillor Mayor:

Sure, and I'll just interrupt you, once we get this amendment to the amendment passed, we can put that new language in and we're just all kind of making up this, as we work together so that language would be much more appropriate than what I just spewed out but we're working on the fly here. So on the amendment to the amendment, noting that if it passes it will be once again amended. Is there any further discussion. Yes, Councillor Loveday.

Councillor Loveday:

I definitely want to honour the process that's been undertaken through the City Family and through this whole process of reconciliation. Leadership is taking these courageous actions. Leadership is also meeting people where they're at. So I do think it's important that we also have a way to communicate to the public what the process will look like and make that very clear. I think you, we know what we need, even when we say City Family, but most people don't know what that means we might think that we're talking about the City as a family. So really being clear about how we're communicating and what we're communicating to the public I think is key so that they can also have trust in this process and in faith that this will happen in a good way and that there will be a public dialogue that they can be a part of. So I support this and I also look forward to seeing what the amendment to the amendment will be if this passes and or fails.

Mayor Helps:

Thank you. Further discussion? Okay, all those in favour the amendment to the amendment? Any opposed? Okay, so this is now simply an amendment. Councillor Alto, do you have better language?

Councillor Alto:

Let me ask a question first. Is the intent behind this additional line, in whatever form it takes, finally, to be part of the previous paragraph so that what we're ultimately voting on is, we're making a formal amendment that includes the language around the request, the timeline that sort of thing you know.

Mayor Helps:

Oh no, that would all be deleted. This language here is to replace all of that.

Councillor Alto:

Thank you, just want to clarify that. So I would just suggest perhaps instead of the very last line that it be something a little bit simpler and perhaps say, "Request the Mayor share the intent of the request made by Council today".

Mayor Helps:

Good so "Share the intent of the request made by Council today with the City Family."?

Councillor Alto:

Yes, sorry okay.

Mayor Helps:

I think that you should ask me to keep my public commitment too.

Councillor Alto:

Sure.

Mayor Helps:

That the Mayor keep her public commitment to share the intent of the request made by Council today with the City Family.

Councillor Alto:

I'm happy with that.

Mayor Helps:

That amendment to the amendment has been moved by Councillor Alto and is there a seconder? Seconded by Councillor Coleman. Thank you. Discussion? Okay, all those in favour of the amendment to the amendment? Any opposed? Okay, so now if we just need to vote on this as the amendment because it's replaced the original amendment. All those in favour of the amendment? Any opposed? None are opposed. Okay. Any further discussion on this matter? All of those in favour? All those opposed? One opposed, eight in favour. That carries. Thank you. Sorry seven in favour, one opposed, yes we're missing Councillor Isitt.

Appendix B

Verbatim Excerpt of the Minutes from the August 9, 2018 Council Meeting

Item I.1.b.k: City Family Story as told from the perspectives of the City Council Members that are part of the City Family: Continued Reconciliation and Removal of Sir John A. MacDonald Statue

Mayor Helps:

I'll go to the mover and the seconder, and then Councillor Isitt I'll go to you since you didn't get to speak to this this morning. Councillor Alto.

Councillor Alto:

I'm not sure where to start. I won't repeat what I said this afternoon but I will just say a couple things. I think it's important for us to acknowledge the opportunity that we have here to take a step that though perhaps small in and of itself, I think, is concrete action that begins to tell the story of what the City is prepared to do in order to put something behind the words that it said. Last year, as you all know, we made some important decisions about a process and that process has been unfolding since that time. While it's been challenging and invigorating and enlightening, it's also common with the recognition that each time a process unfolds and returns to this body, it will do so with presentations and ideas that may be very unfamiliar and very uncomfortable and have an expectation that we will receive those ideas with open arms and open hearts. The last few days have been very interesting to say the least. I think it's been a great opportunity for us to begin to challenge one another, and ourselves, and our community to see how deep is our commitment to reconciliation. I believe it's very deep, but I believe it's very new and I think that the conversations that we began to have are important in indicative that there is much yet to say, and much more ground to cover, but I do believe that there is a significant number of people, majority people, if not all of the people who believe this is an important conversation and must unfold and it will unfold and will be embraced at some point. I looked back at the letters from the Chiefs and Councils for such an important part of our process, who have themselves members of the City Family at the core of this process and think of their references to how the step begins to change the history of repression and the importance of the step in rejecting that type of behavior and assumption. But more importantly in looking forward to say that this is a beginning step as a foundation for generations of understanding. I think that's the most important thing for me. When we embrace this very small step, we recognize and make a further commitment to keep walking together and understand that the journey is long but it's a journey that will change all of our lives for the better. So I thank my colleagues for their patience with the process and I commend them for the patience that will show in the future as the journey continues at the pace it needs. And I hope that everyone will support this tonight.

Mayor Helps:

Thank you. Councillor Thornton-Joe.

Councillor Thornton-Joe:

Thank you and I probably will repeat some of the items that I said today. I think there are two aspects that are part of the discussion. One is whether there are concerns about the process and the second piece is whether the action is supportable. I was trying to describe the process to my husband today and was trying to describe how when we first went to the meetings, I think we had in our minds that this is the way the meetings should go and how we would report out and we learned very quickly that we were putting our City way of doing things and we learned very quickly

that for real reconciliation we needed to be flexible. We need to be nimble. We need to be open to a new way of having this discussion with the family members and to come to a decision regarding what might be done. I think it's one of the worst words that was said so often as well as was said this morning was that there were many times we were uncomfortable and it was meant to be uncomfortable because the discussion is uncomfortable and to acknowledge the history is also uncomfortable. We continue to get emails that say that we should not be erasing history and I'm going to say again that history is done, it's done. That it's not going to be erased but we can make a decision on how we tell the story and the full story. It's like any history class when you've only been given one piece of the history without the other piece you can't move forward in feeling that you know your history without the full context and I think this gives us the opportunity for that full context and I think for the most part I'm not saying that the statue needs to go away forever. I don't know that's going to be discussion that we will have. But what I'm very clear about is whether it should be in front of City Hall when we have said over and over that this place is a place to be welcoming for all and it's very clear that with the statue there, it's a clear message that it isn't a place that is welcoming to all. And I think it's very clear also in the letter that this wasn't the first choice of location, whether the Prime Minister, whether he was ever in Victoria whether there is a more appropriate location for the statue to be, may be a discussion that we'll have in the future, which is why I did the second part of the motion because I believe that there needs to be a second piece of it. So I did want to thank the speakers who came out tonight and I'm really going try and not to be emotional tonight, but especially the young man who came up and spoke in his language because he was a young man and part of the whole lesson we learned was the not being allowed to practice your language. So to see a young man do that I think was very moving to me. So you know I think we need to have this discussion. I think it's been an important discussion that has permeated through not only the City but throughout Canada and people are questioning and I think many people that have questioned it, to me, is that because they only talk about the good that Sir John A. McDonald did and I don't diminish any of the things that he did for Canada but I also have to acknowledge the things that he did that are horrible. And in my DNA I have Chinese ancestry and although this was to do with reconciliation, we can't deny that the same gentleman proposed that Chinese men not have the right to vote on the grounds that they were foreigners and that the Chinese have no British instincts or British feelings or aspirations and because of that, he took away the right for the Chinese to vote. He worked to bring forward the Exclusion Act and worked to bring Head Tax. And then on the personal level in my ancestry is my great-grandmother was also from the Interior Salish and so to acknowledge what John A. McDonald did to the First Nations, is something that can't be ignored, so I really appreciated being in the Family. I learnt a lot and I think as we call this so often a journey, and I think this is a journey and I said this morning one of my favorite philosophers Lao Tzu, said a journey is "a thousand miles starts with one step" and this is the first step and Councillor Alto said "this is maybe a small action", but I can't help but also remember the saying, "where a stone, small stone, can drop into a puddle and that little small stone of action can reverberate to a larger context" and I think that's really important for us to remember. So I will be able to support the removal of the statue to be placed in a place, a safe place, until other discussions are had and the time to heal and to cleanse is able to be done.

Mayor Helps:

Thank you. Councillor Isitt

Councillor Isitt:

Thank you. This is one small first step toward establishing respectful relations between Indigenous and non-indigenous people. There has been a lot of talk over the past few days about erasing history but erasing history is what has been going on for the last 175 years that settler people and their governments have occupied and expanded their power in this Algonquian territory. Our current approach to commemoration conceals the history of this place and the experiences and

impacts of colonization. Removing the statute has initiated an important dialogue about this history and this dialogue needs to continue and deepen into the future. I think the statue could be relocated to the grounds of the Provincial Museum with interpretive information that situates John A. McDonald in appropriate historical and cultural context. I want to express my appreciation to everyone who shared their views with City Council in relation to this decision and I particularly want to thank anyone who advocated for the City to demonstrate leadership by pursuing a different path than the path taken by generations of settler governments that have come before us. For these reasons, I support the decision to remove the statue and begin the journey down a new path.

Mayor Helps:

Thank you. Councillor Young.

Councillor Young:

It's impossible to separate the process from the action because in some ways the action is the process. We've heard some affecting speeches tonight. I think it would really have been a good thing if all of our citizens have had the privilege of listening to those. Instead, tragically, instead of a process of reconciliation, tragically, what we're seeing is a divisive action. What is clearly being perceived as a precipitated step taken in the middle of summer with almost no notice, barely outside the legal minimum notice of a motion to Council, with no notification virtually no notification to the public. I was going to say "snuck through" but it does appear that the press has taken notice of it and it has become a subject of discussion, but unfortunately an unnecessarily divisive discussion. The discussion will be about the speed of the step. The fact that there was almost no input that the ultimate disposition of the statue is undecided. It is unseemly that this work of art and I say that advisedly it is, it besides being a symbol, a commemoration, that is also a piece of art. I understand it cost \$90,000 when it was commissioned almost 40 years ago. Its replacement value nowadays is some \$300,000. I hope that those people who are charged with removing it and jack hammering it out of position, I understand it's rebar goes deep into the plinth, will take sufficient care of that. But it is unseemly that that this piece of art donated to us by a group of citizens should be almost in the blink of an eye jack hammered out and stuck away in a warehouse. One of the parts of this tragedy, is that the City, the original location as I think comes from, Councillor Thornton-Joe mentioned, "was not intended to be at the gates of City Hall". It was intended for a more neutral location in Centennial Square. The Mayor at the time, who was one of the donors, offered the door of City Hall as a location and it was put there but I think that in fact many of our citizens, even those who have written and sometimes guite strongly against the removal of the statue also recognize the need to achieve reconciliation and I think people in Victoria are people of goodwill. I think that a considered recommendation to allow some discussion to a plan that we could agree on to respectfully remove the statue from its location to find a new location in a new kind of discussion about it. I think we could have avoided what has and what is becoming an unpleasant and divisive argument and I would appeal to those of my Council colleagues who have expressed concerns about the process to raise your hands and say no. There is no reason why this has to be done on Saturday. This is an action that does not have to be rushed into, this discussion can take place, and it should take place and rushing into this is no reference in the letters from the Songhees and Esquimalt Nations about by the end of business on Saturday. There is a recognition that sometimes these things take time, but the fact is that taking time can give a better outcome. The committee spent a year reaching this conclusion, yet it expects that our citizens will spend 36 hours and reach the same conclusion is unreasonable.

Interruption from gallery

Mayor Helps:

We have to let him finish and let him speak. May I please ask for respect? When you were speaking earlier we sat here and listened and this is Councillor Young's time to speak so you can speak with him after the meeting, but please let Councillor Young to continue. Please let him speak. I respectfully request, we've been sitting here listening to the public, including many of you all evening. We had probably about 25 speakers and we sat and listened without any...so Councillor Young, go ahead.

Councillor Young:

These are important discussions, and they should take place in an open and respectful manner. We know from the communications we've received already that there are differences of view. I think that many of those views could be reconciled. I think people have to listen to each other. They're not getting an opportunity to do so because of the actions of this Council which wants this statue whisked away and put in the warehouse by the end of the day after tomorrow. It is, it's not right.

Mayor Helps:

Thank you Councillor Young. I will speak next and I'm not going to repeat much of what I said this morning but I want to speak about the process and I think that Councillor Young and I, not in all ways, but on the idea of the process aren't as far apart as it might sound. And I hope that this is the direction that Council go in and in the spirit in which Council will see it. There are lots of conversations that can be had about reconciliation in our community and what we've heard very clearly from the City Family and importantly from the Songhees and Esquimalt Nations is in order to have the conversation that Councillor Young is talking about, in order to talk about "what does reconciliation mean" for non-indigenous members of Victoria's community. How do we reconcile the fact that the City is here on the homelands of the Songhees and Esquimalt Nations. How do we convene and as someone was speaking earlier, I thought maybe we have a day or days of Victoria's own Truth and Reconciliation Commission just for the City of Victoria with the Songhees and Esquimalt Nations and the public. What we've heard very clearly that in order for what Councillor Young wants to happen and what I want to happen and what I think all of us want to happen in order for the space to be opened up for that kind of conversation, it's important that the symbol of the pain is stored safely and carefully and were going to have our arts and culture staff who are responsible for our Public Art Program. They will be there on Saturday to make sure that the statue is taken care of that in order to have this conversation in a meaningful way so that everybody can participate. And so it's not about yes or no, John A. McDonald to be put here to be put in there, to put it wherever. We need to have a different kind of conversation and in order for that conversation, the very conversation that Councillor Young wants to happen, we need to remove that statue from public space in Victoria so there's room for everyone to participate. And this is really challenging, we've heard tonight and Councillor Coleman put it so eloquently earlier in the day, challenging me quite gracefully, that we're not rewriting history. What we're doing is broadening history or broadening our story of what it means to be Canadian. And somebody earlier this evening, spoke about transforming the story and it's really hard for us non-indigenous Canadians to be unsettled in this way. It's hard to have our identity as Canadians challenged. It's hard to know that our first Prime Minister did all these terrible things. It's hard for that. It's hard for us and I don't know, obviously, I'm not saying poor us, but I understand why this is such a challenging conversation for the community and I understand really clearly that in order to have the conversation that Councillor Young wants to have that our residents want to have that we want to have, we need to take this action. And we need to take this action swiftly and it is uncomfortable without question. It's uncomfortable. And we have to sit in this discomfort as a Council and as a community and that's how were going to move forward. And I think my hope and you know our

citizens, I think both Councillor Young and I think Councillor Alto talked about this, are very generous, empathetic, curious and interested people and I believe that we can have this conversation as a community over the next many years and reconcile together not only a statue and where it goes but how we live well together in a City that's founded on the homelands of the Songhees and Esquimalt Nations. Would anyone else like to weigh in again? Councillor Madoff.

Councillor Madoff:

Thank you, as it's been said, this is a small but important step on a much longer journey and it's also been referenced that even around our table, the experience of that journey is very different. The people who have participated in the City Family have had a very different experience than the rest of us have on Council, then to say then what the public has had, so this may be considered a sort of literally, figuratively, a monumental decision. The significance of the action is not what I find challenging in the least. I don't find this hard. I find it's the right thing to do in many ways. It's the misgivings on the process that I have and it puts me in a position where I am so supportive of the action as I understand it, but I'm really, I suppose I just mourn the lost opportunity that we had to bring more people along with us on this journey from the beginning and not have to try to heal something else again as we involve the broader public. In this discussion on this specific issue, but also the broader issues that we will be discussing for years to come. And in following the media, whether it's print, television, radio, all the emails that I've been reading all the Facebook posts all the social media. I have yet to find anybody who is commenting on, or aware as I understand it, that this is not just removal but it's the opportunity for the relocation and the opportunity to tell the whole story. If that wasn't there, I could not support this. As I said this morning my view, when the provincial government was debating what to do with the murals in the rotunda of the legislature was I felt very strongly that they should not be covered up but the story should be told. So I get a little uneasy when the statement was made. I don't know if it's going to go away forever. Because I can't support this if the notion is it's going to go away forever and were not going to tell the whole story. It's been intimated, and it's been suggested that that's what's going to happen, but I'm not getting that clarity in the comments from my colleagues this evening and I think even if you just look at the way it's reported on our Committee of the Whole Report, interested members of the public reading that motion would have no idea what we're doing because of the way it's worded, it simply speaks to removal and then the public commitment to share the intent of the request made by Council today with the City Family. How does anybody know what that request is. So I think we have got to a degree, folks who were very upset because they don't understand because we have been told the story of what our intention is and the intention is so important as we move forward and I don't know if there's an opportunity for this to be amended in some way so that when somebody searching to find out what was a decision that our Council just made, that it would communicate something. Because it doesn't communicate anything unless you been deeply involved in the process itself and I think you could do a briefing note for that sort of thing, but this is the official record of what Council's intention was, and what actions are that are associated with it and I think when we had that discussion this morning we worked our way around in this language, not wanting to be too explicit in terms of an instruction to the City Family, but at the same time, if we've got removal of the statue, would this not be the appropriate place to talk about the opportunity for relocation to tell the whole story or the language that's in the letter from the Mayor where she talks about recontextualizing the Sir John A. McDonald statue which would then provide an opportunity for that whole story. So not having been part of the City Family, and that part of that culture I'm really looking to you Mayor Helps, how can we make this clear at this point about what our intention is moving forward?

Mayor Helps:

Well the most honest answer is we can't. Because there is no clarity about where the path of reconciliation will lead and we can't make motions to put something somewhere and this is from –

I'm looking back at the report from 2017 that's appended to our report this morning. At the same time the City heard a clear message from the Chief, this is our work and we need to take responsibility for doing that work with integrity, an open heart and a willingness to work in diverse ways and take the time needed. Reconciliation is the way forward. It is the process not the outcome. Reconciliation is "how" not "what". So there's a great discomfort and I mean what I think to answer your question what you need to do is to trust in the process that has been adopted by Council and I think that in terms of the City Family, and I think you know one of the lessons learned from this is maybe the City Family needs to have more of an interface with City Council and to draw Council members in in a way that's not a Council meeting. So Councillor Madoff all I can tell you is the truth that's in my heart, which is to take all of the things that we heard back here about the importance of recontextualizing, about the importance of telling a fuller story to take that back to the Family and go from there.

Councillor Madoff:

But how is that in itself communicated to the public so that they understand that because that doesn't tell people what we're doing in terms of what is the request. What is your public commitment?

Mayor Helps:

So again I have a suggestion, and it's a bit cumbersome, but this is really the cumbersome nature of working across two ways of doing and knowing. So what I would suggest is and it will make a little bit of work for staff, but we would transcribe the comments that I made this morning about my public commitment and what I would take back and that we append the transcription to the minutes of this evening's Council meeting. So it will be very clear what my public commitment is in writing as people follow this thing through our minutes. That's the best thing I can think of so there will be a written record of what I have publicly committed to. While you're thinking Mr. Coates is tapping his watch, noting that we've gone past 11 and we need a motion to extend the meeting to 11:30? Moved by Councillor Coleman and seconded by Councillor Thornton-Joe. All those in favor? Any opposed? Councillor Madoff you still have the floor and I acknowledge this is very uncomfortable and it is for me as well.

Councillor Madoff:

And not uncomfortable for reasons that people might expect. It's just uncomfortable for me in terms of what the undertaking is. And even if there isn't an opportunity to specifically lay out that the statue will be relocated. I suppose to me the most important principle of it is that the whole story will be told.

Mayor Helps:

Absolutely.

Councillor Madoff:

Okay.

Mayor Helps:

Anyone else? Councillor Loveday.

Councillor Loveday:

I won't repeat too many of my comments that I made this morning but if we're serious about reconciliation and we need to be. We need to honour this request that came from the Songhees and Esquimalt Nations and the decision of the City Family to remove the statue. I found out about this when it was on the public agenda on Tuesday night and I spent most of my waking hours

thinking about it ever since. Just sitting with it and it is uncomfortable and that's good because we're facing unsettling truths and hearing many people talk about the erasure of history. I think this is the exact opposite. It's sitting with more of the fullness of history and I think that's clear by the amount of public dialogue that's happened in the last 24 hours and the fact that we had more truth telling about John A. McDonald in the last 24 hours than I've ever heard in my lifetime. A lot of things that I've learned in the last couple of years since this issue really has been brought to the forefront, were not things I ever learned in school. They were never things that weren't in the history books that I was taught, but they are true. And I think that speaks to the needs that some of my other colleagues have mentioned to bring the public along with this conversation but I agree that the right step now is to honour the request that has been made to vote to remove the statue tonight and so I will support that as a tangible step towards reconciliation with the local Nations whose land this is built on.

Mayor Helps:

Thank you. Councillor Coleman. And then after everyone's spoken, I'm going to request an opportunity to speak one more time because I have an amendment to make that will help address process wise some of what Councillor Madoff has requested. Councillor Coleman go ahead.

Councillor Coleman:

Thank you. I shared a number of stories this morning as we went through this discussion and I think I would like to share some others. A number of us said that we didn't like the way this ended up on our table this morning. I was one, the shortness of finding out about it and seeing how quickly the impact will be felt with the statue coming down on Saturday felt more than awkward, but that process flaw from my perspective isn't fatal to moving this forward so I would like to share as I said some other stories. Councillor Alto and I had the advantage of being at our sister city in New Zealand. And it was my return to New Zealand after 30 something years of playing rugby previously and the change that that country had seen in terms of reconciliation between a settler population and the Maori population was extraordinary. And they found ways to overcome some pretty nasty tensions when I was there earlier playing rugby. I think that we need to take a look at the grace that has allowed New Zealand to move forward and try and learn from it. I think of another great image from the movie Invictus so it's a movie about rugby so you know I like it. There is a moment when Nelson Mandela who has taken over, given his personal history and his people's history. He's taken over government and the quintessential issue is we're going to change the name of all South Africa's sports teams. When their hosting the Rugby World Cup and Nelson Mandela turns to the other members of the AMC and says, but not for rugby, were going to keep the name of The Springboks and the NCO look at him, horrified and say but "no, we can't do that" and he says "no", if we want to unify as a people we need to accept both cultures, and its transformative and within months, people of all colours in South Africa are cheering for the Springboks in the World Cup which they win. Perfect Hollywood style story, but it is indicative of where we should go. I'm not suggesting that Sir John A. McDonald is our version of the Springboks issue, but it might not be a bad story to relate to the City Family as you've promised to do as we carry this work because it is about accepting both sides and broadening the story. I think it is appropriate to remove the statue and I understand the reasons for that. I haven't gone through the path of the City Family as three members of Council have, but I think I got teased this morning by Councillor Alto for using the word "faith". A number of times I have faith that this will be properly discussed and moved forward. I also have faith that we will not hide the Sir John A. McDonald statue away in some dark corner. We will find a way to repurpose it. That allows us to carry on that story. The broader story of Canadian history. I also had the advantage, Steve presented to us tonight and I had the advantage of having coffee with them this afternoon because we chatted after this morning's discussion and I don't think he'd mind me relieving this because he actually posted it publicly, he went down and took a picture with the statue and titled it, "The man who changed my families lives. But I've learned to forgive him". That's more gracious than most of us can be. This does take grace, there will be people who will be angry and I get that. But I think as we move forward it is important and the reason it's important is we have an icon at the front door that doesn't welcome everybody. Now most of you know, I spent a lot of time working out of Christ Church Cathedral and I'm very aware that it's a glorious building if you've drunk the Kool-Aid and you're happy going into a Christian Church. To people who haven't drunk that Kool-Aid aren't familiar with that. It looks like a foreboding castle and if you actually get up to the first set of doors and work your way in, there's a second set of doors that stop you. So we have to be gracious outside and that's a house of faith. Here we have an icon at our front doorstep that makes people uncomfortable and it's a public facility. We shouldn't be doing that. We need to find a way to make sure that everybody is comfortable coming in and we can still use the statue as an educational piece that explains a broader story so I can support this but I think Councillor Madoff is absolutely right. We need to make sure that the discussion carries on in a graceful way and Madam Mayor, you not only have made a public commitment to carry this forward to the City Family you will become the focus of anybody who wants to make sure that they're part of that narrative going forward to the public family. So you know there will be lots of stuff we, as the rest of Council, should be trying to help you in that discussion, but I think it is important that we embrace this and move it forward calmly. I know lots of people will show lots of emotion but this is about taking a profoundly important first step. I go back to the Nelson Mandela understanding the look on his face when he says "no you don't understand how important this is to bring two peoples together as one nation", so for what that's worth. Thank you.

Mayor Helps:

Thank you. Anyone else? Anything else? Okay, may I have a motion to allow me to speak again? Thanks, moved by Councillor Isitt, is there a seconder? Seconded by Councillor Coleman. All those in favor? Any opposed? And in case people are wondering why we do that our bylaw allows everyone to speak once at a Council meeting except the mover of the motion who can speak twice so we need a motion to speak again. So I would like to direct staff, as a third piece, direct staff and sorry staff this will be a bit of work but I think that there is an electronic means now to do transcription. Direct staff to append a transcript of the Committee of the Whole Meeting including the mayor's public commitment to the meeting minutes of this council meeting. Is there a seconder? That way everything that everyone said this morning, everyone's literal words will be part of the public record as well as my commitment to transmit those words back to the City Family. All those in favor? Sorry, yes Councillor Isitt.

Councillor Isitt:

What about this meeting? Where the decision is actually being taken because this is legislatively our more important meeting.

Mayor Helps:

That's correct, but this morning is the meeting where I made the public commitment. But yes, would you like to make an amendment to add the transcript?

Councillor Isitt:

Sure, after Committee of the Whole meeting, and the August 9th Council meeting.

Mayor Helps:

Thank you. Is there a seconder for that amendments? Thanks Councillor Coleman. All those in favor of adding words "and the August 9th Council meeting?" Any opposed? All those in favor of adding all of - oh yes Councillor Alto.

Councillor Alto:

If we're going to identify this evening's date, we should probably do the same thing for this morning's meeting as well.

Mayor Helps:

Yes the August 9th.

Councillor Alto:

Yeah the August 9th Committee of the Whole Meeting.

Mayor Helps:

Sure, that doesn't need an amendment. Just transcript of the August 9th Committee of the Whole meeting. Staff if you can just add those words and committee of the whole. So we voted on the amendment to the amendment. So now are voting on direct staff to append a transcript of the August 9th Committee of the Whole meeting and the August 9th Council meeting including the Mayor's public commitment to the minutes of this meeting. All those in favor of that amendment? Any opposed? Any further discussion? All those in favor? Those opposed? Eight in favor, one opposed, that carries.



September 6, 2018, 6:30 P.M. Council Chambers, City Hall, 1 Centennial Square Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

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

A. <u>APPROVAL OF AGENDA</u>

The City Clerk outlined amendments to the agenda.

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

That the agenda be approved as amended.

Amendment:

Moved By Councillor Isitt Moved By Councillor Loveday

That Leslie Robinson be added to the second Request to Address Council section of the meeting.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Alto Seconded By Councillor Loveday

That Douglas Curran, Bev Clifford, and Kari Michaels be added to the second Request to Address Council section of the meeting.

CARRIED UNANIMOUSLY

Main motion as amended: CARRIED UNANIMOUSLY

B. <u>READING OF MINUTES</u>

Moved By Councillor Alto Seconded By Councillor Isitt

That the following minutes be adopted:

- 1. Minutes from the daytime meeting held April 19, 2018
- 2. Minutes from the daytime meeting held August 2, 2018

CARRIED UNANIMOUSLY

C. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Coleman Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

- C.1 <u>Chris Zmuda: Negligent of City Management</u> Outlined why Council should review the allowance of cannabis dispensaries in the City.
- C.3 <u>Mary Davies: Lack of Public Engagement</u> Outlined concerns with the lack of public engagement undertaken by the City in regards to the removal of the John A. MacDonald statue.
- C.5 <u>Norman Fiege: 2018 Gonzales Community Plan</u> Outlined concerns relating to the 2018 Gonzales Community Plan.
- C.6 <u>Pamela Grant: Transparency in Local Governance</u> Outlined concerns relating to transparency of government.

D. PROCLAMATIONS

D.1 "Prostate Cancer Awareness Month" - September 2018

Moved By Councillor Loveday Seconded By Councillor Isitt

That the following proclamation be endorsed:1. "Prostate Cancer Awareness Month" - September 2018

CARRIED UNANIMOUSLY

D.2 "Performance & Learning Month" - September 2018

Moved By Councillor Thornton-Joe Seconded By Councillor Isitt

That the following proclamation be endorsed: 1. "Performance & Learning Month" - September 2018

CARRIED UNANIMOUSLY

D.3 <u>"BC Thanksgiving Food Drive for the Food Bank Day" - September 15, 2018</u>

Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed: 1. "BC Thanksgiving Food Drive for the Food Bank Day" - September 15, 2018

CARRIED UNANIMOUSLY

D.4 <u>"United Way Day" - September 19, 2018</u>

Moved By Councillor Coleman Seconded By Councillor Loveday

That the following proclamation be endorsed: 1. "United Way Day" - September 19, 2018

CARRIED UNANIMOUSLY

E. PUBLIC AND STATUTORY HEARINGS

Councillor Madoff withdrew from the meeting at 6:50 p.m. due to a potential pecuniary conflict of interest with the following item, as she lives within the notification area.

E.1 <u>Rezoning Application No. 00609 and Development Permit with Variances</u> <u>Application No. 00029 for 672 Niagara Street</u>

Zoning Regulation Bylaw, Amendment Bylaw (No. 1164) No. 18-092: To rezone the land known as 672 Niagara Street from the R3-2 Zone, Multiple Dwelling District to the R-88 Zone, Niagara & Thetis Multiple Dwelling District, to permit a three-storey, multi-family dwelling.

Development Permit with Variances Application:

The Council of the City of Victoria will also consider issuing a Development Permit with Variances Application for the land known as 672 Niagara Street, in Development Permit Area 16 for the purposes of approving the general form and character of the proposed building additions and alterations, and varying certain requirements of the Zoning Regulation Bylaw.

E.1.a Public Hearing & Consideration of Approval

<u>Michael Angrove (Planner)</u>: Advised that the application is to construct a four unit strata-titled multi family dwelling.

Mayor Helps opened the public hearing at 6:56 p.m.

<u>Richard Iredale (Applicant)</u>: Provided information regarding the application.

<u>Ric No Houle (Pandora Avenue):</u> Expressed concerns relating to the size of the application.

Mayor Helps closed the public hearing at 7:02 p.m.

Moved By Councillor Lucas Seconded By Councillor Thornton-Joe

That the following bylaw be given third reading:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1164) No. 18-092

Council discussed the following:

- Neighbours' concerns regarding parking, and how those have been addressed by the applicant.
- The support that the application received at the neighbourhood meeting.

CARRIED UNANIMOUSLY

Council withheld adoption of Zoning Regulation Bylaw, Amendment Bylaw (No. 1164) No. 18-092, pending receipt of confirmation that a 2.38m Statutory Rightof-Way over the Niagara Street frontage has been registered on the relevant property titles.

Moved By Councillor Lucas Seconded By Councillor Loveday

That Council authorize the issuance of Development Permit Application No. 00029 for 672 Niagara Street, in accordance with:

- 1. Plans date stamped February 16, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce required number of parking stalls from six to four
 - ii. reduce the flanking street side yard setback from 1.5m to 0.72m
 - iii. reduce the internal side yard setback from 3.00m to 1,03
 - iv. reduce the front yard setback from 5.0m to 4.38
 - v. increase the maximum site coverage from 40% to 46%.
- 3. The Development Permit lapsing two years from the date of this resolution.
- 4. Request the applicant reconsider the use of the slate grey veneer on the lower floor of the building.

CARRIED UNANIMOUSLY

Councillor Madoff returned to the meeting at 7:11 p.m.

E.2 <u>Rezoning Application No. 00623 for 483/485 Garbally Road and 2960/2962</u> Bridge Street

Zoning Regulation Bylaw, Amendment Bylaw (No. 1163) No. 18-089: To rezone the land known as 483-485 Garbally Road and 2960-2962 Bridge Street from the M-3 Zone, Heavy Industrial District, to the M-3-BP Zone, Heavy Industrial and Brew Pub District, to permit a Brew Pub and Liquor Retail Store as accessory uses to a Brewery.

E.2.a Public Hearing & Consideration of Approval

<u>Michael Angrove (Planner)</u>: Advised that the application is to allow for a tasting room and liquor retail sales area in a brewery.

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

<u>Stephane (Applicant):</u> Provided information regarding the application.

<u>Ric No Houle (Pandora Avenue)</u>: Expressed concerns relating to the application, as he is in support of a brewery prohibition.

Mayor Helps closed the public hearing at 7:18 p.m.

Moved By Councillor Loveday Seconded By Councillor Isitt

That the following bylaw be given third reading:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1163) No. 18-089

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

That the following bylaw **be adopted:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1163) No. 18-089

CARRIED UNANIMOUSLY

E.3 <u>Rezoning, Development Permit with Variances, and Development Variance</u> <u>Permit Application No. 00630 for 1418 Lang Street</u>

Zoning Regulation Bylaw, Amendment Bylaw (No. 1159) No 18-083:

To rezone the land known as 1418 Lang Street from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, to permit the subdivision of the lot for the construction of a new single family dwelling at the rear of the existing property.

Development Permit with Variances and Development Variance Permit Application:

The Council of the City of Victoria will consider issuing a Development Permit with Variances and Development Variance Permit for the land known as 1418 Lang Street, in Development Permit Area 16 – General Form and Character, for the purposes of approving the exterior design and finishes for the proposed small-lot house, as well as the landscaping. Variances to the R1-S2 Zone, Restricted Small Lot (Two Storey) District.

E.3.a Public Hearing & Consideration of Approval

<u>Michael Angrove (Planner)</u>: Advised that the application is to subdivide the existing lot to two small lots and construct a new single family dwelling.

Mayor Helps opened the public hearing at 7:22 p.m.

<u>Shawn Wedick & Russ Collins (Applicants)</u>: Provided information regarding the application.

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

Mayor Helps closed the public hearing at 7:29 p.m.

Moved By Councillor Alto Seconded By Councillor Coleman

That the following bylaw be given third reading:1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1159) No. 18-083

CARRIED UNANIMOUSLY

Moved By Councillor Alto Seconded By Councillor Thornton-Joe

That the following bylaw **be adopted:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1159) No. 18-083

CARRIED UNANIMOUSLY

Moved By Councillor Alto Seconded By Councillor Lucas

Development Permit with Variances:

That Council authorize the issuance of a Development Permit with Variances Application for the north portion of 1418 Lang Street (new house), in accordance with:

- 1. Plans date stamped April 23, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. reduce the front yard setback from 6.0m to 1.98

- b. reduce the rear yard setback from 6.0m to 2.07m permit a roof deck
- 3. The Development Permit lapsing two years from the date of this resolution.

Development Variance Permit:

That Council authorize the issuance of a Development Variance Permit Application for the south portion of 1418 Lang Street (existing house), in accordance with:

- 1. Plans date stamped April 23, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. reduce the rear yard setback from 6.0m to 2.51m
- 3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

E.4 <u>Rezoning Application No. 00646, Heritage Alteration Permit Application No.</u> 00228, and Heritage Designation Application No. 00176 for 502 Discovery <u>Street</u>

Zoning Regulation Bylaw, Amendment Bylaw (No. 1160) No. 18-084:

To rezone the land known as 502 Discovery Street from the S-3 Zone, Modified Limited Service District, to the MD-1 Zone, Discovery Light Industrial District, to permit an increase in density from 1.50:1 to 2.0:1 floor space ratio to allow for the construction of additional floor area for office uses in the existing building.

Heritage Alteration Permit Application:

The Council of the City of Victoria will also consider the issuance of a Heritage Alteration Permit for the land known as 502 Discovery Street to allow for alterations, including the addition of floor space to the second storey for office use.

Heritage Designation Application:

Under the provisions of the Local Government Act, the City of Victoria intends to designate the exterior of the industrial building (built 1901-1907), legally described as Lot A, Victoria City District, Plan EPP77949, as protected heritage property, under Heritage Designation (502 Discovery Street) Bylaw No. 18-079.

E.4.a Public Hearing & Consideration of Approval

<u>Michael Angrove (Planner):</u> Advised that the application is to allow for an increase in floor area to the second storey for office use, as well as designate the exterior of the Heritage-Registered property.

Mayor Helps opened the public hearing at 7:32 p.m.

<u>Matthew Phillips (Applicant):</u> Provided information regarding the application.

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

Mayor Helps closed the public hearing at 7:37 p.m.

Moved By Councillor Madoff Seconded By Councillor Thornton-Joe

That the following bylaws be given third reading:

- 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1160) No. 18-084
- 2. Heritage Designation (502 Discovery Street) Bylaw No. 18-079

CARRIED UNANIMOUSLY

Moved By Councillor Madoff Seconded By Councillor Thornton-Joe

That the following bylaws be adopted:

- 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1160) No. 18-084
- 2. Heritage Designation (502 Discovery Street) Bylaw No. 18-079

CARRIED UNANIMOUSLY

Moved By Councillor Madoff Seconded By Councillor Alto

That Council authorize the issuance of the Heritage Alteration Permit Application No. 00228 for 502 Discovery Street, in accordance with:

- 1. Plans date stamped May 25, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements
- 3. Heritage Alteration Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

E.5 <u>Heritage Alteration Permit with Variances Application No. 00008 for 727</u> <u>Yates Street</u>

Heritage Alteration Permit Application No. 00008:

The City of Victoria will be considering the issuance of a Heritage Alteration Permit with variances for the land known as 727 Yates Street and varying the Zoning Regulation Bylaw namely: the reduction of the east side yard setback from 4.5m to 0.851m; the reduction of vehicle parking from 8 stalls to 0 stalls; and the reduction of visitor vehicle parking from 1 stall to 0 stalls.

E.5.a Opportunity for Public Comment & Consideration of Approval:

<u>Michael Angrove (Planner):</u> Advised that the application is to allow for the conversion of an existing vacant heritage-designated commercial building to a mixed-use building with a two-and-a-half story addition for residential rental suites, and ground floor retail use.

Mayor Helps opened the opportunity for public comment at 7:41 p.m.

<u>Jim Wong (Applicant)</u>: Provided information regarding the application.

There were no persons present to speak to the proposed application.

Mayor Helps closed the opportunity for public comment at 7:46 p.m.

Moved By Councillor Madoff Seconded By Councillor Thornton-Joe

That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00008 for 727 Yates Street in accordance with:

- 1. Plans, date stamped May 24, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance(s):
 - a. reduce east side yard setback from 4.5m to 0.851m
 - b. reduce vehicle parking from 8 stalls to 0 stalls
 - c. reduce visitor vehicle parking from 1 stall to 0 stalls.
- 3. Council authorizing City of Victoria staff to execute an Encroachment Agreement in a form satisfactory to the City Clerk, for building encroachment(s) adjacent to 727 Yates Street.
- 4. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development.
- 5. Heritage Alteration Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

E.6 <u>Development Permit with Variance Application No. 00087 for 727 and 733</u> <u>Courtney Street</u>

Development Permit with Variances Application No. 00087:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 727 and 733 Courtney Street, in Development Permit Area 2 (HC) to construct a two-storey vehicle rental office building.

E.6.a Opportunity for Public Comment & Consideration of Approval

<u>Michael Angrove (Planner)</u>: Advised that the application is to construct a two-storey vehicle rental office building.

Mayor Helps opened the opportunity for public comment at 7:52 p.m.

<u>Applicant:</u> Provided information regarding the application.

There were no persons present to speak to the proposed application.

Mayor Helps closed the opportunity for public comment at 7:54 p.m.

Moved By Councillor Lucas Seconded By Councillor Thornton-Joe

That, subject to confirmation that lot consolidation has occurred to the satisfaction of the City, Council authorize issuance of Development Permit with Variances Application No. 00087 for 727 and 733 Courtney Street, in accordance with:

- 1. Plans date stamped June 4, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. relaxation to accommodate offices on the ground floor
 - ii. relaxation to allow rental vehicles to be stored outside the building
 - iii. relaxation to allow motor vehicle parking outside the building
- 3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Coleman Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

F.1 Laurel Collins: Housing

Outlined concerns relating to the lack of affordable housing in the City of Victoria.

F.2 Sarah Potts: Housing Crisis

Outlined concerns relating to the lack of affordable housing in the City of Victoria, as well as support for an inclusionary housing policy.

F.3 Julia Grav: Housing Affordability

Outlined concerns relating to the lack of affordable housing in the City of Victoria, support for an inclusionary housing policy, and suggested consideration of co-op housing.

F.4 Ryan Painter: Affordable Housing

Outlined concerns relating to the lack of affordable housing in the City of Victoria, as well as support for an inclusionary housing policy.

F.6 Jordan Reichert: Affordable and Inclusive Housing

Outlined why Council should create a policy that will improve housing affordability in Victoria and advocate for pet friendly housing at the provincial level to reduce barriers for many residents.

F.7 <u>Mary Doody Jones: Large Urban Village Designation for 1303 Fairfield Road</u> Outlined concerns relating to the Fairfield Neighbourhood being designated as a Large Urban Village.

F.8 Douglas Curran: Community Amenity Contributions

Outlined why Council should revise the best practices for Community Amenity Contributions, as found in other B.C. communities.

F.10 Kari Michaels: Housing

Outlined concerns relating to the lack of affordable housing in the City of Victoria, as well as support for the Inclusionary Housing Policy.

F.11 Leslie Robinson: Housing

Outlined concerns relating to the Inclusionary Housing Policy.

G. UNFINISHED BUSINESS

G.1 Letter from the Minister of Social Development and Poverty Reduction

Moved By Councillor Alto Seconded By Councillor Isitt

That the correspondence dated August 14, 2018 from the Minister of Social Development and Poverty Reduction be received for information.

CARRIED UNANIMOUSLY

H. <u>REPORTS OF COMMITTEES</u>

H.1 Committee of the Whole

H.1.a Report from the September 6, 2018 COTW Meeting

H.1.a.a 515 Chatham Street – Development Permit with Variance Application Permit No. 00085 (Downtown)

> Moved By Councillor Thornton-Joe Seconded By Councillor Alto

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

"That Council authorize the issuance of Development Permit with Variance Application No. 00085 for 515 Chatham Street, in accordance with:

- 1. Plans date stamped July 16, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. increase the height from 15m to 16.43m.

- 3. That Council authorize the Mayor and City Clerk to execute encroachment agreements, to be executed at time of the building permit approval, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:
 - a. building encroachment(s) adjacent to Chatham Street and Store Street.
 - b. anchor-pinning in the City Right-of-Way.
- 4. Final plans to be in accordance with the plans date stamped July 16, 2018, to the satisfaction of City staff.
- 5. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That Council rescind the previously approved Development Permit Application No. 00034 for 515 Chatham Street approved May 24, 2018.

CARRIED UNANIMOUSLY

CRD Arts and Culture Support Service Establishment Amendment Bylaw
Moved By Councillor Loveday Seconded By Councillor Alto
That Council consent to the adoption of CRD Arts and Culture Support Service Establishment Bylaw No. 1, 2001 Amendment Bylaw No. 5, 2018.
CARRIED UNANIMOUSLY
Bylaw Officers
Moved By Councillor Thornton-Joe Seconded By Councillor Coleman
 That Council approve the appointment of Barrie Cockle: 1. as a Bylaw Officer pursuant to section 2(a) of the Inspection Bylaw (06-061); 2. as a Business Licence Inspector for the City of Victoria

CARRIED UNANIMOUSLY

H.1.a.d Attendance at the Global Climate Action Summit for Mayor Helps, San Francisco

Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

That Council authorize the attendance and associated costs for Mayor Lisa Helps to attend the Global Climate Action Summit to be held in San Francisco, September 13-14, 2018.

CARRIED UNANIMOUSLY

H.1.a.e Attendance at the UBCM Conference for Councillor Isitt, Whistler, BC

Moved By Councillor Loveday Seconded By Councillor Coleman

That Council authorize the attendance and associated costs for Councillor Isitt to attend the Union of BC Municipalities Conference to be held in Whistler, BC, in September 2018.

CARRIED UNANIMOUSLY

H.1.a.f Attendance at the UBCM Conference for Mayor Helps, Whistler, BC

Moved By Councillor Coleman Seconded By Councillor Lucas

That Council authorize the attendance and associated costs for Mayor Lisa Helps to attend the Union of BC Municipalities Conference to be held in Whistler, BC, in September 11-13, 2018.

CARRIED UNANIMOUSLY

H.1.a.g Attendance at the UBCM Conference for Councillor Coleman, Whistler, BC

Moved By Councillor Loveday Seconded By Councillor Alto

That Council authorize the attendance and associated costs for Councillor Chris Coleman to attend the UBCM Conference to be held in Whistler, September 11-14, 2018.

CARRIED UNANIMOUSLY

H.1.a.h Second Quarter 2018 Update

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

<u>Victoria Police Report</u>: That Council receive this report for information.

CARRIED UNANIMOUSLY

Moved By Councillor Alto Seconded By Councillor Thornton-Joe

<u>Operation Plan Progress Report:</u> That Council receive this report for information.

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Lucas

Beepers in the Downtown: That Council direct that this item be considered as a part of the 2019 budget process.

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Loveday Seconded By Councillor Alto

Residential Rental Zoning: That Council receive this report for information.

CARRIED UNANIMOUSLY

Moved By Councillor Loveday Seconded By Councillor Alto

<u>Recommendations from Advisory Committees</u>: That Council forward this report with the recommendations from Accessibility Working Group to the 2019 budget process to receive the financial implications of all of these.

Amendment:

Moved By Mayor Helps Seconded By Councillor Alto

That the motion be amended by adding the following: "The relevant recommendations."

CARRIED UNANIMOUSLY

Main motion as amended:

That Council forward this report with the recommendations from Accessibility Working Group to the 2019 budget process to receive the financial implications of all of the relevant recommendations.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt Seconded By Councillor Loveday

Adoption of Canadian Code of Advertising Standards: That this report be received for information.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt Seconded By Councillor Loveday

Cannabis Consumption Sites:

- 1. That staff be directed to investigate, beginning in the first quarter of 2019, regulations in other jurisdictions governing consumption sites for cannabis use.
- 2. That this review take into consideration the City and County of Denver, Colorado's Cannabis Consumption Pilot Program, as well as the regulatory context in the City of Victoria arising from regional, provincial and federal regulations.
- 3. That staff report back to Council on the advisability of initiating a Pilot Program or introducing regulations for consumption sites for cannabis use.

CARRIED UNANIMOUSLY

Moved By Councillor Alto Seconded By Councillor Loveday

<u>Fair Trade Policy:</u> That Council direct that this item be considered as a part of the 2019 budget process.

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

H.1.a.i 210 Gorge Road- Development Permit with Variances Application No. 00076 (Burnside)

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That Council, after giving notice and allowing for an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00620, if it is approved, consider the following motion: "That Council authorize the issuance of Development Permit with Variances Application No. 00076 for 210 Gorge Road East, in accordance with:

- 1. Plans date stamped August 17, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. reduce the required number of visitor parking spaces from 8 to 4
 - b. locate a gazebo in the front yard
 - c. reduce the separation space between the gazebo and the principal building from 2.40m to 1.55m.
- 3. The Development Permit lapsing two years from the date of this resolution.
- 4. The applicant entering into an agreement with a local car share company to secure 20 car share memberships to the satisfaction of City Staff.
- 5. The applicant providing two bikes and bike share parking spaces on-site, to the satisfaction of City Staff."

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, and Councillor Thornton-Joe OPPOSED (2): Councillor Madoff and Councillor Young

CARRIED (7 to 2)

Councillor Young withdrew from the meeting at 8:47 p.m. due to a pecuniary conflict of interest with the following two items, as the applicant of 953 Balmoral Road is a client of his consulting firm and the applicant of 457 and 459 Kipling Street is a member of his extended family.

H.1.a.j

953 Balmoral Road – Rezoning Application No. 00598 and Development Permit with Variance Application No. 000506 (North Park)

Moved By Councillor Loveday Seconded By Councillor Coleman

Rezoning Application No. 00598

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00598 for 953 Balmoral Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

- Preparation of the following documents, executed by the applicant to the satisfaction of City Staff:
 a. Statutory Right-of-Way of 1.22m on Balmoral Road.
- The applicant provide an amenity contribution in the amount of \$76,694.69 toward the Local Amenities Reserve Fund in accordance with the *City of Victoria Density Bonus Policy* to the satisfaction of City Staff.
- Following consideration of Rezoning Application No. 00487, if approved, that Council authorize staff to prepare and enter into an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, to the satisfaction of the City staff.

Development Permit with Variance Application No. 000506 That, subject to review by the Advisory Design Panel and report back to the Committee of the Whole, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00598, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 000506 for 953 Balmoral Road, in accordance with:

- 1. Plans date stamped January 18, 2018
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required number of parking spaces from 12 to 5
 - ii. Part 3.3(10): reduce the front yard setback from 10.50m to 2.00
 - iii. Part 3.3 (10): reduce the side (east) yard setback from 6.10m to1.52m
 - iv. Part 3.3(10): reduce the side (west) yard setback from 6.10m to 3.64m
 - v. Part 3.3(4)(1): increase the site coverage from 30% to 43%
 - vi. Part 3,3(4)(6)(1): reduce the open site space from 30% to 15.30%
- 3. Registration of legal agreements on the property's title to secure the MODO Car Share Vehicle and parking space, car share memberships, one monthly transit pass for each unit over a period of three years (396 monthly passes), and one bicycle for each unit to the satisfaction of City Staff.
- 4. Revise the landscape plan to indicate floating pavement where the proposed parking spaces overlap with the tree's critical root zone in accordance with the

arborist report prepared by Talbot Mackenzie & Associates.

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

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

H.1.a.I 457 and 459 Kipling Street – Rezoning Application No. 00644 and Development Permit with Variance Application No. 00644 (Fairfield)

> Moved By Councillor Coleman Seconded By Councillor Alto

Rezoning Application No. 00644

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00644 for 457 and 459 Kipling Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set.

Development Permit with Variance Application No. 00644 That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00644, if it is approved, consider the following motion: "That Council authorize the issuance of Development Permit Application No. 00644 for 457 and 459 Kipling Street in accordance with:

- 1. Plans date stamped July 3, 2018.
- Development meeting all Zoning Regulation Bylaw requirements, except to increase the combined floor area maximum from 380m² to 389.78m².
- 3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Councillor Young returned to the meeting at 8:51 p.m.

H.1.a.k 505, 517, 519/521 Quadra Street and 931 Convent Place – Rezoning Application No. 00610 & Development Permit with Variance No. 00088 (Fairfield)

Moved By Councillor Coleman Seconded By Councillor Lucas

Rezoning Application No. 00610

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00610 for 505, 517 and 519/521 Quadra Street and 931 Convent Place, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- 1. Preparation and execution of the following legal agreements:
 - a. Statutory Right-of-Way to secure 1.59 metres of the site adjacent Southgate Street, to the satisfaction of the Director of Engineering and Public Works;
 - b. Statutory Right-of-Way to secure 2.02 metres of the site adjacent Convent Place, to the satisfaction of the Director of Engineering and Public Works; and
 - c. Housing Agreement to secure the residential units as rental for a 20 year period, to ensure that these units are not strata titled prior to the 20 year term of the agreement lapsing and to ensure that future strata bylaws cannot restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development.

Development Permit with Variances

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00610, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No, 00088 for 505, 517, 519/521 Quadra Street and 931 Convent Place, in accordance with:

- Receipt of final plans generally in accordance with the plans date stamped August 20, 2018, with the following changes to the satisfaction of the Director of Sustainable Planning and Community Development:
 - i. correct minor inconsistencies between plans
 - ii. siting and design of the proposed fence and guardrail as shown on the landscape plan
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required vehicle parking from 115 stalls to 95 stalls;

- ii. reduce the required visitor parking from 9 stalls to 8 stalls
- 3. Receipt of a car share agreement that includes MODO car share memberships for 50% of the residential units to the satisfaction of the Director of Engineering and Public Works.
- 4. The Development Permit lapsing two years from the date of this resolution."

That Council refer the application back to Advisory Design Panel for comment whether their concerns were addressed and that this letter be added to the Public Hearing.

Council discussed the following:

- Concerns relating to the loss of rental housing.
- Whether the City's Tenancy Relocation Program would be able to assist tenants at this location.

FOR (6): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young

OPPOSED (3): Councillor Isitt, Councillor Loveday, and Councillor Madoff

CARRIED (6 to 3)

H.1.a.m Crystal Pool and Wellness Centre Replacement Project – Initial Parking Alternatives Review

> Moved By Councillor Lucas Seconded By Councillor Isitt

That Council;

- 1. Direct staff to consult with stakeholders and residents from the North Park neighbourhood on neighbourhood street parking options associated with a distributed parking approach; and
- Approve \$40,000 to be funded from 2018 Contingencies, to complete an investigation of underground parking options in Central Park and/or modular parking on the Save on Food Memorial Parking lot.

CARRIED UNANIMOUSLY

H.1.a.n Proposed Inclusionary Housing and Density Bonus Policy

Moved By Mayor Helps Seconded By Councillor Isitt

That Council:

1. Approve the draft Inclusionary Housing and Density Bonus Policy with the following amendments:

A cash contribution of \$200,000 per affordable housing unit in lieu of the delivery of on-site affordable rental units, may be considered for the following project types: Projects delivering less than 20 net new strata units.

That the Policy take effect March 31, 2019.

- That staff report back twelve (12) months following adoption of the policy with information on: (a) the impacts on new developments; (b) total amenities received, identified by value and type; and (c) recommendations for any potential revisions to the policy.
- 3. That the Development Summit this year be called the Housing Summit
- 4. Flag for further discussion and research whether the 3 bedroom allocation at 5% is sufficient.

Council discussed the following:

- That the draft policy is a good first step.
- The need for a Housing Summit to review the research conducted by all members of the public.

Amendment:

Moved By Councillor Isitt Seconded By Councillor Loveday

That the amendments shown on Page 1 of the attached Inclusionary Housing and Density Bonus Policy be adopted, revising the section on "Policy Application".

Council discussed the following:

- How the outcomes of the draft policy are different than the current policy.
- The importance of having the amendment discussed at the Housing Summit.
- The need for balance between encouraging affordable housing and the need for market housing.

Moved By Councillor Coleman Seconded By Councillor Alto

That Mayor Helps be allowed to speak a second time.

CARRIED UNANIMOUSLY

Amendment to the amendment:

Moved By Mayor Helps Seconded By Councillor Alto

As part of the consultation, that staff be directed to consult on two options for calculating bonus density - from the base density in the OCP and from the current zoning - and the implications of each for the creation of the maximum amount of affordable housing through rezoning.

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

On the amendment: CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt Seconded By Councillor Loveday

That the "Effective Date" of the policy be amended to "January 1, 2019."

FOR (4): Mayor Helps, Councillor Isitt, Councillor Loveday, and Councillor Madoff OPPOSED (5): Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young

DEFEATED (4 to 5)

Amendment:

Moved By Councillor Thornton-Joe Moved By Councillor Alto

That the Policy take effect **no later than** March 31, 2019.

CARRIED UNANIMOUSLY

Council discussed the following:

- The need for further public consultation.
- Ensuring the policy does not impede development that is needed within the City.

Moved By Councillor Coleman Seconded By Councillor Young

That Councillor Isitt be allowed to speak a second time.

CARRIED UNANIMOUSLY

Council discussed the following:

That the policy is needed so that the impacts of new development are adequately responded to.

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

That Councillor Young be allowed to speak a second time.

CARRIED UNANIMOUSLY

Councillor Young clarified an earlier remark, to note it was not related to taxation.

On the main motion as amended:

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

J. <u>BYLAWS</u>

J.1 Bylaw for Rezoning Application for 2910 Shelbourne Street

Moved By Councillor Alto Seconded By Councillor Coleman

That the following bylaw **be given first and second readings:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1154) No. 18-067

CARRIED UNANIMOUSLY

Moved By Councillor Alto Seconded By Councillor Coleman

That the following bylaw be given first, second, and third readings:Housing Agreement (2910 Shelbourne Street) Bylaw No. 18-101

Moved By Councillor Alto Seconded By Councillor Coleman

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00599, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 000507 for 2910 Shelbourne Street in accordance with:

- 1. Plans date stamped July 3, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the lot width from 20.0m to 19.72m
 - ii. increase the number of units in an attached dwelling from 4 to 6
 - iii. allow a roof deck
 - iv. reduce the setback to Shelbourne Street from 10.7m to 7.52m
 - v. reduce the north side setback from 4.0m to 1,38m
 - vi. reduce the south side setback from 4.0m to 1,58m
 - vii. reduce the required parking from 7 vehicle stalls including 1 visitor stall to 7 stalls with no visitor stalls.
- 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

J.2 Bylaw for Rezoning Application for 1202-1214 Wharf Street

Moved By Councillor Coleman Seconded By Councillor Young

That the following bylaw **be given first and second readings:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1165) No. 18-093

CARRIED UNANIMOUSLY

J.3 Bylaw for Rezoning Application for 356 Harbour Road

Moved By Councillor Coleman Seconded By Councillor Lucas

That Council rescind second reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18- 055.

CARRIED UNANIMOUSLY

Moved By Councillor Coleman Seconded By Councillor Lucas

That Council amend Schedule 1 of Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055, by adding brewery, distillery, and liquor retail store as permitted uses to Sub-Area D2, Amendment Bylaw (No. 1152) No. 18-055.

Moved By Councillor Coleman Seconded By Councillor Lucas

That Council give second reading to Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055, as amended.

CARRIED UNANIMOUSLY

Moved By Councillor Coleman Seconded By Councillor Lucas

Further, following the Public Hearing for Rezoning Application No. 00619, if it is approved, consider the following updated motion:

"That Council authorize the issuance of Development Permit Application No. 000520 for 356 Harbour Road, in accordance with:

- 1. Plans date stamped January 25, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements.
- 3. The Development Permit lapsing two years from the date of this resolution.
- 4. Revised plans that provide bicycle parking in accordance with Schedule C of the Zoning Regulation Bylaw and the Dockside Green Master Development Agreement, to the satisfaction of the Director of Sustainable Planning and Community Development."

CARRIED UNANIMOUSLY

J.4 Bylaw for Rezoning Application for 3031 Jackson Street

Moved By Councillor Alto Seconded By Councillor Young

That the following bylaw **be given first and second readings:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1158) No. 18-075

CARRIED UNANIMOUSLY

Moved By Councillor Alto Seconded By Councillor Coleman

That the following bylaw **be given first**, **second**, **and third readings**:

1. Housing Agreement (3031 Jackson Street) Bylaw No. 18-076

CARRIED UNANIMOUSLY

J.6 Bylaw for Rezoning Application for 930 Fort Street

Moved By Councillor Alto Seconded By Councillor Lucas

That the following bylaw **be given first, second, and third readings:** 1. Housing Agreement (930 Fort Street) Bylaw No. 18-097

J.7 Bylaw for Development Cost Charges

Moved By Councillor Coleman Seconded By Councillor Young

That the following bylaw **be adopted:** 1. Development Cost Charges Bylaw, Amendment Bylaw (No. 1) No. 18-078

CARRIED UNANIMOUSLY

Moved By Councillor Coleman Seconded By Councillor Alto

That Council direct staff to amend the 2018 Financial Plan by adding \$3 million for the Songhees Park (Adjacent to Johnson Street Bridge) Expansion with funding from Parks Acquisition and Development, Development Cost Charges.

CARRIED UNANIMOUSLY

J.8 Bylaw Land Use Procedures

Moved By Councillor Coleman Seconded By Councillor Alto

That the following bylaw be adopted:1. Land Use Procedures Bylaw, Amendment Bylaw (No. 9) No. 18-090

CARRIED UNANIMOUSLY

M. <u>QUESTION PERIOD</u>

A question period was held.

N. ADJOURNMENT

Moved By Councillor Alto Seconded By Councillor Coleman

That the Council meeting adjourn. TIME: 9:52 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



September 20, 2018, 6:30 P.M. Council Chambers, City Hall, 1 Centennial Square Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair ,Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

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

A. <u>APPROVAL OF AGENDA</u>

The City Clerk outlined amendments to the agenda.

Moved By Councillor Coleman Seconded By Councillor Alto

That the agenda be approved as amended.

Amendment:

Moved By Councillor Isitt Seconded By Councillor Alto

That Mary Doody Jones be added to the second Request to Address Council section of the agenda.

CARRIED UNANIMOUSLY

Main motion as amended CARRIED UNANIMOUSLY

B. <u>Poetry Reading by Youth Poet Laureate, Agartu Ali</u>

Youth Poet Laureate, Agartu Ali, read a poem titled "On being a woman".

C. <u>READING OF MINUTES</u>

Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

That the following minutes be adopted:

- 1. Minutes from the daytime meeting held May 3, 2018
- 2. Minutes from the daytime meeting held September 6, 2018

CARRIED UNANIMOUSLY

D. <u>REQUESTS TO ADDRESS COUNCIL</u>

Moved By Councillor Coleman Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 <u>Martha Gerlach: Horse-Drawn Carriages in Victoria</u> Outlined why Council should continue to support the horse-drawn carriage industry in Victoria.

D.5 Dave Davies: Campaign Donors

Outlined why Council should consider corporate donations as a conflict in interest when voting.

D.6 <u>Leslie Robinson: Standards of Maintenance Bylaw for Rental Housing</u> Outlined why Council should strengthen the standards of maintenance bylaw for rental housing to include health infractions, enforcement provisions, and consider the licensing of rental housing.

E. **PROCLAMATIONS**

E.1 <u>"International Day of Sign Languages and Week of the Deaf" - September</u> 23, 2018 and September 24 to 30, 2018

Moved By Councillor Coleman Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "International Day of Sign Languages and Week of the Deaf" - September 23, 2018 and September 24 to 30, 2018

CARRIED UNANIMOUSLY

E.2 <u>"Ride for Refuge Day" - September 29, 2018</u>

Moved By Councillor Coleman Seconded By Councillor Alto

Council Meeting Minutes September 20, 2018

That the following proclamation be endorsed:

1. "Ride for Refuge Day" - September 29, 2018

CARRIED UNANIMOUSLY

E.3 <u>"Wrongful Conviction Day" - October 2, 2018</u>

Moved By Councillor Loveday Seconded By Councillor Alto

That the following proclamation be endorsed:1. "Wrongful Conviction Day" - October 2, 2018

CARRIED UNANIMOUSLY

E.4 "Fire Prevention Week 2018" - October 7 to 13, 2018

Moved By Councillor Loveday Seconded By Councillor Coleman

That the following proclamation be endorsed: 1. "Fire Prevention Week 2018" - October 7 to 13, 2018

CARRIED UNANIMOUSLY

E.5 <u>"Occupational Therapy Month" - October 2018</u>

Moved By Councillor Coleman Seconded By Councillor Lucas

That the following proclamation be endorsed: 1. "Occupational Therapy Month" - October 2018

CARRIED UNANIMOUSLY

E.6 <u>"Manufacturing Month" - October 2018</u>

Moved By Councillor Loveday Seconded By Councillor Young

That the following proclamation be endorsed: 1. "Manufacturing Month" - October 2018

CARRIED UNANIMOUSLY

F. <u>PUBLIC AND STATUTORY HEARINGS</u>

F.1 <u>Rezoning Application No. 00599 and Development Permit with Variances</u> <u>Application No. 000507 for 2910 Shelbourne Street</u>

Zoning Regulation Bylaw, Amendment Bylaw (No. 1154) No. 18-067:

To rezone the land known as 2910 Shelbourne Street from the R1-B Zone, Single Family Dwelling District, to the RT Zone, Traditional Residential Attached Dwelling District, to permit a six-unit townhouse development.

Development Permit with Variances Application:

The Council of the City of Victoria will also consider issuing a Development Permit with Variances for the land known as 2910 Shelbourne Street, in Development Permit Area 7A – Corridors, for the purposes of approving the exterior design and finishes for the six unit townhouse development as well as landscaping.

F.1.a Public Hearing & Consideration of Approval:

<u>Michael Angrove (Planner):</u> Advised that the application is to permit the construction of a six-unit townhouse development.

Mayor Helps opened the public hearing at 6:57 p.m.

Luke Mari (Applicant): Provided information regarding the application.

Council discussed the following:

The inclusion of the housing agreement and that some units will be sold at a percentage under rental market rates.

<u>Tavis Wetlo (Ryan Street)</u>: Expressed support for the application as it will be a benefit to the area.

Ric No Houle (Pandora Avenue): Expressed support for the application.

Lindsey Mitchell (Haultain Street): Expressed support for the application, as density is needed in this area.

<u>James Need (Lily Avenue)</u>: Expressed support for the application, in relation to his history with Aryze.

<u>Eric Swanson (Centre Road)</u>: Expressed support for the application due to the inclusion of affordable home ownership.

<u>Courtney Woodland (Pandora Avenue)</u>: Expressed support for the application due to the inclusion of affordable of home ownership.

<u>Mike Farley (Gladstone Avenue)</u>: Expressed support for the application, in relation to his employment with Aryze.

<u>Resident (Walnut Street)</u>: Expressed support for the application, in relation to his history with Aryze.

<u>Elizabeth Wilder (Ryan Street):</u> Expressed support for the application due to the inclusion of affordable home ownership.

<u>Dave Campbell (Rosemary Street):</u> Expressed support for the application, as it will provide homes for new families.

<u>Barry Walker (Jackson Street)</u>: Expressed concerns with the application, as a Garry Oak forest or community garden would be preferred.

<u>Mary Davies (Fairfield Road):</u> Expressed concerns relating to the use of the term "affordable housing" with this application.

Council discussed the following:

- The species of trees that will be planted on the site.
- The construction techniques used to keep prices lower.

Mayor Helps closed the public hearing at 7:47 p.m.

Moved By Councillor Lucas Seconded By Councillor Alto

That the following bylaw **be given third reading:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1154) No. 18-067

CARRIED UNANIMOUSLY

Moved By Councillor Loveday Seconded By Councillor Alto

That the following bylaw be adopted:

- 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1154) No. 18-067
- 2. Housing Agreement (2910 Shelbourne Street) Bylaw No. 18-101

CARRIED UNANIMOUSLY

Moved By Councillor Alto Seconded By Councillor Coleman

That Council authorize the issuance of Development Permit with Variances Application No. 000507 for 2910 Shelbourne Street in accordance with:

- 1. Plans date stamped July 3, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the lot width from 20.0m to 19.72m
 - ii. increase the number of units in an attached dwelling from 4 to 6

- iii. allow a roof deck
- iv. reduce the setback to Shelbourne Street from 10.7m to 7.52m
- v. reduce the north side setback from 4.0m to 1,38m
- vi. reduce the south side setback from 4.0m to 1,58m
- vii. reduce the required parking from 7 vehicle stalls including 1 visitor stall to 7 stalls with no visitor stalls.
- 3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.2 Rezoning Application No. 00647 for 1202-1214 Wharf Street

Zoning Regulation Bylaw, Amendment Bylaw (No. 1165) No. 18-093: To rezone the land known as 1202, 1208, 1214 Wharf Street from the IHF Zone, Inner Harbour Finlayson District, to the IHF-1 Zone, Inner Harbour Finlayson (Rental Business) District, to permit rental businesses.

F.2.a Public Hearing & Consideration of Approval

<u>Michael Angrove (Planner)</u>: Advised that the application is to permit rental business use in an existing building.

Mayor Helps opened the public hearing at 8:05 p.m.

Applicant: Provided information regarding the application.

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

Mayor Helps closed the public hearing at 8:08 p.m.

Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

That the following bylaw **be given third reading:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1165) No. 18-093

CARRIED UNANIMOUSLY

Moved By Councillor Loveday Seconded By Councillor Lucas

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1165) No. 18-093

CARRIED UNANIMOUSLY

F.3 <u>Rezoning Application No. 00619 and Development Permit Application No.</u> 000520 for 356 Harbour Road

Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055: To amend the existing CD-9 Zone, Dockside District, by adding a brewery, distillery and liquor retail store as permitted uses in the zone.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 356 Harbour Road, in Development Permit Area 13: Core Songhees for the purposes of constructing a four-storey brew-pub and distillery.

F.3.a Public Hearing & Consideration of Approval

<u>Michael Angrove (Planner)</u>: Advised that the application is to allow distillery, brewery, and accessory liquor retail store uses.

Mayor Helps opened the public hearing at 8:10 p.m.

<u>Ray Pipes & Adam Fox (Applicants):</u> Provided information regarding the application.

Council discussed the following:

• Work undertaken by the applicant to reduce aromas from the brewery.

<u>Alan Bell (Tyee Road):</u> Expressed concerns with the application due to the hours of the business.

<u>David Gaily (Tyee Road)</u>: Expressed concerns with the application due to the height of the proposed building and the potential noise from the patios.

<u>Ric No Houle (Pandora Avenue):</u> Expressed concerns relating to the allowance of a distillery and brewery.

Luke Mari (Fairfield Road): Expressed support for the application as it will be a benefit to the neighbourhood.

Council discussed the following:

Measures taken to reduce noise affects on neighbouring properties.

Mayor Helps closed the hearing at 8:40 p.m.

Moved By Councillor Coleman Seconded By Councillor Lucas

That the following bylaw be given third reading:1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

That the following bylaw be adopted:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

That Council authorize the issuance of Development Permit Application No. 000520 for 356 Harbour Road, in accordance with:

- 1. Plans date stamped January 25, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements.
- 3. The Development Permit lapsing two years from the date of this resolution.
- 4. Revised plans that provide bicycle parking in accordance with Schedule C of the Zoning Regulation Bylaw and the Dockside Green Master Development Agreement, to the satisfaction of the Director of Sustainable Planning and Community Development.

CARRIED UNANIMOUSLY

Council recessed from 8:49 p.m. until 8:56 p.m.

F.4 <u>Rezoning Application No. 00627 and Development Permit with Variances</u> <u>Application No. 00063 for 3031 Jackson Street</u>

Zoning Regulation Bylaw, Amendment Bylaw (No. 1158) - No. 18-075: To rezone the land known as 3031 Jackson Street from the R1- B Zone, Single Family Dwelling District, the RJ-10 Zone, Jackson Street Townhouse District, to permit the construction of eight attached townhouse dwelling units.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 3031 Jackson Street in Development Permit Area 16 – General Form and Character for the purposes of approving the form, character, exterior materials and landscaping of the proposed townhouse development.

F.4.a Public Hearing & Consideration of Approval

<u>Michael Angrove (Planner):</u> Advised that the application is to construct eight dwelling units within three buildings.

Mayor Helps opened the public hearing at 8:57 p.m.

<u>Brian Canfield (Applicant):</u> Provided information regarding the application.

<u>Barry Walker (Jackson Street)</u>: Expressed concerns in relation to the loss of green space, as well as concerns regarding the increased traffic.

<u>Ric No Houle (Pandora Avenue):</u> Expressed concerns in regards to the lack of electric vehicles.

<u>Erin (Jackson Street)</u>: Expressed concerns with the application, in regards to the increased traffic.

<u>Allison Bottomley (Jackson Street)</u>: Expressed concerns with the application, in regards to the increased traffic.

<u>Grant Holly (Jackson Street)</u>: Expressed concerns with the application, in regards to the increased traffic.

<u>Damien Grey (Jackson Street)</u>: Expressed concerns with the application, in regards to the increased traffic.

<u>Mel Gallopin (Jackson Street)</u>: Expressed concerns with the application as it will not be a good fit for the neighbourhood.

Mayor Helps closed the public hearing at 9:27 p.m.

Moved By Councillor Young Seconded By Councillor Coleman

That the following bylaw **be given third reading:**1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1158) No. 18-075

Council discussed the following:

• Concerns relating to the vehicle and bicycle traffic.

Amendment:

Moved By Councillor Young Seconded By Councillor Coleman

Direct staff to examine the degree to which Jackson Street is being used for cut through traffic and determine any simple actions to mitigate this.

CARRIED UNANIMOUSLY

Main motion as amended:

That the following bylaw **be given third reading:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1158) No. 18-075

Direct staff to examine the degree to which Jackson Street is being used for cut through traffic and determine any simple actions to mitigate this.

Council discussed the following:

- The lack of neighbourhood support for the application.
- That new Garry Oaks will be planted, to combat the loss of trees required for the development.

FOR (6): Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, Councillor Young, and Mayor Helps OPPOSED (3): Councillor Isitt, Councillor Loveday, and Councillor Madoff

CARRIED (6 to 3)

Moved By Councillor Coleman Seconded By Councillor Lucas

That the following bylaws be adopted:

- 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1158) No. 18-075
- 2. Housing Agreement (3031 Jackson Street) Bylaw No. 18-076

FOR (6): Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, Councillor Young, and Mayor Helps OPPOSED (3): Councillor Isitt, Councillor Loveday, and Councillor Madoff

CARRIED (6 to 3)

Moved By Councillor Lucas Seconded By Councillor Young

That Council authorize the issuance of Development Permit with Variances Application No. 00063 for 3031 Jackson Street, in accordance with:

- 1. Plans date stamped March 29, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances
 - i. reduce the lot width from 60.0m to 53.17m
 - ii. reduce the separation space between the building with units 1 & 2 and the building with units 3 & 4 from 7.50m to 4.90m
 - iii. reduce the separation space between the building with units 3 & 4 and the building with units 5, 6, 7 & 8 from 7.50m to 7.30m
 - iv. reduce the distance between the building with units 1 & 2 and the building with units 3 & 4 from 10.0m to 4.90m
 - v. reduce the distance between the building with units 3 & 4 and the building with units 5, 6, 7 & 8 from 10.0m to 6.68m
- 3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development, that state the 7.0m distance behind the visitor parking stalls 3, 12, & 13 does not exceed an 8% grade.
- 4. The Development Permit lapsing two years from the date of this resolution.

FOR (6): Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, Councillor Young, and Mayor Helps OPPOSED (3): Councillor Isitt, Councillor Loveday, and Councillor Madoff

CARRIED (6 to 3)

G. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Coleman Seconded By Councillor Isitt

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

G.1 <u>Ric No Houle: Tobacco Prohibition</u>

Outlined why Council should prohibit tobacco and guns in the City of Victoria.

G.2 Wayne Hollohan: CSV LAP

Outlined why Council should approve the recommendations laid out by the Cook Street Village steering committee.

G.3 Mary Doody Jones: Fairfield Neighbourhood Plan

Outlined further changes that should be considered for the Fairfield Neighbourhood Plan.

H. UNFINISHED BUSINESS

H.1 Letter from the Minister of Environment & Climate Change

Moved By Councillor Coleman Seconded By Councillor Alto

That the correspondence dated July 31, 2018 from the Minister of Environment & Climate Change be received for information.

CARRIED UNANIMOUSLY

H.2 Letter from the Ministry of Families, Children, and Social Development

Moved By Councillor Coleman Seconded By Councillor Alto

That the correspondence dated August 7, 2018 from the Ministry of Families, Children, and Social Development be received for information.

CARRIED UNANIMOUSLY

H.3 Letter from the Minister of Transport

Moved By Councillor Coleman Seconded By Councillor Alto

That the correspondence dated August 21, 2018 from the Minister of Transport be received for information.

CARRIED UNANIMOUSLY

H.4 Letter from the Ministry of Municipal Affairs & Housing

Moved By Councillor Coleman Seconded By Councillor Alto

That the correspondence dated August 22, 2018 from the Ministry of Municipal Affairs & Housing be received for information.

CARRIED UNANIMOUSLY

H.5 <u>Letter from the Minister of Forests, Lands, Natural Resource Operations,</u> <u>and Rural Development</u>

Moved By Councillor Coleman Seconded By Councillor Alto

That the correspondence dated September 6, 2018 from the Minister of Forests, Lands, Natural Resource Operations, and Rural Development be received for information.

CARRIED UNANIMOUSLY

H.6 <u>Update Report: Development Variance Permit Application No. 00213 for</u> <u>1159 View Street</u>

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

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

"That Council authorize the issuance of Development Variance Permit Application No. 00213 for 1159 View Street in accordance with:

- 1. Plans date stamped June 29, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce vehicle parking from 7 stalls to 3 stalls
 - ii. increase the site coverage from 30.00% to 45.56%
 - iii. increase the rear yard site coverage from 25.00% to 29.97%.
- 3. The applicant entering into an agreement with a car-share company to secure six car share memberships and car share usage credits in the amount of \$100 towards each car share membership, to the satisfaction of City Staff.
- 4. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

Council recessed from 10:12 p.m. until 10:17 p.m.

I. <u>REPORTS OF COMMITTEES</u>

I.1 <u>Committee of the Whole</u>

I.1.a Report from the September 20, 2018 COTW Meeting

I.1.a.a 1284-1298 Gladstone - Rezoning Application No. 00640 (Fernwood)

Moved By Councillor Thornton-Joe Seconded By Councillor Madoff

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00640 for 1284-1298 Gladstone Avenue and 2000-2004 Fernwood Road; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Preparation of a legal agreement to secure a statutory right-of-way of 3.90m on Fernwood Road, and executed by the applicant to the satisfaction of City Staff.

CARRIED UNANIMOUSLY

I.1.a.b Safeguarding Against Organized Crime and Money Laundering

Moved By Councillor Loveday Seconded By Councillor Isitt

That Council request the Mayor write to the Office of the Attorney General and BCLC requesting an update on the results of the Dirty Money investigation and to seek assurances that issues of organized crime and money laundering will not occur in any potential new casinos in the City of Victoria.

AND THAT Council direct staff to refer any applications to build or operate a casino in the City of Victoria to the Victoria Police Department for comment.

CARRIED UNANIMOUSLY

I.1.a.c Support for Second Stage Housing

Moved By Councillor Isitt Seconded By Councillor Loveday

That Council request that the Mayor write, on behalf of Council, to the Executive Director of the BC Housing Management Commission, expressing support for the efforts of the Victoria Women's Transition House to establish second-stage housing in Victoria.

CARRIED UNANIMOUSLY

I.1.a.d Request for Auditor General for Local Government to Undertake Audit of Johnson Street Bridge Project

Moved By Mayor Helps **Seconded By** Councillor Thornton-Joe That Council request the Auditor General for Local Government to undertake an audit of the Johnson Street Bridge Project.

CARRIED UNANIMOUSLY

I.1.a.e 2019 Permissive Property Tax Exemptions

Moved By Councillor Coleman Seconded By Councillor Loveday

That Council:

- a. Grant Fairfield United Church an exemption that correlates to 40% of the space being used for bible studies, congressional support groups and other administrative activities. Approving this application would exempt the organization for \$6,008 municipal taxes and \$8,714 in total taxes.
- b. Approve the applications for permissive property tax exemption detailed in Table 2 for the 2019 tax year:

Table 2:	
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Applicant	Property Address	Category	Amount
Victoria Women's Transition House Society	Confidential	Special Needs and Supportive Housing	\$2,872
Fresh Water Fisheries Correction (50 % exemption correction)	101 - 80 Regatta Landing	Recreation	\$9,103

I.1.a.f 1249 Finlayson - Rezoning Application No. 00638 & Development Permit with Variances Application No. 00075 (Hillside & Quadra)

Moved By Councillor Alto Seconded By Councillor Isitt

That Council refer this matter back to staff.

CARRIED UNANIMOUSLY

I.1.a.g 430 Parry - Rezoning Application No. 00641 & Development Permit Application No. 000528 (James Bay)

> Moved By Councillor Thornton-Joe Seconded By Councillor Madoff

Rezoning Application No. 00641

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw that would authorize the proposed development outlined in Rezoning Application No. 00641 for 430 Parry Street, that first and second reading of the Zoning Regulation Bylaw be considered by Council and a Public Hearing date be set once the following conditions are met:

- a. Preparation and execution of legal agreements to secure two studio units as affordable housing to the satisfaction of the City Solicitor.
- b. Preparation and execution of a Housing Agreement to ensure that future Strata Bylaws could not prohibit the rental of units (with the exception of the two affordable units).
- c. Submission of a Tenant Assistance Plan to the satisfaction of the Director of Sustainable Planning and Community Development.

That the community amenity funding be allocated to amenities in James Bay.

Development Permit with Variances Application No. 000528

That, subject to receipt of a signed agreement with a car share provider to secure a car share membership for all units to the satisfaction of the Director of Sustainable Planning and Community Design, Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00641, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 000528 for 430 Parry Street, in accordance with:

- a. Plans date stamped August 30, 2018.
- b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of parking stalls from sixteen to ten
 - ii. increase the maximum site coverage from 60% to 75%
 - iii. decrease the open site space from 20% to 10.5%
 - iv. reduce the front yard setback from 5.0m to 0m
 - v. Reduce the side yard setback (north) from 2.0m to 0m.
- c. The Development Permit lapsing two years form the date of this resolution.

CARRIED UNANIMOUSLY

I.1.a.h 423 Edward - Development Variance Permit Application No. 00207 (Victoria West)

Moved By Councillor Alto Seconded By Councillor Lucas

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

"That Council authorize the issuance of Development Variance Permit Application No. 00207 for 423 Edward Street, in accordance with:

- 1. Plans date stamped August 30, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required vehicle parking from four stalls to one stall
 - ii. reduce the rear yard setback from 7.5m to 3.25
 - iii. allow the addition of a roof deck
 - iv. allow exterior changes to the street facade to a proposed house conversion
 - v. reduce the separation distance for an accessory, building from the main building from 2.4m to 2.15
 - vi. allow an accessory building in the side yard.
- 3. The Development Permit lapsing two years from the date of this resolution.
- 4. Final issuance of the Development Variance Permit subject to:
 - a Statutory Right-of-Way of 1.8m on the Russell Street frontage being registered on title to the satisfaction of the Director of Engineering and Public Works.

ii. revised plans addressing minor drafting errors to the satisfaction of the Director of Sustainable Planning and Community Development."

CARRIED UNANIMOUSLY

I.1.a.i Fairfield Neighbourhood Plan – Update

Moved By Councillor Lucas Seconded By Councillor Coleman

- That Council direct staff to amend the draft Fairfield Neighbourhood Plan based on the recommendations provided by the Gentle Density and Cook Street Village Steering Committees with the following adjustments:
 - a. That analysis and consideration of pre-zoning for gentle density be considered in conjunction with the Inclusionary Housing policy work and following approval of the Fairfield Neighbourhood Plan as part of implementation.
 - b. That the Traditional Residential designation permit gentle density up to three storeys around Cook Street Village west of Linden Avenue and along Fairfield Road; and up to two-and-a-half storeys east of Linden Avenue.
 - c. That gentle density not exceed 1:1 Floor Space Ratio (FSR), that conventional side and rear yard setbacks be respected, and that considerations be made for reduced front setbacks compatible with block context.
 - d. That gentle density destination zones, consistent with the Fairfield Neighbourhood Plan, be created to assist rezoning applicants.
 - e. That the plan include policies encouraging gentle density housing forms in the Urban Residential designation for properties adjacent to Traditional Residential and smaller lots.
 - f. That the maximum density of 2:5 FSR for Large Urban Villages be maintained in the Official Community Plan, but the plan be amended to reference the built form and place character policies for villages in the Fairfield Neighbourhood Plan.
 - g. That future buildings in Cook Street Village be setback an average of two metres (with a one metre minimum);
 - h. That development permit guidelines for Cook Street Village include one, five metre step-back, measured from the front property line for portions of buildings above the second-storey to accommodate boulevard tree canopies.

- i. That village gateway components be evaluated through design during plan implementation.
- j. That a parking study be undertaken during plan implementation with the objective to maintain onstreet parking capacity.
- k. Direct staff to include amendments to the Official Community Plan that limit the height to four storeys in Cook Street Village
- I. Direct staff to report back with an evaluation and recommendations on designating all trees in Cook Street Village as significant.
- 2. That Council:
 - a. Consider consultation under Section 475(1) and 475(2) of the Local Government Act; and direct staff to undertake consultation with those affected by the proposed amendments to the Official Community Plan through online consultation, and one or more public open houses, concurrent with public review of the proposed Fairfield Neighbourhood Plan.
 - b. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff:
 - i. to refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, and the School District Board;
 - ii. that no referrals are necessary to the Capital Regional District Board, or the provincial or federal governments.
 - c. Direct staff to prepare Official Community Plan amendment bylaws following consultation, and in accordance with feedback received, as follows:
 - amend Section 6: Land Management and Development to permit three storeys west of Linden Avenue, and two-and-a-half storeys east of Linden Avenue, in the Traditional Residential designation (for Fairfield only);
 - ii. amend Figure 8: Urban Place Guidelines to reference the Fairfield Neighbourhood Plan in the Large Urban Village and Small Urban Village designations to provide built form and place character policies specific to Fairfield
 - iii. delete policy 6.20 and renumber accordingly
 - iv. amend Development Permit Area 5: Large Urban Villages to add new guidelines for Cook Street Village
 - v. amend Development Permit Area 6A: Small Urban Villages to add the areas of Five Points Village and Moss at May Village
 - vi. amend Development Permit Area 15F: Intensive Residential - Attached Residential

Development to include the Traditional Residential areas of Fairfield and apply guidelines for gentle density

- vii. rename "Ross Bay Village" to "Fairfield Plaza".
- d. Refer the proposed Fairfield Neighbourhood Plan to the meeting of Council at which the Public Hearing be held for the above Official Community Plan amendments, for consideration of final approval.

Amendment:

Moved By Councillor Isitt Seconded By Councillor Young

That this matter be referred back to staff to report back with a draft Fairfield Neighbourhood Plan.

Council discussed the following:

- Whether it would be beneficial for Council to have the draft Fairfield Neighbourhood Plan before sending it to an opportunity for public comment.
- Whether it would be beneficial for staff to receive direction from Council before putting the work into the draft Fairfield Neighbourhood Plan.

Moved By Councillor Thornton-Joe Seconded By Councillor Young

That Council postpone consideration of referral motion.

CARRIED UNANIMOUSLY

Council discussed the following:

- Community Amenity Contributions that would be able to support items in the plan.
- That the amended plan would allow the opportunity for gentle density in the neighbourhood.
- That the referral motion allows staff to deal with the technical details.

Moved By Councillor Isitt Seconded By Councillor Madoff

That Council lift the postponement of consideration of the referral motion from table.

FOR (8): Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young, and Mayor Helps OPPOSED (1): Councillor Loveday

CARRIED (8 to 1)

Amendment to the amendment:

Moved By Mayor Helps Seconded By Councillor Isitt

That the amendment be amended to include the following at the beginning:

"That council endorse the directions outlined above and"

CARRIED UNANIMOUSLY

Motion to extend:

Moved By Councillor Thornton-Joe Seconded By Councillor Isitt

That the meeting be extended to 11:30 p.m.

CARRIED UNANIMOUSLY

Amendment to the amendment:

Moved By Mayor Helps Seconded By Councillor Madoff

That the amendment be amended to the following:

That council asks staff to use the directions outlined above as the basis for reporting back to Council with the draft Fairfield Neighbourhood Plan and report back.

CARRIED UNANIMOUSLY

Amendment to amendment:

Moved By Councillor Isitt Seconded By Councillor Madoff

That the amendment be amended to the following:

That Council direct staff to report back with a draft Fairfield Neighbourhood Plan based on the recommendations outlined in the report.

On the amendment:

FOR (6): Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Young, and Mayor Helps

OPPOSED (3): Councillor Alto, Councillor Coleman, and Councillor Thornton-Joe

CARRIED (6 to 3)

On the main motion as amended:

- That Council direct staff to amend the draft Fairfield Neighbourhood Plan based on the recommendations provided by the Gentle Density and Cook Street Village Steering Committees with the following adjustments:
 - a. That analysis and consideration of pre-zoning for gentle density be considered in conjunction with the Inclusionary Housing policy work and following approval of the Fairfield Neighbourhood Plan as part of implementation.
 - b. That the Traditional Residential designation permit gentle density up to three storeys around Cook Street Village west of Linden Avenue and along Fairfield Road; and up to two-and-a-half storeys east of Linden Avenue.
 - c. That gentle density not exceed 1:1 Floor Space Ratio (FSR), that conventional side and rear yard setbacks be respected, and that considerations be made for reduced front setbacks compatible with block context.
 - d. That gentle density destination zones, consistent with the Fairfield Neighbourhood Plan, be created to assist rezoning applicants.
 - e. That the plan include policies encouraging gentle density housing forms in the Urban Residential designation for properties adjacent to Traditional Residential and smaller lots.
 - f. That the maximum density of 2:5 FSR for Large Urban Villages be maintained in the Official Community Plan, but the plan be amended to reference the built form and place character policies for villages in the Fairfield Neighbourhood Plan.
 - g. That future buildings in Cook Street Village be setback an average of two metres (with a one metre minimum);
 - h. That development permit guidelines for Cook Street Village include one, five metre step-back, measured from the front property line for portions of buildings above the second-storey to accommodate boulevard tree canopies.
 - i. That village gateway components be evaluated through design during plan implementation.

- j. That a parking study be undertaken during plan implementation with the objective to maintain onstreet parking capacity.
- k. Direct staff to include amendments to the Official Community Plan that limit the height to four storeys in Cook Street Village
- I. Direct staff to report back with an evaluation and recommendations on designating all trees in Cook Street Village as significant.
- 2. That Council:
 - a. Consider consultation under Section 475(1) and 475(2) of the Local Government Act; and direct staff to undertake consultation with those affected by the proposed amendments to the Official Community Plan through online consultation, and one or more public open houses, concurrent with public review of the proposed Fairfield Neighbourhood Plan.
 - b. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff:
 - i. to refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, and the School District Board;
 - ii. that no referrals are necessary to the Capital Regional District Board, or the provincial or federal governments.
 - c. Direct staff to prepare Official Community Plan amendment bylaws following consultation, and in accordance with feedback received, as follows:
 - i. amend Section 6: Land Management and Development to permit three storeys west of Linden Avenue, and two-and-a-half storeys east of Linden Avenue, in the Traditional Residential designation (for Fairfield only);
 - ii. amend Figure 8: Urban Place Guidelines to reference the Fairfield Neighbourhood Plan in the Large Urban Village and Small Urban Village designations to provide built form and place character policies specific to Fairfield
 - iii. delete policy 6.20 and renumber accordingly
 - amend Development Permit Area 5: Large Urban Villages to add new guidelines for Cook Street Village
 - v. amend Development Permit Area 6A: Small Urban Villages to add the areas of Five Points Village and Moss at May Village
 - vi. amend Development Permit Area 15F: Intensive Residential - Attached Residential Development to include the Traditional

Residential areas of Fairfield and apply guidelines for gentle density

vii. rename "Ross Bay Village" to "Fairfield Plaza".
d. Refer the proposed Fairfield Neighbourhood Plan to the meeting of Council at which the Public Hearing be held for the above Official Community Plan amendments, for consideration of final approval.

That Council direct staff to report back with a draft Fairfield Neighbourhood Plan based on the recommendations outlined in the report.

FOR (5): Councillor Isitt, Councillor Lucas, Councillor Madoff, Councillor Young, and Mayor Helps

OPPOSED (3): Councillor Alto, Councillor Coleman, and Councillor Thornton-Joe

CARRIED (5 to 3)

l.1.a.j

City Employees Bylaw

Moved By Councillor Coleman Seconded By Councillor Alto

That Council:

 Direct staff to bring forward the new Officers Bylaw to the September 20, 2018 Council Meeting for introductory readings.

CARRIED UNANIMOUSLY

Moved By Councillor Coleman Seconded By Councillor Alto

That Council:

- 1. Subject to the adoption of the Officers Bylaw the following Policies be approved:
 - a. Terms and Conditions of Employment Officers and Exempt Employees
 - b. Compensation Officers and Exempt Employees

Amendment:

Moved By Councillor Isitt

That consideration be postponed until the October 4, 2018 Council meeting. **DEFEATED DUE TO NO SECONDER**

On the main motion:

FOR (8): Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young, and Mayor Helps OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

I.1.a.k Orange Shirt Day

Moved By Councillor Coleman Seconded By Councillor Alto

That Council supports an expenditure of \$6,000 from the City's Reconciliation budget to hold Orange Shirt Day in Centennial Square on September 30th.

CARRIED UNANIMOUSLY

K. <u>BYLAWS</u>

K.1 <u>Bylaws for Official Community Plan and Rezoning Application for 2732</u> <u>Doncaster Drive</u>

Moved By Councillor Alto Seconded By Councillor Lucas

That the following bylaws be given first and second readings:

- 1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 26) No. 18-088
- 2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1162) No. 18-086

FOR (8): Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Mayor Helps OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Alto Seconded By Councillor Thornton-Joe

That the following bylaw **be given first, second, and third readings:** 1. Housing Agreement (2732 Doncaster Drive) Bylaw No. 18-087

FOR (8): Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Mayor Helps OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Alto

Seconded By Councillor Lucas

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00635, if it is approved, consider the following updated motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive, in accordance with:

- 1. Plans date stamped May 17, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. reduce the site area from 920.0m² to 638.70m²
 - b. reduce the dwelling unit floor area from 33.0m² to 28.40m²
 - c. reduce the front yard setback from 7.50m to 4.50m
 - d. reduce the south side yard setback from 4.75m to 1.70m
 - e. reduce the north side yard setback from 4.75m to 4.0m
 - f. reduce the open site space from 30.0% to 22.22%
 - g. reduce the number of vehicle parking stalls from 10 to 8.
- 3. The Development Permit lapsing two years from the date of this resolution."

FOR (8): Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Mayor Helps OPPOSED (1): Councillor Young

CARRIED (8 to 1)

K.2 Bylaw for Rezoning Application for 356-360 Bay Street and 2520 Turner Street

Moved By Councillor Madoff Seconded By Councillor Alto

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1169) No. 18-103

FOR (8): Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Mayor Helps OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Coleman Seconded By Councillor Lucas

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion: "That Council authorize the issuance of a Development Variance Permit

Application for 356-360 Bay Street and 2520 Turner Street, in accordance with:

- 1. Revised plans with a reduced retail floor area.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:

- i. reduce the vehicle parking requirement for a storefront cannabis retailer from one stall per 37.5m² to one stall per 93m².
- 3. The Development Permit lapsing two years from the date of this resolution."

FOR (8): Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Mayor Helps OPPOSED (1): Councillor Young

CARRIED (8 to 1)

K.3 Bylaw for Rezoning Application for 210 Gorge Road East

Moved By Councillor Coleman Seconded By Councillor Lucas

That the following bylaw be given first and second readings:1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1167) No. 18-095

FOR (8): Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Mayor Helps OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Madoff Seconded By Councillor Coleman

That the following bylaw **be given first**, **second**, **and third readings**: 1. Housing Agreement (210 Gorge Road) Bylaw (2018) No. 18-096

CARRIED UNANIMOUSLY

K.4 Bylaw for Permissive Tax Exemptions

Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

That the following bylaw **be given first, second, and third readings:** 1. Tax Exemption (Permissive) Bylaw, 2019 No. 18-091

CARRIED UNANIMOUSLY

K.5 Bylaw for Officer Positions

Moved By Councillor Coleman Seconded By Councillor Madoff

That the following bylaw **be given first**, **second**, **and third readings**: 1. Officers Bylaw No. 18-106

CARRIED UNANIMOUSLY

K.6 Bylaws for Rezoning Application for 930 Fort Street

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

That the following bylaws be adopted:

- 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1156) No. 18-071
- 2. Housing Agreement (930 Fort Street) Bylaw No. 18-097

CARRIED UNANIMOUSLY

K.7 Bylaw for Rezoning Application for 3103 Washington Avenue

Moved By Councillor Coleman Seconded By Councillor Lucas

That the following bylaw be adopted:1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1146) No. 18-031

CARRIED UNANIMOUSLY

L. <u>CORRESPONDENCE</u>

L.1 Letter from the Green Communities Committee

Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

That the correspondence dated August 15, 2018 from the Green Communities Committee be received for information.

CARRIED UNANIMOUSLY

L.2 Letter from the Ministry of Public Safety and Solicitor General

Moved By Councillor Coleman Seconded By Councillor Thornton-Joe

That the correspondence dated August 30, 2018 from the Ministry of Public Safety and Solicitor General be received for information.

CARRIED UNANIMOUSLY

N. <u>QUESTION PERIOD</u>

A question period was held.

O. <u>ADJOURNMENT</u>

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

That the Council meeting adjourn. TIME: 11:21 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

September 27, 2018, 9:00 A.M. Council Chambers, City Hall, 1 Centennial Square Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

- PRESENT: Councillor Loveday
- STAFF PRESENT: C. Coates - City Clerk, P. Bruce - Fire Chief, S. Thompson - Director of Finance, J. Tinney - Director of Sustainable Planning & Community Development, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer -Head of Engagement, C. Havelka - Deputy City Clerk, AM Ferguson -Committee Secretary

A. CONVENE COUNCIL MEETING

B. <u>APPROVAL OF AGENDA</u>

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That the agenda be approved.

CARRIED UNANIMOUSLY

C. BYLAWS

C.1 Bylaw for Building and Plumbing Regulations

Moved By Councillor Isitt Seconded By Councillor Lucas

That the following bylaw be given first, second, and third readings:

 Building and Plumbing Regulation Bylaw, Amendment Bylaw (No. 1) No. 18-107

Council discussed:

• Transparency for the public to understand the adoption of step code.

CARRIED UNANIMOUSLY

D. <u>CLOSED MEETING</u>

Moved By Councillor Lucas Seconded By Councillor Coleman

MOTION TO CLOSE THE SEPTEMBER 27, 2018 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) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

Section 90(1)(b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;

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

Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

CARRIED UNANIMOUSLY

E. <u>APPROVAL OF CLOSED AGENDA</u>

Moved By Councillor Young Seconded By Councillor Thornton-Joe

That the agenda be approved.

Amendment:

That the motion be amended to include the following items on the consent agenda:

Consent Agenda

C.1 - Minutes from the closed meeting held September 6, 2018

- F.1 Land/Lease
- F.2 Land/Lease

CARRIED UNANIMOUSLY

Main motion as amended:

CARRIED UNANIMOUSLY

F. <u>CONSENT AGENDA</u>

That the following item be approved without further debate:

CARRIED UNANIMOUSLY

J. <u>NEW BUSINESS</u>

J.1 Land/Lease

Council received a confidential report dated September 17, 2018, from the Head of Strategic Real Estate regarding a land item.

The motion was recorded and kept confidential.

J.2 Land/Lease

Council received a confidential report dated September 17, 2018, from the Head of Strategic Real Estate regarding a land item.

The motion was recorded and kept confidential.

J. <u>NEW BUSINESS</u>

J.3 Proposed Municipal Service

Council received a confidential report dated September 27, 2018, from the Fire Chief regarding a proposed municipal service.

The discussion and motion were recorded and kept confidential.

J.4 <u>Proposed Honour</u>

Council received a confidential Council member motion dated September 19, 2019, from Mayor Helps, Councillors Young and Coleman regarding a proposed honour.

The discussion and motion were recorded and kept confidential.

J.5 Law Enforcement

Council received a confidential report dated September 24, 2018, from the Lead of Bylaw and Licensing Services regarding a law enforcement item.

The discussion and motion were recorded and kept confidential.

J.6 Land

Council discussed a confidential land item.

The discussion and motion were recorded and kept confidential.

H. ADJOURNMENT

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That the Closed Council Meeting be adjourned at 12:31 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



October 4, 2018, 6:30 P.M. Council Chambers, City Hall, 1 Centennial Square Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

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

B. <u>APPROVAL OF AGENDA</u>

The City Clerk outlined amendments to the agenda.

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

That the agenda be approved as amended.

Amendment:

Moved By Councillor Coleman Seconded By Councillor Loveday

That Barrett Blackwood, Brian Danny, and Allan Lingwood be added to the second Request to Address Council section of the agenda.

CARRIED UNANIMOUSLY

Main motion as amended: CARRIED UNANIMOUSLY

C. <u>PRESENTATION</u>

Councillor Lucas and Councillor Coleman were given flowers and a plaque as a token of appreciation for their service.

E. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Coleman Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

E.1 <u>Leslie Robinson: Building Residential Towers in Victoria</u> Outlined why Council should consider the implications of permitting the construction of high density, high rise residential buildings.

E.2 Patricia Bell: Climate & Energy Award Presentation Presented the City of Victoria with the Climate and Energy Action Award for its All Ages and Abilities Bicycle Network, on behalf of the Community Energy Association.

F. <u>PROCLAMATIONS</u>

F.1 "World Mental Health Day" - October 10, 2018

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

That the following proclamation be endorsed: 1. "World Mental Health Day" - October 10, 2018

CARRIED UNANIMOUSLY

F.2 "Waste Reduction Week" - October 15 to 21, 2018

Moved By Councillor Alto Seconded By Councillor Isitt

That the following proclamation be endorsed: i. "Waste Reduction Week" - October 15 to 21, 2018

CARRIED UNANIMOUSLY

F.3 "Miriam Temple No. 2 Daughters of the Nile Day" - October 18, 2018

Moved By Councillor Coleman Seconded By Councillor Lucas

That the following proclamation be endorsed: 1. "Miriam Temple No. 2 Daughters of the Nile Day" - October 18, 2018

CARRIED UNANIMOUSLY

Council Meeting Minutes October 4, 2018

F.4 "Pulmonary Hypertension Awareness Month" - November 2018

Moved By Councillor Loveday Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed: 1. "Pulmonary Hypertension Awareness Month" - November 2018

CARRIED UNANIMOUSLY

F.5 "World Pancreatic Cancer Day" - November 15, 2018

Moved By Councillor Coleman Seconded By Councillor Alto

That the following proclamation be endorsed: 1. "World Pancreatic Cancer Day" - November 15, 2018

CARRIED UNANIMOUSLY

F.6 <u>"CUPE Local 50's 100th Anniversary" - October 2018</u>

Moved By Councillor Alto Seconded By Councillor Loveday

That the following proclamation be endorsed: 1. "CUPE Local 50's 100th Anniversary" - October 2018

CARRIED UNANIMOUSLY

G. PUBLIC AND STATUTORY HEARINGS

G.1 <u>Official Community Plan Amendment, Rezoning Application No. 00635, and</u> <u>Development Permit with Variances Application No. 00072 for 2732</u> <u>Doncaster Drive</u>

<u>Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 26) No. 18-088:</u> To include all of the land known as 2732 Doncaster Drive in the Urban Residential Urban Place Designation.

Zoning Regulation Bylaw, Amendment Bylaw (No. 1162) No. 18-086: To rezone the land known as 2732 Doncaster Drive from the R1-B Zone, Single Family Dwelling District, to the R3-A1 Zone, Low Profile Multiple Dwelling District, to permit a three storey multi-unit residential rental building.

Development Permit with Variances:

The Council of the City of Victoria will also consider issuing a Development Permit with Variances for the land known as 2732 Doncaster Drive, in Development Permit Area 16 – General Form and Character, for the purposes of approving the exterior design and finishes for the eleven unit multi-family development as well as landscaping.

G.1.a Public Hearing & Consideration of Approval

<u>Leanne Taylor (Senior Planner)</u>: Advised that the application is to allow for a three-storey, multi-unit residential rental building.

Mayor Helps opened the public hearing at 6:49 p.m.

<u>Cam Pringle (Applicant):</u> Provided information regarding the application.

Louise Magnet (Westall Avenue): Expressed concerns with the application, due to the location.

<u>Jim Hayden (Rollins Avenue)</u>: Expressed support for the application, due to the need for workforce rental housing.

Nancy Downer (Doncaster Drive): Expressed concerns with the application, due to the impact it will make on their property.

<u>Diane Roll (Hillside Avenue)</u>: Expressed concerns with the application, due to traffic and safety issues.

Brad Downer (Doncaster Drive): Expressed concerns with the application, due to potential safety issues.

Linda Bennett (Oakland Avenue): Expressed support for the application, as workforce housing is needed in the area.

<u>Al Jackson (Oakland Avenue):</u> Expressed support for the application, as workforce housing is needed in the area.

Council discussed the following:

Traffic and privacy concerns raised by neighbours.

Moved By Councillor Coleman Seconded By Councillor Lucas

That the following bylaw **be given third reading**:

- 1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 26) No. 18-088
- 2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1162) No. 18-086

Council discussed the following:

- The need for rental market and workforce housing in this area.
- The potential impact on neighbours in relation to traffic and privacy.

FOR (5): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, and Councillor Lucas

OPPOSED (4): Councillor Isitt, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

CARRIED (5 to 4)

Moved By Councillor Coleman Seconded By Councillor Lucas

That the following bylaw be adopted:

- 1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 26) No. 18-088
- 2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1162) No. 18-086
- 3. Housing Agreement (2732 Doncaster Drive) Bylaw No. 18-087

FOR (5): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, and Councillor Lucas

OPPOSED (4): Councillor Isitt, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

CARRIED (5 to 4)

Moved By Councillor Coleman Seconded By Councillor Lucas

That Council authorize the issuance of Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive, in accordance with:

- 1. Plans date stamped May 17, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. reduce the site area from 920.0m² to 638.70m²
 - b. reduce the dwelling unit floor area from 33.0m² to 28.40m²
 - c. reduce the front yard setback from 7.50m to 4.50m
 - d. reduce the south side yard setback from 4.75m to 1.70m
 - e. reduce the north side yard setback from 4.75m to 4.0m
 - f. reduce the open site space from 30.0% to 22.22%
 - g. reduce the number of vehicle parking stalls from 10 to 8.
- 3. The Development Permit lapsing two years from the date of this resolution.

FOR (5): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, and Councillor Lucas

OPPOSED (4): Councillor Isitt, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

CARRIED (5 to 4)

Council recessed at 8:04 p.m. and returned at 8:10 p.m.

G.2 <u>Rezoning and Development Permit with Variances Application No. 00604</u> for 356-360 Bay Street and 2520 Turner Street

Zoning Regulation Bylaw, Amendment Bylaw (No. 1169) No. 18-103: To rezone the land known as 356-360 Bay Street and 2520 Turner Street from the M-3 Zone, Heavy Industrial District, to the M3-1 Zone, Heavy Industrial (Cannabis) District, to permit a storefront cannabis retailer.

Development Variance Permit:

The Council of the City of Victoria will consider issuing a Development Variance Permit for the land known as 356-360 Bay Street and 2520 Turner Street. Variances to the M3-1 Zone, Heavy Industrial (Cannabis) District, are required to reduce the vehicle parking requirement from 1 stall per 37.5m² to 1 stall per 93m².

G.2.a Public Hearing & Consideration of Approval

Leanne Taylor (Senior Planner): Advised that the application is to allow for the retail sale of cannabis.

Mayor Helps opened the public hearing at 8:11 p.m.

Councillor Isitt withdrew from the meeting at 8:11 p.m.

<u>William Martin-Wood (Applicant):</u> Provided information regarding the application.

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

Mayor Helps closed the public hearing at 8:15 p.m.

Moved By Councillor Coleman Seconded By Councillor Loveday

That the following bylaw **be given third reading:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1169) No. 18-103

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Moved By Councillor Coleman Seconded By Councillor Loveday

That the following bylaw **be adopted:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1169) No. 18-103

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Moved By Councillor Coleman Seconded By Councillor Loveday

That Council authorize the issuance of a Development Variance Permit Application for 356-360 Bay Street and 2520 Turner Street, in accordance with:

- 1. Revised plans with a reduced retail floor area.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - ii. reduce the vehicle parking requirement for a storefront cannabis retailer from one stall per 37.5m² to one stall per 93m².
- 3. The Development Permit lapsing two years from the date of this resolution.

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (7 to 1)

G.3 Development Variance Permit Application No. 00213 for 1159 View Street

Development Variance Permit:

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 1159 View Street for the purpose of varying certain requirements of the *Zoning Regulation Bylaw*, namely: to reduce vehicle parking requirements and to increase site coverage in order to add two rental suites in the basement level of the existing building, and a new accessory building in the rear yard.

G.3.a Opportunity for Public Comment & Consideration of Approval:

<u>Leanne Taylor (Senior Planner)</u>: Advised that the application is to add two rental suites in the basement level and for a new accessory building in the rear yard.

Councillor Isitt returned to the meeting at 8:18 p.m.

Mayor Helps opened the opportunity for public comment at 8:18 p.m.

Ryan Jabs (Applicant): Provided information regarding the application.

<u>Gary Wagner (View Street)</u>: Expressed concerns on the application, due to the low ceiling height.

Mayor Helps closed the opportunity for public comment at 8:36 p.m.

Moved By Councillor Thornton-Joe Seconded By Councillor Young

That Council authorize the issuance of Development Variance Permit Application No. 00213 for 1159 View Street in accordance with:

1. Plans date stamped June 29, 2018.

- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. reduce vehicle parking from 7 stalls to 3 stalls
 - b. increase the site coverage from 30.00% to 45.56%
 - c. increase the rear yard site coverage from 25.00% to 29.97%.
- 3. The applicant entering into an agreement with a car-share company to secure six car share memberships and car share usage credits in the amount of \$100 towards each car share membership, to the satisfaction of City Staff.
- 4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

G.4 <u>Development Permit with Variance Application No. 00085 for 515 Chatham</u> <u>Street</u>

Development Permit with Variances Application No. 00085:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 515 Chatham Street, in Development Permit Area 1 (HC) Core Historic, for purposes of approving the exterior design and finishes for the mixed use building, as well as landscaping.

G.4.a Opportunity for Public Comment & Consideration of Approval

<u>Leanne Taylor (Senior Planner)</u>: Advised that the application is to construct a five-storey, mixed-use development with 88 residential units and ground floor commercial.

Mayor Helps opened the opportunity for public comment at 8:41 p.m.

<u>Justin Gammon (Applicant):</u> Provided information regarding the application.

There were no persons present to speak to the proposed application.

Mayor Helps closed the opportunity for public comment at 8:45 p.m.

Moved By Councillor Thornton-Joe Seconded By Councillor Madoff

That Council authorize the issuance of Development Permit with Variance Application No. 00085 for 515 Chatham Street, in accordance with:

- 1. Plans date stamped July 16, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - a. increase the height from 15m to 16.43m.
- 3. That Council authorize the Mayor and City Clerk to execute encroachment agreements, to be executed at time of the building permit approval, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:

- a. building encroachment(s) adjacent to Chatham Street and Store Street.
- b. anchor-pinning in the City Right-of-Way.
- 4. Final plans to be in accordance with the plans date stamped July 16, 2018, to the satisfaction of City staff.
- 5. The Development Permit lapsing two years from the date of this resolution.

That Council rescind the previously approved Development Permit No. 00034 for 515 Chatham Street approved May 24, 2018.

CARRIED UNANIMOUSLY

Councillor Alto withdrew from the meeting at 8:47 p.m. due to a pecuniary and non-pecuniary conflict of interest with the following item, due to an unexpected incident that places her in a position of conflict.

G.5 <u>Rezoning Application No. 00620 and Development Permit with Variances</u> <u>Application No. 00076 for 210 Gorge Road East</u>

Zoning Regulation Bylaw, Amendment Bylaw (No. 1167) No. 18-095:

To rezone the land known as 210 Gorge Road from the T-1 Zone, Limited Transient Accommodation District, to the R-89 Zone, Gorge Road Multiple Dwelling District, to permit a multi-unit residential building.

Development Permit:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 210 Gorge Road, in Development Permit Area 7A (Corridors) for the purposes of approving the exterior design and finishes for the multi-unit residential building, as well as landscaping.

G.5.a Public Hearing & Consideration of Approval

<u>Leanne Taylor (Senior Planner)</u>: Advised that the application is to construct a six-storey, multiple dwelling consisting of rental units and supportive housing units.

Mayor Helps opened the public hearing at 8:56 p.m.

<u>Kathy Stinson (Applicant):</u> Provided information regarding the application.

Council discussed the following:

• The breakdown of mixed income housing that will be provided.

<u>Wendy Balls (Washington Avenue)</u>: Expressed concerns with the application, due to the proposed height of the building as well as safety concerns.

<u>Houston (Resident)</u>: Expressed concerns with the application, due to safety concerns and the concentration of supportive housing in the neighbourhood.

<u>Robert Houston (Resident):</u> Expressed concerns with the application, due to safety concerns and the negative affect on the neighbourhood.

<u>John Hurcock (Resident)</u>: Expressed concerns with the application, due to safety concerns and the negative affect on the neighbourhood.

<u>Carl Eldritch (East Gorge Road)</u>: Expressed concerns with the application, as a balance is required in the neighbourhood in order to create an urban village.

<u>Katy Cousen (Belfor Avenue)</u>: Expressed concerns with the application, due to safety and parking concerns and due to the inconsistencies with the neighbourhood plan.

<u>Dory Lithstrum (Caroll Street)</u>: Expressed concerns with the application, due to the concentration of supportive housing in this neighbourhood.

<u>Gene Ronalds (Caroll Street)</u>: Expressed concerns with the application, due to safety concerns and the concentration of supportive housing in this neighbourhood.

<u>Vicky Jackson (Gorge Road East)</u>: Expressed concerns with the application, due to the inconsistencies with the neighbourhood plan.

<u>Keith Harris (Gorge Road East)</u>: Expressed concerns with the application, due to safety and traffic concerns and the concentration of supportive housing in this neighbourhood.

<u>Don Evans (Pandora Avenue)</u>: Expressed support for the application and the mixed income housing model, due to the need for supportive housing in the City.

<u>Kristina Comley (Caroll Street)</u>: Expressed concerns with the application, due to safety issues and the negative affect on the neighbourhood.

<u>Avery Stetski (President of the Burnside Gorge Neighbourhood</u> <u>Association):</u> Expressed concerns with the application, due to the inconsistencies with the neighbourhood plan.

<u>Claire King (Albany Street):</u> Expressed concerns with the application, as the proposal is inconsistent with the Regional Housing First mixed community housing model.

<u>Kathleen Perkin (Harriet Road):</u> Expressed support for the application, due to the need for supportive housing and as the building will address affordable housing issues

<u>Hugh Hughson (Belford Avenue):</u> Expressed concerns with the application, due to the size of the proposed building and potential negative impact on the neighbourhood.

<u>Michelle Peterson (Irma Street)</u>: Expressed concerns with the application, due to the poor integration of supportive housing into the neighbouring community and lack of community amenities.

<u>Elizabeth Cull (Waterfront Street)</u>: Expressed concerns with the application, due to the inconsistencies with the neighbourhood plan and the potential negative affect it will have on the neighbourhood.

<u>Nigel (Resident):</u> Expressed concerns with the application and the mixed community housing model.

<u>Don Elliot (Director of the Greater Victoria Coalition to End</u> <u>Homelessness):</u> Expressed support for the application, due to the need for supportive housing.

<u>Ron Rice (Harold Street)</u>: Expressed support for the application, due to the need for supportive housing.

Mayor Helps closed the public hearing at 10:15 p.m.

Moved By Councillor Isitt Seconded By Councillor Loveday

That the following bylaw be given third reading:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1167) No. 18-095

Council discussed the following:

- The need for supportive housing in the City during a housing crisis.
- The disproportionate burden of shelter beds and supportive housing in the Burnside Gorge neighbourhood.
- The inconsistencies of the application with the neighbourhood plan.

Motion to refer:

Moved By Councillor Thornton-Joe Seconded By Councillor Madoff

Refer this back to staff to see a reduction of storeys to conform with the local area plan, to possibly include ground-floor commercial, to consider an increase in parking, and to bring the type of unit percentages more closely aligned to the Regional Housing First program implementation plan.

Council discussed the following:

Whether changes to the application will allow it to integrate better with the neighbourhood.

Amendment:

Moved By Mayor Helps Seconded By Councillor Loveday

That the motion be amended as follows:

Refer this back to staff to see a reduction of storeys to conform with the local area plan, to possibly include ground-floor commercial, to consider an increase in parking, and to bring the type of unit percentages more closely aligned to the Regional Housing First program implementation plan.

FOR (4): Mayor Helps, Councillor Isitt, Councillor Loveday, and Councillor Madoff OPPOSED (4): Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young

DEFEATED (4 to 4)

On the motion to refer:

Council discussed the following:

• That commercial stores would allow for a better integration within the community.

Moved By Councillor Coleman Seconded By Councillor Madoff

That Mayor Helps be allowed to speak a second time.

CARRIED UNANIMOUSLY

Council discussed the following:

• That the motion to refer will allow the the application to build supportive housing while still respecting local area plans.

Amendment:

Moved By Councillor Isitt **Seconded By** Mayor Helps That the motion be amended as follows:

Refer this back to staff to see a reduction of storeys to conform with the local area plan, to possibly include ground-floor commercial, to consider an increase in parking, and to bring the type of unit percentages more closely aligned to the Regional Housing First program implementation plan.

Council discussed the following:

The mix of supportive housing in the application.

FOR (3): Mayor Helps, Councillor Isitt, and Councillor Loveday OPPOSED (5): Councillor Coleman, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

DEFEATED (3 to 5)

Moved By Councillor Isitt Seconded By Councillor Loveday

That the meeting be extended to 11:30 p.m.

CARRIED UNANIMOUSLY

On the motion to refer:

Council discussed the following:

• The need for work on supportive services, supportive housing, and affordable housing in the City.

FOR (7): Mayor Helps, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

Councillor Alto returned to the meeting at 11:11 p.m.

Council recessed at 11:11 p.m. and returned at 11:17 p.m.

H. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Coleman Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

H.1 <u>Robert Showers: 1500 and 1500 Myrtle Avenue Traffic and Development</u> <u>Concerns</u>

Outlined why Council should support the "Proposed Amendments to the C1-L Bylaw in its Application to Myrtle Street" motion.

H.2 <u>Ludo Bertsch: Myrtle Avenue Landscape Buffer C1-L</u> Outlined why Council should support the "Proposed Amendments to the C1-L Bylaw in its Application to Myrtle Street" motion.

H.3 <u>Catherine Blake: 1600 Myrtle Avenue</u> Outlined why Council should support the "Proposed Amendments to the C1-L Bylaw in its Application to Myrtle Street" motion.

Council Meeting Minutes October 4, 2018 Moved By Councillor Coleman Seconded By Councillor Alto

Motion to extend:

That the meeting be extended to 12:30 a.m.

CARRIED UNANIMOUSLY

H.4 Peter Bell: C1-L Bylaw Amendment

Outlined why Council should support the "Proposed Amendments to the C1-L Bylaw in its Application to Myrtle Street" motion.

H.5 Barrett Blackwood: Housing

Thanked Mayor and Council for their work on the Standard Maintenance Bylaw for tenants, for making City Hall more inclusive, and for their service.

H.7 Allan Lingwood: Victoria Cannabis Retail

Outlined why Council should expedite the cannabis retailer process, following the legalization by the Federal Government.

I. UNFINISHED BUSINESS

Councillor Thornton-Joe withdrew from the meeting at 11:44 p.m. due to a pecuniary conflict of interest with the following item, as her husband is employed with BC Transit.

I.1 Letter from BC Transit

Moved By Councillor Alto Seconded By Councillor Madoff

That the correspondence dated September 20, 2018 from BC Transit be received for information.

CARRIED UNANIMOUSLY

Councillor Thornton-Joe returned to the meeting at 11:45 p.m.

J. <u>REPORTS OF COMMITTEES</u>

J.1 Committee of the Whole

J.1.a Report from the September 27, 2018 COTW Meeting

J.1.a.a 27 Pilot Street - Development Permit with Variance Application No. 00081 (James Bay)

> Moved By Councillor Madoff Seconded By Councillor Lucas

That Council, after giving notice and allowing an Opportunity for Public Comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00081 for 27 Pilot Street, in accordance with:

- 1. Plans date stamped August 7, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule M- Garden Suites reduce the rear yard setback from 0.6m to 0.2m.
- 3. Development Permit lapsing two years from the date of this resolution".

CARRIED UNANIMOUSLY

J.1.a.b

1046-1048 North Park Street - Rezoning Application No. 00632 and Development Permit with Variance Application No. 00071 (North Park)

Moved By Councillor Coleman Seconded By Councillor Madoff

Rezoning Application No. 00632

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00632 for 1046 and 1048 North Park Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variance Application No. 00071

1. That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00632, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00071 for 1046 and 1048 North Park Street, in accordance with:

- a. Plans date stamped September 18, 2018.
- b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of parking spaces from 16 to 4.
- c. The Development Permit lapsing two years from the date of this resolution."

2. That Council direct staff to discharge Section 219 Covenant (CA4449030) registered on the property at 1046 North Park Street to the satisfaction of City staff, which was associated with a previously approved Development Permit, if Development Permit with Variance Application No. 00071 is approved.

CARRIED UNANIMOUSLY

J.1.a.c Vancouver Island Intercommunity Business Licensing Proposal

> Moved By Councillor Alto Seconded By Councillor Coleman

That Council direct staff to bring forward a bylaw establishing the City's participation in a Vancouver Island Inter-Community Business Licensing (ICBL) program.

Amendment:

Moved By Councillor Isitt

Motion to refer:

Consideration of this matter be referred to the next Council meeting.

Defeated due to no seconder

On the main motion:

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

J.1.a.d

Requests for Boulevard Removal from the Taxed Boulevard Program

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

That Council approve the removal of 1750 Rockland Avenue and 1694 St. Francis Wood (comprising one block) from the Taxed Boulevard Program effective the 2019 tax year.

CARRIED UNANIMOUSLY

Moved By Mayor Helps Seconded By Councillor Coleman

That Council:

- 1. Direct staff to submit an application for membership to the National Zero Waste Council;
- 2. Appoint a member of Council as the City's representative to the National Zero Waste Council; and
- 3. Demonstrate its commitment to waste prevention and reduction to the National Zero Waste Council through a letter containing the City of Victoria's "Statement of Intent", as contained in Attachment A.

CARRIED UNANIMOUSLY

J.1.a.f Bylaw Officers

Moved By Councillor Thornton-Joe Seconded By Councillor Madoff

That Council approve the appointment of Michael Alton:

- 1. as a Bylaw Officer pursuant to section 2(a) of the Inspection Bylaw (06-061);
- 2. as a Business Licence Inspector for the City of Victoria.

CARRIED UNANIMOUSLY

Councillor Thornton-Joe withdrew from the meeting at 11:49 p.m. due to a non-pecuniary conflict of interest with the following item, as she works with the Coalition to End Homelessness.

J.1.a.g 2501 Blanshard Street - Development Permit with Variances Application No. 00089 (Hillside/Quadra)

Moved By Councillor Alto

Seconded By Councillor Coleman

That, subject to the preparation and execution of a legal agreements to provide a Statutory Right-of-Way of 2.36m on Hillside Avenue, to the satisfaction of the City Solicitor, and subject to provision of revised plans that provide the required bicycle parking and address the comments from the Advisory Design Panel, to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00089 for 2501 Blanshard Street, in accordance with:

- 1. Plans date stamped August 9, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the number of buildings permitted on-site by one building for a total of 21 buildings
 - ii. decrease the minimum unit floor area from $33.0m^2$ to $29.5m^2$
 - iii. decrease the north side yard setback from 4.85m to 2.40m.
- 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

Councillor Thornton-Joe returned to the meeting at 11:50 p.m.

Councillor Lucas withdrew from the meeting at 11:50 p.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel and retail store.

J.1.a.h Request to Remove Restrictive Covenant from 1007 Government (Downtown)

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

That Council authorize the Mayor and City Clerk to execute a legal agreement, in a form satisfactory to the City Solicitor, to discharge covenant number EX39978 from the property at 1007 Government Street.

CARRIED UNANIMOUSLY

Councillor Lucas returned to the meeting at 11:51 p.m.

J.1.a.i Approach for Updating Industrial Zoning in Rock Bay (Burnside)

Moved By Councillor Madoff Seconded By Councillor Coleman

That Council:

- 1. Direct staff to develop new industrial zones to align with the Council approved land use policies for the Rock Bay employment sub-area as outlined in the Burnside Gorge Neighbourhood Plan.
- 2. Direct staff to develop the Rock Bay industrial zones premised on their implementation through a Cityinitiated rezoning process and conduct public engagement for feedback on the draft zones.

3. Direct staff to report back with the draft Rock Bay industrial zones and feedback collected from the public engagement process for Council's consideration prior to a public hearing.

CARRIED UNANIMOUSLY

J.1.a.j Victoria Housing Reserve Fund Program Update

Council agreed to vote on item six separately.

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

- 1. That Council direct staff to update the Victoria Housing Reserve Fund Guidelines appended to this report, based on the following changes:
 - An update to the tiered grant structure by changing funding allocation for different levels of affordability for projects in the City of Victoria and lowering the allocation for projects outside of the City of Victoria but within the CRD;
 - b. An update to the eligibility criteria to ensure that applicants adhere to the Tenant Assistance Policy and submit a Tenant Assistance Plan for staff approval;
 - c. An update to the project priority section to prioritize projects that receive no other supports from the City of Victoria; and
 - d. An update to the important notes section that advises applicants that the City will publish project eligibility information from applications to demonstrate that the projects have met all the eligibility requirements.
- 2. That Council direct staff to create a deadline for submissions to the Victoria Housing Reserve Fund for 2018, and assess the applications concurrently;
- 3. That Council direct staff, from 2019 forward, to set annual deadlines of March 31 and September 30 for submissions to the Victoria Housing Reserve Fund and assess applications received by these dates concurrently; and
- 4. That Council refer consideration of potentially increasing the funding allocation to the Housing Reserve Fund to the 2019 financial planning process.
- 5. That Council direct staff to send the report to housing providers for comment.

CARRIED UNANIMOUSLY

Moved By Mayor Helps Seconded By Councillor Young

6. That the policy be amended to not include funding to housing outside of the City of Victoria and that this element of the policy be reviewed in 2 years from the adoption of the new policy.

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, and Councillor Young OPPOSED (2): Councillor Madoff, and Councillor Thornton-Joe

CARRIED (7 to 2)

J.1.a.k Defer Gonzales Neighbourhood Plan

Moved By Mayor Helps Seconded By Councillor Madoff

That the draft Gonzales Neighbourhood plan be put on hold and be brought back for discussion after completion of all other neighbourhood plans and that the 2002 neighbourhood plan and the OCP are the policy documents that staff will refer to with regard to proposed developments in the neighbourhood.

FOR (8): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young OPPOSED (1): Councillor Coleman

CARRIED (8 to 1)

J.1.b Report from the October 4, 2018 COTW Meeting

J.1.b.a 1314-1324 Douglas Street - Heritage Designation Application No. 000178 (Downtown)

> Moved By Councillor Thornton-Joe Seconded By Councillor Madoff

That Council approve the designation of the heritageregistered property located at 1314-1324 Douglas Street, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY

J.1.b.b 645-651 Johnson Street - Heritage Designation Application No. 000177 (Downtown)

Moved By Councillor Madoff Seconded By Councillor Thornton-Joe

That Council approve the designation of the heritageregistered property located at 645-651 Johnson Street, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY

J.1.b.c Development Service Connection Fees Review

Moved By Councillor Madoff Seconded By Councillor Coleman

That Council receives this report for information.

CARRIED UNANIMOUSLY

J.1.b.d Meeting Voting Dashboard - Update Report

Moved By Councillor Alto Seconded By Councillor Isitt

That Council:

- 1. Direct staff to proceed with the implementation of a voting dashboard for Council meetings in Quarter 1 of 2019.
- 2. Approve the initial dashboard to consist of voting and attendance records for the twice monthly Council meetings.

CARRIED UNANIMOUSLY

Update on James Bay Library

Moved By Councillor Madoff Seconded By Councillor Loveday

That Council receive the presentation for information.

CARRIED UNANIMOUSLY

J.1.b.e

J.1.b.f 1010 Fort Street - Rezoning Application No.00643 and Development Permit with Variances Application No. 00079 (Harris Green)

Moved By Councillor Alto Seconded By Councillor Loveday

Rezoning Application No. 00643

Direct staff to work with the applicant to refine the proposal to better meet the goals of the OCP and DCAP, and bring the Application back to Committee of the Whole after design revisions have been made and the Application has been reviewed by the Advisory Design Panel.

<u>Development Permit with Variances Application No. 00079</u> That Council direct staff to:

- Work with the applicant to revise the Application to be more consistent with the design guidelines including: increasing the tower setbacks, reducing the height of the podium, improving the relationship to the street and to the heritage corridor context, and reducing the uniform appearance of the side elevations.
- 2. Bring the revised proposal to a meeting of the Advisory Design Panel and report back to Council at a meeting of Committee of the Whole.

CARRIED UNANIMOUSLY

1400 Quadra Street – Rezoning Application No. 00595 and Associated Official Community Plan Amendment and Development Permit with Variance Application No. 000503 (Harris Green)

Moved By Councillor Thornton-Joe Seconded By Councillor Madoff

Rezoning Application No. 00595

- That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00595 for 1400 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - i. Housing Agreement Bylaw securing all dwelling units as rental in perpetuity.

J.1.b.g

- b. That Council determine, pursuant to section 475(1) of the Local Government Act that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
- c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the *Local Government Act* with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
- d. That Council specifically consider whether consultation is required under Section 475(2)(b) of the *Local Government Act*, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
- e. That Council give first reading to the Official Community Plan Amendment Bylaw.
- f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the *Local Government Act*, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
- 2. That, if approved, Council direct staff to prepare the following plan amendments:

i. Consequent amendment of the *Downtown Core Area Plan, 2011* to change the Central Business District designation covering the site to the Residential Mixed-Use District designation.

Development Permit with Variance Application No. 000503 That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00595, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000503 for 1400 Quadra Street, in accordance with:

- 1. Plans date stamped September 18, 2018
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Permit one parking stall to be located outside the building
- 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

J.1.b.h 210 Kimta Road - Development Permit Application No. 000522 (Victoria West)

Moved By Councillor Young Seconded By Councillor Lucas

That Council authorize the issuance of Development Permit Application No. 000522 for 210 Kimta Road, in accordance with and subject to:

- 1. Plans date stamped September 12, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements.
- 3. Proof of registration of the amended Master Development Agreement on the property's title prior to December 31, 2018 to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.
- 4. Development meeting all requirements of the Master Development Agreement.
- 5. The Development Permit lapsing two years from the date of this resolution.
- Consistency of the landscape plan with a high design standard for the E & N Rail Trail and safe pedestrian crossings to the satisfaction of the Director of Engineering and Public Works.

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

J.1.b.i 2882 Douglas Street - Development Variance Permit Application No. 00212 (Burnside)

Moved By Councillor Alto Seconded By Councillor Coleman

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

"That Council authorize the issuance of Development Permit Application No. 00212 for 2882 Douglas Street, in accordance with:

1. Plans date stamped March 15, 2018.

- 2. The following variance to the Sign Bylaw
 - i. Vary the size of the total allowable signage from 1.13 m^2 to 3.50 m^2 ."

FOR (6): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, and Councillor Thornton-Joe

OPPOSED (3): Councillor Isitt, Councillor Madoff, and Councillor Young

CARRIED (6 to 3)

Mayor Helps withdrew from the meeting at 11:56 p.m. due to a potential pecuniary conflict of interest with the following item, as her campaign office is across the street. Councillor Madoff assumed the Chair in her absence.

J.1.b.j

840 Fort Street - Heritage Designation Application No. 000175 (Harris Green)

Moved By Councillor Alto Seconded By Councillor Coleman

That Council approve the designation of the property located at 840 Fort Street as a Municipal Heritage Site, specifically the front facade and remaining sidewalls of the historic building as described in the attached statement of significance, pursuant to Section 611 of the *Local Government Act*, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY

Mayor Helps returned to the meeting at 11:57 p.m. and assumed the Chair.

J.1.b.k 645-651 Johnson Street and 1314-1324 Douglas Street - Heritage Alteration Permit Application No. 00227 (Downtown)

> Moved By Councillor Thornton-Joe Seconded By Councillor Alto

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

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00227 for 645-651 Johnson Street and 1314-1324 Douglas Street in accordance with:

- 1. Plans, date stamped August 27, 2018.
- 2. Minor revisions to the bicycle parking to ensure compliance with the relevant parking regulations.
- 3. Revision to the set backs of the roof top additions on level 3 with the recommendation of the Heritage Advisory Committee of 3-4 metres, subject to the approval to the Director of Planning.
- 4. Development meeting all *Zoning Regulation Bylaw*
- 5. That Council authorizes the Mayor and City Clerk to execute an encroachment agreement, to be executed at time of the building permit approval, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:
 - a. Building encroachment(s) adjacent to Douglas Street and Johnson Street.
- 6. Heritage Alteration Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Zoning Bylaw 2018 – Floor Area Definition

Moved By Councillor Thornton-Joe Seconded By Councillor Madoff

That Council:

- 1. Maintain the current definition of floor area in *Zoning Bylaw* 2018.
- 2. Direct staff to develop design guidelines for exterior hallways and exterior staircases as part of Council's consideration of an update of the *Old Town Design*

J.1.b.I

Guidelines and the *Downtown Core Area Plan* that address the following objectives:

- a. Discourage the use of exterior hallways and exterior staircases except where their design achieves City urban design objectives or supports adaptive re-use of heritage buildings.
- b. Ensure that exterior hallways and exterior staircases are designed to complement and integrate with the overall building design and the adjacent streetscape character while avoiding a design that appears solely as a functional component of the building when viewed from the adjacent street.
- c. Where an exterior hallway or exterior staircase faces directly toward an adjacent residential property, consider opportunities to mitigate any impacts on the adjacent residential property as they relate to overlooking, loss of privacy, noise transmission and spillover of light through such strategies, but not limited to: architectural screening, materials and finishes, light shielding, increased setbacks and the overall location and siting of these exterior building elements.

CARRIED UNANIMOUSLY

J.1.b.m

J.1.b.n

Protocol Report

Moved By Councillor Coleman Seconded By Councillor Alto

- 1. That Council approve the Twin City Policy.
- 2. Add 5th bullet to page 2 of the policy: "Work with local sister city organizations to invite delegations from one twin city on an annual basis."
- 3. Direct staff to develop criteria for the formation of friendship cities and to bring forward these amendments to the policy for Council's consideration and rename the policy "twin city and friendship city".
- 4. Direct staff to develop criteria for Council's consideration as to when a twin city relationship would become inactive.
- 5. Direct staff to report annually to Council on protocol.

CARRIED UNANIMOUSLY

Central Park Public Engagement Design

Moved By Councillor Madoff Seconded By Councillor Loveday That Council direct staff to:

- 1. Work in partnership with the community to co-develop a plan for a consultation process for Central Park including mitigation of the impacts of pool construction on park users, plans for the future of Central Park, and land use issues related to the new pool and that this consultation planning take place this fall as staff are out in the neighbourhood engaging on parking options.
- 2. Revive conversations with the community to co-design park disruption and park improvements planning and enter into a Community Benefit Agreement between the NPNA and the City of Victoria with the United Way or other third party acting as convener.
- 3. Report back to Council, within two months of this motion, with
 - a. An analysis comparing costs and benefits of siting the new facility:
 - i. as proposed, in the south-west corner of Central Park;
 - ii. on the City-owned parking lot at 1952 Quadra St
 - iii. on the City-owned parking lot at 940 Caledonia Avenue;
 - iv. on the location of the current facility in the north-west corner of Central Park.
 - b. A proposal for how engagement and park improvement planning will be prioritized in the 2019 operating budget and workplans of relevant departments.
- 4. Amend the 20-year capital plan to commit the City to a minimum, timely capital investment for each of the a) temporary relocation of park assets, and b) reinstatement of the park's assets and/or other new park improvements at Central Park.
- 5. That the previously approved allocated up to 1% of the Crystal Pool project budget for public art and designate this public art funding to be incorporated into the Central Park improvement plan and its corresponding budget.
- 6. A minimum of one month prior to submitting the City's funding application for the Crystal Pool, direct staff to
 - a. disclose a detailed pool design budget and to work with the community to find opportunities for savings and "value engineering" in the Crystal Pool facility for which to fund the important community benefits being sought (underground parking, park improvements, community centre-like amenities).
 - report back to Council on the eligibility and feasibility of including capital costs for underground parking, park improvement, and community-centre like amenities as a component of the Crystal Pool

application to the Province for Infrastructure Canada's Community Culture and Recreation grant funding.

CARRIED UNANIMOUSLY

J.1.b.o Proposed Amendments to the C1-L Bylaw in its Application to Myrtle Street

Moved By Councillor Alto Seconded By Councillor Loveday

- 1. That staff be directed to amend the C1-L zoning bylaw in the following manner:
 - a. add a preamble to clarify that the purpose of the C1-L zone is to create a landscape buffer with no commercial activity including the loading and unloading of goods, or pick up and drop off areas and to and to maintain the residential character of Myrtle Avenue,
 - b. clarify that "landscaped with grass and shrubs" in Section 2 (1), refers to "living grass and living shrubs",
 - c. add "no structures of any kind, including fences," to the exception list in Section 2 (2),
 - d. add that there will be protection of the large trees on the buffer boulevard on the north side of Myrtle Avenue

Refer this update to the Strategic Planning session of the new Council:

2. That Staff be directed to investigate and report back on measures to traffic calm the 1600 block of Myrtle Avenue.

Amendment:

Moved By Councillor Alto Seconded By Councillor Madoff

That the motion be added by adding a new 1c as follows:

c. Change "No loading area," in Section 2(2) to "No loading area (including the loading or unloading of goods, or pickup or drop off of people),

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt **Seconded By** Councillor Coleman That 1b be amended to add wording: and this definition be applied to the general definitions in the zoning regulation bylaw and the zoning bylaw.

FOR (1): Councillor Isitt

OPPOSED (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

DEFEATED (1 to 8)

Amendment:

Moved By Councillor Isitt That a new point 3 be added as follows:

3. Staff report back on specifying living grass in the definition of the zoning bylaw.

Defeated due to no seconder

On the main motion as amended:

- 1. That staff be directed to amend the C1-L zoning bylaw in the following manner:
 - a. add a preamble to clarify that the purpose of the C1-L zone is to create a landscape buffer with no commercial activity including the loading and unloading of goods, or pick up and drop off areas and to and to maintain the residential character of Myrtle Avenue,
 - b. clarify that "landscaped with grass and shrubs" in Section 2 (1), refers to "living grass and living shrubs",
 - c. Change "No loading area," in Section 2(2) to "No loading area (including the loading or unloading of goods, or pickup or drop off of people),
 - d. add "no structures of any kind, including fences," to the exception list in Section 2 (2),
 - e. add that there will be protection of the large trees on the buffer boulevard on the north side of Myrtle Avenue

Refer this update to the Strategic Planning session of the new Council:

2. That Staff be directed to investigate and report back on measures to traffic calm the 1600 block of Myrtle Avenue.

CARRIED UNANIMOUSLY

J.1.b.p Storage of Belongings Moved By Councillor Alto Seconded By Mayor Helps

Be it resolved that Council approve the release of the set aside funds to Our Place Society to build and manage a storage space in the Our Place Courtyard and that other funders or funds be explored to be able to increase the opening hours to 8 hours a day.

- 1. Direct staff to expedite processing of this application
- 2. If variances are required, that an opportunity for public comment not be held.

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

J.1.b.q Cook Street Village

Moved By Councillor Madoff Seconded By Councillor Loveday

That staff be directed to report back to Council in the form of the draft plan on options for preserving the character of the Cook Street Village, including changes to the guidelines governing Large Urban Villages, or consideration of changing the designation to Small Urban Village and preserving the possibility for densities up to 2.5 to 1 subject to meeting the Cook Street Village design guidelines.

CARRIED UNANIMOUSLY

L. <u>BYLAWS</u>

Councillor Young withdrew from the meeting at 12:11 a.m. due to a non-pecuniary conflict of interest with the following item, as the property is owned by a relative.

L.1 Bylaw for Rezoning Application for 457 and 459 Kipling Street

Moved By Councillor Madoff Seconded By Councillor Thornton-Joe

That the following bylaw be given first and second readings:1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1168) No. 18-102

CARRIED UNANIMOUSLY

Councillor Young returned to the meeting at 12:12 a.m.

L.2 Bylaw for Rezoning Application for 1139 Chapman Street

Moved By Councillor Madoff Seconded By Councillor Coleman

That the following bylaw **be given first and second readings:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1161) No. 18-085

CARRIED UNANIMOUSLY

L.3 Bylaw for Building and Plumbing Regulations

Moved By Councillor Coleman Seconded By Councillor Lucas

That the following bylaw **be adopted:**

 Building and Plumbing Regulation Bylaw, Amendment Bylaw (No. 1) No. 18-107

CARRIED UNANIMOUSLY

L.4 Bylaw for Permissive Tax Exemptions

Moved By Councillor Thornton-Joe Seconded By Councillor Young

That the following bylaw **be adopted:**

1. Tax Exemption (Permissive) Bylaw, 2019 No. 18-091

CARRIED UNANIMOUSLY

L.5 Bylaw for Officer Positions

Moved By Councillor Madoff Seconded By Councillor Thornton-Joe

That the following bylaw **be adopted:** 1. Officers Bylaw No. 18-106

CARRIED UNANIMOUSLY

L.6 Bylaw for Tax Exemption of 727-729 Johnson Street

Moved By Councillor Madoff Seconded By Councillor Thornton-Joe

That the following bylaw **be adopted:** 1. Tax Exemption (727-729 Johnson Street) Bylaw No. 18-062

CARRIED UNANIMOUSLY

L.7 <u>Bylaw for Tax Exemption of 888 Government Street and 811-813 Wharf</u> <u>Street</u>

Moved By Councillor Madoff Seconded By Councillor Thornton-Joe

That the following bylaw be adopted:

1. Tax Exemption (888 Government Street and 811-813 Wharf Street) Bylaw No. 18-063

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young OPPOSED (2): Councillor Isitt, and Councillor Loveday

CARRIED (7 to 2)

M. <u>CORRESPONDENCE</u>

M.1 Letter from the Ministry of Health

Moved By Councillor Alto Seconded By Councillor Lucas

That the correspondence dated September 20, 2018 from the Ministry of Health be received for information.

Amendment:

Moved By Mayor Helps Seconded By Councillor Alto

That the motion be amended to include the following:

"Respond to the letter thanking them for inviting the City to participate".

Motion to refer:

Moved By Councillor Isitt Seconded By Councillor Young

That the motion be referred to the next Committee of the Whole meeting for further discussion.

DEFEATED UNANIMOUSLY

Amendment to the amendment:

Moved By Councillor Isitt

That the city provide in kind support to the ministry up to \$4,000.

Defeated due to no seconder

Amendment to the amendment:

Moved By Councillor Isitt Seconded By Councillor Loveday

That the motion be further amended to include the following:

"and that the city waive any permitting costs".

FOR (1): Councillor Isitt

OPPOSED (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

DEFEATED (1 to 8)

On the amendment: CARRIED UNANIMOUSLY

On the main motion as amended:

That the correspondence dated September 20, 2018 from the Ministry of Health be received for information.

Respond to the letter thanking them for inviting the City to participate.

CARRIED UNANIMOUSLY

O. QUESTION PERIOD

A question period was held.

P. ADJOURNMENT

Moved By Councillor Coleman Seconded By Councillor Alto

That the Council meeting adjourn. TIME: 12:30 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - INAUGURAL MEETING OF VICTORIA CITY COUNCIL

November 1, 2018, 10:00 A.M. Council Chambers, City Hall, 1 Centennial Square Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

 STAFF PRESENT:
 J. Jenkyns - City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, T. Zworski - City Solicitor, S. Thompson - Director of Finance, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, A. Meyer - Assistant Director of Development Services, A. Hudson - Assistant Director of Community Planning, C. Mycroft - Manager of Executive Operations, P. Martin - Council Secretary

B. FIRST NATIONS BLESSING

On the invitation of the Mayor-Elect, Lisa Helps, Songhees Nation Councillor Garry Sam gave a blessing for the Inaugural Meeting of the Victoria City Council.

C. <u>POETRY READING</u>

City of Victoria Poet Laureate, Yvonne Blomer, read a poem titled "How to live in history", in honour of the Inaugural Meeting of the Victoria City Council.

E. OATH OF OFFICE

The Honourable Regional Administrative Judge Carmen Rogers administered the Oath of Office to Lisa Helps, Marianne Alto, Laurel Collins, Sharmarke Dubow, Ben Isitt, Jeremy Loveday, Sarah Potts, Charlayne Thornton-Joe, and Geoffrey Young who each swore or affirmed the Oath of Office before the Judge as required under the provisions of the *Local Government Act.* In addition, Charlayne Thornton-Joe and Geoffrey Young took the Oath of Allegiance.

F. INVOCATION

On the invitation of the City of Victoria, the Very Reverend Ansley Tucker gave the invocation for the Inaugural Meeting of Victoria City Council.

G. INAUGURAL ADDRESS - Mayor Lisa Helps

I want to begin by acknowledging that we are gathered this morning on the homelands of the Songhees and the Esquimalt Nations and I want to thank Councillor Gary Sam for the Blessing. And I want to thank the Lekwungen singers and dancers for drumming us and singing us into the Chambers this morning. This blessing by the Councillor and the dancing and drumming and singing is evidence of the work of reconciliation that we've been doing over the past four years, and that we'll continue to do for the next four years. Reconciliation is hard work, and it's real work and it manifests in welcoming our friends from the Songhees into the Chambers this morning because we are *always already on their land*. I'd also like to thank the outgoing Poet Laureate Yvonne Blomer for taking my challenge and writing a poem for us for today; I appreciate that. And Dean Ansley Tucker thank you also for very very inspiring words about the importance of hope, faith and love, and indeed in my remarks this morning some of that will actually be reflected.

On the first day of orientation – so we've all been together informally for the last three days, learning about what it means to run a city, what it means to govern – and on the first day of orientation I had some time alone with Council, which I requested, and the first time we sat together I asked the Council, Councillors, each of them, what do you love about the City of Victoria? And we all love what you all love about the City of Victoria. We love the people who live here, and how the people here are dedicated to making the community better. We love the natural environment. We love our great little neighbourhood streets, and we want to keep them that way. We love our small town becoming a small city. We love our small businesses. We love that our city is human scale, and that it's easy to get around. We love downtown and we love Chinatown. We love that this is a place where so many people want to call home. And we love the potential. Our job, as a Council, working alongside all of you here today, and alongside those who have never set foot into City Hall, and everyone in between, is to nurture and steward all of these things that we love, at the same time as the city grows and changes.

So that was the introduction, the reminder of my address will be in three parts. The first part is what we will do, the second part is why we will do what we do, and the third part, and really what is most important to me, is how we will do what we do.

There are four key things that we need to do and we all heard this very loud and clear when we were out knocking on doors and listening in the community. The first is to tackle affordability in a meaningful way. We are, as we all heard and we all know, in the midst of an affordability crisis which means this is an opportunity, and indeed a mandate, to act. There are three main approaches to affordability that we'll take. The first is housing on all fronts. You will see bold ideas rolling out from this fine group of people behind me and I'd encourage you to question these ideas to make them better and stronger. Ideas like buying land for housing, larger garden suites, movable tiny homes, inclusionary housing policy, creative partnerships with other levels of government and other entities, doing more with the land we already have, co-ops, community land trusts and more. But secondly, affordability is more than just housing. Affordability means things like affordable childcare for workers and families and that's something you're going to see us working on. And affordability also means making transportation more affordable. And the thing that I love, and I think most of Council, or probably all of Council, would agree with is that transit, walking, and cycling are not only low cost, they are also low carbon. The third approach to affordability is making sure that taxes and fees are affordable so that we're not asking our residents and our businesses to live beyond their means.

The second big challenge that we have as city, province, country and indeed as a globe, is climate change. Probably many of you in this room read the IPCC – the Intergovernmental Panel on Climate Change – report when it came out midway through the election campaign, and it was a very stark warning to all of us and hopefully a motivational document, not just a warning, that we basically have twelve years as a human society to keep the temperature of the planet from not rising more than 1.5 degrees. And this, as I said, is a serious warning and a wakeup call. So what does this

have to do with Victoria? Cities around the world have a key role to play in terms of addressing climate change and cities contribute fully seventy percent of all greenhouse gas emissions on the planet. Cities around the world are leading and Victoria must lead too. In our city, fifty percent of carbon emissions come from buildings, forty percent comes from transportation, and ten percent comes from waste. So like affordability, we must act boldly. One of the things I'd encourage you to do is to read the City's Climate Leadership Plan. Please read it and please join us. One percent of emissions in the city comes from the City's operations. Ninety-nine percent come from the community. And so in order for us to truly succeed we need your leadership. One of the things I would like to roll out in the new year is a Climate Ambassador Program, where we, you, select one child, one youth, one adult, and one elder from each neighbourhood and they become the neighbourhood Climate Ambassadors, to lead and inspire change on their own streets, schools, and workplaces. And there's a real opportunity globally - we're working with the City of Heidelberg in Germany - to potentially co-create a conference in Heidelberg in May 2019 on climate neighbourhoods. And again, we love our neighbourhoods, our neighbourhoods are the structure of this city and I think if we come together as neighbourhoods with this Climate Ambassador program we are really poised to lead. And with our human scale, compact city with people who care profoundly about the climate and climate justice, we know that now is the time to act.

The number three challenge and opportunity for us here and all of you is to ensure continued prosperity, inclusion, and wellbeing. We are so lucky in Victoria to have such a strong small business community, it is amazing. And the thing about businesses in Victoria that I love is business and community are two sides of the same coin. There's nothing that divides us. And so we need to build on our current economic strength on our current prosperity, and at the same time as making sure that there is room in the economy for everyone. And this is why in the past term, and hopefully in this term, the City will continue to play a leadership role in the creation of the Vancouver Island Community Benefit Hub, which really focuses on economic inclusion for marginalized people, as well as why the City will continue to play a role in the South Island Prosperity Project which we were a founding member of in 2016. And it's a key reason why the city needs a long-term jobs plan. When we got the five year report on the Official Community Plan from 2012 – 2017 we saw only a 2% increase in jobs, about 1100 jobs. Whereas by 2041 we need to create 10,000 new jobs that will be household sustaining jobs and so that's one of the things we will be working on in this term. We have also heard from the business community that transportation and affordable housing are their key issues. So if we take care of the first two that I listed, we are also serving the business community and serving the community.

The fourth thing that we need to work on because we have a mandate from you, is a Citizen's Assembly. People in Victoria and Saanich voted yes to exploring the potential – lots of exploring, lots of potential – of the amalgamation of the District of Saanich and the City of Victoria and that's going to be the interesting process for all of us. The Citizen's Assembly will be a randomly selected group of citizens who will work independently and come together to make a recommendation to their councils.

So very broadly, that is part of the what that we will be doing in the next four years.

But why? Why will we do these things? Interestingly, *because this is the very purpose of local government*. Our City Solicitor Tom Zworski read a section of the Community Charter to us, as solicitors do, in our orientation session. He read Section 7 and I'm just

going to quote from one portion of it: "The purposes of a municipality include," and there are four - I'm just going to read one, "Fostering the economic social and environmental wellbeing of its community." So our very purpose is to ensure that through everything we do, we're enhancing community wellbeing. That's our job. And so, one of the key commitments this term is not only working to enhance wellbeing but also measuring. How are we doing? Are the actions that we are taking actually increasing individual and collective wellbeing? Now, thankfully we don't have to invent any measuring tools. The economists and others have been putting their minds to this; for a long time, the only way to measure progress was through measuring the economy. If the economy is doing well, everybody must be doing well. Well, we know that this is not true and so our commitment this term is to measuring wellbeing and ensuring we are making investments through the city's budget that are actually going to increase peoples wellbeing and connections with each other and with this place.

So that's the what, and that's the why but most importantly is how, and the how is most important because if we get this wrong we are going to fail miserably at all of the important work that I already outlined that we need to do.

So how are we going to do this work? There are four things, four ways. The first is to develop with you and the wider you, who are at work or school or not here today, a four year strategic plan just as we did last time that will clearly outline what you can expect from your Council in the next four years and what we'll do this term. What I think we probably learned from last term, what we could have done last term (that's why we have more terms so we can do more things) is to outline very clearly in the plan from its inception, what kind of engagement we're going to be doing on which topic and how and when and why. And so Council already on Tuesday will be digging into the creation of our four year strategic plan, we'll roll up our sleeves, we'll work very hard to see if we can get it right and then in December and January there's an opportunity for all of you to weigh in to share with us your thoughts and ideas because it's really important that we get this plan right.

So that's the first how and there's an invitation there for you to join us. Second important how, is really cultivating a sense that we are all in this together. That City Hall and the community have the same interest: to make life better for all of us in the community. And the we – who is this we all in this together? Council, staff residents, business owners, immigrants, refugees, visitors, all of us. And from our point of view here at City Hall, what we need to do, and again this is a lesson learned from last term – we need to look *first* from the perspective of the community and *then* from the perspective from City Hall. And we need to value the expertise of our staff – and we have fantastic staff here; I was reminded of this as they all made their presentations to the new council, we have fantastic staff here with a wealth of expertise. We need to value the expertise of staff alongside the expertise that people have from living on Linden street or living in Burnside Gorge or running a business on Wharf Street. When we co-value this expertise, it allows us to co-develop and co-create the city based on shared expertise.

The third how and I think probably you'll all agree, this is one of the most important ones, is that we really need to restore civility and decorum to public dialogue. And I don't just mean in election campaigns I mean always. I mean every day. I mean when Council comes out with what might seem like a wacky idea or one of your neighbours says something that you think, "Really?", that we first always respond with curiosity and generosity. That we give each other, that we give Council, that *we give new ideas* the

benefit of the doubt. That we assume the best of intention and that we show up to a consultation or an engagement session without our minds made up. And that means all of us [gesturing to Council], as well not only all of you. Because if we cannot do this as a society – and this is not just Victoria, this is around the world – if we cannot do this as a society, we are not going to be able to solve the biggest problems that we have.

Now thankfully you elected an amazing Council and we are already working in this way together. I have to admit I was surprised and delighted that in three short sessions together, we have come up with a Declaration of Principles and Values about how we're going to work with each other and how we're going to work with you and even though it hasn't been officially approved because we haven't been official until just a few minutes ago, Council has given me permission to share this with you this morning. And I'd like to just stress to you that this document was arrived at through dialogue, deliberation and indeed by consensus.

So the Victoria City Council 2018 – 2022 Declaration of Principles and Values

In order to create a culture of deep respect, to build the relationships we need to do the work, and to aspire to be our highest selves even when it feels hard and when difficult decisions could stand to divide us, we are committed to:

- 1. Governing with integrity, transparency and an unwavering dedication to public service.
- 2. Welcoming **diversity** and fostering a spirit of **inclusion** and **equity** in everything we do.
- 3. Leading with creativity and
- 4. Deep listening and critical thinking.
- 5. Assuming that everyone is here with **good intention** to make the community better.
- 6. Nurturing a culture of **continuous learning** with each other, staff and the public.
- 7. Working **collaboratively** and **cooperatively** with each other, staff and the public while welcoming a **diversity of opinion and thought**.
- 8. Practicing generosity, curiosity and compassion.
- 9. Being patient, kind and caring.
- 10. Bringing a spirit of open-mindedness and open-heartedness to all of our work.
- 11. Keeping a sense of humour and light-heartedness with each other.
- 12. Reviewing these principles once a quarter with the same humility, honesty and candour with which we govern.

So that's our commitment to each other and that's our commitment to you and I can't tell you how wonderful it feels to stand in front of a group of people who in a very short time has agreed to this way of working together.

In closing, what do we require from you? We require the benefit of the doubt. We require powerful questions and generous challenges to the ideas we bring forward. But most of all we require that you continue to be the people of Victoria that we identified at the outset that we love so much: passionate, committed and dedicated to making this place on earth that we all love, better ... together ... every day.

Thank you so much.

H. <u>APPOINTMENTS</u>

Moved By Councillor Thornton-Joe Seconded By Councillor Collins

That Council appoint the following Council members to the position of Municipal Directors and Alternate Municipal Directors to the Capital Regional District Board and the Capital Regional District Hospital Board for a four year term:

- 1. Mayor Helps
- 2. Councillor Isitt
- 3. Councillor Loveday
- 4. Councillor Young
- 5. Councillor Collins (1st Alternate)
- 6. Councillor Alto (2nd Alternate)

CARRIED UNANIMOUSLY

I. <u>ADJOURNMENT</u>

Moved By Councillor Alto Seconded By Councillor Dubow

That the Council Meeting adjourn. Time: 11:12 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



November 8, 2018, 6:30 P.M. Council Chambers, City Hall, 1 Centennial Square Located on the traditional territory of the Esquimalt and Songhees People

- PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Thornton-Joe, Councillor Young, Councillor Dubow, Councillor Potts, Councillor Collins
- STAFF PRESENT: J. Jenkyns City Manager, C. Coates City Clerk, P. Bruce Fire Chief, S. Thompson - Director of Finance, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, A. Meyer - Assistant Director of Development Services, A. Hudson - Assistant Director of Community Planning, C. Mycroft - Manager of Executive Operations, P. Martin -Council Secretary, T. Zworski - City Solicitor, B. Dellebuur - Assistant Director, Transportation

B. <u>APPROVAL OF AGENDA</u>

The City Clerk outlined amendments to the agenda.

Moved By Councillor Alto Seconded By Councillor Isitt

That the agenda be approved as amended.

Amendment:

Moved By Councillor Potts Seconded By Councillor Loveday

That the agenda be amended to add Seamus Wolf, Nicole Cheland, Ashley McKay, and Rudy Wallis to the second Request to Address Council.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Loveday Seconded By Councillor Isitt

That the agenda be amended to add Barrett Blackwood to the second Request to Address Council section.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Collins Seconded By Councillor Loveday

That the agenda be amended to add Andrew Kerr, Susan Kim, Kim MacKenzie, James Coccola, and Jared Melvin to the second Request to Address Council section.

CARRIED UNANIMOUSLY

On the main motion as amended: CARRIED UNANIMOUSLY

C. <u>READING OF MINUTES</u>

Moved By Councillor Alto Seconded By Councillor Potts

That the following minutes be adopted:

- 1. Minutes from the daytime meeting held June 14, 2018
- 2. Minutes from the daytime meeting held June 28, 2018
- 3. Minutes from the daytime meeting held September 20, 2018

CARRIED UNANIMOUSLY

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Loveday Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

- D.1 <u>Philip MacKellar: Intersection at Bay and Cedar Hill</u> Outlined why Council should fund the construction of a bike and pedestrian friendly intersection at Bay Street & Cedar Hill Road.
- D.2 <u>Angela Carmichael and Kim Drapeau: George Jay School Zone and Queen's</u> <u>Avenue Issues</u>

Outlined why Council should fund an expansion for the George Jay School Zone, as well as a drop-and-go / no parking zone on Queen's Avenue.

- D.4 <u>Jordan Reichert: Ban of the Horse Drawn Carriages</u> Outlined why Council ban horse-drawn carriages in the City of Victoria.
- D.5 <u>Taylor Mason: Capacity and Regulations Regarding Rickshaws</u> Outlined why Council should cap the number of rickshaws permits on the streets, and to regulate the industry.
- D.6 <u>Ric Houle: Electric Vehicle Built Here are Illegal to be Here! Why? Driver Want to</u> <u>Fly?</u>

Outlined various issues and concerns.

E. <u>PROCLAMATIONS</u>

E.1 <u>"Turkish Republic Day" - October 29, 2018</u>

Moved By Councillor Isitt Seconded By Councillor Young

That the following proclamation be endorsed: 1. "Turkish Republic Day" - October 29, 2018

CARRIED UNANIMOUSLY

E.2 <u>"Think Local Week" - November 12 to 18, 2018</u>

Moved By Councillor Alto Seconded By Councillor Young

That the following proclamation be endorsed: 1. "Think Local Week" - November 12 to 18, 2018

CARRIED UNANIMOUSLY

E.3 "Diabetes Awareness Day" - November 14, 2018

Moved By Councillor Collins Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed: 1. "Diabetes Awareness Day" - November 14, 2018

CARRIED UNANIMOUSLY

E.4 <u>"World Lymphedema Day" - March 6, 2019</u>

Moved By Councillor Alto Seconded By Councillor Collins

That the following proclamation be endorsed: 1. "World Lymphedema Day" - March 6, 2019

CARRIED UNANIMOUSLY

F. <u>PUBLIC AND STATUTORY HEARINGS</u>

Councillor Young withdrew from the meeting at 7:01 p.m. due to a non-pecuniary conflict of interest with the following item, as the applicant is a relative.

F.1 <u>Rezoning and Development Permit with Variance Application No. 00644 for 457</u> and 459 Kipling Street

Zoning Regulation Bylaw, Amendment Bylaw (No. 1168) No. 18-102:

To rezone the land known as 457/459 Kipling Street from the R1-B Zone, Single Family Dwelling District, to the R-2 Zone, Two Family Dwelling District, to permit the existing non-conforming duplex.

Development Permit with Variance Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 457/459 Kipling Street, in Development Permit Area 15D: Intensive Residential – Duplex, for the purposes of approving the exterior design and finishes, and landscaping for the existing non-conforming duplex. A variance from the R-2 Zone, Two Family Dwelling District, is required, which would increase the combined floor area maximum from 380m² to 389.78m².

F.1.a Public Hearing & Consideration of Approval

<u>Alison Meyer (Assistant Director of Development Services)</u>: Advised that the application is to permit the existing non-conforming duplex.

Mayor Helps opened the public hearing at 6:58 p.m.

<u>Genevieve Tokgoz (Applicant)</u>: Provided information regarding the application.

<u>Dalilah (454 Kipling Street)</u>: Expressed support for the application, as it will be a good addition to the neighbourhood.

Mayor Helps closed the public hearing at 7:06 p.m.

Moved By Councillor Thornton-Joe Seconded By Councillor Loveday

That the following bylaw be given third reading:1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1168) No. 18-102

CARRIED UNANIMOUSLY

Moved By Councillor Loveday Seconded By Councillor Thornton-Joe

That the following bylaw be adopted:1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1168) No. 18-102

CARRIED UNANIMOUSLY

Moved By Councillor Loveday Seconded By Councillor Alto

That Council authorize the issuance of Development Permit Application No. 00644 for 457 and 459 Kipling Street in accordance with: 1. Plans date stamped July 3, 2018.

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- 2. Development meeting all Zoning Regulation Bylaw requirements, except to increase the combined floor area maximum from 380m² to 389.78m².
- 3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Councillor Young returned to the meeting at 7:09 p.m.

F.2 <u>Rezoning and Development Permit with Variances Application No. 00624 for</u> <u>1139 Chapman Street</u>

Zoning Regulation Bylaw, Amendment Bylaw (No. 1161) No. 18-085: To rezone the land known as 1139 Chapman Street from the R1-B Zone, Single Family Dwelling District, to the R-2 Zone, Two Family Dwelling District, to permit a duplex.

Development Permit with Variance Application:

The Council of the City of Victoria will also consider issuing a development permit with variance for the land known as 1139 Chapman Street, in Development Permit Area 15D: Intensive Residential – Duplex, for the purposes of approving the exterior design and finishes, and landscaping for the construction of a residential duplex. A variance from the R-2 Zone, Two Family Dwelling District, is required, which would increase the first and second storey maximum floor area from 280m² to 362.13m².

F.2.a Public Hearing & Consideration of Approval:

<u>Alison Meyer (Assistant Director of Development Services)</u>: Advised that the application is to allow for the construction of a new duplex.

Mayor Helps opened the public hearing at 7:10 p.m.

Rob Mickleberry (Applicant): Provided information regarding the application.

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

Mayor Helps closed the public hearing at 7:15 p.m.

Moved By Councillor Young Seconded By Councillor Loveday

That the following bylaw be given third reading:1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1161) No. 18-085

CARRIED UNANIMOUSLY

Moved By Councillor Loveday Seconded By Councillor Young

That the following bylaw be adopted:1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1161) No. 18-085

CARRIED UNANIMOUSLY

Moved By Councillor Alto Seconded By Councillor Loveday

That Council authorize the issuance of Development Permit Application No. 00624 for 1139 Chapman Street, in accordance with:

- 1. Plans date stamped May 28, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. increase the maximum floor area for the first and second storeys from 280.0m2 to 362.13m2.
- 3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.3 Development Variance Permit Application No. 00207 for 423 Edward Street

Development Variance Permit Application No. 00207:

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 423 Edward Street for the purpose of varying certain requirements of the *Zoning Regulation Bylaw* to allow a triplex house conversion.

F.3.a Opportunity for Public Comment & Consideration of Approval:

<u>Alison Meyer (Assistant Director of Development Services)</u>: Advised that the application is to convert the existing building to a triplex.

Mayor Helps opened the opportunity for public comment at 7:20 p.m.

John Dietrich (Applicant): Provided information regarding the application.

<u>Philip (Resident)</u>: Expressed concerns with the application, due to the limited parking in this area, as well as loss of privacy.

<u>Josh Sprouse (Russell Street)</u>: Expressed concerns with the application, due to the limited parking in this area.

<u>Ric MacDonald (Russell Street)</u>: Expressed concerns with the application, due to the requested variances.

Council discussed the following:

- Whether the parking concerns could be addressed within the application.
- Whether a housing agreement could be entered into, to ensure rental in perpetuity.
- Possible solutions to mitigate privacy concerns.

Mayor Helps closed the opportunity for public comment at 7:40 p.m.

Moved By Mayor Helps Seconded By Councillor Collins

That Council authorize the issuance of Development Variance Permit Application No. 00207 for 423 Edward Street, in accordance with: 1. Plans date stamped August 30, 2018.

- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required vehicle parking from four stalls to one stall
 - ii. reduce the rear yard setback from 7.5m to 3.25
 - iii. allow the addition of a roof deck
 - iv. allow exterior changes to the street facade to a proposed house conversion
 - v. reduce the separation distance for an accessory building from the main building from 2.4m to 2.15
 - vi. allow an accessory building in the side yard.
- 3. The Development Permit lapsing two years from the date of this resolution.
- 4. Final issuance of the Development Variance Permit subject to:
 - i. a Statutory Right-of-Way of 1.8m on the Russell Street frontage being registered on title to the satisfaction of the Director of Engineering and Public Works.
 - ii. revised plans addressing minor drafting errors to the satisfaction of the Director of Sustainable Planning and Community Development.

Amendment:

Moved By Mayor Helps Seconded By Councillor Collins

That this Development Variance Permit application be granted subject to a housing agreement securing three units as rental in perpetuity.

Amendment to the amendment:

Moved By Councillor Loveday Seconded By Councillor Alto

That the amendment be amended to say two units instead of three units.

CARRIED UNANIMOUSLY

On the amendment: CARRIED UNANIMOUSLY

Amendment:

Moved By Mayor Helps Seconded By Councillor Alto

That this Development Variance Permit application be granted subject to screening of the landing with lattice work or green landscape, subject to the discretion of the Director of Planning.

CARRIED UNANIMOUSLY

Motion to Refer:

Moved By Councillor Isitt Seconded By Councillor Thornton-Joe That this matter be referred back to staff to work with the applicant to address the issues outlined in the amendments as well as options for further transportation demand management.

Council discussed the following:

- The need for transportation management work in this area.
- The importance of creating more rental housing, as quickly as possible.

FOR (3): Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

OPPOSED (6): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Dubow, Councillor Potts, and Councillor Collins

DEFEATED (3 to 6)

Amendment:

Moved By Councillor Thornton-Joe Seconded By Councillor Isitt

That this Development Variance Permit application be granted subject to staff working with the applicant to see if an agreement with a car share organization can be provided.

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Loveday

That Councillor Isitt be allowed to speak for a second time.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt Seconded By Councillor Thornton-Joe

That the previous motion be amended by replacing "subject to staff working with the applicant to see if an agreement with a car share organization can be provided" to the following:

"subject to the applicant entering into an agreement with a car share organization for memberships for all three units".

Council discussed the following:

• The need for rental buildings in the City during the housing crisis.

CARRIED UNANIMOUSLY

Main motion as amended:

That Council authorize the issuance of Development Variance Permit Application No. 00207 for 423 Edward Street, in accordance with:

- 1. Plans date stamped August 30, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required vehicle parking from four stalls to one stall
 - ii. reduce the rear yard setback from 7.5m to 3.25
 - iii. allow the addition of a roof deck
 - iv. allow exterior changes to the street facade to a proposed house conversion
 - v. reduce the separation distance for an accessory, building from the main building from 2.4m to 2.15
 - vi. allow an accessory building in the side yard.
- 3. The Development Permit lapsing two years from the date of this resolution.
- 4. Final issuance of the Development Variance Permit subject to:
 - i. a Statutory Right-of-Way of 1.8m on the Russell Street frontage being registered on title to the satisfaction of the Director of Engineering and Public Works.
 - ii. revised plans addressing minor drafting errors to the satisfaction of the Director of Sustainable Planning and Community Development.

That this Development Variance Permit application be granted subject to a housing agreement securing two units as rental in perpetuity.

That this Development Variance Permit application be granted subject to screening of the landing with lattice work or green landscape, subject to the discretion of the Director of Planning.

That this Development Variance Permit application be granted subject to the applicant entering into an agreement with a car share organization for memberships for all three units.

Council discussed the following:

• That the amendments help make the application more supportable.

CARRIED UNANIMOUSLY

F.4 <u>Development Permit with Variance Application No. 00003 for 944 Heywood</u> <u>Avenue</u>

Development Permit with Variances Application:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 944 Heywood Avenue, in Development Permit Area 15A: Intensive Residential – Small Lot, for purposes of constructing two small lot houses.

F.4.a Opportunity for Public Comment & Consideration of Approval

<u>Alison Meyer (Assistant Director of Development Services)</u>: Advised that the application is to subdivide the existing lot into two small lots and build two single family dwellings.

Mayor Helps opened the opportunity for public comment at 8:05 p.m.

Vernon Andres (Applicant): Provided information regarding the application.

There were no persons present to speak to the proposed application.

Mayor Helps closed the opportunity for public comment at 8:11 p.m.

Moved By Councillor Young

Seconded By Councillor Alto

That Council authorize the issuance of Development Permit with Variances Application No. 00003 for 944 Heywood Avenue, in accordance with:

- 1. Plans date stamped September 25, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Proposed Lot A

- 1. Reduce the front yard setback from 6.00m to 3.20m
- 2. Reduce the rear yard setback from 6.00m to 1.61m. <u>Proposed Lot B</u>
- 1. Reduce the front yard setback from 6.00m to 3.25m
- 2. Reduce the rear yard setback from 6.00m to 4.63m
- 3. Reduce the side yard (east) setback from 2.4m to 1.5m.
- 3. The Development Permit lapsing two years from the date of this resolution.

Council discussed the following:

- That this application allows for gentle densification of the area.
- That the applicant has addressed the previous concerns of Council.
- Concerns with the design and character of the building.
- Concerns relating to the loss of trees and lack of rental housing.

FOR (6): Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Thornton-Joe, Councillor Young, and Councillor Potts OPPOSED (3): Mayor Helps, Councillor Dubow, and Councillor Collins

FFOSED (3). Mayor helps, councillor Dubow, and Councillo

CARRIED (6 to 3)

G. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto Seconded By Councillor Loveday

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

G.1 Bob June: Council Public Meeting

Outlined concerns with the Public Hearing process.

G.2 Larry Wartels: Housing Plan

Outlined why Council should pass the proposed housing plan.

G.3 <u>Alex Robb: Revising the Cannabis-Related Business License Regulations</u> Outlined why Council should consider additional revisions to the Cannabis-Related Business License Regulations Bylaw to ensure access to cannabis for both medical and non-medical purposes in the coming months.

G.4 Jordan Milne: Interim Inclusionary Housing Policy Outlined why Council should consult the industry prior to implementing the Interim Inclusionary Housing Policy.

G.5 Kathy Hogan: Interim Inclusive Housing and Density Bonus Policy

Outlined why Council should consult with the industry prior to adopting the Interim Inclusive Housing and Density Bonus Policy.

G.8 Albert Berns: 475 Gorge Road East

Outlined information regarding the rezoning application for 475 Gorge Road East.

G.9 Seamus Wolfe: Housing Crisis

Outlined concerns with the housing crisis and why Council should approve Inclusive Housing and Density Bonus Policy.

G.10 Nicole Chaland: Housing Crisis

Outlined concerns with the housing crisis and why Council should approve Inclusive Housing and Density Bonus Policy.

G.11 Ashley McKay: Housing Crisis

Outlined concerns with the housing crisis and why Council should approve Inclusive Housing and Density Bonus Policy.

G.12 Rudy Wallis: Housing Crisis

Outlined concerns with the housing crisis and why Council should approve Inclusive Housing and Density Bonus Policy.

G.13 Barrett Blackwood: MERM Campaign

Outlined why Councillors should contact him in regards to the MERM campaign.

G.14 Andrew Kerr: Housing Crisis

Outlined concerns with the housing crisis and why Council should approve Inclusive Housing and Density Bonus Policy.

G.15 Susan Kim: Housing Crisis

Outlined concerns with the housing crisis and why Council should approve Inclusive Housing and Density Bonus Policy.

G.16 Kim MacKenzie: Housing Crisis

Outlined concerns with the housing crisis and why Council should approve Inclusive Housing and Density Bonus Policy.

G.17 James Coccola: Housing Crisis

Outlined concerns with the housing crisis and why Council should approve Inclusive Housing and Density Bonus Policy.

G.18 Jared Melvin: Housing Crisis

Outlined concerns with the housing crisis and why Council should approve Inclusive Housing and Density Bonus Policy.

H. UNFINISHED BUSINESS

H.1 <u>Motion Amendment: Heritage Alteration Permit Application No. 00227 for 645-651 Johnson Street and 1314-1324 Douglas Street</u>

Moved By Councillor Isitt Seconded By Councillor Alto

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00227 for 645-651 Johnson Street and 1314-1324 Douglas Street in accordance with:

- 1. Plans, date stamped August 27, 2018.
- 2. Minor revisions to the bicycle parking to ensure compliance with the relevant parking regulations.
- 3. Development meeting all Zoning Regulation Bylaw requirements.
- 4. That Council authorizes the Mayor and City Clerk to execute an encroachment agreement, to be executed at time of the building permit approval, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:

a. Building encroachment(s) adjacent to Douglas Street and Johnson Street.

5. Heritage Alteration Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

I. <u>REPORTS OF COMMITTEES</u>

I.1 Committee of the Whole

I.1.a Report from the November 8, 2018 COTW Meeting

I.1.a.a Appointment of Animal Control Officer

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That Council approve the appointment of Chris McAllister: as Bylaw Officer pursuant to section 2(a) of the Inspection Bylaw (06-061); and as an Animal Control Officer pursuant to section 49(1) of the Community Charter.

CARRIED UNANIMOUSLY

I.1.a.b Attendance at Ahousaht First Nation-Khalsa Aid Canada Event, October 26, 2018

Moved By Councillor Loveday Seconded By Councillor Potts

That Council retroactively authorize the attendance and associated costs for Councillor Isitt to attend a protocol event with Ahousaht First Nation and Khalsa Aid Canada at Parksville, BC on October 26, 2018, with the costs for transportation, meals and accommodation not to exceed \$300.

CARRIED UNANIMOUSLY

I.1.a.c 475 Gorge Road East - Rezoning Application No. 00657 (Burnside)

Moved By Councillor Isitt Seconded By Councillor Loveday

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00657 for 475 Gorge Road East, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

FOR (7): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Dubow, Councillor Potts, and Councillor Collins OPPOSED (2): Councillor Thornton-Joe, and Councillor Young

CARRIED (7 to 2)

I.1.a.d 1300 Yates Street - Development Variance Permit Application No. 00209 (Fernwood)

Moved By Councillor Thornton-Joe Seconded By Councillor Young

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

"That Council authorize the issuance of Development Variance Permit Application No. 00209 for 1300 Yates Street, in accordance with:

- 1. Plans date stamped September 17, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. reduce vehicle parking stalls from 78 to 57;
 - b. reduce visitor vehicle parking stalls from 8 to nil.

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

CARRIED UNANIMOUSLY

I.1.a.e 2906 Cook Street - Development Permit Application No. 000535 (Hillside/Quadra)

Moved By Councillor Isitt Seconded By Councillor Loveday

That Council authorize issuance of a Development Permit for 2906 Cook Street to amend the Land Use Contract to permit placement of an emergency storage container, in accordance with plans date stamped September 12, 2018, and subject to the following conditions:

- 1. Development meeting all Zoning Regulation Bylaw requirements.
- 2. Development Permit lapsing two years from the date of this resolution, if the holder of the permit does not substantially start construction under this permit.

CARRIED UNANIMOUSLY

I.1.a.f 1150 McClure Street - Rezoning Application No. 00652 (Fairfield)

Moved By Councillor Thornton-Joe Seconded By Councillor Young

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00652 for 1150 McClure Street, that first and second reading of the Zoning Regulation Bylaw amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

- 1. Preparation and execution of legal agreements, to the satisfaction of the Director of Sustainable Planning and Community Development, in order to secure:
 - a. two basement suites as rental units in perpetuity
 - b. building design and landscape.
- 2. The applicant entering into an agreement with a car-share organization to secure two car-share memberships and car-share usage credits, to the satisfaction of the Director of Sustainable Planning and Community Development.

CARRIED UNANIMOUSLY

I.1.a.g 759 Yates Street - Application for a Permanent Change to Hours of Service for a Liquor Primary License (044231), Yates Street Taphouse

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That Council direct staff to provide the following response to the Liquor Licensing Agency:

 Council, after conducting a review with respect to noise and community impacts, does support the application of Yates Street Taphouse, located at 759 Yates Street, to change the hours of liquor service from 11:30 am to 1:30 am Monday to Saturday and 11:00 am to 12:30 am Sundays to 9:00 am to 1:30 am Monday to Saturday and 9:00 am to 12:00am Sundays.

Providing the following comments on the prescribed considerations:

- 1. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request is not expected be an issue.
- 2. If the application is approved, the net impact on the community is expected to be positive economically as the approval supports the request of the business and presumably their long term viability as a local business and employer.
- 3. The views of residents were solicited via a mail-out to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received three letters opposed to the application, and one letter indicating support. The City did not receive correspondence regarding the application from the Downtown Residents Association.
- 4. Council recommends the issuance of the license.

CARRIED UNANIMOUSLY

I.1.a.h Cannabis Retail Store License Referrals

Moved By Councillor Isitt **Seconded By** Councillor Alto That Council direct staff to

- 1. Forward the *Cannabis Retail Store Public Consultation Policy and Fees* Bylaw to establish public consultation policy and fees, to the November 8, 2018 Council meeting for introductory readings.
- 2. Amend the Cannabis-Related Business Regulation Bylaw to align with the Province of British Columbia's Cannabis Control and Licensing Act.

CARRIED UNANIMOUSLY

I.1.a.i Better Representing Renters in City Decision-Making through the Creation of a Renters' Advisory Committee

Moved By Councillor Dubow Seconded By Councillor Loveday

That Council:

- 1. Approves the formation of a Renters' Advisory Committee.
- 2. Adopts the attached Interim Terms of Reference for the committee, pending input from committee members on potential revisions.
- 3. Directs staff to invite applications from members of the public for appointment to the committee aiming for an initial committee meeting in January 2018.
- 4. Appoints Councillors Dubow and Loveday as the initial Council Liaisons to the committee.

Revise the Terms of Reference at the end of $\underline{#3 \text{ Procedures}}$ as follows:

Where they may be addressed right away or forwarded to the quarterly update as part of the strategic planning quarterly review process.

CARRIED UNANIMOUSLY

I.1.a.j Actions for Housing Affordability

Moved By Councillor Loveday Seconded By Councillor Isitt

Council agreed to vote on each item separately.

That Council:

- 1. Direct staff to:
 - a. Proceed with stakeholder engagement on the Inclusive Housing and Density Bonus Policy for final consideration by Council no later than the first quarter of 2019, including a working group consisting of representatives of rental housing advocates, nonmarket housing providers, community association land use committees, and members of the development community; and
 - b. Negotiate an affordable component in rezoning applications for new strata housing received after November 8, 2018, in the form of nonmarket units or a cash-in-lieu payment depending on the size of the projects, without compromising the economic viability of projects, with a financial analysis undertaken to determine economic viability that must be conducted 'open book' and with absolute transparency as an interim measure until the final policy is adopted.

Amendment:

Moved By Mayor Helps Seconded By Councillor Isitt

That the motion be amended by adding the following before point b.

"As an interim measure until the final policy is adopted".

CARRIED UNANIMOUSLY

Main motion as amended:

That Council:

- a. Proceed with stakeholder engagement on the Inclusive Housing and Density Bonus Policy for final consideration by Council no later than the first quarter of 2019, including a working group consisting of representatives of rental housing advocates, nonmarket housing providers, community association land use committees, and members of the development community; and
- b. As an interim measure until the final policy is adopted, negotiate an affordable component in rezoning applications for new strata housing received after November 8, 2018, in the form of nonmarket units or a cash-in-lieu payment depending on the size of the projects, without compromising the economic viability of projects, with a financial analysis undertaken to determine economic viability that must be conducted 'open book' and with absolute transparency.

FOR (8): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Thornton-Joe, Councillor Dubow, Councillor Potts, and Councillor Collins OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Loveday Seconded By Councillor Isitt

That Council:

2. Invite BC Assessment to provide data on land values and land appreciation in the City of Victoria over the past decade, to inform the development and implementation of the Inclusive Housing and Density Bonus Policy and other housing initiatives.

CARRIED UNANIMOUSLY

1.

Direct staff to:

Moved By Councillor Loveday Seconded By Councillor Isitt

That Council:

3. Request that the Mayor write, on behalf of Council, to the Minister responsible for the BC Assessment Authority and Members of the Legislative Assembly representing constituencies on Vancouver Island, requesting amendments to the BC Assessment Act and/or regulations on a priority basis to provide for "split classification" / split taxation of units in multi-unit buildings to ensure that units used as non-principal residence ("whole-unit") short-term rentals are taxed as commercial, rather than residential, property.

CARRIED UNANIMOUSLY

Moved By Councillor Loveday Seconded By Councillor Isitt

That Council:

4. Endorse a Town Hall Meeting on the Future of Co-operative Housing for November 28 in partnership with the Cooperative Housing Federation of BC, as well as a Technical Workshop for staff and housing partners, with an in-kind contribution from the City consisting of: (a) the use of City Hall; and (b) Staff support with publicity / promotion of the Town Hall and Technical Workshop to optimize public and stakeholder participation.

CARRIED UNANIMOUSLY

Moved By Councillor Loveday Seconded By Councillor Isitt

That Council:

5. Direct staff to initiate robust enforcement of STR regulations no later than January 1, 2019, to return units to the residential housing supply and ensure fairness for people complying with the regulations, and report back to Council within six months on the effectiveness of the regulations, including options for introducing platform accountability to improve compliance and reduce costs.

CARRIED UNANIMOUSLY

I.1.a.k Acquiring Land to Facilitate Investment in Decommodified Housing

Moved By Councillor Isitt Seconded By Councillor Loveday

That Council:

- Endorse in principle the acquisition of land on a priority basis to facilitate federal, provincial and regional investment in decommodified housing, to address the escalating housing costs that have made securing safe, affordable housing out of reach for many in our community, including seniors, youth, people with disabilities, families, workers, and people from racialized and Indigenous communities.
- 2. Direct staff to report to Council by December 13, 2018 with recommendations on options for financing the acquisition of land to facilitate federal, provincial and regional investment in decommodified housing.

FOR (8): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Thornton-Joe, Councillor Dubow, Councillor Potts, and Councillor Collins OPPOSED (1): Councillor Young

CARRIED (8 to 1)

I.1.a.I Incentivize and Mandate the Creation of Family Appropriate Rental Units

Moved By Councillor Potts Seconded By Councillor Collins

That Council:

 Direct staff to report back with amendments to the Victoria Housing Strategy and applicable bylaws and policies to incentivize and mandate the creation of family appropriate two and three bedroom rental units as part of a larger strategy to increase affordable family housing options across Victoria.

FOR (8): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Thornton-Joe, Councillor Dubow, Councillor Potts, and Councillor Collins OPPOSED (1): Councillor Young

CARRIED (8 to 1)

I.1.a.m Adopt and Consistently Apply the CMHC's Definition of Affordable Housing

Moved By Councillor Collins Seconded By Councillor Alto

That this matter be referred to the November 22nd Committee of the Whole meeting, and that the City invite written comment and/or presentations from the BC Rental Housing Management Corporation, the Canada Mortgage and Housing Corporation and the BC Assessment Authority on this policy:

That Council:

- 1. Adopt and consistently apply the definition of affordable housing, as housing where the price does not exceed 30% of the gross annual household income for very-low income to moderate income households. Ensure this definition is used consistently in rezoning processes.
- 2. Direct staff to notify council about the number of affordable units in each rezoning proposal, as well as for which incomes brackets the affordable units are targeted.
- 3. Direct staff to report on a quarterly basis on the number of affordable units built or under construction, as well as for which incomes brackets the affordable units are targeted.
- 4. Direct staff to report back with recommendations on other improvements to processes for data gathering and reporting on affordable housing.

CARRIED UNANIMOUSLY

I.1.a.n Councillor Sharing

Moved By Councillor Thornton-Joe Seconded By Councillor Loveday

That the Mayor write to the family of Richard Nakamura to express condolences for his passing.

CARRIED UNANIMOUSLY

I.1.a.o Councillor Sharing

Moved By Councillor Young Seconded By Councillor Thornton-Joe

That the Mayor write to the family of Janet Baird to express condolences for her passing.

CARRIED UNANIMOUSLY

K. <u>BYLAWS</u>

K.1 Bylaw for Rezoning Application for 1046 to 1048 North Park Street

Moved By Councillor Loveday Seconded By Councillor Alto

That the following bylaw be given first and second readings:I. Zoning Regulation Bylaw, Amendment Bylaw (No. 1171) No. 18-108

CARRIED UNANIMOUSLY

K.2 Bylaw for Heritage Designation Application for 840 Fort Street

Moved By Councillor Thornton-Joe Seconded By Councillor Alto That the following bylaw be given first and second readings:

1. Heritage Designation (840 Fort Street) Bylaw No. 18-113

CARRIED UNANIMOUSLY

K.3 Bylaw for Cannabis Retail Store Licensing Consultation Policy and Fee

Moved By Councillor Isitt Seconded By Councillor Alto

That the following bylaw be given first, second, and third readings:1. Cannabis Retail Store Licensing Consultation Policy and Fee Bylaw No. 18-120

CARRIED UNANIMOUSLY

N. QUESTION PERIOD

A question period was held.

O. <u>ADJOURNMENT</u>

Moved By Councillor Dubow Seconded By Councillor Alto

That the Council meeting adjourn. TIME: 9:56 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

November 15, 2018, 2:38 P.M. COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE Located on the traditional territory of the Esquimalt and Songhees People

- PRESENT: Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Thornton-Joe, Councillor Young, Councillor Collins
- ABSENT FOR A Councillor Dubow, Councillor Potts, Councillor Loveday PORTION OF THE MEETING:
- STAFF PRESENT: J. Jenkyns City Manager, C. Coates City Clerk, P. Bruce Fire Chief, S. Thompson - Director of Finance, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, AM Ferguson - Committee Secretary, T. Zworski - City Solicitor, P. Rantucci - Head of Strategic Real Estate, R. Carroll – Manager of Strategic Real Estate, A. Hudson - Acting Director of Sustainable Planning & Community Development
- GUESTS: Mr. S. Ramsay CEO, BC Housing Management Commission; Mr. M. M. McNaughton - Regional Director, BC Housing Management Commission

A. <u>CONVENE COUNCIL MEETING</u>

B. <u>APPROVAL OF AGENDA</u>

Moved By Councillor Isitt Seconded By Councillor Thornton-Joe

That the agenda be approved.

CARRIED UNANIMOUSLY

C. <u>NEW BUSINESS</u>

C.1 <u>2018 Election Report</u>

Council received a report dated November 7, 2018, from the City Clerk regarding the 2018 election results.

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That Council receive this report for information.

Committee discussed.

Concerns raised by the public associated with the election.

CARRIED UNANIMOUSLY

D. <u>CLOSED MEETING</u>

Moved By Councillor Collins Seconded By Councillor Loveday

MOTION TO CLOSE THE NOVEMBER 15, 2018, 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) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

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

Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

CARRIED UNANIMOUSLY

E. <u>APPROVAL OF CLOSED AGENDA</u>

Moved By Councillor Isitt Seconded By Councillor Thornton-Joe

That the agenda be approved.

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

Amendment:

Councillors Dubow and Potts joined the meeting at 2:44 p.m.

Councillor Collins withdrew from the meeting at 2:44 p.m.

That item B. 1 - Minutes from the closed meeting held June 14, 2018 and B. 2 - Minutes from the closed meeting held June 28, 2018, be added to the consent agenda.

Councillor Loveday joined the meeting at 2:44 p.m.

On the amendment:

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

Councillor Collins returned to the meeting at 2:44 p.m.

F. <u>CONSENT AGENDA</u>

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That the following items be approved without further debate:

CARRIED UNANIMOUSLY

F.1 Minutes from the closed meeting held June 14, 2018

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That the minutes from the closed meeting held June 14, 2018, be approved.

CARRIED UNANIMOUSLY

F.2 Minutes from the closed meeting held June 28, 2018

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That the minutes from the closed meeting held June 28, 2018, be approved.

CARRIED UNANIMOUSLY

J. <u>NEW BUSINESS</u>

J.1 Land - Community Charter Section 90(1)(e)

Council discussed a confidential land item.

The discussion was recorded and kept confidential.

J.2 Proposed Municipal Service - Community Charter Section 90(1)(k)

Council received a confidential report dated October 11, 2018, from the Fire Chief regarding a proposed municipal service.

The discussion and motion were recorded and kept confidential.

J.3 Legal Advice - Community Charter Section 90(1)(i)

Council received a confidential report dated November 13, 2018, from the City Solicitor regarding legal advice.

The discussion was recorded and kept confidential.

Councillor Potts recused herself from the meeting at 3:48 p.m. due to a nonpecuniary conflict of interest as she is employed by Our Place.

J.4 Land - Community Charter Section 90(1)(e)

Council received a confidential report dated November 9, 2018, from Councillors Thornton-Joe and Alto regarding a land item.

The discussion and motion were recorded and kept confidential.

J.5 Legal Advice - Community Charter Section 90(1)(i)

Council received a confidential report dated November 13, 2018, from the City Solicitor regarding legal advice.

The discussion was recorded and kept confidential.

K. <u>ADJOURNMENT</u>

Moved By Councillor Loveday Seconded By Councillor Potts

That the Closed Council Meeting be adjourned at 4:01 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

November 22, 2018, 2:42 P.M. Council Chambers, City Hall, 1 Centennial Square Located on the traditional territory of the Esquimalt and Songhees People

- PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Potts, Councillor Thornton-Joe, Councillor Young
- ABSENT: Councillor Collins and Councillor Loveday
- STAFF PRESENT: J. Jenkyns City Manager, C. Coates City Clerk, P. Bruce Fire Chief, S. Thompson - Director of Finance, F. Work - Director of Engineering & Public Works, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, C. Mycroft - Manager of Executive Operations, K Sidhu - Committee Secretary, M. Fedyczkowska - Legislation & Policy Analyst

A. CONVENE COUNCIL MEETING

C. <u>HEARING</u>

C.1 Business Licence Hearing - 1412 Douglas Street

At this hearing, Council is considering the appeal of 'Terp City' (the appellant) with respect of the City's denial of their business licence application as it does not comply with the City of Victoria bylaws, namely the business allows on-site consumption of cannabis which is prohibited under the City's *Cannabis-Related Business Regulation Bylaw*.

The Mayor opened the hearing at 2:43 p.m.

<u>Chris Coates (City Clerk)</u>: Introduced the item and the process involved for Council's consideration.

<u>Robert Laurie (Appellant's Representative)</u>: Mr. Laurie confirmed they would like to continue the hearing for the appellant, Kyle Cheyne and address Council on the matter. He confirmed as stated that Mr. Cheyne (appellant) is operating a business without a business licence and without any authorizations from the City. He made it clear that the business is not a dispensary, and that it is a safe consumption site where no cannabis is sold. The business is a site where medical users that are licensed under Health Canada and recreational users can go with their legal cannabis to consume. He states no licence was granted but it appears to be provided for in the licensing bylaw for a safe consumption site. Mr.Cheyne did email the City April 10, 2017 for licensing their private club and for the steps involved to complete and obtain a business licence and had clarified no cannabis would be sold at location. The business licence application does not cover safe consumption, on-site licence.

The Mayor opened the floor for Council to ask questions.

<u>Lisa Helps (Mayor)</u>: The Mayor confirmed with the appellant that he is operating another dispensary on 958 Yates Street without a business licence. The appellant applied for a rezoning application but was denied and continued to operate. The Mayor confirmed with appellant's representative that the appellant has no authority from Island Health to operate a safe consumption site. The Mayor referred to verbal comments made by the representative to confirm that he stated that the City does not have a bylaw that provides for on-site use of cannabis.

Councillor Isitt confirmed with the City Clerk that the City is continuing to develop further regulations for cannabis.

<u>Councillor Thornton-Joe</u>: The Councillor asked the appellant if he owns any other consumption sites outside of Victoria and if they are licensed. The appellant confirmed this is the third consumption site that he owns but none are licensed.

The Mayor asked staff to make their presentation and answer any questions from Council.

<u>Nancy Johnston (Manager of Bylaw and Licensing Services)</u>: Ms. Johnston confirmed they received an application for a business licence and prior to that there was communication with staff and the appellant regarding the bylaw not allowing for a consumption site but the business opened and began operating. There was continuous correspondence with bylaw staff and Terp City, and the licence was reviewed and denied.

The Mayor asked the appellant or representative to respond.

<u>Mr. Laurie</u>: Asked Council to make a decision based on the information they have and whether or not they decide to exercise their authority today that they do so in a way that will provide a clear policy and to issue an interim permit. He reiterated that the appellant is only providing a space to consume and is not supplying cannabis.

Councillor Dubow asked Mr. Laurie if he had any engagement with Vancouver Island Health.

<u>Mr. Laurie</u>: Spoke about looking for further guidance from the College of physician's, or the Health Minister of the Province on these initiatives that aren't coming soon, but that this discussion has not happened.

Councillor Dubow asks Mr. Laurie if the appellant has ever had a licence for a business.

Robert Laurie (Appellant's Representative): He has applied for a licence.

Mayor Helps asks if there are any other questions before she closes the hearing.

As there were no further questions, Mayor Helps concluded the business licence hearing.

Council is reserving the decision on the hearing once they have deliberated and received legal advice from the City Solicitor and will provide the decision in writing after the December 6, 2018 Council meeting.

D. CLOSED MEETING

Moved By Councillor Isitt Seconded By Councillor Dubow

MOTION TO CLOSE THE NOVEMBER 22, 2018 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) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

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

Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

E. APPROVAL OF CLOSED AGENDA

Moved By Councillor Alto Seconded By Councillor Thornton-Joe

That the agenda from November 22, 2018 meeting be adopted.

CARRIED UNANIMOUSLY

F. READING OF CLOSED MINUTES

Moved By Councillor Loveday Seconded By Councillor Alto

That the minutes from the October 4, 2018 Closed Council meeting be adopted.

CARRIED UNANIMOUSLY

I. <u>NEW BUSINESS</u>

I.2 Land

Council received a closed report regarding legal advice.

The discussion and motion were recorded and kept confidential.

I.3 Land

Council received a closed report regarding a land item.

The discussion and motion were recorded and kept confidential.

K. <u>ADJOURNMENT</u>

Moved By Councillor Loveday Seconded By Councillor Alto

That the Closed Council Meeting be adjourned at 4:58 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



November 22, 2018, 6:30 P.M. Council Chambers, City Hall, 1 Centennial Square Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Potts, Councillor Thornton-Joe, Councillor Young

ABSENT FOR Councillor Loveday APORTION OF THE MEETING:

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, S. Thompson - Director of Finance, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, B. Eisenhauer -Head of Engagement, A. Meyer - Assistant Director of Development Services, C. Mycroft - Manager of Executive Operations, P. Martin -Council Secretary, L. Taylor - Senior Planner, M. Fedyczkowska -Legislation & Policy Analyst

A. <u>APPROVAL OF AGENDA</u>

The City Clerk outlined amendments to the agenda.

Moved By Councillor Alto Seconded By Councillor Potts

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

B. <u>POETRY READING</u>

Yvonne Blomer, Poet Laureate, read a poem titled "Asdfghjkl".

C. <u>READING OF MINUTES</u>

Moved By Councillor Collins Seconded By Councillor Alto

That the following minutes be adopted:

- 1. Minutes from the evening meeting held May 10, 2018
- 2. Minutes from the daytime meeting held May 17, 2018
- 3. Minutes from the evening meeting held May 24 2018
- 4. Minutes from the evening meeting held June 14, 2018
- 5. Minutes from the daytime meeting held October 4, 2018

CARRIED UNANIMOUSLY

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto Seconded By Councillor Collins

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.2 <u>Yvonne Mendel: Traffic Calming in Hillside-Quadra</u>

Outlined why Council should commit to traffic calming measures on Hillside Avenue and Quadra Street.

D.3 <u>Nancy Lane MacGregor: Urban Forest Master Plan and Tree Preservation</u> <u>Bylaw</u>

Outlined why Council should implement the recommended actions of the Urban Forest Master Plan.

D.4 Grace Lore: Childcare

Outlined why Council should implement an action plan for a city-wide childcare strategy.

D.5 Janet Simpson: The Strategic Plan and Budget

Outlined why Council should implement the recommended actions of the Urban Forest Master Plan.

D.6 Karmen McNamara: Crystal Pool and Wellness Centre Replacement Project

Outlined for Council suggestions regarding the Crystal Pool Replacement Project.

E. <u>PROCLAMATIONS</u>

E.1 <u>"Movember" - November 2018</u>

Moved By Councillor Collins Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed: 1. "Movember" - November 2018

CARRIED UNANIMOUSLY

E.2 <u>"Adoption Awareness Month" - November 2018</u>

Moved By Councillor Alto Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "Adoption Awareness Month" - November 2018

CARRIED UNANIMOUSLY

F. <u>PUBLIC AND STATUTORY HEARINGS</u>

F.1 <u>Rezoning Application No. 00632 and Development Permit with Variances</u> <u>Application No. 00071 for 1046-1048 North Park Street</u>

Zoning Regulation Bylaw, Amendment Bylaw (No. 1171) No. 18-108:

To rezone the land known as 1046 and 1048 North Park Street from the CR-NP Zone, North Park Commercial Residential District, to the R-91 Zone, North Park Residential District, to permit a rest home.

Development Permit with Variance Application:

The Council of the City of Victoria will also consider issuing a Development Permit with Variance for the land known as 1046 and 1048 North Park Street, in Development Permit Area 16: General Form and Character for the purposes of approving the exterior design and finishes for the rest home as well as landscaping.

F.1.a Public Hearing & Consideration of Approval:

<u>Leanne Taylor (Senior Planner)</u>: Advised that the application is to rezone the property to allow for the construction of a rest home.

Mayor Helps opened the public hearing at 7:05 p.m.

Larry Chucko (Applicant): Provided information regarding the application.

<u>Rita Godron (Mason Street)</u>: Expressed concerns relating to the operation of the care home.

Council discussed the following:

Clarification from Island Health on how the operation will be run.

Mayor Helps closed the public hearing at 7:27 p.m.

Moved By Councillor Thornton-Joe Seconded By Councillor Collins

That the following bylaw **be given third reading:** 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1171) No. 18-108

Amendment:

Moved By Councillor Isitt Seconded By Councillor Collins

That the following condition be added to the motion:

Subject to a housing agreement being registered on title to the satisfaction of the Director of Sustainable Planning, specifying that the price of housing in units in the new building will be comparable to the rent levels currently charged at Mount Saint Angela, with allowance for inflationary increases.

Council discussed the following:

• The need to commit to affordability at every level of care compared to the need for the services provided by the rest home.

Moved By Councillor Dubow Seconded By Councillor Isitt

That Councillor Potts be allowed to speak a second time.

CARRIED UNANIMOUSLY

Council discussed the following:

• The potential rent rates.

FOR (1): Councillor Isitt

OPPOSED (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

DEFEATED (1 to 7)

On the main motion: CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Potts

That the following bylaw be adopted:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1171) No. 18-108

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Potts

That Council authorize the issuance of Development Permit Application No. 00071 for 1046 and 1048 North Park Street, in accordance with:

- 1. Plans date stamped September 18, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of parking spaces from 16 to 4.
- 3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.2 Development Permit with Variance Application No. 00081 for 27 Pilot Street

Development Permit with Variance Application No. 00081:

The Council of the City of Victoria will consider issuing a Development Permit with Variance for the land known as 27 Pilot Street, in Development Permit Area 15E: Intensive Residential Garden Suites, for purposes of converting an existing accessory building with an addition, to a garden suite.

F.2.a Opportunity for Public Comment & Consideration of Approval:

<u>Leanne Taylor (Senior Planner)</u>: Advised that the application is to convert the existing accessory building to a garden suite.

Mayor Helps opened the opportunity for public comment at 7:45 p.m.

Phil Burk (Applicant): Provided information regarding the application.

There were no persons present to speak to the proposed application.

Mayor Helps closed the opportunity for public comment at 7:48 p.m.

Moved By Councillor Alto Seconded By Councillor Dubow

That Council authorize the issuance of Development Permit with Variance Application No. 00081 for 27 Pilot Street, in accordance with:

- 1. Plans date stamped August 7, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule M- Garden Suites reduce the rear yard setback from 0.6m to 0.2m.
- 3. Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.3 <u>Development Variance Permit Application No. 00212 for 2882 Douglas</u> <u>Street</u>

Development Variance Permit Application No. 00212:

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 2882 Douglas Street for the purpose of varying certain requirements of the *Sign Bylaw* to allow a variance.

F.3.a Opportunity for Public Comment & Consideration of Approval:

<u>Leanne Taylor (Senior Planner)</u>: Advised that the application is to allow for a sign variance to exceed the allowance.

Mayor Helps opened the opportunity for public comment at 7:51 p.m.

Keith Dickson (Applicant): Provided information regarding the application.

There were no persons present to speak to the proposed application.

Mayor Helps closed the opportunity for public comment at 7:52 p.m.

Councillor Loveday joined the meeting at 7:50 pm.

Moved By Councillor Thornton-Joe Seconded By Councillor Collins

That Council authorize the issuance of Development Permit Application No. 00212 for 2882 Douglas Street, in accordance with:

- 1. Plans date stamped March 15, 2018.
- 2. The following variance to the Sign Bylaw:
 - i. Vary the size of the total allowable signage from $1.13m^2$ to $3.50m^2$.

FOR (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe OPPOSED (2): Councillor Isitt, and Councillor Young

CARRIED (7 to 2)

Councillor Thornton-Joe withdrew from the meeting at 7:55 p.m. due to a pecuniary conflict of interest with the following item, as she sits on the Aboriginal Coalition to End Homelessness board.

F.4 <u>Development Permit with Variances Application No. 00089 for 2501</u> <u>Blanshard Street</u>

Development Permit with Variances Application No. 00089:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 2501 Blanshard Street, in Development Permit Area 16 – General Form and Character, for purposes of constructing a three-storey, multi-unit residential rental building on the northern portion of the property.

F.4.a Opportunity for Public Comment & Consideration of Approval:

<u>Leanne Taylor (Senior Planner)</u>: Advised that the application is to construct an approximately three-storey, multi-unti affordable housing building to be located on the north portion of the lot facing Hillside Avenue.

Mayor Helps opened the opportunity for public comment at 7:56 p.m.

Applicant: Provided information regarding the application.

<u>Mary Cougar (Glasgow Street)</u>: Expressed support for the application due to the need for housing, but noted concerns with the process and lack of community consultation.

<u>Rita Godron (Mason Street)</u>: Expressed concerns with the style of housing that is being proposed.

Mayor Helps closed the opportunity for public comment at 8:25 p.m.

Moved By Councillor Isitt Seconded By Councillor Loveday

That Council authorize the issuance of Development Permit with Variances Application No. 00089 for 2501 Blanshard Street, in accordance with:

- 1. Plans date stamped November 9, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the number of buildings permitted on-site by one building for a total of 21 buildings
 - ii. decrease the minimum unit floor area from 33.0m² to 29.5m²
 - iii. reduce the north side yard setback from 4.50m to 3.55m
- 3. Registration of the executed Statutory Right-of-Way of 2.36m off Hillside Avenue, to the satisfaction of the City Solicitor.
- 4. Revised plans correcting the long-term bicycle stalls to comply with the dimensions provided in Schedule C and reducing the fence height below 1.83m.
- 5. The Development Permit lapsing two years from the date of this resolution.

Council discussed the following:

- The need for affordable housing in the City of Victoria.
- The inclusion of aspects in the building plans from the women of the Aboriginal Coalition to End Homelessness.

CARRIED UNANIMOUSLY

Councillor Thornton-Joe returned to the meeting at 8:34 pm.

Councillor Dubow withdrew from the meeting at 8:34 pm.

F.5 Heritage Designation Application No. 000175 for 840 Fort Street

F.5.a Public Hearing & Consideration of Approval:

<u>Leanne Taylor (Senior Planner)</u>: Advised that the application is to designate the exterior of the building, specifically the front facade and remaining sidewalls, as protected heritage property.

Mayor Helps opened the public hearing at 8:35 p.m.

<u>Mary Doody Jones (Kipling Street)</u>: Expressed concerns with only designating the facade of the building as protected heritage property.

<u>Tristan Trotter (Mason Street)</u>: Expressed concerns with only designating the facade of the building as protected heritage property.

Mayor Helps closed the public hearing at 8:39 p.m.

Councillor Dubow returned to the meeting at 8:39 p.m.

Moved By Councillor Thornton-Joe Seconded By Councillor Collins

That the following bylaw **be given third reading:**

1. Heritage Designation (840 Fort Street) Bylaw No. 18-113

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That the following bylaw be adopted:1. Heritage Designation (840 Fort Street) Bylaw No. 18-113

CARRIED UNANIMOUSLY

Council recessed from 8:42 p.m. until 8:47 p.m.

G. <u>REQUESTS TO ADDRESS COUNCIL</u>

Moved By Councillor Loveday Seconded By Councillor Potts

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

G.1 <u>Verna Stone: Climate Change and the Importance of Preserving and Adding</u> to Urban Trees

Outlined why Council needs to take action to save the existing urban green space and urban trees, in an effort to fight the climate crisis.

- G.2 <u>Robert Laurie: Law and Regulatory Situation</u> Not present.
- **G.4** Frances Litman: Protecting and Increasing Victoria's Urban forest Outlined why Council should update the Tree Preservation bylaw as well as greatly increase tree-planting, in order to protect Victoria's Urban Forest.
- **G.5** David Muncaster: Implementing the Urban Forest Master Plan Outlined why Council should implement the Urban Forest Master Plan as part of the City's Strategic Plan and Budget.
- **G.6** Sean Kahil: Crystal Pool Outlined why Council should support the proposed alternate recommendation for the Crystal Pool and Wellness Centre Replacement Project.
- G.7 <u>Mary Doody Jones: The Meaning of the Urban Villages and their</u> <u>Implications</u>

Outlined concerns relating to the interpretation of the urban village concept.

G.8 Allan Gallupe: Central Park

Outlined why Council should not approve plans to proceed with construction of a new Crystal Pool in Central Park.

G.9 Douglas Curran: Community Amenity Contributions

Outlined why Council should revise the basis of setting density as "entitlements" within the Official Community Plan.

G.10 Lena Toncev: Crystal Pool

Outlined why Council should look into an alternative location for the Crystal Pool replacement project, other than south west corner of the Central Park.

H. UNFINISHED BUSINESS

H.1 <u>Rise and Report</u>

H.1.a From the November 8, 2018 Closed Council Meeting:

Appointment of Approving Officer

That Council:

- 1. Rescind the appointments of Mr. Jonathan Tinney as Approving Officer and Mr. Craig Stenberg as the Deputy Approving Officer for the City of Victoria.
- 2. That the person in the position of the Director of Sustainable Planning and Community Development be appointed as the Approving Officer of the City of Victoria.
- 3. That the person in the position of the Assistant Director Engineering be appointed as the Deputy Approving Officer.
- 4. That the person in the position of the Supervisor Land Development be appointed as the Deputy Approving Officer.
- 5. Authorize a rise and report of the motion and release of the report at the November 22, 2018 Council Meeting.

H.2 Letter from the Minister of Small Business and Export Promotion

Moved By Councillor Collins Seconded By Councillor Potts

That the correspondence dated October 1, 2018 from the Minister of Small Business and Export Promotion be received for information.

CARRIED UNANIMOUSLY

H.3 Letter from Minister of Canadian Heritage and Multiculturalism

Moved By Councillor Collins Seconded By Councillor Potts

That the correspondence dated October 3, 2018 from the Minister of Canadian Heritage and Multiculturalism be received for information.

CARRIED UNANIMOUSLY

H.4 Letter from the Victoria Brain Injury Society

Moved By Councillor Potts Seconded By Councillor Loveday That the correspondence dated October 16, 2018 from the Victoria Brain Injury Society be received for information.

CARRIED UNANIMOUSLY

H.5 Letter from Shell Canada Limited

Moved By Councillor Young Seconded By Councillor Isitt

That the correspondence dated October 19, 2018 from Shell Canada Limited be received for information.

Amendment:

Moved By Councillor Isitt Seconded By Councillor Loveday

That the motion be amended to refer the letter to the December 6, 2018 Committee of the Whole meeting.

CARRIED UNANIMOUSLY

Main motion as amended:

That the correspondence dated October 19, 2018 from Shell Canada Limited be referred to the December 6, 2018 Committee of the Whole meeting.

CARRIED UNANIMOUSLY

H.6 Letter from the Attorney General

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That the correspondence dated October 22, 2018 from the Attorney General be received for information.

CARRIED UNANIMOUSLY

H.7 Clarification on Interim Inclusive Housing and Density Bonus Negotiations

Moved By Councillor Alto Seconded By Councillor Young

That Council direct staff to negotiate for inclusive housing or cash-in-lieu on all strata projects except those in areas designated as Traditional Residential.

Council discussed the following:

- What properties would be captured under the policy.
- That this clarification will allow for gentle density.

 Whether another approach would be more appropriate to ensure inclusive housing or cash-in-lieu for larger scale applications in the Traditional Residential area.

Amendment:

Moved By Mayor Helps Seconded By Councillor Collins

That the motion be amended by adding the following: ", except in buildings of 10 units or less."

FOR (6): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Potts, Councillor Thornton-Joe, and Councillor Young OPPOSED (3): Councillor Dubow, Councillor Isitt, and Councillor Loveday

CARRIED (6 to 3)

Main motion as amended:

That Council direct staff to negotiate for inclusive housing or cash-in-lieu on all strata projects, except in buildings of 10 units or less.

FOR (6): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Potts, Councillor Thornton-Joe, and Councillor Young OPPOSED (3): Councillor Dubow, Councillor Isitt, and Councillor Loveday

CARRIED (6 to 3)

I. <u>REPORTS OF COMMITTEES</u>

- I.1 <u>Committee of the Whole</u>
 - I.1.a Report from the November 15, 2018 COTW Meeting
 - I.1.a.a Crystal Pool and Wellness Centre Replacement Project Update and Accompanying Council Report

Moved By Councillor Loveday Seconded By Mayor Helps

That Council use the Committee of the Whole procedures section for this item.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt Seconded By Councillor Potts

That Council directs staff to:

1. Wrap up design development work on the current proposed project (Project A), and not submit an

application for the initial intake of the Investing in Canada Funding Program.

 a.) Ask staff to report back with a scope and budget to develop a plan and budget for citing the facility on the arena parking lot including consideration of the amenity and partnership opportunities roughly outlined in the North Park Neighbourhood Association submission at the Committee Meeting of November 15 2018. (Project B)

b.) Report to Council quarterly on this process.

- 3. Write to the \$1 and \$6 million funders, respectively, and pursue opportunities for extending the timeline for funding applicability.
- 4. Continue to work with the federal and provincial governments to pursue options for funding for Project A and Project B (once more clearly defined) including the wider range of funding options and partnerships that may be available for a facility or complex with more amenities than only a swimming pool and recreation centre.

Council discussed the following:

- That the revised motion provides an opportunity to find an alternative to building in the park.
- That both options have associated risks.
- That the intention of this revised motion is to bring together the needs of the pool users and park users.

Moved By Councillor Alto **Seconded By** Councillor Dubow That Council restore the rules of order.

CARRIED UNANIMOUSLY

On the motion: CARRIED UNANIMOUSLY

Moved By Councillor Alto Seconded By Councillor Potts

That Council direct staff to explore the Royal Athletic Park parking lot land as a potential site for affordable housing, a pocket park, child care, parking and other complementary uses.

CARRIED UNANIMOUSLY

I.1.a.b Application for a Permanent Change to Increase Licensed Capacity

Moved By Councillor Alto Seconded By Councillor Collins That Council direct staff to provide the following response to the Liquor Licensing Agency:

 Council, after conducting a review with respect to noise and community impacts, does support the application of The Churchill, located at 1140 Government Street, to increase licenced capacity from 90 to 127 patrons and staff within existing hours of operation, 11:00 am to 1:00 am Monday through Saturday and 11:00 am to 12:00 am Sunday.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request is not expected be a significant issue.
- b. If the application is approved, the net impact on the community is expected to be positive economically as the approval supports the request of the business and presumably their long term viability as a local business and employer.
- c. The views of residents were solicited via a mail-out to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received no letters opposed to, or in support of the application, and also did not receive correspondence from the Downtown Residents Association.
- d. Council recommends the issuance of the license.

That Council receive for information, the report from the Downtown Community Development Coordinator related to the subject application.

CARRIED UNANIMOUSLY

2019-2023 Draft Financial Plan

Moved By Councillor Alto Seconded By Councillor Loveday

That Council receive this report for information and further consideration on December 7, 2018.

CARRIED UNANIMOUSLY

I.1.a.d Community Garden Licenses of Occupation

Moved By Councillor Isitt Seconded By Councillor Loveday

That Council authorize the Mayor and City Clerk to execute new Licences of Occupation for the following existing community gardens, subject to the publication of notices as

I.1.a.c

required by the Community Charter, and with all terms to the satisfaction of the City Solicitor and the Director of Parks, Recreation and Facilities Department:

- 1. Burnside Allotment Garden (Cecelia Ravine Park, near Napier Lane and Burnside Road East).
- 2. Neighbourhood Garden of All Sorts (Macdonald Park, adjacent to Niagara St).

CARRIED UNANIMOUSLY

I.1.a.e Alternate Directors to the Capital Regional District and Capital Regional Hospital District Boards

Moved By Councillor Young Seconded By Councillor Loveday

That Council appoint Councillors Dubow, Potts, and Thornton-Joe as alternate Directors to the CRD and CRHD Boards.

CARRIED UNANIMOUSLY

Council recessed from 10:35 p.m. until 10:39 p.m.

I.1.b Report from the November 22, 2018 COTW Meeting

	l.1.b.a	Appointments to Capital Region Housing Corporation
		Moved By Councillor Young Seconded By Councillor Thornton-Joe
		That Council ratifies and confirms the appointment of its current Capital Regional District Representatives to the Capital Region Housing Corporation Board.
		CARRIED UNANIMOUSLY
	I.1.b.b	205 Simcoe Street - Rezoning Application No. 00653 (James Bay)
		Moved By Councillor Thornton-Joe Seconded By Councillor Potts
		That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00653 for 205 Simcoe Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set subject to an amendment of the existing restrictive covenant to add daycare as one of the permitted uses on the property, executed by the applicant to the satisfaction of City staff.

CARRIED UNANIMOUSLY

I.1.b.c 1402 Douglas Street - Rezoning Application No. 00658 (Downtown)

Moved By Councillor Alto Seconded By Councillor Thornton-Joe

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00658 for 1402 Douglas Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

That the application be referred to the heritage advisory committee for comment and report be made back to the Committee of the Whole on the proposed provincial policy that would see the windows of the heritage building be made opaque.

FOR (8): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Councillor Potts withdrew from the meeting at 10:41 p.m. due to a pecuniary conflict of interest with the following item, as she works for Our Place Society.

I.1.b.d 926 and 932 Pandora Avenue - Rezoning Application No. 00605 and Development Permit Application No. 000508 (North Park)

> Moved By Councillor Thornton-Joe Seconded By Councillor Young

Rezoning Application No.00605

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00605 for 926 and 932 Pandora Avenue; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

- 1. Provide a Sewage Attenuation Report prepared by a qualified engineer to determine if the proposal would result in increased sewage flow rates, to the satisfaction of the Director of Engineering and Public Works.
- 2. Provide a Road Dedication Plan for a dedication of 1.38m on Mason Street, to the satisfaction of the Director of Engineering and Public Works.

- 3. Preparation and execution of a Housing Agreement to secure:
 - i. ten percent of the residential units (approximately 15 dwelling units of which seven of the units would be two and three bedroom units and suitable for families in accordance with the applicant's letter dated November 1, 2018) as affordable rental units (rents at 15% below appraised market rents) in perpetuity and in accordance with an appraisal provided to the city annually
 - ii. ensure that future Strata Bylaws cannot prohibit the rental of the other units in the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. Secure an amenity contribution in the amount of \$614,000.00 where half goes towards the Housing Trust Fund and the other half goes towards the Downtown Core Area Public Realm Improvement Fund (75%) and the Downtown Heritage Buildings Seismic Upgrade Fund (25%) and to the satisfaction of the Director of Sustainable Planning and Community Development.
- 5. Council authorizing anchor-pinning into the City Rightof-Way, provided that the applicant enters into an Encroachment Agreement, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

Development Permit Application No.000508

That, subject to the exploration of design revisions to soften the vertical cement panel on the north elevation of the proposed mixed-use building to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00605, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application

No. 000508 for 926-932 Pandora Avenue in accordance with:

- 1. Plans date stamped June 27, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the height from 30m to 32.34m for a rooftop mechanical room
 - ii. reduce the front yard setback on Pandora Avenue from 3m to 2.10m.
- 3. The Development Permit lapsing two years from the date of this resolution."

FOR (6): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Thornton-Joe, and Councillor Young OPPOSED (2): Councillor Isitt, and Councillor Loveday

CARRIED (6 to 2)

Councillor Potts returned to the meeting at 10:42 p.m.

I.1.b.e Proposed Amendments to the Zoning Regulation Bylaw

Moved By Councillor Alto Seconded By Councillor Young

- 1. Amend the R3-1 and R3-2 Zone, Multiple Dwelling District, to clarify that, to achieve the additional site coverage and density outlined in the Zone, motor vehicle parking must be provided in accordance with Schedule C and all motor vehicle parking provided onsite must be located in an enclosed parking space.
- 2. Amend the R1-A Zone, Rockland Single Family Dwelling District, to amend minor drafting errors relating to underlining.
- 3. Amend the R1-B-GS4-C1 Zone, Single Family Dwelling with Garden Suite and Limited Commercial Moss Street District, by deleting the "m" after maximum number of storeys.
- 4. Amend the CA-72 Zone, Fort Street Commercial -Residential District, replacing the word "minimum" with "maximum" as it applies to height.
- 5. Amend the R-76 Zone, Oak Bay Avenue Multiple Dwelling District, underlining the defined term "lot lines".
- Amend the R1-S1 Zone, Restricted Small Lot (One Storey) District, and R1-S2 Zone, Restricted Small Lot (Two Storey) District, to address minor drafting errors relating to underlining and the unit of measurement for rear setback requirements.
- 7. Amend the M2-I Zone, Douglas-Blanshard Industrial District, to remove reference to "work-live" in purpose statement.
- 8. Amend the definition of "Half Storey" to reference "first storey area" instead of "ground floor area".

CARRIED UNANIMOUSLY

I.1.b.f 2019 Meeting Schedule

Moved By Councillor Thornton-Joe Seconded By Councillor Potts

That Council approve the 2019 Committee of the Whole and Council meeting schedule attached to this report and make available to the public as required under Section 127 of the *Community Charter*.

CARRIED UNANIMOUSLY

I.1.b.g Board, Committee and Neighbourhood Association Appointments

Moved By Councillor Alto Seconded By Councillor Collins

That Council:

- 1. Approve all nominations for Council member appointments to boards, committees, and neighbourhood associations listed in Appendix A.
- 2. Undertake the required public notification regarding the nomination of Councillors Collins, Isitt, Loveday, and Young to the Capital Regional District Regional Water Supply Commission.
- 3. That Council give consideration to the Acting Mayor schedule on an alphabetical roster rotation basis in accordance with the Council Procedures Bylaw.
- 4. That Council further consider remaining vacant appointments as noted in this report.
- 5. To appoint Councillor Dubow as the City representative to the Community Partnership Network, Local Immigration Partnership, Organizing against Racism & Hate.
- 6. Appoint Councillor Dubow to these bodies for the period of 2019-2020.

CARRIED UNANIMOUSLY

Adopt and Consistently Apply Definitions of Affordable Housing

Moved By Councillor Collins Seconded By Councillor Alto

That Council:

- Adopt and consistently apply the definition of affordable housing, as housing where the price does not exceed 30% of the gross annual household income for verylow, low, low to-moderate, and moderate income households. Ensure in rezoning processes where applicants claim to have affordable housing as part of their proposals that this definition is used for the affordable portion of the units and distinguished from housing units that are simply below-market.
- 2. Direct staff to report on a quarterly basis on:
 - a. the number of non-profit affordable rental housing units created or under construction (distinguishing the number of below market rental housing units, the number of rent geared to income units using BC Housing income limits, and number of deep subsidy rental housing units), as well as the number of non-

l.1.b.h

profit affordable home ownership units created or under construction.

- b. the number of for-profit affordable housing rental units and the number of for profit affordable home ownership units created or under construction.
- c. the combined number of affordable housing units created or under construction, as well as for which incomes brackets the affordable units are targeted.
- 3. Direct staff to notify council about the number of affordable units in each rezoning proposal, as well as for which incomes brackets the affordable units are targeted.
- 4. Direct staff to report back with recommendations on other improvements to processes for data gathering and reporting on affordable housing.
- 5. To indicate to BC Housing that the City of Victoria welcomes provincial investment to address affordability at different income levels including projects to house low income people and projects funded through the Housing Hub.

CARRIED UNANIMOUSLY

I.1.b.i Frontage Improvements at 149 Montreal Street, James Bay Child Care Society

Moved By Councillor Alto Seconded By Councillor Collins

That the City provide James Bay Child Care Society a grant in the amount equal to the cost of undertaking construction of the frontage improvements required for the development approved at 149 Montreal Street to a maximum of \$70,000, this grant to be funded from the remaining 2018 budget surplus.

CARRIED UNANIMOUSLY

I.1.b.j Endorsement of the Community Benefits Coalition of British Columbia

> Moved By Councillor Isitt Seconded By Councillor Potts

That Council endorse the Community Benefits Coalition of BC and directs staff to write to the Coalition advising them of this endorsement and authorizing use of the City's name and logo in the list of Coalition partners.

FOR (8): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Councillor Potts withdrew from the meeting at 10:54 p.m. due to a pecuniary conflict of interest with the following item, as she works for Our Place Society.

I.1.b.k 1240 Yates Street for Extreme Weather Shelter Mats

Moved By Councillor Alto Seconded By Councillor Isitt

That the City Owned Building at 1240 Yates which currently houses the My Place Shelter be approved as a Tier 2 location for the Extreme Weather Protocol for the November 2018-April 2019 season with the above listed conditions.

CARRIED UNANIMOUSLY

Councillor Potts returned to the meeting at 10:55 p.m.

I.1.b.I Improving Governance and Transparency

Moved By Councillor Loveday Seconded By Councillor Isitt

That Council:

- 1. Endorse in principle the following best practices in governance and transparency.
 - a. Expand the **Council Member Voting and Attendance dashboard** implementation retroactively to the beginning of the Council term, to ensure transparency of the voting record of each Council member on each item of Council and Committee business, adopting the best practice from the City of Vancouver;
 - b. Publish Council members annual **Financial Disclosure Statements** (submitted according to the requirements of the BC Financial Disclosure Act) online and update these disclosure statements on an annual basis, adopting the best practice from the City of Vancouver;
 - c. Improve **Proactive Disclosure of Closed Meeting Business**, including decisions made and reports considered by Council, as soon as the need for confidentiality has ceased to exist, adopting the best practice from the City of Vancouver;
 - d. Publish information on **Council Member Expenses** on a quarterly basis, adopting the best practice from the City of North Vancouver;
 - e. Continue to publish a **Council Meeting Highlights Report** following Council meetings, to make

information on key Council decisions accessible to the general public, affirming the best practice from the City of Victoria;

- f. Provide clear and accessible **Summaries of Financial Information** in the municipality's Annual Report and in annual financial planning documents, and provide prominent, easily accessible links to this information on the municipality's website, focusing on clarity and transparency in the presentation of this information to the public.
- 2. Direct staff to report back to Council with recommendations for the timely implementation of each of these items and include information on any financial implications of implementation.
- 3. Request that the Mayor, on behalf of the Council, forward these recommendations to member local governments in the Capital Region and Capital Regional District Board, encouraging favourable consideration and action.

CARRIED UNANIMOUSLY

I.1.b.m Natural Assets and the Public Sector Accounting Board

Moved By Councillor Isitt Seconded By Mayor Helps

That Council endorse the attached policy recommendations with regard to the inclusion of natural assets by the Public Sector Accounting Board.

FOR (8): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

I.1.b.n

Meeting with Mayor Plante – Montreal, November 30, 2018

Moved By Councillor Alto Seconded By Councillor Isitt

That Council authorize the attendance and associated costs for Mayor Helps to attend a meeting with Mayor Plante November 30th 2018.

CARRIED UNANIMOUSLY

K. <u>BYLAWS</u>

K.1 Bylaw for Rezoning Application for 1541-1545 Fort Street

Moved By Councillor Alto Seconded By Councillor Thornton-Joe

That the following bylaw be given first and second readings:1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1173) No. 18-118

FOR (8): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

K.2 Bylaw for Rezoning Application for 2616-2626 Douglas Street

Moved By Councillor Alto Seconded By Councillor Collins

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1148) No. 18-037

FOR (8): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

K.3 Bylaw for Rezoning Application of 475 Gorge Road East

Moved By Councillor Dubow Seconded By Councillor Isitt

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1175) No. 18-123

FOR (8): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)

K.4 Bylaw for Cannabis Retail Store Licensing Consultation Policy and Fee

Moved By Councillor Isitt Seconded By Councillor Potts

That the following bylaw **be adopted:**

1. Cannabis Retail Store Licensing Consultation Policy and Fee Bylaw No. 18-120

CARRIED UNANIMOUSLY

Moved By Councillor Collins Seconded By Councillor Dubow

<u>Motion to extend:</u> That the meeting be extended to 11:10 p.m.

CARRIED UNANIMOUSLY

N. <u>QUESTION PERIOD</u>

A question period was held.

O. <u>ADJOURNMENT</u>

Moved By Councillor Collins Seconded By Councillor Alto

That the Council meeting adjourn. TIME: 11:07 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

An Open Letter Concerning the Future of Old Town Victoria

January 17, 2019

For years the City of Victoria has run a very effective program to preserve its heritage character. Yet many of the innovative policies and programs which have been used so successfully in the past are now under excessive and growing pressure, especially in Old Town. As the result of an over-heated real estate market, Old Town is at risk of becoming a victim of otherwise-effective practices taken too far.

Victoria is widely known and admired as a city of exceptional heritage character and charm. Its many historic buildings and districts provide a unique sense of place that makes Victoria a desirable place to live and visit.

The City's multi-faceted approach to heritage conservation has been widely admired and copied. The Victoria Heritage Foundation and the Victoria Civic Heritage Trust have served as models for several similar institutions and programs in other communities in B.C. and beyond. Recognition has also come in the form of a number of awards, most prominently the Prince of Wales Prize in 2001.

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Victoria's historic "personality" is best captured in Old Town, the heritage area that lies at the heart of the city's vibrant commercial core. Easily reached on foot from all of the essential tourist facilities, it is frequently cited by visitors as their single most enjoyable experience. Old Town also gives the Capital City a significant advantage in the lucrative conferences and events market.

Old Town is a magnet for locals as well who come for the distinctive shops and restaurants, a boost to commerce that spreads well beyond the boundaries of the heritage area. Increasingly, Victorians also want to live in this district with its unique atmosphere and remarkably contemporary amenities. Old Town may be old, but it is also cool.

City Hall can take much of the credit for the successful preservation of Victoria's distinctive heritage character. An evolving program of initiatives, including grants, tax incentives, and site-specific relaxations of zoning and other regulations, has created a positive environment for the rehabilitation of historic buildings. This is particularly true in Old Town. The result has been a series of highly successful projects in which the private sector, working in close partnership with the City's heritage program, has brought to life the potential of Victoria's historic building stock.

At the heart of Victoria's heritage program is the notion of balance. The City's flexible, site-specific approach to project approval is designed to create conditions that encourage investment in Old Town. On the other hand, heritage policies and guidelines seek to contain and limit the impact of new construction. While the Official Community Plan notes that there is "some capacity" for infill and additions in Old Town, it also states that a key objective of the heritage designation is "to conserve and enhance the heritage value, special character and the significant historic buildings, features and characteristics of this area".

Finding a sustainable balance between rehabilitation and conservation is key.

Of late there have been many signs that the heritage program in Old Town is slipping out of balance. Driven by an over-heated real estate market and a seemingly limitless demand for more residential accommodation, a number of projects in Old Town have come forward to exploit these markets and satisfy the demand. Typically, these projects combine the rehabilitation of historic properties with new additions and/or freestanding structures. Our concern is that, in return for limited conservation of heritage fabric, these new additions and structures threaten to overwhelm the character of Old Town. Their excessive density and height are well outside the limits set down in the Official Community Plan and other fundamental planning regulations.

Confronted with unsubstantiated claims by developers of unaffordable costs to rehabilitate heritage properties, Council may be tempted to yield to pressures and permit height and density bonuses that increasingly go well beyond existing regulations. Relaxing established rules to allow additional height and density is a very potent method to boost a project's bottom line. But when granting exceptions to the rules becomes the norm, when every exemption becomes a de facto new baseline for future proposals, there is a real danger of undermining the very strategic goals that the system of policies and regulations was established to achieve. In the case of Old Town, that would mean the loss of unique character by the invasion of a host of over-sized buildings, new towers, and the addition of multiple stories on top of modest heritage buildings, often in return for the retention of mere building façades or other token gestures.

In conclusion, to forestall the irreversible erosion of the character of Old Town, we urge Council to consider the following three recommendations:

1. Respect the 3-1 floor space ratio and 15-metre height limit in Old Town, as mandated by the Official

Community Plan and Downtown Core Area Plan. While exceptions may on occasion be legitimate, exceptions to rules should not become the rule 2.When considering requests for the relaxation of regulations or applications for rezoning, require the submission and third party review of a development pro forma to back any claims of financial need 3.Support the maximum retention of historic structures and fabric, in preference to "facadism" and similar token measures of conservation

Signatures

Steve Barber (Former Senior Heritage Planner)

Harold Kalman (Heritage Conservation and Architectural History)

Martin Segger (Architectural Historian)

Rick Goodacre (Former Executive Director, Heritage B.C.)

Pamela Madoff (Former City Councillor)

John Keay (Keay Architecture)

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Chris Gower (Architect and Urban Designer)

Ray Hunt (Architect AIBC)(Inside Out Planning Inc.)

J.C. Scott (JC Scott eco Design Associates)

Don Lovell (Former Director of Campus Planning, University of Victoria)

John Adams (Owner -Discovery Tours)

John and Helen Edwards

Nancy Glerup (Europort Enterprises -Owner - Counting House & Other Heritage Buildings)

Ken Kelly (Former Executive Director -Downtown Victoria Business Association)

Len Vopnfjord (Director of Planning, City of Victoria 1986-1999)

Board of Directors - Victoria Downtown Residents Association

Ian Sutherland (Heritage Building Owner)

John Dam (Heritage Consultant)

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Ron Greene (Former Owner Capital Iron)

Mark Hornell (Assistant Director, Community Planning 2006-2013.)

Marilyn Bowering (Author)

Allan Collier (Craft and Design Historian)

Marie Elliott (Historian and author)

Jim Lee (Chartered Accountant)

Michael Elcock (Chief Executive Officer, Tourism Victoria 1985-'89)

Martin Golder (Architect)

Gordon McGlothlen, (Former Landscape Architect)

Aaron Usatch (Olde Towne Developments Ltd.)

Andrew Rushforth (Structural Engineer)

Larry McCann (Professor Emeritus of Geography University of Victoria)

Gary Mitchell (Provincial Archivist Emeritus)

Jennifer Barr (Victoria Heritage Foundation, Former Executive Director)

Stuart Stark (Heritage Consultant; former Chair, Heritage Advisory Panel)

Michael J. Prince (Professor of Politicial Science, University of Victoria)

Alastair Kerr (Adjunct Associate Professor, University of Victoria)

Douglas Franklin (Former Director / National Trust for Canada)

Gene Miller (DV2020 and New Landmarks Design)

Hon. David A. Anderson (Former MP for Victoria 1993 - 2006)

Peter Stockdill M.D.

Barrie Hewstan Esq.

Richard Somerset Mackie (Editor, The Ormsby Review)

Bob Cross (Former Mayor of Victoria)

Lee C. Ferreira (P.Geo)

Michael Rankin

Mike Siska (P.Eng.)

Rick Marshall

Kim k. Hollingsworth

Jennifer Iredale (Former Director – Heritage Branch, Province of B.C.)

Joy Davis (Cultural Heritage Specialist)

Bernard Beck (Executive VP, Chief Compliance Officer at AscendantFX Capital)

Daphne Goode Communications Professional (Rogers & Shaw Communications)

Ken Lane

Claude Maurice (Architect – Retired)

Penny Pearse

"BC AWARE DAYS 2019: BE SECURE, BE AWARE DAYS"

- WHEREAS cybercrime threatens the privacy and security of all citizens and organizations in British Columbia; and WHEREAS cybercriminal activity amounts to a tremendous erosion of economic wealth; and WHEREAS privacy & security issues result from the massive amounts of personally identifiable information processed each day; and **WHEREAS** awareness of the risks to society must be highlighted to engage citizens and organizations and to galvanize privacy and security professionals around this cause; and ISACA Vancouver, a member of ISACA, the leading international association of WHEREAS information security governance professionals, wishes to instill privacy and security awareness amongst all citizens and organizations in British Columbia; and
- **WHEREAS** the City of Victoria supports the promotion of privacy and security awareness amongst its citizens and organizations, so they can protect themselves from privacy infringements, fraud and other financial crimes
- NOW, THEREFORE I do hereby proclaim the week of January 28th February 5th, 2019 as "BC AWARE DAYS" on the HOMELAND of the Lekwungen speaking ESQUIMALT AND SONGHEES FIRST NATIONS in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA.
- IN WITNESS WHEREOF, I hereunto set my hand this 17 day, of January, Two Thousand and Nineteen.

LISA HELPS MAYOR CITY OF VICTORIA BRITISH COLUMBIA

K. BYLAWS

K.1 Bylaw for Official Community Plan and Rezoning Application for 1400 Quadra Street

Moved By Councillor Loveday Seconded By Councillor Alto

That the following bylaw be given first and second readings:

- 1. Zoning Bylaw, 2018, Amendment Bylaw (No. 1) No. 18-115
- Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 27) No. 18-116

FOR (8): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

Moved By Councillor Isitt Seconded By Councillor Loveday

That the following bylaw be given first, second, and third readings:

1. Housing Agreement (1400 Quadra Street) Bylaw (2018) No. 18-117

CARRIED UNANIMOUSLY



Council Report For the Meeting of December 13, 2018

То:	Council	Date:	November 29, 2018
From:	Andrea Hudson, Acting Director, Sustainable Planning and Community Development		
Subject:	Update Report on Rezoning Application Development Permit with Variances App Street		

RECOMMENDATION

Rezoning Application No. 00595:

- That first and second readings of the Zoning Bylaw 2018 Amendment (Bylaw No. 18-115) and that first, second, and third readings to the Housing Agreement (Bylaw No. 18-117), be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. That Council give first reading to the Official Community Plan Amendment Bylaw (Bylaw No. 18-116).
 - b. That Council consider the Official Community Plan Amendment Bylaw (Bylaw No. 18-116) in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan, pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
 - c. That Council give second reading to the Official Community Plan Amendment Bylaw (Bylaw No. 18-116).
 - d. That Council refer the Official Community Plan Amendment Bylaw (Bylaw No. 18-116) for consideration at a Public Hearing.
- 2. That, if approved, Council direct staff to prepare the following plan amendments:
 - a. Consequent amendment of the *Downtown Core Area Plan, 2011* to change the Central Business District designation, covering the site, to the Residential Mixed-Use District designation.

Development Permit with Variances Application No. 000503:

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00595, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 000503 for 1400 Quadra Street, in accordance with:

- 1. Plans date stamped October 19, 2018
- 2. Development meeting all *Zoning Bylaw 2018* requirements, except for the following variances:
 - i. Permit one parking stall to be located outside the building
- 3. The Development Permit with Variances lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information regarding a Rezoning Application, Official Community Plan (OCP) Amendment, and Development Permit with Variances Application for the property located at 1400 Quadra Street.

The applicant proposes an OCP amendment to change the Urban Place Designation of the site from Core Business to Core Residential. The Development Permit Area would also change from Development Permit Area 2 (HC): Core Business to Development Permit Area 3 (HC): Core Mixed-Use Residential for consistency with the urban place designation. The proposed rezoning is to change the zoning from the Central Business District-1 Zone (CBD-1) with site-specific regulations and Mixed Use Residential District-1 Zone (MRD-1), to the Central Business District-2 Zone (CBD-2) and adding site-specific regulations in order to permit the construction of an approximate 14-storey, mixed-use building consisting of ground-floor commercial and rental residential units above.

The necessary conditions that would authorize the approval of the OCP Amendment and Rezoning for the property located at 1400 Quadra Street, in accordance with Council's motion of October 4, 2018, have been fulfilled. The October 4, 2018 Committee of the Whole (COTW) report, together with the meeting minutes, are attached to this report.

OCP Amendment Feedback

Staff sent a mailed notice of the proposed OCP amendment to all property owners and occupants within 200m of the subject site on October 17, 2018, and posted a notice on the City's website inviting the public to ask questions of staff and provide written or verbal comments to Council for their consideration by November 20, 2018. At time of writing this report, the City received correspondence from nine members of the public (attached).

Secured Rental Housing

As instructed by Council on October 4, 2018, a Housing Agreement to ensure the building would be secured as rental in perpetuity has been prepared and will be registered on title following the adoption of Bylaw No. 18-117 to authorize the Housing Agreement, if it is approved by Council.

Clarification on Plans

The applicant has submitted plans, date stamped October 19, 2018 and attached to this report, to clarify that the building's setback to Johnson Street at level 5 to level 14 is 6m, and to provide additional data on the Project Data Sheet to include both the residential and commercial floor space ratios proposed.

The Development Permit with Variances motion has been updated with the date of these updated plans.

Regulatory Considerations

The Zoning Regulation 2018 Bylaw amendment includes site specific regulations to accommodate the density and height. A variance is requested to accommodate one parking stall being located outside of the building.

CONCLUSIONS

The necessary conditions that would authorize the approval of the OCP Amendment and Rezoning Application for the property located at 1400 Quadra Street have been fulfilled. The recommendation provided for Council's consideration would advance this application to a Public Hearing.

Respectfully submitted,

Rob Bateman Senior Process Planner **Development Services Division**

heros.

Andrea Hudson, Acting Director Sustainable Planning and Community **Development Department**

Report accepted and recommended by the City Manager

Date:

List of Attachments:

- Attachment A: Plans date stamped October 19, 2018
- Attachment B: October 4, 2018 Committee of the Whole Reports
- Attachment C: Draft Minutes from October 4, 2018 Committee of the Whole Meeting
- Attachment D: OCP Amendment Notice responses

ATTACHMENT A

Received City of Victoria

OCT 1 9 2018

Planning & Development Department Development Services Division





1 Context Plan



PROJECT DESCRIPTION

CNIC ADDRESS. 1400 QUADRA STREET LEGAL DESCRIPTION LOTS 1 & 2 OF PLAN 4255, & LOT 2 OF PLAN 41744, ALL OF LOTS 396, 397, & 398, VICTORIA CITY

REGISTERED OWNER Ouadra / Johnson Project Ltd P.O. Box 845 Victoria B.C Vetwig 2R9

ARCHITECT de Hoog & Kierulf architects 977 Fort Street Victoria BC VIV 3K3 Charles Kierulf tel 250.658-3367 fax 250.658-3397 rokiftidhk ca DESIGN CONSULTANT

Paul Marrick 18 Bastion Square Paul Merrick tel: 250-480-7811 Victoria BC V8W 1H9 rick://merrickar.com STRUCTURAL CONSULTANT

Leon Piett tel 250 386-7794 fax 250.381-7900 220 - 645 Tyee Road Victoria BC VIA EX5 MECHANICAL CONSULTANT

Avalon Mechanical Consultants Lid. Mirek Demictry 300 - 1245 Espirimali Road tel 250 364-4138 Vietnis, BC fazz mirek @avalonmechanical com

Applied Engineering Schulins 11d. Jay Singh 3rd Floor - 1815 Blanshard Street 1et 250 381-621 Victoria, BC fax: 250 381-681 Vist 544 pingh @zoplindengineering ca

Muntech de Greeff Inc. 200-524 Culduthel Rd Victoria, BC V8Z 1G1 Scott Muntoch let: 250 412-2819 fax: 250 412-2892

CIVIL CONSULTANT Sarah Campdon let: 250 590-4875 fax: 250 590-4392 Herold Engineering 1051 Varenover Street Victoria BC Vitiv 416 scamp

GEOTECHNICAL Ryzuk Gentrichnin 28 Crosse Avenue Victoria, BC whatle blat

SURVEYOR

VICTORIA ZONING BYLAW SUMMARY BUILDING DESCRIPTION: 14 STOREY RESIDENTIAL BUILDING USES: PRIMARILY RETAIL MAIN FLOOR, RESIDENTIAL ABOVE EXISTING ZONE: R-48 HARRIS GREEN, S-1 CENTRAL BUSINESS DISTRICT PROPOSED ZONE: SITE SPECIFIC DENSITY BONUS AREA: A-1

DEVELOPMENT PERMIT AREA: DPA2 (HC) CORE BUSINESS, HA-4 SITE AREA: 1370 4 m2 (14, 751 s1)

FLOOR AREA: COMM RETAIL Level 1: RES.LODBY Level 1: PARKING FATRANCE Level 1: RES.AURING FATRANCE Level 2: RESOCHTAL Level 2: RESOCHTAL Level 3:12: RESOCHTAL Lavel 5:12: RESOCHTAL Lavel 5:12: MECHANICAL PH TOTAL PROPOSED

321 m2 (3 455 sf) 129 m2 (1 365 sf) 126 m2 (1 369 sf) 52.6 m2 (366 sf) 57.2 m2 (7 269 sf) 729.8 m2 (7 255 sf) X 2 - 1 459.5 sm 494 1 m2 (518 sf) X 8 - 3 852.5 sm - m2 (603 sf) excluded - m2 (603 sf) excluded 7 537 m2 (81 128 sf excl pathanes) FLOOR SPACE RATIO RESIDENTIAL FSR 5.27 1 321 m2 COMMERCIAL FSR 0.23 1 7.216 m2 OVERALL FSR 5.50 1 7.537 M2 FLOOR SPACE RATIO TOTAL): 5.5 1 FSR 7 537 m2 (81 128 sf)

SITE COVERAGE: 77.6% OPEN SITE SPACE 15.1%

21.57 m (GEODETIC) See Site Plan for Grade Calminator GRADE OF BUILDING: HEIGHT OF BUILDING: 42.7 m

NUMBER OF STOREYS: 14 STOREYS RESIDENTIAL PARKING: 104 stalts (incl. 11 visitor. 7 accessible) COMMERCIAL PARKING: 0 stalls (not required)

BICYCLE PARKING 142 long-term (incl. 2 commercial 13 short-term fing), 2 commercial

SETBACKS: FRONT (Quadra St.): REAR (Worth) SIDE (North) SIDE (Johnson St.) SUITE COMPOSITION Studio Studio 1 Bied 1 Bath Junier 1 Bied 1 Bath 2 Bed 1 Bath 2 Bed 1 Bath 2 Bed 2 Bath 2 Bed 2 Bath 1 Bet 2 Bath 1 Bed 2 Bath 1 DTAL:

235 m 0.5 m 0.5 m 3.1 m 4: 9 notes @ 40 sm = 350 sm 3 notes @ 42 sm = 150 sm 10 notes @ 42 sm = 420 sm 44 notes @ 45 sm = 2112 sm 7 notes @ 45 sm = 2112 sm 7 notes @ 51 sm = 2115 sm 3 notes @ 61 sm = 1675 sm 3 notes @ 62 sm = 1675 sm 3 notes @ 62 sm = 246 sm 113 SUITES @ 61 st = 164 sm

"All units are rental dwalling units to be secured in perpetuty, through tension and acreament

BUILDING CODE SUMMARY

REFERENCED DOCUMENT BRITISH COLUMBIA BUILDING CODE 2012 - PART 3 MAJOR OCCUPANCY CLASSIFICATION GROUP C - RESIDENTIAL
 GROUP E - MERCANTILE

BUILDING AREA • 1063 9 sm. (11 452 sf)

BUILDING HEIGHT • 14 STOREYS NUMBER OF STREETS FACING

-2

ACCESSIBLE FACILITIES ACCESSIBLE ENTRANCE
 ACCESSIBLE PARKING STALLS

CONSTRUCTION REQUIREMENTS · 322.47 GROUP C. ANY HEIGHT, ANY AREA. SPRINKLERED

NON-COMBUSTIBLE CONSTRUCTION WITH 2HR MIN FIRE RESISTANCE RATING TO FLOORS AND LOADBEARING WALLS

ADDITIONAL REQUIREMENTS FOR HIGH BUILDINGS Ref. 3.2.6.1 (1)(d)

A204 LevelL1 A204a L1 Ligting Plan A205 Level L2 Plan A206 Level 13-14 Plan A207 Level L5 Plan A208 Level L6-L12 Plan A209 Level L13 Plan A210 Level L 14 Plan A211 Rool Plan A301 Building Section A302 Building Sections A401 South & East Elevat A402 North & West Flevation A501 Site Analysis A502 Very Analysis A503 Persontive Shuties A504 Perspective Shuties A505 Celeves & Malerials Landscape L101 Landsesse Plan L102 Level 5 Landscape and Planting Plan L301 Planting Plan Received City of Victoria

LIST OF DRAWINGS

Propert Data

Site Plan

Existing Site Plan

P3 Parking Plan

P2 Parking Plan

P1 Parking Plan

Architectural

A001

A100

A101

A201

A202

A203

OCT 1 9 2018

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See In the	- 15	2.0
Dundra Ro	advector.	

2 Location Plan

ELECTRICAL CONSULTANT

LANDSCAPE ARCHITECT

nine na

V82 153

Brad Cunnin Land Sorveyn #2 - 576 Helliude Avenue Victoria BC V8T 1Y9

ENVELOPE

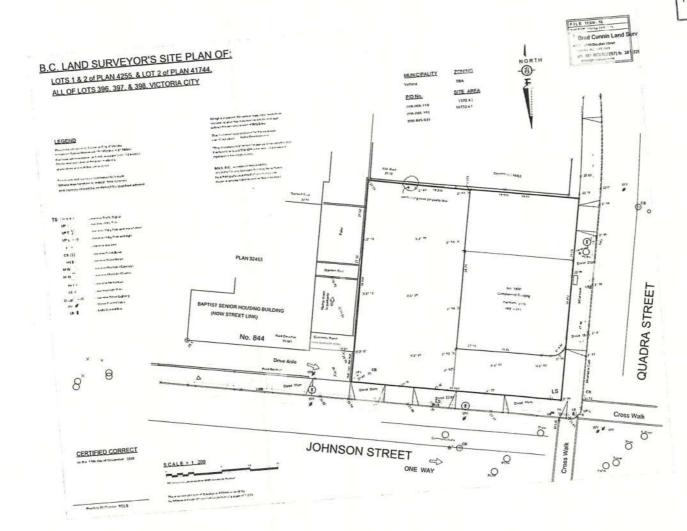
Kevin Pickwek tel: 250 386-7794 fax: 250 381-7900

RJC 220 - 645 Type Road Victoria BC V9A 6X5

lei 250 475-3131 fax 250 475-3611 shelle@nytuk.com Brad Cunnin tel: 250.381-2257 fax: 250.381-2289 PRINCIPAL PR

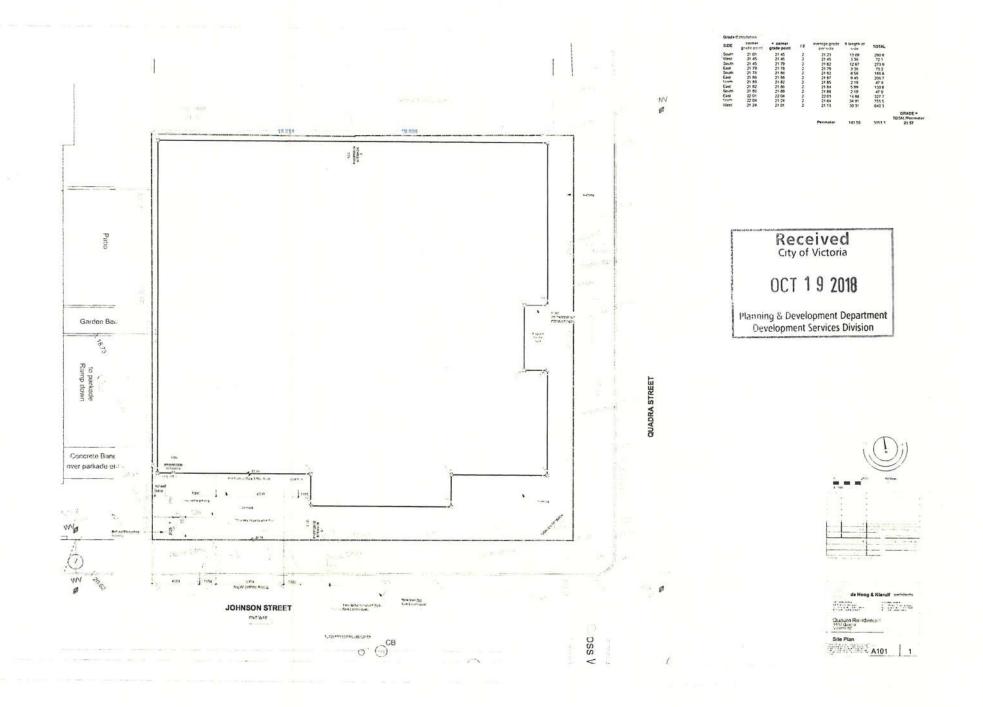
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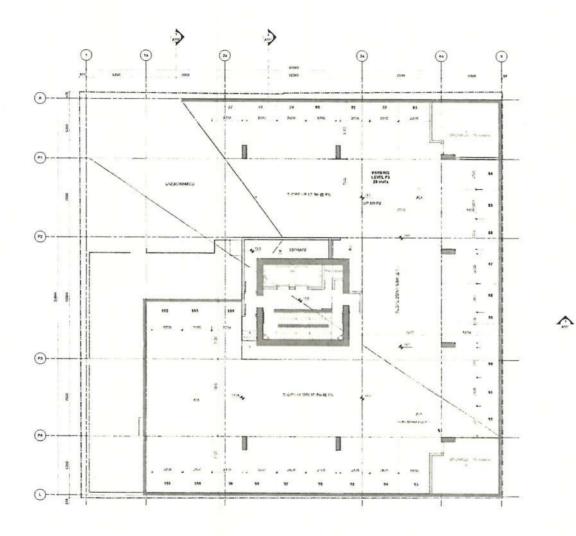
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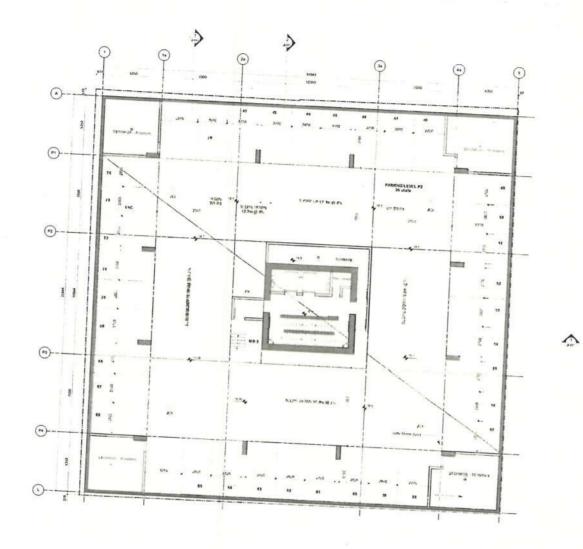




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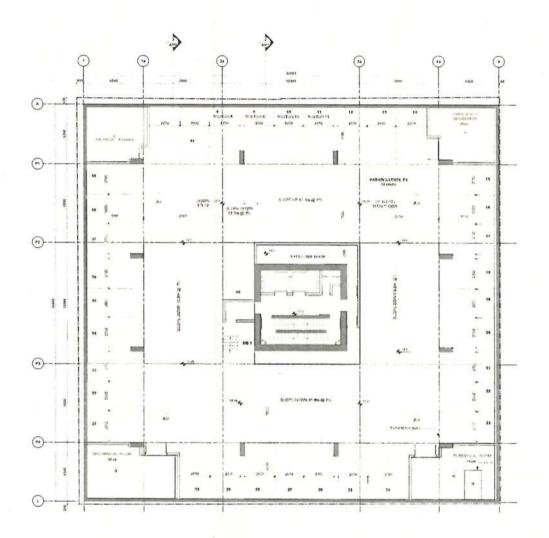


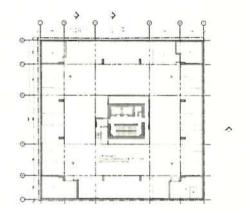












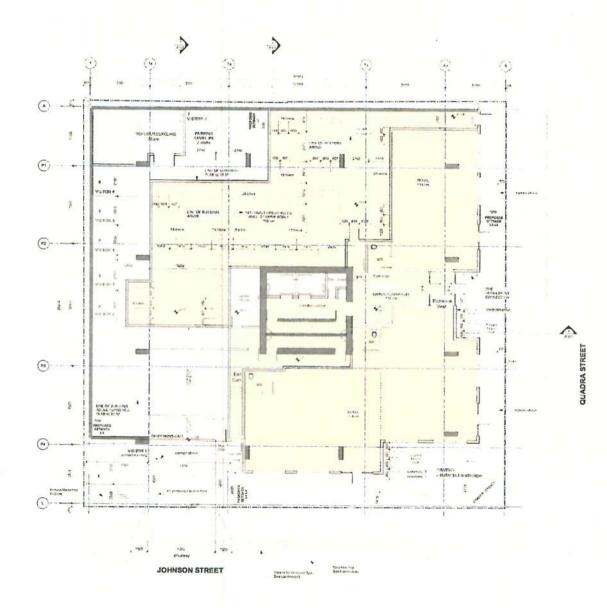
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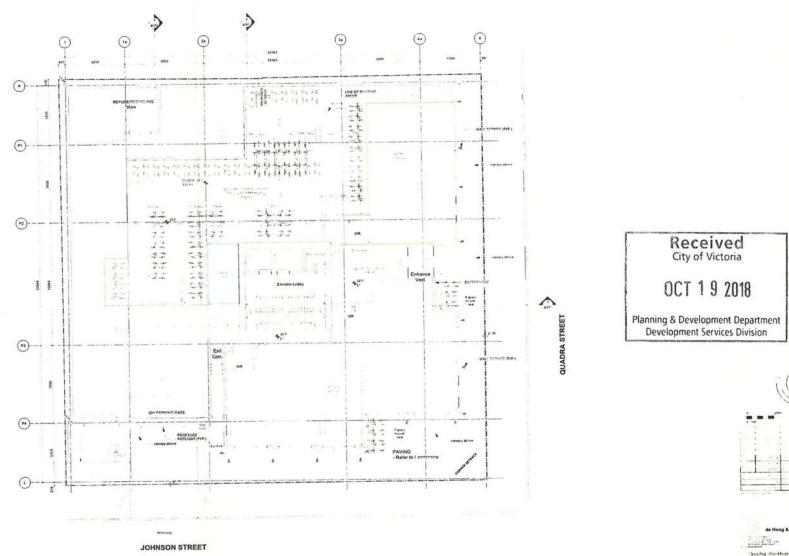
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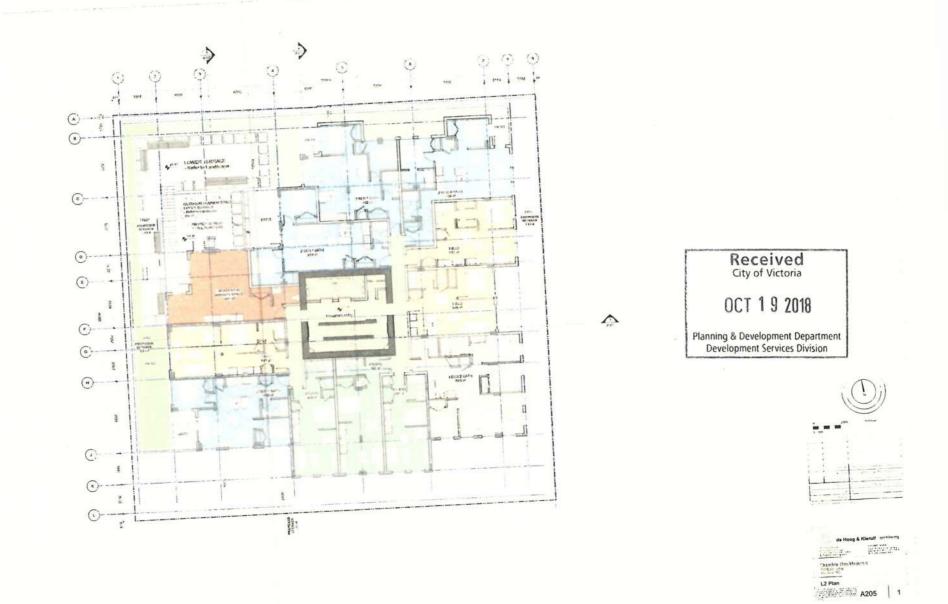


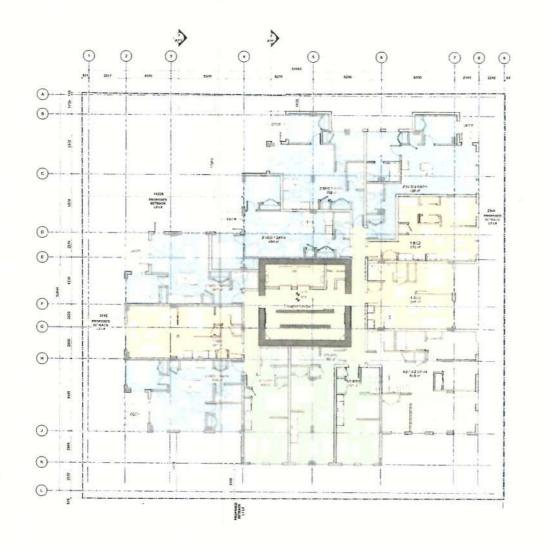








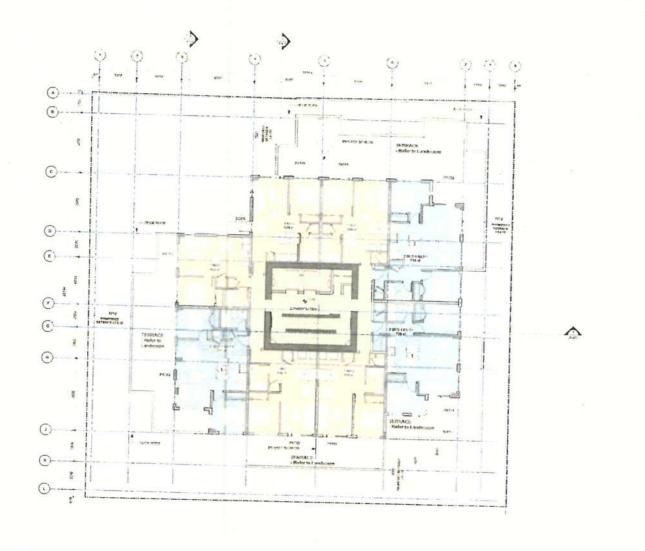


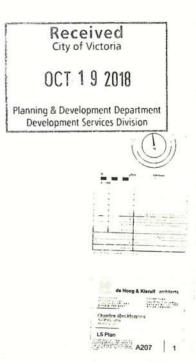


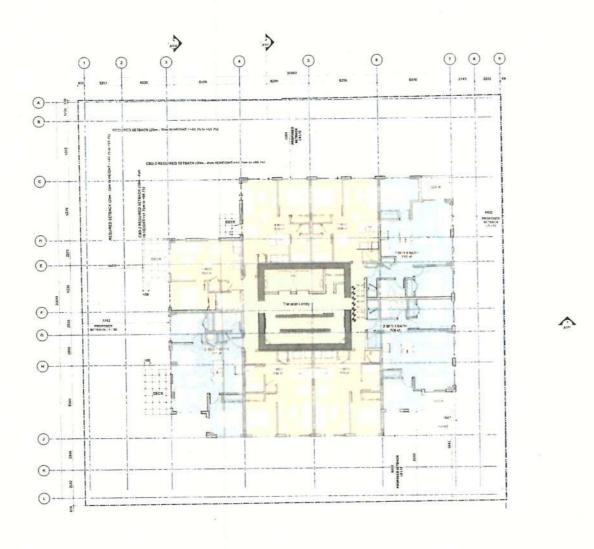
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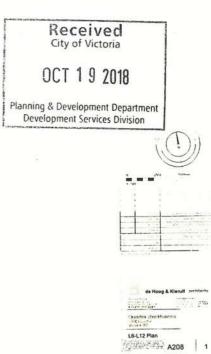


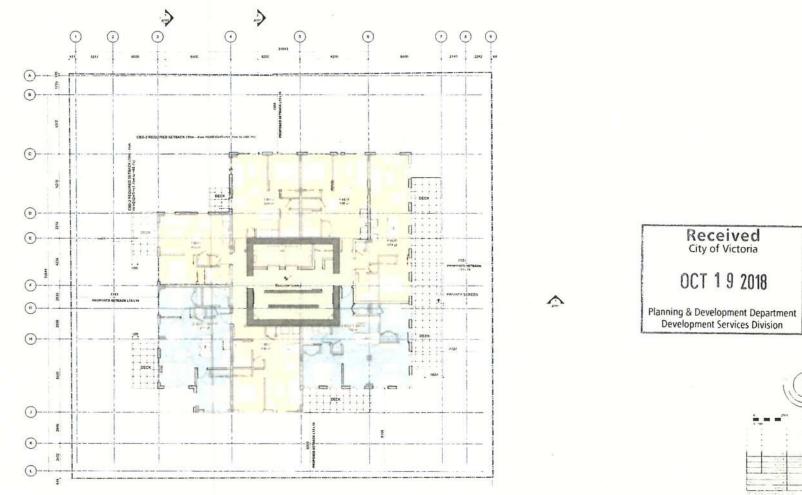
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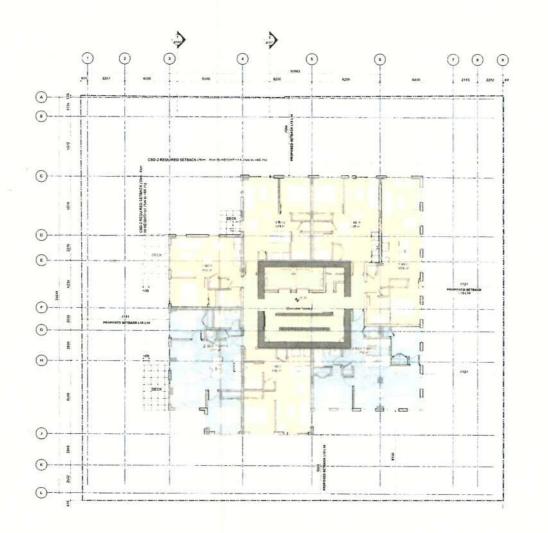










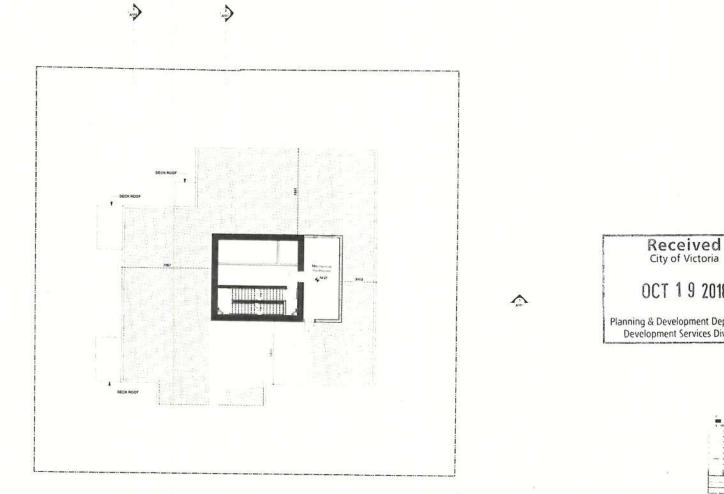


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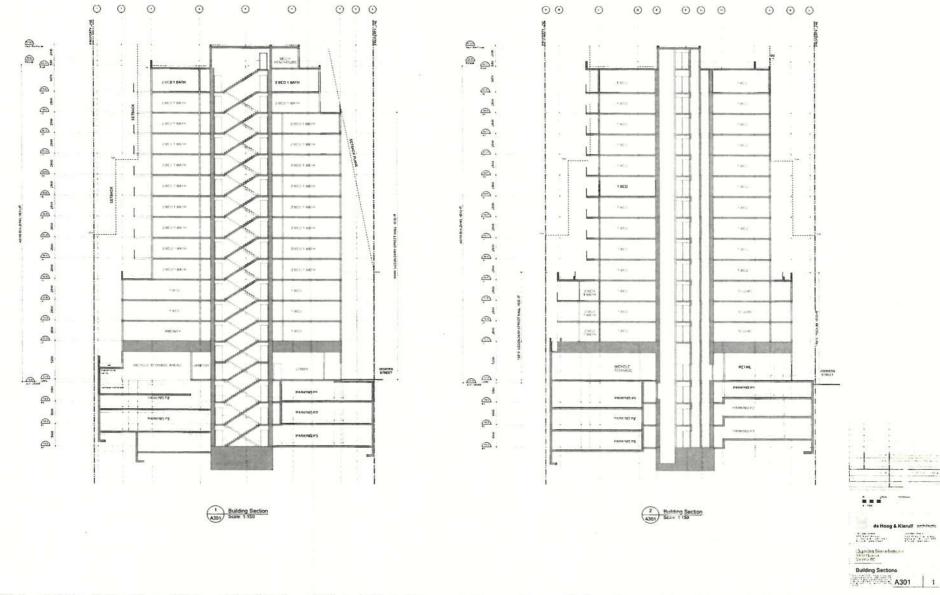


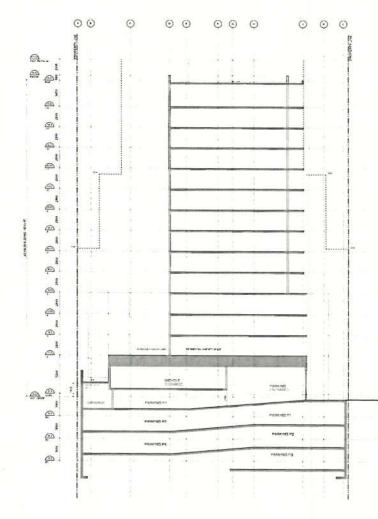






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1 Building Section A302 Scale: 1.150

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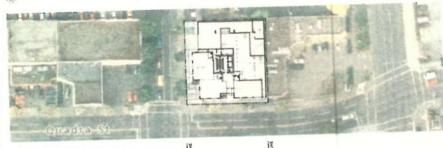








1 Context Elevation (Johnson Street) Asot 1:500





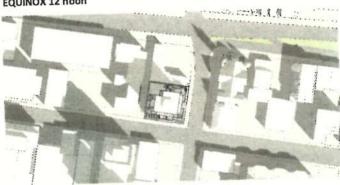
Context Elevation (Quadra Street)



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EQUINOX 12 noon



EQUINOX 10 a.m.

4 Shadow Studies



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Looking South-West Along Pandora Street



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Looking South Along Quadra Street at Mason





Looking North Along Quadra Street at Yates









2 Skyline Views



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1 Detail Perspective View of Residential Entrance



2 Perspective View of South-East Corner at Johnson and Quadra Streets Asia N.T.S.



3 Looking North Down Quadra at the Conservatory AS03 NTS.



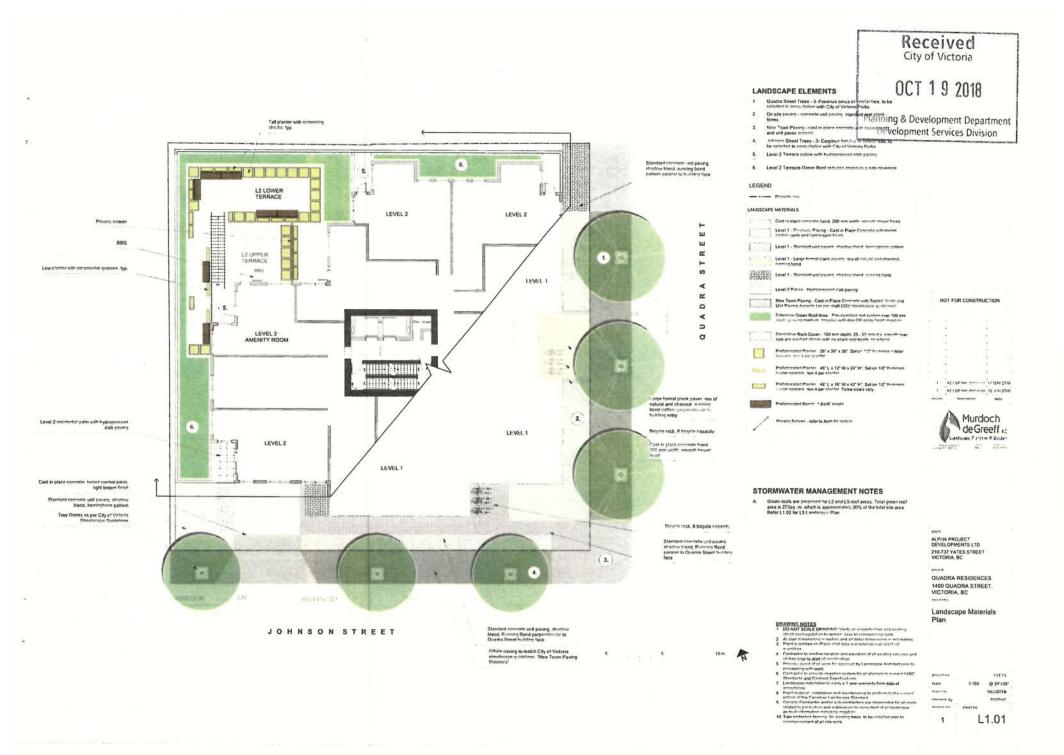
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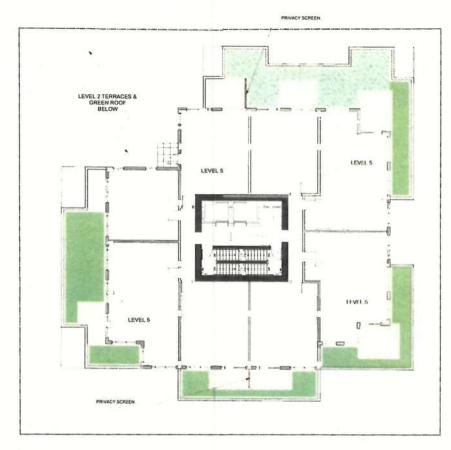
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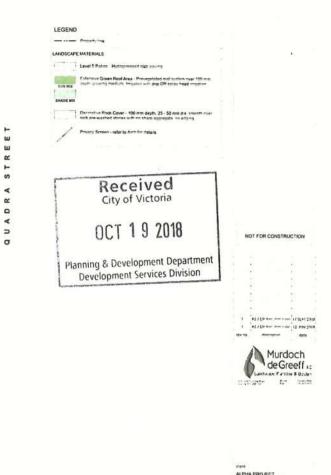




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JOHNSON STREET

	ROOF PLANT LIST-Level 5		
City	Botanical Name	Common Matte	Send Size / Plant Spaning
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GREEN	ROOF - SHADE		
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ALPHA PROJECT DEVELOPMENTS LTD. 210-737 YATES STREET VICTORIA, BC project QUADRA RESIDENCES ELANTING NOTES 1. Part disclose and species may change between sources of DP and Construction due to source associability and design changes 2. Green notif to be preprietely sed, im mail system interfereneed with grass seconds from and suble.

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1400 QUADRA STREET. VICTORIA, BC Level 5 Landscape and Planting Plan

PLANTING NOTES

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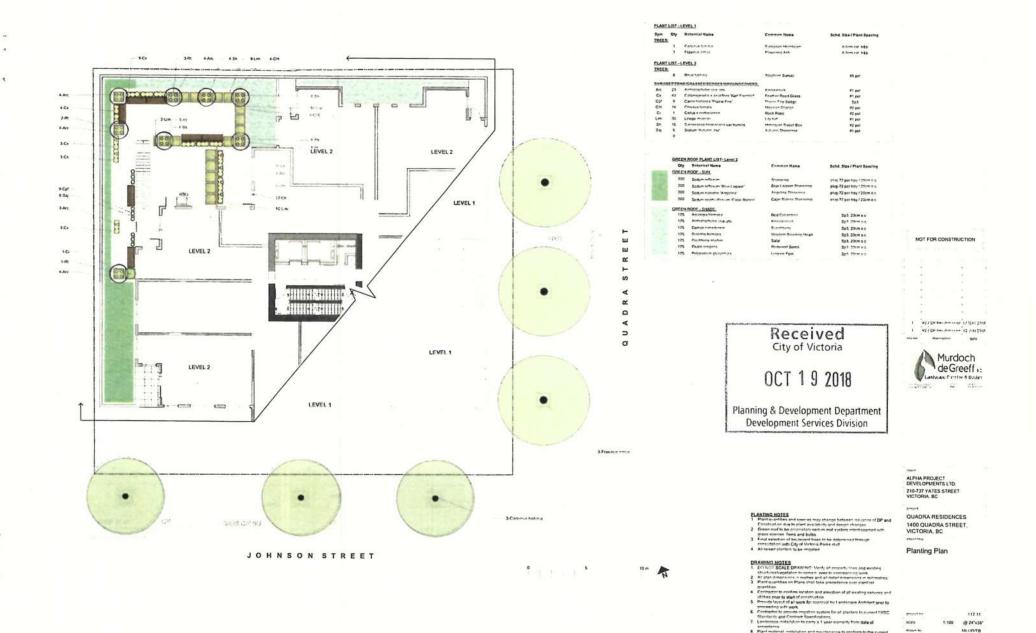
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Rob Bateman

From: Sent: To: Subject:

Follow Up Flag: Flag Status: Karen Brown Saturday, October 20, 2018 10:40 AM Rob Bateman 1400 Quadra

Follow up Flagged

We recently purchased at 960 Yates Street and are really enjoying the life downtown. We approve of the development change at 1400 Quadra Street. We like to keep the downtown core as a liveable city. Please promote this on our behalf.

Many thanks for your work, Karen and Richard Brown

Sent from my iPad

Rob Bateman

From:	Emanuela Bourne	
Sent:	Saturday, October 20, 2018 5:39 PM	
To:	Rob Bateman	
Subject:	1400 Quadra St.	
Follow Up Flag:	Follow up	
Flag Status:	Flagged	

As a tax paying worker in the neighbourhood, I would like to share my thoughts (and happiness) on this development.

I have been long awaiting this project to get underway as it is in my direct eyesight and as such continually on my mind; I believe it to be an awesome addition to the neighbourhood, but have been amazed at how long it has been sitting idle.

Most importantly of late, is the positive development we desperately need to offset the disaster of adjacent 844 Johnson that is hugely mismanaged by Portlan Housing. I hope we soon will see a beautifully, maintained, happy building across the block!

Sinerely,

Emanuela Bourne

ReStart Computer Inc 847 Yates Street Victoria BC V8W1M1 T: 250.995.3020

Rob Bateman

From: Sent: To: Subject:

Follow Up Flag: Flag Status: Andrew Small Saturday, October 20, 2018 10:42 PM Rob Bateman 1400 Quadra Feedback

Follow up Flagged

Hi,

I support the proposed OCP amendment for 1400 Quadra St. I believe that this is a perfectly suitable use for the property, and that it will benefit the Harris Green neighbourhood. As a resident of Harris Green, I am excited to see more residential towers mixed with commercial and other uses (firehall, etc). I think that this is the perfect neighbourhood to densify, and let grow. The atmosphere and quality of life are constantly improving as more people move into the area, attracting businesses, and adding vibrancy. I support this proposal, as well as several others including the "leaning" tower at Johnson and Vancouver, and proposals on both sides of Pandora Ave in the same block. My one desire for these and all other proposals would be added emphasis on trees, gardens, and all sorts of green ecosystems. Victoria is the "Garden City", and I see no reason why new developments can't help to maintain and add to that image. I would prefer this over mid-block walkways and art installations. Sorry to ramble off topic, but you get the hint.

Thank you for your time,

Andrew Small

From: Sent: To: Subject: Siamak Sanati Sunday, October 21, 2018 9:51 AM Rob Bateman 1400 Quadra St project

Follow Up Flag: Flag Status: Follow up Flagged

1400 Quadra project is desperately needed. After 2 years of wrangling and red tape we are happy to hear that there could be a positive outcome.

1

Specially with horrible situation of human warehousing at 844 Johnson.

I will be at hearing date

thanks

From: Sent: To: Subject:

Follow Up Flag: Flag Status: Anne Moon Monday, October 22, 2018 9:46 AM Rob Bateman bad neighbour

Follow up Flagged

Dear Mr. Bateman:

re 1400 Quadra St.

It is hard to imagine that ANYONE would want to live next to the hellhole that is known as 844 Johnson St. Fires, shootings, thefts, assaults and general mayhem are associated with this bad example of re-housing the needy. Imagine your west facing window or balcony looking on to this building, with its out of control tenants? Surely city council has some sort of duty of care?

Clean up the neighbourhood before any more "development" goes ahead. It would be gross negligence to approve any development before the Portland Hotel Society brings some order out of the 844 Johnson chaos. Regards,

Anne Moon

302-1613 Quadra St. Victoria BC V8W 2L5



From: Sent: To: Subject: Kerry Monday, October 22, 2018 3:48 PM Rob Bateman 1400 Quadra street

Follow Up Flag: Flag Status: Follow up Flagged

I am fine with application for core mixed use residential of this property but would reduce number of stories from the proposed 14 to a maximum 10. Byron Wolfe

Sent from my iPad

From:	Dave Chard		
Sent:	Wednesday, October 24, 2018 4:53 PM		
To:	Rob Bateman		
Cc:	Bijan Neyestani		
Subject:	1400 Quadra Street		
Follow Up Flag:	Follow up		
Flag Status:	Flagged		

Hi Rob

I am writing in regard to your Neighborhood circular dated October 16th ,2018 .

The city and council should fully support this application in order to have additional market housing ASAP in this neighbourhood. As the developer of 834 Johnson and now Vivid and Yates on Yates the more density and tax paying citizens that can be brought into this neighbourood the better. Time is of the essence.

I wish the applicant much success in seeing the approval process expediated, given his desire to develop another quality residential project providing additional housing for the community.

Sincerely Dave Chard

CHARD DEVELOPMENT LTD. SUITE 500 - 509 RICHARDS STREET VANCOUVER. BC V6B 226 MAP

DIRECT604.682.6092MAIN604.682.6046MOBILE604.970.4900

CHARDDEVELOPMENT.COM

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From:	Lucy Austin		
Sent:	Tuesday, November 6, 2018 1:34 PM		
То:	Rob Bateman		
Subject:	1400 Quadra Street Rezoning No. 00595 & DP000503		
Follow Up Flag:	Follow up		
Flag Status:	Flagged		

As the owner of a condominium unit in the neighbourhood and having been invited to submit a response I ask you to consider the following.

I am not sure of the zoning on this proposed building but the current zoning in the neighbourhood along with grandfathering provisions have resulted in our residential building being taken over by those operating STVR. Five of fifteen units are now operating as STVRs thus removing these units from the long term rental market. The balance of power means it is now too late for the Corporation to ban this use. I urge you not to allow this with any new proposed buildings. It makes it more difficult for people to find rental accommodation in what should be an in-demand neighbourhood. This area of the City has a larger street population and drug-use presence. If nobody makes their home in the area it can never develop as a strong neighbourhood.

Lucy Austin

From:	Bruce Davis
Sent:	Wednesday, November 21, 2018 3:21 PM
То:	Rob Bateman
Subject:	1400 Quwdra
Follow Up Flag:	Follow up
Flag Status:	Flagged

RE: 1400 Quadra

As a newcomer to Victoria (I moved here last June) I have what you might call a visitor's view of the city – especially in comparison with Vancouver, where I lived for 30 years. My concern is that housing pressures are going to influence development decisions and lead to what apparently has happened regarding 1400 Quadra, namely not to accept staff's recommendation to deny the application in return for a deal to keep the property as market housing in perpetuity.

It's not a terrible deal, just an example where the Official Community Plan is compromised – with no explanation by the applicant justifying the departure from the plan, other than the city needs lots of housing. But in this neighbourhood, it's not market housing but <u>subsidized</u> housing that's needed. There is already such a facility next door to the subject property, as I'm sure you know.

I own a condo up a block on Johnson Street, so I'm no Nimby. As an ex-Vancouverite, I can just imagine what this town is going to look like in a few years if short term solutions like this continue. I'll tell you – you'll lose Victoria's best asset: its uniqueness. What's going to happen after Ming's is sold, then the dry cleaners and the health food place across the street? Is there any recognition at city hall of the dangers the city faces in an atmosphere of fear, and where there's no effective zoning protection?

I have a feeling that, at least in the downtown, the best thing would be to have block by block - or even street by street zones.

And when is Victoria going to take a financial position in some of these properties, provide a kind of municipal banker as other cities do?

Thanks,

Bruce Davis PS – is there a pubic hearing scheduled yet?



Committee of the Whole Report For the Meeting of October 4, 2018

To:	Committee of the Whole	Date:	September 20, 2018
From:	Jonathan Tinney, Director, Sustainable Plannir	ng and Co	mmunity Development
Subject:	Rezoning Application No. 00595 for 1400 Official Community Plan Amendment	Quadra	Street and Associated

RECOMMENDATION

That Council decline Rezoning Application No. 00602 for the property located at 1400 Quadra Street.

LEGISLATIVE AUTHORITY

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

In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1400 Quadra Street. The proposal is to rezone from the Central Business District-1 Zone (CBD-1, site specific) and the Mixed Use Residential District-1 Zone (MRD-1) to the Central Business District-2 Zone (CBD-2, site specific) in order to construct a 14-storey, mixed-use building consisting of ground floor commercial and residential above with a floor space ratio of 5.5:1.

The following points were considered in assessing this Application:

 the subject property is designated Core Business in the Official Community Plan (OCP, 2012), which supports commercial, including office and retail along with complementary uses including residential, hotels and other visitor accommodation. In terms of place character features, the OCP envisions three- to five-storey building façades that define the street wall with upper storeys set back above. The plan supports a maximum residential floor space ratio of 3:1 and total commercial floor space ratios ranging from a base of 4:1 to a maximum of 6:1. The Application proposes a residential FSR of 5.27 which is not consistent with the overall intent of the Core Business Designation.

- the proposal would require an OCP amendment to change the Urban Place Designation from Core Business to Core Residential, which is the designation immediately across Quadra Street. The Application is consistent with this proposed designation which supports diverse housing types including low-, mid-, and high-rise multi-unit residential and mixed-use. The floor space ratio in this designation generally ranges from a base of 3:1 to a maximum of 5.5:1. The Development Permit Area would also need to change to be consistent with this OCP amendment (see concurrent Development Permit with Variances Application).
- the subject property is designated Central Business District in the *Downtown Core Area Plan* (DCAP, 2011). The DCAP supports a strong concentration of commercial employment uses, along with such complementary uses as multi-residential development, hotels, restaurants, public institutions, personal service businesses and retail stores. The maximum density for mixed use development is 6:1 FSR, of which the residential portion shall not exceed 3:1 FSR. The Application proposes a residential FSR of 5.27, which is not consistent with the FSR limits in the DCAP, and does not meet the overall intent of this area serving as the primary employment, commercial and cultural centre for the City and the region. If Council chooses to approve the Application, the DCAP would also require amendments for consistency with the OCP amendment, including changing the district from Central Business District to Residential Mixed-Use District.
- The City of Victoria Density Bonus Policy does not identify an amenity contribution target (fixed rate target) for standard rezoning of properties that require an OCP Amendment. Therefore, land lift analysis is required. The land lift analysis has determined that the proposal would not increase the value of the property and therefore no amenity contribution would be expected under the Density Bonus Policy.
- A Housing Agreement is being proposed to secure the 113 dwelling units as rental in perpetuity.

Although the Application is inconsistent with a number of City policies related to its current land use designation of Core Business, as noted above, it would provide more than 100 units of rental housing stock, secured in perpetuity. The provision of these rental units would help to address the current rental shortage and may help to provide a stabilizing residential influence in an area of the City which is undergoing considerable transition. Based on these additional considerations, an alternate motion is provided at the end of this report for Council's consideration.

BACKGROUND

Description of Proposal

This Rezoning Application is to allow for a 14-storey, mixed-use building consisting of ground floor commercial and residential above with a density of 5.50:1 floor space ratio (FSR).

The following differences from the existing zones (CBD-1 Zone and MRD-1 Zone) are being

proposed. The proposal has no differences from the destination zone (CBD-2 Zone) except for the increased density and the location of one parking space. The increased density would require site specific regulations in the new zone and the parking location would require a variance (see concurrent Development Permit with Variance report):

- increase the maximum FSR to 5.5:1
- remove the requirement for a maximum FSR of 3.0:1 for residential uses
- increase the height requirement to 42.70m
- increase the site coverage to 77.6%
- locate one accessible visitor parking space outside of the building.

The request to amend the *Official Community Plan* is necessary in order to accommodate the increased residential density above 3.0:1 FSR. An amendment to the *Downtown Core Area Plan* would be required to accommodate the OCP amendment.

Affordable Housing Impacts

The applicant proposes the creation of 113 new residential units which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed to secure 113 rental dwelling units in perpetuity.

Sustainability Features

The applicant has identified sustainability features which will be reviewed in association with the concurrent Development Permit Application for this property.

Active Transportation Impacts

The Application proposes 142 long term bike storage spaces and 13 short term bike spaces, which exceed the requirements in the *Zoning Regulation Bylaw* by one bike space.

Public Realm Improvements

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

Accessibility Impact Statement

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

Land Use Context

The area is predominantly characterized by low and mid-rise commercial, residential and mixed use buildings. Immediately adjacent land uses include:

- · to the north: a 2-storey commercial building and surface parking lot
- · to the south: a 1-storey commercial building and surface parking lot
- to the east: the 3-storey Royal Conservatory of Music building (Heritage-Designated)
- to the west: a 5-storey residential building.

Existing Site Development and Development Potential

The site is presently vacant and is undergoing remediation.

Committee of the Whole Report Rezoning Application No. 00595 for 1400 Quadra Street and Associated Official Community Plan Amendment September 20, 2018

The site is currently partially zoned CBD-1 Zone (site specific) and MRD-1 Zone. The site specific CBD-1 Zone portion would permit a 15m high commercial office building at 1.5 FSR. The MRD-1 Zone portion would permit a 30m high mixed-use building. The site may be difficult to develop to its maximum potential under current zoning due to its size and configuration.

Data Table

The following data table compares the proposal with the existing CBD-1 (site specific) and MRD-1 Zones. An asterisk is used to identify where the proposal is less stringent than the existing zones. If the property is rezoned as proposed, the destination zone would be the CBD-2 Zone with a site specific regulation to accommodate the increased density. A variance would be required to locate one parking space outside of the building.

Zoning Criteria	Proposal	Current Zone MRD-1	Current Zone CBD-1 (Site Specific)	Proposed Zone CBD-2
Site area (m²) – minimum	1370.40	N/A	N/A	N/A
Density (Floor Space Ratio) – maximum	5.50:1 *	N/A	1.5:1	4.0:1
Residential density (Floor Space Ratio) – maximum	5.27:1 *	N/A	N/A	3.0:1
Office density (Floor Space Ratio) – maximum	N/A	0.6:1	N/A	N/A
Total floor area (m²) - maximum	7537.00	N/A	N/A	N/A
Height (m) – maximum	42.70 *	30.00	15.00	45.00
Rooftop structure projection (m) – maximum	2.78	5.00	5.00	5.00
Storeys – maximum	14	N/A	N/A	N/A
Site coverage (%) – maximum	77.60 *	N/A	60.00	N/A
Front setback plane (ratio) (Quadra Street) – minimum	Within setback plane	N/A	5:1 (angle of Inclination)	5:1 (angle of Inclination)
Setbacks (m) – minimum				
Front (Quadra Street)	2.60	0.5	N/A	N/A
Rear (West)				
Under 20m in height	0.5	N/A	N/A	N/A

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Zoning Criteria	Proposal	Current Zone MRD-1	Current Zone CBD-1 (Site Specific)	Proposed Zone CBD-2
20-30m in height	7.74 (5.50 for balcony)	N/A	3.0	3.0
30-45m in height	7.74 (5.50 for balcony)	N/A	6.0	6.0
Side (North)				
Under 20m in height	0.57	N/A	N/A	N/A
20-30m in height	7.03	N/A	3.0	3.0
30-45m in height	7.09	N/A	6.0	6.0
Side (Johnson Street)				
Under 20m in height	3.10	N/A	N/A	N/A
20-30m in height	5.91	N/A	3.0	3.0
30-45m in height	6.00	N/A	6.0	6.0
Projections into setbacks – maximum	Less than 0.6	0.60	0.60	0.60
Rooftop structure				
Setback from roof edge (m) - minimum	3.00	3.00	3.00	3.00
Rooftop coverage (m) – maximum	19.7	30.0	30.0	30.0
Height (m) – maximum	2.78	5.00	5.00	5.00
Vehicle parking stalls – minimum		-		
Total vehicle parking	104	80	80	80
Residential	93	69	69	69
Visitor	11	11	11 🖉	11
Vehicle parking location	1 space outside structure *	within structure	within structure	within structure

Committee of the Whole Report Rezoning Application No. 00595 for 1400 Quadra Street and Associated Official Community Plan Amendment

September 20, 2018

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Zoning Criteria	Proposal	Current Zone MRD-1	Current Zone CBD-1 (Site Specific)	Proposed Zone CBD-2
Bicycle parking stalls - minimum				
Long term residential	142	141	141	141
Short term	13	13	13	13

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Downtown Harris Green CALUC at a Community Meeting held on May 18, 2017. A letter dated September 23, 2018 is attached to this report.

ANALYSIS

Official Community Plan

The subject property is designated Core Business in the *Official Community Plan* (OCP, 2012), which supports commercial, including office and retail along with complementary uses including residential, hotels and other visitor accommodation. In terms of place character features, the OCP envisions three- to five-storey building façades that define the street wall with upper storeys set back above. The plan supports a maximum residential floor space ratio of 3:1 and total commercial floor space ratios ranging from a base of 4:1 to a maximum of 6:1.

The Application exceeds the residential FSR envisioned in this location and is not consistent with the overall intent of the Business Core Designation. The Application therefore requires an OCP amendment to change the designation from Core Business to Core Residential. The proposal would be consistent with the Core Residential Urban Place Designation which supports diverse housing types including low-, mid-, and high-rise multi-unit residential and mixed-use. The floor space ratio in this designation generally ranges from a base of 3:1 to a maximum of 5.5:1 across Quadra Street. The Development Permit Area would also need to change to be consistent with this OCP amendment (see concurrent Development Permit with Variances Application).

The OCP envisions the downtown as the cultural, employment, business and entertainment heart of the Capital Region. The proposed OCP amendment may detract from the overall intent of the downtown area and would decrease the potential for commercial services and employment.

The applicant has supplied a letter from Colliers International (attached) stating that the current market conditions would suggest that caution be applied to any new office development. It should also be noted that the proposal is located across the street from the Core Residential designation. If the OCP amendment is approved, the site would become a contiguous part of the Core Residential designation and not an isolated lot.

OCP Amendment Consultation

The Local Government Act (LGA) Section 475 requires a Council to provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected by an amendment to the OCP. Consistent with Section 475 of the LGA, Council must further consider whether consultation should be early and ongoing. This statutory obligation is in addition to the Public Hearing requirements. In this instance, staff recommend for Council's consideration that notifying along with posting a notice on the City's website will provide adequate opportunities for consultation with those affected, should Council consider the alternate motion that would advance the proposed OCP Amendment.

The OCP Amendment Application is to change the Urban Place Designation from Core Business to Core Residential. Given the surrounding area is predominantly low and mid-rise commercial, residential and mixed-use buildings, and given that through the Community Association Land Use Committee (CALUC) Community Meeting process all owners and occupiers within a 200m radius of the site were notified and invited to participate in a Community Meeting, the consultation proposed at this stage in the process is recommended as adequate and consultation with specific authorities, under Section 475 of the LGA, is not recommended as necessary.

Should Council support the OCP amendment, Council is required to consider consultation with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board and the provincial government and its agencies. However, further consultation is not recommended as necessary for this amendment to the Urban Place Designation as this matter can be considered under policies in the OCP.

Council is also required to consider OCP Amendments in relation to the City's *Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and the *Capital District Solid Waste Management Plan*. This proposal would have no impact on any of these plans.

Downtown Core Area Plan

The subject property is within the Central Business District in the *Downtown Core Area Plan* (DCAP, 2011). The Central Business District supports a strong concentration of commercial employment uses, along with such complementary uses as multi-residential development, hotels, restaurants, public institutions, personal service businesses and retail stores. Objectives of this district include serving a long-term function as the primary employment centre for the City and the region, and to provide an adequate land base to primarily accommodate commercial and office development in the future. The maximum density for mixed use development in this location is 6:1 FSR, of which the residential portion shall not exceed 3:1 FSR.

The Application proposes a residential FSR of 5.27 which is inconsistent with the DCAP. The proposed increase in residential density would also not meet the overall intent of this area providing a land base to accommodate commercial and office development in the future.

If Council chooses to approve this Application, the DCAP would also require amendments for consistency with the OCP amendment, including changing the district from Central Business District to Residential Mixed-Use District.

Density Bonus Policy

The City of Victoria Density Bonus Policy does not identify an amenity contribution target (fixed rate target) for standard rezoning of properties that require an OCP Amendment. Therefore, land lift analysis is required. This study was completed by G.P. Rollo and associates, September 25, 2018 (attached), and it has been determined that there would be no land lift from the proposed zoning for market rental as compared to a strata project at 3.0 FSR with commercial at grade.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this Application. There are five public trees impacted by this Application – two Fraxinus ornus and three Carpinus betulus. These trees will be removed because they will not withstand the impacts of the proposed underground parkade and new utility installations for the development. Six new trees are to be planted within the public realm on Quadra and Johnson Streets, with a net gain of one tree.

Regulatory Considerations

The following differences from the existing zones, CBD-1 Zone (site specific) and MRD-1 Zone, are being proposed and would be accommodated in the proposed CBD-2 Zone (site specific):

- increase the maximum FSR to 5.5:1
- remove the requirement for a maximum FSR of 3.0:1 for residential uses
- increase the height requirement to 42.70m
- increase the site coverage to 77.6%.

If Council chooses to approve the Application, the new zone would be based on the CBD-2 Zone except with the density increased as noted above. A variance would also be required for one accessible visitor parking space to be located outside of the building.

The increases to the overall density, height and site coverage are consistent with the OCP and DCAP policy. The residential density increase is not consistent with City policy and would require and OCP amendment (see above). The DCAP would also require amendments for consistency with the OCP amendment, including changing the district from Central Business District to Residential Mixed-Use District.

CONCLUSIONS

The proposal to construct a 14-storey, mixed-use building consisting of ground floor commercial and residential above, is not consistent with OCP and DCAP policy with respect to proposed land use and density. The proposed residential density does not reinforce and enhance this location as the primary employment, commercial and cultural centre for the City and the region. However, it would provide more than 100 units of rental housing stock, secured in perpetuity. The provision of these rental units would help to address the current rental shortage and may help to provide a stabilizing residential influence in an area of the City which is undergoing considerable transition. Additionally, the property is located on the edge of the Core Business District, directly across the street from an area of the City which is in a land use designation which would support this form of development.

ALTERNATE MOTIONS

Option 1 (Approve Current Proposal)

- That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00595 for 1400 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - i. Housing Agreement Bylaw securing all dwelling units as rental in perpetuity.
 - b. That Council determine, pursuant to section 475(1) of the Local Government Act that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
 - c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - d. That Council specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
 - e. That Council give first reading to the Official Community Plan Amendment Bylaw.
 - f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
 - g. That Council give second reading to the Official Community Plan Amendment Bylaw.
 - h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

- 2. That, if approved, Council direct staff to prepare the following plan amendments:
 - Consequent amendment of the *Downtown Core Area Plan, 2011* to change the Central Business District designation covering the site to the Residential Mixed-Use District designation.

Option 2 (Revise)

That Council direct staff to:

- Work with the applicant to revise the Application to be more consistent with the OCP and DCAP, particularly in relation to decreasing the residential density and increasing support of this area as the primary employment, commercial and cultural centre for the city and the region.
- 2. Bring the revised proposal back to a Committee of the Whole meeting.

Respectfully submitted,

Rob Bateman Senior Process Planner Development Services Division

Jonathan Tinney, Director

Jonathan Tinney, Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager:

Thimpson 20 2018 Date:

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped September 18, 2018
- Attachment D: Letter from applicant to Mayor and Council dated September 24, 2018
- Attachment E: Community Association Land Use Committee Comments dated September 23, 2018
- Attachment F: Letters from Colliers International dated July 11, 2017 and October 2, 2017
- Attachment G: Land Lift Analysis Report dated September 25, 2018
- Attachment H: Staff Report for Advisory Design Panel Meeting of August 22, 2018
- Attachment I: Draft Minutes from the Advisory Design Panel Meeting of August 22, 2018.



Committee of the Whole Report For the Meeting of October 4, 2018

To:	Committee of the Whole	Date:	September 20, 2018		
From:	Jonathan Tinney, Director, Sustainable Planning and Community Development				
Subject:	Development Permit with Variance Applica Street	tion No.	000503 for 1400 Quadra		

RECOMMENDATION

That Council decline Development Permit with Variance Application No. 000503 for the property located at 1400 Quadra Street.

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.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, 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 Variance Application for the property located at 1400 Quadra Street. The proposal is to construct a 14-storey, mixed-use building consisting of ground floor commercial and residential above with a floor space ratio of 5.5:1.

The following points were considered in assessing this Application:

- although the proposal is currently in Development Permit Area 2 (HC): Core Business of the Official Community Plan (OCP, 2012), this report assesses the consistency of the proposal with the objectives and guidelines contained in Development Permit Area 3 (HC): Core Mixed-Use Residential, because, if the concurrent rezoning and OCP amendment Application is approved, the Development Permit Area will also need to change to remain consistent.
- the proposal is generally consistent with the objectives and guidelines contained in Development Permit Area 3 (HC): Core Mixed-Use Residential of the OCP. The

proposal would help enhance the area with urban design that reflects the function of a major residential area in scale, massing and character while responding to its historic context.

 a variance is requested to locate an accessible visitor parking space outside of the building on Johnson Street and is considered supportable because it would not have substantial impacts on parking and traffic flow. It would, however, result in a parked car being visible from the street and sidewalk.

As noted in the report related to the Rezoning Application, although this Application deviates from a number of policies related to the use and density, should Council choose to advance it for consideration at a Public Hearing an alternate motion related to the Development Permit Application has also been provided.

BACKGROUND

Description of Proposal

The proposal is to construct a 14-storey, mixed-use building consisting of ground floor commercial and residential above with approximately 113 residential rental units. Specific details include:

- two retail units along Quadra Street and Johnson Street (a total of approximately 339m²)
- mid-rise building form with a mix of traditional and contemporary-style design features, including punched windows and rectilinear lines and both traditional and modern finishes
- exterior materials include painted concrete, brick veneer, prefinished metal flashing, prefinished metal security gate, prefinished metal and translucent glass canopies, prefinished aluminium window systems, and insulated spandrel panel
- upper storeys stepped back from Quadra Street: approximately 2.4m (levels 1-4), 4.4m (levels 5-12), and 7.1m (levels 13-14)
- upper storeys stepped back from Johnson Street: approximately 3.1m (levels 1-4), 6m (levels 5-12), and 7.1m (levels 13-14)
- recessed main entrance to the residential portion of the building
- communal amenity space on level 2 along with a rooftop deck (a portion of which is sunken a half storey down) with hard and soft landscaping including hydrapressed slab paving, groundcovers, shrubs, and trees
- no landscaping at street level
- secure bike parking for 142 bikes located on the main floor behind the retail units
- three levels of underground parking for 104 stalls
- publicly accessible bike parking for 13 bikes located on Quadra Street and on Johnson Street.

The proposed variances are to permit one parking stall (accessible visitor parking) outside of the building.

Sustainability Features

As indicated in the applicant's letter dated May 24, 2018, sustainability features that are associated with this Application include:

- a construction waste management plan
- · materials with recycled content and sourced regionally wherever possible
- low emitting materials

- building designed to BC Energy Step Code 1
- low flow fixtures and water efficient landscaping
- high reflectance roofing and green roofing
- · light pollution reduced by minimizing light trespass from the building site.

Active Transportation Impacts

The Application proposes 142 long term bike storage spaces and 13 short term bike storage spaces which exceeds the requirement in the *Zoning Regulation Bylaw* by one bike space.

Public Realm Improvements

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

Accessibility Impact Statement

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

Existing Site Development and Development Potential

The site is presently vacant and is undergoing site remediation.

The site is currently partially zoned CBD-1 (site specific) Zone and MRD-1 Zone. The site specific CBD-1 Zone portion would permit a 15m high commercial office building at 1.5 FSR. The MRD-1 Zone portion would permit a 30m high mixed-use building. The site may be difficult to develop to its maximum potential under current zoning due to its size and configuration. This proposal requires a rezoning to a site-specific zone and an OCP Amendment, as discussed in the concurrent Rezoning Application report.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Downtown Harris Green CALUC at a Community Meeting held on May 18, 2017. A letter dated September 23, 2018 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

Although the Official Community Plan currently identifies this property within Development Permit Area 2 (HC): Core Business, this report assesses the consistency of the proposal with the objectives and guidelines within Development Permit Area 3 (HC): Core Mixed-Use Residential. This is because the Development Permit Area would need to change to be consistent with the proposed OCP amendment (see concurrent Rezoning and OCP Amendment Application report). The proposal is generally consistent with the Design Guidelines associated with this Development Permit Area. The following specific topics are explained for Council's consideration.

Massing of Upper Storeys

The regulations and policy require step backs to upper storeys to minimize the effects of shading and maintain views to the open sky and to avoid the visual presence of a bulky upper building mass. The building meets the zoning requirements and guidelines with respect to side and rear step backs to upper storeys (minimum of 3m step back below 30m in height and 6m step back above 30m, excluding the podium) as well as the requirement for a 5:1 building, however, still results in the appearance of a bulky upper building mass. This may be partly due to the proportions of the massing, particularly the overall height of the building as compared to the tower's width as well as the height of the podium in relation to the height of the tower. At its base above the podium, the tower is approximately 31m deep by 31m wide and the floor plates reduce in size at higher levels. The level 14 floor plate is approximately 23m by 23m. The darker coloured podium and lighter coloured tower will help to visually reduce the massing of the upper storeys.

Relationship to the Street

The proposed building must be designed to relate well to public streets and sidewalks, including high quality architectural materials and detailing to enhance visual interest for pedestrians. The podium height is appropriate to frame the street, create a human scale, and relate to existing nearby buildings. The podium is also articulated with portions set farther back from the street and provides a recessed residential entry. The commercial entrances are not recessed but are identified with signage. One parking space would external to the building and therefore visible form the street and sidewalk (see Regulatory Considerations section below).

The materials include brick cladding and glazing, which would help provide visual interest. A portion of the exterior is painted concrete adjacent to the underground parking access. Continuous weather protection at street level is provided with a metal and translucent glass canopy that also covers all entries.

Relationship to Existing Adjacent Properties

As noted above in relation to the massing of upper storeys, the *Zoning Regulation Bylaw* and Design Guidelines include detailed requirements for stepping back buildings from the property line to provide adequate separation from adjacent buildings. The proposal meets these setback requirements; however, a proposal for a tower on an adjacent property may need to be located farther back to give adequate separation space between buildings.

The existing adjacent building to the west on Johnson Street is set back approximately 8m from the property line and has windows which face the proposal. The proposal may impact privacy because it includes a portion of wall that is approximately 3.7m set back from the lot line, with windows and balconies.

The existing building to the north on Quadra Street would not be substantially affected by the proposal. Several of the proposed units on levels 2 and 3, however, will have windows facing the existing building which is located at or near the property line. These windows would be approximately 2.9m from the property line.

Uniformity of Facades and Cohesion of Building Design

The separate building façades use contrasting materials (brick cladding and spandrel glass) to relate to both historical and contemporary buildings in the area. However, they also have a largely repetitive design with windows on a regular grid-like pattern, which may lack visual interest. To help mitigate this, Juliette balconies are proposed on portions of the elevations. The Juliette balconies and window styles would help visually connect the distinct facades together. It should be noted, however, that these are located in front of windows and not in front of operable doors. These guardrails may result in a faux appearance since they are only decorative and not functional.

Heritage Landmark Building Context

The height, setbacks, siting and overall massing of the proposed building should respect the visual prominence and character-defining importance of the Victoria Conservatory of Music, a heritage landmark building. St. John the Divine and the Palladian also provide heritage context at Quadra and Mason Streets.

The proposal responds to this heritage context with podium height, colours, materials, and recessed window design. The podium height rises to a maximum of four stories which is in keeping with the two-and-a-half storey height of the Conservatory's south extension across the street. A darker colour on the base emphasizes the four-storey scale while a lighter colour above helps diminish the building's overall size and prominence in relation to the Victoria Conservatory of Music. The recessed windows in the brick veneer is consistent with nearby traditional buildings. Other materials on the proposed building, such as the insulated spandrel panels and pre-finished metal canopies, are more contemporary and speak to the varied architectural expressions of the area.

Common Amenity Space

Indoor and outdoor amenity space is provided for the residents at the northwest corner of the site on level 2. A portion of the outdoor amenity space is sunken a half storey down and accessed by exterior stairs. The applicant is proposing to use landscaping to soften the effect of the surrounding concrete walls.

The upper outdoor common space is located adjacent to a private patio. The applicant is proposing to use landscaping to provide a screen between the two areas for privacy.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this Application. There are five public trees impacted by this Application – two Fraxinus ornus and three Carpinus betulus. These trees will be removed because they will not withstand the impacts of the proposed underground parkade and new utility installations for the development. Six new trees are to be planted within the public realm on Quadra and Johnson Streets, with an overall net gain of one tree.

Regulatory Considerations

The proposed variance is to locate one accessible visitor parking space outside of the building. This variance would not have substantial impacts on parking and traffic flow. It would, however, result in a parked car being visible from the street and sidewalk. Approval of the concurrent Rezoning Application and OCP Amendment are also required to facilitate this development and are discussed in a separate report.

Advisory Design Panel Review

The proposal was presented to the Advisory Design Panel (ADP) at a meeting on August 22, 2018. At time of writing this report, the draft ADP meeting minutes and motion had not been ratified by the Panel. The draft minutes have been attached to this report. The draft ADP motion recommended that the Development Permit Application be approved with the following recommendations:

- improve the consistency of the elevations' expressions with particular attention to the north façade
- increase privacy between units from the exterior decks to restrict opportunities for overlook / trespass
- · reconsider the building termination / how the building meets the sky
- refine the modulation of the building to emphasize its verticality and reinforce its slenderness.

In response to these recommendations, the applicant made revisions to the proposal which included the following:

- north elevation revised to provide more consistency with other elevations
- · patio privacy increased with privacy screen, tall planters, and a two level common patio
- parapet heights corrected to help define termination of the building and help the visual slenderness of the building.

CONCLUSIONS

The proposal to construct a 14-storey, mixed use building consisting of ground floor commercial and residential above, is generally consistent with Development Permit Area 3 (HC): Core Mixed-Use Residential. The building has upper storeys set back, a podium that relates to the street, and materials and design that respond to the heritage context. The parking location variance is supportable because of the limited impact it would have on parking and circulation. This Application, however, would require approval of the concurrent Rezoning Application and OCP Amendment where the proposed changes to the use and density are inconsistent with OCP and DCAP policy. Staff therefore recommend that Council consider declining this Application.

ALTERNATE MOTION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00595, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000503 for 1400 Quadra Street, in accordance with:

- 1. Plans date stamped September 18, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. permit one parking stall to be located outside of the building.
- 3. The Development Permit lapsing two years from the date of this resolution."

Respectfully submitted,

TATIZA

Rob Bateman Senior Process Planner Development Services Division

Report accepted and recommended by the City Manager:

Jonathan Tinney, Director Sustainable Planning and Community Development Department

Sept. 27, 2018

List of Attachments

Attachment A: Subject Map .

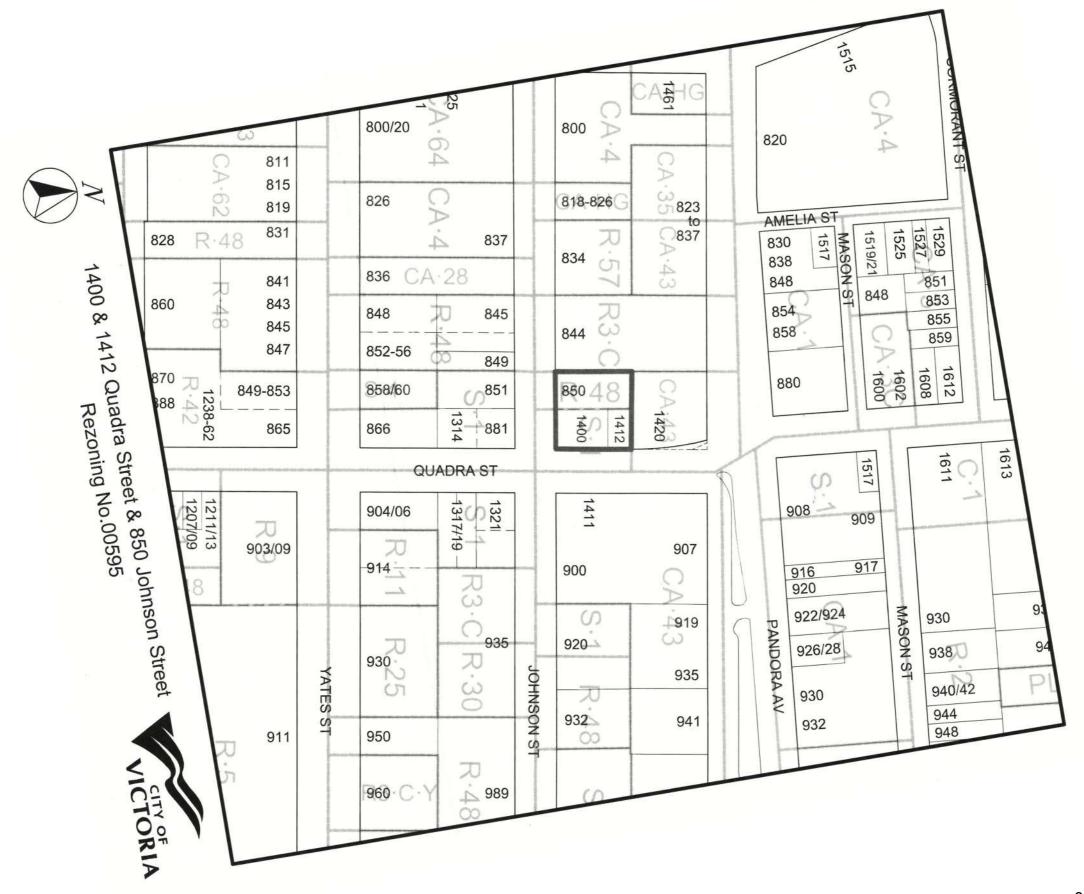
- Attachment B: Aerial Map
- Attachment C: Plans date stamped September 18, 2018

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Attachment D: Letter from applicant to Mayor and Council dated September 24, 2018

Date:

- Attachment E: Community Association Land Use Committee Comments dated September 23, 2018
- Attachment F: Letters from Colliers International dated July 11, 2017 and October 2, 2017
- Attachment G: Land Lift Analysis Report dated September 25, 2018
- Attachment H: Staff Report for Advisory Design Panel Meeting of August 22, 2018
- Attachment I: Draft Minutes from Advisory Design Panel Meeting of August 22, 2018.





ATTACHMENT C

LIST OF DRAWINGS



1 Context Plan

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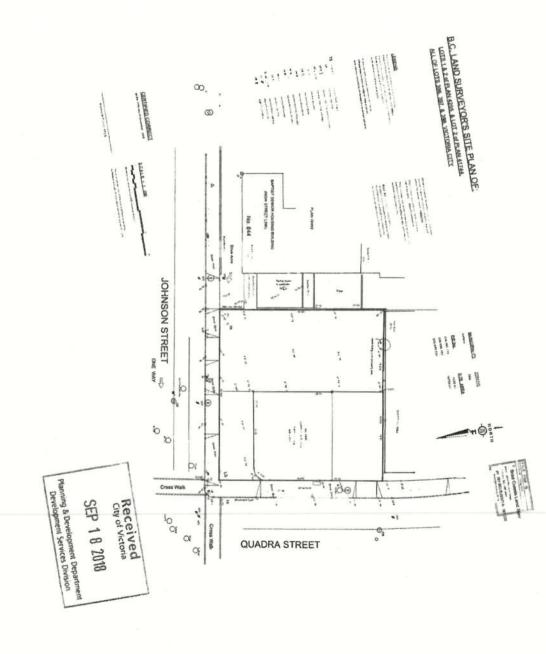
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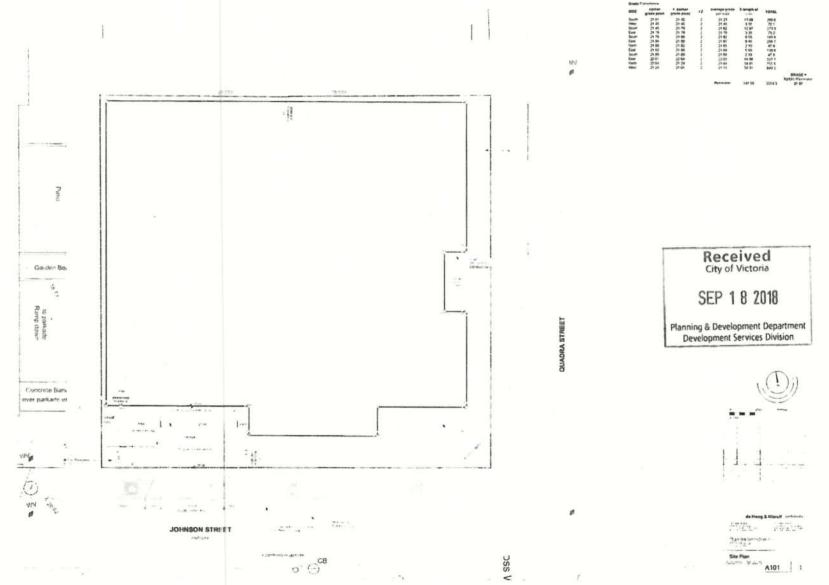


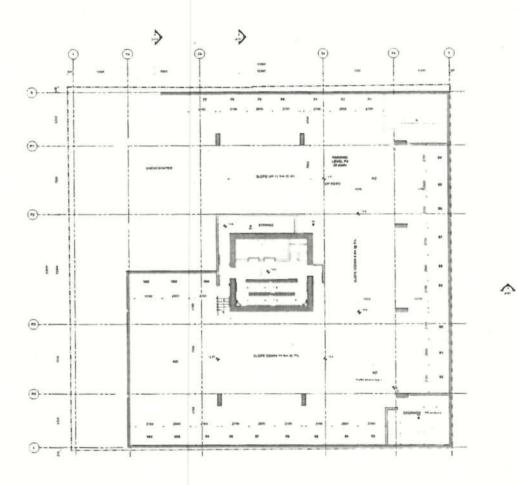


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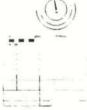




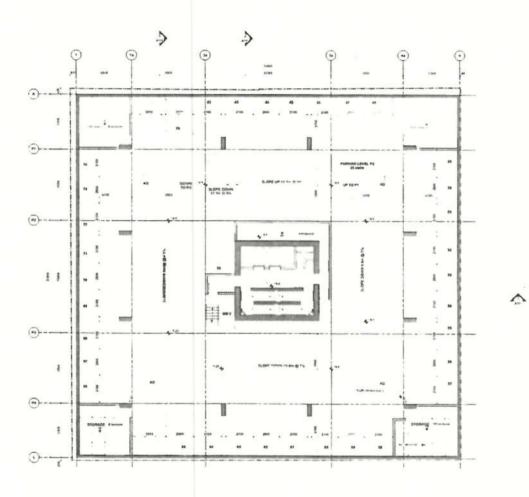




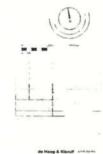




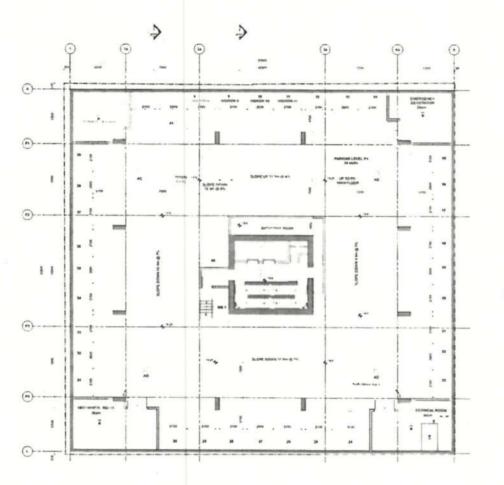
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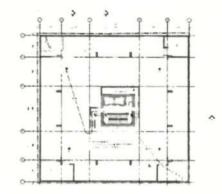


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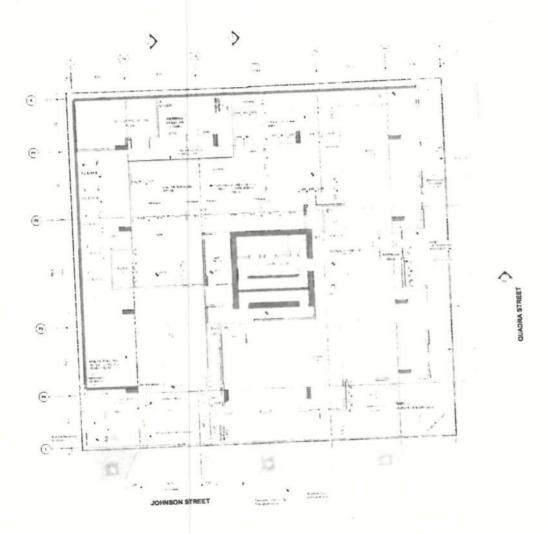


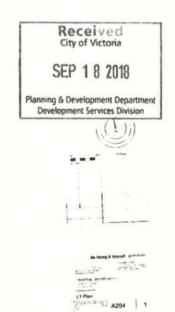


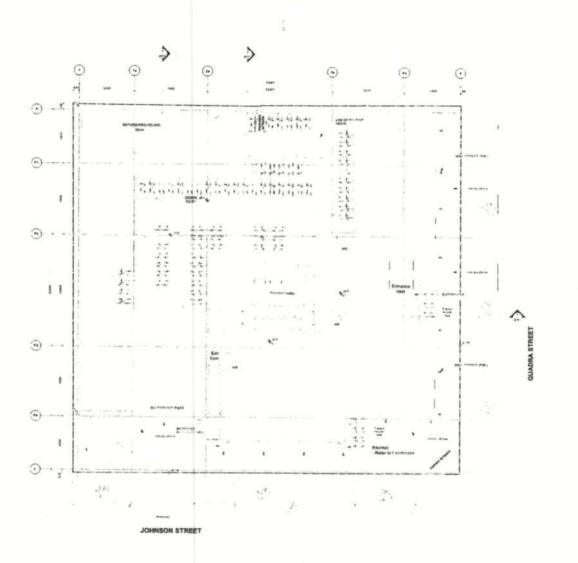
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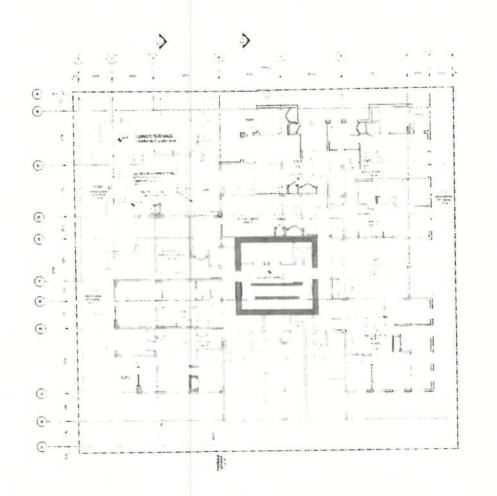








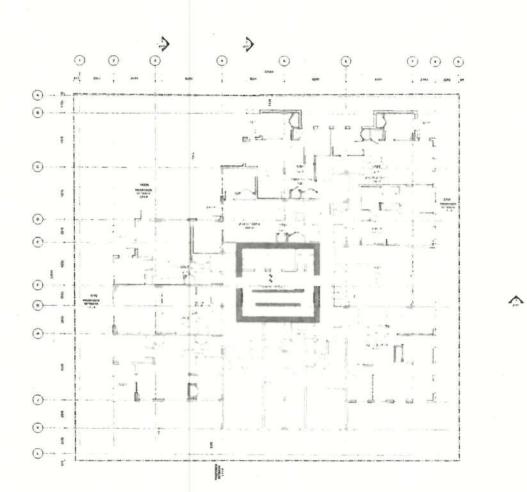




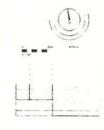
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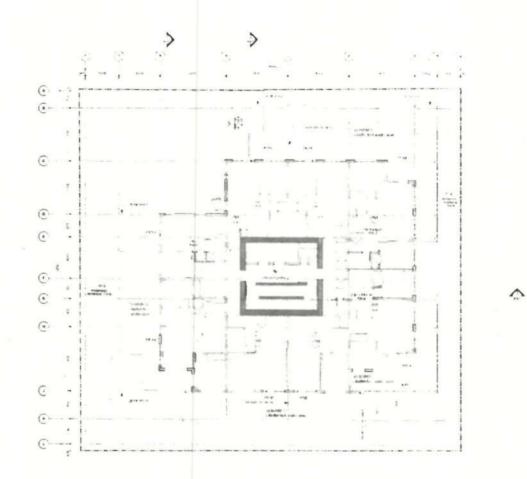




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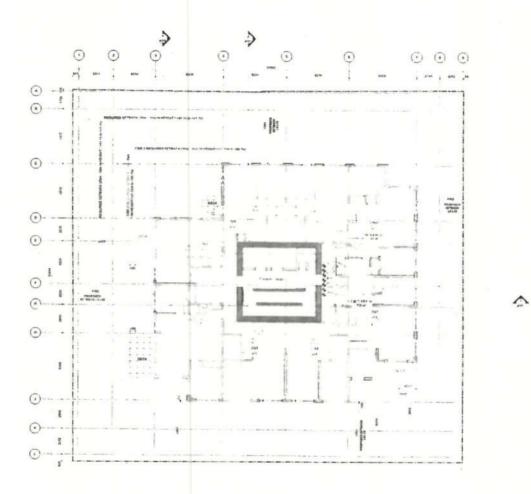




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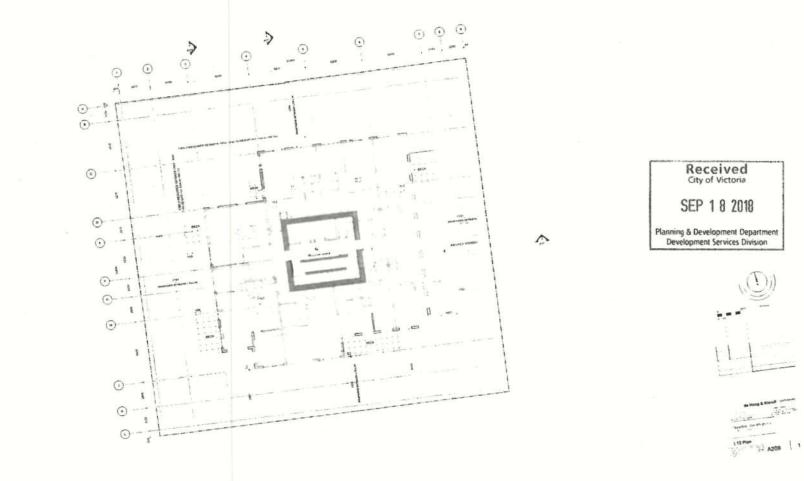
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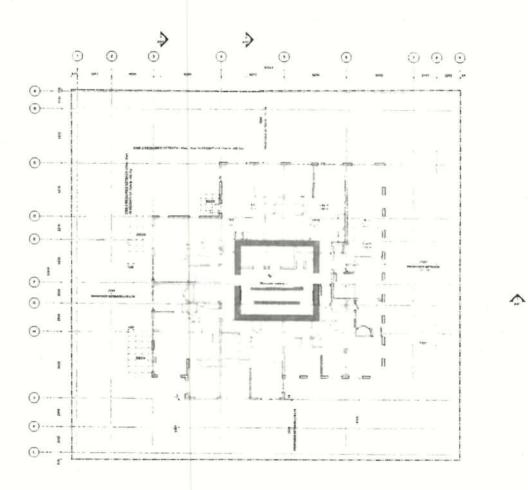




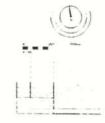




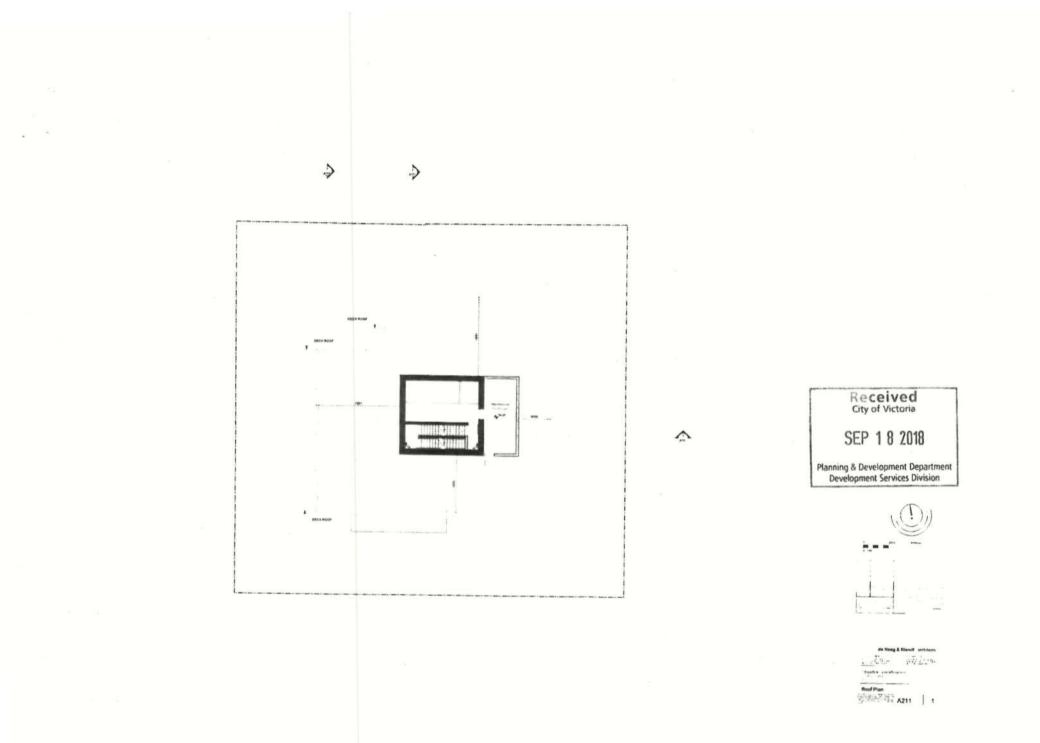


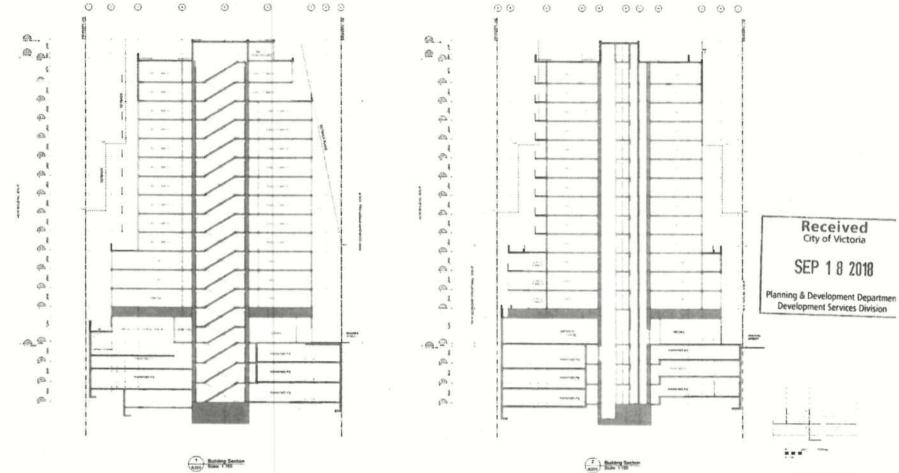


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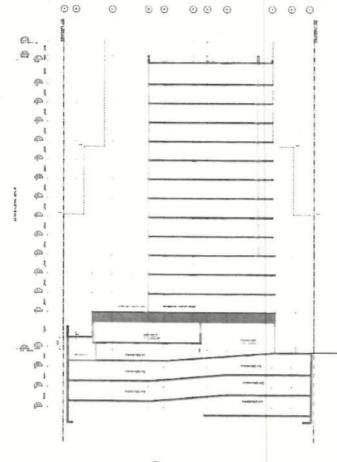




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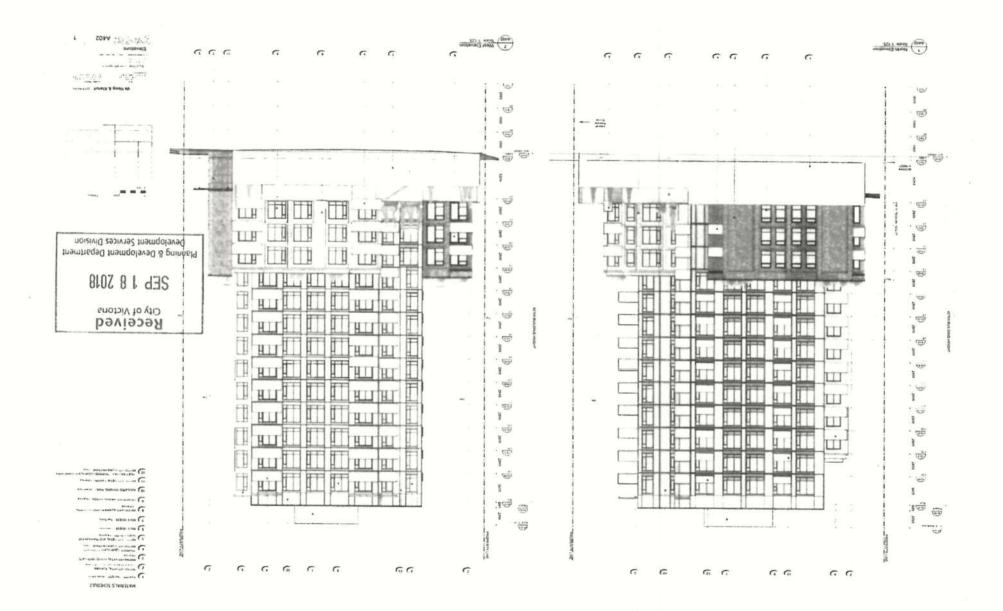


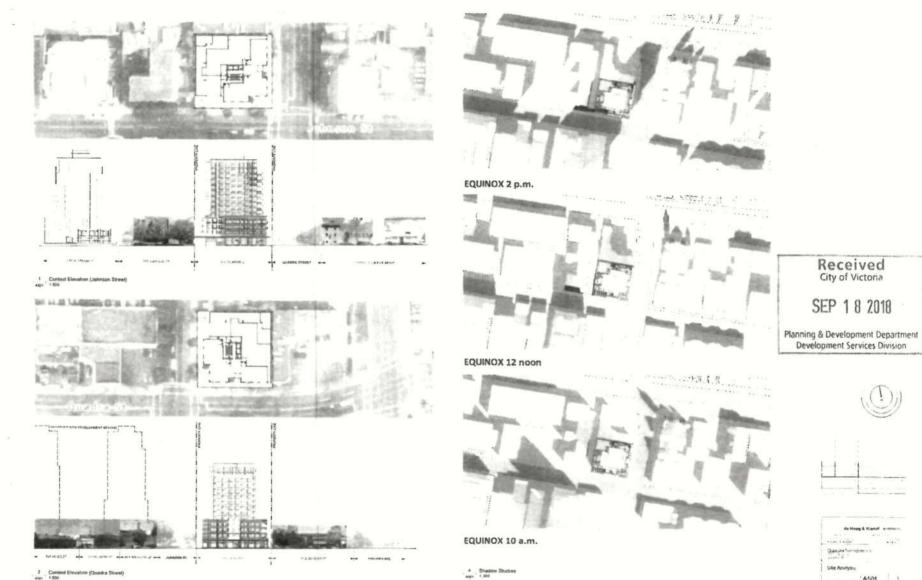
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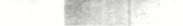




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Looking South Along Quadra Street at Mason



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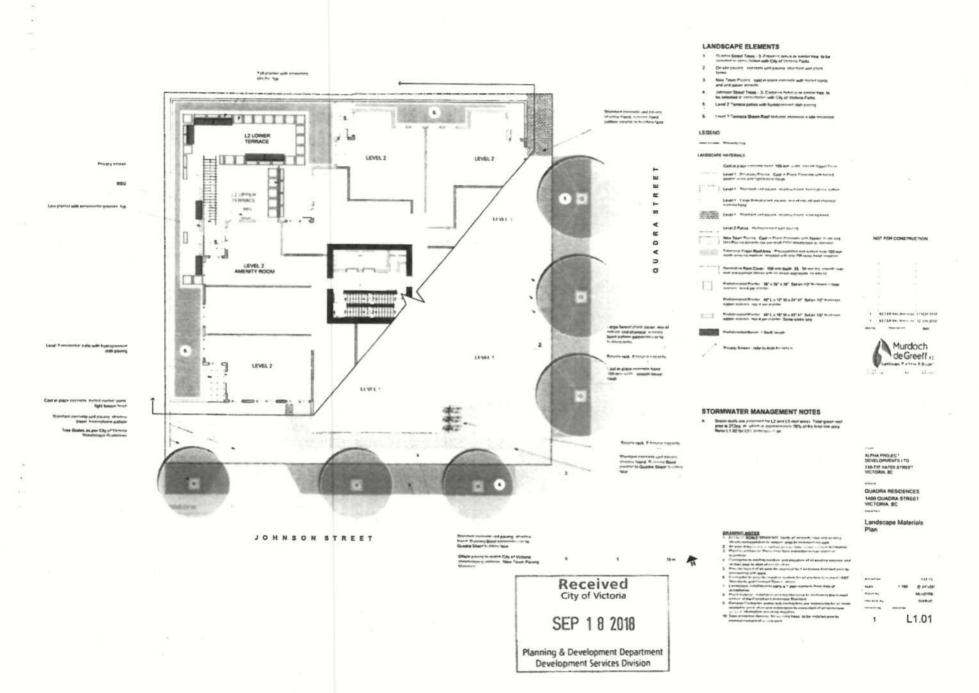


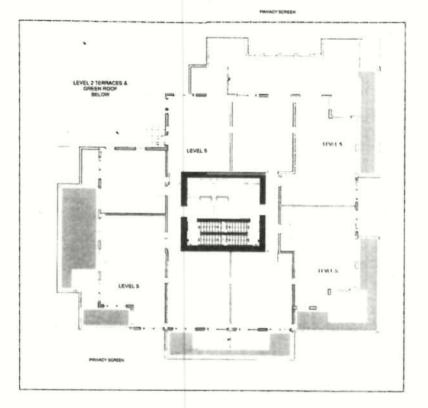


MATERIALS SCHEDULE



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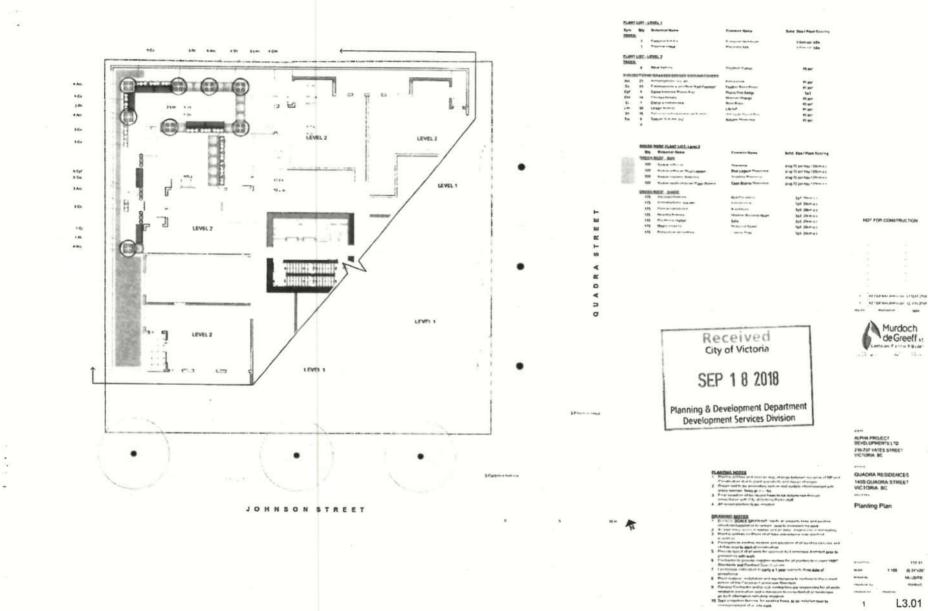
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F. LAND USE MATTERS

F.3 <u>1400 Quadra Street - Rezoning Application No.00595 and Associated</u> <u>Official Community Plan Amendment and Development Permit</u> <u>with Variance Application No.000503 (Harris Green)</u>

Committee received a report dated September 20, 2018 from the Director of Sustainable Planning and Community Development purposing a 14-storey, mixed-use building consisting of ground floor commercial and residential above with a floor space ratio of 5.5:1.

Committee discussed:

the mix of residential and business space

Moved By Councillor Thornton-Joe Seconded By Mayor Helps

Rezoning Application No. 00595

- That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00595 for 1400 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - Housing Agreement Bylaw securing all dwelling units as rental in perpetuity.
 - b. That Council determine, pursuant to section 475(1) of the Local Government Act that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
 - c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - d. That Council specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School

District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.

- e. That Council give first reading to the Official Community Plan Amendment Bylaw.
- f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
- 2. That, if approved, Council direct staff to prepare the following plan amendments:
 - i. Consequent amendment of the Downtown Core Area Plan: 2011 to change the Central Business District designation covering the site to the Residential Mixed-Use District designation.

Development Permit with Variance Application No. 000503

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00595, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000503 for 1400 Quadra Street, in accordance with:

- 1. Plans date stamped September 18, 2018
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Permit one parking stall to be located outside the building
- 3. The Development Permit lapsing two years from the date of this resolution."

Motion to postpone

Moved By Councillor Isitt Seconded By Mayor Helps

That Council postpone consideration of the motion to give Committee an opportunity to consider staff's recommendation.

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Isitt

That Council decline Rezoning Application No. 00602 and Development Permit with Variance Application No.000503 for the property located at 1400 Quadra Street.

Defeated due to no seconder

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

To lift the postponed motion from the table.

CARRIED UNANIMOUSLY

On the Main Motion:

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe and Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

24 September 2018

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

RE: 1400/1402 Quadra Street & 840 Johnson Street - Application for Rezoning and Concurrent Development Permit.

Dear Mayor & Members of Council:

On behalf of our client, Alpha Project Developments Ltd., we are pleased to submit this revised application for rezoning and concurrent development permit for the above named property.

DESCRIPTION OF PROPOSAL

The proposed development is located on the north west corner of the intersection of Quadra Street and Johnson Street. Across Quadra Street to the east is the Victoria Conservatory of Music, a heritage landmark building (previously the Metropolitan United Church). The property to the west is the five storey Portland Hotel Society Residential Outreach building. The property to the north is a two storey retail plaza. A large 21 storey residential project has recently been approved across Johnson Street to the south. A residential building similar in size to our proposal is located beyond the Outreach building to the west at 834 Johnson Street.

The west half of the site is currently zoned R-48–Harris Green. The east half consists of 2 small lots and is zoned S1–Limited Service District. The three individual properties will be amalgamated and the entire site rezoned to a site specific zone. The properties are located within Development Permit Area 4. Previous uses included a drycleaner and used car dealership. The existing single storey buildings have now been demolished and the site is undergoing environmental remediation.

We are requesting a site specific zone that is generally in conformance with the City of Victoria Downtown Core Area Plan and the Official Community Plan. Located in the Core Business District, the maximum permitted FSR is 6.0:1, with a maximum residential component of 3.0:1. We are proposing a 14 storey building with three levels of underground parking and a density of 5.5:1 FSR. This proposal has been reduced from 15 storeys and 6.0:1 FSR as initially proposed. The ground floor includes a commercial/retail component. Levels 2 through 14 are residential use. With total residential exceeding 3.0:1 FSR an amendment to the OCP is requested.

Use & Location of Use

Double-height retail spaces face onto Quadra and Johnson Streets, bisected by the residential lobby entry facing onto Quadra. Underground parking is accessed from Johnson Street. The refuse/recycling room is generously sized to allow for ease of recycling and on-site space is provided adjacent to the garage entrance for bin storage on pickup days.

On the second floor there is a communal amenity space / business centre that opens onto a large shared outdoor patio. The remainder of the second floor is rental suites.



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mai@dhk.ca www.dhk.ca The upper floors of the building will be market rental apartments with a mix of suites including 12 studios, 10 junior one bedroom units, 46 one bedroom/one bath units, 39 two bedroom/one bath units, 3 two bedroom/two bath, and 3 three bedroom/two bath units for a total of 113 suites. Suites range in size from 38m2 to 83m2 and have been designed to provide a good mix for downtown living, including accommodation for families.

Density

The OCP identifies base density for mixed use on this site as 4.0:1 with a maximum density of 6.0:1. Residential use is restricted to a maximum FSR of 3.0:1. For commercial viability a predominately residential rental building is proposed, which will provide a variety of housing options in the downtown core and improve the street activity and appeal of the block and surroundings. The proposed building yields a maximum total density of 5.5:1 (5.27:1 Residential + 0.23:1 commercial).

Height

The OCP identifies the maximum height for this site as 45 m and 15 storeys for residential use. The proposed building complies with has a maximum height of 42.7 m and 14 storeys.

Setbacks

Proposed setbacks meet or exceed all requirements of the OCP, and have been refined through collaboration with Planning staff to ensure appropriate "breathing room" around the tower. Additional stepping and increase setbacks at the intersection of Johnson and Quadra Streets to create an open public plaza at the corner and enhance views to the Conservatory of Music building.

Parking

104 parking stalls are proposed. The secure underground parking structure includes eleven visitor stalls, and one accessible stall. A second accessible visitor parking space is at grade next to the sidewalk. Parking is provided at a ratio of 0.92 stalls per suite. Parking is provided in compliance with the new Zoning Bylaw 2018 for the Downtown area.

A total of 142 Class 1 bicycle spaces are provided at the main floor, conveniently accessed directly from Quadra Street. In conformance with the new Zoning bylaw this includes the required 140 residential and 2 commercial spaces. In addition there are 11 residential and 2 commercial Class 2 (short term) spaces located near the residential and retail entries.

Landscape

Street level paving patterns have been selected to highlight the residential entrance and to align with Quadra Street. Six new street trees are proposed for this area and will be of a species selected in consultation with City Parks. Sufficient structural soil will be provided to enable the new trees to thrive. These will replace the five existing trees that are struggling and unlikely to survive construction.

The level 2 and level 5 terraces are proposed as extensive green roofs. They are designed as a proprietary sedum mat system inter-dispersed with grasses, ferns and

Page 2 of 4



Victoria

977 Fort Street V8V 3K3 T 250-658-3367 F 250-658-3397 Nanaimo 102-5190 Dublin Way V9T 2K8 T 250-585-5810 <u>mel@dhk.ce</u> www.dhk.ce bulbs suitable to the micro-climatic conditions over a shallow layer of growing medium. The proposed green roof areas cover approximately 30% of the total site area. Some benefits include; impervious cover reduction, supports biodiversity, promotes building energy conservation and reduces urban heat island effect.

Building Design

The fundamental design revisions from the previous submission are the increased stepping back of the building progressively with height and the creation of a taller, more substantial street-oriented podium.

In accordance with the DCAP the primary podium facing Johnson and Quadra Street is four storeys and 14.5 meters tall. Clad in dark grey/brown brick the podium conveys a sense of weight and permanence, a counterpoint to the lighter tower rising above. Large expanses of storefront glazing with pairs of tall windows above set within a hierarchy of brick pilasters create a familiar, traditional backdrop to city life. Glass and steel weather protection extends over all street fronting commercial.

Secondary building faces set back from the podium along Quadra and Johnson extend from the 5th to the 12th and 14th floors. Clad in a lighter brick and punctuated by the larger glazing of living rooms and bedrooms, these faces echo the quality of the podium, but with more contemporary proportions.

The upper North and West floors have window wall cladding combining clear glass and warm grey spandrel. The same system carries across the top two floors facing Quadra and Johnson, and differentiates where the building steps back at the 12th floor. This third exterior treatment completes the sequence of traditional to modern as the building rises.

Entrances are clearly identified, visible and accessible from the principal frontage streets. Entrances open directly onto a public plaza area and sidewalk. The plaza space allows for seasonal street furniture and space for activities to animate the pedestrian environment. A café owner may choose to place outdoor tables and chairs to take advantage of the sunny exposure of this corner location.

The siting of the building relative to the street grid produces minimal shadowing of public spaces. Setting the slender tower back from the corner minimizes the shadowing effect on the conservatory building.

High quality, durable, and timeless building materials are proposed including carefully detailed brick cladding and clear glass/spandrel panel alumínum window wall.

Sustainability Features

Demolition of existing buildings has been controlled to maximize re-use and recycling of construction products. The contaminated site is fully remediated.

A construction waste management plan will be followed during construction. The new building will have a comprehensive and generously sized recycling facility for tenants.

The building design will utilize materials with recycled content and sourced regionally wherever possible. Low emitting materials, specifically adhesives and sealants, paints and coatings, flooring systems, and composite wood and agrifibre products will be specified.

The building will be designed to the requirements of BC Energy Step Code 1 and for

Page 3 of 4



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102-5190 Dublin Way V9T 2K8 T 250-585-5810 mai@dhic.ca www.dhk.ca water efficiency, water use will be minimized by using low flow fixtures, water efficient landscaping and planting native and adaptive species that utilize storm water for irrigation.

The heat island effect will be minimized with a high reflectance and green roofs. Green roofs are proposed for level 2 and level 5 roof areas. Total green roof area is 273 m2 which is approximately 20% of the total site area.

The existing 5 street trees will be replaced with 6 new trees of a species selected in consultation with City Parks. Trees will be provided with sufficient structural soil for optimum growth.

Light pollution will be reduced by minimizing light trespass from the building and site.

CPTED

All outdoor spaces have been designed in accordance with CPTED guidelines to ensure that safety and security requirements are effectively addressed. There are no hidden, private, or covered spaces at the street level. The minimal surface parking is open to the street. There are no hidden alcoves in the transitions between uses and access to the building is secure and observable. Continuous glazing at the street level maximizes visibility and entrances are well-lit.

Conclusion

This revised application represents a high quality residential and commercial building that conforms to the OCP and DCAP requirements, entirely redesigned to fully comply with with height-related setback requirements.

This project is a significant step in the realization of the goals of the OCP and DCAP. It will improve the vitality and safety of this area and expand the available rental housing options in the downtown area by providing a good mix of rental suites. The project is of an appropriate scale to its location and has been designed to minimize the impact of the building on the street and adjacent building sites and will compliment the Victoria Conservatory of Music heritage landmark building by highlighting access, and maintaining viewscapes.

Sincerely yours,

Charles Kierulf Architect AIBC MRAIC

de Hoog & Kierulf architects



Victoria

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

September 23, 2018

Re: 1400 Quadra Street Rezoning and OCP Amendment

Dear Mayor Helps and Council,

The DRA LUC has reviewed the drawings for the proposed building and hosted a CALUC meeting on May 18, 2017 for the above-mentioned application. The presentation was conducted by Lynn Gordon-Findlay of de Hoog and Kierulf Architects.

Based on the information presented by the applicant the purpose of the Rezoning and OCP amendment is to create a 14-storey market rental building with ground floor commercial space fronting Quadra and Johnson Streets. Information presented at the public meeting indicates the applicant is requesting an OCP amendment to increase the residential FSR component of this project from the allowable 3:1 to approximately 6:1. Some minor variances for setbacks are also requested.

Comments and concerns raised at the Land Use Committee public meeting are as follows:

- The question was asked whether the proposed building will "improve the neighbourhood". The applicant stated that having more residents will provide more eyes on the street with the expectation that there will be an improvement in the local conditions.
- There were questions asked regarding the amount of time the construction would take and the amount of blasting required. The applicant offered that construction would take approximately 2 years and there will be significant blasting taking place.
- When asked to clarify the OCP amendment to create residential occupancy for the entire building rather than include office occupancy at 50%, the applicant pointed out that it was economically difficult to split occupancies due to the need for separate lobbies and elevators for the two uses.
- Questions were asked related to the setbacks of any proposed balconies and the
 adjacent windows of the adjacent supportive housing complex at 844 Johnson. The
 applicant stated that the balconies had a minimum 4.5m setback. Dual pane windows
 and other sound abatement techniques will be included.

Comments and concerns raised by committee members are as follows:

 The applicant has included three bedroom apartments within this proposal which will allow families to reside within the downtown area. This is a laudable response to current residential needs.

- The applicant is providing adequate parking for this project in compliance with City
 regulations which is highly desirable and should be encouraged. Many other applications
 are seeking significant parking variances or provide no parking at all creating parking
 pressures in adjacent neighbourhoods.
- · The building exterior appears to be of a higher than average quality.
- Ubiquitous clear glass balcony guards do not screen personal possessions that are inevitably stored on balconies from public view. It is suggested that at least a portion of the railing glass on each balcony be of the obscure type to provide some screening from public view and create additional aesthetic interest.
- It is disappointing that the stained glass feature shown on early drawings that responded to the architectural detail of the Conservatory opposite appears to have been removed from the current design.
- Since the CALUC meeting, the requested FSR has been reduced to 5.5:1 which is in keeping with the lower density OCP designation for buildings of residential occupancy immediately across Quadra and to the east.
- It is noted that if this application was located immediately across the street it would not require an OCP amendment.

There were no objections to this application stated by attendees at the CALUC meeting. The DRA has a policy not to support OCP amendments without a compelling rationale to do so. The risk taken by the applicant to improve the local area in spite of the challenges of the particular site in this particular case warrants support.

Sincerely,

Ian Sutherland Chair Land Use Committee Downtown Residents Association

cc COV Planning

ATTACHMENT F

ALPHA PROJECT DEVELOPMENTS LTD. St. Andrew's Square 1 210 – 737 Yates Street Victoria, B.C. V8W 1L6 Tel: (250)360-1944 Fax: (250)381-4680

04 October 2017

Development Services City of Victoria 1 Centennial Square Victoria, BC V8W 1P6

Attention: Charlotte Wain, Senior Planner

Dear Charlotte,

Re: 1400 Quadra Street

Thank you for your response with respect to the letter from Colliers dated 11 July 2017, a copy of which is enclosed for your reference. You have requested further information supporting the contents of that letter and we attach an additional letter from Colliers together with a mid year office survey for your review.

In speaking with Colliers, they have offered to provide additional information to you should you have any specific questions pertaining to the survey results.

Yours truly, Bijan Nevestani

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July 11th, 2017

Alpha Project Development Ltd 400-931 Fort Street. Victoria, B.C. V8V 3K3

Attn: Mr. Bijan Neyestani

Dear Mr. Nevestani

RE: Office Development Potential, Corner of Johnson and Quadra Streets. Victoria, BC

Further to our recent conversation, you have asked us for our opinion with respect to an office development at the corner of Johnson and Quadra Streets in downtown Victoria.

Market conditions for the first half of 2017 for office in the market have been relatively flat with limited new supply coming to market and limited absorption. These conditions will change dramatically, however, in late 2017 and early 2018 as Phase I of Capital Park is completed and Phases I and II of 1515 Douglas are ready for occupancy.

By April 2018, approximately 407,000 sf of new inventory will have been added to the market. Furthermore, in fall 2019, an approximately 130,000sf of additional office space will be ready for occupancy at Capital Park.

The impact of this new supply on the market vacancy is expected to be substantial as we have noted at least three office buildings that are anticipated to be emptied in their entirety, in addition to other office buildings that will experience newly vacated areas.

It is important to note that there is approximately 511,000sf of current vacancy in the region providing a market vacancy of approximately 6.05%. We anticipate that in 2018 the vacancy rate will increase to between 10-11%. The impact of this additional vacancy will be downward pressure on rates as landlords compete with each other for available tenants.



We anticipate, provided limited new inventory is added to the market and with current absorption rates remaining consistent going forward, that it will be a five year process to have vacancy rates return to historical levels.

We note that your site is not currently situated in a traditional office area. Johnson and Quadra is outside the periphery in terms of amenities and features that the vast majority of office users are looking for in the core. Specifically, office tenants are generally seeking locations with a desirable streetscape with close proximity to restaurants, retail and other office tenancies.

Currently, the Johnson and Quadra area does not offer these amenities in any significant way and we don't see this changing in the foreseeable future. In fact, given the surrounding residential nature of new development, we would suggest that office demand will continue to be challenged in this area.

In short, current market conditions would suggest that caution be applied to any new office development. Furthermore, should you decide to proceed with an office project, we would suggest that a site in the traditional office areas of the downtown core would be substantially better received in the market.

We would be pleased to meet with you to discuss in further detail at your convenience.

Yours truly,

Graham C. Smith Senior Vice-president

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Colliers

www.colliers.com

October 2, 2017

Alpha Project Developments Ltd. P.O. Box 846 Victoria, B.C. V8W2R9

Attention: Messrs. Bijan Neyestani and Fred Rohani

Dear Sirs:

Re: Rezoning Application 1400-1402 Quadra Street & 850 Johnson Street Victoria, B.C.

We understand your application with the City of Victoria to rezone the above-referenced property is proceeding through the application process with the objective being the development of a 15 story 125 suite purpose built rental apartment building with ground level retail/commercial space. We have taken the opportunity of reviewing the building plans and specifications for this proposed development and wish to commend you for bringing forward yet another project that will enhance the urban fabric of our downtown core and provide much needed rental housing that will help satisfy the demand created by the burgeoning population of Victoria residents who are choosing more and more to live in the core of our City. If required, Colliers International would be happy to speak in favour of this rezoning application.

Our support for this rezoning is based on many factors which we have elaborated on herein.

Existing Zoning: We have taken time to review the existing zoning under which the proposed development could be built, providing a sizeable mixed use commercial and residential development with office and street level retail on the lower floors and residential (condo or rental) accommodation on the upper floors. While we completely support the development of residential density in this location, we question the viability of new office space on this site. While demand for new office space has been proven out, as evidence by recent leasing activity in several new projects, we see the Quadra/ Johnson location as being inferior for any significant office demand by either the private or public sector. Locational challenges related to the neighbouring Street Link housing project would act to deter any office user from leasing space in this location. Economic rents for new office development in this location would also bring into question the viability of the mixed-use model. Furthermore, the mix of office and residential use within one building has proven to be problematic over time.

Office Use: While an office use at this location may generate positive daytime traffic to the general neighbourhood with the arrival and departure of office users during the day, the office use would not generate any significant pedestrian traffic during the evenings or on weekends. Our research has proven out that the densification of our downtown core for residential use far outpaces the economic and social drivers provided by office use, especially at times of the day or on weekends when street front traffic is most desirable. The increase in resident street front

Accelerating success



traffic also acts to reduce unsavory activity in a neighbourhood. We can credit the City with a reduction in our downtown storefront retail vacancy rate for over ten percent (10.0%) two years ago to just over five percent (5.0%) in Q2 2017 by adopting a policy of increased residential density in our downtown core. The change in the zoning and overall use of the subject site would work to further the progress being made by both the City and the development community in creating a much-improved urban experience and environment.

Residential Densification: Despite the ongoing development of numerous purpose-built apartment built rental apartment buildings in Victoria's downtown core, demand for this accommodation continues to far outpace supply. With residential vacancy rates remaining at historic low levels, we see a continued and almost insatiable demand for more rental housing in our downtown core. This level of demand far outpaces any comparable level of demand we see in other asset categories in the core of our city, including office and retail space.

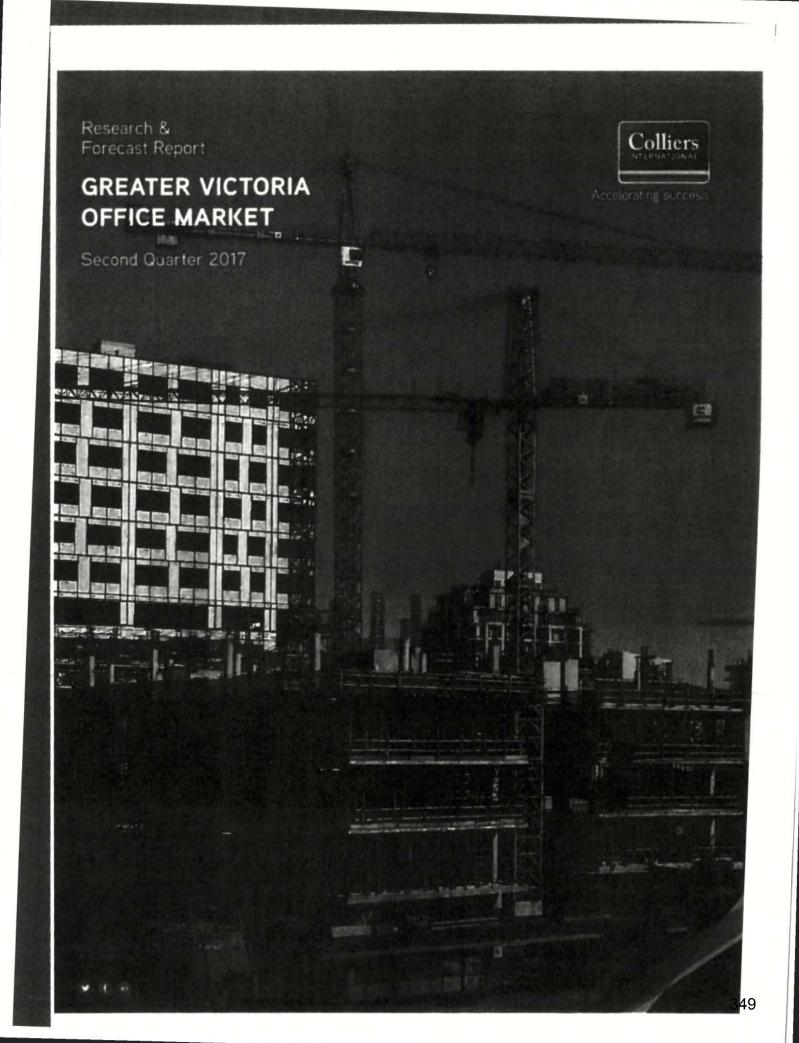
We welcome the opportunity of discussing this subject and our support for your rezoning the subject property located at the north-west corner of Johnson and Quadra Streets. Please let us know when it would be appropriate to speak at any of the upcoming neighbourhood association meetings or City Council meetings.

If you have any further questions or require any additional information in this regard, please contact me directly.

Your truly,

COLLIERS INTERNATIONAL

David Ganong Managing Director - Vancouver Island.



Investment Market

Office Investment sales for the first half of 2017 were limited to sales under \$2.6M with nine buildings transacting for a total sales volume of \$9M year-to-date. Six of these sales were to "owner-occupiers." So far, no larger notable investment sales have occurred in 2017 which is a reflection of a lack of supply of investment product. Demand remains strong from the full spectrum of investors, including institutional and private equity. For the balance of 2017, we expect to see an increase in sales volume with the continuing low cap rate trend ranging from sub 5% to 6%, depending on asset class, tenancy strength, and location.



Forecast

Vacancy is expected to increase between 1.5% to 2.0% by the end of 2017 as we see new supply starting to come to market. The first phase of Capital Park will be providing 125,000 square feet of new Class A office space by September of this year. This building has been fully pre-leased to the Provincial Government. 750 Pandora Ave, the larger tower behind 1515 Douglas Street, will be coming to market early 2018, adding a further 184,000 square feet of Class A office space to the downtown inventory. BCIMC is expanding from their current size and will be occupying the entire building at 750 Pandora Avenue.



Suburban Notable Lease Trai	isactions	
TENANT NAME ADDRESS	TYPE	SZE ISP
1. Provincial Government - 2261 Keating Cross Road	Renewal	26,800
2. Coast Capital Savings - 2950 Jutland Road	Sublease	12,861
3 29 Helmcken Road	Headlesse	10,550
4. ARO Inc 2261 Keeting Cross Road	Headlease	7,333
5. Island Trust - 1627 Fort Street	Renewal	7,237

Downtown Notable Leas	e Transactions	
TENANT NAME ADDRESS		
1. Provincial Government - 727 Fisgard Street	Renewat	44,708
2. Provincial Government - 810 Fort Street	Renewal	12,122
3. CRD - 1675 Douglas Street	Renewal	6,960
4. Benevity- 1005 Langley Street	Expansion	5,727
5. Provincial Government - 703 Broughton Street	Headlease	5,465

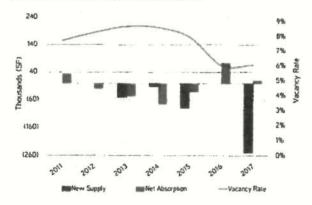
Downtown

Downtown vacancy has remained nearly unchanged from 6.02% as of year-end 2016 to 6.05% second quarter 2016. Downtown Class A office space is still the lowest vacancy segment even though there was a slight increase from yearend 2016's 1.07% to 1.44% mid-year 2017. Total downtown absorption has decreased significantly from a positive 73,454 square feet as of year-end 2016 to 11,729 square feet mid-year 2017. New Supply is at a negative 249,858 square feet, which is primarily due to the adjustment of the office inventory.

Trends

- > Class A office space remains in high demand as tenants look to upgrade from their current office situation.
- New Class A construction is now surpassing the \$30 per SF base rent level. This is a historic new high and tenants are willing to pay for the added benefits new Class A office space has to offer.
- There is a noticeable increase in the number of tenants looking for large office floor plates (20,000 SF to 40,000 SF), however, there are limited options in the downtown core for these size ranges and tenants are having to look at the Suburban market for more options.
- Parking is still becoming more difficult to secure in the downtown core as a number of surface parking lots have been sold as development sites, and new bike lane infrastructure is further impacting the accessibility of parking in the downtown core. There is also an expected increase in parking rates over the next year. Tenants are therefore looking to the suburbs to satisfy challenging parking requirements.

Downtown Historical Performance



Supply

The Azzurro on 1950 Blanshard Street added 11,087 square feet of Class B+ office space to the inventory. This was the only new supply for the first two quarters of the year, however, there were a few changes to the office building inventory. 1105 Pandora Ave has been removed from the inventory, by a negative 27,000 square feet, as the site is to be redeveloped into condos. 940 Blanshard Street had a building size reduction by 233,445 square feet as to only account for the office portion of the building.

Downtown	O4 2016 O2 2017		Trend	
Office Inventory	4,761,916	4,512,058	+	
Net Absorption	73,454	11,729	+	
Vacancy Rate	6.01%	6.05%	+	
New Supply	0	11,087	*	
Under Construction	500,000	500,000		

Market Indicators

MARKET	CL455	TOTAL INVENTORY (SEE	VACANT (SF)	VACANCY PATE	NET ABSORPTION	NOT NEW SUPPL
a contrar de	A	513,808	7,384	1.44%	C1,901)	0
	В	3,393,962	184,410	5 43%	14,015	(222,358)
	с	604,288	81,125	13.42%	(385)	(27,500)
Region Total		4,512,058	272,919	6.05%	11,729	(249,858)

Research & Forecast Report 1 Second Quarter 2017 Victoria / Office | Colliers International

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About Colliers International Group Inc.

Aon. BESTEMPLOYER



September 25, 2018

Rob Bateman City of Victoria 1 Centennial Square Victoria, BC V8W 1P6

Re: 1400 & 1412 Quadra Street and 850 Johnson Street Development Land Lift Analysis

G.P. Rollo & Associates (GPRA) has been retained by the City of Victoria to complete a Land Lift and Amenity Contribution Analysis for the proposed rezoning of 1400 and 1412 Quadra Street and 840 Johnson Street Victoria (the Site) from the base density allowable in the OCP for Mixed Use Residential District Zoning (MRD-1) and Central Business District Zone (CBD-1) to the proposed new Zone (CBD-2) by Alpha Project Developments Ltd. (the Developer).

The purpose of the analysis is to estimate the land lift and amenity contribution on the site from an increase in density on the Site from that which would allow for development of a mixed commercial and residential building with a maximum of 3.0 FSR for residential use (identified as the 'base density' under the current Density Bonus Policy) to a proposed density of 5.5 FSR mixed commercial and residential rental project on the combined Site. The Developer is proposing all residential units developed be secured as market rental in perpetuity through a housing agreement.

The analysis consisted of preparation of residual land value analyses which determines the maximum value that a developer could afford to pay for the Site assuming it already had the new Zoning for 5.5 FSR and the maximum value a developer could pay for the site if developed as permitted under the OCP with prevailing market conditions. GPRA has been asked to assess the value of the Site with the following potential uses:

- 1) Residential rental
- 2) Commercial retail uses;

GPRA used standard developer proformas for each case to model the economics of typical development as proposed/allowed under the each zoning. The 'Lift' is then calculated as the difference in residual land values under both current zoning and the proposed new zoning/density.

METHODOLOGY & ASSUMPTIONS

The Site is roughly 1,370 square metres in area and can be developed under the OCP with a mix of ground floor commercial with residential density up to 3.0 FSR above. The proposed new development at roughly 5.5 FSR would amount to approximately 7,537 square metres of GBA, comprised of 7,216 square metres (gross area) of residential (composed of 113 rental apartments

280-11780 Hammersmith Way, Richmond, B.C. V7A 5E9 * Tel. (604) 275-4848 * Fax. 1-866-366-3507 www.RolloAssociates.com * E-Mail: gerry@rolloassociates.com



to be secured as rental in perpetuity through a housing agreement), and 321 square metres of ground floor commercial space, with 104 parking stalls to be provided. The developer has indicated that there is significant environmental remediation required on the site, but the cost of this would be carried under both scenarios and does not impact the analysis.

The analyses are created using a standard developer proforma wherein estimates of revenues and costs are inputs and the remaining variable is the desired output. In typical proformas this output is usually profit, following a revenues minus costs equals profit formula.

For a residual land valuation, however, an assumption on developer's return needs to be included in order to leave the land value as the variable to solve for. For these analyses GPRA has determined the residual value based on the developer achieving an acceptable profit of 15% on total project costs (calculated as a representative portion of overall project costs for the proposed development) for the base analysis as a strata apartment building. For the rezoned rental apartment project a profit to project cost metric is not appropriate, as it would be difficult to support any land value and achieve a profit. Instead, developers would typically look at the yield of ongoing revenue measured as an internal rate of return (IRR). GPRA has determined the residual land value for the rezoned property using a target IRR of 5.55%, reflective of current capitalization rates for rental apartments and commercial retail in the City (the 5.55% IRR is set at 2% points above the blended cap rates for rental at 4.0% and the cap rate for commercial at 5.25%). The residual values are the maximum supported land value a developer could pay for the site (under the density and conditions tested) while achieving an acceptable return for their project.

The residual land value determined from this analysis is then compared to the value of the site using the supported base density as determined by the OCP to establish a 'lift' in value that arises from the change in density. This lift in value is the total potential monies that are available for public amenities or other public works not considered as part of the analysis. GPRA have made allowances for streetscape and public realm improvements that would typically be incurred through development in both sets of analysis. Any additional improvements that would be required only from the proposed rezoning to 5.5 FSR and not from development under the OCP would impact the lift and would need to be identified, priced, and included in a revised analysis.

Typically there is some sharing of the lift value between the Municipality/District and the developer, but the percentage shared varies by community and by project. It is GPRA's understanding that in compliance with current policy, the City has determined that they will seek 75% of the lift for amenities.

GPRA determined strata revenues used in the base analysis from a review of recent sales and offerings for sale of recently developed apartments of wood frame and of concrete construction within roughly 10 km of the Site, with a focus on projects that were deemed comparable to that which has been proposed for the Site. Rents for apartment units and commercial uses have also been drawn from a scan of projects with current listings in the area. Consideration has been given to how the adjacency to various social services in the neighbourhood might impact revenue.

Project costs were derived from sources deemed reliable, including information readily available from quantity surveyors on average hard construction costs in the City. Development or soft costs

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have been drawn from industry standards, and from the City's sources. All other assumptions have been derived from a review of the market and from other sources deemed reliable by GPRA.

CONCLUSIONS & RECOMMENDATIONS

GPRA estimates that there is no lift from the proposed zoning for market rental as compared to a strata project at 3.0 FSR with commercial at grade as indicated in the OCP. As such, GPRA does not recommend the City seek an amenity contribution from this rezoning under these conditions.

I trust that our work will be of use in the City's determination of the Amenity Contribution they will seek as part of rezoning 1400 and 1412 Quadra Street and 840 Johnson Street, Victoria. I am available to discuss this further at your convenience.

Gerry Mulholland |Vice President G.P. Rollo & Associates Ltd., Land Economists T 604 275 4848 | M 778 772 8872 | E gerry@rolloassociates.com | W www.rolloassociates.com

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Advisory Design Panel Report For the Meeting of August 22, 2018

To:	Advisory Design Panel	Date:	August 10, 2018
From:	Rob Bateman, Senior Process Planner		
Subject:	Development Permit Application No. Street and 850 Johnson Street	000503 for	1400 and 1412 Quadra

EXECUTIVE SUMMARY

The Advisory Design Panel (ADP) is requested to review a Development Permit Application for 1400 and 1412 Quadra Street and 850 Johnson Street and provide advice to Council.

The proposal is for a 14-storey mixed-use building with ground floor commercial and purposebuilt rental above, including approximately 105 dwelling units. The overall proposed density is 5.5:1 floor space ratio. Concurrent with this Application is Rezoning Application No. 00595, and variances related to setbacks, vehicle parking location and bike parking are currently proposed as part of the Development Permit Application. An Official Community Plan amendment would also be required because the proposal does not meet the use and density policies contained in that plan.

The property is situated within Development Permit Area 2 (HC): Core Business and the following documents were considered in assessing this Application:

- Official Community Plan (OCP, 2012)
- Downtown Core Area Plan (2011)
- Advisory Design Guidelines for Buildings, Signs and Awnings (1981)
- Guidelines for Fences, Gates and Shutters (2010)
- Standards and Guidelines for the Conservation of Historic Places in Canada
- City of Victoria Heritage Program Sign & Awning Guidelines (1981).

The proposal is generally consistent with the applicable Design Guidelines; however, staff are looking for commentary from the Advisory Design Panel with regard to:

- heritage landmark building context
- massing of the upper storeys
- uniformity of façades and cohesion of building design.

The Options section of this report provides guidance on possible recommendations the Panel may make, or use as a basis to modify, in providing advice on this Application.

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BACKGROUND

Applicant / Architect:	Mr. Charles Kierulf, MRAIC De Hoog & Kierulf Architects
Development Permit Area:	Development Permit Area 2 (HC): Business Core
Heritage Status:	N/A

Description of Proposal

The proposal is to construct a 14-storey mixed-use building with approximately 105 rental multiple dwelling units above and two commercial retail units on the ground floor. The overall proposed density is 5.5:1 floor space ratio. The proposed residential density is approximately 5.25:1, and the building would have a maximum height of 42.70m. Concurrent with this Application is Rezoning Application No. 00595, and variances related to setbacks, vehicle parking location and bike parking are currently proposed as part of the Development Permit Application. An Official Community Plan amendment would also be required because the proposal does not meet the use and density policies of this plan.

The proposal includes the following major design components:

- 105 rental residential units
- two commercial units along Quadra Street and Johnson Street (a total of approximately 339m²)
- 107 parking spaces (including 7 visitor spaces)
- secure bike parking for 142 bikes (long term) located on the main floor behind the retail units
- publicly accessible bike parking for 16 bikes (short term) located near the entrance to the residential units on Quadra Street and near an entrance to the retail unit on Johnson Street
- indoor and outdoor residential amenity space located on the northwest side of level two.

Exterior building materials include:

- painted concrete
- brick veneer
- prefinished metal flashing
- prefinished metal security gate
- · prefinished metal and translucent glass canopies
- · prefinished aluminium window system
- storefront window system
- insulated spandrel panel
- prefinished metal canopy.

Landscaping elements at ground level include:

- concrete unit paving (running bond)
- large format plank paver (running bond)
- broom finish concrete parking access driveway.

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Landscaping elements on level two include:

- common outdoor amenity area with tall planters with screening shrubs, low planters with ornamental grasses, and prefabricated benches
- hydrapressed slab paving on the common amenity area and private dwelling unit patios
- · green roof (prevegated mat system) between the common and private areas.

The following data table compares the proposal with the existing Central Business District -1Zone (CBD-1) and Mixed Use Residential District -1 Zone (MRD-1). An asterisk is used to identify where the proposal is less stringent than the existing Zones. Additionally, the key City policy that pertains to the area has been included in this table.

Several aspects such as the floor space ratio, commercial floor area, occupied roof space, number of units, setbacks and bike parking may not be entirely accurate and will need to be confirmed with more information from the applicant.

Zoning Criteria	Proposal	Current Zone MRD-1	Current Zone CBD-1 (Site Specific)	OCP Policy	DCAP Policy
Site area (m²) – minimum	1370.40	N/A	N/A	N/A	N/A
Density (Floor Space Ratio) – maximum	5.5:1 *	N/A	1.5:1	4:1 base 6:1 max.	4:1 base 6:1 max.
Residential Density (Floor Space Ratio) – maximum	5.25:1 *	N/A	N/A	3:1	3:1
Total floor area (m²) - maximum	7537.00	N/A	N/A	N/A	N/A
Height (m) – maximum	42.70 *	30.00	15.00	N/A	45
Rooftop Structure Projection (m) – maximum	2.78	5.00	5.00	N/A	N/A
Storeys – maximum	14	N/A	N/A	24	15
Site coverage (%) – maximum	79.40 *	N/A	60.00	N/A	N/A
Front Setback Plane (ratio)(Quadra Street) – minimum	Within setback plane	N/A	5:1 (angle of Inclination)	N/A	5:1 (angle of Inclination)

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Zoning Criteria	Proposal	Current Zone MRD-1	Current Zone CBD-1 (Site Specific)	OCP Policy	DCAP Policy
Setbacks (m) – minimum					
Front (Quadra Street)	2.60	0.5	N/A	N/A	N/A
Rear (West)					
Under 20m in height	3.24	N/A	N/A	N/A	3.00
20-30m in height	7.74 (5.50 for balcony)	N/A	3.0	N/A	3.00
30-45m in height	7.74 (5.50 for balcony)	N/A	6.0	N/A	6.00
Side (North)					
Under 20m in height	1.84	N/A	N/A	N/A	3.00
20-30m in height	7.12	N/A	3.0	N/A	3.00
30-45m in height	7.12	N/A	6.0	N/A	6.00
Side (Johnson Street)					
Under 20m in height	2.60	N/A	N/A	N/A	3.00
20-30m in height	5.91	N/A	3.0	N/A	3.00
30-45m in height	5.91*	N/A	6.0	N/A	6.00
Projections into Setbacks – maximum	Under 0.6	0.60	0.60	N/A	N/A
Rooftop Structure					
Setback from roof edge (m) – minimum	3.00	3.00	3.00	N/A	N/A
Rooftop coverage (%) – maximum	19.7	30.0	30.0	N/A	N/A
Height (m) – maximum	2.78	5.00	5.00	N/A	N/A

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Zoning Criteria	Proposal	Current Zone MRD-1	Current Zone CBD-1 (Site Specific)	OCP Policy	DCAP Policy
Vehicle parking stalls – minimum					
Total vehicle parking	107	69	69	N/A	N/A
Residential	100	63	63	N/A	N/A
Visitor	7	6	6	N/A	N/A
Vehicle parking location	1 space outside structure *	within structure	within structure	N/A	N/A
Bicycle parking stalls – minimum					
Long term residential	140	140	140	N/A	N/A
Long term commercial	2	2	2	N/A	N/A
Short term	13	11	11	N/A	N/A

Sustainability Features

The applicant has not indicated sustainability features.

Consistency with Policies and Design Guidelines

Official Community Plan

The subject site is designated Core Business in the Official Community Plan (OCP, 2012), which envisions commercial, including office and retail along with complementary uses including residential, hotels and other visitor accommodation. In terms of place character features, the OCP envisions three- to five-storey building façades that define the street wall with upper storeys set back above.

The main objectives of the Development Permit Area 2 (HC): Core Business that are relevant to this proposal are:

 to revitalize a central business district through high-rise commercial buildings and low-tomedium rise residential mixed-use buildings, balanced with protection of the views from public vantage points of heritage landmark buildings including the 907 Pandora Avenue (Victoria Conservatory of Music)

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- to conserve and enhance the heritage value, special character and the significant historic buildings, features and characteristics of this area
- to enhance the area through a high quality of architecture, landscape and urban design that reflects the function of a central business district in scale, massing and character while responding to its historic context.

Although the proposed building form is consistent with the OCP, the proposed density of residential use is not because it exceeds the density envisioned in the policy.

Downtown Core Area Plan

The subject site is designated Central Business District in the *Downtown Core Area Plan* (DCAP, 2011), which envisions a strong concentration of commercial employment uses along with such complementary uses as multi-residential development, hotels, restaurants, public institutions, personal service businesses and retail stores. New development should clearly reinforce and enhance the position of the Central Business District as the primary employment, commercial and cultural centre for the City and the region. To assist with this, residential development should be restricted to a maximum density of 3:1 FSR. The DCAP also includes policies supporting ground floor commercial uses that encourage pedestrian activity.

The proposed mixed-use building provides ground level commercial, which is supported by DCAP policy, but it exceeds the residential density envisioned in the DCAP.

Development Permit Area Design Guidelines

The Design Guidelines in the DCAP are intended to revitalize the central business district through high quality architecture, landscape and urban design while enhancing the heritage value, special character and the significant historic buildings, features and characteristics of this area. Specific guidelines:

- encourage the use of building elements such as awnings, canopies and projections to provide pedestrians with continuous shelter from rain and other elements
- ensure that the height, setbacks, siting and overall massing of proposed new buildings respect the visual prominence and character-defining importance of the Victoria Conservatory of Music, a heritage landmark building. The building design should consider the character-defining elements of this building
- reduce building bulk of upper storeys to minimize the effects of shading and wind vortices, to maintain views to the open sky and to avoid the visual presence of bulky upper building mass
- encourage varied heights and massing to avoid uniformity in building design
- consider street wall heights that are appropriate for the context of each street
- encourage visually articulated designs and quality architectural materials and detailing in building bases and street walls to enhance visual interest for pedestrians.

Staff consider that the proposal is generally consistent with the Design Guidelines; however, opportunities may exist to improve the design.

ISSUES AND ANALYSIS

The following sections identify and provide a brief analysis of the areas where the Panel is requested to provide commentary.

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Heritage Landmark Building Context

The context of the area includes the prominent Victoria Conservatory of Music on the east side of Quadra Street, as well as Saint John the Divine and the Palladian at Quadra and Mason Streets. The proposal should respect the visual prominence and character-defining features and characteristics of this context, especially the Victoria Conservatory of Music directly to the east. The height of the proposed building podium on all four elevations rises to a maximum of four stories, with a brick veneer materiality expressed in a buff and coal creek colour. The podium height, material and colour acknowledge the aesthetics of the traditional stone cladding materials of the Victoria Conservatory of Music, as well as the two-and-a-half storey height of the Conservatory's south extension. The colour of materials also emphasizes the four-storey scale while the lighter buff brick veneer de-accentuates the overall scale of the building by diminishing the building's prominence in relation to the Victoria Conservatory of Music and by giving greater emphasis to the darker and more substantial materiality at the street level.

The proposed windows are recessed into the brick cladding to create "punched" fenestration openings consistent with traditional buildings in the area, and particularly with the conservatory extension. Other materials on the proposed building are more contemporary and speak to the varied architectural expressions of the area, including insulated spandrel panels and prefinished metal canopies.

The Panel is being asked to comment on whether the materials, height, setbacks and overall massing of the proposed new building sufficiently respect the visual prominence and characterdefining importance of the nearby heritage landmark building.

Massing of Upper Storeys

Staff expressed concern regarding the mass of the upper storeys and potential impacts on shading, views to the open sky, and the visual presence of a bulky upper building mass as it relates to the heritage landmark building across Quadra Street. In response, the applicant has increased the setbacks to the upper floors.

The Panel is being asked to comment on the massing of the upper storeys and whether further stepbacks of the upper storeys are needed to reduce the bulky appearance.

Uniformity of Façades and Cohesion of Building Design

Each of the building façades have a largely repetitive design with windows on a regular grid-like pattern, which may lack visual interest. At the same time, each façade is distinct from the other and they do not visually connect to each other.

The Panel is being asked to comment on the uniformity of each building façade and whether design changes are warranted to increase the visual interest, as well as the whether the individual façades should be redesigned to fit more cohesively together in the overall building design.

Relationship to Adjacent Properties

The Zoning Regulation Bylaw and Design Guidelines include detailed requirements for stepping back buildings from the property line to provide adequate separation from adjacent buildings. The proposal meets these setback requirements; however, the existing adjacent building to the

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west on Johnson Street has windows set back approximately 6m from the property line, which face the proposal. The proposal includes a portion of wall that is approximately 3.2m set back from the lot line, with windows and balconies facing the adjacent building. The existing building to the north on Quadra Street would not be substantially affected by the proposal, but future redevelopment may be impacted by the proposal's design. The ADP is requested to comment on the design of the building as it relates to adjacent properties and whether revisions are warranted to reduce potential impacts such as privacy issues.

OPTIONS

The following are three potential options that the Panel may consider using or modifying in formulating a recommendation to Council:

Option One

That the Advisory Design Panel recommend to Council that Development Permit Application No. 000503 for 1400 and 1412 Quadra Street and 850 Johnson Street be approved as presented.

Option Two

That the Advisory Design Panel recommend to Council that Development Permit Application No. 000503 for 1400 and 1412 Quadra Street and 850 Johnson Street be approved with the following changes:

as listed by the ADP.

Option Three

That the Advisory Design Panel recommend to Council that Development Permit Application No. 000503 for 1400 and 1412 Quadra Street and 850 Johnson Street does not sufficiently meet the applicable design guidelines and polices and should be declined (and that the key areas that should be revised include):

 as listed by the ADP, if there is further advice they would like to provide on how the Application could be improved.

ATTACHMENTS

- Subject Map
- Aerial Map
- Plans date stamped June 13, 2018
- Applicant's letter dated August 3, 2018.

cc: Charles Kierulf, De Hoog & Kierulf Architects.

MINUTES OF THE ADVISORY DESIGN PANEL MEETING HELD WEDNESDAY AUGUST 22, 2018

1. THE CHAIR CALLED THE MEETING TO ORDER AT 12:08 PM

Present:	Stefan Schulson (Acting Chair); Sorin Birliga; Deborah LeFrank; Jason Niles; Carl-Jan Rupp
Absent for a Portion of the Meeting:	Justin Gammon
Absent:	Jesse Garlick (Chair); Elizabeth Balderston; Paul Hammond
Staff Present:	Miko Betanzo – Senior Planner, Urban Design Leanne Taylor – Senior Planner Rob Bateman – Senior Process Planner Katie Lauriston – Secretary Devon Cownden – Secretary

2. MINUTES

Minutes from the Meeting held July 25, 2018

Motion:

It was moved by Justin Gammon, seconded by Deborah LeFrank, that the Minutes of the Meeting of Advisory Design Panel held July 25, 2018 be adopted as presented.

Carried Unanimously

3. **APPLICATIONS**

3.1 Development Permit Application No. 000503 for 1400 and 1412 Quadra Street and 850 Johnson Street

The City is considering a Development Permit and Rezoning Application to construct a 14storey mixed-use building with ground floor commercial and purpose-built rental above, including approximately 105 dwelling units.

Applicant meeting attendees:

PETER DE HOOG	DE HOOG & KIERULF ARCHITECTS
ROB WHETTER	DE HOOG & KIERULF ARCHITECTS
SCOTT MURDOCH	MURDOCH DE GREEFF INC.
BIJAN NEYESTANI	ALPHA PROJECT DEVELOPMENTS LTD.

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Mr. Bateman provided the Panel with a brief introduction of the Application and the areas that Council is seeking advice on, including the following:

- heritage landmark building context
- · massing of the upper storeys
- uniformity of the façades and the cohesion of the building design
- · the proposal's relationship to adjacent properties.

Mr. De Hoog and Mr. Whetter provided the Panel with a detailed presentation of the site and context of the proposal, and Scott Murdoch provided the Panel with details of the proposed landscape plan.

Questions of clarification were asked by the Panel on the following:

- what are the proposal's specific design responses to the Conservatory of Music?
 - the proposal does not attempt to reproduce the Conservatory's massing, but the applicants have worked closely with the Planning department to ensure that the proposal provides and appropriate response
 - the proposal mirrors the Conservatory's scale, while the darker palette and variegated materials at the podium level provide an appropriate response to the Conservatory's stone wall colours
- what is the proposal's discrepancy with the Official Community Plan (OCP)?
 - Mr. Bateman clarified that the density limits are specific to the use. Residential use allows for a 3:1 floor space ratio (FSR) and the proposal has an FSR of approximately 5.21:1
- what is the reasoning behind the uneven distribution of balconies between the corner of Johnson and Quadra Streets as compared to the northwestern corner?
 - the balcony distribution reflects the location and sizes of units; studios do not have balconies and the larger, corner suites do have balconies
- were Juliet balconies considered for the suites without balconies, to lend a more residential appearance?
 - the applicants did not think this to be necessary, and the design's simplicity without balconies was thought to be more effective
 - o more balconies were considered, but they were very small
- what is the rationale behind the different façade treatments, especially at the north side?
 - the window wall treatment is slightly distinct on the north side, with a slight adjustment to the window modules
 - the north façade has a more modern feel and interesting texture, which can be seen from 1-2 blocks away
 - where is the parkade access located?
 - o on the southwest side
- was increased height considered, given the adjacent buildings?
 - the applicants have been discouraged from pursuing this option, as increased height would not conform to the Downtown Core Area Plan (DCAP)
 - Mr. Bateman clarified that through the OCP amendment, the proposal is aiming to have the same urban place designation as the adjacent property. The new designation would limit the proposal's FSR, which in turn affects the allowable height

- what is the rationale for eroding the massing at the northwest corner, and was this approach considered for the northeast corner instead?
 - an earlier iteration of the proposal further addressed the northeast corner, but the applicants were asked by City staff to ensure setbacks to the interior lot lines to ensure the suites' liveability
- what is the rationale behind the dark spandrel colour, particularly on the Johnson Street side?
 - the renderings may not accurately reflect the intended colour; it will be a lighter colour to contrast against both the darker and the lighter brick elements
- what is the colour of the podium?
 - o the podium colour will be variegated
- was a lighter colour considered for the podium to reduce its presence on the street?
 - o the podium is not intended as a heavy element
- an earlier iteration of the proposal had a greater FSR; when this was reduced, was a taller, more slender tower considered?
 - increased height was discouraged by the Planning department, and the proposal also had to stay within the setbacks and have secondary walls
- what is the design rationale for how the building meets the sky?
 - there are construction limits as to how thin the upper floors can be, and the top two storeys' floorplate cannot be made smaller due to the costs
 - the height is limited in the DCAP, and the applicants are looking to minimize the number of requested variances
- how is security ensured for the second and fifth level patios?
 - the patios are accessible for maintenance and achieve the desired visual effect
 - there is an exterior railing for safety, but no dividers between units. This could be addressed through the placement of planters
- how would bicycle access through the lobby function, given the narrow vestibule?
 - o the primary bicycle entrance is located off Quadra Street and is 5ft wide
- does the façade treatment come down to grade at the north and west, next to adjacent buildings?
 - the treatment extends to the height of the adjacent buildings because the lower levels are at a zero lot line.

Panel members discussed:

- · appreciation for the subtlety of the brick detail and mix of materials colours
- desire for increased consistency between the elevations, especially on the north façade, for a more cohesive appearance
- concern for the dark colour and strength of presence of the five-storey podium on Quadra and Johnson Streets
- opportunity for lighter or reflective elements at the podium level to reflect and showcase the Conservatory building
- desire for increased liveliness, as shown in the precedent images, perhaps through the introduction of a lighter element brought down to the street level
- appreciation for the proposed massing and sensitivity to the nearby heritage buildings
- lamenting the move away from the previously-proposed massing erosion at the northeast in recognition of the Conservatory building

- · appreciation for the sensitive and well-crafted response to context
- no concerns for the proposed OCP amendment and residential density
- · the need to refine the building massing at the Johnson and Quadra street corner
- · concern for the imposing podium massing, especially on Quadra Street
- opportunity to decrease the four-storey podium height to achieve a betterproportioned, more elegant tower
- the proposal's heavy and squat appearance and its abrupt truncation
- desire for increased height
- · opportunity for a lighter element, especially where the building meets the sky
- desire for privacy screening between patios, especially to separate the communal patio from the private outdoor spaces.

Motion:

It was moved by Justin Gammon, seconded by Deborah LeFrank, that the Development Permit Application No. 000503 for 1400 and 1412 Quadra Street and 850 Johnson Street be approved with the following recommendations:

- improve the consistency of the elevations' expressions with particular attention to the north façade
- increase privacy between units from the exterior decks to restrict opportunities for overlook / trespass
- reconsider the building termination / how the building meets the sky
- refine the modulation of the building to emphasize its verticality and reinforce its slenderness.

Carried Unanimously

J. REPORTS OF COMMITTEES

J.1 Committee of the Whole

- J.1.b Report from the October 4, 2018 COTW Meeting
- J.1.b.g 1400 Quadra Street Rezoning Application No. 00595 and Associated Official Community Plan Amendment and Development Permit with Variance Application No. 000503 (Harris Green)

Moved By Councillor Thornton-Joe Seconded By Councillor Madoff

Rezoning Application No. 00595

- That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00595 for 1400 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - i. Housing Agreement Bylaw securing all dwelling units as rental in perpetuity.
 - b. That Council determine, pursuant to section 475(1) of the Local Government Act that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
 - That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the *Local Government Act* with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - d. That Council specifically consider whether consultation is required under Section 475(2)(b) of the *Local Government Act*, and determine that no referrals are necessary with the

Excerpt from the Council Meeting Minutes October 4, 2018 Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.

- e. That Council give first reading to the Official Community Plan Amendment Bylaw.
- f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
- 2. That, if approved, Council direct staff to prepare the following plan amendments:
 - i. Consequent amendment of the *Downtown Core Area Plan*, 2011 to change the Central Business District designation covering the site to the Residential Mixed-Use District designation.

Development Permit with Variance Application No. 000503 That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00595, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000503 for 1400 Quadra Street, in accordance with:

- 1. Plans date stamped September 18, 2018
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Permit one parking stall to be located outside the building
- 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

F.3 <u>1400 Quadra Street - Rezoning Application No.00595 and Associated</u> <u>Official Community Plan Amendment and Development Permit</u> with Variance Application No.000503 (Harris Green)

Committee received a report dated September 20, 2018 from the Director of Sustainable Planning and Community Development purposing a 14-storey, mixed-use building consisting of ground floor commercial and residential above with a floor space ratio of 5.5:1.

Committee discussed:

1.

the mix of residential and business space

Moved By Councillor Thornton-Joe Seconded By Mayor Helps

Rezoning Application No. 00595

- That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00595 for 1400 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
- Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - i. Housing Agreement Bylaw securing all dwelling units as rental in perpetuity.
- b. That Council determine, pursuant to section 475(1) of the Local Government Act that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
- c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
- d. That Council specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School

District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.

- e. That Council give first reading to the Official Community Plan Amendment Bylaw.
- f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
- 2. That, if approved, Council direct staff to prepare the following plan amendments:
 - i. Consequent amendment of the Downtown Core Area Plan: 2011 to change the Central Business District designation covering the site to the Residential Mixed-Use District designation.

Development Permit with Variance Application No. 000503

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00595, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000503 for 1400 Quadra Street, in accordance with:

- 1. Plans date stamped September 18, 2018
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Permit one parking stall to be located outside the building
- 3. The Development Permit lapsing two years from the date of this resolution."

Motion to postpone

Moved By Councillor Isitt Seconded By Mayor Helps

That Council postpone consideration of the motion to give Committee an opportunity to consider staff's recommendation.

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Isitt

That Council decline Rezoning Application No. 00602 and Development Permit with Variance Application No.000503 for the property located at 1400 Quadra Street.

Defeated due to no seconder

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

To lift the postponed motion from the table.

CARRIED UNANIMOUSLY

On the Main Motion:

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe and Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

Committee recessed at 10:46 a.m. and reconvened at 10:52 a.m.



Committee of the Whole Report For the Meeting of October 4, 2018

To: Committee of the Whole Date: September 20, 2018

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

Subject: Rezoning Application No. 00595 for 1400 Quadra Street and Associated Official Community Plan Amendment

RECOMMENDATION

That Council decline Rezoning Application No. 00602 for the property located at 1400 Quadra Street.

LEGISLATIVE AUTHORITY

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

In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1400 Quadra Street. The proposal is to rezone from the Central Business District-1 Zone (CBD-1, site specific) and the Mixed Use Residential District-1 Zone (MRD-1) to the Central Business District-2 Zone (CBD-2, site specific) in order to construct a 14-storey, mixed-use building consisting of ground floor commercial and residential above with a floor space ratio of 5.5:1.

The following points were considered in assessing this Application:

 the subject property is designated Core Business in the Official Community Plan (OCP, 2012), which supports commercial, including office and retail along with complementary uses including residential, hotels and other visitor accommodation. In terms of place character features, the OCP envisions three- to five-storey building façades that define the street wall with upper storeys set back above. The plan supports a maximum residential floor space ratio of 3:1 and total commercial floor space ratios ranging from a base of 4:1 to a maximum of 6:1. The Application proposes a residential FSR of 5.27 which is not consistent with the overall intent of the Core Business Designation.

- the proposal would require an OCP amendment to change the Urban Place Designation from Core Business to Core Residential, which is the designation immediately across Quadra Street. The Application is consistent with this proposed designation which supports diverse housing types including low-, mid-, and high-rise multi-unit residential and mixed-use. The floor space ratio in this designation generally ranges from a base of 3:1 to a maximum of 5.5:1. The Development Permit Area would also need to change to be consistent with this OCP amendment (see concurrent Development Permit with Variances Application).
- the subject property is designated Central Business District in the *Downtown Core Area Plan* (DCAP, 2011). The DCAP supports a strong concentration of commercial employment uses, along with such complementary uses as multi-residential development, hotels, restaurants, public institutions, personal service businesses and retail stores. The maximum density for mixed use development is 6:1 FSR, of which the residential portion shall not exceed 3:1 FSR. The Application proposes a residential FSR of 5.27, which is not consistent with the FSR limits in the DCAP, and does not meet the overall intent of this area serving as the primary employment, commercial and cultural centre for the City and the region. If Council chooses to approve the Application, the DCAP would also require amendments for consistency with the OCP amendment, including changing the district from Central Business District to Residential Mixed-Use District.
- The *City of Victoria Density Bonus Policy* does not identify an amenity contribution target (fixed rate target) for standard rezoning of properties that require an OCP Amendment. Therefore, land lift analysis is required. The land lift analysis has determined that the proposal would not increase the value of the property and therefore no amenity contribution would be expected under the Density Bonus Policy.
- A Housing Agreement is being proposed to secure the 113 dwelling units as rental in perpetuity.

Although the Application is inconsistent with a number of City policies related to its current land use designation of Core Business, as noted above, it would provide more than 100 units of rental housing stock, secured in perpetuity. The provision of these rental units would help to address the current rental shortage and may help to provide a stabilizing residential influence in an area of the City which is undergoing considerable transition. Based on these additional considerations, an alternate motion is provided at the end of this report for Council's consideration.

BACKGROUND

Description of Proposal

This Rezoning Application is to allow for a 14-storey, mixed-use building consisting of ground floor commercial and residential above with a density of 5.50:1 floor space ratio (FSR).

The following differences from the existing zones (CBD-1 Zone and MRD-1 Zone) are being

Page 2 of 10

proposed. The proposal has no differences from the destination zone (CBD-2 Zone) except for the increased density and the location of one parking space. The increased density would require site specific regulations in the new zone and the parking location would require a variance (see concurrent Development Permit with Variance report):

- increase the maximum FSR to 5.5:1
- remove the requirement for a maximum FSR of 3.0:1 for residential uses
- increase the height requirement to 42.70m
- increase the site coverage to 77.6%
- locate one accessible visitor parking space outside of the building.

The request to amend the *Official Community Plan* is necessary in order to accommodate the increased residential density above 3.0:1 FSR. An amendment to the *Downtown Core Area Plan* would be required to accommodate the OCP amendment.

Affordable Housing Impacts

The applicant proposes the creation of 113 new residential units which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed to secure 113 rental dwelling units in perpetuity.

Sustainability Features

The applicant has identified sustainability features which will be reviewed in association with the concurrent Development Permit Application for this property.

Active Transportation Impacts

The Application proposes 142 long term bike storage spaces and 13 short term bike spaces, which exceed the requirements in the *Zoning Regulation Bylaw* by one bike space.

Public Realm Improvements

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

Accessibility Impact Statement

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

Land Use Context

The area is predominantly characterized by low and mid-rise commercial, residential and mixed use buildings. Immediately adjacent land uses include:

- to the north: a 2-storey commercial building and surface parking lot
- to the south: a 1-storey commercial building and surface parking lot
- to the east: the 3-storey Royal Conservatory of Music building (Heritage-Designated)
- to the west: a 5-storey residential building.

Existing Site Development and Development Potential

The site is presently vacant and is undergoing remediation.

The site is currently partially zoned CBD-1 Zone (site specific) and MRD-1 Zone. The site specific CBD-1 Zone portion would permit a 15m high commercial office building at 1.5 FSR. The MRD-1 Zone portion would permit a 30m high mixed-use building. The site may be difficult to develop to its maximum potential under current zoning due to its size and configuration.

Data Table

The following data table compares the proposal with the existing CBD-1 (site specific) and MRD-1 Zones. An asterisk is used to identify where the proposal is less stringent than the existing zones. If the property is rezoned as proposed, the destination zone would be the CBD-2 Zone with a site specific regulation to accommodate the increased density. A variance would be required to locate one parking space outside of the building.

Zoning Criteria	Proposal	Current Zone MRD-1	Current Zone CBD-1 (Site Specific)	Proposed Zone CBD-2
Site area (m²) – minimum	1370.40	N/A	N/A	N/A
Density (Floor Space Ratio) – maximum	5.50:1 *	N/A	1.5:1	4.0:1
Residential density (Floor Space Ratio) – maximum	<mark>5.27:1</mark> *	N/A	N/A	3.0:1
Office density (Floor Space Ratio) – maximum	N/A	0.6:1	N/A	N/A
Total floor area (m²) - maximum	7537.00	N/A	N/A	N/A
Height (m) – maximum	42.70 *	30.00	15.00	45.00
Rooftop structure projection (m) – maximum	2.78	5.00	5.00	5.00
Storeys – maximum	14	N/A	N/A	N/A
Site coverage (%) – maximum	77.60 *	N/A	60.00	N/A
Front setback plane (ratio) (Quadra Street) – minimum	Within setback plane	N/A	5:1 (angle of Inclination)	5:1 (angle of Inclination)
Setbacks (m) – minimum				
Front (Quadra Street)	2.60	0.5	N/A	N/A
Rear (West)				
Under 20m in height	0.5	N/A	N/A	N/A

Zoning Criteria	Proposal	Current Zone MRD-1	Current Zone CBD-1 (Site Specific)	Proposed Zone CBD-2
20-30m in height	7.74 (5.50 for balcony)	N/A	3.0	3.0
30-45m in height	7.74 (5.50 for balcony)	N/A	6.0	6.0
Side (North)				
Under 20m in height	0.57	N/A	N/A	N/A
20-30m in height	7.03	N/A	3.0	3.0
30-45m in height	7.09	N/A	6.0	6.0
Side (Johnson Street)				
Under 20m in height	3.10	N/A	N/A	N/A
20-30m in height	5.91	N/A	3.0	3.0
30-45m in height	6.00	N/A	6.0	6.0
Projections into setbacks – maximum	Less than 0.6	0.60	0.60	0.60
Rooftop structure				
Setback from roof edge (m) – minimum	3.00	3.00	3.00	3.00
Rooftop coverage (m) – maximum	19.7	30.0	30.0	30.0
Height (m) – maximum	2.78	5.00	5.00	5.00
Vehicle parking stalls – minimum				
Total vehicle parking	104	80	80	80
Residential	93	69	69	69
Visitor	11	11	11	11
Vehicle parking location	1 space outside structure *	within structure	within structure	within structure

September 20, 2018

Zoning Criteria	Proposal	Current Zone MRD-1	Current Zone CBD-1 (Site Specific)	Proposed Zone CBD-2
Bicycle parking stalls – minimum				
Long term residential	142	141	141	141
Short term	13	13	13	13

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Downtown Harris Green CALUC at a Community Meeting held on May 18, 2017. A letter dated September 23, 2018 is attached to this report.

ANALYSIS

Official Community Plan

The subject property is designated Core Business in the *Official Community Plan* (OCP, 2012), which supports commercial, including office and retail along with complementary uses including residential, hotels and other visitor accommodation. In terms of place character features, the OCP envisions three- to five-storey building façades that define the street wall with upper storeys set back above. The plan supports a maximum residential floor space ratio of 3:1 and total commercial floor space ratios ranging from a base of 4:1 to a maximum of 6:1.

The Application exceeds the residential FSR envisioned in this location and is not consistent with the overall intent of the Business Core Designation. The Application therefore requires an OCP amendment to change the designation from Core Business to Core Residential. The proposal would be consistent with the Core Residential Urban Place Designation which supports diverse housing types including low-, mid-, and high-rise multi-unit residential and mixed-use. The floor space ratio in this designation generally ranges from a base of 3:1 to a maximum of 5.5:1 across Quadra Street. The Development Permit Area would also need to change to be consistent with this OCP amendment (see concurrent Development Permit with Variances Application).

The OCP envisions the downtown as the cultural, employment, business and entertainment heart of the Capital Region. The proposed OCP amendment may detract from the overall intent of the downtown area and would decrease the potential for commercial services and employment.

The applicant has supplied a letter from Colliers International (attached) stating that the current market conditions would suggest that caution be applied to any new office development. It should also be noted that the proposal is located across the street from the Core Residential designation. If the OCP amendment is approved, the site would become a contiguous part of the Core Residential designation and not an isolated lot.

OCP Amendment Consultation

The Local Government Act (LGA) Section 475 requires a Council to provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected by an amendment to the OCP. Consistent with Section 475 of the LGA, Council must further consider whether consultation should be early and ongoing. This statutory obligation is in addition to the Public Hearing requirements. In this instance, staff recommend for Council's consideration that notifying along with posting a notice on the City's website will provide adequate opportunities for consultation with those affected, should Council consider the alternate motion that would advance the proposed OCP Amendment.

The OCP Amendment Application is to change the Urban Place Designation from Core Business to Core Residential. Given the surrounding area is predominantly low and mid-rise commercial, residential and mixed-use buildings, and given that through the Community Association Land Use Committee (CALUC) Community Meeting process all owners and occupiers within a 200m radius of the site were notified and invited to participate in a Community Meeting, the consultation proposed at this stage in the process is recommended as adequate and consultation with specific authorities, under Section 475 of the LGA, is not recommended as necessary.

Should Council support the OCP amendment, Council is required to consider consultation with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board and the provincial government and its agencies. However, further consultation is not recommended as necessary for this amendment to the Urban Place Designation as this matter can be considered under policies in the OCP.

Council is also required to consider OCP Amendments in relation to the City's *Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and the *Capital District Solid Waste Management Plan*. This proposal would have no impact on any of these plans.

Downtown Core Area Plan

The subject property is within the Central Business District in the *Downtown Core Area Plan* (DCAP, 2011). The Central Business District supports a strong concentration of commercial employment uses, along with such complementary uses as multi-residential development, hotels, restaurants, public institutions, personal service businesses and retail stores. Objectives of this district include serving a long-term function as the primary employment centre for the City and the region, and to provide an adequate land base to primarily accommodate commercial and office development in the future. The maximum density for mixed use development in this location is 6:1 FSR, of which the residential portion shall not exceed 3:1 FSR.

The Application proposes a residential FSR of 5.27 which is inconsistent with the DCAP. The proposed increase in residential density would also not meet the overall intent of this area providing a land base to accommodate commercial and office development in the future.

If Council chooses to approve this Application, the DCAP would also require amendments for consistency with the OCP amendment, including changing the district from Central Business District to Residential Mixed-Use District.

Density Bonus Policy

The City of Victoria Density Bonus Policy does not identify an amenity contribution target (fixed rate target) for standard rezoning of properties that require an OCP Amendment. Therefore, land lift analysis is required. This study was completed by G.P. Rollo and associates, September 25, 2018 (attached), and it has been determined that there would be no land lift from the proposed zoning for market rental as compared to a strata project at 3.0 FSR with commercial at grade.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this Application. There are five public trees impacted by this Application – two Fraxinus ornus and three Carpinus betulus. These trees will be removed because they will not withstand the impacts of the proposed underground parkade and new utility installations for the development. Six new trees are to be planted within the public realm on Quadra and Johnson Streets, with a net gain of one tree.

Regulatory Considerations

The following differences from the existing zones, CBD-1 Zone (site specific) and MRD-1 Zone, are being proposed and would be accommodated in the proposed CBD-2 Zone (site specific):

- increase the maximum FSR to 5.5:1
- remove the requirement for a maximum FSR of 3.0:1 for residential uses
- increase the height requirement to 42.70m
- increase the site coverage to 77.6%.

If Council chooses to approve the Application, the new zone would be based on the CBD-2 Zone except with the density increased as noted above. A variance would also be required for one accessible visitor parking space to be located outside of the building.

The increases to the overall density, height and site coverage are consistent with the OCP and DCAP policy. The residential density increase is not consistent with City policy and would require and OCP amendment (see above). The DCAP would also require amendments for consistency with the OCP amendment, including changing the district from Central Business District to Residential Mixed-Use District.

CONCLUSIONS

The proposal to construct a 14-storey, mixed-use building consisting of ground floor commercial and residential above, is not consistent with OCP and DCAP policy with respect to proposed land use and density. The proposed residential density does not reinforce and enhance this location as the primary employment, commercial and cultural centre for the City and the region. However, it would provide more than 100 units of rental housing stock, secured in perpetuity. The provision of these rental units would help to address the current rental shortage and may help to provide a stabilizing residential influence in an area of the City which is undergoing considerable transition. Additionally, the property is located on the edge of the Core Business District, directly across the street from an area of the City which is in a land use designation which would support this form of development.

ALTERNATE MOTIONS

Option 1 (Approve Current Proposal)

- That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00595 for 1400 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - i. Housing Agreement Bylaw securing all dwelling units as rental in perpetuity.
 - b. That Council determine, pursuant to section 475(1) of the Local Government Act that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
 - c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - d. That Council specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
 - e. That Council give first reading to the Official Community Plan Amendment Bylaw.
 - f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the *Local Government Act*, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
 - g. That Council give second reading to the Official Community Plan Amendment Bylaw.
 - h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

- 2. That, if approved, Council direct staff to prepare the following plan amendments:
 - i. Consequent amendment of the *Downtown Core Area Plan, 2011* to change the Central Business District designation covering the site to the Residential Mixed-Use District designation.

Option 2 (Revise)

That Council direct staff to:

- Work with the applicant to revise the Application to be more consistent with the OCP and DCAP, particularly in relation to decreasing the residential density and increasing support of this area as the primary employment, commercial and cultural centre for the city and the region.
- 2. Bring the revised proposal back to a Committee of the Whole meeting.

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:

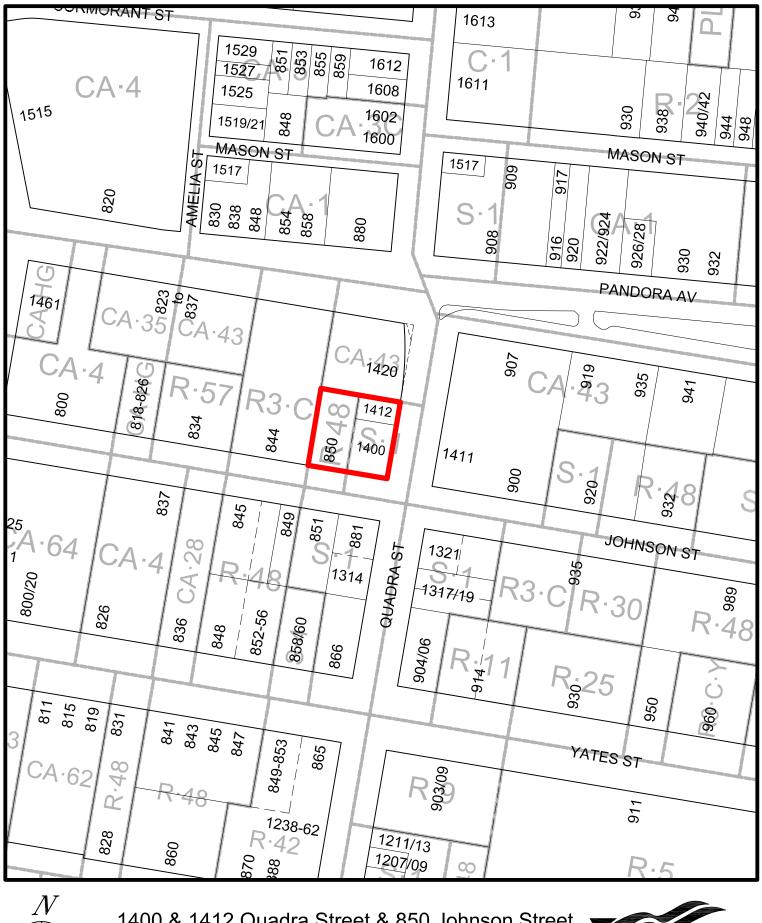
Serve Throupson

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped September 18, 2018
- Attachment D: Letter from applicant to Mayor and Council dated September 24, 2018

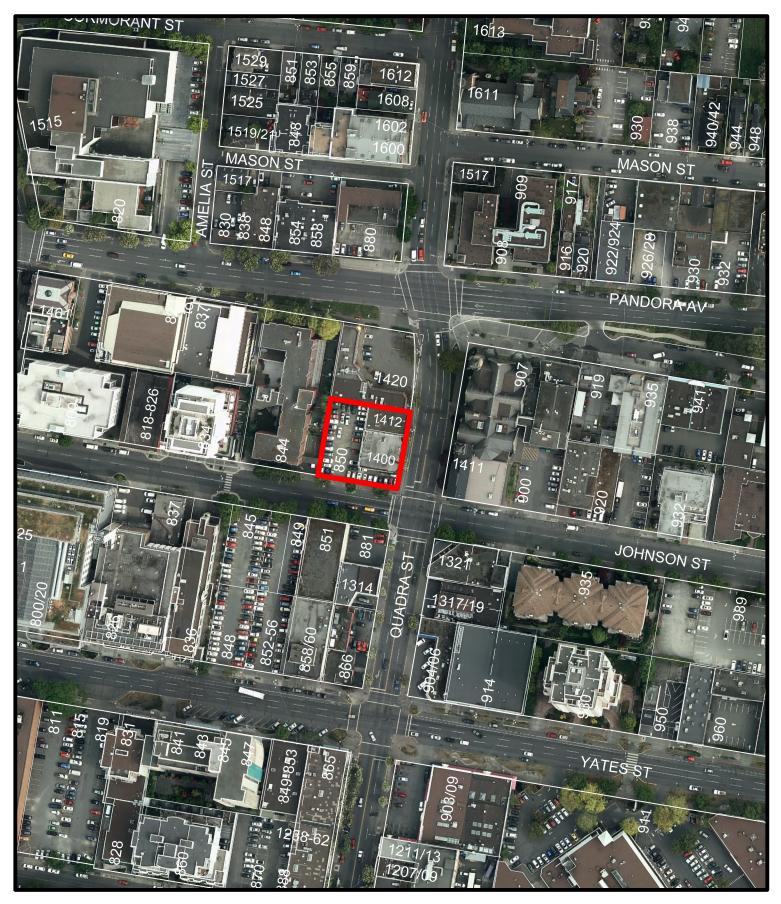
Date:

- Attachment E: Community Association Land Use Committee Comments dated September 23, 2018
- Attachment F: Letters from Colliers International dated July 11, 2017 and October 2, 2017
- Attachment G: Land Lift Analysis Report dated September 25, 2018
- Attachment H: Staff Report for Advisory Design Panel Meeting of August 22, 2018
- Attachment I: Draft Minutes from the Advisory Design Panel Meeting of August 22, 2018.



1400 & 1412 Quadra Street & 850 Johnson Street Rezoning No.00595







1400 & 1412 Quadra Street & 850 Johnson Street Rezoning No.00595



ATTACHMENT C



1 Context Plan



2 Location Plan

PROJECT DESCRIPTION

CIVIC ADDRESS 1400 QUADRA STREET

LEGAL DESCRIPTION LOTS 1 & 2 OF PLAN 4255. & LOT 2 OF PLAN 41744, ALL OF LOTS 356, 397, & 356, VICTORIA CITY

REGISTERED OWNER Quadra / Johnson Project Ltd P.O. Box 846 Victoria B.C. Vew 2R9

ARCHITECT de Hoog & Kierulf archite 977 Fort Street Victoria, BC V8V 3K3 Charles Kierull tel: 250 658-3367 fax: 250 658-3397 DESIGN CONSULTANT

Paul Merrick 18 Bastion Square Paul Merris tel 250 480-7811 Vietnina, BC VBW 1H9 rt Mmorrick ar com STRUCTURAL CONSULTANT

RJC 220 - 645 Type Road Victoria BC V9A 5X5 Leon Plett let: 250.386-7794 fax: 250.381-7900 telattithter ca

Avaion Mechanical Consultants Ltd. Mask Demictow 300 - 1245 Escumet Road tel: 250.384-4128 Victoria BC fax: 250.384-4134 V9A 3P2 marak fit. nninal con

ELECTRICAL CONSULTANT Appled Enclanding Studient 1 bi Appled Enclanering Studient 1 bi Jrd Floor - 1815 Blanshard Street Int 250.361-6121 Victoria, BC Int Construction Construction Victoria, BC Int Construction Construction Victoria, BC International Construction Construction Victoria, BC International Construction Victoria, Constructional Construction Victoria, Construc

MECHANICAL CONSULTANT

LANDSCAPE ARCHITECT Murdoch de Greeff Inc. 200-524 Curouthel Rd. Vieteria, BG V82 1G1 Scott Murdoch let 250 412-2819 fax 250 412-2892

CIVIL CONSULTANT Herold Engineering 1051 Variational Street Victoria BC VBV 416 scamp Sarah Camprise tel: 250 590-4875 fax: 250 590-4392

GEOTECHNICAL Ryzuk Gentechni 26 Crease Aveni Vintoria BC V82 153 lashelin Maltais lei 250.475-3131 fax 250.475-3611 isshelin@nyruk.com

SURVEYOR Brad Cunnin tel: 250.381-2257 fax: 250.381-2269 bradi@hrm.in.eyor.ca Brad Cunnin Land Sorrange #2 - 576 Hillsofe Avenue ria BC Var 1Y9

ENVELOPE RJC 220 - 645 Type Road Veteria, BC V9A 6X5 Kevin Pickwirt tel 250.386-7794 fax: 250.381-7900 kpirkwirk@rin.ca VICTORIA ZONING BYLAW SUMMARY BUILDING DESCRIPTION: 14 STOREY RESIDENTIAL BUILDING PRIMARILY RETAIL MAIN FLOOR, RESIDENTIAL ABOVE EXISTING ZONE: R-48 HARRIS GREEN, S-1 CENTRAL BUSINESS DISTRICT PROPOSED ZONE: SITE SPECIFIC DENSITY BONUS AREA: A-1 DEVELOPMENT PERMIT AREA: DPA2 () SITE AREA: 1370 4 m2 (14 751 st) PLOCR AREA: COAM ARTAL Level ; RES LOBY Level ; PARKING ENTRANCE Level ; RES MOENTRA Level ; RESDENTRA Level ; RESDENTRA Level ; RESDENTRA Level ; RESDENTAL Level ; RESDENTAL Level ; RESDENTAL EVEL ; RESDENTAL FIL Level 5-12 Level 13-14 FLOOR SPACE RATIO: 55.1FSR SITE COVERAGE: 77.5% OPEN SITE SPACE: 18.1% 21 57 m (Gi See Site Pi GRADE OF BUILDING: HEIGHT OF BUILDING: 427 m NUMBER OF STOREYS: 14 STORES RESIDENTIAL PARKING: 104 stalls to COMMERCIAL PARKING: 0 stats feet BICYCLE PARKING: 142 long-las 13 short-la SETBACKS: FRONT (Quadra St.) REAR (Weeth SIDE (Neeth) SIDE (Indexe St.) 235m 05 m 05 m 31 m SUITE COMPOSITIO Studio: Studio: 9 nutes @ 40 sm = 360 sm 3 autes @ 50 sm = 150 sm 10 nutes @ 42 sm = 420 sm 44 autes @ 45 sm = 2172 sm 11 sutes @ 51 am = 2172 sm 3 sutes @ 73 am = 1295 sm 3 autes @ 27 sm = 1875 sm 3 autes @ 22 sm = 205 sm 113 SUITES @ 6 154 sm Studio 1 Bed / 1 Bath junior 1 Bed / 1 Bath 1 Bed / 1 Bath 2 Bed / 1 Bath 2 Bed / 1 Bath 2 Bed / 2 Bath 3 Bed / 2 Bath TOTAL:

*All units are rents BUILDING CODE SUMMARY

REFERENCED DOCUMENT BRITISH COLUMBIA BUILDING CODE 2012 - PART 3 MAJOR OCCUPANCY CLASSIFICATION GROUP C - RESIDENTIAL
 GROUP E - MERCANTILE

BUILDING AREA • 1063 9 sm (11 452 sf)

BUILDING HEIGHT · 14 STOREYS

USES

NUMBER OF STREETS FACING

ACCESSIBLE FACILITIES ACCESSIBLE ENTRANCE ACCESSIBLE PARKING STALLS

CONSTRUCTION REQUIREMENTS · 32247 GROUP C. ANY HEIGHT ANY AREA SPRINKI FRED

NON-COMBUSTIBLE CONSTRUCTION WITH 2HR MIN FIRE RESISTANCE RATING TO FLOORS AND LOADBEARING WALLS.

ADDITIONAL REQUIREMENTS FOR HIGH BUILDINGS Ref. 3 2 5.1 (1)(d)

Received City of Victoria

SEP 1 8 2018

Planning & Development Department **Development Services Division**

	1 A101
4. S-1 CENTRAL BUSINESS DISTRICT	A201
	A202
	A203
	A204
(HC) CORE BUSINESS, HA-4	A204a
	A205
	A206
321 m2 (3 455 sf)	A207
129 m2 (1.389 sf)	A208
76 4 m2 (822 s/) 52 6 m2 (566 sl)	A209
677.2 m2 (7 289 st)	A210
729.8 m2 (7856 sf) X 2 = 1459.6 sm 494.1 m2 (5318 sf) X 8 = 3952.8 sm	A211
434 2 m2 (4 674 st) X 2 = 868.4 sm	A301
 m2 (603 sf) excluded 7 537 m2 (81 126 sf, excl. parkade) 	A302
	A401
7 537 m2 (81 126 s/)	A402
	A501
	A502
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40 sm = 360 sm	

A001	Project conta
A100	Fainting Site Plan
A101	Site Plan
A201	P3 Parking Plan
A202	P2 Parking Plan
A203	P1 Parting Plan
A204	Level L1
A204a	L1 Ligting Plan
A205	Level 1 7 Plan
A206	Levelt 3-L4 Plan
A207	Level L5 Plan
A208	Level LG-L12 Plan
A209	Level L13 Plan
A210	Level L 14 Plan
A211	Roof Plan
A301	Building Sections
A302	Building Sections
A401	South & East Provisions
A402	North & West Flevation
A501	Site Analysis
A502	View Analysis
A503	Perspective Studies
A504	Perspective Studies
A505	Colours & Materials

LIST OF DRAWINGS

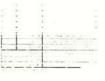
Project Data

Architectural A001

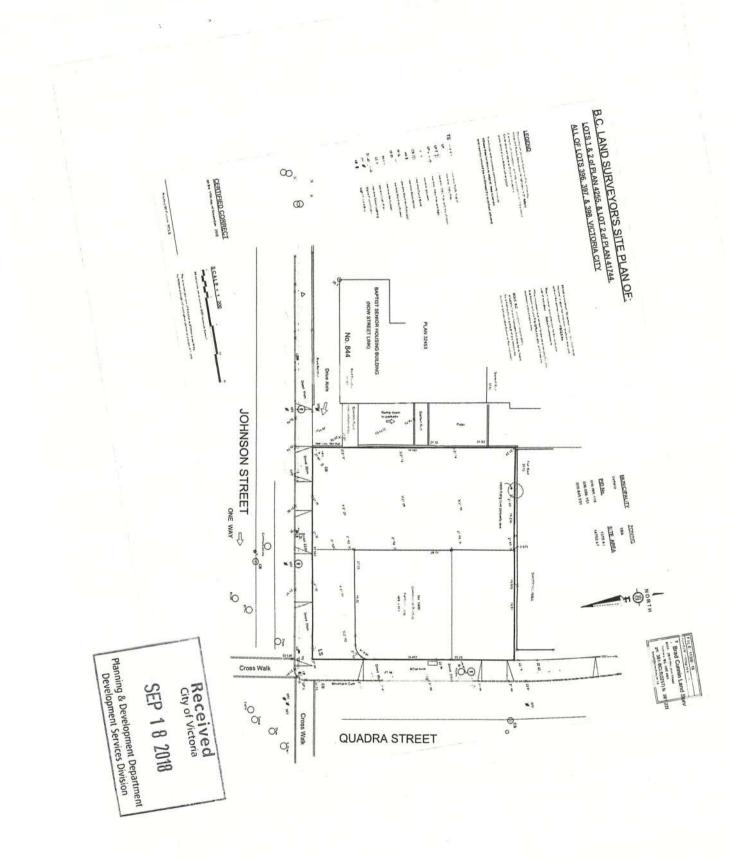
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Landerana Plan Level 51 and trane and Planting Plan Planting Plan

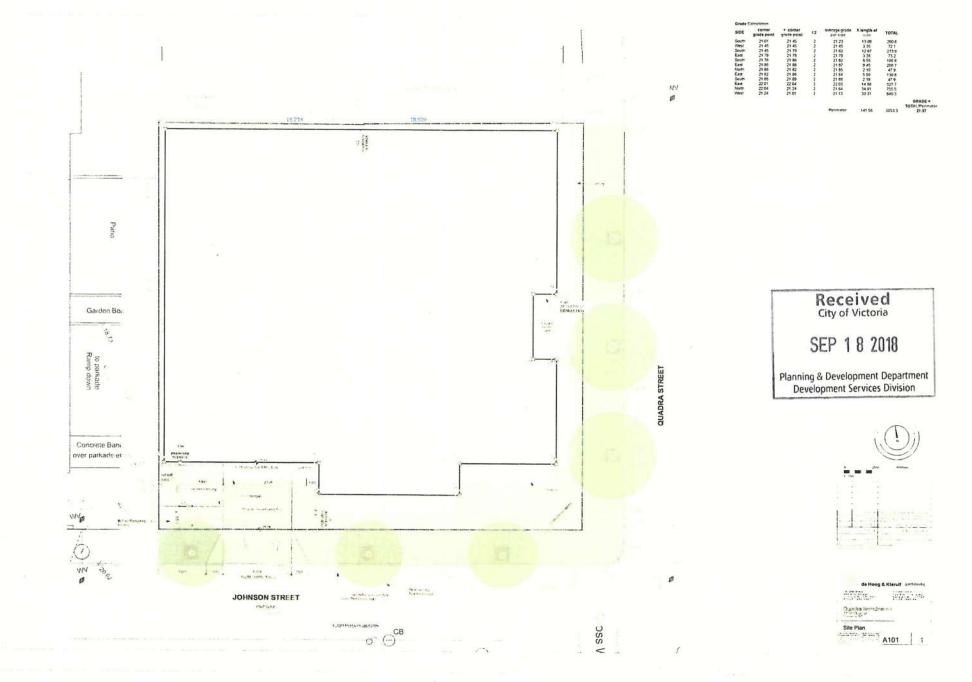




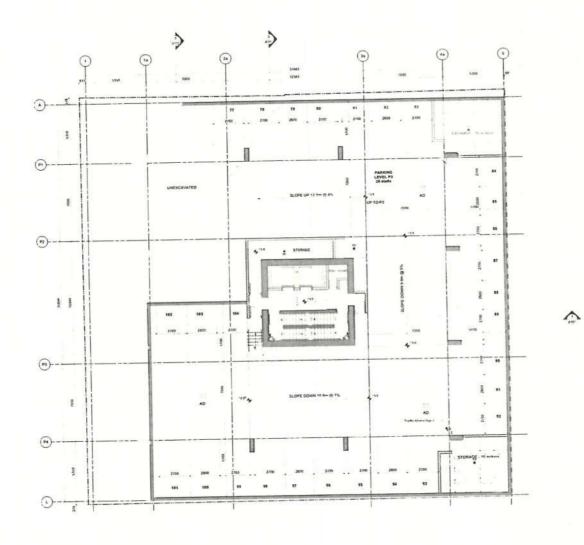
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Oundra Render	***
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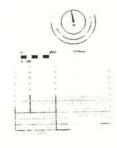
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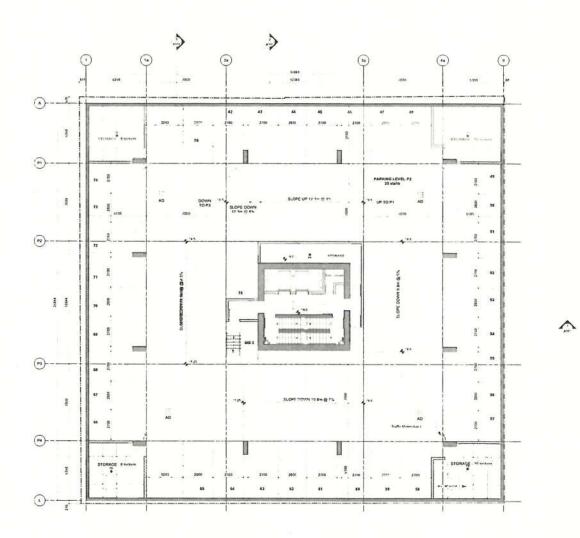
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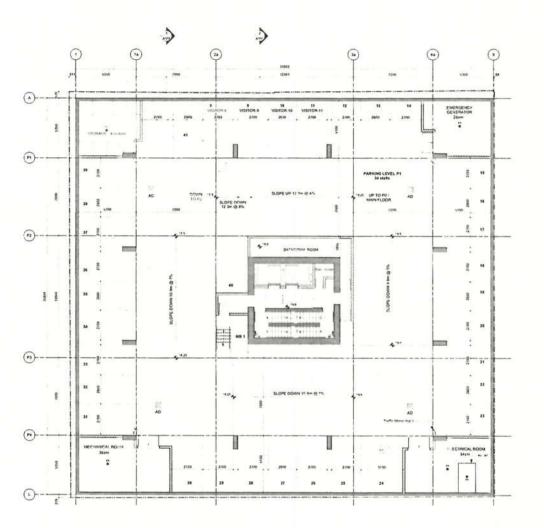




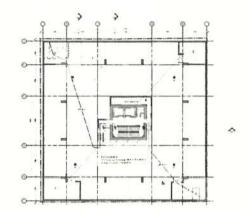
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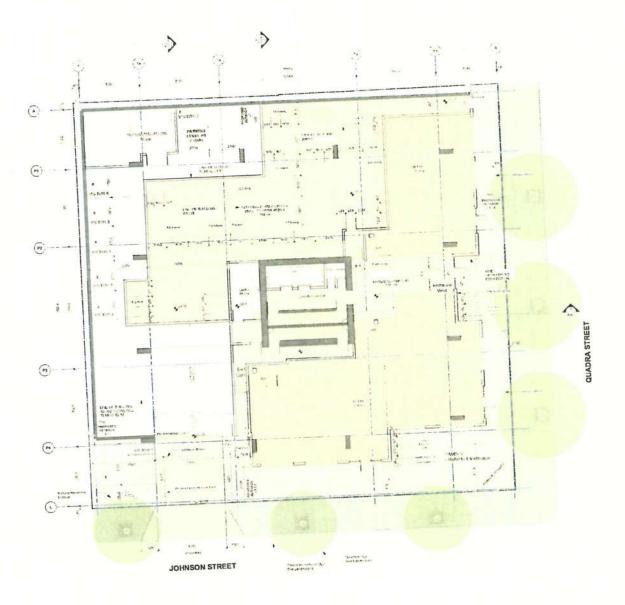


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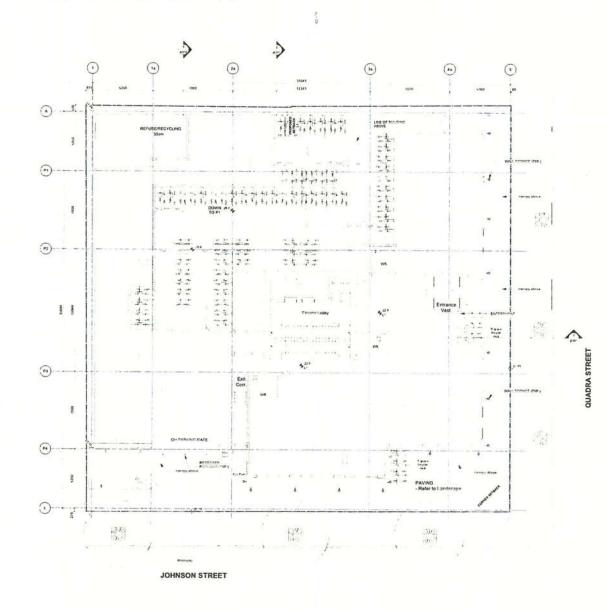


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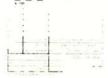
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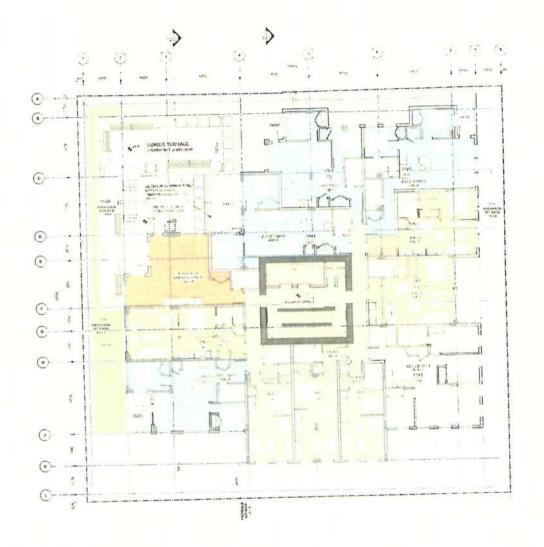


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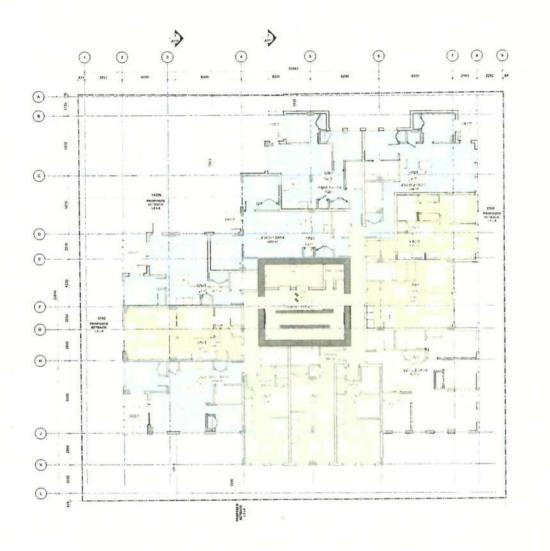
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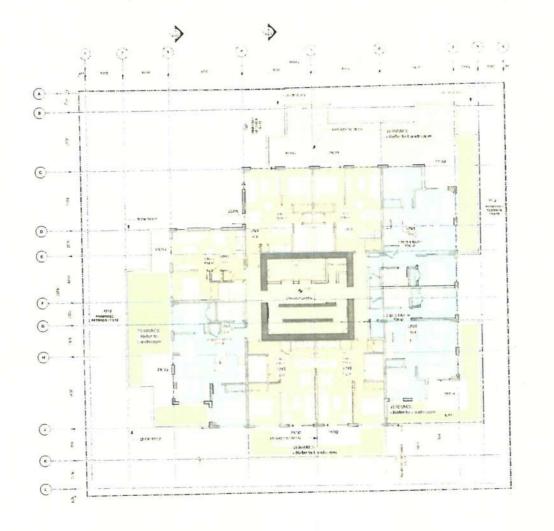


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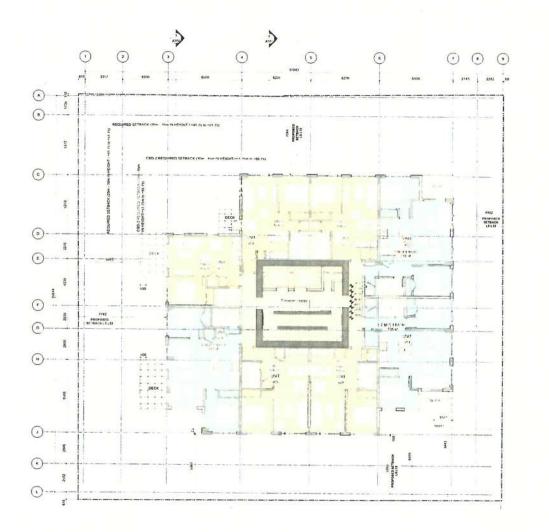


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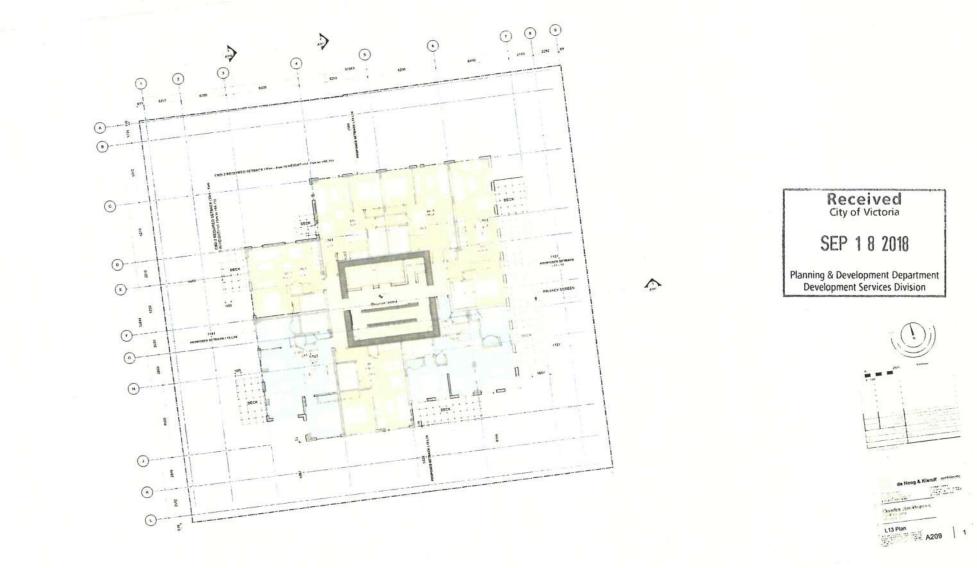


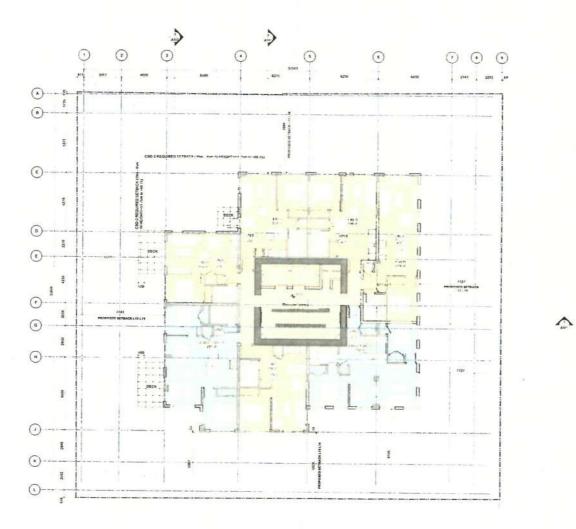
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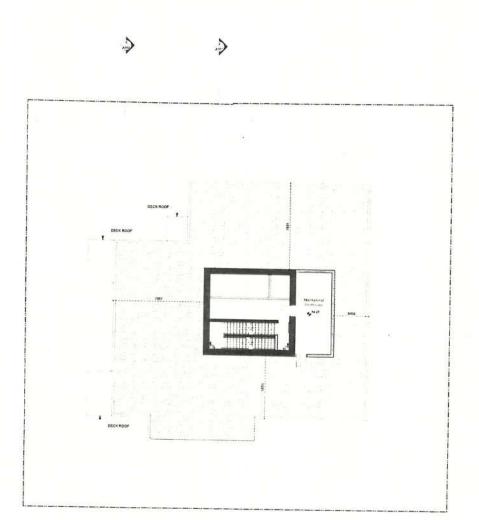




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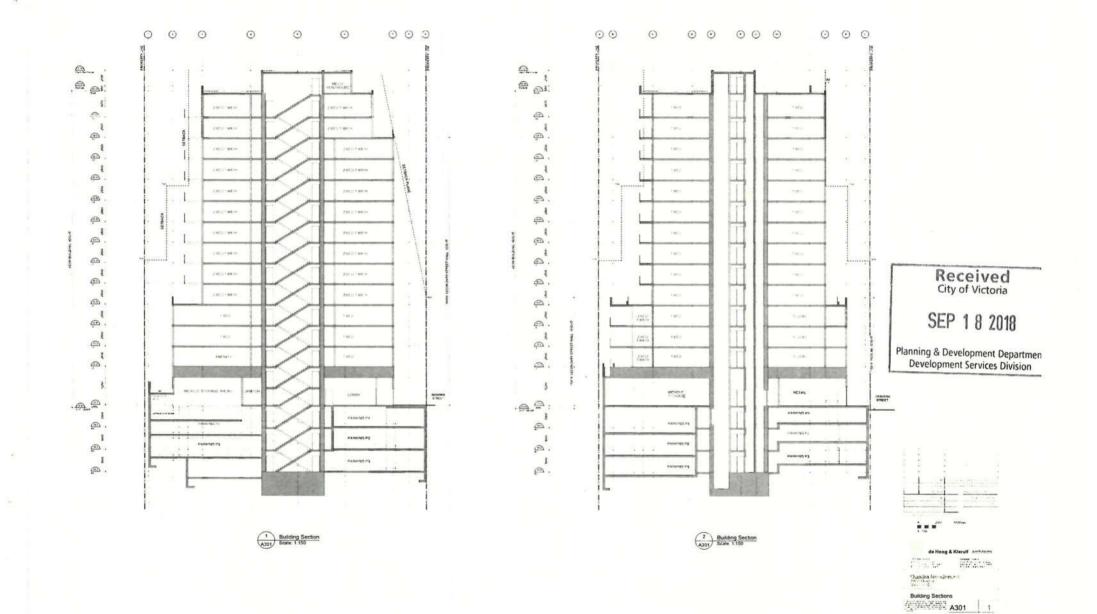


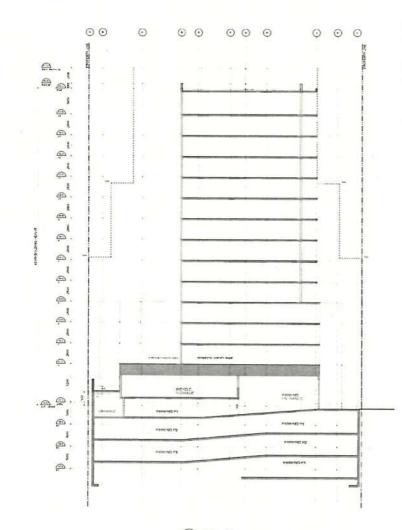
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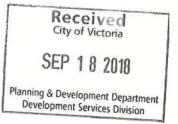


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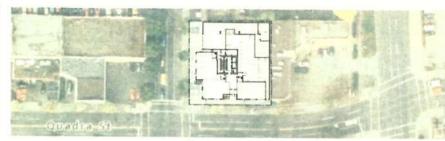
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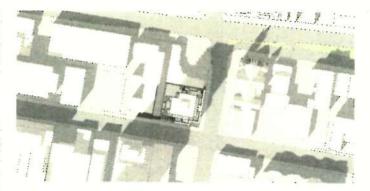


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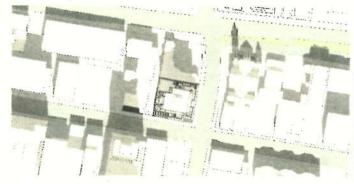
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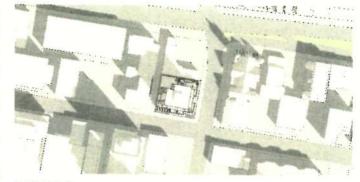
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Looking South-West Along Pandora Street







Looking South Along Quadra Street at Mason



Looking North Along Quadra Street at Yates

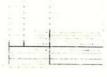






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1 Street Views





2 Perspective View of South-East Corner at Johnson and Quadra Streets AS03 N.T.S.



3 Looking North Down Quadra at the Conservatory Asea NTS



4 Detail Perspective Looking South





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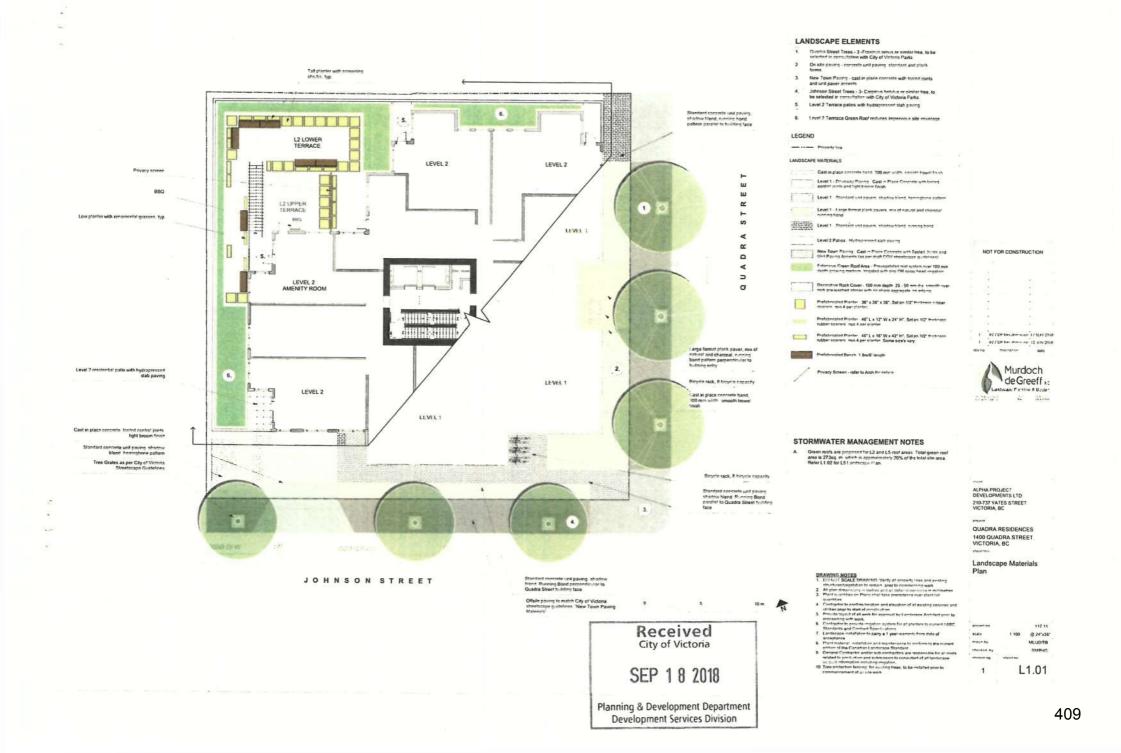


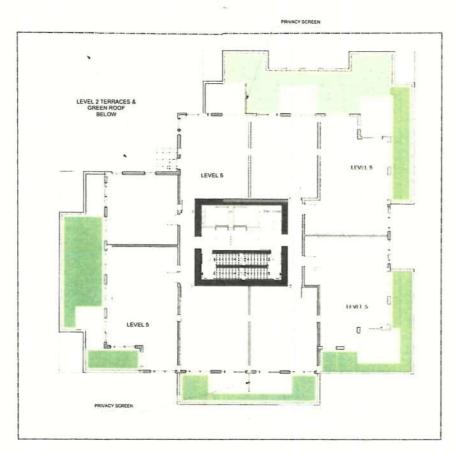
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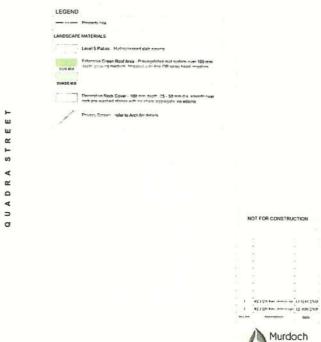






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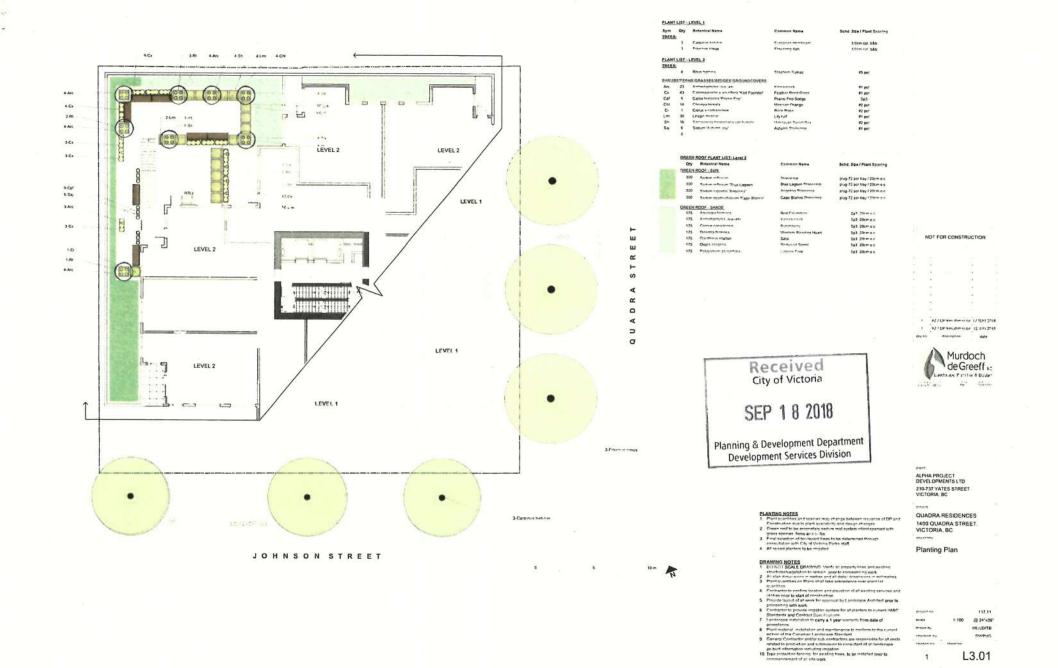
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24 September 2018

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

RE: 1400/1402 Quadra Street & 840 Johnson Street - Application for Rezoning and Concurrent Development Permit.

Dear Mayor & Members of Council:

On behalf of our client, Alpha Project Developments Ltd., we are pleased to submit this revised application for rezoning and concurrent development permit for the above named property.

DESCRIPTION OF PROPOSAL

The proposed development is located on the north west corner of the intersection of Quadra Street and Johnson Street. Across Quadra Street to the east is the Victoria Conservatory of Music, a heritage landmark building (previously the Metropolitan United Church). The property to the west is the five storey Portland Hotel Society Residential Outreach building. The property to the north is a two storey retail plaza. A large 21 storey residential project has recently been approved across Johnson Street to the south. A residential building similar in size to our proposal is located beyond the Outreach building to the west at 834 Johnson Street.

The west half of the site is currently zoned R-48–Harris Green. The east half consists of 2 small lots and is zoned S1–Limited Service District. The three individual properties will be amalgamated and the entire site rezoned to a site specific zone. The properties are located within Development Permit Area 4. Previous uses included a drycleaner and used car dealership. The existing single storey buildings have now been demolished and the site is undergoing environmental remediation.

We are requesting a site specific zone that is generally in conformance with the City of Victoria Downtown Core Area Plan and the Official Community Plan. Located in the Core Business District, the maximum permitted FSR is 6.0:1, with a maximum residential component of 3.0:1. We are proposing a 14 storey building with three levels of underground parking and a density of 5.5:1 FSR. This proposal has been reduced from 15 storeys and 6.0:1 FSR as initially proposed. The ground floor includes a commercial/retail component. Levels 2 through 14 are residential use. With total residential exceeding 3.0:1 FSR an amendment to the OCP is requested.

Use & Location of Use

Double-height retail spaces face onto Quadra and Johnson Streets, bisected by the residential lobby entry facing onto Quadra. Underground parking is accessed from Johnson Street. The refuse/recycling room is generously sized to allow for ease of recycling and on-site space is provided adjacent to the garage entrance for bin storage on pickup days.

On the second floor there is a communal amenity space / business centre that opens onto a large shared outdoor patio. The remainder of the second floor is rental suites.



Victoria 977 Fort Street V8V 3K3 T 250-658-3367 F 250-658-3397 Nanaimo 102-5190 Dublin Way V9T 2K8 T 250-585-5810 mail@dhk.ca www.dhk.ca The upper floors of the building will be market rental apartments with a mix of suites including 12 studios, 10 junior one bedroom units, 46 one bedroom/one bath units, 39 two bedroom/one bath units, 3 two bedroom/two bath, and 3 three bedroom/two bath units for a total of 113 suites. Suites range in size from 38m2 to 83m2 and have been designed to provide a good mix for downtown living, including accommodation for families.

Density

The OCP identifies base density for mixed use on this site as 4.0:1 with a maximum density of 6.0:1. Residential use is restricted to a maximum FSR of 3.0:1. For commercial viability a predominately residential rental building is proposed, which will provide a variety of housing options in the downtown core and improve the street activity and appeal of the block and surroundings. The proposed building yields a maximum total density of 5.5:1 (5.27:1 Residential + 0.23:1 commercial).

Height

The OCP identifies the maximum height for this site as 45 m and 15 storeys for residential use. The proposed building complies with has a maximum height of 42.7 m and 14 storeys.

Setbacks

Proposed setbacks meet or exceed all requirements of the OCP, and have been refined through collaboration with Planning staff to ensure appropriate "breathing room" around the tower. Additional stepping and increase setbacks at the intersection of Johnson and Quadra Streets to create an open public plaza at the corner and enhance views to the Conservatory of Music building.

Parking

104 parking stalls are proposed. The secure underground parking structure includes eleven visitor stalls, and one accessible stall. A second accessible visitor parking space is at grade next to the sidewalk. Parking is provided at a ratio of 0.92 stalls per suite. Parking is provided in compliance with the new Zoning Bylaw 2018 for the Downtown area.

A total of 142 Class 1 bicycle spaces are provided at the main floor, conveniently accessed directly from Quadra Street. In conformance with the new Zoning bylaw this includes the required 140 residential and 2 commercial spaces. In addition there are 11 residential and 2 commercial Class 2 (short term) spaces located near the residential and retail entries.

Landscape

Street level paving patterns have been selected to highlight the residential entrance and to align with Quadra Street. Six new street trees are proposed for this area and will be of a species selected in consultation with City Parks. Sufficient structural soil will be provided to enable the new trees to thrive. These will replace the five existing trees that are struggling and unlikely to survive construction.

The level 2 and level 5 terraces are proposed as extensive green roofs. They are designed as a proprietary sedum mat system inter-dispersed with grasses, ferns and



Victoria 977 Fort Street V8V 3K3 T 250-658-3367 F 250-658-3397 Nanaimo 102-5190 Dublin Way V9T 2K8 T 250-585-5810 mail@dhk.ca www.dhk.ca bulbs suitable to the micro-climatic conditions over a shallow layer of growing medium. The proposed green roof areas cover approximately 30% of the total site area. Some benefits include; impervious cover reduction, supports biodiversity, promotes building energy conservation and reduces urban heat island effect.

Building Design

The fundamental design revisions from the previous submission are the increased stepping back of the building progressively with height and the creation of a taller, more substantial street-oriented podium.

In accordance with the DCAP the primary podium facing Johnson and Quadra Street is four storeys and 14.5 meters tall. Clad in dark grey/brown brick the podium conveys a sense of weight and permanence, a counterpoint to the lighter tower rising above. Large expanses of storefront glazing with pairs of tall windows above set within a hierarchy of brick pilasters create a familiar, traditional backdrop to city life. Glass and steel weather protection extends over all street fronting commercial.

Secondary building faces set back from the podium along Quadra and Johnson extend from the 5th to the 12th and 14th floors. Clad in a lighter brick and punctuated by the larger glazing of living rooms and bedrooms, these faces echo the quality of the podium, but with more contemporary proportions.

The upper North and West floors have window wall cladding combining clear glass and warm grey spandrel. The same system carries across the top two floors facing Quadra and Johnson, and differentiates where the building steps back at the 12th floor. This third exterior treatment completes the sequence of traditional to modern as the building rises.

Entrances are clearly identified, visible and accessible from the principal frontage streets. Entrances open directly onto a public plaza area and sidewalk. The plaza space allows for seasonal street furniture and space for activities to animate the pedestrian environment. A café owner may choose to place outdoor tables and chairs to take advantage of the sunny exposure of this corner location.

The siting of the building relative to the street grid produces minimal shadowing of public spaces. Setting the slender tower back from the corner minimizes the shadowing effect on the conservatory building.

High quality, durable, and timeless building materials are proposed including carefully detailed brick cladding and clear glass/spandrel panel aluminum window wall.

Sustainability Features

Demolition of existing buildings has been controlled to maximize re-use and recycling of construction products. The contaminated site is fully remediated.

A construction waste management plan will be followed during construction. The new building will have a comprehensive and generously sized recycling facility for tenants.

The building design will utilize materials with recycled content and sourced regionally wherever possible. Low emitting materials, specifically adhesives and sealants, paints and coatings, flooring systems, and composite wood and agrifibre products will be specified.

The building will be designed to the requirements of BC Energy Step Code 1 and for



Victoria

977 Fort Street V8V 3K3 T 250-658-3367 F 250-658-3397 Nanaimo 102-5190 Dublin Way V9T 2K8 T 250-585-5810 <u>mail@dhk.ca</u> www.dhk.ca

Page 3 of 4

water efficiency, water use will be minimized by using low flow fixtures, water efficient landscaping and planting native and adaptive species that utilize storm water for irrigation.

The heat island effect will be minimized with a high reflectance and green roofs. Green roofs are proposed for level 2 and level 5 roof areas. Total green roof area is 273 m2 which is approximately 20% of the total site area.

The existing 5 street trees will be replaced with 6 new trees of a species selected in consultation with City Parks. Trees will be provided with sufficient structural soil for optimum growth.

Light pollution will be reduced by minimizing light trespass from the building and site.

CPTED

All outdoor spaces have been designed in accordance with CPTED guidelines to ensure that safety and security requirements are effectively addressed. There are no hidden, private, or covered spaces at the street level. The minimal surface parking is open to the street. There are no hidden alcoves in the transitions between uses and access to the building is secure and observable. Continuous glazing at the street level maximizes visibility and entrances are well-lit.

Conclusion

This revised application represents a high quality residential and commercial building that conforms to the OCP and DCAP requirements, entirely redesigned to fully comply with with height-related setback requirements.

This project is a significant step in the realization of the goals of the OCP and DCAP. It will improve the vitality and safety of this area and expand the available rental housing options in the downtown area by providing a good mix of rental suites. The project is of an appropriate scale to its location and has been designed to minimize the impact of the building on the street and adjacent building sites and will compliment the Victoria Conservatory of Music heritage landmark building by highlighting access, and maintaining viewscapes.

Sincerely yours,

Charles Kierulf Architect AIBC MRAIC

de Hoog & Kierulf architects



Victoria 977 Fort Street V8V 3K3 T 250-658-3367 F 250-658-3397

Nanaimo 102-5190 Dublin Way V9T 2K8 T 250-585-5810 <u>mail@dhk.ca</u> www.dhk.ca

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

September 23, 2018

Re: 1400 Quadra Street Rezoning and OCP Amendment

Dear Mayor Helps and Council,

The DRA LUC has reviewed the drawings for the proposed building and hosted a CALUC meeting on May 18, 2017 for the above-mentioned application. The presentation was conducted by Lynn Gordon-Findlay of de Hoog and Kierulf Architects.

Based on the information presented by the applicant the purpose of the Rezoning and OCP amendment is to create a 14-storey market rental building with ground floor commercial space fronting Quadra and Johnson Streets. Information presented at the public meeting indicates the applicant is requesting an OCP amendment to increase the residential FSR component of this project from the allowable 3:1 to approximately 6:1. Some minor variances for setbacks are also requested.

Comments and concerns raised at the Land Use Committee public meeting are as follows:

- The question was asked whether the proposed building will "improve the neighbourhood". The applicant stated that having more residents will provide more eyes on the street with the expectation that there will be an improvement in the local conditions.
- There were questions asked regarding the amount of time the construction would take and the amount of blasting required. The applicant offered that construction would take approximately 2 years and there will be significant blasting taking place.
- When asked to clarify the OCP amendment to create residential occupancy for the entire building rather than include office occupancy at 50%, the applicant pointed out that it was economically difficult to split occupancies due to the need for separate lobbies and elevators for the two uses.
- Questions were asked related to the setbacks of any proposed balconies and the adjacent windows of the adjacent supportive housing complex at 844 Johnson. The applicant stated that the balconies had a minimum 4.5m setback. Dual pane windows and other sound abatement techniques will be included.

Comments and concerns raised by committee members are as follows:

 The applicant has included three bedroom apartments within this proposal which will allow families to reside within the downtown area. This is a laudable response to current residential needs.

- The applicant is providing adequate parking for this project in compliance with City
 regulations which is highly desirable and should be encouraged. Many other applications
 are seeking significant parking variances or provide no parking at all creating parking
 pressures in adjacent neighbourhoods.
- The building exterior appears to be of a higher than average quality.
- Ubiquitous clear glass balcony guards do not screen personal possessions that are inevitably stored on balconies from public view. It is suggested that at least a portion of the railing glass on each balcony be of the obscure type to provide some screening from public view and create additional aesthetic interest.
- It is disappointing that the stained glass feature shown on early drawings that responded to the architectural detail of the Conservatory opposite appears to have been removed from the current design.
- Since the CALUC meeting, the requested FSR has been reduced to 5.5:1 which is in keeping with the lower density OCP designation for buildings of residential occupancy immediately across Quadra and to the east.
- It is noted that if this application was located immediately across the street it would not require an OCP amendment.

There were no objections to this application stated by attendees at the CALUC meeting. The DRA has a policy not to support OCP amendments without a compelling rationale to do so. The risk taken by the applicant to improve the local area in spite of the challenges of the particular site in this particular case warrants support.

Sincerely,

Ian Sutherland Chair Land Use Committee Downtown Residents Association

cc COV Planning

ALPHA PROJECT DEVELOPMENTS LTD. St. Andrew's Square 1 210 – 737 Yates Street Victoria, B.C. V8W 1L6 Tel: (250)360-1944 Fax: (250)381-4680

04 October 2017

Development Services City of Victoria 1 Centennial Square Victoria, BC V8W 1P6

Attention: Charlotte Wain, Senior Planner

Dear Charlotte,

Re: 1400 Quadra Street

Thank you for your response with respect to the letter from Colliers dated 11 July 2017, a copy of which is enclosed for your reference. You have requested further information supporting the contents of that letter and we attach an additional letter from Colliers together with a mid year office survey for your review.

In speaking with Colliers, they have offered to provide additional information to you should you have any specific questions pertaining to the survey results.

Yours truly, Bijan Nevestani

1175 Douglas Street, Suite 1117 Mar. +1 250 388 6454 Victoria EC VBW 2E www.colliers.com

FAX +1 250 382 3564



July 11th, 2017

Alpha Project Development Ltd 400-931 Fort Street. Victoria, B.C. **V8V 3K3**

Attn: Mr. Bijan Neyestani

Dear Mr. Nevestani

RE: Office Development Potential, Corner of Johnson and Quadra Streets, Victoria, BC

Further to our recent conversation, you have asked us for our opinion with respect to an office development at the corner of Johnson and Quadra Streets in downtown Victoria.

Market conditions for the first half of 2017 for office in the market have been relatively flat with limited new supply coming to market and limited absorption. These conditions will change dramatically, however, in late 2017 and early 2018 as Phase I of Capital Park is completed and Phases I and II of 1515 Douglas are ready for occupancy.

By April 2018, approximately 407,000 sf of new inventory will have been added to the market. Furthermore, in fall 2019, an approximately 130,000sf of additional office space will be ready for occupancy at Capital Park.

The impact of this new supply on the market vacancy is expected to be substantial as we have noted at least three office buildings that are anticipated to be emptied in their entirety, in addition to other office buildings that will experience newly vacated areas.

It is important to note that there is approximately 511,000sf of current vacancy in the region providing a market vacancy of approximately 6.05%. We anticipate that in 2018 the vacancy rate will increase to between 10-11%. The impact of this additional vacancy will be downward pressure on rates as landlords compete with each other for available tenants.



We anticipate, provided limited new inventory is added to the market and with current absorption rates remaining consistent going forward, that it will be a five year process to have vacancy rates return to historical levels.

We note that your site is not currently situated in a traditional office area. Johnson and Quadra is outside the periphery in terms of amenities and features that the vast majority of office users are looking for in the core. Specifically, office tenants are generally seeking locations with a desirable streetscape with close proximity to restaurants, retail and other office tenancies.

Currently, the Johnson and Quadra area does not offer these amenities in any significant way and we don't see this changing in the foreseeable future. In fact, given the surrounding residential nature of new development, we would suggest that office demand will continue to be challenged in this area.

In short, current market conditions would suggest that caution be applied to any new office development. Furthermore, should you decide to proceed with an office project, we would suggest that a site in the traditional office areas of the downtown core would be substantially better received in the market.

We would be pleased to meet with you to discuss in further detail at your convenience.

Yours truly,

Graham C. Smith Senior Vice-president 1175 Douglas Street Suite 1110 Victona, BC Canada V8W 2E1 MAIN +1 250 388 6454 FAX +1 250 3823564

www.colliers.com



October 2, 2017

Alpha Project Developments Ltd. P.O. Box 846 Victoria, B.C. V8W2R9

Attention: Messrs. Bijan Neyestani and Fred Rohani

Dear Sirs:

Re: Rezoning Application 1400-1402 Quadra Street & 850 Johnson Street Victoria, B.C.

We understand your application with the City of Victoria to rezone the above-referenced property is proceeding through the application process with the objective being the development of a 15 story 125 suite purpose built rental apartment building with ground level retail/commercial space. We have taken the opportunity of reviewing the building plans and specifications for this proposed development and wish to commend you for bringing forward yet another project that will enhance the urban fabric of our downtown core and provide much needed rental housing that will help satisfy the demand created by the burgeoning population of Victoria residents who are choosing more and more to live in the core of our City. If required, Colliers International would be happy to speak in favour of this rezoning application.

Our support for this rezoning is based on many factors which we have elaborated on herein.

Existing Zoning: We have taken time to review the existing zoning under which the proposed development could be built, providing a sizeable mixed use commercial and residential development with office and street level retail on the lower floors and residential (condo or rental) accommodation on the upper floors. While we completely support the development of residential density in this location, we question the viability of new office space on this site. While demand for new office space has been proven out, as evidence by recent leasing activity in several new projects, we see the Quadra/ Johnson location as being inferior for any significant office demand by either the private or public sector. Locational challenges related to the neighbouring Street Link housing project would act to deter any office user from leasing space in this location. Economic rents for new office development in this location would also bring into question the viability of the mixed-use model. Furthermore, the mix of office and residential use within one building has proven to be problematic over time.

Office Use: While an office use at this location may generate positive daytime traffic to the general neighbourhood with the arrival and departure of office users during the day, the office use would not generate any significant pedestrian traffic during the evenings or on weekends. Our research has proven out that the densification of our downtown core for residential use far outpaces the economic and social drivers provided by office use, especially at times of the day or on weekends when street front traffic is most desirable. The increase in resident street front

traffic also acts to reduce unsavory activity in a neighbourhood. We can credit the City with a reduction in our downtown storefront retail vacancy rate for over ten percent (10.0%) two years ago to just over five percent (5.0%) in Q2 2017 by adopting a policy of increased residential density in our downtown core. The change in the zoning and overall use of the subject site would work to further the progress being made by both the City and the development community in creating a much-improved urban experience and environment.

Residential Densification: Despite the ongoing development of numerous purpose-built apartment built rental apartment buildings in Victoria's downtown core, demand for this accommodation continues to far outpace supply. With residential vacancy rates remaining at historic low levels, we see a continued and almost insatiable demand for more rental housing in our downtown core. This level of demand far outpaces any comparable level of demand we see in other asset categories in the core of our city, including office and retail space.

We welcome the opportunity of discussing this subject and our support for your rezoning the subject property located at the north-west corner of Johnson and Quadra Streets. Please let us know when it would be appropriate to speak at any of the upcoming neighbourhood association meetings or City Council meetings.

If you have any further questions or require any additional information in this regard, please contact me directly.

Your truly,

COLLIERS INTERNATIONAL

David Ganong Managing Director – Vancouver Island.

Research & Forecast Report

GREATER VICTORIA OFFICE MARKET

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Second Quarter 2017

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VA AVE



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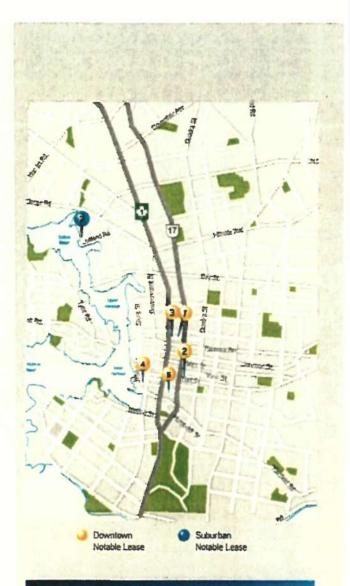
Investment Market

Office Investment sales for the first half of 2017 were limited to sales under \$2.6M with nine buildings transacting for a total sales volume of \$9M year-to-date. Six of these sales were to "owner-occupiers." So far, no larger notable investment sales have occurred in 2017 which is a reflection of a lack of supply of investment product. Demand remains strong from the full spectrum of investors, including institutional and private equity. For the balance of 2017, we expect to see an increase in sales volume with the continuing low cap rate trend ranging from sub 5% to 6%, depending on asset class, tenancy strength, and location.



Forecast

Vacancy is expected to increase between 1.5% to 2.0% by the end of 2017 as we see new supply starting to come to market. The first phase of Capital Park will be providing 125,000 square feet of new Class A office space by September of this year. This building has been fully pre-leased to the Provincial Government. 750 Pandora Ave, the larger tower behind 1515 Douglas Street, will be coming to market early 2018, adding a further 184,000 square feet of Class A office space to the downtown inventory. BCIMC is expanding from their current size and will be occupying the entire building at 750 Pandora Avenue.



Suburban Notable Lease Transactions

TENANT NAME ADDRESS	TYPE	APPROX MATE	
1. Provincial Government - 2261 Keating Cross Road	Renewal	26,800	
2. Coast Capital Savings - 2950 Jutland Road	Sublease	. 12.881	
3. Provincial Government - 29 Heimcken Road	Headlease	10,550	
4. ARO Inc 2261 Keating Cross Road	Headlease	7,333	
5. Island Trust - 1627 Fort Street	Renewal	7,237	

Downtown Notable Lease 7	ransactions	s total a	
TENANT NAME ADDRESS			
1. Provincial Government - 727 Fisgard Street	Renewat	44,708	
2. Provincial Government - 810 Fort Street	Renewal	12,122	
3. CRD - 1675 Douglas Street	Renewal	6,960	
4. Benevity- 1005 Langley Street	Expansion	5,727	
5. Provincial Government - 703 Broughton Street	Headlease	5,465	

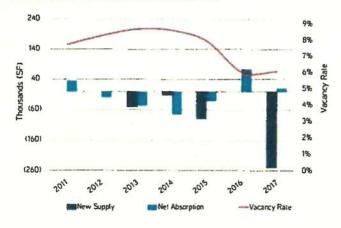
Downtown

Downtown vacancy has remained nearly unchanged from 6.02% as of year-end 2016 to 6.05% second quarter 2016. Downtown Class A office space is still the lowest vacancy segment even though there was a slight increase from yearend 2016's 1.07% to 1.44% mid-year 2017. Total downtown absorption has decreased significantly from a positive 73,454 square feet as of year-end 2016 to 11,729 square feet mid-year 2017. New Supply is at a negative 249,858 square feet, which is primarily due to the adjustment of the office inventory.

Trends

- Class A office space remains in high demand as tenants look to upgrade from their current office situation.
- New Class A construction is now surpassing the \$30 per SF base rent level. This is a historic new high and tenants are willing to pay for the added benefits new Class A office space has to offer.
- There is a noticeable increase in the number of tenants looking for large office floor plates (20,000 SF to 40,000 SF), however, there are limited options in the downtown core for these size ranges and tenants are having to look at the Suburban market for more options.
- Parking is still becoming more difficult to secure in the downtown core as a number of surface parking lots have been sold as development sites, and new bike lane infrastructure is further impacting the accessibility of parking in the downtown core. There is also an expected increase in parking rates over the next year. Tenants are therefore looking to the suburbs to satisfy challenging parking requirements.

Downtown Historical Performance



Supply

The Azzurro on 1950 Blanshard Street added 11,087 square feet of Class B+ office space to the inventory. This was the only new supply for the first two quarters of the year, however, there were a few changes to the office building inventory. 1105 Pandora Ave has been removed from the inventory, by a negative 27,000 square feel, as the site is to be redeveloped into condos. 940 Blanshard Street had a building size reduction by 233,445 square feet as to only account for the office portion of the building.

Downtown	Q4 2016	Q2 2017	Trend
Office Inventory	4,761,916	4,512,058	+
Net Absorption	73,454	11,729	+
Vacancy Rate	6.01%	6.05%	+
New Supply	0	11,087	+
Under Construction	500,000	500,000	+

Market Indicators

MARKET	CLASS	TOTAL INVENTORY (SF)	VACANT (SF)	VACANCY RATE	NET ABSORPTION	NET NEW SUPPLY
a manufacture of	A	513,808	7,384	1.44%	(1,901)	0
	В	3,393,962	184,410	5.43%	14,015	(222,358)
24102	C	604,288	81,125	13.42%	(385)	(27,500)
Region Total		4,512,058	272,919	6.05%	11,729	(249,858)

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About Colliers International Group Inc.

MARKET CONTACT

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September 25, 2018

Rob Bateman City of Victoria 1 Centennial Square Victoria, BC V8W 1P6

Re: 1400 & 1412 Quadra Street and 850 Johnson Street Development Land Lift Analysis

G.P. Rollo & Associates (GPRA) has been retained by the City of Victoria to complete a Land Lift and Amenity Contribution Analysis for the proposed rezoning of 1400 and 1412 Quadra Street and 840 Johnson Street Victoria (the Site) from the base density allowable in the OCP for Mixed Use Residential District Zoning (MRD-1) and Central Business District Zone (CBD-1) to the proposed new Zone (CBD-2) by Alpha Project Developments Ltd. (the Developer).

The purpose of the analysis is to estimate the land lift and amenity contribution on the site from an increase in density on the Site from that which would allow for development of a mixed commercial and residential building with a maximum of 3.0 FSR for residential use (identified as the 'base density' under the current Density Bonus Policy) to a proposed density of 5.5 FSR mixed commercial and residential rental project on the combined Site. The Developer is proposing all residential units developed be secured as market rental in perpetuity through a housing agreement.

The analysis consisted of preparation of residual land value analyses which determines the maximum value that a developer could afford to pay for the Site assuming it already had the new Zoning for 5.5 FSR and the maximum value a developer could pay for the site if developed as permitted under the OCP with prevailing market conditions. GPRA has been asked to assess the value of the Site with the following potential uses:

- 1) Residential rental
- 2) Commercial retail uses;

GPRA used standard developer proformas for each case to model the economics of typical development as proposed/allowed under the each zoning. The 'Lift' is then calculated as the difference in residual land values under both current zoning and the proposed new zoning/density.

METHODOLOGY & ASSUMPTIONS

The Site is roughly 1,370 square metres in area and can be developed under the OCP with a mix of ground floor commercial with residential density up to 3.0 FSR above. The proposed new development at roughly 5.5 FSR would amount to approximately 7,537 square metres of GBA, comprised of 7,216 square metres (gross area) of residential (composed of 113 rental apartments

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to be secured as rental in perpetuity through a housing agreement), and 321 square metres of ground floor commercial space, with 104 parking stalls to be provided. The developer has indicated that there is significant environmental remediation required on the site, but the cost of this would be carried under both scenarios and does not impact the analysis.

The analyses are created using a standard developer proforma wherein estimates of revenues and costs are inputs and the remaining variable is the desired output. In typical proformas this output is usually profit, following a revenues minus costs equals profit formula.

For a residual land valuation, however, an assumption on developer's return needs to be included in order to leave the land value as the variable to solve for. For these analyses GPRA has determined the residual value based on the developer achieving an acceptable profit of 15% on total project costs (calculated as a representative portion of overall project costs for the proposed development) for the base analysis as a strata apartment building. For the rezoned rental apartment project a profit to project cost metric is not appropriate, as it would be difficult to support any land value and achieve a profit. Instead, developers would typically look at the yield of ongoing revenue measured as an internal rate of return (IRR). GPRA has determined the residual land value for the rezoned property using a target IRR of 5.55%, reflective of current capitalization rates for rental apartments and commercial retail in the City (the 5.55% IRR is set at 2% points above the blended cap rates for rental at 4.0% and the cap rate for commercial at 5.25%). The residual values are the maximum supported land value a developer could pay for the site (under the density and conditions tested) while achieving an acceptable return for their project.

The residual land value determined from this analysis is then compared to the value of the site using the supported base density as determined by the OCP to establish a 'lift' in value that arises from the change in density. This lift in value is the total potential monies that are available for public amenities or other public works not considered as part of the analysis. GPRA have made allowances for streetscape and public realm improvements that would typically be incurred through development in both sets of analysis. Any additional improvements that would be required only from the proposed rezoning to 5.5 FSR and not from development under the OCP would impact the lift and would need to be identified, priced, and included in a revised analysis.

Typically there is some sharing of the lift value between the Municipality/District and the developer, but the percentage shared varies by community and by project. It is GPRA's understanding that in compliance with current policy, the City has determined that they will seek 75% of the lift for amenities.

GPRA determined strata revenues used in the base analysis from a review of recent sales and offerings for sale of recently developed apartments of wood frame and of concrete construction within roughly 10 km of the Site, with a focus on projects that were deemed comparable to that which has been proposed for the Site. Rents for apartment units and commercial uses have also been drawn from a scan of projects with current listings in the area. Consideration has been given to how the adjacency to various social services in the neighbourhood might impact revenue.

Project costs were derived from sources deemed reliable, including information readily available from quantity surveyors on average hard construction costs in the City. Development or soft costs

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have been drawn from industry standards, and from the City's sources. All other assumptions have been derived from a review of the market and from other sources deemed reliable by GPRA.

CONCLUSIONS & RECOMMENDATIONS

GPRA estimates that there is no lift from the proposed zoning for market rental as compared to a strata project at 3.0 FSR with commercial at grade as indicated in the OCP. As such, GPRA does not recommend the City seek an amenity contribution from this rezoning under these conditions.

I trust that our work will be of use in the City's determination of the Amenity Contribution they will seek as part of rezoning 1400 and 1412 Quadra Street and 840 Johnson Street, Victoria. I am available to discuss this further at your convenience.

Gerry Mulholland |Vice President G.P. Rollo & Associates Ltd., Land Economists T 604 275 4848 | M 778 772 8872 | E gerry@rolloassociates.com | W www.rolloassociates.com



Advisory Design Panel Report For the Meeting of August 22, 2018

To:Advisory Design PanelDate:August 10, 2018From:Rob Bateman, Senior Process PlannerSubject:Development Permit Application No. 000503 for 1400 and 1412 Quadra
Street and 850 Johnson Street

EXECUTIVE SUMMARY

The Advisory Design Panel (ADP) is requested to review a Development Permit Application for 1400 and 1412 Quadra Street and 850 Johnson Street and provide advice to Council.

The proposal is for a 14-storey mixed-use building with ground floor commercial and purposebuilt rental above, including approximately 105 dwelling units. The overall proposed density is 5.5:1 floor space ratio. Concurrent with this Application is Rezoning Application No. 00595, and variances related to setbacks, vehicle parking location and bike parking are currently proposed as part of the Development Permit Application. An Official Community Plan amendment would also be required because the proposal does not meet the use and density policies contained in that plan.

The property is situated within Development Permit Area 2 (HC): Core Business and the following documents were considered in assessing this Application:

- Official Community Plan (OCP, 2012)
- Downtown Core Area Plan (2011)
- Advisory Design Guidelines for Buildings, Signs and Awnings (1981)
- Guidelines for Fences, Gates and Shutters (2010)
- Standards and Guidelines for the Conservation of Historic Places in Canada
- City of Victoria Heritage Program Sign & Awning Guidelines (1981).

The proposal is generally consistent with the applicable Design Guidelines; however, staff are looking for commentary from the Advisory Design Panel with regard to:

- heritage landmark building context
- massing of the upper storeys
- uniformity of façades and cohesion of building design.

The Options section of this report provides guidance on possible recommendations the Panel may make, or use as a basis to modify, in providing advice on this Application.

BACKGROUND

Applicant / Architect:	Mr. Charles Kierulf, MRAIC De Hoog & Kierulf Architects			
Development Permit Area:	Development Permit Area 2 (HC): Business Core			
Heritage Status:	N/A			

Description of Proposal

The proposal is to construct a 14-storey mixed-use building with approximately 105 rental multiple dwelling units above and two commercial retail units on the ground floor. The overall proposed density is 5.5:1 floor space ratio. The proposed residential density is approximately 5.25:1, and the building would have a maximum height of 42.70m. Concurrent with this Application is Rezoning Application No. 00595, and variances related to setbacks, vehicle parking location and bike parking are currently proposed as part of the Development Permit Application. An Official Community Plan amendment would also be required because the proposal does not meet the use and density policies of this plan.

The proposal includes the following major design components:

- 105 rental residential units
- two commercial units along Quadra Street and Johnson Street (a total of approximately 339m²)
- 107 parking spaces (including 7 visitor spaces)
- secure bike parking for 142 bikes (long term) located on the main floor behind the retail units
- publicly accessible bike parking for 16 bikes (short term) located near the entrance to the residential units on Quadra Street and near an entrance to the retail unit on Johnson Street
- indoor and outdoor residential amenity space located on the northwest side of level two.

Exterior building materials include:

- painted concrete
- brick veneer
- prefinished metal flashing
- · prefinished metal security gate
- prefinished metal and translucent glass canopies
- prefinished aluminium window system
- storefront window system
- insulated spandrel panel
- prefinished metal canopy.

Landscaping elements at ground level include:

- concrete unit paving (running bond)
- large format plank paver (running bond)
- broom finish concrete parking access driveway.

Advisory Design Panel Report Development Permit Application No. 000503 for 1400 and 1412 Quadra Street and 850 Johnson Street August 10, 2018

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Landscaping elements on level two include:

- common outdoor amenity area with tall planters with screening shrubs, low planters with ornamental grasses, and prefabricated benches
- hydrapressed slab paving on the common amenity area and private dwelling unit patios
- green roof (prevegated mat system) between the common and private areas.

The following data table compares the proposal with the existing Central Business District -1Zone (CBD-1) and Mixed Use Residential District -1 Zone (MRD-1). An asterisk is used to identify where the proposal is less stringent than the existing Zones. Additionally, the key City policy that pertains to the area has been included in this table.

Several aspects such as the floor space ratio, commercial floor area, occupied roof space, number of units, setbacks and bike parking may not be entirely accurate and will need to be confirmed with more information from the applicant.

Zoning Criteria	Proposal	Current Zone MRD-1	Current Zone CBD-1 (Site Specific)	OCP Policy	DCAP Policy
Site area (m²) – minimum	1370.40	N/A	N/A	N/A	N/A
Density (Floor Space Ratio) – maximum	5.5:1 *	N/A	1.5:1	4:1 base 6:1 max.	4:1 base 6:1 max.
Residential Density (Floor Space Ratio) – maximum	5.25:1 *	N/A	N/A	3:1	3:1
Total floor area (m²) - maximum	7537.00	N/A	N/A	N/A	N/A
Height (m) – maximum	42.70 *	30.00	15.00	N/A	45
Rooftop Structure Projection (m) – maximum	2.78	5.00	5.00	N/A	N/A
Storeys – maximum	14	N/A	N/A	24	15
Site coverage (%) – maximum	79.40 *	N/A	60.00	N/A	N/A
Front Setback Plane (ratio)(Quadra Street) – minimum	Within setback plane	N/A	5:1 (angle of Inclination)	N/A	5:1 (angle of Inclination)

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Zoning Criteria	Proposal	Current Zone MRD-1	Current Zone CBD-1 (Site Specific)	OCP Policy	DCAP Policy
Setbacks (m) – minimum					
Front (Quadra Street)	2.60	0.5	N/A	N/A	N/A
Rear (West)					
Under 20m in height	3.24	N/A	N/A	N/A	3.00
20-30m in height	7.74 (5.50 for balcony)	N/A	3.0	N/A	3.00
30-45m in height	7.74 (5.50 for balcony)	N/A	6.0	N/A	6.00
Side (North)			3		
Under 20m in height	1.84	N/A	N/A	N/A	3.00
20-30m in height	7.12	N/A	3.0	N/A	3.00
30-45m in height	7.12	N/A	6.0	N/A	6.00
Side (Johnson Street)	_				
Under 20m in height	2.60	N/A	N/A	N/A	3.00
20-30m in height	5.91	N/A	3.0	N/A	3.00
30-45m in height	5.91*	N/A	6.0	N/A	6.00
Projections into Setbacks – maximum	Under 0.6	0.60	0.60	N/A	N/A
Rooftop Structure					
Setback from roof edge (m) – minimum	3.00	3.00	3.00	N/A	N/A
Rooftop coverage (%) – maximum	19.7	30.0	30.0	N/A	N/A
Height (m) – maximum	2.78	5.00	5.00	N/A	N/A

August 10, 2018

Advisory Design Panel Report Development Permit Application No. 000503 for 1400 and 1412 Quadra Street and 850 Johnson Street

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Zoning Criteria	Proposal	Current Zone MRD-1	Current Zone CBD-1 (Site Specific)	OCP Policy	DCAP Policy
Vehicle parking stalls – minimum					
Total vehicle parking	107	69	69	N/A	N/A
Residential	100	63	63	N/A	N/A
Visitor	7	6	6	N/A	N/A
Vehicle parking location	1 space outside structure *	within structure	within structure	N/A	N/A
Bicycle parking stalls – minimum					
Long term residential	140	140	140	N/A	N/A
Long term commercial	2	2	2	N/A	N/A
Short term	13	11	11	N/A	N/A

Sustainability Features

The applicant has not indicated sustainability features.

Consistency with Policies and Design Guidelines

Official Community Plan

The subject site is designated Core Business in the *Official Community Plan* (OCP, 2012), which envisions commercial, including office and retail along with complementary uses including residential, hotels and other visitor accommodation. In terms of place character features, the OCP envisions three- to five-storey building façades that define the street wall with upper storeys set back above.

The main objectives of the Development Permit Area 2 (HC): Core Business that are relevant to this proposal are:

 to revitalize a central business district through high-rise commercial buildings and low-tomedium rise residential mixed-use buildings, balanced with protection of the views from public vantage points of heritage landmark buildings including the 907 Pandora Avenue (Victoria Conservatory of Music)

August 10, 2018

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- to conserve and enhance the heritage value, special character and the significant historic buildings, features and characteristics of this area
- to enhance the area through a high quality of architecture, landscape and urban design that reflects the function of a central business district in scale, massing and character while responding to its historic context.

Although the proposed building form is consistent with the OCP, the proposed density of residential use is not because it exceeds the density envisioned in the policy.

Downtown Core Area Plan

The subject site is designated Central Business District in the *Downtown Core Area Plan* (DCAP, 2011), which envisions a strong concentration of commercial employment uses along with such complementary uses as multi-residential development, hotels, restaurants, public institutions, personal service businesses and retail stores. New development should clearly reinforce and enhance the position of the Central Business District as the primary employment, commercial and cultural centre for the City and the region. To assist with this, residential development should be restricted to a maximum density of 3:1 FSR. The DCAP also includes policies supporting ground floor commercial uses that encourage pedestrian activity.

The proposed mixed-use building provides ground level commercial, which is supported by DCAP policy, but it exceeds the residential density envisioned in the DCAP.

Development Permit Area Design Guidelines

The Design Guidelines in the DCAP are intended to revitalize the central business district through high quality architecture, landscape and urban design while enhancing the heritage value, special character and the significant historic buildings, features and characteristics of this area. Specific guidelines:

- encourage the use of building elements such as awnings, canopies and projections to provide pedestrians with continuous shelter from rain and other elements
- ensure that the height, setbacks, siting and overall massing of proposed new buildings respect the visual prominence and character-defining importance of the Victoria Conservatory of Music, a heritage landmark building. The building design should consider the character-defining elements of this building
- reduce building bulk of upper storeys to minimize the effects of shading and wind vortices, to maintain views to the open sky and to avoid the visual presence of bulky upper building mass
- encourage varied heights and massing to avoid uniformity in building design
- · consider street wall heights that are appropriate for the context of each street
- encourage visually articulated designs and quality architectural materials and detailing in building bases and street walls to enhance visual interest for pedestrians.

Staff consider that the proposal is generally consistent with the Design Guidelines; however, opportunities may exist to improve the design.

ISSUES AND ANALYSIS

The following sections identify and provide a brief analysis of the areas where the Panel is requested to provide commentary.

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Heritage Landmark Building Context

The context of the area includes the prominent Victoria Conservatory of Music on the east side of Quadra Street, as well as Saint John the Divine and the Palladian at Quadra and Mason Streets. The proposal should respect the visual prominence and character-defining features and characteristics of this context, especially the Victoria Conservatory of Music directly to the east. The height of the proposed building podium on all four elevations rises to a maximum of four stories, with a brick veneer materiality expressed in a buff and coal creek colour. The podium height, material and colour acknowledge the aesthetics of the traditional stone cladding materials of the Victoria Conservatory of Music, as well as the two-and-a-half storey height of the Conservatory's south extension. The colour of materials also emphasizes the four-storey scale while the lighter buff brick veneer de-accentuates the overall scale of the building by diminishing the building's prominence in relation to the Victoria Conservatory of Music and by giving greater emphasis to the darker and more substantial materiality at the street level.

The proposed windows are recessed into the brick cladding to create "punched" fenestration openings consistent with traditional buildings in the area, and particularly with the conservatory extension. Other materials on the proposed building are more contemporary and speak to the varied architectural expressions of the area, including insulated spandrel panels and prefinished metal canopies.

The Panel is being asked to comment on whether the materials, height, setbacks and overall massing of the proposed new building sufficiently respect the visual prominence and characterdefining importance of the nearby heritage landmark building.

Massing of Upper Storeys

Staff expressed concern regarding the mass of the upper storeys and potential impacts on shading, views to the open sky, and the visual presence of a bulky upper building mass as it relates to the heritage landmark building across Quadra Street. In response, the applicant has increased the setbacks to the upper floors.

The Panel is being asked to comment on the massing of the upper storeys and whether further stepbacks of the upper storeys are needed to reduce the bulky appearance.

Uniformity of Façades and Cohesion of Building Design

Each of the building façades have a largely repetitive design with windows on a regular grid-like pattern, which may lack visual interest. At the same time, each façade is distinct from the other and they do not visually connect to each other.

The Panel is being asked to comment on the uniformity of each building façade and whether design changes are warranted to increase the visual interest, as well as the whether the individual façades should be redesigned to fit more cohesively together in the overall building design.

Relationship to Adjacent Properties

The Zoning Regulation Bylaw and Design Guidelines include detailed requirements for stepping back buildings from the property line to provide adequate separation from adjacent buildings. The proposal meets these setback requirements; however, the existing adjacent building to the

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west on Johnson Street has windows set back approximately 6m from the property line, which face the proposal. The proposal includes a portion of wall that is approximately 3.2m set back from the lot line, with windows and balconies facing the adjacent building. The existing building to the north on Quadra Street would not be substantially affected by the proposal, but future redevelopment may be impacted by the proposal's design. The ADP is requested to comment on the design of the building as it relates to adjacent properties and whether revisions are warranted to reduce potential impacts such as privacy issues.

OPTIONS

The following are three potential options that the Panel may consider using or modifying in formulating a recommendation to Council:

Option One

That the Advisory Design Panel recommend to Council that Development Permit Application No. 000503 for 1400 and 1412 Quadra Street and 850 Johnson Street be approved as presented.

Option Two

That the Advisory Design Panel recommend to Council that Development Permit Application No. 000503 for 1400 and 1412 Quadra Street and 850 Johnson Street be approved with the following changes:

• as listed by the ADP.

Option Three

That the Advisory Design Panel recommend to Council that Development Permit Application No. 000503 for 1400 and 1412 Quadra Street and 850 Johnson Street does not sufficiently meet the applicable design guidelines and polices and should be declined (and that the key areas that should be revised include):

 as listed by the ADP, if there is further advice they would like to provide on how the Application could be improved.

ATTACHMENTS

- Subject Map
- Aerial Map
- Plans date stamped June 13, 2018
- Applicant's letter dated August 3, 2018.

cc: Charles Kierulf, De Hoog & Kierulf Architects.

MINUTES OF THE ADVISORY DESIGN PANEL MEETING HELD WEDNESDAY AUGUST 22, 2018

1. THE CHAIR CALLED THE MEETING TO ORDER AT 12:08 PM

Present: Stefan Schulson (Acting Chair); Sorin Birliga; Deborah LeFrank; Jason Niles; Carl-Jan Rupp

Absent for a Portion of the Meeting: Justin Gammon

> Jesse Garlick (Chair); Elizabeth Balderston; Paul Hammond

Staff Present:

Absent:

Miko Betanzo – Senior Planner, Urban Design Leanne Taylor – Senior Planner Rob Bateman – Senior Process Planner Katie Lauriston – Secretary Devon Cownden – Secretary

2. MINUTES

Minutes from the Meeting held July 25, 2018

Motion:

It was moved by Justin Gammon, seconded by Deborah LeFrank, that the Minutes of the Meeting of Advisory Design Panel held July 25, 2018 be adopted as presented.

Carried Unanimously

3. APPLICATIONS

3.1 Development Permit Application No. 000503 for 1400 and 1412 Quadra Street and 850 Johnson Street

The City is considering a Development Permit and Rezoning Application to construct a 14storey mixed-use building with ground floor commercial and purpose-built rental above, including approximately 105 dwelling units.

Applicant meeting attendees:

PETER DE HOOG ROB WHETTER SCOTT MURDOCH BIJAN NEYESTANI DE HOOG & KIERULF ARCHITECTS DE HOOG & KIERULF ARCHITECTS MURDOCH DE GREEFF INC. ALPHA PROJECT DEVELOPMENTS LTD. Mr. Bateman provided the Panel with a brief introduction of the Application and the areas that Council is seeking advice on, including the following:

- heritage landmark building context
- massing of the upper storeys
- uniformity of the façades and the cohesion of the building design
- the proposal's relationship to adjacent properties.

Mr. De Hoog and Mr. Whetter provided the Panel with a detailed presentation of the site and context of the proposal, and Scott Murdoch provided the Panel with details of the proposed landscape plan.

Questions of clarification were asked by the Panel on the following:

- what are the proposal's specific design responses to the Conservatory of Music?
 - the proposal does not attempt to reproduce the Conservatory's massing, but the applicants have worked closely with the Planning department to ensure that the proposal provides and appropriate response
 - the proposal mirrors the Conservatory's scale, while the darker palette and variegated materials at the podium level provide an appropriate response to the Conservatory's stone wall colours
- what is the proposal's discrepancy with the Official Community Plan (OCP)?
 - Mr. Bateman clarified that the density limits are specific to the use. Residential use allows for a 3:1 floor space ratio (FSR) and the proposal has an FSR of approximately 5.21:1
- what is the reasoning behind the uneven distribution of balconies between the corner of Johnson and Quadra Streets as compared to the northwestern corner?
 - the balcony distribution reflects the location and sizes of units; studios do not have balconies and the larger, corner suites do have balconies
- were Juliet balconies considered for the suites without balconies, to lend a more residential appearance?
 - o the applicants did not think this to be necessary, and the design's simplicity without balconies was thought to be more effective
 - o more balconies were considered, but they were very small
- what is the rationale behind the different façade treatments, especially at the north side?
 - the window wall treatment is slightly distinct on the north side, with a slight adjustment to the window modules
 - the north façade has a more modern feel and interesting texture, which can be seen from 1-2 blocks away
 - where is the parkade access located?
 - o on the southwest side
- was increased height considered, given the adjacent buildings?
 - the applicants have been discouraged from pursuing this option, as increased height would not conform to the Downtown Core Area Plan (DCAP)
 - Mr. Bateman clarified that through the OCP amendment, the proposal is aiming to have the same urban place designation as the adjacent property. The new designation would limit the proposal's FSR, which in turn affects the allowable height

- what is the rationale for eroding the massing at the northwest corner, and was this approach considered for the northeast corner instead?
 - an earlier iteration of the proposal further addressed the northeast corner, but the applicants were asked by City staff to ensure setbacks to the interior lot lines to ensure the suites' liveability
- what is the rationale behind the dark spandrel colour, particularly on the Johnson Street side?
 - the renderings may not accurately reflect the intended colour; it will be a lighter colour to contrast against both the darker and the lighter brick elements
- what is the colour of the podium?
 - o the podium colour will be variegated
- was a lighter colour considered for the podium to reduce its presence on the street?
 - o the podium is not intended as a heavy element
- an earlier iteration of the proposal had a greater FSR; when this was reduced, was a taller, more slender tower considered?
 - increased height was discouraged by the Planning department, and the proposal also had to stay within the setbacks and have secondary walls
- what is the design rationale for how the building meets the sky?
 - there are construction limits as to how thin the upper floors can be, and the top two storeys' floorplate cannot be made smaller due to the costs
 - the height is limited in the DCAP, and the applicants are looking to minimize the number of requested variances
- how is security ensured for the second and fifth level patios?
 - the patios are accessible for maintenance and achieve the desired visual effect
 - there is an exterior railing for safety, but no dividers between units. This could be addressed through the placement of planters
- how would bicycle access through the lobby function, given the narrow vestibule?
 the primary bicycle entrance is located off Quadra Street and is 5ft wide
- does the façade treatment come down to grade at the north and west, next to adjacent buildings?
 - the treatment extends to the height of the adjacent buildings because the lower levels are at a zero lot line.

Panel members discussed:

- appreciation for the subtlety of the brick detail and mix of materials colours
- desire for increased consistency between the elevations, especially on the north façade, for a more cohesive appearance
- concern for the dark colour and strength of presence of the five-storey podium on Quadra and Johnson Streets
- opportunity for lighter or reflective elements at the podium level to reflect and showcase the Conservatory building
- desire for increased liveliness, as shown in the precedent images, perhaps through the introduction of a lighter element brought down to the street level
- appreciation for the proposed massing and sensitivity to the nearby heritage buildings
- lamenting the move away from the previously-proposed massing erosion at the northeast in recognition of the Conservatory building

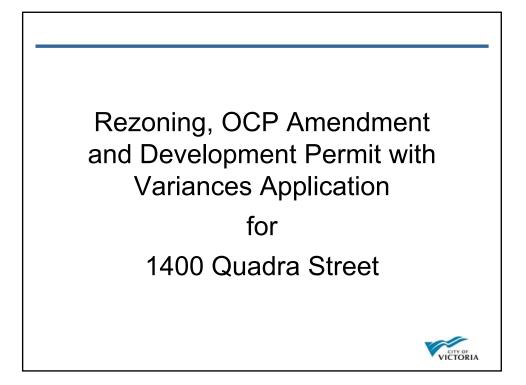
- appreciation for the sensitive and well-crafted response to context
- · no concerns for the proposed OCP amendment and residential density
- the need to refine the building massing at the Johnson and Quadra street corner
- concern for the imposing podium massing, especially on Quadra Street
- opportunity to decrease the four-storey podium height to achieve a betterproportioned, more elegant tower
- the proposal's heavy and squat appearance and its abrupt truncation
- desire for increased height
- opportunity for a lighter element, especially where the building meets the sky
- desire for privacy screening between patios, especially to separate the communal patio from the private outdoor spaces.

Motion:

It was moved by Justin Gammon, seconded by Deborah LeFrank, that the Development Permit Application No. 000503 for 1400 and 1412 Quadra Street and 850 Johnson Street be approved with the following recommendations:

- improve the consistency of the elevations' expressions with particular attention to the north façade
- increase privacy between units from the exterior decks to restrict opportunities for overlook / trespass
- reconsider the building termination / how the building meets the sky
- refine the modulation of the building to emphasize its verticality and reinforce its slenderness.

Carried Unanimously







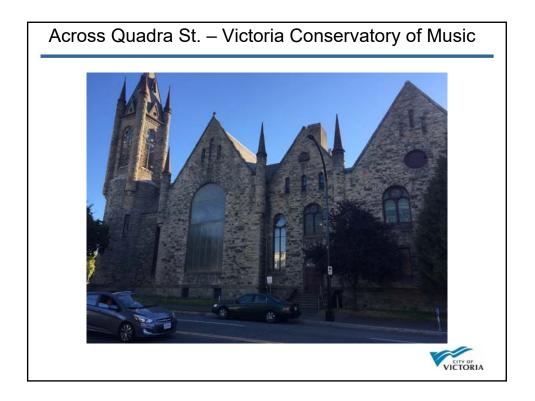


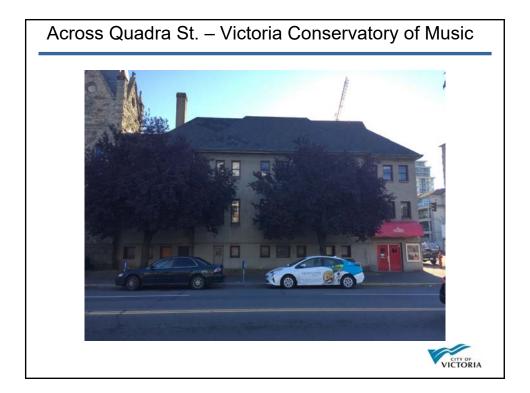


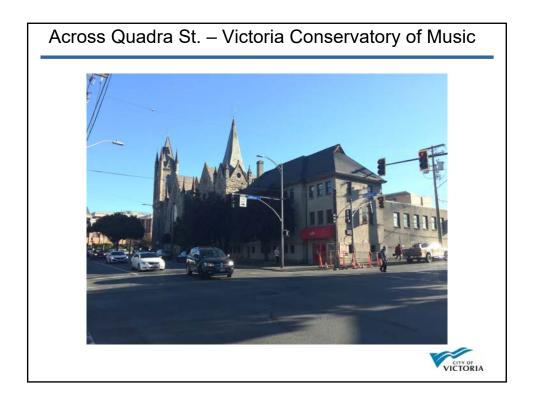


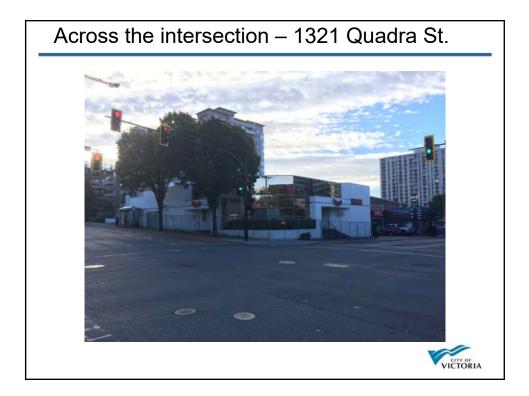




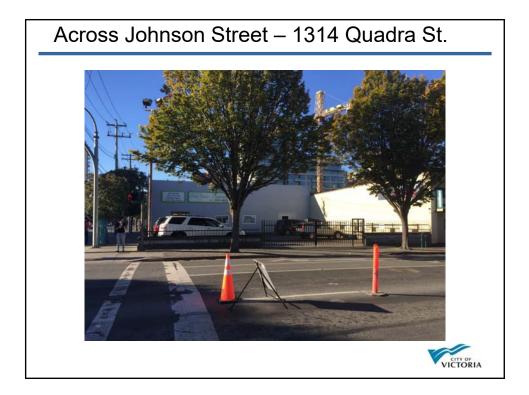




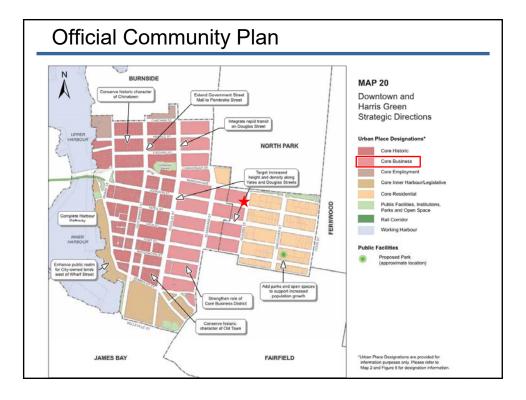


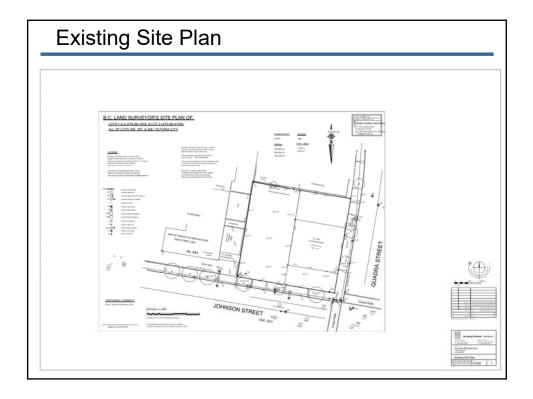




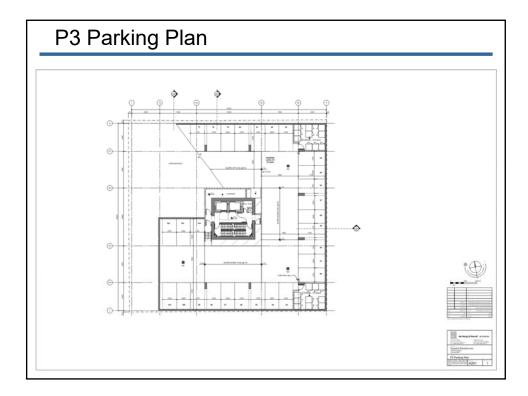


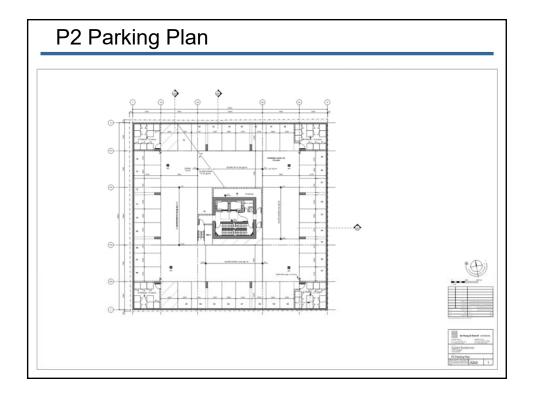


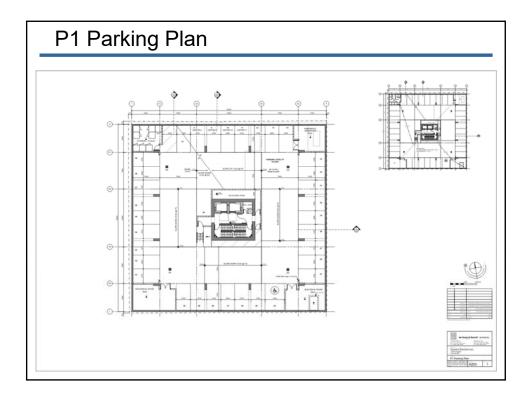


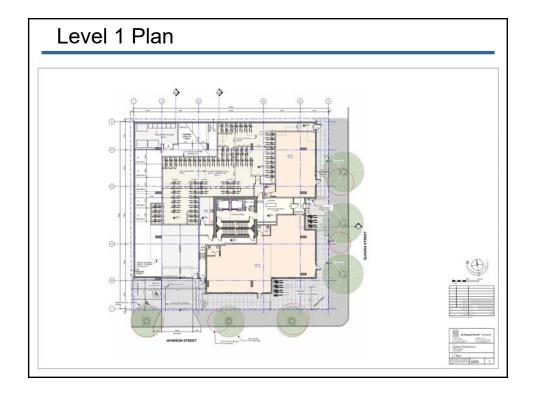


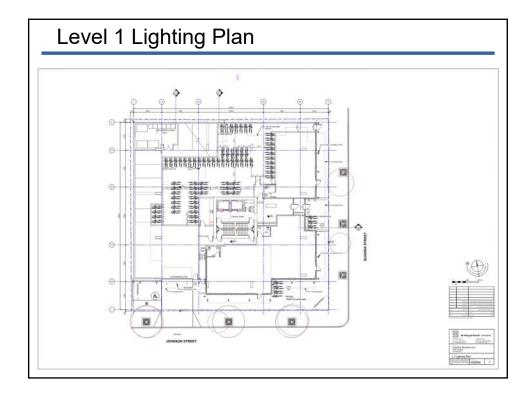


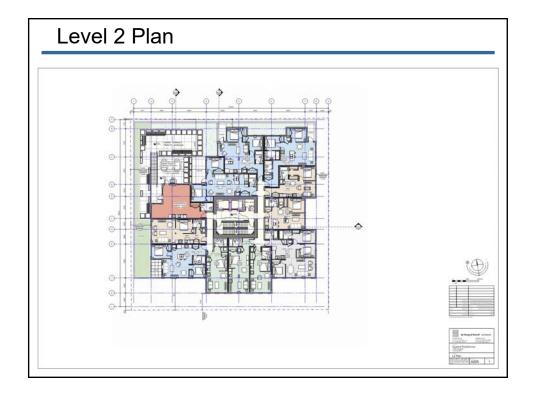


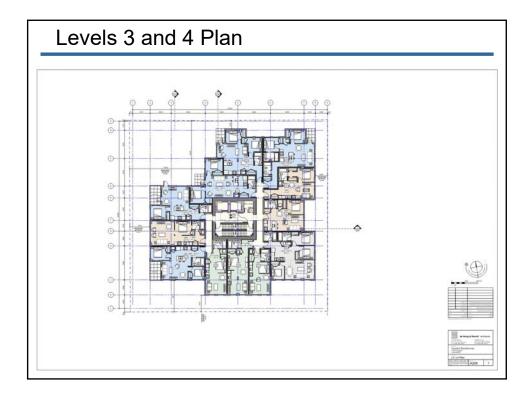


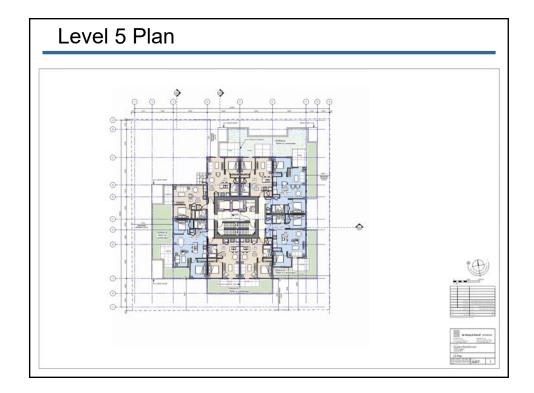


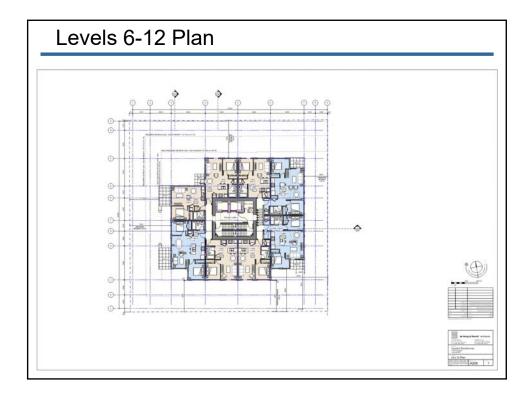


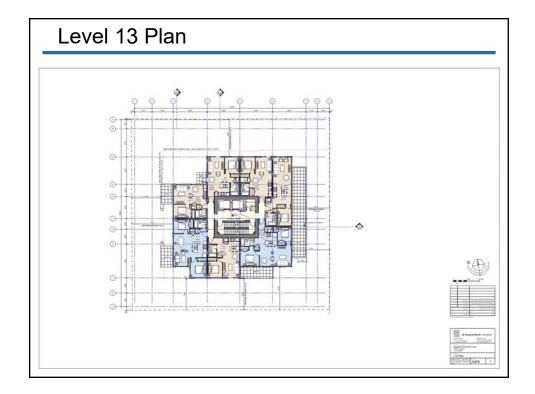


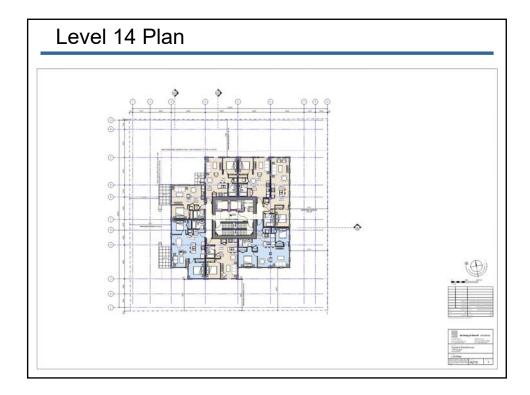


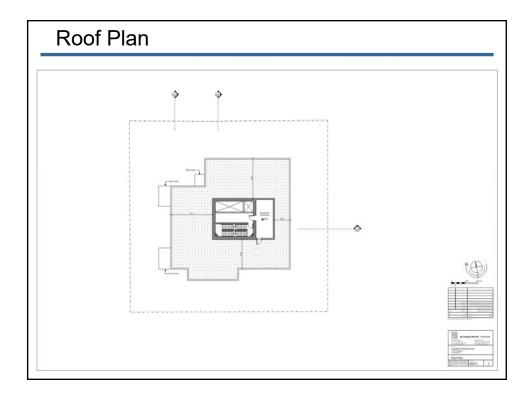




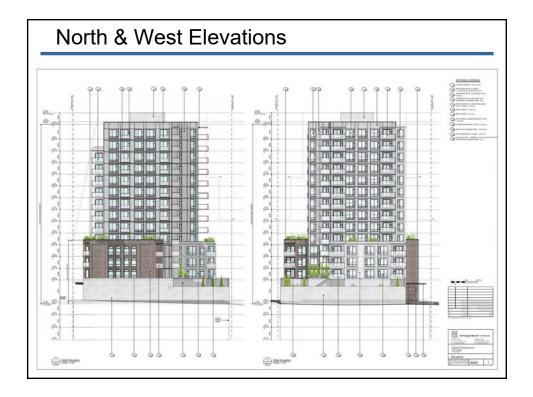


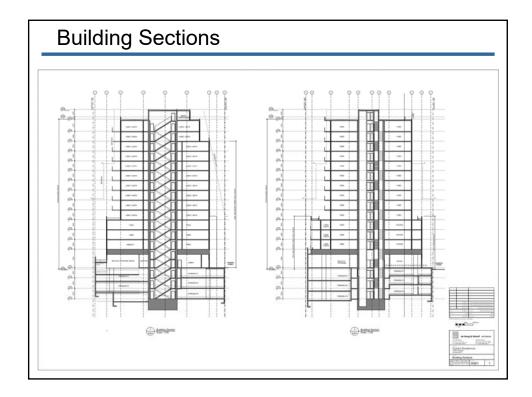


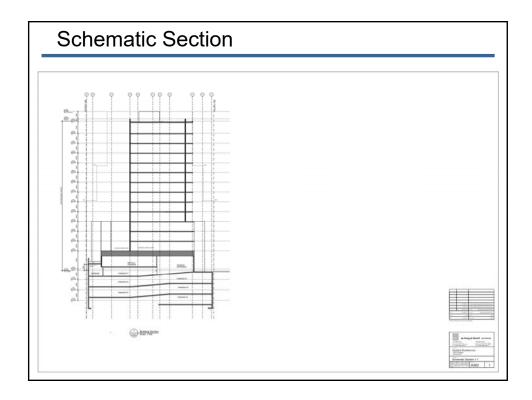


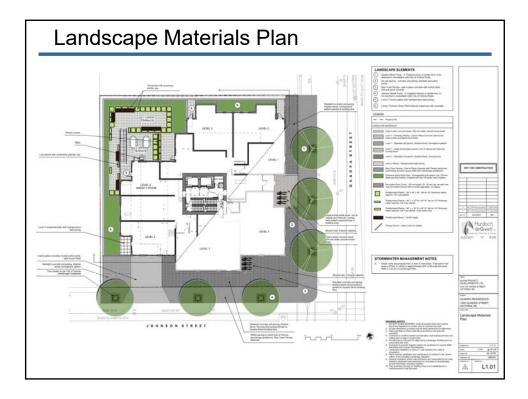


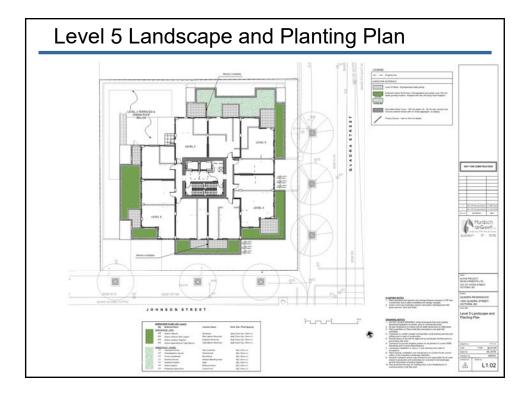


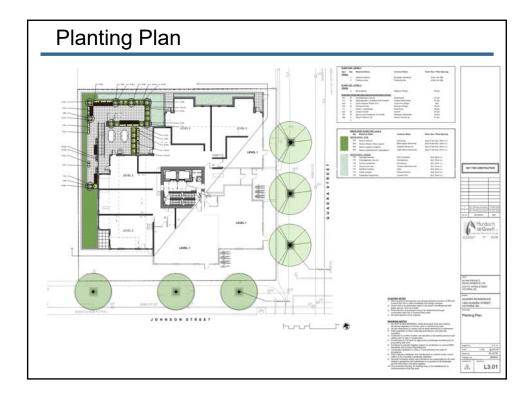


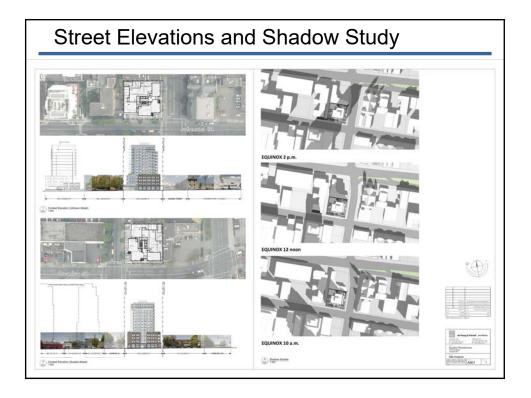


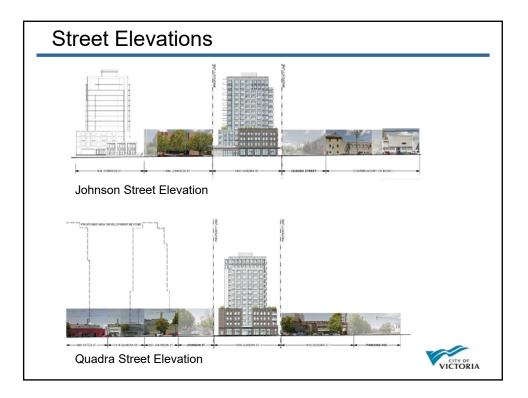


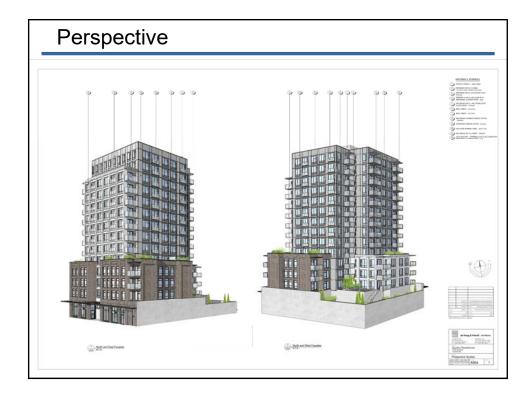


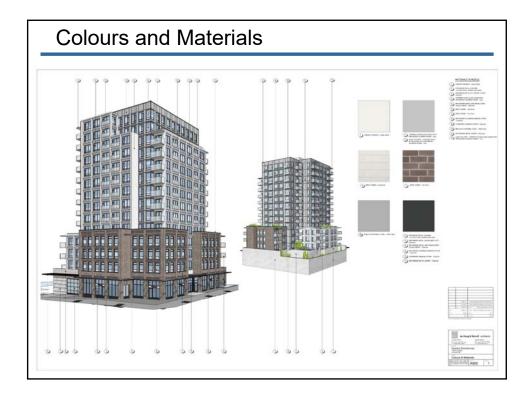


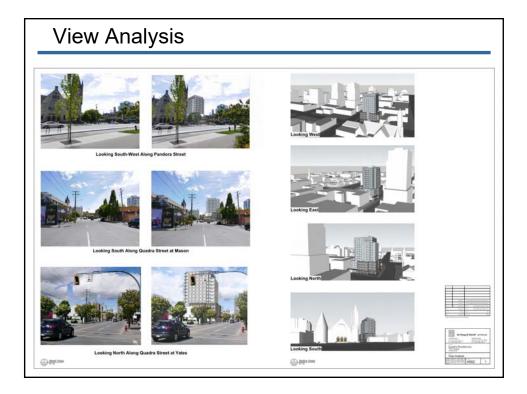














J. REPORTS OF COMMITTEES

J.1 Committee of the Whole

- J.1.b Report from the October 4, 2018 COTW Meeting
- J.1.b.g 1400 Quadra Street Rezoning Application No. 00595 and Associated Official Community Plan Amendment and Development Permit with Variance Application No. 000503 (Harris Green)

Moved By Councillor Thornton-Joe Seconded By Councillor Madoff

Rezoning Application No. 00595

- That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00595 for 1400 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - i. Housing Agreement Bylaw securing all dwelling units as rental in perpetuity.
 - b. That Council determine, pursuant to section 475(1) of the Local Government Act that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
 - c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the *Local Government Act* with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - d. That Council specifically consider whether consultation is required under Section 475(2)(b) of the *Local Government Act*, and determine that no referrals are necessary with the

Excerpt from the Council Meeting Minutes October 4, 2018 Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.

- e. That Council give first reading to the Official Community Plan Amendment Bylaw.
- f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
- 2. That, if approved, Council direct staff to prepare the following plan amendments:
 - i. Consequent amendment of the *Downtown Core Area Plan*, 2011 to change the Central Business District designation covering the site to the Residential Mixed-Use District designation.

<u>Development Permit with Variance Application No. 000503</u> That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00595, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000503 for 1400 Quadra Street, in accordance with:

- 1. Plans date stamped September 18, 2018
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Permit one parking stall to be located outside the building
- The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

F.3 <u>1400 Quadra Street - Rezoning Application No.00595 and Associated</u> <u>Official Community Plan Amendment and Development Permit</u> with Variance Application No.000503 (Harris Green)

Committee received a report dated September 20, 2018 from the Director of Sustainable Planning and Community Development purposing a 14-storey, mixed-use building consisting of ground floor commercial and residential above with a floor space ratio of 5.5:1.

Committee discussed:

the mix of residential and business space

Moved By Councillor Thornton-Joe Seconded By Mayor Helps

Rezoning Application No. 00595

- That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00595 for 1400 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - Housing Agreement Bylaw securing all dwelling units as rental in perpetuity.
 - b. That Council determine, pursuant to section 475(1) of the Local Government Act that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
 - c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - d. That Council specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School

District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.

- e. That Council give first reading to the Official Community Plan Amendment Bylaw.
- f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
- 2. That, if approved, Council direct staff to prepare the following plan amendments:
 - i. Consequent amendment of the Downtown Core Area Plan: 2011 to change the Central Business District designation covering the site to the Residential Mixed-Use District designation.

Development Permit with Variance Application No. 000503

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00595, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000503 for 1400 Quadra Street, in accordance with:

- 1. Plans date stamped September 18, 2018
- Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Permit one parking stall to be located outside the building
- 3. The Development Permit lapsing two years from the date of this resolution."

Motion to postpone

Moved By Councillor Isitt Seconded By Mayor Helps

That Council postpone consideration of the motion to give Committee an opportunity to consider staff's recommendation.

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Isitt

That Council decline Rezoning Application No. 00602 and Development Permit with Variance Application No.000503 for the property located at 1400 Quadra Street.

Defeated due to no seconder

Moved By Councillor Thornton-Joe Seconded By Councillor Coleman

To lift the postponed motion from the table.

CARRIED UNANIMOUSLY

On the Main Motion:

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe and Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

Committee recessed at 10:46 a.m. and reconvened at 10:52 a.m.



Committee of the Whole Report For the Meeting of October 4, 2018

То:	Committee of the Whole	Date:	September 20, 2018		
From:	Jonathan Tinney, Director, Sustainable Planning and Community Development				
Subject:	Development Permit with Variance Appl Street	lication No. 00	00503 for 1400 Quadra		

RECOMMENDATION

That Council decline Development Permit with Variance Application No. 000503 for the property located at 1400 Quadra Street.

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.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, 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 Variance Application for the property located at 1400 Quadra Street. The proposal is to construct a 14-storey, mixed-use building consisting of ground floor commercial and residential above with a floor space ratio of 5.5:1.

The following points were considered in assessing this Application:

- although the proposal is currently in Development Permit Area 2 (HC): Core Business of the Official Community Plan (OCP, 2012), this report assesses the consistency of the proposal with the objectives and guidelines contained in Development Permit Area 3 (HC): Core Mixed-Use Residential, because, if the concurrent rezoning and OCP amendment Application is approved, the Development Permit Area will also need to change to remain consistent.
- the proposal is generally consistent with the objectives and guidelines contained in Development Permit Area 3 (HC): Core Mixed-Use Residential of the OCP. The

proposal would help enhance the area with urban design that reflects the function of a major residential area in scale, massing and character while responding to its historic context.

 a variance is requested to locate an accessible visitor parking space outside of the building on Johnson Street and is considered supportable because it would not have substantial impacts on parking and traffic flow. It would, however, result in a parked car being visible from the street and sidewalk.

As noted in the report related to the Rezoning Application, although this Application deviates from a number of policies related to the use and density, should Council choose to advance it for consideration at a Public Hearing an alternate motion related to the Development Permit Application has also been provided.

BACKGROUND

Description of Proposal

The proposal is to construct a 14-storey, mixed-use building consisting of ground floor commercial and residential above with approximately 113 residential rental units. Specific details include:

- two retail units along Quadra Street and Johnson Street (a total of approximately 339m²)
- mid-rise building form with a mix of traditional and contemporary-style design features, including punched windows and rectilinear lines and both traditional and modern finishes
- exterior materials include painted concrete, brick veneer, prefinished metal flashing, prefinished metal security gate, prefinished metal and translucent glass canopies, prefinished aluminium window systems, and insulated spandrel panel
- upper storeys stepped back from Quadra Street: approximately 2.4m (levels 1-4), 4.4m (levels 5-12), and 7.1m (levels 13-14)
- upper storeys stepped back from Johnson Street: approximately 3.1m (levels 1-4), 6m (levels 5-12), and 7.1m (levels 13-14)
- recessed main entrance to the residential portion of the building
- communal amenity space on level 2 along with a rooftop deck (a portion of which is sunken a half storey down) with hard and soft landscaping including hydrapressed slab paving, groundcovers, shrubs, and trees
- no landscaping at street level
- secure bike parking for 142 bikes located on the main floor behind the retail units
- three levels of underground parking for 104 stalls
- publicly accessible bike parking for 13 bikes located on Quadra Street and on Johnson Street.

The proposed variances are to permit one parking stall (accessible visitor parking) outside of the building.

Sustainability Features

As indicated in the applicant's letter dated May 24, 2018, sustainability features that are associated with this Application include:

- a construction waste management plan
- materials with recycled content and sourced regionally wherever possible
- low emitting materials

September 20, 2018 Page 2 of 7

- building designed to BC Energy Step Code 1
- low flow fixtures and water efficient landscaping
- high reflectance roofing and green roofing
- light pollution reduced by minimizing light trespass from the building site.

Active Transportation Impacts

The Application proposes 142 long term bike storage spaces and 13 short term bike storage spaces which exceeds the requirement in the *Zoning Regulation Bylaw* by one bike space.

Public Realm Improvements

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

Accessibility Impact Statement

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

Existing Site Development and Development Potential

The site is presently vacant and is undergoing site remediation.

The site is currently partially zoned CBD-1 (site specific) Zone and MRD-1 Zone. The site specific CBD-1 Zone portion would permit a 15m high commercial office building at 1.5 FSR. The MRD-1 Zone portion would permit a 30m high mixed-use building. The site may be difficult to develop to its maximum potential under current zoning due to its size and configuration. This proposal requires a rezoning to a site-specific zone and an OCP Amendment, as discussed in the concurrent Rezoning Application report.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Downtown Harris Green CALUC at a Community Meeting held on May 18, 2017. A letter dated September 23, 2018 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

Although the *Official Community Plan* currently identifies this property within Development Permit Area 2 (HC): Core Business, this report assesses the consistency of the proposal with the objectives and guidelines within Development Permit Area 3 (HC): Core Mixed-Use Residential. This is because the Development Permit Area would need to change to be consistent with the proposed OCP amendment (see concurrent Rezoning and OCP Amendment Application report). The proposal is generally consistent with the Design Guidelines associated with this Development Permit Area. The following specific topics are explained for Council's consideration.

Massing of Upper Storeys

The regulations and policy require step backs to upper storeys to minimize the effects of shading and maintain views to the open sky and to avoid the visual presence of a bulky upper building mass. The building meets the zoning requirements and guidelines with respect to side and rear step backs to upper storeys (minimum of 3m step back below 30m in height and 6m step back above 30m, excluding the podium) as well as the requirement for a 5:1 building setback ratio (established at a height of 15m) on public streets. The design of the building, however, still results in the appearance of a bulky upper building mass. This may be partly due to the proportions of the massing, particularly the overall height of the building as compared to the tower's width as well as the height of the podium in relation to the height of the tower. At its base above the podium, the tower is approximately 31m deep by 31m wide and the floor plates reduce in size at higher levels. The level 14 floor plate is approximately 23m by 23m. The darker coloured podium and lighter coloured tower will help to visually reduce the massing of the upper storeys.

Relationship to the Street

The proposed building must be designed to relate well to public streets and sidewalks, including high quality architectural materials and detailing to enhance visual interest for pedestrians. The podium height is appropriate to frame the street, create a human scale, and relate to existing nearby buildings. The podium is also articulated with portions set farther back from the street and provides a recessed residential entry. The commercial entrances are not recessed but are identified with signage. One parking space would external to the building and therefore visible form the street and sidewalk (see Regulatory Considerations section below).

The materials include brick cladding and glazing, which would help provide visual interest. A portion of the exterior is painted concrete adjacent to the underground parking access. Continuous weather protection at street level is provided with a metal and translucent glass canopy that also covers all entries.

Relationship to Existing Adjacent Properties

As noted above in relation to the massing of upper storeys, the *Zoning Regulation Bylaw* and Design Guidelines include detailed requirements for stepping back buildings from the property line to provide adequate separation from adjacent buildings. The proposal meets these setback requirements; however, a proposal for a tower on an adjacent property may need to be located farther back to give adequate separation space between buildings.

The existing adjacent building to the west on Johnson Street is set back approximately 8m from the property line and has windows which face the proposal. The proposal may impact privacy because it includes a portion of wall that is approximately 3.7m set back from the lot line, with windows and balconies.

The existing building to the north on Quadra Street would not be substantially affected by the proposal. Several of the proposed units on levels 2 and 3, however, will have windows facing the existing building which is located at or near the property line. These windows would be approximately 2.9m from the property line.

September 20, 2018 Page 4 of 7

Uniformity of Facades and Cohesion of Building Design

The separate building façades use contrasting materials (brick cladding and spandrel glass) to relate to both historical and contemporary buildings in the area. However, they also have a largely repetitive design with windows on a regular grid-like pattern, which may lack visual interest. To help mitigate this, Juliette balconies are proposed on portions of the elevations. The Juliette balconies and window styles would help visually connect the distinct facades together. It should be noted, however, that these are located in front of windows and not in front of operable doors. These guardrails may result in a faux appearance since they are only decorative and not functional.

Heritage Landmark Building Context

The height, setbacks, siting and overall massing of the proposed building should respect the visual prominence and character-defining importance of the Victoria Conservatory of Music, a heritage landmark building. St. John the Divine and the Palladian also provide heritage context at Quadra and Mason Streets.

The proposal responds to this heritage context with podium height, colours, materials, and recessed window design. The podium height rises to a maximum of four stories which is in keeping with the two-and-a-half storey height of the Conservatory's south extension across the street. A darker colour on the base emphasizes the four-storey scale while a lighter colour above helps diminish the building's overall size and prominence in relation to the Victoria Conservatory of Music. The recessed windows in the brick veneer is consistent with nearby traditional buildings. Other materials on the proposed building, such as the insulated spandrel panels and pre-finished metal canopies, are more contemporary and speak to the varied architectural expressions of the area.

Common Amenity Space

Indoor and outdoor amenity space is provided for the residents at the northwest corner of the site on level 2. A portion of the outdoor amenity space is sunken a half storey down and accessed by exterior stairs. The applicant is proposing to use landscaping to soften the effect of the surrounding concrete walls.

The upper outdoor common space is located adjacent to a private patio. The applicant is proposing to use landscaping to provide a screen between the two areas for privacy.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this Application. There are five public trees impacted by this Application – two Fraxinus ornus and three Carpinus betulus. These trees will be removed because they will not withstand the impacts of the proposed underground parkade and new utility installations for the development. Six new trees are to be planted within the public realm on Quadra and Johnson Streets, with an overall net gain of one tree.

Regulatory Considerations

The proposed variance is to locate one accessible visitor parking space outside of the building. This variance would not have substantial impacts on parking and traffic flow. It would, however, result in a parked car being visible from the street and sidewalk.

Approval of the concurrent Rezoning Application and OCP Amendment are also required to facilitate this development and are discussed in a separate report.

Advisory Design Panel Review

The proposal was presented to the Advisory Design Panel (ADP) at a meeting on August 22, 2018. At time of writing this report, the draft ADP meeting minutes and motion had not been ratified by the Panel. The draft minutes have been attached to this report. The draft ADP motion recommended that the Development Permit Application be approved with the following recommendations:

- improve the consistency of the elevations' expressions with particular attention to the north façade
- increase privacy between units from the exterior decks to restrict opportunities for overlook / trespass
- reconsider the building termination / how the building meets the sky
- refine the modulation of the building to emphasize its verticality and reinforce its slenderness.

In response to these recommendations, the applicant made revisions to the proposal which included the following:

- north elevation revised to provide more consistency with other elevations
- patio privacy increased with privacy screen, tall planters, and a two level common patio
- parapet heights corrected to help define termination of the building and help the visual slenderness of the building.

CONCLUSIONS

The proposal to construct a 14-storey, mixed use building consisting of ground floor commercial and residential above, is generally consistent with Development Permit Area 3 (HC): Core Mixed-Use Residential. The building has upper storeys set back, a podium that relates to the street, and materials and design that respond to the heritage context. The parking location variance is supportable because of the limited impact it would have on parking and circulation. This Application, however, would require approval of the concurrent Rezoning Application and OCP Amendment where the proposed changes to the use and density are inconsistent with OCP and DCAP policy. Staff therefore recommend that Council consider declining this Application.

ALTERNATE MOTION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00595, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000503 for 1400 Quadra Street, in accordance with:

- 1. Plans date stamped September 18, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. permit one parking stall to be located outside of the building.
- 3. The Development Permit lapsing two years from the date of this resolution."

September 20, 2018 Page 6 of 7 Respectfully submitted,

lovento

Jonathan Tinney, Director Sustainable Planning and Community Development Department

Rob Bateman Senior Process Planner Development Services Division

Report accepted and recommended by the City Manager:

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List of Attachments

Date:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped September 18, 2018
- Attachment D: Letter from applicant to Mayor and Council dated September 24, 2018
- Attachment E: Community Association Land Use Committee Comments dated September 23, 2018
- Attachment F: Letters from Colliers International dated July 11, 2017 and October 2, 2017
- Attachment G: Land Lift Analysis Report dated September 25, 2018
- Attachment H: Staff Report for Advisory Design Panel Meeting of August 22, 2018
- Attachment I: Draft Minutes from Advisory Design Panel Meeting of August 22, 2018.

Lucas De Amaral

From: Sent: To: Cc: Subject: Oscar Mogollon October 9, 2018 2:12 AM Lisa Helps (Mayor); Councillors Tracy White; Jane Butler McGregor 1400-1402 Quadra and 840 Johnson street

Categories:

Dear Mayor, City Council,

I am writing to express my support for having sent the 1400 Quadra St. project to a public hearing. As a close neighbour, I believe the proposed commercial/rental building for the corner of Quadra & Johnson is exactly what is needed to bring life and housing solutions to our City/neighbourhood.

I will be attentive to the schedule of the hearing, but In the event I cannot make it I wanted to express my whole support for the future of this project.

Kind Regards,

Oscar Mogollon 834 Johnson St. resident.

Pamela Martin

From: Sent: To: Cc: Subject: Oscar Mogollon January 15, 2019 1:19 AM Public Hearings Lisa Helps (Mayor); Councillors 1400 Quadra St. project

Dear Mayor, City Council, to whom it may concern,

It is with great enthusiasm I am writing to express my whole support for the 1400 Quadra St. project, during the upcoming public hearing.

I live 40 m away to the proposed development, and I've had the opportunity to study the renderings and tender available. As a very close neighbor, I believe this new handsome rental building in the **corner of Quadra & Johnson St.** is exactly what is needed to make a dramatically positive impact in our block, and in our whole neighborhood and City.

A development of the proposed characteristics will bring new neighbours, much needed life into our block, and badly required housing solutions in a corner we saw deteriorate dramatically -despite it being fenced. I won't be able to attend the hearing, but I wanted to express my whole support for the future of this project. Kind Regards, Oscar Mogollon 834 Johnson St. resident.

Pamela Martin

From: Sent: To: Subject:

January 14, 2019 5:45 PM Public Hearings 1400 Quadra St - proposed development

To whom it may concern,

I'm writing this to vehemently encourage the development of the project at 1400 Quadra.

As a resident of 834 Johnson, the degradation of our neighbourhood must be halted.

The influx of regular, working, NON drug addicted people would go a long way to negating the awful affect that 844 Johnson has had on our fragile neighbourhood.

Please please take into account the opinions of the people who live here, not the ones making decisions from afar. We must stop the bleeding and the only way this will happen is to gentrify this area.

Tracy White

Pamela Martin

From: Sent: To: Cc: Subject: Karina Sacca January 17, 2019 1:23 PM Public Hearings Bijan Neyestani 1400 Quadra Street - Proposed Development

Dear Mayor and Council,

I understand a public hearing with take place this evening in respect of the proposed development at 1400 Quadra Street. I wish to express my support for the project and wanted to email as I will not be in attendance this evening.

I am located on the same block as the proposed development on Johnson Street. It is my view that having rental units on our block along with the residents and businesses that it will attract is nothing short of a welcome addition and will make this small block a more livable and vibrant zone. Given the challenges that faced in the neighbourhood with the 844 building, mixing the make-up of the residents and buildings on the block will bring more eyes and feet onto the street, and add to the fabric of our livable community.

Sincerely, Karina Sacca



Karina V. Sacca Lawyer and Mediator 3-834 Johnson Street Victoria, BC V8W 1N3

NO. 18-115

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Bylaw 2018 to rezone land known as 1400 Quadra Street from the Central Business District-1 Zone (CBD-1) and Mixed Use Residential District-1 Zone (MRD-1), to the Central Business District-2 Zone (CBD-2), and by adding Site Specific Regulations to the Central Business District-2 Zone (CBD-2).

The Council of The Corporation of the City of Victoria enacts the following provisions:

Title

1 This Bylaw may be cited as the "ZONING BYLAW 2018, AMENDMENT BYLAW (NO. 1)".

Definition

2 **"Site"** means the lands known as 1400 Quadra Street, legally described as PID: 030-496-021, Lot A of Lots 396, 397 and 398 Victoria City Plan EPP67310, and shown hatched on the attached map.

Rezoning

3. The Site is rezoned to Central Business District-2 Zone (CBD-2).

Amendments

- 4. Bylaw No. 18-072, Zoning Bylaw 2018, is amended:
 - (a) in Part 4.1, Section 8, by deleting rows 31 and 32 in the Site Specific Regulations table and renumbering rows 33 through 40 as rows 31 through 38;
 - (b) in Part 4.2, Section 8, by adding the following as the new row 15:

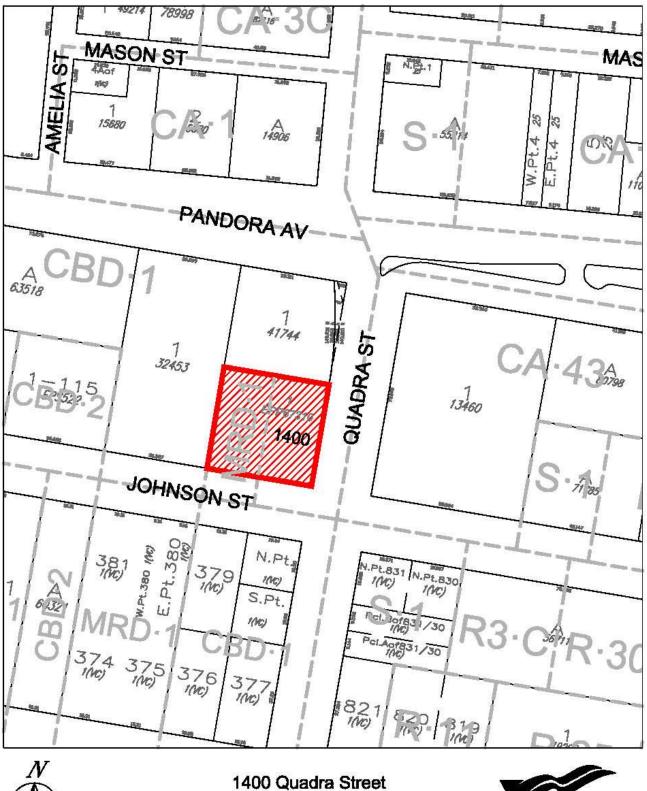
1400 Quadra Street	a. Maximum Building Height: 43.0m	
LOT A OF LOTS 396, 397 AND 398		
VICTORIA CITY PLAN EPP67310	b. Bonus Density of Development for all uses: 5.5:1	 i. The owner enters into a housing agreement with the City that requires all Dwelling Units on the site to be rental units in perpetuity. ii. Only Residential uses are permitted on Storeys above the First Storey of a Building.

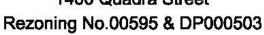
- (c) renumbering existing rows 15 through 19 as rows 16 through 20; and
- (d) in Schedule A, by adjusting the boundary of Height Area 4 to include the entire Site.

READ A FIRST TIME the	13 th	day of	December	2018
READ A SECOND TIME the	13 th	day of	December	2018
Public hearing held on the		day of		2019
READ A THIRD TIME the		day of		2019
ADOPTED on the		day of		2019

CITY CLERK

MAYOR







NO. 18-116

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Official Community Plan to change 1400 Quadra Street from the Core Business urban place designation to the Core Residential urban place designation, to add text to specify the density, and to change the Development Permit Area from DPA 2 (HC): Core Business to DPA 3 (HC): Core Mixed-Use Residential for the same land.

Under its statutory powers, including Division 4 of the *Local Government Act*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

- 1 This Bylaw may be cited as the "OFFICIAL COMMUNITY PLAN BYLAW, 2012, AMENDMENT BYLAW (NO. 27)".
- 2 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended as follows in Schedule "A":
 - in Section 6 Land Management and Development, by repealing Map 2 and replacing it with the Map 2 Urban Place Designations, attached to this Bylaw as Schedule 1;
 - (b) in Section 6 Land Management and Development, by replacing the first paragraph in Figure 8: Urban Place Guidelines, on page 42, under the heading Density, with:

"Total floor space ratios generally ranging from a base of 3:1 to a maximum of 5.5:1 for the area south of Mason Street / east of Quadra Street / west of Vancouver Street; the north-west corner of the intersection of Johnson Street and Quadra Street; and, the area east of Vancouver Street / west of Cook Street/ on Pandora Avenue.";

(c) in Section 6 Land Management and Development, by replacing the last paragraph in Figure 8: Urban Place Guidelines, on page 42, under the heading Density, with:

"Total commercial floor space ratios up to 1:1 except along Pandora Avenue (base of 1:1 to a maximum of 3:1), the north-west corner of the intersection of Johnson Street and Quadra Street (base of 3:1 to a maximum of 5.5:1), and Yates Street and Fort Street (base of 3:1 to a maximum of 5.5:1 west of Cook Street and a base of 2:1 to a maximum of 3.5:1 east of Cook Street).";

- (d) in Section 21 Neighbourhood Directions, by repealing Map 20 Downtown and Harris Green Strategic Directions and replacing it with the Map 20 attached to this Bylaw as Schedule 2;
- in Appendix A Development Permit Areas and Heritage Conservation Areas, by repealing Map 32 and replacing it with the Map 32 attached to this Bylaw as Schedule 3;

- (f) in Appendix A Development Permit Areas and Heritage Conservation Areas, by repealing Map 34 and replacing it with the Map 34 attached to this Bylaw as Schedule 4; and
- (g) in Appendix A Development Permit Areas and Heritage Conservation Areas, by repealing Map 35 and replacing it with the Map 35 attached to this Bylaw as Schedule 5.

READ A FIRST TIME the	13 th	day of	December	2018
READ A SECOND TIME the	13 th	day of	December	2018
Public hearing held on the		day of		2019
READ A THIRD TIME the		day of		2019
ADOPTED on the		day of		2019

CITY CLERK MAYOR

NO. 18-117

HOUSING AGREEMENT (1400 QUADRA STREET) BYLAW A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to authorize an agreement for rental housing for the lands known as 1400 Quadra Street, Victoria, BC.

Under its statutory powers, including section 483 of the *Local Government Act*, the Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

Title

1 This Bylaw may be cited as the "HOUSING AGREEMENT (1400 QUADRA STREET) BYLAW (2018)".

Agreement authorized

- 2 The Mayor and the City Clerk are authorized to execute the Housing Agreement
 - (a) substantially in the form attached to this Bylaw as Schedule A;
 - (b) between the City and Quadra/Johnson Project Ltd., Inc. No. BC1097776, or other registered owners from time to time of the lands described in subsection (c); and
 - (c) that applies to the lands known as 1400 Quadra Street, Victoria, BC, legally described as:

PID: 030-496-021 LOT A LOTS OF 396, 397 AND 398 VICTORIA CITY PLAN EPP67310

READ A FIRST TIME the	13 th	day of	December	2018
READ A SECOND TIME the	13 th	day of	December	2018
READ A THIRD TIME the	13 th	day of	December	2018
ADOPTED on the		day of		2019

CITY CLERK

MAYOR

HOUSING AGREEMENT (Pursuant to Section 483 of the Local Government Act)

BETWEEN:

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THE CORPORATION OF THE CITY OF VICTORIA #1 Centennial Square Victoria, B.C., V8W 1P6 (the "City")

AND:

OF THE FIRST PART

QUADRA/JOHNSON PROJECT LTD. (Inc. No. BC1097776) 400 - 931 Fort Street Victoria, B.C., V8V 3K3 (as more particularly defined in Section 1.1, the "Owner")

OF THE SECOND PART

WHEREAS:

- A. Capitalized terms used in this Agreement, unless otherwise or elsewhere defined or the context otherwise clearly requires, will have the respective meanings ascribed to them in Section 1.1;
- B. Under Section 483 of the Local Government Act the City may, by bylaw, enter into a Housing Agreement with an owner of land regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in Section 483(2) of the Local Government Act;
- C. The Owner is the registered and beneficial owner in fee simple of lands in the City of Victoria, British Columbia, with a civic address of 1400 Quadra Street, and legally known and described as:

PID: 030-496-021 Lot A Lots 396, 397 And 398 Victoria City Plan EPP67310 (as more particularly defined in Section 1.1, the "Lands");

- D. The Owner has applied to the City to rezone the Lands to permit it to build a 14 storey mixed-use building containing commercial uses at grade, residential accommodation on all of the floors above and related amenities and common spaces and facilities (the "Development"), all of which residential accommodation the Owner has agreed shall be used only as rental housing in perpetuity; and
- E. The City and the Owner wish to enter into this Agreement, as a Housing Agreement pursuant to Section 483 of the Local Government Act, to secure the agreement of the Owner that all Housing Units within the Development on the Lands will be used and held only as rental housing, subject to the terms and conditions set forth herein.

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NOW THEREFORE THIS AGREEMENT WITNESSES that pursuant to Section 483 of the *Local Government Act*, and in consideration of one dollar (\$1.00) now paid by the City to each of the Existing Chargeholder and the Owner, and the premises and covenants contained in this Agreement, the parties agree each with the other as follows:

1.0 DEFINITIONS AND INTERPRETATION

1.1 Definitions. In this Agreement:

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"Agreement" means this Housing Agreement, including the foregoing Recitals and all Schedules, if any, hereto;

"Business Corporations Act" means the Business Corporations Act, S.B.C. 2002, c, 57;

"City Solicitor" means the person employed by the City as the City Solicitor and includes any other City lawyer acting under the authority of the City Solicitor;

"Development" has the meaning ascribed to that term in Recital D;

"Director" means the City's Director of Sustainable Planning and Development or his authorized nominee;

"Effective Date" means the date as of which all parties to this Agreement have executed it;

"Housing Units" means the self-contained housing units within the Development, and "Housing Unit" means any of such Housing Units;

"Land Title Act" means the Land Title Act, R.S.B.C. 1996, c.250;

"Lands" means that certain parcel of land described in Recital C, and includes any parcel into which some or all of such Lands are consolidated or subdivided;

"Local Government Act" means the Local Government Act, R.S.B.C. 2015, c. 1;

"Non-owner" means a person other than a Related Person and "Non-owners" means more than one of such Persons;

"Notice" has the meaning ascribed to that term in Section 5.1;

"Occupancy Permit" means the first occupancy permit issued by the City for the Development; Quadra Johnson Project Ltd.

"Owner" means ______ (Incorporation No. BC 109177(o) and all of its assigns, successors and successors in title to the Lands or any part thereof and, if the Lands are subdivided pursuant to the *Strata Property Act*, then "Owner" includes any strata corporation(s) thereby created;

"Related Persons" means, where the registered or beneficial owner of the Housing Units is:

- (a) a corporation (as that term is defined in the Business Corporations Act) then Related Persons are:
- an officer, director or shareholder of such Owner or of another entity which is a shareholder of such Owner; or
- the spouse, parent, child, sibling, mother-in-law, father-in-law, grandparent, brother-in-law, sister-in-law, niece or nephew of any such officer, director or shareholder; and
- (b) an individual, then a Related Person is the spouse, parent, child, sibling, motherin-law, father-in-law, grandparent, brother-in-law, sister-in-law, niece or nephew of such individual; and

"Related Person" means any one of such Related Persons;

"Residential Tenancy Act" means the Residential Tenancy Act, S.B.C. 2002, c. 78;

"Rezoning Bylaw" means the enacted rezoning bylaw applicable to the Lands resulting from the rezoning application of the Owner described in Recital D;

"Strata Plan" means a strata plan filed in respect of the Lands or any subdivided portion thereof pursuant to the Strata Property Act;

"Strata Property Act" means the Strata Property Act, S.B.C. 1998, c. 43; and

"Tenancy Agreement" means a tenancy agreement pursuant to the Residential Tenancy Act that is regulated by that Act.

1.2 Interpretation

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In this Agreement:

Captions and Headings. The captions and headings appearing in this Agreement have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any of the provisions hereof.

Legislation. Reference to any enactment includes any regulations, orders or directives made under the authority of that enactment, and is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.

Law Applicable. This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

Language. Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.

Party. Any reference to a party hereto will be deemed to include the heirs, executors, administrators, successors, permitted assigns, employees, servants, agents, officers,

contractors, licensees and invitees of such party wherever the context so permits or requires.

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Entire Agreement. This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.

Time. Time is of the essence of this Agreement.

2.0 OWNERS OBLIGATIONS APPLICABLE TO THE DEVELOPMENT

- 2.1 The Owner covenants and agrees:
 - (a) Construction of Development. that if it carries out any development on the Lands after the Effective Date, it will construct, fit and finish, at its sole cost and expense, the Building to contain in accordance with this Agreement, the conditions of the Rezoning Bylaw, any development permit and building permit issued by the City and all applicable City by-laws and policies, all to the satisfaction of the City;
 - (b) Rental Only to Non-owners. that all of the Housing Units shall only be used as rental housing, and for that purpose the Housing Units shall only be occupied by persons who are Non-owners under the terms of a Tenancy Agreement between the Owner and the Non-owner(s) who occupy(ies) the Housing Unit;
 - (c) Term of Rental Agreements. that it will not rent, licence to use or sublet, nor will it allow to be rented, licenced to use or sublet, any Housing Unit for a term of less than one month at a time, without the prior written consent of the Director, which consent may be arbitrarily withheld;
 - (d) Insurance. that it will insure the Building and all parts thereof to the full replacement cost against perils normally insured against in Victoria by reasonable and prudent owners of similar buildings and lands; and
 - (e) Repair and Maintenance. that it will keep and maintain the Building and all parts thereof in good repair and in a safe, clean, neat and tidy condition, reasonable wear and tear excepted. If the Building or any part of any thereof are/is damaged, the Owner will promptly restore and repair the same whenever and as often as damage occurs, to at least as good a state and condition as existed before such damage occurred.

3.0 SUBDIVISION

3.1 Subdivision. The Owner covenants and agrees that it will not suffer, cause or permit the Lands or the Building or any part thereof, to be subdivided, whether by subdivision plan, strata plan or otherwise, without the prior written consent of the Director, which consent may be arbitrarily withheld. Any subdivision of the Lands or the Building or any part thereof, in contravention of the foregoing covenant will be of no force or effect, and the City will be entitled to the cancellation of the registration of any offending subdivision at the Owner's expense;

(00023095:1)

4.0 REPORTING

- 4.1 The Owner covenants and agrees to provide to the Director, within thirty (30) days of the Director's written request, a report in writing confirming that:
 - (a) all Housing Units are being rented to Non-owners, or are vacant; and
 - (b) that all other requirements of this Agreement are being complied with by the Owner and the Development,

together with such other information as may be requested by the Director.

4.2 The Owner hereby authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is complying with this Agreement.

5.0 NOTICE TO BE REGISTERED IN LAND TITLE OFFICE

5.1 Notice of this Agreement (the "Notice") will be registered in the Land Title Office by the City at the cost of the Owner in accordance with Section 483 of the Local Government Act, and this Agreement is binding on the parties to this Agreement as well as all persons who acquire an interest in the Lands after registration of the Notice.

6.0 LIABILITY

- 6.1 Indemnity. The Owner agrees to indemnify and saves harmless the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reason of or arising out of failure of the Owner to comply with the terms and conditions of this Agreement.
- 6.2 Release. The Owner hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which the Owner now has or hereafter may have with respect to or by reason of or arising out of the fact that the Lands are encumbered by and affected by this Agreement.

7.0 GENERAL PROVISIONS

- 7.1 Notice. If sent as follows, notice under this Agreement is considered to be received:
 - (a) thirty-six (36) hours after the time of its mailing (by registered mail),
 - (b) on the date of dispatch if delivered by email or fax before 5:00 pm on a regular business day, and otherwise on the next regular business day thereafter, and
 - (c) on the date of delivery if hand-delivered,
 - if to the City, addressed as follows: City of Victoria #1 Centennial Square

{00023095:1}



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Victoria, B.C. V8W 1P6

Attention: City Clerk Fax: 250-361-0348 Email: ccoates@victoria.ca

if to the Owner, addressed as follows: Quadra/Johnson Project Ltd. 400 - 931 Fort Street Victoria, B.C., V8V 3K3

Attention: Bijan Neyestani Fax: 250-381-4680 Email: Dreyestani@alphadevelopments.com

If a party identifies alternate contact information in writing to another party, notice is to be given to that alternate address/person.

If normal mail service or facsimile service is interrupted by strike, work slowdown, force majeure, or other cause,

- (d) notice sent by the impaired service is considered to be received on the date of delivery, and
- (e) the sending party must use its best efforts to ensure prompt receipt of a notice by using other uninterrupted services, or by hand-delivering the notice.
- 7.2 Binding Effect. This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees. In accordance with Section 483(6) of the *Local Government Act*, this Agreement and all obligations hereunder is binding on all who acquire an interest in the Lands, and the Owner only during the Owner's ownership of any interest in the Lands, and with respect only to that portion of the Lands of which the Owner has an interest.
- 7.3 Waiver. The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.
- 7.4 Equitable Remedies. The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement
- 7.5 Cumulative Remedies. No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 7.6 Further Assurances. Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.
- 7.7 Amendment. This Agreement may be amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by

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the City and the Owner; provided; however, that the Owner acknowledges and agrees that it is within the City's sole discretion to consent or not to consent to modifications of this Agreement and that such consent may be withheld for any reason.

- 7.8 No Derogation From Statutory Authority. Nothing in this Agreement shall:
 - (a) limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or issued thereunder, or pursuant to statute, by the City shall estop, limit or impair the City from relying upon and enforcing this Agreement; or
 - (b) relieve the Owner from complying with any enactment, including the City's bylaws, or any obligation of the Owner under any other agreement with the City.
- 7.9 Joint and Several. The Owner, if more than one, are jointly and severally obligated to perform and observe each and every of the covenants, warranties and agreements herein contained by the Owner to be observed and performed.
- 7.10 Counterparts. This Agreement may be executed in counterparts and delivered by facsimile or emailed PDF file, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.
- 7.11 Transfer of Title. The Owner covenants and agrees that except by way of a tenancy agreement to which the *Residential Tenancy Act* applies, it will not suffer, cause or permit, the beneficial or registered title to any Housing Unit to be sold or otherwise transferred unless title to the entire Development is sold or otherwise transferred together and as a block to the same owner, and after it has entered into an assignment and assumption agreement in form and contents satisfactory to the City Solicitor. Any sale or transfer of title to a Housing Unit in contravention of the foregoing covenant will be of no force or effect, and the City will be entitled to the cancellation of the registration of any offending transfer of title at the Owner's expense;
- 7.12 Owner's Representations and Warranties. The Owner represents and warrants to and covenants and agrees with the City that:
 - (a) it has the full and complete power, authority and capacity to enter into, execute and deliver this Agreement and to bind all legal and beneficial interests in the title to the Lands with the interests in land created hereby;
 - upon execution and delivery of this Agreement and registration thereof, the interests in land created hereby will encumber all legal and beneficial interests in the title to the Lands;
 - (c) this Agreement will be fully and completely binding upon the Owner in accordance with its terms and the Owner will perform all of its obligations under this Agreement in accordance with its terms; and

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(d) the foregoing representations, warranties, covenants and agreement will have force and effect notwithstanding any knowledge on the part of the City whether actual or constructive concerning the status of the Owner with regard to the Lands or any other matter whatsoever.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year last below written.

/AYOR: Lisa Helps	
CITY CLERK: Chris Coates	
Date signed:	
DUADRA/JOHNSON PROJECT LTD. by its authorized signatory(ies):	
BIJAN NEYESTANI	

J. <u>REPORTS OF COMMITTEES</u>

J.1 Committee of the Whole

J.1.b Report from the October 4, 2018 COTW Meeting

J.1.b.a 1314-1324 Douglas Street - Heritage Designation Application No. 000178 (Downtown)

> Moved By Councillor Thornton-Joe Seconded By Councillor Madoff

That Council approve the designation of the heritageregistered property located at 1314-1324 Douglas Street, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY

F.7 <u>1314-1324 Douglas Street - Heritage Designation Application No. 000178</u> (Downtown)

Committee received a report from the Director of Sustainable Planning and Community Development dated September 13, 2018 regarding an owner request to designate the exterior of the heritage-registered property located at 1314-1324 Douglas Street.

Moved By Councillor Coleman Seconded By Councillor Lucas

That Council approve the designation of the heritage-registered property located at 1314-1324 Douglas Street, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of October 4, 2018

Subject:	Heritage Designation Application No. 0	00178 for 13 [,]	14-1324 Douglas Street
From:	Jonathan Tinney, Director, Sustainable Pl	anning and C	ommunity Development
То:	Committee of the Whole	Date:	September 13, 2018

RECOMMENDATION

That Council approve the designation of the heritage-registered property located at 1314-1324 Douglas Street, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

In accordance with Section 611 of the *Local Government Act*, Council may designate real property, in whole or in part, as protected property.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding an owner request to designate the exterior of the heritage-registered property located at 1314-1324 Douglas Street. The two-storey brick commercial building was built in 1891and contributes to the historic character of Victoria's Old Town District.

The designation of this building is generally consistent with Section 8: "Placemaking (Urban Design and Heritage)" of the *Official Community Plan 2012*, with Section 7, "*Heritage*" of the *Downtown Core Area Plan*, and with the *Victoria Heritage Thematic Framework*.

The Application was reviewed by the Heritage Advisory Panel at its July 10, 2018 meeting, and it was recommended that Council consider approving the designation of the heritage-registered property located at 1314-1324 Douglas Street.

BACKGROUND

Description of Proposal

The property located at 1314-1324 Douglas Street, referred to as the Morgan Block and also the Doane Block, is a two-storey, painted brick commercial building built in 1891. The exterior

façade of 1314-1324 Douglas Street has maintained much of its original appearance. Its character-defining elements include its two-store scale divided into five bays and storefronts; prominent bracketed piers that accentuate a central bay with recessed window arches and a raised cornice; corbelled brick along the cornice; and stained glass transom windows on the second storey. The original form, scale and massing of the building is a character-defining element, and contains heritage value because it maintains the heritage character and architectural composition representative of Victoria's historic downtown. The building extends a sense of visual continuity along the historic street wall and reinforces this northern portion of the 1300 block of Douglas Street as integral to the entire block of heritage buildings. The building is also valued for its consistent and diverse use for commercial enterprises since its construction in 1891.

Condition/Economic Viability

In general, the painted brick masonry façade appears to be in fair condition, with notable signs of weathering and deterioration in localized areas. A Heritage Conservation Plan is attached to this report and details aspects of preservation, rehabilitation and restoration. The applicant intends to restore the existing façade (as well as the Watson and McGregor building at 645-651 Johnston Street) and incorporate it into one unified development that maintains ground-level commercial uses and introduces a new residential component above, which will advance concurrently with this Application for heritage designation. The applicant also intends to apply to the City's Building Incentive Program and the Tax Incentive Program administered by the Victoria Civic Heritage Trust.

ANALYSIS

The following sections provide a summary of the Application's consistency with the relevant City policies and guidelines.

Official Community Plan

The designation of this building is consistent with the *Official Community Plan*, 2012, which in the section entitled, "Placemaking (Urban Design and Heritage)", states:

Goals

8 (B) Victoria's cultural and natural heritage resources are protected and celebrated.

Broad Objectives

- 8 (j) That heritage property is conserved as resources with value for present and future generations.
- 8 (I) That heritage and cultural values are identified, celebrated, and retained through community engagement.

City Form

- 8.6 Conserve and enhance the heritage value, character and special features of areas, districts, streetscapes, cultural landscapes and individual properties throughout the city.
- 8.11 Determine the heritage value of areas, districts, streetscapes, cultural landscape and individual properties using the Victoria Heritage Thematic Framework as identified in Figure 12.

Buildings and Sites

- 8.51 Continue to give consideration to tools available under legislation to protect or conserve heritage property including, but not limited to: heritage designation bylaws; listing on the heritage register; temporary protection; heritage alteration permits; heritage revitalization agreements; design guidelines; and, the protection of views of heritage landmark buildings from public vantage points as identified in Map 8, and to be determined in future local area plans.
- 8.54 Continue to work with senior government, community and business partners to identify, protect and conserve property of heritage value.

Downtown Core Area Plan

The designation of the building is consistent with Section 7: "Heritage" of the *Downtown Core Area Plan*, 2011, which states:

Heritage - Objectives

1 Retain, protect and improve real property with aesthetic, historic, scientific, cultural, social or spiritual value and heritage character as a benefit to the public.

Areas and Districts - Policies and Actions

7.3. Conserve heritage values of the Downtown Core Area and its character-defining elements, such as individual buildings, collections of buildings, streetscapes, structures and features.

Buildings and Sites - Policies and Actions

- 7.20. Continue to work with the private sector to identify, protect and conserve property and areas with heritage value in the Downtown Core Area.
- 7.28. Produce and update, as required, Statements of Significance for properties listed on the Heritage Register in the Downtown Core Area.

Victoria Heritage Thematic Framework

A key policy of the OCP includes the determination of heritage value using a values-based approach. In this regard, a city-wide thematic framework (OCP Fig. 12) was developed and incorporated into the OCP to identify the key civic historic themes. The *Victoria Heritage Thematic Framework* functions as a means to organize and define historical events, to identify representative historic places, and to place sites, persons and events in an overall context. The thematic framework recognizes a broad range of values under which city-wide themes can be articulated. A Heritage Value Assessment with consideration of the *Victoria Heritage Thematic Framework* is incorporated into the Statement of Significance.

Statement of Significance

A Statement of Significance describing the historic place, its attributes, and history is attached to this report.

Heritage Advisory Panel

The Application was reviewed by the Heritage Advisory Panel at its July 10, 2018 meeting and was recommended for approval.

CONCLUSIONS

This Application for the heritage designation of the property located at 1314-1324 Douglas Street as a Municipal Heritage Site is for a building that is representative of the heritage character and architectural composition of commercial development from the late 19th century in Victoria's historic downtown, and is integral as part of the historic street wall of the 1300 block of Douglas Street. Staff therefore recommend that Council consider approving the Heritage Designation Application for the heritage-registered building located at 1314-1324 Douglas Street.

ALTERNATE MOTION

That Council decline Heritage Designation Application No. 000178 for the property located at 1314-1324 Douglas Street.

Respectfully submitted,

amen

Merinda Conley Senior Heritage Planner Development Services Division

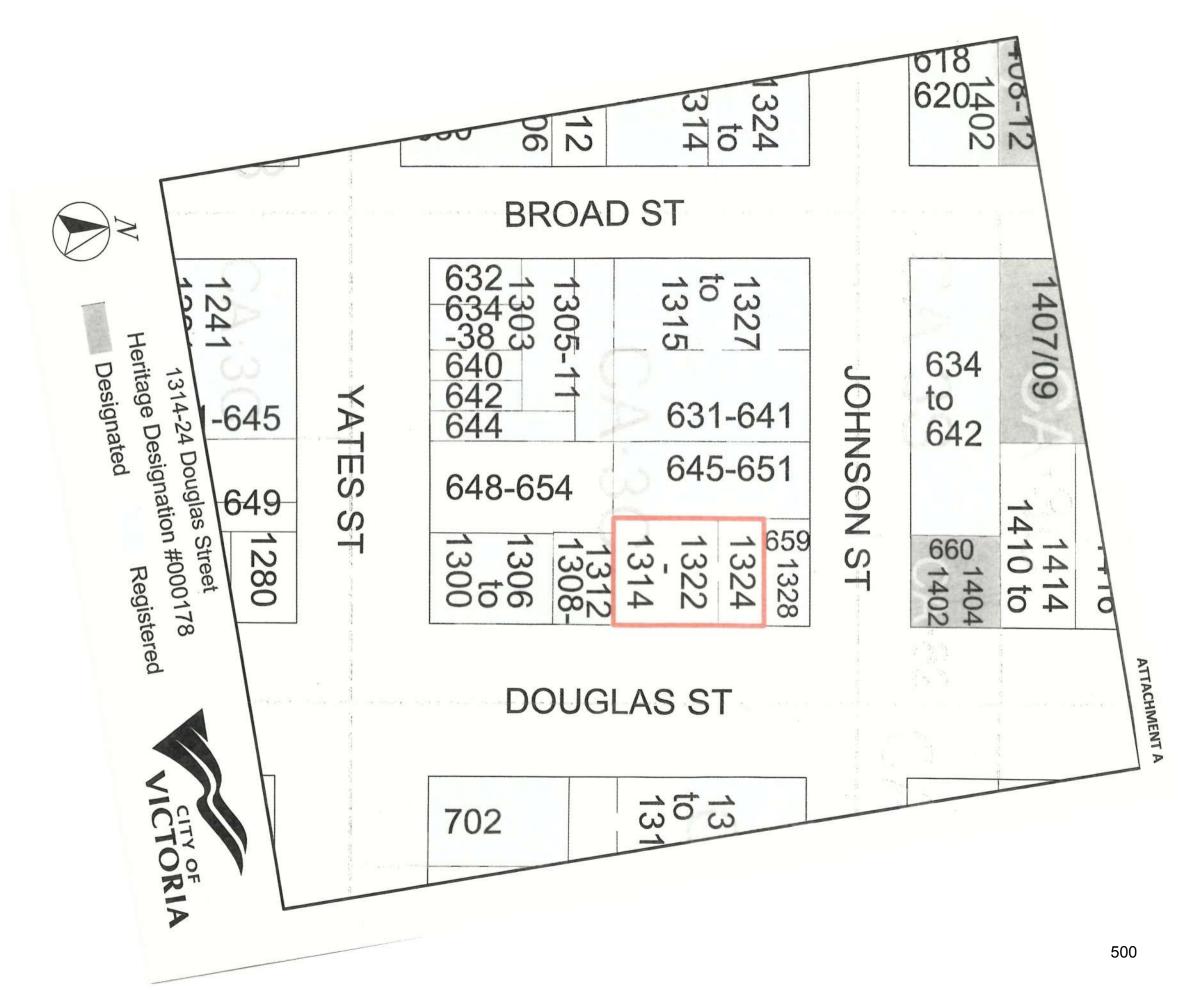
Jonathan Tinney, Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager:

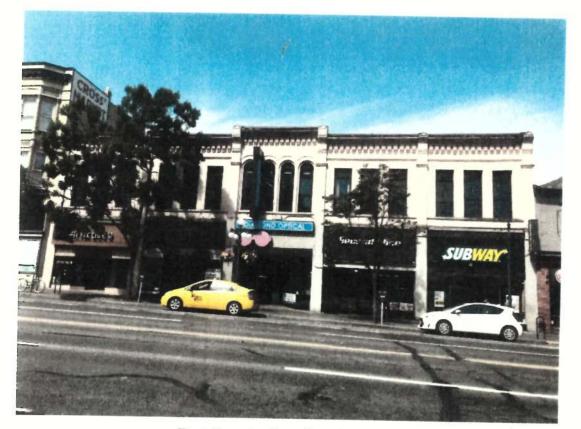
Shranne Maryson

List of Attachments

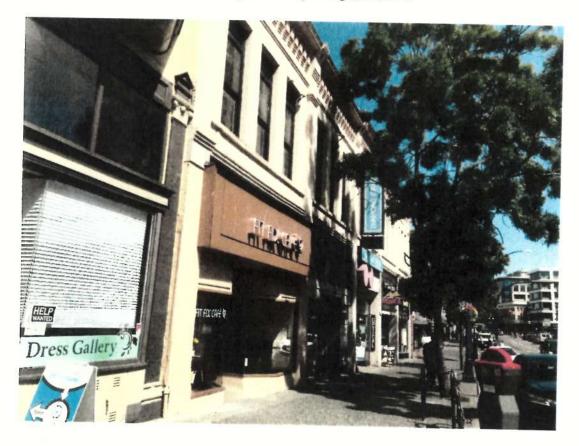
- Attachment A Subject Map
- Attachment B Aerial Map
- Attachment C Photographs
- Attachment D Statement of Significance
- Attachment E Letter from the applicant, date stamped June 22, 2018
- Attachment F Morgan Block Heritage Conservation Plan, dated February 2018.







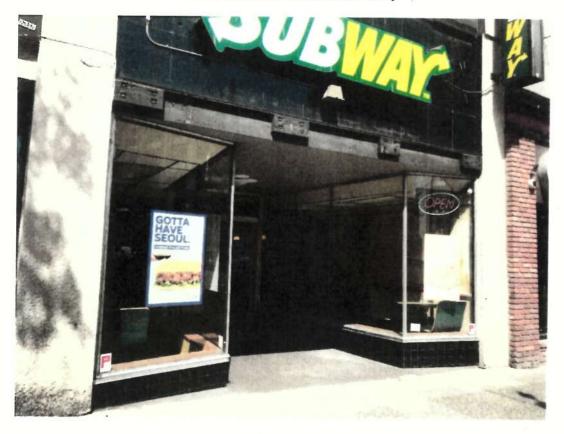
East Façade along Douglas Street



Southeast Corner



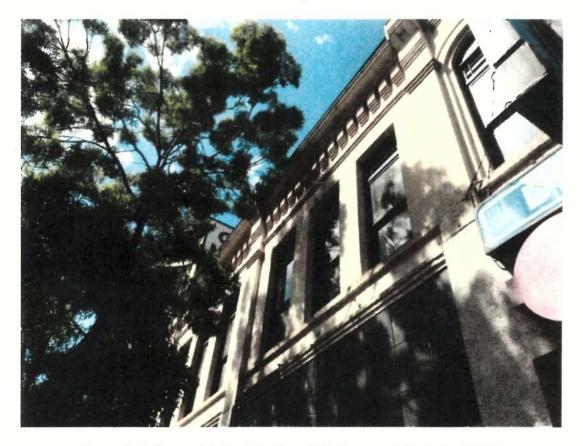
Traditional Raked Storefront Entry



Altered Storefront Entry



Upper Centre Bay



Upper Left Bays with Double Hung Windows and Corbelled Brick



Upper Right Bays with Double Hung Windows and Corbelled Brick

1314-1324 Douglas Street Doane Block Other Names



Statement of Significance

Description of Historic Place

The Doane Block is a two-storey painted brick commercial building on Douglas Street. It has five bays, with the central bay accentuated with a raised cornice and slightly recessed window arches, and stained glass transom windows on the second storey.

Heritage Value

The Doane Block possesses heritage value because it has qualities which maintain the heritage character of Victoria's historic downtown: a wide two-storey form and its five small, separate storefronts. Its five-bay composition and consistent use by a wide variety of commercial enterprises since its construction in 1891 are integral to its heritage value, as these elements add diversity to both the scale and use of the commercial streetscape on the outer perimeter of Victoria's Old Town District. Physically, it adds cohesiveness to the street wall, extends a sense of visual continuity, and reinforces this portion of the 1300 block of Douglas Street, an entire block of heritage buildings from the late nineteenth century. Furthermore, the fact that this building was originally constructed for a Miss W. Doane, and is one of only a handful of commercial structures of this era built in the Old Town District for female owners, speaks to the limited diversity of real estate speculators in Victoria in the late nineteenth century.

Character-Defining Elements

The character-defining elements of the Doane Block include:

- Its two storey scale and wide composition.
- Its distinct architectural rhythm, accentuated by prominent piers dividing each of the five bays and storefronts.
- Its bilateral symmetry, highlighted by a more pronounced central bay possessing such design elements as a raised cornice, and recessed window arches.
- Design elements which support its 1891 character, including corbelled brickwork along the cornice, and stained glass transom windows on the upper storey.

- Interior spaces which pertain to its 1891 design, including the five separate commercial spaces at street level.
- Evidence of construction methods, and materials used to carry out its original design.

ATTACHMENT E



BOROWSKI SAKUMOTO FLIGG MCINTYRE LTD.

VIA: Email



GREGORY BOROWSKI B.A., B.ARCH. (HONS), ARCHITECT AIBC, MRAIC, LEED AP

MITCHELL SAKUMOTO DIPL.T., B.ARCH., ARCHITECT AIBC, MRAIC

GRAHAM D. FLIGG B.E.S., M.ARCH., ARCHITECT AIBC, MRAIC

SHAUN MCINTYRE B.ED., M ARCH., ARCHITECT AIBC, MRAIC, LEED AP Dear Mayor & Council:

Planning & Building Department

June 22, 2018

Mayor & Council

The City of Victoria

1 Centennial Square

Victoria BC, V8W 1P6

MORGAN BLOCK (1314-1324 DOUGLAS ST.) & WATSON & MCGREGOR (645-651 JOHNSON ST.) HERITAGE DESIGNATION APPLICATION Project No: 1522

INTRODUCTION

RE:

Merrick Architecture is pleased to make the Heritage Designation Applications for the above noted buildings on behalf of our client and in conjunction with the related Heritage Alteration Permit Application. This proposal is to restore the existing two storey facades of the Morgan Block (314-1324 Douglas St.) and Watson & McGregor building (645-651 Johnson St.) in a historically sensitive manner and incorporate them into one cohesive development that maintains ground level commercial uses and introduces a new residential component above. Our client (284244 BC Ltd.) is a trust entity of the Morgan family which has owned the building for several generations and this project serves as a continuation of the family's legacy in the city and on this site.

The heritage character of both the Morgan Block and Watson & McGregor buildings is to be restored in line with the Heritage Conservation Plan contained within this application and the Standards and Guidelines for the Conservation of Historic Places in Canada. Some key elements of the conservation plan include re-instatement of an original raised parapet on the Douglas Street façade, the stripping of paint back to the original exposed brick, re-instatement of historically sensitive commercial storefronts, the restoration of original wood windows, and re-instatement of an original sheet metal upper cornice on the Johnson St. façade. The scale of the proposed building is also in keeping with the character of old town (no height or density variances requested) and the new floor levels are set back from the original building façades in a manner that maintains the readable scale of the original buildings and is visually secondary to them.

VANCOUVER 839 Cambie Street, #300

Vancouver BC V6B 2P4 T: 604.683.4131 F: 604.683.9313

VICTORIA

18 Bastion Square Victoria BC V8W 1H9 T: 250.480.7811 F: 250.480.5215

www.merrickarch.com

Please refer to the documents submitted for the Heritage Alteration Permit application (date March 7, 2018, revised June 26 2018) for further information on the proposed heritage restoration of these buildings. Please also refer to the Heritage Conservation Plans completed by Donald Luxton & Associates which speak to the heritage value and character of these buildings. We look forward to your review and consideration of our application. Please do not hesitate to contact us should you require any further information, have questions or require clarifications or supplemental materials in support of the application.

508



Heritage Designation Application Letter Project No. 1522 - Morgan Block & Watson & McGregor Building June 22, 2018

Yours truly, MERRICK ARCHITECTURE – BOROWSKI SAKUMOTO FLIGG MCINTYRE LTD.

Andy.

Colin Merriam M. Arch, BEDS, Architect AIBC Associate

Shaun McIntyre Architect AIBC, MRAIC, M.Arch, B.Ed, LEED AP Principal

CM/SM/bb



MORGAN BLOCK

1314-1324 DOUGLAS STREET, VICTORIA, BC

CONSERVATION PLAN

FEBRUARY 2018



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DONALD LUXTON AND ASSOCIATES INC

1030 - 470 GRANVILLE STREET VANCOUVER BC V6C 1V5 info@donaldluxton.com 604 688 1216 www.donaldluxton.com





The Morgan Block, Douglas Street, Victoria

1.0 INTRODUCTION

HISTORIC NAME: OTHER NAME: CIVIC ADDRESS: ORIGINAL OWNER: SUBSEQUENT OWNERS: DATE OF CONSTRUCTION: HERITAGE STATUS: Morgan Block Doane Block 1314-1324 Douglas Street, Victoria Miss Margaret Doane The Morgan Family 1891 Municipal Heritage Designation 1970

The Morgan Block, located at 1314-1324 Douglas Street, was built during a time of economic expansion in the Old Town District of downtown Victoria. Originally known as the Doane Block, it was built for Margaret Doane in 1891, and is valued as one of the few buildings that were owned, commissioned, and used as a commercial asset by a woman during this period. The historic building retains its original commercial use throughout the years.

The historic front façade is oriented to the east along Douglas Street. It features a five-bay structure projecting parapet cornice, including a raised central bay that is characterized by round-arched upper-floor windows. The historic building has been rehabilitated over its lifespan, including a series of alterations to the parapet level, and the storefronts at the lower street level. Despite these alterations the building has retained its overall form, scale, and massing, and continues to contribute to the evolving streetscape of the Old Town District.

A redevelopment scheme for this property is proposed, including the adjacent historic Watson & McGregor Building to the west, addressed at 645-651 Johnson Street. The overall redevelopment scheme has been prepared Merrick Architecture, which include, but not limited to, the following interventions: retention of the historic structure, and preservation of the historic front facade along Douglas Street; rehabilitation of the rear elevation to the west by physically connecting with the adjacent Watson & McGregor Building; rehabilitation of storefronts in a manner that is consistent with the historic character of the Morgan Block; preservation of the upper floor windows; and, restoration of missing parapet elements based on available archival documentation. This document should be read in conjunction with the architectural drawing set prepared by Merrick Architecture.

This Conservation Plan is based on Parks Canada's *Standards & Guidelines for the Conservation of Historic Places in Canada*. It outlines the preservation, restoration, and rehabilitation that will occur as part of the overall proposed redevelopment, in context with an adjacent building at 645-651 Johnson Street.

MISS MAGGIE DOANE

Miss Maggie Doane was the daughter of Captain Joseph Homer Doane and Charlotte Elizabeth Doane. Joseph Homer Doane was born circa 1811 in Nova Scotia, and died in London, England in 1882; in the 1881 Canadian Census he was listed as "Church of England and a "gentleman." He was married to Charlotte Elizabeth Doane, who was born in Cork, Ireland; Elizabeth was listed in 1881 as a Roman Catholic. Their daughter, Margaret, was born in the United States circa 1855. Like her mother, Margaret's religion was listed as Roman Catholic, and she attended the Sisters of St. Ann Academy. Margaret never married, died May 25, 1911 in Mill Bay, and was buried in Ross Bay Cemetery. Her younger brother Laurence Leander, born circa 1862, was an accountant at the Bank of B.C. in Portland at the time of his death of Typhoid Fever on October 29, 1889 at the age of 27; like his father, he was listed as being Church of England.

In his early life, Captain Doane was a shipmaster. He came to California in 1849, and amassed considerable wealth. In 1858 he transferred his capital to Victoria, British Columbia and acquired significant property. At one time he took a prominent part in public affairs; later in life he lived with his family on the continent or in England. He died in 1882. Elizabeth Doane died in Victoria on January 27, 1890.



Miss Margaret Doane [Sisters of St. Anne Archives P.1326]



Captain Doane, 1858. [British Columbia Archives G-05498]





Top: Map of the City of Victoria - 1889

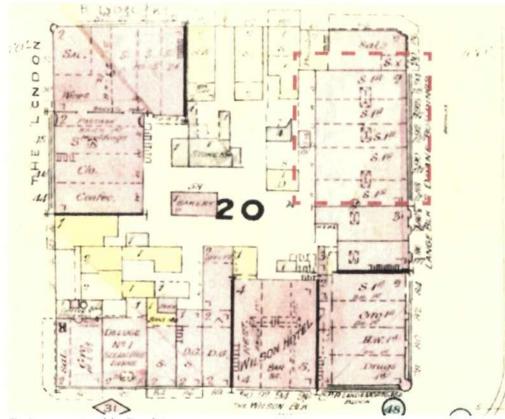
Bottom, Left: "A Plan of the Town of Victoria Shewing Proposed Improvements," [ca. 1852]. Cartographer: Joseph Despard Pemberton.

The Fort Victoria Graveyard is visible, upper left, at the edge of the Johnson Street Ravine.

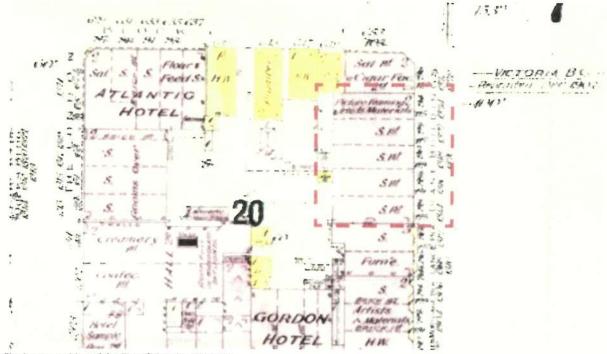
[Hudson's Bay Company Archives, Archives of Manitoba HBCA G.2/38]



Looking North on Douglas Street From Yates Street, Victoria, circa 1914. [British Columbia Archives E-00027]



Fire Insurance Map of the City of Victoria - 1891



Fire Insurance Map of the City of Victoria - 1903-07



Fire Insurance Map of the City of Victoria - 1911

The Doane property was at Broad, Johnson, Douglas and Yates Streets. After Fort Victoria was founded in 1843, a small graveyard was established the following year at what is now the southwest corner of Douglas and Johnson Streets. As this was literally bordering on (and encroaching) the Doane property, Doane filed a petition for removal of the old burying ground. The petition was granted, and the bodies were removed for reburial at the Quadra Street Burying Ground. The work commenced by the end of 1859 but was not completed until the summer of 1861. New sidewalks were laid by Captain Doane in 1870 along the fronts of his property.

Maggie Doane inherited her parents' properties on the death of her mother in 1890, and continued to develop new buildings under the name of the Doane Estate. The original architect for the building is unknown, but there is some evidence that point to the involvement of Edward Mallandaine, Jr. (1867-1949). There was no tender call for the building, or surviving plans, but Mallandaine was know to have recently returned to Victoria at about this time, and was working on other projects for the Doane Estate. Maggie Doane appears to have also been involved in ongoing property management for the estate until her death in 1911.

In 1927, the Doane Estate was sold; it was announced that the prospective purchasers (the Morgans) intended to tear down the building when the lease expired and erect a modern office block in its place. This never occurred, presumably due to the Great Crash in 1929 and the ensuing Depression. The building was renamed the Morgan Block after owner Mr. L. Morgan, a businessman who was also an alderman.



Big snow: Douglas Street looking south from Pandora Avenue, 1916. [Detail; Bertram Emery, photographer. City of Vancouver Archives CVA 294-067]



View From Douglas Street Looking West - Morgan Block - 1890s [City of Victoria Archives M09112]



View From Douglas Street Looking West - Morgan Block - 1950s

THE MORGAN FAMILY

The site was acquired by the Morgan family in 1927. Mary Ellen O'Brien (1896-1969) was born in Spokane, Washington, and came to Victoria at a young age. She attended St. Ann's Academy (835 Humboldt Street, Fairfield), Victoria High School (1260 Grant Street, Fernwood), and the old Provincial Normal School in Saanich. She taught for a year at Willows School; in 1917 she married William Lloyd Morgan (1894-1974), who came from a prominent Spokane family. In 1931, the Morgans moved into a landmark home, The Priory, 729 Pemberton Road. During the 1930s Mary organized and wrote plays for the Priory Players and helped organize the Victoria Operatic Society. She was a founding member of the Craigdarroch Castle Preservation Society in 1959. During the Second World War, Mary ran The Priory as a guesthouse. The Morgans were proprietors were proprietors of a fuel company for many years. Supporters of the Multiple Sclerosis Society, Mary and her husband opened their gardens to the physically challenged. William sat on Victoria City Council for ten years, chairing the finance committee. William lived at The Priory until his death in 1974. The Morgan Block site was inherited by William and Mary's three children, and in turn was owned by the third generation of the Morgan family. In 2011, ownership was transferred the to the Morgan Family Trust.

3.0 STATEMENT OF SIGNIFICANCE

DOANE BLOCK/ MORGAN BLOCK 1314-1324 DOUGLAS STREET, VICTORIA, BC

(Retrieved from historicplaces.ca)

Description of the Historic Place

The Doane Block is a two storey, painted brick commercial building on Douglas Street. It has five bays, with the central bay accentuated with a raised cornice and slightly recessed window arches, and stained glass transom windows on the second storey.

Heritage Value of the Historic Place

The Doane Block possesses heritage value because it has qualities which maintain the heritage character of Victoria's historic downtown: a wide two storey form and its five small, separate storefronts.

Its five bay composition and consistent use by a wide variety of commercial enterprises since its construction in 1891 are integral to its heritage value, as these elements add diversity to both the scale and use of the commercial streetscape on the outer perimeter of Victoria's Old Town District. Physically, it adds cohesiveness to the street wall, extends a sense of visual continuity, and reinforces this portion of the 1300 block of Douglas Street, an entire block of heritage buildings from the late nineteenth century.

Furthermore, the fact that this building was originally constructed for a Miss W. Doane, and is one of only a handful of commercial structures of this era built in the Old Town District for female owners, speaks to the limited diversity of real estate speculators in Victoria in the late nineteenth century.

Character-Defining Elements

The character-defining elements of the Doane Block include:

- its two storey scale and wide composition,
- its distinct architectural rhythm, accentuated by prominent piers dividing each of the five bays and storefronts,
- its bilateral symmetry, highlighted by a more pronounced central bay possessing such design elements as a raised cornice, and recessed window arches,

- design elements which support its 1891 character, including corbelled brickwork along the cornice, and stained glass transom windows on the upper storey,
- interior spaces which pertain to its 1891 design, including the five separate commercial spaces at street level, and
- evidence of construction methods, and materials used to carry out its original design.

4.1 STANDARDS AND GUIDELINES

The Morgan Block is a municipally designated building, and is a significant historical resource in the City of Victoria. The Parks Canada's *Standards & Guidelines for the Conservation of Historic Places in Canada* is the source used to assess the appropriate level of conservation and intervention. Under the *Standards & Guidelines*, the work proposed for the Morgan Block includes aspects of preservation, rehabilitation and restoration.

Preservation: the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.

Restoration: the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

Rehabilitation: the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

Interventions to the Morgan Block should be based upon the Standards outlined in the *Standards & Guidelines*, which are conservation principles of best practice. The following *General Standards* should be followed when carrying out any work to an historic property.

STANDARDS

Standards relating to all Conservation Projects

- Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a characterdefining element.
- 2. Conserve changes to a historic place, which over time, have become character-defining elements in their own right.
- Conserve heritage value by adopting an approach calling for minimal intervention.
- 4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.
- Find a use for a historic place that requires minimal or no change to its character defining elements.
- 6. Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.
- Evaluate the existing condition of characterdefining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
- Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing the materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.
- Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable upon close inspection. Document any intervention for future reference.

Additional Standards relating to Rehabilitation

- 10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.
- 11. Conserve the heritage value and characterdefining elements when creating any new additions to a historic place and any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- 12. Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.

Additional Standards relating to Restoration

- 13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

4.2 CONSERVATION REFERENCES

The proposed work entails aspects of preservation, restoration, and rehabilitation of the exterior of the Morgan Block. The following conservation resources should be referred to:

Standards and Guidelines for the Conservation of Historic Places in Canada, Parks Canada, 2010. http://www.historicplaces.ca/en.pages/standardsnormes/document.aspx

National Park Service, Technical Preservation Services. Preservation Briefs:

Preservation Brief 1: Assessing Cleaning and Water-Repellent Treatments for Historic Masonry Buildings.

http://www.nps.gov/tps/how-to-preserve/briefs_1cleaning-water-repellent.htm

Preservation Brief 2: Repointing Mortar Joints in Historic Masonry Buildings.

http://www.nps.gov/tps/how-to-preserve/briefs/2repoint-mortar-joints.htm

Preservation Brief 3: Improving Energy Efficiency in Historic Buildings.

http://www.nps.gov/tps/how-to-preserve/briefs/3improve-energy-efficiency.htm

Preservation Brief 6: Dangers of Abrasive Cleaning to Historic Buildings.

http://www.nps.gov/tps/how-to-preserve/briefs/6dangers-abrasive-cleaning.htm

Preservation Brief 9: The Repair of Historic Wooden Windows.

http://www.nps.gov/tps/how-to-preserve/briefs/9wooden-windows.htm

Preservation Brief 10: Exterior Paint Problems on Historic Woodwork.

http://www.nps.gov/tps/how-to-preserve/ briefs/10-paint-problems.htm

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Preservation Brief 11: Rehabilitating Historic Storefronts.

http://www.nps.gov/tps/how-to-preserve/ briefs/11-storefronts.htm

Preservation Brief 14: New Exterior Additions to Historic Buildings: Preservation Concerns. http://www.nps.gov.tps.how-to-preserve/ briets/14-exterior-additions.htm

Preservation Brief 24: Heating, Ventilating, and Cooling Historic Buildings: Problems and Recommended Approaches. http://www.nps.gov.tps.how-to-preserve/

briefs/24-heat-vent-cool.htm

Preservation Brief 32: Making Historic Properties Accessible.

http://www.nps.gov.tps.how-to-preserve/ briefs/32-accessibility.htm

Preservation Brief 33: The Preservation and Repair of Historic Stained and Leaded Glass.

http://www.nps.gov/tps/how-to-preserve/ briefs/33-stained-leaded-glass.htm

Preservation Brief 39: Holding the Line: Controlling Unwanted Moisture in Historic Buildings. <u>http://www.nps.gov/tps/how-to-preserve/</u> <u>briefs/39-control-unwanted-moisture.htm</u>

Preservation Brief 41: The Seismic Retrofit of Historic Buildings: Keeping Preservation in the Forefront.

http://www.nps.gov/tps/how-to-preserve/ briefs/41-seismic-retrofit.htm

Preservation Brief 47: Maintaining the Exterior of Small and Medium Size Historic Buildings. http://www.nps.gov/tps/how-to-preserve/ briefs/47-maintaining-exteriors.htm

4.3 GENERAL CONSERVATION STRATEGY

The primary intent is to preserve the existing historic structure, while undertaking a rehabilitation that will upgrade its structure and services to increase its functionality for commercial and residential uses. As part of the scope of work, characterdefining elements will be preserved, while missing or deteriorated elements will be restored. A redevelopment scheme for this property has been prepared Merrick Architecture.

The major proposed interventions of the overall project are to:

- retain the historic structure, and preserve the historic front facade along Douglas Street;
- rehabilitate the rear elevation to the west, and physically connect with the adjacent Watson & McGregor Building;
- investigate if any surviving original storefront elements are intact, and rehabilitate in a historically appropriate manner;
- preserve the upper floor windows, and repair in-kind as required; and,
- restore missing parapet elements.

Any proposed addition to the historic building and new visible construction will be considered modern addition to the historic structure. The *Standards & Guidelines* list recommendations for new additions to historic places. The proposed design scheme should follow these principles:

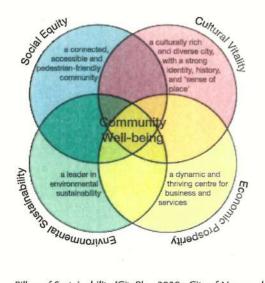
- Designing a new addition in a manner that draws a clear distinction between what is historic and what is new.
- Design for the new work may be contemporary or may reference design motifs from the historic place. In either case, it should be compatible in terms of mass, materials, relationship of solids to voids, and colour, yet be distinguishable from the historic place.
- The new additions should be physically and visually compatible with, subordinate to and distinguishable from the preserved historic façade.

An addition should be subordinate to the historic place. This is best understood to mean that the addition must not detract from the historic place or impair its heritage value. Subordination is not a question of size; a small, ill-conceived addition could adversely affect an historic place more than a large, well-designed addition.

Additions or new construction should be visually compatible with, yet distinguishable from, the historic place. To accomplish this, an appropriate balance must be struck between mere imitation of the existing form and pointed contrast, thus complementing the historic place in a manner that respects its heritage value.

4.4 SUSTAINABILITY STRATEGY

Heritage conservation and sustainable development can go hand in hand with the mutual effort of all stakeholders. In a practical context, the conservation and re-use of historic and existing structures contributes to environmental sustainability by reducing solid waste disposal, saving embodied energy, and conserving historic materials that are often less consumptive of energy than many new replacement materials.



Four Pillars of Sustainability [CityPlan 2030 - City of Norwood Payneham & St. Peters]

In 2016, the Federal Provincial Territorial Ministers of Culture & Heritage in Canada (FPTMCHC) published a document entitled, *Building Resilience: Practical Guidelines for the Retrofit and Rehabilitation of Buildings in Canada* that is "intended to establish a common pan-Canadian 'how-to' approach for practitioners, professionals, building owners, and operators alike."

The following is an excerpt from the introduction of the document:

[**Building Resilience**] is intended to serve as a "sustainable building toolkit" that will enhance understanding of the environmental benefits of heritage conservation and of the strong interrelationship between natural and built heritage conservation. Intended as a useful set of best practices, the guidelines in **Building Resilience** can be applied to existing and traditionally constructed buildings as well as formally recognized heritage places.

These guidelines are primarily aimed at assisting designers, owners, and builders in providing existing buildings with increased levels of sustainability while protecting character-defining elements and, thus, their heritage value. The guidelines are also intended for a broader audience of architects, building developers, owners, custodians and managers, contractors, crafts and trades people, energy advisers and sustainability specialists, engineers, heritage professionals, and officials responsible for built heritage and the existing built environment at all jurisdictional levels.

Building Resilience is not meant to provide case-specific advice. It is intended to provide guidance with some measure of flexibility, acknowledging the difficulty of evaluating the impact of every scenario and the realities of projects

where buildings may contain inherently sustainable elements but limited or no heritage value. All interventions must be evaluated based on their unique context, on a case-by-case basis, by experts equipped with the necessary knowledge and experience to ensure a balanced consideration of heritage value and sustainable rehabilitation measures.

Building Resilience can be read as a standalone document, but it may also further illustrate and build on the sustainability considerations in the Standards and Guidelines for the Conservation of Historic Places in Canada.

4.5 ALTERNATE COMPLIANCE

As a municipally designated historic resource, the Morgan Block may be eligible for heritage variances that will enable a higher degree of heritage conservation and retention of original material, including considerations available under the following municipal legislation.

4.5.1 BRITISH COLUMBIA BUILDING CODE

Building Code upgrading ensures life safety and long-term protection for historic resources. It is important to consider heritage buildings on a caseby-case basis, as the blanket application of Code requirements do not recognize the individual requirements and inherent strengths of each building. Over the past few years, a number of equivalencies have been developed and adopted in the British Columbia Building Code that enable more sensitive and appropriate heritage building upgrades. For example, the use of sprinklers in a heritage structure helps to satisfy fire separation and exiting requirements. Table A-1.1.1.1., found in Appendix A of the Code, outlines the "Alternative Compliance Methods for Heritage Buildings." Given that Code compliance is such a significant factor in the conservation of heritage buildings, the most important consideration is to provide viable economic methods of achieving building upgrades. In addition to the equivalencies offered under the current Code, the City can also accept the report of a Building Code Engineer as to acceptable levels of code performance.

4.5.2 ENERGY EFFICIENCY ACT

The provincial Energy Efficiency Act (Energy Efficiency Standards Regulation) was amended in 2009 to exempt buildings protected through heritage designation or listed on a community heritage register from compliance with the regulations. Energy Efficiency standards therefore do not apply to windows, glazing products, door slabs or products installed in heritage buildings. This means that exemptions can be allowed to energy upgrading measures that would destroy heritage character-defining elements such as original windows and doors.

These provisions do not preclude that heritage buildings must be made more energy efficient, but they do allow a more sensitive approach of alternate compliance to individual situations and a higher degree of retained integrity. Increased energy performance can be provided through non-intrusive methods of alternate compliance, such as improved insulation and mechanical systems. Please refer to the *Standards & Guidelines for the Conservation of Historic Places in Canada* for further detail about "Energy Efficiency Considerations."

4.6 SITE PROTECTION & STABILIZATION

It is the responsibility of the owner to ensure the heritage resource is protected from damage at all times. At any time that the building is left vacant, it should be secured against unauthorized access or damage through the use of appropriate fencing and security measures. Additional measures to be taken include:

- Are smoke and fire detectors in working order?
- Are wall openings boarded up and exterior doors securely fastened once the building is vacant?
- Have the following been removed from the interior: trash, hazardous materials such as inflammable liquids, poisons, and paints and canned goods that could freeze and burst?

The historic structure should be protected from movement and other damage at all times during demolition, excavation and construction work. Install monitoring devices to document and assess cracks and possible settlement of the masonry façade.

5.0 CONSERVATION RECOMMENDATIONS

A preliminary condition review of the Morgan Block was carried out during a site visit in July 2017. The review was limited to visual inspection of the exterior of the historic building from the ground floor level. Further investigation may be required to assess the overall condition and structural integrity of other existing character-defining elements in areas that were inaccessible during the preliminary site visit.

The recommendations for the preservation and rehabilitation of the historic resource are based on the site review and archival documents that provide valuable information about the original appearance of the historic building.

The following chapter describes the materials, physical condition and recommended conservation strategy for the Morgan Block based on Parks Canada *Standards & Guidelines for the Conservation of Historic Places in Canada*.

5.1 SITE

The Morgan Block is addressed at 1314-1324 Douglas Street, at the Old Town District in downtown Victoria. It was built to the front, side, and rear property lines with no setback, with the historic front facade oriented to the east along Douglas Street. All heritage resources within the site should be protected from damage or destruction at all times. Reference Section 4.6: Site Protection for further information.

As part of the proposed redevelopment scheme, the site will be rehabilitated by physically connecting the Morgan Block with the adjacent historic Watson & McGregor Building.

Conservation Strategy: Preservation

- Preserve the original location of the building. All rehabilitation work should occur within the property lines.
- Retain the main frontage along Douglas Street.
- Design of the new infill addition should be "physically and visually compatible with, subordinate to, and distinguishable from the historic place", as recommended in Standard 11.



Aerial view showing location of Morgan Block.

5.2 OVERALL FORM, SCALE, & MASSING

The Morgan Block retains its original overall form, scale and massing, as characterized by: its two storey height & wide composition; its distinct architectural rhythm, accentuated by prominent piers dividing each of the five bays and storefronts; and, its bilateral symmetry, highlighted by a more pronounced central bay possessing such design elements as a raised cornice, and recessed window arches.

The Morgan Block is part of a series of buildings that were build in the nineteenth century, featuring two to three-storey facades that provide an integrated historic street wall along Douglas Street. The original overall form, scale, and massing of the historic resource is an important character-defining element of the Morgan Block, and should be preserved.

Conservation Strategy: Preservation

- Preserve the overall form, scale and massing of the building.
- The historic front façade should be retained.

5.3 EXTERIOR MASONRY WALLS

The Morgan Block features masonry construction, with a historic front facade that is characterized by surviving, original architectural brickwork detailing. A number of alterations to the front facade were made over a period of time, including the application of paint finish in unsympathetic colour scheme, and the application of unsympathetic stucco cladding on storefront piers.

The storefront is delineated from the upper level by three courses of brick corbelling, with the corbelling repeated along the pilaster as capitals and along the parapet as continuous horizontal band and dentil detailing. The recessed window openings at the upper level feature continuous brick window sills, as well as flat voussoir arches, except at the central bay that is characterized by window openings with semi-circular arches.

The roof was inaccessible during the initial site visit, and the condition of the roof parapet is currently undetermined. However, no signs of



Historic front facade of the Morgan Block along Douglas Street.

5.0 CONSERVATION RECOMMENDATIONS

heavy deterioration were noted. Archival photos of the Morgan Block indicate that the parapet walls extend beyond the existing parapet cornice. The central bay originally featured a pediment, and the pilasters extended beyond the parapet walls. The parapet walls would have been presumably capped with stone coping or pressed metal cap flashing.

In general, the painted brick masonry facade appears to be in fair condition, with notable signs of natural weathering and deterioration in localized areas, as evidenced by mortar loss, spalling, staining and discolouration, organic growth, and redundant holes. Further investigation is required to determine if the removal of paint and stucco cladding are feasible, followed by an assessment of the existing condition of the brick masonry units beneath.



Conservation Strategy: Preservation & Restoration

- Restore the original brick parapet wall based on archival documentation.
- Preserve the brick whenever possible, and replace in kind brickwork that is too deteriorated for safe use.
- Undertake complete condition survey of condition of all brick surfaces.
- Determine whether or not it is feasible to remove the paint and expose the original brick. Undertake test samples for paint removal in an inconspicuous area using only approved restoration products. If paint removal is determined to be feasible, prepare removal specification. If not, prepare to repaint.
- If the brickwork on the front façade would require repainting, the colour of the front façade will be determined by the Heritage Consultant. When preparing the existing painted surface for repainting, be aware of the risk of existing lead paint, which is a hazardous material.
- Cleaning, repair and repointing specifications to be reviewed by Heritage Consultant.
- All redundant metal inserts and services mounted on the exterior walls should be removed or reconfigured.
- Any holes in the brick should be filled or replaced to match existing.



Detail photos showing original parapet wall (outlined in red) that is no longer extant.

- Overall cleaning of the brick on the exterior front façade and rear elevation should be carried out. Do not use any abrasive methods that may damage the fireskin surfaces. Use a soft natural bristle brush and mild water rinse. Only approved chemical restoration cleaners may be used. Sandblasting or any other abrasive cleaning method of any kind is not permitted.
- Repoint the brickwork by raking out loose mortar material to a uniform depth. Take care that the arises of the brick are not damaged. Work should only be undertaken by skilled masons. Do not use power tools to cut or grind joints; hand-held grinders may be used for the initial raking of horizontal joints after test samples have been undertaken and only if approved by the Heritage Consultant. Repoint mortar joints with new mortar that matches existing in consistency, composition, strength, colour and pointing profile; note the finely tooled profile of the original mortar joints.
- Retain sound exterior masonry or deteriorated exterior masonry that can be repaired.



Detail photo showing typical condition of architectural brickwork detailing and metalwork along parapet level.

5.4 ARCHITECTURAL METALWORK

The Morgan Block features later, replacement architectural metalwork along the parapet cornice. The existing cornice is finished with paint, and appears to be in good condition, with signs of minor deterioration, as evidenced by staining and discolouration, organic growth, build-up of bird deposits, and peeling paint.

The metal parapet cornice is an important feature of the Morgan Block's historic street facade, and should be preserved and repaired in-kind, or replaced to match original based on archival photos, as possible.

Conservation Strategy: Preservation or Restoration

- Evaluate the overall condition of the existing cornice and parapet cap flashing to determine whether more than protection, maintenance and limited repair or replacement in kind is required.
- The current attachment of all sheet metal cornices and cap flashings should be inspected, and should be re-anchored as appropriate.
- Repair and stabilize deteriorated architectural metal elements by structural reinforcement or correction of unsafe conditions, as required, until any additional work is undertaken. Repairs should be physically and visually compatible.
- Remove corrosion that may be discovered upon close inspection, patch and repair, caulk joints as required.
- If the evaluation of the existing metal elements would determine that they are deteriorated beyond repair, remove and replace the elements with one that matches the historic appearance.
- The sheet metal work will be cleaned and prepared for repainting. Apply appropriate primer for galvanized surfaces. Paint in historically appropriate colour, based on colour schedule prepared by Heritage Consultant.
- The visual appearance of the cornices should match the historic appearance based on archival photos, as possible.

5.0 CONSERVATION RECOMMENDATIONS

5.5 FENESTRATION

Windows, doors and storefronts are among the most conspicuous feature of any building. In addition to their function — providing light, views, fresh air and access to the building — their arrangement and design is fundamental to the building's appearance and heritage value. Each element of fenestration is, in itself, a complex assembly whose function and operation must be considered as part of its conservation.

- Standards and Guidelines for the Conservation of Historic Places in Canada.

5.5.1 WOOD WINDOWS & TRIMS

The historic front façade of the Morgan Block features window openings above storefront level that are characterized by surviving original wood window assemblies on the upper floor. None of the existing storefront assemblies are original.

The upper floor window openings have original double-hung wooden sash units with true-integral sash horns, and multi-paned stained-glass transoms in true, divided lights. The arched windows at the central bay feature additional arched panel with sunburst motif. Based on initial visual inspection from the ground level, the surviving original windows are intact, and appear to be in good condition. Further review and assessment are required to confirm the existing condition of each assemblies, and to determine the appropriate extent of conservation work required.

Conservation Strategy: Preservation

- Inspect for condition and complete detailed inventory to determine extent of recommended repair or replacement.
- Retain existing window sashes; repair as required; install replacement matching sashes where missing or beyond repair.
- Preserve and repair as required, using in kind repair techniques where feasible.
- Overhaul, tighten/reinforce joints. Repair frame, trim and counterbalances.
- Each window should be made weather tight by re-puttying and weather-stripping as necessary.
- Retain historic glass, where possible. Where broken glass exists in historic wood-sash windows, the broken glass should be replaced. When removing broken glass, the exterior putty should be carefully chipped off with a chisel and the glazier's points should be



Historic front facade of the Morgan Block, as viewed from Douglas Street.

5.0 CONSERVATION RECOMMENDATIONS

removed. The wood where the new glass will be rested on should be scraped and cleaned well, and given a coat of linseed oil to prevent the wood from absorbing the oil from the new putty. The new glass should be cut 1/16-1/8th smaller than the opening to allow for expansion and irregularities in the opening, to ensure the glazing does not crack due to natural forces. Window repairs should be undertaken by a contractor skilled in heritage restoration.

- Replacement glass should be visually and physically compatible with existing.
- Prime and repaint as required in appropriate colour, based on colour schedule devised by Heritage Consultant.

5.5.2 STOREFRONTS

None of the existing storefront assemblies at the lower street facade are original. As part of the overall rehabilitation scheme, the new rehabilitated storefronts will be considered a contemporary addition, but they should be designed in a sympathetic manner that is consistent with the historic character of the Morgan Block.

Conservation Strategy: Rehabilitation

- Reinstate a rehabilitated wooden storefront system. Reference the historic design as noted in archival images and original architectural drawings as possible. The design of the rehabilitated storefronts should resemble original historic precedents.
- Integrate commercial signs and new lighting systems as required.
- Provide new accessible entryways for the ground floor, as required.



Detail photo partially showing existing window openings, with surviving original wood window assemblies at the upper level of the historic street facade.

5.6 EXTERIOR COLOUR SCHEDULE

Part of the Restoration process is to finish the building in historically appropriate paint colours. On-site sampling has not been completed, and further investigation is required to determine the feasibility of paint removal on brick face. A preliminary colour scheme has been developed by the Heritage Consultant as a place-holder, based on site information and historical precedent. The final colour scheme will be based on a colour palette that will be determined by sampling. Onsite testing will be carried out once access is available, and paint samples assessed by microscopic analysis in order to reveal the original colour scheme of the structure. If paint cannot be removed from the brick, it will also be repainted.

Conservation Strategy: Investigation

 Determine an appropriate historic colour scheme for exterior painted finishes.

PRELIMINARY COLOUR TABLE: MORGAN BLOCK, 1314-1324 DOUGLAS ST, VICTORIA, BC

Element	Colour*	Code	Sample	Finish
Wood Window Frames & Sashes	Comox Green	VC-19		High Gloss
Cornices & Parapet Cap Flashings	Haddington Grey	VC-15		Semi Gloss

* Paint colours matched from Benjamin Moore's Historical Vancouver True Colours.

6.0 MAINTENANCE PLAN

A Maintenance Plan should be adopted by the property owner, who is responsible for the longterm protection of the heritage features of the Morgan Block. The Maintenance Plan should include provisions for:

- Copies of the Maintenance Plan and this Conservation Report to be incorporated into the terms of reference for the management and maintenance contract for the building;
- Cyclical maintenance procedures to be adopted as outlined below;
- Record drawings and photos of the building to be kept by the management / maintenance contractor; and
- Records of all maintenance procedures to be kept by the owner.

A thorough maintenance plan will ensure the integrity of the Morgan Block is preserved. If existing materials are regularly maintained and deterioration is significantly reduced or prevented, the integrity of materials and workmanship of the building will be protected. Proper maintenance is the most cost effective method of extending the life of a building, and preserving its character-defining elements. The survival of historic buildings in good condition is primarily due to regular upkeep and the preservation of historic materials.

6.1 MAINTENANCE GUIDELINES

A maintenance schedule should be formulated that adheres to the *Standards & Guidelines for the Conservation of Historic Places in Canada*. As defined by the *Standards & Guidelines*, maintenance is defined as:

Routine, cyclical, non-destructive actions necessary to slow the deterioration of a historic place. It entails periodic inspection; routine, cyclical, nondestructive cleaning; minor repair and refinishing operations; replacement of damaged or deteriorated materials that are impractical to save.

The assumption that newly renovated buildings become immune to deterioration and require

less maintenance is a falsehood. Rather, newly renovated buildings require heightened vigilance to spot errors in construction where previous problems had not occurred, and where deterioration may gain a foothold.

Routine maintenance keeps water out of the building, which is the single most damaging element to a heritage building. Maintenance also prevents damage by sun, wind, snow, frost and all weather; prevents damage by insects and vermin; and aids in protecting all parts of the building against deterioration. The effort and expense expended on an aggressive maintenance will not only lead to a higher degree of preservation, but also over time potentially save large amount of money otherwise required for later repairs.

6.2 PERMITTING

Repair activities, such as simple in-kind repair of materials, or repainting in the same colour, should be exempt from requiring city permits. Other more intensive activities will require the issuance of a Heritage Alteration Permit.

6.3 ROUTINE, CYCLICAL AND NON-DESTRUCTIVE CLEANING

Following the Standards & Guidelines for the Conservation of Historic Places in Canada, be mindful of the principle that recommends "using the gentlest means possible". Any cleaning procedures should be undertaken on a routine basis and should be undertaken with non-destructive methods. Cleaning should be limited to the exterior material such as concrete and stucco wall surfaces and wood elements such as storefront frames. All of these elements are usually easily cleaned, simply with a soft, natural bristle brush, without water, to remove dirt and other material. If a more intensive cleaning is required, this can be accomplished with warm water, mild detergent and a soft bristle brush. High-pressure washing, sandblasting or other abrasive cleaning should not be undertaken under any circumstances.

6.4 REPAIRS AND REPLACEMENT OF DETERIORATED MATERIALS

Interventions such as repairs and replacements must conform to the *Standards & Guidelines for the Conservation of Historic Places in Canada.* The building's character-defining elements – characteristics of the building that contribute to its heritage value (and identified in the Statement of Significance) such as materials, form, configuration, etc. - must be conserved, referencing the following principles to guide interventions:

- An approach of minimal intervention must be adopted - where intervention is carried out it will be by the least intrusive and most gentle means possible.
- Repair rather than replace character-defining elements.
- Repair character-defining elements using recognized conservation methods.
- Replace 'in kind' extensively deteriorated or missing parts of character-defining elements.
- Make interventions physically and visually compatible with the historic place.

6.5 INSPECTIONS

Inspections are a key element in the maintenance plan, and should be carried out by a qualified person or firm, preferably with experience in the assessment of heritage buildings. These inspections should be conducted on a regular and timely schedule. The inspection should address all aspects of the building including exterior, interior and site conditions. It makes good sense to inspect a building in wet weather, as well as in dry, in order to see how water runs off - or through - a building. From this inspection, an inspection report should be compiled that will include notes, sketches and observations. It is helpful for the inspector to have copies of the building's elevation drawings on which to mark areas of concern such as cracks, staining and rot. These observations can then be included in the report. The report need not be overly complicated or formal, but must be thorough, clear and concise. Issues of concern, taken from the report should then be entered in a log book so that corrective action

can be documented and tracked. Major issues of concern should be extracted from the report by the property manager.

An appropriate schedule for regular, periodic inspections would be twice a year, preferably during spring and fall. The spring inspection should be more rigorous since in spring moisture-related deterioration is most visible, and because needed work, such as painting, can be completed during the good weather in summer. The fall inspection should focus on seasonal issues such as weathersealants, mechanical (heating) systems and drainage issues. Comprehensive inspections should occur at five-year periods, comparing records from previous inspections and the original work, particularly in monitoring structural movement and durability of utilities. Inspections should also occur after major storms.

6.6 INFORMATION FILE

The building should have its own information file where an inspection report can be filed. This file should also contain the log book that itemizes problems and corrective action. Additionally, this file should contain building plans, building permits, heritage reports, photographs and other relevant documentation so that a complete understanding of the building and its evolution is readily available, which will aid in determining appropriate interventions when needed.

The file should also contain a list outlining the finishes and materials used, and information detailing where they are available (store, supplier). The building owner should keep on hand a stock of spare materials for minor repairs.

6.6.1 LOG BOOK

The maintenance log book is an important maintenance tool that should be kept to record all maintenance activities, recurring problems and building observations and will assist in the overall maintenance planning of the building.

Routine maintenance work should be noted in the maintenance log to keep track of past and plan future activities. All items noted on the maintenance log should indicate the date, problem, type of repair, location and all other observations and information pertaining to each specific maintenance activity.

Each log should include the full list of recommended maintenance and inspection areas noted in this Maintenance Plan, to ensure a record of all activities is maintained. A full record of these activities will help in planning future repairs and provide valuable building information for all parties involved in the overall maintenance and operation of the building, and will provide essential information for long term programming and determining of future budgets. It will also serve as a reminded to amend the maintenance and inspection activities should new issues be discovered or previous recommendations prove inaccurate.

The log book will also indicate unexpectedly repeated repairs, which may help in solving more serious problems that may arise in the historic building. The log book is a living document that will require constant adding to, and should be kept in the information file along with other documentation noted in section **6.6 Information File**.

6.7 EXTERIOR MAINTENANCE

Water, in all its forms and sources (rain, snow, frost, rising ground water, leaking pipes, back-splash, etc.) is the single most damaging element to historic buildings.

The most common place for water to enter a building is through the roof. Keeping roofs repaired or renewed is the most cost-effective maintenance option. Evidence of a small interior leak should be viewed as a warning for a much larger and worrisome water damage problem elsewhere and should be fixed immediately.

6.7.1 INSPECTION CHECKLIST

The following checklist considers a wide range of potential problems specific to the Morgan Block, such as water/moisture penetration, material deterioration and structural deterioration. This does not include interior inspections.

EXTERIOR INSPECTION

Masonry

- Are moisture problems present? (Rising damp, rain penetration, condensation, water run-off from roof, sills, or ledges?)
- □ Is spalling from freezing present? Location?
- □ Is efflorescence present? Location?
- Is spalling from sub-florescence present? Location?
- Need for pointing repair? Condition of existing pointing and re-pointing?
- □ Is bedding mortar sound?
- Are there cracks due to shrinking and expansion?
- Are there cracks due to structural movement?
- □ Are there unexplained cracks?
- Do cracks require continued monitoring?
- Are there signs of steel or iron corrosion?
- □ Are there stains present? Rust, copper, organic, paints, oils / tars? Cause?
- Does the surface need cleaning?

Wood Elements

- Are there moisture problems present? (Rising damp, rain penetration, condensation moisture from plants, water run-off from roof, sills, or ledges?)
- □ Is wood in direct contact with the ground?
- □ Is there insect attack present? Where and probable source?
- □ Is there fungal attack present? Where and probable source?
- Are there any other forms of biological attack? (Moss, birds, etc.) Where and probable source?
- □ Is any wood surface damaged from UV radiation? (bleached surface, loose surface fibres)
- □ Is any wood warped, cupped or twisted?
- □ Is any wood split? Are there loose knots?

- □ Are nails pulling loose or rusted?
- □ Is there any staining of wood elements? Source?

Condition of Exterior Painted Materials

- Paint shows: blistering, sagging or wrinkling, alligatoring, peeling. Cause?
- Paint has the following stains: rust, bleeding knots, mildew, etc. Cause?
- Paint cleanliness, especially at air vents?

Windows

- □ Is there glass cracked or missing?
- □ If the glazing is puttied has it gone brittle and cracked? Fallen out? Painted to shed water?
- Is there condensation or water damage to the paint?
- □ Are the sashes easy to operate? If hinged, do they swing freely?
- □ Is the frame free from distortion?
- □ Do sills show weathering or deterioration?
- Are drip mouldings/flashing above the windows properly shedding water?
- □ Is the caulking between the frame and the cladding in good condition?

Roof

- □ Are there water blockage points?
- Is there evidence of biological attack? (Fungus, moss, birds, insects)
- □ Are flashings well seated?
- □ Are metal joints and seams sound?
- □ Is there rubbish buildup on the roof?
- □ Are there blisters or slits in the membrane?
- □ Are the drain pipes plugged or standing proud?
- Is water ponding present?

6.7.2 MAINTENANCE PROGRAMME

INSPECTION CYCLE:

Daily

 Observations noted during cleaning (cracks; damp, dripping pipes; malfunctioning hardware; etc.) to be noted in log book or building file.

Semi-annually

- Semi-annual inspection and report with special focus on seasonal issues.
- Thorough cleaning of drainage system to cope with winter rains and summer storms
- Check condition of weather sealants (Fall).
- Clean the exterior using a soft bristle broom/ brush.

Annually (Spring)

- Inspect concrete for cracks, deterioration.
- Inspect metal elements, especially in areas that may trap water.
- Inspect windows for paint and glazing compound failure, corrosion and wood decay and proper operation.
- Complete annual inspection and report.
- Clean out of all perimeter drains and rainwater systems.
- Touch up worn paint on the building's exterior.
- Check for plant, insect or animal infestation.
- Routine cleaning, as required.

Five-Year Cycle

- A full inspection report should be undertaken every five years comparing records from previous inspections and the original work, particularly monitoring structural movement and durability of utilities.
- Repaint windows every five to fifteen years.

Ten-Year Cycle

 Check condition of roof every ten years after last replacement.

Twenty-Year Cycle

• Confirm condition of roof and estimate effective lifespan. Replace when required.

Major Maintenance Work (as required)

 Thorough repainting, downspout and drain replacement; replacement of deteriorated building materials; etc.

APPENDIX A: RESEARCH SUMMARY

HISTORIC NAME: Doane Block / Morgan Block ADDRESS: 1314-1324 Douglas Street ORIGINAL OWNER: Miss Maggie Doane ARCHITECT: Unknown BUILDER: Unknown DATE OF CONSTRUCTION: 1891

ASSESSMENT INFORMATION

Original Legal Description: Pt. Lots 430 & 431, Bl. 2 43' x 70' - Douglas Street

- 1879: Owners: J.H. Huntingdon & Doane (penciled in) Land: \$700 Imp: \$0
- 1880: Same as 1879, but Doane not listed
- 1881: Doane listed as owner
- 1882: Same as 1881 Land \$700
- 1884: Same, but J.H. Doane Est. is crossed out, Mrs. Doane penciled in.
- 1885: Land: \$2,150 Owner Miss Doane.
- 1886/87: Owner Miss M. Doane.
- 1888: Same as 1886/87
- 1889: Land: \$3,440 Imp: \$0
- 1890: Same as 1889
- 1891: Land: \$8,660 Imp: \$0
- 1892: Pt. 430 30' x 70' Land \$6,000 Imp: \$1,350 Owner Miss Doane
- 1894: Land: \$5,700 Imp: \$650
- 1897: Land: \$4,800 Imp: \$2,400
- 1900: Land: \$5,100 Imp: \$2,400
- 1905: Land: \$5,400 lmp: \$2,400

BUILDING PERMIT

Not located.

PLUMBING PERMIT

• #2150; August 15, 1905: Store for Miss W. [sic] Doane.

PUBLISHED REFERENCES

- Victoria Daily Colonist, October 27, 1889: Died at Portland, Oregon, Oct 29, 1889, Lawrence Leander Doane, only Son of late Captain J H Doane, aged 27y, 3m. For several years Mr Doane was teller of the Bank of British Columbia in Westminster. In 1888 he was promoted to the Portland office of the bank. Deceased was well-known at Victoria, British Columbia, where his mother and sister reside. Funeral from the Masonic Temple, Victoria, British Columbia. Pallbearers: Messrs Northcote, Becker, Cox, Dodd, Wilson, Cowper, Stearski, Montgomery. Native of Victoria, British Columbia.
- Victoria Daily Colonist, January 26, 1890: Died Jan 25, 1890 at Victoria, British Columbia, Charlotte Elizabeth, rlct of late Captain J H Doane, aged 68, native of Cork, Ireland. Was among 1st to arrive here in 1858, with her husband. An only daughter is left to mourn, a son having died a short time ago. Pallbearers: Edgar Marvin, W C Ward, George Byrnes, T J Jones, J F Englisbards, T S Gore.
- Victoria Daily Colonist, June 25, 1891, page 5: More Improvements. occupiers of houses on Broad, owned by Doane Estate, requested to vacate - property required for building purposes.

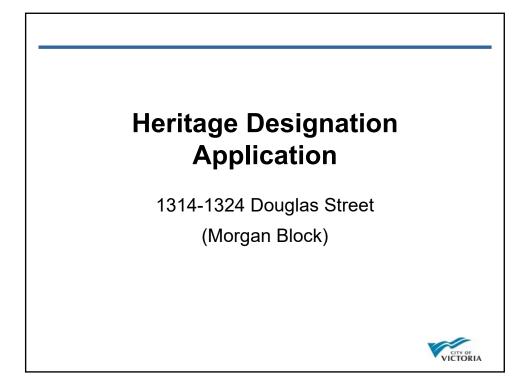
- Victoria Daily Colonist, August 26, 1891, page 5: GROUND BROKEN: Mr. T.J. Lindsay broke ground, yesterday, for another four story brick building for John Turner, on the lot between the new Driard and the establishment of A. & W. Wilson; and also for the new Doane block, a two story brick, extending from the palace drug store block along Douglas street to the corner of Johnson.
- Victoria Daily Colonist, January 1, 1892 (for 1891): "Miss Doane two-storey stores Douglas Street -\$10,000.
- Victoria Daily Colonist, January 19, 1892, page 5: The Good Work Goes On Doane Estate, Edward Mallandaine jr. has prepared 2 sets of plans - one 2-storey and one 3-storey- for building Johnson from corner of Douglas to Broad and along Broad to Mirror Saloon and on Yates from Cochrane & Munn Building to T. Haughton & Co.'s premises.
- Victoria Daily Colonist, February 14, 1892, page 1: tender call Edward Mallandaine Jnr. brick building, Yates St. per p. 5 this is for the Doane Estate.
- Victoria Daily Colonist, July 6, 1893, page 5: Owing to shrinkage of the beams several of the ornamental bricks in the Doane building, on Douglas Street, fell to the sidewalk on Tuesday, and yesterday the accident was repeated, a number of passing pedestrians having a close call, and with difficulty avoiding the falling bricks. Building Inspector Northcott, on Tuesday evening, directed the attention of the agents of the property to the danger existing, and instructed them to have it immediately remedied.
- Victoria Daily Colonist, July 20, 1927, page 5: Doane estate may be sold... corner of Johnson and Douglas streets...

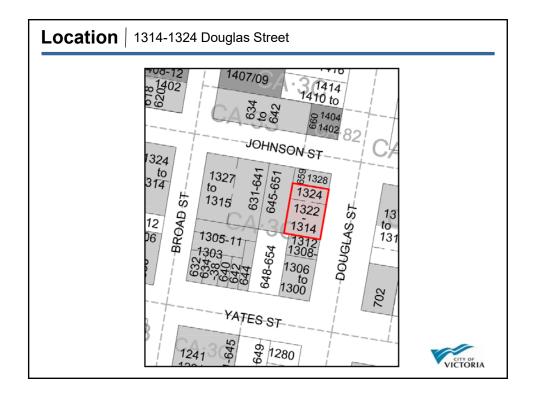
B.C. VITAL EVENTS

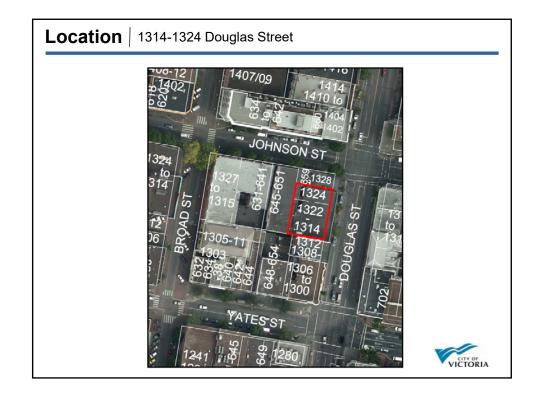
- Person: Charlotte Elizabeth Doane; Event Type: Death; Registration Number: 1890-09-006933; Event Date: 1890-01-27; Event Place: Victoria; Age at Death: 68.
- Person: Margaret Doane; Event Type: Death; Registration Number: 1911-09-024003; BC Archives Mfilm Number: B13082; GSU Mfilm Number: 1927292; Event Date: 1911-05-25; Event Place: Mill Bay; Age at Death: 56.

ROSS BAY CEMETERY RECORDS

Margaret Doane; Died 1911-05-25, Aged 56; Born USA, Died Mill Bay, B.C.

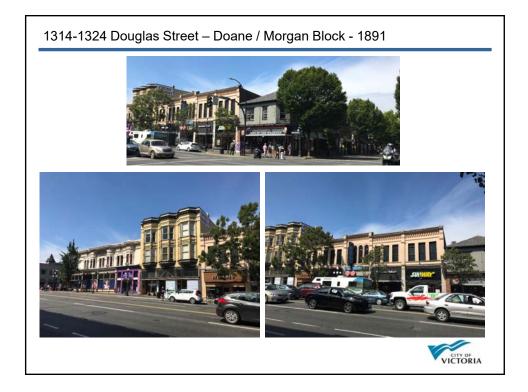




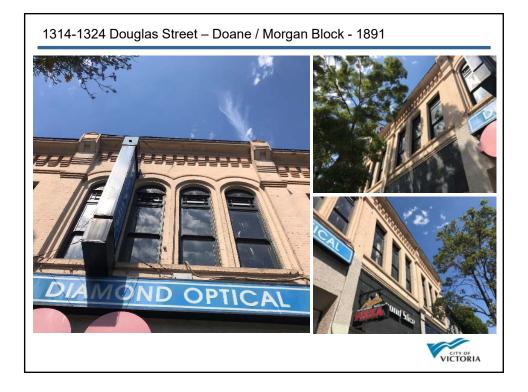














NO. 18-109

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to designate the exterior of the building (built 1891) located at 1314-1324 Douglas Street to be protected heritage property.

Under its statutory powers, including Section 611 of the *Local Government Act*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

- 1. This Bylaw may be cited as the "HERITAGE DESIGNATION (1314-1324 DOUGLAS STREET) BYLAW".
- 2. The exterior of the building (built 1891) located at 1314-1324 Douglas Street, legally described as PID 009-370-242, the easterly 70 feet of Lot 430, Victoria City, except the northerly 30 feet thereof; and PID 009-370-323, the easterly 70 feet of Lot 431, Victoria City, is designated to be protected heritage property.

READ A FIRST TIME the	13 th	day of	December	2018
READ A SECOND TIME the	13 th	day of	December	2018
Public Hearing Held on the		day of		2019
READ A THIRD TIME the		day of		2019
ADOPTED on the		day of		2019

CITY CLERK

MAYOR

J. <u>REPORTS OF COMMITTEES</u>

J.1 Committee of the Whole

J.1.b Report from the October 4, 2018 COTW Meeting

J.1.b.b 645-651 Johnson Street - Heritage Designation Application No. 000177 (Downtown)

> Moved By Councillor Madoff Seconded By Councillor Thornton-Joe

That Council approve the designation of the heritageregistered property located at 645-651 Johnson Street, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY

Excerpt from the Council Meeting Minutes October 4, 2018

F.8 <u>645-651 Johnson Street - Heritage Designation Application No. 000177</u> (Downtown)

A report presenting an owner request to designate the exterior of the heritageregistered property located at 645-651 Johnston Street.

Moved By Councillor Coleman Seconded By Councillor Lucas

That Council approve the designation of the heritage-registered property located at 645-651 Johnson Street, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of October 4, 2018

To:	Committee of the Whole	Date:	September 13, 2018
From:	Jonathan Tinney, Director, Sustainable Planning and Community Development		
Subject:	ject: Heritage Designation Application No. 000177 for 645-651 Johnson Street		5-651 Johnson Street

RECOMMENDATION

That Council approve the designation of the heritage-registered property located at 645-651 Johnson Street, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

In accordance with Section 611 of the *Local Government Act*, Council may designate real property, in whole or in part, as protected property.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding an owner request to designate the exterior of the heritage-registered property located at 645-651 Johnson Street. The two-storey brick commercial building was built in 1909 and contributes to the historic character of Victoria's Old Town District.

The designation of this building is generally consistent with Section 8: "Placemaking (Urban Design and Heritage)" of the *Official Community Plan 2012*, with Section 7, "*Heritage*" of the *Downtown Core Area Plan*, and with the *Victoria Heritage Thematic Framework*.

The Application was reviewed by the Heritage Advisory Panel at its July 10, 2018 meeting, and it was recommended that Council consider approving the designation of the heritage-registered property located at 645-651 Johnson Street.

BACKGROUND

Description of Proposal

The property located at 645-651 Johnson Street, also referred to as the Watson and McGregor Building, is a two-storey brick Classical Revival-influenced commercial building built in 1909. The exterior façade of 645-651 Johnson Street has been subject to numerous interventions over

its lifespan, resulting in subsequent loss of some of its exterior character-defining elements. Despite these alterations, the building has maintained its character-defining elements in terms of overall integrity of historic form, scale and massing; its symmetrical three-bay design; masonry construction; continuous window heads and sill in the upper floor bays; double-hung wooden sash windows; projecting cornices; and common red-brick side walls with segmental-arched window openings. The building contains heritage value because it maintains the heritage character and architectural composition representative of Victoria's historic downtown, for its consistent use by a wide variety of commercial enterprises, such as a hardware and plumbing business, that illustrates the diverse nature of businesses that were conducted in the downtown area.

Condition/Economic Viability

In general, the tan brick façade appears to be in fair condition, with signs of weathering caused by water ingress and moisture saturation. Other notable signs of deterioration include stepped cracking and mortar loss in localized areas. Similar deteriorating conditions appear along the west elevation, in addition to peeling paint. A Heritage Conservation Plan is attached to this report and details aspects of preservation, rehabilitation and restoration. The applicant intends to restore the existing façade (as well as the Morgan Block at 1314-1324 Douglas Street) and incorporate it into one unified development that maintains ground-level commercial uses and introduces a new residential component above, which will advance concurrently with this Application for heritage designation. The applicant also intends to apply to the City's Building Incentive Program and the Tax Incentive Program administered by the Victoria Civic Heritage Trust.

ANALYSIS

The following sections provide a summary of the Application's consistency with the relevant City policies and guidelines.

Official Community Plan

The designation of this building is consistent with the *Official Community Plan 2012*, which in the section entitled, "Placemaking (Urban Design and Heritage)", states:

Goals

8 (B) Victoria's cultural and natural heritage resources are protected and celebrated.

Broad Objectives

- 8 (j) That heritage property is conserved as resources with value for present and future generations.
- 8 (I) That heritage and cultural values are identified, celebrated, and retained through community engagement.

City Form

- 8.6 Conserve and enhance the heritage value, character and special features of areas, districts, streetscapes, cultural landscapes and individual properties throughout the city.
- 8.11 Determine the heritage value of areas, districts, streetscapes, cultural landscape and individual properties using the Victoria Heritage Thematic Framework as identified in Figure 12.

Buildings and Sites

- 8.51 Continue to give consideration to tools available under legislation to protect or conserve heritage property including, but not limited to: heritage designation bylaws; listing on the heritage register; temporary protection; heritage alteration permits; heritage revitalization agreements; design guidelines; and, the protection of views of heritage landmark buildings from public vantage points as identified in Map 8, and to be determined in future local area plans.
- 8.54 Continue to work with senior government, community and business partners to identify, protect and conserve property of heritage value.

Downtown Core Area Plan

The designation of the building is consistent with Section 7: "Heritage" of the *Downtown Core Area Plan 2011* which states:

Heritage - Objectives

1 Retain, protect and improve real property with aesthetic, historic, scientific, cultural, social or spiritual value and heritage character as a benefit to the public.

Areas and Districts - Policies and Actions

7.3. Conserve heritage values of the Downtown Core Area and its character-defining elements, such as individual buildings, collections of buildings, streetscapes, structures and features.

Buildings and Sites - Policies and Actions

- 7.20. Continue to work with the private sector to identify, protect and conserve property and areas with heritage value in the Downtown Core Area.
- 7.28. Produce and update, as required, Statements of Significance for properties listed on the Heritage Register in the Downtown Core Area.

Victoria Heritage Thematic Framework

A key policy of the OCP includes the determination of heritage value using a values-based approach. In this regard, a city-wide thematic framework (OCP Fig. 12) was developed and incorporated into the OCP to identify the key civic historic themes. The *Victoria Heritage Thematic Framework* functions as a means to organize and define historical events, to identify representative historic places, and to place sites, persons and events in an overall context. The thematic framework recognizes a broad range of values under which city-wide themes can be articulated. A Heritage Value Assessment with consideration of the *Victoria Heritage Thematic Framework* is incorporated into the Statement of Significance.

Statement of Significance

A Statement of Significance describing the historic place, its attributes, and history is attached to this report.

Heritage Advisory Panel

The Application was reviewed by the Heritage Advisory Panel at its July 10, 2018 meeting and was recommended for approval.

CONCLUSIONS

This Application for the heritage designation of the property located at 645-651 Johnson Street as a Municipal Heritage Site is for a building that is representative of the heritage character and architectural composition of commercial development from early 20th century. Staff therefore recommend that Council consider approving the Heritage Designation Application for the heritage-registered building located at 645-651 Johnson Street.

ALTERNATE MOTION

That Council decline Heritage Designation Application No. 000177 for the property located at 645-651 Johnson Street.

Respectfully submitted,

Merinda Conley

Senior Heritage Planner **Development Services Division**

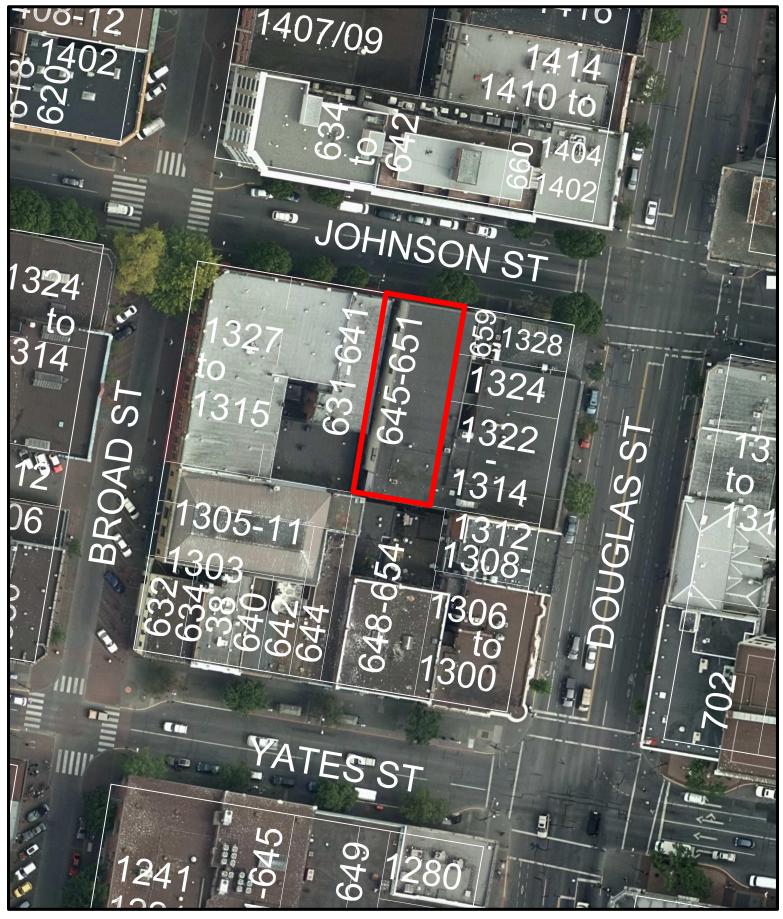
Jonathan Tinney, Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager:

Juane Impon Date: Sept. 24/18

List of Attachments

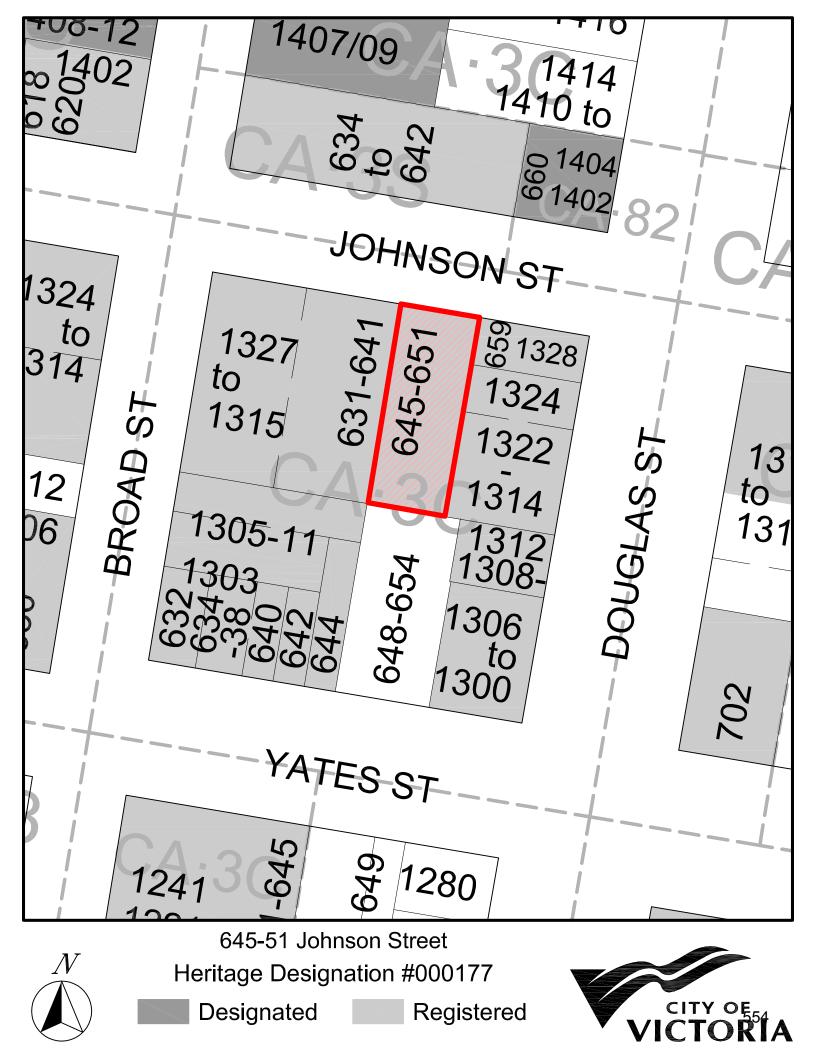
- Attachment A Subject Map
- Attachment B Aerial Map
- Attachment C Photographs
- Attachment D Statement of Significance
- Attachment E Letter from the applicant, date stamped June 22, 2018
- Attachment F Watson & McGregor Building Heritage Conservation Plan, dated February 2018.





645-51 Johnson Street Heritage Designation #000177 Designated Registered





645-651 JOHNSON STREET



North Façade along Johnson Street



Lower North Façade with Central Entry

645-651 JOHNSON STREET



Northwest Corner



Upper North Facade

645-651 JOHNSON STREET



Upper Cornice Return



Upper West Wall Semi-Arched Windows

City of Victoria, Statement of Significance December 2010



Address: 645–651 Johnson Street Community: Old Town Names: Watson and McGregor Building Cadastral ID: PID No. 009369775 Theme(s) Date(s): 1909–1910 Architect: A. Maxwell Muir Builder:

CANADA Developing Economies: trade & commerce Intellectual & Cultural Life: architecture & design VICTORIA Gateway Economy: frontier boom town Cultural Exchange: architectural expression

Description

The Watson and McGregor Building is a two-story, buff-coloured brick building constructed to the property lines in the middle of a block in Old Town. The tripartite grouping of nine double-hung sash windows across the second-floor facade and the simple pilasters that frame the street-level display windows are representative of Commercial (Chicago School) style features. This historic place includes the building on its legal lot.

Heritage Value

The Watson and McGregor Building possesses heritage value because it illustrates two themes in the history of Victoria: it is a physical testament to the robust growth that occurred between 1881 and 1913; and 2) it exemplifies the work of architect Alexander Maxwell Muir, who practiced in the city between 1889 and 1922. The Watson and McGregor Building, constructed in 1909–1910, was built near the crescendo of the Edwardian boom in Victoria. This great period of population growth and building construction witnessed the expansion of the commercial district

and residential neighbourhoods, but also the raising of new commercial buildings on lots in the Old Town section and north in adjoining Chinatown. During this boom, Johnson Street, previously lined with predominantly wood-frame buildings that were separated by numerous empty lots, became a streetscape of brick buildings, one to four stories tall, built to their property lines. By World War I it looked much as it does nearly a century later.

George Watson and William H. C. McGregor, partners in Watson and McGregor, contributed to Victoria's growth in the early 1900s by constructing a new building for their business and others in the commercial district, and also by providing plumbing services and supplies to builders. Watson and McGregor kept busy completing sewer connections and supplying general hardware for both new and remodelled commercial and residential buildings. In 1914, a Victoria city directory advertised their business in large bold type and informed readers of their business' range of pursuits and products: "general hardware, tinsmiths and plumbers, heating plants installed" (Tregillus-Thompson, p. 923). Watson and McGregor eventually took on general contracting work, and became a firm of some prominence in Victoria. They remained in business, operating from 647 Johnson Street, into the early 1930s. The Watson and McGregor Building also housed other businesses during that time, with shops on the ground floor and offices above.

The Watson and McGregor Building is representative of the work of architect Alexander Maxwell Muir, who practiced in Victoria from 1889 until his death in 1922. In that time, he designed more than fifty buildings in British Columbia. First employed by notable Victoria architect John Teague, Muir opened his own office in 1892. He remained busy at first with commercial, institutional, and residential projects in Victoria and elsewhere in the province. His early commissions included the Victoria Board of Trade Building, courthouses in Vernon and Nelson, British Columbia, and Victoria residences, such as the one for the Naime family. Muir skilfully executed Queen Anne as well as other style design elements in his plans. In the early 1900s, Muir lost many competitions to Francis M. Rattenbury, but succeeded in gaining commissions to design modest commercial buildings, including the Chemainus Hospital (1903), and the Burnside Fire Hall in Victoria (1908). This commercial building is a testament to the work of Alexander Maxwell Muir.

Character-Defining Elements

The character of this building is defined by its:

-Location in the middle of the block in Old Town, without setbacks on the front and sides. -Contribution to the Johnson Street streetscape of commercial buildings predominantly one to four stories high and dating from the early twentieth century.

-Scale and massing.

-Brick construction and buff-coloured cladding.

-Articulation of simple Commercial style features, including tripartite grouping of windows on the second-floor facade to create a grid pattern, and plain pilasters that frame the storefront display windows.

-Narrow alley running along the west wall.

Documentation Location

City of Victoria Heritage Planning file for 645-651 Johnson Street.

Goad, Charles E. Insurance Plan of Victoria, British Columbia, Vol. II (1911) Map. Plan of Victoria, British Columbia, Including Esquimalt (1891) Map. Victoria, British Columbia, 1903 (revised 1905, 1909) Map.

Henderson's British Columbia Gazetteer and Directory: Including a Classified Business Directory of British Columbia for the Year (several years).

Luxton, Donald, compiler and editor. *Building the West: The Early Architects of British Columbia* (2003): 178–79.

Tregillus-Thompson. Directory of City of Victoria (1914): 923.

ATTACHMENT E



BOROWSKI SAKUMOTO FLIGG MCINTYRE LTD.

VIA: Email



GREGORY BOROWSKI B.A., B.ARCH. (HONS), ARCHITECT AIBC, MRAIC, LEED AP

MITCHELL SAKUMOTO DIPL.T., S.ARCH., ARCHITECT AIBC, MRAIC

GRAHAM D. FLIGG B.E.S., M.ARCH., ARCHITECT AIBC, MRAIC

SHAUN MCINTYRE B.ED., M.ARCH., ARCHITECT AIBC, MRAIC, LEED AP Dear Mayor & Council:

Planning & Building Department

June 22, 2018

Mayor & Council

The City of Victoria

1 Centennial Square

Victoria BC, V8W 1P6

RE: MORGAN BLOCK (1314-1324 DOUGLAS ST.) & WATSON & MCGREGOR (645-651 JOHNSON ST.) HERITAGE DESIGNATION APPLICATION Project No: 1522

INTRODUCTION

Merrick Architecture is pleased to make the Heritage Designation Applications for the above noted buildings on behalf of our client and in conjunction with the related Heritage Alteration Permit Application. This proposal is to restore the existing two storey facades of the Morgan Block (314-1324 Douglas St.) and Watson & McGregor building (645-651 Johnson St.) in a historically sensitive manner and incorporate them into one cohesive development that maintains ground level commercial uses and introduces a new residential component above. Our client (284244 BC Ltd.) is a trust entity of the Morgan family which has owned the building for several generations and this project serves as a continuation of the family's legacy in the city and on this site.

The heritage character of both the Morgan Block and Watson & McGregor buildings is to be restored in line with the Heritage Conservation Plan contained within this application and the Standards and Guidelines for the Conservation of Historic Places in Canada. Some key elements of the conservation plan include re-instatement of an original raised parapet on the Douglas Street façade, the stripping of paint back to the original exposed brick, re-instatement of historically sensitive commercial storefronts, the restoration of original wood windows, and re-instatement of an original sheet metal upper cornice on the Johnson St. façade. The scale of the proposed building is also in keeping with the character of old town (no height or density variances requested) and the new floor levels are set back from the original building façades in a manner that maintains the readable scale of the original buildings and is visually secondary to them.

VANCOUVER

839 Cambie Street, #300 Vancouver BC V6B 2P4 T: 604.683.4131 F: 604.683.9313

VICTORIA

18 Bastion Square Victoria BC v8W 1H9 T: 250.480.7811 F: 250.480.5215 Please refer to the documents submitted for the Heritage Alteration Permit application (date March 7, 2018, revised June 26 2018) for further information on the proposed heritage restoration of these buildings. Please also refer to the Heritage Conservation Plans completed by Donald Luxton & Associates which speak to the heritage value and character of these buildings. We look forward to your review and consideration of our application. Please do not hesitate to contact us should you require any further information, have questions or require clarifications or supplemental materials in support of the application.



Heritage Designation Application Letter Project No. 1522 - Morgan Block & Watson & McGregor Building June 22, 2018

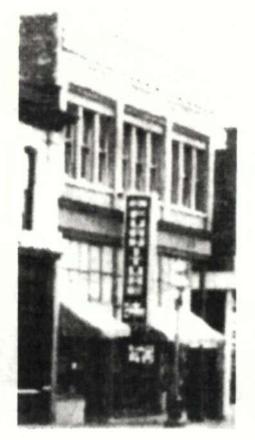
Yours truly, MERRICK ARCHITECTURE – BOROWSKI SAKUMOTO FLIGG MCINTYRE LTD.

Sindly ..

Colin Merriam M. Arch, BEDS, Architect AIBC Associate

Shaun McIntyre Architect AIBC, MRAIC, M.Arch, B.Ed, LEED AP Principal

CM/SM/bb



WATSON & MCGREGOR BUILDING

645-651 JOHNSON STREET, VICTORIA, BC

CONSERVATION PLAN

FEBRUARY 2018



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6.4 Repairs and Replacement of Deteriorated Materials	
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APPENDIX A: RESEARCH SUMMARY	′
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DONALD LUXTON AND ASSOCIATES INC 1030 - 470 GRANVILLE STREET VANCOUVER BC V6C 1V5 info@donaldluxton.com 604 688 1216 www.donaldluxton.com





Johnson Street, showing the Watson & McGregor Building with vertical signage that reads "Furniture", 1977.

1.0 INTRODUCTION

HISTORIC NAME: CIVIC ADDRESS: ORIGINAL OWNER: ORIGINAL ARCHITECT: ORIGINAL BUILDER: DATE OF CONSTRUCTION: Watson & McGregor (Hardware & Plumbing) Building 645-651 Johnson Street Watson & McGregor A. Maxwell Muir Parfitt Brothers 1909

The Watson & McGregor Building is a significant historical resource addressed at 645-651 Johnson Street, in the Old Town District of downtown Victoria. The building has been subject to numerous interventions over its lifespan, resulting to subsequent loss of some of its exterior characterdefining elements. Despite these alterations, the building has maintained the overall integrity of its historic form, scale and massing, its historic street facade along Johnson Street, and the original fenestration pattern at the upper levels, including surviving wood window assemblies.

A redevelopment scheme for this property is proposed, including the adjacent historic Morgan Block to the east, addressed at 1314-1324 Douglas Street. The overall redevelopment scheme has been prepared Merrick Architecture, which include, but not limited to, the following interventions: retention of the historic structure, and preservation of the historic front facade along Johnson Street; rehabilitation of the side elevation to the east by physically connecting with the adjacent Morgan Block; rehabilitation of storefronts in a manner that is consistent with the historic character of the Watson & McGregor Building; preservation of the upper floor windows; and, restoration of missing parapet elements based on available archival documentation. This document should be read in conjunction with the architectural drawing set prepared by Merrick Architecture.

This Conservation Plan is based on Parks Canada's *Standards & Guidelines for the Conservation of Historic Places in Canada.* It outlines the preservation, restoration, and rehabilitation that will occur as part of the proposed development.



WATSON & MCGREGOR BUILDING

The building was constructed for the hardware and plumbing business of Watson & McGregor, and is described in a contemporary account:

NEW BUILDING FOR WATSON & MCGREGOR.

Up-to-date Store in course of Erection on Johnson Street

Work is now well in hand on the new structure being erected by Watson and McGregor on Johnston street, located on the site of their present building. The building will cost \$8,000, and will be completely occupied by the firm. The ground floor of the two storey structure will be utilized as a store, while the sheet metal works will be housed on the top floor. A plumber's shop will be located in the rear. The office of the firm will be situated in a mezzanine floor at the back of the establishment.

The building will be of brick throughout. The frontage being composed of silica brick with ornamental ironwork. The first galvanized iron window frames and sashes ever used in Victoria will be installed, and these will also be put in at the B.C. Electric store now being constructed on Pembroke street. The contractors being engaged on the work are Parfitt Bros., the woodwork being done by Moore and Whittington. -From Victoria Daily Colonist, June 2, 1909, page 6.

The building was designed by local architect Alexander Maxwell Muir (1860-1922). Muir's original 1909 scheme shows a far more elaborate façade than was actually built.

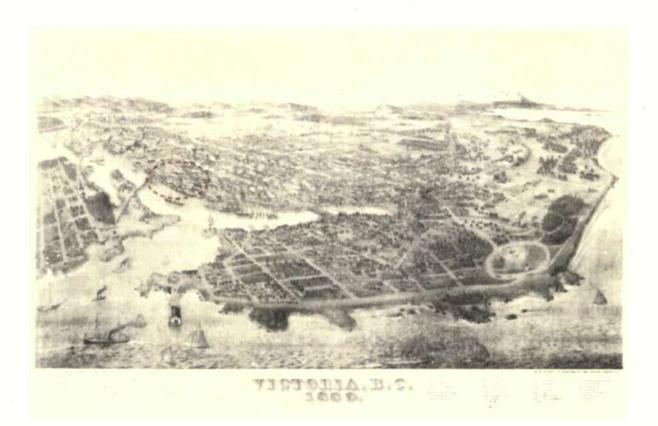
Watson McGregor Building, circa 1913 [Collection Nancy Davis; Hallmark Society Files]



Proposed Watson and McGregor Building, A. Maxwell Muir, architect, 1909. [Preliminary Version]

WATSON & MCGREGOR BUILDING: 645-651 JOHNSON STREET, VANCOUVER, BC CONSERVATION PLAN | FEBRUARY 2018 | DONALD LUXTON & ASSOCIATES

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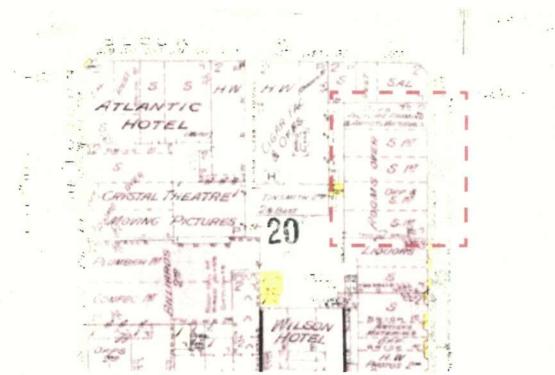




Top: Map of the City of Victoria - 1889

Bottom, Left: "A Plan of the Town of Victoria Shewing Proposed Improvements," [ca. 1852]. Cartographer: Joseph Despard Pemberton.

The Fort Victoria Graveyard is visible, upper left, at the edge of the Johnson Street Ravine. [Hudson's Bay Company Archives, Archives of Manitoba HBCA G.2/38]



Fire Insurance Map of the City of Victoria - 1911

WATSON & MCGREGOR BUILDING: 645-651 JOHNSON STREET, VANCOUVER, BC CONSERVATION PLAN | FEBRUARY 2018 | DONALD LUXTON & ASSOCIATES

THE ARCHITECT: ALEXANDER MUIR

[Retrieved from Madoff, Pamela, "Building the West: The Early Architects of British Columbia." pages 178-179]

The story of A. Maxwell Muir follows the familiar path of a young man in pursuit of a bright future. An accomplished architect and a meticulous businessman, he designed more than fifty buildings in B.C. during an active career that spanned only twenty years and was compromised by poor health. Born in Glasgow, Scotland on February 19, 1860, he was the son of Alexander Muir and Mary Margaret Maxwell, and great grandson of Sir William and Lady Maxwell. He graduated from Glasgow University with separate diplomas as a civil engineer and architect. Some of his perspective plans on the Clyde were exhibited in the Intercolonial Exhibition at Edinburgh, Scotland. He immigrated to the U.S.



Studio Portrait of Minnie and Alexander Muir [Madoff Collection; courtesy Ron Weir]

and worked his way from coast to coast. After his arrival in the United States, Muir settled in Troy, New York for two and a half years. He then moved on to a position with William Parson & Sons of Topeka, Kansas, who were engaged in the construction of many public schools and civic buildings throughout the state.

Design work on the Hotel del Coronado in San Diego and employment with the Southern Pacific Railway brought Muir to the west coast and to what would become his final professional destination, Victoria, in 1889. Upon his arrival Muir took up residence at the YMCA and was soon employed by John Teague, one of Victoria's most successful architects. While in Teague's employ Muir drew plans for the Victoria City Market building on Cormorant Street, and likely worked on the Royal Jubilee Hospital, additions to City Hall, and extensions to First Presbyterian Church. Teague's practice was flourishing, and by 1892 Muir had established his own office, likely to take advantage of the large amount of work available.

Despite the general economic malaise, Muir remained busy with commercial and residential projects. He soon won a number of major commissions, including the Board of Trade Building in Victoria and the first court houses in Vernon, 1892-93, and Nelson, 1893. He also entered, unsuccessfully, the 1892 competition for the new Parliament Buildings; all entries were required to use a nom-de-plume and Muir's was "Patience." His elegant Vernon Public School, 1893, is likely the oldest surviving brick school in the province. In 1897 Muir designed the Kamloops Jail and in 1898 was involved in the development scheme for the Hotel Texada, later known as the Marble Bay Hotel, on Texada Island. The twenty-six room hotel was set on an acre of land on a bluff overlooking the water, surrounded by building lots. The first three hundred purchasers were eligible to win the hotel in a raffle draw. The hotel was completed but few lots were sold and the raffle was never held.

In 1899, now with a reasonably successful architectural practice, Muir married Minnie Hartley Swanwick, a member of Metchosin's pioneering

Weir family. She had been married previously and divorced; her one child died as a result of a reaction to a vaccination. In 1901 they built a house, Bremhill, in Victoria's Jubilee neighbourhood and two years later they built a modest house, Hartley Hall, on land in Metchosin that Minnie had received from her mother. Their daughter, Robina, was born in 1904, followed by a son, William, in 1907.

Precisely at the time that Muir's family responsibilities were growing, his practice was struggling to survive. Muir continued to design modest commercial buildings including the Chemainus Hospital, 1903 and the Burnside Fire Hall, 1908, but more significant commissions eluded him. Muir assigned the blame for his lack of work specifically on the success enjoyed by F.M. Rattenbury, declaring that he "had done more local work in this city during the last ten years than any other man." Although he continued to participate in architectural competitions he saw little success. In 1901, in a letter to the local newspaper, he publicly attacked the awarding of a commission to Rattenbury to design a new high school. "I think," he wrote, "that my plans should have placed first." In 1903 he again lost out to Rattenbury for the commission to design the Strathcona Addition and Isolation Ward for the Royal Jubilee Hospital. In the same year a bitter battle erupted over the hiring of an architect to design the new Carnegie Library. A group of architects, which included Muir (but not Rattenbury) petitioned City Council requesting that one of their group be chosen for the commission. In a letter to City Council Muir suggested that Rattenbury had made enough money, by virtue of circumstance rather than talent, over the years and should retire and leave the field to the less fortunate.

During this same period, a board of arbitration was appointed to look into cost overruns on Government House, another of Rattenbury's projects. The board included Muir, whom Rattenbury described as both a personal and professional opponent. Struggling to support his family at a time when his commissions were at an all-time low, he felt unbounded bitterness towards Rattenbury. Muir's feelings against Rattenbury may also have been coloured by his own scrupulous attention to financial matters. He was once the president of a company involved in oil explorations in Alberta. It was not a limited company and some of his investors suggested that he water down the dividends that were issued to shareholders. He refused. Coincidentally, accidents began to occur at the site. Muir, as president, was held financially responsible and his insistence on paying these debts contributed to his financial downfall.

A staunch Presbyterian, Muir sometimes acted as a lay minister and, in 1892, donated plans for the East Fernwood Mission Sunday School for the Christian Endeavour Society of St. Andrew's Presbyterian Church, now converted to a residence which still stands on Redfern Street in Victoria. He was also a member of the Vancouver and Quadra No. 2 Chapter of the Masonic Temple where he functioned as secretary and was responsible for the founding of many of the lodge's charitable activities, including the Widows' and Orphans' Fund.

With little work coming his way the Muirs moved back and forth between Victoria and Vancouver. In 1917 the Muirs were back in Victoria. Mrs. Muir was the proprietor of the Minerva Confectionery which was known for its fruit-shaped fondant candies. Muir was listed in the directory as a candymaker. Muir also suffered increasing health problems, described as "creeping paralysis," undoubtedly neurological degeneration caused by ALS, later known as Lou Gehrig's Disease. He died in Vancouver August 1, 1922, aged sixty-two. His widow survived him by twenty years, modestly supporting herself as a stenographer.

3.0 STATEMENT OF SIGNIFICANCE

WATSON & MCGREGOR BUILDING 645-651 JOHNSON STREET, VICTORIA, BC (Retrieved from historicplaces.ca)

(Retrieved nom mistorieplaces.ea)

Description of the Historic Place

The Watson & McGregor Building is a two storey, brick commercial building on Johnson Street, in Victoria's Old Town. The front facade has three bays, with one original brick pilaster on the ground floor east side, original sheet metal cornice above the storefront level, three groups of three double-hung windows on the upper floor, and brick sidewalls.

Heritage Value of the Historic Place

The Watson & McGregor Building possesses heritage value because it has qualities that maintain the heritage character of Victoria's historic downtown. Its three-bay composition and consistent use by a wide variety of commercial enterprises since its construction in 1909 are integral to its heritage value, as these elements add diversity to both the scale and use of the commercial streetscape on the outer perimeter of Victoria's Old Town District. Its construction as a hardware and plumbing enterprise also illustrate the working character of the downtown and the nature of the business that were conducted in the area.

The Watson & McGregor Building is also an example of the commercial work of local architect A. Maxwell Muir, and demonstrates the Classical Revival influence that had become popular for commercial buildings during the boom years of the Edwardian era. The alleyway to the west side of the building provided access that serviced businesses in the block, illustrating the pattern of secondary pathways and courtyards that is characteristic of Victoria's Old Town.

Character-Defining Elements

The character-defining elements of the Watson & McGregor Building include its:

- location on Johnson Street in Victoria's Old Town, with an adjacent alley to the west;
- continuous commercial use;
- commercial form, scale and massing as expressed by its two-storey scale, symmetrical three-bay design, placement on the front

property line, and flat roof;

- masonry construction, including front façade tan brick with brown mortar, and common redbrick side walls with segmental-arched window openings;
- Classical Revival design influence, evident in its tripartite articulation, symmetry, continuous window heads and sills in the upper floor bays, and projecting cornices; and
- original upper floor double-hung wooden sash windows in the front facade.

4.1 STANDARDS AND GUIDELINES

The Watson & McGregor Building is a significant historical resource in the City of Victoria. The Parks Canada's *Standards & Guidelines for the Conservation of Historic Places in Canada* is the source used to assess the appropriate level of conservation and intervention. Under the *Standards & Guidelines*, the work proposed for the Watson & McGregor Building includes aspects of preservation, rehabilitation and restoration.

Preservation: the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.

Restoration: the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

Rehabilitation: the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

Interventions to the Watson & McGregor Building should be based upon the Standards outlined in the *Standards & Guidelines*, which are conservation principles of best practice. The following *General Standards* should be followed when carrying out any work to an historic property.

STANDARDS

Standards relating to all Conservation Projects

- Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a characterdefining element.
- Conserve changes to a historic place, which over time, have become character-defining elements in their own right.
- 3. Conserve heritage value by adopting an approach calling for minimal intervention.
- 4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.
- 5. Find a use for a historic place that requires minimal or no change to its character defining elements.
- Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.
- Evaluate the existing condition of characterdefining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
- Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing the materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.
- Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable upon close inspection. Document any intervention for future reference.

Additional Standards relating to Rehabilitation

- 10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.
- 11. Conserve the heritage value and characterdefining elements when creating any new additions to a historic place and any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- 12. Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.

Additional Standards relating to Restoration

- 13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

4.2 CONSERVATION REFERENCES

The proposed work entails aspects of preservation, restoration, and rehabilitation of the exterior of the Watson & McGregor Building. The following conservation resources should be referred to:

Standards and Guidelines for the Conservation of Historic Places in Canada, Parks Canada, 2010. http://www.historicplaces.ca/en/pages/standardsnormes/document.aspx

National Park Service, Technical Preservation Services. Preservation Briefs:

Preservation Brief 1: Assessing Cleaning and Water-Repellent Treatments for Historic Masonry Buildings.

http://www.nps.gov/tps/how-to-preserve/briefs/1cleaning-water-repellent.htm

Preservation Brief 2: Repointing Mortar Joints in Historic Masonry Buildings.

http://www.nps.gov/tps/how-to-preserve/briefs/2repoint-mortar-joints.htm

Preservation Brief 3: Improving Energy Efficiency in Historic Buildings.

http://www.nps.gov/tps/how-to-preserve/briefs/3improve-energy-efficiency.htm

Preservation Brief 6: Dangers of Abrasive Cleaning to Historic Buildings.

http://www.nps.gov/tps/how-to-preserve/briefs/6dangers-abrasive-cleaning.htm

Preservation Brief 9: The Repair of Historic Wooden Windows.

http://www.nps.gov/tps/how-to-preserve/briefs/9wooden-windows.htm

Preservation Brief 10: Exterior Paint Problems on Historic Woodwork.

http://www.nps.gov/tps/how-to-preserve/ briefs/10-paint-problems.htm

Preservation Brief 11: Rehabilitating Historic Storefronts.

http://www.nps.gov/tps/how-to-preserve/ briefs/11-storetronts.htm

Preservation Brief 14: New Exterior Additions to Historic Buildings: Preservation Concerns. http://www.nps.gov/lps/how-to-preservebriefs/14-exterior.additions.htm

Preservation Brief 24: Heating, Ventilating, and Cooling Historic Buildings: Problems and Recommended Approaches.

http://www.nps.gov/tps/how-to-preserve/ briefs/24-heat-vent-cool.htm

Preservation Brief 32: Making Historic Properties Accessible.

http://www.nps.gov/tps/bow-to-preserve/ briefs/32-accessibility.htm

Preservation Brief 39: Holding the Line: Controlling Unwanted Moisture in Historic Buildings. <u>http://www.nps.gov/tps/how-to-preserve/</u> briefs/39-control-unwanted-moisture.htm

Preservation Brief 41: The Seismic Retrofit of Historic Buildings: Keeping Preservation in the Forefront.

http://www.nps.gov/tps/how-to-preserve/ briefs/41-seismic-retrofit.htm

Preservation Brief 47: Maintaining the Exterior of Small and Medium Size Historic Buildings. http://www.nps.gov/tps/how-to-preserve/ briefs/47-maintaining-exteriors.htm

4.3 GENERAL CONSERVATION STRATEGY

The primary intent is to preserve the existing historic structure, while undertaking a rehabilitation that will upgrade its structure and services to increase its functionality for commercial and residential uses. As part of the scope of work, characterdefining elements will be preserved, while missing or deteriorated elements will be restored. A redevelopment scheme for this property has been prepared Merrick Architecture.

The major proposed interventions of the overall project are to:

- retain the historic structure, and preserve the historic front facade along Johnson Street;
- rehabilitate the side elevation to the east, and physically connect with the adjacent historic Morgan Block;
- rehabilitate the storefront in a historically appropriate manner based on existing archival photos, as possible;
- preserve the upper floor windows, and repair in-kind as required; and,
- restore missing parapet elements.

Any proposed addition to the historic building and all new visible construction will be considered a modern addition to the historic structure. The *Standards & Guidelines* list recommendations for new additions to historic places. The proposed design scheme should follow these principles:

- Designing a new addition in a manner that draws a clear distinction between what is historic and what is new.
- Design for the new work may be contemporary or may reference design motifs from the historic place. In either case, it should be compatible in terms of mass, materials, relationship of solids to voids, and colour, yet be distinguishable from the historic place.
- The new additions should be physically and visually compatible with, subordinate to and distinguishable from the preserved historic façade.

An addition should be subordinate to the historic place. This is best understood to mean that the addition must not detract from the historic place or impair its heritage value. Subordination is not a question of size; a small, ill-conceived addition could adversely affect an historic place more than a large, well-designed addition.

Additions or new construction should be visually compatible with, yet distinguishable from, the historic place. To accomplish this, an appropriate balance must be struck between mere imitation of the existing form and pointed contrast, thus complementing the historic place in a manner that respects its heritage value.

4.4 SUSTAINABILITY STRATEGY

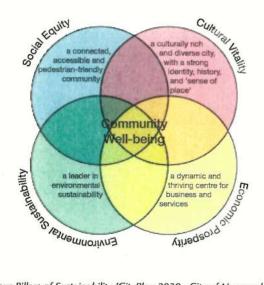
Heritage conservation and sustainable development can go hand in hand with the mutual effort of all stakeholders. In a practical context, the conservation and re-use of historic and existing structures contributes to environmental sustainability by reducing solid waste disposal, saving embodied energy, and conserving historic materials that are often less consumptive of energy than many new replacement materials.

In 2016, the Federal Provincial Territorial Ministers of Culture & Heritage in Canada (FPTMCHC) published a document entitled, *Building Resilience: Practical Guidelines for the Retrofit and Rehabilitation of Buildings in Canada* that is "intended to establish a common pan-Canadian 'how-to' approach for practitioners, professionals, building owners, and operators alike."

The following is an excerpt from the introduction of the document:

[**Building Resilience**] is intended to serve as a "sustainable building toolkit" that will enhance understanding of the environmental benefits of heritage conservation and of the strong interrelationship between natural and built heritage conservation. Intended as a useful set of best practices, the guidelines in **Building Resilience** can be applied to existing and traditionally constructed buildings as well as formally recognized heritage places.

These guidelines are primarily aimed at assisting designers, owners, and builders in providing existing buildings with increased levels of sustainability while protecting character-defining elements and, thus, their heritage value. The guidelines are also intended for a broader audience of architects, building developers, owners, custodians and managers, contractors, crafts and trades people, energy advisers and sustainability specialists, engineers, heritage professionals, and officials responsible for built heritage and the existing built environment at all jurisdictional levels.



Four Pillars of Sustainability [CityPlan 2030 - City of Norwood Payneham & St. Peters]

Building Resilience is not meant to provide case-specific advice. It is intended to provide guidance with some measure of flexibility, acknowledging the difficulty of evaluating the impact of every scenario and the realities of projects where buildings may contain inherently sustainable elements but limited or no heritage value. All interventions must be evaluated based on their unique context, on a case-by-case basis, by experts equipped with the necessary knowledge and experience to ensure a balanced consideration of heritage value and sustainable rehabilitation measures.

Building Resilience can be read as a standalone document, but it may also further illustrate and build on the sustainability considerations in the Standards and Guidelines for the Conservation of Historic Places in Canada.

4.5 ALTERNATE COMPLIANCE

The Watson & McGregor Building may be eligible for heritage variances that will enable a higher degree of heritage conservation and retention of original material, including considerations available under the following municipal legislation.

4.5.1 BRITISH COLUMBIA BUILDING CODE

Building Code upgrading ensures life safety and long-term protection for historic resources. It is important to consider heritage buildings on a caseby-case basis, as the blanket application of Code requirements do not recognize the individual requirements and inherent strengths of each building. Over the past few years, a number of equivalencies have been developed and adopted in the British Columbia Building Code that enable more sensitive and appropriate heritage building upgrades. For example, the use of sprinklers in a heritage structure helps to satisfy fire separation and exiting requirements. Table A-1.1.1.1, found in Appendix A of the Code, outlines the "Alternative Compliance Methods for Heritage Buildings."

Given that Code compliance is such a significant factor in the conservation of heritage buildings, the most important consideration is to provide viable economic methods of achieving building upgrades. In addition to the equivalencies offered under the current Code, the City can also accept the report of a Building Code Engineer as to acceptable levels of code performance.

4.5.2 ENERGY EFFICIENCY ACT

The provincial Energy Efficiency Act (Energy Efficiency Standards Regulation) was amended in 2009 to exempt buildings protected through heritage designation or listed on a community heritage register from compliance with the regulations. Energy Efficiency standards therefore do not apply to windows, glazing products, door slabs or products installed in heritage buildings. This means that exemptions can be allowed to energy upgrading measures that would destroy heritage character-defining elements such as original windows and doors.

These provisions do not preclude that heritage buildings must be made more energy efficient, but they do allow a more sensitive approach of alternate compliance to individual situations and a higher degree of retained integrity. Increased energy performance can be provided through non-intrusive methods of alternate compliance, such as improved insulation and mechanical systems. Please refer to the *Standards & Guidelines for the Conservation of Historic Places in Canada* for further detail about "Energy Efficiency Considerations."

4.6 SITE PROTECTION & STABILIZATION

It is the responsibility of the owner to ensure the heritage resource is protected from damage at all times. At any time that the building is left vacant, it should be secured against unauthorized access or damage through the use of appropriate fencing and security measures. Additional measures to be taken include:

- Are smoke and fire detectors in working order?
- Are wall openings boarded up and exterior doors securely fastened once the building is vacant?

Have the following been removed from the interior: trash, hazardous materials such as inflammable liquids, poisons, and paints and canned goods that could freeze and burst?

The historic structure should be protected from movement and other damage at all times during demolition, excavation and construction work. Install monitoring devices to document and assess cracks and possible settlement of the masonry façade.

5.0 CONSERVATION RECOMMENDATIONS

A condition review of the Watson & McGregor Building was carried out during a site visit in July 2017. The review was limited to visual inspection of the exterior of the historic building from the ground floor level. Further investigation may be required to assess the overall condition and structural integrity of other existing character-defining elements in areas that were inaccessible during the preliminary site visit.

The recommendations for the preservation and rehabilitation of the historic resource are based on the site review and archival documents that provide valuable information about the original appearance of the historic building.

The following chapter describes the materials, physical condition and recommended conservation strategy for the Watson & McGregor Building based on Parks Canada Standards & Guidelines for the Conservation of Historic Places in Canada.

5.1 SITE

The Watson & McGregor Building is addressed at 645-651 Johnson Street, at the Old Town District in downtown Victoria. It was built to the front, side, and rear property lines with no setback, with a laneway to the west, and the historic front facade oriented to the north along Johnson Street. All heritage resources within the site should be protected from damage or destruction at all times. Reference Section 4.6: Site Protection for further information.

As part of the proposed redevelopment scheme, the site will be rehabilitated by physically connecting the Watson & McGregor Building with the adjacent historic Morgan Block.

Conservation Strategy: Preservation

- Preserve the original location of the building. All rehabilitation work should occur within the property lines.
- Retain the main frontage along Johnson Street.
- Design of the new infill addition should be "physically and visually compatible with, subordinate to, and distinguishable from the historic place", as recommended in Standard 11.



Aerial map showing location of Watson & McGregor Building.

5.0 CONSERVATION RECOMMENDATIONS

5.2 OVERALL FORM, SCALE & MASSING

The Watson & McGregor Building retains its original commercial form, scale and massing, as expressed by: its double-storey height; tripartite symmetry of its historic front facade; and low-slope roof structure.

The original overall form, scale, and massing of the Watson & McGregor Building contributes to the historic character of the building, and enhances the streetscape of the historic Old Town District in downtown Victoria, and should be preserved.

Conservation Strategy: Preservation

- Preserve the overall form, scale and massing of the building.
- The historic front façade should be retained.





Top (right) and bottom: Photos showing partial front and side (laneway) elevations, as viewed from Johnson Street.

5.3 EXTERIOR MASONRY WALLS

The Watson & McGregor Building features masonry construction, as characterized by: tan brick units at the front façade, with brown mortar; and common red-brick at side walls, including surviving segmental-arched window openings. The exterior brick walls along the laneway to the west has been painted at some point in time.

Archival photos indicate that the existing brick columns of the storefront are not original, with the exception of the easternmost column that appears to be contiguous with the exterior masonry wall on the upper level. Further investigation is required to determine if any original storefront elements are extant beneath the later brick columns.

Along the historic front facade, the tan bricks appear to be in fair condition, with signs of weathering caused by water ingress and moisture saturation, as evidenced by efflorescence, staining and discolouration, organic growth, and brick spalling. Other notable signs of deterioration include stepped cracking and mortal loss in localized areas.

Similar deteriorating conditions were noted along the side elevation to the west, in addition to peeling of paint. Further assessment is required to determine the feasibility of removing the existing paint finish, which may include abatement of hazardous materials, without causing significant damage to the brick face underneath.

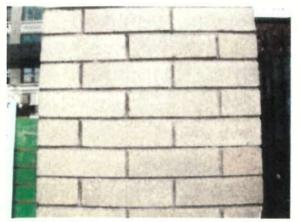
Conservation Strategy: Preservation

- Preserve the brick whenever possible, and replace in kind brickwork that is too deteriorated for safe use.
- Undertake complete condition survey of condition of all brick surfaces.
- Cleaning, repair and repointing specifications to be reviewed by Heritage Consultant.
- All redundant metal inserts and services mounted on the exterior walls should be removed or reconfigured.
- Any holes in the brick should be filled or replaced to match existing.
- Overall cleaning of the brick on the exterior walls should be carried out. Do not use any abrasive methods that may damage the fireskin surfaces. Use a soft natural bristle brush and mild water rinse. Only approved chemical restoration cleaners may be used. Sandblasting or any other abrasive cleaning method of any kind is not permitted.
- Determine whether or not it is feasible to remove the paint and expose the original brick. Undertake test samples for paint removal in an inconspicuous area using only approved restoration products. If paint removal is determined to be feasible, prepare removal specification. If not, prepare to repaint.
- Repoint the brickwork by raking out loose mortar material to a uniform depth. Take care that the arises of the brick are not damaged. Work should only be undertaken by skilled masons. Do not use power tools to cut or grind joints; hand-held grinders may be used for the initial raking of horizontal joints after test samples have been undertaken and only if approved by the Heritage Consultant. Repoint mortar joints with new mortar that matches' existing in consistency, composition, strength, colour and pointing profile; note the finely tooled profile of the original mortar joints.
- Retain sound exterior masonry or deteriorated exterior masonry that can be repaired.

5.0 CONSERVATION RECOMMENDATIONS



Photo showing partial exterior masonry wall above the storefront. Note typical deterioration of masonry wall.



Detail photo of westernmost masonry column, as seen from the front.



Photo showing storefront return, and partial masonry wall along the laneway elevation to the east; note tilework at the storefront transom that are not original and should be removed.

5.4 ARCHITECTURAL METALWORK

The Watson & McGregor Building originally featured a large, projecting metal cornice along the parapet level of the historic front facade, with partial return along the laneway elevation to the west. The original parapet cornice is no longer extant, and has been subsequently replaced with overlapping horizontal bands of unsympathetic flat, metal flashing that does not contribute to the historic character of the building.

The lower street facade features a modest storefront cornice with a continuous signband, similarly including a partial return along the laneway elevation to the west. All efforts should be made to restore the missing cornices and storefront signband based on archival photos.

Conservation Strategy: Restoration

 Remove unsympathetic cornice replacements, and restore missing metal cornices with historically appropriate profile based on archival photos, as possible.



Detail photo showing project metal cornice at parapet level, and the storefront cornice with signband at the lower street facade, circa 1913 [Collection Nancy Davis; Hallmark Society Files]

- The current attachment of all sheet metal cornices should be inspected, and should be re-anchored as appropriate.
- Repair and stabilize deteriorated architectural metal elements by structural reinforcement or correction of unsafe conditions, as required, until any additional work is undertaken. Repairs should be physically and visually compatible.
- The sheet metal work will be cleaned and prepared for repainting. Apply appropriate primer for galvanized surfaces. Paint in historically appropriate colour, based on colour schedule prepared by Heritage Consultant.

5.5 FENESTRATION

Windows, doors and storefronts are among the most conspicuous feature of any building. In addition to their function — providing light, views, fresh air and access to the building — their arrangement and design is fundamental to the building's appearance and heritage value. Each element of fenestration is, in itself, a complex assembly whose function and operation must be considered as part of its conservation.

 Standards and Guidelines for the Conservation of Historic Places in Canada.

5.5.1 WOOD WINDOWS & TRIMS

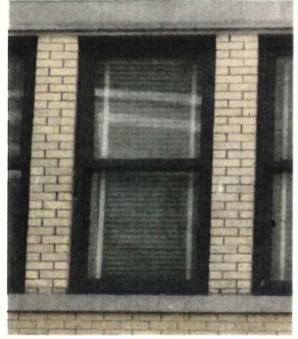
The historic front facade of the Watson & McGregor Building features original window openings, with continuous window heads and sills above the storefront, and characterized by double-hung wooden sash windows that appear to be original. The existing window assemblies along the side and rear elevations were inaccessible during the initial site visit, and further investigation is required to determine if any original wood window assemblies are extant, and to assess their condition.

5.0 CONSERVATION RECOMMENDATIONS

Based on the initial visual review from the ground level, the existing wood windows appear to be intact and in good to fair condition that show varying degrees of deterioration. Further review and assessment are required to confirm the existing condition of each assemblies, and to determine the appropriate extent of conservation work required.

Conservation Strategy: Preservation

- Inspect for condition and complete detailed inventory to determine extent of recommended repair or replacement.
- Retain existing window sashes; repair as required; install replacement matching sashes where missing or beyond repair.
- Preserve and repair as required, using in kind repair techniques where feasible.
- Overhaul, tighten/reinforce joints. Repair frame, trim and counterbalances.
- Each window should be made weather tight by re-puttying and weather-stripping as necessary.
- Retain historic glass, where possible. Where broken glass exists in historic wood-sash windows, the broken glass should be replaced.



Typical existing condition of double-hung wood sash window at upper level.

When removing broken glass, the exterior putty should be carefully chipped off with a chisel and the glazier's points should be removed. The wood where the new glass will be rested on should be scraped and cleaned well, and given a coat of linseed oil to prevent the wood from absorbing the oil from the new putty. The new glass should be cut 1/16-1/8th smaller than the opening to allow for expansion and irregularities in the opening, to ensure the glazing does not crack due to natural forces. Window repairs should be undertaken by a contractor skilled in heritage restoration.

- Replacement glass should be visually and physically compatible with existing.
- Prime and repaint as required in appropriate colour, based on colour schedule devised by Heritage Consultant.

5.5.2 STOREFRONTS

None of the existing storefront assemblies at the lower street facade are original. The transom windows have been covered with unsympathetic tiles, similar to the ones on the storefront bulkhead/ baseplate, all of which do not contribute to the historic character of the Watson & McGregor Building.

As part of the overall rehabilitation scheme, the new rehabilitated storefronts will be considered a contemporary addition, and should be designed in a sympathetic manner that is consistent with the historic character of the heritage resource.

Conservation Strategy: Rehabilitation

- Reinstate a rehabilitated wooden storefront system. Reference the historic design as noted in archival images and original architectural drawings. The design of the rehabilitated storefronts should resemble the original historic precedents.
- Integrate commercial signs and new lighting systems as required.
- Provide new accessible entryways for the ground floor, as required.

5.0 CONSERVATION RECOMMENDATIONS

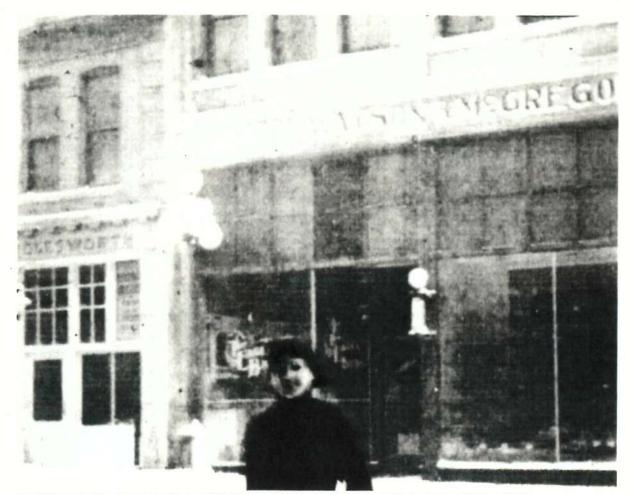
5.6 SIGNAGE

Commercial signs are an integral feature of historic commercial buildings. Different types of signs were fabricated in traditional materials with painted or three-dimensional letters, including fascia signs, projecting signs and painted window signs. Signs often reflect the ethnic history of a neighborhood and its character, as well as the social and business activities carried within it, and it is important to preserve or commemorate these markers of the building's social and economic history.

Conservation Strategy: Rehabilitation

When considering new signs on a heritage building, the design should be in accordance with the Parks Canada Standards & Guidelines for the Conservation of Historic Places in Canada, which states that "new signage should be compatible with the building in terms of size, scale, material, style and colour. In addition, new signs should not obscure, damage or destroy character-defining elements of the building".

- New signs can be inspired by historical signs on the building, signs from an earlier era or contemporary materials that are sympathetic to the building.
- Sign fixings or hangers should be carefully attached to the building in the least intrusive



Detail photo showing original storefront configuration, circa 1913. [Collection Nancy Davis; Hallmark Society Files]

manner possible. On masonry walls, consider attaching into mortar rather than brick face.

- Signs were historically illuminated with front lighting.
- Future tenant signage must conform to applicable bylaws.

5.7 EXTERIOR COLOUR SCHEDULE

Part of the Restoration process is to finish the building in historically appropriate paint colours. On-site sampling has not been completed, and further investigation is required to determine the feasibility of paint removal on brick face. A preliminary colour scheme has been developed by the Heritage Consultant as a place-holder, based on site information and historical precedent.

The final colour scheme will be based on a colour palette that will be determined by sampling. Onsite testing will be carried out once access is available, and paint samples assessed by microscopic analysis in order to reveal the original colour scheme of the structure. If paint cannot be removed from the brick, it will also be repainted.

Conservation Strategy: Investigation

• Determine an appropriate historic colour scheme for exterior painted finishes.

PRELIMINARY COLOUR TABLE: WATSON & MCGREGOR BUILDING, 645-651 JOHNSON STREET, VICTORIA, BC

Element	Colour*	Code	Sample	Finish
Storefronts, Wood Window Frames & Sashes	Comox Green	VC-19		High Gloss
Window Sills, Cornices, & Parapet Cap Flashings	Haddington Grey	VC-15		Semi-Gloss

*Paint colours matched from Benjamin Moore's Historical Vancouver True Colours

6.0 MAINTENANCE PLAN

A Maintenance Plan should be adopted by the property owner, who is responsible for the long-term protection of the heritage features of the Watson & McGregor Building. The Maintenance Plan should include provisions for:

- Copies of the Maintenance Plan and this Conservation Report to be incorporated into the terms of reference for the management and maintenance contract for the building;
- Cyclical maintenance procedures to be adopted as outlined below;
- Record drawings and photos of the building to be kept by the management / maintenance contractor; and
- Records of all maintenance procedures to be kept by the owner.

A thorough maintenance plan will ensure the integrity of the Watson & McGregor Building is preserved. If existing materials are regularly maintained and deterioration is significantly reduced or prevented, the integrity of materials and workmanship of the building will be protected. Proper maintenance is the most cost effective method of extending the life of a building, and preserving its character-defining elements. The survival of historic buildings in good condition is primarily due to regular upkeep and the preservation of historic materials.

6.1 MAINTENANCE GUIDELINES

A maintenance schedule should be formulated that adheres to the *Standards & Guidelines for the Conservation of Historic Places in Canada*. As defined by the *Standards & Guidelines*, maintenance is defined as:

Routine, cyclical, non-destructive actions necessary to slow the deterioration of a historic place. It entails periodic inspection; routine, cyclical, nondestructive cleaning; minor repair and refinishing operations; replacement of damaged or deteriorated materials that are impractical to save.

The assumption that newly renovated buildings become immune to deterioration and require

less maintenance is a falsehood. Rather, newly renovated buildings require heightened vigilance to spot errors in construction where previous problems had not occurred, and where deterioration may gain a foothold.

Routine maintenance keeps water out of the building, which is the single most damaging element to a heritage building. Maintenance also prevents damage by sun, wind, snow, frost and all weather; prevents damage by insects and vermin; and aids in protecting all parts of the building against deterioration. The effort and expense expended on an aggressive maintenance will not only lead to a higher degree of preservation, but also over time potentially save large amount of money otherwise required for later repairs.

6.2 PERMITTING

Repair activities, such as simple in-kind repair of materials, or repainting in the same colour, should be exempt from requiring city permits. Other more intensive activities will require the issuance of a Heritage Alteration Permit.

6.3 ROUTINE, CYCLICAL AND NON-DESTRUCTIVE CLEANING

Following the Standards & Guidelines for the Conservation of Historic Places in Canada, be mindful of the principle that recommends "using the gentlest means possible". Any cleaning procedures should be undertaken on a routine basis and should be undertaken with non-destructive methods. Cleaning should be limited to the exterior material such as concrete and stucco wall surfaces and wood elements such as storefront frames. All of these elements are usually easily cleaned, simply with a soft, natural bristle brush, without water, to remove dirt and other material. If a more intensive cleaning is required, this can be accomplished with warm water, mild detergent and a soft bristle brush. High-pressure washing, sandblasting or other abrasive cleaning should not be undertaken under any circumstances.

6.4 REPAIRS AND REPLACEMENT OF DETERIORATED MATERIALS

Interventions such as repairs and replacements must conform to the *Standards & Guidelines for the Conservation of Historic Places in Canada*. The building's character-defining elements – characteristics of the building that contribute to its heritage value (and identified in the Statement of Significance) such as materials, form, configuration, etc. - must be conserved, referencing the following principles to guide interventions:

- An approach of minimal intervention must be adopted - where intervention is carried out it will be by the least intrusive and most gentle means possible.
- Repair rather than replace character-defining elements.
- Repair character-defining elements using recognized conservation methods.
- Replace 'in kind' extensively deteriorated or missing parts of character-defining elements.
- Make interventions physically and visually compatible with the historic place.

6.5 INSPECTIONS

Inspections are a key element in the maintenance plan, and should be carried out by a qualified person or firm, preferably with experience in the assessment of heritage buildings. These inspections should be conducted on a regular and timely schedule. The inspection should address all aspects of the building including exterior, interior and site conditions. It makes good sense to inspect a building in wet weather, as well as in dry, in order to see how water runs off - or through - a building. From this inspection, an inspection report should be compiled that will include notes, sketches and observations. It is helpful for the inspector to have copies of the building's elevation drawings on which to mark areas of concern such as cracks, staining and rot. These observations can then be included in the report. The report need not be overly complicated or formal, but must be thorough, clear and concise. Issues of concern, taken from the report should then be entered in a log book so that corrective action

can be documented and tracked. Major issues of concern should be extracted from the report by the property manager.

An appropriate schedule for regular, periodic inspections would be twice a year, preferably during spring and fall. The spring inspection should be more rigorous since in spring moisture-related deterioration is most visible, and because needed work, such as painting, can be completed during the good weather in summer. The fall inspection should focus on seasonal issues such as weathersealants, mechanical (heating) systems and drainage issues. Comprehensive inspections should occur at five-year periods, comparing records from previous inspections and the original work, particularly in monitoring structural movement and durability of utilities. Inspections should also occur after major storms.

6.6 INFORMATION FILE

The building should have its own information file where an inspection report can be filed. This file should also contain the log book that itemizes problems and corrective action. Additionally, this file should contain building plans, building permits, heritage reports, photographs and other relevant documentation so that a complete understanding of the building and its evolution is readily available, which will aid in determining appropriate interventions when needed.

The file should also contain a list outlining the finishes and materials used, and information detailing where they are available (store, supplier). The building owner should keep on hand a stock of spare materials for minor repairs.

6.6.1 LOG BOOK

The maintenance log book is an important maintenance tool that should be kept to record all maintenance activities, recurring problems and building observations and will assist in the overall maintenance planning of the building.

Routine maintenance work should be noted in the maintenance log to keep track of past and plan future activities. All items noted on the maintenance log should indicate the date, problem, type of repair, location and all other observations and information pertaining to each specific maintenance activity.

Each log should include the full list of recommended maintenance and inspection areas noted in this Maintenance Plan, to ensure a record of all activities is maintained. A full record of these activities will help in planning future repairs and provide valuable building information for all parties involved in the overall maintenance and operation of the building, and will provide essential information for long term programming and determining of future budgets. It will also serve as a reminded to amend the maintenance and inspection activities should new issues be discovered or previous recommendations prove inaccurate.

The log book will also indicate unexpectedly repeated repairs, which may help in solving more serious problems that may arise in the historic building. The log book is a living document that will require constant adding to, and should be kept in the information file along with other documentation noted in section **6.6 Information File**.

6.7 EXTERIOR MAINTENANCE

Water, in all its forms and sources (rain, snow, frost, rising ground water, leaking pipes, back-splash, etc.) is the single most damaging element to historic buildings.

The most common place for water to enter a building is through the roof. Keeping roofs repaired or renewed is the most cost-effective maintenance option. Evidence of a small interior leak should be viewed as a warning for a much larger and worrisome water damage problem elsewhere and should be fixed immediately.

6.7.1 INSPECTION CHECKLIST

The following checklist considers a wide range of potential problems specific to the Watson & McGregor Building, such as water/moisture penetration, material deterioration and structural deterioration. This does not include interior inspections.

EXTERIOR INSPECTION

Masonry

- Are moisture problems present? (Rising damp, rain penetration, condensation, water run-off from roof, sills, or ledges?)
- □ Is spalling from freezing present? Location?
- □ Is efflorescence present? Location?
- Is spalling from sub-florescence present? Location?
- Need for pointing repair? Condition of existing pointing and re-pointing?
- □ Is bedding mortar sound?
- Are there cracks due to shrinking and expansion?
- □ Are there cracks due to structural movement?
- Are there unexplained cracks?
- Do cracks require continued monitoring?
- □ Are there signs of steel or iron corrosion?
- Are there stains present? Rust, copper, organic, paints, oils / tars? Cause?
- Does the surface need cleaning?

Wood Elements

- Are there moisture problems present? (Rising damp, rain penetration, condensation moisture from plants, water run-off from roof, sills, or ledges?)
- □ Is wood in direct contact with the ground?
- □ Is there insect attack present? Where and probable source?
- □ Is there fungal attack present? Where and probable source?
- Are there any other forms of biological attack? (Moss, birds, etc.) Where and probable source?
- Is any wood surface damaged from UV radiation? (bleached surface, loose surface fibres)
- □ Is any wood warped, cupped or twisted?
- □ Is any wood split? Are there loose knots?

6.0 MAINTENANCE PLAN

- □ Are nails pulling loose or rusted?
- Is there any staining of wood elements? Source?

Condition of Exterior Painted Materials

- Paint shows: blistering, sagging or wrinkling, alligatoring, peeling. Cause?
- Paint has the following stains: rust, bleeding knots, mildew, etc. Cause?
- □ Paint cleanliness, especially at air vents?

Windows

- □ Is there glass cracked or missing?
- If the glazing is puttied has it gone brittle and cracked? Fallen out? Painted to shed water?
- □ Is there condensation or water damage to the paint?
- Are the sashes easy to operate? If hinged, do they swing freely?
- □ Is the frame free from distortion?
- □ Do sills show weathering or deterioration?
- □ Are drip mouldings/flashing above the windows properly shedding water?
- □ Is the caulking between the frame and the cladding in good condition?

Roof

- □ Are there water blockage points?
- □ Is there evidence of biological attack? (Fungus, moss, birds, insects)
- □ Are flashings well seated?
- □ Are metal joints and seams sound?
- □ Is there rubbish buildup on the roof?
- □ Are there blisters or slits in the membrane?
- Are the drain pipes plugged or standing proud?
- Is water ponding present?

6.7.2 MAINTENANCE PROGRAMME

INSPECTION CYCLE:

Daily

 Observations noted during cleaning (cracks; damp, dripping pipes; malfunctioning hardware; etc.) to be noted in log book or building file.

Semi-annually

- Semi-annual inspection and report with special focus on seasonal issues.
- Thorough cleaning of drainage system to cope with winter rains and summer storms
- Check condition of weather sealants (Fall).
- Clean the exterior using a soft bristle broom/ brush.

Annually (Spring)

- Inspect concrete for cracks, deterioration.
- Inspect metal elements, especially in areas that may trap water.
- Inspect windows for paint and glazing compound failure, corrosion and wood decay and proper operation.
- Complete annual inspection and report.
- Clean out of all perimeter drains and rainwater systems.
- Touch up worn paint on the building's exterior.
- Check for plant, insect or animal infestation.
- Routine cleaning, as required.

Five-Year Cycle

- A full inspection report should be undertaken every five years comparing records from previous inspections and the original work, particularly monitoring structural movement and durability of utilities.
- Repaint windows every five to fifteen years.

Ten-Year Cycle

 Check condition of roof every ten years after last replacement.

Twenty-Year Cycle

• Confirm condition of roof and estimate effective lifespan. Replace when required.

Major Maintenance Work (as required)

 Thorough repainting, downspout and drain replacement; replacement of deteriorated building materials; etc.

APPENDIX A: RESEARCH SUMMARY

HISTORIC NAME: Watson & McGregor (Hardware & Plumbing) Building ADDRESS: 645-651 Johnson Street ORIGINAL OWNER: Watson & McGregor ARCHITECT: A. Maxwell Muir BUILDER: Parfitt Brothers DATE OF CONSTRUCTION: 1909

ORIGINAL LEGAL DESCRIPTION

Lots 430 & 431, Block 2, approx. 46' wide by 86' deep.

BUILDING PERMIT

- #1128: May 13, 1909; Watson & McGregor; 1 building; brick; 2 stories; Stores; 4 rooms; \$8,000.
- #2954: September 1, 1911; Watson & McGregor; 1 building; brick; 1 storey; 3 rooms; \$2,500.

VICTORIA CITY HALL PLANS

 March 1909, A. Maxwell Muir, for Watson & McGregor; 6 sheets (show a different façade than now exists)

PLUMBING PERMIT

- #33: Previous Building Hotel for Hugh Doane
- #457: Thomas Nicholson NE 430
- #2150; August 15, 1905: Previous building for Miss M. Doane.
- #4206:
- #4235: March 10, 1909: Watson & McGregor; Stores & Offices
- #7444: July 2, 1914: Thomas Nicholson Pt. 430.

DIRECTORIES

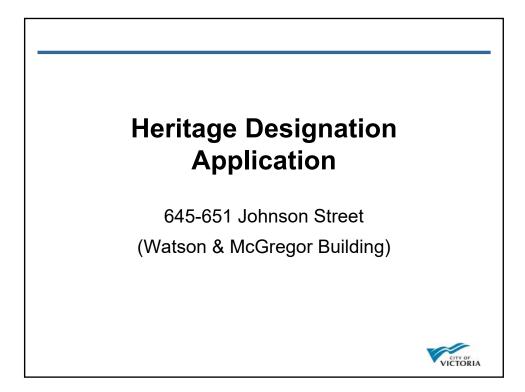
 1910 Henderson's BC Gazetteer & Directory, Page 1343: Watson (George) & McGregor (Wm) hardware & plumbing 624 Johnson

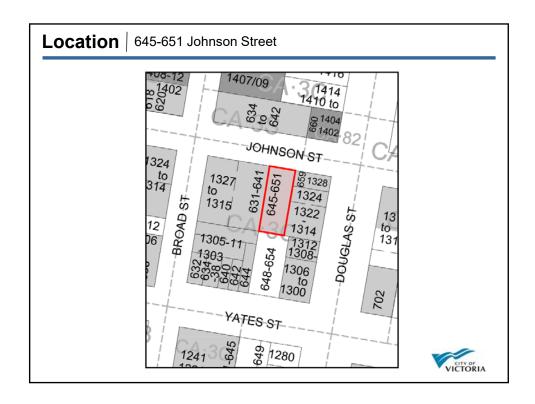
NEWSPAPER REFERENCES

• Victoria Daily Colonist, June 2, 1909, page 6: New Building for Watson & McGregor.

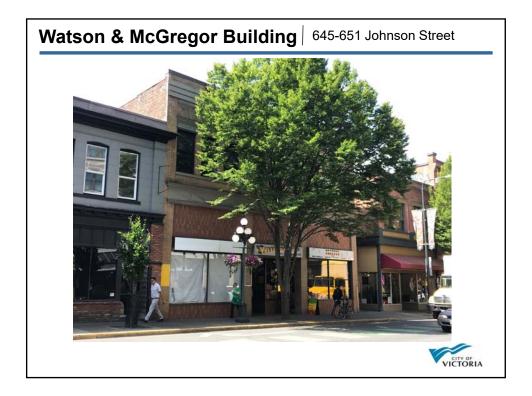
PUBLISHED REFERENCES

 Pamela Madoff, entry on A. Maxwell Muir; Building The West: The Early Architects of British Columbia. Vancouver. Talonbooks, 2nd Ed., 2007.



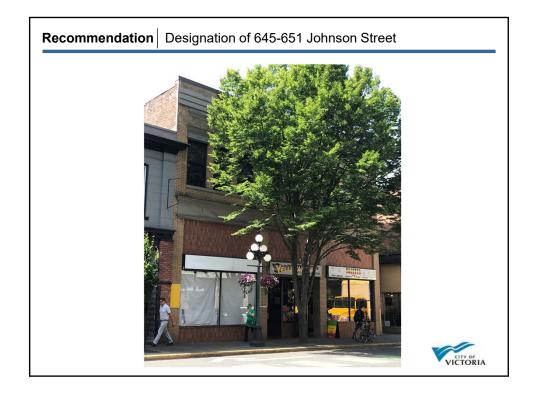












NO. 18-110

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to designate the exterior of the building (built 1909) located at 645-651 Johnson Street to be protected heritage property.

Under its statutory powers, including Section 611 of the *Local Government Act*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

- 1. This Bylaw may be cited as the "HERITAGE DESIGNATION (645-651 JOHNSON STREET) BYLAW".
- The exterior of the building (built 1909) located at 645-651 Johnson Street, legally described as PID 009-369-775, Parcel A (DD 74649I) of Lots 430 and 431, Victoria City, except Parcel No. 1 (DD 176785I) thereof, is designated to be protected heritage property.

READ A FIRST TIME the	13 th	day of	December	2018
READ A SECOND TIME the	13 th	day of	December	2018
Public Hearing Held on the		day of		2019
READ A THIRD TIME the		day of		2019
ADOPTED on the		day of		2019

CITY CLERK

MAYOR



Council Report For the Meeting of January 17, 2019

To:	Council Date: January 10, 2019				
From:	Andrea Hudson, Acting Director, Sustainable Planning and Community Development				
Subject:	Development Permit with Variances Application No. 00066 for 1501 and 1503 Haultain Street – Update Report				

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Development Permit with Variances Application for the property located at 1501 and 1503 Haultain Street. The proposal is to expand and renovate the exterior of the building and construct a third residential storey. The variances are related to parking and setbacks.

In accordance with Council's motion of July 26, 2018, included below, the necessary condition that would authorize the approval of the Development Permit with Variances Application for the subject property has been fulfilled. The motion from the July 26, 2018, Council Meeting states:

"That, subject to the preparation and execution of legal agreements to secure a transportation demand management program, to the satisfaction of the Director of Sustainable Planning and Community Development, which would include:

- purchase of one car share vehicle
- dedication of a car share parking space onsite
- provision of five car share memberships (one for each residential unit)
- provision of car share usage credits in the amount of \$100 towards each car share membership.
- · car share membership for each residential unit
- provision of each resident with a \$400 contribution towards the purchase of a bicycle.

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 with Variance Application No. 00066 for 1501 and 1503 Haultain Street, subject to registration of the required legal agreements, to the satisfaction of the City Solicitor, and in accordance with:

- 1. Plans date stamped July 10, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - *i.* Decrease the front yard setback from 6.00m to 0.22m to building and 0.00m to allow for a canopy projection.

- *ii.* Decrease the south side setback from 3.00m to 1.06m for the staircase projection only
- *iii.* Decrease the flanking street setback from 2.40m to 1.67m to building and 0.53m to allow for a canopy projection.
- iv. Decrease the required number of parking spaces from 14 to 3.
- 3. Provide a sketch of the proposed gate to be installed adjacent to the staircase on the north side of the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. The Development Permit lapsing two years from the date of this resolution."

CONCLUSIONS

With regard to the pre-conditions that Council set in relation to this application, staff can report that a Section 219 covenant to secure a car share program on-site has been filled for registration at Land Titles Office.

Respectfully submitted,

Leanne Taylor Senior Planner Development Services Division

And Hud.

Andrea Hudson, Acting Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager

Date:

List of Attachments:

- Attachment A: Committee of the Whole Minutes dated July 26, 2018
- Attachment B: Council minutes dated July 26, 2018

F. LAND USE MATTERS

F.1 Update Report: 1501 Haultain Street - Development Variance Permit Application No. 00066 (Fernwood)

Committee received a report dated July 12, 2018, from the Director of Sustainable Planning and Community Development regarding an update on an application to expand and renovate the exterior of the building and construct a third residential storey.

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That, subject to the preparation and execution of legal agreements to secure a transportation demand management program, to the satisfaction of the Director of Sustainable Planning and Community Development, which would include: • purchase of one car share vehicle

· dedication of a car share parking space onsite

• provision of five car share memberships (one for each residential unit)

 provision of car share usage credits in the amount of \$100 towards each car share membership.

· car share membership for each residential unit

• provision of each resident with a \$400 contribution towards the purchase of a bicycle.

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

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 - iii. Decrease the flanking street setback from 2.40m to 1.67m to building and 0.53m to allow for a canopy projection.
 - iv. Decrease the required number of parking spaces from 14 to 3.
- Provide a sketch of the proposed gate to be installed adjacent to the staircase on the north side of the building, to the satisfaction of the Director of Sustainable Planning and Community Development.

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

Committee discussed:

Committee of the Whole - July 26, 2018

• The applicant's response to concerns raised previously.

FOR (6): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, and Councillor Thornton-Joe

OPPOSED (2): Councillor Madoff, and Councillor Young

CARRIED (6 to 2)

Committee of the Whole - July 26, 2018

H. REPORTS OF COMMITTEES

H.1 Committee of the Whole

H.1.b Report from the July 26, 2018 COTW Meeting

H.1.b.c Update Report: 1501 Haultain Street - Development Variance Permit Application No. 00066 (Fernwood)

> Moved By Councillor Coleman Seconded By Councillor Lucas

That, subject to the preparation and execution of legal agreements to secure a transportation demand management program, to the satisfaction of the Director of Sustainable Planning and Community Development, which would include:

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- dedication of a car share parking space onsite
- provision of five car share memberships (one for each residential unit)
- provision of car share usage credits in the amount of \$100 towards each car share membership.
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That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

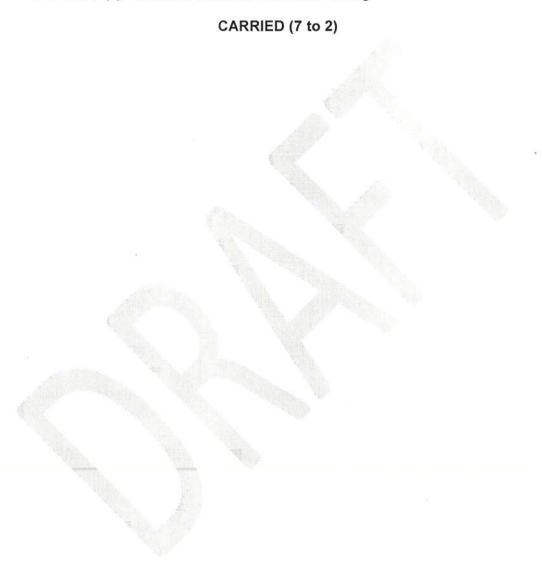
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- 3. Provide a sketch of the proposed gate to be installed adjacent to the staircase on the north side of the

building, to the satisfaction of the Director of Sustainable Planning and Community Development.

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

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (2): Councillor Isitt, and Councillor Young



H. <u>REPORTS OF COMMITTEES</u>

H.1 Committee of the Whole

H.1.b.c Update Report: 1501 Haultain Street - Development Variance Permit Application No. 00066 (Fernwood)

Moved By Councillor Coleman Seconded By Councillor Lucas

That, subject to the preparation and execution of legal agreements to secure a transportation demand management program, to the satisfaction of the Director of Sustainable Planning and Community Development, which would include:

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

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Council Meeting Minutes July 26, 2018 4. The Development Permit lapsing two years from the date of this resolution."

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (2): Councillor Isitt, and Councillor Young

CARRIED (7 to 2)

Council Meeting Minutes July 26, 2018

F. LAND USE MATTERS

F.1 Update Report: 1501 Haultain Street - Development Variance Permit Application No. 00066 (Fernwood)

Committee received a report dated July 12, 2018, from the Director of Sustainable Planning and Community Development regarding an update on an application to expand and renovate the exterior of the building and construct a third residential storey.

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That, subject to the preparation and execution of legal agreements to secure a transportation demand management program, to the satisfaction of the Director of Sustainable Planning and Community Development, which would include:

· purchase of one car share vehicle

dedication of a car share parking space onsite

• provision of five car share memberships (one for each residential unit)

• provision of car share usage credits in the amount of \$100 towards each car share membership.

· car share membership for each residential unit

 provision of each resident with a \$400 contribution towards the purchase of a bicycle.

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 with Variance Application No. 00066 for 1501 and 1503 Haultain Street, subject to registration of the required legal agreements, to the satisfaction of the City Solicitor, and in accordance with:

- 1. Plans date stamped July 10, 2018.
- Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Decrease the front yard setback from 6.00m to 0.22m to building and 0.00m to allow for a canopy projection.
 - ii. Decrease the south side setback from 3.00m to 1.06m for the staircase projection only.
 - Decrease the flanking street setback from 2.40m to 1.67m to building and 0.53m to allow for a canopy projection.
 - iv. Decrease the required number of parking spaces from 14 to 3.
- Provide a sketch of the proposed gate to be installed adjacent to the staircase on the north side of the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. The Development Permit lapsing two years from the date of this resolution."

Committee discussed:

4

• The applicant's response to concerns raised previously.

FOR (6): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, and Councillor Thornton-Joe

OPPOSED (2): Councillor Madoff, and Councillor Young

CARRIED (6 to 2)



Committee of the Whole Report

For the Meeting of July 26, 2018

То:	Committee of the Whole	Date:	July 12, 2018
From:	Jonathan Tinney, Director, Sustainable Planning	g and Comn	nunity Development
Subject:	Development Permit with Variances Applica Haultain Street	tion No. 000	066 for 1501 and 1503

RECOMMENDATION

That, subject to the preparation and execution of legal agreements to secure a transportation demand management program, to the satisfaction of the Director of Sustainable Planning and Community Development, which would include:

- purchase of one car share vehicle
- dedication of a car share parking space onsite
- provision of five car share memberships (one for each residential unit)
- provision of car share usage credits in the amount of \$100 towards each car share membership.
- car share membership for each residential unit
- provision of each resident with a \$400 contribution towards the purchase of a bicycle.

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 with Variance Application No. 00066 for 1501 and 1503 Haultain Street, subject to registration of the required legal agreements, to the satisfaction of the City Solicitor, and in accordance with:

- 1. Plans date stamped July 10, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Decrease the front yard setback from 6.00m to 0.22m to building and 0.00m to allow for a canopy projection.
 - ii. Decrease the south side setback from 3.00m to 1.06m for the staircase projection only.
 - iii. Decrease the flanking street setback from 2.40m to 1.67m to building and 0.53m to allow for a canopy projection.
 - iv. Decrease the required number of parking spaces from 14 to 3.
- 3. Provide a sketch of the proposed gate to be installed adjacent to the staircase on the north side of the building, to the satisfaction of the Director of Sustainable Planning and Community Development.

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Development Permit with Variance Application for the property located at 1501 and 1503 Haultain Street. The proposal is to expand and renovate the exterior of the building and construct a third residential storey. The variances are related to parking and setbacks.

Council considered the application at the Committee of the Whole meeting on June 28, 2018 and passed the following motion:

"That, subject to the preparation and execution of legal agreements to secure the car share memberships, to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

That Council authorize the issuance of Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street in accordance with:

- 1. Plans date stamped May 22, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - *i.* Decrease the front yard setback from 6.00m to 0.22m to building and 0.00m to allow for a canopy projection.
 - *ii.* Decrease the south side setback from 3.00m to 1.06m for the staircase projection only.
 - *iii.* Decrease the flanking street setback from 2.40m to 1.67m to building and 0.53m to allow for a canopy projection.
 - iv. Decrease the required number of parking spaces from 14 to 3.
- 3. The applicant provide one electric bicycle for use by the residents in the building.
- 4. Label all materials on the elevation plans and provide plans for the proposed gate to be installed adjacent to the staircase on the north side of the building to the satisfaction of the Director of Sustainable Planning and Community Development.
- 5. The Development Permit lapsing two years from the date of this resolution.
- 6. Request that the applicant provide a car share vehicle in a nearby on street parking space.
- 7. The applicant be requested to provide one electric bicycle per unit"

COMMENTS

At the Committee of the Whole meeting on June 28, 2018, Council requested that the applicant provide a car share vehicle in a nearby on-street parking space. Staff will work with the car share provider to determine where an additional on-street shared parking space is appropriate. The applicant is willing to provide a car share vehicle and register a parking space on-site for a car share vehicle should the one on the street need to be removed in the future. In the meantime, the on-site car share parking space can be used temporarily by visitors or commercial patrons until such time it is needed for a car share vehicle. It cannot, however, be dedicated to a residential unit. The applicant would also provide five car share memberships (one for each residential unit), and car share usage credits in the amount of \$100 per car share membership. The usage credits are an incentive to encourage and introduce new residents to car share.

Council also requested that the applicant provide one electric bicycle per unit. Both staff and the applicant have some concerns related to this request. Staff have concerns with the proposed electric bicycles being retained at the property for use by residents, as well as, concerns about whether pre-purchased electric bikes would represent the best option for all residents given the different heights and biking abilities of different people. Also, the storage of five electric bikes, plus personal bikes, would be a challenge on-site as there is limited space in the building or outside to construct an accessory building for the bikes. Alternatively, the applicant is proposing a monetary contribution of \$400 per dwelling unit toward the purchase of a bicycle. With this option, a tenant can purchase a bike that would be suitable for their biking needs and lifestyle. The applicant is willing to register a legal agreement to secure the above transportation demand management measures.

To improve the accessibility in the proposed bicycle storage facility, the applicant redesigned the space to provide eight horizontal and two vertical bicycle parking spaces (a total of ten Class One bicycle parking spaces). The previous plans proposed all vertical bike racks requiring cyclists to lift their bikes, which can be difficult for some users. The horizontal bike racks are universally accessible and they have been designed in accordance with the proposed bicycle dimensions contained within the draft Zoning Regulation Bylaw.

The applicant has labelled all the materials on the elevation plans as requested in Council's motion of June 28, 2018.

The proposed recommendation above reflects the revised transportation demand management program for Council's consideration. Staff recommend for Council's consideration that the Application proceed to an Opportunity for Public Comment.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00066 for the property located at 1501 and 1503 Haultain Street.

Respectfully submitted,

Leanne Taylor Senior Planner Development Services Division

Jonathan Tinney, Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager: DCUM (INM) Date: UM 19, 2018

List of Attachments

- Attachment A: Letter from applicant to Mayor and Council dated July 11, 2018
- Attachment B: Plans date stamped July 10, 2018
- Attachment C: Updated letter from MODO.

ATTACHMENT A

Li Sharp 4052 Ebony Place Victoria, BC V8N 3Y9

July 11, 2018

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

Dear Mayor and Council,

We have done extensive community consultation. We have received support from the next-door neighbors. Over 60 residents and businesses within a block or two of the redevelopment site have written and signed letters of support. The residents and businesses would like to see revitalization in Haultain Corners. The buildings at the corners are old and deteriorating. The rejuvenation of the building will not only add new life to the corners, but also add much needed housing for the neighborhood.

The development does not exceed the density and height requirements of the current zoning. We are not seeking rezoning, but a development permit application with variances. The development is consistent with the OCP's guidelines for land infill without urban sprawl.

We have made design changes to address the ADP's advice. We will do our best to address any advice the Council might have for the building design.

Community Consultation

I have been canvasing and knocking on doors in the neighborhood. I have listened to the residents' wishes and suggestions.

We will not locate the dental office in the commercial area, in order to address some residents' preference for other businesses, which will be more focused on the local residents. We are open to any business which will benefit the neighborhood. I know the residents who have supported a professional office, will equally support any business which benefits the community. We will work with the community to find a suitable tenant to serve the neighborhood.

Parking Variance and Transportation Demand Management Measures

The two parking spaces affected by the addition to the building will not be totally eliminated, as at least one parking space will be created on Belmont. The benefits of the additional three residential units and commercial space, for much needed housing, will outweigh the compromise in size of the present parking lot.

We have provided more transportation demand management measures to alleviate the parking demands for the neighborhood. In order to encourage the tenants of the residential units to use alternative transportation and reduce car ownership, we will provide the following:

- 1. A Modo carshare vehicle for the neighborhood residents.
- 2. A dedicated Modo carshare parking space onsite.
- 3. A lifetime Modo membership for each residential unit.
- 4. A \$100 credit for each residential unit for Modo Carshare.
- 5. Ten enclosed bike parking spaces (60% more than the spaces required).
- 6. Six class 2 bike parking spaces.
- 7. Six additional bike parking spaces in the city boulevard.
- 8. A total of 22 bike parking spaces.
- 9. \$400 contribution towards the purchase of a bike for each residential unit.

According to the survey of the Transportation and Sustainability Center at the University of California Berkeley, each carshare will remove nine cars to thirteen cars from the street, therefore, more on-street parking will be available. The Modo vehicle will not only serve the tenants of the building, but also all the other residents in the neighborhood.

Parking Demand v. Housing Demand

Haultain street is on the greenway and the proposed all ages and abilities bike route. A bus stop is in front of the building. Sidewalks are present throughout the neighborhood. The building is located within walking distance of Royal Jubilee Hospital, Downtown, and Hillside Mall.

Recently one of the two residential units in the building became available. I received over 70 enquiries about renting the unit. I was shocked and saddened by the number and desperation of the people who were seeking accommodation.

I am sure we can find tenants who would give up their cars to live there, because of the proximity to the core employment areas. When people cannot find or afford a place to live, car ownership will not be a choice but an unaffordable luxury, therefore, car ownership will not be a necessity. It would still be possible to use a car, even though you don't own a car. If the need for a car arose, the residents could access a nearby Modo car.

Supportability of the Parking Variance

These are not luxury condos. This is for regular working families, who would like to choose a green lifestyle and who would choose not to own a car or could not afford a car. The City's multimillion dollar infrastructure for bike lanes will be put into better use for those people who choose to live a green lifestyle. This is consistent with the direction the City has been moving.

I understand that changes could create some anxieties for some residents. However, if we keep the common goal in mind to enhance Haultain Corners, and the community as a whole, we should be able to overcome those anxieties to come out better together at the end.

Last September a parking variance for 12 parking spots was approved for a wine bar to be located at this site, even though there were no transportation demand management measures provided, such as a Modo car, Modo memberships, credits for bikes, and enclosed bicycle parking spaces. Council supported a large parking variance for a wine bar. Now we ask the Council to extend the same support for this development, which will provide three extra residential units and also more transportation demand management measures. The people, who are in urgent need of housing, and the neighborhood residents will appreciate Council's support for the redevelopment. This project will make good use of the City's investment in bike lane infrastructure.

Regards,

fur

Li Sharp



A0.0 STREETSCAPE







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Received City of Victoria JUL 1 0 2018

Planning & Development Department Development Services Division



PROJECT INFORMATION

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LEGAL ADDRESS: LOT 24 BLOCK 15 PLAN VIP835 SECTION 48 LAND DISTRICT 57

CIVIC ADDRESS: 1501 -1503 Haultain St. VICTORIA, B.C.

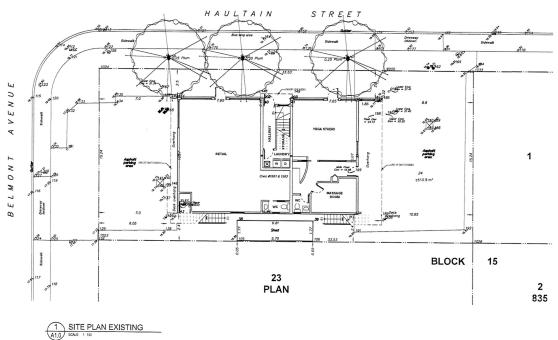
ZONING DATA

 ZONING:
 C - 1: Limited Commercial District

 SITE AREA:
 511 m²
 (5,500 sq.ft.)

 GROUND FLOOR AREA (EXISTING):
 15 m²
 (1,844 s.f.)

 SECOND FLOOR AREA (EXISTING):
 179 m²
 (1,928 s.f.)



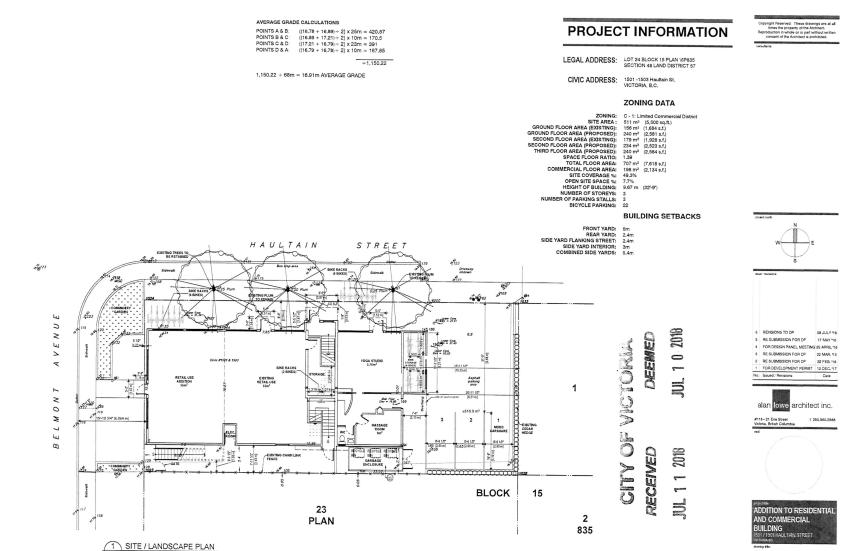






SITE PLAN EXISTING

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RESIDENTIAL USE DETAILS

TOTAL NUMBER OF UNITS: 5 UNIT TYPE: 28EDROOM AND 3 BEDROOM GROUND ORIENTED UNITS: NONE MINIMUM UNIT FLOOR AREA: 31 8^m (4,504 s.f.) TOTAL RESIDENTIAL FLOOR AREA: 41 8^m (4,504 s.f.)

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PROPOSED SITE / LANDSCAPE PLAN

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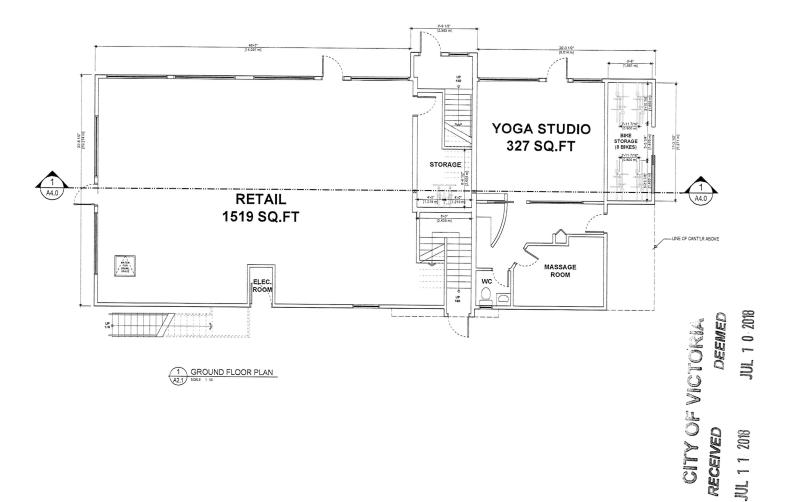
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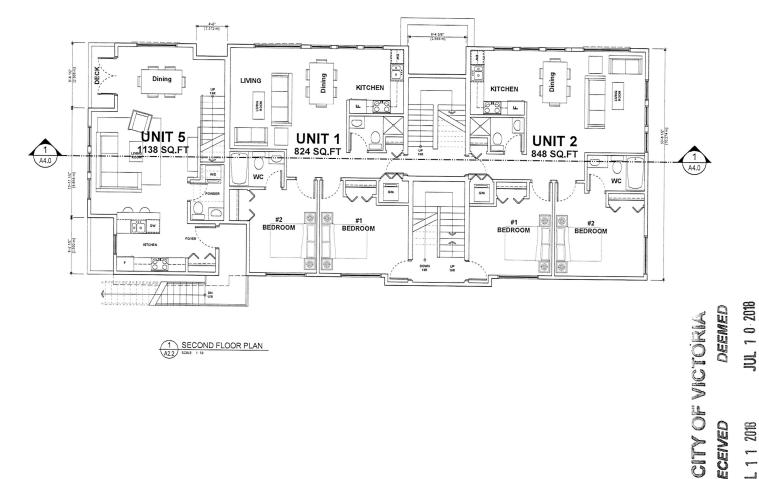
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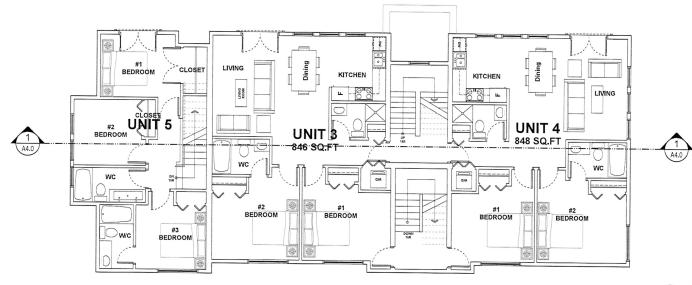
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1 THIRD FLOOR PLAN

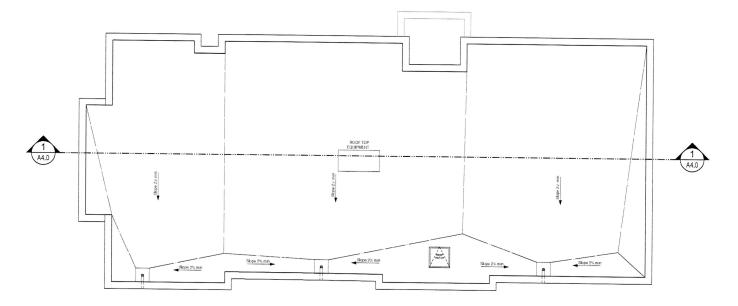
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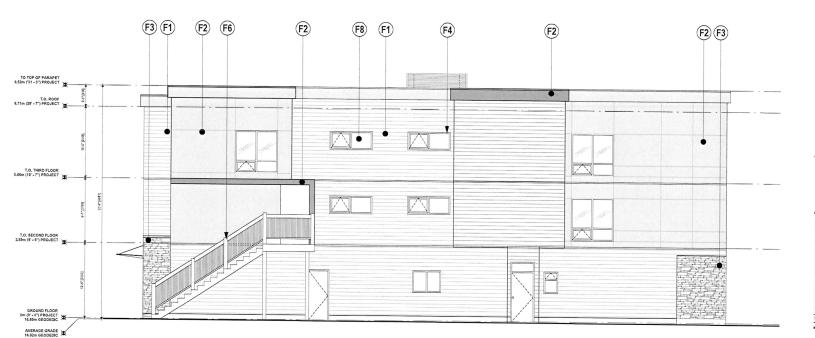






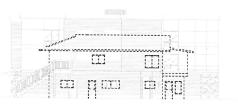
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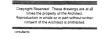
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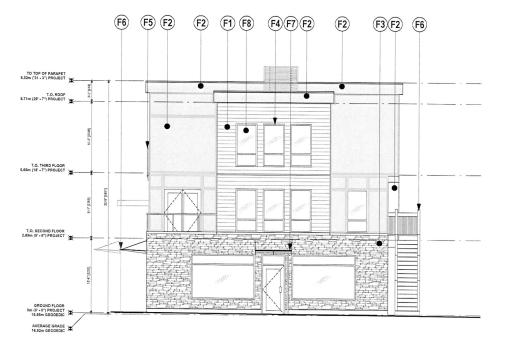




SOUTH ELEVATION







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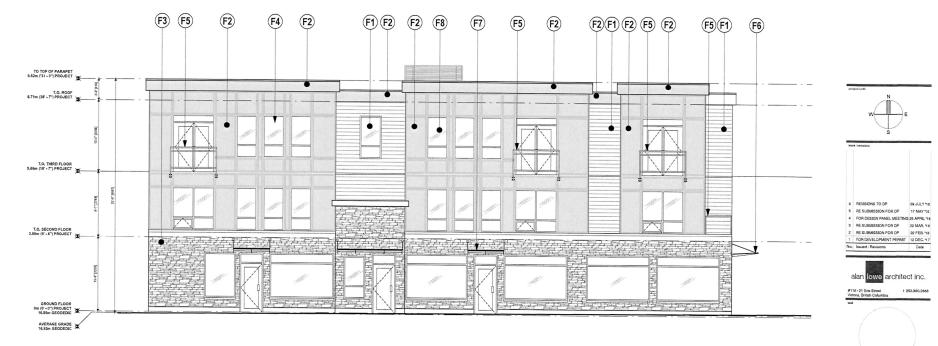
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Received City of Victoria JUL 1 0 2018 Planning & Development Department Development Services Division

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PERIODAL ADDITION TO RESIDENTIAL AND COMMERCIAL BUILIDING 1501/1503HAULIAN STREET VETWARAGE

NORTH ELEVATION

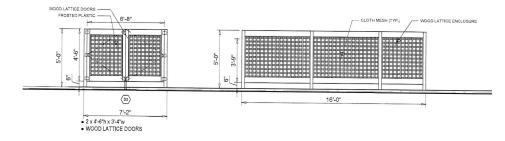
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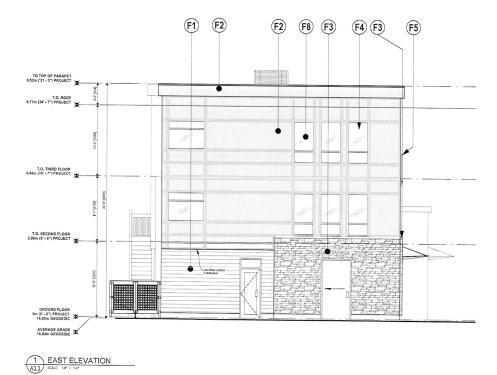
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CARBAGE ENCLOSURE DETAIL

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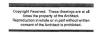
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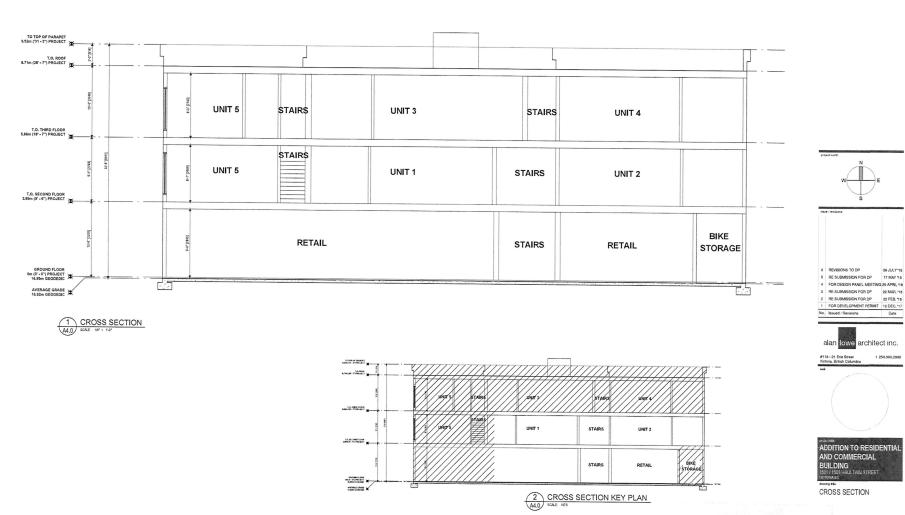
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Date



July 12, 2018

To whom it may concern:

This letter will confirm that Cinnabar Brown Holdings Ltd. and Modo Co-operative entered into two separate agreements on March 7, 2018 and July 12, 2018 for:

- the provision of five Modo Partnership Memberships for the benefits of residents of the building located at 1501 Haultain Street, Victoria B.C.;
- the provision of a carshare vehicle to be located on the street near 1501 Haultain Street, Victoria B.C.; and
- the provision of \$100 worth of driving credit for each resident of the building located at 1501 Haultain Street, Victoria B.C. who becomes a Modo member, which may applied to fees for some usage of Modo Vehicles.

Regards,

Sylvain Celaire Business Development Manager

Lucas De Amaral

From:	Bianca Bodley
Sent:	July 17, 2018 1:57 PM
То:	Victoria Mayor and Council; Italor@victoria.ca
Subject:	1501 Haltain Developemnt
Attachments:	Haultain non-bubbled DP set July 9th 2018.pdf
Categories:	Planning

Hello

I am a business owner at Haultain Corners and I am writing in support for this proposed development.

- 1. This provides infill for much needed housing for working families, without urban sprawl.
- 2. Haultian Corners is a walkable neighbourhood, which is on a bike route. The bus stop is in front of the building.
- 3. The buildings at Haultain Corners need updating. This revitalization is good for the neighbourhood.

Thank you for your time,

Bianca

--

Bianca Bodley | BIOPHILIA design collective ltd. 1501 Haultain St | Victoria BC V8R 2K1



Cities for Everyone supports more affordable housing and transportation, in order to provide security, freedom and opportunity for people with all incomes and abilities

www.citiesforeveryone.org

Victoria Mayor and City Council mayorandcouncil@victoria.ca Victoria City Hall 23 July 2018 **Re: 1501 Haultain**

Dear Victoria Mayor and Council,

I am writing to express Cities for Everyone's support for proposed mixed use development at 1501 Haultain Street in Fernwood, and the variances required to make it successful.

This is the type of infill the city needs to accommodate more people in multimodal neighborhoods where residents can minimize their automobile ownership and use, and therefore their cost burdens. It is located in Haultain Corners, a very walkable small urban village closed to Royal Jubilee Hospital, Hillside Mall, and Downtown. It is on the city's *all ages and abilities* bike route, and a bus stop is located in front of the building.

The developers will implement a number of actions to support non-auto travel including Modo Carshare membership, plus abundant bicycle parking, including ten that are enclosed. I do not think the request for the developer to provide an electric bicycle for each unit is necessary or useful. Not everybody want or will use an electric bicycle, and the costs of such amenities will ultimately borne by occupants; each dollar of additional costs will require more than a dollar in increased purchase or rent costs. This project's key value is its very accessible location. Cities for Everyone recommends that the City avoid any additional cost burdens.

Sincerely,

itman

Todd Litman Cities for Everyone







Council Motion (excerpt)

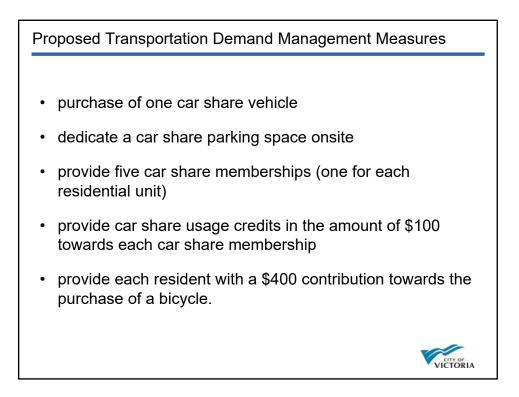
That Council authorize the issuance of Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street in accordance with:

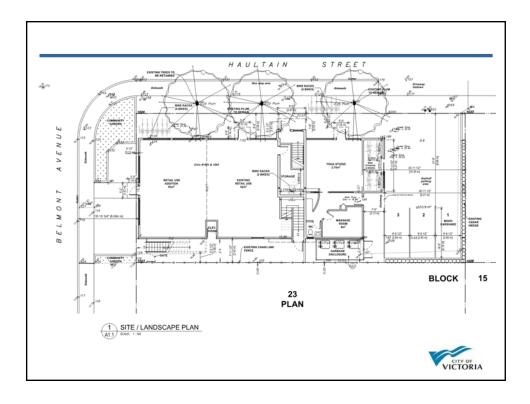
3. The applicant provide one electric bicycle for use by the residents in the building.

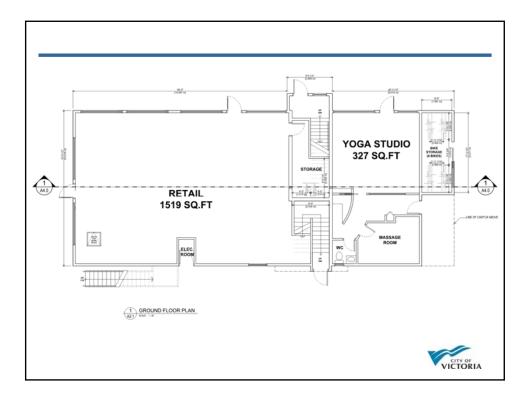
6. Request that the applicant provide a car share vehicle in a nearby on street parking space.

7. The applicant be requested to provide one electric bicycle per unit"











I. <u>REPORTS OF COMMITTEES</u>

I.1 Committee of the Whole

I.1.b Report from the June 28, 2018 COTW Meeting

I.1.b.i 1501-1503 Haultain Street - Development Permit with Variances Application No. 00066 (Oaklands)

Moved By Councillor Lucas Seconded By Councillor Coleman

That, subject to the preparation and execution of legal agreements to secure the car share memberships, to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street in accordance with:

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- 4. Label all materials on the elevation plans and provide plans for the proposed gate to be installed adjacent to the staircase on the north side of the building to the satisfaction of the Director of Sustainable Planning and Community Development.
- 5. The Development Permit lapsing two years from the date of this resolution.
- Request that the applicant provide a car share vehicle in a nearby on street parking space."

Motion to refer:

Moved By Councillor Isitt Seconded By Councillor Young

That the motion be referred back to staff to work with the applicant on concerns raised by nearby residents.

Amendment:

Moved By Councillor Madoff Seconded By Councillor Isitt

That the motion to refer be amended by adding the following: "and the Advisory Design Panel".

CARRIED UNANIMOUSLY

On the motion to refer as amended:

That the motion be referred back to staff to work with applicant to work on concerns raised by nearby residents and the Advisory Design Panel.

FOR (4): Councillor Isitt, Councillor Loveday, Councillor Madoff, and Councillor Young OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, and Councillor Thornton-Joe

DEFEATED (4 to 5)

On the main motion:

That, subject to the preparation and execution of legal agreements to secure the car share memberships, to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street in accordance with:

- 1. Plans date stamped May 22, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Decrease the front yard setback from 6.00m to 0.22m to building and 0.00m to allow for a canopy projection.
 - ii. Decrease the south side setback from 3.00m to 1.06m for the staircase projection only
 - iii. Decrease the flanking street setback from 2.40m to 1.67m to building and 0.53m to allow for a canopy projection.
 - iv. Decrease the required number of parking spaces from 14 to 3.
- 3. The applicant provide one electric bicycles for use by the residents in the building.
- 4. Label all materials on the elevation plans and provide plans for the proposed gate to be installed adjacent to the staircase on the north side of the building to the satisfaction of the Director of Sustainable Planning and Community Development.

- 5. The Development Permit lapsing two years from the date of this resolution.
- 6. Request that the applicant provide a car share vehicle in a nearby on street parking space."

Amendment:

Moved By Mayor Helps Seconded By Councillor Alto

That the motion be amended by adding a point seven, as follows:

7. That the applicant be requested to provide an electric bicycle per unit.

CARRIED UNANIMOUSLY

On the main motion as amended:

That, subject to the preparation and execution of legal agreements to secure the car share memberships, to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street in accordance with:

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 - iii. Decrease the flanking street setback from 2.40m to 1.67m to building and 0.53m to allow for a canopy projection.
 - iv. Decrease the required number of parking spaces from 14 to 3.
- The applicant provide one electric bicycles for use by the residents in the building.
- 4. Label all materials on the elevation plans and provide plans for the proposed gate to be installed adjacent to the staircase on the north side of the building to the satisfaction of the Director of Sustainable Planning and Community Development.
- 5. The Development Permit lapsing two years from the date of this resolution.
- 6. Request that the applicant provide a car share vehicle in a nearby on street parking space.
- 7. That the applicant be requested to provide an electric bicycle per unit."

FOR (5): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, and Councillor Thornton-Joe

OPPOSED (4): Councillor Isitt, Councillor Loveday, Councillor Madoff, and Councillor Young

CARRIED (5 to 4)

E. LAND USE MATTERS

E.4 <u>1501-1503 Haultain Street - Development Permit with Variances Application</u> No. 00066 (Fernwood)

Committee received a report dated June 14, 2018, from the Director of Sustainable Planning and Community Development regarding an application to expand and renovate the exterior of the building and construct a third residential storey.

Moved By Councillor Lucas Seconded By Mayor Helps

That, subject to the preparation and execution of legal agreements to secure the car share memberships, to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street in accordance with:

- 1. Plans date stamped May 22, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
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 - ii. Decrease the south side setback from 3.00m to 1.06m for the staircase projection only.
 - iii. Decrease the flanking street setback from 2.40m to 1.67m to building and 0.53m to allow for a canopy projection.
 - iv. Decrease the required number of parking spaces from 14 to 3.
 - 3. The applicant provide one electric bicycles for use by the residents in the building.
 - Label all materials on the elevation plans and provide plans for the proposed gate to be installed adjacent to the staircase on the north side of the building to the satisfaction of the Director of Sustainable Planning and Community Development.
 - 5. The Development Permit lapsing two years from the date of this resolution.

Moved By Mayor Helps Seconded By Councillor Alto

Amendment:

That the motion be amended to include the following:

Request that the applicant provide a car share vehicle in a nearby on street parking space.

Committee discussed:

The future of the area and parking concerns.

On the amendment:

CARRIED UNANIMOUSLY

Main motion as amended:

That, subject to the preparation and execution of legal agreements to secure the car share memberships, to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street in accordance with:

- 1. Plans date stamped May 22, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
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 - iv. Decrease the required number of parking spaces from 14 to 3.
- The applicant provide one electric bicycles for use by the residents in the building.
- Label all materials on the elevation plans and provide plans for the proposed gate to be installed adjacent to the staircase on the north side of the building to the satisfaction of the Director of Sustainable Planning and Community Development.
- 5. The Development Permit lapsing two years from the date of this resolution.
- Request that the applicant provide a car share vehicle in a nearby on street parking space.

FOR (6): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, and Councillor Thornton-Joe

OPPOSED (2): Councillor Madoff, and Councillor Young

On the main motion as amended:

CARRIED (6 to 2)



Committee of the Whole Report For the Meeting of June 28, 2018

To:Committee of the WholeDate:June 14, 2018

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

Subject: Development Permit with Variances Application No. 00066 for 1501 and 1503 Haultain Street

RECOMMENDATION

That, subject to the preparation and execution of legal agreements to secure the car share memberships, to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street in accordance with:

- 1. Plans date stamped May 22, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Decrease the front yard setback from 6.00m to 0.22m to building and 0.00m to allow for a canopy projection.
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 - iv. Decrease the required number of parking spaces from 14 to 3.
- 3. The applicant provide one electric bicycles for use by the residents in the building.
- 4. Label all materials on the elevation plans and provide plans for the proposed gate to be installed adjacent to the staircase on the north side of the building to the satisfaction of the Director of Sustainable Planning and Community Development.
- 5. 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 with Variance Application for the property located at 1501 and 1503

Haultain Street. The proposal is to expand and renovate the exterior of the building and construct a third residential storey. The variances are related to parking and setbacks. The following points were considered in assessing this Application:

- The proposal is consistent with the *Official Community Plan* with respect to enhancing Haultain Corners Village.
- The subject property is within Development Permit Area 16: General Form and Character. The Design Guidelines for Buildings, Signs and Awnings (1981), Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development (2012) and Guidelines for Fences, Gates and Shutters (2010) apply to this development proposal. The proposal is generally consistent with the design guidelines and would enhance the corner and character of the established small urban village. The proposed addition is sympathetic to the current building form.
- The subject property is located in the Fernwood neighbourhood; however, when the *Fernwood Neighbourhood Plan* was established, the subject property was still part of the Jubilee Neighbourhood therefore the policies in the *Jubilee Neighbourhood Plan (1996)* would apply. The Plan encourages commercial and mixed-use development that takes into consideration its relationship with pedestrians, cyclists and the neighbourhood. The proposal is consistent with this Plan.
- The applicant is proposing to retain and renovate the existing building and would add three new rental dwelling units in the village. The building would contain a total of five rental dwelling units.
- A parking variance is required to facilitate this development. The applicant is requesting to reduce the required number of parking spaces from 14 to three. The parking requirement would be the same under the new draft Schedule C. To offset the parking shortfall, the applicant is willing to:
 - o purchase five car share memberships for the dwelling units
 - o provide 10 secure and enclosed bicycle parking spaces
 - o purchase one electric bike.
- The subject property is located on a bikeway as well as on a frequent bus route. There is a bus stop in front of the building on Haultain Street. Given the above transportation demand management measures and proximity to alternative transportation options, the parking variance is supportable.
- The two proposed front yard setback variances are supportable as the addition would enhance the streetscape at this corner and replace existing surface parking. The side yard setback variance is to accommodate a staircase; the building would not encroach further into the setback and therefore this variance is also supportable.

BACKGROUND

Description of Proposal

The proposal is to expand and renovate the exterior of the building and construct a third residential storey. Specific details include:

- contemporary architectural features including a flat roofline and contemporary-style windows, awnings and materials
- exterior building materials include hardi-plank, stone, and clear non-tinted glass
- main residential entryway fronting Haultain Street and a secondary entrance on the south elevation for upper level dwelling units
- ground floor commercial space with entryways along both frontages
- new bicycle storage room on the east side of the building to accommodate ten Class 1 bicycle parking spaces

- garbage and recycling screened in the side yard behind the building
- three on-site surface parking spaces.

The proposed variances are related to:

- decreasing the front yard setback from 6.00m to 0.22m to building and 0.00m to allow for a canopy projection
- decreasing the south side setback from 3.00m to 1.06m
- decreasing the flanking street setback from 2.40m to 1.67m to building and 0.53m to allow for a canopy projection
- decreasing the required number of parking spaces from 14 to 3.

Sustainability Features

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

Active Transportation Impacts

The applicant proposes to provide a secure and enclosed bicycle storage facility to accommodate ten bikes, and proposes purchasing one electric bike for the residents.

Public Realm Improvements

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

Accessibility Impact Statement

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

Existing Site Development and Development Potential

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

Data Table

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

Zoning Criteria	Proposal	Current Zone C-1
Site area (m²) – minimum	511.00	n/a
Density (Floor Space Ratio) – maximum	1.39:1	1.40:1
Total floor area (m²) – maximum	707.00	715.40
Height (m) – maximum	9.98	12.00
Storeys – maximum	3.00	n/a

Zoning Criteria	Proposal	Current Zone C-1
Site coverage % – maximum	49.30	n/a
Parking – minimum		
Existing Schedule C	3 *	14
Proposed Schedule C	3 *	14
Bicycle parking stalls minimum		
Existing Schedule C		
Class 1	10	0
Class 2	0	0
Proposed Schedule C		
Class 1	10	0
Class 2	0	0
Setbacks (m) – minimum		
Front (Belmont Avenue)	0.22 (building)/0.00 (canopy) *	6.00
Rear (east)	8.21	6.00
Side (south)	1.06 *	3.00
Flanking Street (Haultain Street)	1.67 (building)/0.53 (canopy)*	2.40

Relevant History

In September 2017, Council approved a parking variance to permit a restaurant; however, following issuance of the Development Variance Permit the subject property changed ownership and this new proposal has been brought forward for Council's consideration.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on February 18, 2018 the Application was referred for a 30-day comment period to the Fernwood CALUC. A letter dated March 22, 2018 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.

Referral to the Advisory Design Panel

The Advisory Design Panel (ADP) reviewed the proposal at their meeting on April 25, 2018.

The minutes from the meeting are attached for reference and the following motion was carried (unanimous):

It was moved that the Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street be approved with the following recommendations:

- review the site plan including the south exit path and the east portion behind the bicycle parking from a CPTED perspective to eliminate safety concerns
- consider reducing the paved parking area to increase residents' private outdoor space
- that the City consider working with the residents' association to improve pedestrian circulation with regard to the community garden
- consider replacing the stucco on the upper floor with a higher quality material
- reconsider the overall building design, including the window and door placement and the termination of the brick façade
- refine the canopy design including extents and detailing.

The applicant has made some revisions to the proposal and staff are satisfied that the exterior changes address the recommendations made by the Panel. The additional refinements recommended by the ADP related to CPTED (adding a gate along the south side of the building next to the staircase), replacing materials with higher quality materials (hardi-plank and stone), revising window and door placements and the termination of material, and introducing a contemporary canopy design result in a greater level of consistency with the Design Guidelines.

ANALYSIS

Development Permit Area and Design Guidelines

The Official Community Plan (OCP, 2012) Urban Place Designation for the subject property is Small Urban Village (Haultain Corners Village), which supports low-rise, mixed-use buildings up to approximately three storeys. It also encourages the enhancement of Haultain Corners Village. The OCP identifies this property in Development Permit Area (DPA) 16: General Form and Character. The objectives of this DPA are to support development that provides a sensitive transition to adjacent and nearby areas with a built form of three storeys or lower, and to integrate new development in a manner that is complementary and responds to the place character through a high quality of architecture, landscape and urban design.

The proposed development site is surrounded by single family dwellings. The existing C-1 Zone does permit a height of 12m (approximately four storeys); however, the applicant is proposing a building height of 9.93m (three storeys), only one storey higher than the surrounding buildings abutting the subject property. For comparison, the majority of existing buildings in Haultain Corners Village are approximately two storeys. Given the policy direction in the OCP and maximum height permitted in the C-1 Zone, staff support a three-storey building at this location. In addition, the proposed building form and existing streetscape. Overall, the proposal is consistent with DPA 16 and the applicable design guidelines.

Local Area Plan

When the *Fernwood Neighbourhood Plan* was established, the subject property was still part of the Jubilee Neighbourhood; therefore, the policies contained in the *Jubilee Neighbourhood Plan* (1996) apply. The *Jubilee Neighbourhood Plan* encourages future commercial developments that take into consideration the relationship with pedestrians, cyclists and the neighbourhood, rather than exclusively providing regional services and focusing on the automobile. The Plan

also views mixed-use buildings (ground floor commercial with residential uses above) as a positive way to encourage housing, provide a broad range of businesses that are compatible with the neighbourhood, enliven buildings and add to the safety and security of businesses and residents.

Providing adequate parking for commercial uses without undue impact on residential streets is mentioned in the Plan, and the applicant is alleviating this impact by providing car share memberships for the residential units, which would reduce the onsite demand for parking, as well as providing substantial secure and enclosed bicycle parking onsite. Overall, the proposal is consistent with the objectives outlined in this Plan.

Regulatory Considerations

Parking Variance

The applicant is proposing to reduce the required number of parking spaces from 14 to three. The proposed variance is supportable given the location of the subject property and the walkability of the neighbourhood, as well as its close proximity to transit and bicycle infrastructure. The applicant is also proposing to provide Transportation Demand Management measures including five car share memberships, one electric bike and a bicycle storage facility to offset the parking shortfall.

Setback Variances

The applicant is proposing to reduce the front yard (Belmont Avenue) from 6.00m to 0.22m to building and zero setback to allow for a canopy projection. Currently, the setback of the existing building is similar to the setback of the single family dwelling to the south which provides for a continuous streetscape appeal. However, given the proposed façade upgrades to enhance the west elevation fronting Belmont Avenue and provide weather protection, the existing wide boulevard and the garden at the corner, the proposed setback variance is supportable.

The applicant is also proposing to reduce the flanking street setback (Haultain Street) from 2.40m to 1.67m to building and 0.53m to allow for a canopy projection. This would allow the main residential entryway to project slightly in front of the commercial entryways, in order to enhance the façade treatment, provide weather protection and accentuate the streetscape. This proposed setback variance is also supportable.

Lastly, the applicant is proposing to reduce the south side yard setback from 3.00m to 1.06m in order to allow for the construction of a staircase. The existing building setback will not change and will remain at 2.43m, and given the existing context, the proposed variance is supportable.

CONCLUSIONS

The proposal to expand and renovate the exterior of the building and construct a third residential storey and associated variances are supportable. The proposed exterior changes are sympathetic to the existing architecture in the village and the proposed addition would accentuate the corner. The additional three dwelling units being proposed would add to the rental housing stock in Haultain Corners Village. Staff recommend for Council's consideration that the Application proceed to an Opportunity for Public Comment.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00066 for the property located at 1501 and 1503 Haultain Street.

Respectfully submitted,

heye Leanne Taylo

Senior Planner Development Services Division

Report accepted and recommended by the City Manager:

Jonathan Tinney, Director

Sustainable Planning and Community Development Department

Date:

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped May 22, 2018
- Attachment D: Letter from applicant to Mayor and Council dated March 22, 2018
- Attachment E: Community Association Land Use Committee Comments dated March 22, 2018.
- Attachment F: Advisory Design Panel report dated April 16, 2018
- Attachment G: Draft Minutes from ADP meeting dated April 25, 2018
- Attachment H: Letter from MODO.

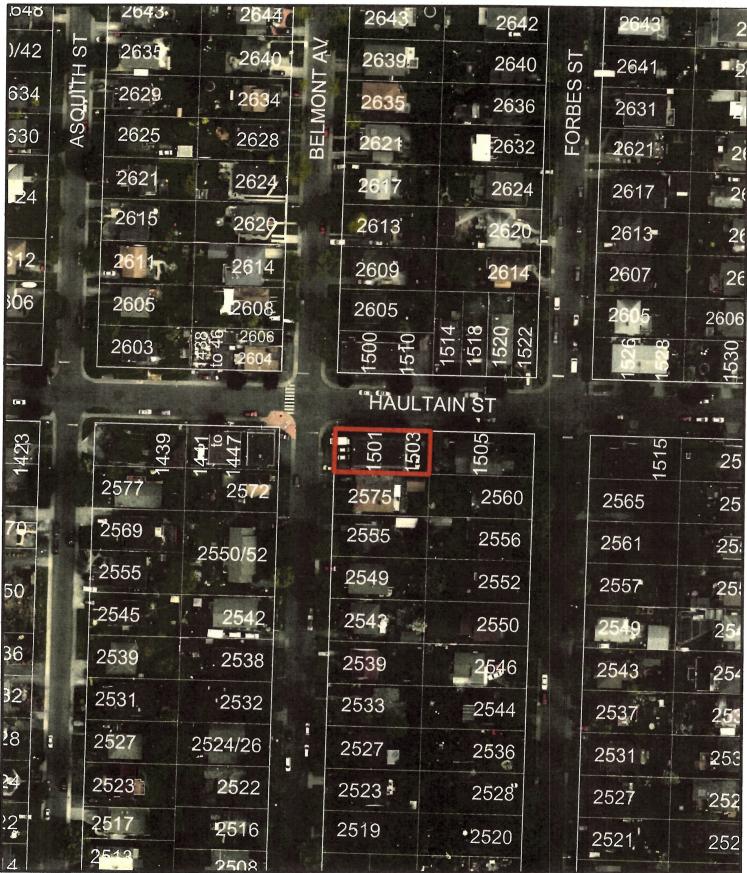
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1501 and 1503 Haultain Street Development Permit with Variance #00066



ATTACHMENT B





1501 and 1503 Haultain Street Development Permit with Variance #00066

















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Received City of Victoria MAY 2 2 2018

Planning & Development Department Development Services Division

PROJECT INFORMATION

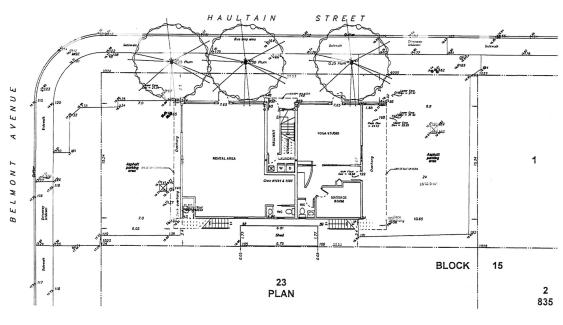
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LEGAL ADDRESS: LOT 24 BLOCK 15 PLAN VIP835 SECTION 48 LAND DISTRICT 57

CIVIC ADDRESS: 1501 -1503 Haultaun St. VICTORIA, B.C.

ZONING DATA

ZONING: C - 1. Limited Commercial Distinct SITE AREA: 511 m² (5.500 cp.fl.) GROUND FLOOR AREA (EXISTING): 158 m² (1.694 s.f.) SECOND FLOOR AREA (EXISTING): 179 m² (1.528 s.f.)



A1.0 SITE PLAN EXISTING



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PROJECT INFORMATION

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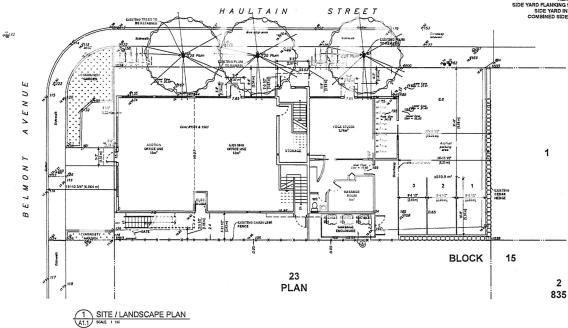
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ZÓNING: C - 1: Linkind Commercial District SITE AREA: S 111 m² (5 600 sq.1) GROUND FLOOR AREA (PROPOSED): 240 m² (5.601 sq.1) SECOND FLOOR AREA (PROPOSED): 240 m² (5.611 sq.1) SECOND FLOOR AREA (PROPOSED): 240 m² (5.611 sq.1) SECOND FLOOR AREA (PROPOSED): 240 m² (5.631 sq.1) SECOND FLOOR AREA (PROPOSED): 240 m² (5.631 sq.1) SPACE FLOOR AREA: 70 m² (7.618 sq.1) COMMERCIAL FLOOR AREA: 70 m² (7.618 sq.1) STE COVEMBER: 54, 543 sq.2) OPEN SITE SPACE 54, 77% HEIGHT OF BUILDING: 9.67 m (32*9) NUMBER OF PARINIG STALLS: 3 BUCYCLE PARKING: 22 BUCYCLE PARKING: 22

BUILDING SETBACKS

FRONT YARD: 6m REAR YARD: 2.4m SIDE YARD FLANKING STREET: 2.4m SIDE YARD INTERIOR: 3m COMBINED SIDE YARDS: 5.4m



AVERAGE GRADE CALCULATIONS

1,150.22 + 68m = 16.91m AVERAGE GRADE

=1,150,22

CITY OF VICTORIA RECEIVED DEEMED JUN 0 8 2018 MAY 2 2 2018

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RESIDENTIAL USE DETAILS TOTAL NUMBER OF UNITS: 5 GROUND ORIENTED UNIT TYPE: 2 SEDOOM AND 3 BEDROOM MINIMUM UNITFLOOR AREA: 71 m² (824 s.1) TOTAL RESIDENTIAL FLOOR AREA: 418 m² (4,544 s.1)



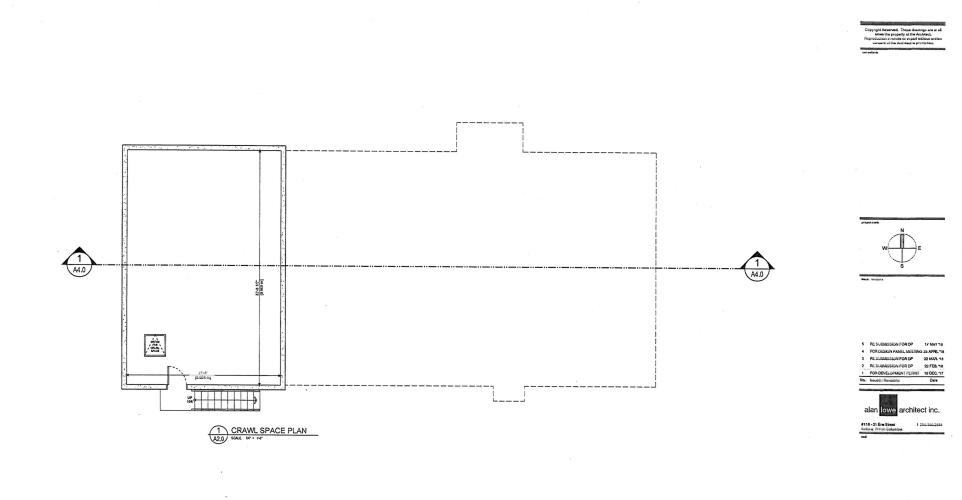
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PROPOSED SITE / LANDSCAPE PLAN

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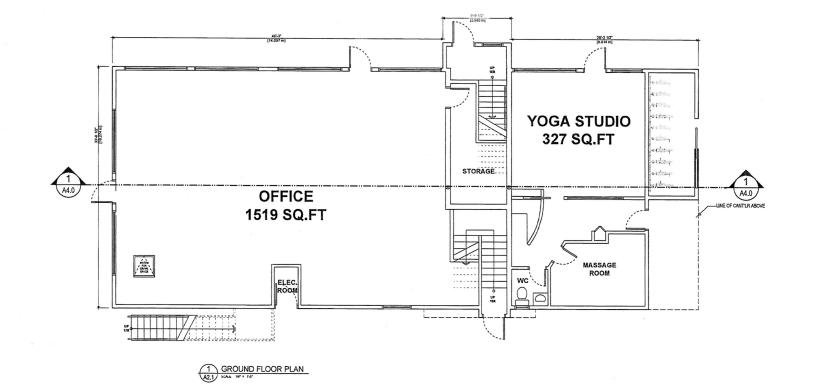
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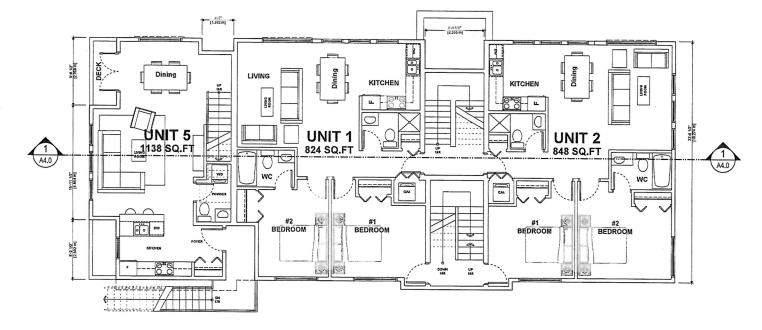
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1 SECOND FLOOR PLAN





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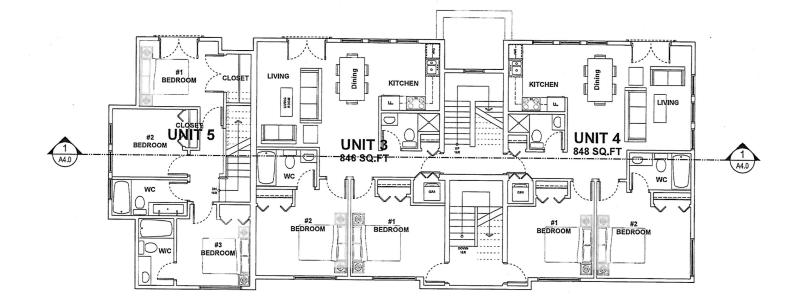
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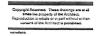


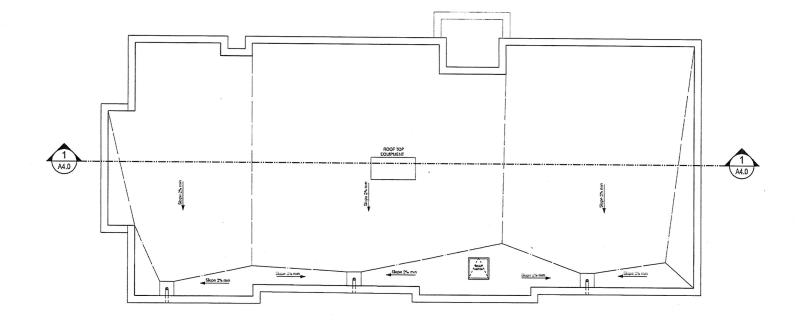
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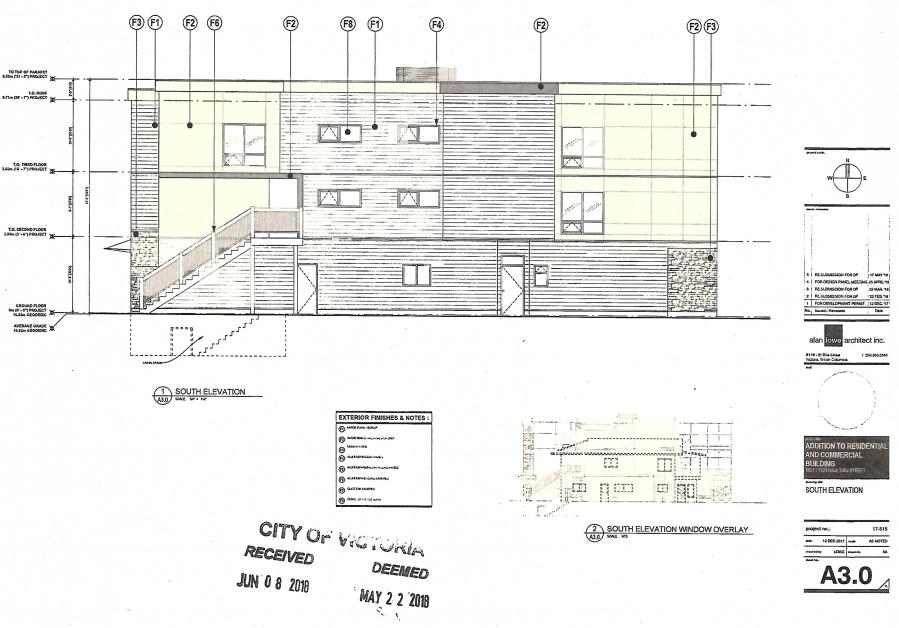


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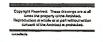


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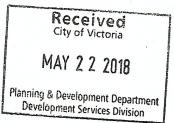
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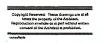


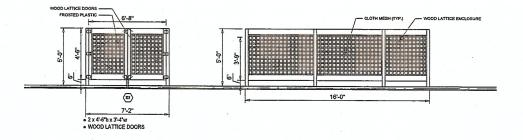
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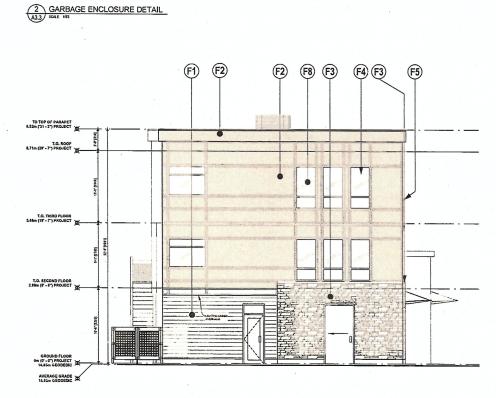
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Received City of Victoria MAY 2 2 2018 Planning & Development Department Development Services Division

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ATTACHMENT D

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MAR 2 2 2018

Planning & Development Department Development Services Division Cinnabar Brown Holdings Ltd. 4052 Ebony Place Victoria, BC V8N 3Y9

March 21, 2018

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

Dear Mayor and & Council,

We are pleased to present an application for a Development Permit for the building at 1501-1503 Haultain Street. This application proposes to renovate and make an addition to the existing building.

Existing building

The building is located at Haultain Corners and is comprised of two commercial units on the first floor and two residential apartments on the second floor. One commercial unit is used as a yoga studio and a massage room. The other commercial unit is vacant at the moment. There is a parking lot on each side of the building.

Project overview

This project will make an addition to the west side of the building, on the parking lot facing Belmont Street, and add a third floor to the existing building. The finished building will be comprised of two commercial units and five residential units. A tree will be planted to replace part of the parking lot at the Corner of Belmont and Haultain Street. A parking space will be created by removing the driveway for the parking lot facing Belmont. 10 Class 1 bike parking spaces will be built on site. Also, more Class 2 bike parking spaces will be added to the City bike racks at the front of the building.

Conformity to Official Community Plan

We believe that our proposal complements and supports Victoria's Official Community Plan (OCP) and its vision. A new, low-rise mixed-use building in this location will support the goal of 40% of new population growth by 2041 that will take place within town centres and urban villages throughout the City. As our site is located near Royal Jubilee Hospital, Hillside Mall, Camosun College, and Downtown, it is ideally located to support the objective of promoting the City's sustainability goals:

- Our proposed development supports a mix of housing types in the area, which is an essential element for a vibrant, mixed-use village centre.
- Daily destinations are close by, such as three grocery stores, a coffee shop, a barber, a spa, a yoga studio, a massage office, and an art studio. Oaklands and Fernwood Community Centres are a short walk away. Numerous Parks are within walking distance.
- The site is located directly adjacent to sustainable transportation options for residents, including a
 well-developed sidewalk network. The #22 bus stop is right in front of the building. Major transit
 corridors on Shelbourne and Bay Streets, are within walking distance, and have direct links to
 major regional destinations. The residents and business patrons can take advantage of the Haultain
 Street greenway and Victoria's growing bicycle network. There are two Class 2 bicycle parking
 spots in front of the building and a number of U-Bicycles for use.
- Each residential apartment will be provided with a Modo membership. A Modo car is located at the corner of Haultain and Shelbourne Streets, within 500 m of the proposed site. Another Modo car is located in Fernwood Centre, within a short walking distance. According to the Modo Survey, Modo membership will reduce the car-ownership about 50%.

- Electric bikes will be provided for the residential apartments.
- If possible, a trip end facility will be provided for the staff working at the commercial area to encourage alternative transportation.
- Our proposed development will help alleviate the current rental shortage and improve affordability for the rental housing market, without contributing to urban sprawl.
- The unsightly parking lot facing Belmont and Haultain Streets will be replaced by a tree and the new modern-looking building.

We believe our project will revitalize Haultain Corners and give Haultain Corners a much needed facelift.

Building Design

The starting point for the redevelopment is the retention and refurbishment of the building. The existing building is generally in good repair. The new construction to the west of the building will reinforce the existing building. By removing the roof in the front of the existing building, the existing building will be tied in with the new construction to give the building a modern look.

Community Consultation

At the outset of the project, we consulted with the Planning and Development Services Departments at the City of Victoria, and we also canvased our neighbors, to determine if the development would be considered supportable, which it was. We have been consulting with the Fernwood Neighborhood Association for input.

Variances

The proposed uses, density, and height are consistent with the existing Zoning, however, the proposal requires parking variances and setback to .22m on Belmont Street.

These are generally consistent with existing corner-site buildings in old urban village areas that are reflective of the change in building typology and use, as the small urban village developed and matured. The setbacks on Belmont is reflective of the smaller, narrow-lot buildings that make up much of the fabric of the historic core of the small urban villages, but it is not indicative of urban sprawl. We believe that this development is a significant milestone in the refurbishment and development of an historic part of the City and is in keeping with the examples and precedents that already exist in the area. We have taken steps to mitigate the effect of the upper floors on view lines and streetscape shadowing and these levels have been designed to read as integral components of one whole building and not as 'add on' elements to an existing building. As such, we believe the requested increases in setbacks are supportable and do not detract from the goals and aims of the City with respect to a small urban village.

We mitigate the parking issue by parking management and transportation demand management. The parking demand and supply are consistent with that of the small urban village. On September 21, 2017, the council approved Development Variance Permit No. 00191 of 12 spaces for a wine bar at the same site in the building. This set a precedent for the parking requirements for the proposed development. The approved parking variance for the wine bar was the similar magnitude as the parking variance we are requesting. As such, we believe the requested parking variance is supportable and is in line with the parking expectations from the City for a small urban village.

We thank you for your consideration for this redevelopment proposal and look forward to being able to present it.

Regards,

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Li Sharp

Chy of Victoria

MAR 2 2 2018

Planning & Development Department Development Services Division Cinnabar Brown Holdings Ltd. 4052 Ebony Place Victoria, BC V8N 3Y9

February 27. 2018

The City of Victoria Planning & Development Department Community Planning Division

PARKING REVIEW for 1501-1503 HAULTAIN STREET

This review is for the development permit application of 1501-1503 Haultain Street. In this review, we will analyze the current parking situation and address any parking concerns that might arise due to the new addition. We approach the parking issues from two aspects: 1) parking management and 2) transportation demand management.

- 1. Overview
 - a. Existing Building

It is a mixed-use two story building. On the first floor, there are two commercial units. One is a yoga studio and the other is vacant. On the second floor, there are two residential units.

- b. Location
 - i. Small Urban Village

The building is at 1501-1503 Haultain Street. It is within an area identified in the Official Community Plan (OCP) as a "Small Urban Village" (Haultain Corners). This building is approximately 2 km from downtown Victoria and can be walked in approximately 15 to 20 minutes.

ii. Public transit

Public transit is available via #22 Vic General/Hillside Mall route which stops right in front of the proposed site, and via a number of routes on Shelbourne Street (#27 and #28), within 500 m to the east of the building. Public transit is also available via the #10 Royal Jubilee/Songhees route on Bay Street, within a 4 minute walk.

iii. Modo car

There are two Modo cars within walking distance of the proposed site. One is on the corner of Shelbourne and Haultain, within 500m of the proposed site. The other Modo car is near Fernwood center.

iv. U-Bicycles

There are two bike racks and a number of U-bicycles (bike share) in front of the proposed site.

v. Grocery stores

There are three grocery stores directly across the street of the proposed site.

vi. Coffee shop

There is a Coffee shop across the street.

vii. Barber shop

A Barber shop is directly across the street from the proposed site.

c. Existing Parking supply

There are two parking lots with 5 legal parking spaces for the building. One parking lot on Haultain Street includes 3 parking spaces. The other parking lot on the corner of Belmont and Haultain Street includes two parking spaces.

d. On-street parking conditions

On-street parking conditions were observed on Haultain Street and Belmont Street during various times. Only those spaces that could potentially accommodate site residents, employees or customers were considered (no residential parking only spaces).

i. Wednesday



ii. Thursday,

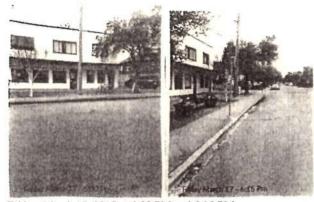


Thursday, March 2, 2017 at 5:30 PM;



Thursday, December 7, 2017 at 4:24 PM

iii. Friday



Friday, March 17, 2017 at 6:00 PM and 6:15 PM



Saturday, March 11, 2017 at 8:00 PM





Sunday, December 10, 2017 at 4:11 PM

Total 8 periods were observed. The results found that the highest on-street parking utilization was an occupancy rate of 41% (excluding resident only spaces) during these periods, where 5 of 12 available spaces were occupied.

- e. Current parking requirement Non-conforming.
- 2. Overview of proposed development
 - a. New addition

On the first floor, the proposed development is to extend the building to Belmont and make an addition on the parking lot at the corner of Belmont and Haultain Street. On the second floor and the third floor above the new addition, one new residential apartment will be added. On the third floor above the existing building, two new residential apartments will be added.

- b. Land use of the commercial area
 - i. Orthodontic office

The new addition is an extension of the existing vacant commercial space. This commercial space will be used as orthodontic office. There is no orthodontic office in either the Fernwood or Oaklands areas. It will provide a convenient service for the young growing community.

ii. Yoga studio and massage office

The other commercial space is used for a yoga studio and shared with a massage office. About 40% of working hours were used for the yoga studio. When the massage office is used, the requirement for the parking is only one space instead of three for the yoga studio. c. Parking supplies of proposed development

There are three parking spaces on the east side of the building. The removal of the parking lot on the west side of building will create extra parking space on Belmont.

d.	Parking requirement for the proposed development	
	Land Use	Required parking
	Total change for addition and change from general to dental	2
	3 new residential apartments	3.9
	Existing required Parking	6
	Total parking requirement	12

3. Mitigation of parking issue

d

a. Parking management

- i. The orthodontic office does not open in the evenings and weekends. The parking requirements of the office are opposite to the residential apartments above. In terms of parking, it is a perfect mix of residential and commercial use.
- ii. The residential units above will be rental apartments. According to recent research for the update to the City's off-street Parking Regulations ("Schedule C"), the market rental apartment sites average 0.49 owned vehicles per unit.
- Orthodontic patients are mostly teenagers. The patients tend to walk and bike to the office. The office is within walking distance of the Fernwood and Oaklands neighborhoods.

There are three grocery stores across the street, which will reduce the need for car ownership.

b. Demand Management

i. <u>Bicycle</u>

There are two Class 2 bicycle racks in front of the proposed site, also a number of the U-Bicycles (bike share) in front of the building. 10 Class 1 bicycle parking spaces will be built on the proposed site. More Class 2 bike parking spaces will be added to the existing parking spaces at the front of building.

ii. Electric bicycles

Electric bicycles will be provided for the residents above.

iii. Trip End facility

A trip end facility will be built if possible to encourage the staff using alternative transportation for the commercial area.

iv. Modo Car Sharing membership

Each residential apartment will be provided a Modo membership for car sharing. There is one Modo car in the corner of Haultain and Shelbourne Street, which is within 500 m of the proposed site. There is another Modo car in Fernwood center, which is within walking distance of the proposed site. Please see the attached traffic report from Modo. According to the Modo survey, Modo membership will reduce the car ownership about 50%.

v. Existing transit stop

The # 22 bus is conveniently located in front of the proposed site. The #10 bus stop on Bay street is within a 4 minute walk to the proposed site. There are other transit bus stops on Shelbourne Street (# 27 and #28) within 500m to the proposed site. Public transit is available for traveling to most locations of the city. vi. Tenants of residential apartments

Employees who work near the area, such as Royal Jubilee Hospital, Downtown, Hillside Mall. and Camosun College will be interested in renting the residential apartments above. The tenants can walk, bus, or bike to work, which will alleviate the parking demand.

- vii. <u>Hiring for the orthodontic office within the area</u> Qualified employees who live near the area will be encouraged to work there.
- 4. Precedents of approved parking variance
 - a. The 2009 Fernwood Road project recently received a parking variance and is slightly larger in a more densely populated area. The two urban villages are similar in size and location.
 - b. On September 21, 2017, the council approved Development Variance Permit No. 00191 for 12 parking spaces for a wine bar at the same site in the building. The parking variance the wine bar received is the similar number of parking spaces as the proposed development required.
- 5. Summary

Parking demand associated with the 1501 Haultain Street site can be accommodated with minimal impact on surrounding street parking. Due to the nature of the mixed use residential / commercial development, there is more residential parking in the evenings and weekends and more commercial parking during the day. Also, because of the young age of patrons of the orthodontic office and health conscious patrons of yoga studio, alternative transportation is more likely to be used. Because plenty of alternative transportation is available nearby, and three grocery stores are across the street, the parking spaces will be sufficient for the proposed site.

Regards,

m

Li Sharp



FERNWOOD COMMUNITY ASSOCIATION

March 22, 2018 ·

Mayor and Council, City of Victoria

Re: 1501 - 1503 Haultain Street - DPV No. 00066

The Fernwood Land Use Committee, in partnership with the Oaklands Land Use Committee, held a land use meeting on Tuesday, January 30, 2018 at 7:30 PM at the Oaklands Community Centre.

At the January 30th meeting the owner of 1501-1503 Haultain discussed the changes being proposed to this building.

Of the four Zoning Regulation Bylaw variances discussed, the one decreasing the required number of vehicle parking stalls from 14 to 3 took up the bulk of the questions asked. Concern was expressed about the negative impact on neighbouring properties, both residential and commercial, that a parking variance of this magnitude would have. Residents reported that historically parking by Jubilee Hospital staff has been problematic, resulting in 'residential parking only' recently being instituted on the portion of Haultain Street immediately east of the site.

Section 6.20, on Page 45, of Victoria's current Official Community Plan says: 'Prepare local area plans for...Haultain Corners Village...to support the development of complete Urban Villages...' Another consideration is the pending start on development of a new Fernwood Neighbourhood Plan. The small commercial area where this property is located is of keen interest to both Fernwood and Oaklands and currently has a unique character, form and function. To approve a significant change at one corner without considering the other three corners and the neighbourhood's vision for the area seems premature at this point.



FERNWOOD COMMUNITY ASSOCIATION

At this time, and for the reasons discussed above, the Fernwood Land Use Committee does not support a parking variance of this magnitude.

The Oaklands Community Association Land Use Committee acknowledges the street parking concerns that residents have with the proposed variance. The commercial area at Haultain corners has had unrealized potential for a long time. The neighbourhoods need a more planned approach to developing Haultain Corners, as opposed to the reactive planning approach currently underway, if we are to have a small urban village that benefits the neighbourhood. We are on the cusp of new neighbourhood plans for both Fernwood and Oaklands, and any significant changes to the commercial properties on this corner might look ahead to anticipated changes signalled in those plans.

Sincerely

Sincerely

David Maxwell, Chair Land Use Committee Fernwood Community Association

Ben Clark, Chair Land Use Committee Oaklands Community Association



Advisory Design Panel Report For the Meeting of April 25, 2018

To:	Advisory Design Panel	Date:	April 16, 2018
From:	Leanne Taylor, Senior Planner		
Subject:	Development Permit with Variance Application Haultain Street	No. 000	066 for 1501 and 1503
			10

RECOMMENDATION

Recommend to Council that Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street be approved with changes recommended by the Advisory Design Panel.

EXECUTIVE SUMMARY

The Advisory Design Panel (ADP) is requested to review a Development Permit with Variance Application for 1501 and 1503 Haultain Street and provide advice to Council.

The proposal is to expand and renovate the exterior of the building and construct a third residential storey. The following policy documents were considered in assessing this Application:

- The Official Community Plan (OCP, 2012)
- Multi-Unit Residential, Commercial and Industrial Design Guidelines (2012)
- Guidelines for Fences, Gates and Shutters (2010)
- Advisory Design Guidelines for Buildings, Signs and Awnings (2006).

BACKGROUND

Project Details

Applicant:	Ms. Li Sharp
Architect:	Mr. Alan Lowe, MAIBC
	Alan Lowe Architect Inc.

Development Permit Area:	Development Permit Area 16, General Form and Character
Heritage Status:	n/a

April 16, 2018

Page 1 of 5

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

Zoning Criteria	Proposal	Current Zone C-1
Site area (m²) – minimum	511.00	n/a
Density (Floor Space Ratio) – maximum	1.37:1	1.40:1
Total floor area (m²) – maximum	697.70	715.40
Height (m) – maximum	9.98	12.00
Storeys – maximum	3.00	n/a
Site coverage % – maximum	49.30	n/a
Parking – minimum Existing Schedule C Proposed Schedule C	3 * 3 *	14 14
Bicycle parking stalls – minimum Existing Schedule C		
Class 1 Class 2	10 0	0
Proposed Schedule C Class 1 Class 2	10 0	0
Setbacks (m) – minimum	0.00 t	0.00
Front (Belmont Avenue) Rear (east) Side (south)	0.22 * 8.21 1.06 *	6.00 6.00 3.00
Flanking Street (Haultain Street)	1.67 *	2.40

Description of Proposal

The proposal is to expand and renovate the exterior of the building and construct a third residential storey. The development has a proposed floor space ratio (FSR) of 1.37:1. The proposed site plan, architecture and landscape design include the following details:

- contemporary architectural features including a flat roofline and contemporary-style windows and materials
- exterior building materials include acrylic stucco, modern brick, aluminum window frames, aluminum railings with glass panels, aluminum roof for canopies, cedar wood accents and wood soffits

- main residential entryway fronting Haultain Street and a secondary entrance on the south elevation for upper level dwelling units
- ground floor commercial space with entryways along both frontages
- new bicycle storage room on the east side of the building to accommodate ten Class 1 bicycle parking spaces
- three on-site surface parking spaces.

Sustainability Features

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

Consistency with Design Guidelines

The Official Community Plan (OCP, 2012) Urban Place Designation for the subject property is Small Urban Village (Haultain Corners Village), which supports low-rise, mixed-use buildings up to approximately three storeys. It also encourages the enhancement of Haultain Corners Village. The OCP identifies this property in Development Permit Area (DPA) 16: General Form and Character. The objectives of this DPA are to support development that provides a sensitive transition to adjacent and nearby areas with a current built form of three storeys or lower, and to integrate new development in a manner that is complementary and responds to the place character through a high quality of architecture, landscape and urban design.

The proposed development site is surrounded by single family dwellings. The existing C-1 Zone does permit a height of 12m (approximately four storeys); however, the applicant is proposing a building height of 9.93m (three storeys), only one storey higher than the surrounding buildings abutting the subject property. For comparison, the majority of existing buildings in Haultain Corners Village are approximately two storeys. Given the policy direction in the OCP and maximum height permitted in the C-1 Zone, staff support a three storey building at this location.

Staff had some initial concerns with the design of the residential entryway, exterior materials and canopies above the ground floor commercial units. The applicant responded to staff comments by further accentuating the residential entryway and adding a modern brick material along the building base. Overall, the proposal is consistent with DPA 16 and the applicable design guidelines.

ISSUES

The issues associated with this project are:

- building transition
- canopies above the ground floor commercial units and residential entryway
- application of materials on the building.

Building Transition

The *Multi-Unit Residential, Commercial and Industrial Design Guidelines* state that multiresidential developments directly abutting any residential building lower and smaller in scale should provide a transition in form and massing to lower density building forms and be designed to address privacy, particularly for portions of the development abutting the side yards of adjacent single-family dwellings. The proposed development site is located on the edge of Haultain Corners Village and abuts properties designated Traditional Residential in the OCP; therefore, the impact of an additional storey on the adjoining property is an important consideration. The current south setback would not be reduced; however, exterior stairs are being proposed, which would project over a metre into the current setback. On the east side, the building is set back 8.21m from the property line, which remains relatively unchanged. The Advisory Design Panel's input on this aspect of the design with special attention to the transition to the lower density residential areas would be welcomed.

Canopies above the Ground Floor Commercial Units and Residential Entryway

The *Multi-Unit Residential, Commercial and Industrial Design Guidelines* encourage the use of overhangs and canopies designed to integrate with the architectural features of the building, especially on commercial buildings. The applicant is proposing canopies above the ground floor commercial units and the main residential entryway. The residential entryway projects slightly in front of the commercial units, with a large canopy above. The ADP's input on the proposed canopies with special attention to the distinct rhythm along the façade would be welcomed.

Application of Building Materials

The *Multi-Family, Commercial and Industrial Design Guidelines* encourage high quality and durable exterior building materials that enhance and articulate street frontages. The predominant material on the building is acrylic stucco with a modern brick material along its base. Several existing buildings in Haultain Corners Village are finished with stucco. The ADP's input on this aspect of the design with special attention to the application of acrylic stucco on the building would be welcomed.

OPTIONS

- 1. Recommend to Council that Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street be approved as presented.
- Recommend to Council that Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street be approved with changes recommended by the Advisory Design Panel. (Recommended)
- Recommend to Council that Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street does not sufficiently meet the applicable design guidelines and polices and should be declined.

CONCLUSION

The Application can benefit from further design refinement to improve consistency with the relevant design guidelines, particularly in relation to building transition, canopies above the ground floor commercial units and the residential entryway, and application of materials on the building. Comments from the ADP are welcomed on these as well as any other aspects of the design that may require refinement.

ATTACHMENTS

- Aerial Map
- Subject Map
- Applicant's letter received March 22, 2018
- Plans date stamped February 22, 2018.

cc: Ms. Li Sharpe; Mr. Alan Lowe, Alan Lowe Architect Inc.

Advisory Design Panel Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street April 16, 2018

Page 5 of 5

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MINUTES OF THE ADVISORY DESIGN PANEL MEETING HELD WEDNESDAY APRIL 25, 2018

1. THE CHAIR CALLED THE MEETING TO ORDER AT 12:05 PM

Present: Jesse Garlick (Chair); Elizabeth Balderston; Sorin Birliga; Paul Hammond; Jason Niles; Stefan Schulson

Absent: Justin Gammon; Deborah LeFrank; Carl-Jan Rupp

Staff Present: Miko Betanzo – Senior Planner, Urban Design Robert Batallas – Senior Planner Joaquin Karakas – Senior Planner, Urban Design Alec Johnston – Senior Planner Merinda Conley – Senior Heritage Planner Katie Lauriston – Secretary

2. NEW BUSINESS

Introduction: Review and Update to the Old Town Design Guidelines

Mr. Batallas and Mr. Karakas provided a brief presentation on the review and update to the Old Town Design Guidelines.

3. APPLICATIONS

3.1 Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street

The City is considering a Development Permit with Variance Application to expand and renovate the exterior of the building and construct a third residential storey.

Applicant meeting attendees:

JOHN WILLIAMS

ALAN LOWE ARCHITECT INC. APPLICANT

Mr. Johnston provided the Panel with a brief introduction of the application and the areas that Council is seeking advice on, including the following:

- building transition
- canopies above the ground floor commercial units and residential entryway
- application of materials on the building.

Mr. Lowe provided the Panel with a detailed presentation of the site and context of the proposal.

Questions of clarification were asked by the Panel on the following:

- why was brick selected?
 - o initially stone was proposed, but brick is more modern
- does the brick reference any surrounding buildings?
 - o no, but either brick or stone provides a stronger base
- is there a difference in height between the lighter-coloured accent element and the rest of the building body?
 - there is a difference in the height of the parapets, but no difference to the ceiling height
 - what paving materials are proposed in the rear exit area?
 - there is a concrete sidewalk at the back connecting the stair access to the new crawlspace
- was a fence considered at the rear to separate private and public spaces?
 - a fence is proposed along the south side as well as a fence and lattice for the garbage area
 - o a gate could be considered
- is there any requirement for private outdoor space with this application?
 - o outdoor balconies are provided
 - balconies were desired on Haultain Street as well, but after speaking with the Parks department the street trees were prioritized
- does only the one corner unit have a balcony?
 - o yes, and the other units have Juliet balconies
- why is the east corner of the building cantilevered?
 - o this space is for bicycle parking
- how do vehicles manoeuver in the parking area?
 - the proposal maintains the existing parking conditions
- are any parking spaces for commercial use?
 - the parking may be for commercial during day and residents at night, but this has yet to be determined
 - o an extensive transportation review and neighbourhood consultation has been conducted
 - Council previously approved a large parking variance at this location for a wine bar
- will the community garden be retained?
 - o yes, and it will be expanded
- what was the result of the neighbourhood discussions?
 - o neighbours have mostly been very supportive of the proposal
 - the community is very passionate about the garden; many appreciate that there will not be changes to the garden and that the owners will continue to provide water for the garden
 - o neighbours would like a Walnut tree planted
 - what is the transition between brick and acrylic stucco on the northeast corner?
 - the brick is proposed on the north façade, with stucco on the east façade how were the materials selected, and were any other materials considered?
 - no further materials were considered; the two colours of stucco break up the face of the building while the brick is appropriate at the base
- is there stucco above the residential entry?
 - o yes
- was the opportunity for a window into the front stairwell considered?
 - o this would be possible

- what is proposed for the outdoor space between the community garden and the office addition?
 - o this will be patio space
- is the same patio space proposed along the Haultain frontage?
 ves
- was a vertical element or glazing on the sides of the residential entrance considered?
 - carrying the brick across the north façade was considered, but the proposed design creates and entrance that pops without the need for additional materials, and is accented with a different canopy
- was glazing on the sides of the entrance considered?
 this could be considered
 - is there a reason that the door on the west elevation is not centered on the wall?
 - the window placement is based on the existing location of the windows, and they have been left in this location
 - o the windows could be moved
- were any other design approaches considered to the window treatments at Haultain Corners?
 - o the existing windows were brought out 6m
 - the proposed design has the windows better placed to front Belmont Avenue rather than having four windows facing the corner
- what is the proposed signage placement?
 - signs will likely hang from the canopies, but this would be confirmed through the sign permit process.

Panel members discussed:

- opportunity to reconsider proposed stucco materials in lieu of more durable materials appropriate to the context
- the need to refine how the brick turns the southeast corner
- desire for lighter, continuous wood element to make entry less abrupt
- desire to revisit window alignment on the west side
- the need to sensitively transition to the lower-scale residential neighbourhood, especially on the east elevation
- opportunity to carry canopies over to the corners to create more visual interest and to shelter pedestrians, or to extend the garden where there is no canopy
- opportunity for placemaking to improve Haultain Corners
- 3-storey scale is appropriate, and the proposal improves the existing conditions
- safety concerns with the existing parking configuration
- CPTED concerns for the proposed bicycle parking area
- opportunity to reconfigure the parking area to add private outdoor green space for residents
- opportunity to avoid cantilever with redesign of parking area
- desire for landscaping to soften the amount of concrete
- the need for a gate at the rear to mitigate CPTED concerns
- the need for railings at the rear stair access
- the need to resolve the entrance area
- opportunity for a more delicate, interesting residential entrance addition
- the proposed scale, rhythm and upper level articulations supportability from an OCP perspective.

Motion:

It was moved by Jesse Garlick, seconded by Elizabeth Balderston, that the Development Permit with Variance Application No. 00066 for 1501 and 1503 Haultain Street be approved with the following recommendations:

- review the site plan including the south exit path and the east portion behind the bicycle parking from a CPTED perspective to eliminate safety concerns
- consider reducing the paved parking area to increase residents' private outdoor space
- that the City consider working with the residents' association to improve pedestrian circulation with regard to the community garden
- consider replacing the stucco on the upper floor with a higher quality material
- reconsider the overall building design, including the window and door placement and the termination of the brick façade
- refine the canopy design including extents and detailing.

Carried

For: Jesse Garlick (Chair); Elizabeth Balderston; Sorin Birliga; Paul Hammond; Stefan Schulson

Against: Jason Niles



May 8, 2018

To whom it may concern:

This letter will confirm that Cinnabar Brown Holdings Ltd. and Modo Co-operative entered into an agreement on March 7, 2018 for the provision of five Modo Partnership Memberships for the benefits of residents of the building located at 1501 Haultain Street, Victoria BC.

Regards,

Sylvain Celaire Business Development Manager

604.685.1393

info@modo.coop

Eden's Barber Shop 1510 Haultain St. Victoria, BC

December 28, 2017

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

Dear Mayor and City Council,

I am the owner of Eden's Barber Shop. I am writing to express my full support for the new development of 1501 Haultain Street.

As a business owner at Haultain Corners, I would like to see the positive change to the building. The modern building will bring new life to the neighborhood. It will benefit the businesses and residents.

We are on the bus route to most of designations of the city and the greenway for bicycles. There are sidewalks along the streets in the neighborhood. The residents and patrons of the business have plenty options for alternative transportation.

I am glad to see that the addition of the building will replace the unsightly parking lot and the community garden will be retained. The added density to the existing lot will provided much needed housing in the neighborhood without resulting in urban sprawl.

I am looking forward to seeing the new development unfold.

I urge the City of Victoria to approve the new development.

Regards,

Eden de Boer Milio Magleo

Eden's Barber Shop 1510 Haultain Rd. Victoria, BC

From: U Retreat Sent: January 4, 2018 5:29 PM To: Leanne Taylor <<u>Itaylor@victoria.ca</u>> Cc: Li Sharp < Subject: 1501-1503 Haultain Street, Victoria, BC V8R 2K1

Dear Ms Taylor, Mayor and Council,

As a business owner in the heart of Oaklands, at 1500 Haultain Street and as a resident of the area for 16 of my 18 years in Victoria, I am writing in support of the project at 1501-1503 Haultain Street.

We have seen this area know as Haultain Corners change and positively evolve over the past few years. I have met Li and believe her intentions for the neighbourhood are to continue that evolution, while keeping the heart of the community in mind.

As far as parking, we have been here for a year and have had no issues for our customers. In fact many people visiting us are on bikes or foot. Being on a transit route is also very helpful.

With Warmth,

Melanie Nelson Owner/Operator <u>URetreat Spa</u> and Wellness

1500 Haultain Street



1440 Haultain Street Victoria B.C. V8R 2J9 778 265 6225

Re: Proposed Building Development

1501-1503 Haultain Street, Victoria, BC V8R 2K1

Attention: Ms. Leanne Taylor

City Planning Department, City of Victoria

Dear Mayor Helps, and Victoria City Council members

I am writing this simple letter of support for the proposed building development in the address above, the full details which have been shared with me by new owner, Li Sharp.

The Local General Store has been in the Haultain Corners area for almost 5 years, and we have deep appreciation for the unique community character of this area. It is Victoria's hidden gem.

It is for this reason that we are supportive of the proposed building improvements under discussion. The Sharps appear to have a genuine interest in preserving what is special about this commercial corner while aiming to visually improve the appearance and function of the building in question. I appreciate the effort being made to encourage non-vehicle transportation in whatever ways possible. We also appreciate their intent to preserve and enhance the historical display established by local community volunteers a number of years ago.

We support their application for parking variances and urge the city to allow this project to go ahead.

Thank you

Alix Harvey

Owner, The Local General Store

December 13, 2017

Dear Mayor and City Council,

We would like to express our support for the proposed development at 1501-1503 Haultain Street. It will be a great transformation of the dated building and will become an asset for the neighborhood.

We are neighbors of the building at 1501-1503 Haultain Street. We are happy to have a professional office as our neighbor. An orthodontic office will be a good fit for the neighborhood. Since the office does not open evenings and weekends, it is a perfect mix for the residential and commercial use. As a resident, we would like to have a quiet neighbor in the evening. We would like to have the quiet residential atmosphere of the neighborhood in the evenings maintained.

The addition to the beloved community garden, together with the addition to the building, will replace the unsighted parking lot at the corner of Belmont and Haultain Street. The rejuvenated building and the enlarged community garden will beautify Haultain Corners.

The proposed development will revitalize Haultain Corners, which will give the neighborhood a much needed facelift. We believe that the Oaklands and Fernwood neighborhoods would benefit from rejuvenation of the building and the community garden.

We would love to see the new business open and the transformation of the building at Haultain Corners.

We urge the City of Victoria to approve the proposed development.

Regards,

Lation Name

1590 H and Tainot. Address

In

1505 Haultain St. Gordon Bun

Andy

1446 HAULTAIN ST.

Minya Zee 2539 Belmont Ave.

an CBRIGNI 2533 BELMONT DVE

February 6, 2018

To: Mayor and Council Re: Development of 1501 Haultain Street

I would like to take this opportunity to express some of my thoughts after attending a land use meeting at Oaklands Community Centre on Tuesday, January 30th, which was chaired by the Fernwood Community Association.

The land use issue of interest to me is the development at 1501 Haultain Street, situated at the corner of Haultain Street and Belmont Avenue. I live at 2549 Belmont Ave, three doors away from the building under discussion and my family and I have lived here for 18 years now. During that time we have witnessed, and been a part of, the beautification and revitalization of the Haultain Corners, which has resulted in many new businesses moving to the Corners. These thriving small businesses are truly the cornerstone of our community now and this area has been transformed from being poorly lit, underused and heavily graffitied to a place which is thriving, vibrant and inviting. This transformation is due, in large part, to the efforts of local residents and the small communityfocussed businesses that have chosen this as their "home".

The proposal for redevelopment at this site put forth at the land use meeting by owner Li Sharp would require variances for both parking stalls and bicycle parking stalls, as well as variances for the building's setback from the road on three sides. I would like to respond to these requests.

Firstly, I am very concerned about a development that entails almost doubling the square footage of the existing building while cutting the number of parking spaces dramatically. As I understand it, there would be five rental suites and two businesses on the premises. That combination of commercial and rental spaces would normally require 12 parking spots. The owner proposes to provide only three spaces, which does not even provide a parking spot for each suite, much less for the current yoga studio or the new dentist office. As a result, street parking will have to be used to meet all of these needs.

Currently, the existing small businesses on the Corners do not always have adequate space in front of their properties for their customers due to the location of bus stops and driveways. As the pressure on street parking increases due to this development, I believe that the local businesses will suffer and begin to lose customers. The yoga studio, for example, would lose all of its current parking spots for its clients. Mrs. Sharp was unable to suggest any reasonable way to mitigate the effect of the loss of these parking spaces other than to suggest that she will tell her tenants to move their cars elsewhere during the daytime. For stay at home parents, individuals who work from home, or shift workers this is an unworkable solution. In any case, the only remaining option would be for them to move their cars to street parking which would only exacerbate the problem. At the same time, the owner is asking to significantly reduce the number of bicycle stalls required for this building. Neither of these requests make sense or meet the needs of the occupants of the building, the local businesses or the community.

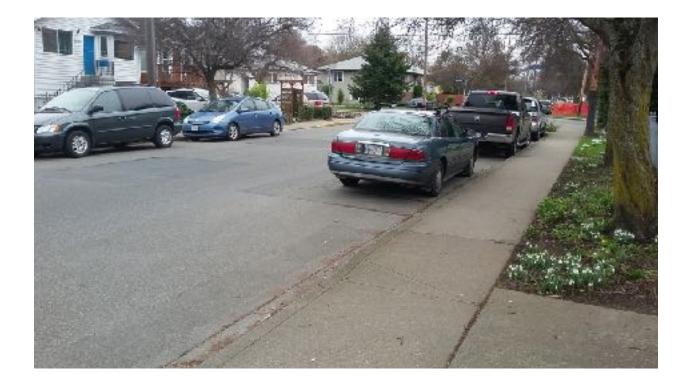
Secondly, I feel that decreasing the setbacks on three sides of the building, as well as adding another story, does not fit with the small commercial building scale of this neighbourhood. Adding another story may create more rental housing in the community, but the size of that addition should fit in with the surrounding buildings and not have such a big impact on the street and on parking.

I would like to see a more thoughtful plan put into place that takes into consideration those community members who live and work here. For example, perhaps setting the addition back to allow for extra parking and for covered bike racks would make sense, and would more closely fit the scale of the existing buildings in our community.

Thank you for your consideration of my concerns.

Kay Marshall 2549 Belmont Ave. Victoria, B.C.

Please find attached photos of occupied parking spots at the Corners at different times of day over three week days and a weekend, to illustrate why I feel that forcing tenants and customers to park on the street is not a viable option.



Feb. 6 12:25



Feb. 6 1:00



Feb. 8 9:35



Feb. 8 9:36



Feb. 9 11:55



Feb. 11 12:31

February 14, 2018

City of Victoria #1 Centennial Square Victoria BC V8W1P6 <u>Attention: Mayor & Council</u>

<u>RE: Development Permit Application with Variances</u> <u>1501-03 Haultain Street, Victoria BC</u>

Dear Mayor & Council,

Having reviewed the materials submitted in support of this application on the City website and heard the applicant's presentation at a community meeting held at Oaklands Community Centre January 30, 2018, I wish to register my opposition to the proposed project.

I believe that the variance requested to reduce the number of required off-street parking spaces is extreme and unjustifiable. The project would more than double the existing building floor area and density yet proposes to reduce the number of off-street spaces from the current 6 to just 3! Based on Zoning Bylaw Schedule C, the increased amount of commercial space and number of residential units requires a minimum of 12 off-street spaces. If this variance is approved, 9 out of 12 vehicles (by the City's own calculations) used by building occupants would need to be parked in nearby streets. This in turn would impact the limited street parking available for existing businesses at the Haultain-Belmont Corners, currently 10-12 spaces on Haultain Street fronting the four C-1 zoned properties, and would inevitably overflow onto adjacent residential streets. While the Haultain spaces are not all used in the evenings/weekends now, they are well utilised on weekdays when the existing businesses are open.

Unlike the recent DVP approved for a small wine bar in the existing building, which would have operated during evenings only, the proposed orthodontist office will attract its clientele during weekdays when parking demand is at its peak. As the proposed residential units each have 2 or 3 bedrooms, there is little reason to support reducing the City requirement of 1.3 parking spaces per unit, even though the site is located on a bus route and bike path/greenway.

Secondly, I submit that the enlarged 3 level building proposed will be out of scale with the existing Haultain-Belmont Corners precinct, which features modest 2 storey buildings forming a coherent ensemble. The proposed 3rd storey will result in more overshadowing of the pedestrian zone along Haultain Street and will create overlook and privacy concerns for the existing 2575 Belmont residence to the south, further exacerbated by the south side yard setback variance also being requested.

If approved, this project will set a poor precedent for the future of the Haultain-Belmont Corners and other similar neighbourhood village centres. It would send a clear message that parking requirements can be largely ignored in the pursuit of increased density. While some increase in rental housing and neighbourhood commercial space in exchange for modest variances to parking and/or setback requirements may be worthy of consideration, I believe this proposal clearly fails to provide a reasonable tradeoff.

Thank you for your consideration,

と

James Kerr, local resident and architect

February 23, 2018

City of Victoria Attn: Mayor and Council

Re: Development permit application with variances 1501-1503 Haultain Street, Victoria BC

Dear Mayor and Council,

After attending the neighborhood meeting regarding this application and hearing the applicant's presentation, I am writing to voice my opposition to the proposed project.

I started a small business in the Haultain Corners ten years ago, and it has slowly turned into the focal point for the area. I have watched the neighborhood go from a place where people didn't want to live or shop, to one of the most desired communities in the city. As a business in the area, my main concern is the variance to reduce off-street parking spaces. The applicant is seeking to reduce the current number of spaces to 3, while at the same time increasing the commercial space and residential units. That means that the overflow of parking from the commercial and residential units will spill out onto the current street parking and greatly affect the existing businesses.

A second concern is the plan to enlarge the building to a three-story structure. This addition will look out of place given the rest of the surrounding buildings are two-story along with the adjacent houses, which will be severely overshadowed.

Thank you for your consideration,

Michael Manhas Owner/operator Koffi

1520 Haultain Street Victoria BC V8R2K2

February 23, 2018 City of Victoria #1 Centennial Square Victoria BC V8W1P6 Attention: Mayor & Council

RE: Development Permit Application with Variances 1501-03 Haultain Street, Victoria BC

Dear Mayor & Council,

I am a long term resident of the area having lived in my present location since 1978.

I have reviewed the materials submitted in support of this application on the City website and heard the applicant's presentation at a community meeting held at Oaklands Community Centre January 30, 2018, I wish to register my opposition to the proposed project.

I believe that the variance requested to reduce the number of required off-street parking spaces required is not in the best interests of the neighbourhood.

The increase in the residential units from 2 to 5 will add a significant increase in need for parking. The existing two tenants have 4 cars between them, contrary to what the application contends. The commercial space will also increase parking needs in an area that already can't handle the needs of the businesses already permitted.

The Haultain Street block now has only 1 on-street parking spot on the south side and $\underline{3}$ one hour parking spots on the north side. The proposed reduction in off street parking will further compound the parking situation.

I believe that the variances requested to allow changes to the building of:

- i. increased vertical scale and a subsequence increase in density.
- ii. significant increase in the building area of the lot with coverage on three sides, leaving only the small parking lot on the east side. This will also impact the two trees in front.

will be out of character with the existing Haultain-Belmont Corners area.

Sincerely,

Stan Anderson

Monica Dhawan

From: Sent: To: Subject: Barb Donaldson < to the second second

The City of Victoria Planning & Development Department Community Planning Division Councillors@victoria.ca

Re: Development Permit Application for 1501-1503 Haultain Street

Dear Mayor and Council,

I am writing about my concerns regarding the permit application for 1501 – 1503 Haultain Street. The proposed decrease in parking spaces and increase in the size of the building and number of residences does not make sense to me. Where will the new tenants be parking? Where will the people park who want to use the existing Yoga Studio, corner stores, and coffee shop?

To think that people are going to take public transit and bike to all of the businesses is ridiculous. Yes, in a perfect world everyone would bike, walk and take the bus. I actually do bike to work because it is convenient and it is part of my daily routine, but I know that I'm in the minority.

There are three other corners to consider if you allow these variances. Please think of the big picture when you are considering this proposal. If you were to allow this development, what will you do when the other building owners want the same allowances? This will set a precedent for the future planning of this community. The more important question is, if other businesses want to expand, where will there be parking for their business purposes? Haultain Street has designated residential parking towards Shelbourne Street, so that means that there are already fewer spaces available for visitors and those using the businesses.

You must also consider that not every residence has a driveway for off street parking. I live on the corner of Haultain and Asquith and I do not have a driveway. People using the businesses and who work for them will sometimes park on Asquith, so obviously there is a need for more parking as it is.

Li Sharp has written "and we also canvased our neighbors, to determine if the development would be considered supportable, which it was." I have been part of the Haultain Corners Beautification Project for many years. This group has raised money for flower pots, benches, bike racks and was responsible for the corners bulbout installed several years ago. The group continues to plant and take care of the flowers in the planters. At no time was this group approached and asked about Li's proposal; therefore, an important part of this community was left out of any discussion.

Thank you for your consideration.

Sincerely, Barb Donaldson 1423 Haultain Street Sent from Mail for Windows 10



FERNWOOD COMMUNITY ASSOCIATION

March 22, 2018

Mayor and Council, City of Victoria

Re: 1501 - 1503 Haultain Street - DPV No. 00066

The Fernwood Land Use Committee, in partnership with the Oaklands Land Use Committee, held a land use meeting on Tuesday, January 30, 2018 at 7:30 PM at the Oaklands Community Centre.

At the January 30th meeting the owner of 1501-1503 Haultain discussed the changes being proposed to this building.

Of the four Zoning Regulation Bylaw variances discussed, the one decreasing the required number of vehicle parking stalls from 14 to 3 took up the bulk of the questions asked. Concern was expressed about the negative impact on neighbouring properties, both residential and commercial, that a parking variance of this magnitude would have. Residents reported that historically parking by Jubilee Hospital staff has been problematic, resulting in 'residential parking only' recently being instituted on the portion of Haultain Street immediately east of the site.

Section 6.20, on Page 45, of Victoria's current Official Community Plan says: 'Prepare local area plans for...Haultain Corners Village...to support the development of complete Urban Villages...' Another consideration is the pending start on development of a new Fernwood Neighbourhood Plan. The small commercial area where this property is located is of keen interest to both Fernwood and Oaklands and currently has a unique character, form and function. To approve a significant change at one corner without considering the other three corners and the neighbourhood's vision for the area seems premature at this point.



FERNWOOD COMMUNITY ASSOCIATION

At this time, and for the reasons discussed above, the Fernwood Land Use Committee does not support a parking variance of this magnitude.

The Oaklands Community Association Land Use Committee acknowledges the street parking concerns that residents have with the proposed variance. The commercial area at Haultain corners has had unrealized potential for a long time. The neighbourhoods need a more planned approach to developing Haultain Corners, as opposed to the reactive planning approach currently underway, if we are to have a small urban village that benefits the neighbourhood. We are on the cusp of new neighbourhood plans for both Fernwood and Oaklands, and any significant changes to the commercial properties on this corner might look ahead to anticipated changes signalled in those plans.

Sincerely

David Maxwell, Chair Land Use Committee Fernwood Community Association

Sincerely

Ben Clark, Chair Land Use Committee Oaklands Community Association

From: Sent: To: Subject: Mary Jane Teachman April 9, 2018 7:15 PM Councillors RE DVP application 1501/1503 Haultain

Dear Councillors:

I live at 2552 Forbes Street, less than 100 m away from the subject property. I have lived here for 22 years.

I would like to request that you do not support the variance which asks for the reduction in parking.

If there are to be 5 apartments above the proposed orthodontist's office, then there should, at the very least, be 5 spaces dedicated to those tenants.

The daily short-term parking needs associated with the ground floor businesses will, I think, be "handled" by the day-time street parking available in the building's vicinity.

Thank you for your consideration,

Mary Jane Teachman

From: Sent: To: Subject: Suzie Smith April 11, 2018 11:32 AM Councillors Proposed 1501-03 Haultain Street Development.

As a resident of Asquith Street I would like to express concerns about this proposed development's lack of parking!

Haultain Corners has a unique charm serving the heart of our vibrant community and although I am not opposed to upgrading some of the buildings, I am opposed to reducing off-street parking from 14 to 3!

This would force cars to park on surrounding residential streets, many of which are already very busy. There is limited commercial parking on Haultain and as a person who walks to work every day along Haultain, I am already fully aware of the increase of Royal Jubilee Hospital workers now parking on Haultain and walking to the hospital! I strongly feel that decreasing off-street commercial parking has the potential of turning the area from a quaint and unique community gathering area into a parking lot!

I strongly believe if a developer is going to provide residential apartments, then they should also provide a minimum of 1 parking spot per apartment + spaces for the commercial business workers and visitors. If this proposal only provides those 3 spots then without much brain power one can easily see the potential for a big increase in the need for parking, if tenants/owners have more than one vehicle and the building will also house increased commercial space.

Your consideration of these points will be greatly appreciated when making decisions on allowing this proposal to go ahead.

Kind regards Suzie.

From: Sent: To: Subject: Menno van Mil April 18, 2018 11:40 AM Councillors Proposed 1501-03 Haultain project

Dear Councilmen/Councilwomen,

The property located at the corner of Haultain and Belmont is subject of a Development Variance Permit: 1501-03 Haultain project. There are 14 parking spaces required for the proposed building. The new owner requested a variance for only 3....

That is a sincere concern to me. Please stick to the 14 parking spaces, maybe even suggest the parking to be under the building as they did right next to <u>JK's Bicycleitis</u>. Then the owner of 1501-03 Haultain can maybe use the space on the East (currently a parking space) and leave the height of the building down to 2 levels?!

Although I understand we are in a crunch for housing this should not mean we need more cars elsewhere on the streets.

Thanks,

Menno 2640 Forbes Victoria, April 20, 2018

Victoria City Council

Re: Proposed development of 1501-03 Haultain Street

Dear council members,

I am operating a barbershop near the intersection of Haultain Street and Belmont Avenue, in what is known as Haultain Corners, opposite of the proposed development site for which a Development Variance Permit Application has been made to the City of Victoria on January 08, 2018. While I have no objection to the development of the building, I have serious concerns about the associated loss of parking spaces.

The development requires approval of a reduction of off-street vehicle parking from 14 spaces (as per zoning standard) to only 3 spaces. There are several shops and stores around the intersection of Haultain Street and Belmont Avenue. Parking at the moment is already at a premium. Recently, some 1-hour parking on the south-east side of the intersection was converted to Residents Only parking. The loss of these nearby spaces is already making an impact on the ability of costumers to find parking while doing business in these shops. The conversion of these spaces has in my case already caused problems for some of my clients, resulting in at least two tickets for a parking violation, as even short term parking becomes very difficult.

The addition of residential units, while at the same time reducing the number of available parking spaces significantly more, will seriously affect the businesses at Haultain Corners and result in loss of business income and customers.

I hope that council will take these concerns into consideration. Perhaps a smaller development that allows for retaining a sufficient number of parking spaces on site for residential units can be considered, or conversion of Residents Only spaces into 1-hour parking.

Sincerely yours,

Eden de Boer, owner Eden's Barber Shop 1510 Haultain St

From: Sent: To: Subject: Mike Vardy April 29, 2018 6:32 PM Councillors Proposed 1501-03 Haultain Street Development

Elected officials of Victoria City Council,

As a homeowner and resident at 1411 Haultain Street, I am writing to you today on behalf of my wife and myself in opposition of the proposed variances for 1501-03 Haultain Street development.

Our concerns are several, but here are ur primary ones:

1. There is already scant parking on both sides of Haultain Street which is proving precarious for cars to maneuver regularly, especially considering the fact that the speed limit on Haultain is 50km/h while Bay is now 40km/h. Adding more street parking for residents of the building will offer less parking for residents and we elieve it would increase the chances of accidents on our street as well.

2. Eliminating much of the parking from such a large structure would set a precedent in our neighbourhood for the other 3 mixed-use properties on the corners. Again, that would eliminate residential parking for the street to those who live in the neighbourhood and we believe that goes against the official plan of a "small urban village" for The Corners.

With the increase in bike and motor vehicle traffic during peak hours of the day since we moved in over 13 years ago and the limited designated residential parking once you pass Belmont and head towards Fernwood Road, we feel that allowing these variances to go through will not only put a strain on residential parking in the area but also have an impact on the future of how The Corners evolves as well.

We urge to consider those who have lived in the area for many years and those who make this area their home now; do not permit these variances to be approved.

Sincerely, Mike and Anne Vardy Owners and Residents, 1411 Haultain Street

Sent via <u>Newton Mail</u> – my email app of choice.

From: Sent: To: Subject: Robert Wiffen April 30, 2018 5:22 PM Councillors 1501-1503 Haultain development proposal

Dear Mayor and Council. I am writing to express my disapproval of the above noted proposal, based primarily on the reduced parking component. I live at the corner of Haultain and Forbes and can vouch for the lack of parking in the area on most days, even on the weekends. The introduction of more tenants/owners and visitors to the new proposed business will only exacerbate an already bad situation. The proposed increase in height will also impact the amount of afternoon sunlight that reaches our front porch as well.

Please take seriously my concerns when considering this development proposal.

Yours truly,

Bob Wiffen 2565 Forbes St Mayor and Council City of Victoria 1 Centennial Square Victoria, BC, V8W 1P6 mayorandcouncil@victoria.ca

CC: City of Victoria Accessibility Working Group C/O Engineering department: <u>eng@victoria.ca</u> City of Victoria Application Contact Leanne Taylor: <u>Ltaylor@victoria.ca</u>

May 4, 2018

Re: Proposed 1501-03 Haultain Street Development by Cinnabar Brown Holdings Ltd.

Dear esteemed Mayor Lisa Helps and City of Victoria Councillors,

We are writing to express our concern and strong opposition to the proposed development and variance permit requests for 1501-03 Haultain Street, submitted by Cinnabar Brown Holdings Ltd. representative Li Sharp, January 8, 2018.

As neighbours with property in close proximity to the proposed 1501-03 Haultain Street property, numerous aspects of this development proposal are of significant concern. These concerns include proposed increases to building height and massing, and proposed variances related to reductions in yard and flanking setback and parking – both of which we believe will negatively impact the current use of our property, its future resale value, as well as the character of the surrounding neighbourhood.

BUILDING HEIGHT AND MASSING

The City of Victoria's Official Community Plan (OPC) Design Guidelines for Multi-Unit Residential, Commercial and Industrial¹ buildings states that "…residential mixed-use development should respect the character of established areas and building variety through the form and massing of housing," provide "transition in its form and massing to lower-density building forms," and be "designed to address privacy, particularly for portions of the development abutting the side yards of adjacent singlefamily dwellings."² In addition the guidelines state that developments taller and larger in scale than surrounding buildings should "provide a transition in its form and massing to lower-density building forms".³

The proposed blue prints for the development of 1501-03 Haultain provide no transition of form or decrease in massing to the surrounding residential buildings. The majority of exterior walls are straight, un-stepped, and perpendicular to the ground to a height of 9.22 meters. The second and third floors on the west side of the building actually increase massing from the first floor, causing the building to be

¹ City of Victoria. "Design Guidelines for Multi-Unit Residential, Commercial and Industrial." July, 2012. <u>http://www.victoria.ca/assets/Departments/Planning~Development/Community~Planning/OCP/OCP%20Design%</u> <u>20Guidelines%20Multi-Unit%20Residential%20Commecial%20Industrial.pdf</u>

² City of Victoria. "Design Guidelines for Multi-Unit Residential, Commercial and Industrial." July, 2012: 3.

³ City of Victoria. "Design Guidelines for Multi-Unit Residential, Commercial and Industrial." July, 2012: 3.

top-heavy in relation to its footprint on the side that faces the majority of exiting residential properties.⁴ Combined with the variance request to reduce yard and flanking spaces, the building (which would approximately double its current size) would overwhelm its location and loom over abutting sidewalks and properties, blocking the sun and creating large masses of shade for neighbouring residences.⁵

The exterior design lacks compatibility with the character of the general neighbourhood (early to midtwentieth century residences) and the immediately surrounding buildings in terms of its colour, materials used, and – with the exception of its squared-off parapet – modern architectural structure.

Impact on adjacent properties

Located to the east and in the direct line-of-sight to the proposed development, our property would be negatively impacted throughout the year, but especially during spring, summer, and autumn seasons, by the building's proposed increased height. We derive much quality of living from activities in our back yard (gardening, socializing, family meals and games, playing with pets, etc.). The sun sets directly in line with the 1501-03 Haultain property and would cast a large block of shadow across our back yard and deck. This lack of sunlight would impair the growth of our garden, and our enjoyment of the sun during leisure time in the yard.

The increased height and occupancy level of the 1501-03 Haultain property would mean a significant loss of privacy to our yard, deck, and west-facing rooms throughout the year. The addition of the third floor with seven windows on the west and south sides of the building, along with seven windows, double glass door, and exterior stairwell balcony entrance on the second floor, would produce a significant increase in activity and surveillance surrounding our home. As a result, our quality of living at home would decline. If, in the future we choose to sell our property, the shadow and lack of privacy from the proposed development would deter potential buyers who value privacy, outdoor activities, and gardening at home.

Accessibility and diversity

The City of Victoria calls upon its developers to provide "a high standard of accessibility in site, building and landscape design is encouraged to address the needs of all users, including people who have disabilities."⁶ The "Housing Diversity" section of the OCP discusses the need for housing that "meets the needs of residents at different life stages, and facilitate[s] aging in place."⁷ Consideration for housing for households with children, and individuals with mobility challenges (including visual impairment), is also required.

The architectural design of the proposed Haultain Street development provides stairs-only access, which presents significant challenges for those with mobility challenges (permanent, temporary, due to age, etc.) as well as those with small children or acting as caregivers. Coupled with the variance request to significantly reduce required off-street parking spaces⁸ the proposed development limits the diversity of

⁴ Please see architectural drawings by Alan Low Architect Inc. at <u>https://tender.victoria.ca/tempestprod/ourcity/Prospero/FileDownload.aspx?fileId=3D27E509-F9A0-438B-A345-49B1033B1F62&folderId=51543C180108101758636430</u>

⁵ Proposed reductions in front-yard (Belmont Street) setback from 6.0 m to 0.2 m; reduction in flanking street (Haultain) setback from 2.4 m to 1.32 m, and reduction in side yard (south) setback from 3.0 m to 1.06 m).

⁶ City of Victoria. "Design Guidelines for Multi-Unit Residential, Commercial and Industrial." July, 2012: 10

⁷ City of Victoria. "Official Community Plan." Published July, 2017: 101.

⁸ Proposed reduction in off-street vehicle parking from 14 required spaces to 3 spaces.

people who could be able to access or live in the building. Such development would be at odds with the City of Victoria and its Accessibility Working Group's work promoting accessibility and diversity throughout the region as well as it's long-term planning aim for a barrier-free city. We are concerned for the precedence allowing the requested variances would set both in our neighbourhood and the larger Victoria community.

PARKING VARIANCE AND EXISTING PARKING & CONGESTION CHALLENGES

The residents of Haultain Corners and the surrounding community (both Oaklands and Fernwood) have been working to alleviate the high-volume of parking, and residential need for parking spaces for numerous years. Many homes in the area contain rental or in-law suites. The presence of this multi-unit housing provides a positive impact in creating affordable rentals in the city, however does generate the household need for additional street parking.

Residents from the Haultain Corners area and towards the Royal Jubilee Hospital have also been petitioning the City for "residential parking only" designation. Demonstrating the parking challenges faced by the neighbourhood, this designation has been granted by the City, and is a known issue, not only on our own street, but on each street leading up to Richmond Road and the hospital. Parking is not a standalone issue. As a result of an increase in street parking, our neighbourhood streets become congested and difficult to navigate and, as a consequence, more hazardous. This congestion is of particular concern due to the proposed development's proximity of schools and parks.

Accessibility and diversity

While we believe encouraging alternative modes of transportation (bikes, walking, public transit, carpooling, car-sharing) is essential for Victoria, we also appreciate the need to accommodate people with mobility issues, visual impairments, young families, and aging people (and those who wish to age-inplace) to have access to housing. It is also important to consider that otherwise healthy people do not always remain so, and people can face unanticipated physical challenges and injuries throughout their life.

Magnitude of variance request

The parking variance requested for 1501-03 is so significant (reduction of 14 required off-street parking spaces to 3), it creates accessibility barriers for an array of people. The addition of bike and car-sharing amenities for residents is positive, however not enough to mitigate the parking needs that would be created from the additional suites, traffic from an orthodontic practice (the majority of clientele who would be children who would be accompanied and likely driven by parents), and an unknown number of employees of the orthodontic practice and yoga studio. In an age of helicopter-parenting and the practical need for financial payment, parents sending children to walk alone to the orthodontist, seems unlikely. Existing parking spots used by residents and employees and customers of the yoga studio will no longer be available, thus compounding the parking shortage and street congestion not only on Haultain, but on adjacent streets (most notably Forbes and Belmont). If approved, the variance request could set precedence for the remaining three mixed use/commercial properties at Haultain Corners, exponentially compounding the parking shortage and street congestion in the area.

Previous parking variance approval for wine-bar

The developers have stated in their letter to the City of Victoria that they believe a parking variance

approved for a wine bar at the same location sets precedence for the new parking variance proposal,⁹ we disagree strongly with this assertion for four key reasons. First, local business-owner and potential wine bar owner, Michael Manhas,¹⁰ undertook to provide alternative off-street parking spots to ease parking challenges at the Corners at his nearby business Koffi which would be closed during the operation hours of the wine bar. Second, Mr. Manhas's proposal did not add additional suites or retail space to the building (which would require additional parking amenities)¹¹ while simultaneously reducing the number of off-street parking available. Third, patrons of the wine bar would presumably come to the venue to eat and drink and therefore make responsible decisions to get home safely and legally without driving. Forth, the wine bar would have provided the community with another much needed and highly-desired social gathering spot. Residents were actively consulted throughout the wine bar proposal process and believed that the venue would significantly contribute to the area's sense of community and connectivity. It is unfortunate that Mr. Manhas went through extensive consultation and variance procedures, only to be denied rental space by the new owner.



Saturday, April 14, 12:05 pm – Photo taken across from 1501-03 Haultain Street facing west. As is a regular occurrence, every parking space on the street is occupied. The only spot not taken is the bus stop.

⁹ February 27, 2018 to City of Victoria from Cinnabar Brown Holdings Ltd.

https://tender.victoria.ca/tempestprod/ourcity/Prospero/FileDownload.aspx?fileId=35FC0A5E-0187-495B-8310-A7611CC3EC20&folderId=51543C180108101758636430

¹⁰ Michael Manhas owns Koffi, a café located at 1441 Haultain Street, which has played a significant role in revitalizing Haultain Corners by providing both social space for residents to gather, and active community participation by it's entrepreneurs since 2007.

¹¹ The current building has two rental housing units and 6 parking spots. Property sale information for 1501-03 Haultain, Greg Long Realtor: <u>http://www.greglong.ca/property-details/378215</u>



Monday April 9, 12:48 pm – Photo taken looking down Forbes Street facing north. Forbes Street is frequently lined with cars.

COMMITMENT TO HAULTAIN CORNERS AND SURROUNDING NEIGHBOURHOODS

Neighbourhood consultation

In the February 27, 2018 letter to the City of Victoria, Li Sharp for Cinnabar Brown Ltd. states that "we also canvased our neighbors, to determine if the development would be considered supportable, which it was".¹² No representative from Cinnabar Holdings consulted with our household until the evening of April 9, 2018, over a month after the letter was submitted. When asked about the lack of consultation Ms. Sharp claimed that she had attempted to visit the household multiple times during daytime hours. This, however, seems unlikely as a member of our household has been both at home on a leave and work-from-home routine for over two months. In addition, no telephone or written contact attempts were received. Additionally, there is no evidence to suggest Cinnabar Brown Holdings Ltd. has had conversations with the households of our surrounding neighbors, as, when asked for their opinions on the development, none that we spoke to had been contacted by the company about the proposed development.

As a household located in close proximity to, and direct line-of-sight of, and whose privacy would be directly affected by development of the Haultain property, we are confused that Cinnabar Brown Ltd. would not make good-faith contact with our residence in the spirit of meaningful and timely consultation.

¹² Project proposal. Please see

https://tender.victoria.ca/tempestprod/ourcity/Prospero/FileDownload.aspx?fileId=35FC0A5E-0187-495B-8310-A7611CC3EC20&folderId=51543C180108101758636430

We care deeply for our neighbourhood and participate in the life of our community. Four generations of our family have lived in our home since 1956. We have been proud and pleased to watch Haultain Corners and the surrounding area engage in a positive and steady rejuvenation since the early 2000s. We live close to designated high-density development areas (Shelbourne, Hillside, and North Dairy corridors) and appreciate the necessity of creating affordable and accessible housing in the region. We are not averse to development, but rather want to ensure that value is added and the best interests of the local community (and the city as a whole) are met wherever possible – we do not believe that Cinnabar Brown Holding Ltd.'s proposed development of, and requested variances for, 1501-03 Haultain Street meets these needs.

Please feel free to contact us with any questions you may have. Thank you for your consideration.

Highest regards,

Robbyn and Greg Lanning Forbes Street Victoria, BC

Monica Dhawan

From: Sent: To: Subject: Sandra Pilon < Friday, May 18, 2018 2:34 PM Victoria Mayor and Council re 1501 to 3 Haultain

Hi

I am concerned about the building 1501 with a added floor. Taking away some parking spots. Will be more congestion along the area. Blocking some people's view. Taller building doesn't fit in the area Sandra Pilon

×

Virus-free. <u>www.avast.com</u>

April 9, 2018

Dear Mayor and City Council,

We live close to Haultain Corners. Li Sharp has approached me and explained her proposal for 1501-1503 Haultain Street. We do not have objections to the proposed development.

Regards,

Name 2617 Belmant Aus Address

February 8, 2018

Belmont ANE

yler Dashwood

ide Latombe

Dear Mayor and City Council,

We would like to express our support for the proposed development at 1501-1503 Haultain Street. We live near 1501-1503 Haultain Street. We are happy to see people invest in our neighborhood. As a resident, we would like to have a professional office as our neighbor. Since the office does not open evenings and weekends, it is a perfect mix for the residential and commercial use.

The addition to the building will replace the unsightly parking lot at the corner of Belmont and Haultain Street. The added density to the existing lot will provide much needed housing in the neighborhood without resulting in urban sprawl. More residential units will make the neighborhood safer at night when the businesses close for the evening.

The proposed development will revitalize Haultain Corners, which will give the neighborhood a much needed facelift. We believe that our neighborhood would benefit from rejuvenation of the building and the community garden.

We are on the bus route to most of designations of the city. There are greenways for bicycles, sidewalks along the streets throughout the neighborhood and options for car-sharing. The residents and patrons of the business have a lot of options for alternative transportation.

We would love to see the new business open and the transformation of the building at Haultain Corners.

We urge the City of Victoria to approve the proposed development.

2628 Belmont Ave Mateachines 2552 Forbes Regards, Noveen Scarth SUEWILSON Name Mikelt Aman RELMON 2825 Scott Street Emily Barchyn Address 2532 Belmont MICHAEL FOUCHER Kenneth Su 264 BAMOUT AVE. HAULTAIN Livan Bai 26 Haultain, 1325 haulten St Haultain st my Apolonio 33 Shelbourne 2603 Asquithvictoric Rainey Hopewell 1420 Haultain St Philipe Ferriera TERRY WAINES 2620 Belmont 2624 Dim Ave: 262 Pm Jessi Dildy 2613 Belmont AUC Brian Major Natalie Grunberg

FEB 6, 2018

December 13, 2017

Dear Mayor and City Council,

We would like to express our support for the proposed development at 1501-1503 Haultain Street. It is a great transformation of the dated building and will become an asset for the neighborhood.

We are neighbors of the building at 1501-1503 Haultain Street. We are happy to have a professional office as our neighbor. An orthodontic office will be a good fit for the neighborhood. Since the office does not open evenings and weekends, it is a perfect mix for the residential and commercial use. As a resident, we would like to have a quiet neighbor in the evening. We would like to have the quiet residential atmosphere of the neighborhood in the evenings maintained.

The addition to the beloved community garden together with the addition to the building will replace the unsighted parking lot at the corner of Belmont and Haultain Street. The rejuvenated building and the enlarged community garden will beautify Haultain Corners.

The proposed development will revitalize Haultain Corners, which will give the neighborhood much needed facelift. We believe that the Oaklands and Fernwood neighborhoods would benefit from rejuvenation of the building and the community garden.

We would love to see the new business open and the transformation of the building at Haultain Corners.

We urge the City of Victoria to approve the proposed development.

Regards.

Vame 2-542 BERMONT AVE.

Name

Address

A. /lu/-

Adams' Food Fair 1446 Haultain Street Victoria, BC V8R 2J9

January 31, 2018

Dear Mayor and City Council,

I am the owner of Adams' Food Fair at the Haultain Corner. I am also a resident at the Haultain Corner. Li Sharp has approached me and explained her proposal for 1501-1503 Haultain Street at the Haultain Corner. I would like to express my support for the proposed development. I am happy to see a professional office at the corner. The addition for the building will replace the unsighted parking lot and bring the building in line with other buildings at the corner. The addition of the apartments above the building will provide much needed housing for the neighborhood.

We are on the city greenway, bus route, and sidewalks throughout the neighborhood. Many of our shoppers are carless. When the businesses close their doors at night, the addition of the apartments above the building will bring more traffic at night and will make a safer neighborhood in the evening hours.

I am looking forward to seeing the new development unfold and urge the City of Victoria to approve the development proposal.

Regards,

maly Andy

March 7, 2018

Dear Mayor and City Council,

We would like to express our support for the proposed development at 1501-1503 Haultain Street. We live across street of 1501-1503 Haultain Street. We are happy to see people invest in our neighborhood. As a resident, we would like to have a professional office as our neighbor. Since the office does not open evenings and weekends, it is a perfect mix for the residential and commercial use.

The addition to the building will replace the unsightly parking lot at the corner of Belmont and Haultain Street. The added density to the existing lot will provide much needed housing in the neighborhood without resulting in urban sprawl. More residential units will make the neighborhood safer at night when the businesses close for the evening.

The proposed development will revitalize Haultain Corners, which will give the neighborhood a much needed facelift. We believe that our neighborhood would benefit from rejuvenation of the building and the community garden.

We are on the bus route to most of designations of the city. There are greenways for bicycles, sidewalks along the streets throughout the neighborhood and options for car-sharing. The residents and patrons of the business have a lot of options for alternative transportation.

We would love to see the new business open and the transformation of the building at Haultain Corners.

We urge the City of Victoria to approve the proposed development.

Regards,

and Tremblay

1504 Haultain St Address

Hate Storens. & Generelt Powell 1443 Haultan

Dear Mayor and City Council,

We live close to Haultain Corners. Li Sharp has approached me and explained her proposal for 1501-1503 Haultain Street. We would like to support the proposed development and urge the City of Victoria to approve the proposed development.

Name	Address	Date
ALEXANDRA	2646 Belmont are	=. april 36, 2018
Douch	2651 Belwant	ANS. 30 9018
Wer Bong	2054 3 hel60	une Mgy29,201
Darres Gericus-Harrison	2750 Belmont Ave	May 30, 2018
		1.

Regards,

February 8, 2018

Dear Mayor and City Council,

We would like to express our support for the proposed development at 1501-1503 Haultain Street. We live near 1501-1503 Haultain Street. We are happy to see people invest in our neighborhood. As a resident, we would like to have a professional office as our neighbor. Since the office does not open evenings and weekends, it is a perfect mix for the residential and commercial use.

The addition to the building will replace the unsightly parking lot at the corner of Belmont and Haultain Street. The added density to the existing lot will provide much needed housing in the neighborhood without resulting in urban sprawl. More residential units will make the neighborhood safer at night when the businesses close for the evening.

The proposed development will revitalize Haultain Corners, which will give the neighborhood a much needed facelift. We believe that our neighborhood would benefit from rejuvenation of the building and the community garden.

We are on the bus route to most of designations of the city. There are greenways for bicycles, sidewalks along the streets throughout the neighborhood and options for car-sharing. The residents and patrons of the business have a lot of options for alternative transportation.

We would love to see the new business open and the transformation of the building at Haultain Corners.

We urge the City of Victoria to approve the proposed development.

Timothy Mc Maughton TMartle 1470 Boyst. Regards. same Mc Naughton Jerenny Muddock 2536 Forber St. Name 2574 Victor St Address Erin Ball 2537 Forbes St. Jennifer Christensen 1530 Haultan St Sandra Pilon 2550 Forbes Jessamine Thornbury 2561 Forbes. genine Wills inson Genine Wills inson Robert Wiffen MickB 25b5 Forbes algeneter St. GARRY YORK 2613 FORBES

Li Sharp 4052 Ebony Place Victoria, BC V8N 3Y9

June 25, 2018

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

Dear Mayor and & Council,

I have been canvasing and knocking on the doors of nearby neighbors for input about our development. I have received overwhelming support for the development proposal. I have obtained over 60 signatures of residents who supported our development.

I have heard some concerns from nearby residents as follows;

- 1. No onsite bike parking.
- 2. Employees of Royal Jubilee Hospital often take up the resident parking spaces, which impacts the parking availability for nearby residents.
- 3. Disappointment at not having a wine bar, even though a parking variance was recently approved by council.

We will do the followings to address the residents' concerns:

- 1. Building10 enclosed Class 1 bike parking spaces.
- 2. Building 6 more Class 2 bike parking offsite spaces.
- 3. Providing one electric bike for the tenants of the apartments, to encourage the tenants to use alternative transportation.
- 4. Providing a lifetime Modo membership for each apartment to reduce the need to own a car.

We hope the additional apartments will provide some relief for much needed housing. It is possible some employees of Royal Jubilee Hospital will be able to live there and walk to work, instead of owning a car, therefore it will reduce the impact on parking availability for the residents. There is a bus stop in front of the building and sidewalks throughout the neighborhood. The development is located on the "all age and ability bike route", and it close to downtown. The building is conveniently located near Royal Jubilee Hospital, downtown, Hillside Mall, and Camosun College.

We understand the disappointment of Mr. Manhas and his friends about the building not being used for his proposed wine bar. I appreciate the effort of Mr. Manhas, who is the owner of a nearby coffee shop and who proposed the wine bar, has put into the Haultain Corners. He has contributed a great deal to the neighborhood. I am sure there will be another opportunity in the neighborhood in the near future, due to the ripeness of the redevelopment opportunities in the corners.

We have followed the ADP advice about the following aspects of the development.

- 1. Adding glass awnings;
- 2. Changing the exterior material from brick to stone;

- 3. Changing stucco to hardi-plank.;
- 4. Alignment of the windows facing Belmont avenue.

We will work with the Community Garden committee to improve the community garden and continue to provide the water for the community garden.

I would like to express my appreciation for the work the city staff and council members have put into our project. Regardless of whether approval is obtained or not, my appreciation for the dedication of the city staff and council members for the city remains.

Regards,

ffm

Li Sharp





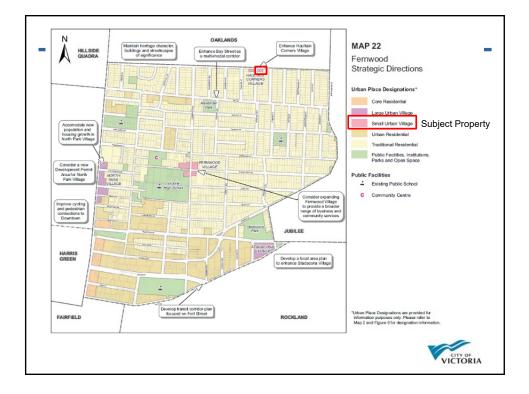


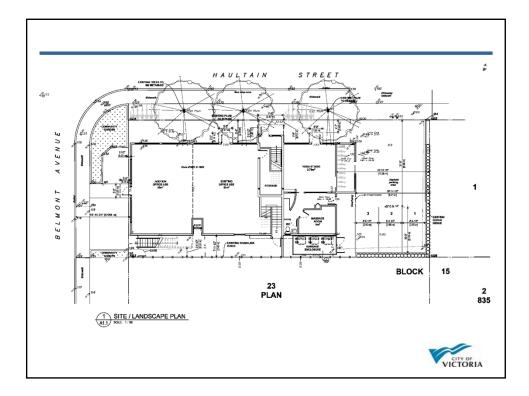


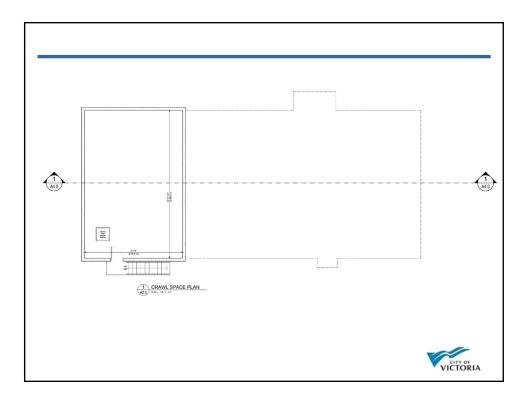


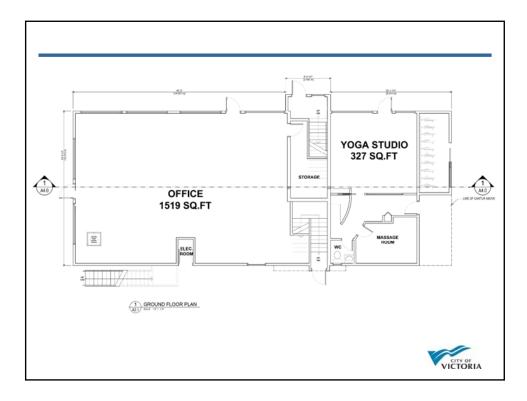


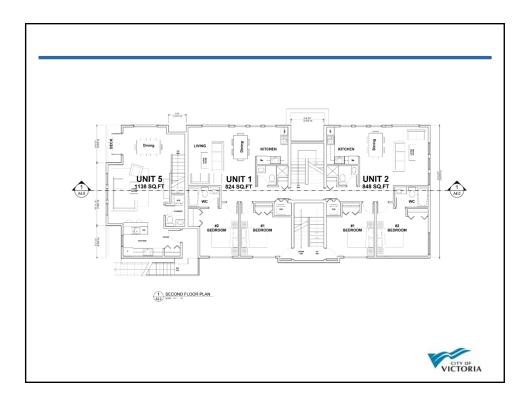


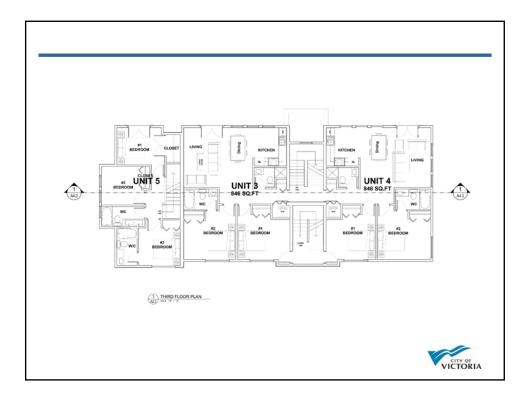


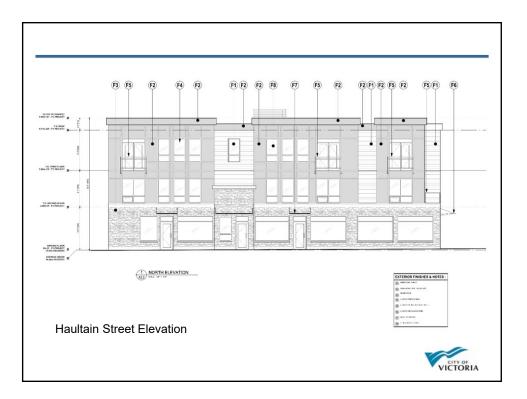


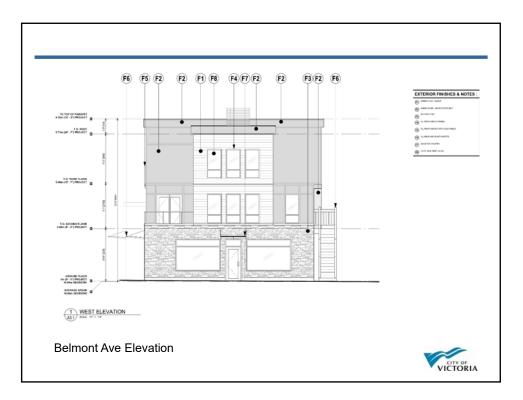


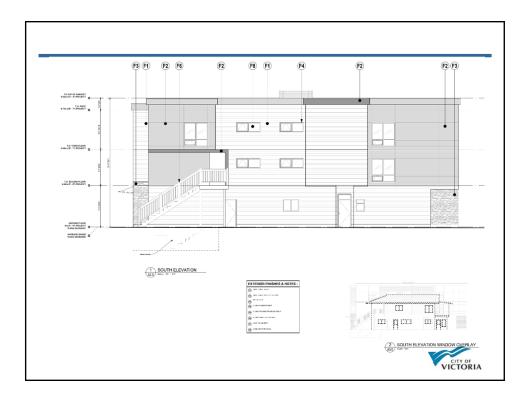


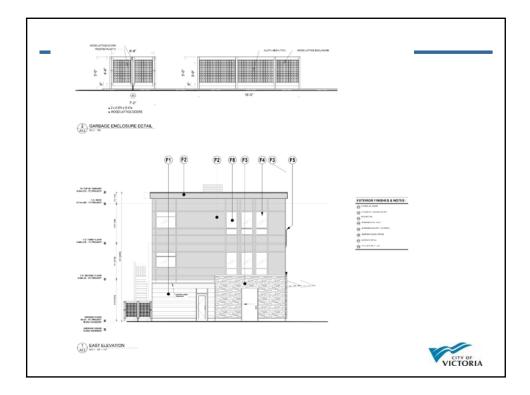


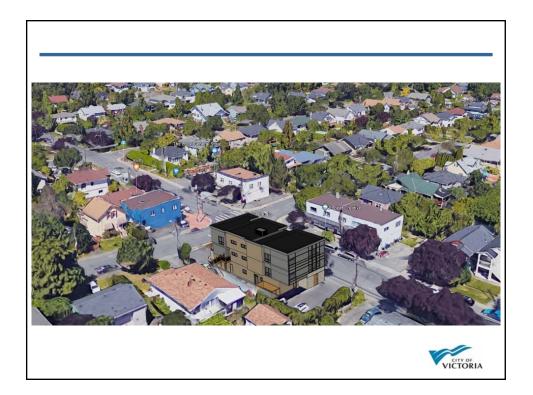


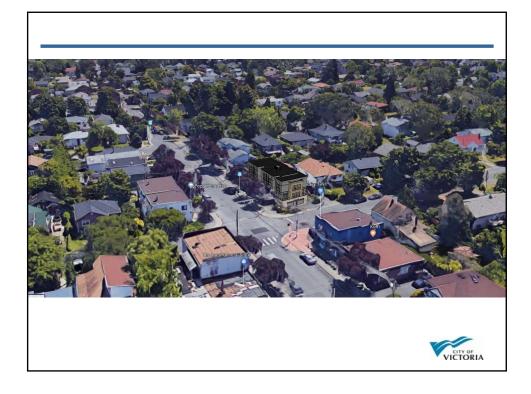


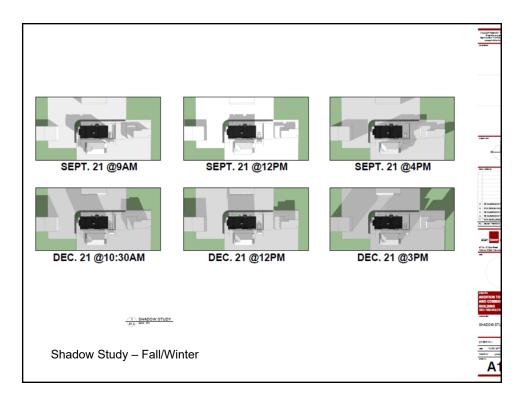


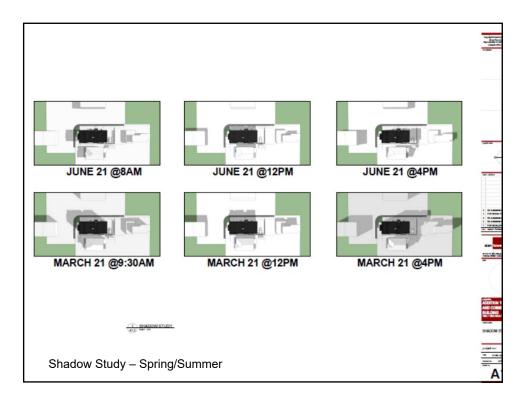














October 28th, 2018

Dear Mayor and Council,

We are writing regarding 1501-03 Haultain Street. We understand the new owner of the property wishes to add onto the side of the building, covering the existing parking lot and eliminating the existing parking spots on the west side of the property. We also understand she intends to build another story onto the existing building. While in general we support projects which increase housing in Victoria, we have some concerns about this project.

First, numerous of our neighbours are not in favour of a parking variance because if a precedent is set for reducing the number of required parking spaces on that corner, it is likely the other 3 corners will soon be developed and will request parking variances as well. We hadn't thought of this until one of our neighbours pointed it out. It now seems to us that our neighbour's assessment of this is correct and worthy of consideration in the matter of this parking variance. It is hard to see how turning down future variance requests at the Corners can be justified if 1501-03 has already been granted such a variance.

Although there is a larger conversation that needs to happen about reducing the number of cars we use, currently there are a lot of cars parking on Haultain Street and the smaller streets adjoining it. In-fill and suites in houses are increasing and so is the number of cars. Also, a lot of cars are parked in our neighbourhood by people working at and visiting the Royal Jubilee Hospital. Parking is getting tight and allowing development without considering parking is going to make things even tighter. We think there needs to be a neighbourhood discussion about what we are going to do to increase density while reducing the number of cars. We think this needs to be part of an up-dated Oaklands Community Plan. We are eagerly awaiting the process and fulfillment of a new plan.

Of course, the new community plan will need to take into account that Haultain Street is designated as a bicycle route in the cycling plan currently being implemented by the City of Victoria. It is unclear to us, at this point, how the increase in bicycle traffic will affect the residents of Haultain Street and the parking of cars by residents and people visiting businesses at the very corner where 1501-03 stands. So we are even more leery of allowing the parking variance for this site until both the cycling plan and the community plan are designed and implemented. This just does not seem like a good time to issue a variance that will encourage development of the "Corners", with both a City of Victoria cycling plan and an Oaklands Community Plan yet to be manifest.

With all this in mind, we would like to suggest a compromise for the plans for 1501-03 Haultain Street. We'd like to suggest that the parking on the west side be retained but that the owner of the property be allowed to increase the square footage of the building and increase the number of units by adding two stories on top of the existing footprint of the building. This is one more story than she is currently planning to add. This way, there is some compensation for the owner's investment but the parking situation is not made significantly worse. The precedent then becomes allowing a slightly higher building. This is a precedent we could be fine with, for all four corners of Haultain and Belmont.

Sincerely,

Margot Johnston and Rainey Hopewell Residents — 1420 Haultain Street, Victoria, BC V8R 2J7

November 6, 2018

Dear Laurel,

Re: 1501-1503 Haultain Street development

As you are a newly elected city council member, I wanted to take this opportunity to bring to your attention my concerns and my opposition to the proposed development at 1501 Haultain Street. I, along with many others in our neighbourhood, have outlined our objections to the variances being sought by this developer, in previous letters to City Council and the Mayor. Since that time, the proposal has been sent forward from the Committee of the Whole to a public hearing. None of our concerns were raised or discussed at that time. Instead, Marianne Alto remarked that parking concerns had been dealt with and the Mayor commended the developer for her "thoughtful letter". I do not feel that the issues we raised were acknowledged or represented by council members or the Mayor, and I do not believe that potential parking shortages have been alleviated.

To summarize those concerns on your behalf, we are opposed to the variances being requested, and we have strong reservations about the scale, scope and fit of this project for our neighbourhood. We feel very strongly that a community plan needs to be in place to guide development in the Fernwood neighbourhood, which we are told will be done in 2019. Without this plan in place, we believe that the drastic parking variances being asked for (3 spaces instead of the 14 required) will set a precedent for future development at The Corners and will have an immediate adverse effect on the small local businesses who rely on customers being able to park to pick up a coffee, buy groceries, attend a yoga class or get a haircut. Without adequate parking for the proposed building's five suites and two businesses those tenants' and customers' vehicles will inevitably be parked on Haultain and surrounding blocks instead. This will create congestion and a critical shortage of parking spaces at The Corners. The developer's suggestions that she will not "allow" tenants to own cars is ludicrous as is her previous assertion that renters are too poor to own vehicles anyway.

The setback variances likewise will set a deleterious precedent for other buildings on The Corners. Bringing a much larger building (both in height and mass) very close to the property lines will alter the present open space buffer that defines this unique and important hub of our community. There is also no transition provided to the lower density buildings surrounding this proposed development. The character of our neighbourhood will be altered forever by a building of this size that overwhelms the surrounding residential housing and small scale businesses.

I am hopeful that the present city council will be willing to listen to and discuss our concerns at the public hearing. We would like to believe that the community of people who live and work in our neighbourhood are included in decisions around how land is used, what future development looks like, and how it aligns with and enhances our existing community rather than maximizing space and therefore profit for a developer. Densification is a laudable goal for our city but it should not come at the expense of our existing businesses and the neighbourhood's long time efforts (since 2005) to enhance and rejuvenate this small scale, unique and welcoming locale for residents and loyal customers.

Finally, to quote the chairs of the Land Use Committee for Fernwood, "to approve a significant change at one corner without considering the other three corners and the neighbourhood's vision for the area seems premature at this point".

Yours truly,

Kay Marshall 2549 Belmont Ave.



Parking for eleven cars all occupied at 4:00 p.m. Nov. 6th, 2018.

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3. Lack of Onsite Parking

•	Name	Address	Signature	Date
[. [:]	LISA Mitchenal	2543 Belmont Ave. Victoria	Martonth	02t i/18
2.	Norman MaxDowell	2543 Belmont Ave le Horien	A	(Jet 1, 2018
3	Kidi Araham	21des Araberty ST	Seil he	Oct 1 2018
1.	Kirste Hune	1391 Coleman street	KUSSHIDUR.	Oct. 7, 2018

Name Signature Address Date $\mathcal{V}_{\mathcal{O}}$ Can HeDonay 2635 Asquith St 'ab 2018 5. 263= RS00, TA 6. 2526 Belmont 10CA 3,2018 Erin Heywood 9. mell 1350 Monair 2018 8. ſ MARYANNHUME Watthey Ud 4, 2018 2543 BELMONT lan Oct 4 2018 GRÉG MACDONELL 2543 Belmont 10 2018-10-04 Lauretta Lockwood 2526 Belmont {(); #211 09/10/18 DORGEN MAL DENTLE 20 50 DAIGAT AVE. 12. Theresa Cornish 13 11/11/18 2560 Forbes It

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Name	Address	Signature	Date
MICHAEL	1441 HADLTAN	Mula	10.11.18
Brittney Butcher	1114 Empress Are	Butt Bus	10.11.18
STEPHANIE MCDOWELL	2541 EMPIRE	Suppoull	der 11/2018
Mortin HEAD	2638 MH STEPHEN AVE.	# Pland	11 Oct 2018

Name	Address	Signature	Date
Brian Major	2522 Belmont Ave.	Miri.	Oct 11 /2018
Dave Edwards.	2660Asguth	AD.	oct 11/2018.
PETER FORES	2659 FERN	on PO	(A) (, 1,
Ken Bruballer	2528 Asquith	U-	r; '\
Davido Kolberg	2725 Roseberry		Oct 12/2018
ROBB BOUCLARD	7607 56077 57,	Roll, Secubar	007 12,2018
Nele Smallwood	2577 Asquith	Car	oct 12,2018
Matthew Proulx	1941 Haultain	Millin Her	Oct 12,2018
Daisy Linden	2601 Scottist.	Dinden	OCT 14,2018
Amanda Oberg-OBien	Ŋ	amunder Oncy O'price	11
DAVID MASON			Nov 8, 2018
Ebudia Kobayashi	1440 Hauthain	Ferrest	Nov.8,2018
Sherry Orobeth	2542 FERNILOOD	SHERRY(ORCHERTON	NOU 9/18
Paul Alford	1306 Bay St	MA	Nov 9th /18
		COT	
	Brian Major Dave Edwards. REAR FORESS Ken Brubaker Davido Kolbey ROBB Bouchtes Mele Smallwood Matthew Proulx Dalisy Linden Amunda Oberg-OBrian DAVID MASON DAVID MASON	Brian Major 2522 Belmont Avr. Dave Edwards. 2660 Asguth PERR FORGES 2557 2659 FEDAL Ken Brubaker 2528 Asguith Davido Kolbay 2725 Roseberry ROBB BouchARD 2607 56077 57. Mele Smallwood 2577 Asguith Matthew Proulx 1441 Houltain Daisy Linden 2601 Scott St. Amunda Oberg-OBINN DAVID MASON 2615 SHELBOURNE Sherry ONNATH FERNILDOD	Brian Major 2522 Belment Ave. Dave Edwards 2660 Asguth D. PETER FORGES DET 2659 FEDMODD PD Ken Brubulker 2528 Asguith Davido Kolky 2725 Roseberry ROBSIS BOUCHAED 2607 ST. Rolly Burbant Mele Smallwood 2577 Asguith C.C. Matthew Proulx 1441 Houldain Matthew Proulx 1441 Houldain Daisy Linden 2601 Scottist Amunda Oberg-OBINN Davida Inden 2615 SHELBOURNE D. Mason Toucia Kobsyashi 2542 Shurry ONATH FERNICOD SCHERTON

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•	Name	Address	Signature	Date
32	Walerie Stubel	2519 Belmont	thele in Halul	0 \$ 9,2018
33	V (2519 Belmont	Lant Stale	Out 9,2018
34	Lauren Fox	1448 Bay corner of Belmont	Jam 70	Oct 9, 2018
35	Shelley Mora	1448 Bay 34	Att .	029,2018

Address Signature Date Name 36 Inn Whiteaker 2527 Balmond Aug 2523 Belmont Ave SkyeLadell 37 ladell Oct. 11, 2018 Steve Deichmann 2517 Belmant Ave, Victoria, BG V8R 4A5 Od. 14, 2018 38 eduary 2517 BELMONTATE 34 CEILIDH DEICHMANN Oct. 14.2018. VILTORIA BCVBRHAS 2523 Belmont Franny Ladell 40 ramy lade () ctober 20, 2018 Ave Shane Yakelashek 2523 Belmont Ave October 23, 2018 41 Dadser 27, 247-Llog Roberts 25163elmontAle 42

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	Name	Address	Signature	Date
43	Mel Flower-Babiant	2552 Belmunt	Mel Flower Babichet	Sept 30, 2018
44	Jossie LaFkur	2555 Belmont		Sept 30/18
4 5	Lawryn Jones	2555 Belmont Ave	the is	Sept. 30/18
46	G. Bushell	2575 11 7	Plushell	Sept 30/18
		() () () () () () () () () ()		

Name Address Signature Date 2542 Belmout Gurla 30/08(2018 47 Juni Shenwood Victoria 2549 Belmont Ave. Kay and Dave 40 Kary Meidel Marshall Sept. 30 / 2018 2538 Sebustion Sup 30/2018 49 Belmont Avia. kn ht Michaud Tyler Dashwood 2550 50 Oct 28/18 Belmont Ave 255 Mout Ave Oct 28/20/8 51 Ellehnan. oct 28/18. Mary Jane Teachman 2552 Forbes ST. 52 Mike Teachman 2552, Forbes St A)at 28/18 \$3 2557 Forbesst 000 28/18 Erin Munro 54 VX toria VBRUBIC OSJ7 Forbes 82 Mulolos 0.128/18 Nick Gibbs 55 victoria VBRUBSI 56 Oct 28/18 Sandra Pilon 2550 Forbas and son Pilon Janice Hawkes 2740 Gesworth 57 OCT 28 280 00 2018 Virgil Hawkes 2240 Gosworke 58 Cion Marshall 2549 Belmit AVE 28 OA 2018 59 2607 RAP. AL Nov 6/18 KELLY MANN ψO HTJ Radayn Lanning 61 2556 Folloes St. Jobba Law Nov 7, 2018 Victoria, BC 2556 Forber st Treg hanning Vic, BC 7 2018 Signature Nov10/18 hylis songhurst 1515 Hauttan

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We believe the request to reduce onsite parking from 14 to 3 car spaces, while increasing the occupancy from three suites to five, is unreasonable and will have a negative effect on the local businesses. We submit that the shortfall of 11 spaces, calculated as per the City's evidence based Parking Schedule C updated July 12, 2018 means that the five rental units and two ground floor businesses will have to rely on street parking despite the developer's promises of bicycles and carshare memberships. As parking is already in high demand by Corners' businesses, residents and Royal Jubilee staff, the pressure on available street parking will be immediate and significant, particularly for the small locally owned businesses.

	Name	Address	Signature	Date
ð 4	JAMES KERR	1423 HAULTAW GT	Amisen	OCTOBER 1, 2018
65	Barb Donaldson	1423 Haulter Sor	B. Dugel	041,2018
66	HYNNE MAJID		D. majo	007, 7,2018
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Name Signature Address Date MikeVardy 1411 Haultain St 1 xt21/2018 **é7** Oct 2/ 68 FARL GRIFFIN 1439 HAULTAINS 69 27 0018 Blance May Shime 1415 Hamitan 27 Q+/8 70 Mince Kaned 2606 Asquite 71 TOM WOO 1447 HAULTAIN OCT 27 2018 2601 Hauta Jim Mann 72 Oct 27,2018 Deb Page 2605 Asquith 73 Det 27, 2018 ALPINE Marc Amacher 74 2577 AquilhSt 00+27/18. Tracy Amacher Oct 27/18 2577 Aszuithist 75 260 Mr. STEPHEN. 76 LARET CELLO 3.10.2018 77 4/10/2018 ALZS BEZMANT 2. Bourer 78 2635 BELMONT NOV 42018 tettas I UNG 79 A (Indan 2608 Pelmont NOV. 4 2018 NOV. 10/18 2615 Asquith ØO Arezos Zamany 81 MICHAGE FOUTHER 2614 BELMONT AVI Nav 10, 2018 Brad Besuick 2628 Belmant Ave NOV 10,2018 Moun 82 2621 BelmonitAr Claude LACOMBE 83 Nov 10, 2018

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•	Name	Address	Signature	Date
34	Mikay 10 Parise	1503 A Haultain	2000-	Scpt 29
85	Alexandre Porise	2 BO3 A HAUL TALN	1 MALA	September 28
86	STAN ANDERSON	15-20 AVAULTA, NS	H (K)	OLT 3 2018
87	SANGT ANDRESON	1500 WANGTONS	·	0(T 3 2018

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•	Name	Address	Signature	Date
88	R. BAI GENT	1522 HAULMINSF	MASSit	11/8/18
89	Glas	1522 Haultan		11/8/18
90	David P. Smith	2614 Forbes Sto	In i	11/8/18
				· / /

U RETREAT SPA & WELLNESS

778-265-6666 uretreat@uretreat.ca November 22, 2018

1500 Haultain Street Victoria, B.C. V8R 2K2 Dear Mayor Helps and Respective Members of Council,

I writing to let you know about my opposition to the development proposal for the 1501 Haultian Street. I did write a previous letter stating my approval, but have since learned that I was not given all of the facts when the owner, Li, approached me. She showed me a picture of how it would look, which was fantastic. But, there was no mention of a 3rd floor and visually I wasn't able to tell there was one. She assured me that although the building would be re configured, the amount of parking spots would stay the same. Lesson learned on my part to learn all the information before deciding where I stand!

As a business owner on the block, parking has become an issue this past year. With the installation of the residential only parking spots, on the 1500 Block, there remains only 4 street spots for customers coming to do business. For some they are in and out. For others, like ourselves where people are coming for a health or relaxation treatments, the customers are parked for over an hour. The corner has become more popular in general, which is great, but it does mean that parking is not as readily available as it once was.

I'm all into growth, change and the beautification of neighbourhoods. As well, I understand the need for housing. I feel like there is a way to make all these things happen, while still valuing the integrity of what a neighbourhood is. Haultain Corners has a charm. A real feeling of family, if that makes sense. It's a place where small, local businesses do well, because the community supports them. Victoria is know for it's special neighbourhoods and that feeling of uniqueness they bring to each area. Big buildings means less neighbourhood, and more of a downtown feel. And, once one is approved, that means the precedent will be set for the other buildings on the street.

If you haven't already, I recommend you come and spend time in Haultain Corners. Look around, visit the shops, feel it out. A big building does not belong here.

Sincerely yours,

Melanie Nelson

Owner

U Retreat Spa & Wellness

January 8, 2019

City of Victoria 1 Centennial Square Victoria, BC. V8W 1P6 Canada

Attention: Mayor Lisa Helps and Members of Council

I am writing to express my support for the development permit with variance application at 1501-1503 Haultain Street. I think the proposed development project will be a positive enhancement to the neighbourhood as a whole, while still retaining Haultain Corners' unique character and feel. It will bring transit improvements, modern design, and, most importantly, high-density housing units, which will benefit all residents in the neighbourhood/city moving into the future.

The first thing that comes to mind when I think of Haultain Street, and Haultain Corners, specifically, is its incredible walkability. As a neighbourhood resident and regular customer of Koffi Victoria, I walk past the building at 1501-1503 Haultain on a daily basis. I am confident this project will further enhance the walkability and transportation vision for the neighbourhood.

With additional bike racks set to be built, and a bike rebate incentive to assist residents in the purchase of a new bike, the city bike route outside the building will be put to good use. A Modo car will also be provided to encourage ridesharing amongst building residents. This will most likely have a traffic calming effect. The bus stop located right in front of the building is also a key asset to the complex, helping to ensure building tenants/residents can easily move around.

Furthermore, the building is showing its age and is in definite need of an update. This project proposes to modernize the building, while also adding five new residential units to help with the rental shortage the city is currently facing. I like the fact this will be accomplished without adding to urban sprawl, as the existing building structure will in large part be retained.

Looking ahead to the future, it is essential that Haultain Corners maintain its charm and character, but it also needs to modernize and adapt to changing demands in the City of Victoria. This project will ensure this is achieved, and I look forward to it moving forward.

Sincerely,

Dennis Carson – Local Resident

1640 Bay Street Victoria, BC V8R 2B8

Pamela Martin

From: Sent: To: Subject: Kim and Kelly January 8, 2019 6:25 PM Public Hearings RE: 1501 / 1503 Haultain Street development permit application

Mayor and Council City of Victoria

Thank you for the opportunity to submit these points opposed to the above noted application.

By way of background, I am a lifelong Oaklands resident and grew up only a few houses from this corner in question. To this day, I continue to reside in Oaklands and visit this corner multiple times per week for my morning coffee. While Haultain Corners is in desperate need of a large make-over, this proposal misses for me due to

- the overall reduction of parking spaces from 14 to 3 (net loss of 10) will push vehicles onto side streets (2500 and 2600 blocks of Belmont) A street already choked with resident parking
- the overall reduction of parking spaces from 14 to 3 (net loss of 10) will push vehicles onto the 1200 and 1300 blocks of Haultain Street.
- these two blocks of Haultain Street benefit from short term parking to support local businesses (barber, 3 x markets, coffee shop, spa, yoga studio, art store, etc.) Longer term parking by residents of 1501 / 1503 Haultain would limit/eliminate those spaces for transient customers
- this road is an east / west bus corridor, already taxed with on street parking
- this road has been identified as a cycling corridor by city officials

Thank you for considering my points of view.

КЈМ

Kelly Mann 2607 Capital Heights V8T3M1

_ 24	(Charge)				FFICE	_					
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	RM C (Section 233) CHAR(NERAL INSTRUMENT - F		Province of Britis	h Columbia				PA	GE 1	OF 20) PA
	Your electronic signature i Land Title Act, RSBC 199 in accordance with Sectio your possession.	96 c.250, ar	nd that you have a	pplied your el	lectronic	signature	Walden		Michae Date: 2	v signed b l Walden : 019.01.07 0 -08'00'	2TQ8
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Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this **750** instrument.

LAND TITLE ACT FORM D **EXECUTIONS CONTINUED** $PAGE \ 2 \ of \ 20 \ PAGES$ **Execution Date** Officer Signature(s) Transferor / Borrower / Party Signature(s) Y Μ D THE CORPORATION OF THE CITY OF VICTORIA, by its authorized Christopher D. Coates 19 01 07 signatory: Commissioner for Taking Affidavits in British Columbia #1 Centennial Square Victoria, BC V8W 1P6 MAYOR LISA HELPS

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution **75**this instrument.

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LAND TITLE ACT		
FORM E		
SCHEDULE		PAGE 3 OF 20 PAGE
NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
Covenant		Article 2 Pages 8 to 10
NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
Statutory Right of Way		Article 3 Pages 10 to 12
NATURE OF INTEREST Covenant	CHARGE NO.	ADDITIONAL INFORMATION Article 5 Pages 12 to 13
NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION

TERMS OF INSTRUMENT - PART 2

SHARED VEHICLE AGREEMENT 1501 – 1503 Haultain Street

WHEREAS:

- A. Capitalized terms not otherwise or elsewhere defined in this Agreement will have the respective meanings ascribed to them in Article 1;
- B. It is understood and agreed that this Agreement will be read as follows:
 - (a) the transferor, CINNABAR BROWN HOLDINGS LTD., as more particularly defined in Section 1.1, is called the "**Owner**"; and
 - (b) the transferee, THE CORPORATION OF THE CITY OF VICTORIA, is called the "City" or the "City of Victoria" when referring to the corporate entity and "Victoria" when referring to geographical location;
- C. The Owner is the registered and beneficial owner of the Lands;
- D. The Owner made an application for a development permit with variances which the City has conditionally approved subject to, among other things, fulfilment of the condition that prior to issuance of that permit, the Owner, at no cost to the City, make arrangements to the satisfaction of the City for the:
 - (a) purchase of one Shared Vehicle;
 - (b) dedication of one Shared Vehicle Parking Space on the Lands;
 - (c) provision of five memberships in a Shared Vehicle Organization (one for each residential unit);
 - (d) provision of Shared Vehicle usage credits in the amount of \$100 for each of the five memberships in a Shared Vehicle Organization; and
 - (e) provision of a \$400 credit for each of the five residential units towards the purchase of a bicycle;
- E. To satisfy the foregoing conditions the Owner and the City have entered into this Agreement; and
- F. The Statutory Right of Way is necessary for the operation and maintenance of the City's undertaking.

CONSIDERATION

NOW THEREFORE this agreement witnesses that for Ten Dollars and other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged and agreed to by the parties), the parties, for themselves and their successors and assigns, hereby covenant and agree as follows:

ARTICLE 1 DEFINITIONS

1.1 Definitions and Interpretation

The terms defined in this Section 1.1 will have the following meanings for all purposes in this Agreement, except where specifically otherwise provided herein:

- (a) **"Building**" means any new building, improvements or structures which include dwelling units and which are constructed on the Lands following issuance of and pursuant to the Development Permit;
- (b) **"Building Permit**" means a building permit issued with respect to the Lands subsequent to the Development Permit;
- (c) "City" and "City of Victoria" are defined in Recital B(b);
- (d) **"City Personnel**" means the City's elected officials, officers, employees, contractors, subcontractors, agents, licensees, invitees and permittees;
- (e) "**City Solicitor**" means the person employed by the City as the City Solicitor and includes any other City lawyer acting under the authority of the City Solicitor;
- (f) **"Development**" means any development to be constructed on the Lands, or any portion thereof, pursuant to the Development Permit or Building Permit;
- (g) **"Development Permit**" means the development permit issued with respect to the Lands as a result of the Owner's development permit with variances application no. 00066;
- (h) **"Director of Planning**" means the chief administrator from time to time of the Sustainable Planning and Community Development Department of the City and his successors in function and their respective nominees;
- (i) "Event of Force Majeure" means acts of God or public enemy, wars (declared or undeclared), revolution, riots, insurrections, civil commotions, fires, floods, slides, epidemics, quarantine restrictions, strikes or lockouts, including illegal work stoppages or slowdowns, or stop work orders issued by a court or public authority, including the City (provided that such orders were not issued as a result of an act or omission of the Owner, or anyone employed or retained by the Owner), freight embargos or power failures, provided that any such event or circumstance reasonably constitutes a material disabling event or circumstance which is beyond the reasonable control of a party, does not arise from the neglect or default of a party, and which results in a material delay, interruption or failure by a party in carrying out its duties, covenants or obligations under this Agreement, but which does not mean or include any delay caused by the Owner's lack of funds or financial condition (and for greater certainty, a strike or lockout, including illegal work stoppages or slowdowns, will be considered beyond the reasonable control of a party and not to arise from the neglect or default of that party, it being understood that the terms of settlement of any

labour disturbance, dispute, strike or lockout will be wholly in the discretion of that party).

- (j) "Land Title Act" means the Land Title Act, R.S.B.C. 1996, c.250;
- (k) "Lands" means that certain parcel of land situate in Victoria, British Columbia, more particularly known and described in Item 2 of the Form C forming part of this Agreement, and includes any parcel into which some or all of such land is consolidated or further subdivided;
- (I) "Losses" means any and all damages, losses, fines, penalties, costs (including legal costs on a solicitor and own client basis), actions, causes of action, claims, demands, liabilities, indirect or consequential damages (including loss of profit and loss of use and damages arising out of delays) and expenses of every nature or kind whatsoever;
- (m) **"LTO**" means the land title office in Victoria, British Columbia;
- (n) "Occupancy Permit" means the first occupancy permit issued for the Building in respect of the redevelopment of the Lands and the Building contemplated by the Development Permit;
- (o) "Owner" means Cinnabar Brown Holdings Ltd. (Incorporation No. BC0545769) and all of its assigns, successors and successors in title to the Lands or any part thereof and, if the Lands are subdivided by way of a Strata Plan then "Owner" includes, without limitation, any Strata Corporation(s) thereby created;
- (p) "Parking Space Construction Standards" means the specifications and requirements of the Director of Planning in accordance with the City bylaws, policies and guidelines to which the Shared Vehicle Parking Space must be constructed, as may be amended from time to time;
- (q) **"Permit**" means any Development Permit, Building Permit, Occupancy Permit or other permit applied for from the City in respect of the Building or the Lands;
- (r) **"Permitted Users**" means the members in good standing of the Shared Vehicle Organization whether or not said members reside in the Building;
- (s) **"Section 219 Covenants**" means the covenants contained in this Agreement made pursuant to Section 219 of the *Land Title Act*;
- (t) "Shared Vehicle" means one four-wheeled automobile, van or pick-up truck to be provided to the Development in accordance with this Agreement and the Shared Vehicle Service Agreement;
- (u) "Shared Vehicle Organization" means a legal entity whose principal business objective is to provide its members, for a fee, with a car-sharing service by which such members have self-serve access to a fleet of Shared Vehicles which they may reserve for use on an hourly or other basis, and which the City has approved and which has entered into the Shared Vehicle Service Agreement with the Owner, but does not include rental vehicle organizations;

- (v) "Shared Vehicle Parking Space" means one parking space situate on the Lands as shown with a bold black arrow on the sketch plan attached hereto as Schedule "A" reserved for the exclusive use of the Shared Vehicle to be provided pursuant to this Agreement; and/or such other parking space as the Owner may request and the Director of Planning may first agree to in writing;
- (w) "Shared Vehicle Service Agreement" means a legally binding agreement, satisfactory to the Director of Planning, entered into by the Owner and the Shared Vehicle Organization for the provision of the Shared Vehicle, pursuant to the terms of this Agreement and/or containing such other terms and conditions as the Owner may request and the Director of Planning may first agree to in writing;
- (x) "Statutory Right of Way" means the statutory right of way made pursuant to Section 218 of the Land Title Act and granted by the Owner to the City pursuant to Article 3;
- (y) **"Strata Corporation**" means a strata corporation created by the filing of a Strata Plan;
- (z) **"Strata Plan**" means a strata plan filed in respect of the Lands or any subdivided portion thereof pursuant to the *Strata Property Act*;
- (aa) "Strata Property Act" means the Strata Property Act, S.B.C. 1998, c. 43; and
- (bb) "Victoria" is defined in Recital B(b).

1.2 Interpretation

- (a) In this Agreement, the words "include" and "including" are to be construed as meaning "including, without limitation"; and
- (b) The Schedules attached to this Agreement, if any, constitute an integral part of this Agreement.

1.3 Headings

The division of this Agreement into Articles and Sections and the insertion of headings are for the convenience of reference only and will not affect the construction or interpretation of this Agreement. The terms "this Agreement", "hereof", "hereunder" and similar expressions refer to this Agreement and not to any particular Article or other portion hereof and include any agreement or instrument supplemental or ancillary hereto. Unless something in the subject matter or context is inconsistent therewith, references herein to Articles and Sections are to Articles and Sections of this Agreement.

1.4 Number

Words importing the singular number only will include the plural and vice versa, words importing the masculine gender will include the feminine and neuter genders and vice versa, and words importing persons will include individuals, partnerships, associations, trusts, unincorporated organizations and corporations and vice versa.

1.5 Governing Law and Legislation

This Agreement will be governed by and construed in accordance with the laws of the Province of British Columbia and the laws of Canada applicable in British Columbia. Any reference to a statute is to the statute and its regulations in force on the date the Form C General Instrument - Part 1 attached hereto is fully executed and to subsequent amendments to or replacements of the statute or regulations.

ARTICLE 2 PRECONDITIONS TO OCCUPANCY

2.1 Section 219 Covenant

The Owner covenants with the City pursuant to Section 219 of the *Land Title Act*, in respect of the use of the Lands and the Building, that notwithstanding that the Owner may be otherwise entitled, the Owner will not, and will not suffer or permit any other person to:

- (a) apply for an Occupancy Permit for all or part of the residential part of the Building;
- (b) take any action to compel issuance of an Occupancy Permit for all or part of the residential part of the Building; or
- (c) occupy all or part of the residential part of the Building,

and agrees that:

(d) no part of the residential part of the Building will be occupied, and the City will have no obligation to issue an Occupancy Permit for the same, even if the Owner has completed construction of the residential part of the Building,

except if the City, under Section 2.2, has executed and delivered to the Owner a registrable discharge of this Section 219 Covenant from title to the Lands in the LTO.

2.2 Discharge

The City agrees to execute a discharge of the Section 219 Covenant granted pursuant to Section 2.1 from title to the Lands in the LTO upon the Director of Planning being fully satisfied that the Owner has constructed, finished and designated the Shared Vehicle Parking Space on the Lands in accordance with the Development Permit, this Agreement and the Parking Space Construction Standards, and the Owner has fulfilled its obligations pursuant to Sections 2.3 and 2.4;

Provided however that:

- (a) the City will have no obligation to execute such discharge until a written request therefor from the Owner has been received by the City, which request will include the form of discharge in registrable form satisfactory to the City Solicitor;
- (b) the cost of preparation of such discharge and the cost of registration of same in the LTO will be paid by the Owner; and
- (c) the City will have a reasonable time within which to execute such discharge and return the same to the Owner for registration.

2.3 Shared Vehicle Service Agreement and Supply of Shared Vehicle

The Owner, at its expense, will enter into a legally binding Shared Vehicle Service Agreement with the Shared Vehicle Organization, approved by the Director of Planning, by which the Owner shall arrange for the provision of the Shared Vehicle to the Development. The Shared Vehicle Service Agreement shall be on arrangements, terms and conditions to be agreed upon by the parties, but at a minimum, the Agreement must provide:

- (a) for the ongoing maintenance, repair and operation of the Shared Vehicle in a prudent manner and, if the Shared Vehicle is damaged beyond repair, the prompt replacement of the Shared Vehicle with a vehicle which is at least equivalent in value and function to the Shared Vehicle;
- (b) for the making of the Shared Vehicle available for use by the Permitted Users not later than the date of issuance of an Occupancy Permit for any part of the residential part of the Building, and, for as long as is reasonably and lawfully possible thereafter, keep it in use exclusively for the Permitted Users;
- (c) that, at all times, except when in use by the Permitted Users or when being repaired or serviced, the Shared Vehicle will be parked and kept in the Shared Vehicle Parking Space;
- (d) for the funding by the Owner of five memberships in the Shared Vehicle Organization;
- (e) for the funding by the Owner of a usage credit in the amount of \$100 for each of the five memberships referred to immediately above;
- (f) for the assignment of the Shared Vehicle Service Agreement by the Owner (or its successors) to any Strata Corporation or to any successor in title to the Lands concurrent with the assignment of this Agreement, but not prior to all financial obligations of the Owner pursuant to the Shared Vehicle Service Agreement being fulfilled by the Owner to the satisfaction of the Director of Planning;
- (g) terms of access to the Shared Vehicle Parking Space by the Permitted Users, which must include the ability of the Permitted Users to access the Shared Vehicle Parking Space 24 hours a day/ 7 days a week and address any requirements for access, including FOBs, passcodes or keys; and

(h) that the Shared Vehicle Service Agreement may not be amended or terminated without the prior written consent of the Director of Planning.

2.4 Satisfaction of Shared Vehicle Purchase Requirements

Prior to issuance of an Occupancy Permit for any part of the residential part of the Building, the Owner will provide the Shared Vehicle in accordance with this Agreement and shall submit to the Director of Planning:

- (a) a receipt or other form of confirmation issued by the Shared Vehicle Organization confirming satisfaction of any financial obligations of the Owner included in the Shared Vehicle Service Agreement;
- (b) a copy of the vehicle registration for the Shared Vehicle evidencing that the Shared Vehicle is registered in the name of the Shared Vehicle Organization, along with proof of insurance; and
- (c) if applicable, a copy of an assignment of the Shared Vehicle Service Agreement from the Owner to the Strata Corporation duly executed by the Owner, the Strata Corporation and the Shared Vehicle Organization,

all of which must be in form and substance satisfactory to the Director of Planning.

2.5 If Occupancy Permit Issued Inadvertently

The Owner covenants and agrees that an Occupancy Permit for any part of the residential part of the Building issued inadvertently or otherwise prior to release or discharge of the Section 219 Covenant granted pursuant to Section 2.1 may be revoked by the City or City Personnel, as applicable, at any time and further agrees that if the Owner occupies any part of the residential part of the Building in contravention of this Agreement, the City may pursue all remedies, including, without limitation, injunctive relief.

ARTICLE 3 STATUTORY RIGHT OF WAY

3.1 Right of Way Grant

Pursuant to Section 218 of the *Land Title Act*, the Owner grants to the City and the City Personnel and the City's invitees and licencees, including the Permitted Users (for so long as and on such conditions as the Director of Planning may allow), absolutely and in perpetuity an easement by way of statutory right of way on and over the Lands, for the purposes described in Section 3.2 and on the terms and conditions contained in this Agreement. This right will be full, free and uninterrupted.

3.2 Right of Way Purposes

At any time the City and City Personnel and the City's invitees and licencees, including the Permitted Users (for so long as and on such conditions as the City may allow) may enter the Lands:

- (a) to park and access the Shared Vehicle in the Shared Vehicle Parking Space designated for the Shared Vehicle; and
- (b) for access and egress as pedestrians and in the Shared Vehicle between the Shared Vehicle Parking Space and the adjacent City streets and lanes,

all in accordance with this Agreement.

3.3 Exercise of Right of Way

The rights granted in Section 3.1 will be exercised only with respect to the Shared Vehicle Parking Space and the vehicular and pedestrian entrances thereto and exits therefrom and the Statutory Right of Way on and over the Lands is:

- (a) restricted to those portions of the Lands designed for such purposes pursuant to this Agreement;
- (b) subject to such reasonable rules and regulations as may from time to time be prescribed by the Owner, including those for the safety and security of the Shared Vehicle Parking Space, the Permitted Users, and other users of the Building and the Lands, provided that notwithstanding the right of the Owner to make reasonable rules and regulations from time to time, such rules and regulations will:
 - (i) not permit the Owner or any other person to charge or permit to be charged, directly or indirectly, any fee whatsoever for the access to or use by the Permitted Users of the Shared Vehicle Parking Space, other than a charge included in strata fees payable by all strata lot owners in a Strata Corporation, if applicable, for maintaining the Shared Vehicle Parking Space; and
 - (ii) not in any way whatsoever limit the obligation of the Owner to make the Shared Vehicle Parking Space and all access to and egress from the Shared Vehicle Parking Space available to the Permitted Users at all times (7 days per week/24 hours per day) provided that the Owner may locate the Shared Vehicle Parking Space behind a security gate or other mechanism restricting access only if the Permitted Users are provided with a convenient means of access to the Shared Vehicle Parking Space at all times (7 days per week/24 hours per day); and
- (c) subject to the right of the Owner and their respective agents to bar entry to or eject from the Lands any member of the public who:
 - (i) acts in a disorderly manner, appears intoxicated by alcohol or drugs or commits or appears to commit an illegal act; or
 - (ii) presents an apparent threat to the safety of others or to the security of the Building or any improvements on the Lands.

3.4 No City Obligation

Nothing in Section 3.2 implies that the City or the Director of Planning has any obligation to the Owner or anyone else to exercise any of their respective rights under Section 3.2.

3.5 City Assignment

The City may assign all or any of its rights with respect to the Statutory Right of Way, or any undivided interest in them, or grant a licence in respect of all or any of its rights, to any government body, person, firm, or corporation who has the capacity to accept a grant of statutory right of way under Section 218 of the *Land Title Act*.

3.6 Right of Way Continuance

No default by the City or City Personnel under this Agreement and no act or failure to act by the City or City Personnel in connection with the Statutory Right of Way will result or be deemed to result in the interruption, suspension or termination of the right of way, and the Owner will refrain from seeking any judgment, order, declaration or injunction to that effect.

ARTICLE 4 BICYCLE PURCHASE SUBSIDY

4.1 Bicycle Purchase Subsidy

The Owner further covenants and agrees with the City that it will:

- (a) offer to the residents of each of the five residential units in the Building a \$400 credit towards the purchase of a bicycle (that is, one such credit per unit, not one per resident if a unit has more than one resident), such credit to be applied by means of a cash payment by the Owner upon presentation by the resident of a receipt confirming purchase of a bicycle after that individual took up residency in the completed Building;
- (b) provide the Director of Planning with proof of compliance promptly after each such credit is paid out; and
- (c) provide the Director of Planning with such other information concerning its compliance with this Section 4.1 as and when requested by the Director of Planning.

ARTICLE 5 PARKING SPACE

5.1 Section 219 Covenant

The Owner covenants with the City pursuant to Section 219 of the *Land Title Act*, in respect of the use of the Lands and the Building constructed thereon, that the Owner will, at its sole cost and expense:

- (a) prior to issuance of an Occupancy Permit for any part of the residential part of the Building, construct the Shared Vehicle Parking Space on the Lands in accordance with the Parking Space Construction Standards, and will thereafter inspect, maintain and repair the Shared Vehicle Parking Space and all access routes thereto and egress routes therefrom in a tidy and safe condition and repair and keep the Shared Vehicle Parking Space and the access and egress routes to and from the Shared Vehicle Parking Space well lit, all to the full satisfaction of the Director of Planning in accordance with all applicable City building permits, bylaws, policies and guidelines;
- (b) prior to issuance of an Occupancy Permit for any part of the residential part of the Building, place and thereafter maintain, signage for the Shared Vehicle Parking Space in accordance with the Parking Space Construction Standards;
- (c) ensure that the Shared Vehicle Parking Space complies at all times with the City standards as required by all applicable City bylaws and is otherwise acceptable to the Director of Planning;
- (d) take all commercially reasonable steps to ensure that the Shared Vehicle Parking Space is not used by anyone other than Permitted Users, the City or such person as the City may from time to time designate as being entitled to use it, and always for the purpose of parking the Shared Vehicle;
- (e) maintain, or cause to be maintained, insurance on the Shared Vehicle Parking Space and all access routes thereto and egress routes therefrom at all times, such insurance to be satisfactory to the Director of Planning and, without limiting the generality of the foregoing, such insurance to include:
 - (i) Commercial Generality Liability Insurance for a limit of not less than Five Million Dollars (\$5,000,000) per occurrence;
 - (ii) naming as additional insureds the City and City Personnel;
 - (iii) a waiver of subrogation against the City and City Personnel; and
 - (iv) a clause that such insurance cannot be cancelled, or endorsed to reduce the limit of liability, without thirty days prior written notice to the City; and
- (f) prior to issuance of an Occupancy Permit for any part of the residential part of the Building, provide the Director of Planning with proof of the insurance required by Section 6.1(e).

5.2 Termination of Shared Vehicle Service Agreement

If Shared Vehicle Service Agreement is terminated, such termination will not affect the Statutory Right of Way or the Section 219 Covenants contained herein, unless the City expressly otherwise agrees in writing.

ARTICLE 6 SUBDIVISION

6.1 Subdivision Generally

If the Lands are subdivided at any time hereafter either under the provisions of the *Land* Title *Act* or under the *Strata Property Act*, or under other similar legislation enacted from time to time, then upon the deposit of a plan of subdivision, strata plan, or similar plan as the case may be, subject to Section 7.2:

- (a) the rights and benefits of this Agreement herein granted will be annexed to and run with each of the new parcels, lots or other subdivided parcels and areas so created; and
- (b) the burdens, obligations, agreements, Section 219 Covenants and Statutory Right of Way contained in this Agreement will continue to charge each of the new parcels, lots or other subdivided parcels and areas so created.

6.2 Subdivision by Strata Plan

If the Lands, or any portion thereof, are subdivided by a strata plan, this Agreement will charge title to the strata lots and the common property comprising such strata plan and:

- (a) no part of the Shared Vehicle Parking Space or the drive aisles, ramps or pedestrian means of access and egress thereto will form part of or be located within any strata lot or part of any strata lot and all of the such spaces will be contained within the common property established by the strata plan;
- (b) the Section 219 Covenant(s) and Statutory Right of Way granted herein will be registered against each individual strata lot and noted on the common property sheet;
- the strata corporation or the strata corporations so created will perform and observe the Owner's covenants in this Agreement, solely at the expense of the strata lot owners;
- (d) the liability of each strata lot owner for the performance and observance of the Owner's covenants herein will be in proportion to the unit entitlement of his, her or its strata lot as established by the strata plan; and
- (e) the strata corporation(s) so created will manage and maintain the Shared Vehicle Parking Space and the strata corporation(s) may adopt and enforce reasonable rules and regulations concerning the safe use, maintenance and repair of the Shared Vehicle Parking Space, provided that such rules and regulations must not interfere with or prevent the reasonable use of the Shared Vehicle Parking Space by the Permitted Users.

ARTICLE 7 INDEMNITY AND RELEASE

7.1 Indemnity

The Owner hereby covenants and agrees with the City to indemnify and save harmless and reimburse the City and all City Personnel from and against all Losses which may arise or accrue to the Owner or any person, firm or corporation against the City or any City Personnel or which the City or any City Personnel, may pay, incur, sustain or be put to by reason of or which would not or could not have been sustained "but for" any of the following:

- (a) the City or City Personnel exercising any of its rights under this Agreement or respecting any loss of the parking or vehicle usage and/or access rights contemplated by this Agreement or based on any decision made by the City or City Personnel pursuant to this Agreement including, without limitation, the City or City Personnel withholding the issuance of any Permit; or
- (b) otherwise as a result of this Agreement and the requirements set out herein,

whether or not such Losses are the result of or relate in any way to any negligent acts or omissions on the part of the City or City Personnel. This indemnity will survive the discharge or any termination of this Agreement.

7.2 Release

The Owner, for itself and its successors and assigns, hereby releases and forever discharges the City and City Personnel from any and all Losses suffered or incurred by the Owner in connection with this Agreement. This release will survive the discharge or any termination of this Agreement.

ARTICLE 8 OWNER DEFAULT

8.1 Owner's Default

If the Owner defaults in observing or performing any obligation under this Agreement the Owner will rectify such default within fifteen days after receipt of notice from the Director of Planning, except that if the Owner, by reason of the nature of the default, cannot in the opinion of the Director of Planning rectify it within fifteen days, the Owner will have a further reasonable period to rectify so long as the Owner proceeds promptly and diligently. If the Owner fails to rectify such default within the permitted time period or if the Director of Planning, in case of emergency, does not consider that it has time to deliver such notice, the City may rectify the default on the Owner's behalf. If any default by the Owner results in the need for the Owner to take positive action to rectify such default, the Owner will take such positive action as the Director of Planning considers necessary, and, if the Owner fails to do so, the City may apply to court for a mandatory injunction requiring the Owner to take such action. This Section 5.1 will survive termination or release of this Agreement.

8.2 Costs

The Owner will pay to the City on demand the aggregate of the City's costs of rectifying any default of the Owner under this Agreement, and any other money the Owner may owe to the City from time to time pursuant to this Agreement, plus a sum equal to eighteen percent of those costs on account of the City's overhead. This Section 5.2 will survive termination or release of this Agreement.

ARTICLE 9 NOTICES

9.1 Notices

Any notice, approval or request required or permitted to be given under this Agreement will be in writing and may be given by delivering such notice, approval or request to a representative of the party for whom it is intended, either by personal delivery, or by mailing such notice, approval or request by prepaid registered mail from any post office in British Columbia and:

(a) in the case of the Owner, addressed to it at:

Cinnabar Brown Holdings Ltd. 4052 Ebony Place Victoria, British Columbia V8N 3Y9

Attention: President

(b) and in the case of the City, addressed to it at:

City of Victoria I Centennial Square Victoria, British Columbia V8W 1P6

Attention: City Clerk

or at such other address as the parties may from time to time advise by notice in writing. Any such notice, approval or request will be deemed to have been received on the date of delivery of such notice, approval or request, or on the third business day next following the date of such mailing if mailed as aforesaid, provided that if mailed should there be, between mailing and the actual receipt of such notice, approval or request, a mail strike, slowdown or other labour dispute which might affect the delivery of such notice, approval or request, such notice, approval or request will only be effective if actually delivered.

ARTICLE 10 MISCELLANEOUS

10.1 Severability

All the obligations and covenants contained in this Agreement are severable, so that if any one or more of the obligations or covenants are held by or declared by a court of competent jurisdiction to be void or unenforceable, the balance of the obligations and covenants will remain and be binding.

10.2 Joint and Several

If the Owner consists of more than one person, each such person will be jointly and severally liable to perform the Owner's obligations under this Agreement.

10.3 Registration

The Owner agrees to cause the registrable interests in land expressly agreed to be granted pursuant to this Agreement to be registered as first registered charges against the Lands, save only for any reservations, liens, charges or encumbrances:

- (a) contained in any grant from Her Majesty the Queen in Right of the Province of British Columbia respecting the Lands;
- (b) registered against any of the titles to the Lands in favour of the City; and
- (c) which the City Solicitor has determined, in his sole discretion, may rank in priority to the registrable interests in land granted pursuant to this Agreement.

10.4 City's Other Rights Unaffected

Nothing contained or implied herein will derogate from the obligations of the Owner under any other agreement with the City or, if the City so elects, prejudice or affect the City's rights, powers, duties or obligations of the City under all public and private statutes, bylaws, orders and regulations, which may be, if the City so elects, as fully and effectively exercised in relation to the roads and the Lands as if this Agreement had not been executed and delivered by the Owner and the City.

10.5 Further Assurances

The parties to this Agreement will do such things and execute such documents and in such form as may reasonably be necessary in order to perfect the intention of this Agreement.

10.6 Force Majeure

If an Event of Force Majeure occurs or is likely to occur, the Owner will promptly notify the Director of Planning of the particulars of the relevant event or circumstance and, if reasonably possible, supply supporting evidence. The Owner will use its best efforts to remove, curtail or contain the cause of the delay, interruption or failure (provided that the terms of settlement of any labour disturbance, dispute, strike or lockout will be wholly in the discretion of the Owner) and to resume, with the least possible delay, its compliance with duties, covenants and obligations under this Agreement. Neither the City nor the Owner will be liable to the other for any delay, interruption or failure in the performance of its duties, covenants, or obligations under this Agreement if caused by an Event of Force Majeure, and the date limited for the performance of such duties, covenants or obligations under this Agreement will be postponed for a period equal to the delay occasioned by such an Event of Force Majeure.

10.7 Assignment by City

The City, upon prior written notice to the Owner, may assign all or any part of this Agreement to any governmental agency or to any corporation or entity charged with the responsibility for providing such public facilities and services as are contemplated by this Agreement; and the City may designate licensees and permittees for any and all purposes of this Agreement. The Owner may not assign this Agreement unless the assignee first enters into an assignment and assumption agreement in form and contents satisfactory to the Director of Planning.

10.8 No Waiver

The Owner acknowledges and agrees that no failure on the part of the City or City Personnel to exercise and no delay in exercising any right under this Agreement will operate as a waiver thereof nor will any single or partial exercise by the City or City Personnel of any right under this Agreement preclude any other or future exercise thereof or the exercise of any other right. The remedies provided for in this Agreement will be cumulative and not exclusive of any other remedies provided by law and all remedies stipulated for the City in this Agreement will be deemed to be in addition to and not, except as herein expressly stated, restrictive of the remedies of the City at law or in equity.

10.9 Time of Essence

Time will be of the essence of this Agreement.

10.10 City's Costs

In any action to enforce this Agreement in which any Court determines that the position of the City will prevail, the City will be entitled to court costs on a solicitor/client basis.

10.11 Owner's Costs

Unless otherwise provided, the Owner will be responsible for all costs and expenses incurred to comply with its obligations under this Agreement.

10.12 Owner's Representations and Warranties

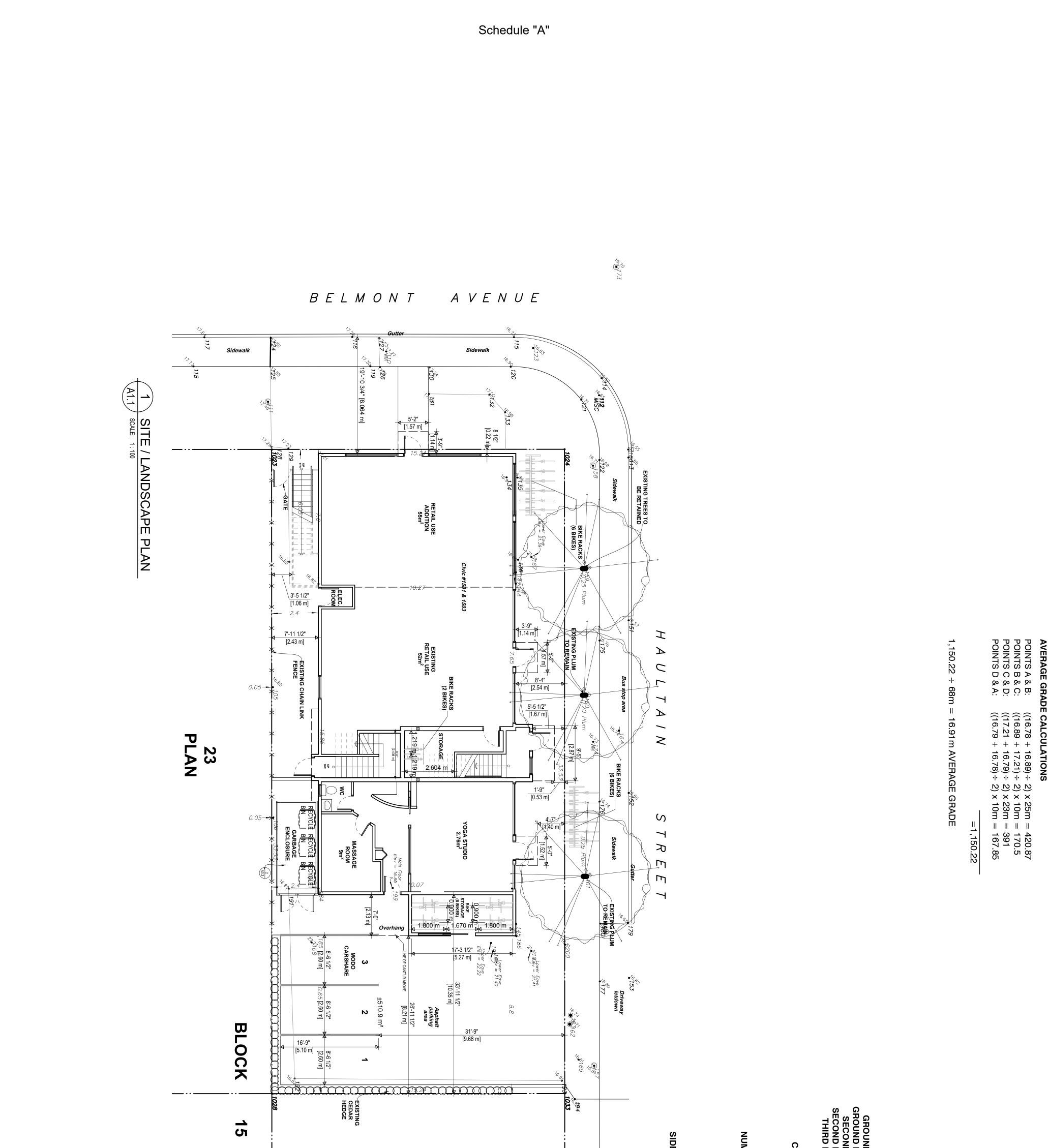
The Owner represents and warrants to and covenants and agrees with the City that:

- (a) it has the full and complete power, authority and capacity to enter into, execute and deliver this Agreement and to bind all legal and beneficial interests in the title to the Lands with the interests in land created hereby;
- (b) upon execution and delivery of this Agreement and registration thereof, the interests in land created hereby will encumber all legal and beneficial interests in the title to the Lands;
- (c) this Agreement will be fully and completely binding upon the Owner in accordance with its terms and the Owner will perform all of its obligations under this Agreement in accordance with its terms; and
- (d) the foregoing representations, warranties, covenants and agreement will have force and effect notwithstanding any knowledge on the part of the City whether actual or constructive concerning the status of the Owner with regard to the Lands or any other matter whatsoever.

10.13 Enurement

This Agreement will enure to the benefit of and bind each of the City and its successors and assigns and the Owner and the Owner's successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the General Instrument - Part 1, which is a part hereof.



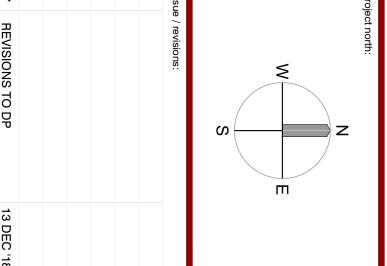
AVERAGE GRAD CALCULATIONS

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Re Copyr nsent of the . ed: These drawings are at all roperty of the Architect. hole or in part without written e Architect is prohibited.

LEGAL ADDRESS:	LOT 24 BLOCK 15 PLAN VIP835 SECTION 48 LAND DISTRICT 57
CIVIC ADDRESS:	1501 -1503 Haultain St. VICTORIA, B.C.
	ZONING DATA
ZONING: SITE AREA :	C - 1: Limited Commercial District 511 m² (5,500 sq.ft.)
SILE AREA : ND FLOOR AREA (EXISTING): FLOOR AREA (PROPOSED):	
ND FLOOR AREA (EXISTING):	
FLOOR AREA (PROPOSED): SPACE FLOOR RATIO:	_
TOTAL FLOOR AREA:	
OPEN SITE SPACE %:	49.3% 7.7%
HEIGHT OF BUILDING: NUMBER OF STOREYS:	9.67 m (32'-9") 3 2
BICYCLE PARKING:	22
	BUILDING SETBACKS
FRONT YARD: REAR YARD: DE YARD FLANKING STREET: SIDE YARD INTERIOR: COMBINED SIDE YARDS:	6m 2.4m 2.4m 3m 5.4m



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Issued / Revisions	FOR DEVELOPMENT PERMIT	RE SUBMISSION FOR DP	RE SUBMISSION FOR DP	FOR DESIGN PANEL MEETING 25 APRIL '18	RE SUBMISSION FOR DP	REVISIONS TO DP	REVISIONS TO DP			
Date	12 DEC. '17	22 FEB. '18	22 MAR. '18	25 APRIL '18	17 MAY '18	09 JULY '18	13 DEC '18			

alan	
lowe	
architect inc.	

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t 250.360.2888

#118 - 21 Erie Street Victoria, British Columbia seal·

ADDITION TO RESIDENTIAL AND COMMERCIAL BUILDING 1501 / 1503 HAULTAIN STREET

PROPOSED SITE / LANDSCAPE PLAN

5 2 BEDROOM AND 3 BEDROOM NONE 77 m² (824 s.f.) 418 m² (4,504 s.f.)

project no.:

heet no.

ed by:

LOWE drawn by:

Ą

13 DEC 2018

scale:

AS NOTED

17-515

TOTAL NUMBER OF UNITS: UNIT TYPE: GROUND ORIENTED UNITS: MINIMUM UNIT FLOOR AREA: TOTAL RESIDENTIAL FLOOR AREA:

RESIDENTIAL USE DETAILS

835 835

Eden's Barber Shop 1510 Haultain St. Victoria, BC

December 28, 2017

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

Dear Mayor and City Council,

I am the owner of Eden's Barber Shop. I am writing to express my full support for the new development of 1501 Haultain Street.

As a business owner at Haultain Corners, I would like to see the positive change to the building. The modern building will bring new life to the neighborhood. It will benefit the businesses and residents.

We are on the bus route to most of designations of the city and the greenway for bicycles. There are sidewalks along the streets in the neighborhood. The residents and patrons of the business have plenty options for alternative transportation.

I am glad to see that the addition of the building will replace the unsightly parking lot and the community garden will be retained. The added density to the existing lot will provided much needed housing in the neighborhood without resulting in urban sprawl.

I am looking forward to seeing the new development unfold.

I urge the City of Victoria to approve the new development.

Regards,

Eden de Boer Mello Atabato

Eden's Barber Shop 1510 Haultain Rd. Victoria, BC



Cities for Everyone supports more affordable housing and transportation, in order to provide security, freedom and opportunity for people with all incomes and abilities

www.citiesforeveryone.org

Victoria Mayor and City Council mayorandcouncil@victoria.ca Victoria City Hall 23 July 2018 **Re: 1501 Haultain**

Dear Victoria Mayor and Council,

I am writing to express Cities for Everyone's support for proposed mixed use development at 1501 Haultain Street in Fernwood, and the variances required to make it successful.

This is the type of infill the city needs to accommodate more people in multimodal neighborhoods where residents can minimize their automobile ownership and use, and therefore their cost burdens. It is located in Haultain Corners, a very walkable small urban village closed to Royal Jubilee Hospital, Hillside Mall, and Downtown. It is on the city's *all ages and abilities* bike route, and a bus stop is located in front of the building.

The developers will implement a number of actions to support non-auto travel including Modo Carshare membership, plus abundant bicycle parking, including ten that are enclosed. I do not think the request for the developer to provide an electric bicycle for each unit is necessary or useful. Not everybody want or will use an electric bicycle, and the costs of such amenities will ultimately borne by occupants; each dollar of additional costs will require more than a dollar in increased purchase or rent costs. This project's key value is its very accessible location. Cities for Everyone recommends that the City avoid any additional cost burdens.

Sincerely,

itman

Todd Litman Cities for Everyone

From: U Retreat Sent: January 4, 2018 5:29 PM To: Leanne Taylor <<u>Itaylor@victoria.ca</u>> Cc: Li Sharp < Subject: 1501-1503 Haultain Street, Victoria, BC V8R 2K1

Dear Ms Taylor, Mayor and Council,

As a business owner in the heart of Oaklands, at 1500 Haultain Street and as a resident of the area for 16 of my 18 years in Victoria, I am writing in support of the project at 1501-1503 Haultain Street.

We have seen this area know as Haultain Corners change and positively evolve over the past few years. I have met Li and believe her intentions for the neighbourhood are to continue that evolution, while keeping the heart of the community in mind.

As far as parking, we have been here for a year and have had no issues for our customers. In fact many people visiting us are on bikes or foot. Being on a transit route is also very helpful.

With Warmth,

Melanie Nelson Owner/Operator <u>URetreat Spa</u> and Wellness

1500 Haultain Street

October 28th, 2018

Dear Mayor and Council,

We are writing regarding 1501-03 Haultain Street. We understand the new owner of the property wishes to add onto the side of the building, covering the existing parking lot and eliminating the existing parking spots on the west side of the property. We also understand she intends to build another story onto the existing building. While in general we support projects which increase housing in Victoria, we have some concerns about this project.

First, numerous of our neighbours are not in favour of a parking variance because if a precedent is set for reducing the number of required parking spaces on that corner, it is likely the other 3 corners will soon be developed and will request parking variances as well. We hadn't thought of this until one of our neighbours pointed it out. It now seems to us that our neighbour's assessment of this is correct and worthy of consideration in the matter of this parking variance. It is hard to see how turning down future variance requests at the Corners can be justified if 1501-03 has already been granted such a variance.

Although there is a larger conversation that needs to happen about reducing the number of cars we use, currently there are a lot of cars parking on Haultain Street and the smaller streets adjoining it. In-fill and suites in houses are increasing and so is the number of cars. Also, a lot of cars are parked in our neighbourhood by people working at and visiting the Royal Jubilee Hospital. Parking is getting tight and allowing development without considering parking is going to make things even tighter. We think there needs to be a neighbourhood discussion about what we are going to do to increase density while reducing the number of cars. We think this needs to be part of an up-dated Oaklands Community Plan. We are eagerly awaiting the process and fulfillment of a new plan.

Of course, the new community plan will need to take into account that Haultain Street is designated as a bicycle route in the cycling plan currently being implemented by the City of Victoria. It is unclear to us, at this point, how the increase in bicycle traffic will affect the residents of Haultain Street and the parking of cars by residents and people visiting businesses at the very corner where 1501-03 stands. So we are even more leery of allowing the parking variance for this site until both the cycling plan and the community plan are designed and implemented. This just does not seem like a good time to issue a variance that will encourage development of the "Corners", with both a City of Victoria cycling plan and an Oaklands Community Plan yet to be manifest.

With all this in mind, we would like to suggest a compromise for the plans for 1501-03 Haultain Street. We'd like to suggest that the parking on the west side be retained but that the owner of the property be allowed to increase the square footage of the building and increase the number of units by adding two stories on top of the existing footprint of the building. This is one more story than she is currently planning to add. This way, there is some compensation for the owner's investment but the parking situation is not made significantly worse. The precedent then becomes allowing a slightly higher building. This is a precedent we could be fine with, for all four corners of Haultain and Belmont.

Sincerely,

Margot Johnston and Rainey Hopewell Residents — 1420 Haultain Street, Victoria, BC V8R 2J7

November 6, 2018

Dear Laurel,

Re: 1501-1503 Haultain Street development

As you are a newly elected city council member, I wanted to take this opportunity to bring to your attention my concerns and my opposition to the proposed development at 1501 Haultain Street. I, along with many others in our neighbourhood, have outlined our objections to the variances being sought by this developer, in previous letters to City Council and the Mayor. Since that time, the proposal has been sent forward from the Committee of the Whole to a public hearing. None of our concerns were raised or discussed at that time. Instead, Marianne Alto remarked that parking concerns had been dealt with and the Mayor commended the developer for her "thoughtful letter". I do not feel that the issues we raised were acknowledged or represented by council members or the Mayor, and I do not believe that potential parking shortages have been alleviated.

To summarize those concerns on your behalf, we are opposed to the variances being requested, and we have strong reservations about the scale, scope and fit of this project for our neighbourhood. We feel very strongly that a community plan needs to be in place to guide development in the Fernwood neighbourhood, which we are told will be done in 2019. Without this plan in place, we believe that the drastic parking variances being asked for (3 spaces instead of the 14 required) will set a precedent for future development at The Corners and will have an immediate adverse effect on the small local businesses who rely on customers being able to park to pick up a coffee, buy groceries, attend a yoga class or get a haircut. Without adequate parking for the proposed building's five suites and two businesses those tenants' and customers' vehicles will inevitably be parked on Haultain and surrounding blocks instead. This will create congestion and a critical shortage of parking spaces at The Corners. The developer's suggestions that she will not "allow" tenants to own cars is ludicrous as is her previous assertion that renters are too poor to own vehicles anyway.

The setback variances likewise will set a deleterious precedent for other buildings on The Corners. Bringing a much larger building (both in height and mass) very close to the property lines will alter the present open space buffer that defines this unique and important hub of our community. There is also no transition provided to the lower density buildings surrounding this proposed development. The character of our neighbourhood will be altered forever by a building of this size that overwhelms the surrounding residential housing and small scale businesses.

I am hopeful that the present city council will be willing to listen to and discuss our concerns at the public hearing. We would like to believe that the community of people who live and work in our neighbourhood are included in decisions around how land is used, what future development looks like, and how it aligns with and enhances our existing community rather than maximizing space and therefore profit for a developer. Densification is a laudable goal for our city but it should not come at the expense of our existing businesses and the neighbourhood's long time efforts (since 2005) to enhance and rejuvenate this small scale, unique and welcoming locale for residents and loyal customers.

Finally, to quote the chairs of the Land Use Committee for Fernwood, "to approve a significant change at one corner without considering the other three corners and the neighbourhood's vision for the area seems premature at this point".

Yours truly,

Kay Marshall 2549 Belmont Ave.



Parking for eleven cars all occupied at 4:00 p.m. Nov. 6th, 2018.

Dear Mayor and Council,

As local neighbours of 1501-03 Haultain Street (Haultain-Belmont Corners) we wish to express our opposition to the proposed development and Development Variance Permit Application forwarded July 26, 2018 for public comment by Committee of the Whole, for the following reasons:

1. Lack of Village Plan Context

The existing Haultain-Belmont Corners with its low scale buildings, local businesses, services and affordable rental housing is a healthy and valued community asset. Section 6.20 of Victoria's Official Community states "prepare local area plans forHaultain Corners Village..." <u>which has never occurred</u>. Governing growth is an essential part of land use planning. As both the Fernwood and Oaklands neighbourhood plans are due for renewal starting in 2019, we believe development on the scale of this project is premature until a shared vision, created with local community input, is in place to guide future plans for the Corners.

2. Poor Precedent for Haultain Corners

If approved, the parking variance will establish a precedent for future redevelopment of the other three Corners properties, all presently below the maximum C1 zoning density permitted. Granting this variance will incentivise their redevelopment to the maximum density by allowing developers to skirt standard parking constraints.

The enlarged building proposed will not fit at all with the present Corners scale and character. With double the existing building square footage, it will be one story higher and much larger than the other Corners buildings. With a near zero setback on Belmont and other setbacks reduced through variances, sight lines to the Corners will be significantly altered for pedestrians, bicyclists and drivers on Belmont, and the scale of the building will alter forever the present open space buffer around this intersection.

3. Lack of Onsite Parking

We believe the request to reduce onsite parking from 14 to 3 car spaces, while increasing the occupancy from three suites to five, is unreasonable and will have a negative effect on the local businesses. We submit that the shortfall of 11 spaces, calculated as per the City's evidence based Parking Schedule C updated July 12, 2018 means that the five rental units and two ground floor businesses will have to rely on street parking despite the developer's promises of bicycles and carshare memberships. As parking is already in high demand by Corners' businesses, residents and Royal Jubilee staff, the pressure on available street parking will be immediate and significant, particularly for the small locally owned businesses.

•	Name	Address	Signature	Date
[. [:]	LISA Mitchenal	2543 Belmont Ave. Victoria	Martonth	02t i/18
2.	Norman MaxDowell	2543 Belmont Ave le Horien	A	(Jet 1, 2018
3	Kidi Araham	21des Araberty ST	Seil he	Oct 1 2018
1.	Kirste Hune	1391 Coleman street	KUSSHIDUR.	Oct. 7, 2018

Name Signature Address Date $\mathcal{V}_{\mathcal{O}}$ Can HeDonoyl 2635 Asquith St 'ab 2018 5. 263= RS00, TA 6. 2526 Belmont 10CA 3,2018 Erin Heywood 9. mell 1350 Monair 2018 8. ſ MARYANNHUME Uto Thurs Vot 4, 2018 2543 BELMONT lavill Oct 4 2018 GRÉG MACDONELL 2543 Belnont 10 2018-10-04 Lauretta Lockwood 2526 Belmont {(); #211 09/10/18 DORGEN MAL DENTLE 20 50 DAIGAT AVE 12. Theresa Cornish 13 11/11/18 2560 Forbes It

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Dear Mayor and Council,

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Name	Address	Signature	Date
MICHAEL	1441 HADLTAN	Michael	10.11.18
Brittney Butcher	1114 Empress Are	Butt Bus	10.11.18
STEPHANIE MCBOWELL	2541 EMPIRE	Suppoull	Det 11/2018
Mortin HEAD	2638 NH STEPHEN AJE.	# Pland	11 Oct 2018

Name	Address	Signature	Date
Brian Major	2522 Belmont Ave.	Miri.	Oct 11 /2018
Dave Edwards.	2660Asguth	AD.	oct 11/2018
PETER FORRES	2659 FERN	on PO	(A) (, 1,
Ken Bruballer	2528 Asquith	U-	r; '\
Davido Kolberg	2725 Roseberry		Oct 12/2018
ROBB BOUCLARD	7607 56077 57,	Roll, Secubar	007 12,2018
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Matthew Proulx	1941 Haultain	Millin Her	Oct 12,2018
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DAVID MASON			Nov 8, 2018
Ebudia Kobayashi	1440 Hauthain	Ferrest	Nov.8,2018
Sherry Orobeth	2542 FERNWOOD	SHERRY(ORCHERTON	NOU 9/18
Paul Alford	1306 Bay St	MA	Nov 9th /18
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•	Name	Address	Signature	Date
32	Walerie Stubel	2519 Belmont	thele in Halul	0 \$ 9,2018
33	V (2519 Belmont	Lant Stale	Out 9,2018
34	Lauren Fox	1448 Bay corner of Belmont	Jam 70	Oct 9, 2018
35	Shelley Mora	1448 Bay 34	Att .	029,2018

Address Signature Date Name 36 Inn Whiteaker 2527 Belmond Hup 2523 Belmont Ave SkyeLadell 37 ladell Oct. 11, 2018 Steve Deichmann 2517 Belmant Ave, Victoria, BG V8R 4A5 Od. 14, 2018 38 eduan 2517 BELMONTATE 34 CEILIDH DEICHMANN Oct. 14.2018. VILTORIA BCVBRHAS 2523 Belmont Franny Ladell 40 ramy lade () ctober 20, 2018 Ave Shane Yakelashek 2523 Belmont Ave October 23, 2018 41 Dadser 27, 247-Llog Roberts 25163elmontAle 42

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	Name	Address	Signature	Date
43	Mel Flower-Babiant	2552 Belmunt	Mel Flower Babichet	Sept 30, 2018
44	Jossie LaFkur	2555 Belmont		Sept 30/18
4 5	Lawryn Jones	2555 Belmont Ave	the is	Sept. 30/18
46	G. Bushell	2575 11 7	Plushell	Sept 30/18
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Name Address Signature Date 2542 Belmout Gurla 30/08(2018 47 Juni Shenwood Victoria 2549 Belmont Ave. Kay and Dave 40 Kary Meidel Marshall Sept. 30 / 2018 2538 Sebustion Sup 30/2018 49 Belmont Avia. kn ht Michaud Tyler Dashwood 2550 50 Oct 28/18 Belmont Ave 255 Mout Ave Oct 28/20/8 51 Ellehnan. oct 28/18. Mary Jane Teachman 2552 Forbes ST. 52 Mike Teachman 2552, Forbes St A)at 28/18 \$3 2557 Forbesst 000 28/18 Erin Munro 54 VX toria VBRUBIC OSJ7 Forbes 82 Mulolos 0.128/18 Nick Gibbs 55 victoria VBRUBSI 56 Oct 28/18 Sandra Pilon 2550 Forbas and son Pilon Janice Hawkes 2740 Gesworth 57 OCT 28 280 00 2018 Virgil Hawkes 2240 Gosworke 58 Cion Marshall 2549 Belmit AVE 28 OA 2018 59 2607 RAP. AL Nov 6/18 KELLY MANN φO HTS Radayn Lanning 61 2556 Folloes St. Jobba Law Nov 7, 2018 Victoria, BC 2556 Forber st Treg hanning Vic, BC 7 2018 Signature 2010/18783 hylis songhurst 1515 Hauttan

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	Name	Address	Signature	Date
ð 4	JAMES KERR	1423 HAULTAW 4T	Amisen	OCTOBER 1,2018
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Signature Name Address Date MikeVardy 1411 Haultain St 1 xt21/2018 **é7** Oct 2/ 68 FARL GRIFFIN 1439 HAULTAINS 69 27 0018 Blance May Shime 1415 Hamitan 27 Q+/8 70 Mince Kaned 2606 Asquite 71 TOM WOO 1447 HAULTAIN OCT 27 2018 2601 Hauta Jim Mann 72 Oct 27,2018 Deb Page 2605 Asquith 73 Det 27, 2018 ALPINE Marc Amacher 74 2577 AquilhSt 00+27/18. Tracy Amacher Oct 27/18 2577 Aszuithist 75 76 LARET CELLO 260 Mi STEPHEN. 3.10.2018 77 4/10/2018 ALZS BEZMANT 2. Boure 78 2635 BELMONT NOV 42018 terms I UNG 79 A (Indan 2608 Pelmont NOV. 4 2018 NOV. 10/18 2615 Asquith ØO Arezos Zamany 81 MICHAGE FOUTHER 2614 BELMONT AVI Nav 10, 2018 Brad Besuick 2628 Belmant Ave NOU 10,2018 Man 82 2621 BelmonitAr Claude LACOMBE 83 Nov 10, 2018

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•	Name	Address	Signature	Date
34	Mikayle Parise	1503 A Haultain	2000	Scpt 29
85	Alexander Poris	2 803 A HAUL TALN	and	September 28
86	STAN ANDERSON	15-20 HAULTAINS	H (K)	OLT 3 2018
87	JANET ANDREN	1500 WANGTONS	·	0(7 3 2018

Petition re: Development Permit Application with Variances 1501-03 Haultain Street, Victoria BC

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•	Name	Address	Signature	Date
88	R. BAI GENT	1522 HAULMINSF	MASSit	11/8/18
89	Glas	1522 Haultan		11/8/18
90	David P. Smith	2614 Forbes Sto	In i	11/8/18

U RETREAT SPA & WELLNESS

1500 Haultain Street Victoria, B.C. V8R 2K2 November 22, 2018

Dear Mayor Helps and Respective Members of Council,

I writing to let you know about my opposition to the development proposal for the 1501 Haultian Street. I did write a previous letter stating my approval, but have since learned that I was not given all of the facts when the owner, Li, approached me. She showed me a picture of how it would look, which was fantastic. But, there was no mention of a 3rd floor and visually I wasn't able to tell there was one. She assured me that although the building would be re configured, the amount of parking spots would stay the same. Lesson learned on my part to learn all the information before deciding where I stand!

As a business owner on the block, parking has become an issue this past year. With the installation of the residential only parking spots, on the 1500 Block, there remains only 4 street spots for customers coming to do business. For some they are in and out. For others, like ourselves where people are coming for a health or relaxation treatments, the customers are parked for over an hour. The corner has become more popular in general, which is great, but it does mean that parking is not as readily available as it once was.

I'm all into growth, change and the beautification of neighbourhoods. As well, I understand the need for housing. I feel like there is a way to make all these things happen, while still valuing the integrity of what a neighbourhood is. Haultain Corners has a charm. A real feeling of family, if that makes sense. It's a place where small, local businesses do well, because the community supports them. Victoria is know for it's special neighbourhoods and that feeling of uniqueness they bring to each area. Big buildings means less neighbourhood, and more of a downtown feel. And, once one is approved, that means the precedent will be set for the other buildings on the street.

If you haven't already, I recommend you come and spend time in Haultain Corners. Look around, visit the shops, feel it out. A big building does not belong here.

Sincerely yours,

Melanie Nelson

Owner

U Retreat Spa & Wellness

January 8, 2019

City of Victoria 1 Centennial Square Victoria, BC. V8W 1P6 Canada

Attention: Mayor Lisa Helps and Members of Council

I am writing to express my support for the development permit with variance application at 1501-1503 Haultain Street. I think the proposed development project will be a positive enhancement to the neighbourhood as a whole, while still retaining Haultain Corners' unique character and feel. It will bring transit improvements, modern design, and, most importantly, high-density housing units, which will benefit all residents in the neighbourhood/city moving into the future.

The first thing that comes to mind when I think of Haultain Street, and Haultain Corners, specifically, is its incredible walkability. As a neighbourhood resident and regular customer of Koffi Victoria, I walk past the building at 1501-1503 Haultain on a daily basis. I am confident this project will further enhance the walkability and transportation vision for the neighbourhood.

With additional bike racks set to be built, and a bike rebate incentive to assist residents in the purchase of a new bike, the city bike route outside the building will be put to good use. A Modo car will also be provided to encourage ridesharing amongst building residents. This will most likely have a traffic calming effect. The bus stop located right in front of the building is also a key asset to the complex, helping to ensure building tenants/residents can easily move around.

Furthermore, the building is showing its age and is in definite need of an update. This project proposes to modernize the building, while also adding five new residential units to help with the rental shortage the city is currently facing. I like the fact this will be accomplished without adding to urban sprawl, as the existing building structure will in large part be retained.

Looking ahead to the future, it is essential that Haultain Corners maintain its charm and character, but it also needs to modernize and adapt to changing demands in the City of Victoria. This project will ensure this is achieved, and I look forward to it moving forward.

Sincerely,

Dennis Carson – Local Resident

1640 Bay Street Victoria, BC V8R 2B8

Adams' Food Fair 1446 Haultain Street Victoria, BC V8R 2J9

January 31, 2018

Dear Mayor and City Council,

I am the owner of Adams' Food Fair at the Haultain Corner. I am also a resident at the Haultain Corner. Li Sharp has approached me and explained her proposal for 1501-1503 Haultain Street at the Haultain Corner. I would like to express my support for the proposed development. I am happy to see a professional office at the corner. The addition for the building will replace the unsighted parking lot and bring the building in line with other buildings at the corner. The addition of the apartments above the building will provide much needed housing for the neighborhood.

We are on the city greenway, bus route, and sidewalks throughout the neighborhood. Many of our shoppers are carless. When the businesses close their doors at night, the addition of the apartments above the building will bring more traffic at night and will make a safer neighborhood in the evening hours.

I am looking forward to seeing the new development unfold and urge the City of Victoria to approve the development proposal.

Regards,

maly -

Pamela Martin

From: Sent: To: Subject: Bruce Lroy January 14, 2019 2:35 PM Public Hearings City Hall Ambassador

City Council Meeting Date: Thursday,January 17 2019 Time: 6:30 pm

Re: 1501 - 1503 Haultain St.

Lot24, Block 15, Section 48, Victoria District, Plan 835

I have a business at 1447 Haultain St. across the street from the property in question About the proposed changes, I am deeply opposed in allowing the elimination of parking down to 3.So that is 6 residential suites with 2 tenants we'll say in each, with visitors for 3 parking stalls. That is at a minimum at 5 cars. The owner of property can say you are going to rent to people that don't drive but how are you going to hold them to that . Are you going to evict someone for owning a car? And when they open their orthodontist office .Is the orthodontist ,the dental assistants, the receptionist and the 2 or more patients(depending on the number of chairs)and the patients in waiting room all going to walk in Are all these people going to ride the bus, ride their bikes to work or their appointment. So my opposition to the decrease in parking is because my drive up traffic would be affected if there is no street parking available due to the cars from the property in question being pushed to the street .Therefore I would ask the Council of the City of Victoria to rejected the Development Permit and not allow this proposal to proceed.

Tom Woo 1447 Haultain St. Victoria,B.C.

I would ask that my phone number and email to remain confidential and not be disclosed.

Pamela Martin

From:	Richard Baigent
Sent:	January 15, 2019 11:50 AM
То:	Public Hearings
Subject:	Development permit for Lot 24, Block 15, Section 48, Victoria District, Plan 835

Dear Sir/Madam

With regards to the variance application hearing on Thursday, January 17th, 2019 at 6:30pm for 1501 and 1503 Haultain St:

We do not support the variance application to decrease the required number of parking spaces from 14 to 3 for the following reasons:

1. We already have several businesses in the same block that use the parking on the street

2. The application will increase the residential units from 2 to 4 which will increase the number of parking spaces required.

3. The commercial uses on the bottom will constantly have visitors requiring parking. This should be provided by the commercial entity.

4. We already have people who work at the hospital who park on our street and around during the day and then walk to the hospital as very little of it is zoned for residential parking only

5. A house is being developed on the corner of Forbes and Haultain that is increasing the residential units from 2 to 4 which will also increase the parking requirement

We believe that the reduction of parking spaces will make parking on the street very difficult for the current residents in the surrounding blocks.

Please call me at **second second** if you require further information.

Regards Richard Baigent 1522 Haultain St, Victoria

FEB 6, 2018

December 13, 2017

Dear Mayor and City Council,

We would like to express our support for the proposed development at 1501-1503 Haultain Street. It is a great transformation of the dated building and will become an asset for the neighborhood.

We are neighbors of the building at 1501-1503 Haultain Street. We are happy to have a professional office as our neighbor. An orthodontic office will be a good fit for the neighborhood. Since the office does not open evenings and weekends, it is a perfect mix for the residential and commercial use. As a resident, we would like to have a quiet neighbor in the evening. We would like to have the quiet residential atmosphere of the neighborhood in the evenings maintained.

The addition to the beloved community garden together with the addition to the building will replace the unsighted parking lot at the corner of Belmont and Haultain Street. The rejuvenated building and the enlarged community garden will beautify Haultain Corners.

The proposed development will revitalize Haultain Corners, which will give the neighborhood much needed facelift. We believe that the Oaklands and Fernwood neighborhoods would benefit from rejuvenation of the building and the community garden.

We would love to see the new business open and the transformation of the building at Haultain Corners.

We urge the City of Victoria to approve the proposed development.

Regards,

Len Sherwood ame 2542 BELMONT AVE. ddress

A. /llu/-



1440 Haultain Street

Victoria B.C. V8R 2J9

Re: Proposed Building Development

1501-1503 Haultain Street, Victoria, BC V8R 2K1

Attention: Ms. Leanne Taylor

City Planning Department, City of Victoria

Dear Mayor Helps, and Victoria City Council members

I am writing this simple letter of support for the proposed building development in the address above, the full details which have been shared with me by new owner, Li Sharp.

The Local General Store has been in the Haultain Corners area for almost 5 years, and we have deep appreciation for the unique community character of this area. It is Victoria's hidden gem.

It is for this reason that we are supportive of the proposed building improvements under discussion. The Sharps appear to have a genuine interest in preserving what is special about this commercial corner while aiming to visually improve the appearance and function of the building in question. I appreciate the effort being made to encourage non-vehicle transportation in whatever ways possible. We also appreciate their intent to preserve and enhance the historical display established by local community volunteers a number of years ago.

We support their application for parking variances and urge the city to allow this project to go ahead.

Thank you

Alix Harvey

Owner, The Local General Store

January 11, 2019

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

Dear Victoria Mayor and Council,

I received a city notice in my mailbox a couple of days ago (dated January 4, 2019) regarding an application for numerous variances on a proposed development at 1501-1503 Haultain Street, to be considered by Council on January 17th. I was encouraged by the header on the city's document, "IT'S YOUR NEIGHBOURHOOD", a message that suggests the concerns and will of the people living in the Haultain Corners/Oaklands/Fernwood neighbourhood are valued and will be duly taken into account by Council.

I read through the lengthy documentation regarding this development proposal and the variance requests. While I am happy to see some renewal proposed for Haultain Corners, the timing of the development proposal ahead of an updated community plan, as well as the parking and setback variance requests for 1501-1503 Haultain concern me. For the reasons elaborated below, I am opposed to this development proposal.

PARKING

The first of my two main concerns are that this development proposes adding 1 retail space and 3 residential units (an additional 7 bedrooms) to the site yet drastically reducing the overall onsite parking. There are currently 5 parking spaces for 2 retail and 2 residential units yet the development proposes to increase the density by adding a 3rd retail space and adding two 2-bedroom and one 3-bedroom residential unit while at the same time requesting a variance to reduce the parking to even less than what is there now, not to mention being drastically less than the requirement under current bylaws, of 14 spaces for the proposed density.

I appreciate that the developer has made attempts to mitigate this drastic lack of parking but as I read over the application, the proposition that providing one Mogo car space (which it

seems would then reduce the proposed parking stalls for the entire retail and residential complex to 2), along with stalls and racks for bikes, as an adequate replacement for 11 parking stalls, seems to be wishful thinking. While support for tenant carsharing and bike storage are laudable actions on the part of the developer, this will not go far in making up for the elimination of 80% of the required parking stalls for the increased density proposed. I applaud the general movement in Victoria towards less reliance on cars but we are still a long way from having families abandon their vehicles and rely on public transport, walking and bikes for all their needs. Additionally two of the mitigating measures proposed by the developer (\$100 credit for each residential unit for Modo Carshare and \$400 for each residential unit towards purchase of a bike) will in no substantive way address future onstreet parking pressure, particularly if this is a one-time payment to the 1st tenants rather than an on-going offer to each subsequent tenancy in perpetuity. While the idea of providing some money for Modo deposits and bike purchases may sound progressive on paper, if one drills down even slightly into the reality of this, it does not seem like a realistic alternative to providing adequate on-site parking in a development.

Mogo has a car-share model that requires the car be picked up and returned to the same place. If even one of the (up to 11) tenants of the 5 residential units requires the Modo car to drive to work daily, that would remove that car daily from being available to the other tenants. An average daily cost to that tenant (based on Modo's current fee structure) would be \$55/day, even taking into account the Modo membership/deposit paid by the developer. The [one-time?] \$100 credit would be eaten up in less than 2 days of use.

When I look at Modo's current map of where Modo cars are parked and potentially available, there are only 2 cars within a 5 minute walk for all the residents in a 30-block area, and only 1 additional car if I extend the parameters up to Hillside. The daily alternative, for one or more tenants with a car or for the customers for the 3 retail businesses, is to park on the street. As a longtime resident of the immediate area of Haultain Corners, I have seen the increasing traffic and parking demands on Haultain and the surrounding streets (Forbes, Belmont and Asquith in particular). Despite the photos submitted with the parking reduction variance request, throughout the day there is often little free space to park along Haultain between Forbes and Asquith. This means that currently cars are often parked right up to the corner, making trying to cross Haultain in a vehicle, nerve-racking and dangerous. With Haultain being a bus route, a cycling route and a relatively busy route for residential and commercial traffic, and with parking on both sides of the street, driving down Haultain or trying to cross Haultain at Asquith, Belmont or Forbes already feels dangerous. The proposed development will only add more vehicles and on-street parking demand to this - wishful thinking about car-shares and bicycles notwithstanding. Rather than adding more on-street parking demand to Haultain, I think the city should be considering ways to reduce the onstreet parking on

Haultain, even potentially eliminating parking on one side of the street in order to improve space, visibility and safety on this transportation corridor and greenway.

SUPPORT

The developer/owner in a July 11, 2018 letter to Council mentions "over 60 residents and businesses within a block or two of the redevelopment site have written and signed letters of support." I could not find 60 letters of support in the correspondence provided on the City's online agenda for the January 17th, 2018 Council meeting. Of the signatures appended to a letter of support from early 2018, around 50% of signatories appeared to change their minds and either write a letter opposing the development or sign a petition opposing it by Fall 2018. The majority of the residents most proximate to the proposed development are opposed, based on the petition signatures and addresses documented in the agenda material.

ON A PERSONAL NOTE

My home sits directly southeast of 1501-1503 Haultain, abutting the southeast corner of the property. The current building overlooks my yard. In the 30 years I have lived here, a cedar hedge has finally grown tall enough to provide a modicum of privacy from 1501-1503 Haultain when enjoying my backyard while not so tall as to prematurely block the late afternoon sunlight to my garden. When I first moved in, the frequent coming and going of tenants and visitors via the staircase to the eastside suite was a concern. My back yard is fenced with a 6 foot fence and my kayak was stolen from my backyard. There was no way to know my kayak was unsecured in my fenced back yard for that brief time other than by seeing it from the stairway to the suite at 1503 Haultain. The partial privacy provided as the hedges grew since then has been very welcome and I have not had any further equipment stolen from my backyard. The prospect of losing both this privacy and quiet enjoyment of my backyard as well as the late afternoon sunlight due to the addition of a 3rd story looming over my yard is concerning. The Advisory Design Committee notes that

"Haultain Corners Village and abuts properties designated Traditional Residential in the OCP; therefore, the impact of an additional storey on the adjoining property is an important consideration", as well as "the need to sensitively transition to the lower-scale residential neighbourhood, especially on the east elevation."

I can't appreciate any attempt to consider the impact on my home nor to 'sensitively transition' on the east elevation, based on the drawings provided.



HAULTAIN CORNERS and the "To-Be-Updated" Fernwood/Oaklands Community Plan

The final important aspect, mentioned multiple times by the developer and the City's committees (Planning, Design etc), is the importance of Haultain Corners to the neighbourhood as a small urban village and community gathering place, and the need for rejuvenation. The suggestion is that the proposed development will only accentuate and enhance the corner. I appreciate the developer's proposed improvements to the building's exterior aesthetics but the size of the building, with the reduced setbacks and encroaching more on the corner does not appear to contribute to a communal feel or placemaking at Haultain Corners. More worrisome is approving major re-development of this corner ahead of community consultation on an overall community plan for the area. As the Fernwood/Oaklands Land Use Committees advised Council last March: "to approve a significant change at one corner without considering the other three corners and the neighbourhood's vision for the area seems premature at this point". I have been told that consultation and planning for the Oaklands and Fernwood community plans are anticipated in 2019, and to consider approving a development proposal for such a physical change to Haultain Corners along with the parking and setback variances ahead of a broader community consultation and a needed updated community plan seems counter-productive.

The Oaklands Land Use Committee summarized this well in that March letter:

"The commercial area at Haultain corners has had unrealized potential for a long time. The neighbourhoods need a more <u>planned</u> [emphasis mine] approach to developing Haultain Corners, as opposed to the reactive planning approach currently underway, if we are to have a small urban village that benefits the neighbourhood. We are on the cusp of new neighbourhood plans for both Fernwood and Oaklands..."

Finally, the developer mentions several times the 'precedent' set by previous approval of a parking variance to 12-spaces, for a never-built wine bar at Haultain Corners. To now consider approving a new variance to drastically reduce on-site parking by 80% while increasing density more than 50% seems to be an even more reckless precedent to set for

Haultain Corners, particularly in advance of the updated neighbourhood consultation and community plan.

I hope, in keeping with your letter requesting input from neighbours and your header noting "It's Your Neighbourhood", that Council will fairly and properly consider the concerns of the Haultain Corners community and the concerns about pre-empting the updating of our community plan as Council votes on this proposal.

Sincerely,

1E Carl

T.E. Cornish

Dear Mayor and City Council,

We live close to Haultain Corners. Li Sharp has approached me and explained her proposal for 1501-1503 Haultain Street. We would like to support the proposed development and urge the City of Victoria to approve the proposed development.

Regards,

Name	Address	Date
ALEXANDRA	2646 Eclmont are.	april 30, 2018
tort & f.	2651 Bolmout	Apg. 30 9018
1,109 BONG	2054 Thelbourne	Mgy29,201
Larren Carryns-Harrison	2750 Belmont Ave	May 30, 2018
Bioma Rodles	1501 (taultain (terma)	Julin 12 2018.
- Olaria Ouro		
······································		

February 8, 2018

Belmont AW

550

Tyler Dashwood

inde Lacombe

Dear Mayor and City Council,

We would like to express our support for the proposed development at 1501-1503 Haultain Street. We live near 1501-1503 Haultain Street. We are happy to see people invest in our neighborhood. As a resident, we would like to have a professional office as our neighbor. Since the office does not open evenings and weekends, it is a perfect mix for the residential and commercial use.

The addition to the building will replace the unsightly parking lot at the corner of Belmont and Haultain Street. The added density to the existing lot will provide much needed housing in the neighborhood without resulting in urban sprawl. More residential units will make the neighborhood safer at night when the businesses close for the evening.

The proposed development will revitalize Haultain Corners, which will give the neighborhood a much needed facelift. We believe that our neighborhood would benefit from rejuvenation of the building and the community garden.

We are on the bus route to most of designations of the city. There are greenways for bicycles, sidewalks along the streets throughout the neighborhood and options for car-sharing. The residents and patrons of the business have a lot of options for alternative transportation.

We would love to see the new business open and the transformation of the building at Haultain Corners.

We urge the City of Victoria to approve the proposed development.

2628 Relmont Ave Regards, Noveen Scarth 2552 Forbes ne 2825 Scott Street Emily Barchyn SUEWILSON 2609 BELMONT VICTOR Address LS 3A_ORIMON MICHAEL FOUCHER Kenneth Su 2614 BELMOUT AVE. > HAULTAIN ST ZEW FORGES ST. VICTORIA Liyan Bai Joy Cutts Ashley Maquel 1526 Haultain, 1325 haultain St A. 150 Haultuin st Amy Apolonio 2633 Shelbourne ST - 2603 Asquithvictoria Philipe Ferriera TERRY WALNES 2620 Belmont D6200 Rainey Hopewell 1420 Haultair St Jessi Dildy 2613 Belmont AUC lataie Grunberg 802

February 8, 2018

Dear Mayor and City Council,

We would like to express our support for the proposed development at 1501-1503 Haultain Street. We live near 1501-1503 Haultain Street. We are happy to see people invest in our neighborhood. As a resident, we would like to have a professional office as our neighbor. Since the office does not open evenings and weekends, it is a perfect mix for the residential and commercial use.

The addition to the building will replace the unsightly parking lot at the corner of Belmont and Haultain Street. The added density to the existing lot will provide much needed housing in the neighborhood without resulting in urban sprawl. More residential units will make the neighborhood safer at night when the businesses close for the evening.

The proposed development will revitalize Haultain Corners, which will give the neighborhood a much needed facelift. We believe that our neighborhood would benefit from rejuvenation of the building and the community garden.

We are on the bus route to most of designations of the city. There are greenways for bicycles, sidewalks along the streets throughout the neighborhood and options for car-sharing. The residents and patrons of the business have a lot of options for alternative transportation.

We would love to see the new business open and the transformation of the building at Haultain Corners.

We urge the City of Victoria to approve the proposed development. T Mountle 1470 Boyst. Tim other MCNaughton Regards. Lisance Mc Naughton Jerenny Muddock 2536 Forber St. 470 BAY ST. kan Holm 2574 Victor St Address Erin Ball 2537 Forbes St. Tennifer Christensen Tokbes 1530 Haultan St. Sandra Pilon 2550 Forbes Jessamine Thornbury 2561 Forbes. 2044 FORBLE ST. Genine Wilk insom 2520 Funbrs stheet Robert Wiffen 2565 Forbes Mich B-111 10me algenetter st GARRY YORK 2613 FORBES

March 7, 2018

Dear Mayor and City Council,

We would like to express our support for the proposed development at 1501-1503 Haultain Street. We live across street of 1501-1503 Haultain Street. We are happy to see people invest in our neighborhood. As a resident, we would like to have a professional office as our neighbor. Since the office does not open evenings and weekends, it is a perfect mix for the residential and commercial use.

The addition to the building will replace the unsightly parking lot at the corner of Belmont and Haultain Street. The added density to the existing lot will provide much needed housing in the neighborhood without resulting in urban sprawl. More residential units will make the neighborhood safer at night when the businesses close for the evening.

The proposed development will revitalize Haultain Corners, which will give the neighborhood a much needed facelift. We believe that our neighborhood would benefit from rejuvenation of the building and the community garden.

We are on the bus route to most of designations of the city. There are greenways for bicycles, sidewalks along the streets throughout the neighborhood and options for car-sharing. The residents and patrons of the business have a lot of options for alternative transportation.

We would love to see the new business open and the transformation of the building at Haultain Corners.

We urge the City of Victoria to approve the proposed development.

Regards,

<u>Auf Tremblay</u> Name <u>1504 Haultain</u> St Address

Kale Somens & Genrett Powell 1443 Haultan

December 13, 2017

Dear Mayor and City Council,

We would like to express our support for the proposed development at 1501-1503 Haultain Street. It will be a great transformation of the dated building and will become an asset for the neighborhood.

We are neighbors of the building at 1501-1503 Haultain Street. We are happy to have a professional office as our neighbor. An orthodontic office will be a good fit for the neighborhood. Since the office does not open evenings and weekends, it is a perfect mix for the residential and commercial use. As a resident, we would like to have a quiet neighbor in the evening. We would like to have the quiet residential atmosphere of the neighborhood in the evenings maintained.

The addition to the beloved community garden, together with the addition to the building, will replace the unsighted parking lot at the corner of Belmont and Haultain Street. The rejuvenated building and the enlarged community garden will beautify Haultain Corners.

The proposed development will revitalize Haultain Corners, which will give the neighborhood a much needed facelift. We believe that the Oaklands and Fernwood neighborhoods would benefit from rejuvenation of the building and the community garden.

We would love to see the new business open and the transformation of the building at Haultain Corners.

We urge the City of Victoria to approve the proposed development.

Regards. X-U Linn 1596 Have TainSt. Bulton 1505 Haultain St. Address Gordon Bushell Name 2575 Belmontst

Minye Lee 2539 Belmout Ave.

BOR, CBRIGN 2533 BELMONT DVE

may Name 1446 HAULTAIN ST.

January 12, 2019

Mayor and Council City of Victoria 1 Centennial Square Victoria, BC, V8W 1P6 mayorandcouncil@victoria.ca

Dear Mayor Lisa Helps and City of Victoria Councillors,

We are submitting this letter to express our strong opposition to the proposed development and variance permit requests for 1501-03 Haultain Street. Thank you for considering the following concerns:

- Lack of accessibility contrary to human rights for those aging, physically disabled, those with mobility issues, and caregivers:
 - Stairs-only building access;
 - Lack of accessible parking (and as a consequence, transportation) for tenants and guests.
- Negative impact of building height and massing on adjacent properties, roadway and placemaking space:
 - building massing and character contrary to surrounding structures and homes surrounding area to be overwhelmed due to limited/no structural steps or architectural transitions;
 - loss of privacy in adjacent backyard spaces will result from increased height, windows, exterior stairwells, and building design;
 - decreased setback from the road will narrow the roadway and impact the Corner's open spaces and natural features. This essential area is a key part of the community's central gathering and placemaking space.
- Significant and precedent-setting parking variance:
 - Compounds existing congestion issues (e.g., hospital parking overflow; multi-suited homes);
 - Increases risks to children travelling on foot and bike to Oaklands School and local parks;
 - Restricts pathways and movement for bikes travelling on the Haultain Street designated bikeroute and bike-route adjacent streets;
 - Lack of places for residents to park at own homes;
 - Unfeasible and inappropriate promise to restrict vehicle ownership of development tenants and guests;
 - Creation of parking variance precedent will impact future development of other three corners;
 - Negative impact on local businesses through the restriction of customer access to parking;
 - Unknown future and closure period of businesses currently located in 1501-03 Haultain.
- Increased development without an affordable housing component:
 - No contribution to creating affordable housing has been made in this proposal.

Sincerely,

Robbyn and Greg Lanning 2556 Forbes Street



For the Committee of the Whole Meeting December 13 2018

Date: December 5 2018 From: Mayor Helps

Subject: Indicate to BCLC that Victoria is not Interested in Hosting a Casino

Background

In 2015 Council passed the following motion:

"That Council direct staff to submit a response to the British Columbia Lottery Corporation's Request for Expressions of Interest indicating that the City of Victoria would consider a casino proposal consistent with City policies and guidelines."

This motion was in response to a request from BCLC and part of a process of considering a casino in the City of Victoria. All of Council's motions with regard to this process are laid out in Appendix A.

Since 2015, there have been substantial issues uncovered with regard to money laundering in BC casinos as well as potential links to the trafficking of fentanyl. The BC government is taking this issue seriously and is taking significant action to remedy this situation. Nonetheless prosecution of these offences is difficult. This new information that has arisen since Council's motion in 2015 has changed the landscape with regard to Victoria's willingness to host a casino.

Given that BCLC is in the process of taking the next step in terms of its procurement process (see attached letter), it is prudent to indicate to BCLC that Victoria is no longer willing to host a casino in the City of Victoria.

Recommendation

1. That Council direct the Mayor to write to the British Columbia Lottery Corporation to indicate that Victoria is no longer interested in hosting a casino.

Respectfully Submitted,

Mayor Helps

APPENDIX A

Council Meeting Motions on Casino

October 29, 2015

BCLC Request for Expressions of Interest for Siting of a New Casino Facility

That Council:

- 1. Direct staff to engage with BCLC to gather further information.
- Direct staff to review current policy, identify and assess any key issues, and provide a draft response to BCLC's Request for Expression of Interest for Council consideration at the November 26, 2015, Planning and Land Use Committee meeting

November 26, 2015

BC Lottery Commission (BCLC) Request for Expressions of Interest for Siting of New Casino Facility:

That Council direct staff to submit a response to the British Columbia Lottery Corporation's Request for Expressions of Interest indicating that the City of Victoria would consider a casino proposal consistent with City policies and guidelines.

July 13, 2017

BCLC Casino Victoria

That Council direct staff to undertake the public engagement required under the Gaming Control Act in the form of a public hearing, to be held at the same time as the public hearing required for a rezoning application under the Local Government Act and Casino Rezoning Guidelines for the proposed gaming facility in Victoria, including specific outreach to both Esquimalt and Songhees First Nations.

That staff inform BCLC that any rezoning would need to include a Community Benefits Agreement including but not limited to provisions for at least 10% of the labour force employed to build the casino and 10% of those hired to operate it come from economically marginalized and/or underemployed groups.

That any neighbourhood association that may be the host of any applications be added to the engagement of local stakeholders.

November 20, 2018

Her Worship Lisa Helps and Members of Council City of Victoria One Centennial Square Victoria, B.C. V8W 1P6

Dear Mayor and Council:

As a Crown corporation, the role of the British Columbia Lottery Corporation (BCLC) pursuant to the *Gaming Control Act* (GCA) is to conduct and manage commercial gaming in the Province of British Columbia.

Beginning in 2016, BCLC launched its Expression of Interest (EOI) process in greater Victoria, to determine local government interest in hosting a gaming facility. BCLC then chose the City of Victoria as the potential Host Local Government for a gaming facility.

As the next step in its EOI process, BCLC is now ready to initiate a Request for Proposal to provide gaming services in the City of Victoria, and ask four pre-qualified gaming services providers to prepare gaming facility proposals for BCLC's scrutiny.

On June 21, 2016, BCLC received correspondence from the City of Victoria, indicating its interest in being considered as a potential host for a gaming facility. Recognizing the length of time since it first corresponded with the City, BCLC is respectfully requesting a re-affirmation of the City of Victoria's participation in the EOI process. The City's response will assist BCLC as it prepares to issue its RFP for gaming services.

BCLC is committed to being open and transparent as it proceeds through its EOI process. We are equally committed to keeping the City of Victoria fully apprised at each stage of the process.

We look forward to your earliest reply. Should there be additional questions or points of clarification, please contact Mr. Greg Walker, Director, Public Affairs at (604) 225-6410.

Sincerely,

omarci

Brad Desmarais Vice President, Casino and Community Gaming

cc: Greg Walker Director, Public Affairs



74 West Seymour Street Kamloops, BC V2C 1E2

T 250.828.5500 F 250.828.5631

2940 Virtual Way Vancouver, BC V5M 0A6

T 604.215.0649 F 604.225.6424 bclc.com



December 10, 2018

Her Worship Lisa Helps Mayor of the City of Victoria 1 Centennial Square Victoria BC V8W 1P6

Dear Mayor Helps:

Thank you for your letter of October 18, 2018, regarding implementation of recommendations of the German Report.

As you know, I believe it is critical to restore British Columbia's reputation in the gambling industry and ensure that BC's casinos are never again considered a location for laundering the proceeds of organized crime.

I can assure you that we are taking immediate action against money laundering in BC and have already seen a dramatic decrease in large amounts of unsourced cash entering Lower Mainland casinos. Government has accepted all of Dr. German's 48 recommendations in principle and work is underway on about half, including nine that are now fully completed. Policy-related work is also underway through an Anti-Money Laundering Secretariat within the ministry and an internal deputy minister committee with representation from the Ministry of Attorney General, Ministry of Public Safety and Solicitor General, and the Ministry of Finance. Many of Dr. German's recommendations are complex, involving other ministries and jurisdictions, and a full implementation timeline is still being developed. We are moving forward as quickly as possible and intend to update the public on our progress, as appropriate.

You may be aware government worked with the RCMP to form the province-wide Joint Illegal Gaming Investigation Team (JIGIT) in 2016 and is established within the Combined Forces Special Enforcement Unit British Columbia (CFSEU-BC). It is a dedicated and integrated multijurisdictional enforcement team that responds to illegal gambling and unlawful activities, including money laundering in gambling facilities. Five investigators from the Gaming Policy and Enforcement Branch (GPEB) are fully integrated into JIGIT.

In January, JIGIT, GPEB, and the BC Lottery Corporation (BCLC) collaborated to form the Gaming Intelligence Group (GIG) which meets both weekly and monthly to identify issues and trends that could suggest money laundering issues within casinos. At weekly meetings the group shares information about real time incidents from the past week, including examining suspicious transactions and areas of concern. Monthly meetings focus on identifying overall trends and how current processes should be modified and improved.

.../2

Ministry of Attorney General Office of the Attorney General Mailing Address: PO Box 9044 Stn Prov Govt Victoria BC V8W 9E2 email: AG.Minister@gov.bc.ca website: www.gov.bc.ca/ag Telephone: 250 387-1866 Facsimile: 250 387-6411 Her Worship Lisa Helps Page 2

As part of his review of money laundering in Lower Mainland casinos, Dr. German provided two interim recommendations in December 2017. BCLC implemented the first interim recommendation on January 10, 2018 through new source of funds procedures requiring valid documentation of the source of funds for all cash and bank draft buy-ins of \$10,000 or more in a 24-hour period. The original receipt must show the customer's name, the source of the funds and, if that source is a financial institution, the name of the financial institution and account number. If the customer cannot provide the required information, Service Providers must refuse the transaction, document it, and notify BCLC. Following the interim recommendations, in his report, Dr. German recommended reviewing the Source of Funds declaration on an annual basis. GPEB and BCLC are doing this to ensure the source of funds declaration is working as intended. This policy applies across the province.

Dr. Peter German's second interim recommendation from December 2017, required that government regulators have a presence on-site, and be available to service providers throughout the day and during peak hours. GPEB has increased the regulator's presence at five high-volume casinos, including the Hard Rock Casino in Coquitlam, Starlight Casino in New Westminster, River Rock Casino and Resort in Richmond, Grand Villa Casino in Burnaby, and Parq Vancouver during peak activity. Existing investigators are providing this presence in the short term and an additional 12 new investigators are being hired to meet Dr. German's recommendation. GPEB's Lower Mainland office is also augmenting communications to ensure 24/7 contact points between GPEB and casinos during off-hours. If a downtown Victoria casino is approved, GPEB would determine investigator presence based on a risk assessment. GPEB would also have the flexibility to deploy investigative resources to any area that requires additional support if the need arises. The increased presence and availability has improved information sharing with service providers and the ability to cultivate first-hand information, which informs government, law enforcement, and policy decisions.

I welcome you to connect directly with our Secretariat if you require further general updates on the implementation process of the German Report. The Secretariat can be reached at 778-974-5965.

Thank you for writing. I hope the above information is helpful to you.

Yours truly,

David Eby, QC Attorney General

H. UNFINISHED BUSINESS

H.4 Indicate to BCLC that Victoria is Not Interested in Hosting a Casino

Moved By Mayor Helps Seconded By Councillor Isitt

That Council direct the Mayor to write to the British Columbia Lottery Corporation to indicate that Victoria is no longer interested in hosting a casino.

Amendment:

Moved By Councillor Alto Seconded By Councillor Thornton-Joe

That the motion be amended by adding the following at the end of the motion, after the word 'casino':

"but may consider a proposal by a local First Nation, reflecting their right to economic development self-determination."

Council discussed the following:

• How to balance the importance of reconciliation with Council's opposition to hosting a casino.

Motion to extend:

Moved By Councillor Alto Seconded By Councillor Dubow

That the meeting be extended to 12:00 a.m.

CARRIED UNANIMOUSLY

Amendment to the amendment:

Moved By Councillor Isitt Seconded By Mayor Helps

That the motion be amended by replacing "but may consider a proposal by a local First Nation" with the following:

"But that takes no position on potential future proposals from local First Nations".

FOR (3): Councillor Isitt, Councillor Loveday, and Councillor Potts OPPOSED (6): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Thornton-Joe, and Councillor Young

DEFEATED (3 to 6)

Moved By Mayor Helps Seconded By Councillor Loveday

That Council postpone consideration of this matter to the January 17, 2019 Council Meeting.

CARRIED UNANIMOUSLY



Council Report For the Meeting of January 17, 2019

To:	Council	Date:	January 8, 2019
From:	Chris Coates, City Clerk		
Subject:	Rise and Report on the Decision to Deny the Appeal from the refusal to issue a Business Licence at 1412 Douglas Street		

EXECUTIVE SUMMARY

On November 22, 2018, Council heard an appeal from a decision to refuse a business licence to Kyle Cheyne for a business known as "Terp City" at 1412 Douglas Street. At the closed meeting of December 6, 2018, Council approved the following reasons for a decision in that appeal:

Introduction

Under section 60(5) of the Community Charter, an applicant who is refused a business licence by a municipal officer or employee is entitled to have Council reconsider the matter.

On October 2, 2017, Kyle Cheyne applied to the City for a cannabis-related business licence under the City's Cannabis Related Business Regulation Bylaw and Business Licence Bylaw for a business located at 1412 Douglas Street and known as "Terp City" (the "Applicant"). The business is described as a "cannabis lounge" and is essentially a place where, for a fee, anyone can come in and consume their cannabis. Patrons can also purchase prepackaged foods and drinks. The City's Licence Inspector refused to issue a cannabis-related business licence because the business did not comply with the provisions of the City's Bylaw and on May 29, 2018 the Applicant was informed of that decision.

The Applicant requested that Council reconsider the Licence Inspector's decision, and on November 22, 2018, Council held a business licence hearing to receive submissions from the Applicant and the City's Manager of Bylaw & Licensing Services (the Manager') with regards to this matter.

Applicant's Submissions

The Applicant's submissions were presented by his lawyer and can be summarized as follows.

First, that licencing of cannabis is a matter within the exclusive federal jurisdiction and the City lacks jurisdictional competence to enact a prohibition on cannabis consumption. The laws related to cannabis continue to evolve and, according to the Applicant's submission, City bylaws are likely to be declared invalid soon.

Secondly, that many of Terp City customers are licensed medical users of cannabis who either cannot or choose not to consume cannabis at home, at work, or in public. Terp City, it was argued, fills an important gap in the regulation of cannabis by providing them with a safe location to consume their medicine. These medical users have, according to the Applicant's submissions, a constitutionally protected right to consume cannabis and any municipal bylaw that limits that right is unconstitutional.

Thirdly, that the regulatory scheme established by the City is itself contradictory in that it authorizes the sale of cannabis and cannabis-related paraphernalia, while prohibiting consumption of the very product that it promotes. Included in the Applicant's submissions was a request to Council to allow for a site for safe consumption of cannabis. The Applicant informed Council that no cannabis is sold on the premises and no food is prepared on the premises. The Applicant also said that no persons under 19 years of age are allowed on the premises.

City's Manager of Bylaw & Licencing Services Submissions

The Manager submitted that both the Business Licence Bylaw (section 35) and the Cannabis Related Business Regulation Bylaw (section 6(c)) expressly prohibit consumption of cannabis on any business premises in Victoria. Because the Applicant's entire business model relates to on-site consumption of cannabis, the Licence Inspector denied the Applicant's cannabis-related business licence application.

Council's Decision

The role of City Council in a business licence hearing is very limited. As was recognized by the Applicant's lawyer during his submission, City Council is not a court of competent jurisdiction to determine constitutional issues or to grant a remedy under the Canadian Charter of Rights and Freedoms. Nor is the business licence hearing a proper forum to decide the validity of a municipal bylaw. Our role in this hearing is to reconsider the decision of the Licence Inspector to refuse the Applicant a business licence.

The City has enacted a set of business regulations to deal with the proliferation of cannabis related businesses in Victoria. In doing so even before the formal legalization of cannabis, the City was proactively responding to the need to better manage the impact the presence of these businesses has had on the community. The object of these regulations has not been to deny access to medical cannabis. To the contrary, the City's Cannabis Related Business Regulation Bylaw expressly states that it does not apply to the production or distribution of cannabis licensed by Health Canada under the Access to Cannabis for Medical Purposes Regulations. The purpose of the City's cannabis-related bylaws has been to balance the interests of the community with the rights of cannabis users.

A prohibition of consumption of cannabis on business premises is one of the regulations contained in City bylaws. It was adopted, in part, because there are currently no provincial or federal standards or rules currently in place regarding the safe consumption or service of cannabis. While Council feels a certain degree of sympathy towards the argument that provision of a safe location in which medical or recreational cannabis can be consumed is beneficial, this remains contrary to the City's bylaws. In our view, the Licence Inspector had no choice but to withhold a business licence from the applicant. Similarly, we feel compelled to deny the appeal and refuse to issue a business licence for a business whose entire business model revolves around a contravention of the existing City bylaw. Therefore, the appeal is denied.

In the course of the hearing, a question was asked regarding existing Council directions in relation to the issue of on-site consumption. Although it does not affect Council's decision in relation to this business licence application, it seems appropriate to mention that Council had previously directed staff to explore the possible repeal of the prohibition of on-site consumption of cannabis. We want to be clear that our decision in relation to this Applicant is based solely on the current status of the City's bylaws and should not be taken as precluding issuance of a business licence in the future if the prohibition on on-site consumption is repealed.

Respectfully submitted,

Chris Coates City Clerk

Susanne Thompson Deputy City Manager

Date

Report accepted and recommended by the City Manager

COMMITTEE OF THE WHOLE REPORT FROM THE MEETING HELD JANUARY 10, 2019

For the Council meeting of January 17, 2019, the Committee recommends the following:

1. <u>Rezoning Application No. 00658 for 1402-1404 Douglas Street (Downtown)</u> That Council receive the report for information.

2. Evacuation Route Planning Grant

- 1. Provide Council resolution supporting the \$25,000 grant application submitted by staff on November 30th to the Union of BC Municipalities (UBCM) Community Emergency Preparedness Fund (CEPF) for Evacuation Route Planning.
- 2. Authorize the Mayor and City Clerk to execute any agreements related to a successful grant application.

3. <u>2018 My Great Neighbourhood Grants- Fall Intake</u>

That Council:

1. Approve 22 applications received for the fall intake of the 2018 My Great Neighbourhood Grant program as outlined in Tables 1 and 2 and 3.

2. Approve the following changes to the My Great Neighbourhood Grant Policy: For a multi-phased project to be considered, a substantial new element must be introduced with each application. This program limits a maximum of three (3) proposals for the same project area. Applications for new projects will be prioritized over recurring applications, factoring in quality of application.

4. <u>Update Report on Rezoning Application No. 00641 and Development Permit with</u> <u>Variances Application No. 000528 for 430 Parry Street (James Bay)</u>

That Council approve the following revised motion:

"That Council instruct staff to prepare the necessary Zoning Regulation Bylaw that would authorize the proposed development outlined in Rezoning Application No. 00641 for 430 Parry Street, that first and second reading of the Zoning Regulation Bylaw be considered by Council, and a Public Hearing date be set once the following conditions are met:

- Preparation and execution of legal agreements to secure two one-bedroom units as below-market housing, to the satisfaction of the City Solicitor (below market housing offered at 15% less market rate, in perpetuity)
- 2. Preparation and execution of a Housing Agreement to ensure that future Strata Bylaws could not prohibit the rental of units (with the exception of the two below-market ownership units).

That the applicant be required to provide \$10,000 for the relocation of the home or \$20,000 for the relocation of the home in James Bay.

5. Development Variance Permit No. 00207 for 423 Edward Street (Victoria West)

That Council approve the following revised motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00207 for 423 Edward Street, in accordance with:

- 1. Plans date stamped August 30, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required vehicle parking from four stalls to one stall
 - ii. reduce the rear yard setback from 7.5m to 3.25m

- iii. allow the addition of a roof deck
- iv. allow exterior changes to the street façade to a proposed house conversion
- v. reduce the separation distance for an accessory building from the main building from 2.4m to 2.15m
- vi. allow an accessory building in the side yard.
- 3. The Development Permit lapsing two years from the date of this resolution
- 4. Final issuance of the Development Variance Permit subject to:
 - i. a Statutory Right-of-Way of 1.8m on the Russell Street frontage being registered on title, to the satisfaction of the Director of Engineering and Public Works
 - ii. revised plans addressing minor drafting errors, to the satisfaction of the Director of Sustainable Planning and Community Development
 - iii. a Housing Agreement securing at least two residential units as rental for a period of not less than 10 years, to the satisfaction of the City Solicitor
 - iv. screening of the landing with lattice work or green landscape, subject to the discretion of the Director of Sustainable Planning and Community Development
 - v. the applicant entering into an agreement with a car share organization for membership for all three residential units, to the satisfaction of the Director of Sustainable Planning and Community Development."

6. Development Permit Application No. 000525 for 90 Saghalie Road (Victoria West)

- 1. That Council authorize the issuance of Development Permit Application No. 000525 for 90 Saghalie Road, in accordance with:
 - 1. Plans date stamped December 14, 2018.
 - 2. Development meeting all Zoning Regulation Bylaw requirements.
 - 3. The Development Permit lapsing two years from the date of this resolution.

That staff have confirmed that there is no technical ability to require frontage improvements along the rail corridor adjacent to 90 Saghalie Road.

7. <u>Improving Frontages along Rail Corridors for Future Development Projects</u> That staff report back on any potential mechanisms for improving frontages along the rail corridor for future development projects.

8. <u>Victoria Housing Reserve Fund Guidelines Update</u>

That Council direct staff to:

- 1. Implement all changes to the Victoria Housing Reserve Fund approved at the September 27, 2018 Committee of the Whole Meeting.
- 2. Direct staff to update the fund guidelines to incorporate the following changes developed during the consultation period:
 - Develop an eligibility checklist and withhold financial and schedule information for privacy reasons
 - Redefine "No Income" to "Very Low Income"
 - Set a targeted application review timeline
 - Prioritize projects that provide housing for individuals and families who are either experiencing homelessness or are at risk.
 - Prioritize projects that have affordability in perpetuity

New bullet in Project Priority:

Projects that provide a component of housing for people with low and very low incomes first, over moderate income households.

10. Youth Services Delivery Model

That Council approve the proposed improvement to the delivery of Youth Services, and refer consideration of funding a new full-time position as part of the 2019 Financial Planning process.

11. Interim Terms of Reference – Accessibility Working Group

That Council approve the Interim Terms of Reference for the Accessibility Working Group.

12. Letter from Shell Canada Limited

That Council:

- 1. Refer the matter to the closed portion of the meeting for legal advice.
- 2. Direct staff to begin tracking costs and expenditures incurred by the City of Victoria in relation to climate change, and include an itemized summary of these costs and expenditures in the annual update on the Climate Leadership Plan.
- 3. Endorse the following resolution for consideration at the annual meetings of the Union of BC Municipalities and the Association of Vancouver Island Coastal Communities, and direct staff to forward the resolution electronically to member local governments in BC encouraging favourable consideration and resolutions of support:

Recovering Municipal Costs Arising from Climate Change

WHEREAS local governments are incurring substantial costs in relation to the impacts of climate change, including volatile weather patterns, drought, wildfires, erosion and other impacts:

AND WHEREAS it is fiscally prudent to recover these costs from corporations that have profited from the burning of fossil fuels, with knowledge that these economic activities contribute to climate change;

THEREFORE BE IT RESOLVED THAT UBCM explore the initiation of a class action lawsuit on behalf of member local governments to recover costs arising from climate change from major fossil fuels corporations;

AND BE IT FURTHER RESOLVED THAT the Province of British Columbia consider legislation to support local governments in recovering costs arising from climate change from major fossil fuel corporations.

13. Neighbourhood Liaison Appointments - Rockland and North Park - 2019/2020 That Council appoint:

- 1. Councillor Young as the Rockland Neighbourhood Liaison for 2019/2020
- 2. Councillor Dubow as the North Park Neighbourhood Liaison for 2019/2020
- 3. Councillor Alto as the North Park Neighbourhood Co-Liaison for 2019/2020

COMMITTEE OF THE WHOLE REPORT FROM THE MEETING HELD JANUARY 17, 2019

1. Public Hearing Submissions and Public Comment Policy

That Council direct staff to revise the Council approved Correspondence Management Policy to formalize the submission locations and deadline for providing advance written comments before a public hearing that includes:

- 1. Standards for receiving different forms of submissions (letter, e-mail, or drop-off);
- 2. Closing time of 2:00 pm on the day of the public hearing for receiving submissions by Legislative Services that will be published on the agenda; and
- 3. Process for distributing advance submissions to Council prior to a public hearing.

2. <u>Neighbourhood Input on Greenway Design Standards</u>

That Council refer the attached materials from the Oaklands Rise and Brighton Greenway neighbourhood working groups to staff, to inform the review and implementation of Greenway Design Standard for shared-use laneways

3. Rezoning Application No.00649 for 2424 Richmond Street (North Jubilee)

That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application No. 00649 for 2424 Richmond Road; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council; and that a Public Hearing date be set once the following conditions are met:

Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:

- a. registration of a section 219 covenant to secure the design of the proposed singlefamily dwelling unit, and to ensure that the existing single-family dwelling is upgraded in accordance with the plans approved by Council and to specify the sequencing of construction and landscaping, including retention of a landscape security deposit
- b. receipt of an executed Statutory Right-of-Way (SRW) of 4.82m along Richmond Road, to the satisfaction of the Director of Engineering and Public Works.
- c. registration of a housing agreement in a form satisfactory to the City Solicitor that prohibits the establishment of strata bylaws that prohibit the rental of the units.

4. <u>Update Report for Rezoning Application No.00556 and Development Permit with Variance</u> <u>Application No.00028 for 1417 May (Fairfield)</u>

Rezoning Application No. 00556:

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00556 for 1417 May Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the legal agreement for on-site storm water management is updated based on the revised proposal.

Development Permit with Variance Application No. 00028:

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00556, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00556 for 1417 May Street, in accordance with:

- 1. Plans date stamped September 10, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. reduce the minimum vehicle parking requirement from six stalls to four stalls.
- 3. The Development Permit lapsing two years from the date of this resolution."

5. 2019 Draft Financial Plan - Mayor's Office Support

- 1. The total compensation be no more than \$80,000 plus benefits and pension.
- 2. Council appoint one of its members today to participate in the hiring process should the Mayor decide to proceed.
- 3. Councillor Potts be appointed to this hiring process.

6. Call for Written Submissions - Select Standing Committee on Ride Hailing Services

- 1. That Council communicate to the province that the City supports regulations that provide fairness for different operators, proper compensation for drivers and safety for the public and that the staff's original letter be appended.
- 2. That priority be given in the granting of license to local operators.
- 3. That the City request that BC Transit give consideration of the establishment of a public ride hailing platform to address the priorities noted above.

7. Extension of Vacancy Taxation Authority to Local Governments

THAT Council endorse the following resolution and direct staff to forward copies to the Premier of British Columbia, the Ministers responsible for Local Government, Finance and Housing, the Association of Vancouver Island and Coastal Communities (AVICC) Annual Convention, the Union of British Columbia Municipalities (UBCM) Annual Convention, and member local governments and regional districts within the Capital Region, AVICC and UBCM, requesting favourable consideration and resolutions of support:

Resolution: Extension of Vacancy Taxation Authority to Local Governments

WHEREAS the Province of British Columbia responded to a housing affordability crisis in 2016 with legislation empowering the City of Vancouver to introduce a surtax on vacant residential properties, resulting in \$38-million in revenues for that community in 2018 and creating a strong disincentive to leaving properties vacant;

AND WHEREAS communities across British Columbia face housing affordability pressures, while a portion of the housing supply in all communities remains vacant, including properties that have remained derelict for years or decades;

AND WHEREAS vacant and derelict buildings pose substantial risks in terms of public safety in communities, as well as liveability and desirability for nearby and adjoining neighbourhoods and properties;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia extend the authority to introduce a surtax on vacant residential properties to local governments across British Columbia, providing communities with the discretion to decide whether to introduce an additional tax to discourage vacant and derelict buildings, and encourage the occupancy, maintenance, and improvement of buildings to address housing affordability and public safety.



Council Report For the Meeting of January 17, 2019

To: Council

Date: January 11, 2019

From: C. Coates, City Clerk

Subject: Zoning Bylaw 2018, Amendment Bylaw (No. 2) No. 19-016

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Bylaw 2018, Amendment Bylaw (No. 2) No. 19-016

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 19-016.

The issue came before Council on November 22, 2018 where the following resolution was approved:

Rezoning Application No. 00658 for 1402 Douglas Street

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00658 for 1402 Douglas Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

That the application be referred to the heritage advisory committee for comment and report be made back to the Committee of the Whole on the proposed provincial policy that would see the windows of the heritage building be made opaque.

Respectfully submitted,

Chris Coates City Clerk

Report accepted and recommended by the City Manager:

Date:

List of Attachments:

Bylaw No. 19-016

NO. 19-016

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Zoning Bylaw 2018 to increase the maximum area permitted for a Storefront Cannabis Retailer at 1402 Douglas Street from 200m² to 450m² by amending the Old Town District-1 Zone (OTD-1) Site Specific Regulations for this property.

Pursuant to its statutory powers, including section 479 of the *Local Government Act*, the Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

Title

1 This Bylaw may be cited as the "ZONING BYLAW 2018, AMENDMENT BYLAW (NO. 2)".

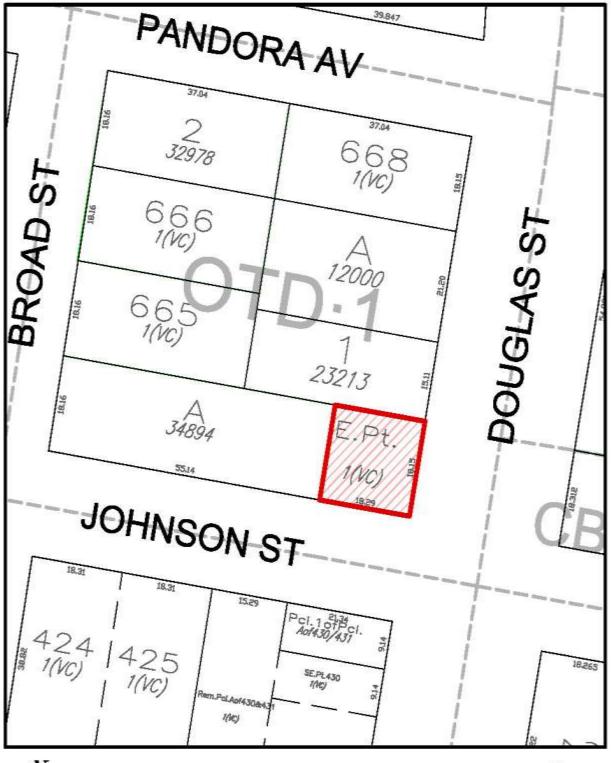
Amendments

2 Bylaw No. 18-072, Zoning Bylaw 2018, is amended in section 8 of Part 4.4, Old Town District-1 Zone (OTD-1), by deleting "200m²" in row 21 and replacing it with "450m²".

READ A FIRST TIME the	day of	2019
READ A SECOND TIME the	day of	2019
Public hearing held on the	day of	2019
READ A THIRD TIME the	day of	2019
ADOPTED on the	day of	2019

CITY CLERK

MAYOR





1402 &1404 Douglas Street Rezoning No.00658





Council For the Meeting of January 17, 2019

To:CouncilDate:December 24, 2018From:Jo-Ann O'Connor, Deputy Director of FinanceSubject:Temporary Borrowing Bylaw, 2019

RECOMMENDATION

That Council give three readings to the Temporary Borrowing Bylaw, 2019.

EXECUTIVE SUMMARY

Each year, the City adopts a temporary borrowing bylaw to allow the City to borrow money to meet cash flow demands before property taxes are collected in July. This is done as a proactive measure only and has rarely been used since the City has sufficient reserves in place to address cash flow needs. The proposed borrowing maximum under this bylaw is \$10 million.

Under Section 177 of the Community Charter, Council may, by bylaw, provide the authority to borrow money that may be necessary to meet the current year expenditures and to pay amounts required to meet the City's taxing obligations to other local governments or public bodies. If money is borrowed pursuant to this bylaw, revenue from property taxes must be used to repay the money borrowed. The maximum amount of borrowing allowed is the sum of the unpaid taxes for the current year plus the money remaining to be collected from other governments; or if the current year tax bylaw has yet to be adopted, the maximum is 75% of prior year taxes. For 2019, the maximum amount would be approximately \$100 million.

Respectfully submitted,

Emner

Jo-Ånn O'Connor Deputy Director of Finance

Susanne Thompson Deputy City Manager/CFO

Date:

Report accepted and recommended by the City Manager

Council Temporary Borrowing Bylaw, 2019

December 24, 2018 Page 1 of 2

List of Attachments

Appendix A: Temporary Borrowing Bylaw, 2019

NO. 19-008

TEMPORARY BORROWING BYLAW, 2019

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to provide for the borrowing of money that may be necessary to meet the current lawful expenditures of the City.

Contents

- 1 Title
- 2 Definition
- 3 Borrowing authorized
- 4 Form of borrowing
- 5 Time of repayment
- 6 Tax revenue to be used for repayment

Under its statutory powers, including section 177 of the *Community Charter*, the Council of the City of Victoria enacts the following provisions:

Title

1 This Bylaw may be cited as the "TEMPORARY BORROWING BYLAW, 2019".

Definition

2 In this Bylaw, "Director" means the City's Director of Finance.

Borrowing authorized

- 3 (1) The Director may borrow, on behalf of the City, on the credit and for the purposes of the City, from any bank, credit union, corporation, or other person, as the Director may from time to time consider appropriate, an amount of money not exceeding \$10 million.
 - (2) The Director must not borrow the money described in subsection (1) at a rate of interest that exceeds the prime rate of interest charged by the Royal Bank of Canada at the time when the lender imposes a rate of interest.

Form of borrowing

- **4** (1) The Director may borrow by means of bank overdrafts.
 - (2) Where the borrowing is other than by way of bank overdrafts, the form of an obligation to be given as an acknowledgement of the liability must be a promissory note, demand note, or a banker's acceptance, sealed with the seal of the City and signed by the Mayor and the Director.

Time of repayment

5 The money borrowed under this Bylaw and any interest on it must be repaid on or before December 31, 2019.

Tax revenue to be used for repayment

6 Revenue from all property value taxes must be used as necessary to repay the money borrowed under this Bylaw.

READ A FIRST TIME the	day of	2019.
READ A SECOND TIME the	day of	2019.
READ A THIRD TIME the	day of	2019.
ADOPTED on the	day of	2019.

CITY CLERK

MAYOR

Canadä

October 1, 2018

Capital Regional District John Reilly, Manager Housing Planning and Programs 625 Fisgard St. P.O. Box 1000 Victoria, BC V8W 2S6

MAYOR'S OFFICE

Dear John Reilly,

On June 11, 2018, the Honourable Minister Duclos announced a redesigned federal homelessness program called Reaching Home: Canada's Homelessness Strategy. Reaching Home will replace the Homelessness Partnering Strategy (HPS), starting on April 1, 2019.

A second, more detailed program announcement with information on all aspects of Reaching Home will be made in fall 2018. In the meantime, the purpose of this letter is to confirm your interest to continue in your role as a Community Entity for Victoria, BC under the Indigenous Homelessness funding stream.

Reaching Home will introduce greater flexibility in how funding can be used by introducing an outcomes-based approach whereby communities have more flexibility to allocate funds to better meet local needs and priorities. In addition, Reaching Home will introduce Coordinated Access to help communities shift towards a more systems-based approach to addressing homelessness that will ensure fairness, prioritize people most in need of assistance, and match individuals to appropriate housing and services.

In collaboration with community partners, including Indigenous organizations and service providers, and consistent with the Government of Canada's commitment to achieving reconciliation through renewed relationships with Indigenous Peoples, departmental officials will be exploring options to ensure that designated Indigenous investments under Reaching Home increase opportunities for Indigenous-led homelessness solutions, as well as for culturally-appropriate initiatives.

Recognizing that communities will require time to prepare for the program changes in advance of April 1, 2019 and determine how to prioritize their investments within the new program parameters, communities will be able to extend service projects for up to one year to avoid service disruptions. The Department will support Community Entities throughout this transition period.

In advance of more detailed discussions on how to manage the transition, which will take place in the context of negotiating contribution agreements, we are reaching out to Community Entities to confirm their interest to move forward with the renewed program in April 2019. These initial discussions will allow all parties involved to plan

ahead and mitigate any issues that may arise thereby ensuring a smooth transition for clients of the program and the organizations that serve them.

Please send written confirmation of your interest in continuing in your role as a Community Entity to Donna Wingfield, Senior Program Development Officer at <u>donna.wingfield@servicecanada.gc.ca</u>. Following receipt of your response, Donna will communicate with you to discuss next steps.

Thank you for your efforts to address homelessness in Victoria, BC.

Sincerely,

Grace Kerr on behalf of Jan Fix Director Western -Territories Labour Market Programs

cc: Lisa Helps. CRD City of Victoria Co-Chair Greater Victoria Coalition to End Homelessness

Ian Batey, Community Director, Co-Chair Greater Victoria Coalition to End Homelessness



Minister of Infrastructure and Communities



Ministre de l'Infrastructure et des Collectivités

Ottawa, Canada K1P 0B6

Her Worship Lisa Helps Mayor City of Victoria 1 Centennial Square Victoria, British Columbia V8W 1P6

MAYOR'S OFFICE DEC 07 2018 VICTORIA, B.C.

NOV 3 0 2018

Dear Madam Mayor:

Following my recent meeting with you, I wanted to extend a formal congratulations to your community on becoming a finalist in the inaugural competition of the Smart Cities Challenge!

Under the Smart Cities Challenge, we called on communities across Canada to identify ways in which they could use innovation, data and connected technology to improve the lives of their residents. The response to this call was overwhelmingly positive – we received 130 applications from every province and territory, with communities putting forward compelling and creative solutions to become healthier, more inclusive, and liveable.

Your preliminary proposal stood out and our diverse and talented Jury recognized that it is an exemplary embodiment of how a smart cities approach has the potential to achieve meaningful outcomes for residents. You are now leading the way in exploring the potential of smart cities solutions for Canadian communities. As you work on your final proposal, I encourage you to think about how to make your projects replicable and scalable so that they can inspire and be adopted by other communities across the country, no matter their size or capacity.

Your success to date is a result of thinking big, working collaboratively, and daring to take risks. This approach will serve you well in the finalist phase of the competition. I look forward to seeing your final proposal.

Good luck in the competition!

Yours sincerely,

1/1-

The Honourable François-Philippe Champagne, P.C., M.P. Minister of Infrastructure and Communities

Canada