



REVISED AGENDA - COMMITTEE OF THE WHOLE

Thursday, May 2, 2019, 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

The City of Victoria is located on the homelands of the Songhees and Esquimalt People

Pages

A. APPROVAL OF AGENDA

B. CONSENT AGENDA

Proposals for Consent Agenda:

F.1 - 2832 and 2838 Shakespeare Street - Rezoning Application No. 00656 (Oaklands)

G.3 - Proclamation - Phones Away Day

G. 4 - Proclamation - North American Safe Boating Awareness Week

G. 5 - Proclamation - Apraxia Awareness Day

C. READING OF MINUTES

*C.1 Minutes from the meeting held February 7, 2019

1

Addendum: Minutes

*C.2 Minutes from the meeting held April 25, 2019

21

Addendum: Minutes

D. Presentation

D.1 City Family - Florence Dick

Out of respect for Indigenous practices this segment of the meeting will not be webcast.

E. UNFINISHED BUSINESS

E.1 Federation of Canadian Municipalities Conference - Housing Affordability Motion

30

A Council member motion seeking a stronger federal-municipal partnership on the issue of housing affordability across the country.

Referred from the April 25, 2019 Council Meeting

F. LAND USE MATTERS

*F.1	<u>2832 and 2838 Shakespeare Street - Rezoning Application No. 00656 (Oaklands)</u>	32
	<i>A report providing information and recommendations regarding an application to subdivide and rezone the existing two properties and create a new small lot facing Morley Street and recommending it be forwarded to a public hearing.</i>	
	<u>Addendum: Presentation</u>	
*F.2	<u>553 Raynor Avenue - Rezoning Application No. 00616 (Vic West)</u>	100
	<i>A report providing information and recommendations regarding an application for additional floor area in the existing house for a single-family dwelling with secondary suite and recommending it be forwarded to a public hearing.</i>	
	<u>Addendum: Revised Presentation</u>	
*F.3	<u>331 / 337 St. Charles Street – Development Variance Permit Application No. 00204 (Fairfield-Gonzales)</u>	139
	<i>A report providing information and recommendations regarding an application to subdivide two lots in order to create a third lot and construct a single-family dwelling with a secondary suite on the new lot and recommending it be forwarded to an opportunity for public comment.</i>	
	<u>Addenda: Correspondence & Presentation</u>	
F.4	<u>Proposed Amendments to the Land Use Procedures Bylaw No. 16-028</u>	200
	<i>A report providing information and recommendations to amend the Land Use Procedures Bylaw.</i>	
	<u>Addendum: Presentation</u>	
G. STAFF REPORTS		
*G.1	<u>Festival Investment Grant 2019 Allocations</u>	226
	<i>A report providing information and recommendations for the 2019 Festival Investment Grants.</i>	
	<u>Addendum: Presentation</u>	
G.2	<u>Downtown Victoria Business Association - Business Improvement Area Renewal Bylaw Revision</u>	264
	<i>A report providing information and recommendations regarding a bylaw revision to the Business Improvement Area Bylaw No. 19-045.</i>	
G.3	<u>Proclamation - Phones Away Day</u>	276

A report regarding the proclamation for Phones Away Day.

G.4 Proclamation - North American Safe Boating Awareness Week 279

A report regarding the proclamation for Safe Boating Awareness Week.

G.5 Proclamation - Apraxia Awareness Day 282

A report regarding the proclamation for Apraxia Awareness Day.

H. NOTICE OF MOTIONS

I. NEW BUSINESS

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE



MINUTES - COMMITTEE OF THE WHOLE

February 7, 2019, 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

The City of Victoria is located on the homelands of the Songhees and Esquimalt People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Collins, Councillor Isitt, Councillor Potts, Councillor Thornton-Joe, Councillor Young

ABSENT FOR A PORTION OF THE MEETING: Councillor Dubow

ABSENT: Councillor Loveday

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, S. Thompson – Deputy City Manager and Director of Finance, B. Eisenhauer - Head of Engagement, A. Meyer - Assistant Director of Development Services, T. Zworski - City Solicitor; R. Morhart – Manager of Permits and Inspections; J. Handy – Senior Planner; A. Johnson – Senior Planner; L. Milburn – Senior Planner, Housing Policy; R. Batallas – Senior Planner; J. Paul – Assistant Director of Engineering; M. Fedyczkowska – Legislation and Policy Analyst; T. Patterson – Emergency Program Coordinator; O. Koziatsek – Deputy Emergency Program Coordinator; S. Hunn – Emergency Management Community Liaison

A. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Isitt

That the agenda be approved.

Moved By Councillor Alto
Seconded By Councillor Isitt

Amendment:

That the motion be amended to include the following items on the consent agenda:

C.2 - Minutes from the special meeting held November 27, 2018

C.3 - Minutes from the special meeting held December 7, 2018

F.3 - Proclamations - Heritage Week 2019

F.4 - Proclamations - Rare Disease Day

H.1 - Commemorative Tree Planting in Mayors Grove

H.3 - Conference Attendance Request: New Westminster Mayor's Housing Roundtable

H.5 - Conference Attendance Request: Federation of Canadian Municipalities Annual Conference and Trade Show

H.6 - Conference Attendance Request: 2019 Union of BC Municipalities (UBCM) Convention

H.9 - Provincial Universal School Food Program

And that the following item be removed from the agenda:

H.4 - Conference Attendance Request: Association of Vancouver Island and Coastal Communities Annual Meeting

CARRIED UNANIMOUSLY

Main motion as amended:

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Alto

Seconded By Councillor Isitt

That the following items be approved without further debate

CARRIED UNANIMOUSLY

B.1 Minutes from the special meeting held November 27, 2018

Moved By Councillor Alto

Seconded By Councillor Isitt

That the minutes from the special meeting held November 27, 2018, be adopted.

CARRIED UNANIMOUSLY

B. 2 Minutes from the special meeting held December 7, 2018

Moved By Councillor Alto

Seconded By Councillor Isitt

That the minutes from the special meeting held December 7, 2018, be adopted.

CARRIED UNANIMOUSLY

B.3 Proclamations - Heritage Week 2019

Committee received a report dated January 15, 2019, from the City Clerk regarding a proclamation for Heritage Week 2019.

Moved By Councillor Alto

Seconded By Councillor Isitt

That the *Heritage Week 2019* Proclamation be forwarded to the February 14, 2019 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

B.4 Proclamations - Rare Disease Day

Committee received a report dated January 15, 2019, from the City Clerk regarding a proclamation for Rare Disease Day.

Moved By Councillor Alto

Seconded By Councillor Isitt

That the *Rare Disease Day* Proclamation be forwarded to the February 14, 2019 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

B.5 Commemorative Tree Planting in Mayors Grove

Committee received a report dated February 1, 2019, from Councillors Alto and Thornton-Joe regarding the planting of a tree in Mayor's Grove to honour former Victoria Mayor Gretchen Mann Brewin.

Moved By Councillor Alto

Seconded By Councillor Isitt

That the City of Victoria plant a tree in Mayor's Grove to honour former Victoria Mayor Gretchen Mann Brewin, the species to be determined by the Director of Parks, at a time in the spring of 2019 when such a planting has the best chance of success, as determined by the Director of Parks.

That a ceremony be held at the time of the planting, including the installation of a small commemorative plaque to complement the style of others in the Grove, and that Former Mayor Brewin be invited to attend that ceremony.

CARRIED UNANIMOUSLY

B.6 Conference Attendance Request: New Westminster Mayor's Housing Roundtable

Committee received a report dated February 1, 2019, from Mayor Helps regarding attendance at the New Westminster Mayor's Housing Roundtable.

Moved By Councillor Alto

Seconded By Councillor Isitt

That Council authorize the attendance and associated costs for Mayor Helps to attend the New Westminster Mayor's Housing Roundtable at New Westminster, BC, on February 16, 2019, with estimated costs as follows:

Transportation (Airfare): \$430.99

(Flying instead of travelling By ferry in order to return in time for the Chinese New Year protocol event on February 16 in Victoria).

Transportation (Taxi): \$110

Accommodation: \$0

Estimated total costs: \$540.99

CARRIED UNANIMOUSLY

B.7 Conference Attendance Request: Federation of Canadian Municipalities Annual Conference and Trade Show

Committee received a Council member motion dated from February 1, 2019, regarding a request to attend the Federation of Canadian Municipalities Annual Conference and Trade Show.

Moved By Councillor Alto

Seconded By Councillor Isitt

That Council authorize the attendance and the associated costs for Mayor Helps to attend the Federation of Canadian Municipalities Annual Conference and Trade Show at Quebec City, QC, from May 30 - June 2, 2019, with estimated costs as follows:

Registration: \$869

Transportation (Airfare): \$535

Transportation (Taxi): \$100

Accommodation: \$874.64

Estimated total costs: \$2,405.64

CARRIED UNANIMOUSLY

B. 8 Conference Attendance Request: 2019 Union of BC Municipalities (UBCM) Convention

Committee received a Council member motion dated February 1, 2019, from Mayor Helps regarding a request for attendance at the 2019 Union of BC Municipalities Convention.

Moved By Councillor Alto

Seconded By Councillor Isitt

That Council authorize the attendance and the associated costs for Mayor Helps to attend the 2019 Union of BC Municipalities (UBCM) Convention at Vancouver, BC from September 23 - 27, 2019, with estimated costs as follows:

Registration: \$475

Transportation (Airfare): \$430.99

Transportation (Taxi): \$15

Accommodation: \$750

Estimated total costs: \$1,670.99

CARRIED UNANIMOUSLY

B.9 Provincial Universal School Food Program

Committee received a report dated February 3, 2019, from Councillors Collins and Loveday regarding advocacy for a Universal Healthy School Food Program that will enable all students in BC to have access to healthy meals at school.

Moved By Councillor Alto

Seconded By Councillor Isitt

THAT Council endorse the following resolution and direct staff to forward copies to the Premier of British Columbia, the Minister of Education, 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:

WHEREAS almost 500,000 individuals in BC experience food insecurity, and Canada remains one of the only Organization for Economic Co-operation and Development (OECD) nations without a national school food program. And, Canada's current patchwork of school food programming reaches only a small percentage of students.

WHEREAS school food programs have been shown to increase children's consumption of vegetables, fruits and other healthy foods and decrease the consumption of unhealthy ones; improve students' mental health, including reductions in behavioural and emotional problems; improve cognitive skills and increase scholastic success.

THEREFORE BE IT RESOLVED that UBCM and the Federation of Canadian Municipalities advocate to the provincial government for a Universal Healthy School Food Program that will enable all students in BC to have access to healthy meals at school, building on existing programs and including food education to serve culturally appropriate, local, sustainable food to the fullest extent possible.

CARRIED UNANIMOUSLY

C. READING OF MINUTES

C.1 Minutes from the special meeting held November 26, 2018

Moved By Councillor Alto

Seconded By Councillor Collins

That the minutes from the special meeting held November 26, 2018, be adopted with the following correction:

Note Councillor Collins as absent.

CARRIED UNANIMOUSLY

D. UNFINISHED BUSINESS

D.1 Observed Inhalation Sites for Overdose Prevention

Committee received a Council member motion dated January 15, 2019, from Councillors Potts, Loveday, Isitt and Alto regarding inhalation sites for overdose prevention.

Moved By Councillor Potts

Seconded By Councillor Alto

THAT Council endorse the following resolution and direct staff to forward copies to the Premier of British Columbia, the Ministers responsible for Local Government, Health, Mental Health and Addictions, 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: Observed Inhalation Sites for Overdose Prevention

WHEREAS British Columbia is currently experiencing an unprecedented public health emergency due to an unpredictable and highly-toxic drug supply;

WHEREAS smoking or inhalation is the second most common mode of consumption among all people who have died from a suspected illicit drug overdose and the most common mode of consumption among men and those between the ages of 15 and 29;

WHEREAS observed consumption services (i.e. supervised consumption services and overdose prevention services) are evidence-based harm reduction approach shown to reduce overdose-related harm;

WHEREAS there is not adequate access to observed consumption services that provide space for inhalation where communities are facing crisis;

THEREFORE BE IT RESOLVED THAT to ensure that people at risk of overdose across B.C. have access to observed consumption services that provide space for inhalation, that the Province of British Columbia work through local communities, Health Authorities across the Province, the Ministry of Mental Health and Addictions and the Ministry of Health to provide these services as part of a holistic response to the public-health emergency, including prevention, treatment, and recovery.

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

Councillor Dubow joined the meeting at 9:04 a.m.

Amendment:

THEREFORE BE IT RESOLVED THAT to ensure that people at risk of overdose across B.C. have access to observed consumption services that provide space for inhalation, that the Province of British Columbia work through local communities, Health Authorities across the Province, the Ministry of Mental Health and Addictions and the Ministry of Health to **provide the necessary funds** to provide these services as part of a holistic response to the public-health emergency, including prevention, treatment, and recovery.

DEFEATED UNANIMOUSLY

Moved By Mayor Helps

Seconded By Councillor Alto

Amendment:

THEREFORE BE IT RESOLVED THAT to ensure that people at risk of overdose across B.C. have access to observed consumption services that provide space for inhalation, that the Province of British Columbia work through local communities, Health Authorities across the Province, the Ministry of Mental Health and Addictions and the Ministry of Health to fund **and to** provide these

services as part of a holistic response to the public-health emergency, including prevention, treatment, and recovery.

CARRIED UNANIMOUSLY

Main motion as amended:

FOR (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

D.2 Resolution: Revitalizing Island Rail

Committee received a report dated January 30, 2019 from Councillor Ben Isitt recommending the province take immediate actions to provide funding to restore the railway infrastructure of Vancouver Island.

Moved By Councillor Isitt

Seconded By Councillor Collins

THAT Council endorse the following resolution and direct staff to forward copies to the Premier of British Columbia, the Minister of Transportation, Members of the Legislative Assembly representing constituencies on Vancouver Island, the Association of Vancouver Island and Coastal Communities (AVICC) Annual Convention, and member local governments within the Capital Region and AVICC, requesting favourable consideration and resolutions of support:

Resolution: Revitalizing Island Rail

WHEREAS One of the conditions of the original Order-in-Council establishing the Esquimalt and Nanaimo (E&N) now Island Corridor Foundation (ICF) railway corridor is that if the corridor is no longer needed or used for railway purposes, it goes back to the original owner;

AND WHEREAS Assembling a similar multi-modal corridor connecting the Alberni Inlet to the Comox Valley to Greater Victoria in the context of current land values and land uses would be impossible to replicate;

AND WHEREAS Repair of the railway infrastructure can only reasonably be accomplished By way of capital investment from senior levels of government;

AND WHEREAS Rail transport and a parallel trail system are integral sustainable transportation options in the context of climate change, including the option of electrified rail for the sustainable movement of people and goods on the island;

THEREFORE BE IT RESOLVED That the Province of British Columbia take immediate actions to provide sufficient funding in a timely manner to restore the railway infrastructure of Vancouver Island and ensure that the corridor remains intact and available to future generations of indigenous and non-indigenous peoples.

Motion to table:

That consideration of the item be postponed to the end of the agenda.

CARRIED UNANIMOUSLY

D.3 To Seek Council Support to Allow Permanent Residents to Vote in BC Municipal Elections

Committee received a report dated January 30, 2019 from Councillor Dubow, Councillor Collins and Councillor Potts recommending the Province of British Columbia make the necessary changes to allow Permanent Residents to vote in municipal elections in Victoria and other municipalities.

Moved By Councillor Dubow

Seconded By Councillor Collins

THAT Council endorse the following resolution and direct staff to forward copies to the Premier of British Columbia, the Ministry of Municipal Affairs 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: Permanent Residents to vote in BC municipal elections.

WHEREAS the Province of British Columbia has the governing authority to implement electoral legislative changes including allowing for Permanent Residents to vote in municipal elections;

AND WHEREAS more than 45 countries have granted Permanent Residents some form of voting rights — including seven jurisdictions in the U.S. and 25 European Union countries; and 11 municipalities in Canada are working toward extending local election voting rights to Permanent Residents;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia to make the necessary changes to allow Permanent Residents to vote in municipal elections in Victoria and other municipalities.

FOR (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

D.4 Renters' Advisory Committee

Committee received a report dated January 25, 2019 from the City Clerk regarding amendments to the Terms of Reference for the recently created Renters' Advisory Committee.

Moved By Councillor Dubow
Seconded By Councillor Isitt

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.

Moved By Mayor Helps
Seconded By Councillor Alto

Amendment:

5. The Renters' Advisory Committee shall establish a work plan within six months of their first meeting.

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Mayor Helps

Amendment:

That Council direct staff to refer the staff report to the Renter's Advisory Committee along with the original Terms of Reference, and:

CARRIED UNANIMOUSLY

Main motion as amended:

FOR (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Councillor Potts, Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

E. LAND USE MATTERS

E.1 #100-184 Wilson Street (Browns Crafthouse) - Development Permit with Variances Application No. 00099 (Vic West)

Committee received a report dated February 7, 2019, from the Acting Director of Sustainable Planning and Community Development regarding an application to add a covered patio and window awnings to a restaurant.

Moved By Councillor Potts
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 Permit with Variance Application No. 00099 for Unit 100, 184 Wilson Street, in accordance with:

1. Plans date stamped January 9, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce setback from Bay Street from 3.0m to 0.15m to allow construction of a covered patio and awning;
 - ii. reduce landscaped area setback from Bay Street from 3.0m to 0.15m;
 - iii. reduce setback from Tyee Road from 3.0m to 2.4m for window awnings.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

E.2 Update: 505, 517, 519 / 521 Quadra Street & 931 Convent Place (Beacon Arms) - Rezoning Application No. 00610 (Fairfield)

Committee received a report dated January 31, 2019, from the Acting Director of Sustainable Planning and Community Development regarding an application for a six-storey, multi-unit residential building with approximately 83 units and four townhouses.

Mayor Helps withdrew from the meeting at 10:09 a.m. Councillor Isitt assumed the Chair in her absence.

Mayor Helps returned to the meeting at 10:10 a.m.

Committee discussed:

- *Rental Housing and options to negotiate affordability.*

Moved By Mayor Helps

Seconded By Councillor Young

Rezoning Application No. 00610

That Council receive this report for information and provide updated instruction to 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.
 - c. Housing Agreement to secure the following:
 - i. the residential units as rental for a 20 year period
 - ii. to secure the rent level of the four townhouse style units fronting

Convent Place at a maximum of 40% of the gross household income for moderate income households

iii. to ensure that future strata bylaws cannot restrict the rental of units to nonowners, to the satisfaction of the Director of Sustainable Planning and Community Development.

d. Section 219 covenant to ensure that the dwelling units are not strata titled prior to the 20-year term of the housing agreement lapsing.

Development Permit with Variances No. 00088

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:

1. Receipt of final plans generally in accordance with the plans date stamped January 22, 2019.

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;

iii. reduce the internal boundary setback for portions of the building on the first and second storeys from 4.8m to 1.5m (to the garden shed).

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."

Moved By Councillor Isitt

Seconded By Councillor Collins

Amendment:

5. That the applicant be requested to consider securing the rent for townhouse units at 30% of moderate income level.

FOR (3): Councillor Collins, Councillor Dubow, Councillor Isitt

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

DEFEATED (3 to 5)

Main motion:

FOR (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Isitt, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Dubow

CARRIED (7 to 1)

Committee recessed at 11:05 p.m. and returned at 11:10 a.m.

E.3 723 Yates Street (Interactivity Board Game Café) - Application for a Permanent Change to Hours of Service for a Liquor Primary License

Committee received a report dated January 18, 2019, from the Acting Director of Sustainable Planning and Community Development regarding an application to change hours of licenced service associated with their liquor primary from 11:00 am to 11:00 pm daily, to 11:00 am to 11:30 pm Sunday through Thursday and 11:00 am to 12:30 am Friday and Saturday.

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

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

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Interactivity Board Game Cafe, located at 721-723 Yates Street, to change the hours of liquor service from 11:00 am to 11:00 pm daily, to 11:00 am to 11:30 pm Sunday through Thursday and 11:00 am to 12:30 and Friday and Saturday.

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 an 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 one letter opposed to the application, and one letter indicating support. The City did not receive correspondence regarding the application from the Downtown Residents Association.
- d. Council recommends the issuance of the license.

FOR (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

E.4 308 Catherine Street (Spinnakers) - Application for a Permanent Change to Hours of Service for a Liquor Primary License

Committee received a report dated January 16, 2019, from the Acting Director of Sustainable Planning and Community Development regarding an application to change hours of licenced service associated with their liquor primary licence from 11:00 am to 11:00 pm daily to 9:00 am to 12:00 am daily.

Moved By Councillor Isitt

Seconded By Councillor Dubow

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

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Spinnakers, located at 308 Catherine Street, to change the hours of liquor service from 11:00 am to 11:00 pm daily to 9:00 am to 11:00 pm daily.

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 an 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 eleven letters opposed to the application, and three letters indicating support. The City did not receive correspondence regarding the application from the Victoria West CALUC.
- d. Council recommends the issuance of the license with the provision that closing hours are not supported past 11:00 pm and that the associated food primary licence (138526) is also adjusted to have closing hours not past 11:00 pm daily.
- e. A covenant exists on the property that prohibits the establishment from providing licenced service beyond 11:00 pm.

CARRIED UNANIMOUSLY

E.5 Consultation on Draft Old Town Design Guidelines (2019) and OCP Amendment Bylaw

Committee received a report dated January 23, 2019, from the Acting Director of Sustainable Planning and Community Development regarding the draft Old Town Design Guidelines (2019) and public engagement summary.

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

That Council:

1. Approve, in principle, the Old Town Design Guidelines - New Buildings and Additions to Existing Buildings (2019).
2. Direct staff to bring forward an Official Community Plan Amendment Bylaw to amend Development Permit Area 1(HC): Core Historic with an updated reference to the Old Town Design Guidelines - New Buildings and Additions to Existing Buildings (2019); to remove reference to the Chinatown Guidelines for Buildings, Canopies, Landscaping, Colours & Signs (1983); and to amend Development Permit Area 9(HC): Inner Harbour with an updated reference to the Old Town Design Guidelines - New Buildings and Additions to Existing Buildings (2019).
3. Consider consultation under Section 475(2)(b) of the *Consider consultation under Section 475(2)(b) of the Local Government Act* and direct staff that no referrals of the Official Community Plan Amendment Bylaw are necessary to

the Capital Regional District Board, Island Health, Songhees Nation, Esquimalt Nation, provincial or federal governments, Township of Esquimalt, District of Saanich and the District of Oak Bay.

4. Consider consultation under Sections 475(1) and 475(2) of the *Local Government Act* and direct staff to undertake consultation with the community including downtown residents, Old Town property owners, local development and business communities and local heritage organizations on the proposed amendments to the Official Community Plan through online consultation concurrent with public review of the proposed Old Town Design Guidelines (2019).

Moved By Mayor Helps

Seconded By Councillor Isitt

Amendment:

5. Direct staff to amend the document in Section 1.1 on page 3 to include a sentence that acknowledges that locals love the human-scale of Old Town and structure the content to begin with making benefit for locals and then making benefit for visitors and economic development impacts.

CARRIED UNANIMOUSLY

Moved By Mayor Helps

Seconded By Councillor Isitt

Amendment:

6. Direct staff to amend the document in Section 1.2 on page 5 to amend “traditional territories” to read as “traditional homelands”

CARRIED UNANIMOUSLY

Moved By Councillor Isitt

Seconded By Mayor Helps

Amendment:

7. Direct staff to include recognition of the family group if possible in the document.

CARRIED UNANIMOUSLY

Main motion as amended:

CARRIED UNANIMOUSLY

E.6 Resolution: Revitalizing Island Rail Continued...

Moved By Councillor Isitt

Seconded By Mayor Helps

Motion to lift from the table:

THAT Council endorse the following resolution and direct staff to forward copies to the Premier of British Columbia, the Minister of Transportation, Members of the Legislative Assembly representing constituencies on Vancouver Island, the Association of Vancouver Island and Coastal Communities (AVICC) Annual Convention, and member local governments within the Capital Region and AVICC, requesting favourable consideration and resolutions of support:

Resolution: Revitalizing Island Rail

WHEREAS One of the conditions of the original Order-in-Council establishing the Esquimalt and Nanaimo (E&N) now Island Corridor Foundation (ICF) railway corridor is that if the corridor is no longer needed or used for railway purposes, it goes back to the original owner;

AND WHEREAS Assembling a similar multi-modal corridor connecting the Alberni Inlet to the Comox Valley to Greater Victoria in the context of current land values and land uses would be impossible to replicate;

AND WHEREAS Repair of the railway infrastructure can only reasonably be accomplished By way of capital investment from senior levels of government;

AND WHEREAS Rail transport and a parallel trail system are integral sustainable transportation options in the context of climate change, including the option of electrified rail for the sustainable movement of people and goods on the island;

THEREFORE BE IT RESOLVED That the Province of British Columbia take immediate actions to provide sufficient funding in a timely manner to restore the railway infrastructure of Vancouver Island and ensure that the corridor remains intact and available to future generations of indigenous and non-indigenous peoples.

Moved By Councillor Isitt
Seconded By Mayor Helps

Amendment:

AND WHEREAS Repair of the railway infrastructure can only reasonably be accomplished By way of capital investment from senior levels of government, in co-operation with First Nations and local governments and respecting first nations interests

CARRIED UNANIMOUSLY

Main motion as amended:

CARRIED UNANIMOUSLY

Committee recessed at 12:03 p.m. and returned at 12:25 p.m.

F. STAFF REPORTS

F.1 Renewing Opportunities for Citizen Involvement in Emergency Preparedness

Committee received a report dated January 21, 2019, from the Fire Chief regarding renewing opportunities for citizen involvement in Emergency Management and preparedness activities.

Moved By Councillor Isitt
Seconded By Mayor Helps

That resources be dedicated to the continued enhancement and opportunities for citizen involvement in the Emergency Social Services (ESS), Emergency Operations Centre (EOC) support, Auxiliary Communications Services (ACS), and Cyclist Response Team (CRT) volunteer teams as well as public education programs and initiatives such as Connect and Prepare, as identified through the Emergency Management BC Public Safety Lifeline Volunteer Program.

CARRIED UNANIMOUSLY

F.2 Cannabis Retail Store License Referrals

Committee received a report dated January 25, 2019, from the City Clerk regarding the provincial licensing process for cannabis retailers under new legislation.

Moved By Mayor Helps
Seconded By Councillor Isitt

That Council receive this report for information.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.2 Resolution: Youth Voting in Local Government Elections

Committee received a report dated January 30, 2019, from Councillors Isitt and Loveday regarding advocacy for youth voting in local government elections.

Moved By Councillor Isitt
Seconded By Councillor Alto

THAT Council endorse the following resolution for consideration at the 2019 annual conventions of the Association of Vancouver Island and Coastal Communities and the Union of BC Municipalities, and directs staff to forward this resolution to member local governments requesting favourable consideration and resolutions of support:

Resolution: Youth Voting in Local Government Elections

WHEREAS youth have a strong interest in the future of local communities;

AND WHEREAS empowering young people to participate in democratic processes fosters ongoing and active civic participation;

THEREFORE BE IT RESOLVED that the Province of British Columbia revise the voting age for local government elections to 16 years of age.

FOR (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Councillor Thornton-Joe withdrew from the meeting at 1:41 p.m. due to a pecuniary conflict of interest with the following item, as her husband is employed with BC Transit.

H.8 Support Transformational Improvements to Regional BC Transit

Committee received a report dated February 3, 2019, from Councillor Collins regarding advocacy for transformational improvements to transit infrastructure to promote and enable rapid mode shift to transit.

Moved By Councillor Collins

Seconded By Councillor Alto

THAT Council endorse the following resolution and direct staff to forward copies to the Premier of British Columbia, the Minister of Transportation, BC Transit and the Victoria Regional Transit Commission, requesting favourable consideration and resolutions of support:

Resolution: Support Transformational Improvements to Regional BC Transit

WHEREAS the transportation sector is the second-largest contributor of GHG

AND WHEREAS some of the largest reductions in GHGs are possible through facilitating a mode shift to low carbon mobility options, such as increased ridership of emissions-free transit.

AND WHEREAS transforming regional public transit could drastically increase mode-shift to clean public transit system.

THEREFORE BE IT RESOLVED that the Province of British Columbia and BC Transit take immediate actions to support and provide funding for transformational improvements to regional BC transit infrastructure to promote and enable rapid mode shift to transit, including transitioning the BC Transit fleet to zero emissions as early in the 2020s as possible, and:

- i. Completion of dedicated bus lanes on all connections between the West Shore and downtown.
- ii. Installation of Traffic Signal Priority (TSP) sensors in all busses that operate in the City of Victoria.
- iii. Installation of 'all door loading' capabilities for all busses in the Victoria regional transit system.

- iv. Introduction of real-time, digital bus information to enable super- convenient, accessible transit operational information.
- v. Introduction of "tap" payment-systems common to multi-modal service providers, to support rapid loading of busses and align with Smart Mobility goals.
- vi. Completion of the business-case to determine the most effective investments in public transportation to realize the highest potential mode-shift and ridership in the South Island, including but not limited assessing commuter ferry, public transit along the E&N rail corridor and Douglas Street / Highway 1 / Highway 99, bus rapid transit (BRT) or light-rail transit (LRT).
- vii. Reporting of annual regional transit GHG and combustion pollutants, mitigation priorities, progress and business cases for investments.

CARRIED UNANIMOUSLY

H.7 Support Transformational Improvements to Transit Across BC

Committee received a report dated February 3, 2019, from Councillor Collins regarding advocacy for regional BC transit infrastructure to promote and enable rapid mode shift to transit.

Moved By Councillor Collins

Seconded By Councillor Alto

THAT Council endorse the following resolution for consideration at the 2019 annual convention of the Association of Vancouver Island and Coastal Communities, and directs staff to forward this resolution to member local governments requesting favourable consideration and resolutions of support:

Resolution: Support Transformational Improvements to Transit

WHEREAS the transportation sector is the second-largest contributor of GHG AND WHEREAS some of the largest reductions in GHGs are possible through facilitating a mode shift to low carbon mobility options, such as increased ridership of emissions-free transit.

AND WHEREAS transforming regional public transit could drastically increase mode-shift to clean public transit system.

THEREFORE BE IT RESOLVED that local governments call on the Government of British Columbia and the Victoria Regional Transit Commission to support transformational improvements to transit infrastructure to promote and enable rapid mode shift to transit, including transitioning transit fleets to zero emissions as early in the 2020s as possible, and where applicable consider:

- i. Introduction of "tap" payment-systems common to multi-modal service providers, to support rapid loading of busses and align with Smart Mobility goals.
- ii. Introduction of real-time, digital bus information to enable super-convenient, accessible transit operational information.
- iii. Installation of Traffic Signal Priority (TSP) sensors in busses
- iv. Installation of 'all door loading' capabilities for busses

- v. Increases in dedicated bus lanes
- vi. Completion of the business-case to determine the most effective investments in public transportation to realize the highest potential mode-shift and ridership, including but not limited assessing commuter ferry, public transit along rail corridors and highways, bus rapid transit (BRT) or light-rail transit (LRT).
- vii. Reporting of annual regional transit GHG and combustion pollutants, mitigation priorities, progress and business cases for investments.

CARRIED UNANIMOUSLY

I. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Collins

Seconded By Councillor Isitt

That the Committee of the Whole Meeting be adjourned at 1:06 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - COMMITTEE OF THE WHOLE

April 25, 2019, 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

The City of Victoria is located on the homelands of the Songhees and Esquimalt 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 - Deputy City Manager / 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, L. Westinghouse - Manager of Accounting, C. Mycroft - Manager of Executive Operations, T. Zworski - City Solicitor, K. Sidhu - Committee Secretary

A. APPROVAL OF AGENDA

That the agenda be approved.

Moved By Councillor Collins

Seconded By Councillor Loveday

Amendment:

Moved By Councillor Collins

Seconded By Councillor Loveday

That the Agenda of the April 25, 2019, Committee of the Whole meeting be amended as follows:

Consent Agenda:

C.1 Minutes from the meeting held April 11, 2019

G.2 CleanBC Grant Application for HVAC Replacement Project at Oaklands Community Centre

I.1 Federation of Canadian Municipalities Conference - Housing Affordability Motion

CARRIED UNANIMOUSLY

Main Motion as amended:

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

That the following items be approved without further debate:

C.1 Minutes from the meeting held April 11, 2019

Moved By Councillor Collins

Seconded By Councillor Dubow

That the minutes from the meeting held April 11, 2019 be adopted.

CARRIED UNANIMOUSLY

G.2 CleanBC Grant Application for HVAC Replacement Project at Oaklands Community Centre

Committee received a report dated April 17, 2019 from the Director of Parks, Recreation, and Facilities requesting Council's endorsement to submit a grant application for the CleanBC Communities Fund.

Moved By Councillor Collins

Seconded By Councillor Dubow

THAT Council approve the City's application for a CleanBC grant for the HVAC Replacement Project at Oaklands Community Centre and that the Mayor and City Clerk be authorized to execute a contribution agreement should the grant application be successful.

CARRIED UNANIMOUSLY

I.1 Federation of Canadian Municipalities Conference - Housing Affordability Motion

Committee received a Council member motion dated April 16, 2019 from Mayor Helps seeking a consultation with FCM staff to ensure a stronger federal-municipal partnership on the issue of housing affordability across the country.

Moved By Councillor Collins

Seconded By Councillor Dubow

That Council forward the following motion to the Federation of Canadian Municipalities for consideration as an emergency resolution at the 2019 annual conference.

Prioritizing Housing Affordability

WHEREAS the National Housing Strategy prioritizes housing solutions for low- and moderate income households, per FCM's recommendations;

WHEREAS renters and homeowners at a range of income levels and in cities and communities of all sizes are increasingly unlikely to be able to access or maintain a home that is affordable to them and meets their needs;

WHEREAS, on average, owning a home is more expensive now than at any time in the last 30 years;

WHEREAS average rent increases are outstripping inflation in many housing markets;

WHEREAS housing affordability pressures are exacerbated by record-high household debt-to income levels in a rising interest-rate environment;

WHEREAS the stability of national and local housing markets has a direct linkage to national and local economic outcomes;

WHEREAS housing affordability is correlated to positive health and socioeconomic outcomes;

WHEREAS the federal government has influence over the affordability of housing, both rented and owned, through the regulation of mortgages and mortgage insurance, taxation levers and its spending power;

WHEREAS the federal government's 2019 budget underscored that housing affordability is a federal concern, and that it has an important role to play in addressing it through the announcement of the First-Time Home Buyer Incentive and enhancements to both the Rental Construction Financing Initiative and Home Buyer's Plan;

RESOLVED that the federal government assess and publically report on the impact of budget 2019 measures designed to improve housing affordability for renters and owners; and

RESOLVED that the federal government work with municipalities through FCM to determine the most effective federal role in improving housing affordability for renters and owners at the local level.

CARRIED UNANIMOUSLY

D. Presentation

D.1 Presentation- Royal McPherson Theatre Society

Council received a presentation from Lorne DeLarge, President of the Royal McPherson Society and Lloyd Fitzsimonds, Executive Director of the Royal McPherson Society providing information on the Royal Theatre.

Moved By Councillor Isitt

Seconded By Councillor Alto

That Council receive the report for information.

CARRIED UNANIMOUSLY

G. STAFF REPORTS

G.1 2018 Financial Statements

Committee received a report dated April 9, 2019 from the Chief Financial Officer, the Manager of Accounting and B. Cox, Auditor, BDO, providing Council with an overview of the City's 2018 audited Financial Statements and requesting Council's acceptance of the Financial Statements as required by Section 167 of the Community Charter.

Moved By Councillor Young

Seconded By Mayor Helps

That Council approve the 2018 Financial Statements.

CARRIED UNANIMOUSLY

Committee recessed at 10:45 a.m. and returned at 10:51 a.m.

I. NEW BUSINESS

I.2 Carbon Pricing on Corporate Air Travel

Committee received a Council member motion dated April 16, 2019 from Mayor Helps and Councillor Collins encouraging the adoption of principles laid out in report as the basis for a Carbon Pricing for Air Travel Interim Policy.

Moved By Mayor Helps

Seconded By Councillor Collins

That Council:

1. Adopt the principles laid out in this report as the basis for a Carbon Pricing for Air Travel Interim Policy including:
 - a. The rate of \$150 per tonne set as the price on carbon for air travel.

- b. The carbon price to be funded from the travel budget set for mayor, council and staff in the annual budget.
 - c. The carbon price calculator to be determined by the finance department based on current best practices.
 - d. Council and staff include the price of carbon in requests for travel approval.
 - e. The monies generated from the price on carbon to be deposited into the City's Climate Action Reserve Fund.
 - f. The price on carbon be reviewed as part of the CEEMS program development, and on an annual basis as part of the City's annual update on the Climate Action Program.
2. Direct staff to put the principles in #1 into the City's policy template (see attached) as the Carbon Pricing on Corporate Air Travel – Interim Policy.

Amendment:

Moved By Councillor Isitt

that staff report back with a mechanism for accounting for non-air travel forms of transportation.

Defeated due to no seconder

Amendment:

Moved By Mayor Helps

Seconded By Councillor Collins

add g: staff be directed to include the cost of carbon to the annual expense report.

Amendment to the amendment:

Moved By Councillor Isitt

Seconded By Mayor Helps

include "as an additional line"

CARRIED UNANIMOUSLY

On the amendment:

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council:

1. Adopt the principles laid out in this report as the basis for a Carbon Pricing for Air Travel Interim Policy including:
 - a. The rate of \$150 per tonne set as the price on carbon for air travel.
 - b. The carbon price to be funded from the travel budget set for mayor, council and staff in the annual budget.
 - c. The carbon price calculator to be determined by the finance department based on current best practices.
 - d. Council and staff include the price of carbon in requests for travel approval.
 - e. The monies generated from the price on carbon to be deposited into the City's Climate Action Reserve Fund.
 - f. The price on carbon be reviewed as part of the CEEMS program development, and on an annual basis as part of the City's annual update on the Climate Action Program.
 - g. Staff be directed to include the cost of carbon, as an additional line, in the annual expense report.
2. Direct staff to put the principles in #1 into the City's policy template (see attached) as the Carbon Pricing on Corporate Air Travel – Interim Policy.

CARRIED UNANIMOUSLY

Motion arising

Moved By Councillor Isitt

Seconded By Mayor Helps

That staff report back with potential amendments to the business travel policy to allow for carbon pricing to be considered as a factor in determining the most economical mode for transportation

CARRIED UNANIMOUSLY

I.3 Future Governance Options for Victoria's Historic Community Theatres

Council received a Council member Motion from Councillor Alto providing information and findings for a previous Council request for additional municipal support for the McPherson Theatre.

Moved By Councillor Alto

Seconded By Councillor Loveday

That Council receive for information the report entitled *Future Governance Options for Victoria's Historic Community Theatres*.

CARRIED UNANIMOUSLY

I.4 City of Montreal - Motion for International Accountability Against the Government of Myanmar

Committee received a Council member motion requesting that Victoria Council pass a motion calling for action to invoke the Genocide Convention against the Government of Myanmar.

Moved By Councillor Dubow

Seconded By Mayor Helps

MOTION TO CALL FOR INTERNATIONAL ACCOUNTABILITY OF THE GOVERNMENT OF MYANMAR FOR ITS CRIMES OF GENOCIDE AGAINST THE ROHINGYA AND OTHER MINORITIES

WHEREAS the Parliament of Canada unanimously adopted M.P. Andrew Leslie's motion on September 20, 2018 recognizing that the crimes committed by Myanmar against the Rohingya constitute genocide;

AND WHEREAS the "cleansing operation" by Myanmar's military caused the exodus of over 725,000 people to flee to Bangladesh creating the world's largest refugee camp and one of the world's worst humanitarian crises;

AND WHEREAS the genocide is on-going with Myanmar continuing its persecution of the remaining Rohingya in Rakhine State,

AND WHEREAS the Government of Myanmar is defiant in its blatant disregard of international norms and standards, imprisoning journalists, denying access to the United Nations Special Rapporteur, and burning down villages of other ethnic groups such as the Kachin, Karen, Shan, and Chin minorities;

AND WHEREAS following the end of World War II and the Holocaust, both Canada as well as Myanmar signed and ratified the Convention on the Prevention and Punishment of the Crime of Genocide (the 'Genocide Convention');

AND WHEREAS Canadian human rights think tanks such as the Montreal Institute of Genocide Studies at Concordia University, the Raoul Wallenberg Centre for Human Rights, and the Human Rights Research and Education Centre at the University of Ottawa have called for Canada to invoke the Genocide Convention;

BE IT RESOLVED THAT City Council urge the Government of Canada without further delay to invoke the Genocide Convention and specifically to engage with like-minded States to pursue the matter before the International Court of Justice in order to hold Myanmar to its obligations and to seek provisional measures and ultimately reparations for the Rohingya people;

THAT City Council urge Canada to exert pressure on Myanmar to release the jailed Reuters journalists, and to allow for unobstructed access to Rakhine State by independent monitors in order to investigate the international crimes committed and to afford protection to remaining Rohingya;

THAT City Council urge the Government of Canada to continue to assist the Government of Bangladesh through multilateral aid in addressing the humanitarian needs of the Rohingya refugees, with particular focus on the needs of women and children, including education.

THAT the City Clerk provide a copy of this motion to the Minister of Foreign Affairs and the Minister of Justice of the Government of Canada

CARRIED UNANIMOUSLY

Councillor Thornton-Joe withdrew from the meeting at 11:59 a.m. due to a pecuniary conflict of interest with the following item, as her husband is employed with BC Transit.

I.5 Climate Action through a Major Expansion of Public Transit Ridership

Committee received a Council Member motion dated April 23, 2019 from Councillor Isitt and Councillor Dubow urging the City of Victoria to call on the Victoria Regional Transit Commission and BC Transit to make changes in favour of Climate Action.

Moved By Councillor Isitt
Seconded By Councillor Alto

That Council endorses the following resolution and directs staff to forward copies to members of the Victoria Regional Transit Commission and to the Mayors and Councils of local governments in the Capital Region by April 26, 2019, requesting favourable consideration and resolutions of support:

Resolution: Climate Action through a Major Expansion of Public Transit Ridership

WHEREAS local governments in the Capital Region have declared a climate emergency, pledging to achieve carbon neutrality by 2030 to avoid the worst consequences of global warming;

AND WHEREAS emissions from transportation generate the majority of community-based emissions within the region, meaning that switching from private vehicles to public transit has the potential to make a very large impact in achieving carbon neutrality;

AND WHEREAS forward-looking jurisdictions around the world from Kingston, Ontario to Luxembourg and Estonia are eliminating user-fee barriers to public transit ridership, with public transit services paid through the tax system rather

than at the fare box.

THEREFORE BE IT RESOLVED THAT the City of Victoria calls on the Victoria Regional Transit Commission and BC Transit to:

1. Embrace determined climate leadership through a major expansion of public transit ridership in the Capital Region, focused on the phasing out of user fees and a substantial improvement in service levels and fleet electrification.
2. Begin implementing this climate-action policy with a pilot programme in the 2020 budget eliminating user fees for people 18 years of age and younger, replacing revenues currently generated through fares with adjustments to provincial transfers and the property tax requisition.
3. Develop an implementation plan for a pilot programme to eliminate user fees for all riders within the Capital Region as a form of climate action, including enhanced service levels, enhanced transit priority including an extensive network of bus lanes, and fleet expansion to meet increased demand, in conjunction with fleet electrification.

FOR (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday and Councillor Potts

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Alto

Seconded By Councillor Dubow

That the Committee of the Whole Meeting be adjourned at 12:16 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



Council Member Report

For the Committee of the Whole Meeting of April 25, 2019

To: Committee of the Whole

Date: April 16, 2019

From: Mayor Helps

Subject: Federation of Canadian Municipalities Conference – Housing Affordability Motion

BACKGROUND

The Annual Conference of the Federation of Canadian Municipalities (FCM) is being held in Quebec City, May 30 – June 2, 2019. Resulting from the recent Federal Budget, and in discussion with FCM Staff, there is an opportunity to advance an emergency resolution for consideration at the annual conference in connection with the housing crisis and housing affordability.

The motion proposed below, in consultation with FCM staff, seeks to ensure a stronger federal-municipal partnership on the issue of housing affordability across the country.

With the strong emphasis in the City's Strategic Plan regarding housing affordability, I would respectfully request Council's consideration and support of the proposed motion on this issue.

MOTION:

That Council forward the following motion to the Federation of Canadian Municipalities for consideration as an emergency resolution at the 2019 annual conference.

Prioritizing Housing Affordability

WHEREAS the National Housing Strategy prioritizes housing solutions for low- and moderate-income households, per FCM's recommendations;

WHEREAS renters and homeowners at a range of income levels and in cities and communities of all sizes are increasingly unlikely to be able to access or maintain a home that is affordable to them and meets their needs;

WHEREAS, on average, owning a home is more expensive now than at any time in the last 30 years;

WHEREAS average rent increases are outstripping inflation in many housing markets;

WHEREAS housing affordability pressures are exacerbated by record-high household debt-to-income levels in a rising interest-rate environment;

WHEREAS the stability of national and local housing markets has a direct linkage to national and local economic outcomes;

WHEREAS housing affordability is correlated to positive health and socioeconomic outcomes;

WHEREAS the federal government has influence over the affordability of housing, both rented and owned, through the regulation of mortgages and mortgage insurance, taxation levers and its spending power;

WHEREAS the federal government's 2019 budget underscored that housing affordability is a federal concern, and that it has an important role to play in addressing it through the announcement of the First-Time Home Buyer Incentive and enhancements to both the Rental Construction Financing Initiative and Home Buyer's Plan;

RESOLVED that the federal government assess and publically report on the impact of budget 2019 measures designed to improve housing affordability for renters and owners; and

RESOLVED that the federal government work with municipalities through FCM to determine the most effective federal role in improving housing affordability for renters and owners at the local level.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. Helps'.

Mayor Lisa Helps



Committee of the Whole Report For the Meeting of May 2, 2019

To: Committee of the Whole **Date:** April 18, 2019
From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development
Subject: Rezoning Application No. 00656 for 2832 and 2838 Shakespeare Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00656 for 2832 and 2838 Shakespeare Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 2832 and 2838 Shakespeare Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, in order to subdivide and create three small lots, retain the existing two single family dwellings and construct one new small lot house.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential Urban Place Designation and objectives for sensitive infill development in the *Official Community Plan* (2012)
- the proposal is consistent with the policies and design guidelines specified in the *Small Lot House Rezoning Policy* (2002) and the applicant would be retaining both existing dwelling units
- the proposed lots with the existing houses, are slightly under the minimum site area required in the R1-B, Single Family Dwelling District, due to a 2.904 metre road dedication required on Morley Street; therefore, the lots for the existing houses are also proposed to be rezoned to the small lot zone

- the proposal is generally consistent with the *Oaklands Neighbourhood Plan* (1993) which encourages infill.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone the subject properties from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District. The proposal is to subdivide and create three small lots, retain the existing two single family dwellings and construct a new small lot house. Variances would be required to facilitate this development and will be discussed in relation to the concurrent Development Permit with Variances Application.

Affordable Housing Impacts

The applicant proposes the creation of one new residential unit which would increase the overall supply of housing in the area.

Tenant Assistance Policy

The proposal does not result in a loss of existing residential rental units.

Sustainability Features

The applicant has identified sustainability measures in the letter to Council date stamped April 16, 2019.

Active Transportation Impacts

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

Public Realm Improvements

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

Accessibility Impact Statement

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

Land Use Context

The area is characterized by a mix of single family dwellings.

Existing Site Development and Development Potential

Under the current R1-B Zone, each property could be developed as a single family dwelling with a secondary suite or garden suite. Should the properties be rezoned to the R1-S2 Zone and subdivided, then one new small lot house would be permitted in the combined rear lot areas of the existing houses.

Data Table

The following data table compares the proposal with the standard R1-S2 Zone. An asterisk is used to identify where the proposal is less stringent than the zone. A double asterisk is used to identify existing non-conformities.

Zoning Criteria	Proposed Lot 1 existing house 2838 Shakespeare	Proposed Lot 2 existing house 2832 Shakespeare	Proposed Lot 3 new house	Zone Standard R1-S2
Site area (m ²) – minimum	424.59	423.99	306.66	260.00
Lot width (m) – minimum	12.44	12.44	12.36	10.00
Density (Floor Space Ratio) – maximum	0.34	0.21	0.50	0.60
Total floor area (m ²) – maximum	144.46	91.14	152.75	190.00
Height (m) – maximum	7.81**	4.28	6.89	7.50
Storeys – maximum	2.50**	1.00	2.00	2.00
Basement	n/a	n/a	Yes	Permitted
Site coverage (%) – maximum	30.60	26.46	33.33	40.00
Setbacks (m) – minimum				
Front	1.20** (north – Morley)	19.94 (east – Shakespeare)	6.00	6.00
Rear	0.10** (south)	1.80* (west)	6.01	6.00
Side	n/a	1.90** (south)	1.53 (east – non-habitable) 2.46 (east – habitable)	1.50 (non-habitable) 2.40 (habitable)
Side	13.10 (west)	1.00** (north)	1.61 (west – non-habitable) 2.46 (west – habitable)	1.50 (non-habitable) 2.40 (habitable)
Side – flanking street	2.66 (east)	n/a	n/a	2.40

Zoning Criteria	Proposed Lot 1 existing house 2838 Shakespeare	Proposed Lot 2 existing house 2832 Shakespeare	Proposed Lot 3 new house	Zone Standard R1-S2
Parking – minimum	1	1	1	1
Parking – location	Interior garage	Garage	Interior garage	Schedule C
Schedule F – Accessory Building Regulations				
Location	n/a	Front Yard*	n/a	Rear Yard
Rear Yard Site Coverage (%) – maximum	n/a	n/a	n/a	30.00
Combined floor area (m ²) – maximum	n/a	12.30	n/a	37.00
Height (m) – maximum	n/a	3.31	n/a	4.00
Setbacks (m) – minimum				
Front	n/a	15.25*	n/a	18.0
Rear	n/a	16.80	n/a	0.60
Side	n/a	0.30* (north)	n/a	0.60
Separation from single family dwelling (m) – minimum	n/a	3.40	n/a	2.40

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Oaklands Community Association Land Use Committee at a Community Meeting held on February 26, 2018. A letter dated August 15, 2018 is attached to this report.

In accordance with the City's *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours and reports that 100% support the application. Under this policy, "satisfactory support" is considered to be support in writing for the project by 75% of the neighbours. The required Small Lot House Rezoning Petitions, Summary and illustrative map provided by the applicant are attached to this report.

ANALYSIS

Official Community Plan

The Official Community Plan's Urban Place Designation for the property is Traditional Residential which contemplates small residential lots. In accordance with the OCP, small lots are subject to DPA 15A: Intensive Residential - Small Lot. The proposal is generally consistent with the objectives of DPA 15A to achieve new infill development in a way that is compatible with the existing neighbourhood.

Local Area Plans

The *Oaklands Neighbourhood Plan* states that small lot houses will be considered on individual merit provided that the proposal meets the small lot policy. The proposed small lots generally meet the intent of the neighbourhood plan.

Small Lot House Rezoning Policy

The *Small Lot House Rezoning Policy* encourages sensitive infill with an emphasis on ground-oriented housing that is consistent with the existing character of development. The proposed lots each exceed the required site area minimum of 260m² and lot width requirement of 10m. The existing houses are being retained, consistent with the policy, which states that small lots are not intended to facilitate the demolition of existing housing.

Tree Preservation Bylaw and Urban Forest Master Plan

There are four existing public boulevard trees associated with this application on Morley Street. The trees are Horse Chestnut ranging from 36cm to 40cm diameter breast height (DBH), all in fair condition. They are planned for retention, but could potentially be impacted by the proposed sidewalk construction. No sidewalks exist on Morley Street currently, which is a cul-de-sac leading to Oaklands School. The project arborist performed exploratory digging to ascertain root locations with relation to the proposed sidewalk location and has recommended that the new sidewalk be constructed to "float" over the tree roots in order to protect them. Alternative sidewalk paving materials may be explored to achieve optimal tree protection as recommended by the arborist. There are six private trees noted on the landscape plans that will be retained on Lot 1 and Lot 2. Three additional trees are proposed on the new small Lot 3 (Dogwood, Ironwood, and a Garry Oak).

Road Dedications

As a condition of subdivision, the applicant is required to dedicate 2.904m on Shakespeare Street for highway purposes. These dedications will be used to fulfil Council approved objectives listed within the *Official Community Plan*, *Oaklands Neighbourhood Plan*, *Subdivision Bylaw* and *Development Servicing Bylaw*, *Pedestrian Master Plan*, and *Urban Forest Master Plan*. A new sidewalk along Morley Street will be located adjacent to the property line and provide separation between pedestrians and vehicles through a planted boulevard.

Regulatory Considerations

Due to the road dedication of 2.904m on Shakespeare Street, the two parent lots would also require a rezoning from R1-B, Single Family Dwelling District, to R1-S1, Restricted Small Lot (Two Storey) District, as the resulting site area would be less than 460 square meters (the minimum lot

size required in the R1-B Zone). If approved, these lots will also be included in DPA 15A: Intensive Residential Small Lot. Redevelopment of these properties in the future would require a development permit.

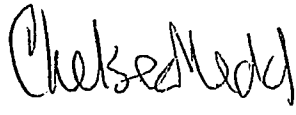

CONCLUSIONS

This proposal to rezone the subject properties to create three small lots, retaining two houses and adding an additional house, is generally consistent with the *Official Community Plan, Oaklands Neighbourhood Plan* and *Small Lot Rezoning Policy*. Staff recommend that Council consider supporting this application.

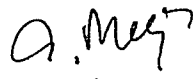
ALTERNATE MOTION

That Council decline Rezoning Application No. 00656 for the property located at 2832 and 2838 Shakespeare Street.

Respectfully submitted,


 

Chelsea Medd
Planner
Development Services Division


Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager

Date:


April 26, 2019

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans, date stamped March 7, 2019
- Attachment D: Letter from applicant to Mayor and Council, date stamped April 16, 2019
- Attachment E: Community Association Land Use Committee Comments, dated February 26, 2018
- Attachment F: Small Lot Petition, date stamped December 20, 2018.



Committee of the Whole Report For the Meeting of May 2, 2019

To: Committee of the Whole **Date:** April 18, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Development Permit with Variances Application No. 00116 for 2832 and 2838 Shakespeare Street

RECOMMENDATION

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. 00656, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00116 for 2832 and 2838 Shakespeare Street in accordance with:

1. Plans date stamped March 7, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the rear yard setback from 6.00 m to 1.80 m for Lot 2
 - ii. allow an accessory building in the front yard for Lot 2
 - iii. reduce the front yard setback for an accessory building from 18.00 m to 15.25 m for Lot 2
 - iv. reduce the side yard setback for an accessory building from 0.60 m to 0.30 m for Lot 2.
3. A revised site plan and landscape plan that includes existing trees to be removed 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.

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 establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application with Variances for the property located at 2832 and 2838 Shakespeare Street. The proposal is to rezone the two properties to small lot zones in order to subdivide and create three small lots, retain the existing two single family dwellings and construct one new house.

The following points were considered in assessing this application:

- the proposal is consistent with the objectives and guidelines for sensitive infill development contained in Development Permit Area 15A: Intensive Residential - Small Lot of the *Official Community Plan* (2012)
- the requested variances for Lot 2 (2832 Shakespeare Street) are to reduce the rear yard setback caused by the introduction of a new proposed lot line; and to allow an existing accessory building in the front yard, reduce the front yard setback, and reduce the side yard setback
- the proposal is consistent with the *Oaklands Neighbourhood Plan* (1993) which considers infill development based on an application's merit and ability to meet the *Small Lot Rezoning Policy*
- the proposal is generally consistent with the *Small Lot Rezoning Policy*.

BACKGROUND

Description of Proposal

The proposal is for a new small lot house. Specific details include:

- two-storey building
- hipped and gable roof
- exterior materials include stucco, hardi-board and batten, and asphalt shingles
- permeable pavers for patios and driveway.

There are no changes proposed for the existing houses.

The proposed variances are related to Lot 2 (2832 Shakespeare Street):

- reduce the rear yard setback from 6.00 m to 1.80 m
- allow an accessory building in the front yard
- reduce the front yard setback for an accessory building from 18.00 m to 15.25 m
- reduce the side yard setback for an accessory building from 0.60 m to 0.30 m.

Data Table

The following data table compares the proposal with the standard R1-S2 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. A double asterisk is used to indicate an existing non-conforming situation.

Zoning Criteria	Proposed Lot 1 existing house 2838 Shakespeare	Proposed Lot 2 existing house 2832 Shakespeare	Proposed Lot 3 new house	Zone Standard R1-S2
Site area (m ²) – minimum	424.59	423.99	306.66	260.00
Lot width (m) – minimum	12.44	12.44	12.36	10.00
Density (Floor Space Ratio) – maximum	0.34	0.21	0.50	0.60
Total floor area (m ²) – maximum	144.46	91.14	152.75	190.00
Height (m) – maximum	7.81**	4.28	6.89	7.50
Storeys – maximum	2.50**	1.00	2.00	2.00
Basement	n/a	n/a	Yes	Permitted
Site coverage (%) – maximum	30.60	26.46	33.33	40.00
Setbacks (m) – minimum				
Front	1.20** (north - Morley)	19.94 (east – Shakespeare)	6.00	6.00
Rear	0.10** (south)	1.80* (west)	6.01	6.00
Side	n/a	1.90** (south)	1.53 (east – non-habitable) 2.46 (east – habitable)	1.50 (non-habitable) 2.40 (habitable)
Side	13.10 (west)	1.00** (north)	1.61 (west – non-habitable) 2.46 (west – habitable)	1.50 (non-habitable) 2.40 (habitable)
Side – flanking street	2.66 (east)	n/a	n/a	2.40
Parking – minimum	1	1	1	1
Parking – location	Interior garage	Garage	Interior garage	Schedule C

Zoning Criteria	Proposed Lot 1 existing house 2838 Shakespeare	Proposed Lot 2 existing house 2832 Shakespeare	Proposed Lot 3 new house	Zone Standard R1-S2
Schedule F – Accessory Building Regulations				
Location	n/a	Front Yard*	n/a	Rear Yard
Rear Yard Site Coverage (%) – maximum	n/a	n/a	n/a	30.00
Combined floor area (m ²) – maximum	n/a	12.30	n/a	37.00
Height (m) – maximum	n/a	3.31	n/a	4.00
Setbacks (m) – minimum				
Front	n/a	15.25*	n/a	18.0
Rear	n/a	16.80	n/a	0.60
Side	n/a	0.30* (north)	n/a	0.60
Separation from single family dwelling (m) – minimum	n/a	3.40	n/a	2.40

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan* (OCP) identifies these properties within Development Permit Area 15A: Intensive Residential - Small Lot. The proposed design of the new small lot house is generally consistent with the *Small Lot House Design Guidelines*.

The proposal is for a two-storey dwelling unit with a single car garage. The design of the small lot house incorporates architectural elements, such as a hipped and pitched roofline over the entryway. The applicant has accentuated the entryway by having an at grade porch. The height of the proposed small lot house is higher than the existing single family dwelling to the west; however, it is similar in height to the existing dwelling on the corner (subject property). There are habitable windows on both sides, but the building is stepped back on the second storey and meets the setback for habitable windows. To help provide greater privacy for the living room, a landscaping hedge has been proposed.

The applicant is proposing a mix of hard and soft landscaping for the proposed small lot. New fencing would be constructed around the perimeter of the site. The driveway would be finished with permeable pavers.

Overall, the proposed house and landscaping are generally consistent with the *Small Lot Design Guidelines*.

There will be no changes proposed for the existing buildings at 2832 and 2838 Shakespeare Street. If redevelopment occurred in the future, it would require approval of a development permit.

Regulatory Considerations

The application proposes the following variances from the *Zoning Regulation Bylaw* for Lot 2 (existing dwelling at 2832 Shakespeare Street) which are to:

- reduce the rear yard setback from 6.00 m to 1.80 m
- allow an accessory building in the front yard
- reduce the front yard setback for an accessory building from 18.00 m to 15.25 m
- reduce the side yard setback for an accessory building from 0.60 m to 0.30 m.

Due to the requirement for a road dedication of 2.904 m on Shakespeare Street, the lots with the existing houses would also need to be rezoned to small lots, as they would be less than 460 square meters. If the road dedication were not required, both would remain R1-B Zone, Single Family Dwelling District.

The existing house on 2832 Shakespeare Street has a greater front yard setback than the majority of houses on the street. The proposed new rear lot line would be 1.80 m from the existing house, which requires a variance. This results in a situation where there is limited rear yard outdoor space available for this property; however, the front yard would provide private outdoor space that is screened with mature landscaping. There are also existing windows located on the west elevation; however, a 1.83 m fence is proposed and the windows are internal to the development. Staff consider this variance supportable.

The City does not have record of the accessory building located at 2832 Shakespeare Street being constructed with permits, and it requires several variances: to allow it in the front yard, to reduce the side yard setback, and to reduce the front yard setback. Given the structure appears to have been in existence for some time, and it would have little new impact on adjoining properties, the variances are recommended as being supportable.

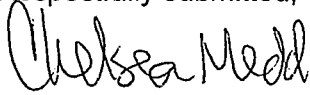
CONCLUSIONS

The proposal to construct a new small lot house is consistent with Development Permit Area 15A: Intensive Residential - Small Lot. The small lot house is a form of sensitive infill development and generally fits in with the existing neighbourhood. Staff recommend that Council consider supporting this application.

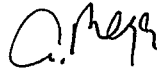
ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00116 for the properties located at 2832 and 2838 Shakespeare Street.

Respectfully submitted,



Chelsea Medd
Planner
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department



Report accepted and recommended by the City Manager

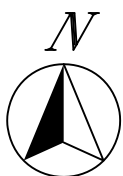
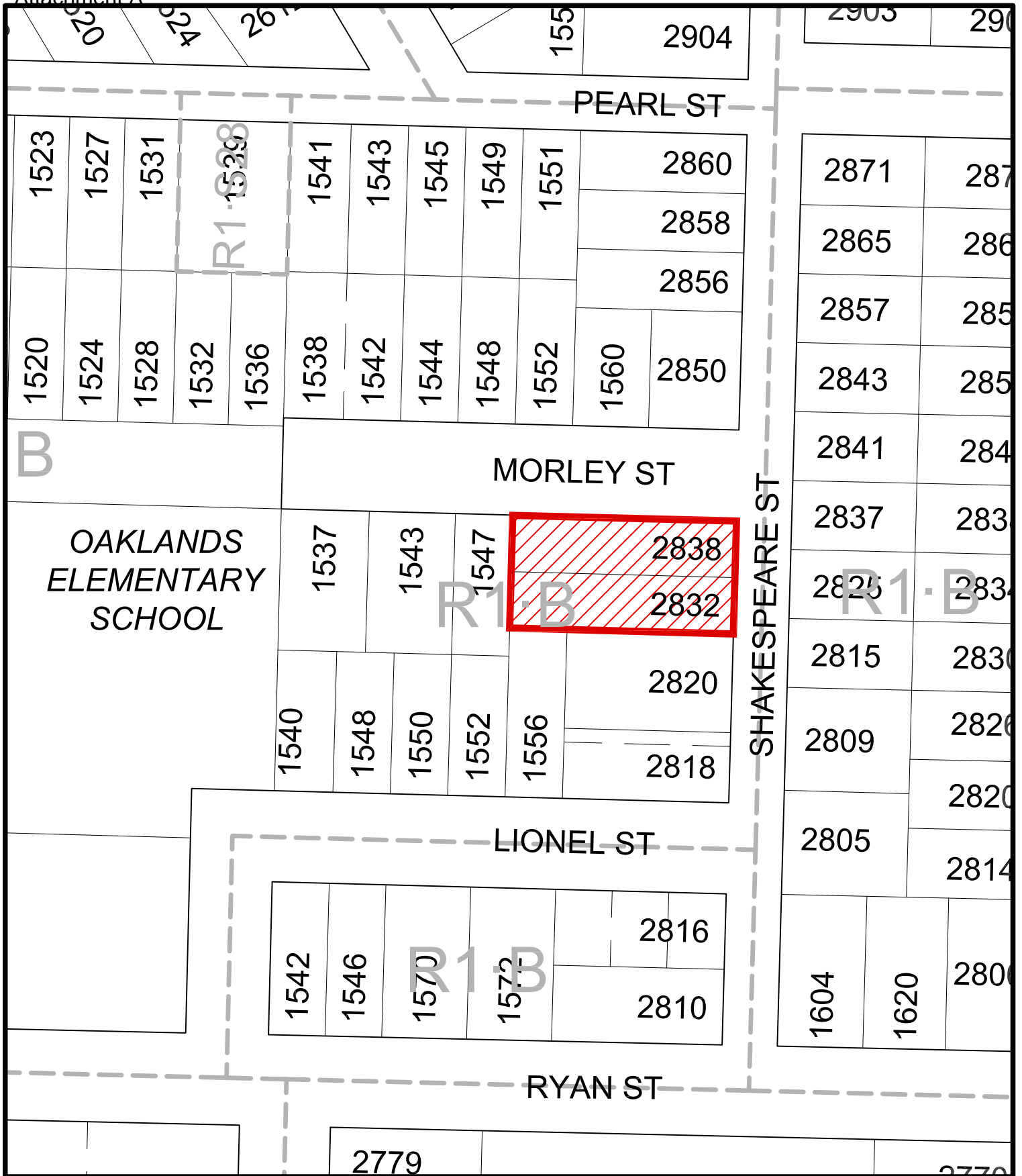


Date:

April 26, 2019

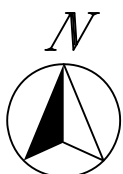
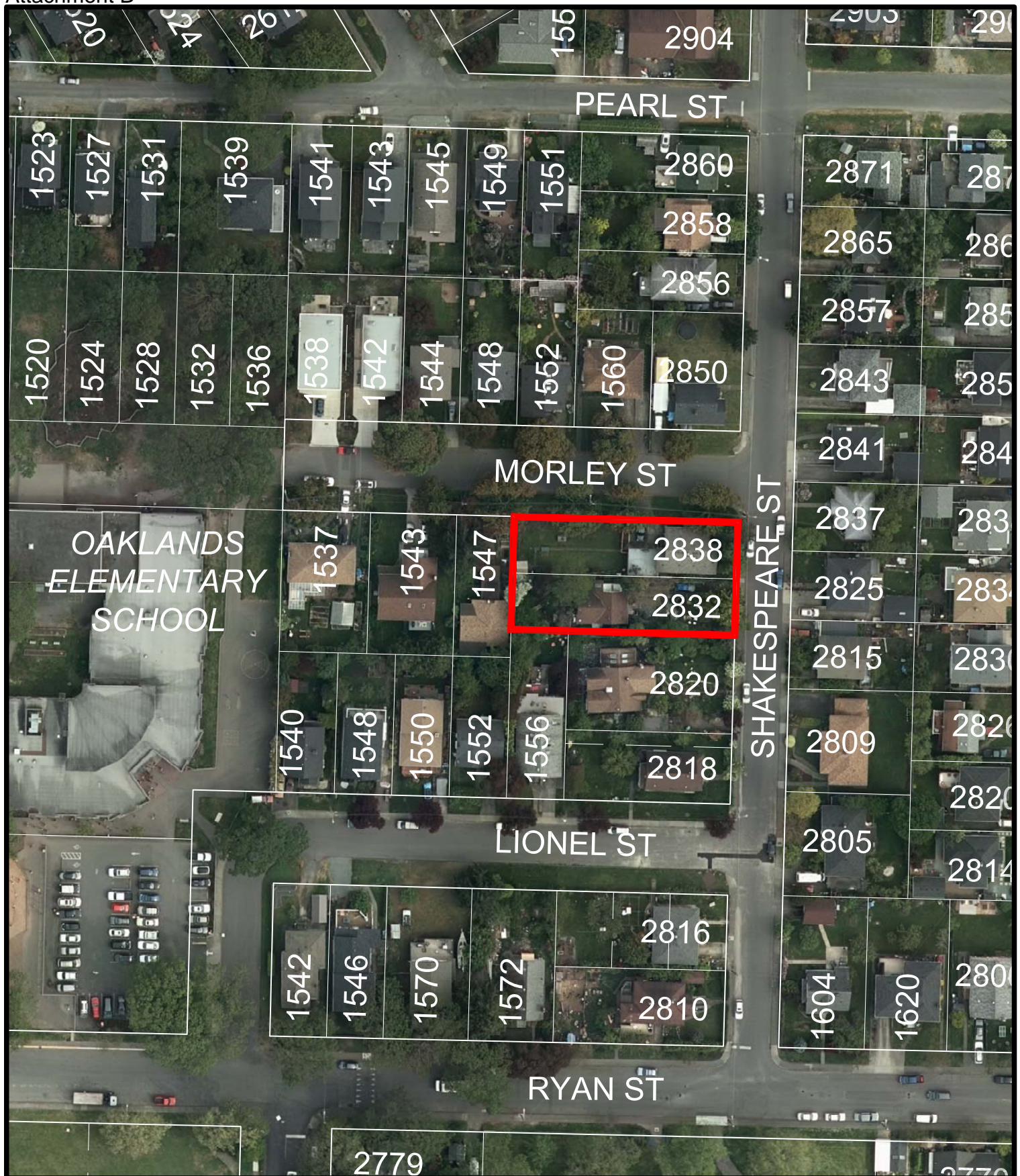
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2832 & 2838 Shakespeare Street
Rezoning No.00656



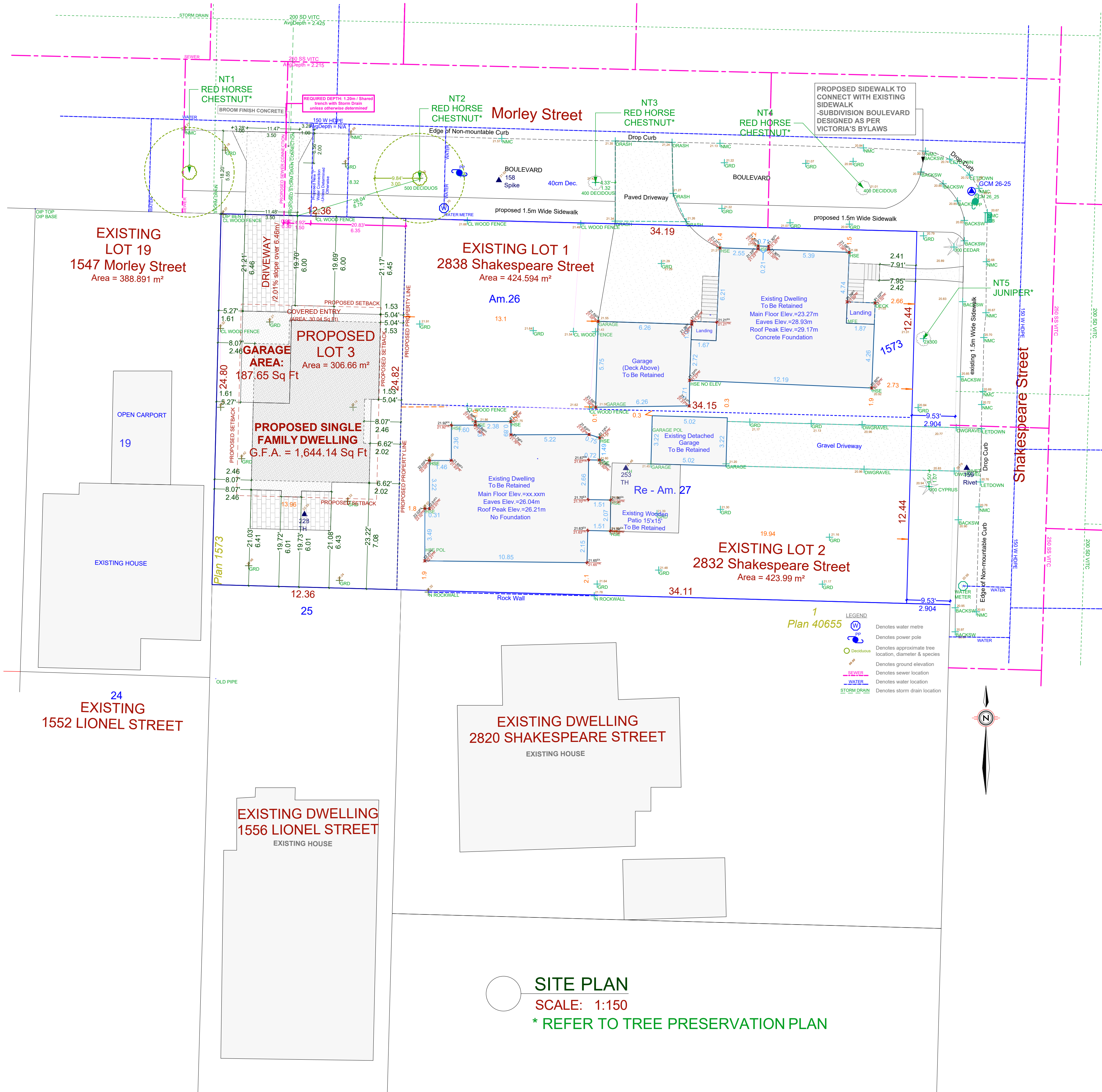


2832 & 2838 Shakespeare Street
Rezoning No.00656

Air Photo



Attachment C



PROJECT DATATABLE - SINGLE FAMILY DWELLING		
Address	Lot 3, Morley Street, Victoria	
Lot Size	306.66 m ² (3,300.81 R ²)	
Zoning	R1-S2	
	Proposed	Allowed
Height		
Average grade	22.01 m Geo.	
Highest sloped roof height	6.89 m (22.59') /2 storeys/	7.50 m (24.61') /2 storeys/
Floor Area		
Upper floor area	76.86 m ² (827.32 R ²)	
Main floor area	75.89 m ² (816.82 R ²)	
Garage	17.43 m ² (187.65 R ²)	
Garage exemption	18.60 m ² (200.20 R ²)	
Total gross floor area	152.75 m ² (1,644.14 R ²)	190.00 m ² (2,045.14 R ²)
Floor space ratio	0.4981 152.75 m ² (1,644.14 R ²)	0.6 183.99 m ² (1,980.45 R ²)
Site coverage		
Lot coverage (total)	33.33 % 102.20 m ² (1,100.10 R ²)	40.00 % 122.66 m ² (1,320.32 R ²)
Setbacks		
Front yard setback	6.00 m (19.69')	6.00 m (19.685')
Rear yard setback	6.01 m (19.72')	6.00 m (19.685')
Interior side yard setback (West)	1.61 m (5.27')	1.50 m (4.92')
Interior side yard setback (East)	2.46 m (8.07')	2.40 m (7.87')
Interior side yard setback (South)	1.53 m (5.04')	1.50 m (4.92')
Interior side yard setback (East) /habitable space with window/	2.46 m (8.07')	2.40 m (7.87')

PROJECT INFORMATION TABLE - EXISTING SINGLE FAMILY DWELLING		
Address	Lot 1 2838 Shakespeare Street, Victoria	
Lot Size	424.594 m ² (4,570.29 R ²)	
Zoning	R1-S2	
	Proposed	Allowed
Height		
Average grade	21.24 m Geo.	
Highest sloped roof height	7.81 m (25.62') /2.5 storeys/	7.50 m (24.61') /2 storeys/
Total Floor Area	144.46 m ² (1,554.95 R ²)	190.00 m ² (2,045.14 R ²)
Floor Space Ratio	0.34 144.46 m ² (1,554.95 R ²)	0.6 254.76 m ² (2,742.21 R ²)
Site coverage		
Lot coverage (total)	30.60 % 129.93 m ² (1,388.55 R ²)	40.00 % 169.84 m ² (1,828.14 R ²)
Open space	60.83 % 258.28 m ² (2,780.10 R ²)	
Parking Stalls (number) on Site	2	
Setbacks		
Front yard setback	1.20m (3.94') Morley Street	6.00 m (19.685')
Maximum projections into front setback: + steps less than 1.7m in height	N/A	2.50 m (8.20 R)
Rear yard setback	0.10m (0.33') South	6.00 m (19.685')
Interior side yard setback (East)	n/a	1.50 m (4.92')
Interior side yard setback (West)	13.10m (42.98')	1.50 m (4.92')
Side Flanking Street	2.41m (7.91')	2.40 m (7.87')
Combined Side Yards	15.83m (51.94')	N/A

Existing Non-Conforming*

PROJECT INFORMATION TABLE - EXISTING SINGLE FAMILY DWELLING		
Address	Lot 2 2832 Shakespeare Street, Victoria	
Lot Size	423.99 m ² (4,563.79 R ²)	
Zoning	R1-S2	
	Proposed	Allowed
Height		
Average grade	21.85 m Geo.	
Highest sloped roof height	4.28 m (14.04') /1 storey/	7.50 m (24.61') /2 storeys/
Total Floor Area	91.14 m ² (981 R ²)	190.00 m ² (2,045.14 R ²)
Floor Space Ratio	0.21 91.14 m ² (981 R ²)	0.6 183.99 m ² (1,980.45 R ²)
Site coverage		
Lot coverage (total)	26.46 % 112.19 m ² (1,207.60 R ²)	40.00 % 122.66 m ² (1,320.32 R ²)
Open space	64.96 % 275.42 m ² (2,984.60 R ²)	
Parking Stalls (number) on Site	2	
Setbacks		
Front yard setback	19.94m (65.42')	6.00 m (19.685')
Rear yard setback	1.80m (5.91')	6.00 m (19.685')
Interior side yard setback (North)	1.00m (3.28')	1.50 m (4.92')
Interior side yard setback (South)	1.90m (6.23')	1.50 m (4.92')

VARIANCE REQUIRED*

EXISTING ACCESSORY BUILDING - TO BE RETAINED		
Building Use	Detached Garage	
Location	Front Yard*	Rear Yard
Combined Floor Area	12.30m	37.00m
Height	3.31m	4.00m
Front Setback	15.25m	18.00m
Rear Setback	16.80m	0.60m
Side Setback	8.30m* North	0.60m
Separation Space from Main Building	3.40m	2.40m
Rear Yard Site Coverage	n/a	30.00m

CUSTOMER:
PAM HARTLING

ADDRESS:
2832 & 2838 SHAKESPEARE STREET, VICTORIA

ISSUE DATE:
MAR_06_2019

ISSUE NAME:
SITE PLAN - ALL LOTS

DRAWING SCALE:
1:150

DRAWN BY:
KYLE LEGGETT

JAVA DESIGNS
WHERE LINES ON PAPER BECOME WALLS ON SITE
PH 250.590.2468 FX 250.590.4577 www.javadesigns.ca

SHEET
NUMBER
A1

GENERAL NOTES

NAFS REQUIREMENTS:
Performance Grade of 30
Water Test Pressure of 260 Pa

ALL MATERIALS AND CONSTRUCTION METHODS TO CONFORM TO THE CURRENT EDITION OF THE BRITISH COLUMBIA BUILDING CODE AS WELL AS ANY LOCAL BUILDING CODES OR BYLAWS WHICH MAY TAKE PRECEDENCE.
ALL MEASUREMENTS MUST BE VERIFIED ON SITE BY BUILDER PRIOR TO CONSTRUCTION, AND ANY DISCREPANCIES REPORTED TO THE DESIGNER.
DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE
-SMOKE DETECTORS SHALL BE PROVIDED ON EVERY FLOOR

SITE PLAN

ALL LAYOUTS SHOULD BE CONFIRMED BY A REGISTERED B.C. LAND SURVEYOR. ALL SETBACKS SHALL BE CONFIRMED BY THE OWNER/BUILDER. ALL GRADE ELEVATIONS ARE THE RESPONSIBILITY OF THE OWNER/BUILDER AND ANY MODIFICATIONS ARE TO BE MADE ON SITE.
CONFORMITY OF THESE PLANS TO THE ACTUAL SITE IS THE RESPONSIBILITY OF THE OWNER/BUILDER.
CONCRETE AND FOUNDATIONS
ALL CONCRETE FOOTINGS TO HAVE SOLID BEARING ON COMPACTED, UNDISTURBED INORGANIC SOIL TO A SUITABLE DEPTH BELOW FROST PENETRATION.


IF SOFTER CONDITIONS APPLY, THE SOLID BEARING CAPACITY AND SIZE OF FOOTINGS ARE TO BE DESIGNED BY A QUALIFIED ENGINEER.
GARAGE & CARPORT FLOORS AND EXTERIOR STEPS SHALL NOT BE LESS THAN 32 MPA
FOUNDATION CONCRETE SHALL HAVE MIN. COMPRESSIVE STRENGTH OF 2900 psi (20MPa) AT 28 DAYS, MIXED, PLACED AND TESTED IN ACCORDANCE WITH CAN3-A438.
ALL WALLS ARE 8" CONCRETE UNLESS OTHERWISE NOTED.
ALL GRADES ARE ESTIMATED ONLY AND SHALL BE ADJUSTED ON SITE.
ALL WOOD IN CONTACT WITH CONCRETE SHALL BE TREATED OR SEPARATED BY A MOISTURE RESISTANT GASKET MATERIAL.

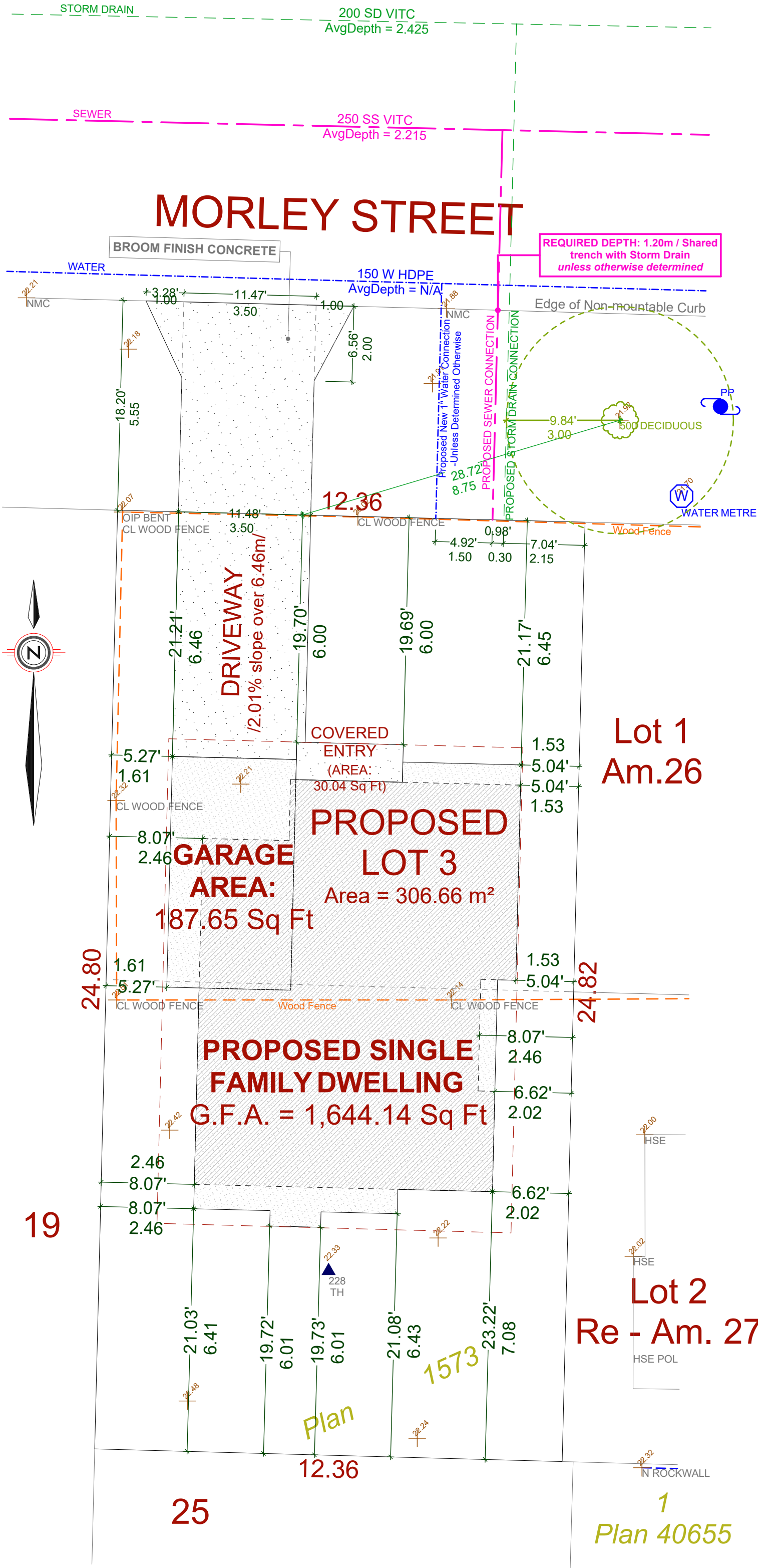
LUMBER, FRAMING AND BEAMS
BUILDING FRAMES TO BE ANCHORED TO FOUNDATION BY FASTENING SILL PLATE TO FOUNDATION WITH NOT LESS THAN 12.7mm DIAM ANCHOR BOLTS AT NOT MORE THAN 2.4M O.C.
ALL ENGINEERED BEAMS TO BE SIZED BY SUPPLIER.
ALL SPANS SHALL CONFORM TO THE TABLES SET OUT IN "THE SPAN BOOK" AND THE NATIONAL BUILDING CODE OF CANADA AND VERIFICATIONS OF ALL SPANS IS THE RESPONSIBILITY OF THE OWNER/BUILDER.

TRUSSES
TRUSSES AND LAYOUT ARE TO BE ENGINEERED AND INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS, INCLUDING ALL BRACING.
ROOFING
ALL ROOFING SHALL BE APPLIED TO MANUFACTURER'S SPECIFICATION AND SHALL INCLUDE EAVE PROTECTION FROM ICE DAMS AND SNOW BUILD UP.
PLUMBING & ELECTRICAL
ANY ELECTRICAL SHOWN ON PLANS IS TO SERVE AS A GUIDE ONLY AND MUST BE INSTALLED BY A QUALIFIED PERSONNEL.

FLASHING
ALL EXPOSED OPENINGS SHALL BE PROVIDED WITH ADEQUATE FLASHING. ALL ROOFING SHALL INCORPORATE STEP FLASHING. ALL PENETRATIONS THROUGH ROOF SHALL INCLUDE APPROPRIATE FLASHING.
DOORS - ROUGH OPENING SIZES
FRAME OPENING 1 1/4" WIDER THAN DOOR
FRAME HEIGHT 83" FOR EXTERIOR DOORS AND 82.5" FOR INTERIOR DOORS. FRAME OPENING 1 1/4" WIDER THAN BIFOLD DOORS AND FRAME HEIGHT 81.5".
MISC.
CARBON MONOXIDE ALARMS TO BE HARDWIRED AND WITHIN 5M OF EACH BEDROOM IN EVERY SUITE AND INTERCONNECTED TO ALL FLOORS. CARBON MONOXIDE ALARMS TO CONFORM TO CSA 6.19

NEITHER JAVADESIGNS INC. NOR THE DESIGNER ACCEPT RESPONSIBILITY FOR THE FOLLOWING:
-INFORMATION PROVIDED ON EXISTING BUILDINGS OR SITE.
-CONFORMITY OF PLANS TO SITE.
-ERRORS AND OMISSIONS -ANY HOUSE BUILT FROM THESE PLANS

<p>NAFS REQUIREMENTS:</p> <p>Performance Grade of 30</p> <p>Water Test Pressure of 260 Pa</p>	<p>GENERAL NOTES</p> <p>ALL MATERIALS AND CONSTRUCTION METHODS TO CONFORM TO THE CURRENT EDITION OF THE BRITISH COLUMBIA BUILDING CODE AS WELL AS ANY LOCAL BUILDING CODES OR BYLAWS WHICH MAY TAKE PRECEDENCE.</p> <p>ALL MEASUREMENTS MUST BE VERIFIED ON SITE BY BUILDER PRIOR TO CONSTRUCTION, AND ANY DISCREPANCIES REPORTED TO THE DESIGNER.</p> <p>DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE</p> <p>-SMOKE DETECTORS SHALL BE PROVIDED ON EVERY FLOOR</p>	<p>SITE PLAN</p> <p>ALL LAYOUTS SHOULD BE CONFIRMED BY A REGISTERED B.C. LAND SURVEYOR. ALL SETBACKS SHALL BE CONFIRMED BY THE OWNER/BUILDER. ALL GRADE ELEVATIONS ARE THE RESPONSIBILITY OF THE OWNER/BUILDER AND ANY MODIFICATIONS ARE TO BE MADE ON SITE.</p> <p>CONFORMITY OF THESE PLANS TO THE ACTUAL SITE IS THE RESPONSIBILITY OF THE OWNER/BUILDER.</p> <p>CONCRETE AND FOUNDATIONS</p> <p>ALL CONCRETE FOOTINGS TO HAVE SOLID BEARING ON COMPACTED, UNDISTURBED INORGANIC SOIL TO A SUITABLE DEPTH BELOW FROST PENETRATION.</p>	<p>IF SOFTER CONDITIONS APPLY, THE SOLID BEARING CAPACITY AND SIZE OF FOOTINGS ARE TO BE DESIGNED BY A QUALIFIED ENGINEER.</p> <p>GARAGE & CARPORT FLOORS AND EXTERIOR STEPS SHALL NOT BE LESS THAN 32 MPA</p> <p>FOUNDATION CONCRETE SHALL HAVE MIN. COMPRESSIVE STRENGTH OF 2900 psi (20MPa) AT 28 DAYS, MIXED, PLACED AND TESTED IN ACCORDANCE WITH CAN3-A438.</p> <p>ALL WALLS ARE 8" CONCRETE UNLESS OTHERWISE NOTED.</p> <p>ALL GRADES ARE ESTIMATED ONLY AND SHALL BE ADJUSTED ON SITE.</p> <p>ALL WOOD IN CONTACT WITH CONCRETE SHALL BE TREATED OR SEPARATED BY A MOISTURE RESISTANT GASKET MATERIAL.</p>	<p>LUMBER, FRAMING AND BEAMS</p> <p>BUILDING FRAMES TO BE ANCHORED TO FOUNDATION BY FASTENING SILL PLATE TO FOUNDATION WITH NOT LESS THAN 12.7mm DIAM ANCHOR BOLTS AT NOT MORE THAN 2.4M O.C.</p> <p>ALL ENGINEERED BEAMS TO BE SIZED BY SUPPLIER.</p> <p>ALL SPANS SHALL CONFORM TO THE TABLES SET OUT IN "THE SPAN BOOK" AND THE NATIONAL BUILDING CODE OF CANADA AND VERIFICATIONS OF ALL SPANS IS THE RESPONSIBILITY OF THE OWNER/BUILDER.</p>	<p>TRUSSES</p> <p>TRUSSES AND LAYOUT ARE TO BE ENGINEERED AND INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS, INCLUDING ALL BRACING.</p> <p>ROOFING</p> <p>ALL ROOFING SHALL BE APPLIED TO MANUFACTURER'S SPECIFICATION AND SHALL INCLUDE EAVE PROTECTION FROM ICE DAMS AND SNOW BUILD UP.</p> <p>PLUMBING & ELECTRICAL</p> <p>ANY ELECTRICAL SHOWN ON PLANS IS TO SERVE AS A GUIDE ONLY AND MUST BE INSTALLED BY A QUALIFIED PERSONNEL.</p>	<p>FLASHING</p> <p>ALL EXPOSED OPENINGS SHALL BE PROVIDED WITH ADEQUATE FLASHING. ALL ROOFING SHALL INCORPORATE STEP FLASHING. ALL PENETRATIONS THROUGH ROOF SHALL INCLUDE APPROPRIATE FLASHING.</p> <p>DOORS - ROUGH OPENING SIZES</p> <p>FRAME OPENING 1 1/4" WIDER THAN DOOR</p> <p>FRAME HEIGHT 83" FOR EXTERIOR DOORS AND 82.5" FOR INTERIOR DOORS. FRAME OPENING 1 1/4" WIDER THAN BIFOLD DOORS AND FRAME HEIGHT 81.5".</p> <p>MISC.</p> <p>CARBON MONOXIDE ALARMS TO BE HARDWIRED AND WITHIN 5M OF EACH BEDROOM IN EVERY SUITE AND INTERCONNECTED TO ALL FLOORS. CARBON MONOXIDE ALARMS TO CONFORM TO CSA 6.19</p>	<p>NEITHER JAVADESIGNS INC. NOR THE DESIGNER ACCEPT RESPONSIBILITY FOR THE FOLLOWING:</p> <p>-INFORMATION PROVIDED ON EXISTING BUILDINGS OR SITE.</p> <p>-CONFORMITY OF PLANS TO SITE.</p> <p>-ERRORS AND OMISSIONS</p> <p>-ANY HOUSE BUILT FROM THESE PLANS</p>
<div> <div>  <p>JAVA DESIGNS</p> <p>WHERE LINES ON PAPER BECOME WALLS ON SITE</p> <p>PH 250.590.2468 FX 250.590.4577 www.javadesigns.ca</p> </div> <div> <p>SHEET NUMBER</p> <p>A2</p> </div> </div>							

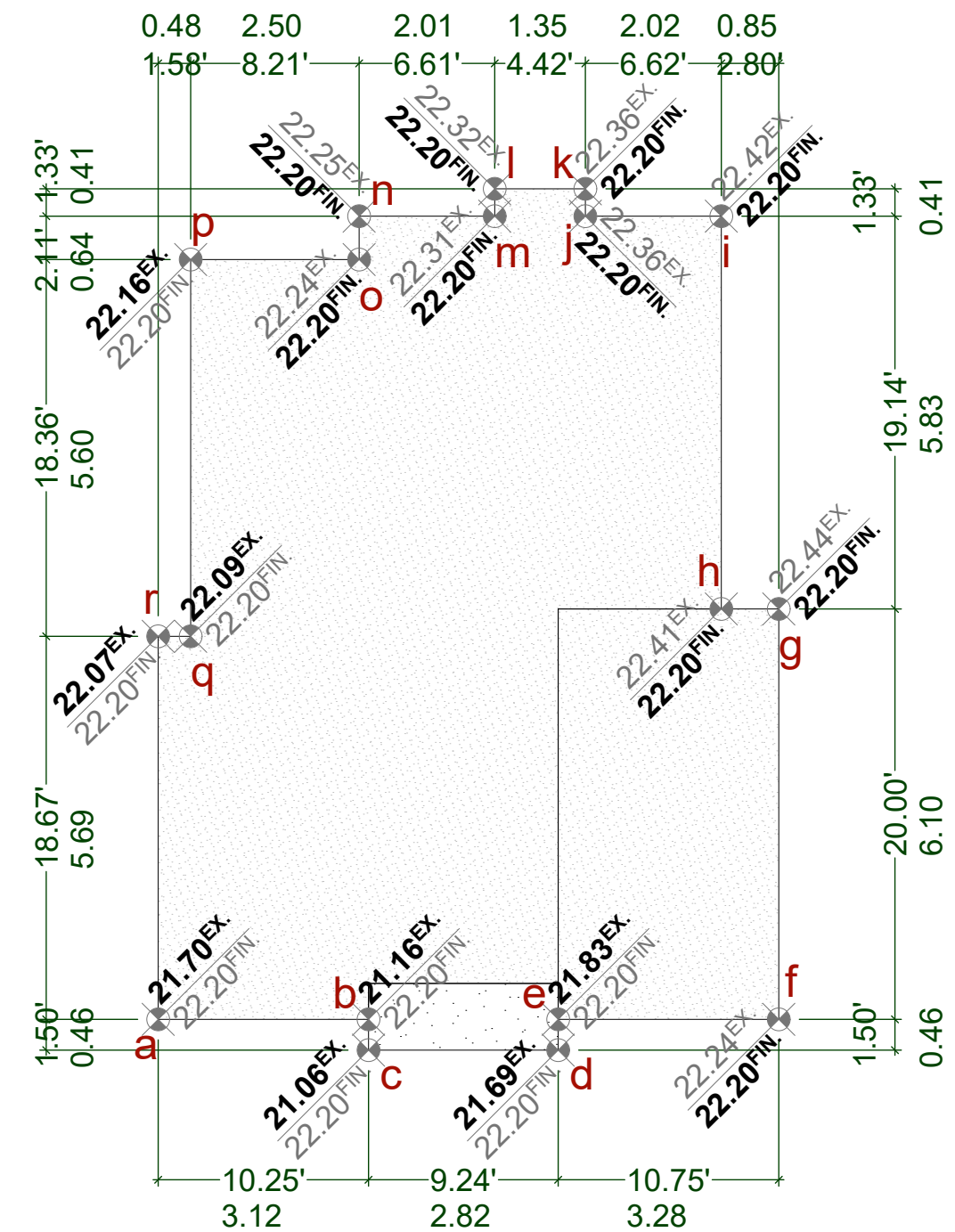


PROJECT DATA TABLE - SINGLE FAMILY DWELLING			
Address		Lot 3, Morley Street, Victoria	
Lot Size		306.66 m ² (3,300.81 ft ²)	
Zoning		R1-S2	
		Proposed	Allowed
Height			
Average grade		22.01 m Geo.	
Highest sloped roof height		6.89 m (22.59') /2 storeys/	7.50 m (24.61') /2 storeys/
Floor Area			
Upper floor area		76.86 m ² (827.32 ft ²)	
Main floor area		75.89 m ² (816.82 ft ²)	
Garage		17.43 m ² (187.65 ft ²)	
Garage exemption		18.60 m ² (200.20 ft ²)	
Total gross floor area		152.75 m ² (1,644.14 ft ²)	180.00 m ² (2,045.14 ft ²)
Floor space ratio		0.4981 /152.75 m ² (1,644.14 ft ²)	0.6 /183.99 m ² (1,980.48 ft ²)
Site coverage			
Lot coverage (total)		33.33 % /102.20 m ² (1,100.10 ft ²)	40.00 % /122.66 m ² (1,320.32 ft ²)
Setbacks			
Front yard setback		6.00 m (19.69')	6.00 m (19.685')
Rear yard setback		6.01 m (19.72')	6.00 m (19.685')
Interior side yard setback (West)		1.61 m (5.27')	1.50 m (4.92')
Interior side yard setback (West) /habitable space with window/		2.46 m (8.07')	2.40 m (7.87')
Interior side yard setback (East)		1.53 m (5.04')	1.50 m (4.92')
Interior side yard setback (East) /habitable space with window/		2.46 m (8.07')	2.40 m (7.87')

LEGEND	
	Denotes water metre
	Denotes power pole
	Denotes approximate tree location, diameter & species
	Denotes ground elevation
	Denotes sewer location
	Denotes water location
	Denotes storm drain location



PROPOSED ANGLED PERSPECTIVE
NOT TO SCALE



GRADE PLAN NOT TO SCALE			
Grade Points	Avg. Of Points	Distance Between	Totals
a/b	21.70 + 21.16 /2 = 21.43	3.12	66.86
b/c	21.16 + 21.06 /2 = 21.11	0.46	9.71
c/d	21.06 + 21.89 /2 = 21.38	2.82	60.29
d/e	21.89 + 21.83 /2 = 21.76	0.46	10.01
e/f	21.83 + 22.20 /2 = 22.02	3.28	72.23
f/g	22.20 + 22.20 /2 = 22.20	6.10	135.42
g/h	22.20 + 22.20 /2 = 22.20	0.85	18.87
h/i	22.20 + 22.20 /2 = 22.20	5.83	129.43
i/j	22.20 + 22.20 /2 = 22.20	2.02	44.84
j/k	22.20 + 22.20 /2 = 22.20	0.41	9.10
k/l	22.20 + 22.20 /2 = 22.20	1.35	29.97
l/m	22.20 + 22.20 /2 = 22.20	0.41	9.10
m/n	22.20 + 22.20 /2 = 22.20	2.01	44.82
n/o	22.20 + 22.20 /2 = 22.20	0.64	14.21
o/p	22.20 + 22.16 /2 = 22.18	2.50	55.45
p/q	22.16 + 22.09 /2 = 22.13	5.60	123.93
q/r	22.09 + 22.07 /2 = 22.08	0.46	10.60
r/a	22.07 + 21.70 /2 = 21.88	5.69	124.50
Total:			969.19
Perimeter:			44.03
AVG. GRADE =			22.01
ALLOWED HEIGHT (7.50m) (22.01 + 7.50 m)			29.51 m

CUSTOMER:
PAM HARTLING

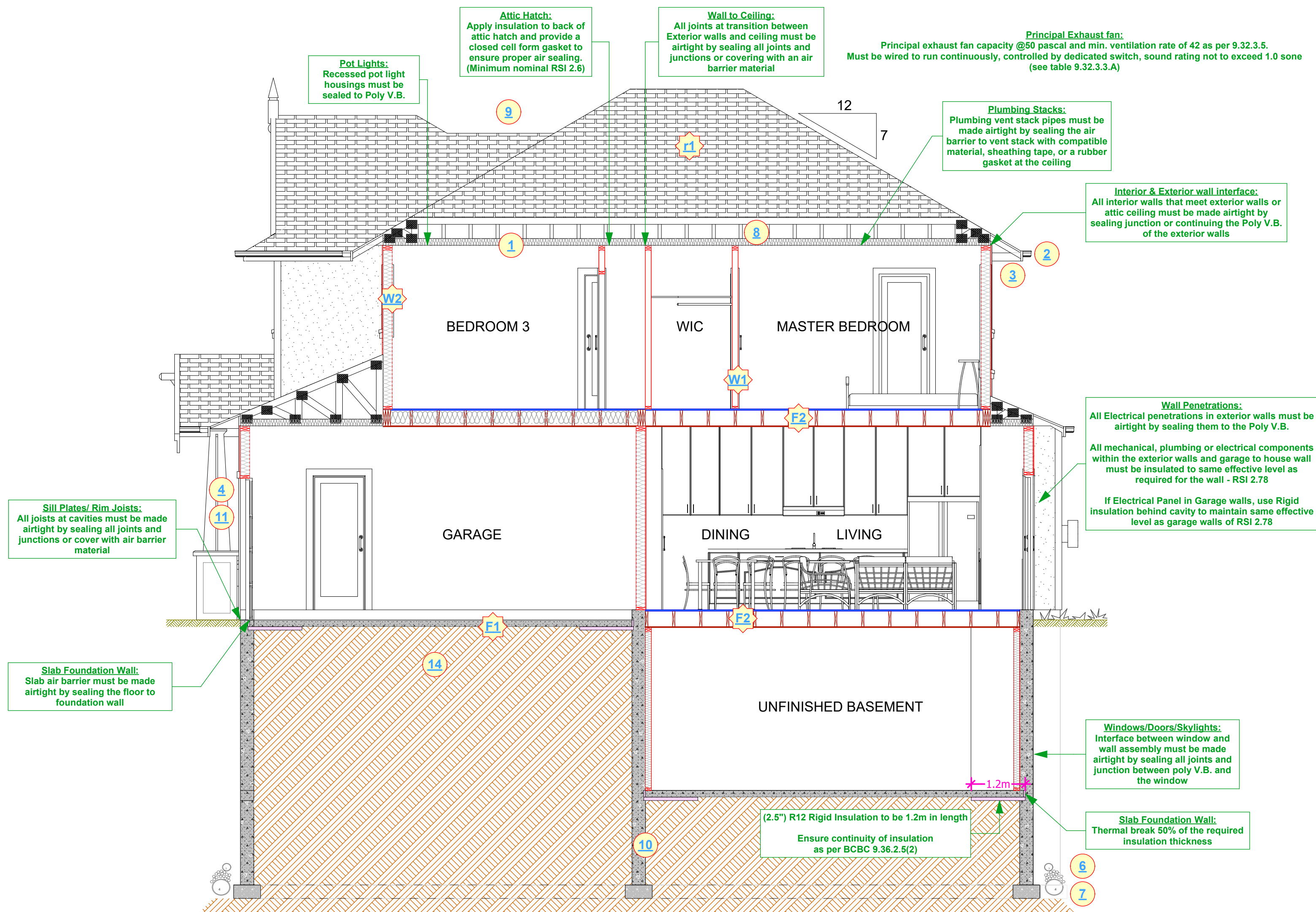
ADDRESS:
2832 & 2838 SHAKESPEARE STREET, VICTORIA

DRAWING NAME:
**PROPOSED LOT 3: SITE PLAN.
GRADE PLAN & ANGLED PERSPECTIVE**

DRAWING SCALE:
SEE DRAWINGS

ISSUE DATE:
MAR. 06. 2019

DRAWN BY:
KYLE LEGGETT



PROPOSED CROSS SECTION A-1

SCALE: 1/4" = 1' - 0"

HOUSE HEAT SOURCE TO BE: HEAT PUMP WITH HRV

SOLAR READY PLANS SEE ELECTRICIAN FOR DETAILS

EFFECTIVE R-VALUE FOR EXTERIOR WALLS AGAINST LOWER ROOF:

Exterior Air Film	0.03
7/16" OSB Sheathing	0.11
R-22 Batt insulation	
2x6 Wood studs @ 16" O.C.	
$RSip=100/[(23/1.19)+(77/3.87)] =$	2.55
6 MIL Poly V.B.	0
1/2" Gypsum Board	0.08
Interior Air Film	0.11
RSI=2.88	

Values from Table A-9.36.2.4.(1)D

EFFECTIVE R-VALUE FOR EXTERIOR WALLS ABOVE GRADE:

Exterior Air Film	0.03
Fibre-Cement Siding	0.02
1/2" Rain Screen Air Cavity	0.15
Building Paper	0
7/16" OSB Sheathing	0.11
R-20 Batt insulation	
2x6 Wood studs @ 16" O.C.	2.36
$RSip=100/[(23/1.19)+(77/3.34)] =$	2.36
6 MIL Poly V.B.	0
1/2" Gypsum Board	0.08
Interior Air Film	0.11
RSI=2.86	

Values from Table A-9.36.2.4.(1)D

EFFECTIVE R-VALUE FOR HOUSE TO GARAGE WALLS:

Exterior Air Film	0.03
1/2" Gypsum Board	0.08
R-20 Batt insulation	2.36
2x6 Wood studs @ 16" O.C.	
$RSip=100/[(23/1.19)+(77/3.34)] =$	2.36
6 MIL Poly V.B.	0
1/2" Gypsum Board	0.08
Interior Air Film	0.12
RSI=2.67	

Values from Table A-9.36.2.4.(1)D

Since an enclosed space rating can be reduced by 0.16

EFFECTIVE R-VALUE FLOOR OVER UNHEATED SPACE (GARAGE):

Exterior Air Film	0.03
1/2" Gypsum Board	0.08
R28 Batt insulation	
2x10 Wood Joists @ 16" O.C.	
$RSip=100/[(13/2.0)+(87/4.93)] =$	4.14
3/4" Sheathing	0.161
Interior Air Film	0.16
RSI=4.57	

Values from Table A-9.36.2.4.(1)D

Since an enclosed space rating can be reduced by 0.16*

EFFECTIVE R-VALUE FOR FOUNDATION WALLS:

Damp proofing	0
8" poured-in place concrete	
(2.5") R12 Rigid Insulation	2.11
RSI=2.11	

Values from Table A-9.36.2.4.(1)D

EFFECTIVE R-VALUE CEILING BELOW ATTIC:

Asphalt shingles	0
Building Paper	0
1/2" Sheathing	0.03
Attic air film	0.03
R40 blown fiberglass insulation above truss cord	5.38
Wood trusses @ 24" O.C.	1.47
$RSip=100/[(11/0.76)+(89/1.67)] =$	1.47
6 MIL Poly V.B.	0
1/2" Gypsum Board	0.08
Interior Air Film	0.12
RSI=7.08	

Values from Table A-9.36.2.4.(1)D

EFFECTIVE R-VALUE FOR UNHEATED FLOORS ABOVE FROST LINE:

Interior Air Film	0.11
4" poured-in place concrete	0
2.5" R12 Rigid Insulation	2.11
Exterior Air Film	0.03
RSI=2.25	

Values from Table A-9.36.2.4.(1)D

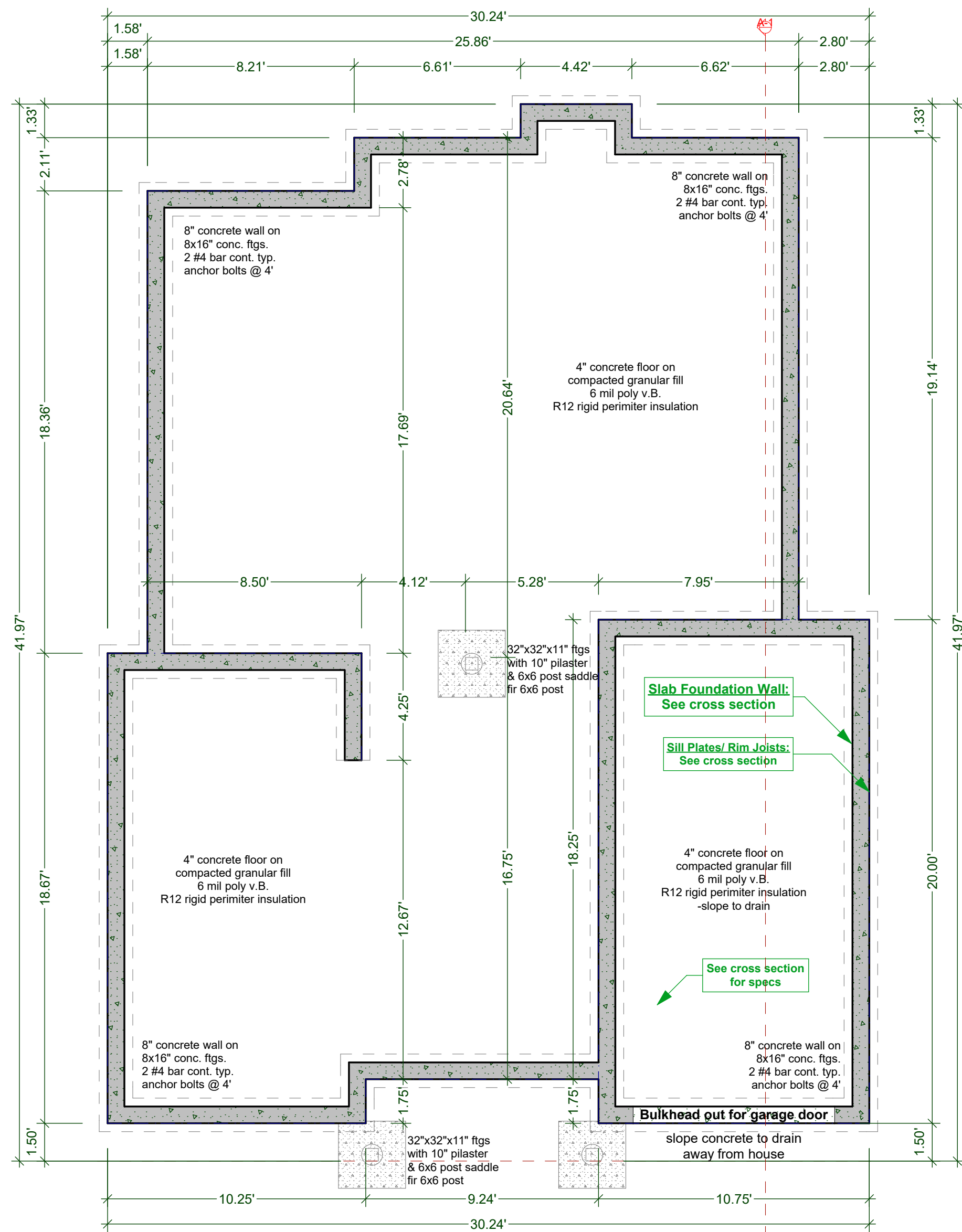
CONSTRUCTION NOTES:

- R40 insulation, 6 mil poly V.B. 12" ceiling board. RSI VALUE OF 6.91
- Continuous gutters
- Aluminum gutters and non-vented soffits - roof overhangs as per plans
- All windows vinyl, supply rain pan under, rainscreen as per BCBC. Windows in doors to be safety glass
- Stairs: 7 5/8" rise, 10" tread, 1" nosing with continuous handrail
- Provide drains to perimeter system
- 4" drain tile with 6" rock over
- Provide roof vents: vent 1/150 using Shinglevent II Ridge Vent
- Eave protection to 12" beyond heated wall
- 8" concrete wall on 8"x16" concrete footings - 2#4 bar continuous - R12 rigid insulation - 2 coats damp proofing
- Caulk over and around all exterior openings
- 10" X 10" post saddle on 8" plaster 2'6x2'6 concrete footing. NOT SHOWN
- 42" non climbable continuous handrail
- Undisturbed non-organic soil

ALL WINDOWS MUST COMPLY WITH BCBC AND NAFS REQUIREMENTS
MUST BE CLEARLY LABELED ON ALL WINDOW UNITS UPON INSTALLATION FOR INSPECTION. -ONE EXTERIOR DOOR IS PERMITTED TO HAVE A HIGHER U-VALUE OF 2.6, ALL OTHERS MUST HAVE U-VALUE LESS THEN 1.80 (AS PER TABLE 9.36.2.7.A) -GARAGE VEHICULAR DOORS MUST BE MINIMUM NOMINAL RSI OF 1.1

CONSTRUCTION ASSEMBLIES:

- F1** 4" concrete floor on 6 mil poly V.B. compacted granular fill
- E2** 2x10 floor joist 16" O.C. typ. nail and glue 3/4" T&G plywood X bridging @ 8" O.C. typ.
- F1** Asphalt shingles, building paper, 7/16" O.S.B. (or 1/2" plywood), engineered trusses designed by supplier @ 24" O.C. typ, R28 batt insulation, 6 mil U.V. poly V.B. 5/8" GWB
- W1** 2x4 framing 16" O.C. typ. 1/2" GWB finish throughout
- W2** Exterior finish, 3/4" air space, pressure treated strapping, 2 layers 30 min. building paper, 1/2" sheathing, 2x6 studs at 16" O.C., R-20 batt insulation, 6 mil. poly V.B., 1/2" GWB. (See elevations)



CUSTOMER: PAM HARTLING
ADDRESS: 2832 & 2838 SHAKESPEARE STREET, VICTORIA

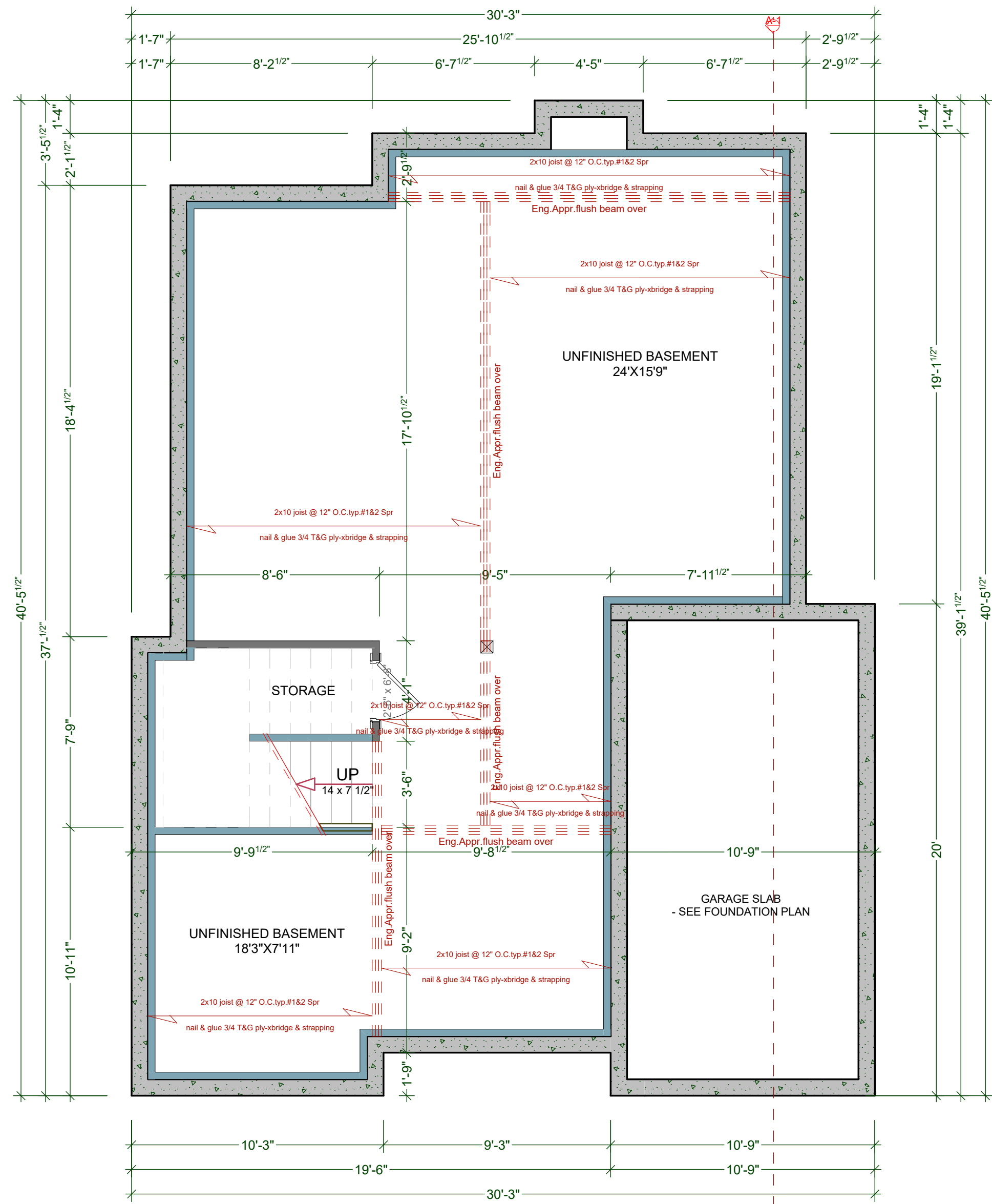
DRAWING NAME: PROPOSED LOT 3: CROSS SECTION A-1 & FOUNDATION PLAN
DRAWING SCALE: 1/4"=1'-0"

ISSUE DATE: MAR. 06, 2019
DRAWN BY: KYLE LEGGETT

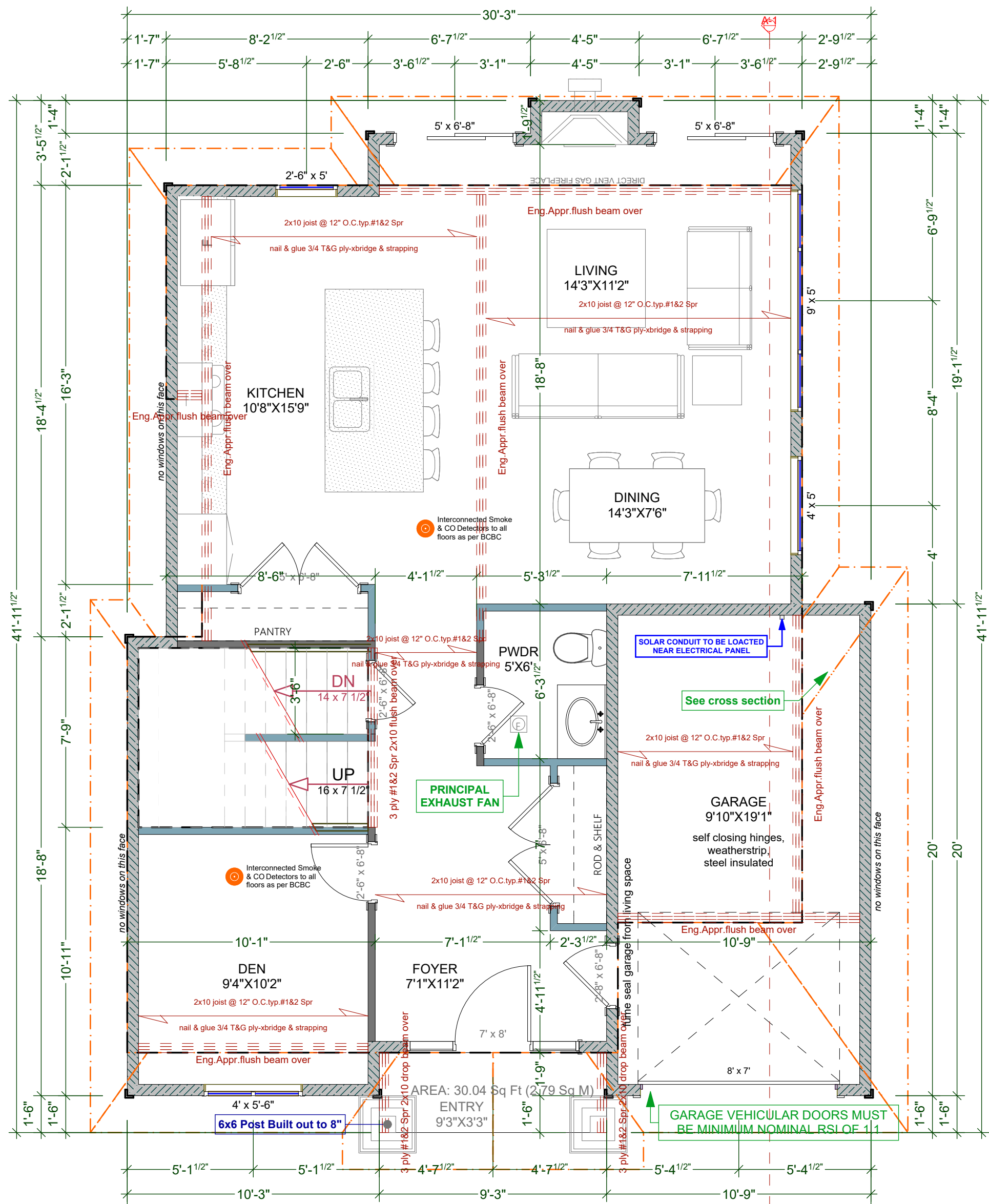
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SHEET NUMBER

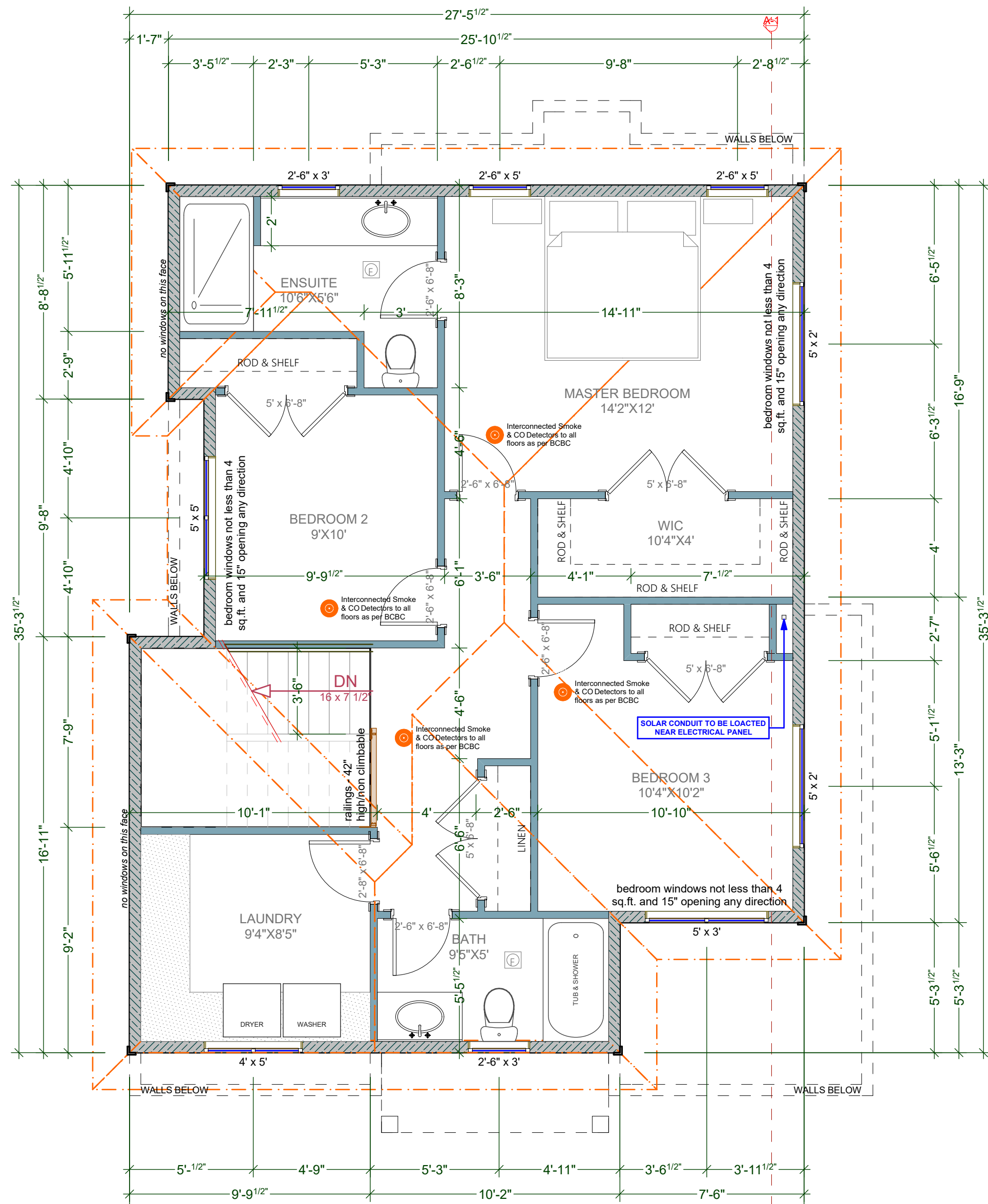
A3



PROPOSED BASEMENT FLOOR PLAN (8'-0 3/4" WALLS)
SCALE: 1/4" = 1' - 0"
PROPOSED BASEMENT FLOOR AREA: 783.31 Sq Ft (72.77 Sq M)



PROPOSED MAIN FLOOR PLAN (9'-0 3/4" WALLS)
SCALE: 1/4" = 1' - 0"
PROPOSED MAIN FLOOR AREA: 816.82 Sq Ft (75.89 Sq M)
PROPOSED GARAGE FLOOR AREA: 187.65 Sq Ft (17.43 Sq M)
SOLAR READY PLANS - SEE ELECTRICIAN FOR DETAILS



PROPOSED UPPER FLOOR PLAN (8'-0 3/4" WALLS)
SCALE: 1/4" = 1' - 0"
PROPOSED UPPER FLOOR AREA: 827.32 Sq Ft (76.86 Sq M)
SOLAR READY PLANS - SEE ELECTRICIAN FOR DETAILS

NAFS REQUIREMENTS:
Performance Grade of 30
Water Test Pressure of 260 Pa

GENERAL NOTES
ALL MATERIALS AND CONSTRUCTION METHODS TO CONFORM TO THE CURRENT EDITION OF THE BRITISH COLUMBIA BUILDING CODE AS WELL AS ANY LOCAL BUILDING CODES OR BYLAWS WHICH MAY TAKE PRECEDENCE.
ALL MEASUREMENTS MUST BE VERIFIED ON SITE BY BUILDER PRIOR TO CONSTRUCTION, AND ANY DISCREPANCIES REPORTED TO THE DESIGNER.
DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE
-SMOKE DETECTORS SHALL BE PROVIDED ON EVERY FLOOR

SITE PLAN
ALL LAYOUTS SHOULD BE CONFIRMED BY A REGISTERED B.C. LAND SURVEYOR. ALL SETBACKS SHALL BE CONFIRMED BY THE OWNER/BUILDER. ALL GRADE ELEVATIONS ARE THE RESPONSIBILITY OF THE OWNER/BUILDER AND ANY MODIFICATIONS ARE TO BE MADE ON SITE.
CONFORMITY OF THESE PLANS TO THE ACTUAL SITE IS THE RESPONSIBILITY OF THE OWNER/BUILDER.
CONCRETE AND FOUNDATIONS
ALL CONCRETE FOOTINGS TO HAVE SOLID BEARING ON COMPACTED, UNDISTURBED INORGANIC SOIL TO A SUITABLE DEPTH BELOW FROST PENETRATION.

IF SOFTER CONDITIONS APPLY, THE SOLID BEARING CAPACITY AND SIZE OF FOOTINGS ARE TO BE DESIGNED BY A QUALIFIED ENGINEER.
GARAGE & CARPORT FLOORS AND EXTERIOR STEPS SHALL NOT BE LESS THAN 32 MPA
FOUNDATION CONCRETE SHALL HAVE MIN. COMPRESSIVE STRENGTH OF 2900 psi (20MPa) AT 28 DAYS, MIXED, PLACED AND TESTED IN ACCORDANCE WITH CAN3-A438.
ALL WALLS ARE 8" CONCRETE UNLESS OTHERWISE NOTED.
ALL GRADES ARE ESTIMATED ONLY AND SHALL BE ADJUSTED ON SITE.
ALL WOOD IN CONTACT WITH CONCRETE SHALL BE TREATED OR SEPARATED BY A MOISTURE RESISTANT GASKET MATERIAL.

LUMBER, FRAMING AND BEAMS
BUILDING FRAMES TO BE ANCHORED TO FOUNDATION BY FASTENING SILL PLATE TO FOUNDATION WITH NOT LESS THAN 12.7mm DIAM ANCHOR BOLTS AT NOT MORE THAN 2.4M O.C.
ALL ENGINEERED BEAMS TO BE SIZED BY SUPPLIER.
ALL SPANS SHALL CONFORM TO THE TABLES SET OUT IN "THE SPAN BOOK" AND THE NATIONAL BUILDING CODE OF CANADA AND VERIFICATIONS OF ALL SPANS IS THE RESPONSIBILITY OF THE OWNER/BUILDER.

TRUSSES
TRUSSES AND LAYOUT ARE TO BE ENGINEERED AND INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS, INCLUDING ALL BRACING.
ROOFING
ALL ROOFING SHALL BE APPLIED TO MANUFACTURER'S SPECIFICATION AND SHALL INCLUDE EAVE PROTECTION FROM ICE DAMS AND SNOW BUILD UP.
PLUMBING & ELECTRICAL
ANY ELECTRICAL SHOWN ON PLANS IS TO SERVE AS A GUIDE ONLY AND MUST BE INSTALLED BY A QUALIFIED PERSONNEL.

FLASHING
ALL EXPOSED OPENINGS SHALL BE PROVIDED WITH ADEQUATE FLASHING. ALL ROOFING SHALL INCORPORATE STEP FLASHING.
ALL PENETRATIONS THROUGH ROOF SHALL INCLUDE APPROPRIATE FLASHING.
DOORS - ROUGH OPENING SIZES
FRAME OPENING 1 1/4" WIDER THAN DOOR
FRAME HEIGHT 83" FOR EXTERIOR DOORS AND 82.5" FOR INTERIOR DOORS. FRAME OPENING 1 1/4" WIDER THAN BIFOLD DOORS AND FRAME HEIGHT 81.5".
MISC.
CARBON MONOXIDE ALARMS TO BE HARDWIRED AND WITHIN 5M OF EACH BEDROOM IN EVERY SUITE AND INTERCONNECTED TO ALL FLOORS. CARBON MONOXIDE ALARMS TO CONFORM TO CSA 6.19

NEITHER JAVADESIGNS INC. NOR THE DESIGNER ACCEPT RESPONSIBILITY FOR THE FOLLOWING:
-INFORMATION PROVIDED ON EXISTING BUILDINGS OR SITE.
-CONFORMITY OF PLANS TO SITE.
-ERRORS AND OMISSIONS
-ANY HOUSE BUILT FROM THESE PLANS



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SHEET
NUMBER

A4

CUSTOMER:
PAM HARTLING

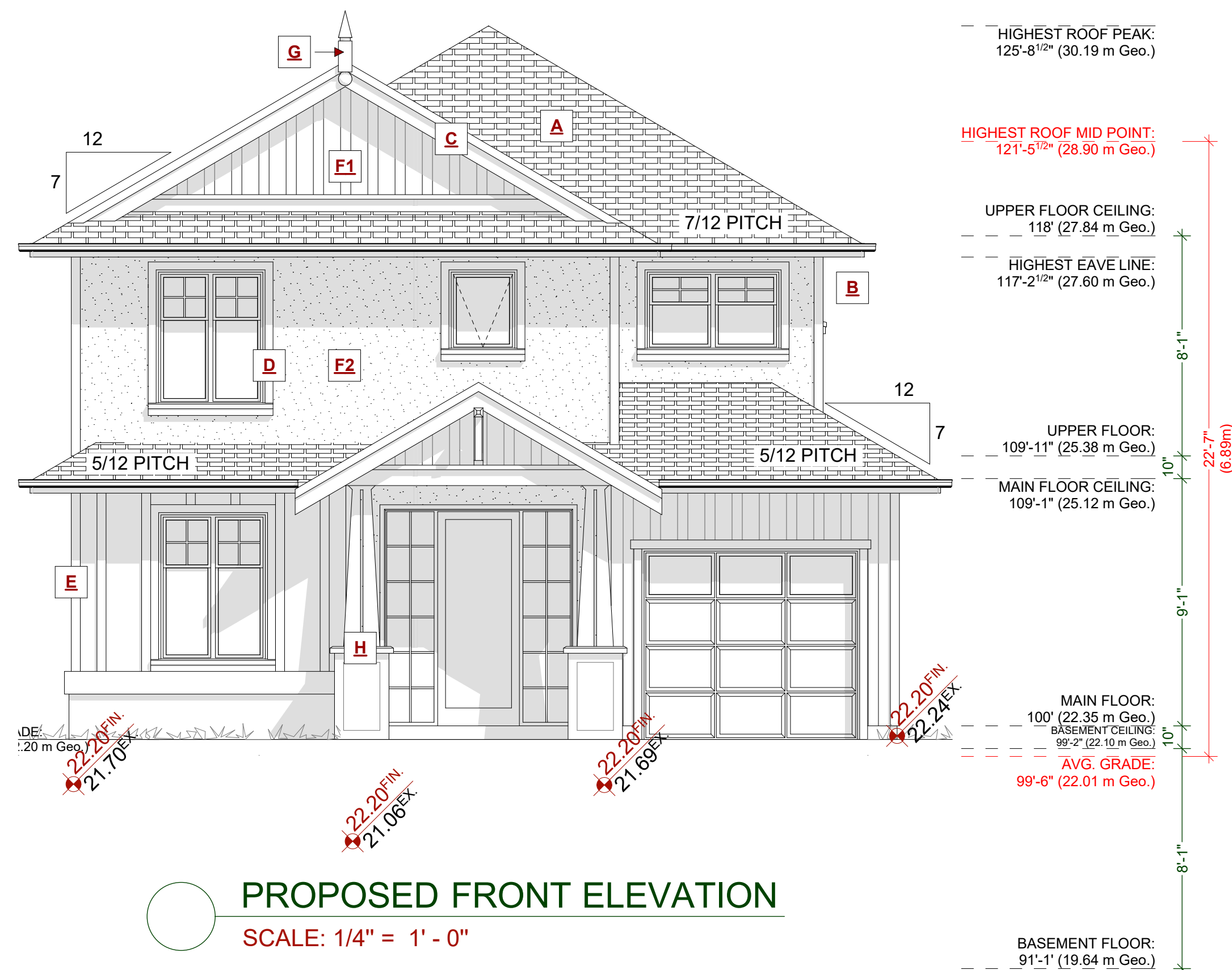
DRAWING NAME:
**PROPOSED LOT 3: BASEMENT,
MAIN FLOOR & UPPER FLOOR PLANS**

ISSUE DATE:
MAR. 06. 2019

ADDRESS:
2832 & 2838 SHAKESPEARE STREET, VICTORIA

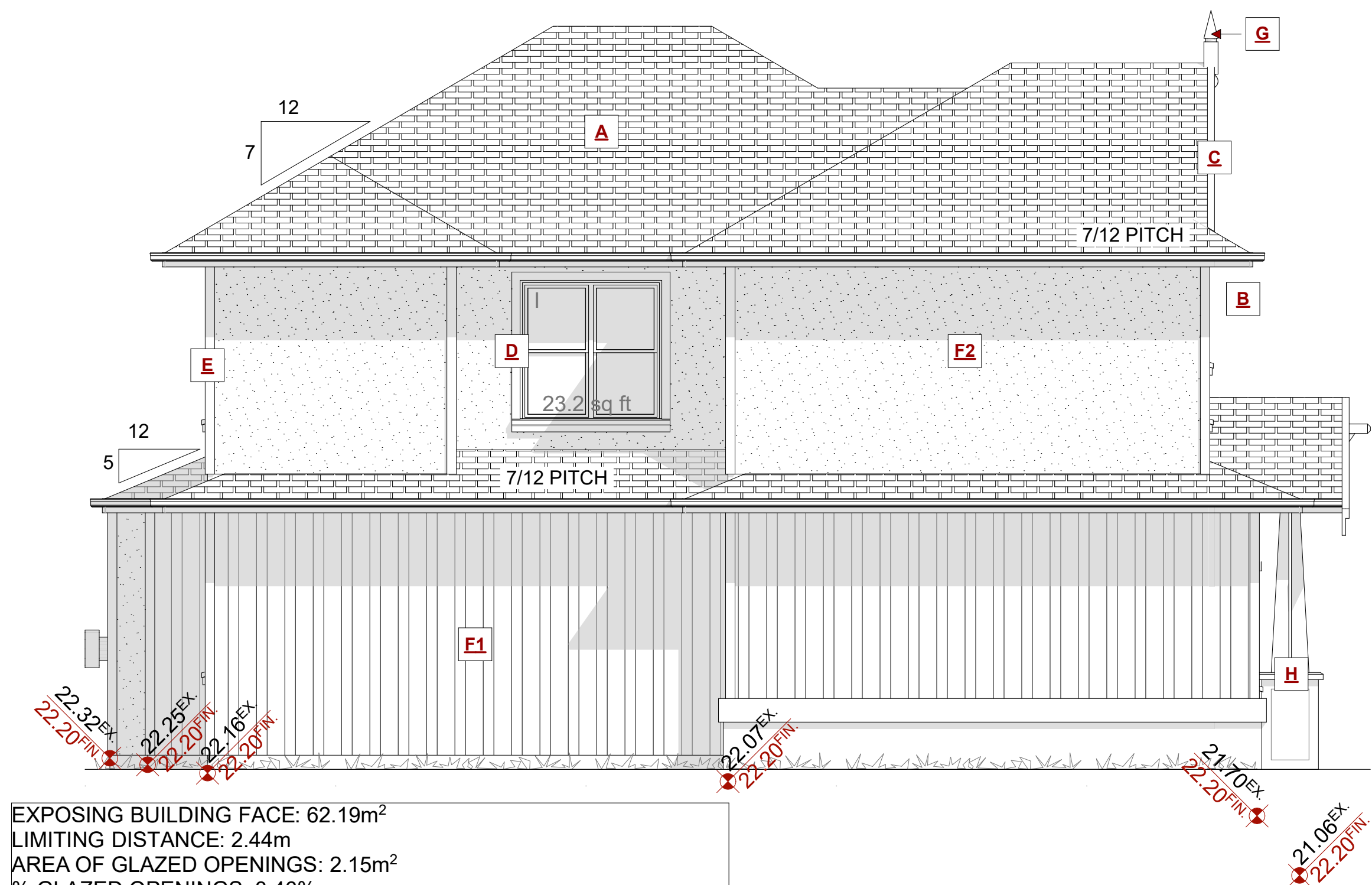
DRAWING SCALE:
1/4"=1'-0"

DRAWN BY:
KYLE LEGGETT



PROPOSED FRONT ELEVATION

SCALE: 1/4" = 1' - 0"

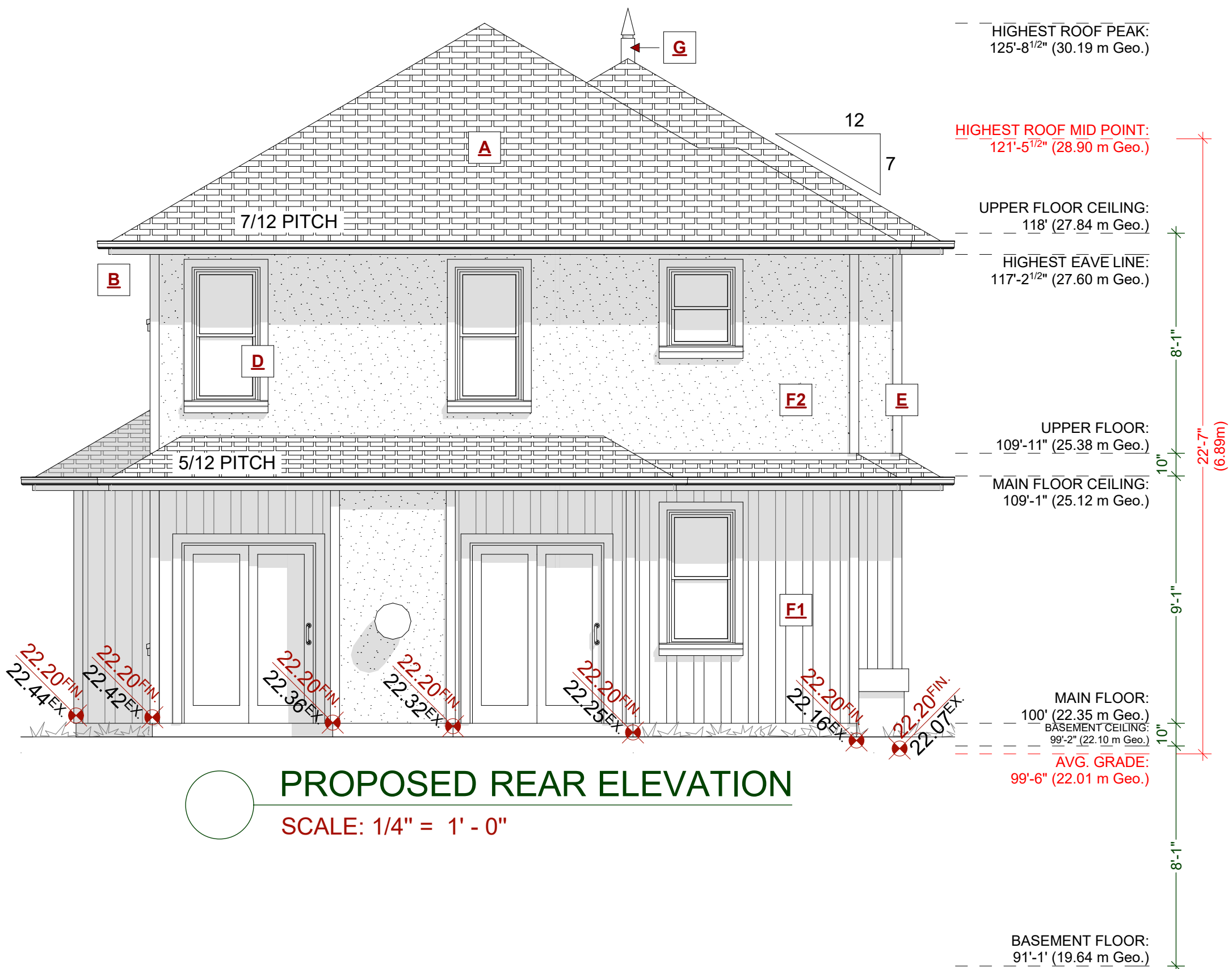


PROPOSED LEFT ELEVATION

SCALE: 1/4" = 1' - 0"

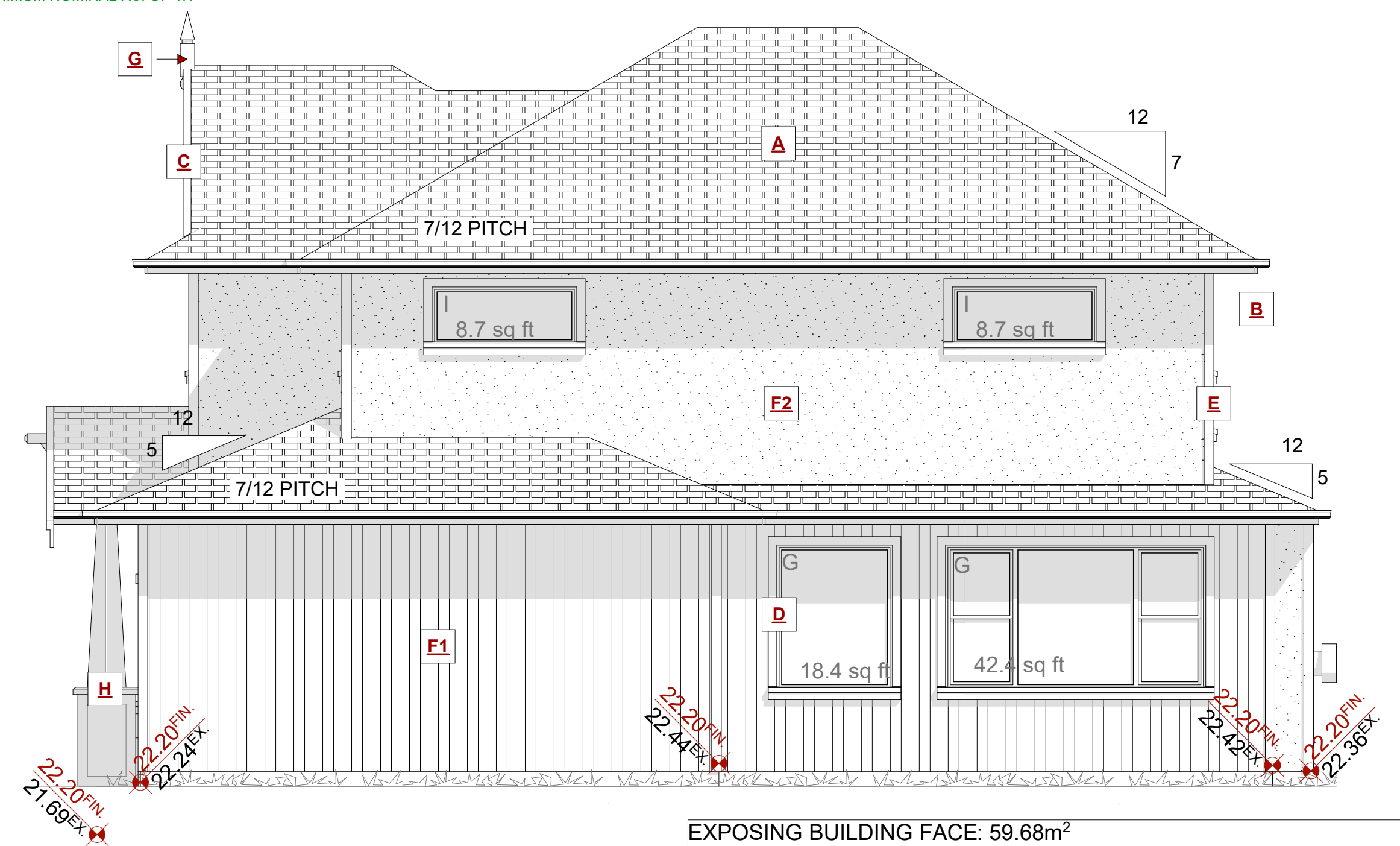
EXTERIOR FINISHES SCHEDULE					
A	ROOFING:	ASPHALT ROOFING WITH RAISED RIDGE & HIP CAPS	F1	WALL FINISH:	HARDIE-BOARD AND BATTEN 1x3 @ 12" O.C. RAINSCREEN AS PER BCBC
B	GUTTER & SOFFIT:	ALUMINIUM GUTTER AND NON-VENTED SOFFIT	F2	WALL FINISH:	STUCCO - SEE OWNER FOR TEXTURE FINISH - RAIN SCREENS PER BCBC
C	BARGE BOARD:	2x10 WITH 1x4 DOUBLE BARGE BOARD, PAINTED TRIM COLOUR	G	DETAIL:	DECORATIVE FINIAL
D	WINDOW & DOOR TRIM:	1x4 TRIM BOARDS - PAINTED/ STAINED	H	POSTS:	ARTS & CRAFTS COLUMNS MADE OF 5/8" PLYWOOD WITH 2 LAYERS PAPER AND STUCCO WIRE WITH STONE. CONCRETE DRIP CAP OVER INTERNAL 6x6 POST
E	CORNER TRIM:	1x4 CORNER BOARDS - PAINTED/ STAINED			

"*ALL WINDOWS MUST COMPLY WITH BCBC AND NAFS REQUIREMENTS*" MUST BE CLEARLY LABELED ON ALL WINDOW UNITS UPON INSTALLATION FOR INSPECTION.
-ONE EXTERIOR DOOR IS PERMITTED TO HAVE A HIGHER U-VALUE OF 2.6. ALL OTHERS MUST BE LOWER.
-GARAGE VEHICULAR DOORS MUST BE MINIMUM NOMINAL RSI OF 1.1



PROPOSED REAR ELEVATION

SCALE: 1/4" = 1' - 0"



PROPOSED RIGHT ELEVATION

SCALE: 1/4" = 1' - 0"

EXPOSING BUILDING FACE: 59.68m²
LIMITING DISTANCE: 2.48m
AREA OF GLAZED OPENINGS: 7.26m²
% GLAZED OPENINGS: 12.16%
45 min FIRE-RESISTANCE RATING: not required
TYPE OF CLADDING: no limits
PERMITTED % OF GLAZED OPENINGS (as per Table 9.10.15.4): 13.70%
PERMITTED AGGREGATE AREA OF GLAZED OPENINGS: 8.18m²

NAFS REQUIREMENTS:
Performance Grade of 30
Water Test Pressure of 260 Pa

CUSTOMER: **PAM HARTLING**
ADDRESS: **2832 & 2838 SHAKESPEARE STREET, VICTORIA**

DRAWING NAME: **PROPOSED LOT 3: ELEVATIONS**
DRAWING SCALE: **1/4"=1'-0"**

ISSUE DATE: **MAR. 06. 2019**
DRAWN BY: **KYLE LEGGETT**

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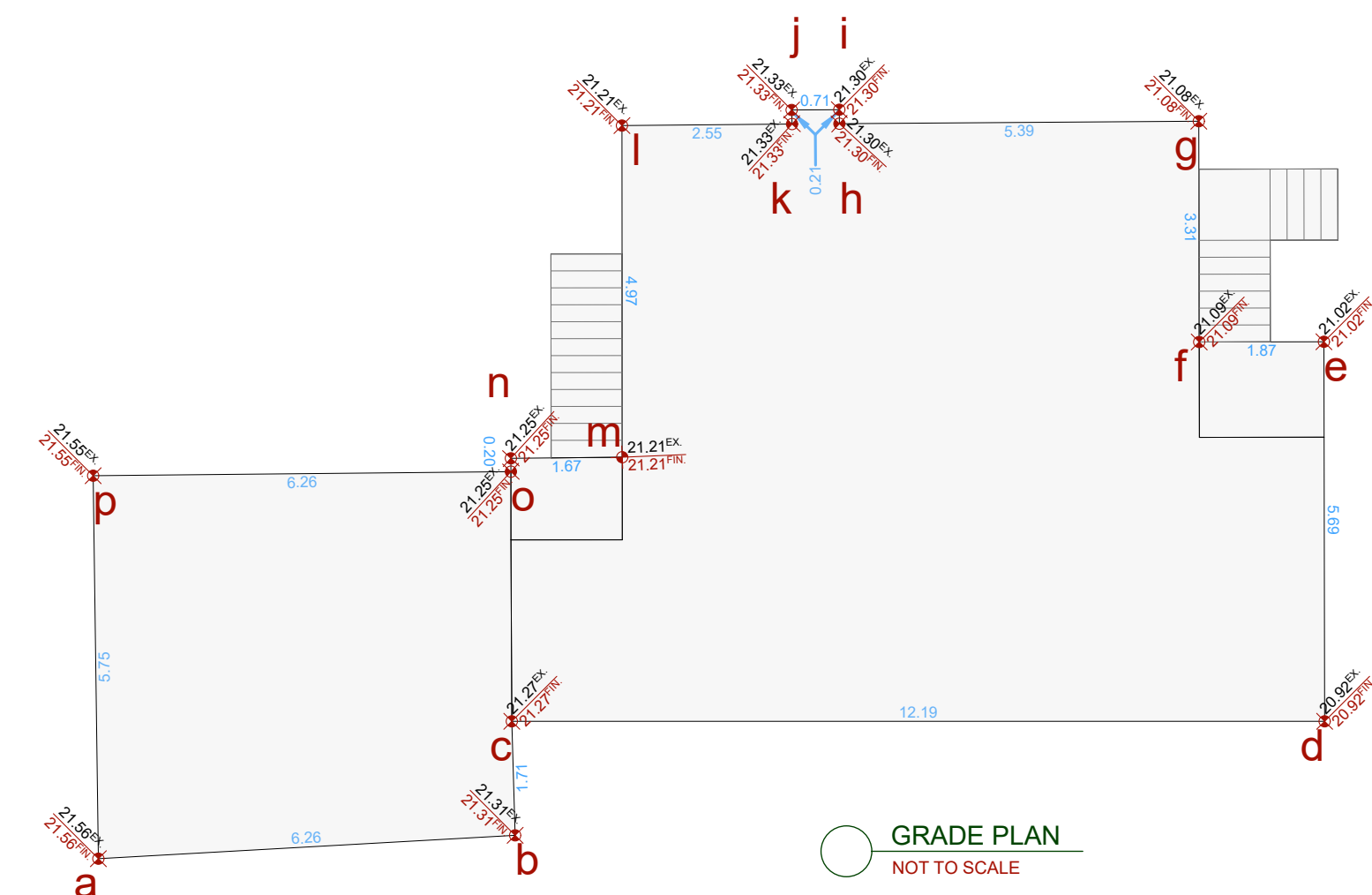
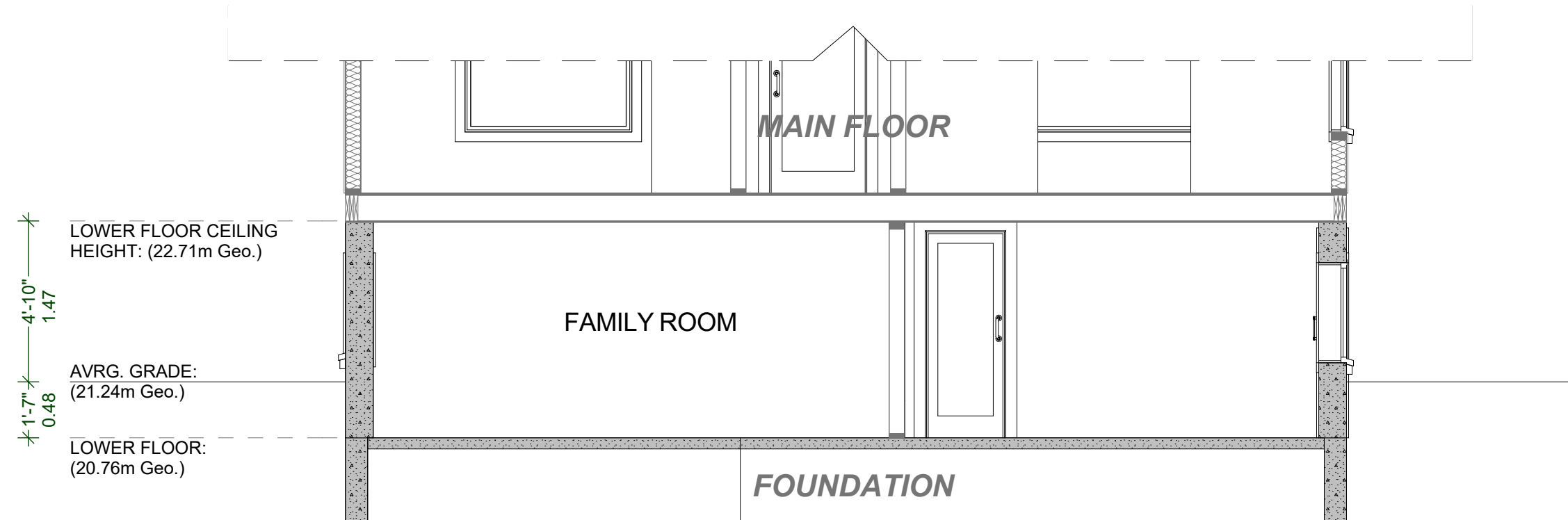
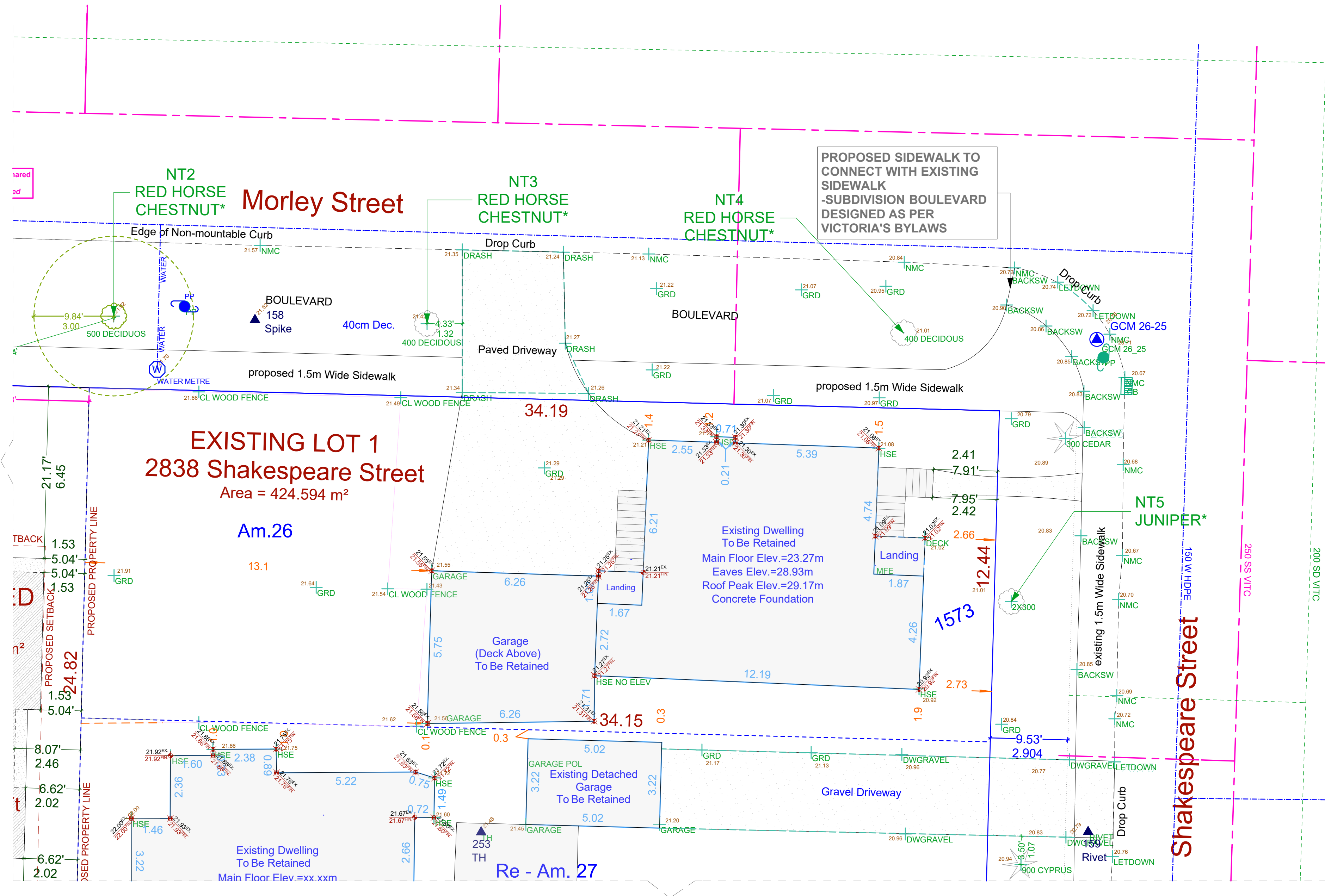
SHEET
NUMBER

A5


PROJECT INFORMATION TABLE - EXISTING SINGLE FAMILY DWELLING			
Address	Lot 1 2838 Shakespeare Street, Victoria		
Lot Size	424.594 m ² (4,570.29 R ²)		
Zoning	R1-S2		
Height	Proposed		
Average grade	21.24 m Geo.		
Highest sloped roof height	7.81 m (25.62') (2.5 storeys)	7.50 m (24.61') (2 storeys)	
Total Floor Area	144.46 m ² (1,554.95 R ²)	190.00 m ² (2,045.14 R ²)	
Floor Space Ratio	0.34 144.46 m ² (1,554.95 R ²)	0.6 254.76 m ² (2,742.21 R ²)	
Site coverage	30.65 % 129.93 m ² (1,398.55 R ²)	40.00 % 169.84 m ² (1,828.14 R ²)	
Lot coverage (total)	60.63 % 258.28 m ² (2,780.10 R ²)		
Open space			
Parking Stalls (number) on Site	2		
Setbacks			
Front yard setback	1.20m (3.94') Morley Street	6.00 m (19.685')	
Maximum projections into front setback: * steps less than 1.7m in height	N/A	2.50 m (8.20 ft)	
Rear yard setback	0.10m (0.33') South	6.00 m (19.685')	
Interior side yard setback (East)	n/a	1.50 m (4.92')	
Interior side yard setback (West)	13.10m (42.98')	1.50 m (4.92')	
Side Flanking Street	2.41m (7.91')	2.40 m (7.87')	
Combined Side Yards	15.83m (51.94')	N/A	

Existing Non-Conforming*

SITE PLAN
SCALE: 1:100



Grade Points	Avg. Of Points	Distance Between	Totals
a/b	21.50 + 21.31 / 2 = 21.44	6.26	134.21
b/c	21.31 + 21.27 / 2 = 21.29	1.71	36.41
c/d	21.27 + 20.92 / 2 = 21.10	12.19	257.21
d/e	20.92 + 21.02 / 2 = 20.97	5.69	119.32
e/f	21.02 + 21.09 / 2 = 21.06	1.67	36.38
f/g	21.09 + 21.08 / 2 = 21.09	3.31	69.81
g/h	21.08 + 21.30 / 2 = 21.19	6.39	134.21
h/i	21.30 + 21.30 / 2 = 21.30	0.21	4.47
i/j	21.30 + 21.33 / 2 = 21.32	0.71	15.14
j/k	21.33 + 21.33 / 2 = 21.33	0.21	4.48
k/l	21.33 + 21.21 / 2 = 21.27	2.55	54.24
l/m	21.21 + 21.21 / 2 = 21.21	4.97	105.41
m/n	21.21 + 21.25 / 2 = 21.23	1.67	35.45
n/o	21.25 + 21.25 / 2 = 21.25	0.20	4.25
o/p	21.25 + 21.55 / 2 = 21.40	6.26	133.96
p/a	21.55 + 21.56 / 2 = 21.56	5.75	123.97
Total:			1,251.92
Perimeter:			58.95
AVG. GRADE =			21.24
ALLOWED HEIGHT (7.50m)			28.74m
(21.24 + 7.50m)			



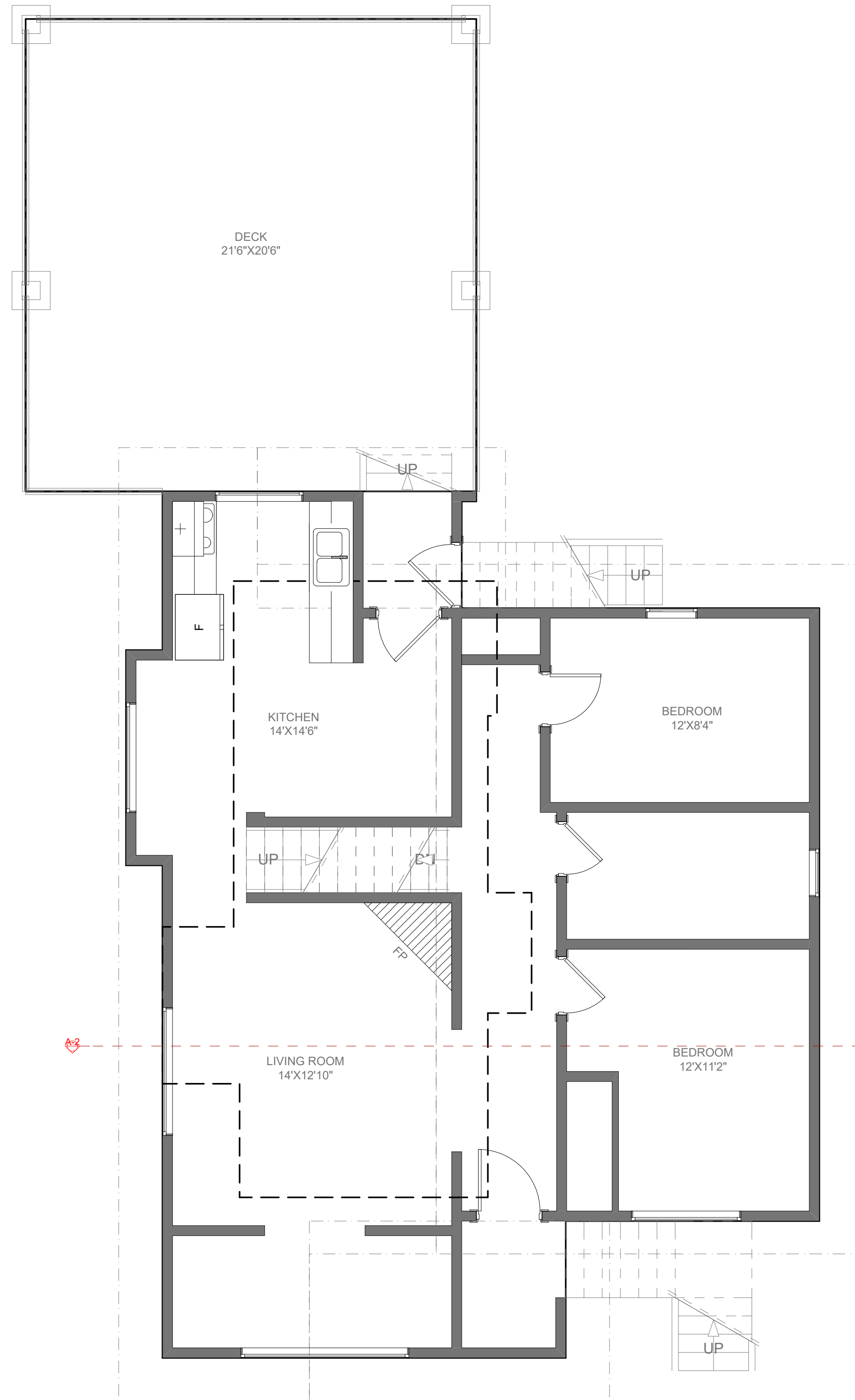
JAVA DESIGNS
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CUSTOMER: **PAM HARTLING**
DRAWING NAME: **EXISTING LOT 1 2838 SHAKESPEARE ST.: SITE PLAN & GRADE PLAN**
ISSUE DATE: **MAR. 06. 2019**
DRAWN BY: **KYLE LEGGETT**

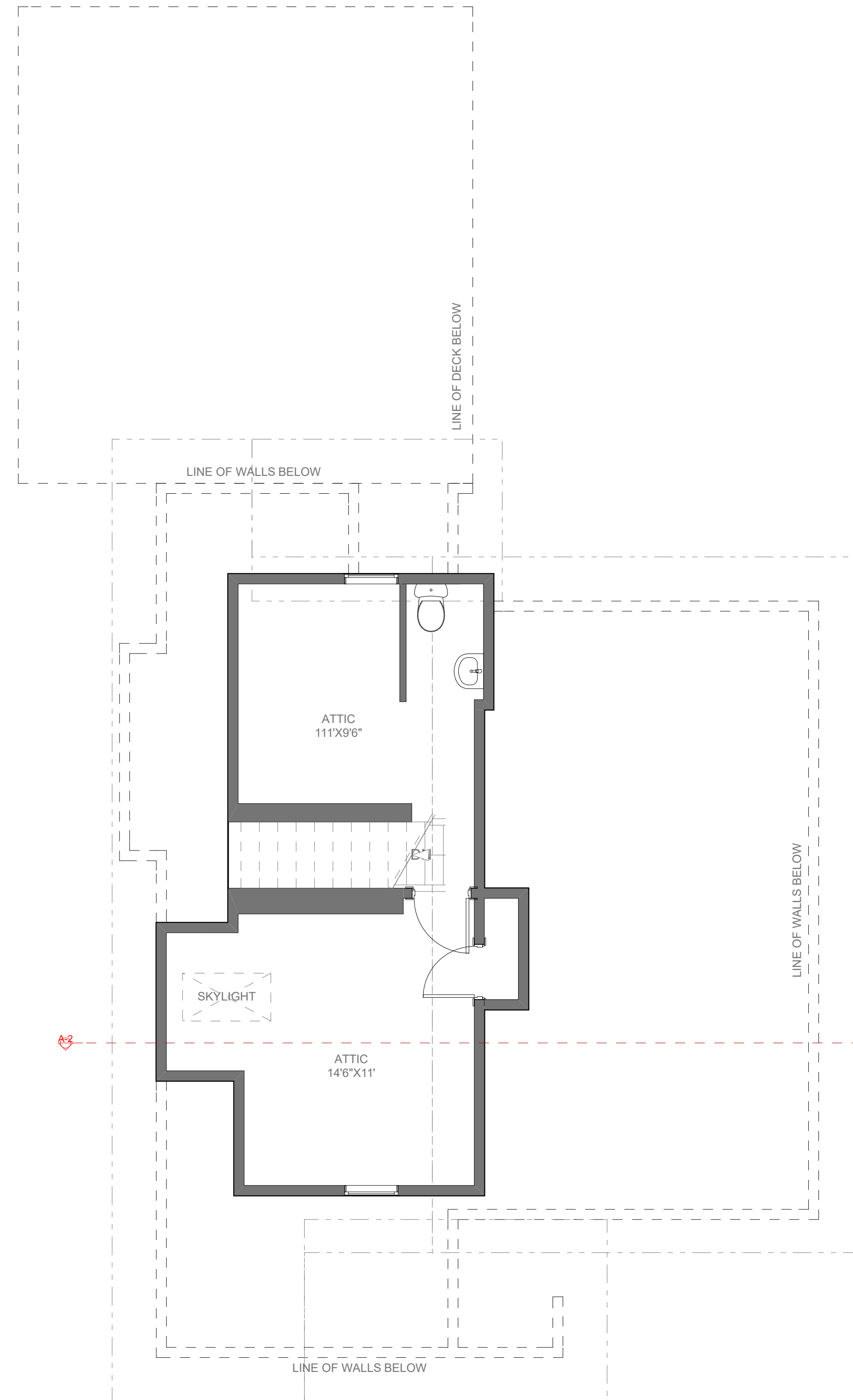
ADDRESS: **2832 & 2838 SHAKESPEARE STREET, VICTORIA**
DRAWING SCALE: **1/4"=1'-0"**

SHEET NUMBER

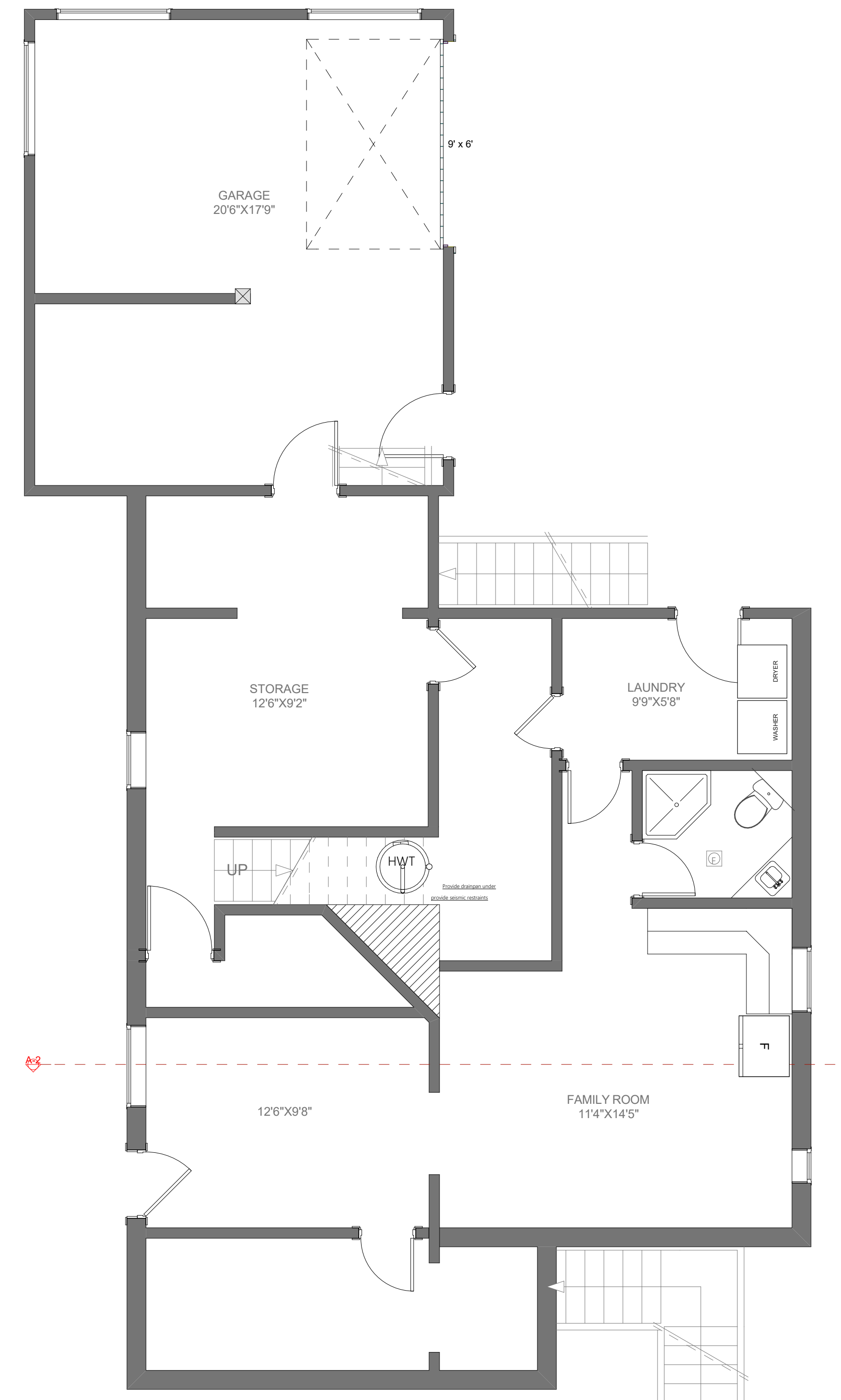
A6



EXISTING MAIN FLOOR PLAN (8'-8" WALLS)
 SCALE: 1/4" = 1' - 0"
 EXISTING TOTAL MAIN FLOOR AREA: 991 Sq Ft
 2838 SHAKESPEARE ST, VICTORIA BC



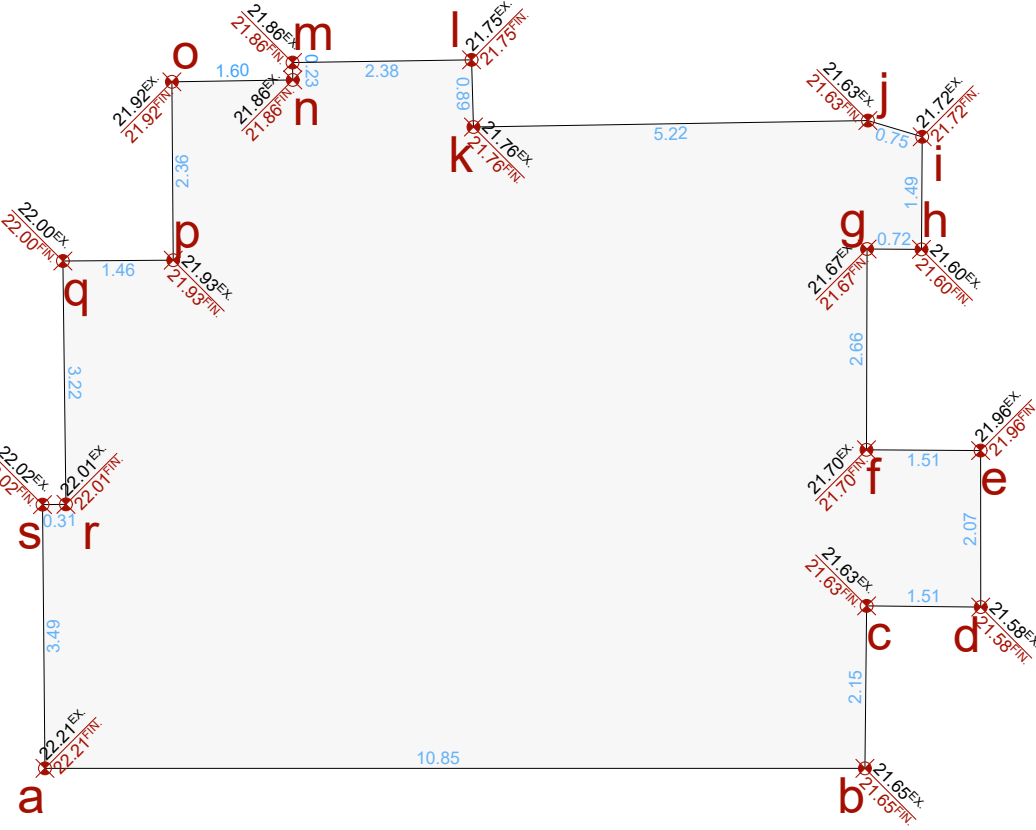
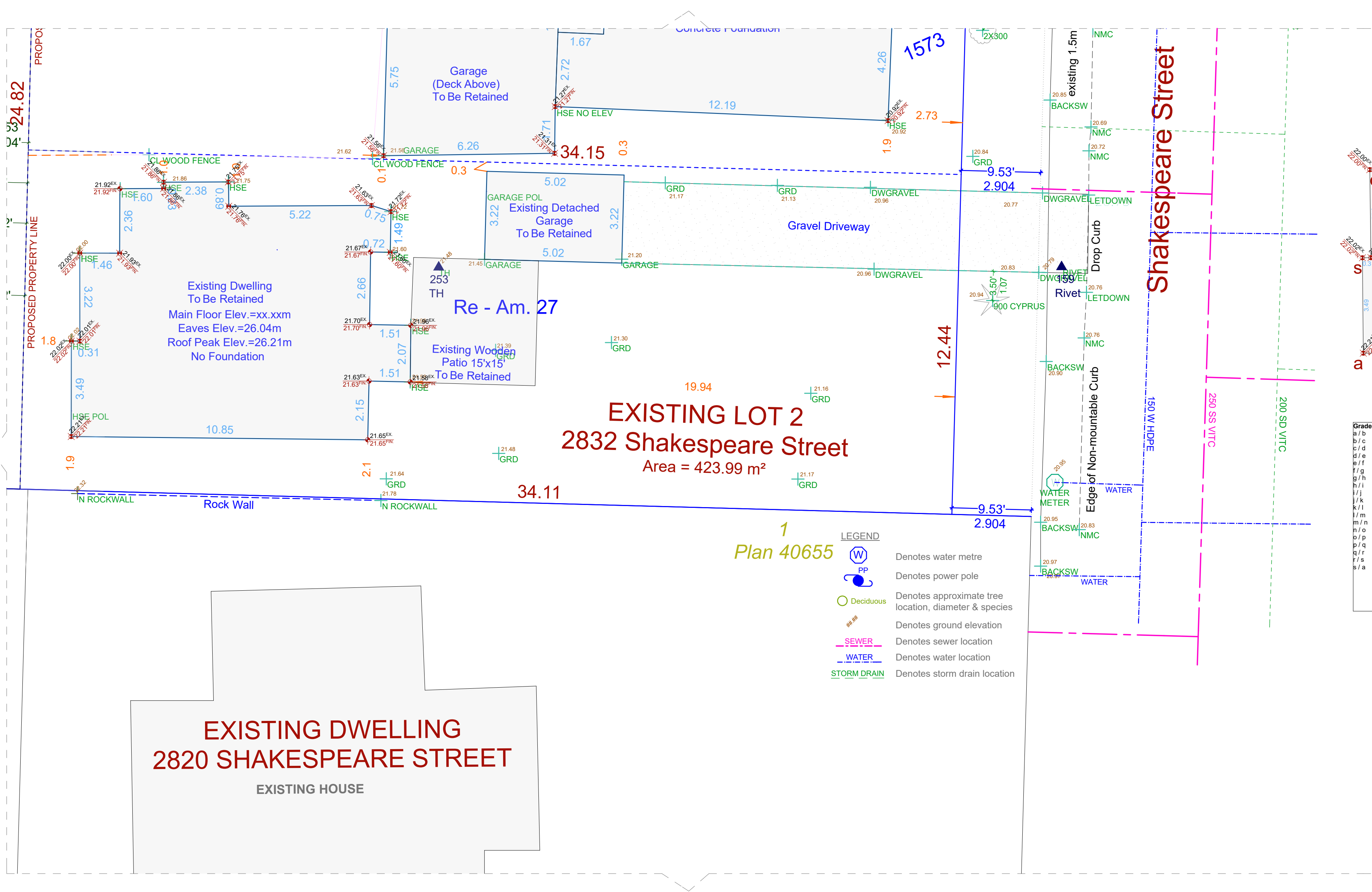
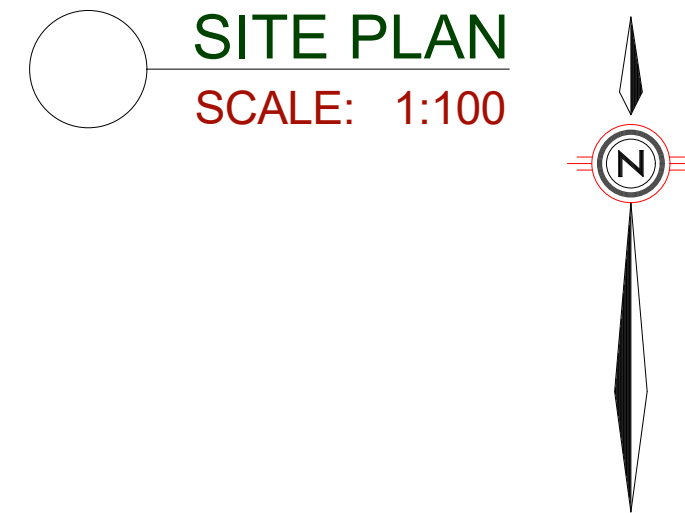
EXISTING ATTIC FLOOR PLAN (6'-8" WALLS)
 SCALE: 1/4" = 1' - 0"
 EXISTING FLOOR AREA: 362 Sq Ft
 2838 SHAKESPEARE ST, VICTORIA BC



EXISTING LOWER FLOOR PLAN (6'-6" WALLS)
 SCALE: 1/4" = 1' - 0"
 EXISTING LOWER FLOOR AREA: 1,025 Sq Ft
 EXISTING GARAGE AREA: 402 Sq Ft
 2838 SHAKESPEARE ST, VICTORIA BC

PROJECT INFORMATION TABLE - EXISTING SINGLE FAMILY DWELLING			
Address	Lot 2 2832 Shakespeare Street, Victoria		
Lot Size	423.99 m ² (4,563.79 ft ²)		
Zoning	R1-S2		
Height	Proposed		
Average grade	21.85 m Geo.		
Highest sloped roof height	4.28 m (14.04') /1 storey/	7.50 m (24.61') /2 storeys/	
Total Floor Area	91.14 m ² (981 ft ²)	190.00 m ² (2045.14 ft ²)	
Floor Space Ratio	0.21 91.14 m ² (981 ft ²)	0.6 183.99 m ² (1,980.48 ft ²)	
Site coverage	0.6		
Lot coverage (total)	26.46 % 112.19 m ² (1,207.60 ft ²)	40.00 % 122.66 m ² (1,320.32 ft ²)	
Open space	64.86 % 275.42 m ² (2,964.60 ft ²)		
Parking Stalls (number) on Site	2		
Setbacks			
Front yard setback	19.94m (65.42')	6.00 m (19.685')	
Rear yard setback	1.80m (5.91)*	6.00 m (19.685')	
Interior side yard setback (North)	1.00m (3.28')	1.50 m (4.92')	
Interior side yard setback (South)	1.90m (6.23')	1.50 m (4.92')	
EXISTING ACCESSORY BUILDING - TO BE RETAINED			
Building Use	Detached Garage		
Location	Front Yard*	Rear Yard	
Combined Floor Area	12.30m	37.00m	
Height	3.31m	4.00m	
Front Setback	15.25m	18.00m	
Rear Setback	16.80m	0.60m	
Side Setback	0.30m* North	0.60m	
Seperation Space from Main Building	3.40m	2.40m	
Rear Yard Site Coverage	n/a	30.00m	

VARIANCE REQUIRED*



Grade Points	Avg. Of Points	Distance Between	Totals
a/b	22.21 + 21.65 /2 = 21.93	10.85	237.94
b/c	21.65 + 21.63 /2 = 21.64	2.15	46.53
c/d	21.63 + 21.58 /2 = 21.61	1.51	32.63
d/e	21.58 + 21.96 /2 = 21.77	2.07	45.06
e/f	21.96 + 21.70 /2 = 21.83	1.51	32.98
f/g	21.70 + 21.67 /2 = 21.69	2.66	57.70
g/h	21.67 + 21.60 /2 = 21.64	0.72	15.58
h/i	21.60 + 21.72 /2 = 21.66	1.49	32.27
i/j	21.72 + 21.63 /2 = 21.68	0.75	16.26
j/k	21.63 + 21.76 /2 = 21.70	5.22	113.27
k/l	21.76 + 21.75 /2 = 21.76	0.89	19.37
l/m	21.75 + 21.86 /2 = 21.81	2.38	51.91
m/n	21.86 + 21.86 /2 = 21.86	0.23	5.03
n/o	21.86 + 21.92 /2 = 21.89	1.60	36.02
o/p	21.92 + 21.93 /2 = 21.93	2.38	51.75
p/q	21.93 + 22.00 /2 = 21.97	1.46	32.08
q/r	22.00 + 22.01 /2 = 22.01	3.22	70.87
r/s	22.01 + 22.02 /2 = 22.02	0.31	6.83
s/a	22.02 + 22.21 /2 = 22.12	3.49	77.20
Total:			980.26
Perimeter:			44.87
AVG. GRADE =			21.85
ALLOWED HEIGHT (7.50m) (21.85 + 7.50m)			29.35m

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CUSTOMER:
PAM HARTLING

DRAWING NAME:
EXISTING LOT 2 2832 SHAKESPEARE ST.: SITE PLAN & GRADE PLAN

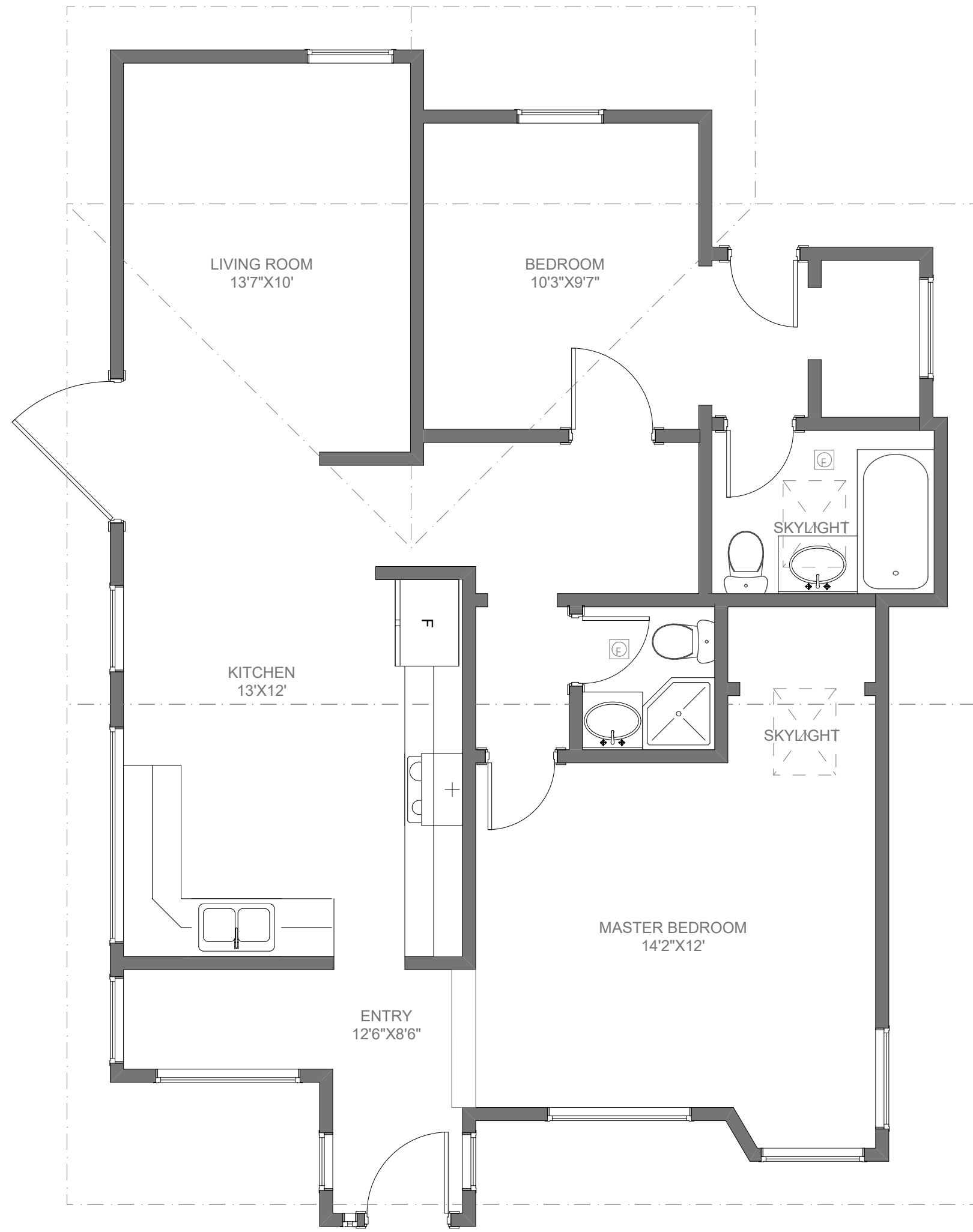
ISSUE DATE:
MAR. 06. 2019

DRAWING SCALE:
SEE DRAWINGS

DRAWN BY:
KYLE LEGGETT

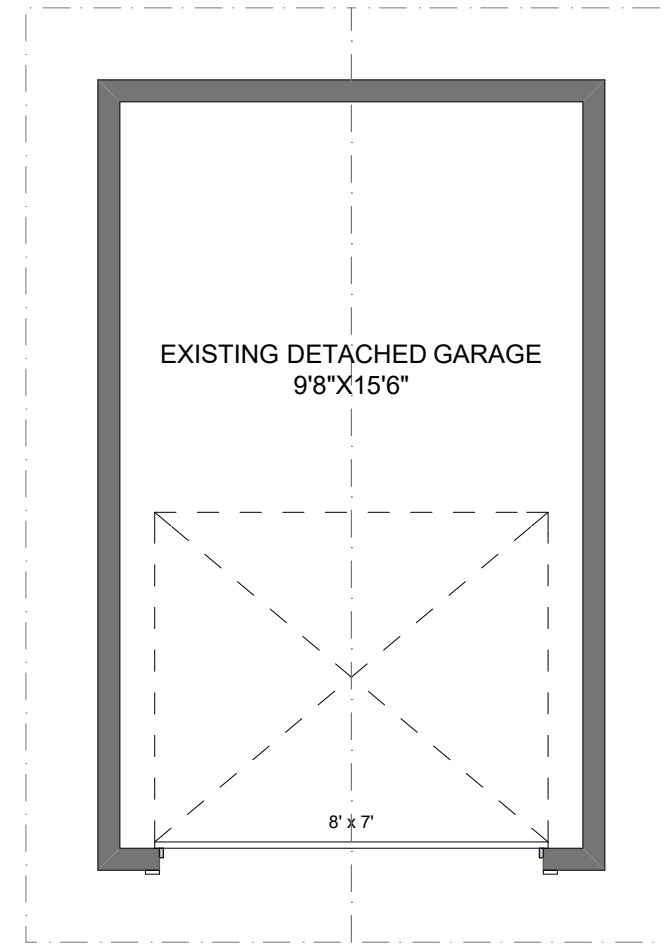
SHEET NUMBER
A8

ADDRESS:
2832 & 2838 SHAKESPEARE STREET, VICTORIA



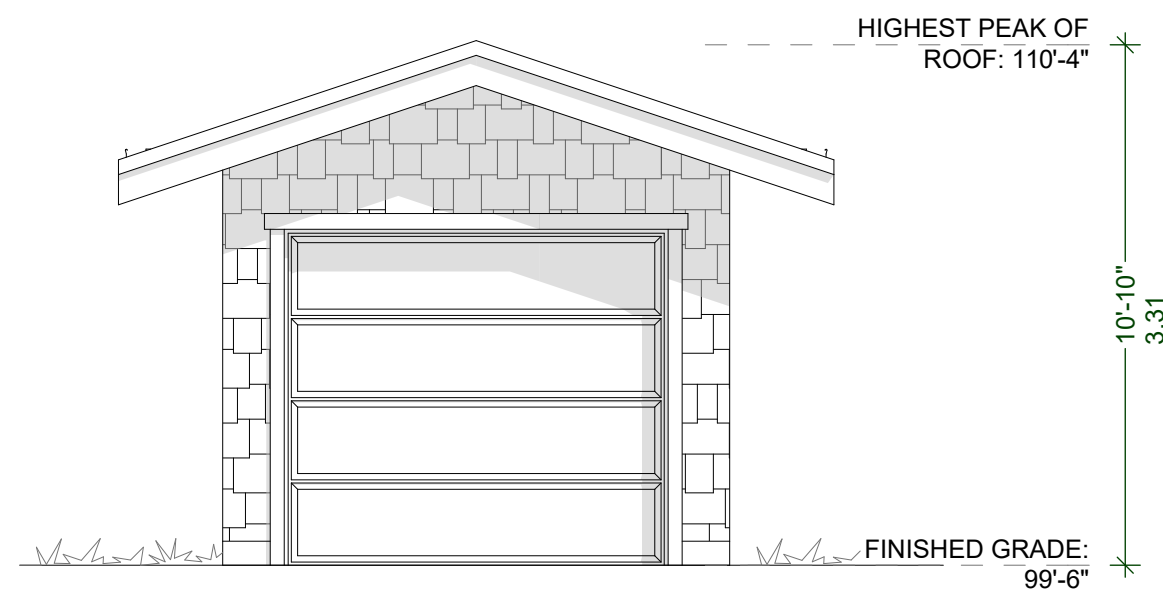
EXISTING MAIN FLOOR PLAN (8'-8" WALLS)

SCALE: 1/4" = 1' - 0"
EXISTING MAIN FLOOR AREA: 981 Sq Ft
2832 SHAKESPEARE ST, VICTORIA BC



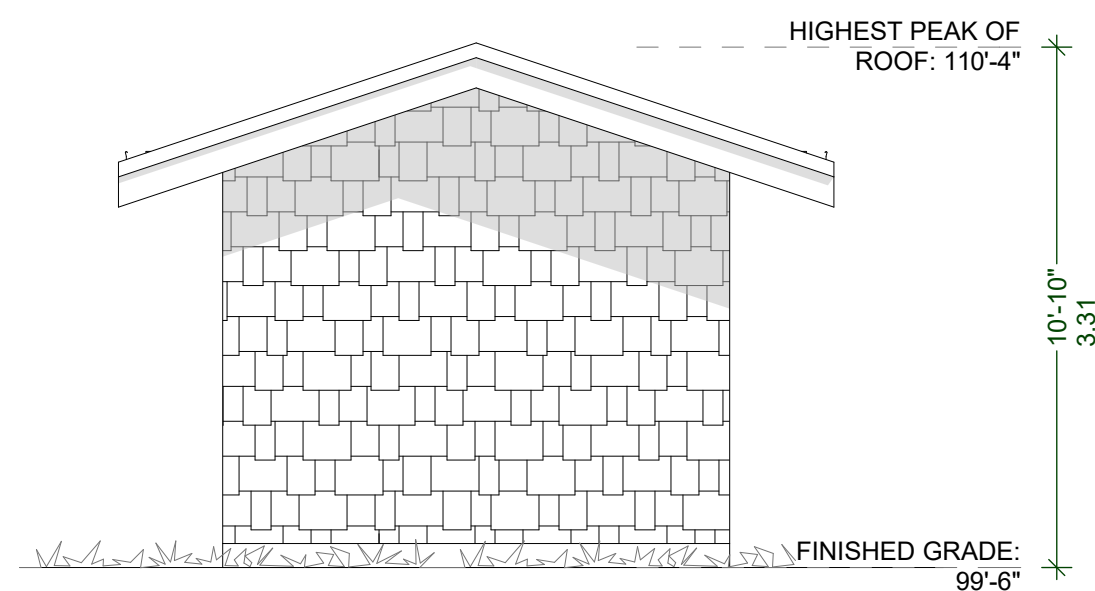
EXISTING DETACHED GARAGE PLAN (8'-0 3/4" WALLS)

SCALE: 1/4" = 1' - 0"
TOTAL AREA: 174 Sq Ft
2832 SHAKESPEARE ST, VICTORIA BC



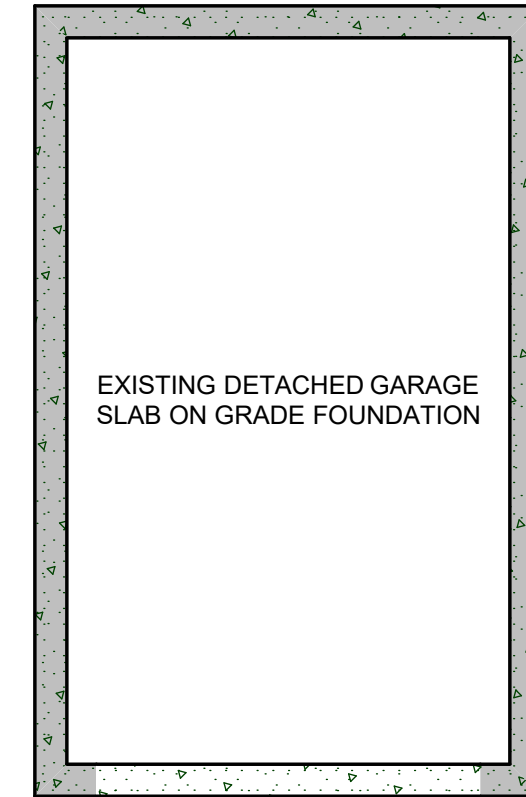
EXISTING DETACHED GARAGE FRONT ELEVATION

SCALE: 1/4" = 1' - 0"
2832 SHAKESPEARE ST, VICTORIA BC



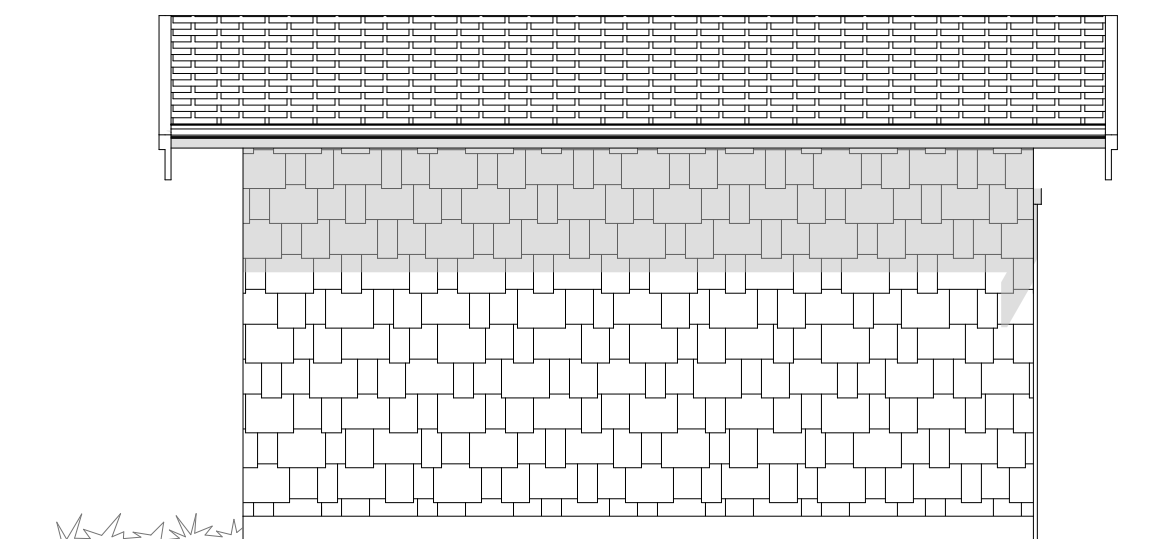
EXISTING DETACHED GARAGE REAR ELEVATION

SCALE: 1/4" = 1' - 0"
2832 SHAKESPEARE ST, VICTORIA BC



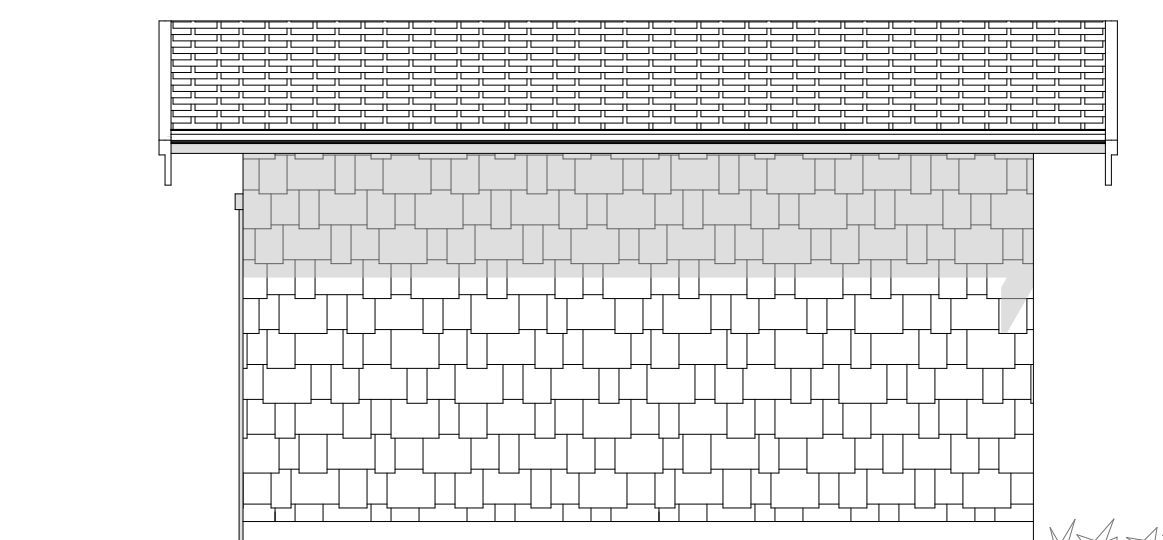
EXISTING DETACHED GARAGE FOUNDATION

SCALE: 1/4" = 1' - 0"
2832 SHAKESPEARE ST, VICTORIA BC



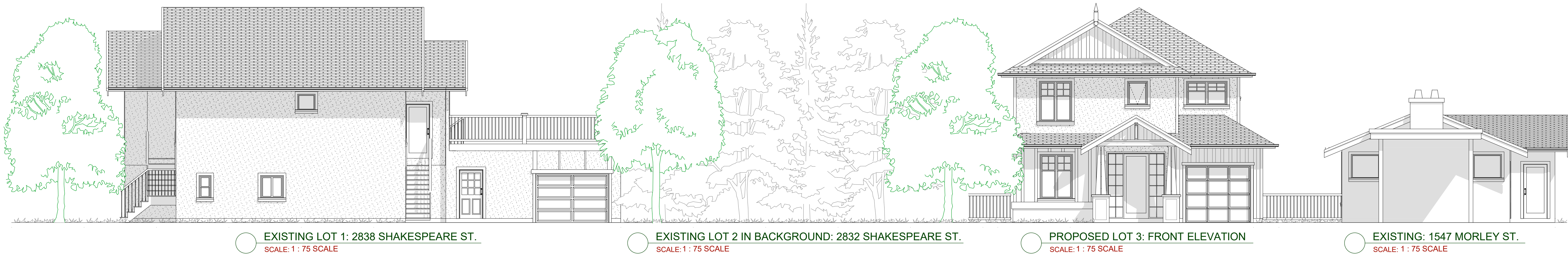
EXISTING DETACHED GARAGE LEFT ELEVATION


SCALE: 1/4" = 1' - 0"
2832 SHAKESPEARE ST, VICTORIA BC



EXISTING DETACHED GARAGE RIGHT ELEVATION

SCALE: 1/4" = 1' - 0"
2832 SHAKESPEARE ST, VICTORIA BC





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SHEET
NUMBER

A10

ISSUE DATE:
MAR. 06. 2019

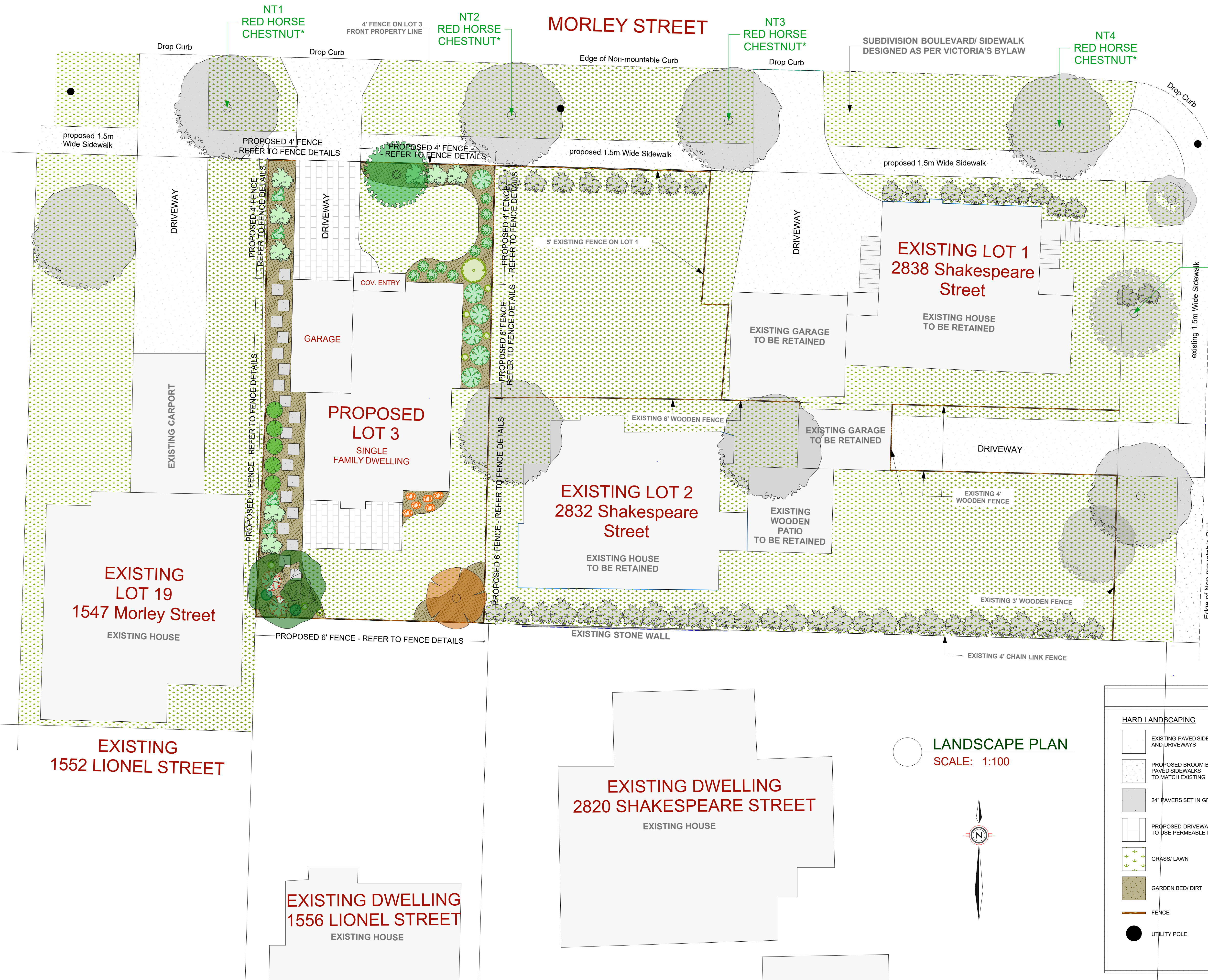
DRAWING NAME:
STREETSCAPE

CUSTOMER:
PAM HARTLING

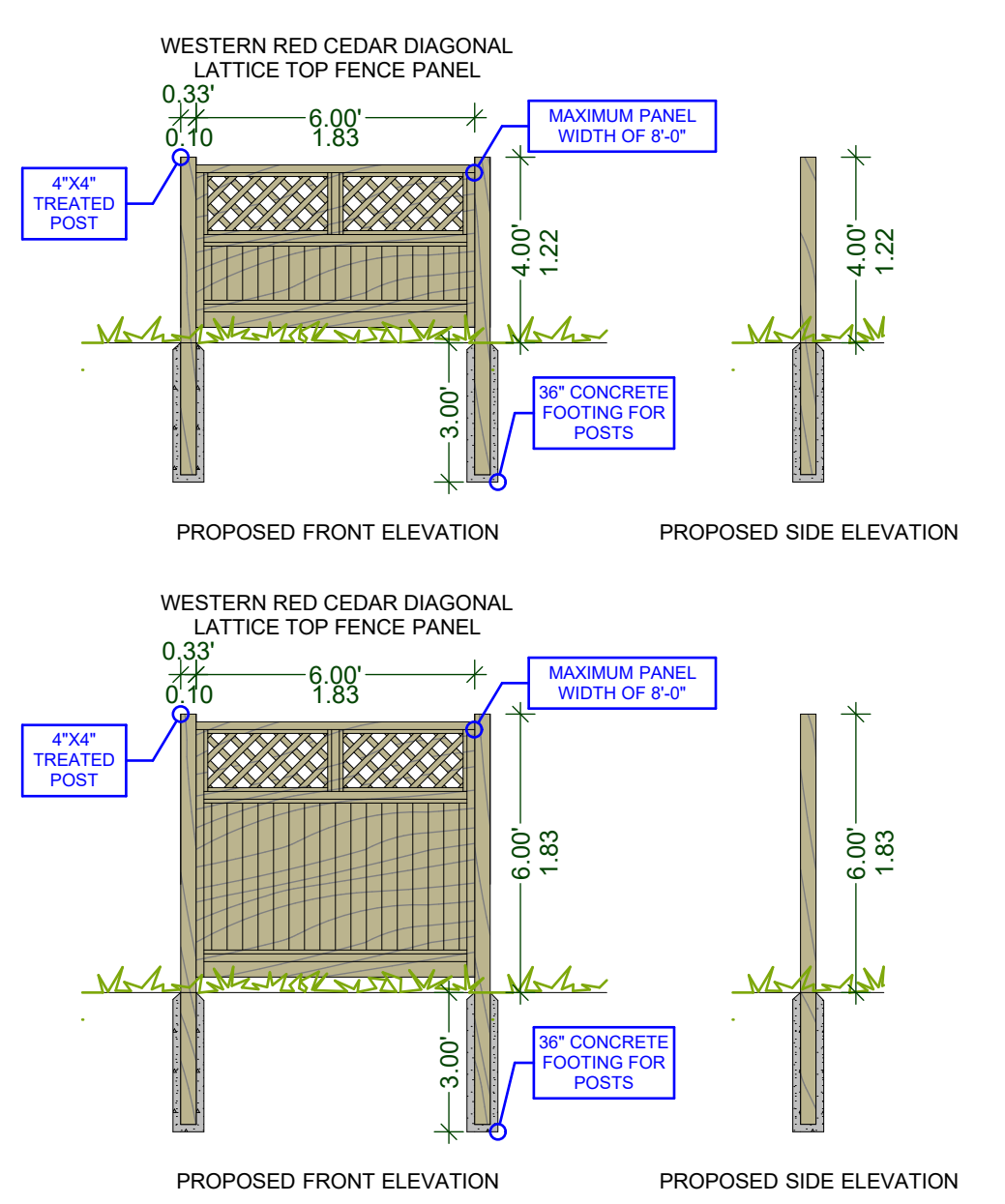
DRAWN BY:
KYLE LEGGETT

ADDRESS:
2832 & 2838 SHAKESPEARE STREET, VICTORIA

DRAWING SCALE:
1/16"=1'-0"



SHAKESPEARE STREET



PROPOSED FENCE DETAILS
SCALE: 1/4" = 1' - 0"
NOTE: PROPOSED FENCE DESIGN
TO MATCH EXISTING FENCING

LANDSCAPE PLAN LEGEND	
HARD LANDSCAPING	PLANTS/ TREES/ SHRUBS
EXISTING PAVED SIDEWALKS AND DRIVEWAYS	EXISTING PLANTS/SHRUBS TO BE RETAINED
PROPOSED BROOM BRUSHED PAVED SIDEWALKS TO MATCH EXISTING	EXISTING TREES TO BE RETAINED
24" PAVERS SET IN GRAVEL	PROPOSED DOGWOOD CORNUS KONSAWN
PROPOSED DRIVEWAY/ PATIO TO USE PERMEABLE PAVERS	PROPOSED PARROTIA PERSICA "VANESSA"
GRASS/ LAWN	PROPOSED GARY OAK
GARDEN BED/ DIRT	PROPOSED DWARF HINOKI CYPRESS
FENCE	PROPOSED SPRING BULBS
UTILITY POLE	PROPOSED SWORD FERN
	PROPOSED EVERGREEN HUCKLEBERRY SPIN MEDIUM RUBRUM
	PROPOSED ARBUTUS UNEDO COMPACTA
	PROPOSED VIBURNUM AND BODNANTENSE "DAWN"
	PROPOSED BLUE OAT GRASS SEDUM "AUTUMN JOY"
	PROPOSED RED FLOWERING CURRENT
	PROPOSED YEW TAXUS X MEDIA "THICKSP"
	PROPOSED TALL OREGON GRAPE
	PROPOSED GROUNDCOVER

* REFER TO TREE PRESERVATION PLAN

CUSTOMER:
PAM HARTLING

DRAWING NAME:
LANDSCAPE PLAN

ISSUE DATE:
MAR. 06. 2019

ADDRESS:
2832 & 2838 SHAKESPEARE STREET, VICTORIA

DRAWING SCALE:
1:100

DRAWN BY:
KYLE LEGGETT

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SHEET
NUMBER

A11



○ 2832 EAST ELEVATION



○ 2832 EAST ELEVATION



○ 2832 NORTH ELEVATION



○ 2832 NORTH ELEVATION



○ 2832 SOUTH ELEVATION



○ 2832 SOUTH ELEVATION



○ 2832 SOUTH ELEVATION



○ 2832 SOUTH ELEVATION



○ 2832 WEST ELEVATION



○ 2832 WEST ELEVATION



○ 2838 EAST ELEVATION



○ 2882 NORTH ELEVATION



○ 2838 SOUTH ELEVATION



○ 2838 SOUTH ELEVATION



○ 2838 SOUTH ELEVATION



○ 2838 WEST ELEVATION

CUSTOMER:
PAM HARTLING

ADDRESS:
2832 & 2838 SHAKESPEARE STREET, VICTORIA

DRAWING NAME:
EXISTING PHOTOS

DRAWING SCALE:
NOT TO SCALE

ISSUE DATE:
MAR. 06. 2019

DRAWN BY:
KYLE LEGGETT

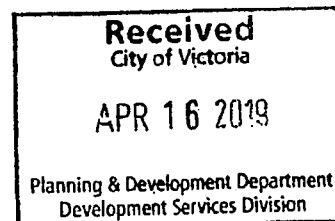
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SHEET
NUMBER
A12

April 16, 2019

Dear Mayor and Council,

RE: Rationale for Rezoning and Small Lot Subdivision Project



The attached is an application to rezone and subdivide the properties at **2832 and 2838 Shakespeare Street**. The proposed new parcel is designed to adhere to the Small Lot House Zone Rezoning Policy and Small Lot Housing Design Guidelines.

Justification for Rezoning

Because of the required 2.9 m road dedication on Shakespeare, the application requires that the two parent parcels rezone to a small lot zone. The existing dwelling at 2838 Shakespeare meets the density for the R1-B zone, its current zoning, but exceeds the density for the R1-S2 zone. Therefore, a site-specific zone is requested for 2838 Shakespeare.

Justifications for Variances

There are no variances requested for the new parcel/dwelling. Four variances are requested for **2832 Shakespeare**:

- A variance for the rear yard setback is requested for 2832 Shakespeare caused by the subdivision of the new small lot.
- A variance is requested for the siting of the existing detached garage at 2832 Shakespeare in the front yard, as opposed to the rear yard. The garage was constructed before Lauren and Brian took possession of the property.
- A variance for the side yard setback of the existing detached garage at 2832 Shakespeare is requested. The garage was constructed before Lauren and Brian took possession of the property.
- A variance is requested for the front yard setback of the existing detached garage at 2832 Shakespeare. The garage was constructed before Lauren and Brian took possession of the property.

There will be an opportunity for these variances to be remedied when the parcel is sold and redeveloped, given the age and condition of structures at 2832 Shakespeare.

Project Benefits

My clients, Brian, Lauren and their neighbour Jude, live at **2832 and 2838 Shakespeare Street** which are two larger-than-average sized lots. This rezoning and small lot subdivision project, which they have joined forces to undertake, will ensure that they both stay within the community they love and call home.

Brian and Lauren have lived on the property for 12 years, which they inherited from Lauren's mother. Their small cottage is almost 100 years old, and at the end of its life cycle. Their plan – if the rezoning and subdivision is approved – is to buy the new small lot and build on it and move there when the new house is completed and sell their

current property. The small lot will help finance the new house and allow them to stay in the neighbourhood.

Jude Marleau has lived in Oaklands for 14 years. Her two children attended/attend Oaklands Elementary. Jude is a recent single mum. Jude's neighbours support this application knowing that it will make it financially viable for Jude to stay long-term in her house.

Joining parcels of land with Brian and Lauren and subdividing gives both families the financial opportunity to continue living in Oaklands for the long term and provides an additional parcel for affordable ground-oriented family housing close to amenities.

In addition to the above personal and social justifications, this project achieves the following project benefits:

Aligns with Current Policy

- Supported by OCP policies for sensitive infill in established neighbourhoods
- Meets the Small Lot Homes Rezoning Policy and Design Guidelines
- Supports efficient use of existing City infrastructure
- Adds family-oriented housing close to schools and other amenities such as parks, shops, and open space

Sensitive to Design, Context, and Neighbourhood Character

- Is sensitive in form, character, and size to homes on the street and in the neighbourhood
- Is a good land use for larger-than-average sized parcels
- Designed with neighbour input on preferred architectural style
- Capitalizes on the corner lot opportunity and access off Morley
- Addresses the street well with a prominent front entrance, attractive plantings, and recessed garage door and adds to streetscape character
- Has window placements that are sensitive to privacy of adjacent homes
- Will provide a new sidewalk on the Morley frontage

Adds to Supply of Ground-Oriented Housing

- Adds to the severe shortage of ground-oriented, single detached housing
- Adds to the diversity of housing stock
- Revitalizes neighbourhood with new, well-designed housing stock
- Is designed sensitively to most impacted neighbour

Meets Environmental and Sustainability Goals

- Retains all existing mature boulevard trees
- Driveway and sewer, water, and stormwater servicing sited outside critical root zones of mature boulevard trees

- Adds to tree canopy and includes indigenous Garry-oak tree
- Design for proposed floating sidewalk will protect critical root zones of mature boulevard horse chestnut trees
- Offers permeable driveway and pathways and opportunities for natural stormwater infiltration
- Provides sustainable solar-ready design and energy efficient construction.

I believe this to be a very attractive and beneficial joint proposal by my clients to sensitively add an urban lot/dwelling within a neighbourhood that is highly walkable and well served by community amenities. The fact that my clients plan to continue to live here provides continuity and comfort to their neighbours that their quality of life will be sincerely respected.

Thank you for your consideration.

Regards,

Pam Hartling MCIP RPP



Mission

Strengthening the Oaklands community by providing programs, services and resources for its residents, businesses and visitors.



Oaklands Community Association Land Use Committee February 26, 2018 Meeting Minutes

Location: Oaklands Neighbourhood House - 2629 Victor Street

Time: 6:30 – 8 p.m.

Contact: landuse@oaklandsca.com

Information Items

1. Development information session: 1588 North Dairy Rd

Proponents presented the proposed designs (its 3rd iteration) and answered questions about the timing and construction of the project. The Proponents noted the Shelbourne Valley Plan (Municipality of Saanich) and that it is in following with the community's preferences for increased density along transportation corridors. Proponents also noted that the 4th Floor of the building is set back from 3rd floor to reduce shading to the north. Current design incorporates consideration of the streetscape. Proponent confirmed it is a 62 unit strata title with rentals allowed.

Development proposals

2. Development Proposal Community Meeting: 2832/2838 Shakespeare St

Proponent presented the proposed designs and answered questions about the timing and construction of the project. The Proponent noted that it is a proposed small lot in fill development using the back half of two existing lots. The proponent is applying for a R1S2 rezoning and noted that the proposed lot is over minimum lot sizes for parcel but requesting rear yard setback variance for existing building. The Developer noted that the proposal meets the City's infill development policy and would be a two-storey home.

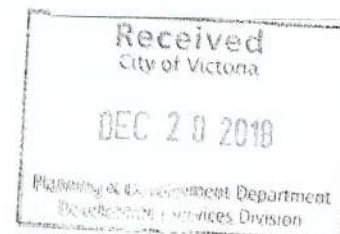
Comments from attendees included support for the requirement for a sidewalk. The developer acknowledged the comment and is willing to work with the City on this suggestion.

3. Development Proposal Community Meeting: 2732 Doncaster Dr

Proponents presented the proposed designs and answered questions about the timing and construction of the project. Under current zoning they are under the coverage and height limits for the property. 11 bachelor units would be constructed in a "walk-up" style (no elevators). Developer noted that the employers nearby at Hillside Mall are supportive due to the tight rental market. The Developer noted that they have undertaken four previous meetings with nearby residents and other community groups; and noted that the participants were generally supportive. It will be a no smoking building; proponent is considering keeping the units furnished; units would be leased and would be managed by the Developer.

Comments from attendees included:

- Direct northerly neighbour raised concern about privacy and shading; the owner is considering moving due to the proximity and is generally opposed to the development;
- Another attendee was not supportive due to density concerns and impacts to the surrounding homes;
- Another was supportive due to the need for rental housing in the city;
- Another was opposed to the development due to concerns about traffic and turning left across traffic and the impacts to the two existing parking spots;
- Another was supportive of rental housing and considers there to be too much parking (11 spots). He remarked that if they were all used there would be impacts to traffic and parking. He noted the bike route the proximity to the #4 bus stop and the need to increase walkability of the neighbourhood;
- The Developer noted that the merchants are interested in the development and that their current staff are often travelling long distances by car. The Developer considers that many of the renters will not have or at least use their cars very often. Developer also noted the need for affordability.
- The Developer noted that the building will be placed under a (rental housing) covenant for up to 25 years.
- Attendee suggested a possible amenity contribution for bus shelters on Hillside avenue; the Developer noted that their building is trying to address affordability and suggested Hillside Mall redevelopment would be a better candidate;
- Developer noted that the rental rate would be roughly \$900 per month for the suite;
- Developer will be applying for rezoning Feb.27; if all goes well the construction would be completed in roughly one year.



SUMMARY SMALL LOT HOUSE REZONING PETITION

I, JUDE MARLEAU, have petitioned the adjacent neighbours* in compliance with
(applicant)

the *Small Lot House Rezoning Policies* for a small lot house to be located at 2832/2838
(location of proposed house)

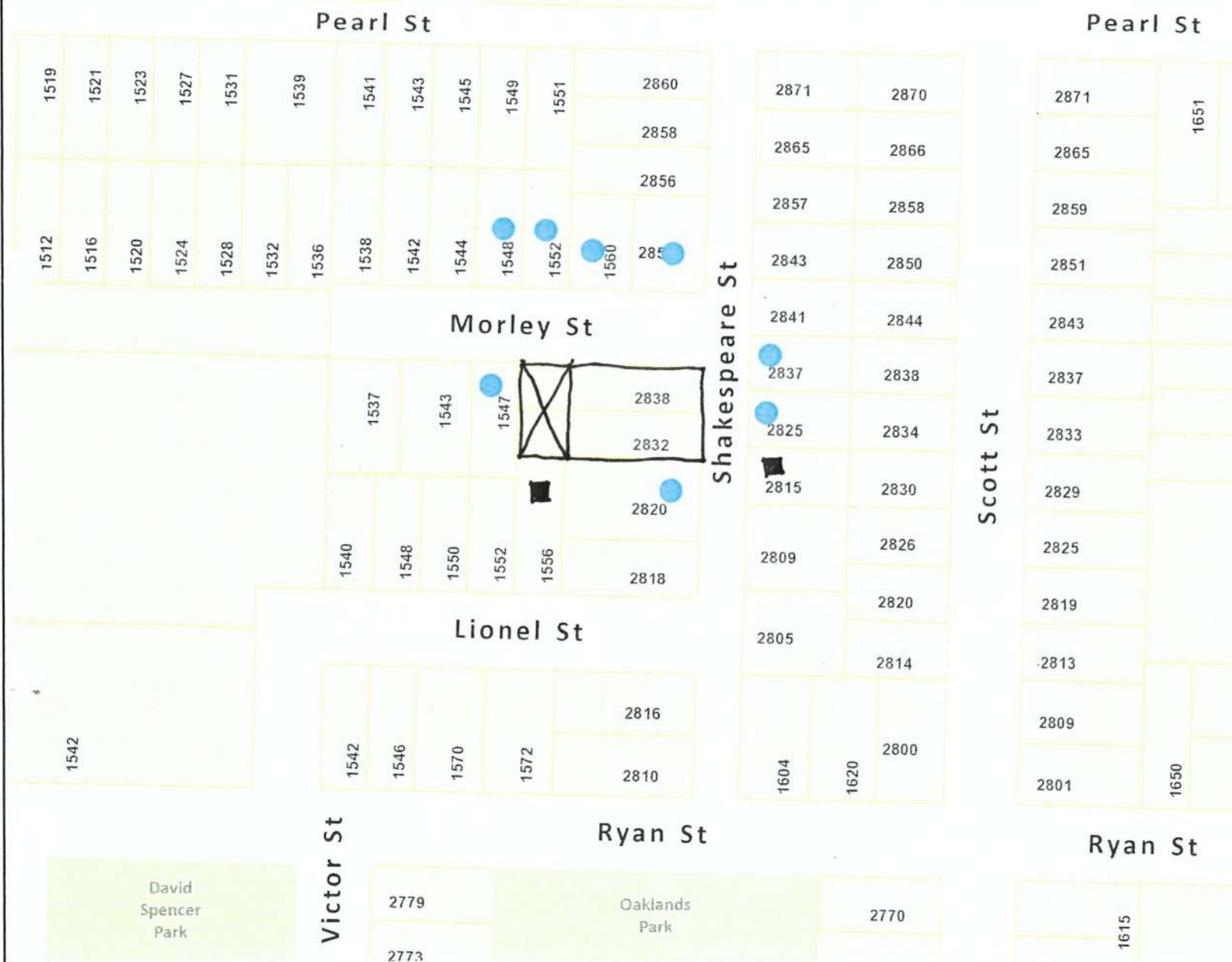
SHAKESPEARE and the petitions submitted are those collected by FEB. 26/18 **
(date)

Address	In Favour ✓	Opposed ✓	Neutral (30-day time expired) ✓
1548 MORLEY	✓		
1552 MORLEY	✓		
1560 MORLEY	✓		
1547 MORLEY	✓		
2850 SHAKESPEARE	✓		
2820 SHAKESPEARE	✓		
2837 SHAKESPEARE	✓		
2825 SHAKESPEARE	✓		
2815 SHAKESPEARE			✓
1556 LONEL			✓






SUMMARY	Number	%
IN FAVOUR	8	100%
OPPOSED	0	
TOTAL RESPONSES	8	100%

*Do not include petitions from the applicant or persons occupying the property subject to rezoning.

**Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.



Legend

-  Victoria Parcels
-  IN FAVOUR
-  NEUTRAL
(30 DAY EXPIRY)
-  PROPOSED LOT
-  SUBJECT
PROPERTIES

1: 1,562



Notes

Petition

79 0 40 79 Meters

NAD_1983_CSRS_UTM_Zone_10N

Public domain: can be freely printed, copied and distributed without permission.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

SMALL LOT REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

J. Marleau

B + L Van der Haegen, am conducting the petition requirements for the
(print name)

property located at 2832 + 2838 Shakespeare

to the following Small Lot Zone: R1-S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Nathan Bellmore (see note above)

ADDRESS: 1548 Morley Street V8R 2Y7

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

Feb. 5, 2018
Date

N. Bellmore
Signature

SMALL LOT REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,
J Marleau
B + L Van der Haegen, am conducting the petition requirements for the
(print name)

property located at 2832 + 2838 Shakespeare
to the following Small Lot Zone: R1-S2

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Please review the plans and indicate the following:

NAME: (please print) CINDY FILLER
BRENDAN BRAYBROOK (see note above)

ADDRESS: 1552 MORLEY ST

Are you the registered owner? Yes ☒ No ☒ *CITY 68*

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

Jan 28/18 [Signature]
Date Signature

SMALL LOT REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,
J Marleau
B + L Van der Haegen, am conducting the petition requirements for the
(print name)

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Please review the plans and indicate the following:

NAME: (please print) Hanna Hatherley (see note above)

ADDRESS: 1560 Morley St.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

would like to discuss possible residential
parking rules as density increases.

Feb 16, 2018
Date

[Signature]
Signature

SMALL LOT REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

J Marleau

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(print name)

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Please review the plans and indicate the following:

NAME: (please print) _____ (see note above)

ADDRESS: 1547 MORLEY STREET VICTORIA V8R 2Y6

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

30.1.2018
Date

C. P. [Signature]
Signature

SMALL LOT REZONING PETITION

Received
City of Victoria

MAR 07 2019

Planning & Development Department
Development Services Division

In preparation for my rezoning application to the City of Victoria, I,

J Marleau

B + L Van der Haegen, am conducting the petition requirements

(print name)

property located at 2832 + 2838 Shakespeare

to the following Small Lot Zone: R1-S2

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Please review the plans and indicate the following:

NAME: (please print) RAYMOND VAN (see note above)

ADDRESS: 2850 Shakespeare St

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

Feb 17 2019
Date

[Signature]
Signature

SMALL LOT REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,
J Marleau
B + L Van der Haegen, am conducting the petition requirements for the
(print name)

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Please review the plans and indicate the following:

NAME: (please print) Jacques Hittos (see note above)

ADDRESS: 2820 Shakespeare St

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

Jan 1 / 18
Date

Jacques Hittos
Signature

SMALL LOT REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,
J. Marleau
B + L Van der Haegen, am conducting the petition requirements for the
(print name)

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to the following Small Lot Zone: R1-S2

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Please review the plans and indicate the following:

NAME: (please print) LINDA KRAUSS (see note above)

ADDRESS: 2837 Shakespeare St.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

Feb 3 / 2018
Date

L. Krauss
Signature

SMALL LOT REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

J Marleau

B + L Van der Haegen, am conducting the petition requirements for the
(print name)

property located at 2832 + 2838 Shakespeare

to the following Small Lot Zone: R1-S2

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Please review the plans and indicate the following:

NAME: (please print) Leathichia Baker (see note above)

ADDRESS: 2825 Shakespeare

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

Feb 6, 2018
Date

L K Baker
Signature



Talbot Mackenzie & Associates

Consulting Arborists

Box 48153 RPO Uptown

Victoria, BC V8Z 7H6

Ph: (250) 479-8733 ~ Fax: (250) 479-7050

Email: tmtreehelp@gmail.com

November 26, 2018

Pam Hartling, MCIP RPP
205-400 Sitkum Road
Victoria, BC V9A 7G6

Subject: 2832 and 2838 Shakespeare St - Exploratory excavation for proposed municipal sidewalk adjacent to municipal Red Horse Chestnut trees

The purpose of this letter is to summarize findings from our exploratory excavations around the municipal Red Horse Chestnut (*Aesculus x carnea*) trees on the south side of Morley Street as requested by City of Victoria Parks' staff. A Tree Preservation Plan (dated November 2, 2018) was completed by our company as part of the project. A municipal sidewalk is proposed 1.2m south from the centre of the trees along the Morley Street flank of 2838 Shakespeare Street.

The City of Victoria engineering department and concerned parties should be aware that if a sidewalk is to be constructed and the trees are to be retained without significant health impacts, the sidewalk and its base material will have to be raised above root systems as specified in our "floating sidewalk" specifications. If these specifications (or a similar approach which avoids significant root loss) is not followed, the trees will require removal if excavation down to bearing soil is required throughout the footprint of the sidewalk.

Multiple surface roots from Red Horse Chestnut NT #4 (municipal tree ID# 23054) were observed within the footprint of the proposed sidewalk. Exposed bedrock was also observed (Photo 1), which could indicate limited soil depth and explain the prevalence of surface roots in the area. Exploratory excavations were not deemed necessary as it is clear that the sidewalk will have to be built above the existing grade. Only limited excavation by hand, air-spade or hydro-excavation can take place if increased depth for sidewalk base is required between roots.

Exploratory digging was conducted between Red Horse Chestnut NT #3 (tree ID 23055) and the existing driveway to determine how steep a sidewalk slope might be necessary to preserve significant roots while maintaining the grade of the existing driveway. The trench was 2.1m in length and 30cm in depth, beginning from the edge of the driveway to just past the trunk of the tree (Photo 3). Roots with the following diameters were observed in the trench: one 15cm, one 14cm and two 2cm roots. No other roots above 1cm were observed. Both the 15cm and 14cm roots were approximately 5cm below the turf surface. The 15cm root was 74cm west of the driveway edge and the 14cm root was 97cm west. Both were approximately 1m south of the trunk of the tree. If the two large roots are to be preserved, the depth of the sidewalk paving material and base

will have to be minimal in the area above the roots and there will likely be a slight slope from the driveway edge to where the roots are located.

Exploratory excavations were not conducted around NT #2 (tree ID 23198) as there does not appear to be a reason why the grade of the sidewalk could not be raised gradually to accommodate roots below, provided the water meter east of the tree could be raised to meet the sidewalk grade.

Exploratory excavations were not conducted adjacent to NT #1 (tree ID 23056) as it is our understanding that the sidewalk will end prior to crossing the trunk of the tree (ending at 2838 Shakespeare's west property line, 2.3m east of the tree).

City of Victoria Parks' staff has also requested that we provide optimal paving surfaces over the root systems of the trees. Concrete or asphalt sidewalks will both result in reduced permeability over their root systems (unless permeable asphalt is used), which will have a negative impact on the roots below the sidewalk. NT #4 could be impacted more than the other trees if there is limited soil volume within its CRZ. However, Red Horse Chestnut trees are known to tolerate pavement over their root systems and these trees are young enough that they will likely adapt over time to the change in hydrology. Permeable pavers would result in more water penetration than concrete or asphalt, but this is unlikely to be a feasible option. A trail made of wood chips would have the least impact of all options as it would be the most permeable, although this is not likely a feasible option as well. Wood chips would have to be maintained if soil compaction is to be avoided.



Photo #1: Multiple surface roots visible adjacent to Red Horse Chestnut NT #4. The tape measure roll is at the edge of the proposed sidewalk. Exposed bed rock was observed (bottom left side of photo) along with multiple surface roots, some of which had bark removed (likely from lawnmower damage).



Photo #2: Close up of surface roots adjacent to Red Horse Chestnut NT #4.



Photo 3: Exploratory excavation adjacent to NT #3.



Photos 4: Exploratory excavation adjacent to NT #3.



Photos #5 and 6: 15cm and 14cm roots were observed 5cm below the surface of the turf.



Photo #7: A water meter is located east of Red Horse Chestnut NT #2. If this water meter opening can be raised to meet the grade of the sidewalk, we are not aware of a reason why the sidewalk could not be raised above the root system.

Please do not hesitate to call us at 250-479-8733 should you have any questions.

Thank you,

Handwritten signature of Michael Marcucci.

Michael Marcucci
ISA Certified # ON-1943A
TRAQ – Qualified

Talbot Mackenzie & Associates
ISA Certified & Consulting Arborists

Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve the health and structure of individual trees or group of trees, or to mitigate associated risks. Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk. Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.



Talbot Mackenzie & Associates

Consulting Arborists

2832 and 2838 Shakespeare St, Victoria

Construction Impact Assessment & Tree Preservation Plan

PREPARED FOR:

Pam Hartling, MCIP RPP
205-400 Sitkum Road
Victoria, BC V9A 7G6
pamhartling@telus.net

PREPARED BY:

Talbot, Mackenzie & Associates
Michael Marcucci – Consulting Arborist
ISA Certified # ON-1943A
TRAQ – Qualified

DATE OF ISSUANCE:

November 2, 2018
(revised November 26th to correct Latin name of species and
add municipal Tree ID numbers)

November 26, 2018: Exploratory excavation
letter

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6
Ph: (250) 479-8733
Fax: (250) 479-7050
Email: tmtreehelp@gmail.com



Talbot Mackenzie & Associates

Consulting Arborists

Jobsite Property: 2832 and 2838 Shakespeare St, Victoria

Date of Site Visit: October 17, 2018

Site Conditions: Municipal boulevard fronting residential lot. No ongoing construction activity.

Summary: The subdivision proposal includes constructing a sidewalk on the Morley Street municipal frontage. If the five municipal trees are to be retained, the sidewalk will have to be raised above the root systems of the trees. The excavation for the services could have a health impact on Red Horse Chestnut NT #2, but we anticipate the tree will recover.

Scope of Assignment:

- Inventory the municipal boulevard trees along the Morley Street frontage
- Review the proposal to subdivide the two properties (through the existing backyards) to create a separate residential lot resulting in a new driveway and services along with frontage improvements including a new sidewalk on the Morley Street frontage
- Comment on how this specific construction activity may impact existing boulevard trees
- Prepare a tree retention and construction damage mitigation plan for those trees deemed suitable to retain given the proposed impacts

Methodology: We visually examined the trees on the boulevard and prepared an inventory in the attached Tree Resource Spreadsheet. Information such as tree species, DBH (1.4m), crown spread, critical root zone (CRZ), health, structure, and relative tolerance to construction impacts were included in the inventory. The trees with their identification numbers (no trees were tagged) were labelled on the attached Site Plan. The conclusions reached were based on the information provided within the attached plans from Java Designs (dated October 1, 2018).

Limitations: The only trees we were requested to assess in this report were the municipal boulevard trees. The areas within the backyards or neighbouring properties have not been inspected to see if any other trees will be impacted by the subdivision.

No exploratory excavations have been requested and thus the conclusions reached are based solely on critical root zone calculations and our best judgement using our experience and expertise. The location, size and density of roots are often difficult to predict without exploratory excavations and therefore the impacts to the trees may be more or less severe than we anticipate.

Summary of Tree Resource: Five municipal trees are located on the Morley St frontage: four Red Horse Chestnuts (NT 1-4, ranging in size between 37 and 45cm DBH) and one Juniper species (NT 5, 57cm DBH).

Trees to be Removed: We do not anticipate any trees will require removal due to the construction related impacts we assessed, if our recommendations are followed and the grade of the sidewalk is raised.

Potential Impacts on Trees to be Retained and Mitigation Measures

- **Sidewalk:** A 1.5m wide sidewalk is proposed along Morley Street frontage directly adjacent to the private property line and approximately one metre away from all five trees. If these trees are to be retained, the construction of the sidewalk must follow the “floating driveway and sidewalk” specifications attached. Large surface roots were observed south of many of the trees in the area that the sidewalk is proposed. Some of the trees also appear to have been planted on raised mounds of soil, which the sidewalk may have to be raised above to avoid severing these roots.

The objective within the attached specifications is to avoid severing the root systems within the sidewalk’s footprint, which would otherwise occur if excavation to suitable bearing soil was required. Instead, the base layers of the sidewalk will have to be raised and built above the significant roots encountered during excavation. This will result in the final grade of the sidewalk being raised above the existing grade. The extent will depend on the thickness of the base layers and paving material. Municipal engineers and project contractors should be informed that typical bearing soil will not be reached and that large areas of the A horizon soil layer (rich in organic material and roots) will be left intact below the sidewalk.

NT #3 is located within one metre of an existing driveway, which the sidewalk will cross. The sidewalk may require a steeper than normal grade at the west edge of the driveway, if roots are encountered in this area and the original grade of the driveway is maintained.

- **Proposed Services: Storm, Sewer and Water Line**

All three services are proposed to be located through the CRZ of Red Horse Chestnut NT #2 (43cm DBH) with the storm drain located the closest (3m from the tree). We anticipate the trench edge will be approximately 2.5m from the trunk of the tree. A significant amount of roots will likely be encountered. A structural impact is unlikely, but this may result in a health impact to the tree with evidence of reduced growth and potentially twig dieback in the years following construction. However, Horse Chestnuts are very tolerant to root loss and construction-related impacts, and therefore we anticipate the tree will survive and likely recover in the long-term. We recommend the services be shifted further west if possible.

An arborist should supervise the excavations for the services and may recommend less invasive digging methods (air-spade, hydro-excavation, hand-digging) if significant roots are encountered that can be retained across the trenches. If conventional excavation is first attempted, we recommend using as narrow a bucket as the installation will allow and that it be equipped with a flat edge.

- **Proposed Driveway:** Red Horse Chestnut NT #1 will be 3 – 3.5m from the edge of the proposed driveway. If significant roots are encountered during excavation, we will recommend the driveway also follow the “floating driveway and sidewalk” specifications attached. Some surface roots will not be able to be retained regardless due to the driveway requiring a slope down to the street. However, we do not anticipate a significant root loss to the tree or that its health or stability will be significantly impacted, especially if other deeper roots are able to be retained below the driveway surface.

To allow water to drain into the root systems below, we may also recommend that the surface be made of a permeable material (instead of conventional asphalt or concrete) such as permeable asphalt, paving stones, or other porous paving materials and designs such as those utilized by Grasspave, Gravelpave, Grasscrete and open-grid systems.

- **Arborist Supervision:** All excavation occurring within the critical root zones of protected trees should be completed under supervision by the project arborist. Any roots encountered must be pruned back to sound tissue to reduce wound surface area and encourage rapid compartmentalization of the wound. In particular, the following activities should be completed under the direction of the project arborist:
 - Sidewalk excavation within the CRZ of all five trees
 - New driveway excavation within the CRZ of NT #1
 - Installation of underground services that cross the CRZ of NT #2
- **Barrier fencing:** The areas surrounding the trees to be retained should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones. The barrier fencing must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing. The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.
- **Minimizing Soil Compaction:** In areas where construction traffic must encroach into the critical root zones of trees to be retained, efforts must be made to reduce soil compaction where possible by displacing the weight of machinery and foot traffic. This can be achieved by one of the following methods:
 - Installing a layer of hog fuel or coarse wood chips at least 20 cm in depth and maintaining it in good condition until construction is complete.
 - Placing medium weight geotextile cloth over the area to be used and installing a layer of crushed rock to a depth of 15 cm over top.
 - Placing two layers of 19mm plywood.
 - Placing steel plates.

- **Mulching:** Mulching can be an important proactive step in maintaining the health of trees and mitigating construction related impacts and overall stress. Mulch should be made from a natural material such as wood chips or bark pieces and be 5-8cm deep. No mulch should be touching the trunk of the tree. See “methods to avoid soil compaction” if the area is to have heavy traffic.
- **Blasting:** Care must be taken to ensure that the area of blasting does not extend beyond the necessary footprints and into the critical root zones of surrounding trees. The use of small low-concussion charges and multiple small charges designed to pre-shear the rock face will reduce fracturing, ground vibration, and overall impact on the surrounding environment. Only explosives of low phytotoxicity and techniques that minimize tree damage should be used. Provisions must be made to ensure that blasted rock and debris are stored away from the critical root zones of trees.
- **Landscaping and Irrigation Systems:** The planting of new trees and shrubs should not damage the roots of retained trees. The installation of any in-ground irrigation system must take into account the critical root zones of the trees to be retained. Prior to installation, we recommend the irrigation technician consult with the project arborist about the most suitable locations for the irrigation lines and how best to mitigate the impacts on the trees to be retained. This may require the project arborist supervise the excavations associated with installing the irrigation system. Excessive frequent irrigation and irrigation which wets the trunks of trees can have a detrimental impact on tree health and can lead to root and trunk decay.
- **Arborist Role:** It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:
 - Locating the barrier fencing
 - Reviewing the report with the project foreman or site supervisor
 - Locating work zones, where required
 - Supervising any excavation within the critical root zones of trees to be retained
 - Reviewing and advising of any pruning requirements for machine clearances
- **Review and site meeting:** Once the project receives approval, it is important that the project arborist meet with the principals involved in the project to review the information contained herein. It is also important that the arborist meet with the site foreman or supervisor before any site clearing, tree removal, demolition, or other construction activity occurs and to confirm the locations of the tree protection barrier fencing.

Please do not hesitate to call us at (250) 479-8733 should you have any further questions. Thank you.

Yours truly,



Michael Marcucci
ISA Certified # ON-1943A
TRAQ – Qualified

Talbot Mackenzie & Associates
ISA Certified Consulting Arborists

Encl. 1-page tree resource spreadsheet, 1-page site plan with trees and fencing, 1-page floating driveway and sidewalk specifications, 1-page fencing specifications, 2-page tree resource spreadsheet methodology and definitions

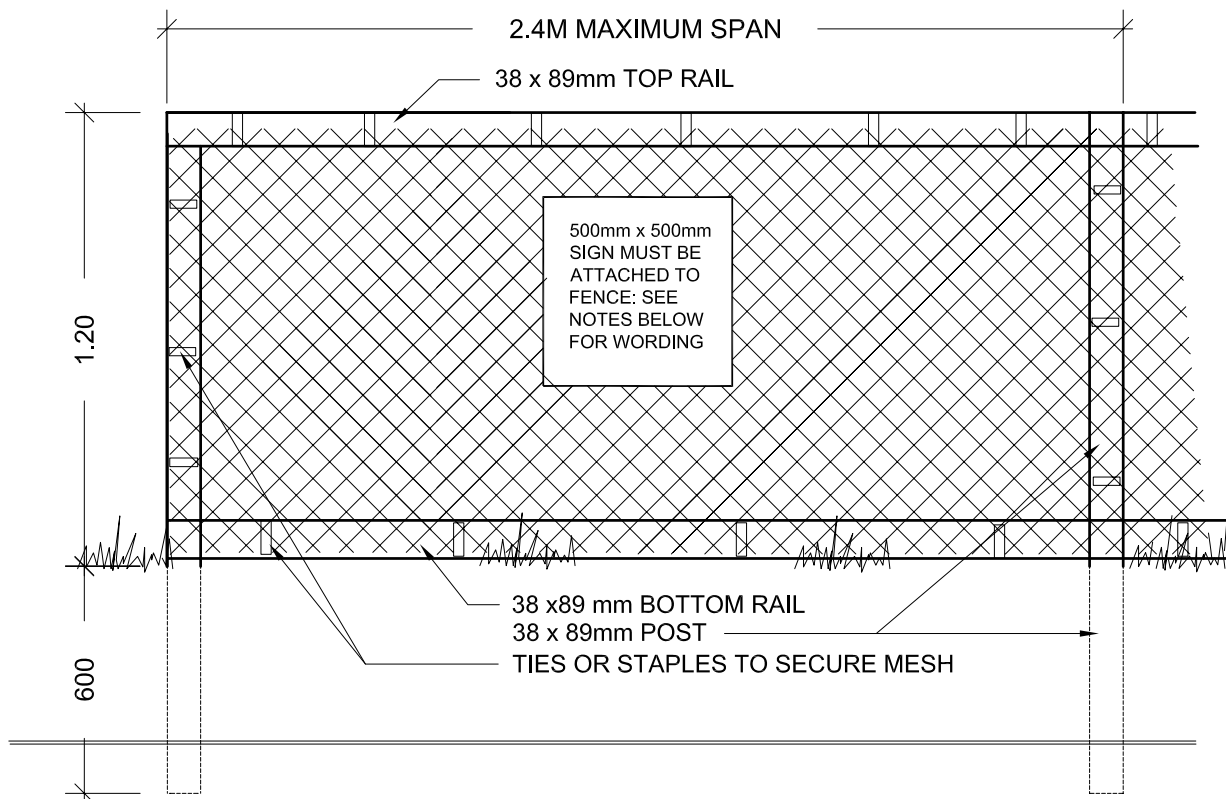
Disclosure Statement

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Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an Arborist to identify every flaw or condition that could result in failure or can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.

Tree ID (municipal ID# in brackets)	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m)	CRZ (m)	Relative Tolerance	Health	Structure	Remarks and Recommendations	Retention Status
NT 1 (23056)	Red Horse Chestnut	<i>Aesculus x carnea</i>	45.0	13.0	4.5	Good	Fair	Fair/poor	Municipal. Large burl at base. Cavity in decayed pruning wound in trunk. Significantly V-pruned for utility line clearance. 2.3m west of fence line (roughly in line with other trees)	Retain
NT 2 (23198)	Red Horse Chestnut	<i>Aesculus x carnea</i>	43.0	13.0	4.5	Good	Fair	Fair/poor	Municipal. V-pruned for utility line clearance. Some small decayed pruning wounds.	Retain
NT 3 (23055)	Red Horse Chestnut	<i>Aesculus x carnea</i>	37.0	13.0	4.0	Good	Fair	Fair/poor	Municipal. Significantly V-pruned for utility line clearance.	Retain
NT 4 (23054)	Red Horse Chestnut	<i>Aesculus x carnea</i>	41.0	13.0	4.0	Good	Fair	Fair/poor	Municipal. V-pruned for utility line clearance. Exposed and damaged surface roots south of tree with potential bedrock visible in same area indicating potentially limited soil volume.	Retain
NT 5	Juniper	<i>Juniperus spp</i>	57.0	9.0	7.0	Fair	Fair	Fair	Municipal. Some pruning for utility line clearance.	Retain



TREE PROTECTION FENCING

NOTES:

1. FENCE WILL BE CONTRUCTED USING 38 X 89 mm (2"X4") WOOD FRAME: TOP, BOTTOM AND POSTS. *
USE ORANGE SNOW-FENCING MESH AND SECURE TO THE WOOD FRAME WITH "ZIP" TIES OR GALVANZIED STAPLES.
2. ATTACH A 500mm x 500mm SIGN WITH THE FOLLOWING WORDING:
WARNING-HABITAT PROTECTION AREA. THIS SIGN MUST BE AFFIXED ON EVERY FENCE FACE OR AT LEAST EVERY 10 LINEAR METRES.

* IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED

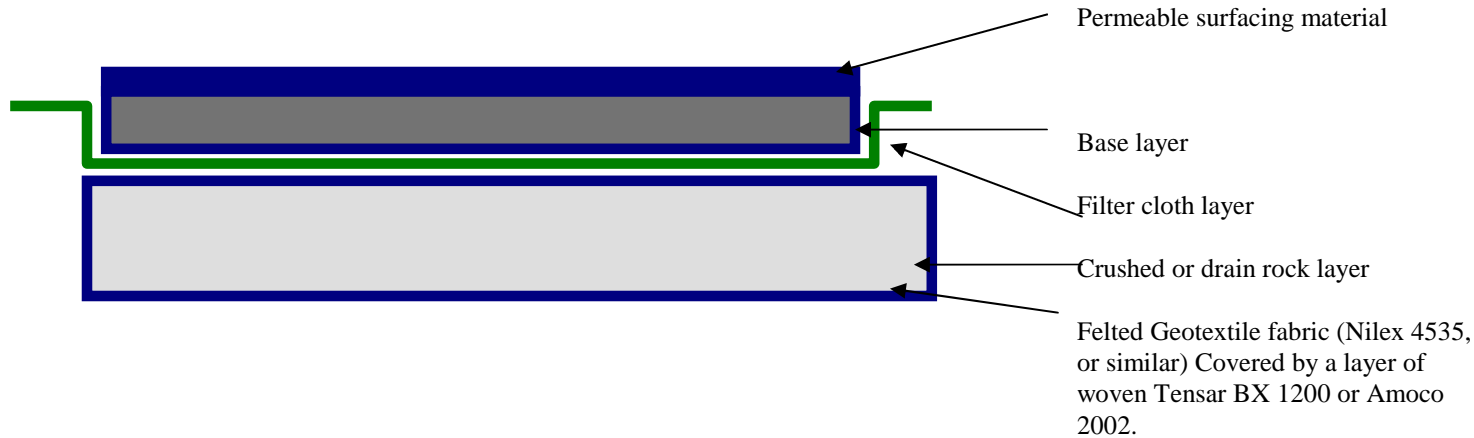


DETAIL NAME: **TREE PROTECTION FENCING**

H:\shared\parks\Tree Protection Fencing.pdf

DATE: March/08
DRAWN: DM
APP'D. RR
SCALE: N.T.S.

Diagram – Site Specific Floating Driveway, Parking and Sidewalk Areas



Specifications for Floating Driveway and Parking Areas

1. Excavation for driveway or parking area construction must remove the sod layer only, where they encroach on the root zones of the protected trees
2. A layer of medium weight felted Geotextile fabric (Nilex 4535, or similar) is to be installed over the entire area of the critical root zone that is to be covered by the paving. Cover this Geotextile fabric with a layer of woven Amoco 2002 or Tensar BX 1200. Each piece of fabric must overlap the adjoining piece by approximately 30-cm.
3. A 10cm layer of torpedo rock, or 20-mm clean crushed drain rock, is to be used to cover the Geotextile fabric.
4. A layer of felted filter fabric is to be installed over the crushed rock layer to prevent fine particles of sand and soil from infiltrating this layer.
5. The bedding or base layer and permeable surfacing can be installed directly on top of the Geotextile fabric.



Talbot Mackenzie & Associates

Consulting Arborists

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6

Ph: (250) 479-8733

Fax: (250) 479-7050

Email: tmtreehelp@gmail.com

Tree Resource Spreadsheet Methodology and Definitions

Tag: Tree identification number on a metal tag attached to tree with nail or wire, generally at eye level. Trees on municipal or neighboring properties are not tagged.

NT: No tag due to inaccessibility or ownership by municipality or neighbour.

DBH: Diameter at breast height – diameter of trunk, measured in centimetres at 1.4m above ground level. For trees on a slope, it is taken at the average point between the high and low side of the slope.

* Measured over ivy

~ Approximate due to inaccessibility or on neighbouring property

Crown Spread: Indicates the diameter of the crown spread measured in metres to the dripline of the longest limbs.

Relative Tolerance Rating: Relative tolerance of the tree species to construction related impacts such as root pruning, crown pruning, soil compaction, hydrology changes, grade changes, and other soil disturbance. This rating does not take into account individual tree characteristics, such as health and vigour. Three ratings are assigned based on our knowledge and experience with the tree species: Poor, Moderate or Good.

Critical Root Zone: A calculated radial measurement in metres from the trunk of the tree. It is the optimal size of tree protection zone and is calculated by multiplying the DBH of the tree by 10, 12 or 15 depending on the tree's Relative Tolerance Rating. This methodology is based on the methodology used by Nelda Matheny and James R. Clark in their book "Trees and Development: A Technical Guide to Preservation of Trees During Land Development."

- 15 x DBH = Poor Tolerance of Construction
- 12 x DBH = Moderate
- 10 x DBH = Good

To calculate the critical root zone, the DBH of multiple stems is considered the sum of 100% of the diameter of the largest stem and 60% of the diameter of the next two largest stems. It should be noted that these measures are solely mathematical calculations that do not consider factors such as soil volume restrictions, age, crown spread, health, or structure (such as a lean).

Health Condition:

- Poor - significant signs of visible stress and/or decline that threaten the long-term survival of the specimen
- Fair - signs of stress
- Good - no visible signs of significant stress and/or only minor aesthetic issues

Structural Condition:

- Poor - Structural defects that have been in place for a long period of time to the point that mitigation measures are limited
- Fair - Structural concerns that are possible to mitigate through pruning
- Good - No visible or only minor structural flaws that require no to very little pruning

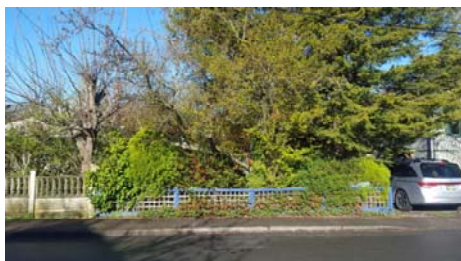
Retention Status:

- X - Not possible to retain given proposed construction plans
- Retain - It is possible to retain this tree in the long-term given the proposed plans and information available. This is assuming our **recommended mitigation measures are followed**
- Retain * - See report for more information regarding potential impacts
- TBD (To Be Determined) - The impacts on the tree could be significant. However, in the absence of exploratory excavations and in an effort to retain as many trees as possible, we recommend that the final determination be made by the supervising project arborist at the time of excavation. The tree might be possible to retain depending on the location of roots and the resulting impacts, but concerned parties should be aware that the tree may require removal.
- NS - Not suitable to retain due to health or structural concerns

Rezoning and Development
Permit with Variances
Application
2832 & 2838 Shakespeare
Street



Subject Properties (Shakespeare)



2832 Shakespeare Street



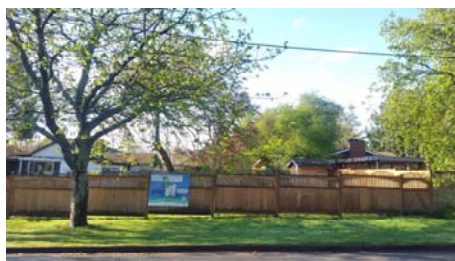
2838 Shakespeare Street



Subject Property (Morley)



2838 Shakespeare Street



Proposed Site



Proposed Site



2820 Shakespeare Street



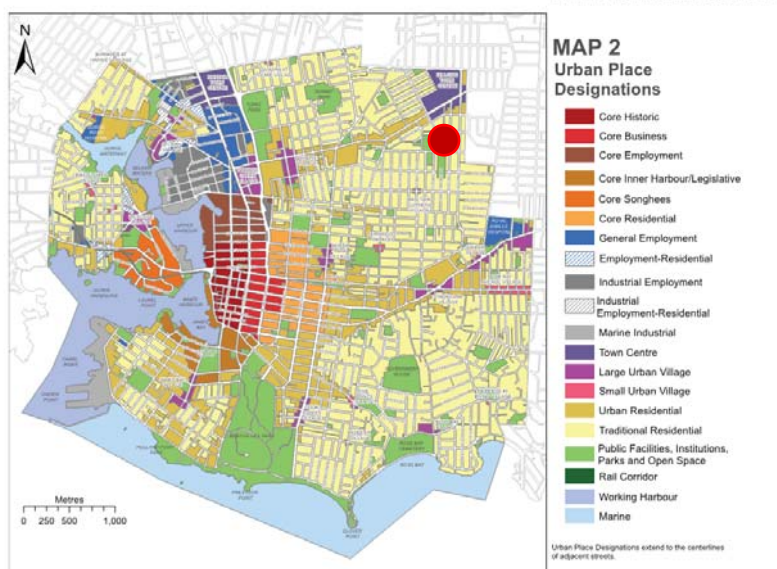
2850 Shakespeare Street



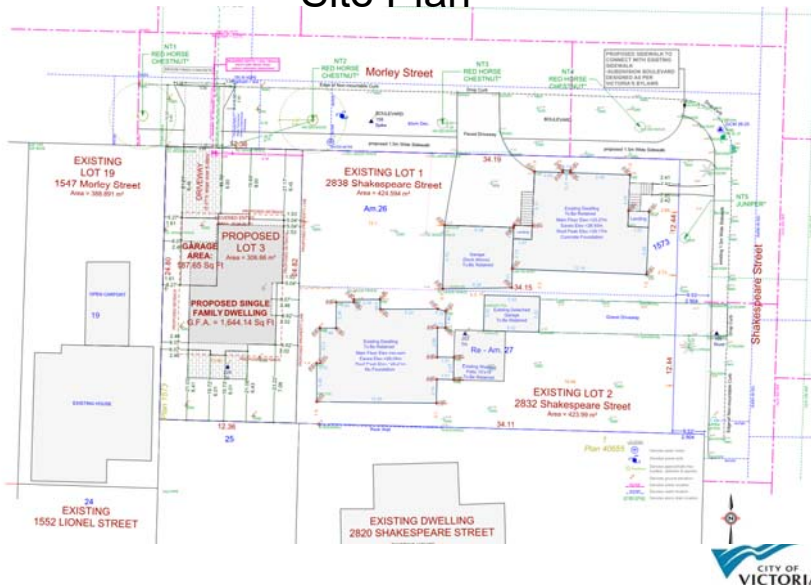
2837 & 2825 Shakespeare Street



1547 Morley Street



IA

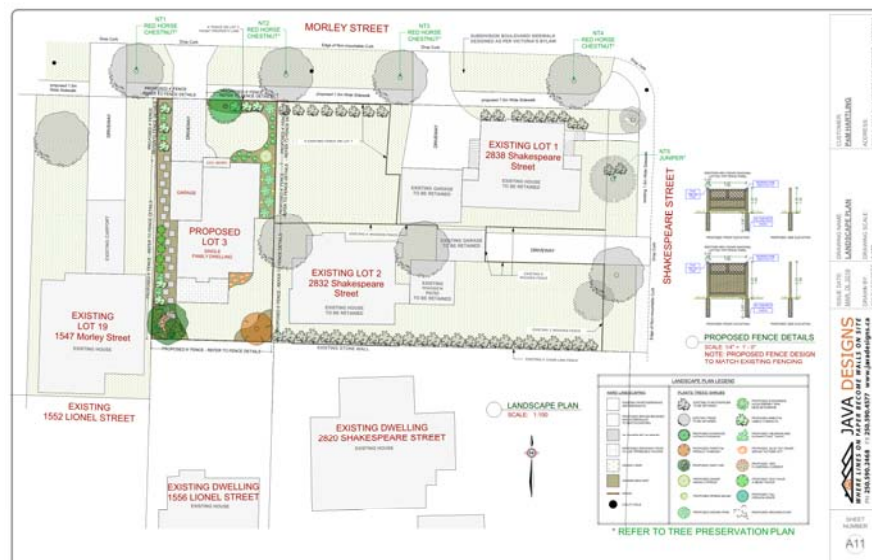


Proposed Elevations (Lot 3)





Landscape Plan



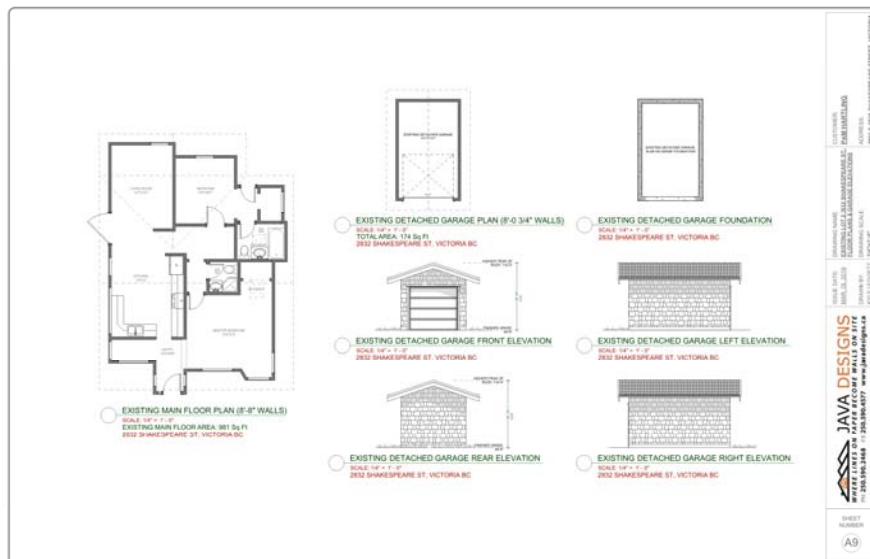
Streetscape



2838 Shakespeare Street (Lot 1) Floor Plan



2832 Shakespeare Street (Lot 2) Floor Plan





Committee of the Whole Report

For the Meeting of May 2, 2019

To: Committee of the Whole **Date:** April 18, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00616 for 553 Raynor Avenue

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00616 for 553 Raynor Avenue, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set.

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.

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 553 Raynor Avenue. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a new zone in order increase the combined floor area of the existing house. The increased floor area is for a new dormer on the west side, extending a dormer on the east side, and enclosing the garage for living space.

The following points were considered in assessing this application:

- The house is currently approved as a duplex house conversion and has had multiple renovations without permit. This application would allow an increased floor area caused by building an illegal dormer and enclosing the garage, as well, increase the height and number of stories.
- The proposed use is a single family dwelling with secondary suite. Increasing the combined floor area for changes to the existing house requires rezoning to a site-specific zone.

- The proposal is consistent with the *Official Community Plan* (OCP, 2012) and the *Victoria West Neighbourhood Plan* (2018), which envisions ground-oriented residential and encourages the retention of buildings and new buildings that fit with the character of neighbourhoods.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone the property from the R1-B Zone, Single Family Dwelling District, to a new zone in order to alter the building and allow previous alterations which were completed without the benefit of permits. The following differences from the R1-B Zone, Single Family Dwelling District, are being proposed and would be accommodated in the new zone:

- increase the combined floor area from 300m² to 360.70m²
- increase the height from 7.60m to 7.88m
- increase the number of stories from 2 to 2.5.

The current zone permits secondary suites; however, the combined floor area is greater than that permitted in the R1-B Zone and the property therefore requires rezoning.

The alterations that result in a change in floor area include:

- changing the dormer on the east elevation (reduced size)
- a new dormer on the west elevation (existing and without permits)
- enclosing the garage (existing and without permits)
- removing an enclosed area at the back of the building under the stairs.

The existing house has a third kitchen on the ground floor, which would be decommissioned as part of the Building Permit application. Should the Rezoning Application be approved, a building permit would be required to make the changes listed above as well as to complete the internal renovations outlined in the applicant's letter (attached).

Affordable Housing Impacts

The applicant is not proposing to create new residential units.

Sustainability Features

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

Active Transportation Impacts

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

Public Realm Improvements

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

Accessibility Impact Statement

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

Land Use Context

The area is characterized by single family dwellings and house conversions. Immediately adjacent to the east is Craigflower Village, and Raynor Park to the south.

Existing Site Development and Development Potential

The site is presently being used as a single family dwelling; however, it is permitted as a duplex house conversion. At some point in the past, a third unit was also added. Under the current R1-B Zone, Single Family Dwelling District, the property could be redeveloped as a single family dwelling with a secondary suite or garden suite.

Data Table

The following data table compares the proposal with the existing R1-B Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. A double asterisk is used to identify where there are legal non-conformities.

Zoning Criteria	Proposal	Existing Zone R1-B
Site area (m ²) – minimum	557.50	460.00
Lot width (m) – minimum	15.24	15.00
Combined floor area (m ²) – maximum	360.70 *	300.00
1 st & 2 nd storey floor area (m ²) – maximum	271.80	280.00
Density (Floor Space Ratio)	0.65	n/a
Height (m) – maximum	7.88 *	7.60
Storeys – maximum	2.5 *	2
Site coverage % – maximum	33.00	40.00
Roof deck	Existing **	Not permitted
Setbacks (m) – minimum		
Front	7.20 **	7.50
Projections – stairs/porch	1.80 **	0 - steps over 1.7m
Rear	10.61	9.15
Side (west)	2.90 **	3.00

Zoning Criteria	Proposal	Existing Zone R1-B
Side (east)	1.50 **	1.52
Combined side yards	4.40 **	4.50
Parking – minimum	1	1

Relevant History

City records show that the existing building was constructed in 1912 and converted to a duplex in 1950. The building changed to a triplex sometime after 1950 and at some point the garage on the ground floor was converted to living space without the necessary approvals in place. In July of 2015, a Stop Work Order was posted on the property for the illegal construction of a dormer on the west side of the house.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Vic West Land Use Committee at a meeting on February 21, 2017. As six months had passed before application submission, a letter dated October 9, 2017 states that a second meeting is not required.

ANALYSIS

Official Community Plan

The *Official Community Plan* (OCP, 2012) Urban Place Designation for the subject property is Traditional Residential. This Urban Place Designation envisions ground-oriented buildings up to two storeys. This property is directly adjacent to the Craigflower Small Urban Village.

Victoria West Neighbourhood Plan

The *Victoria West Neighbourhood Plan* locates this property in the Northwest Sub-Area, which supports housing that is compatible with the surrounding neighbourhood, including single-family dwellings with secondary suites. The plan also encourages the retention of buildings to maintain the existing character in neighbourhoods. When considering a rezoning application in this area, buildings up to 10.7m (approximately three storeys) are supported. This proposal is consistent with these policies as it retains and adapts the existing dwelling.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application.

Regulatory Considerations

The applicants are requesting an increase to the combined floor area, height and number of stories in order to legalize a dormer and enclosed garage and legalize other renovations to the existing house. The proposed increase in combined floor area does not significantly change the

massing or density of the existing house. The proposed increase in height and number of stories arises from the proposal to rebuild the east dormer and to permit the west dormer (which was built without permits), but the height would not change significantly from what is existing. By enclosing the garage, the parking stall would be located in front of the house which complies with Schedule C – Off-Street Parking of the *Zoning Regulation Bylaw*.

The site specific zone would be drafted in such a way that if a new building is constructed on the subject property in the future, it would comply with the regulations in the R1-B Zone, Single Family Dwelling District.

CONCLUSIONS

The proposal to rezone the property at 553 Raynor Avenue to a site specific zone for a single family dwelling with secondary suite is consistent with the objectives in the *Official Community Plan* and *Victoria West Neighbourhood Plan*. The rezoning would allow the alteration of the existing building and permit work that was done in the past without permits. The requested changes to increase the combined floor area, increase the height and increase the number of stories do not significantly change the existing building. Staff recommend that Council consider supporting this application.


ALTERNATE MOTION

That Council decline Rezoning Application No. 00616 for the property located at 553 Raynor Avenue.

Respectfully submitted,

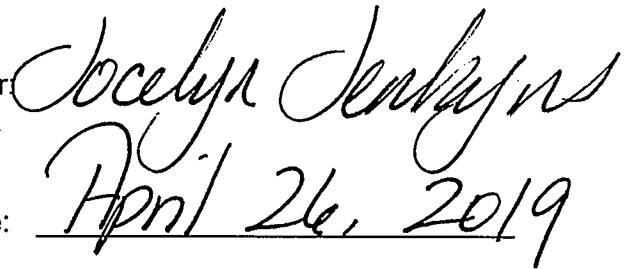


Chelsea Medd
Planner
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager

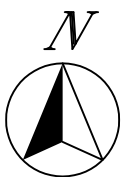
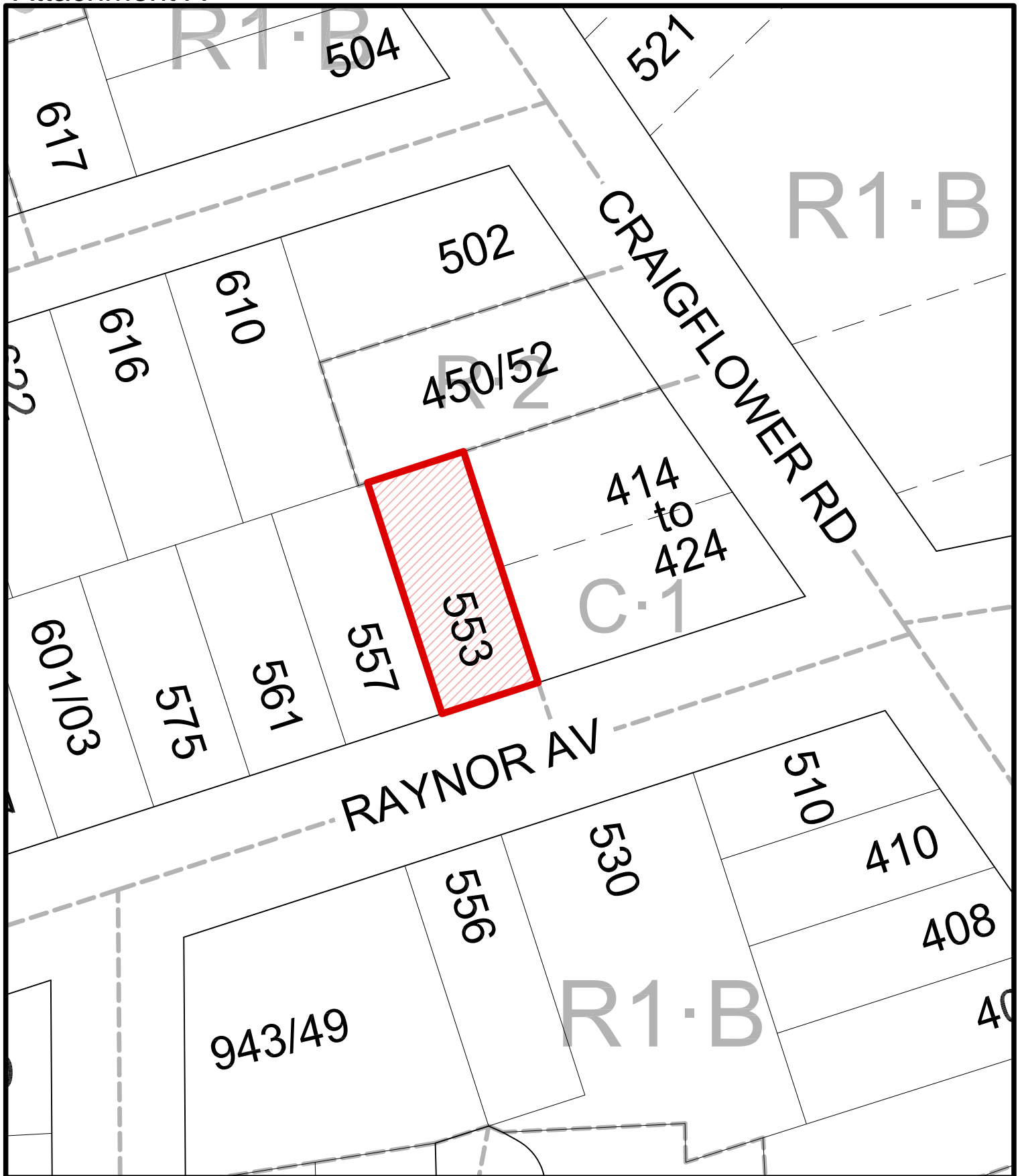


Date:

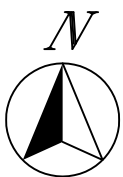
April 26, 2019

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped March 8, 2019
- Attachment D: Letter from applicant to Mayor and Council dated February 21, 2019
- Attachment E: Community Association Land Use Committee letter dated October 9, 2017
- Attachment F: Letters from Neighbours date stamped November 20, 2018.



553 Raynor Avenue
Rezoning No.00616



553 Raynor Avenue
Rezoning No.00616

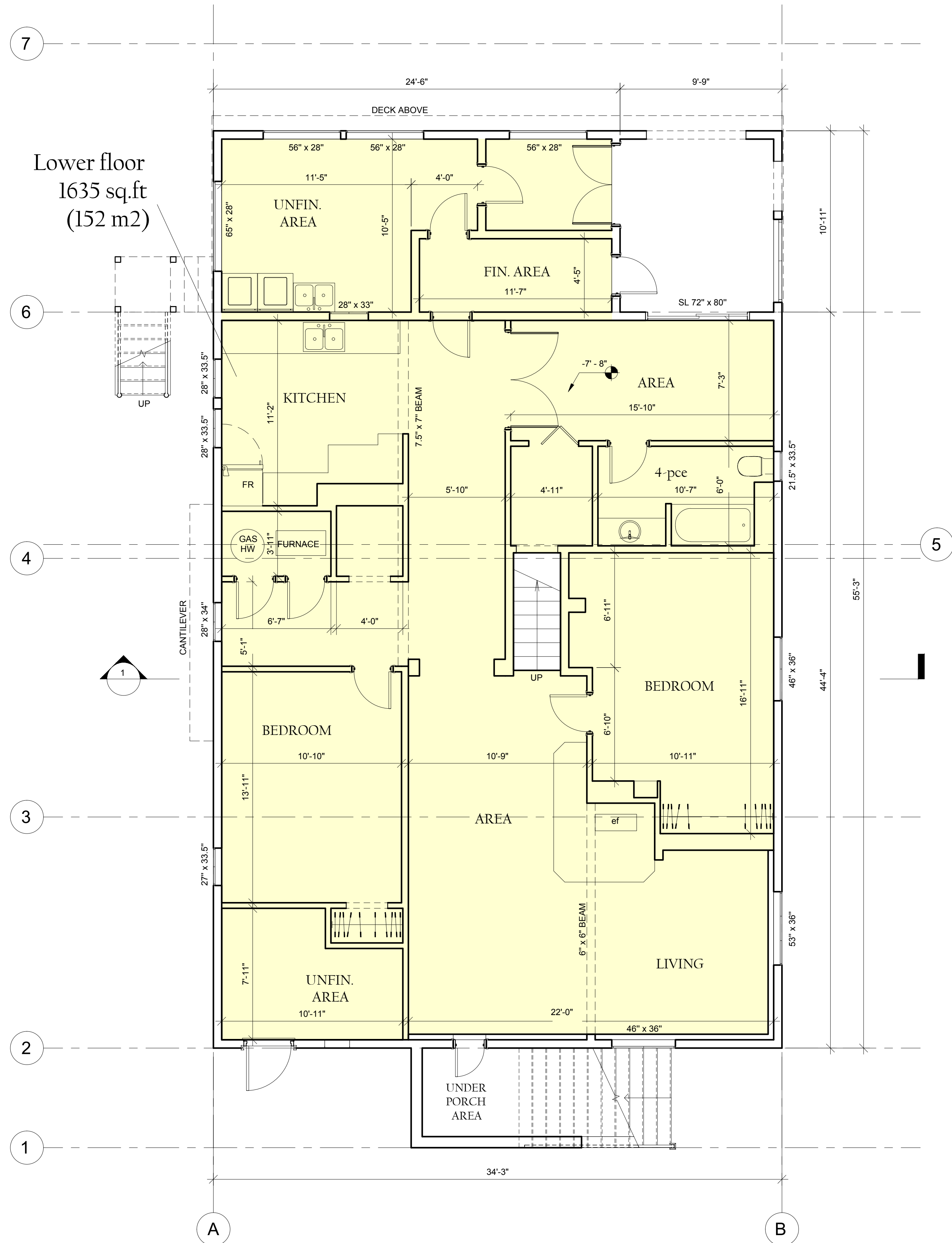
	Parent / existing parcel remainder - project information	Zone standard*	Calculate Variance* (if required)
Zoning	R1-B	R1-B	
Current use	Duplex		
Heritage	n/a		
Proposed use	Single-family dwelling with secondary suite		
Proposed zone	New		
Proposed scope of works	Construct dormer additions, enclose garage and renovations		
Site Area (m2)	557.5	min 460	
Lot width (m)	15.24	min 15	
Lot depth (m)	36.58	n/a	
1st and 2nd storey floor area (m2)	271.8	max 280	
Upper 1/2 storey floor area (m2)	88.9	n/a	
Floor Space Ratio	0.65	n/a	
Combined floor area (m2)	360.7	max 300	60.7
Average grade (m)	17.18	n/a	
Height (m)	7.88	max 7.6	0.28
Storeys	2.5	max 2	
Basement	no	Permitted	
Roof deck	existing	Not permitted	
Setbacks:			
Front Yard	7.2	min 7.5	0.3
Projections - stairs	1.8	0 for stairs over 1.7 m	
Rear - north	10.61	min 9.15	
Side - east	1.5	min 1.52	0.02
Side - west	2.9	min 3.0	0.1
Combined side yards	4.4	min 4.5	0.1
Site Coverage (%)	33	max 40	
Parking	1	min 1	
Parking location	front yard		
Driveway/parking slope (%)	existing	max 8	
Driveway/parking material	concrete	solid surace	

B.C. Land Surveyor's Site Plan Of
Lot 3, Block 1, Plan 833,
Section 31, Esquimalt District
Parcel Identifier Number: 008-390-509

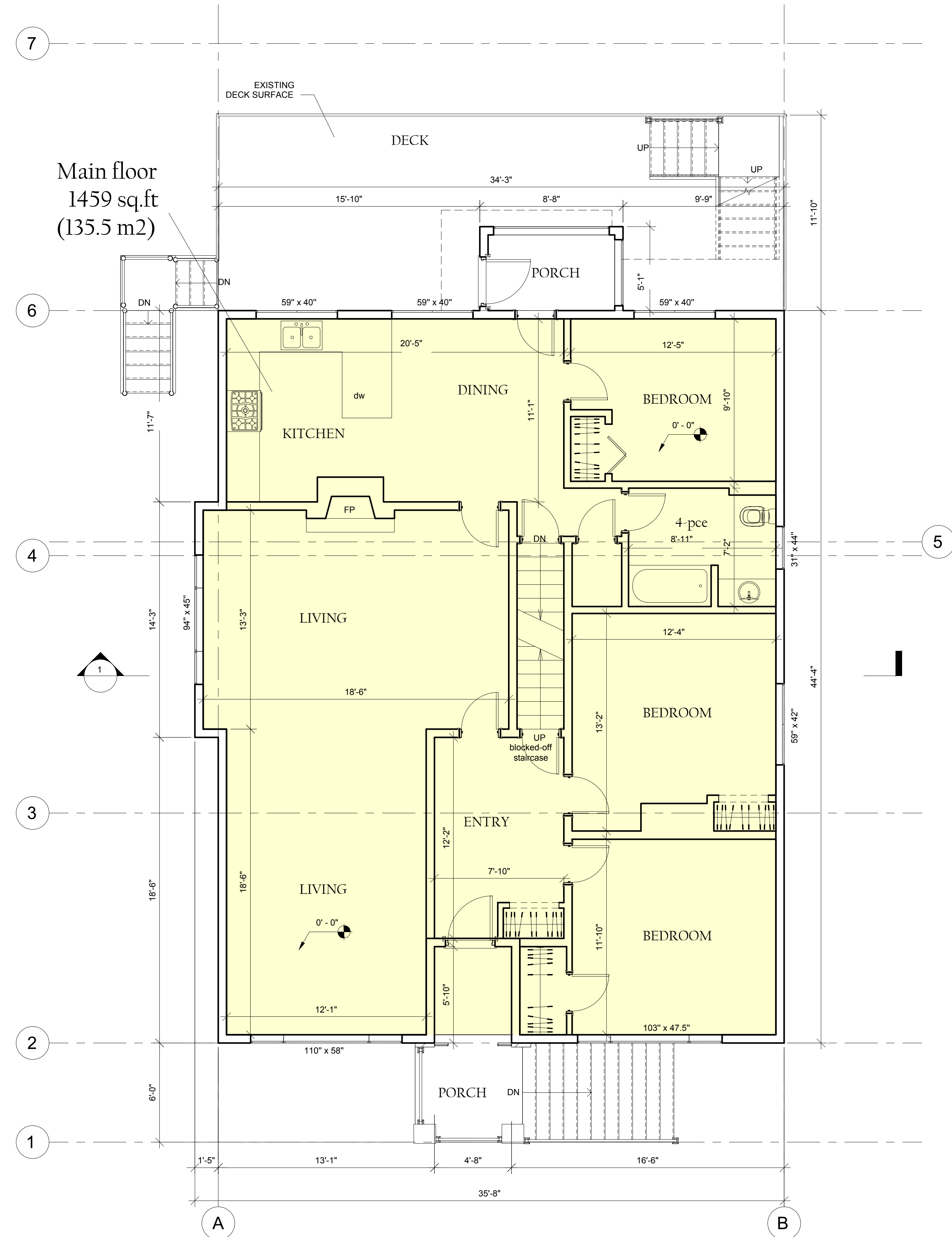


Received Date:
March 8, 2019

No.	Date	Appr.	Revision Notes



Existing Lower Floor Plan
1/4" = 1'-0"



Existing Main Floor Plan
1/4" = 1'-0"

No.	Date	Appr.	Revision Notes
A	11-01-19	Permit set	Issue notes
No.	Date	Permit set	Issue notes
<div>Aspire Custom Designs 970 Taine Place Victoria BC Canada V8M4A4 Lindsay Baker 250-415-1888</div>			
553 Raynor Avenue. Rezoning			
Existing House Plans			
Drawn By	L. Baker		
Checked By	L. Baker		
Date	Jan 11, 2019		
Scale	1/4" = 1'-0" or as noted		
Sheet No.	A2.08		
Page	8		

This architectural floor plan shows a rectangular house with a central living area, a kitchen, and a deck. The plan includes various dimensions, room labels, and structural details.

Dimensions:

- Overall Dimensions:** 38'-3" wide by 46'-4" deep.
- Room Dimensions:**
 - Living Area: 18'-1" wide by 13'-11" deep.
 - Kitchen: 14'-7" wide by 17'-6" deep.
 - Deck: 19'-1 1/2" wide by 13'-10" deep.
- Other Dimensions:** 14'-10" (staircase), 9'-1 1/2" (door), 2'-0" (door), 16'-11" (door), 20'-8 1/2" (door), 16'-9" (door), 9'-1 1/2" (door), 19'-1 1/2" (door), 19'-1 1/2" (door).

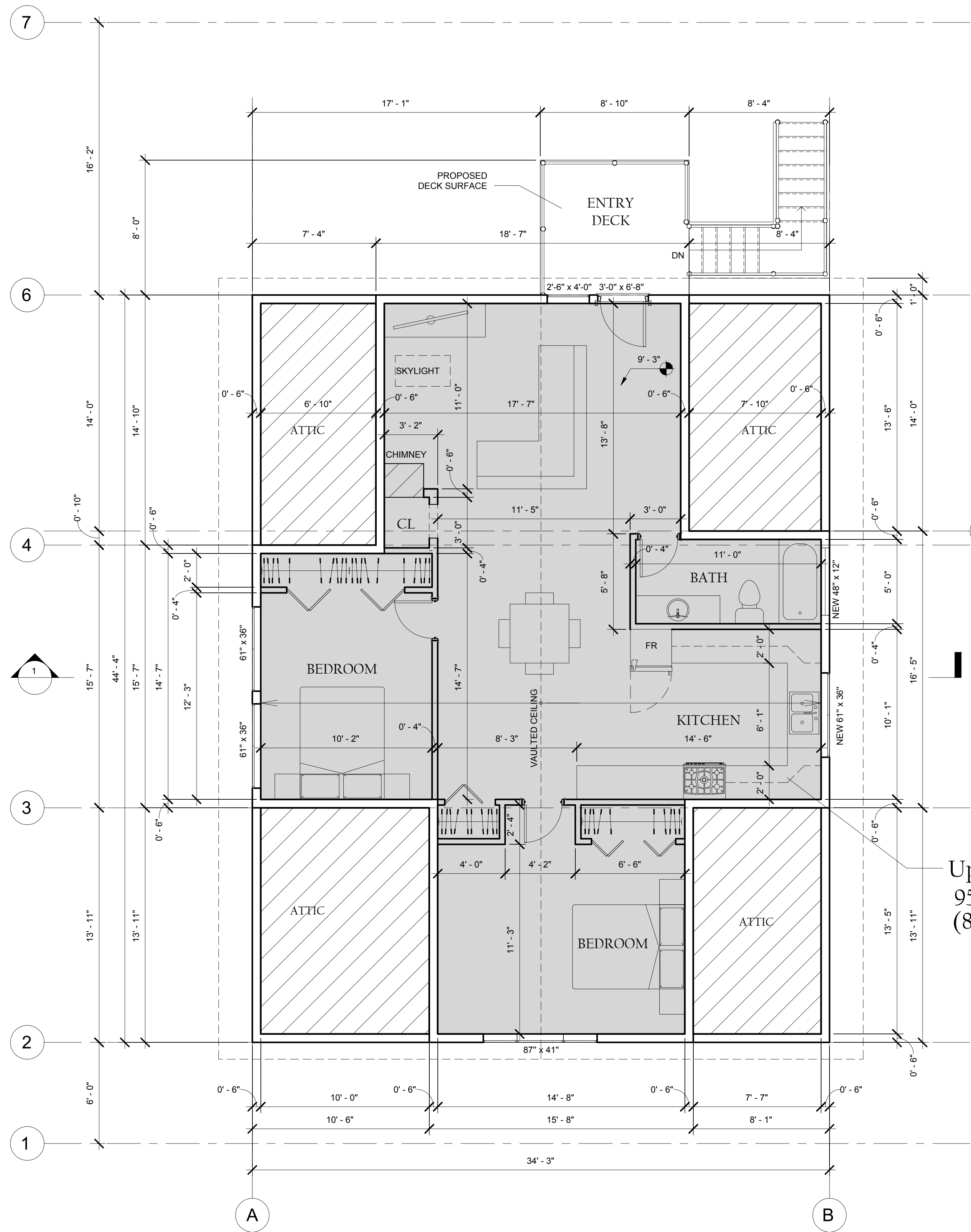
Room Labels:

- DECK
- SKYLIGHT
- CHIMNEY
- CHIMNEY

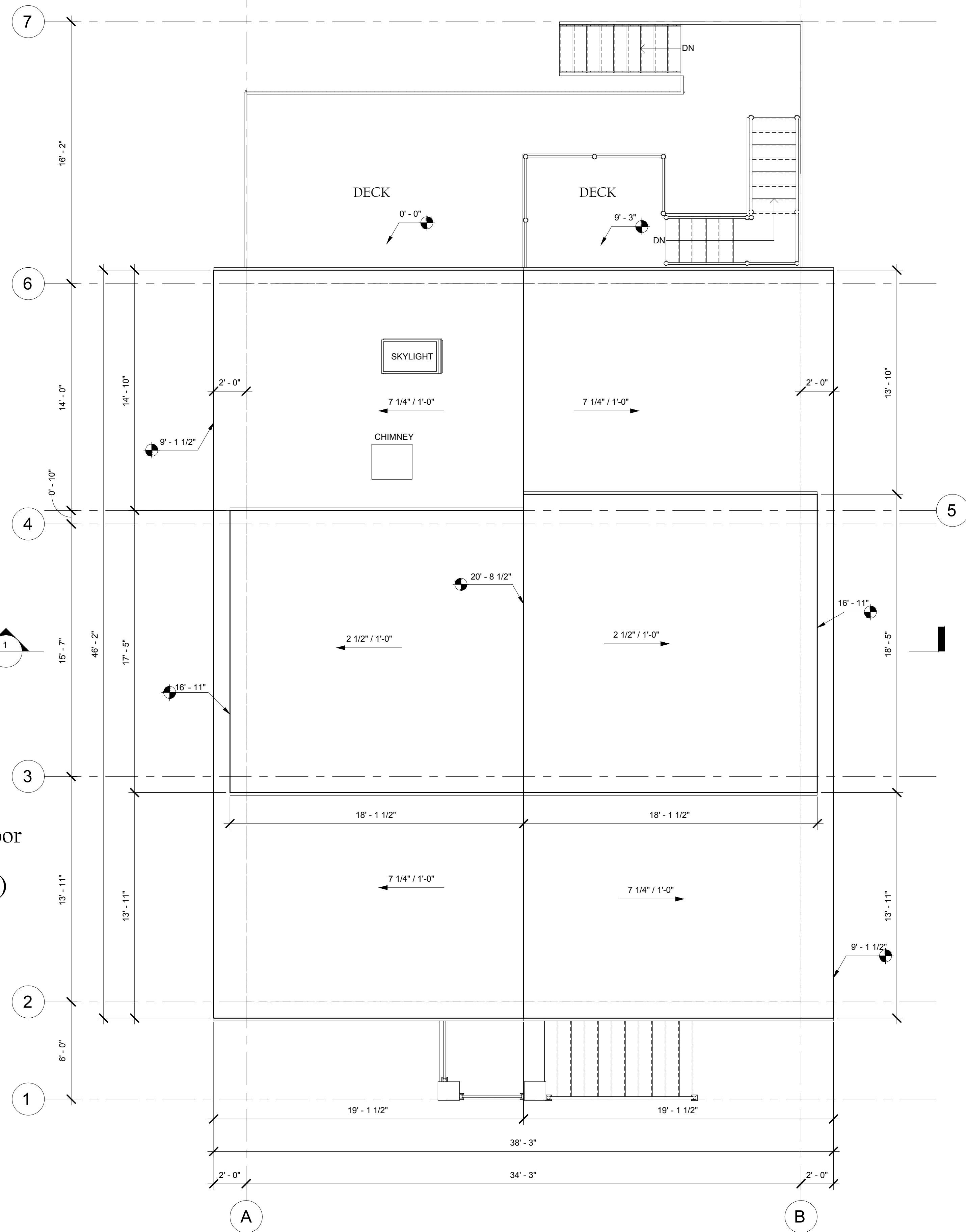
Structural Details:

- Staircase (DN) with dimensions 14'-10" and 9'-1 1/2".
- Door (9'-1 1/2") leading to the deck.
- Door (2'-0") leading to the deck.
- Door (16'-11") leading to the living area.
- Door (20'-8 1/2") leading to the living area.
- Door (16'-9") leading to the kitchen.
- Door (9'-1 1/2") leading to the kitchen.
- Door (19'-1 1/2") leading to the deck.
- Door (19'-1 1/2") leading to the deck.

No.	Date	Appr.	Revision Notes
A	11-01-19	Permit set	
No.	Date	Issue notes	
<p>Aspire Custom Designs 870 Taine Place Victoria BC Canada V8X4A4 Lindsay Baker 250-415-1866</p>			
<p>553 Raynor Avenue. Rezoning</p>			
Existing House Plans			
Project Manager	L. Baker	Project Size	14'4" x 10' or as noted
Drawing By	L. Baker	Scale	A2 1/4"
Date	Jan 11, 2019	Sheet No.	of 8
C:\CD\CD Home			

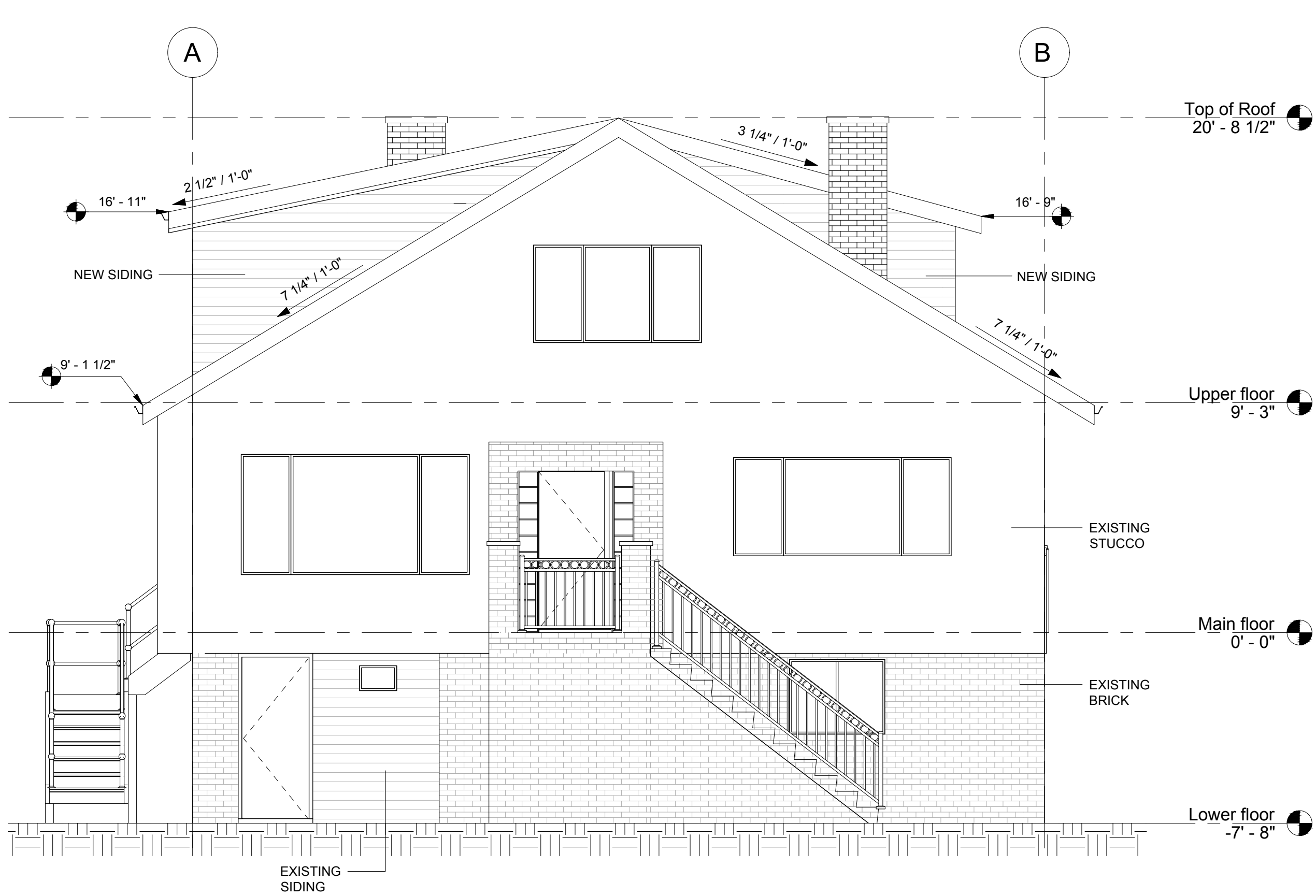


Proposed Upper Floor
1/4" = 1'-0"

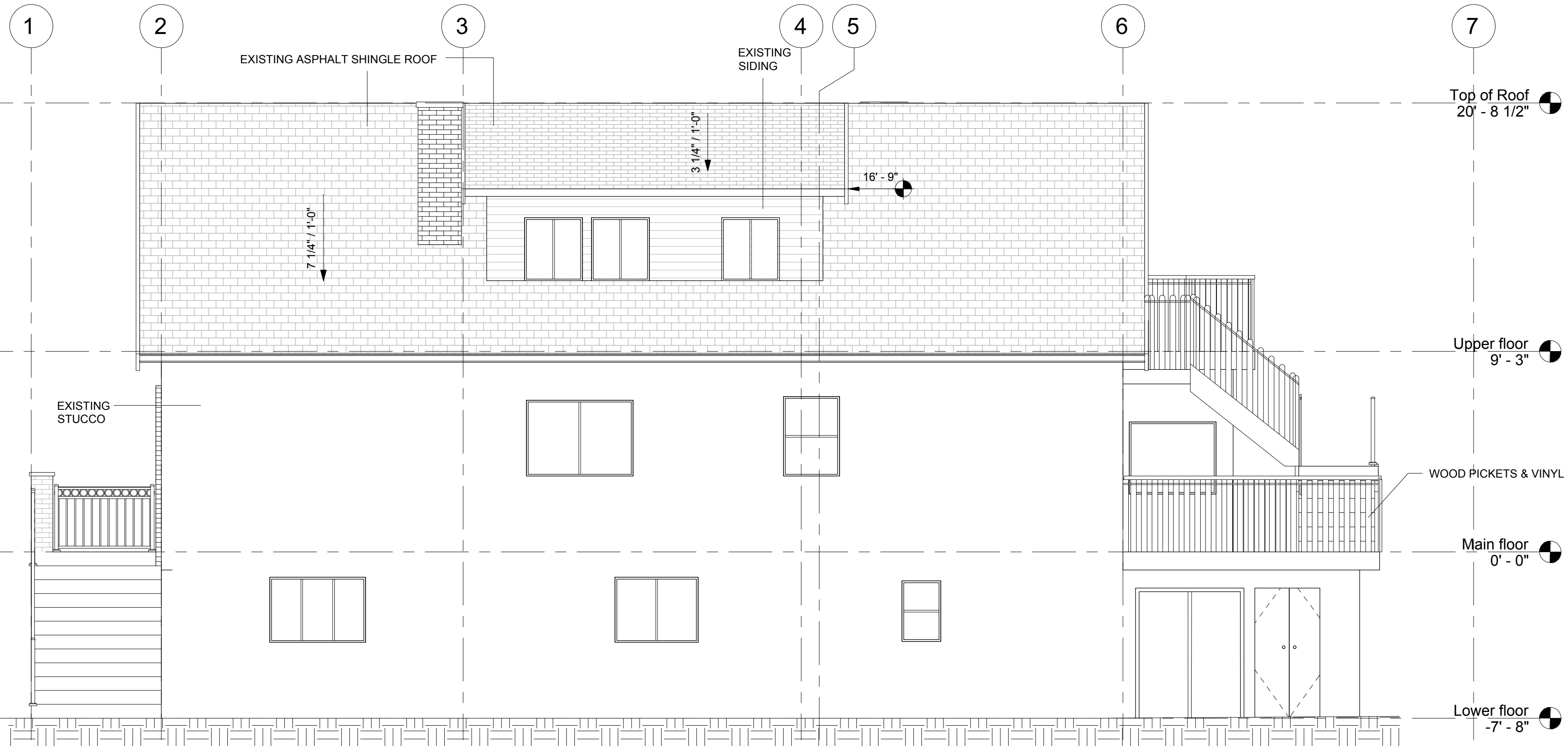


Proposed Roof Plan
1/4" = 1'-0"

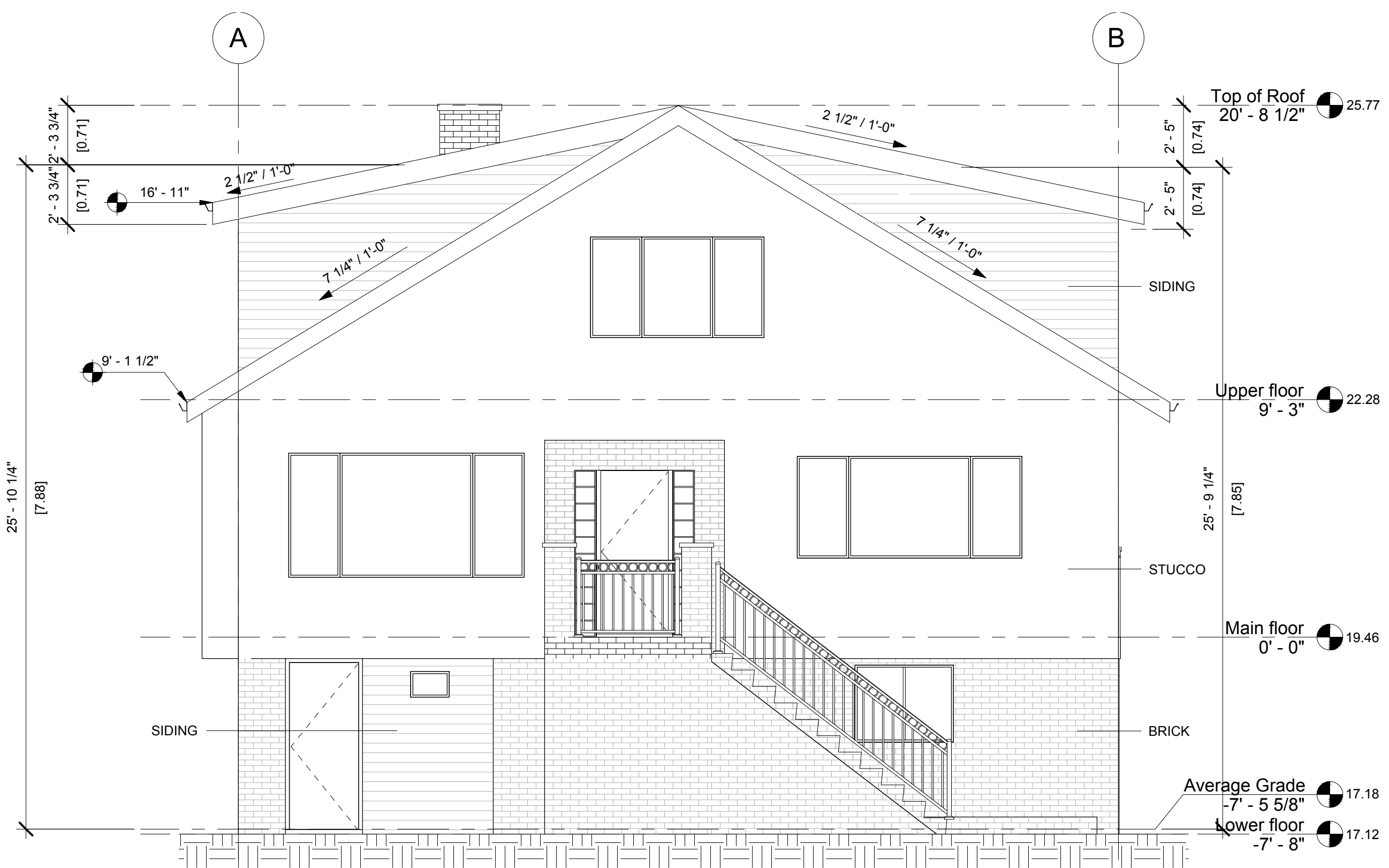
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No.	Date	Permit set	Issue notes
Aspire Custom Designs			
970 Taine Place			
Victoria BC Canada V8N4A4			
Lindsay Baker 250-415-1868			
553 Raynor Avenue.			
Rezoning			
Proposed House Plans			
Drawn By	L. Baker		
Checked By	L. Baker		
Date	Jan 11, 2019		
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Sheet No.	A3.11		
Page No.	8		



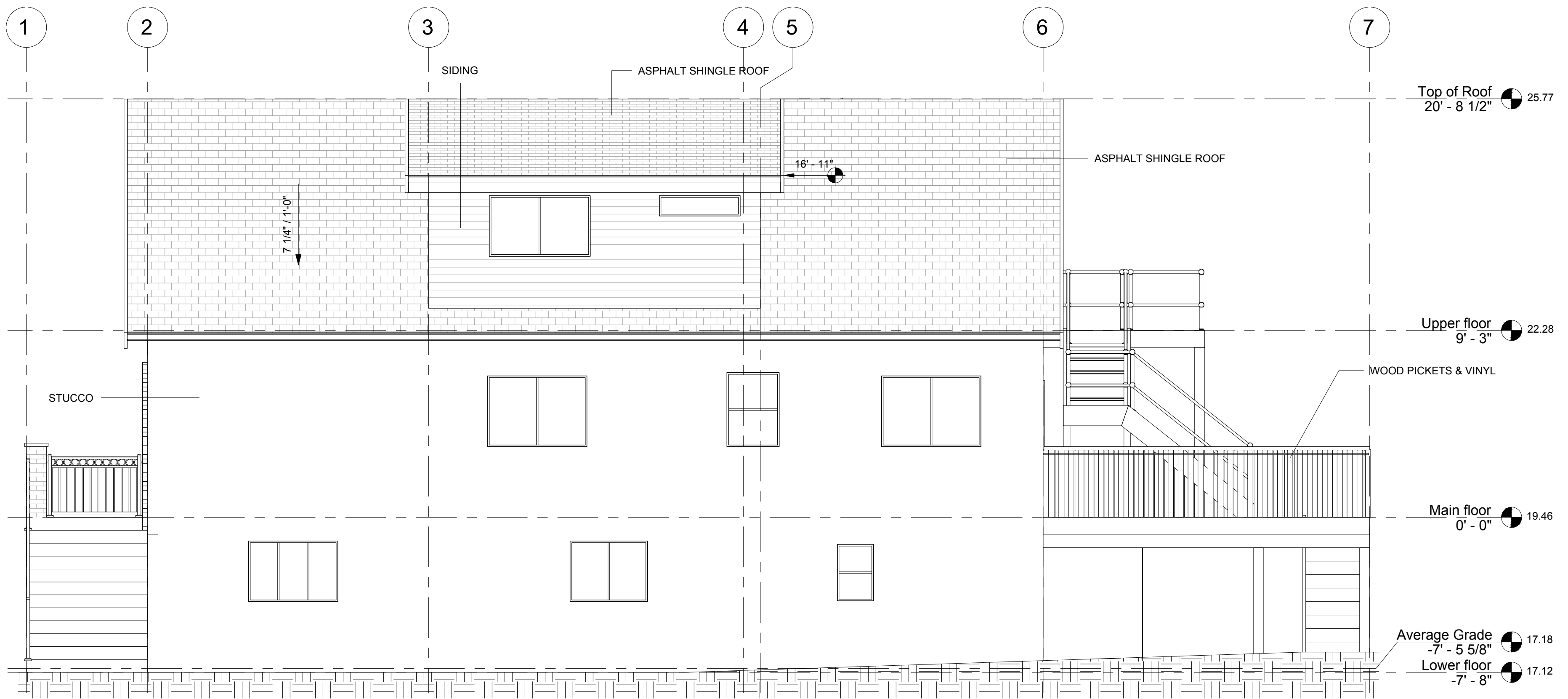
Existing Front Elevation
1/4" = 1'-0"



Existing Right Side Elevation
1/4" = 1'-0"

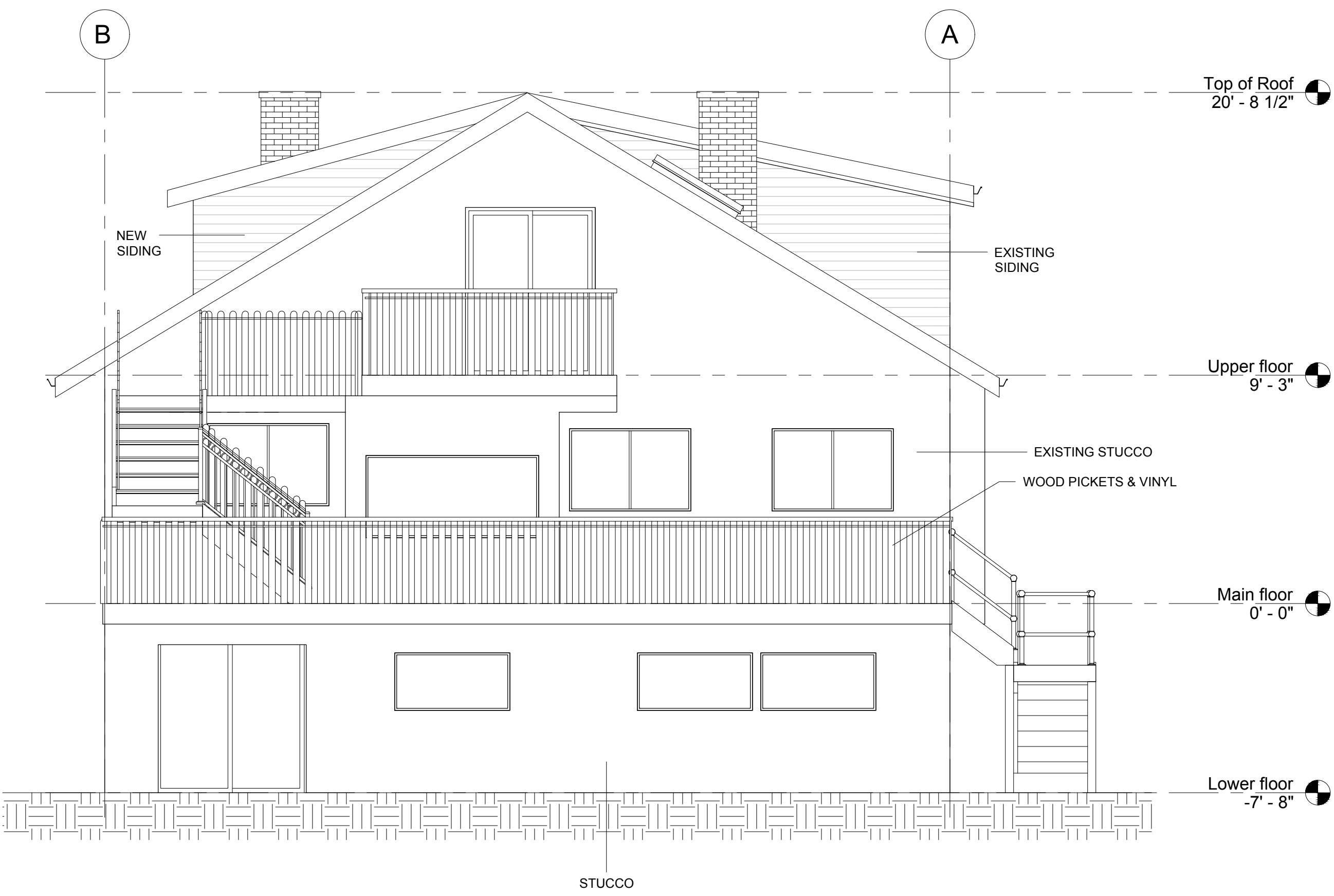


Proposed Front Elevation
1/4" = 1'-0"

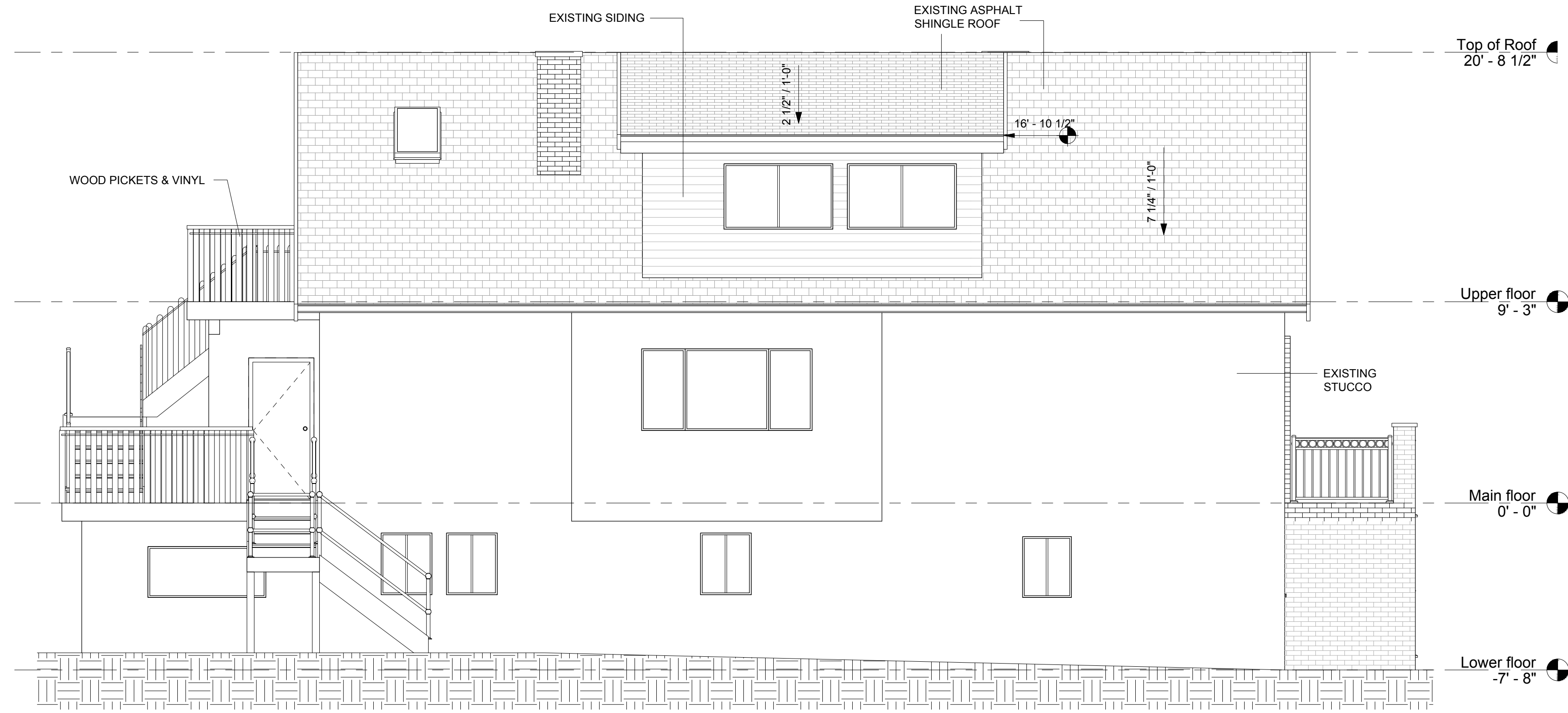


Proposed Right Side Elevation
1/4" = 1'-0"

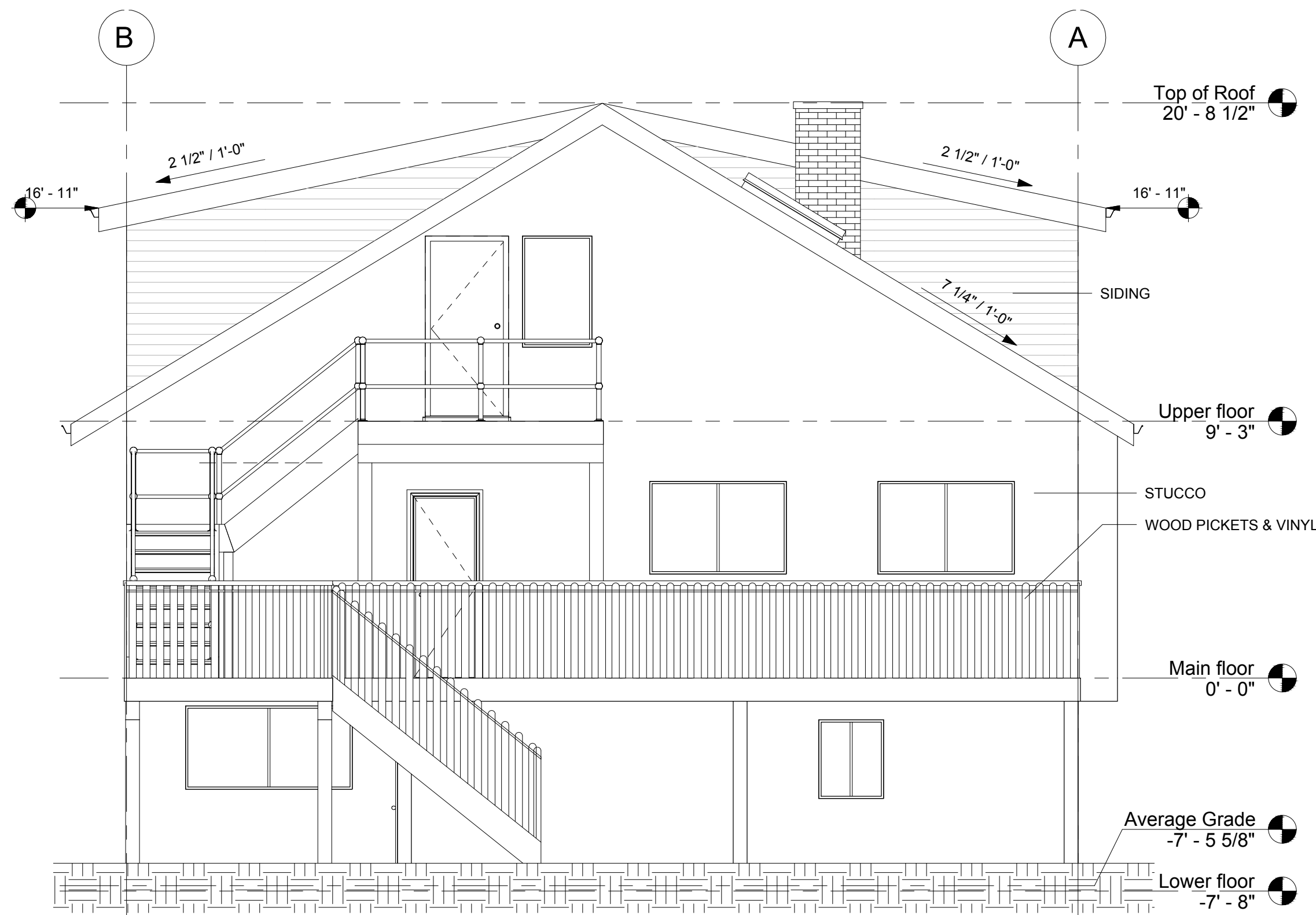
Revision Notes			
No.	Date	Appr.	Revision Notes
A 11-01-19 Permit set			
No.	Date	Permit set	Issue notes
Aspire Custom Designs 970 Taine Place Victoria BC Canada V8M4A4 Lindsay Baker 250-415-1868			
553 Raynor Avenue. Rezoning			
Elevations			
Drawn By L. Baker	Checked By L. Baker	Scale 1/4" = 1'-0" or as noted	Sheet No. A4.012
Jan 11, 2019			8



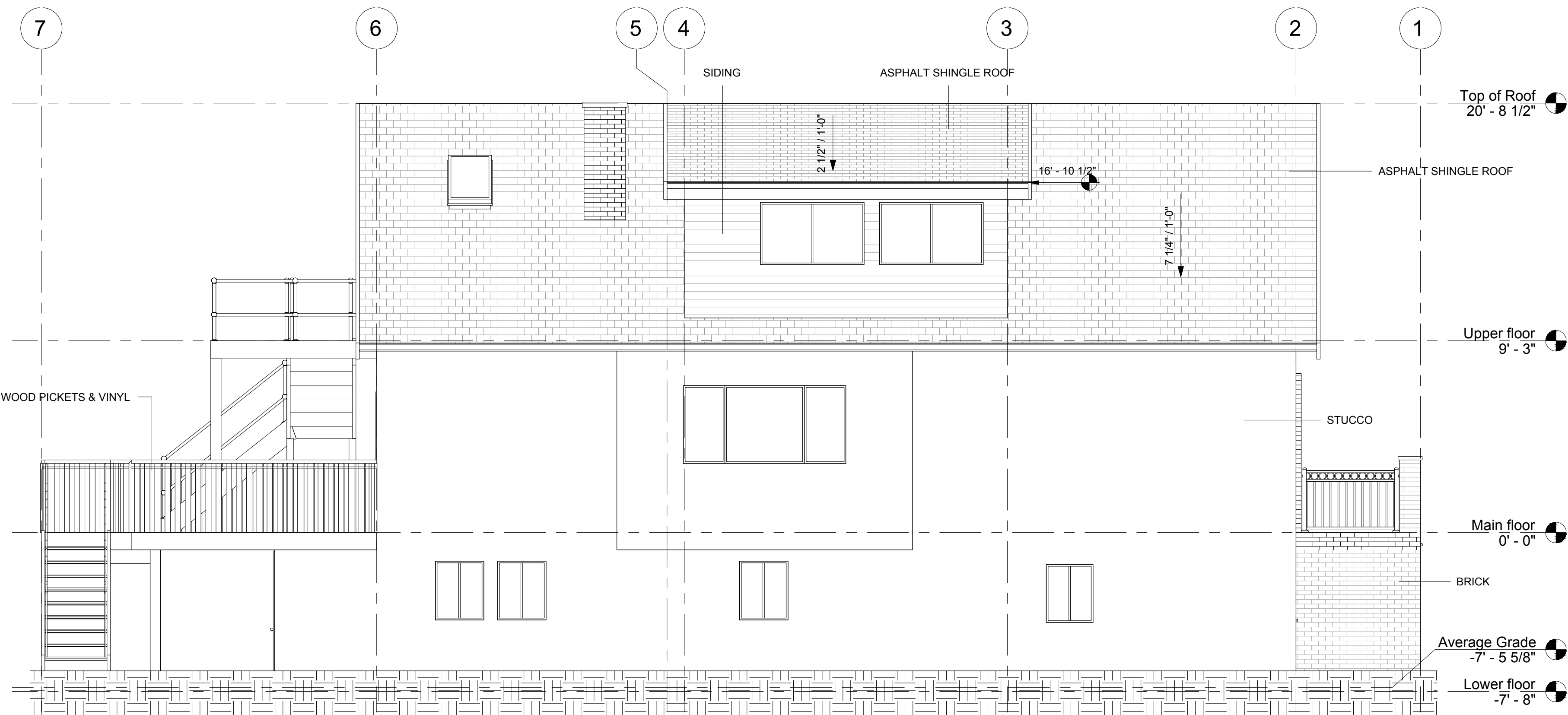
Existing Rear Elevation
1/4" = 1'-0"



Existing Left Side Elevation
1/4" = 1'-0"



Proposed Rear Elevation
1/4" = 1'-0"

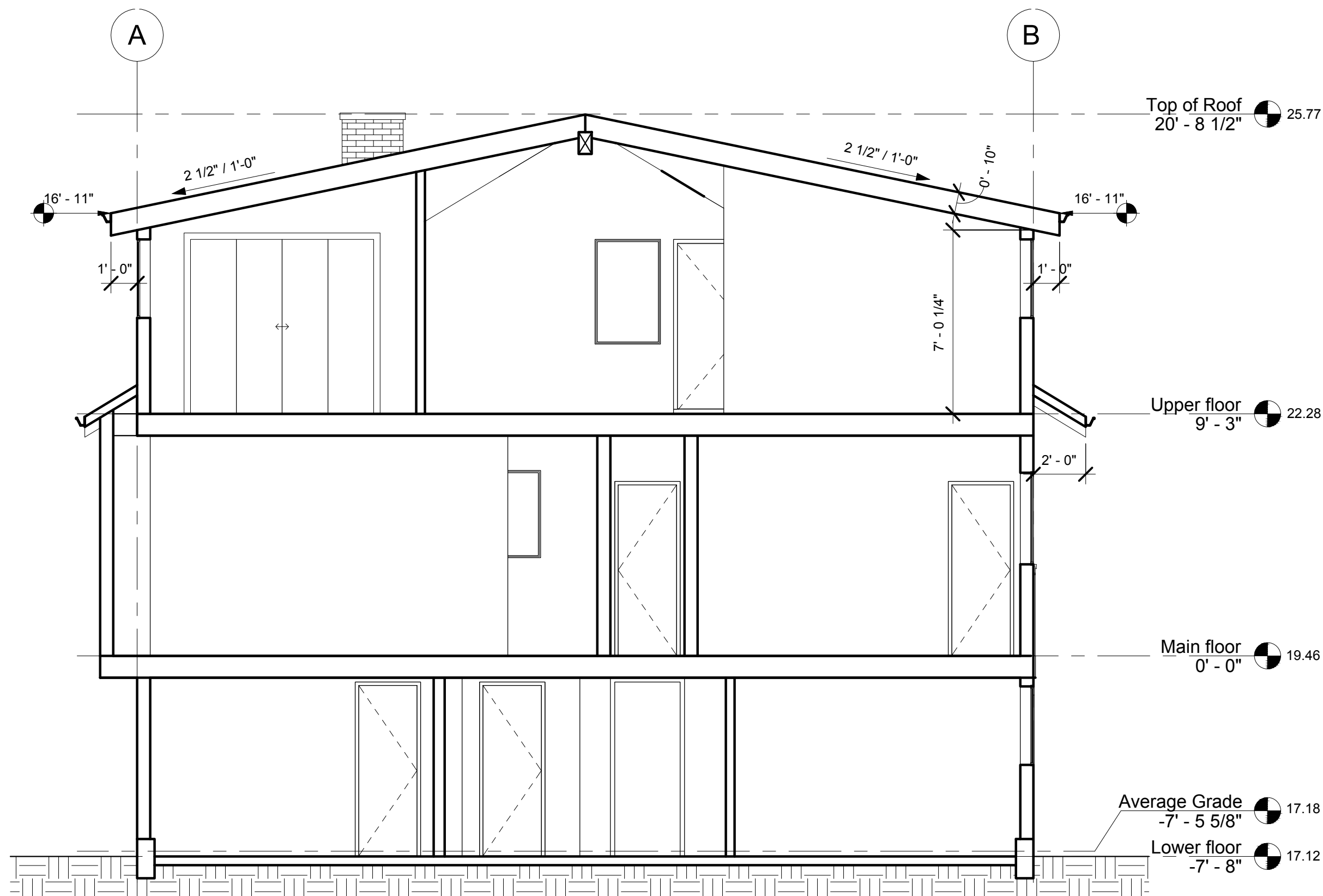


Proposed Left Side Elevation
1/4" = 1'-0"

No.	Date	Appr.	Revision Notes

A		11-01-19	Permit set	Issue notes
No.	Date	Permit set	Issue notes	
A		11-01-19	Permit set	Issue notes

Aspire Custom Designs 970 Taine Place Victoria BC Canada V8M4A4 Lindsay Baker 250-415-1888	
553 Raynor Avenue. Rezoning	
Elevations	
Drawn By L. Baker	Checked By L. Baker
Date Jan 11, 2019	Scale 1/4" = 1'0" or as noted
Sheet No. A4.113	Page No. 8

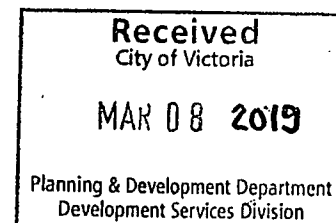


Proposed Building Section
1/4" = 1'-0"

No.	Date	Appr.	Revision Notes
A	11-01-19	Permit set	Issue notes
No.	Date	Permit set	Issue notes
Aspire Custom Designs 970 Taine Place Victoria BC Canada V8X4A4 Lindsay Baker 250-415-1868			
553 Raynor Avenue. Rezoning			
Building Section			
Drawn By L. Baker	Checked By L. Baker	Scale 1/4" = 1'0" or as noted	Sheet No. A5.014
Date Jan 11, 2019	Drawn By L. Baker	Checked By L. Baker	Sheet No. 8

Avery Kelly
 Robert Morris
 553 Raynor Avenue
 Victoria, B.C
 V9A 3A9

Mayor Lisa Helps
 City of Victoria Council Members
 Planning and Land Use Committee
 1 Centennial Square
 Victoria, BC V8W 1P6



February 21, 2019

Dear Members of the City of Victoria Planning and Land Use Committee,

Thank you for considering our application to rezone 553 Raynor Avenue from a non-conforming duplex to a single-family home with secondary suite. This application will involve both height and density variances. We bought this non-conforming duplex with lower illegal suite three years ago to rejuvenate a neglected property. As part of the improvements, we have already completed \$20,000 in permitted electrical work, including the addition of hardwired smoke detectors.

Below is a list of proposed changes that relate to our request for height and density variances:

- We are seeking approval for the dormer constructed without permits on the west side of the house. To do this we would need a variance to allow for 8.01m roof height. Note that this does not increase the height of the primary roof ridge. This dormer would also increase the square footage by 80sq.ft.
- Our engineer recommends that we rebuild the dormer on the east side of the house. This would move the dormer's load bearing wall off the floor joist and onto the outer wall of the house. This would be a significant structural improvement, and only increase the floor area by a minor 55sq.ft.
- In total the two dormers increase the square footage of the top ½ floor by 135sq.ft., and we are seeking a variance for this increased density. Please note that we have removed a storage area and closet totalling 87sq.ft., and so the total floor area of the ½ level will only increase by 48sq.ft.
- On the lower floor, we are seeking a variance for density for the partially enclosed garage space. As this enclosure was done before we purchased the house and no original blueprints exist, the precise size of the original garage is unclear. However, if we assume a garage that was 19 feet long and the same width as the current space (six foot three inches), the total estimated area of the garage space would have been 223sq.ft. The remaining garage space is 87sq.ft., which means we are increasing the density by 136sq.ft.
- We also propose removing the enclosed space beneath the deck, as well as the enclosed space off the kitchen on the main floor, further reducing the density of the home by another 220 square feet.

- In total then we are asking for a density increase of 271sq.ft., but we have also removed 307sq.ft of enclosed space, meaning we have actually reduced the total enclosed space of the home by 36sq.ft.
- Our house, built in 1912, is two and a half floors. The current zoning, created after our house was built, allows only for two. As such, the house is legal non-conforming, and compliance would cause a hardship: removing the entire top floor of the home. Please note, the proposed upper floor is 68% of the ground floor and conforms as a half level.

Below is a list of changes unrelated to the variances and which do not require approval beyond the building permit stage:

Changes to Basement (ext. and int.)

- Bathroom door moved from lower mudroom to hallway
- Addition of a laundry room
- Removal of patio door in lower floor mudroom and the addition of a window in its place.

Changes to Main Floor (ext. and int.)

- Addition of another bathroom
- Division of the living room into two separate rooms
- Removal of the exterior door in the kitchen that allows access to the deck.
- Addition of an exterior door in the mudroom
- Removal of window on north side of main floor mudroom
- addition of window on west side of mudroom

Changes to Deck

- new stairway config. for deck
- removal of old deck stairs on west side of house
- Creation of a larger deck area on the north side of the house off the top floor.

Changes to ½ Floor

- Removal of sliding glass entrance door and replacement with traditional exterior door on north side of house

Further notes:

- The exterior appearance of the house will change minimally as the two changes we are requesting, the addition of the shed dormer, and the small expansion of the other, do not extend beyond the existing envelope of the building.
- We worked with the City Planning Department and some of the building inspectors to ensure that the main floor and ground floor are one suite.
 - Opened staircase
 - Removed stove
 - Plan to replace double sink with single basin.

- The neighbours we have canvassed so far have all expressed their support for our project.

Once completed, our renovation of this unit will provide a rental unit perfect for a couple or small family. Vic West is a perfect neighbourhood for those who work downtown and rental housing is very hard to find.

Thank you,

Robert Morris

Avery Kelly

521 Craigflower Rd. Victoria, BC V9A 6Z5

info@victoriawest.ca www.victoriawest.ca



October 9, 2017

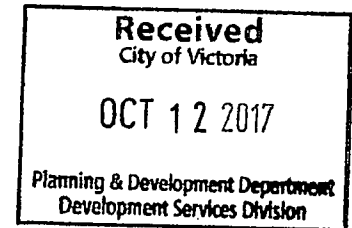
Building & Planning Dept.

City of Victoria

1 Centennial Square Victoria,

BC V8W 1P6

Attention: Building & Planning Dept.



Dear Building & Planning Dept.

On February 21, 2017, Robert Morris presented a Rezoning application to the Vic-West CALUC for 553 Raynor Ave. During that meeting on February 21, the application was well received by the Land-Use Committee, and no issues or concerns were raised from the committee or the public. We understand that a time of more than 6 months has passed, and a secondary meeting may be required. However, the Vic West Community Association Land-Use Committee agrees to waive a secondary Community Meeting, as no further issues or concerns are present.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean Dance". The signature is stylized with a large, sweeping "S" and a horizontal line extending to the right.

Sean Dance, Chair

Vic West Land Use Committee

Received
City of Victoria

NOV 20 2018

Planning & Development Department
Decision Services Division

Dear Neighbor(s)

Hello, our names are Avery and Robert and we live at 553 Raynor Avenue. We have decided to do some renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

As part of the renovations we will be adding a dormer to the top floor of our house, rebuilding the deck, and upgrading the internal structure of the building.

We hope to submit letters from all our neighbours in support of the project as part of our application.

Warm regards,

Robert Morris

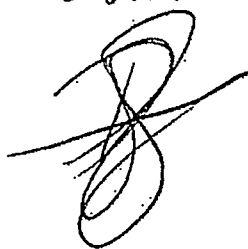
Avery Kelly

Neighbour's address:

622 Pine St.

Signature One:

David van Blankenstein



Signature Two:

Received
City of Victoria

NOV 20 2018

Planning & Development Department
Development Services Division

Dear Neighbor(s)

Hello, our names are Avery and Robert and we live at 553 Raynor Avenue. We have decided to renovate our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

As part of the renovations we will be adding a dormer to the top floor of our house, rebuilding the deck, and upgrading the internal structure of the building.

We hope to submit letters from all our neighbours in support of the project as part of our application.


Warm regards,

Robert Morris

Avery Kelly

Neighbour's address: 616 Pine St.

Signature One:



B. Bourassa

Signature Two:

Received
City of Victoria

NOV 20 2019

Planning & Development Department
Development Services Division

Dear Neighbor(s)

Hello, our names are Avery and Robert and we live at 553 Raynor Avenue. We have decided to do some renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

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Warm regards,

Robert Morris

Avery Kelly

Neighbour's address: 450 Craigflower

Signature One:

Brianne Poy

Signature Two:

Received
City of Victoria

NOV 20 2018

Planning & Development Department
Development Services Division

Dear Neighbor(s)

Hello, our names are Avery and Robert and we live at 553 Raynor Avenue. We have decided to do some renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

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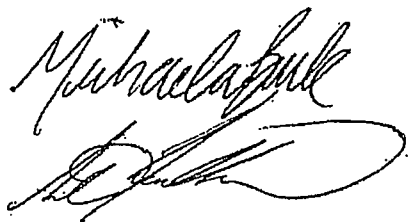
Warm regards,

Robert Morris


Avery Kelly

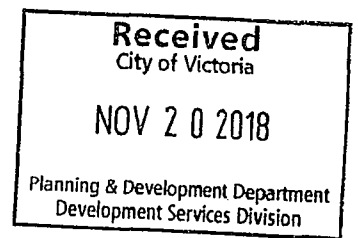
Neighbour's address: 610 Pine St.

Signature One:



Signature Two:





Dear Neighbor(s)

Hello, our names are Avery and Robert and we live at 553 Raynor Avenue. We have decided to do some renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

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Warm regards,

Robert Morris

Avery Kelly

Neighbour's address: 915 Hudson

Signature One:

A handwritten signature in black ink, appearing to read "E. Cooper". The signature is fluid and cursive, with a long horizontal stroke at the end.

Signature Two:

Received
City of Victoria

NOV 20 2009

Planning & Development Department
Development Services Division

Dear Neighbor(s)

Hello, our names are Avery and Robert and we live at 553 Raynor Avenue. We have decided to do some renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

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Warm regards,

Robert Morris

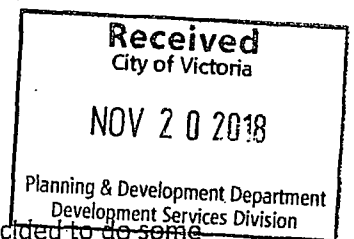
Avery Kelly

Neighbour's address: 909 Hudson St.

Signature One:



Signature Two:



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We hope to submit letters from all our neighbours in support of the project as part of our application.

Warm regards,

Robert Morris

Avery Kelly

Neighbour's address: 521 Langford st. Victoria, B.C V9A 3C5

Signature One:

A handwritten signature in black ink, appearing to be "R. Morris", written over the "Signature One:" label.

Signature Two:

Received
City of Victoria

NOV 20 2018

Planning & Development Department
Development Services Division

Dear Neighbor(s)

Hello, our names are Avery and Robert and we live at 553 Raynor Avenue. We have decided to do some renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

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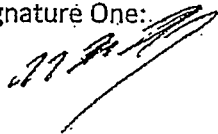
Warm regards,

Robert Morris

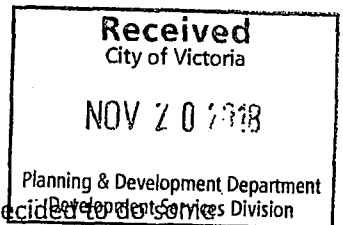
Avery Kelly

Neighbour's address: 934 Fullerton Ave

Signature One:



Signature Two:



Dear Neighbor(s)

Hello, our names are Avery and Robert and we live at 553 Raynor Avenue. We have decided to do some renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

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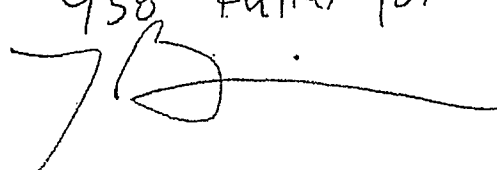
Warm regards,

Robert Morris

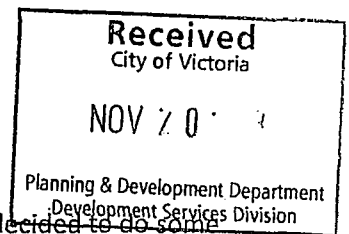
Avery Kelly

Neighbour's address:

Signature One:

938 Fuller Ave Victoria BC


Signature Two:



Dear Neighbor(s)

Hello, our names are Avery and Robert and we live at 553 Raynor Avenue. We have decided to do some renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

As part of the renovations we will be adding a dormer to the top floor of our house, rebuilding the deck, and upgrading the internal structure of the building.

We hope to submit letters from all our neighbours in support of the project as part of our application.

Warm regards,

Robert Morris

Avery Kelly

Neighbour's address: 620 Raynor Avenue

Signature One:

Elise Matzanke
Elise Matzanke

Signature Two:

Received
City of Victoria

NOV 20 2018

Planning & Development Department
Development Services Division

Dear Neighbor(s)

Hello, our names are Avery and Robert and we live at 553 Raynor Avenue. We have planned to do some renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

As part of the renovations we will be adding a dormer to the top floor of our house, rebuilding the deck, and upgrading the internal structure of the building.

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Warm regards,

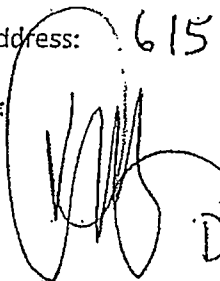
Robert Morris

Avery Kelly

Neighbour's address:

615 Raynor Avenue

Signature One:



DORA KUSGROVE

Signature Two:

Dear Neighbor(s)

Hello, our names are Avery and Robert and we live at 553 Raynor Avenue. We have decided to do some renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

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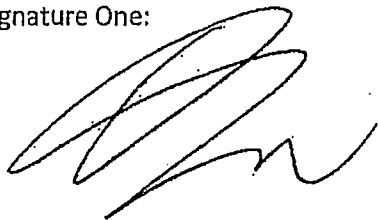
Warm regards,

Robert Morris

Avery Kelly

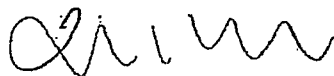
Neighbour's address: 557 Raynor Avenue

Signature One:



ANDREW WIGZELL

Signature Two: ~~THOMAS~~ MOURFORD



Dear Neighbor(s)

Hello, our names are Avery and Robert and we live at 553 Raynor Avenue. We have decided to do some renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

As part of the renovations we will be adding a dormer to the top floor of our house, rebuilding the deck, and upgrading the internal structure of the building.


We hope to submit letters from all our neighbours in support of the project as part of our application.

Warm regards,

Robert Morris

Avery Kelly

Neighbour's address: 623 Raynor Ave

Signature One: 

HEATHER MCPHERSON.

Signature Two:

Rezoning Application for 553 Raynor Avenue



Subject Property



414 to 424 Craigflower Road



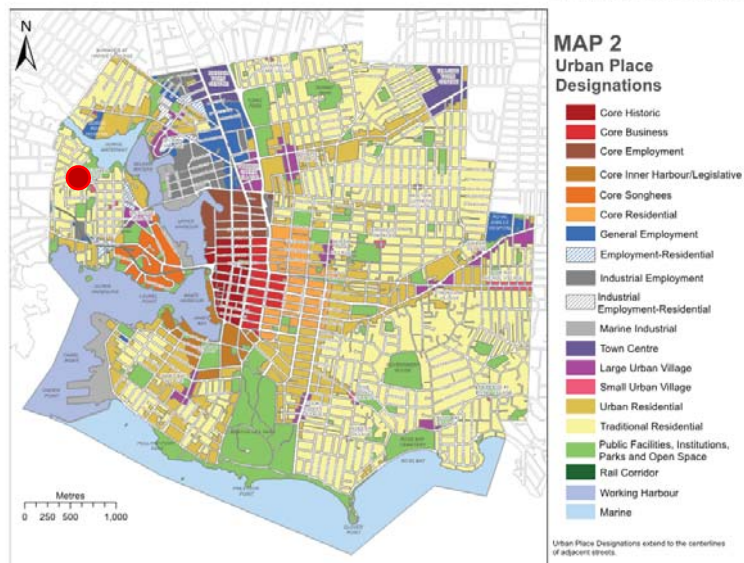
557 Raynor Avenue



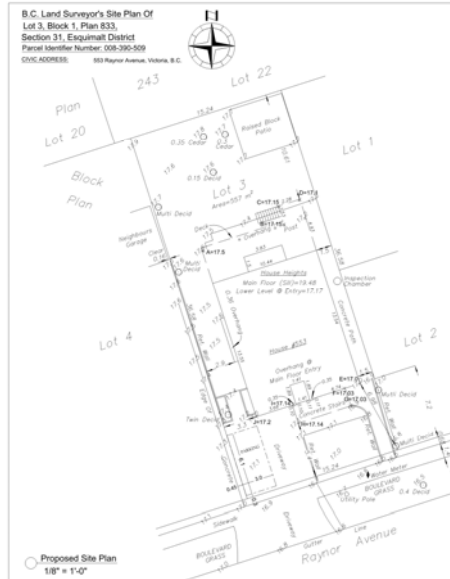
556 Raynor Avenue



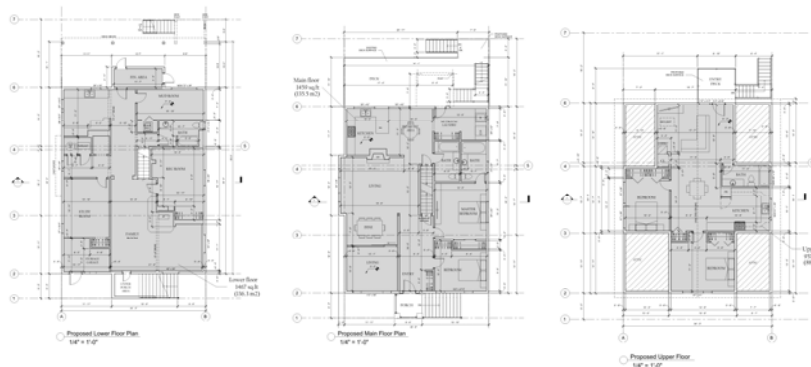
530 Raynor Avenue (Raynor Park)



Site Plan



Proposed Floor Plans



First Storey

Second Storey

1/2 Storey



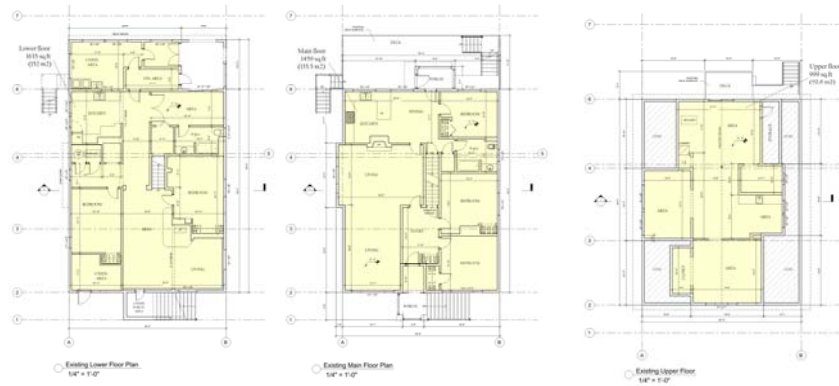
Proposed Elevations



Subject Property



Existing Floor Plans



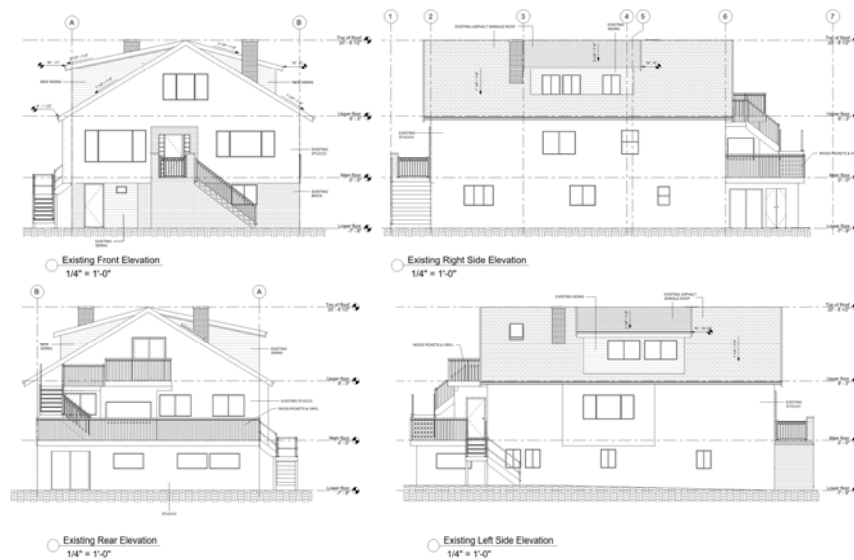
First Storey

Second Storey

1/2 Storey



Existing Elevations





Committee of the Whole Report For the Meeting of May 2, 2019

To: Committee of the Whole **Date:** April 18, 2019
From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development
Subject: Development Variance Permit No. 00204 for 331 and 337 St. Charles Street

RECOMMENDATION

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

"That Council authorize the issuance of Development Variance Permit Application No. 00204 for 331 and 337 St. Charles Street, in accordance with:

1. Plans date stamped April 4, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the front yard setback of Lot A from 7.5m to 2.89m
 - ii. reduce the rear yard setback of Lot A from 9.1m to 4.56m
 - iii. reduce the lot width of Lot B from 15.0m to 11.64m
 - iv. reduce the front yard setback of Lot C from 7.5m to 4.78m
 - v. reduce the north side yard setback of Lot C from 2.78m to 1.54m
 - vi. reduce the combined side yard setback of Lot C from 5.4m to 4.58m.
3. Revised site plan, to the satisfaction of the Director of Sustainable Planning and Community Development, correcting the Lot A parking stall dimensions to match the landscape plan.
4. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 331 and 337 St. Charles Street. The proposal is to permit the subdivision of two single-family dwelling lots to allow for the construction of an additional single-family dwelling on a newly created third lot. The variances are related to lot width as well as front, rear, and side yard setbacks.

The following points were considered in assessing this Application:

- the proposal is consistent with the *Gonzales Neighbourhood Community Plan* objective to retain the detached housing character of Gonzales
- the front yard setback variances for proposed Lots A and C are considered supportable as the variances are due to a City-required road dedication that would occur at the subdivision stage
- the side yard setback variances for Lot C are also considered to be supportable as the variances are internal to the site and the existing distance between buildings is maintained
- the rear yard setback variance for Lot A is inconsistent with the *Gonzales Neighbourhood Community Plan*; however, useable green space is still maintained due to the angled nature of the lot line
- although the lot width variance for Lot B is narrower than the majority of the lots in the area, it represents a similar lot width to that of the property located immediately to the east.

BACKGROUND

Description of Proposal

The proposal is to permit the subdivision of two single-family dwelling lots to allow for the construction of an additional single-family dwelling on a newly created third lot. The proposed variances are to:

- reduce the front yard setback of Lot A from 7.5m to 2.89m (existing conditions, but triggered by the reconfiguration of the lot lines from the new road dedication)
- reduce the rear yard setback of Lot A from 9.1m to 4.56m
- reduce the lot width of Lot B from 15.0m to 11.64m
- reduce the front yard setback of Lot C from 7.5m to 4.78m (existing conditions, but triggered by the reconfiguration of the lot lines from the new road dedication)
- reduce the north side yard setback of Lot C from 2.78m to 1.54m (existing condition, but triggered by the reconfiguration of the side lot line)
- reduce the combined side yard setback of Lot C from 5.4m to 4.58m (existing condition, but triggered by the reconfiguration of the side lot line).

Sustainability Features

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

Active Transportation Impacts

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

Public Realm Improvements

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

Accessibility Impact Statement

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

Existing Site Development and Development Potential

The site is currently two single-family dwellings on two separate lots. Under the current R1-G Zone, Gonzales Single Family Dwelling District, each property could be developed as a single-family dwelling with either a garden suite or a secondary suite.

Data Table

The following data table compares the proposal with the R1-G Zone, Single Family Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal – Lot A	Proposal – Lot B	Proposal – Lot C	Zone Standard R1-G
Site area (m ²) – minimum	461.56	484.39	460.36	460
First and second storey floor area (m ²) – maximum	228.73	156.34	174.7	240
Combined floor area (m ²) – maximum	228.73	246.25	174.7	300
Density (Floor Space Ratio) – maximum	0.50	0.32	0.38	0.50
Lot width (m) – minimum	19.61	11.64 *	15.92	15.0
Height (m) – maximum	5.07	7.43	5.3	7.6
Storeys – maximum	2	1.5	2	2 (1.5 with basement)
Site coverage % – maximum	25.78	22.93	25.42	30
Open site space % – minimum	72.37	72.15	67.96	50
Open site space front yard % – minimum	90.83	81.36	78.55	50
Setbacks (m) – minimum				
Front	2.89 * (Earle Street)	7.50 (Earle Street)	4.78 * (St. Charles Street)	7.5
Rear	4.56 *	17.86	9.11	Lot A – 9.1 Lot B – 12.44 Lot C – 9.1
Side	3.81 (east)	3.05 (east)	1.54 * (north)	Lot A – 3.46 Lot B – 1.86 Lot C – 2.78

Zoning Criteria	Proposal – Lot A	Proposal – Lot B	Proposal – Lot C	Zone Standard R1-G
Side	-	2.36 (west)	3.04 (south)	Lot A – 3.46 Lot B – 1.86 Lot C – 2.78
Side on flanking street	4.47	-	-	3.5
Combined side yards	8.28	5.41	4.58 *	5.4
Parking – minimum	1	1	1	1

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the Application was referred for a 30-day comment period to the Fairfield Gonzales CALUC on January 5, 2018. On June 7, 2018, the applicant attended a Fairfield Gonzales CALUC meeting. A letter from the CALUC is attached to this report.

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

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP, 2012)* identifies this property within DPA 16 – General Form and Character. Within this DPA, single-family dwellings do not require a Development Permit for the design of the proposal.

Local Area Plans

The *Gonzales Neighbourhood Community Plan (2002)* recommends land use policies that ensure the neighbourhood retains its detached dwelling character. New houses should fit with the size and character of existing houses in the neighbourhood. The requested variances retain the existing houses and the character of the neighbourhood is relatively unchanged.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts or impacts to public trees with this Application.

Regulatory Considerations

There are six variances that affect this Application. The front yard setbacks for Lot A and C would require variances as a result of the road dedication that would take place at the subdivision stage. These variances are a result of City requirements, as no changes are proposed to the existing buildings or related front yards.

A variance is also required for reducing the side yard setback of Lot C from 2.78m to 1.54m. This variance subsequently triggers another variance to the combined side yard setback of Lot C from 5.40m to 4.58m. In this instance, the variance is triggered by the adjustment of the property line between the two existing buildings, so the impact is internalized to the subject sites. In addition, the adjacent building on Lot A is set back 4.56m from the side property line, which creates an adequate distance between the two buildings.

Lot B is 12.42m wide at the front of the property and thins at the rear of the property to 8.60m, creating an average width across the property of 11.64m, which requires a variance from the zone standard of 15.0m. The 12.42m frontage is slightly larger than the 12.0m width found on the lot immediately adjacent to the east. However, the majority of the neighbourhood either meets or exceeds the 15.0m lot width found in the R1-G Zone, with the average lot width of the eight nearest single-family dwelling properties being approximately 18.75m.

Finally, although the house on Lot A fronts onto St. Charles Street, the rear yard is technically the southern yard and therefore requires a variance from 9.1m to 4.56m. However, the east yard acts as the *de facto* rear yard and due to the angled lot line the *de facto* rear yard does extend to 8.76m at the south, which provides for useable green space.

CONCLUSIONS

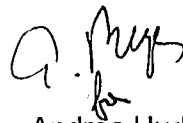
The *Gonzales Neighbourhood Community Plan* encourages retaining the existing detached housing character of the neighbourhood while ensuring that new housing fits with the existing context. The proposed variances help ensure that the detached character of the neighbourhood is preserved through the retention of the existing dwellings and the addition of a new dwelling with minimal variances. Therefore, staff recommend that Council consider supporting this Application.

ALTERNATE MOTION


That Council decline Development Variance Permit Application No. 00204 for the property located at 331 and 337 St. Charles Street.

Respectfully submitted,


Michael Angrove
Planner
Development Services

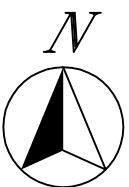
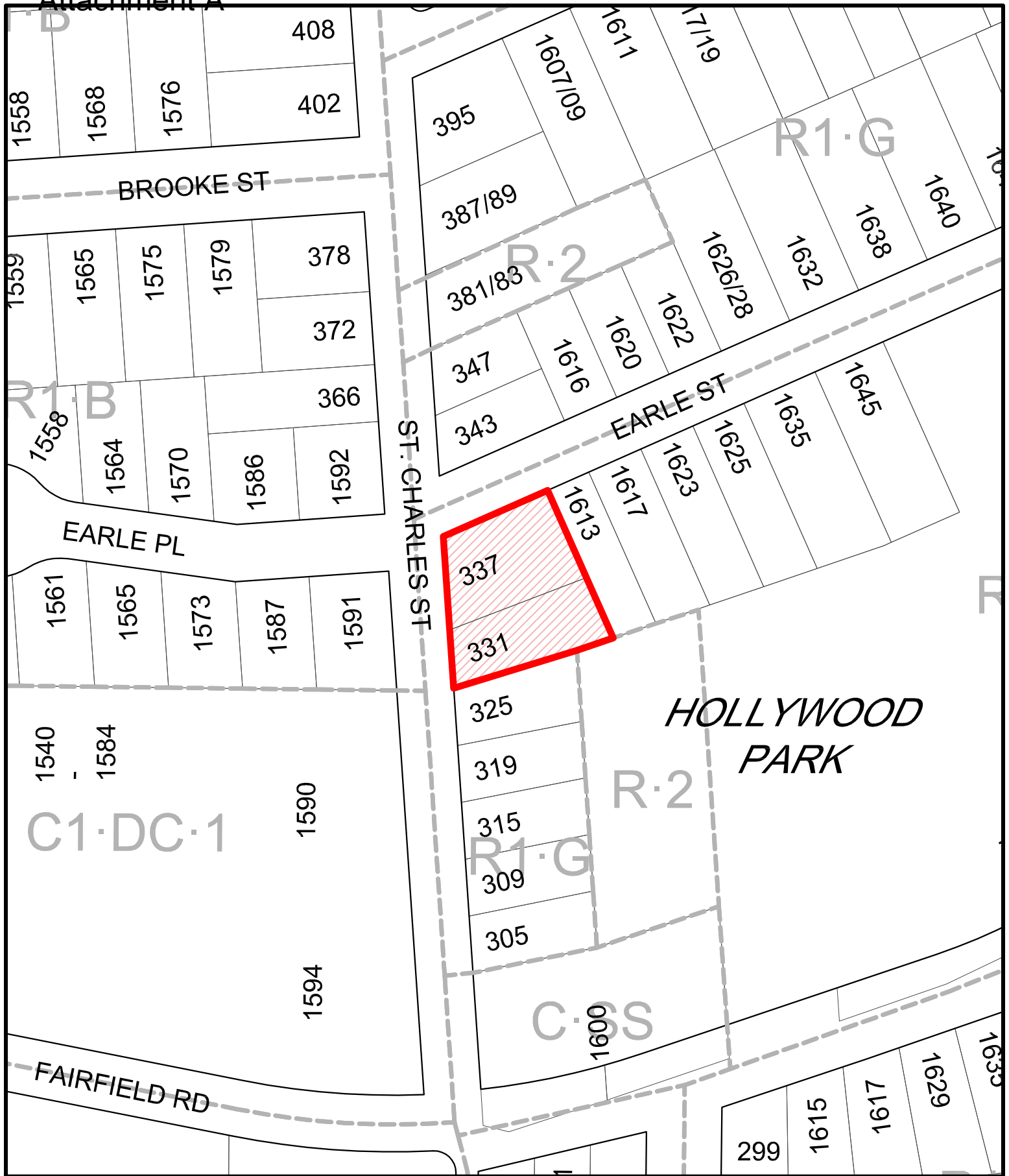

Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

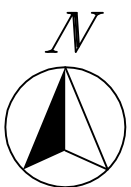
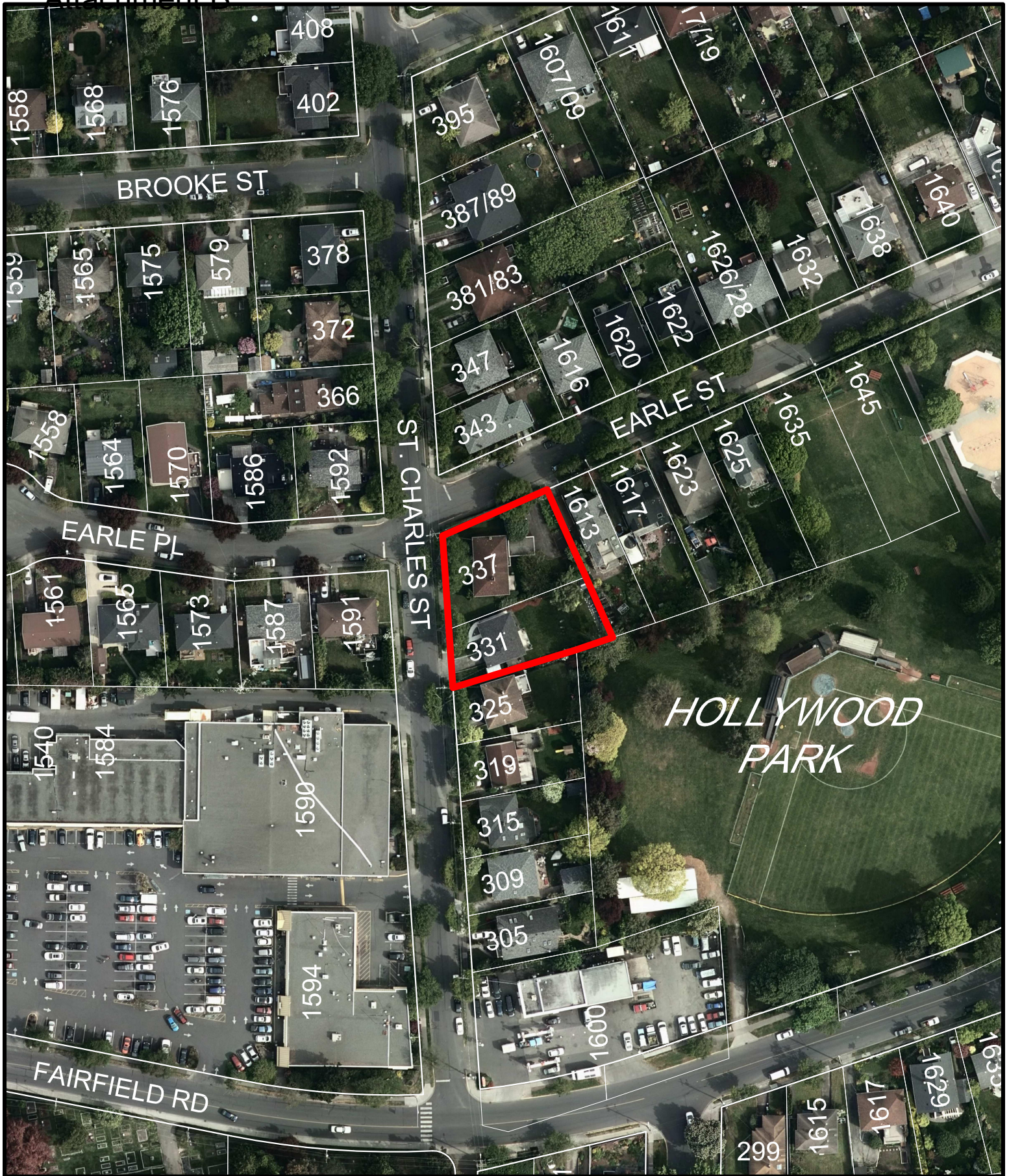

Date: April 26, 2019

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped April 4, 2018
- Attachment D: Letters from the applicant to Mayor and Council dated September 26, 2017 and March 18, 2019
- Attachment E: Letter from the Fairfield Gonzales CALUC dated June 7, 2018
- Attachment F: Correspondence.



331 & 337 St Charles Street
Development Variance Permit #00204



331 & 337 St Charles Street
Development Variance Permit #00204

SKETCH PLAN OF EXISTING LOTS

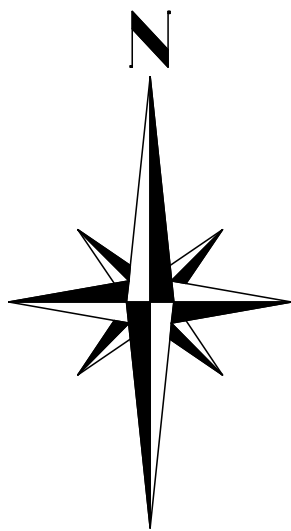
Civic: 331 & 337 St.Charles Street
Legal Lots 1 & 2, Sections 19 & 68,
Victoria District, Plan 11189
Parcel Identifiers: 005-157-986 & 005-158-028 in the City of Victoria

All distances are shown in metres.
Setbacks are derived from field survey.
Parcel dimensions shown hereon are
derived from Land Title Office records.

SURVEY INFORMATION PROVIDED BY:
POWELL & ASSOCIATES BC Land Surveyors

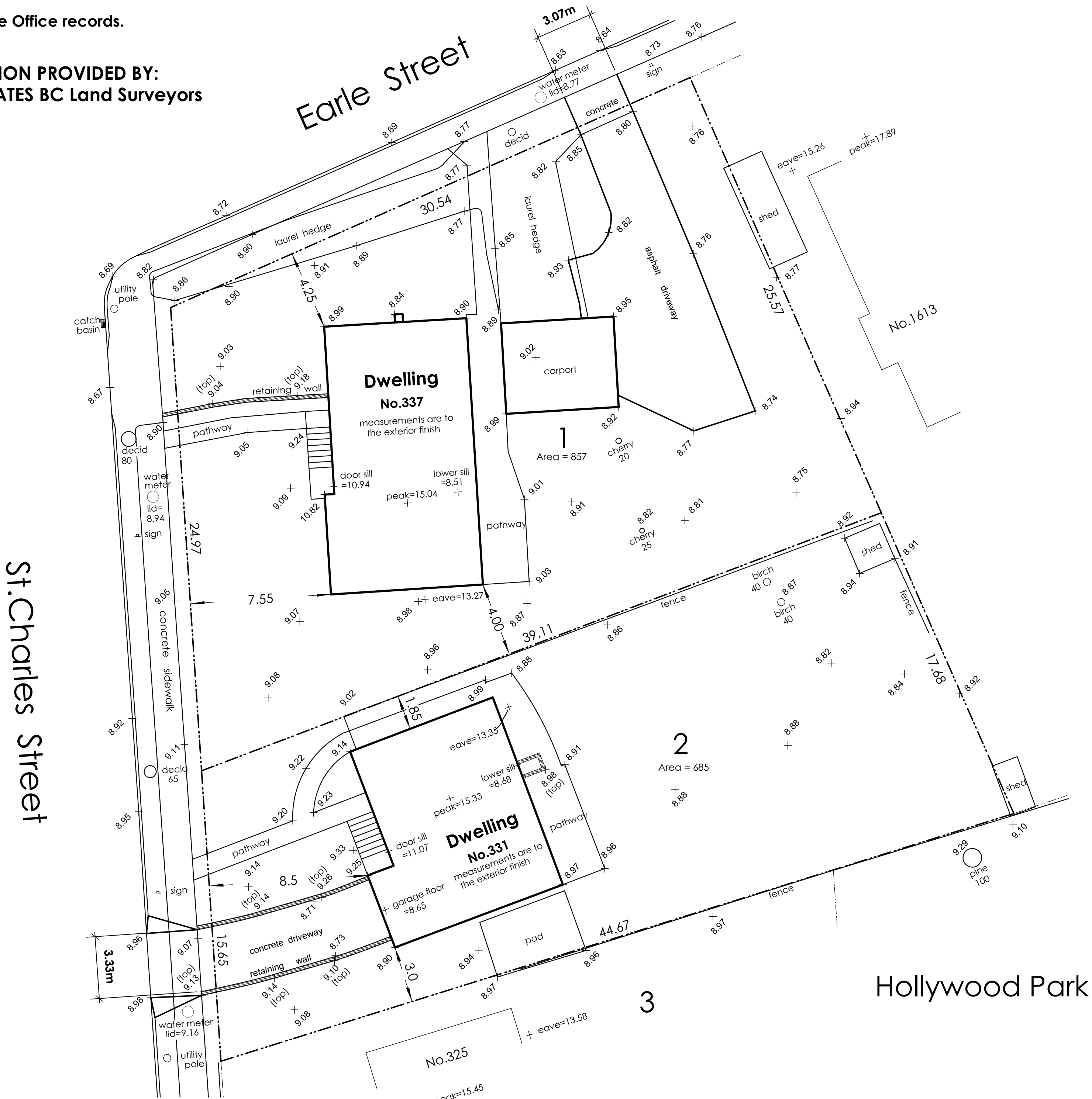
Total Site Area
1,542 m2

Attachment C



JEAN
TREVETHAN


Existing
Site Plan



1 Existing Siteplan
Scale: 1:150

#103 891
ATTREE AVENUE
VICTORIA, B.C.
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FAX: 250.382.7364

331 & 337 ST. CHARLES STREET
DEVELOPMENT VARIANCE PERMIT PRESENTATION



Revisions

Received Date:
April 4, 2018

development
variance
permit
**331 & 337
ST. CHARLES STREET
VICTORIA, B.C.**

drawing #
7835
scale
1:150
drawn by
NS



Date: 27/3/18

SKETCH PLAN OF PROPOSED SUBDIVISION OF

Civic: 331 & 337 St.Charles Street
Legal Lots 1 & 2, Sections 19 & 68,
Victoria District, Plan 11189

Parcel Identifiers:
005-157-986 & 005-158-028
in the City of Victoria

All distances are shown in metres.
Setbacks are derived from field survey.
Parcel dimensions shown hereon are
derived from Land Title Office records.

AREA OF LOTS TO BE GRANTED TO
THE CITY OF VICTORIA FOR
HIGHWAY DEDICATION ALONG
EARLE AND ST.CHARLES STREET

EXISTING AVERAGE GRADE CALCULATION: LOT A
A TO B: $((8.90 + 8.99) \div 2) \times 7.65 = 68.43$
B TO C: $((8.99 + 9.05) \div 2) \times 14.39 = 129.80$
C TO D: $((9.05 + 9.00) \div 2) \times 8.18 = 73.83$
D TO E: $((9.00 + 8.90) \div 2) \times 14.35 = 128.43$
Total = 400.49

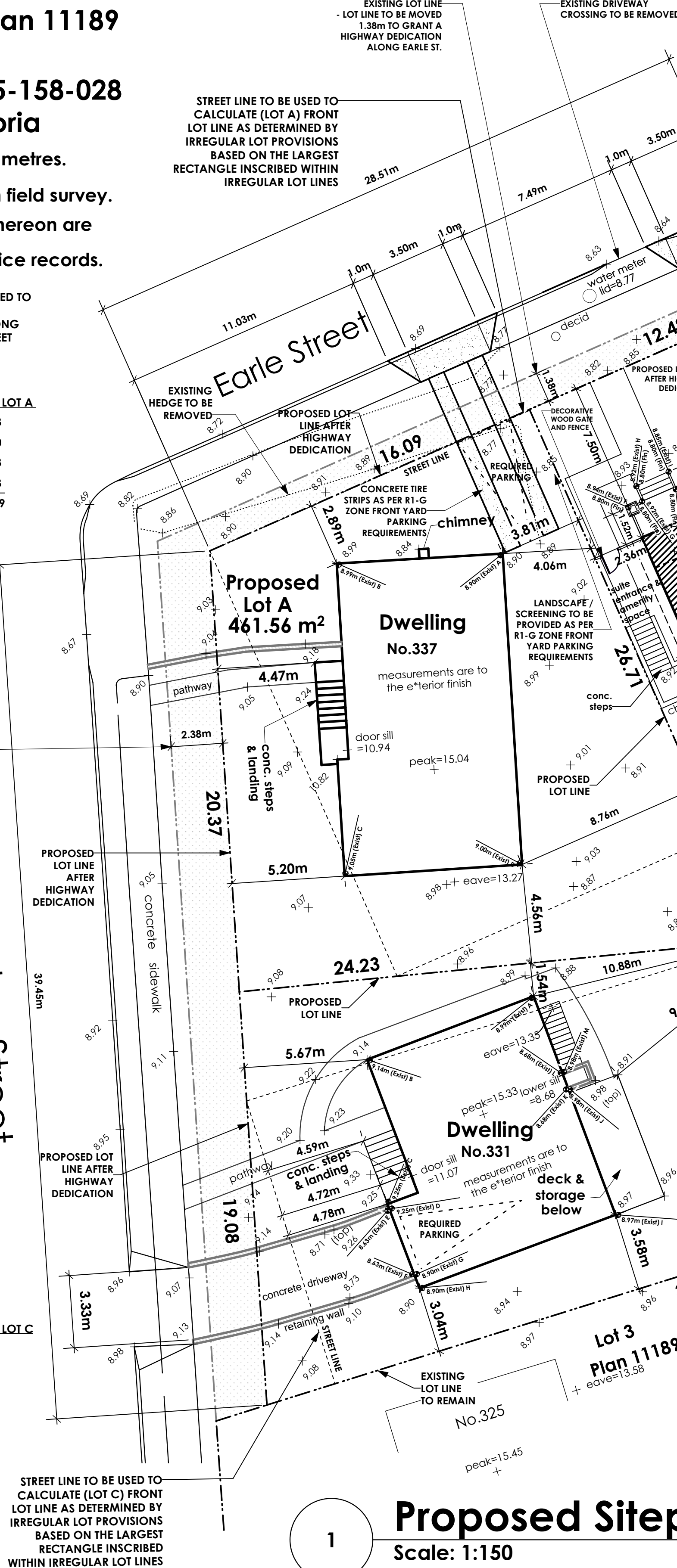
Average Grade: 400.49 / 44.57 = 8.99m.

EXISTING LOT LINE
- LOT LINE TO BE MOVED
2.38m TO GRANT A
HIGHWAY DEDICATION
ALONG ST CHARLES ST.

EXISTING AVERAGE GRADE CALCULATION: LOT C
A TO B: $((8.99 + 9.14) \div 2) \times 8.21 = 74.42$
B TO C: $((9.14 + 9.25) \div 2) \times 6.56 = 60.32$
C TO D: $((9.25 + 9.25) \div 2) \times 0.23 = 2.13$
E TO F: $((8.63 + 8.63) \div 2) \times 3.27 = 28.22$
G TO H: $((8.90 + 8.90) \div 2) \times 0.64 = 5.70$
H TO I: $((8.90 + 8.97) \div 2) \times 9.64 = 86.13$
I TO J: $((8.97 + 8.98) \div 2) \times 6.26 = 56.18$
K TO L: $((8.68 + 8.68) \div 2) \times 0.65 = 5.64$
M TO A: $((8.98 + 8.99) \div 2) \times 3.84 = 34.50$
Total = 353.24

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STREET LINE TO BE USED TO
CALCULATE (LOT C) FRONT
LOT LINE AS DETERMINED BY
IRREGULAR LOT PROVISIONS
BASED ON THE LARGEST
RECTANGLE INSCRIBED
WITHIN IRREGULAR LOT LINES



Proposed Siteplan
Scale: 1:150

AVERAGE GRADE CALCULATION: LOT B

A to B: $((8.80 + 8.80) \div 2) \times 7.87 = 69.26$
C TO D: $((9.77 + 6.97) \div 2) \times 1.32 = 9.20$
E TO F: $((8.80 + 8.80) \div 2) \times 7.57 = 66.62$
F TO G: $((8.80 + 8.80) \div 2) \times 0.69 = 6.07$
G TO H: $((8.80 + 8.80) \div 2) \times 0.76 = 6.69$
H TO I: $((8.80 + 8.80) \div 2) \times 1.68 = 14.78$
I TO J: $((8.80 + 8.80) \div 2) \times 0.76 = 6.69$
J TO K: $((8.80 + 8.80) \div 2) \times 0.49 = 6.07$
K TO L: $((8.80 + 8.80) \div 2) \times 1.52 = 13.38$
L TO M: $((8.80 + 8.76) \div 2) \times 3.96 = 34.77$
M TO N: $((8.76 + 8.80) \div 2) \times 14.02 = 123.10$
N TO O: $((8.80 + 8.77) \div 2) \times 1.75 = 15.37$
O TO P: $((8.77 + 8.79) \div 2) \times 1.22 = 10.71$
P TO A: $((8.79 + 8.80) \div 2) \times 5.26 = 46.26$
Total = 428.96

Average Grade: 428.96 / 49.07 = 8.74m

PROJECT INFORMATION TABLE				
Lot Number	Zone Standard	A	B	C
Zone (existing)	R1-G	R1-G	R1-G	R1-G
Lot Area	min. 460 sq.m.	461.56 sq.m.	484.39 sq.m.	460.36 sq.m.
Lot Width (minimum average)	min. 15 m.	19.61 m.	11.64 m. **	15.92 m.
Floor area 1st & 2nd story combined (sq.m.)	max 240 sq.m.	228.73 sq.m.	156.34 sq.m.	174.72 sq.m.
Total Floor Area (sq.m.) excluding floor space under a ceiling which is less than 1.8m above grade.	max 300 sq.m.	228.73 sq.m.	156.34 sq.m.	174.72 sq.m.
Floor space ratio	max 0.5 to 1.0	0.50 to 1.0	0.32 to 1.0	0.38 to 1.0
Site coverage %	max 30%	25.78 %	22.93 %	25.42 %
Open site space %	min. 50%	72.37%	72.15%	67.96%
Open site space front yard %	min. 50%	90.83%	81.36%	78.55%
Height of building (m)	7.60 m.	5.07 m.	7.43 m.	5.30 m.
Number of storeys	2 or 1.5 w/ basement	2	1.5 w/ basement	2
Floor Area of Secondary Suite	max. 90.00 sq.m.	-	74.72 sq.m.	-
Parking stalls (number) on site	1 per dwelling unit	1	1	1
Bicycle parking number (storage and rack)	None	None	None	None
Building Setbacks (m)				
Front yard	min. 7.50 m.	(N) 2.89 m. **	(N) 7.50 m.	(W) 4.78 m. **
Projections into Front Setback - Porch	max. 1.60 m.	-	(N) 1.52 m.	(W) 0.06 m.
Projections into Front Setback - Stairs less than 1.7m in Ht.	max. 2.50 m.	-	(N) 2.29 m.	(W) 0.19 m.
Rear yard to building	min. 9.10 m.	(S) 4.56 m. **	-	(E) 9.11 m.
Rear yard to building (Lot B - 30% of Lot Depth of 41.46m)	min. 12.44 m.	-	(S) 17.86 m.	-
Side yard (interior) Lot A (15% of Lot Width)	min. 3.46 m.	(E) 3.81 m.	-	-
Side yard (interior) Lot B (15% of Lot Width)	min. 1.86 m.	-	(E) 3.05 m.	-
Side yard (interior) Lot B (15% of Lot Width)	min. 1.86 m.	-	(W) 2.36 m.	-
Side yard (interior) Lot C (15% of Lot Width)	min. 2.78 m.	-	-	(N) 1.54 m. **
Side yard (interior) Lot C (15% of Lot Width)	min. 2.78 m.	-	-	(S) 3.04 m.
Side yard on a flanking street for a corner lot (Lot A)	min. 3.50 m.	(W) 4.47 m.	-	-
Combined side yards	min. 5.40 m.	8.28 m.	5.41 m.	4.58 m. **
Residential Use Details				
Total number of units		1	1	1
Unit type, e.g., 1 bedroom		4 bedroom	5 bedroom	3 bedroom
Ground-orientated units		1	1	1
Basement Floor Area		-	89.91 sq.m.	-
First Storey Area (excluding garage area if any)		116.41 sq.m.	91.97 sq.m.	74.50 sq.m.
Garage Area		N/A	N/A	24.34 sq.m.
Garage Area Excluded from Floor Area Calculations	max. 18.60 sq.m.	N/A	N/A	-18.60 sq.m.
Second Storey Area		112.32 sq.m.	-	94.48 sq.m.
Half Storey Area		-	64.37 sq.m.	-
Half Storey Habitable Area as a % of Ground Floor Area	max. 70% sq.m.	-	69.99 %	-
Total building floor area (excluding parking exemptions)		228.73 sq.m.	246.25 sq.m.	174.72 sq.m.

**INDICATES VARIANCE

Variances Required

- Lot A - Front Yard Setback from (N) 7.50m. to 2.89m.
- Rear Yard Setback from (S) 9.10m. to 4.56m.
- Lot B - Lot Width Average from 15.00m. to 11.64m.
- Lot C - Front Yard Setback (W) from 7.50m. to 4.78m.
- Interior Side Yard (N) from 2.78m. to 1.54m.
- Combined Side Yards from 5.40m. to 4.58m.

JEAN
TREVETHAN

Proposed
Site Plan

development
variance
permit
331 & 337
ST. CHARLES STREET
VICTORIA, B.C.

drawing #
7835
scale
1:150
drawn by
NS

VICTORIA
DESIGN
GROUP

Date: 27/3/18

331 & 337 ST. CHARLES STREET
DEVELOPMENT VARIANCE PERMIT PRESENTATION

JEAN
TREVETHAN

Lot B:
Proposed
Elevations
(New Construction)

development
variance
permit
331 & 337
ST. CHARLES STREET
VICTORIA, B.C.

drawing #
7835

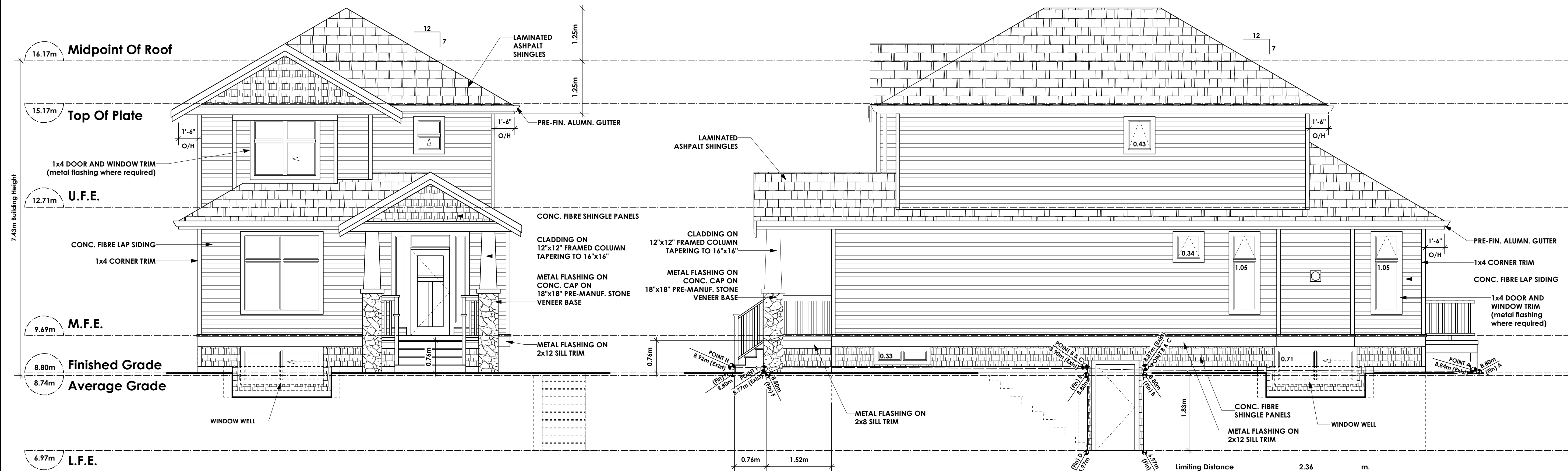
scale

1/4" = 1'-0"

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GROUP

Date: 27/3/18

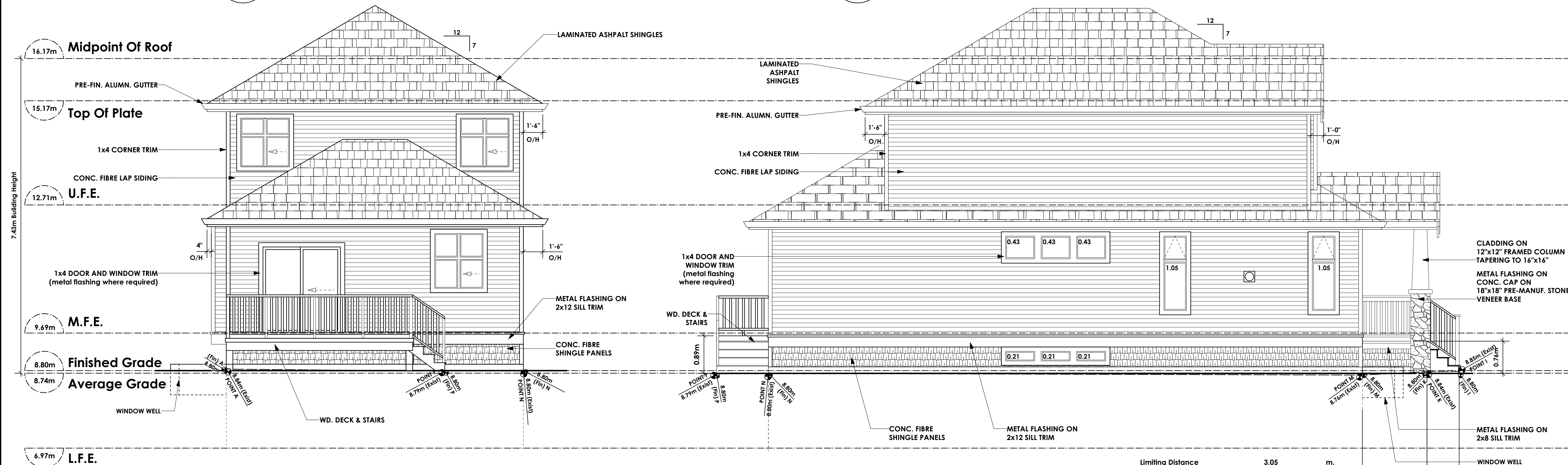


1 Front Elevation

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

2 Right Side Elevation

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



3 Rear Elevation

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

4 Left Side Elevation

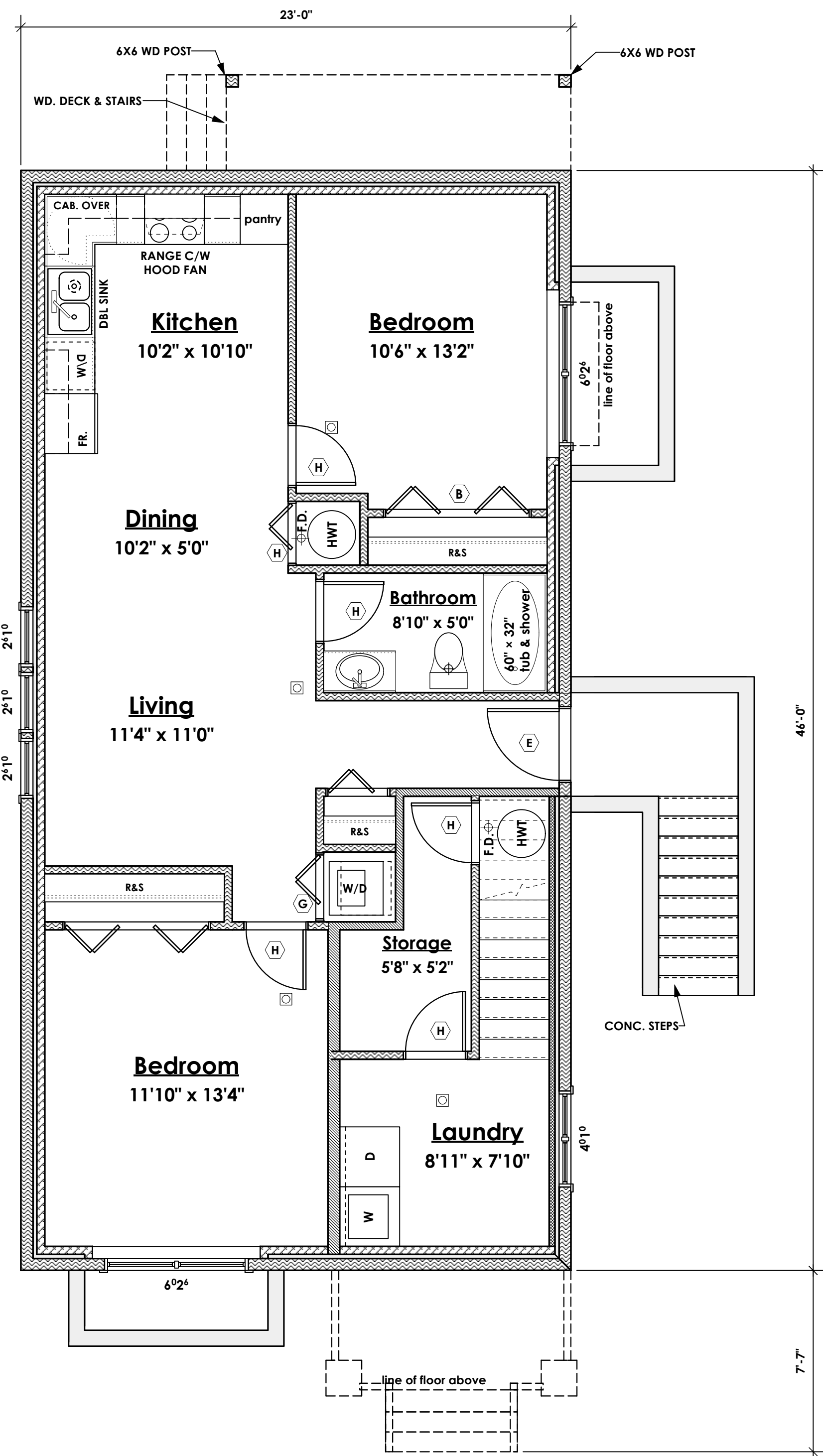
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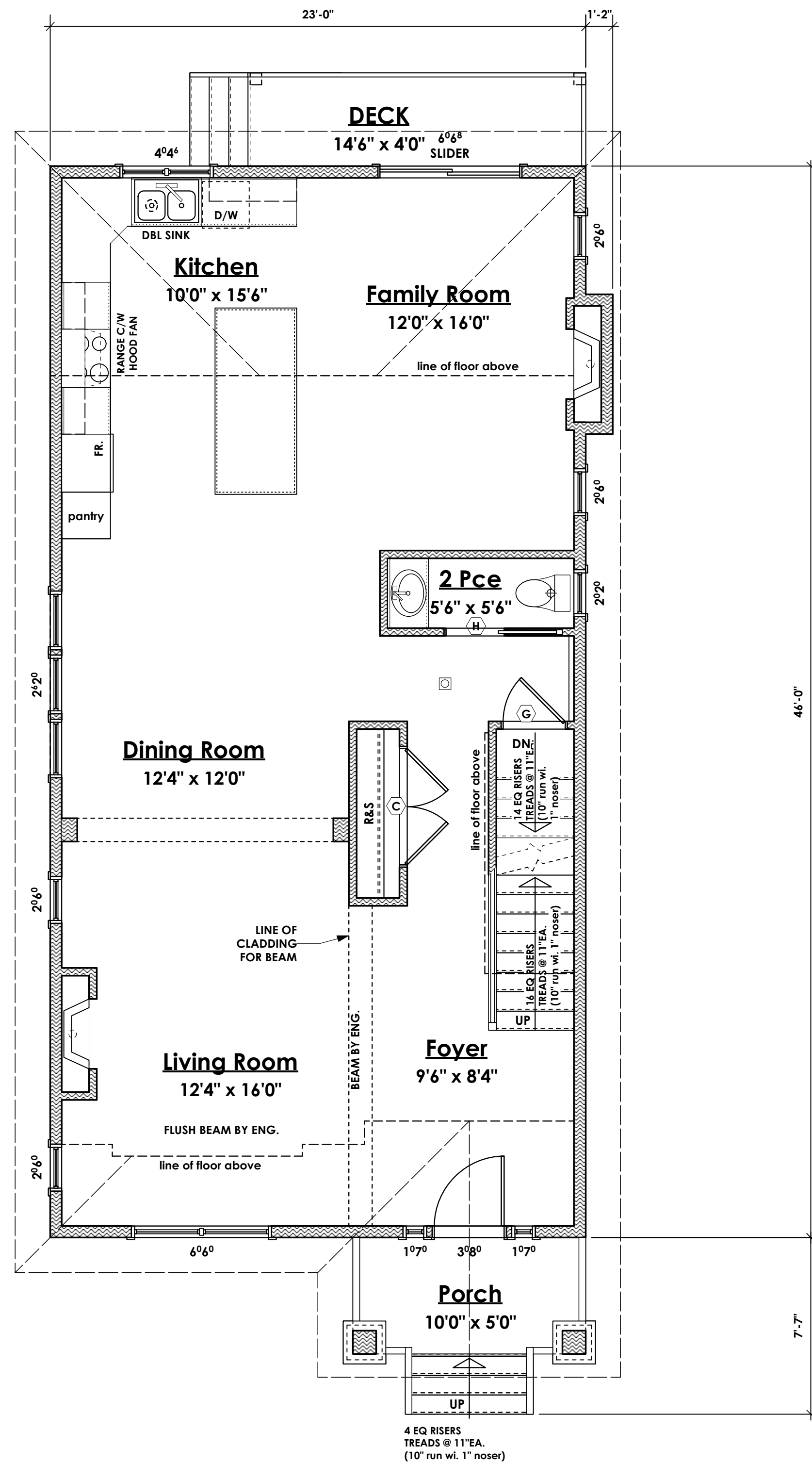
331 & 337 ST. CHARLES STREET

DEVELOPMENT VARIANCE PERMIT PRESENTATION

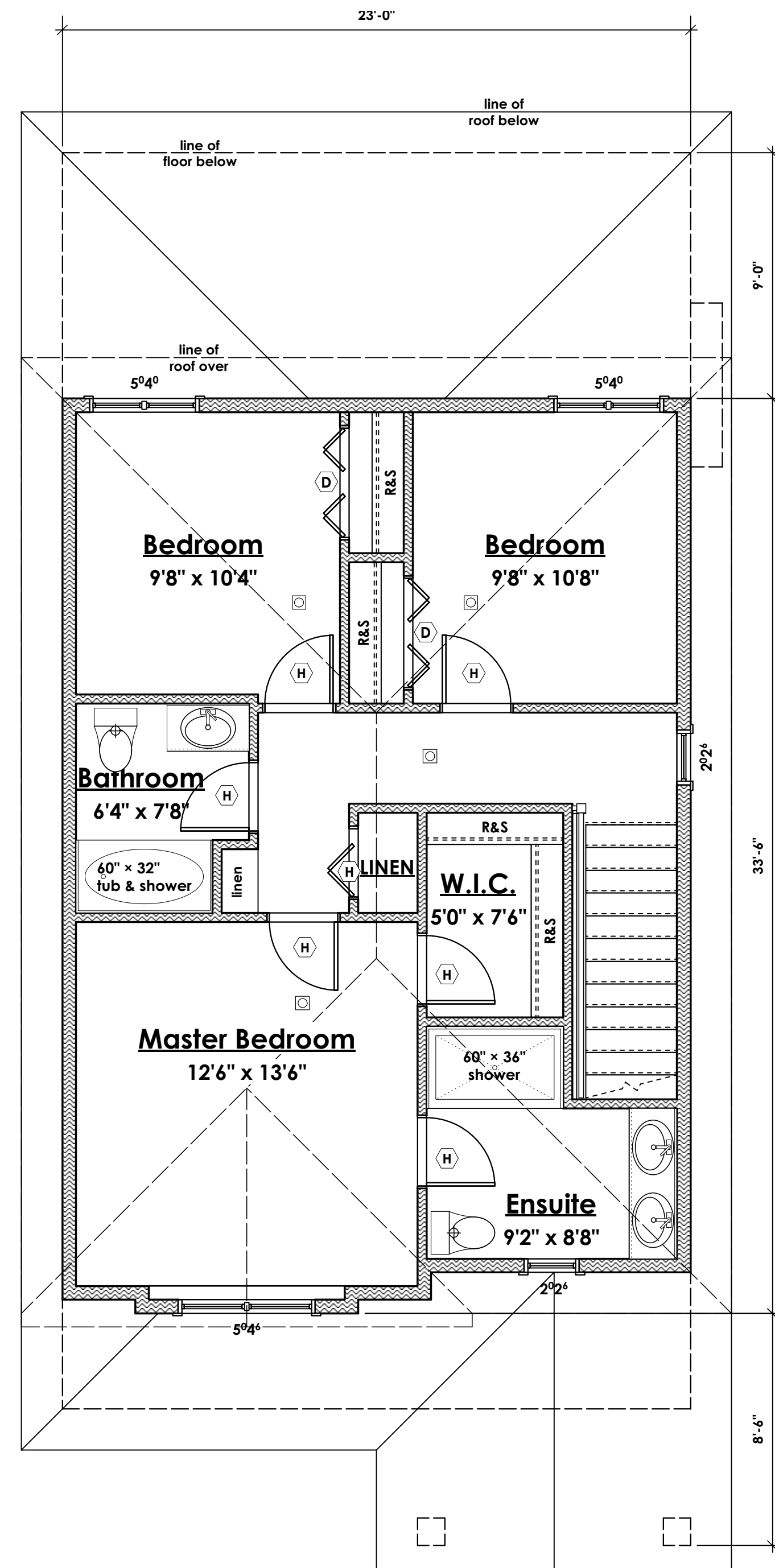


1 **Basement Floor Plan**
Scale: 1/4" = 1'-0"

Primary Living 163.50 sq.ft. (15.19 sq.m.)
Secondary Suite 804.28 sq.ft. (74.72 sq.m.)
Total 967.78 sq.ft. (89.91 sq.m.)



2 **Main Floor Plan**
Scale: 1/4" = 1'-0"
989.95 sq.ft. (91.97 sq.m.)



3 **Upper Floor Plan**
Scale: 1/4" = 1'-0"
692.87 sq.ft. (64.37 sq.m.)

Interconnected Smoke detectors to comply with B.C.B.C. 9.10.19.
Interconnected Carbon Monoxide detectors to comply with B.C.B.C. 9.32.4.2.

DOOR SCHEDULE			
A	8/0 X 6/8 (2438 X 2032)	F	2/10 X 6/8 (864 X 2032)
B	6/0 X 6/8 (1829 X 2032)	G	2/8 X 6/8 (813 X 2032)
C	5/0 X 6/8 (1524 X 2032)	H	2/6 X 6/8 (762 X 2032)
D	4/0 X 6/8 (1219 X 2032)	J	2/4 X 6/8 (711 X 2032)
E	3/0 X 6/8 (914 X 2032)	K	2/0 X 6/8 (610 X 2032)
		L	1/6 X 6/8 (508 X 2032)

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Lot B:
Proposed
Floor Plans
(New Construction)

development
variance
permit
331 & 337
ST. CHARLES STREET
VICTORIA, B.C.

drawing #
7835

scale

1/4" = 1'-0"

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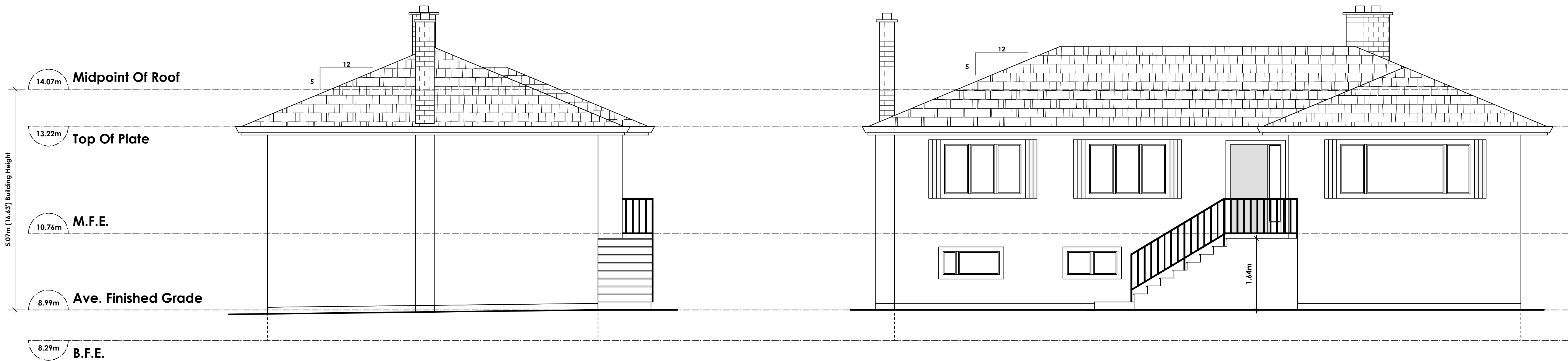
VICTORIA
DESIGN
GROUP

Date: 27/3/18

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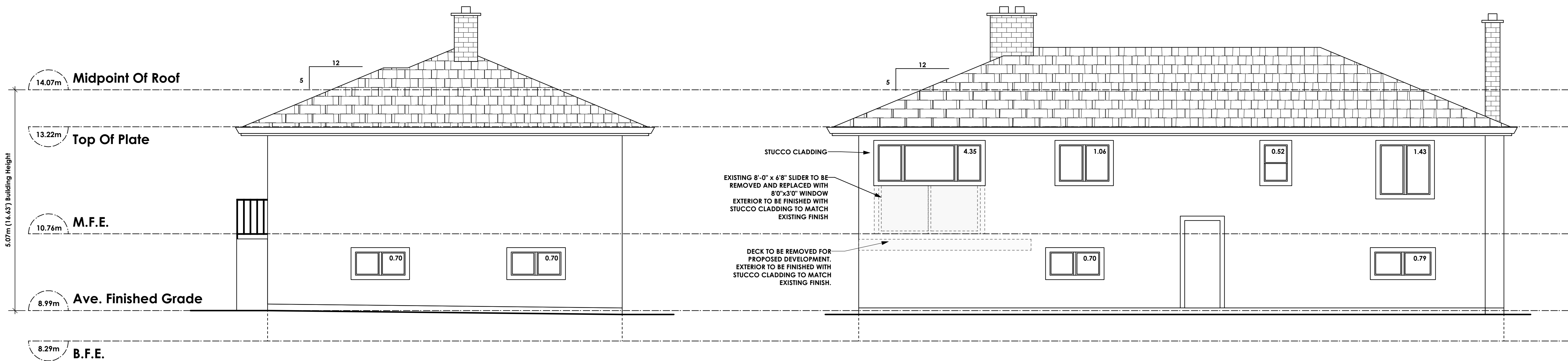
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331 & 337 ST. CHARLES STREET
DEVELOPMENT VARIANCE PERMIT PRESENTATION



1 **Front Elevation**
Scale: 1/4" = 1'-0"

2 **Right Side Elevation**
Scale: 1/4" = 1'-0"



3 **Rear Elevation**
Scale: 1/4" = 1'-0"

4 **Left Side Elevation**
Scale: 1/4" = 1'-0"

Limiting Distance	4.56	m.
Exposed Building Face	33.19	sq.m.
Allowable Openings	42.36	%
Allowable Opening Area	14.05	sq.m.
Proposed Openings	1.40	sq.m.

Limiting Distance	4.06	m.
Exposed Building Face	58.62	sq.m.
Allowable Openings	18.00	%
Allowable Opening Area	10.55	sq.m.
Proposed Openings	8.85	sq.m.

JEAN
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**Lot A:
Existing
Elevations**
(337 St Charles St.
House to Remain)

development
variance
permit
**331 & 337
ST. CHARLES STREET
VICTORIA, B.C.**

drawing #
7835

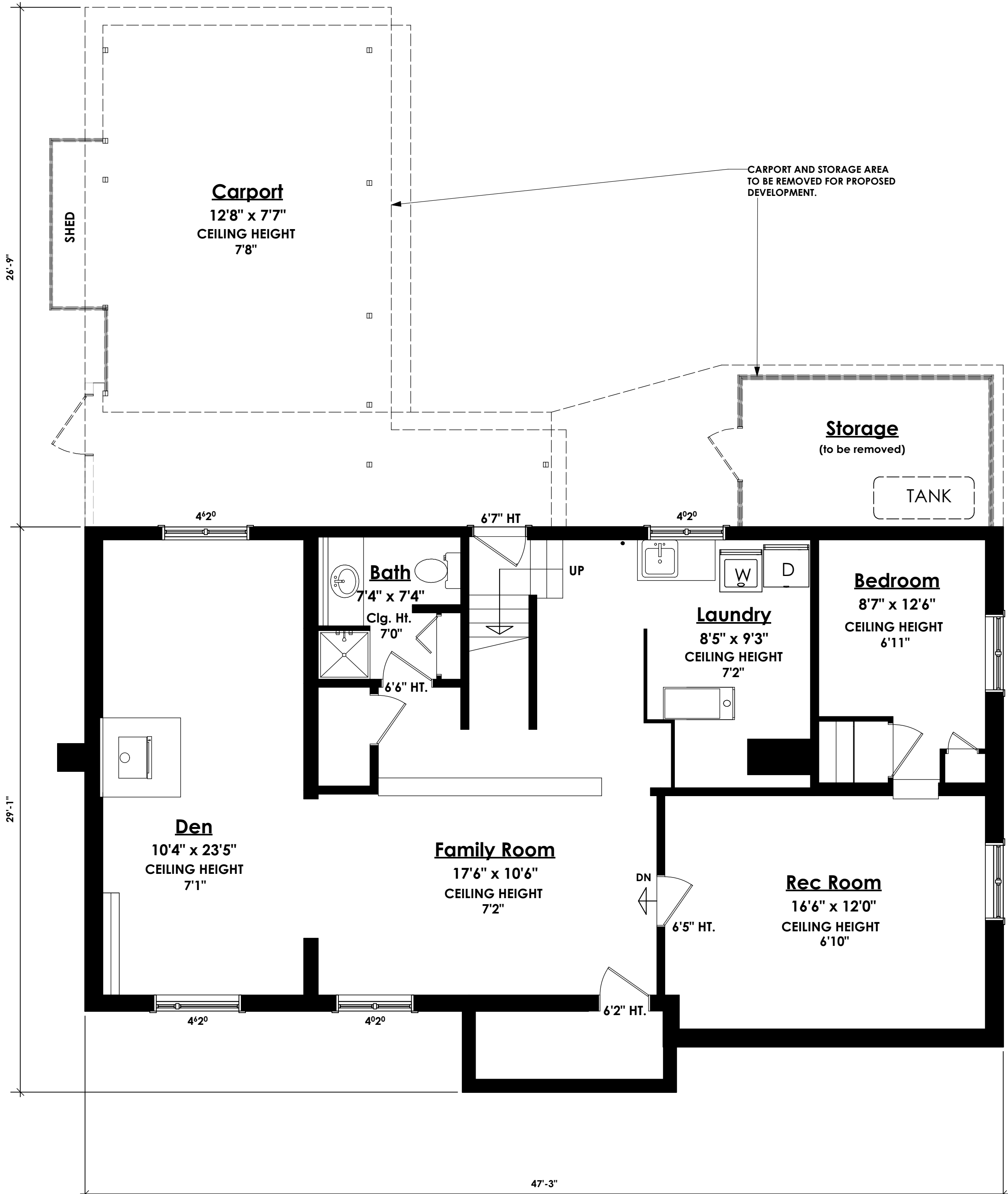
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1/4" = 1'-0"

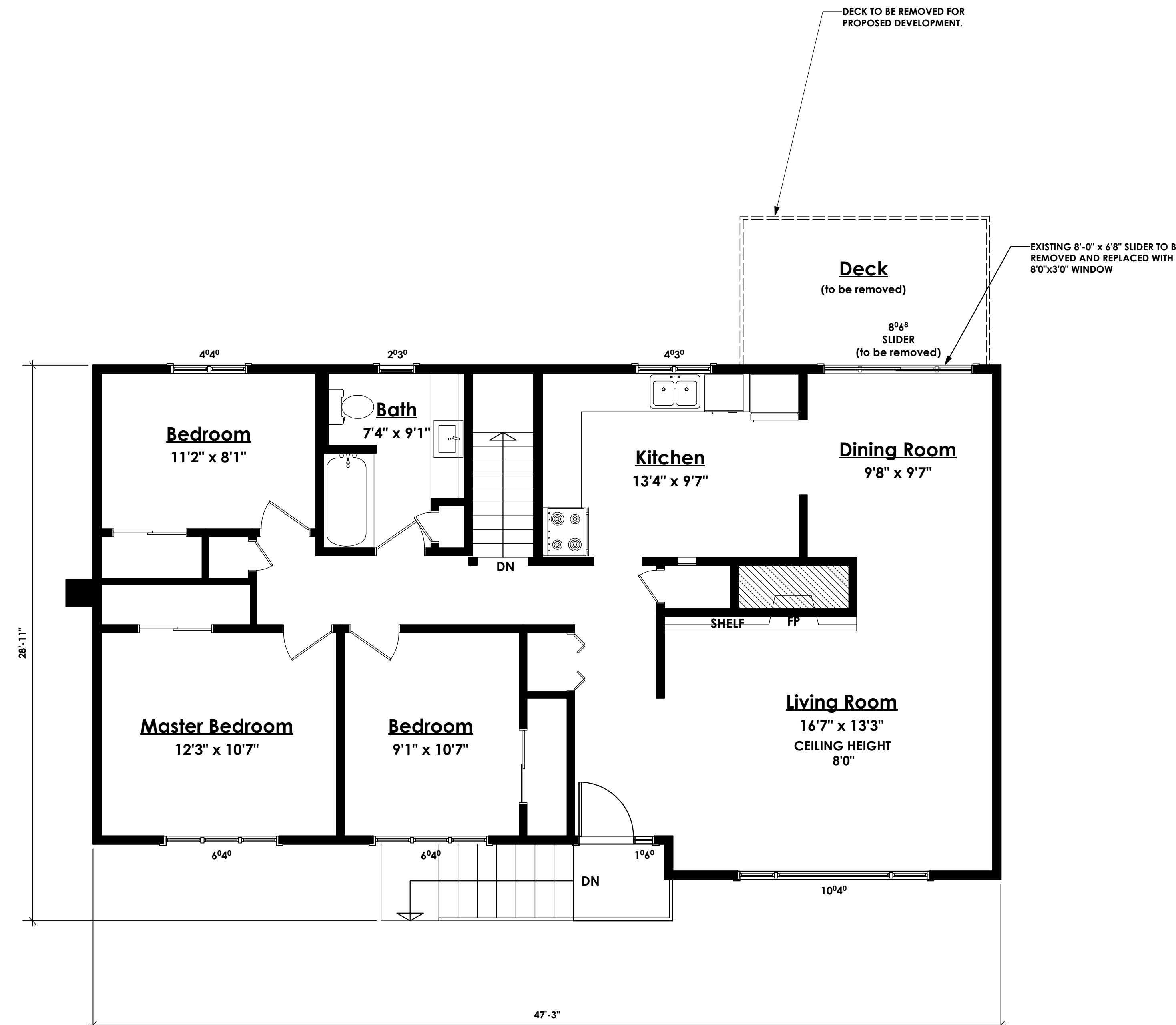
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**VICTORIA
DESIGN
GROUP**

Date: 27/3/18



1 Lower Floor Plan
 Scale: 1/4" = 1'-0"
 1253.00 sq.ft. (116.40 sq.m.)



2 Main Floor Plan
 Scale: 1/4" = 1'-0"
 1209.00 sq.ft. (112.32 sq.m.)

**JEAN
TREVETHAN**

**Lot A:
Existing
Floor Plans
(337 St Charles St.
House to Remain)**

**development
variance
permit
331 & 337
ST. CHARLES STREET
VICTORIA, B.C.**

**drawing #
7835
scale
1/4" = 1'-0"
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**VICTORIA
DESIGN
GROUP**

Date: 27/3/18

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331 & 337 ST. CHARLES STREET

DEVELOPMENT VARIANCE PERMIT PRESENTATION

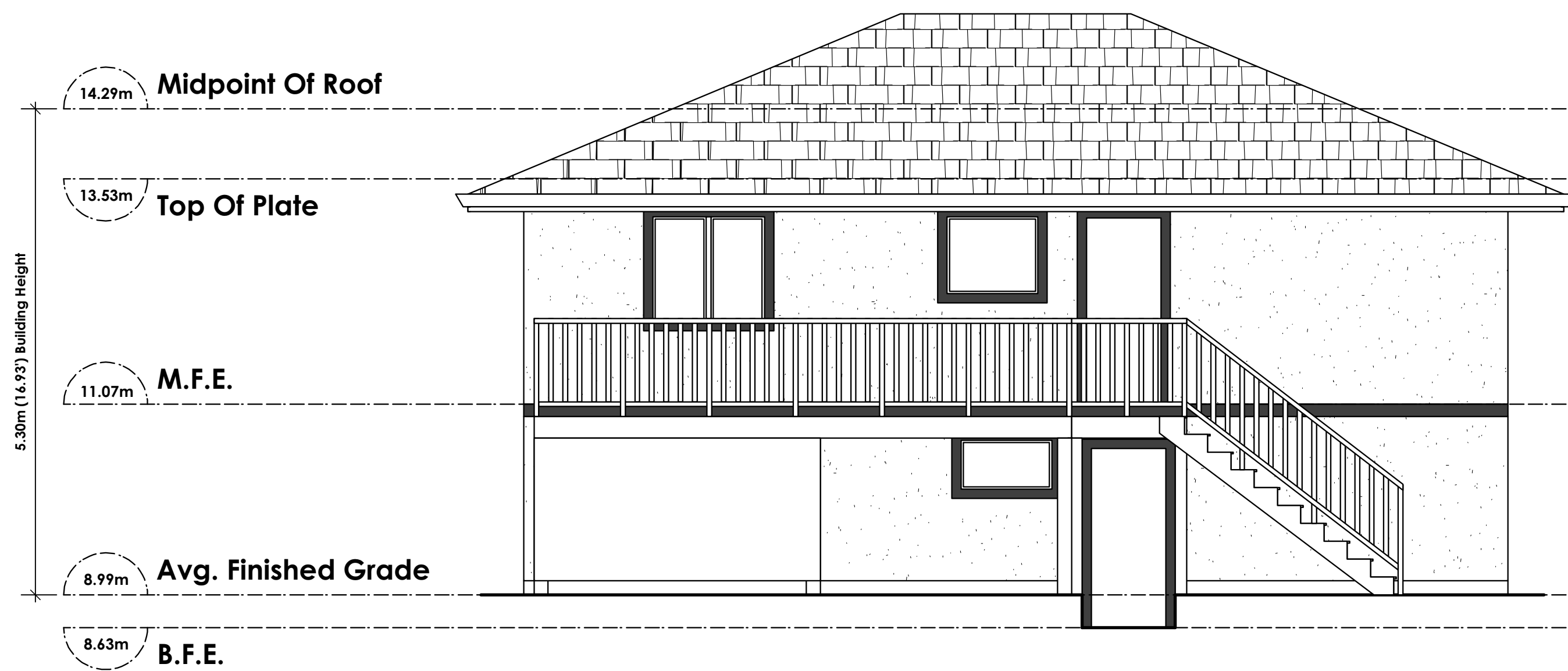


1 **Front Elevation**
Scale: 1/4" = 1'-0"

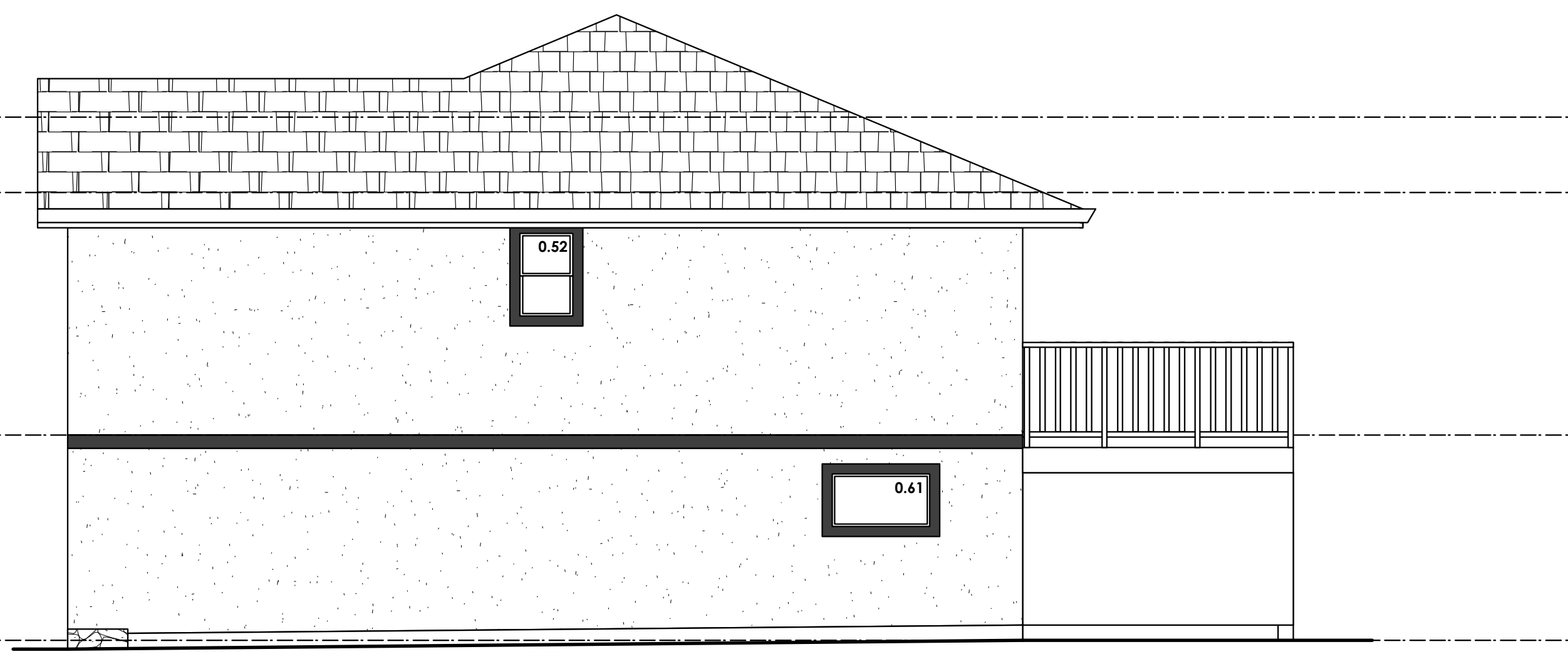


2 **Right Side Elevation**
Scale: 1/4" = 1'-0"

Limiting Distance	1.59	m.
Exposed Building Face	36.74	sq.m.
Allowable Openings	8.54	%
Allowable Opening Area	3.13	sq.m.
Proposed Openings	2.99	sq.m.



3 **Rear Elevation**
Scale: 1/4" = 1'-0"



4 **Left Side Elevation**
Scale: 1/4" = 1'-0"

Limiting Distance	3.04	m.
Exposed Building Face	44.35	sq.m.
Allowable Openings	11.0	%
Allowable Opening Area	3.85	sq.m.
Proposed Openings	2.86	sq.m.

JEAN
TREVETHAN

Lot C:
Existing
Elevations
(331 St Charles St.
House to Remain)

development
variance
permit
331 & 337
ST. CHARLES STREET
VICTORIA, B.C.

drawing #
7835

scale

1/4" = 1'-0"

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VICTORIA
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GROUP

Date: 27/3/18

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331 & 337 ST. CHARLES STREET
DEVELOPMENT VARIANCE PERMIT PRESENTATION

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Lot C:
Existing
Floor Plans
(331 St Charles St.
House to Remain)

development
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331 & 337
ST. CHARLES STREET
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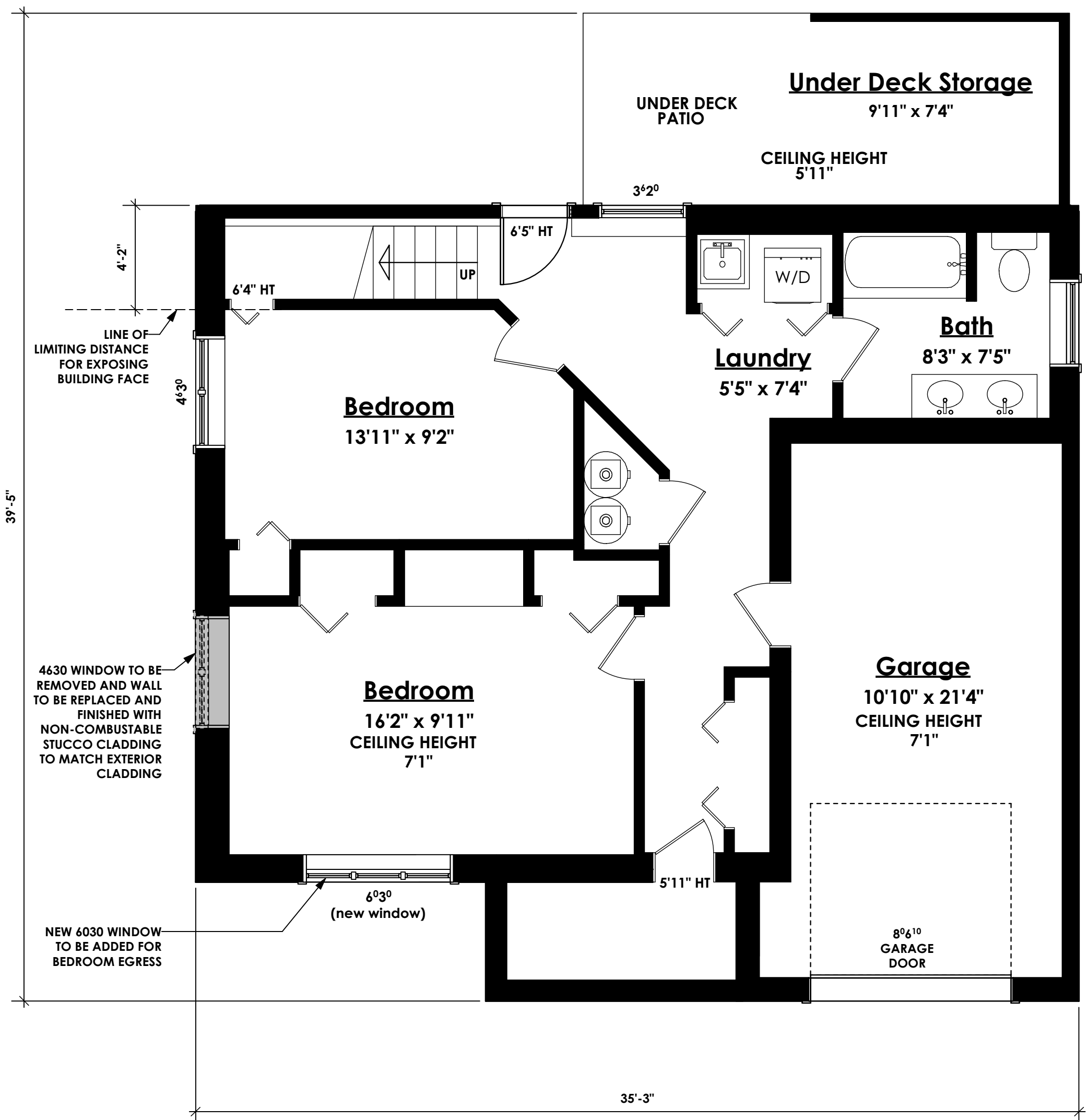
scale

1/4" = 1'-0"

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DESIGN
GROUP

Date: 27/3/18

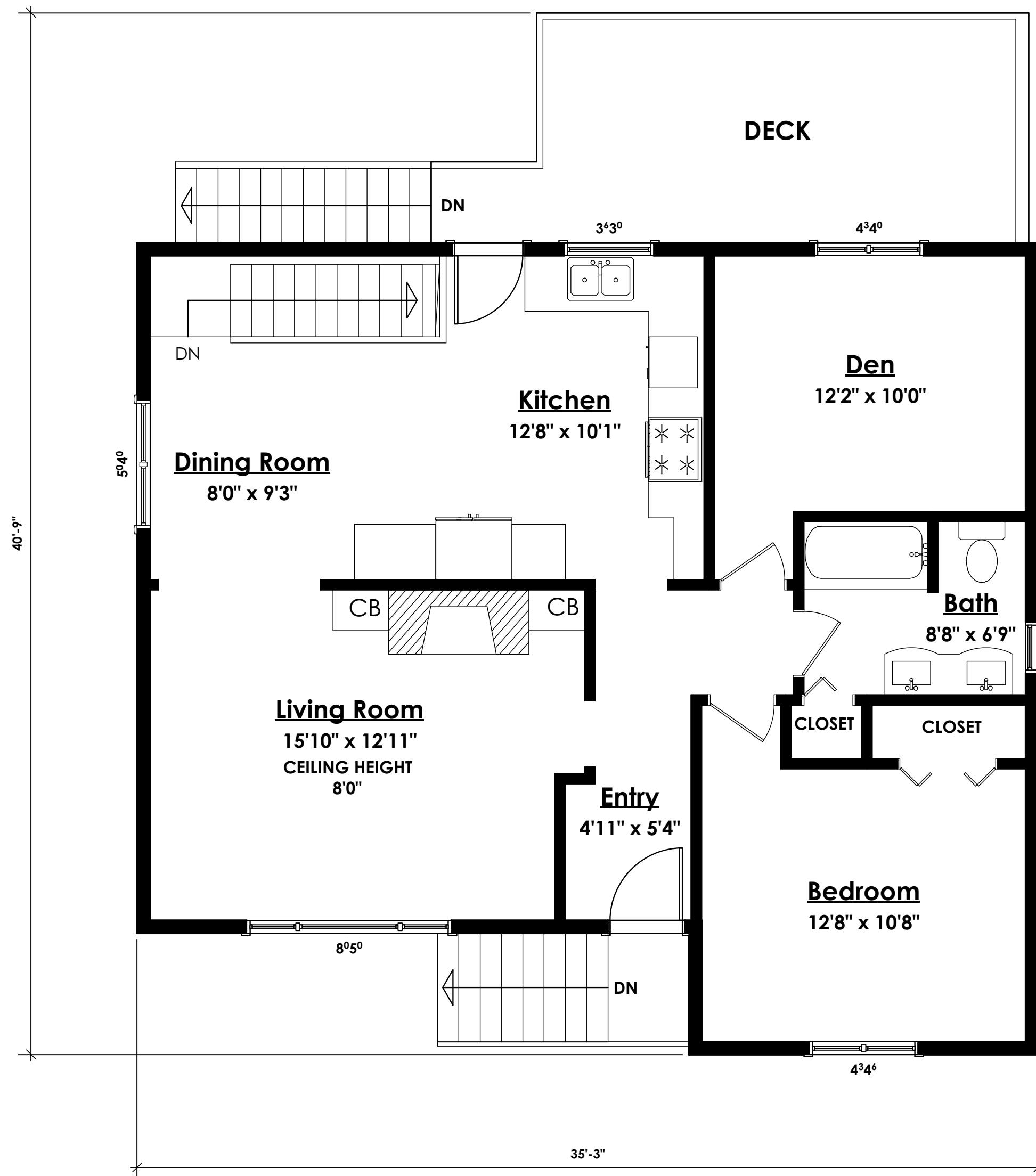


1

Lower Floor Plan

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

Living 802.00 sq.ft. (74.50 sq.m.)
Garage 262.00 sq.ft. (24.34 sq.m.)



2

Main Floor Plan

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

1017.00 sq.ft. (94.48 sq.m.)

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V9B 0A6

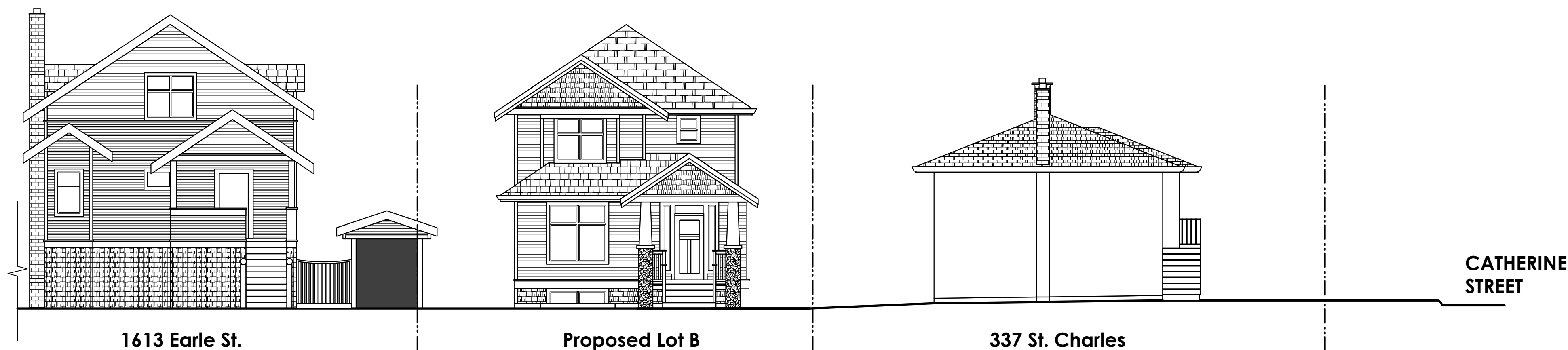
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331 & 337 ST. CHARLES STREET
DEVELOPMENT VARIANCE PERMIT PRESENTATION

JEAN
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Streetscapes
Earle
&
St. Charles
Street

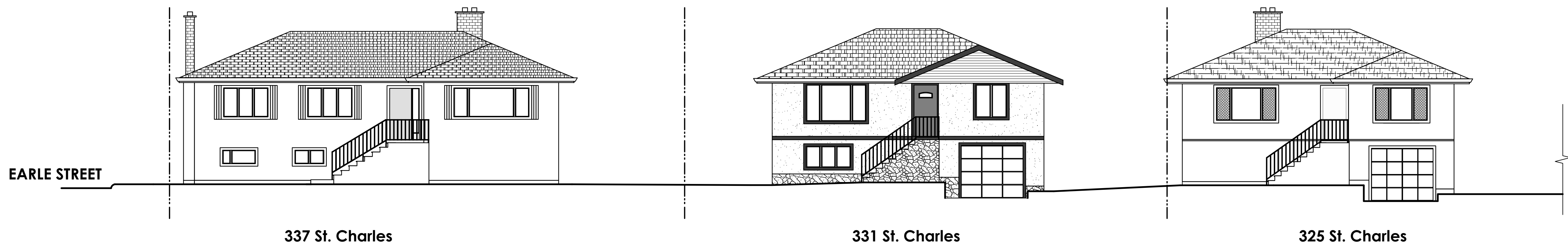
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1

Earle St. Streetscape

Scale: 1/8" = 1'-0"



2

St. Charles Streetscape

Scale: 1/8" = 1'-0"

development
variance
permit

**331 & 337
ST. CHARLES STREET
VICTORIA, B.C.**

drawing #
7835

scale

1/8" = 1'-0"

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**VICTORIA
DESIGN
GROUP**

Date: 27/3/18

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**331 & 337 ST. CHARLES STREET
DEVELOPMENT VARIANCE PERMIT PRESENTATION**

JEAN
TREVETHAN

Detail:
Average Lot
Width
Calculation

development
variance
permit

331 & 337
ST. CHARLES STREET
VICTORIA, B.C.

drawing #
7835

scale

AS NOTED

drawn by
NS



LOT A:

Rectangle Area: 615.29 sq.m.
(LEAST RECTANGLE)

LOT WIDTH FOR LOT A:
LESSER EXTERNAL DIMENSION: 23.04m
OF LEAST RECTANGLE

LOT WIDTH (minimum average) FOR LOT A:
= site area (m²) / average depth
= 461.56m² / [(26.71m + 20.37m) / 2]
= 461.56m² / (47.08m / 2)
= 461.56m² / 23.54m
= 19.61m

Rectangle Area: 616.68 sq.m.

Rectangle Area: 627.19 sq.m.

Rectangle Area: 615.29 sq.m.

AVERAGE LOT WIDTH CALCULATIONS

Scale: 1:200

LOT B:

Rectangle Area: 519.77
sq.m.
(LEAST RECTANGLE)

LOT WIDTH FOR LOT B:
LESSER EXTERNAL
DIMENSION: 12.42m
OF LEAST RECTANGLE

LOT WIDTH (minimum average) FOR LOT B:
= site area (m²) / average depth
= 484.39m² / [(26.71m + 14.68m + 41.86m) / 2]
= 484.39m² / (83.25m / 2)
= 484.39m² / 41.625m
= 11.64m

Rectangle Area: 522.82
sq.m.

Rectangle Area: 707.05
sq.m.

Rectangle Area:
829.66 sq.m.

LOT A

LOT B

LOT C

LOT C:

Rectangle Area: 623.64 sq.m.
(LEAST RECTANGLE)

LOT WIDTH FOR LOT C:
LESSER EXTERNAL DIMENSION:
18.55m
OF LEAST RECTANGLE

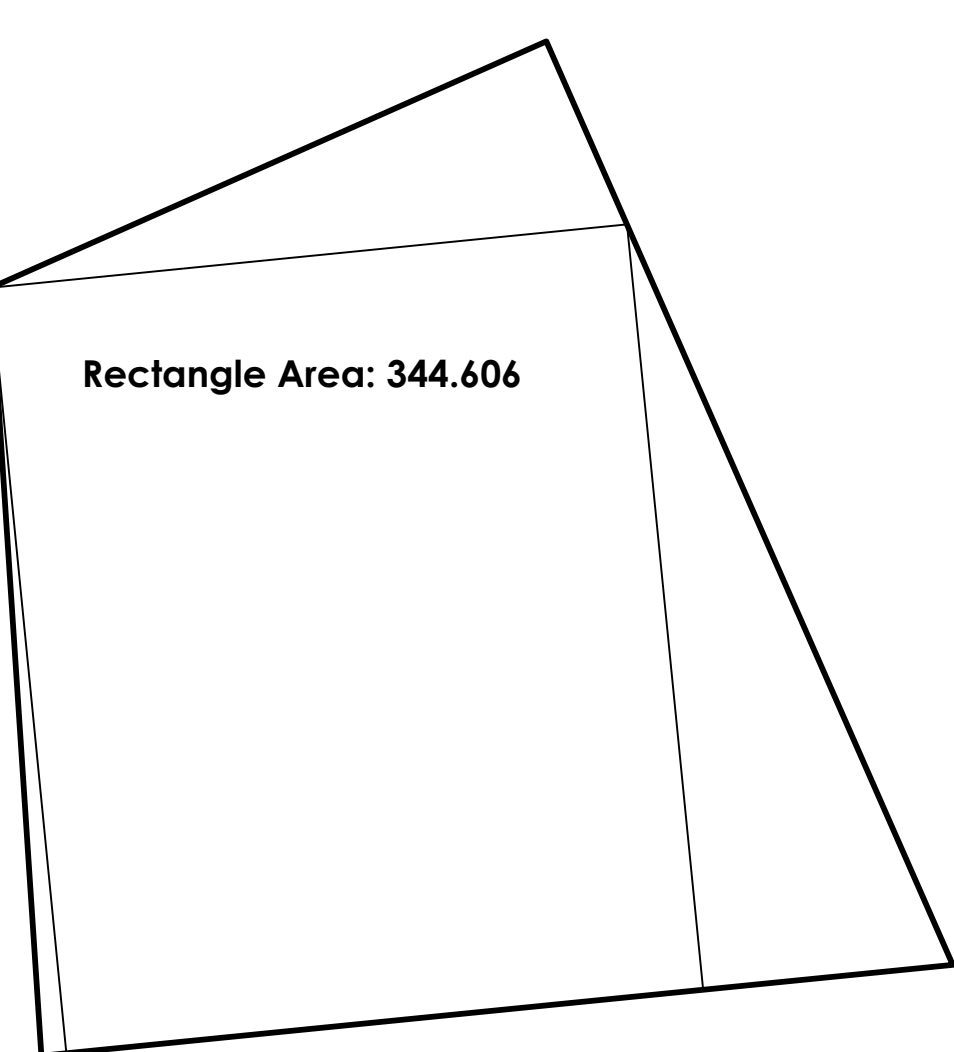
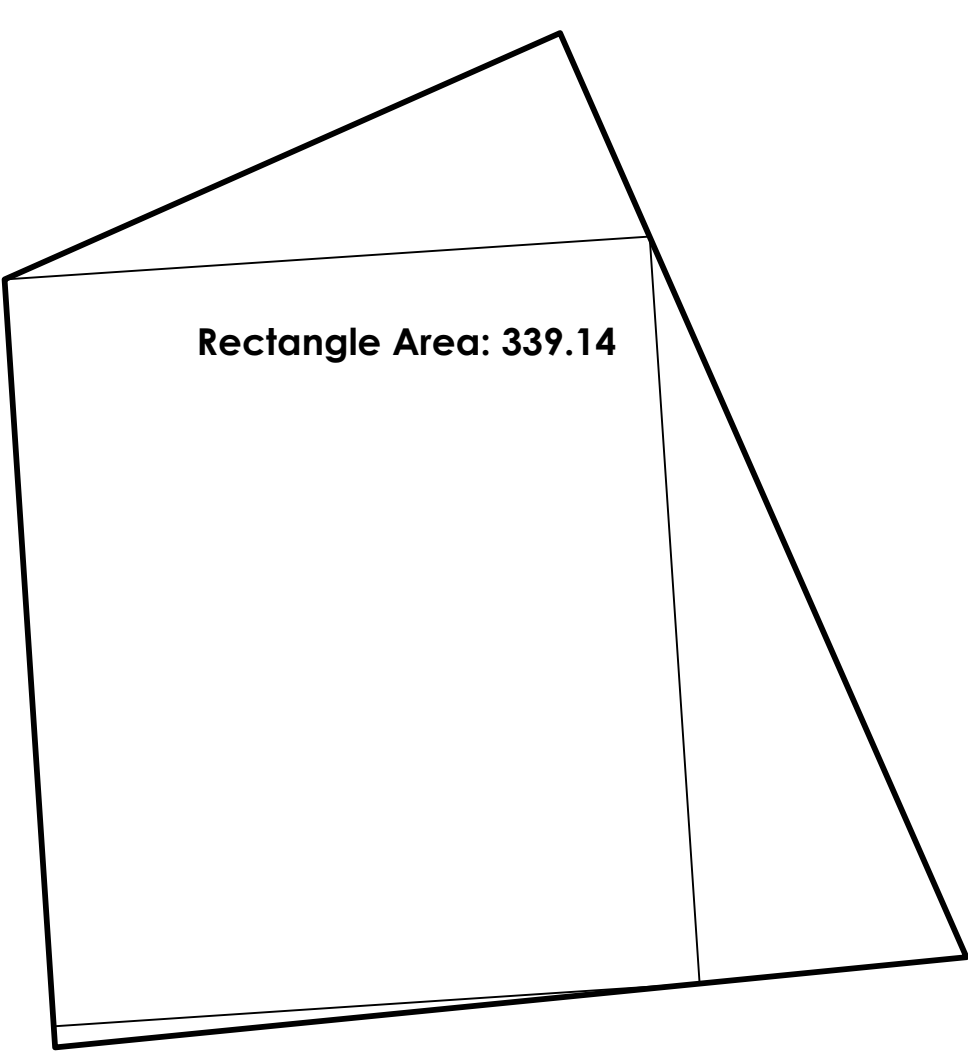
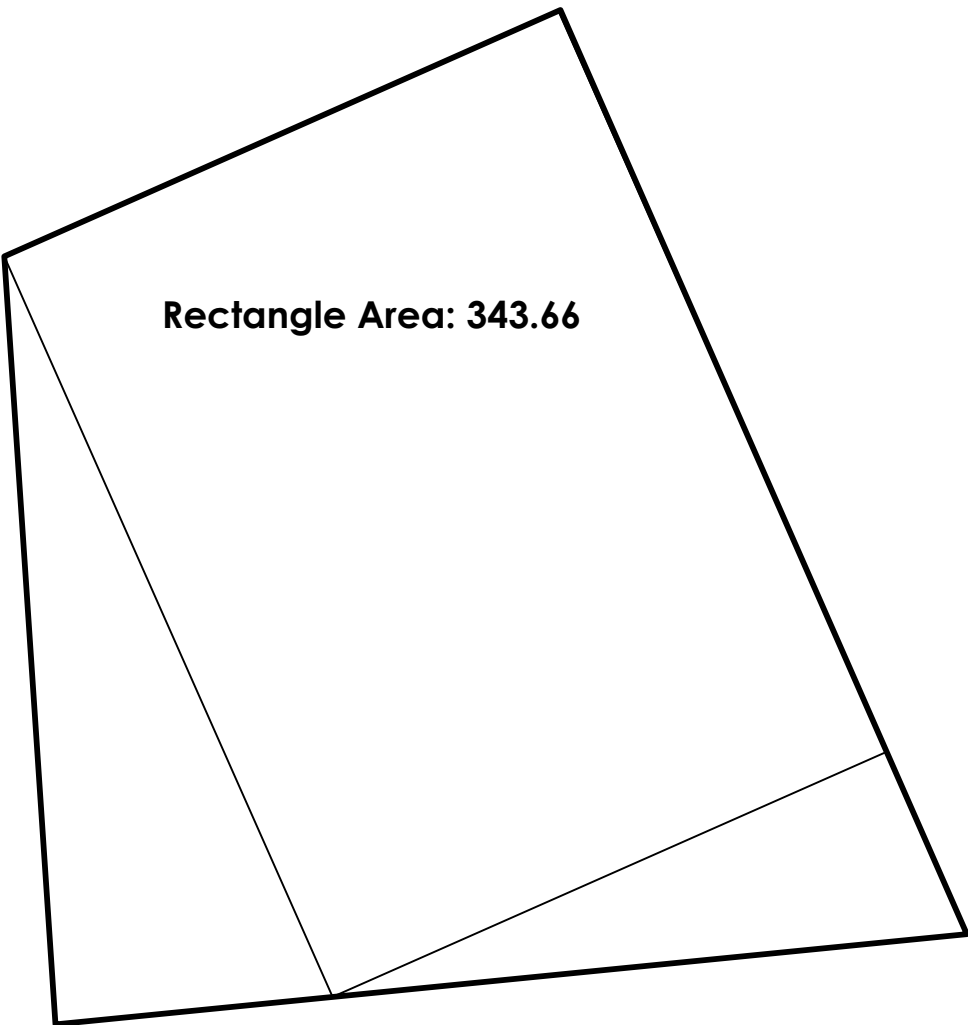
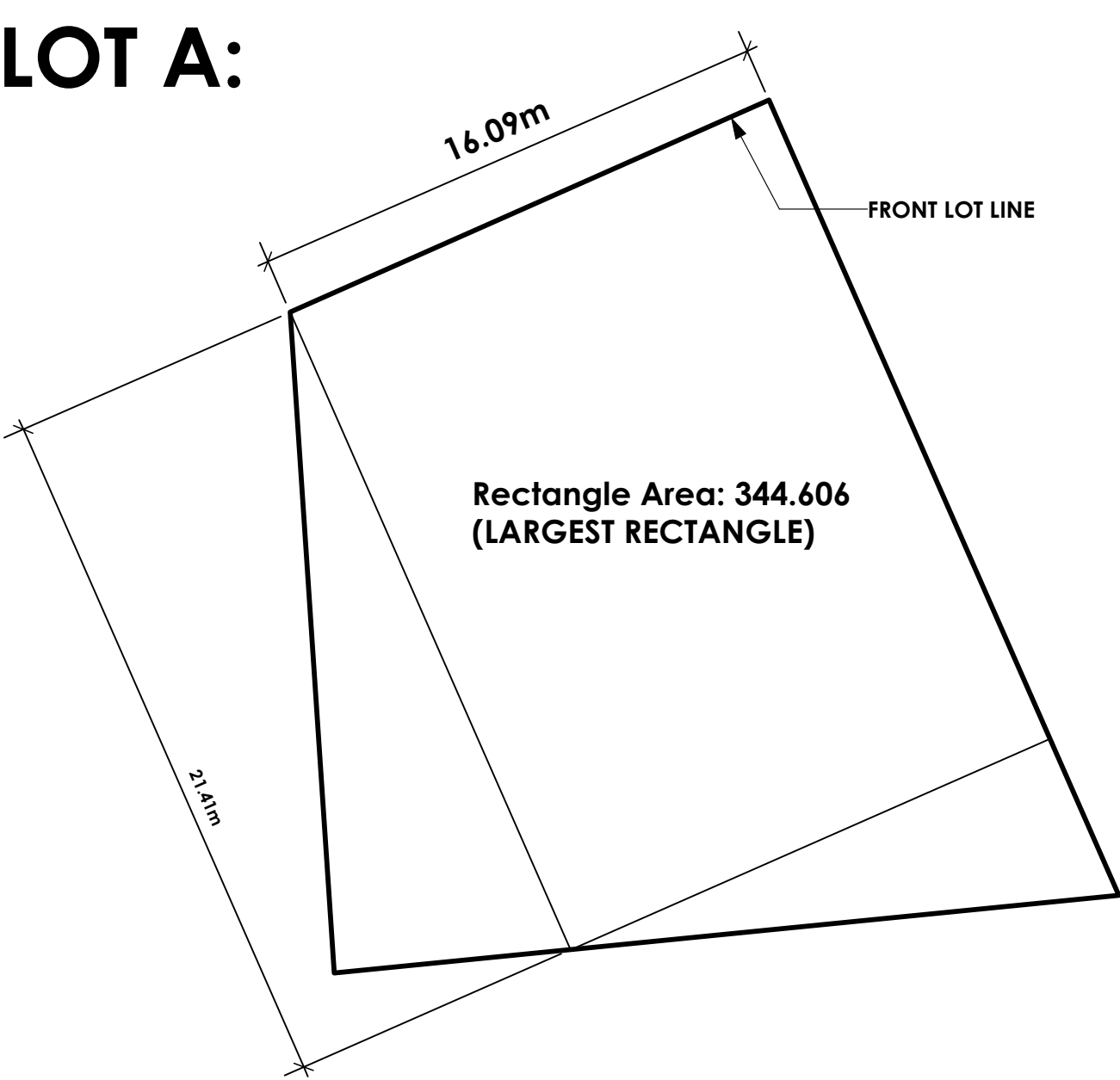
LOT WIDTH (minimum average) FOR LOT C:
= site area (m²) / average depth
= 460.36m² / [(24.23m + 33.62m) / 2]
= 460.36m² / (57.85m / 2)
= 460.36m² / 28.925m
= 15.92m

Rectangle Area: 649.57 sq.m.

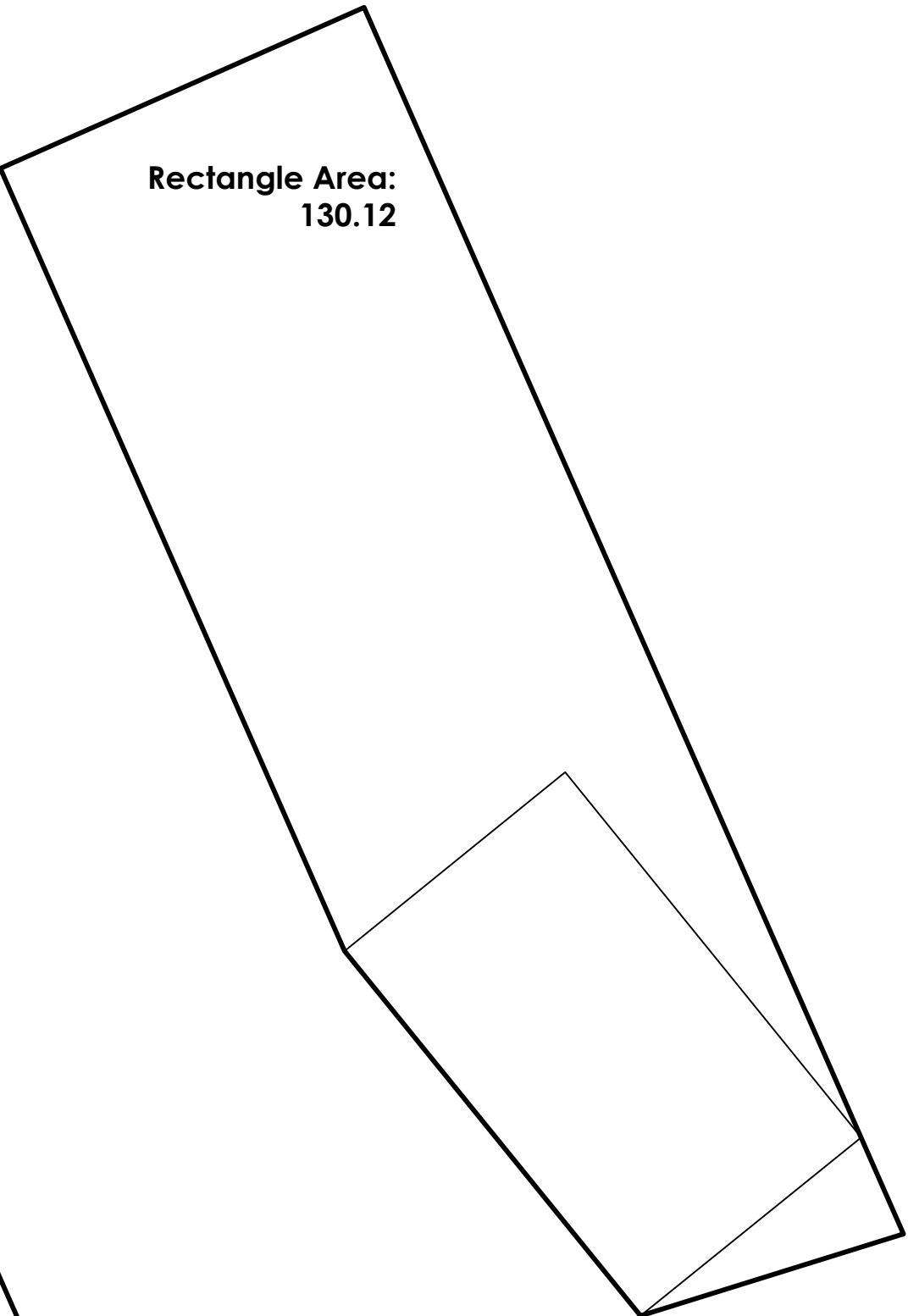
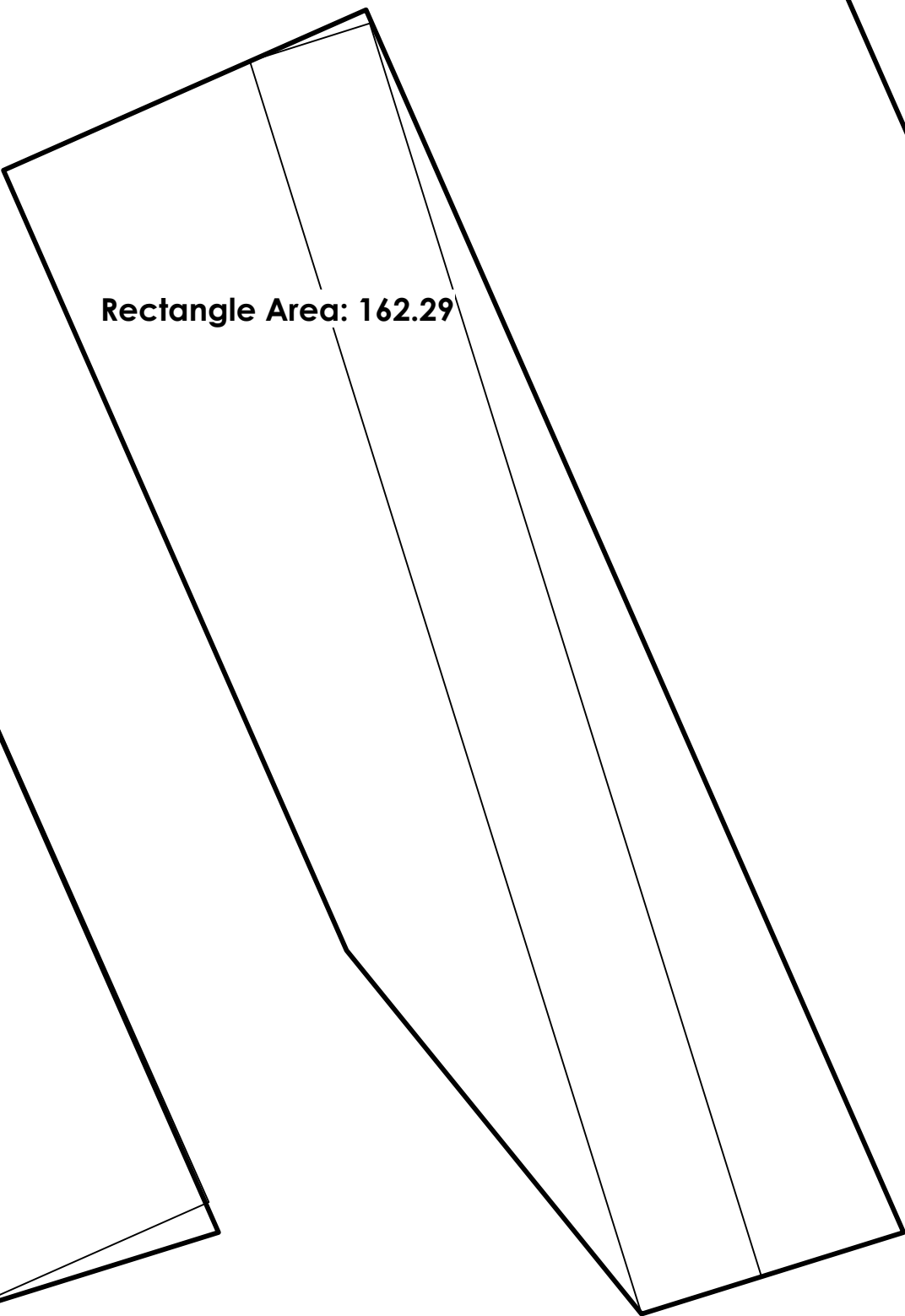
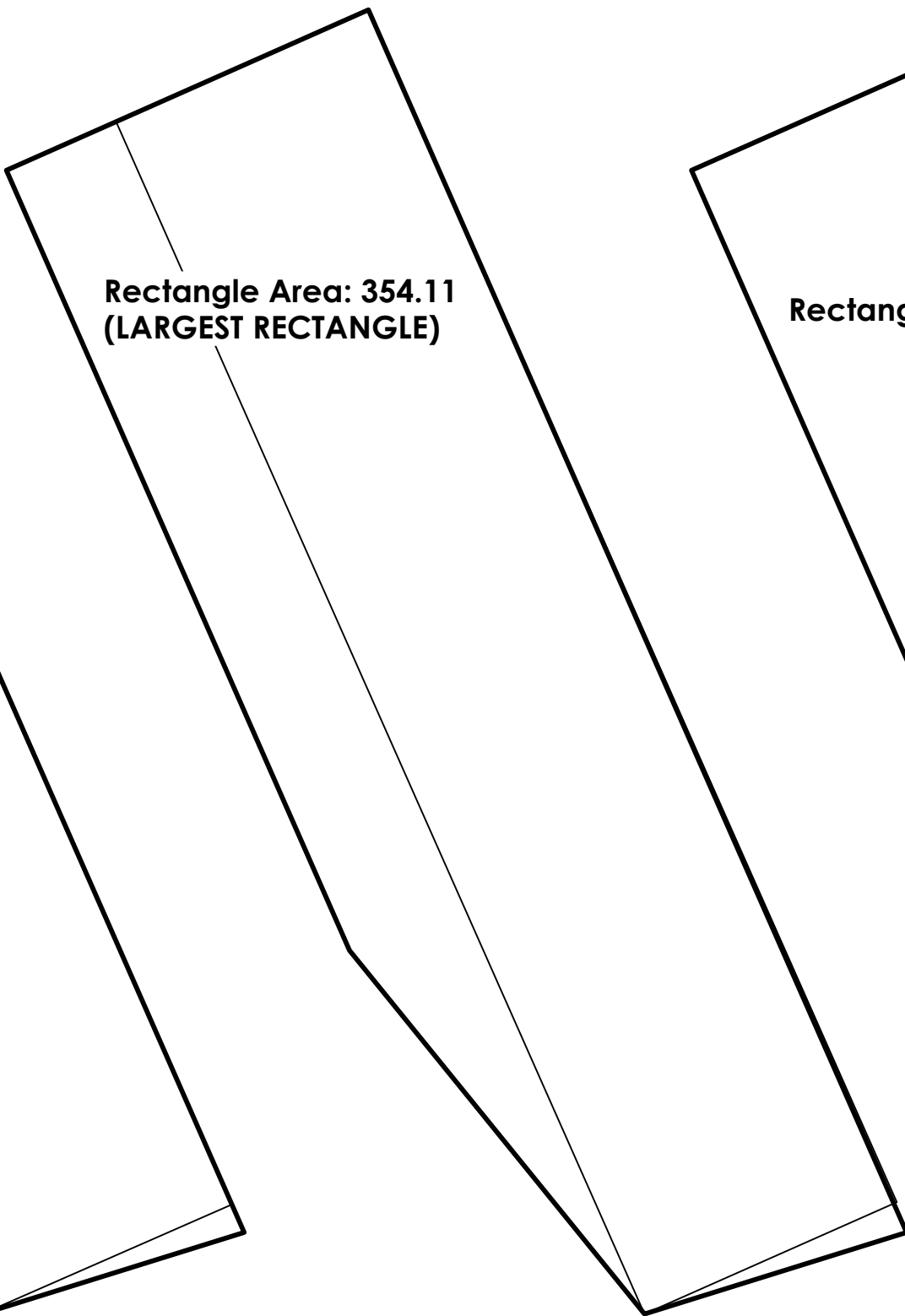
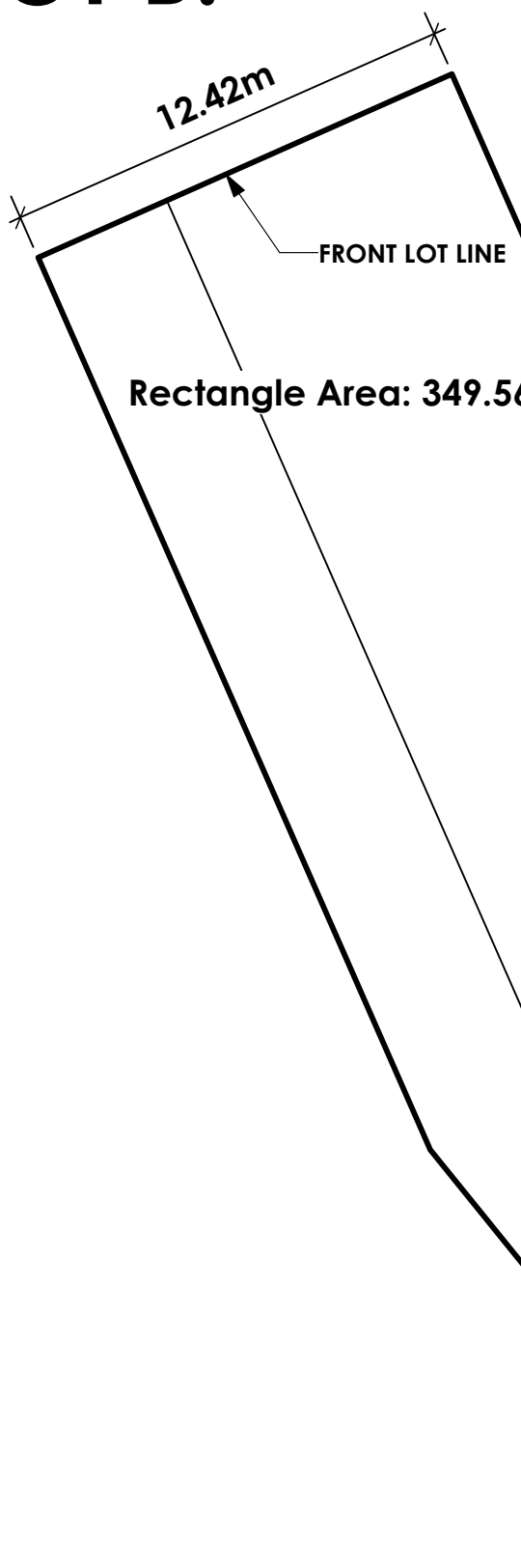
Rectangle Area: 627.73 sq.m.

Rectangle Area: 874.70
sq.m.

LOT A:



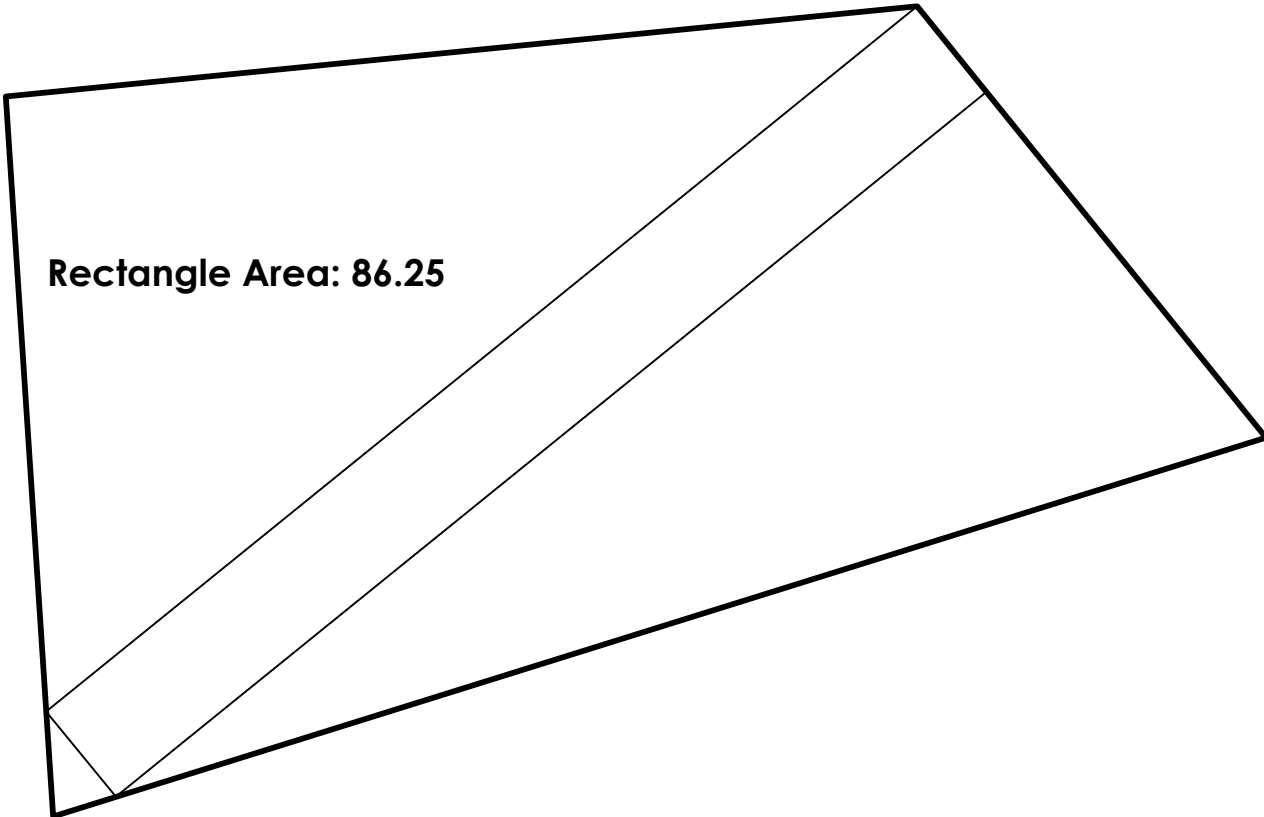
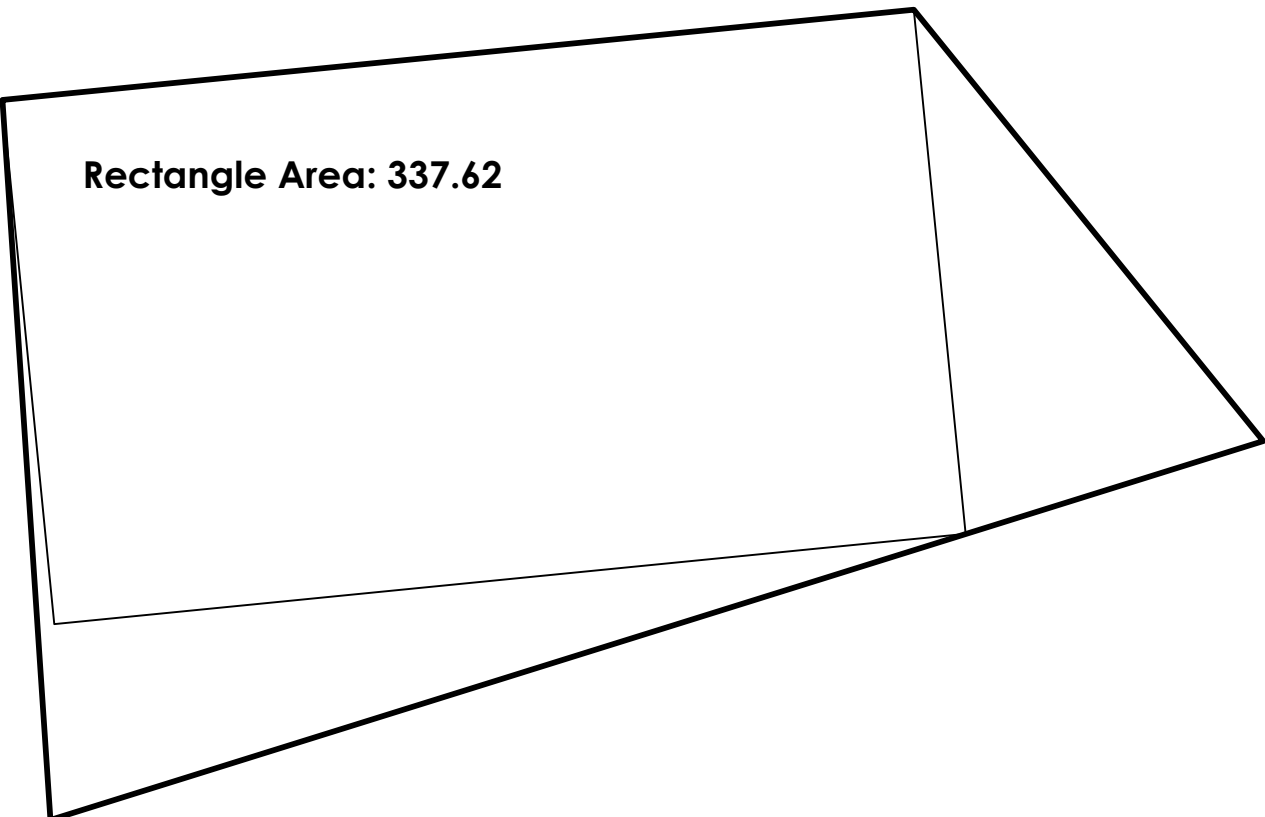
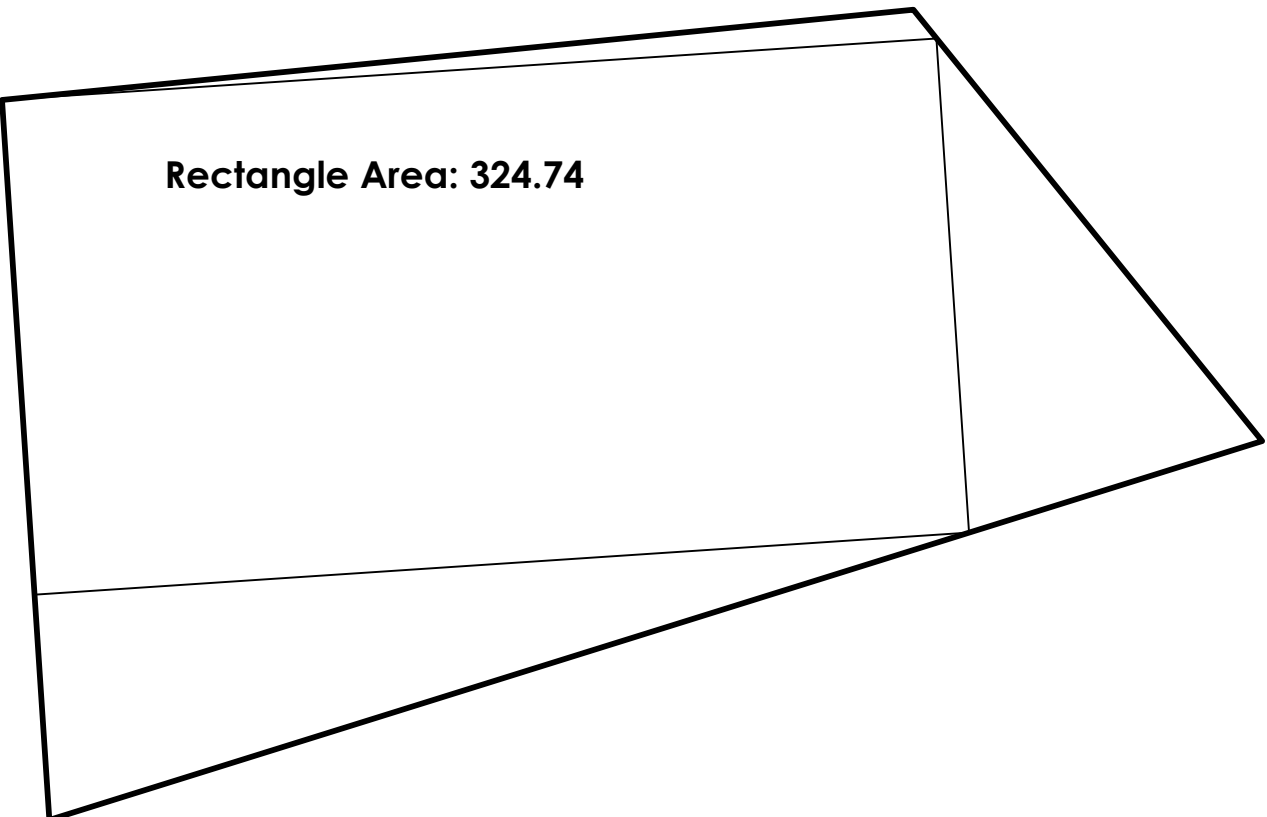
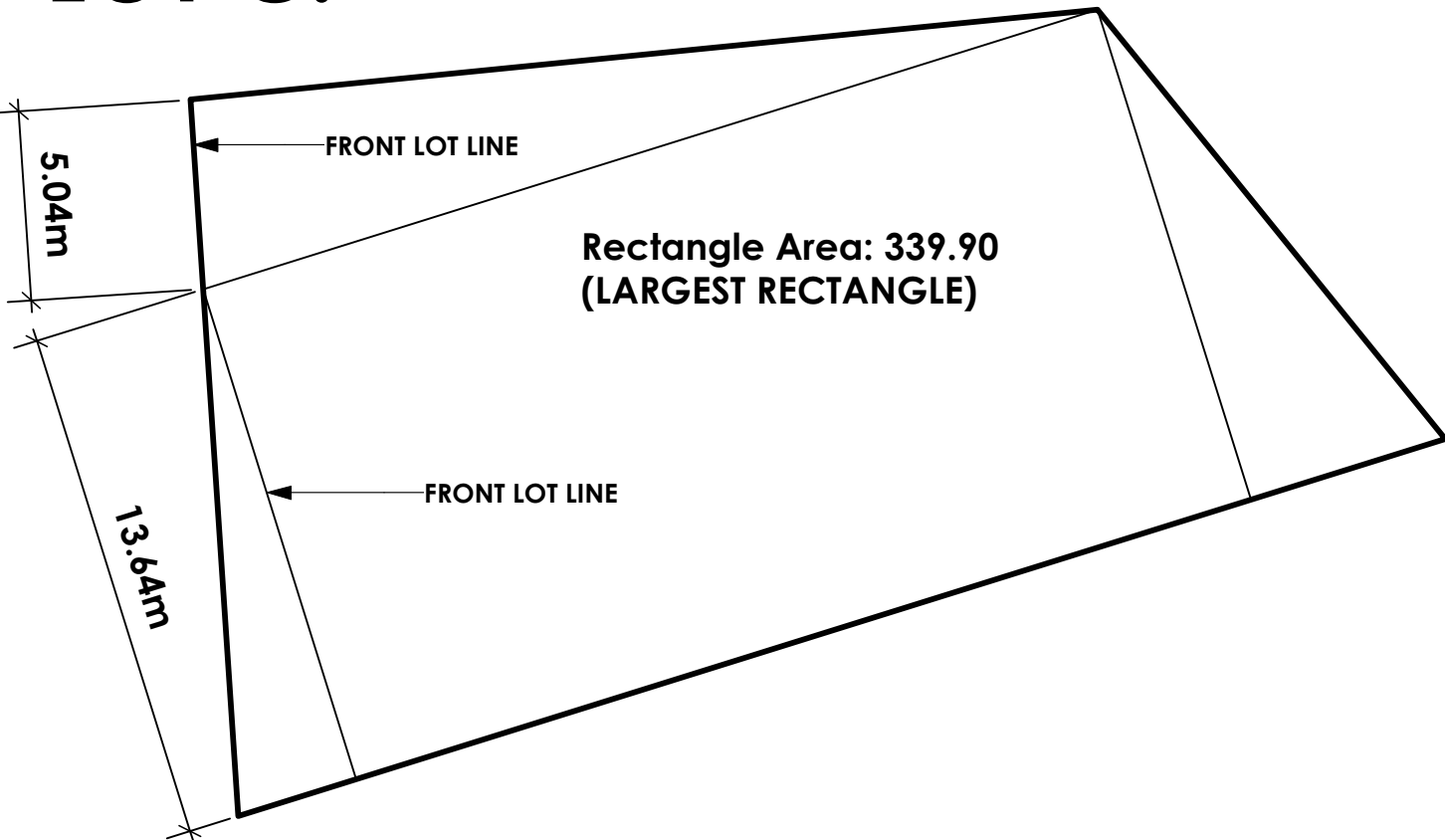
LOT B:



IRREGULAR LOT PROVISIONS CALCULATIONS

Scale: 1:200

LOT C:



JEAN
TREVETHAN

Detail:
Irregular Lot
Provisions
Calculation

development
variance
permit

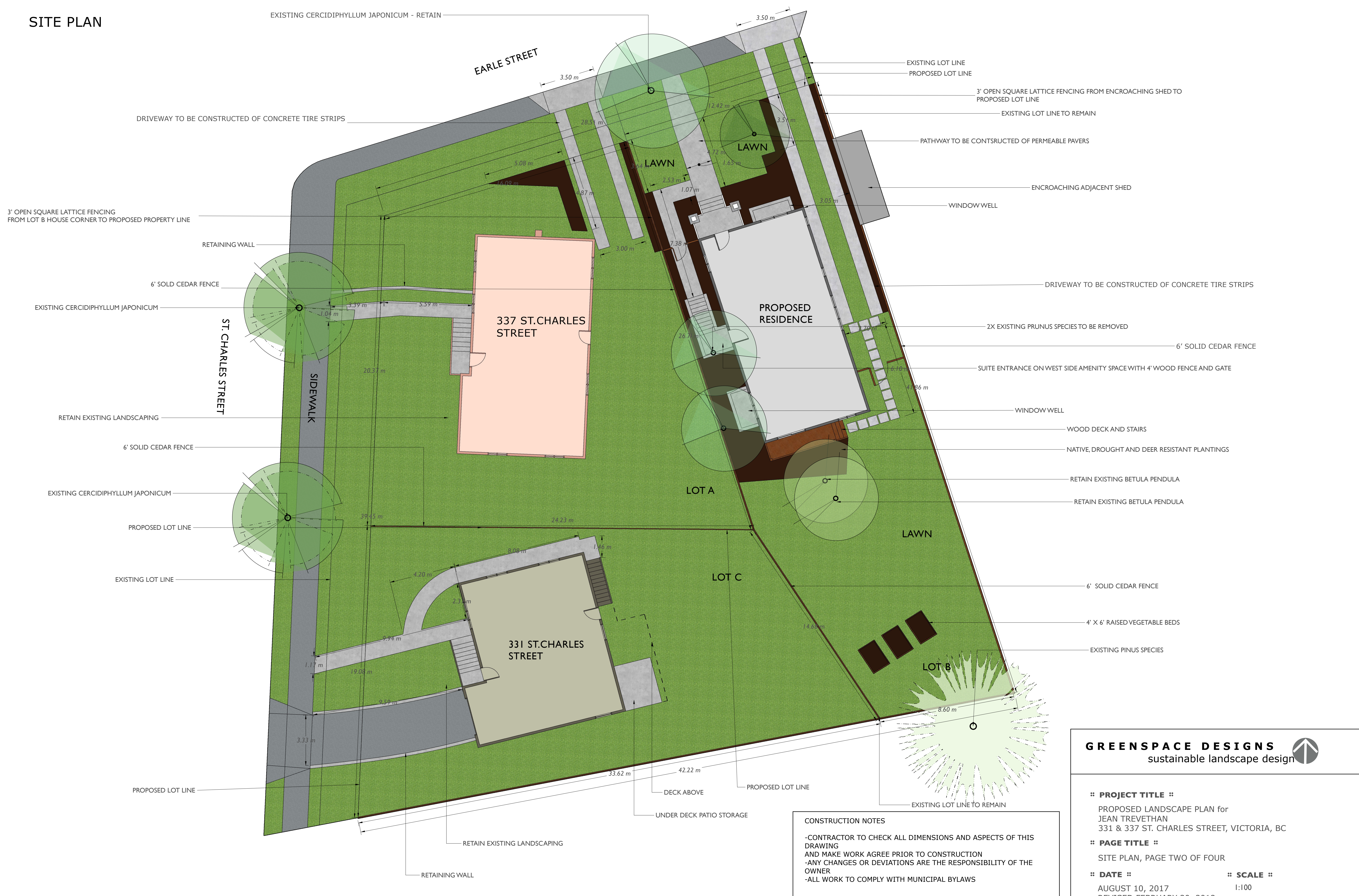
331 & 337
ST. CHARLES STREET
VICTORIA, B.C.

drawing #
7835

scale
AS NOTED
drawn by
NS



SITE PLAN



GREENSPACE DESIGNS
sustainable landscape design

PROJECT TITLE :
PROPOSED LANDSCAPE PLAN for
JEAN TREVETHAN
331 & 337 ST. CHARLES STREET, VICTORIA, BC

PAGE TITLE :
SITE PLAN, PAGE TWO OF FOUR

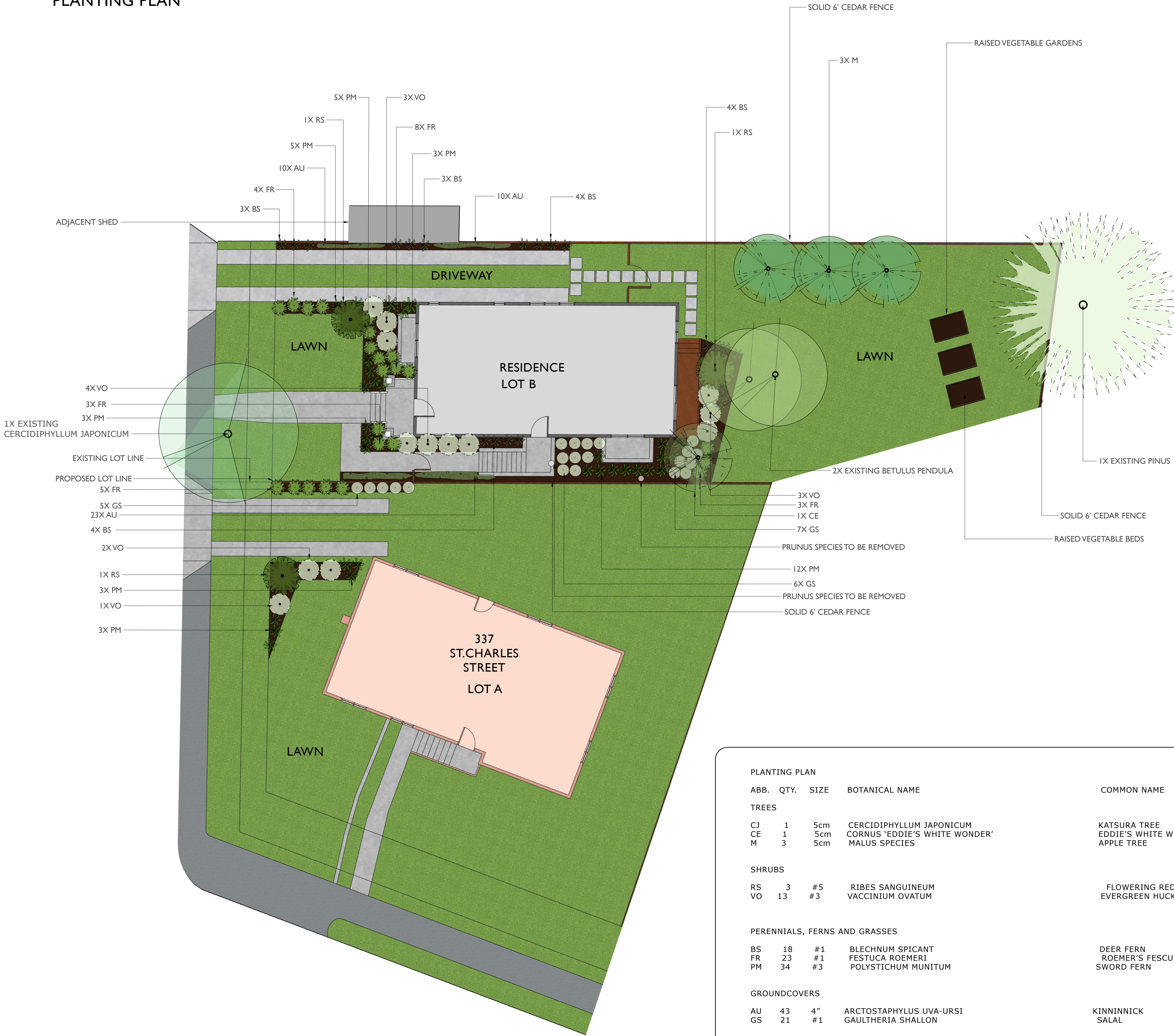
DATE :
AUGUST 10, 2017
REVISED FEBRUARY 20, 2018

SCALE :
1:100

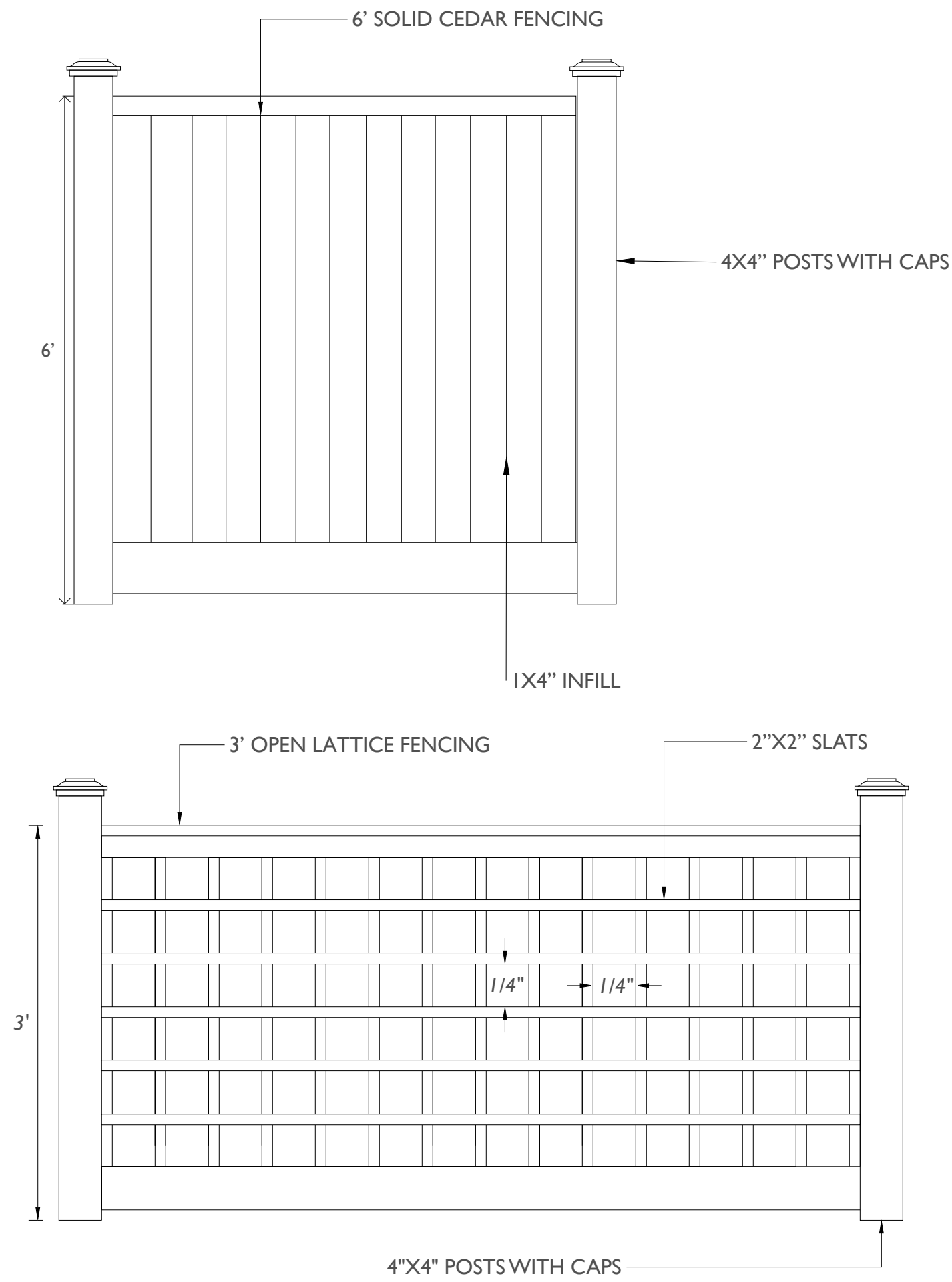
CONSTRUCTION NOTES

- CONTRACTOR TO CHECK ALL DIMENSIONS AND ASPECTS OF THIS DRAWING
- AND MAKE WORK AGREE PRIOR TO CONSTRUCTION
- ANY CHANGES OR DEVIATIONS ARE THE RESPONSIBILITY OF THE OWNER
- ALL WORK TO COMPLY WITH MUNICIPAL BYLAWS

PLANTING PLAN



FENCE DETAILS
not to scale



PLANTING PLAN

ABB. QTY. SIZE BOTANICAL NAME

COMMON NAME

TREES

CJ 1 5cm CERCIDIPHYLLUM JAPONICUM
CE 1 5cm CORNUS 'EDDIE'S WHITE WONDER'
M 3 5cm MALUS SPECIES

KATSURA TREE
EDDIE'S WHITE WONDER DOGWOOD
APPLE TREE

SHRUBS

RS 3 #5 RIBES SANGUINEUM
VO 13 #3 VACCINIUM OVATUM

FLOWERING RED CURRANT
EVERGREEN HUCKLEBERRY

PERENNIALS, FERNS AND GRASSES

BS 18 #1 BLECHNUM SPICANT
FR 23 #1 FESTUCA ROEMERI
PM 34 #3 POLYSTICHUM MUNITUM

DEER FERN
ROEMER'S FESCUE
SWORD FERN

GROUNDCOVERS

AU 43 4" ARCTOSTAPHYLUS UVA-URSI
GS 21 #1 GAULTHERIA SHALLON

KINNINNICK
SALAL

CONSTRUCTION NOTES

-CONTRACTOR TO CHECK ALL DIMENSIONS AND ASPECTS OF THIS DRAWING
AND MAKE WORK AGREE PRIOR TO CONSTRUCTION
-ANY CHANGES OR DEVIATIONS ARE THE RESPONSIBILITY OF THE OWNER
-ALL WORK TO COMPLY WITH MUNICIPAL BYLAWS

GREENSPACE DESIGNS
sustainable landscape design



== PROJECT TITLE ==

PROPOSED PLANTING PLAN for
JEAN TREVETHAN
331 & 337 ST. CHARLES STREET, VICTORIA, BC

== PAGE TITLE ==

PLANTING PLAN, PAGE THREE OF FOUR

== DATE ==

AUGUST 10, 2017
REVISED FEBRUARY 20, 2018

== SCALE ==

1:100



103 – 891 Attree Ave.
 Victoria, B.C. V9B 0A6
 Phone. 250.382.7374 Fax. 250.382.7364
 Website: www.victoriadesigngroup.ca
 Email: info@victoriadesigngroup.ca

September 26, 2017

City of Victoria
 #1 Centennial Square
 Victoria BC

Re: Proposed Development Variance Permit for 331/337 St. Charles Street

Dear Mayor and Council,

On behalf of Nigel Trevethan, owner of the subject property bearing Victoria District Plan #11189, we are proposing lot variances to accommodate the development of a new single-family dwelling.

The proposed development requires the approval of a previously submitted subdivision application to create a new R1-G zoned parcel for the construction of a single-family dwelling at the rear(east end) of 331 and 337 St. Charles Street, with frontage on Earle Street. We are requesting decreases in lot setbacks and lot width to accommodate this new lot. The following variances are necessary to allow for road dedications on both Earle Street and St. Charles Street for future City projects, while maintaining the original character homes fronting St. Charles Street and providing much needed additional housing in a vibrant area of Victoria.

Currently, 331 and 337 St. Charles each has a single-family dwelling in good condition that we wish to maintain. We propose to remove only the existing carport and associated driveway located on 337 St. Charles Street to accommodate the construction of an additional driveway for the new lot. A two-storey, single-family dwelling with garage is proposed for the new lot as shown on the plans submitted with this application.

This proposal includes some minor variance requests:

- 337 St. Charles Street (Lot A) requires three variances for the decrease in the front (west), rear (east), and side (north) yard setbacks. **This proposal asks for a decrease in the front yard (west side) setback from 7.50m to 5.20m, rear yard (east side) setback from 9.10m to 3.81m, and side (north side) yard flanking Earle Street from 3.50m to 2.90m.** These decreases allow for road dedications on both St. Charles and Earle Street and are justified given the

difficulty in creating available housing. We are also being mindful of the environmental and housing benefits of retaining the two currently rented, single-family homes on the sites.

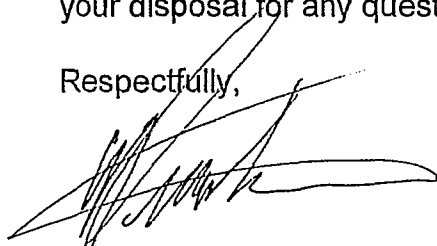
- The newly created lot fronting Earle Street (Lot B) will require a **lot width reduction from 15.0m to 12.41m**. The placement of the proposed new building is in relation to the existing dwelling located on 331 St. Charles and allows for retention of said building. The neighboring structure to the east is set back on the property in such a way as to allow ample separation between the two buildings.
- Lastly, 331 St. Charles Street (Lot C) proposes a variance in three yard setbacks. **The front yard (west) setback would decrease from 7.50m to 5.67m; the interior side (north yard setback would decrease from 2.78m to 1.54m; and the combined side yards would decrease from 5.40m to 4.58m**. Again, we are requesting these variances in order to maintain the existing structures in their current locations, accommodate a new building with adequate space between adjacent buildings and lot lines, and dedicate property to the City for future road construction.

In Summary:

SETBACK	PERMITTED (m)	VARIANCE REQUESTED (m)
Lot A – Front yard	7.50	5.20
Lot A – Rear yard	9.10	3.81
Lot A – Side yard	3.50	2.90
Lot B – Lot Width	15.00	12.41
Lot C – Front yard	7.50	5.67
Lot C – Interior Side yard	2.78	1.54
Lot C – Combined Side yard	5.40	4.58

To conclude, we feel this proposal will fit nicely with the feel of the existing neighborhood and it will provide the opportunity for a new family to live in this beautiful part of our city. We sincerely appreciate your consideration of this project and remain at your disposal for any questions you may have.

Respectfully,



William S. Peereboom
Owner, Chief Designer

Nigel L. Trevethan & Sarnoff Management Inc.
159 Robertson Street
Victoria, BC
V8S 3X3

March 18, 2019

City of Victoria
Sustainable Planning and Community Development Dept.
#1 Centennial Square
Victoria, BC
V8W 1P6
Attn: Mike Angrove – via email.

Dear City of Victoria:

Re: Development Variance Permit Application No. 00204 for 331 St. Charles Street

I write further to Ms. Fjeldstad's letter of December 19, 2018. That letter asks if I wish to proceed with the Development Variance Permit Application No. 00204 for 331 St. Charles. I do wish to move ahead with this variance application and have instructed my designer to do so. Please accept this letter as confirmation that we will be proceeding.

In this letter I also wanted to provide some additional information on community outreach that I have done with regards to this subdivision since my last communications with the City.

For your background I have owned 337 St. Charles for over 20 years and 331 St. Charles since 2016. These properties have been held by me as well maintained family style rental homes. It is my desire to maintain the current housing stock at 331 and 337 St. Charles but also to utilize some infilling to create a lot suitable for a further family home. I think there is value in allowing the variances requested as it:

1. It maintains the current houses that are there. I think there is value in that. They are small but perfectly serviceable homes.
2. It allows the elderly tenants who have been in 337 St. Charles to stay there. They have lived in that home for more than 25 years.
3. It prevents three larger homes from being built on those lots. My designer tells me if the two current home were taken down then the lot could be divided into three without and variances required.

4. It does provide additional housing in a time when it is needed in Victoria.

When I first proceeded to have this matter considered by the City of Victoria we received a disclosure of the City file. For the first time I saw some letters and concerns from neighbors. These communications were a surprise to me as I had heard no concerns prior to them. Rather than press ahead with the application, which had the approval of City staff, I thought it best to slow the process and meet with the community. I also reached out as best as I was able to all who had written letters to the City.

I was able to arrange a meeting with the individuals concerned and the broader neighborhood via the Fairfield Gonzales Community Association Land Use Committee. That meeting took place on June 7, 2018. I attach a copy of the report that was prepared by the Community Association chair, David Biltek. There was a very good discussion and from my perspective, many of the participants either became more supportive or expressed their support to me. For those that had remaining concerns I recommended they review some other local projects I had done as I thought they were very good examples of infilling that is sensitive to the local community. With regard to these local projects I should emphasize they have been done over a 20 year period. I am not a professional developer nor engaged in this sort of thing on a regular basis.

In terms of the remaining concerns they seemed to fit into a few categories and to be fair this is my interpretation of remaining concerns.

1. Parking.
2. Shadowing of a neighboring property and privacy from windows.
3. Pressure on the local sewer system that is already stressed.
4. Issues of City variance requirements and notice of applications such as mine.

In terms of parking we have made sure we have ample off road parking. The plans show this. We have also used parking strips to maintain as much green space as possible.

For the shadow concerns I have commissioned a shadow study and attach a copy. I will have my designer send in a formal copy with any comments they have. From my review it appears to show little excess shadowing. In terms of privacy the minutes from the meeting are inaccurate. There are not 13 windows facing the neighboring home. The plans submitted show a few windows that are sensitive to neighbor privacy.

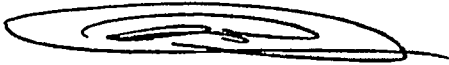
With regards to the pressure on the local sewer system I understand that the City of Victoria has done extensive upgrades in 2018 on St. Charles to deal with this issue.

Finally, with regards to the City's desire for set backs and the variances I will have to leave that to City staff to respond to although I believe it is for future sidewalks. I will also have to leave it to the City to address the notice issue. From my perspective, given the letters in the file for this variance application it appears at least some people had notice.

I should also mention that at the conclusion of the meeting with the Community Association I provided everyone with contact information for me in case they wished to discuss the matter further.

I am hopeful this letter assists consideration of this variance application and look forward to proceeding with the application. I would be happy to attend any in person meetings if you wish. For your ease of reference my email address is [REDACTED] and my phone number is [REDACTED]

Yours truly,

A handwritten signature in black ink, consisting of a large, loopy 'N' followed by 'Trevethan'.

Nigel Trevethan

Report of Meeting of Fairfield Gonzales

Community Association Land use Committee

Re: variance application for 331 & 337 St. Charles Street – DVP No. 00204

Meeting date: June 7, 2018 at Fairfield Gonzales Place, at 630PM

About 15-20 people in addition to the Committee were present

Meeting Chair: David Biltek

This report is not meant to be a verbatim recording of the meeting, but rather a summary of the discussions that reflects what the community said at the meeting

As was stressed at the meeting the FGCA CALUC does not approve or deny any applications for re zoning or variance applications.

Community sentiment:

1. The neighbourhood values ample front and back yards, and the proximity, particularly here where the subject property is adjacent to Hollywood Park
2. Parking. By adding two dwelling units there will undoubtedly be increased street parking. The neighbourhood already struggles at many times of the year, especially during baseball season with increased parking on neighbourhood streets; along with a small day care in a house on Earle can cause parking and traffic issues.
3. Sewer problems. The neighbourhood reports that every Monday there is a City truck at the corner of Earle and St Charles that pumps out sewer lines. The City has not made clear if there would be any impact on this situation by adding two more dwelling units.
4. The immediate neighbour to the East was concerned about the proximity of the new house to be built on lot B. the neighbouring house to the east of the proposed new house has 13 windows on the west side and the

occupant, Mr. Insha Khan is concerned there will be significant loss of light and privacy

5. There did not appear to be any valid reason for the variances, which were out of character with the existing lots and side yards

Developer comments

1. His intention is to have three dwelling units where there are now two. The existing two houses are perfectly functional, and he see no reason to bring those down and replace them. He said he could do that: tear down the two houses and subdivide the land and build three houses in their place, but it seems a waste to do so.
2. The new lot is planned to have a long driveway and would have sufficient room for two cars to park on the driveway.
3. The house was designed to limit intrusion into the neighbour's house to the east. The windows on the east side of the new house are few and high and should not decrease privacy for the east side neighbour.
4. The developer pointed out that the variances were largely a result of the City's request for additional road allowance along St Charles, a request of two plus meters. This then triggered a further conflict with determining which was the to be the FRONT, BACK and SIDES. Under City size/shape rules, the new "front " of the existing lot at the corner of St Charles and Earle would be what is now a side yard, and as a result the south side yard would become the new BACK yard.

Possible solutions:

The meeting was asked what if anything might be done to resolve some of the concerns

The developer suggested they might be able to adjust the shape of the house, making it longer and narrower, which would increase the side yard with the neighbour to the east. He will consider that possibility

He also said they could conduct a shadow study to show what impact there might be on the adjacent houses.

The developer will also share addresses of some other projects he has completed so the neighbours can view the sort of work he has done.

There was support for the peaked roof of the house, which is in keeping with existing character.

The City should explain:

- 1. Why the need the additional road allowance, and**
- 2. What if any will be the in impact on sewer lines of the new house**

There was considerable concern about the lack of notice for this variance.

The developer said he wished he had spoken to the neighbours prior to developing plans.

There was also a question as to why neighbours were not advised of this application, and it was suggested that perhaps the City should require this in the future.

It was also suggested that the neighbourhood association could send notices. It was pointed out that the FGCA does not have the resources to deliver notices to specific locations but would consider putting variance applications into their e-newsletters. This would be received by some people, given the circulation of approximately 1400, but would not entirely solve the lack of notice. The CALUC will consider doing this

The meeting adjourned at 8PM with a thank you from Mr. Khan

Date March 19, 2018

Dear Mayor and Council,

Re: Development Proposal at 331 and 337 Charles Street St.

The proposal is to carve out a third lot from two existing lots and build a large 3-level, 5-bedroom home with a basement suite. This structure would be squeezed into a very narrow lot, creating an odd lot configuration and requiring several significant variances to City Zoning By laws.

Will this development enhance our neighbourhood? This development will benefit only the developer, and that at the expense of current neighbours and the City. It is not a respectful and reasonable development, will increase City expenditures to address City infrastructure challenges already experienced by existing residents, and will definitely not meet the needs of those seeking affordable housing. It will have a negative impact on the following specific issues.

Pedestrian traffic: The corner of Earle St. and St. Charles is an active area with no crosswalks. There are many pedestrians, such as walkers, shoppers, hospital staff, parents and children going to daycare, and the many and various park users.

Parking congestion: This is already an issue due to pressure from homeowners, renters, plaza shoppers and employees, daycare, and park users. In addition, many drivers use Earle St. as a short cut route. We know that the City is well aware of the parking issues on these blocks.

This development would exacerbate both existing issues. It requires the addition of a second driveway off Earle that would further reduce on-street parking and, because of its proximity to the corner, further increase hazards for pedestrians. The development reduces street parking, yet increases the need for on-street parking by proposing a suite, but not supplying any on-site parking for it.

Shadowing: Our home at 1613 Earle St. is located to the east and adjacent to the proposed development. Our home had extensive renovations in 1994 and the west wall, which has a total of 13 windows was designed to capture sunlight and warmth in the winter months. The proposed development (with the maximum height specified for this zone) will block the solar heating upon which we have become dependent. This would require us to increase our use of non-renewable resources, thereby significantly adding to our heating expenses, and contribute negatively to climate change (e.g., on sunny March 10th the temperature outside was 8 C but it was 21 C in our house). As retirees, this unexpected increase in annual costs is a hardship on us. This shadowing will also reduce the sunlight to our garden and decks, significantly impacting our enjoyment of our property – enjoyment we regularly share with the children we raised in this house, and our grandchildren. We note that the proposed house plan (which has only 6, mostly small, windows) does not taken advantage of any green energy in their plans.

Loss of green space: The proposed development requires that the large laurel hedge running along Earle street, which presently reduces the traffic noise and road views, will need to be removed to accommodate a new driveway. The hedge-like assortment of trees, which runs along the south side are

also to be removed to allow for proposed house construction. No mention of these alterations is made in the proposed plan. In addition, two mature flowering cherry trees would be removed.

Ground instability: This area is a former estuary, making the soil structure unstable. Over time, this instability has caused our front porch and basement stairs to sink. Further disturbance such as excavation for an adjacent house and additional drainage will affect the water table and further aggravate damage to our home.

We are not opposed to development and densification. We support thoughtful and respectful changes that will enhance our neighbourhood; for instance, building a structure to suit the existing site, such as a garden suite, which would not require variances. The possibility of a variance exists in order to prevent hardship. The only consideration involved here appears to be maximizing profit for the developer, who has made no attempt to consult and present their current plans to us and our neighbours.

The City of Victoria Zoning By-laws have been thoughtfully and duly implemented to ensure that neighbourhoods are protected from development that is out of keeping with its surroundings. There has been no adequate case made for any variances sought in this proposal. In fact, we are concerned that approving these variances and allowing this development to take place will set a precedent for future development that is also not consistent with the character of this neighbourhood, with negative effects for the entire area. For these reasons, we oppose this application for the proposed development and variance and we encourage our elected council to follow the guidelines of the OCP and zoning by-laws and reject this development proposal.

Thanking you for reading this letter and for your public service.

Sincerely,



Insha Khan

Lydia Wiet

1613 Earle St.

Photo 1 - parking on corner of Earle St in front of proposed subdivision access

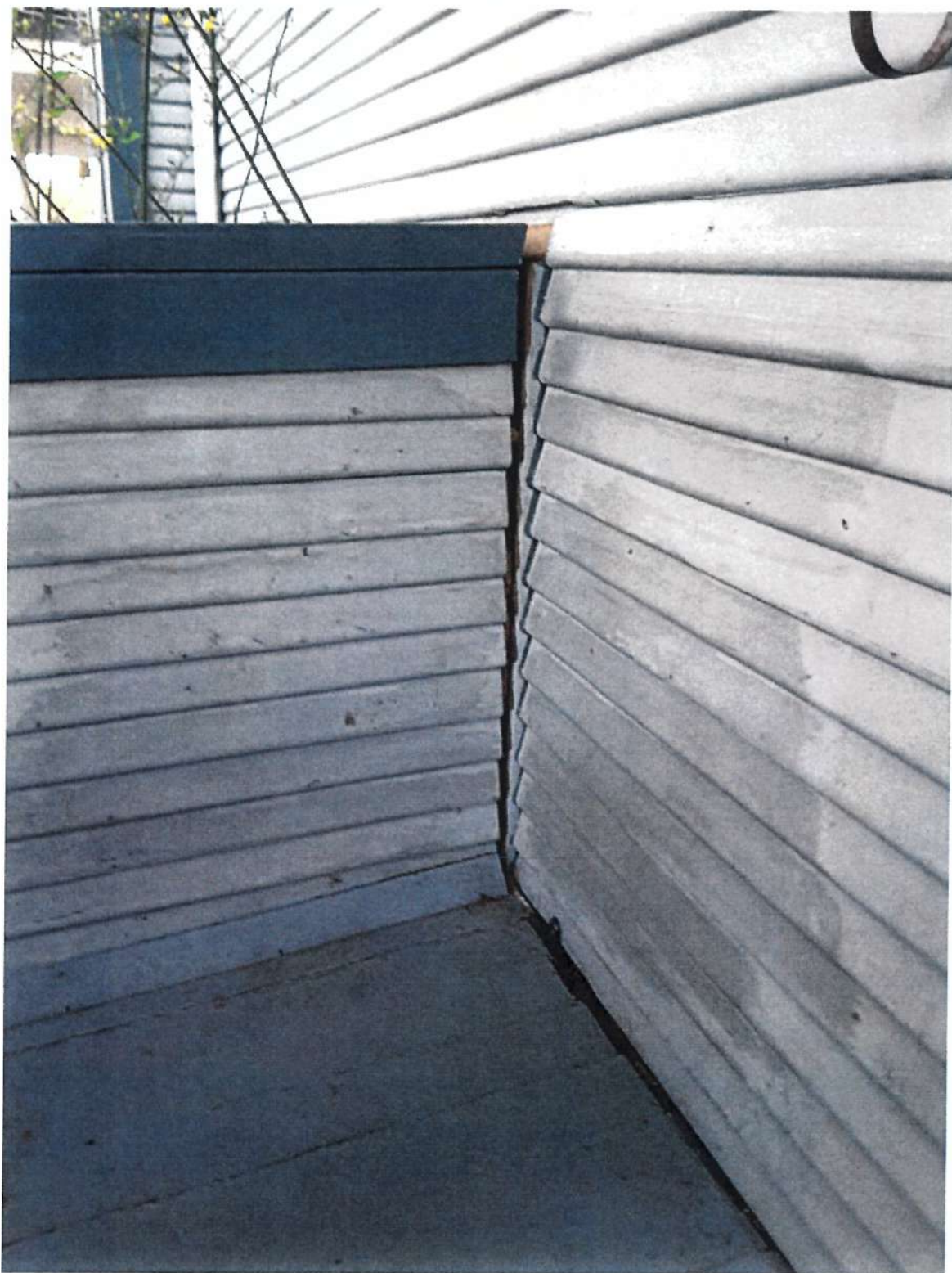
Photo 2 - parking across the street in front of proposed subdivision access

Photo 3 - parking across the street in front of proposed subdivision cont'd

Photo 4, 5 - front porch and entrance basement stair gaps from soil settlement







January 22, 2018

Dear Mayor and City Council,

We are writing to raise an issue regarding the development variance permit application to subdivide 331 and 333 St. Charles St.

The application seeks approval to subdivide the two lots into three. The new lot, with a proposed 5-bedroom house and secondary suite, will be accessed from Earle St.

This neighbourhood was a former estuary. The soil consists of 4 feet of organic soil, 3 feet of brown clay with seashells and the bottom layer is gray clay saturated with water.

As Earle St. residents we have experienced the following:

- Sewer line is no longer level. Every Monday, the City has a truck stationed at the intersection of Earle St. and St. Charles St. to pump the contents from Earle St into the connecting pipes on St. Charles.
- 1620 Earle Street requires a permanent pump to move the contents from their house to the sewer line on Earle Street.
- Sewage backflow into basements has occurred multiple times in 1613, 1616 and 1617 Earle St. One resident cleans out their sewer line 2 times a year as a proactive measure.
- 1644 Earle St drainage flow is described as slow. They are not allowed to have additional plumbing on their lot.
- The road and sidewalk are not level. Residents describe it as similar to a roller coaster. Numerous sunken areas and cracks have been patched but cannot keep pace with the continuous sagging in the road and sidewalk.
- The front porches of the two houses adjacent to the proposed new 5-bedroom house are sinking.
- Houses shake when a large truck drives on the road.

Our concern is that the added pressure from the proposed additional infill in this location will exacerbate this problem for the existing residents of Earle Street.

We hope that the developer is aware of the delicate nature of the soil, the high water table and the potential for the use of heavy equipment to excavate the basement site to damage the adjacent buildings and road infrastructure.

We request that the City's Engineering department reconsider this application in light of the issues identified regarding the soil and sewage. We think it is important that Council be fully informed of potential implications of the proposed new development on neighbouring buildings, and consider addressing the infrastructure problem on Earle Street before this proposed application proceeds further. As residents of the Gonzales neighbourhood, we support the objective of encouraging more housing diversity and opportunities for affordable housing, but we expect that any proposed development be respectful of the neighbours, with due consideration of infrastructure and building challenges associated with this particular location and potential consequences on existing properties.

Sincerely,

Kathy Humphrey

1693 Earle Street

Genna Trinidad

gf 1680 Earle Street

Tim Burdison

1658 Earle Street

[Signature]

1628 Earle

og Perday

1691 Earle Street

[Signature]

1616 Earle Street

K. Jensen

1620 Earle St.

B. B. B. B.

1622 Earle St.

J. Weedne

1648 Earle St.

H. B. M.

1664 Earle St.

Dech km

1613 Earle St.

Blaydt

1662 Earle St

R. Whitcomb

1689 Earle St.

L. Ferguson

1667 Earle St.

Whitcomb

1644 Earle St.

For

1632 Earle St.

Allen fan

1625 Earle Street

David Hughes

343 St. Charles

For

1617 EARLE STREET

For

1661 EARLE STREET

Aspencer

1679 Earle St.

PS

1693 EARLE ST

March 12, 2018

Dear Mayor and Council,

My family and I are residents of 331 St. Charles Street. I have reviewed the February 22, 2018 revised application for a variance permit at 331/337 St. Charles Street, to accommodate the development of a new five-bedroom house and basement suite. For the reasons set out below, I am opposed to this proposal.

Firstly, this proposal would result in the loss of a significant amount of backyard at 331 St. Charles. Our children have enjoyed playing in the backyard and together as a family, we have actively used the backyard for gardening, having put in multiple raised vegetable beds and fruit trees. A significant portion of that existing gardening area would be eliminated with the proposed development. A garden shed located at the northeast corner of our lot would also be eliminated.

The proposal also significantly reduces the backyard space of the neighbouring property on 337 St. Charles, similarly affecting the ability of future families to use the backyard to sustainably garden and enjoy other family activities. A portion of the existing green space on that neighbouring property will be eliminated to create new off-street parking. The proposed removal of an existing hedge further reduces the green features of that property.


The significant reduction in the backyards at 331 and 337 St. Charles, and the similarly small backyard of the proposed infill lot, is inconsistent with the character of nearby lots in this area. The size of the proposed new house is also significantly larger, with a greater site coverage, and of a different design than properties in this neighbourhood (which is predominantly stucco).

It is my view that the proposed development is inconsistent with the character of the Gonzales neighbourhood, particularly the green nature of this particular area. These lots are all adjacent to Hollywood Park, an important green space used extensively by local residents and visitors who participate and support the Beaconhill Little League. The environmental, social and recreational values associated with this neighbourhood park should be preserved and protected for future generations. Permitting this application for development that requires significant variances, in this particular location, is inconsistent with that objective.

Sincerely,

Rebecca Foote

Brandon Shelley

Handwritten signatures in blue ink. The first signature is 'Rebecca Foote' and the second is 'Brandon Shelley'. To the right of these names are two additional handwritten signatures in blue ink, one above the other, which appear to be initials or a stylized signature.

March 17, 2018

Dear Mayor and Council,

Re: Proposed Development at 331 and 337 St. Charles Street

We understand that a revised application was submitted to the City on February 22, 2018, regarding a proposal to subdivide the lots at 331 and 337 St. Charles Street, to allow for the building of a new 5-bedroom house with a basement suite, in a new very narrow-sized lot, with limited parking.

We support increased density and development as being necessary to allow for improved infrastructure, energy efficiency and climate change objectives, as well as creating more affordable housing. However in our view, allowing this proposed development, which significantly exceeds the minimum setback requirements set out in the *Zoning Regulation Bylaw*, is inconsistent with the principles of the *Official Community Plan*, and makes no contribution to any of the of the above mentioned objectives, is simply not sound public policy.

For the reasons following we ask that you reject this application.

- **Suite should absolutely not be considered unless additional parking spaces are provided for.** With the Mall, Hospital, Daycares/playcares, existing duplexes and suites and the playground/ park there is already no parking. Often, we cannot even get out our driveway. The lack of parking is a very serious issue in our local neighbourhood and must be dealt with before new dwellings are added. Saying that that Transit is a solution is not valid– Transit is already often maxed out going to UVIC and Oak Bay High requiring waits of two or three busses which is not realistic. Electric vehicle prices are rapidly decreasing which will mean many more cars – electric ones still need parking and roads.
- The Lot owner/ speculator, knowing the zoning regulation bylaws, paid more than the asking price to acquire Lot 331 so that this application for subdivision could occur. This has already resulted in increased tax assessment and market sales values for nearby residents including us. The housing objective could be met by suiting the existing two houses with or without small additions and additional green space conservation could have been achieved. Potentially these suites could have provided more affordable housing than the new proposed house will. Speculator/applicant has also prohibited tenants of 331 St Charles from opposing rezoning in their rental contract in order to reduce opposition.
- Water restrictions and rationing – CRD is rationing water through restrictions due to insufficient supply and inadequate infrastructure so we should not be adding to the load until the infrastructure is improved. In addition, we already suffer from insufficient water pressure frequently in the summer months (PSI less than 50). We had water line and our Miele Washer tested – it shuts off when inlet pressure is less than 50 psi - Adding another residence and suite without fixing the infrastructure would make this worse.
- The city sewer is in need of significant repair and must be flushed out continually – we have to roto roter at least twice a year and the blockage is often at the street junction. Plus the regular flushing by the city may contribute to our line backing up as sludge is washed into our line from the larger drain when it is being cleaned.

- Earle street needs significant road maintenance – it is barely driveable – good part is you don't have to worry about speeders the ruts serve as speed bumps! When it rains hard the puddle in front of our house is the length of two vehicles and is almost up to the top of the sidewalk again (City engineers fixed this a few years ago but road has settled and moved)
- ALL of the setback variances requested are not necessary and they certainly are not minor as claimed by the proponent. The house can be constructed to a smaller size and we believe without the road dedications being required by the city meet the requirements in the Zoning Regulation Bylaw.
 - Front yard setbacks rational not identified and not immediately required – why does City need road dedications? Rather the City should be selling the adjacent boulevards to the applicant to increase lot size and generate revenue. Road dedications for unidentified future projects is not sound planning. We were unable to find any discussion or even identification of these requirements in either the official community plan or the City planning information on line.
 - Proposed new House can be constructed smaller and fit within the setbacks as in the zoning requirement. It doesn't have to have a suite nor be as big – Difference between profit maximization and sound regulation – abiding by zoning requirements and the OCP.

In addition, this speculator/applicant has not even bothered to come and talk us yet we live one lot away! Remarkable from our perspective but I guess when \$ are the objective and you don't even live in the neighborhood relationships and the neighborhood are not important.

We would support the development if no variances were required. We believe this is possible by forgoing the road dedications, reducing the size of the residence and eliminating the suite.

We recently found out that there was a planning process underway for the Gonzales and Fairfield areas and that it had been going on for some time (much to our surprise). Pretty hard to have any confidence in a new planning process if the current plans and zoning are provided variances at any opportunity. Allowing a new residence of this size, with a suite may well forestall additional development of the local area before the new planning process is even complete. We have lived here over 30 years and support development but lets do it right and not simply line the pockets of speculators. Let's build greater neighborhoods!

For example we could support the full development of the "L" shaped area on Earle and St Charles provided it was done in a way where all of the lots were developed at the same time, density objectives could be achieved, economies of scale captured, and greenspace conservation could occur. For example full underground parking for the whole area could be constructed covered by townhouses/affordable houses – some with store front micro businesses. There's lots of options but please don't leave it to speculators and developers to determine by granting variances for any old request – lets have sound public policy which includes everyone not just speculators.

Thank you for your public service and for reading our concerns.

Cheers

Ross and Loraine Curtis
1617 Earle Street

March 25, 2018

Dear Mayor and Council,

Re: Proposed Development at 331 and 337 St. Charles Street

We understand that a revised application was submitted to the City on February 22, 2018, regarding a proposal to subdivide the lots at 331 and 337 St. Charles Street, to allow for the building of a new 5-bedroom house with basement suite, in a new narrow-sized lot. In our view, allowing this proposed development, which significantly exceeds the minimum setback requirements set out in the *Zoning Regulation Bylaw*, is inconsistent with the principles of the *Official Community Plan* and the characteristics of the Gonzales neighbourhood, particularly being adjacent to an important neighbourhood park. For the reasons we set out in this letter, we ask that you reject this application.

The backyard of 331 & 337 St. Charles Street is visible to the many users of Hollywood Park, including local and Victoria residents, and even visitors from across the Province attending Beacon Hill Little League games. The *Official Community Plan* describes the significance of neighbourhood parks in this way:

Parks, open spaces and both indoor and outdoor recreational facilities are critical components of a complete community... They help to improve the livability of densely developed areas, enable active lifestyles and personal health, provide spaces for respite and contemplation, highlight historic and cultural landscapes, and provide indoor and outdoor gathering places. Many parks and open spaces also play an important role in providing animal and plant habitat and maintaining ecosystem services.

Goal 9(A) states "Victoria is an active community where everyone enjoys convenient access to community parks, open spaces, facilities, amenities and programs close to where they live." Being located adjacent to a neighbourhood park is an important factor when considering new buildings, and are to consider these OCP objectives:

- 8 (a) That urban design at every scale from sites to local areas is responsive to Victoria's geographic context and existing pattern of development, achieves excellence, and creates memorable places.
- 8 (b) That the views from the public realm of existing landmarks are maintained, and that new landmarks are introduced to enhance the visual identity and appearance of Victoria and to improve wayfinding around the city.
- 8 (c) That new buildings and features contribute to the sense of place in development permit areas and heritage conservation areas through sensitive and innovative responses to existing form and character.
- 8 (d) That social vibrancy is fostered and strengthened through human scale design of buildings, streetscapes and public spaces.
- 8 (f) That the built environment is beautified and softened through natural features in the public realm.

A significant portion of existing gardens and green space on 331 and 337 St. Charles St. that borders the northwest corner of the park would be lost with the proposed development. An existing hedge of Cedar and Fir trees up to 25 ft tall will also be eliminated.

The Gonzales neighbourhood is described in the proposed *Gonzales Neighbourhood Community Plan* (2018), as "special because of the quiet, tree-lined streets, diverse and attractive detached houses with gardens, a variety of park spaces...The community wants these features maintained as they contribute to a feeling of wholeness for the neighbourhood." The current *Gonzales Neighbourhood Community Plan* (2002) requires consideration of "the fit of new houses with the size and character of existing houses in the neighbourhood, e.g., reduce the maximum permitted house size and site coverage, as outlined in Table 1" (3.3.2), and that builders are "to preserve and maintain, to the extent possible, neighbourhood features, such as trees, fences, gardens, and rock outcrops" (3.3.11), and encourages builders to "consider the existing character of the site, as well as that of neighbouring properties, in the design of new houses" (3.3.12).

Contrary to the *Zoning Regulation Bylaw* applicable to this area, the proposal exceeds the minimum setback requirements, including a rear yard setback decrease of **50%** and interior side yard setback of **45%**. This is not consistent with the green character of this neighbourhood, which is particularly important given its location next to a neighbourhood park. We are not of the view that the width of the adjacent lot at 1613 Earle Street, a house built over 90 years ago, sets the precedent that future variances to other lots in proximity should automatically be given.

This development would set a negative precedent for future development in this area, which could erode the value of Hollywood Park, potentially decreasing habitat and ecological functions, and would reduce residents' and visitors' ability to relax and connect with nature - as that "nature" would be crowded by buildings, instead of the green space of sufficiently sized yards characteristic of Gonzales.

Furthermore, there is currently a delicate balance established between park users and local residents, involving the parking pressures and noise associated with the use of Hollywood Park, particularly during sporting events. Allowing increased density that ignores this situation can significantly disrupt that balance. As the creation of a secondary suite does not require off-street parking, this will inevitably create more pressure on already limited street parking in this area, given parking demands from the Fairfield plaza employees, customers, other local businesses, and Hollywood Park users particularly during the busy baseball season.

Finally, the proposed development would exacerbate the current challenges that currently exist with the sewage infrastructure and delicate nature of the soil of this particular area (former estuary) that were identified to Mayor and Council on January 22, 2018 by residents of Earle Street.

To protect the important environmental, social value of Hollywood Park to our local community and broader Victoria community, to maintain the character of this neighbourhood important to our community, and to give due consideration of the potential consequences of this development to existing residents due to the geology, infrastructure and traffic/parking challenges associated with this particular location, we ask that the application for development at 331 and 337 St. Charles be rejected.

Sincerely,

C. L. 625

325 St. Charles St.

Cauler

325 St. Charles St.

D. W. 625

319 St. Charles St.

8. 16

309 St. Charles St.

W. H. 625

315 St. Charles St.

Stewart

315 St. Charles St.

W. Varga

1591 Earle Place.

For 625

1632 Earle St

Janet 625
E. Bortch

1638 Earle St.

1644 EARLE St.

625

1692 Earle St.

Arthur
Hunter

1587 EARLE PLACE.

1672 Earle St.

~~GA~~

1693 Earle Street

W. G. A.

1664 Earle St.

~~BB~~

1738 Fairfield Road.

B. G. A.

1622 Earle St.

March 21, 2018

Dear Mayor and City Council,

We are residents living in close proximity to the properties of 331 and 337 St. Charles St. The application seeks approval to subdivide the two existing lots into three, creating a very narrow new lot. It proposes building a large 5-bedroom house that includes a secondary suite, both of which would be accessed from Earle St. We are writing to raise the following concerns and our objections to the development variance permit application to re-zone 331 and 337 St. Charles St:

1. **Variances:** This application does not comply with Zoning By-law R1-G. Approval is being sought for 6 variances, the majority of which are significant. The by-law requires a front lot width of 15 m (50 ft), but the proposed new lot front width is only 12.6 m (40 ft) while the rear width is even narrower, proposed at only 8.6 m (28 ft). Approving this uncharacteristic lot in this area would set an unfortunate precedence, providing a reference for future development that would render the zoning by-law irrelevant in this area.
2. **Parking:** Currently there is a lack of parking spaces on Earle St. and on St. Charles St. Current parking availability cannot accommodate the current needs of the residents and this is exacerbated by additional pressures from Fairfield Plaza employees and customers, Hollywood park users, and visitors who travel to the park and local businesses by car as they do not reside in the area. The new house will require an additional driveway and the secondary suite will require on-street parking. This will eliminate at least 2 existing parking spots and worsen the existing parking problem.
3. **Geophysical soil properties:** This area is a former estuary. The top 4 feet of earth consists of organic black loam, which is followed by 4 feet of water-saturated brown clay with seashells; below 8 feet there is water-saturated gray clay. As the water table changes due to improved residential drainage, housing structures such as front porches, decks, chimneys, and basement walls shift. Additional development will exacerbate this problem, resulting in lowering the value of the neighbouring houses, as well as requiring residents to incur additional remedial costs.
4. **Civic infrastructure:** Another result of the geophysical characteristic of the site is the poor condition of the current sewer system and road. The sewer line is no longer level causing sewer backups and requiring the installation of pumps; currently, it also requires the City to send a pumping truck, on a weekly basis, to pump out solids that cannot pass adequately. The road and sidewalk surfaces are referred to as "a roller coaster" by locals. Adding a new house with 5 additional bathrooms would add significant pressure to the existing problems.
5. **Neighbourhood park values:** Two of the lots in this proposed re-zoning will share a fence with Hollywood park. The Official Community Plan (OCP) specifies emphasizing open spaces and promoting urban design that enhances wellness of both community and ecosystems. Approval of this application would reduce the existing green space and replace a large cedar, a Douglas fir hedge, and two flowering *Prunus* species with a large 3 storey house.

6. **Affordable housing:** The proposed house is a 3 storey house with a basement suite. It has 5 bathrooms including an en-suite master bathroom. This is an indication that the development is targeted towards the high end of the housing market and does not address the critical need for affordable housing.

We are not opposed to change in this neighbourhood. However change should be respectful of needs of both neighbours and community. This development is contrary to the zoning by-laws and community plans. Instead of developing Garden suites or creating suites in the existing houses, the developer's primary objective appears to be maximizing profit, at the expense of neighbourhood character and need. This is hardly a hardship situation that might be invoked to justify variances to well-considered City By-laws. In the interests of our community and the City of Victoria, we oppose this application.

Sincerely,

Jordan Anderson

435 Arnold Ave

Levise Joly

1561 Earle Pl.

Chris Fox

1625 EARLE ST.

Glenis Gidren

370 SIMPSON AVE.

Michael Shayan

1592 EARLE PL

Karen Byers

613 Foul Bay Rd.

Frank

615 Foul Bay Rd.

Marti

410 Stannard Ave.

J. Hillen

330 ARNOLD AVE.

H. Lamb

302-1151 OSCAR ST.

A. Johnson

1667 EARLE ST.

A. [unclear]

1680 Earle St.

D. [unclear]

1829 Lillian Rd.

April 16, 2018

Dear Mayor and Council,

Re: Proposed Development at 331 and 337 St. Charles Street

We are residents of 325 St. Charles Street and have a number of concerns regarding the proposed subdivision of 331 and 337 St. Charles Street, and the significant variances associated with the proposed new 5-bedroom house with basement suite on a narrow lot with limited yard space.

Firstly, the proposal is out of character with neighbouring properties and significantly out of compliance with the minimum setbacks required under Part 1.6, R1-G Zone, Zoning Regulation Bylaw. For example, the subdivision results in one existing lot having a rear yard of only 4.56m (vs. the 9.1m minimum required under the bylaw); and the new lot has only a lot width of 11.64m (vs. the 15m minimum required). The existing setback requirements were established after an extensive community engagement process to *"Encourage owners and builders to consider the existing character of the site, as well as that of neighbouring properties, in the design of new houses..."* (s. 3.3.11 of the 2002 Gonzales Neighbourhood Plan).

While City staff have been directed by the March 15, 2018 Council Motion to work with the Gonzales neighbourhood to define what is meant by "gentle density," the adjudication of this particular application must be in accordance with the current 2002 Gonzales Neighbourhood Plan. If Council were to ignore or give little weight to the requirements of the current Neighbourhood Plan, Council would risk undermining public trust in ongoing engagement and development of such neighbourhood plans.

Secondly, the proposed development occurs in a unique portion of St. Charles because it is adjacent to Hollywood Park, a park enjoyed by hundreds of park users throughout the year for the recreational opportunities it offers and the green character of the area. There are a number of very large, mature trees located in the park, many of them at the boundary of the park and adjacent residential lots, including behind our lot. We note that the March 15th Council Motion also recognized the importance of green space and tree preservation, directing staff to strengthen language in the Gonzales Neighbourhood Plan to reflect these principles. These principles are consistent with the OCP and should also inform the adjudication of this proposed development.

Another aspect of the green nature of this area is that the lots here all have sufficiently large backyards conducive for sustainable food gardening. This is one of the key features of the property that led to our decision to live here. The proposed subdivision and variances significantly reduces the areas available for gardening – making it less likely that future residents of those lots would use the limited yard space for gardening purposes.

Another unique aspect of the particular location of the proposed development is its location directly across from the Fairfield Plaza. Our lot is located across from the loading dock of Thrifty Foods, and on occasion, we have experienced having our car, when parked on the street in front of our house, hit by transport trucks backing into that loading dock. These experiences led us to eventually eliminate one of our cars to avoid the need for on-street parking. However, customers of Fairfield Plaza will often park in front of our house, making it challenging for trucks backing into the loading zone, which has resulted in a number of incidences of trucks running over the boulevards in front of our house. We are working with the Thrifty's manager and City traffic engineer on finding a long-term solution to this issue.

The significant traffic and parking challenges in this particular area are well known and is acknowledged in the draft Fairfield Neighbourhood Plan, Action Plan (p. 104). We urge the City to proceed expeditiously with assessing the transportation conditions of this particular area. Until improvements have been made to address the existing parking and traffic challenges, we are of the view that the City should not be exacerbating the current problem by allowing this development to proceed, which adds more residents to this area, including a basement suite that is exempted from the requirement of providing off-street parking.

We also note the issue our neighbours on Earle Street brought to your attention in January 2018, that the sewage infrastructure is already over capacity, and as such, adding more pressure to that infrastructure by the creation of a new 5-bedroom house and basement suite on Earle Street at this time, seems ill advised.

In conclusion, given the green nature of this particular location, particularly as it is adjacent to an important green space, in an area with well-known transportation challenges requiring priority study and improvements, we are opposed to the application. We are not of the view that the requested subdivision, significant variances and proposed development are of the form and character compatible with the existing neighbourhood. For all of these reasons, we ask that Council reject this application.

Sincerely,



Debbie & John Wells

April 18, 2018

Dear Mayor and Council,

Re: Proposed Development at 331 and 337 St. Charles Street

We understand that a revised application was submitted to the City on February 22, 2018, regarding a proposal to subdivide the lots at 331 and 337 St. Charles Street, to allow for the building of a new 5-bedroom house with a basement suite, in a new **very** narrow-sized lot, with limited parking.

We support increased density and development as being necessary to allow for improved infrastructure, energy efficiency and climate change objectives, as well as creating more affordable housing. However in our view, allowing this proposed development, which **significantly exceeds** the minimum setback requirements set out in the *Zoning Regulation Bylaw*, is inconsistent with the principles of the *Official Community Plan*, and makes **no** contribution to any of the of the above mentioned objectives, is simply not sound public policy.

For the reasons following we ask that you reject this application.

- **Suite should absolutely not be considered unless additional parking spaces are provided for.** With the Mall, Hospital, Daycares/playcares, existing duplexes and suites and the Playground/ Park there is already **no** parking. Often, we cannot even get out our driveway. The lack of parking is a very serious issue in our local neighbourhood and must be dealt with before new dwellings are added. Saying that that Transit is a solution is not valid– Transit is already often maxed out going to UVIC and Oak Bay High requiring waits of two or three busses, which is not realistic. Electric vehicle prices are rapidly decreasing which will mean many more cars – electric ones still need parking and roads.
- The Lot owner/ speculator, knowing the zoning regulation bylaws, paid more than the asking price to acquire Lot 331 so that this application for subdivision could occur. This has already resulted in increased tax assessment and market sales values for nearby residents including us. The housing objective could be met by suiting the existing two houses with or without small additions and additional green space conservation could have been achieved. Potentially these suites could have provided more affordable housing than the new proposed house will. Speculator/applicant has also prohibited tenants of 331 St Charles from opposing rezoning in their rental contract in order to reduce opposition.
- Water restrictions and rationing – CRD is rationing water through restrictions due to insufficient supply and inadequate infrastructure so we should not be adding to the load until the infrastructure is improved. In addition, we already suffer from insufficient water pressure frequently in the summer months (PSI less than 50). Adding another residence and suite without fixing the infrastructure would make this worse.
- The corner of Earle Street and St. Charles is an active area with no crosswalks. There are many pedestrians, such as walkers, shoppers, hospital staff, parents and children going to the daycare and the many and various park users. On a busy summer day the corner in question becomes a serious hazard with a significant potential for accidents. In fact last week a truck while attempting to avoid an oncoming car struck and damaged by motor scooter, which was, parked at least five feet onto my property. The proximity of the proposed development to this corner creates a serious potential for an accident.
- The city sewer is in need of significant repair and must be flushed out continually – we have to roto rooter at least once a year and the blockage is often at the street junction. Plus the regular flushing by the city may contribute to our line backing up as sludge is washed into our line from the larger drain when it is being cleaned.
- Earle Street needs significant road maintenance – it is barely driveable – good part is you don't have to worry about speeders the ruts serve as speed bumps! When it rains hard the puddle in across the street from our house is the length of two vehicles and is almost up to the top of the sidewalk again (City engineers fixed this a few years ago but road has settled and moved)

- ALL of the setback variances requested are not necessary and they certainly are not minor as claimed by the proponent. The house can be constructed to a smaller size and we believe without the road dedications being required by the city meet the requirements in the Zoning Regulation Bylaw.
 - Front yard setbacks rational not identified and not immediately required – why does City need road dedications? Rather the City should be selling the adjacent boulevards to the applicant to increase lot size and generate revenue. Road dedications for unidentified future projects are not sound planning. We were unable to find any discussion or even identification of these requirements in either the official community plan or the City planning information on line.
 - Proposed new House can be constructed smaller and fit within the setbacks as in the zoning requirement. It doesn't have to have a suite nor be as big – Difference between profit maximization and sound regulation – abiding by zoning requirements and the OCP.

In addition, this speculator/applicant has not even bothered to come and talk us yet we live one lot away! Remarkable from our perspective but I guess when \$ are the objective and you don't even live in the neighborhood relationships and the neighborhood are not important.

We would support the development if no variances were required. We believe this is possible by forgoing the road dedications, reducing the size of the residence and eliminating the suite.

We recently found out that there was a planning process underway for the Gonzales and Fairfield areas and that it had been going on for some time (much to our surprise). Pretty hard to have any confidence in a new planning process if the current plans and zoning are provided variances at any opportunity. Allowing a new residence of this size, with a suite may well forestall additional development of the local area before the new planning process is even complete. We have owned our property for over 20 years and support development but lets do it right and not simply line the pockets of speculators. Let's build greater neighbourhoods!

For example we could support the full development of the "L" shaped area on Earle and St Charles provided it was done in a way where all of the lots were developed at the same time, density objectives could be achieved, economies of scale captured, and green space conservation could occur. For example full underground parking for the whole area could be constructed covered by townhouses/affordable houses – some with storefront micro businesses. There's lots of options but please don't leave it to speculators and developers to determine by granting variances for any old request – lets have sound public policy which includes everyone not just speculators.

Thank you for your public service and for reading our concerns.

Yours truly,

Timothy and Marija Stonhouse
1616 Earle Street

Date March 19, 2018

Dear Mayor and Council;

Re: Development Proposal at 331 and 337 Charles Street St.

The proposal is to carve out a third lot from two existing lots and build a large 3-level, 5-bedroom home with a basement suite. This structure would be squeezed into a very narrow lot, creating an odd lot configuration and requiring several significant variances to City Zoning By-laws.

Will this development enhance our neighbourhood? This development will benefit only the developer, and that at the expense of current neighbours and the City. It is not a respectful and reasonable development, will increase City expenditures to address City infrastructure challenges already experienced by existing residents, and will definitely not meet the needs of those seeking affordable housing. It will have a negative impact on the following specific issues.

Pedestrian traffic: The corner of Earle St. and St. Charles is an active area with no crosswalks. There are many pedestrians, such as walkers, shoppers, hospital staff, parents and children going to daycare, and the many and various park users.

Parking congestion: This is already an issue due to pressure from homeowners, renters, plaza shoppers and employees, daycare, and park users. In addition, many drivers use Earle St. as a short cut route. We know that the City is well aware of the parking issues on these blocks.

This development would exacerbate both existing issues. It requires the addition of a second driveway off Earle that would further reduce on-street parking and, because of its proximity to the corner, further increase hazards for pedestrians. The development reduces street parking, yet increases the need for on-street parking by proposing a suite, but not supplying any on-site parking for it.

Shadowing: Our home at 1613 Earle St. is located to the east and adjacent to the proposed development. Our home had extensive renovations in 1994 and the west wall, which has a total of 13 windows was designed to capture sunlight and warmth in the winter months. The proposed development (*with the maximum height specified for this zone*) will block the solar heating upon which we have become dependent. This would require us to increase our use of non-renewable resources, thereby significantly adding to our heating expenses, and contribute negatively to climate change (e.g., on sunny March 10th the temperature outside was 8 C but it was 21 C in our house). As retirees, this unexpected increase in annual costs is a hardship on us. This shadowing will also reduce the sunlight to our garden and decks, significantly impacting our enjoyment of our property – enjoyment we regularly share with the children we raised in this house, and our grandchildren. We note that the proposed house plan (*which has only 6, mostly small, windows*) does not taken advantage of any green energy in their plans.

Loss of green space: The proposed development requires that the large laurel hedge running along Earle street, which presently reduces the traffic noise and road views, will need to be removed to accommodate a new driveway. The hedge-like assortment of trees, which runs along the south side are

also to be removed to allow for proposed house construction. No mention of these alterations is made in the proposed plan. In addition, two mature flowering cherry trees would be removed.

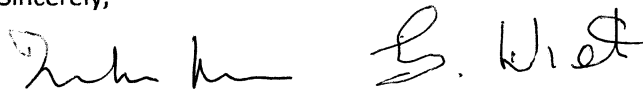
Ground instability: This area is a former estuary, making the soil structure unstable. Over time, this instability has caused our front porch and basement stairs to sink. Further disturbance such as excavation for an adjacent house and additional drainage will affect the water table and further aggravate damage to our home.

We are not opposed to development and densification. We support thoughtful and respectful changes that will enhance our neighbourhood; for instance, building a structure to suit the existing site, such as a garden suite, which would not require variances. The possibility of a variance exists in order to prevent hardship. The only consideration involved here appears to be maximizing profit for the developer, who has made no attempt to consult and present their current plans to us and our neighbours.

The City of Victoria Zoning By-laws have been thoughtfully and duly implemented to ensure that neighbourhoods are protected from development that is out of keeping with its surroundings. There has been no adequate case made for any variances sought in this proposal. In fact, we are concerned that approving these variances and allowing this development to take place will set a precedent for future development that is also not consistent with the character of this neighbourhood, with negative effects for the entire area. For these reasons, we oppose this application for the proposed development and variance and we encourage our elected council to follow the guidelines of the OCP and zoning by-laws and reject this development proposal.

Thanking you for reading this letter and for your public service.

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is for Insha Khan and the one on the right is for Lydia Wiet.

Insha Khan

Lydia Wiet

1613 Earle St.

Photo 1 - parking on corner of Earle St in front of proposed subdivision access

Photo 2 – parking across the street in front of proposed subdivision access

Photo 3 – parking across the street in front of proposed subdivision cont'd

Photo 4, 5 - front porch and entrance basement stair gaps from soil settlement

April 29, 2019

Dear Mayor and Council,

Re: Proposed Development 331 & 337 St. Charles Street COTW meeting May 2

We understand that this application is scheduled for the COTW meeting on May 2, 2019. I wrote to the Council last year and I take this opportunity to express my continuing concerns.

The proposed new lot B widths (the front is 12.42 m and the rear is 8.6 m) requires a variance from the zone standard of 15 m. In the city staff report, justification is made by comparing the width of lot B to the width of existing neighbour's lot to the east, which is 12 m. However the city staff fail to state that the existing lot was created in 1920 or earlier as documented in the Land Titles record. It does not meet the current zoning standards which did not exist at that time and therefore it is considered to be "grandfathered" and certainly not a neighbourhood norm. Moreover, this lot is 12 m front and back; whereas the proposed development provides only two thirds of that width in the rear. Approving this variance, based on such a questionable justification would set a dangerous precedent.

I have on record that the earlier recommendation by the planner was to reject this variance, a position we continue to support.

There are numerous letters from the community to Council expressing concerns about this application. Interestingly, one of the existing tenants of the 2 adjacent properties owned by the applicant has signed a rental agreement prohibiting him from expressing any concerns about this application. They are not able to express their concerns about their loss of space (car port, yard and privacy). A previous tenant managed to write a letter to the Council only after their lease expired and their damage deposit had been returned.

This application was originally scheduled for the COTW meeting on May 23, 2018. The applicant had not consulted with the neighbours prior to the submission of this application. The applicant then withdrew the application prior to the COTW meeting when he discovered letters of concern.

I have on record that one of the neighbours subsequently initiated and organised a meeting with CALUC contrary to the applicant's letter (Attachment D) stating that he was responsible for "arranging the meeting."

I also wish to bring to Council's attention two other false claims made in this same letter. Although the applicant stated that he had not heard concerns prior to the submission of this application, I met with the applicant in 2004, and subsequently his mother in 2013. At those meetings they suggested similar proposals for subdividing the lots and asked how we would feel about them. At that time I informed them that I would object to such variances. A current neighbour also voiced his objection to requirement for variances earlier.

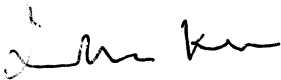
The applicant also claims that the CALUC minutes are incorrect in their claim that the neighbour's house have 13 windows which are affected by loss of light and or privacy. I live in this 3 storey house and I have counted the 13 windows. I reiterate that on a sunny winter day, our windowed southwest exposure heats our house adequately, and saves us from burning fossil fuels.

In the applicant's letter, he claims there are no "shadowing and privacy" impacts based on a report he commissioned. This report has not been shared with the community.

Despite the feedback from the CALUC meeting, the applicant has continued with the same application without making any modifications.

Thank you for your public service and for reading our concerns.

Sincerely

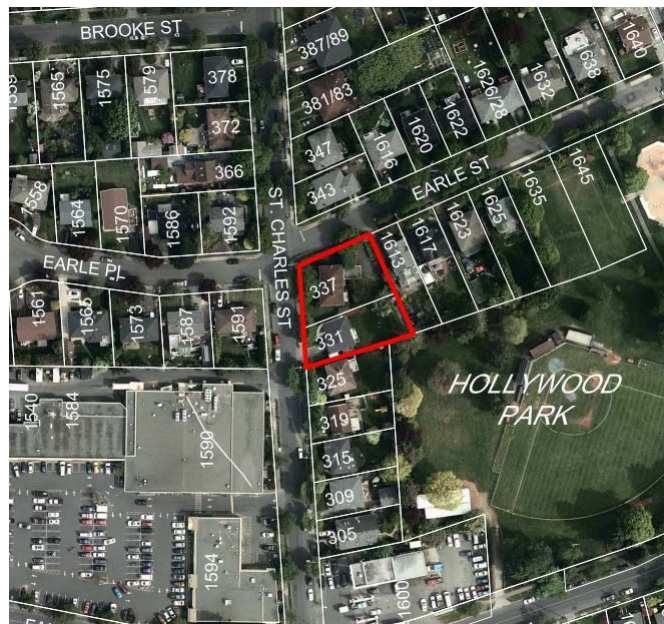


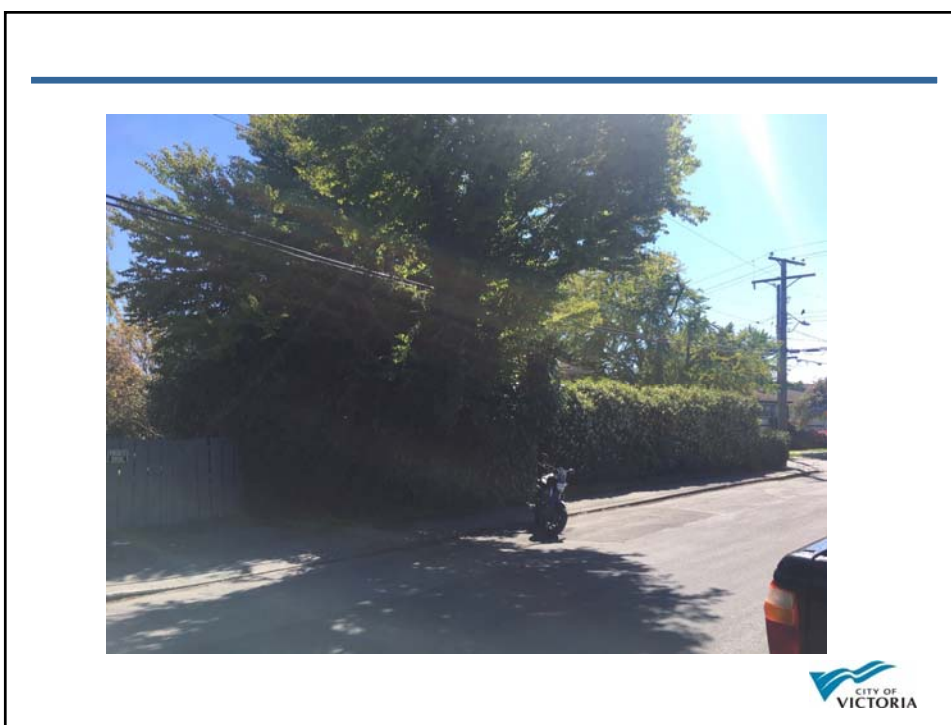
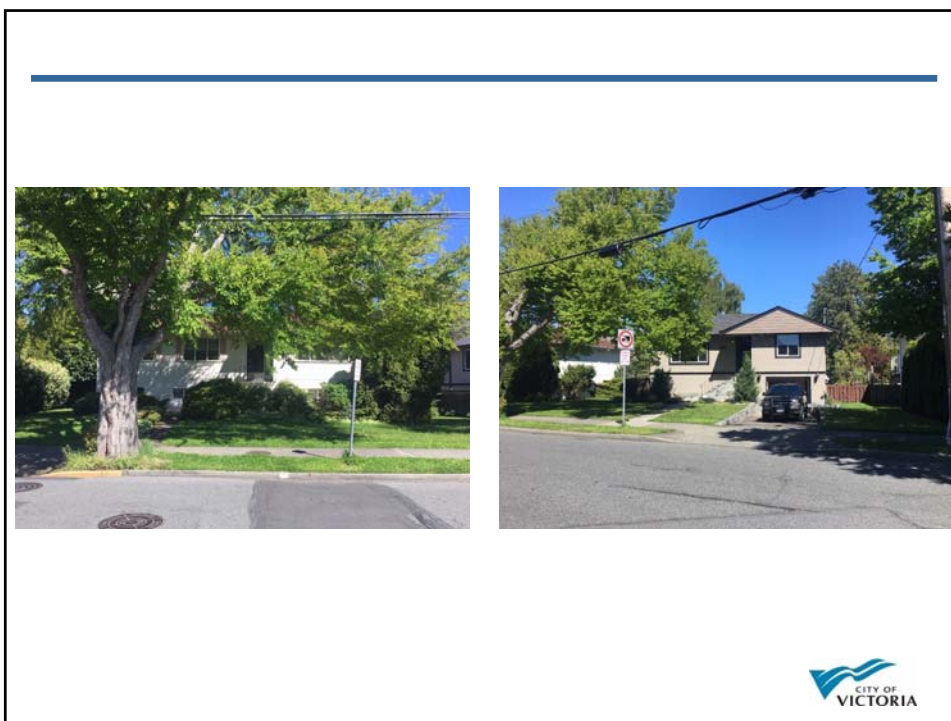
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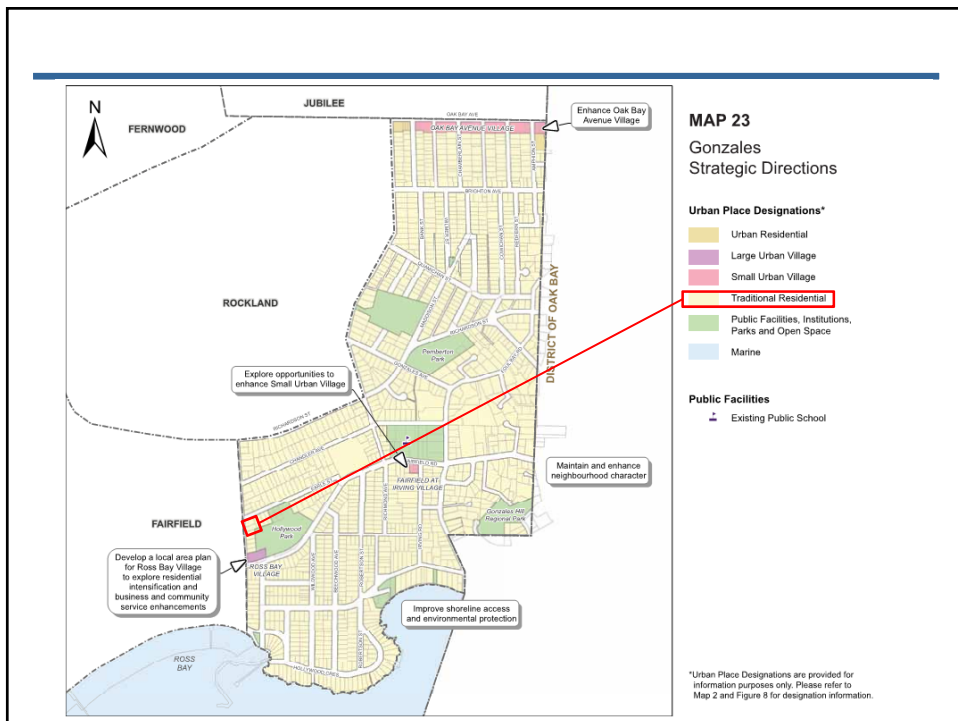


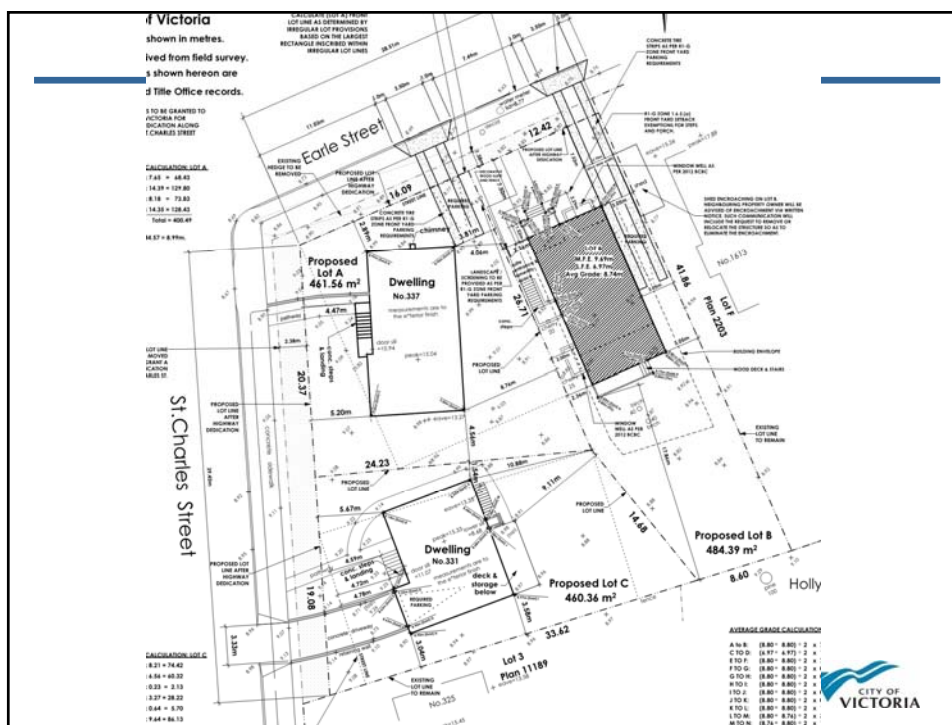
Lydia Wiet

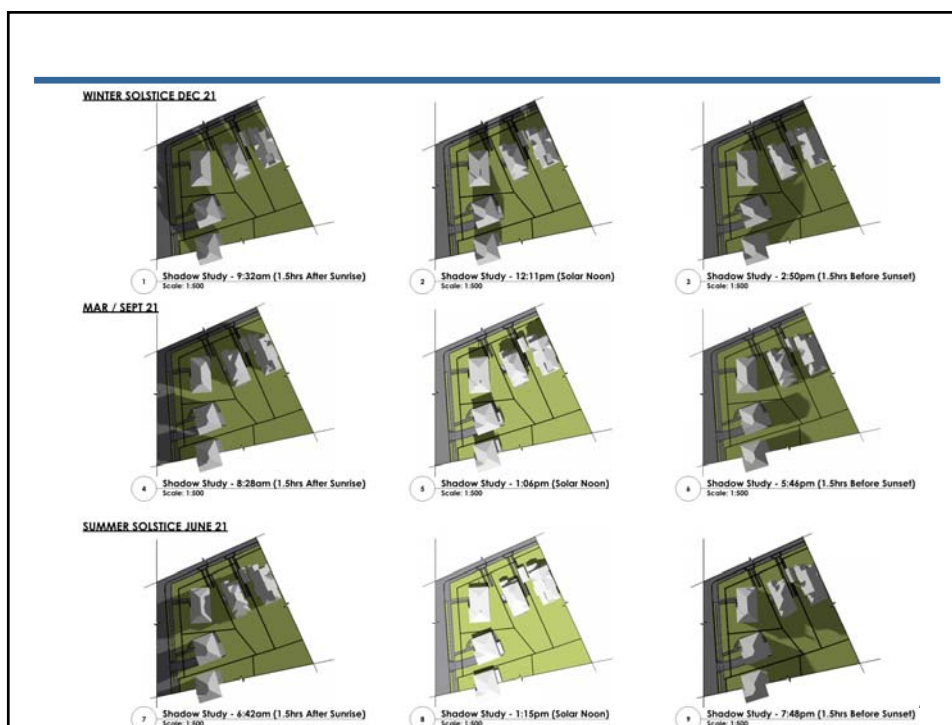
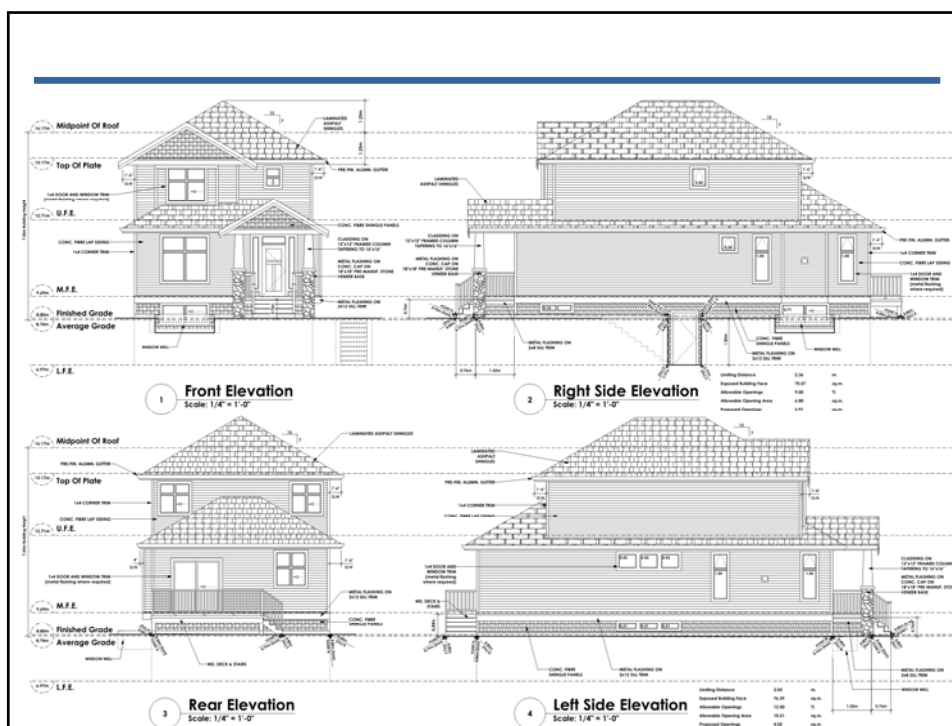
Development Variance Permit
Application
for
331 & 337 St. Charles Street

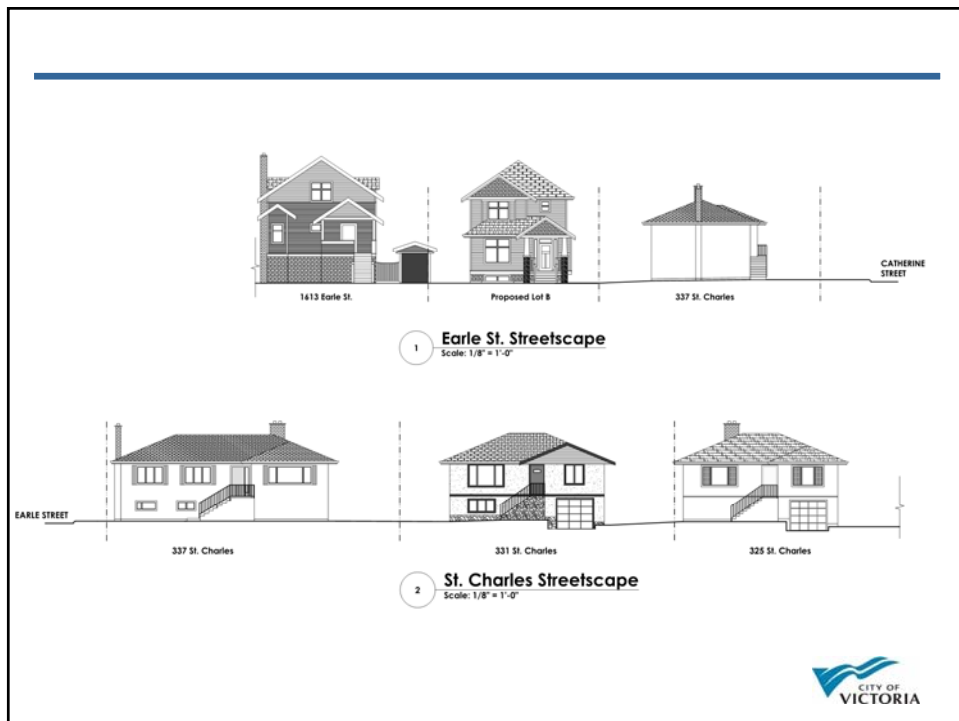
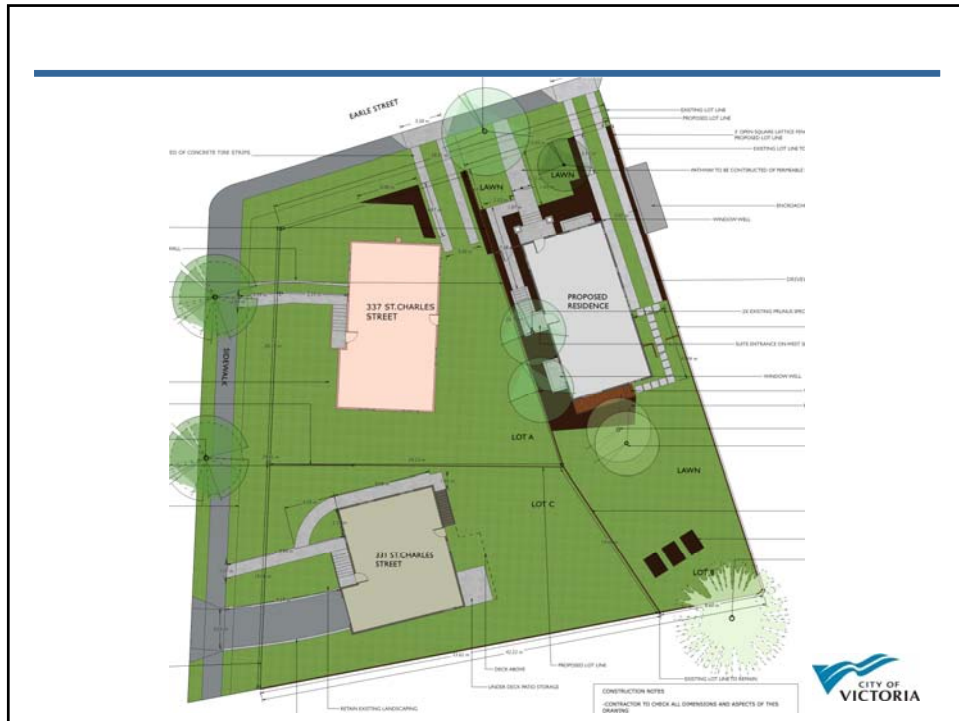














Committee of the Whole Report

For the Meeting of May 2, 2019

To: Committee of the Whole **Date:** April 18, 2019
From: Andrea Hudson, Acting Director of Sustainable Planning and Community Development
Subject: **Proposed Amendments to Land Use Procedures Bylaw No. 16-028**

RECOMMENDATION

That Council give first, second and third readings for the attached Land Use Procedures Bylaw amendments which would clarify and/or revise the following:

1. The Zoning Regulation Bylaw and the Zoning Bylaw 2018 are subject to this bylaw.
2. A 90% refund is available until 15 business days after application submission and a 75% refund is available until 40 business days after application submission.
3. If a motion to approve a development application is defeated by a vote of Council, the application is not approved and is considered closed.
4. Signs are not required for any City-initiated development applications regardless of application type or number of parcels.
5. All encroachment agreements are delegated to staff regardless of whether the proposed development requires approvals by Council or approvals that are delegated to staff.
6. Fees for variances are payable on a one-time basis.
7. No base fee is required for a Heritage Alteration Permit for a single family dwelling or duplex regardless of whether the application requires Council approval or if it is delegated to staff.
8. No resubmission fee is required when an applicant resubmits plans in response to staff comments.
9. Staff may specify the number and location of notice signs taking into account the site configuration and visibility to the public.
10. Addition of row numbers to the table in Schedule D for ease of reference.
11. Addition of Development Permit Area 15F: Intensive Residential – Attached Residential Development to the table in Schedule D.
12. Uses in the zoning would not be impermissibly varied when considering development permits (Schedule D).
13. Staff are delegated authority to issue development permits with variances that propose a new use which requires no more than 5 additional motor vehicle parking stalls, even if the total variance for the building exceeds 5 motor vehicle parking stalls due to a lawful non-conformity.
14. The costs to be included in landscaping security estimates.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding a number of revisions and clarifying amendments to the *Land Use Procedures Bylaw*. These improvements have been identified by staff through day-to-day application processing and intend to encourage a smooth, streamlined and clear approach to the processing of development applications. They include minor adjustments to definitions, refunds, sign posting, agreements, fees, and landscaping security estimates.

PURPOSE

The purpose of this report is to present Council with information, analysis and recommendations regarding a number of revisions and clarifying amendments to the *Land Use Procedures Bylaw*. Some minor changes are also proposed to improve the application process and are aimed to encourage a smooth, streamlined and clear approach to the processing of development applications.

BACKGROUND

Staff bring forward recommended minor changes to improve the *Land Use Procedures Bylaw* for Council's consideration from time to time. The improvements that are the subject of this report have been identified by staff through day-to-day application processing.

PROPOSED AMENDMENTS TO THE *LAND USE PROCEDURES BYLAW*

The following sections provide details on the proposed amendments:

1. Clarify Zoning Definition

Currently, the bylaw references only the *Zoning Regulation Bylaw*, not the *Zoning Bylaw 2018* which was adopted last year. The proposed amendments would clarify that the *Land Use Procedures Bylaw* refers to both of these zoning bylaws.

2. Adjust Timing for Application Refunds

Section 21 includes provisions for when an applicant is entitled to a refund of the base application fee. This is currently a 90% refund if the application is formally withdrawn prior to the review of the application by the Technical Review Group (which is made up of City staff), and a 75% refund if the application is withdrawn or cancelled after the Technical Review Group review, but prior to being placed on an agenda for a Committee of the Whole meeting.

In order to make these timings more transparent, clear, and to have the refund amounts more closely align with the amount of staff time that has been spent on an application, staff recommend for Council's consideration that this section be amended to change the timeframe so that the 90% refund is available until 15 business days after application submission and the 75% refund is available until 40 business days after application submission. It is worth noting that target turnaround timelines have been established to ensure applications are reviewed and receive comments within 20 days of submission.

Some development applications require multiple resubmissions before they move forward to Committee of the Whole. This can take large amounts of staff time and span numbers of months. With the current refund timing, applications such as these are still entitled to a 75% refund even

after extensive staff time is expended on a proposal. The proposed timing would limit this refund to an earlier point in the process, before staff have spent a large amount of time on the application. The proposed change would also set a clear and transparent deadline, determined by the submission date, instead of being linked to the Technical Review Group review and the Committee of the Whole meeting agenda.

3. Clarify that Defeated Motions Decline Applications

When Council does not pass a motion to approve a specific application, the application is deemed to be closed. This proposed amendment would provide more explicit wording to clarify this in the bylaw.

4. Signage for City-Initiated Applications

Currently, City-initiated zoning bylaw amendments that involve 10 or more parcels do not require signage to be posted on site in advance of the Committee of the Whole meeting. It is recommended for Council's consideration that this should be revised so that no City-initiated development applications, regardless of application type or number of parcels, require this signage. This is recommended because City-initiated applications often apply to land that is not owned by the City and it can therefore be challenging for the City to post signs on private property when the owner is not the applicant, such as when they are not in support of the application. Posting the signs on adjacent City property is often not an option due to insufficient space, particularly in the downtown area.

The other methods of notification would still be used for public awareness of the application. For a rezoning, this includes a notice mailed to owners and occupants within 100m of the subject site in advance of the Community Meeting and another notice mailed to owners and occupants within 100m of the subject site in advance of the Public Hearing. Notices would also still be published in a newspaper and posted to the City's website.

5. Delegation of Encroachment Agreements

The Bylaw currently delegates approval of some encroachment agreements in certain cases to staff to help streamline the process where there is little or no impact on the public; such as the construction of a building which may require anchor rods to be placed underneath a sidewalk. Currently, encroachment agreements for anchor rods are delegated to staff only when the development application requires approval by Council. It is recommended for Council's consideration that the Bylaw be changed to also delegate encroachment agreements for anchor rods to staff when the development application is delegated to staff (such as for a delegated development permit). This change would make the development application process more efficient and would not have a detrimental impact on the public.

6. Clarify Variance Application Fees

The current wording explaining the fee for variances may cause confusion and may lead applicants to think that they are required to pay for variances twice when they have a submitted concurrent applications (e.g. for concurrent rezoning and development permit with variances). The recommended amendment would clarify that that each variance requires only one fee.

7. Clarify Heritage Alteration Permit Fees for Single Family Dwellings and Duplexes

In the current bylaw it may not be clear that there is no fee for heritage alteration permits for single family dwellings and duplexes that are delegated to staff. The proposed wording clarifies that no base fee is required whether these applications require Council approval or if they are delegated to staff.

8. Clarify When Resubmission Fee is Required

Currently, no resubmission fee is required when an applicant resubmits plans in response to staff comments. It is recommended for Council's consideration to revise the wording in the Bylaw to ensure this is clear and that the resubmission fee is not required if the applicant resubmits multiple times responding to the same staff comments.

9. Procedures for Posting Signs

Schedules B and C include requirements for sign posting. Staff recommend for Council's consideration that the wording be clarified so that multiple signs are not required when they are not needed. The current requirement is that every frontage of every property must have a sign. In some instances, where there are small lots or irregular shapes, a situation can result where 10 or more signs are required on a relatively small site. The bylaw would still ensure that the signs are posted in prominent locations, clearly visible from the street. In some cases, this would also reduce the number of signs required which would in turn reduce the cost to the applicant for printing and installation of the signs.

10. Add Row Numbers to the Delegated Approval Table

It is proposed that a column for row numbers be added to the table in Schedule D related to Delegated Approvals for ease of use when referring to the table.

11. Add Development Permit Area 15F: Intensive Residential – Attached Residential Development to the Delegated Approval Table

It is proposed that the Development Permit Area 15F: Intensive Residential – Attached Residential Development be added to two specific rows in the Delegated Approval Table in Schedule D. This would delegate the following permit types to staff for approval:

- Development Permits for an accessory building or buildings.
- Development Permits or Heritage Alteration Permits for landscaping changes where there is an approved Development Permit or Heritage Alteration Permit where no occupancy permit has been issued.

This change would be in keeping with the current approach for delegating other types of intensive residential development permits (e.g. small lot, panhandle, duplex) and would speed up and simplify the process for these types of applications.

12. Clarify that Delegated Approvals would not Impermissibly Vary the Use

Provincial legislation determines what aspects of a zoning bylaw can be varied with a development permit or development variance permit. Use and density cannot be varied. Therefore, it is recommended for Council's consideration that additional wording be added to ensure that it is clear

that it is not intended that a delegated development permit with variances for parking impermissibly vary the use.

13. Delegated Development Permits with Variances for Parking

The intention of the current approach of delegating development permits with variances for parking to staff is to simplify and shorten the process to be able to respond to small changes that often occur in commercial proposals when a variance for fewer than 6 stalls is required. Under the *Local Government Act*, however, a change of use for one specific business (in a building containing multiple commercial or residential units) may trigger the need for a variance for the entire building when, in fact, the rest of the building is lawful and is proposing no change to their uses. This can lead to a situation where a change in one business requiring a parking variance of fewer than 6 stalls would technically require a larger variance to address the lawful non-conformity of the entire building. This, in turn, means that these applications must be approved by Council even though the proposed actual additional requirement is for fewer than 6 stalls.

Staff recommend for Council's consideration that the bylaw be amended to delegate approval of these cases to staff because they have the same impact as a proposed variance for fewer than 6 stalls. Specifically, the change would delegate development permits with variances that propose a new use which requires fewer than 6 additional motor vehicle parking stalls, even if the total variance exceeds this number because of an existing legal non-conformity. Under the current bylaw, a development permit with a variance to reduce the number of parking stalls for commercial, industrial, or institutional uses by fewer than 6 stalls is already delegated to staff.

14. Landscaping Estimates

The applicant provides a landscaping estimate so that a landscape security deposit can be calculated (if required). Staff have reviewed the list of landscaping costs to be included within the landscaping estimate and determined that the wording should be adjusted to help guide applicants.

OPTIONS & IMPACTS

Accessibility Impact Statement

The recommendation does not impact accessibility considerations.

2019 – 2022 Strategic Plan

The ongoing maintenance of the *Land Use Procedures Bylaw* supports Objective 1: Good Governance and Civic Engagement, in particular the Ongoing Action to Streamline and make more consistent planning and permitting processes because it adds clarity to the existing bylaw.

Impacts to Financial Plan

The proposed amendments to the *Land Use Procedures Bylaw* will not impact the *Financial Plan*.

Official Community Plan Consistency Statement

Continued residential and employment growth is central to achieving the vision and objectives of the *Official Community Plan* (OCP). This initiative aims to reduce barriers to investment and development in Victoria by making development application processes more effective and efficient.

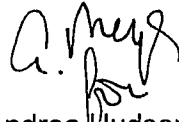
CONCLUSIONS

The proposed amendments to the *Land Use Procedures Bylaw* would provide clarity where the existing wording may cause confusion and does not fully, or accurately, address the intent of the Bylaw. Several other minor changes are also proposed to improve the development application process. Staff recommend that Council consider approving the proposed amendments to the Bylaw.

Respectfully submitted,




Rob Bateman
Senior Process Planner
Development Services



Andrea Hudson, Acting Director
Sustainable Planning Community Development
Department

Report accepted and recommended by the City Manager:


Date: April 26, 2019

List of Attachments

- Attachment A: Proposed Land Use Procedures Bylaw Amendment (No. 19-037).

LAND USE PROCEDURES BYLAW, AMENDMENT BYLAW (NO. 10)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the *Land Use Procedures Bylaw* to:

1. clarify certain provisions in relation to fees and process;
2. add row numbers for ease of reference in Schedule D;
3. add a type of parking variance and Development Permit Area 15F to the list of delegated permits in Schedule D; and
4. update and clarify the items required in a landscape security estimate in Schedule E.

Contents

1. Title
2. Definition
- 3-5. Amendments
6. Effective Date

Under its statutory powers, including Part 14 of the *Local Government Act*, the Council of the Corporation of the City of Victoria in a public meeting assembled enacts the following provisions:

Title

1. This Bylaw may be cited as the "LAND USE PROCEDURES BYLAW, AMENDMENT BYLAW (NO. 10)".

Definition

2. "LUP Bylaw" means Bylaw No. 16-028, Land Use Procedures Bylaw, 2016.

Amendments

3. The LUP Bylaw is amended as follows:
 - (a) in section 4, under the definition of "zoning bylaw", by adding "and Zoning Bylaw 2018" after "the City's Zoning Regulation Bylaw";
 - (b) by striking out section 21 and replacing it with:

"21. An applicant who has paid the base application fee is entitled to:

 - a. a 90% refund if the application is withdrawn or cancelled within 15 business days from the date of submission; or
 - b. a 75% refund if the application is withdrawn or cancelled within 40 business days from the date of submission.";

- (c) in section 24, by inserting "(a)" prior to "If an application", and inserting the following new subsection:

"(b) If an application is declined by Council resolution, the file will be closed.";

- (d) in section 25, by:

(i) adding "(a)" prior to "An applicant wishing to";

(ii) striking out "closed file" and replacing it with "cancelled file under Section 24(a)";

(iii) inserting the following new subsection:

"(b) An applicant wishing to reopen a closed file under Section 24(b) must submit a new application in accordance with the timeline under Section 35 and pay the application fee prescribed in Schedule A of this Bylaw.";

- (e) by striking out section 28 and replacing it with:

"Section 27(a) does not apply to City-initiated amendments."

- (f) in section 50(a), by inserting "or under the Director's delegated authority;" after "by Council".

4. The LUP Bylaw is amended in Schedule A as follows:

- (a) by striking out section 2(5)(f), and replacing it with:

"(f) If a development permit or heritage alteration permit application is submitted under paragraph 5(a)(i),(ii) or (iii) in conjunction with an application under paragraph 2 for the same project:

i) only one base application fee is payable, calculated in accordance with paragraph (3); and

ii) only one variance fee is payable for each proposed variance, calculated in accordance with paragraph (3).";

- (b) by striking out section 2(11) and replacing it with:

"(11) Notwithstanding paragraphs 4(b) and 8, no base application fee is payable for a heritage alteration permit for a single family dwelling or duplex; however, where a variance is proposed, a fee of \$250 for each variance applies.";

- (c) in section 4(1), by striking out "If the revised plans do not address the requirements as set out in the Application Review Summary, a fee of \$500 shall

be required for each subsequent resubmission until all technical requirements have been addressed to the satisfaction of the Director.”; and

- (d) in section 4(3), by inserting “City staff,” immediately after “comments arising from”.

5. The LUP Bylaw is further amended as follows:

- (a) by striking out section 4 in each of Schedules B and C and replacing it with:

“4. The applicant shall post the sign or signs in a prominent location, clearly visible from the street, and on the site that is subject to the application. The City shall determine the required number and location of the sign or signs, taking into account the configuration of the site and visibility to the public.”

- (b) by repealing Schedules D and E and replacing each with the respective Schedules D and E attached as Schedule 1 to this Bylaw.

Effective Date

6. This Bylaw comes into force on adoption.

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

Schedule 1

City of Victoria Bylaw No. 16-028

Schedule D

DELEGATED APPROVALS

The Director is authorized to issue the types of permits listed in Column A, in the areas set out in Column B, subject to the conditions specified in Column C of the following table.

Row #	A. Permit Types	B. DPAs and HCAs	C. Conditions
1	DP for new buildings, building additions, structures and equipment	DPA 10A: Rock Bay DPA 10B (HC): Rock Bay Heritage DPA 16: General Form and Character	Permit valid for two years from the date of issuance.
2	HAP without variances for a single family dwelling or duplex	All DP Areas and all HCAs	The Director is satisfied that the application is consistent with any applicable guidelines in the OCP. Permit valid for two years from the date of issuance.
3	DP or HAP authorizing minor amendments to plans attached to or referenced in an existing approved permit	All DP Areas and all HCAs	The Director is satisfied that the proposed amendments are substantially in accord with the terms and conditions of the original approved permit, including variances and are consistent with the guidelines under the OCP. The expiry date of the original permit applies.
4	DP or HAP for the renewal of an existing valid DP or HAP	All DP Areas and all HCAs	The permit being renewed must be: <ul style="list-style-type: none"> o unexpired at the time of application; o unchanged from the original application; and o not subject to any new policies or regulations. Permit valid for two years from the date of issuance.
5	DP for new buildings, building additions, structures and equipment	DPA 8: Victoria Arm - Gorge Waterway	The guidelines set out in the OCP must be satisfied. Permit is valid for two years from the date of issuance.

Row #	A. Permit Types	B. DPAs and HCAs	C. Conditions
6	DP for new buildings, building additions, structures and equipment that are less than 100 m ² in floor area	DPA 2 (HC): Core Business DPA 3 (HC): Core Mixed-Use Residential DPA 4: Town Centres DPA 5: Large Urban Villages DPA 6A: Small Urban Villages DPA 6B (HC): Small Urban Villages Heritage DPA 7A: Corridors DPA 7B (HC): Corridors Heritage DPA 10A: Rock Bay DPA 10B (HC): Rock Bay Heritage DPA 11: James Bay and Outer Harbour DPA 12 (HC): Legislative Precinct DPA 13: Core Songhees DPA 14: Cathedral Hill Precinct	Permit is valid for two years from the date of issuance.
7	DP for an accessory building or buildings	DPA 15A: Intensive Residential - Small Lot DPA 15B: Intensive Residential - Panhandle DPA 15D: Intensive Residential – Duplex DPA 15E: Intensive Residential – Garden Suites DPA 15F: Intensive Residential – Attached Residential Development	Permit is valid for two years from the date of issuance.
8	DP for floating buildings, floating building additions or floating structures of any size	Fisherman's Wharf Marine District Zone within DPA 11: James Bay and Outer Harbour	Permit is valid for two years from the date of issuance.
9	DP for floating buildings, floating building additions and floating structures that do not exceed 100 m ² in floor area	All DP Areas and all HCAs	Permit is valid for two years from the date of issuance.
10	DP or HAP for the replacement of exterior materials on existing buildings	All DP Areas and all HCAs	Permit is valid for two years from the date of issuance.
11	DP or HAP for landscaping changes where there is an approved DP or HAP where no occupancy permit has been issued	DPA 1 (HC) DPA 2 (HC): Core Business DPA 3 (HC): Core Mixed-Use Residential DPA 4: Town Centres DPA 5: Large Urban Village DPA 6A: Small Urban Village DPA 6B (HC): Small Urban Village Heritage DPA 7A: Corridors DPA 7B (HC): Corridors Heritage DPA 8: Victoria Arm-Gorge Waterway	The proposed landscaping must comply with applicable design guidelines or be in accordance with a landscape plan that is attached to and forms part of an approved permit.

Row #	A. Permit Types	B. DPAs and HCAs	C. Conditions
		DPA 9 (HC): Inner Harbour DPA 10A: Rock Bay DPA 10B (HC): Rock Bay Heritage DPA 11: James Bay and Outer Harbour DPA 12 (HC): Legislative Precinct DPA 13: Core Songhees DPA 14: Cathedral Hill Precinct HCA 1 DPA 15A: Intensive Residential - Small Lot DPA 15B: Intensive Residential - Panhandle DPA 15C: Intensive Residential - Rockland DPA 15D: Intensive Residential - Duplex DPA 15E: Intensive Residential - Garden Suites DPA 16: General Form and Character DPA 15F: Intensive Residential – Attached Residential Development HCA 1: Traditional Residential	
12	DP or HAP for landscaping changes where there is an approved DP or HAP after the occupancy permit has been issued	DPA 1 (HC): Core Historic DPA 2 (HC): Core Business DPA 3 (HC): Core Mixed Use-Residential DPA 4: Town Centres DPA 5: Large Urban Village DPA 6A: Small Urban Village DPA 6B (HC): Small Urban Village Heritage DPA 7A: Corridors DPA 7B (HC): Corridors Heritage DPA 8: Victoria Arm-Gorge Waterway DPA 9 (HC): Inner Harbour DPA 10A: Rock Bay DPA 10B (HC): Rock Bay Heritage DPA 11: James Bay and Outer Harbour DPA 12 (HC): Legislative Precinct DPA 13: Core Songhees DPA 14: Cathedral Hill Precinct HCA 1: Traditional Residential	The proposed landscaping must comply with applicable design guidelines or be in accordance with a landscape plan that is attached to and forms part of an approved permit
13	Landscaping changes without an approved Development Permit or Heritage Alteration Permit	DPA 1 (HC): Core Historic DPA 2 (HC): Core Business DPA 3 (HC): Core Mixed Use-Residential DPA 4: Town Centres DPA 6B (HC): Small Urban Villages Heritage	The proposed landscaping must comply with applicable guidelines. Permit is valid for two years from the date of issuance.

Row #	A. Permit Types	B. DPAs and HCAs	C. Conditions
		DPA 7B (HC): Corridors Heritage DPA 8: Victoria Arm - Gorge Waterway DPA 9 (HC): Inner Harbour DPA 10B (HC): Rock Bay Heritage DPA 12 (HC): Legislative Precinct HCA 1: Traditional Residential	
14	Temporary buildings and structures that do not exceed 100 m ² in floor area	All DP Areas and all HCAs	Temporary buildings and structures located on private property. Covenant in place to ensure removal of temporary buildings or structures within two years from the date of issuance of the Development Permit for the temporary building or structure.
15	Temporary construction trailers and temporary residential unit sales trailers	All DP Areas and all HCAs	Temporary construction trailers and temporary residential unit sales trailers located on private property. Covenant is in place to ensure removal of temporary construction trailers and temporary residential unit sales trailers subject to the following time frame: <ul style="list-style-type: none"> ○ Six months after the date the City issues an Occupancy Permit for the principal building or structure on the property; or ○ Six months after the date that the principal building or structure on the property is no longer the subject of a valid and subsisting Building Permit; or ○ If neither a Building Permit or Occupancy Permit is required or will be issued for the principal building on the property, then two years from the date of issuance of the Development Permit for the temporary construction trailers and temporary residential unit sales trailer.

Row #	A. Permit Types	B. DPAs and HCAs	C. Conditions
16	DP for new buildings and building additions that are less than 150m ² in floor area.	CD-9 Zone, Dockside District within DPA 13: Core Songhees	The proposed building and building addition must comply with applicable guidelines Permit is valid for two years from the date of issuance.
17	DP for changes to landscaping previously approved under a Development Permit or Heritage Alteration Permit	CD-9 Zone, Dockside District within DPA 13: Core Songhees	The proposed landscaping must comply with applicable guidelines or be in accordance with a landscape plan that is attached to and form part of an approved permit. Permit is valid for two years from the date of issuance.
18	A DP or HAP with a parking variance, where: i) the DP or HAP is delegated elsewhere in this table; and ii) the change of use is permitted in the zoning bylaw and relates to a commercial, institutional or industrial use; and iii) the variance does not exceed 5 motor vehicle parking stalls; and iv) the total variance of long-term and/or short-term bicycle parking stalls does not exceed 6 stalls.	DPA 1 (HC): Core Historic DPA 2 (HC): Core Business DPA 3 (HC): Core Mixed-Use Residential DPA 4: Town Centres DPA 5: Large Urban Villages DPA 6A: Small Urban Villages DPA 6B (HC): Small Urban Villages Heritage DPA 7A: Corridors DPA 7B (HC): Corridors Heritage DPA 9 (HC): Inner Harbour DPA 10A: Rock Bay DPA 10B (HC): Rock Bay Heritage DPA 11: James Bay and Outer Harbour DPA 12 (HC): Legislative Precinct DPA 13: Core Songhees DPA 14: Cathedral Hill Precinct DPA 16: General Form and Character	The Director is satisfied that the proposal associated with the proposed parking variance does not adversely impact the neighbourhood by unduly contributing to on-street parking issues.
19	A DP or HAP with a parking variance, where: i) the DP or HAP is delegated elsewhere in this table; and ii) the change of use is permitted in the zoning bylaw and relates to a commercial, institutional or industrial use; and iii) the existing number of parking stalls is lawfully non-conforming pursuant to section 525 and	DPA 1 (HC): Core Historic DPA 2 (HC): Core Business DPA 3 (HC): Core Mixed-Use Residential DPA 4: Town Centres DPA 5: Large Urban Villages DPA 6A: Small Urban Villages DPA 6B (HC): Small Urban Villages Heritage DPA 7A: Corridors DPA 7B (HC): Corridors Heritage DPA 9 (HC): Inner Harbour DPA 10A: Rock Bay DPA 10B (HC): Rock Bay Heritage DPA 11: James Bay and Outer Harbour DPA 12 (HC): Legislative Precinct DPA 13: Core Songhees	The Director is satisfied that the proposal associated with the proposed parking variance does not adversely impact the neighbourhood by unduly contributing to on-street parking issues.

Row #	A. Permit Types	B. DPAs and HCAs	C. Conditions
	<p>529 of the <i>Local Government Act</i>; and</p> <p>iv) the proposed new use requires no more than 5 additional motor vehicle parking stalls, even if the total variance for the building exceeds 5 motor vehicle parking stalls; and</p> <p>v) the proposed new use requires no more than 6 additional bicycle parking stalls, even if the total variance for the building exceeds 6 bicycle parking stalls.</p>	<p>DPA 14: Cathedral Hill Precinct</p> <p>DPA 16: General Form and Character</p>	

**City of Victoria
Bylaw No. 16-028**

Schedule E

LANDSCAPE SECURITY

1 Landscape security amount

The landscape security shall be calculated at 120% of the total landscaping cost, based on an estimate of the landscaping costs that the applicant provides to the Director, with a minimum landscape security of \$2000.

2 Landscaping costs

(a) The landscaping costs that must be included within the estimate provided to the Director include but are not limited to the following:

- (1) Tree protection measures;
- (2) Landscape grading;
- (3) Landscape retaining walls;
- (4) Landscape paving including structural bases;
- (5) Landscape structures, such as fences, screen walls, living walls, built-in planters, and shade structures;
- (6) Landscape furnishings, such as benches and seating, bicycle parking facilities, waste and recycling containers, recreational equipment, and play equipment;
- (7) Plant materials, such as trees, shrubs, perennials, grasses or other ground cover;
- (8) Green roofs;
- (9) Sod and seeding;
- (10) Growing medium;
- (11) Structural soil cells;
- (12) Water features;
- (13) Site lighting;
- (14) Labour;
- (15) Irrigation; and
- (16) Other landscape materials.

(b) All estimated costs provided under subsection (a) must include applicable taxes.

LAND USE PROCEDURES BYLAW UPDATE

Committee of the Whole Meeting

May 2, 2019



Purpose

To present Council with information, analysis and recommendations regarding a number of revisions and clarifying amendments to the *Land Use Procedures Bylaw*.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Background

- Staff bring forward recommended minor changes to improve the Land Use Procedures Bylaw for Council's consideration from time to time.
- The improvements that are the subject of this report have been identified by staff through day-to-day application processing.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Proposed Amendments

1. Clarify Zoning Definition:
 - That the Zoning Regulation Bylaw and the Zoning Bylaw 2018 are subject to this bylaw.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Proposed Amendments (cont'd)

2. Adjust Timing for Application Refunds:
 - A 90% refund would be available until 15 business days after application submission and a 75% refund would be available until 40 business days after application submission.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Proposed Amendments (cont'd)

3. Clarify that Defeated Motions Decline Applications:
 - If a motion to approve a development application is defeated by a vote of Council, the application is not approved and is considered closed.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Proposed Amendments (cont'd)

4. Signage for City-Initiated Applications:

- Signs would not be required for City-initiated development applications regardless of application type or number of parcels.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Proposed Amendments (cont'd)

5. Delegation of Encroachment Agreements:

- All encroachment agreements would be delegated to staff regardless of whether the proposed development requires approvals by Council or approvals that are delegated to staff.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Proposed Amendments (cont'd)

6. Clarify Variance Application Fees:

- Fees for variances are payable on a one-time basis.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Proposed Amendments (cont'd)

7. Clarify Heritage Alteration Permit Fees for Single Family Dwellings and Duplexes:

- No base fee is required for a Heritage Alteration Permit for a single family dwelling or duplex regardless of whether the application requires Council approval or if it is delegated to staff.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Proposed Amendments (cont'd)

8. Clarify When Resubmission Fee is Required:

- No resubmission fee is required when an applicant resubmits plans in response to staff comments.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Proposed Amendments (cont'd)

9. Procedures for Posting Signs:

- Staff would specify the number and location of notice signs taking into account the site configuration and visibility to the public.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Proposed Amendments (cont'd)

10. Add Row Numbers to the Delegated Approval Table:

- Row numbers would be added to the table in Schedule D for ease of reference.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Proposed Amendments (cont'd)

11. Development Permit Area 15F: Intensive Residential – Attached Residential Development would be added to the Delegated Approval Table in Schedule D, which would delegate the following permit types to staff for approval:

- Development Permits for an accessory building or buildings.
- Development Permits or Heritage Alteration Permits for landscaping changes where there is an approved Development Permit or Heritage Alteration Permit where no occupancy permit has been issued.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Proposed Amendments (cont'd)

12. Clarify that Delegated Approvals would not Impermissibly Vary the Use:

- Uses in the zoning are not impermissibly varied when considering development permits (Schedule D).



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Proposed Amendments (cont'd)

13. Delegated Development Permits with Variances for Parking:

- Staff would be delegated authority to issue development permits with variances that propose a new use which requires no more than 5 additional motor vehicle parking stalls, even if the total variance for the building exceeds 5 motor vehicle parking stalls due to a lawful non-conformity.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Proposed Amendments (cont'd)

14. Clarify Landscaping Estimates:

- The costs to be included in landscaping security estimates.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Recommendation

That Council give first, second and third readings for the attached Land Use Procedures Bylaw amendments which would clarify and/or revise the following:

1. The Zoning Regulation Bylaw and the Zoning Bylaw 2018 are subject to this bylaw.
2. A 90% refund is available until 15 business days after application submission and a 75% refund is available until 40 business days after application submission.
3. If a motion to approve a development application is defeated by a vote of Council, the application is not approved and is considered closed.
4. Signs are not required for any City-initiated development applications regardless of application type or number of parcels.
5. All encroachment agreements are delegated to staff regardless of whether the proposed development requires approvals by Council or approvals that are delegated to staff.
6. Fees for variances are payable on a one-time basis.
7. No base fee is required for a Heritage Alteration Permit for a single family dwelling or duplex regardless of whether the application requires Council approval or if it is delegated to staff.



Proposed Amendments to Land Use Procedures Bylaw No. 16-028

Recommendation (cont'd)

8. No resubmission fee is required when an applicant resubmits plans in response to staff comments.
9. Staff may specify the number and location of notice signs taking into account the site configuration and visibility to the public.
10. Addition of row numbers to the table in Schedule D for ease of reference.
11. Addition of Development Permit Area 15F: Intensive Residential – Attached Residential Development to the table in Schedule D.
12. Uses in the zoning would not be impermissibly varied when considering development permits (Schedule D).
13. Staff are delegated authority to issue development permits with variances that propose a new use which requires no more than 5 additional motor vehicle parking stalls, even if the total variance for the building exceeds 5 motor vehicle parking stalls due to a lawful non-conformity.
14. The costs to be included in landscaping security estimates.





Committee of the Whole Report

For the Meeting of May, 2 2019

To: Committee of the Whole **Date:** April 23, 2019
From: Kerri Moore, Head of Business and Community Relations
Subject: Festival Investment Grant 2019 Allocations

RECOMMENDATION

That Council approve the Festival Investment Grant allocations as recommended in Appendix 1 and 2 for total cash grants of \$276,828 and in-kind City services grants of up to \$128,700.

EXECUTIVE SUMMARY

Festivals and celebrations add to Victoria's vitality, vibrancy and diversity. The City's annual grant and in-kind support nurtures the development of high quality accessible events and creates significant economic activity in the city.

The Festival Investment Program (FIG) was established in 1999. Over the 21 year history of the program the City has allocated \$2,877,408 in cash and \$1,955,821 in in-kind City services to FIG recipients.

The federal "Building Communities through Arts and Heritage" (BCAH) grant program requires applicants to confirm local support (cash and/or in-kind) for their festivals or celebrations to qualify for federal funding, therefore this report is presented as far in advance of the 2019 festival season as possible.

There were 37 applications received prior to the FIG submission deadline with a total request for funding of \$370,720. City funding budgeted for this grant program is \$276,828. A record number (35) of the applicants met the criteria and are recommended for approval. Two applications cancelled their 2019 festivals after submitting. Both events hope to make a return in 2020. 22 of the recommended festivals have applied for federal funding.

All applications are reviewed based on the approved FIG policy, which includes:

- Program criteria, including a free component
- Artistic and cultural merit of the event
- Economic impact
- Community support
- Organizational effectiveness

A comprehensive list of requests and recommendations is detailed in Appendix I.

The economic impact of these events can be measured by spending activity generated by festival goers in local restaurants and businesses, overnight stays in hotels by visitors and visiting performers, festival employment, and increased tourism for popular annual festivals.

The five largest events are estimated to generate a total economic impact of over \$7 million with attendance for all recommended events estimated to exceed 500,000. The total operating budgets of the recommended events is projected to be over \$5.2 million in direct cash spending. This reflects a positive impact through employment (210 full and part-time positions), event production sales and rentals, and the purchase of goods and services. Corporate investment by local, regional and national corporations total more than \$2.3 million (\$1 million cash and \$1.3 million in-kind).

PURPOSE

The purpose of this report is to seek Council's approval on the Festival Investment Grants recommendations for 2019.

BACKGROUND

The Festival investment Grant program was established to create and sustain a healthy community, vibrant downtown core and enhance economic development. Over the past twenty years, the City has supported festivals through the Festival Investment Grant Program. Additional in-kind support is provided based on need and the availability of departmental resources.

In-kind support can include City services such as policing, traffic control equipment, festival equipment labour, venue fees waived, sound operator and security in Centennial Square and displaced parking revenue. See appendix 2 for a detailed breakdown of recommended in-kind grants.

The Festival Investment Grant program was created to meet the following objectives:

- Increase the quality of life for our citizens
- Enable a vibrant downtown core
- Support economic development
- Offer exposure to new art forms

To qualify for funding, festivals and celebrations must meet the criteria outlined in the 2011 Council approved Festival Investment Grant Policy and Guidelines. See appendix 3 attached.

The federal "Building Communities through Arts and Heritage" (BCAH) grant program has expanded to include 3 separate intake periods. The department of Heritage no longer requires municipalities to confirm municipal support by year end. Council is now be able to consider requests within the context of the budget process and review allocations following budget approval.

Grant applications, policy, guidelines and reporting documentation can be found on the City website. The grant program is showcased online as well as through the City Vibe web application and print versions made available throughout the year. Moving forward the City will continue to enhance content available on the City website and through City social media. Three to four weeks prior to the Festival Investment Grant deadline reminders are sent to previous recipients outlining the timeline for reporting. Additionally, staff conducted a festival grant workshop in October 2018 showcasing more than a dozen grant programs from local and senior government granting agencies. The event was hosted at City hall and was attended by more than 100 local event and

festival organizers. Final reporting must be received before the annual application deadline of October 31st in order to be considered.

ISSUES & ANALYSIS

Festival organizers are increasingly faced with funding and sponsorship challenges. Most organizations have experienced reductions in corporate sponsorship, decreases in provincial gaming grants and increased production costs making it difficult for organizers to successfully sustain and grow their events.

Event organizers leverage their municipal support through provincial and federal funding bodies and secure credibility with corporate and community sponsors.

Last year, the City of Victoria awarded \$222,380 in grants and \$107,000 in in-kind support to 32 festivals and celebrations (up from 27 in 2017). This year there were 37 cash grant requests seeking a combined \$370,720 in FIG funding. Of these, 7 are new applicants and 2 are returning after an absence from the program, indicating both growth and vibrancy in the festival scene. Two applicants postponed their events to 2020 after making application to the program, resulting in recommendations to fund 35 festivals and celebrations for a total of \$276,828 cash and up to \$128,700 in in-kind support. The 35 recommended Festivals and celebrations include:

Seed Festival Grants - new festivals in first five years of operation (13)

- World Accordion and Tango Festival
- Victoria Festival of Authors
- Car Free Day YYJ
- Folkloria
- Electro-Acoustic Wonderment
- IMBY
- Khalsa Day
- Kindling Emerging Writers Festival
- Kizomba Festival
- Metal Festival
- Out Stages
- Peek Fest
- Philippine Independence Day

Established Festival Grants (19)

- Blues Bash
- Dragon Boat Festival
- FernFest
- Film Festival
- Flamenco Festival
- Free B Festival
- French Fest
- Fringe Fest
- Garden City Grooves
- 156th Victoria Highland Games and Celtic Festival/Tartan Parade
- Festival Mexicano
- JazzFest
- Kaleidoscope Theatre's Family Theatre Festival

- One Wave Festival
- Pacific Baroque Festival
- Pride Week
- Ska & ReggaeFest
- SKAMpede
- Uno Fest

Signature Festival Grants (3)

- Art Gallery Paint-In
- Victoria Day Parade/Island Farms Santa Parade
- Victoria Symphony in the Summer

Two applicants cancelled after making application to the program but hope to return for the 2020 festival season:

- Nowruz
- Integrate Arts Festival

With many requests for funds, staff recommendations consider evaluation criteria and support for as many eligible events as possible. Seven first time applicants are recommended for support including:

- Folkloria - Greater Victoria Folk Festival Society
- IMBY - Kindle Arts Society
- Khalsa Day Parade - Gurdwara Sing Sabha Society of Victoria
- Kindling Emerging Writers Festival - Open Space Arts Society
- Victoria International Kizomba Festival - Afro Latin Cultural Exchange (ALCE) Society
- Vancouver Island Metal Festival - Vancouver Island Metal Festival Society
- Philippine Independence Day - Victoria Philipino Canadian Association

Council directed staff to review the 2011 FIG policy in 2019. As part of this comprehensive review staff have noted a number key areas for review including but not limited to:

- opportunities for inclusion of programming already receiving limited celebration funding through neighbourhood base grant funding
- application intake process improvements and timeline adjustments
- signature event status recommendations
- shoulder season definition
- accommodations for art forms reliant on indoor venues

Staff are actively working with stakeholders and the newly appointed Music Advisory Committee on key areas for review. Recommendations will be presented to council in Q2 2019.

OPTIONS & IMPACTS

Option 1 (Recommended)

That Council approve the Festival Investment Grant allocations as recommended in Appendix 1 and 2 for total cash grants of \$276,828 and in-kind grants of up to \$128,700.

Option 2

Council directs staff to revise the recommendations in Appendix 1 & 2 and bring back new recommendations for Council's consideration at a later date. Delaying or denying some or all of the recommended allocations may prevent applicants from leveraging grant funding from senior levels of government and/or sponsors.

2019 - 2022 Strategic Plan

Nurturing and supporting arts, culture and creativity has been identified by Council as an operational priority. The Festival Investment Grant Program is consistent with achieving the outcomes for the following objectives in the 2019-2022 Strategic Plan:

- Strategic Objective #5: Health, Well-Being and a Welcoming City of Victoria
- Strategic Objective #8: Strong, Liveable Neighbourhoods

Impacts to Financial Plan

Council approved a \$50,000 increase in the Festival Investment Grant Budget for 2019. The current budget is \$276,828 and will be increased by inflation annually as directed by Council.

Official Community Plan Consistency Statement

The recommendation aligns with the following objectives in the Official Community Plan:

Section 14: Economy

14 (f) That the function of the Urban Core as the primary regional centre of employment, learning, arts, culture, entertainment, recreation and specialty retail is maintained and enhanced with high quality facilities, services and events

Section 16: Arts and Culture

16.6 Encourage broad access to arts and culture facilities, events and activities for people of all ages, incomes, backgrounds and lifestyles.

16.7 Encourage education, training and informal learning opportunities in the arts, design and culture.

16.19 Establish and maintain partnerships with professional artists and arts and cultural organizations to program the use of public space.

16.20 Continue to permit festivals, celebrations and special events in public spaces, such as streets, parking lots, plazas, civic squares and other open space.

16.21 Increase the use of parks for festivals, celebrations and special events

16.22 Continue to support and enable local, non-profit groups to host festivals, celebrations and special events through services, incentives and regulations.

CONCLUSIONS

The Festival Investment Grant Program assists the creation of a more vibrant downtown through the traditional festival season, enhancing tourism, local business success and the local economy. The program also broadens the festival season to the shoulder months to attract residents and visitors to the downtown year round thereby supporting economic development in traditionally slower economic activity periods.

Respectfully submitted,



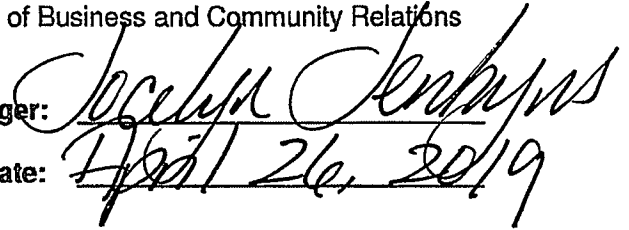
Jeff Day
Senior Cultural Planner



Kerri More
Head of Business and Community Relations

Report accepted and recommended by the City Manager:

Date:


April 26, 2019

List of Attachments

- Appendix 1 – Detailed list of FIG allocations
- Appendix 2 – FIG City service allocation details
- Appendix 3 – 2011 Festival Investment Grant policy and guidelines

	Event Name	Event Dates	Event Description	2018 Grant	2019 Grant Request	Fig 2019 Recommended	FIG 2019 In-Kind Recommended	Proposed Event Budget	Rationale
1	World Accordion and Tango Festival - The BC Accordion and Tango Society	November 7 - 11	World Accordion and Tango Festival will be held between Nov 7 and Nov 11, 2019 in various venues around the city. This festival is a successor of Victoria International Accordion Festival and Victoria International Tango Festival. The 2019 festival will feature accordion and tango ensembles from: Finland, Chile, Argentina, Russia, France, Italy, Croatia, USA and Canada.	\$ 6,400.00	\$ 10,000.00	\$ 6,400.00	\$ -	\$148,000 cash + \$1500 IK	New society formed last year by the same organizers as the 2008-2017 iterations of Accordion festivals. New format to includes Tango. Off season timeline has been a welcome change however most of the of the free performances venues in 2018 were staged outside of Victoria. 2017 festival (without tango component) was funded \$1500 cash and \$1000 in-kind as organizational effectiveness had been inconsistent often delivering only a portion of proposed event scope over the years. The society hosted the Trophée Mondial, World Accordion Championships in 2018. The 2019 festival will contract back to their regular 5 day reduced scope format.
2	Victoria Festival of Authors - Victoria Festival of Authors Society	October 2-6	Master classes, workshops, readings and discussion panels focused around specific literary themes and ideas. In addition to focusing on artistic achievement and collaborating with writers of the highest calibre, the festival will include a diversity of voices committed to accessibility and the celebration of local / regional talent.	\$ 2,500.00	\$ 10,000.00	\$ 5,500.00	\$ -	\$ 52,775.00	Limited free and outdoor component. Newer event that seeks to expand their audience by including new, free, literary events for children and youth.
3	Vancouver Island Blues Bash - Victoria Jazz Society	August 31 - September 2	The Vancouver Island Blues Bash happens annually on Labour Day weekend on an outdoor stage at Ship Point in Victoria's downtown Inner Harbour. Blues Bash features blues and R&B artists in free and ticketed performances.	\$ 7,200.00	\$ 8,500.00	\$ 8,500.00	\$ 3,000.00	\$145,460 cash + \$50,700 IK	26th year. Status quo event with loyal following. Sixteen hours of free content over 3 afternoon concerts from noon - 5:30pm. Two evenings of ticketed performances at Ship Point from 7pm - 10pm Saturday and Sunday. Large investment in free programming.

4	Car Free Day YYJ - Downtown Victoria Business Association	June 16	Based on the international brand enjoyed in major cities across the globe, Car Free YYJ is a festival unique to the Victoria market. Bringing forth local artists, organizations, and businesses to transform downtown into a pedestrian-friendly space, where Victorians can experience and participate in all that makes our city exceptional.	\$ 10,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$163,000 cash + \$57,790 IK	Broad appeal and more than 20 diverse musical performances on 4 stages (2 curated in partnership with the First Nations Festival and the Strathcona Hotel respectively) throughout the day. This free to attend event spanning the core has the potential to be recognized as "Signature Event".
5	Dragon Boat Festival - Fairway Gorge Paddling Club	August 9-11	Free 3 day multicultural event that combines the excitement and tradition of Chinese dragon boating with an expansive display of music, dance, art and food that showcases and celebrates the rich multi-cultural diversity in Victoria.	\$ 11,000.00	\$ 15,000.00	\$ 14,000.00	\$ 7,000.00	\$277,500	Significant hotel occupancy. Free weekend long entertainment, Chinese classical tea garden and children's activities. 30 businesses and 200 local performers participate.
6	FernFest - Belfry Theatre Society	June 21 - 22	FernFest is a free music, arts and family festival put on by the Belfry in partnership with the Fernwood NRG. Held in Fernwood Square, the Belfry Theatre and Vic High School, FernFest hosts local acts on the Belfry stage, Square main stage and kids' stage, an artisan market, children's area, BBQ, beer tent, pancake breakfast, kids' bike parade, a seniors' tea and more.	\$ -	\$ 16,000.00	\$ 11,000.00	\$ 1,200.00	\$76,093 cash + \$34792 IK	Free 2 day festival with music, food, art and culture. Neighbourhood event commands a regional draw showcasing world roots and funk music on 3 stages. 40 performers. Addition of the Belfry stage allows 10 more local acts to perform. Festival artist in residence painting live throughout the fest. Broad appeal and an arts inclusive format with a proven track record is further strengthened by NRG's partnership with the Belfry Theatre.
7	Victoria Film Festival - Victoria Independent Film and Video Festival	February 1-10	In its 25th year, the Victoria Film Festival is an annual international film festival that programs and exhibits over 120 films, along with various activities and art installations throughout the City of Victoria.	\$ 8,000.00	\$ 10,000.00	\$ 10,000.00	\$ 1,500.00	\$874,195 cash + \$362,916 IK	Popular shoulder season event. Significant economic impact for downtown hotels and restaurants. High quality programming and presentation offsets limited free content.

8	Victoria Flamenco Festival - Flamenco de la Isla Society	July 25 - 28 (TBC)	The festival will present 3 days of free programming from Friday to Sunday at Centennial Square and the Cameron Bandshell with local and national flamenco artists; 3 ticketed events at downtown venues and 2 workshops.	\$ 7,500.00	\$ 9,500.00	\$ 8,800.00	\$ 1,500.00	\$40,448 cash + 11,200 IK	Seventh year for this now established music & dance festival in Victoria from an established society, high quality performances & solid organizational effectiveness. 2019 will see more investment in production and event staff, artist fees and their associated travel costs. 15 hours of quality free cultural content.
9	Free - B Film Festival - Victoria Independent Film & Video Festival	August 2, 3, 9, 10, 16, 17,	The Free B Film Festival is the Victoria Film Festival's annual family-friendly outdoor screening series, occurring Fridays and Saturdays in August. Showcasing cult-classic feature films and French-language shorts. Entirely free and outdoor in Beacon Hill Park.	\$ 5,000.00	\$ 7,000.00	\$ 5,300.00	\$ 1,500.00	\$16,535 cash + \$11,078 IK	Very popular family friendly free program. Older feature films with broad appeal in public space. Nightly audiences up to 2000+ Partnership with Francophone Affairs to bring a Quebec film. The Free-B Film Festival is intended to showcase to the recreational moviegoer (who may perceive film festivals as avant garde and inaccessible) the impact of film and its ability to create communal gatherings and shared experiences regardless of genre or content.
10	Folkloria - Greater Victoria Folk Festival Society	June 8-9	A festival of multicultural dancing, music and songs by local performing groups onstage; also tents and canopies with arts and crafts, activities and games for children with information about various nationalities and their customs; food kiosks and trucks emphasizing ethnic foods.		\$ 1,250.00	\$ 1,160.00	\$ 1,700.00	\$4,635	Bringing together ethnic communities and organizations to share and learn about each other's culture and customs, and to provide free local entertainment for both residents and visitors and allow them to sample a variety of ethnic foods.

11	Victoria Fringe Fest - FringeKids Fest - Intrepid Theatre Company Society	Aug 21 - Sept 1	The Victoria Fringe is an international live performance event held annually in downtown Victoria and one of the oldest Canadian festivals of its kind. It present 50+ shows, Fringe Club, and free outdoor public programming (FringeKids Fest in Market Square + Fringe Eve Preview in Centennial Square)	\$ 9,000.00	\$ 12,000.00	\$ 12,000.00	\$ 1,500.00	\$443,500 cash + \$128,442 IK	A range of free and by donation programming to serve different demographics: a full-day, all-ages free Pre-Fringe public launch event in Centennial Square on Fringe Eve to animate the festival site; the free public one-day FringeKids Fest in Market Square attracts families. Throughout the festival by donation special events such as the Fringe Preview, Pick of the Fringe Awards, and nightly Fringe Club entertainment activate existing and potential new audiences, further engaging the spontaneous community of artists, audiences, staff and volunteers that forms during the festival. 15% out of town visitors, high level of artistic merit, community impact and organizational effectiveness.
12	Electro-Acoustic; Wonderment - Garden City Electronic Music Society	August 3-5 (and two more high season weekends)	Electro-Acoustic is an annual festival / series entering its third year that explores the use of electronics in the traditionally acoustic genres of folk, jazz and world. Wonderment is an annual series of live ambient performances on multi-channel sound in public parks entering its fourth year.	\$ 2,000.00	\$ 4,000.00	\$ 4,000.00	\$ 1,000.00	\$33,103 cash + \$800 IK	GCEMS strives to present aspects of electronic music that inspire our audience with the creative potential where art and technology meet, navigating a path that evades both the EDM mainstream and underground or academic niche markets. Unique artistic offerings for a market of this size and has in the past been selected as a TC "Critic's Pick" for the 2018 festival season.

13	Garden City Grooves - Victoria BC Ska & Reggae Society	January 31- Feb 2	Garden City Grooves is a shoulder season celebration of funk, soul and groove music in Victoria BC. Each year, the program has focused primarily on BC artists and bands with the goal of emphasizing and promoting the quality of acts here in BC.	\$ 3,200.00	\$ 5,000.00	\$ 4,000.00	\$ -	\$22,175 cash + \$3,845 IK	Shoulder season event showcasing funk and soul music at ticketed shows at indoor venues downtown blended with up to 10 hours of proposed free programming with performance by local artists, musician's workshop and a documentary screening. Funk and soul music offers programming not currently presented at other festivals.
14	156th Victoria Highland Games & Celtic Festival/Tartan Parade - Victoria Highland Games Association	May 11, 18 - 20	A celebration of Scottish and Celtic culture, art, music, dance, sport and heritage through family events. These events include a Tartan Parade, performances and demonstrations of piping, drumming, dancing, singing, music, athletics, culture and art.	\$ 8,000.00	\$ 20,000.00	\$ 12,000.00	\$ 2,000.00	\$321,700 cash + \$150,000 IK	Victoria's longest running event. Ticketed event with free under 12 - Free Tartan Parade and Tartan Day celebration. Significant economic impact for hotel stays - estimated \$2,000,000 economic impact. Volunteer run event. New additions include a Tattoo to be held on the Sunday evening of the Games weekend in partnership with the Victoria Military Music Festival Society.
15	IMBY - Kindie Arts Society	4-May	IMBY is an all ages free family friendly facilitated public interactive arts showcase in Centennial Square incorporating the 10 principles of Burning Man. IMBY values public participation in the creation of art including fire dancing, sculpture, music and more.		\$ 1,000.00	\$ 1,000.00	\$ 600.00	\$ 4,000.00	2019 will be the second year for this community driven project. Budgets are modest and organizers rely on a cooperative grass roots approach to community artistic expression in partnership with more established artists working along side residents to produce unique temporary projects in public space.
16	Integrate Arts Festival (11th Annual) - Integrate Art Society	cancelled for 2019	Integrate is an annual festival that celebrates the arts in Victoria, offering the public and the local arts community opportunities to come together and experience the quality, passion and breadth of the artistic practices in the City.	\$ 3,600.00	\$ 3,700.00	\$ -	\$ -	\$ -	Small festival with solid artistic merit, organizational effectiveness and community building made it known to City staff just after making application to the FIG program that they will be taking a break for the 2019 festival season and plan to return in 2020.

17	TD Victoria International JazzFest - Victoria Jazz Society	June 21 - June 30	TD Victoria International JazzFest 2019 will continue to present a minimum of 80 individual performances on multiple indoor and outdoor venues/stages over a 10-day period to bring live jazz music to the City of Victoria.	\$ 12,000.00	\$ 15,000.00	\$ 15,000.00	\$ 10,000.00	\$805,700 cash + 281,800 IK	No major changes. Ten days animation - economic impact for downtown. Significant free components. 4 free afternoon concerts from noon - 5pm. 5 free weekday lunch hour concerts. High artistic merit and organizational capacity.
18	7th Annual Family Theatre Festival - Kaleidoscope Theatre for Young People	June 8-9	The Family Theatre Festival is Victoria's professional theatre festival for youth and family, and includes Kaleidoscope and our partners presenting innovative and exciting works to our young audiences.	\$ 4,000.00	\$ 7,500.00	\$ 5,000.00	\$ 400.00	\$44,500 cash + \$6,000 IK	Free outdoor content programming and venues have not yet been finalized. Performances are ticketed and will be presented at the Belfry Theatre. Free programming will likely take place in the plaza adjacent to the theatre (face painting, mask making etc). Family content in Fernwood Square aims to engage local families.
19	Khalsa Day Parade - Gurdwara Sing Sabha Society of Victoria	28-Apr	One day annual street parade and festival to celebrate Vaisakhi taking place at Gurdwara Singh Sabha on Cecelia St, Victoria. Free to attend featuring free food, music, dance cultural community outreach stalls celebrating Sikh culture and customs.		\$ 5,500.00	\$ 5,500.00	\$ 3,000.00	\$ 26,000.00	Completely free cultural celebration prominently featuring music, dance, food and other cultural content.
20	Kindling Emerging Writers Festival - Open Space Arts Society	March 1-3	Kindling Emerging Writers Festival is a gathering of LGBTQ2S+ writers/audiences with the goal of growing Victoria's artistic community by engaging emerging writers with the local literary community and creating space for connection and collaboration through workshops, discussions, and readings.		\$ 5,000.00	\$ 4,400.00	\$	\$18,125 cash - + \$2,200 IK	Shoulder season Festival, free to attend with very focused program of cultural content. 3rd year in development will see big growth in program offering from an established community arts organization. Although not the only literary festival in program this festival accesses a traditionally underserved audience / demographic.

21	Victoria International Kizomba Festival - Afro Latin Cultural Exchange (ALCE) Society	April 19-22	Three day shoulder season festival featuring music, educational workshops, and dancing designed to bring cultures together in celebration of community diversity and African dance. Kizomba is a traditional dance from Angola and neighbouring West African countries.		\$ 7,720.00	\$ 3,500.00	\$ -	\$ 30,882.00	This is the second year for this shoulder season event showcasing very focused cultural content. Because the festival is dance focused and indoor it is predictably light on free content however accessible pricing for indoor components. Organizers have worked hard to attract talent and audience to the Island to share in this unique festival. most participants come to the festival from outside the region.
22	Vancouver Island Metal Festival - Vancouver Island Metal Festival Society	Aug 22-25	The Vancouver Island Metal Festival is a four day music festival celebrating the Heavy Metal community and culture on Vancouver Island. Primarily consisting of island based musicians and bands, the festival acts as a showcase of the community's talent to Victoria, the rest of BC, Canada, and the world.	\$ -	\$ 8,750.00	\$ 7,000.00	\$ 2,300.00	\$ 35,561.00	The society aspires to make the entire festival free and all ages for 2019. In the past the fest has produced free shows in Centennial Square and some ticketed indoor shows. Organizer proposes to offer twice the free content this year. Significant effort has gone into attracting enthusiastic metal audiences from throughout the pacific northwest. 80-100 Vancouver Island performers. Collaboration with UVic English department on an academic conference to coincide with the festival.
23	Festival Mexicano - Mexican Canadian Community Association of Victoria	July 13-14	Free two day family oriented cultural showcase of Latino culture. Mariachi band, folklore dancers, salsa instruction, Zumba and piñata for the kids. Latin cuisine will be featured and available both days.		\$ 7,300.00	\$ 1,686.00	\$ 1,650.00	\$6,750 cash + \$23,000 IK	A fixture on the Centennial Square summer calendar for many years. The festival has been supported in the past few years with in-kind City support as it was integrated into the summer program. Prior to that the festival was supported though the FIG program. An increase in scope of the project warranted the return to the FIG program.
24	Nowruz - Victoria Iranian Persian Cultural Society	March 23	Nowruz (Persian new year, first day of spring) is being celebrated by over 300 million people globally. VICPS has been hosting Nowruz events in the past five years. Traditional Performances, Poetry, Dance and Music are the main components of Nowruz event.		\$ 5,000.00	\$ -			Cancelled - the society will take a year to regroup and work with ACE to redevelop their approach for 2020.

25	One Wave Festival - Pacific Peoples' Partnership	Sept 6-15	Free outdoor Arts & Culture Festival that celebrates the Pacific community and inspires action on Pacific issues. Features a multi-disciplinary and multi-cultural showcase of Indigenous, Pacific and social and environmentally engaged artists and not-for-profits.	\$ 4,600.00	\$ 6,000.00	\$ 6,000.00	\$ 1,500.00	\$40,600 cash + \$24,000 IK	Quality cultural programming free and open to the public in Centennial Square. Past iterations of this festival have punched above its weight with a limited budget. 2019 edition of the festival will benefit from an Indigenous youth media & storytelling residency, following short films from the youth will be featured in an International Indigenous Film Festival.
26	Out Stages - Intrepid Theatre Company Society	Feb 1-9	OUTstages Festival is a 5-day celebration of theatre & queer culture. Multi-disciplinary shows, new play readings, a cabaret and lobby talks brings together innovative queer artists from across Canada with a diverse local community whose stories have been under-represented on Victoria's stages.	\$ 4,000.00	\$ 6,000.00	\$ 6,000.00	\$ -	\$87,000 cash + \$33,855 IK	A mix of free cultural outreach and ticketed theatrical content making queer performance accessible to audiences of all ages. OUTstages was initially connected to 'Pride Season' which heled grow the festival by anchoring it around Pride festivities. Now that the festival is becoming established and has a dedicated audience, they are seeing that there is a gap of queer programming in the winter months.
27	Pacific Baroque Festival - Victoria Conservatory of Music	Feb 7-10	The Pacific Baroque Festival, in its 15th year, is a much loved annual musical event in Victoria that features the music of great baroque composers. This year will feature performances that celebrate themes of the first 14 years of the festival with performances on period instruments and in original baroque style.	\$ 3,000.00	\$ 5,500.00	\$ 5,500.00	\$ -	\$65,450 cash + \$9950 IK	Shoulder season event. Limited free content due to the nature of the genre and the time of year. Free festival passes for youth musicians from the VCM. Free Sunday afternoon concert at Christ Church Cathedral draws 450 attendees. High artistic merit and organizational capacity on a very limited budget. Performances from local and international musicians providing a platform for young local musicians to perform with these professionals. High artistic merit and organizational capacity scores.
28	TD Art Gallery Paint-In - Art Gallery of Greater Victoria	July 20	The TD Art Gallery Paint-In is one of Victoria's signature summer events. It celebrates visual arts and community building in a festival-like atmosphere, and invites the public to enjoy art, music and refreshments in a day-long event that spans from the AGGV all the way to Dallas Rd.	\$ 8,500.00	\$ 10,000.00	\$ 10,000.00	\$ 9,500.00	\$66,800 cash + \$40,150 IK	Status quo for this 100% free to attend signature event in the heart of Fairfield celebrating the work of the region's visual artists.

29	Island Farms Victoria Day Parade/Island Farms Santa Parade - Greater Victoria Festival Society	May 18 - 20, Nov 23, Oct 27	Local, international and multi-cultural diversity of bands, floats, performers, non-profits and businesses showcasing community engagement. Pre and Post events enhance each event, including Battle of the Drums, Christmas Square and Wicked Victoria.	\$ 13,000.00	\$ 25,000.00	\$ 16,000.00	\$ 22,000.00	\$137,100 cash + \$18,000 IK	Two popular downtown parades. Council has identified the parades as Signature events. Little change to programming. Organizational capacity and artistic merit have not increased. No significant new sponsorship. Organizer's anticipated audience numbers are generous. Organizer has attempted to include another GVFC event, Wicked Victoria, with this application. Wicked Victoria does not meet the criteria for prominently featuring arts, cultural and/or heritage content and will therefore will not be considered recommended.
30	PEEK-FEST - Impulse Theatre Society	Nov 4-10	Impulse Theatre's PEEK-FEST is a festival of new work. The festival offers an exciting look at working development from some of the province's most innovative performance creators, while supporting the development of community and artistry for local artists and audiences. It has three core components: The Showcase Series, Workshop Series, and Residency Program	\$ 1,000.00	\$ 4,000.00	\$ 1,790.00	\$ -	\$7,158 cash + \$9,420 IK	An immersing shoulder season theatre and visual arts festival. A very small working budget so we will have to see what the capacity is for this and future iterations of the festival.
31	Philippine Independence Day - Victoria Philipino Canadian Association	June 15	A celebration of Philippine culture to coincide with the 121st Philippine Independence and the 50th anniversary of the VFCA through songs, dance and exhibits of culture.		\$ 2,000.00	\$ 1,292.00	\$ 850.00	\$5,170 cash + 2,900 IK	This will be the 2nd annual Mabuhay! Celebrating Philippine Culture. Local cultural association with a long history of putting on community events will celebrate 50 years in our community.
32	Victoria Pride Week - Victoria Pride Society	June 30 - July 7	A week's worth of LGBT2SQIA events hosted by the VPS and local community. Including: Memorial Dragball Game, the Big Gay Dogwalk, Sunset Boat Cruise, Pride In the Word, Pride Parade and Pride Festival.	\$ 8,800.00	\$ 10,000.00	\$ 10,000.00	\$ 16,000.00	\$129,000 cash + \$65,000 IK	Status quo program for this largely free to attend week long festival culminating with the Pride parade and festival at MacDonald Park. City service and policing cost have increased significantly over the past few years due to an increase in participation.

33	Rendez-Vouz Victoria - La Societe francophone de Victoria (SFV)	June 21 - 23	This three-day festival includes a weekend of outdoor activities and is designed to meet the needs of a broad clientele whose levels of French vary considerably. The festival's program includes, but is not limited to, local art exhibitions, live music, traditional foods, kids' activities, workshops etc.	\$ 8,000.00	\$ 10,000.00	\$ 10,000.00	\$ 500.00	\$97,283 cash + \$40,400 IK	Only French festival in the region. Loyal distinct audience. Free to attend at Market Square. .
34	Victoria's 20th Anniversary Ska & Reggae Festival - Victoria BC Ska & Reggae Society	June 19-23	This 5 day all ages festival at Ship Point is celebrating 20 years of Jamaican rooted music and culture in the Capital and is the longest running festival of its kind in the world. 40 band from around the world. Free concerts, workshops and film screening and 2 ticketed shows	\$ 10,280.00	\$ 15,000.00	\$ 15,000.00	\$ 5,000.00	\$431,518 cash + \$72,000 IK	Festival serves a younger demographic. Robust free components. Roughly half of the budget goes to artists. 2 ticketed evening shows and 3 free shows. Daytime programing is free.
35	SKAMpede - Theatre Skam Association	July 12-14 & 20-21	A three-day festival where audiences travel by bicycle or on foot to see short live performances by professional companies from across Canada. The second weekend a smaller youth event is held.	\$ 6,000.00	\$ 20,000.00	\$ 10,000.00	\$ 1,000.00	\$119,288 cash + \$7,800 IK	Free high quality performances at hub venue at Harbour Rd, increased hours of free content and include live music. Accessible ticket pricing and free to those under 16. Society has a proven track record of delivering high quality programming (also receives Canada Council grant).
36	Victoria Symphony in the Summer - Victoria Symphony Society	July 24 - August 6	Symphony in the Summer is the Victoria Symphony's summer series which includes numerous performances, many of them free, and culminates in the iconic Victoria Symphony Splash. Nearly 55,000 people enjoy these performances each year.	\$ 13,500.00	\$ 40,000.00	\$ 17,000.00	\$ 17,500.00	\$345,500 cash + \$155,000 IK	10th Victoria Symphony in the Summer Festival and marks the 30th anniversary of Symphony Splash. Marquee signature City event, significant free program with many free performances leading up to Splash. Free family fun zone. Economic impact and tourism spectacle.

37	Uno Fest (21st Annual) - Intrepid Theatre Company Society	May 1-11	Recognized nationally as a prestigious showcase for innovative solo Canadian and international theatre, UNO Fest features up to 15 different curated productions, special events, and fully accessible Pay-What-You-Can performances over 10 days in 2 venues 1 kitchen & 1 outdoor locations in downtown Victoria.	\$ 5,500.00	\$ 7,500.00	\$ 7,500.00	\$ -	\$159,550 cash + \$39,750 IK	Solid organizational capacity and high artistic merit. Late night activity downtown, impact on downtown restaurants and cafes. Prolific media. Administratively heavy for primarily indoor ticketed event during what is technically the high season, reduced support accordingly in past years, however, Intrepid works had to ensure all Uno events are pay-what-you -can or by-donation. 25% of all show seating is reserved for this purpose. Outdoor theatre is challenging and accommodations for film and theatre focused events need to be made.
					\$ 370,720.00	\$ 276,828.00		\$6,926,342.00	
	TOTAL (excluding ineligible festivals)					\$ 276,828.00	\$ 128,700.00	\$5,282,054 cash + \$1,644,288 IK	

	Event Name	Event Dates	Event Description	FIG 2019 In-Kind Recommended	In-Kind Detail
1	World Accordion and Tango Festival - The BC Accordion and Tango Society	November 7 - 11	World Accordion and Tango Festival will be held between Nov 7 and Nov 11, 2019 in various venues around the city. This festival is a successor of Victoria International Accordion Festival and Victoria International Tango Festival. The 2019 festival will feature accordion and tango ensembles from: Finland, Chile, Argentina, Russia, France, Italy, Croatia, USA and Canada.	\$ -	
2	Victoria Festival of Authors - Victoria Festival of Authors Society	October 2-6	Master classes, workshops, readings and discussion panels focused around specific literary themes and ideas. In addition to focusing on artistic achievement and collaborating with writers of the highest calibre, the festival will include a diversity of voices committed to accessibility and the celebration of local / regional talent.	\$ -	
3	Vancouver Island Blues Bash - Victoria Jazz Society	August 31 - September 2	The Vancouver Island Blues Bash happens annually on Labour Day weekend on an outdoor stage at Ship Point in Victoria's downtown Inner Harbour. Blues Bash features blues and R&B artists in free and ticketed performances.	\$ 3,000.00	Festival equipment labour, sign shop, traffic control equip, street occupancy, Ship Pt Rental (displaced revenue)

4	Car Free Day YYJ - Downtown Victoria Business Association	June 16	Based on the international brand enjoyed in major cities across the globe, Car Free YYJ is a festival unique to the Victoria market. Bringing forth local artists, organizations, and businesses to transform downtown into a pedestrian-friendly space, where Victorians can experience and participate in all that makes our city exceptional.	\$ 15,000.00	** As per 2016 separate council motion to support in-kind City services up to 15k up to and including the 2018 event. Moving forward this support will come out of the ACE City Services budget.
5	Dragon Boat Festival - Fairway Gorge Paddling Club	August 9-11	Free 3 day multicultural event that combines the excitement and tradition of Chinese dragon boating with an expansive display of music, dance, art and food that showcases and celebrates the rich multi-cultural diversity in Victoria.	\$ 7,000.00	Festival equipment labour (not more than 2k), traffic control equipment, Ships Pt rental (displaced parking revenue), street occupancy, fire boat / MRU (Marine Rescue Unit)
6	FernFest - Belfry Theatre Society	June 21 - 22	FernFest is a free music, arts and family festival put on by the Belfry in partnership with the Fernwood NRG. Held in Fernwood Square, the Belfry Theatre and Vic High School, FernFest hosts local acts on the Belfry stage, Square main stage and kids' stage, an artisan market, children's area, BBQ, beer tent, pancake breakfast, kids' bike parade, a seniors' tea and more.	\$ 1,200.00	* Festival equipment costs, street cleaning and Public Works.
7	Victoria Film Festival - Victoria Independent Film and Video Festival	February 1-10	In its 25th year, the Victoria Film Festival is an annual international film festival that programs and exhibits over 120 films, along with various activities and art installations throughout the City of Victoria.	\$ 1,500.00	Street occupancy and displaced parking revenue (parkade 10 spaces) and Broad St (\$600), City services and festival equipment labour

8	Victoria Flamenco Festival - Flamenco de la Isla Society	July 25 - 28 (TBC)	The festival will present 3 days of free programming from Friday to Sunday at Centennial Square and the Cameron Bandshell with local and national flamenco artists; 3 ticketed events at downtown venues and 2 workshops.	\$ 1,500.00	CSQ fees, security, sound operator and equipment labour
9	Free - B Film Festival - Victoria Independent Film & Video Festival	August 2, 3, 9, 10, 16, 17,	The Free B Film Festival is the Victoria Film Festival's annual family-friendly outdoor screening series, occurring Fridays and Saturdays in August. Showcasing cult-classic feature films and French-language shorts. Entirely free and outdoor in Beacon Hill Park.	\$ 1,500.00	Waive fees for public space and related city services including sound and some security
10	Folkloria - Greater Victoria Folk Festival Society	June 8-9	A festival of multicultural dancing, music and songs by local performing groups onstage; also tents and canopies with arts and crafts, activities and games for children with information about various nationalities and their customs; food kiosks and trucks emphasizing ethnic foods.	\$ 1,700.00	CSQ fees, services, and a limited access to the City sound operator, site security and equipment labour

11	Victoria Fringe Fest - FringeKids Fest - Intrepid Theatre Company Society	Aug 21 - Sept 1	The Victoria Fringe is an international live performance event held annually in downtown Victoria and one of the oldest Canadian festivals of its kind. It present 50+ shows, Fringe Club, and free outdoor public programming (FringeKids Fest in Market Square + Fringe Eve Preview in Centennial Square)	\$ 1,500.00	Public space fees, sound operator and equipment, parking, festival equipment labour
12	Electro-Acoustic; Wonderment - Garden City Electronic Music Society	August 3-5 (and two more high season weekends)	Electro-Acoustic is an annual festival / series entering its third year that explores the use of electronics in the traditionally acoustic genres of folk, jazz and world. Wonderment is an annual series of live ambient performances on multi-channel sound in public parks entering its fourth year.	\$ 1,000.00	Parks fees, support and services. Access to any available on-site power. Possible Centennial Square fees and sound tech support.

13	Garden City Grooves - Victoria BC Ska & Reggae Society	January 31- Feb 2	Garden City Grooves is a shoulder season celebration of funk, soul and groove music in Victoria BC. Each year, the program has focused primarily on BC artists and bands with the goal of emphasizing and promoting the quality of acts here in BC.	\$ -	
14	156th Victoria Highland Games & Celtic Festival/Tartan Parade - Victoria Highland Games Association	May 11, 18 - 20	A celebration of Scottish and Celtic culture, art, music, dance, sport and heritage through family events. These events include a Tartan Parade, performances and demonstrations of piping, drumming, dancing, singing, music, athletics, culture and art.	\$ 2,000.00	* Park fees and related City services and festival equipment labour
15	IMBY - Kindle Arts Society	4-May	IMBY is an all ages free family friendly facilitated public interactive arts showcase in Centennial Square incorporating the 10 principles of Burning Man. IMBY values public participation in the creation of art including fire dancing, sculpture, music and more.	\$ 600.00	CSQ fees, services, and a limited access to the City sound operator and equipment labour
16	Integrate Arts Festival (11th Annual) - Integrate Art Society	cancelled for 2019	Integrate is an annual festival that celebrates the arts in Victoria, offering the public and the local arts community opportunities to come together and experience the quality, passion and breadth of the artistic practices in the City.	\$ -	

17	TD Victoria International JazzFest - Victoria Jazz Society	June 21 - June 30	TD Victoria International JazzFest 2019 will continue to present a minimum of 80 individual performances on multiple indoor and outdoor venues/stages over a 10-day period to bring live jazz music to the City of Victoria.	\$ 10,000.00	Spirit Stage Enhancement, Electrical Set-up, Sound Operator, CSQ Rental, Garbage Pick up and Security (overnight equipment), Street Parking Hoods, Festival Equipment Labour
18	7th Annual Family Theatre Festival - Kaleidoscope Theatre for Young People	June 8-9	The Family Theatre Festival is Victoria's professional theatre festival for youth and family, and includes Kaleidoscope and our partners presenting innovative and exciting works to our young audiences.	\$ 400.00	Festival equipment labour, City of Victoria City services, venue fees & charges
19	Khalsa Day Parade - Gurdwara Sing Sabha Society of Victoria	28-Apr	One day annual street parade and festival to celebrate Vaisakhi taking place at Gurdwara Singh Sabha on Cecelia St, Victoria. Free to attend featuring free food, music, dance cultural community outreach stalls celebrating Sikh culture and customs.	\$ 3,000.00	** Increased scope to the parade component will be supported by VicPD and City Service in order to secure a safe parade route. Some festival equipment labour may be provided.
20	Kindling Emerging Writers Festival - Open Space Arts Society	March 1-3	Kindling Emerging Writers Festival is a gathering of LGBTQ2S+ writers/audiences with the goal of growing Victoria's artistic community by engaging emerging writers with the local literary community and creating space for connection and collaboration through workshops, discussions, and readings.	\$ -	

21	Victoria International Kizomba Festival - Afro Latin Cultural Exchange (ALCE) Society	April 19-22	Three day shoulder season festival featuring music, educational workshops, and dancing designed to bring cultures together in celebration of community diversity and African dance. Kizomba is a traditional dance from Angola and neighbouring West African countries.	\$ -	
22	Vancouver Island Metal Festival - Vancouver Island Metal Festival Society	Aug 22-25	The Vancouver Island Metal Festival is a four day music festival celebrating the Heavy Metal community and culture on Vancouver Island. Primarily consisting of island based musicians and bands, the festival acts as a showcase of the community's talent to Victoria, the rest of BC, Canada, and the world.	\$ 2,300.00	CSQ fees, security, sound operator and equipment labour
23	Festival Mexicano - Mexican Canadian Community Association of Victoria	July 13-14	Free two day family oriented cultural showcase of Latino culture. Mariachi band, folklore dancers, salsa instruction, Zumba and piñata for the kids. Latin cuisine will be featured and available both days.	\$ 1,650.00	CSQ fees, limited parking for loading, security, sound operator and equipment labour
24	Nowruz - Victoria Iranian Persian Cultural Society	March 23	Nowruz (Persian new year, first day of spring) is being celebrated by over 300 million people globally. VICPS has been hosting Nowruz events in the past five years. Traditional Performances, Poetry, Dance and Music are the main components of Nowruz event.		

25	One Wave Festival - Pacific Peoples' Partnership	Sept 6-15	Free outdoor Arts & Culture Festival that celebrates the Pacific community and inspires action on Pacific issues. Features a multi-disciplinary and multi-cultural showcase of Indigenous, Pacific and social and environmentally engaged artists and not-for-profits.	\$ 1,500.00	CSQ fees, security (if needed), sound operator and equipment labour
26	Out Stages - Intrepid Theatre Company Society	Feb 1-9	OUTstages Festival is a 5-day celebration of theatre & queer culture. Multi-disciplinary shows, new play readings, a cabaret and lobby talks brings together innovative queer artists from across Canada with a diverse local community whose stories have been under-represented on Victoria's stages.	\$ -	
27	Pacific Baroque Festival - Victoria Conservatory of Music	Feb 7-10	The Pacific Baroque Festival, in its 15th year, is a much loved annual musical event in Victoria that features the music of great baroque composers. This year will feature performances that celebrate themes of the first 14 years of the festival with performances on period instruments and in original baroque style.	\$ -	
28	TD Art Gallery Paint-In - Art Gallery of Greater Victoria	July 20	The TD Art Gallery Paint-In is one of Victoria's signature summer events. It celebrates visual arts and community building in a festival-like atmosphere, and invites the public to enjoy art, music and refreshments in a day-long event that spans from the AGGV all the way to Dallas Rd.	\$ 9,500.00	** Police Officers, traffic control equipment, signage, bylaw

29	Island Farms Victoria Day Parade/Island Farms Santa Parade - Greater Victoria Festival Society	May 18 - 20, Nov 23, Oct 27	Local, international and multi-cultural diversity of bands, floats, performers, non-profits and businesses showcasing community engagement. Pre and Post events enhance each event, including Battle of the Drums, Christmas Square and Wicked Victoria.	\$ 22,000.00	*** Estimated 14k for Santa Parade Police and city services, fees and an estimated 5.5K in City services/ fees for the Victoria Day Parade (note that Police costs associated with Victoria Day are not reflected here - traditionally they have been covered by the Police Board budget - an additional 10k in 2018). Festival equipment program labour charges - max \$2000 covered.
30	PEEK-FEST - Impulse Theatre Society	Nov 4-10	Impulse Theatre's PEEK-FEST is a festival of new work. The festival offers an exciting look at working development from some of the province's most innovative performance creators, while supporting the development of community and artistry for local artists and audiences. It has three core components: The Showcase Series, Workshop Series, and Residency Program	\$ -	
31	Philippine Independence Day - Victoria Philipino Canadian Association	June 15	A celebration of Philippine culture to coincide with the 121st Philippine Independence and the 50th anniversary of the VFCA through songs, dance and exhibits of culture.	\$ 850.00	CSQ fees, security, sound operator and equipment labour
32	Victoria Pride Week - Victoria Pride Society	June 30 - July 7	A week's worth of LGBT2SQIA events hosted by the VPS and local community. Including: Memorial Dragball Game, the Big Gay Dogwalk, Sunset Boat Cruise, Pride In the Word, Pride Parade and Pride Festival.	\$ 16,000.00	** Festival equipment labour (capped), police officers, traffic control equipment and related City services, street occupancy, City venue fees

33	Rendez-Vouz Victoria - La Societe francophone de Victoria (SFV)	June 21 - 23	This three-day festival includes a weekend of outdoor activities and is designed to meet the needs of a broad clientele whose levels of French vary considerably. The festival's program includes, but is not limited to, local art exhibitions, live music, traditional foods, kids' activities, workshops etc.	\$ 500.00	festival equipment labour and parking
34	Victoria's 20th Anniversary Ska & Reggae Festival - Victoria BC Ska & Reggae Society	June 19-23	This 5 day all ages festival at Ship Point is celebrating 20 years of Jamaican rooted music and culture in the Capital and is the longest running festival of its kind in the world. 40 band from around the world. Free concerts, workshops and film screening and 2 ticketed shows	\$ 5,000.00	* Festival equipment labour, site fees and services, 6 days of displaced parking revenue at ship point.
35	SKAMpede - Theatre Skam Association	July 12-14 & 20-21	A three-day festival where audiences travel by bicycle or on foot to see short live performances by professional companies from across Canada. The second weekend a smaller youth event is held.	\$ 1,000.00	Festival equipment labour and related City fees and services
36	Victoria Symphony in the Summer - Victoria Symphony Society	July 24 - August 6	Symphony in the Summer is the Victoria Symphony's summer series which includes numerous performances, many of them free, and culminates in the iconic Victoria Symphony Splash. Nearly 55,000 people enjoy these performances each year.	\$ 17,500.00	** Police (12k+), traffic control equipment, street cleaning, sign shop, street occupancy, parking

37	Uno Fest (21st Annual) - Intrepid Theatre Company Society	May 1-11	Recognized nationally as a prestigious showcase for innovative solo Canadian and international theatre, UNO Fest features up to 15 different curated productions, special events, and fully accessible Pay-What-You-Can performances over 10 days in 2 venues 1 kitchen & 1 outdoor locations in downtown Victoria.	\$ -	
	TOTAL (excluding ineligible festivals)			\$ 128,700.00	



City of Victoria

Festival Investment Grant

GRANT POLICY & GUIDELINES

Revised October 2011

PURPOSE

The purpose of the grant program is to provide cash and city services support for the specific costs associated with the presentation of festivals and celebrations in the City of Victoria.

The City of Victoria recognizes that local, regional, national and international events of all types have an important role to play in contributing to improved quality of life of Victoria residents. Community-based festivals and celebration reflect the vibrant, distinct and diverse character of Victoria and its residents. Events offer opportunities to create economic, social, health and community benefits. The Festival Investment Grant program is designed to provide support to organizations producing festivals and celebrations that will deliver significant economic impact, vitality and vibrancy within the City of Victoria, particularly the downtown core.

The program is comprised of four funding streams. Please contact the City grant administrator for more information regarding the appropriate funding stream.

Community Celebration Grants

The purpose of this funding stream is to assist community celebrations with the production of one-day celebratory events within the City of Victoria. These events are often run and organized by volunteer non-profit boards and involve a broad base of support from the local community.

New Festival Grants

The purpose of the New Festival Grant stream is to provide support to new events in their first year and stability through the developmental years 2 – 5. The applications for this grant program are required to provide evidence of sponsors, audience identification, a marketing plan and a detailed budget. Applicants are required to identify the target market for the new festival, articulate the expected positive impacts and describe how it fits with the objectives for funding under the program.

Established Festival Grants

The purpose is to provide financial assistance to established festivals to produce a multi-day event in the City of Victoria. Applicants must have a demonstrated consistent track record of achievement for a successive five year period. Managing organizations must have a solid organizational structure, long-term financial stability and an artistically produced program.

Signature Festival Grants

The purpose of the Signature event program is to showcase the City as a great place to live, work, play, and do business. The term "signature event" is used to describe an organized note-worthy event designed for a definite purpose or occasion that is free and open to the general public, and which generates 15,000 + visitors each day. Festivals and events that create jobs, attract tourists, stimulate local economies and provide entertaining activities for citizens across the Capital region would be suitable applicants in this funding stream.

ELIGIBILITY CRITERIA

The City of Victoria receives many requests for funding therefore allocation of funding is competitive. To be eligible:

FESTIVALS must meet the Festival definition:

A series of theme related events, predominately arts and cultural in nature, held annually for two or more consecutive days, possessing city-wide and regional appeal and produced by a registered non-profit society.

CELEBRATIONS must fit the definition of a celebration:

An arts and cultural event, organized for the purpose of building and celebrating a sense of community in response to a desire that is best addressed through celebration. These events are sponsored and organized by a registered non-profit society and possess city wide appeal.

Festivals and Celebrations must also:

- Occur primarily outside in a public space within the boundaries of the City of Victoria. Indoor events that occur between November 1 - March 31 will be considered.
- The applicant organization must be a not-for-profit society in good standing with the Registrar of Companies.
- Offer a unique experience not duplicated by other organizations and their activities.
- Be supported by budgets which are distinct from regular operating budgets of lead organizations.
- Prominently feature art, cultural and/or heritage content.
- Be free admission events or events with a free component open to the public.
- Have followed the application process guidelines and met the required timelines.
- The applicants must demonstrate need for financial assistance.
- The proposed budget must demonstrate significant support from other sources other than the City of Victoria.

Applications will be considered **ineligible** if they relate to:

- Events that are commercial in purpose
- Sporting and athletic events and competitions unless there is a demonstrated link to an artistic and/or cultural activity
- An event fundraiser (over and above event costs)
- An event that occurs outside the City of Victoria.
- Retroactive funding
- Capital expenditures
- One time, non-recurring events
- Activities already funded through other City programs
- Organizations in arrears with the City of Victoria
- Individuals
- Demonstrations, marches, rallies
- Trade shows and trade fairs
- Conferences, workshops, training and professional development
- Block parties, picnics, garden shows, street markets, carnivals

MAXIMUM GRANT AMOUNT

The City of Victoria will not fund more than 25% of the overall operating costs of the festival or celebration.

EVALUATION CRITERIA

All Applications will be evaluated on the following assessment criteria:

a) Artistic Merit (40%)

- Solid vision, direction, goals and objectives that reflect and fulfill the purpose of the event
- Innovative and unique development of program of activities
- Excellence of program of activities – quality/variety/production
- Proven track record in program delivery
- Impact on specific cultural community or artistic discipline
- Does not duplicate and compliments other Festival and Celebration activities
- A priority in the context of the community vision
- Event expansion and improvements and innovation
- Quality, diversity and innovativeness of program

b) Economic Impact (25%)

- Demonstrates quantifiable economic benefits to the City (dollars spent in the community, staff hired, number of local volunteers, training offered to staff/volunteers, local performer/producers/technicians, etc. engaged, hotel rooms rented, tour packages sold, etc.)
- Extent of Partnership initiatives and efforts to form new alliances
- Extent to which activities are undertaken to attract visitors to the Festival or Celebration

- Extent of destination marketing, including the use of media outlets
- Timing of Event: when the event is held during the calendar year i.e. During off-peak (October to March) or high peak (April - September) periods. Under this criterion, an event staged in a low season is often more attractive than an event staged in a high season.
- Level of event profile and media exposure
- Appropriate audience development, outreach and marketing strategies

c) Community Impact and Involvement (20%)

- Extent to which Festival or Celebration contributes to social and cultural development of the City of Victoria
- Demonstrated knowledge and understanding of potential audience and participants
- Extent to which there is opportunity for volunteers to participate in organizing and implementing festival
- Extent to which applicant will ensure an appropriate measure of public access (i.e. free component & ticketed event vs. ticket price), including access by the City's diverse communities and local residents
- Support of Victoria -based performers / producers / technicians / business/ community as applicable to your event
- Extent to which quality of life is enhanced by offering opportunities for City of Victoria residents
- Demonstration of community support for arts, cultural and festival events as measured by volunteer participation, membership, and or audience participation

d) Organizational Effectiveness and Competence (15%)

- Solid leadership structure and consistent management in professional, competent manner
- Financial stability and accountability and evidence of effective long-term and short-term planning
- Extent to which applicant's revenues are derived from multiple sources to create a stable funding base
- Demonstrated need for financial assistance from the City of Victoria
- Potential financial impact (i.e. jobs created, spending, number of visitor days created and how this information might be tracked.)
- Evidence of financial stability and accountability
- Evidence of a clear mandate, competent administration and a functional volunteer committee
- Shows a viable plan for ensuring resources are in place to continue the festival or celebration and the potential for long term community benefits.

APPLICATION PROCESS

The administration of the Festival Investment Grant Program is managed as per the defined policy through the Recreation & Culture Division of the Parks, Recreation and Culture Department.

The official application form must be used. Forms can be obtained from the City's Recreation & Culture Division office or online through the City's website at www.victoria.ca. Questions should be directed to Nichola Reddington, Community Recreation Coordinator at (250) 361-0357 or jdav@victoria.ca.

All application documents should be typed or written on white, letter sized paper (8.5" x 11"). Please do not staple applications or bind them in any way in folders, binders or plastic covers.

Incomplete or late applications will not be considered for funding. No grant application will be considered from organizations that received funding in the past but did not submit a final report.

All applicants are required to submit the required materials to:

Jeff Day
City of Victoria
Recreation & Culture Division
#1 Centennial Square, Victoria BC, V8W 1P6
Office Location: #121-1925 Blanshard St., Victoria, B.C. V8T 4J2
Phone: (250) 361-0357 Fax: (250) 361-0385 or visit www.victoria.ca
Email: jdav@victoria.ca

Annual Timeline:

October 31 - Application Deadline

December - Council Approval

March 1 (50%) for NEW grant recipients, July 1 - Grant Payment (80%), NEW recipients (30%)

Prior to November 1 on receipt of final report - Final Payment (20%)

APPROVAL PROCESS

Each application will be reviewed and assessed by Recreation & Culture Division staff. Following the staff review, the applications along with a report and recommendations is provided to City Council for their consideration and final approval. Applicants will receive a letter detailing Council's decision once it is finalized.

CONDITIONS OF ASSISTANCE

Grant funds must be applied to current expenses associated with the approved project, and not used to subsidize any other project of the applicant, or to reduce or eliminate accumulated deficits. The City must be notified in writing of any significant changes to the funded event scale and or purpose. In the event that the project is not completed, the City of Victoria reserves the right to request the return of the grant.

As a condition of funding, the support of the City of Victoria must be acknowledged on promotional materials related to funded activities, including brochures, print ads, programs, posters, signage and media releases as well as websites, e-newsletters, and social media campaigns. City of Victoria logo files and usage standards will be provided to successful applicants. The City of Victoria reserves the right to an onsite presence, or formal role, at signature events. Failure to acknowledge the City's support may result in the inability of an organization to obtain grant support in future years.

The term of the grant is one year, and previously funded projects must be completed before a new application can be approved. Receipt of a grant does not guarantee funding the following or any subsequent year.

The successful applicant agrees that the City shall not be liable for any incidental, indirect, special or consequential damages, injury or any loss of use, revenue or profit of the Society arising out of or in any way related to the program.

REPORTING

The applicant must submit a final report which includes a brief description of the event; event evaluation; a financial statement of actual revenue and expenses; copies of print material (ads, programs etc.) which acknowledge the financial support from the City; attendance figures; number of participants in the event (volunteers and audience) and a description of the economic impact on the City of Victoria, (number of visitors, room nights, etc.) Report forms will be provided to all successful applicants.



2019 Festival Investment Grants



Purpose

The purpose of this report is to seek Council's approval on the Festival Investment Grants recommendations for 2019.



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Overview

Outdoor festivals and celebrations add to the vitality and cultural diversity of the City. The City's annual grant and in-kind support nurtures the development and sustainability of high quality annual festivals and celebrations.

This program advances the vision outlined in the Create Victoria Master Plan:

"Victoria radiates creativity and thrives as a home to creative people and everyday artistic experiences."



Title of powerpoint presentation – access on master slide

Leverage

Event organizers leverage their municipal support through senior government funding bodies and secure credibility with corporate and community sponsors.

- 22 applicants are seeking Federal Grants from Canadian Heritage
- FIG funding helps to leverage roughly 2.3 million dollars in cash and in-kind corporate sponsorship



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Policy



All applicants were reviewed based on the Council approved 2011 FIG policy. Key criteria considered include:

- program criteria, including a free component
- the artistic and cultural merit of the event
- economic impact
- community support and impact
- organizational effectiveness



Title of powerpoint presentation – access on master slide

Established in 1999

Over the 21 year history of the program, the City has invested more than \$2.8m in cash and \$1.9m in-kind support to Victoria festivals and celebrations.



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2019



- \$50,000 budget increase
- \$276,828 in FIG funding available
- 37 applications received
- total cash request of \$370,720
- Average annual request amount over last 5 years = \$394,418
- FIG funding available represents 74% of total requests



Title of powerpoint presentation – access on master slide

Impact

- Operating budgets of the recommended FIG applicants total \$5.2 million in direct cash spending
- 3,664 volunteers @ 40,497 hours of service
- 210 full and part time positions
- More than 500,000 attendees



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City's Investment

- The recommended cash grants reflect less than 5.3% of the combined \$5.3m in event operating budgets



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Recommendation

That Council approve the Festival Investment Grant allocations as recommended in Appendix 1 and 2 for total cash grants of \$276,828 and in-kind City services grants of up to \$128,700.



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Questions?



Committee of the Whole Report
For the Meeting of May 2, 2019

To: Committee of the Whole **Date:** April 25, 2019
From: Chris Coates, City Clerk
Subject: Downtown Victoria Business Association – Business Improvement Area Renewal Bylaw Revision

RECOMMENDATION

That Council forward the following motions to the daytime Council meeting of May 2, 2019:

1. Rescind third reading to Business Improvement Area Bylaw No. 19-045
2. Approve the amendment to the Business Improvement Bylaw to permit borrowing specifically for the seasonal animation project with repayment to take place within the five- year term of the Bylaw.
3. Give third reading to amended Business Improvement Area Bylaw No. 19-045

EXECUTIVE SUMMARY

At the March 28, 2019, Council received the report attached as Appendix A regarding the renewal of the Business Improvement Area (BIA), and approved proceeding with notification to owners of the proposed renewal. Subsequently, Council gave three readings to Business Improvement Area Bylaw No. 19-045 on April 11, 2019. Just prior to sending the required notifications of the proposed Bylaw, the DVBA became aware of a limitation on borrowing in section 5 (1)(i) in the proposed Bylaw that would impact their ability to borrow funds to undertake the seasonal animation project that is part of the overall business promotion scheme. This provision has been part of each BIA Bylaw over the 15-year existence of the BIA and is noted below for convenience.

Section 5(i)

the DVBA must not carry out any borrowing, that results in an indebtedness or other obligation as to money granted to it by Council under this Bylaw, extending beyond the fiscal year in which that money was granted;

Staff have not proceeded with the notifications because of the DVBA's concern. DVBA has requested an amendment to the Bylaw that would enable them to borrow the funds required. The attached Bylaw includes a new section 5 (2) as follows:

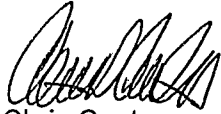
“Notwithstanding section 5(1)(i), the DVBA may borrow up to \$1,000,000 to be repaid before December 31, 2024 to fund a seasonal activation project.”

A copy of the full Bylaw with the proposed revision included in yellow highlight is attached as Appendix B. The proposed provision has been reviewed by the DVBA and considered to be acceptable to enable them to undertake the borrowing necessary for the project. Tying the duration of the borrowing

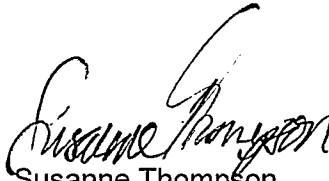
to the security of the funding authorized in the Bylaw provides some security for the financing that would not exist outside the term of the proposed Bylaw.

The notification process takes more than thirty days. To meet the time sensitivity around the acquisition of the equipment for the project to implement this winter, Council may wish to consider advancing the proposed amendment to the bylaw could be made at the daytime council meeting following the Committee of the Whole meeting.

Respectfully submitted,



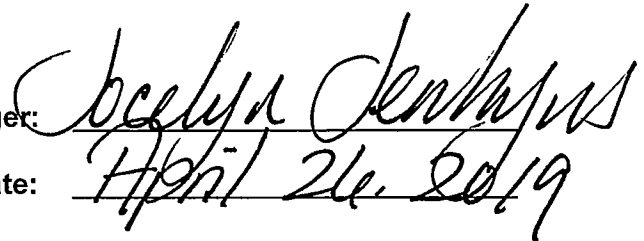
Chris Coates
City Clerk



Susanne Thompson
Deputy City Manager/Chief Financial Officer

Report accepted and recommended by the City Manager:

Date:


April 26, 2019

List of Attachments

Attachment A – March 28, 2019 Committee of the Whole Report
Attachment B – BIA Bylaw 19-045 ((with amendment included))



Committee of the Whole Report For the Meeting of March 28, 2019

To: Committee of the Whole **Date:** March 18, 2019
From: Chris Coates, City Clerk
Subject: Downtown Victoria Business Association – Business Improvement Area Renewal Request.

RECOMMENDATION

That Council direct staff to:

1. Proceed on the Council Initiative basis, with the Alternate Approval Process for the Business Improvement Area Renewal.
2. Report back with results of the counter petition process, and if assent is achieved present the BIA Bylaw for introductory readings.

EXECUTIVE SUMMARY

Since 2005, the Downtown Victoria Business Association (DVBA) has managed a Business Improvement Area under the provisions of the *Community Charter*. Legislation enables a local government to enact by bylaw, with the consent of a majority of property owners, a Business Improvement Area (BIA) establishing a local area service (specified area) tax to raise funds to pay for a business promotion program and to direct those funds to an organization undertaking the activities.

Attached as Appendix A is correspondence from the DVBA requesting that Council approve moving forward with a five year renewal of the Business Improvement Area (BIA) taxation regime. The current authority was established under the Business Improvement Area Bylaw for the years 2015-2019, attached as Appendix B that was adopted for a five year term for 2015 through 2019. This Bylaw generated the tax revenue, collected by the City and provided to the DVBA for the business promotion activities authorized by the property owners.

The DVBA has requested that as in past years, the City initiate the alternative approval process by Council Initiative. DVBA proposes to retain the same properties in the BIA as in past years. The properties total 776 with a total current taxable assessed value assessed value of \$2,486,089,700. In the Council Initiative approach, the proposed tax levy is subject to a counter petition process. In order for assent to be achieved at least 50% of the owners with at least 50% of the total assessment must agree. This is achieved unless the majority "petition" against the proposed tax. The alternative is a Petition Process for the BIA which would be led by DVBA. The same type of majority (at least 50% of the owners with at least 50% of taxable assessment) must pro-actively petition for the BIA.

As their correspondence notes, there is a degree of time sensitivity around the interest of DVBA to effect a significant purchase of lighting for the 2019 winter season. Security of the income through the taxation authority of the BIA is important to moving forward. While the requested timelines are challenging, there is an ability to move this forward with relatively minor impacts on existing work in Q2.

Should Council authorize the process to move forward, staff would report back upon completion with the results, and seek direction to proceed should assent be achieved.

PURPOSE

The purpose of this report is to seek Council's approval to proceed with an Alternative Approval Process for a five year renewal of the Business Improvement Area managed by the Downtown Victoria Business Association.

BACKGROUND

The *Community Charter* establishes the authority to create and fund a Business Improvement Area (BIA). A BIA is a local area service (specified area) from which a special tax is levied against the specific properties designated, and used to fund a business improvement service area and/or business promotion scheme. The Downtown Victoria Business Association provides the services to the Business Improvement Area that was originally established by bylaw in 2005. The funding generated from these specific properties is provided to the DVBA to fund the services and programs outlined in their correspondence attached as Appendix A. The existing 5 year term of the BIA expires December 31, 2019 in accordance with the establishing Bylaw which is attached as Appendix B.

As noted in their correspondence, the DVBA is seeking approval to expedite the renewal process in order to secure funding for winter lighting for this winter. In order to facilitate the acquisition of the lighting, they require authority for the renewal by the late spring of this year to meet the timelines.

There are two process options, both of which require the consent of a majority of the owners who own a majority of the taxable assessed values of the properties. These options are Council Initiative or Land Owner Petition, which are highlighted in this Report. Each of the previous terms were established by way of the Council Initiative process.

ISSUES & ANALYSIS

Council's is being asked to consider whether the process should move forward and if so under which assent methodology.

The DVBA is proposing a 2.5 percent increase in each of the five years starting at an annual levy of \$1,103,804 in 2020 to \$1,218,392 in 2024. The cost per \$100,000 of taxable assessed value would be approximately \$44.00. There is no change proposed to the properties involved in the BIA.

As the DVBA correspondence indicates, there appears to be a history of strong support from the property owners for the BIA and the taxation collected to fund it. In terms of the process, the City's role in the renewal is on the technical side, adjudicating the process and in the event of the Council initiative assent method, sending out the notices of the proposed levy and providing information as to how to object.

In relation to informing property owners about the marketing scheme and other services, the DVBA would take on any promotion or information sessions in connection with the renewal. The City's responses would be more limited to any technical enquiries and specific taxation information.

OPTIONS AND IMPACTS

As noted there are two ways to obtain "assent", by way of an Alternative Approval Process from affected property owners. The following options are represented for Council's consideration:

Option 1 – Proceed on Council Initiative (*Recommended*)

This option would see the City mailing notice of the proposed renewal to all affected property owners in the local area service. A minimum of thirty days must be provided for the opportunity to oppose. In order to halt the imposition of the BIA levy, at least 50% of the owners with at least 50% of the taxable assessment must formally register their objection. Once the counter petition process is complete staff would report back to Council seeking direction to introduce the required bylaw if assent is achieved. Draft of the new Bylaw is attached as Appendix C

This would delay the Report back on the Cannabis Consumption Pilot by up to 30 days to mid Q2 (late April/mid May) and the Fencing Regulations for Deer Management to early Q3.

Option 2 – Proceed on Land Owner Petition for Service

This option would necessitate a majority of the land owners with a majority of the taxable assessed value to petition Council to impose the local area service. The petition would be verified upon receipt of the majority petition. There is minimal staff time involved in this method but given the nature of the process it appears somewhat unrealistic to proceed in that method.

Option 3 - Decline Proceeding

There is a history of success with this program and a high degree of support in the past. Property owners have the ability to object and Council to make a subsequent decision informed by the degree of support or objection to the proposal. These issues support moving forward with the assent process.

2019-2022 Strategic Plan

The renewal of the BIA is consistent with overarching goals of the **Strategic Plan Object 4: Prosperity and Economic Inclusion**, and in particular is related to the 2019 action item:

"Work with the Downtown Victoria Business Association to develop a Downtown Retail Strategy"

Impacts on Financial Plan

There are no specific impacts on the Financial Plan for the renewal of the BIA as the funding comes directly from the local area service tax levy and is managed, and can be implemented with existing staff resources.


Accessibility Impact Statement

The funds collected through the local area service levy would be managed by an external organization for marketing and promotion purposes. There are no accessibility impacts relative to the City's role in this process.

CONCLUSIONS

The success of the BIA since 2005 could reasonably be measured by the degree of support for the tax levy over the last 15 years. The opportunity for property owners to object, provides Council with insight into the degree of support that exists for the renewal and would be provided to Council in a report back once the assent process is complete.


Respectfully submitted,


Chris Coates
City Clerk


Susanne Thompson
Deputy City Manager/Chief Financial Officer

Report accepted and recommended by the City Manager:

Date:


March 21, 2019

List of Attachments

Attachment A – DVBA Correspondence
Attachment B – 2015-2019 BIA Bylaw
Attachment C – Draft 2020-2024 BIA Bylaw

Appendix B

NO. 19-045

BUSINESS IMPROVEMENT AREA BYLAW, 2019

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to establish a Downtown Victoria Business Improvement Area and Service, and to levy taxes and grant money for that purpose.

Contents

- 1 Title
- 2 Definitions
- 3 Designation of Business Improvement Area
- 4 Grant of money for Business Improvement Area service
- 5 Conditions on use of grants
- 6 Tax levy for recovery of grants
- 7 Period during which Bylaw has effect

Under its statutory powers, including sections 210, 211, 213, 215, and 216 of the *Community Charter* and B.C. Regulation 438/81, the Prescribed Classes of Property Regulation under the *Assessment Act*, the Municipal Council of the City of Victoria enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "BUSINESS IMPROVEMENT AREA BYLAW, 2019", Bylaw No. 19-045

Definitions

- 2 In this Bylaw,

"BIA"

means the business area designated as the Downtown Victoria Business Improvement Area under section 3;

"business area"

means an area in the City of Victoria where business or commerce is carried on;

"business promotion scheme"

means:

- (a) carrying out studies or making reports respecting the BIA,

- (b) the improving, beautifying, or maintaining streets, sidewalks, or municipally owned land, buildings, or structures in the BIA,
- (c) removing graffiti from buildings and other structures in the BIA,
- (d) conserving heritage property in the BIA, and
- (e) encouraging business in the BIA.

"Director"

means the City's Director of Finance;

"Downtown Victoria Business Improvement Area Service"

means the local service established under section 4(1), the purpose of which is to authorize the provision of grants under section 4(2);

"DVBA"

means the Downtown Victoria Business Association;

"taxable property"

means land and improvements within the Business Improvement Area that are classified as Class 5 [*light industry*] or 6 [*business and other*] property class, under the Prescribed Classes of Property Regulation under the *Assessment Act*.

Designation of Business Improvement Area

- 3** That part of the City that is shown as "Business Improvement Area" on the map in Schedule A is designated as a BIA to be known as the Downtown Victoria Business Improvement Area.

Grant of money for Business Improvement Area Service

- 4** (1) The Downtown Victoria Business Improvement Area Service is established.
- (2) The Council may grant up to a total amount of \$5,801,956 to the DVBA in accordance with the following maximum grants for the years indicated during the operation of this Bylaw:
- (a) \$1,103,804 for the year 2020;
 - (b) \$1,131,399 for the year 2021;
 - (c) \$1,159,684 for the year 2022;
 - (d) \$1,188,676 for the year 2023;
 - (e) \$1,218,393 for the year 2024.

- (3) For the purposes of subsection (1), the Director may pay to the DVBA before July 10 in each of the years 2020 to 2024, the amount imposed and collected in each year under a bylaw for that purpose.

Conditions on use of grants

5 All money granted under section 4 is subject to the following conditions:

- (1) (a) the DVBA must have as one of its aims, functions or purposes the planning and implementation of a business promotion scheme;
- (b) the money must be expended only by the DVBA;
- (c) the money must be expended by DVBA only for a business promotion scheme;
- (d) before October 31 in each year the DVBA must submit a budget
 - (i) to the Director for approval by the Council,
 - (ii) based on a fiscal year beginning on January 1,
 - (iii) containing information sufficient in detail to describe all anticipated expenses and revenues,
 - (iv) approved by a majority of the members of its Board of Directors, and
 - (v) if not then approved by the DVBA Society members, that will be submitted for approval by the DVBA Society's members, who are qualified under paragraph (l), at the DVBA's next annual general meeting;
- (e) as an exception to subsection (d), a budget for the year 2005 must be submitted to the City within thirty days of the adoption of this Bylaw, and a final budget must be submitted to the City within 120 days of adoption of this Bylaw;
- (f) the Director must not make the money available to the DVBA until Council has approved the DVBA's budget;
- (g) at intervals not exceeding 3 months following approval of the DVBA's budget by Council, the DVBA must submit to the Director the DVBA's statements of revenues and expenditures;
- (h) on or before March 31 of every year, the DVBA, at its own expense, must cause its auditor to prepare and deliver to the Director audited financial statements of the DVBA, including a balance sheet, a statement of revenue and expenditures, a statement of change in financial position, and a schedule of change in financial reserves;
- (i) the DVBA must not carry out any borrowing, that results in an indebtedness or other obligation as to money granted to it by Council under this Bylaw, extending beyond the fiscal year in which that money was granted;
- (j) the DVBA's directors must permit the Director, or the Director's representative, to inspect, during normal business hours on reasonable notice, all of the DVBA's records of

account, receipts, invoices, and other financial position records that the Director considers to be advisable for the purposes of verifying and obtaining further particulars of the budgets and any financial statements of the DVBA as they relate to money granted to the DVBA under this Bylaw;

- (k) if not required for the DVBA's immediate use, money granted to the DVBA must be invested only in securities in which trustees are authorized by law to invest;
- (l) the DVBA must keep separate from any other accounts the account or accounts used for money granted by the City of Victoria under this Bylaw;
- (m) at all times the DVBA must take out and maintain a policy of comprehensive general liability insurance in the amount of \$2,000,000.00 that names the City as an additional insured, that contains a cross coverage provision, and that contains an endorsement to provide the Director with 30 days notice of change or cancellation;
- (n) the DVBA must give at least 14 days notice if delivered by hand or facsimile, or 21 days notice if delivered by other means, of each of its general meetings to all of the following persons:
 - (i) the Director;
 - (ii) all persons who own property described in Schedule B, delivered to their address ascertained from the most recent property tax roll of the City;
 - (iii) all persons who lease or occupy property described in Schedule B, and from which they carry on a business, to their address as determined by directories, visual inspection, or any other information system agreed to by the Director;
- (o) the DVBA must give to the Director, not less than 7 days before the date scheduled for a general meeting of the DVBA, a declaration stating that all persons eligible to be DVBA members were notified of the general meeting;
- (p) 15 members constitute a quorum for general meetings of the DVBA;
- (q) the DVBA's board of directors must be comprised of property owners and business owners who are eligible to be members of the DVBA, as well as one director appointed by the City of Victoria;
- (r) the DVBA must provide to the Director copies of the minutes of the DVBA's general meetings and director's meetings within 30 days from the date of each of the meetings;
- (s) the DVBA must not alter or approve amendments to its constitution or bylaws without providing the Director with
 - (i) 2 months notice of the DVBA's intention to do that, and
 - (ii) the substance of the proposed alteration or amendment;

- (t) the City may withhold any payments of a grant if notice is not given under paragraph (s);
 - (u) the DVBA must not charge an annual membership fee of more than \$5.00;
 - (v) any grant money received by the DVBA under this Bylaw that remains unspent at the earlier of the expiry of this Bylaw, or the dissolution of the DVBA, must be returned to the City of Victoria after the payment of any debts lawfully incurred by the DVBA in relation to a business promotion scheme, and the constitution and bylaws of the DVBA must provide for the return of the grant money to the City in those circumstances.
- (2) Notwithstanding section 5(1)(i), the DVBA may borrow up to \$1,000,000 to be repaid within the existing timeframe of this bylaw to fund a seasonal activation project.”

Tax levy for recovery of grants

- 6** (1) The total amount of the grants set out in section 4 must be recovered by the City by the imposition of a tax on all taxable property, at the rate of \$0.40 per \$1,000.00 of assessed value of land and improvements for taxable property that is a hotel or part of a hotel, and \$0.80 per \$1,000.00 of assessed value of land and improvements for all other taxable property.
- (2) For the purposes of subsection (1) and section 4(2)(a), for the year 2005 a tax is imposed on each of the taxable properties described in Schedule B, attached to and forming part of this Bylaw, in the amount shown opposite each such property in Schedule B.
- (3) For the purposes of subsection (1) and section 4, in the years 2006 to 2009, taxes in the amounts that will recover the amounts set out in sections 4(2)(b) to (e), respectively, must be imposed by bylaw in each of those years, provided that such taxes must not exceed the rates established under subsection (1).
- (4) The taxes must be included in the City's real property tax roll for the years indicated below, and is payable to, and collected by the City's Collector in the same manner as other rates shown on the real property tax roll.

Period during which Bylaw has effect

- 7** (1) Sections 1 to 6 come into effect on the later of the following dates:
- (a) January 1, 2020;
 - (b) the date that this Bylaw is adopted.
- (2) This Bylaw expires and has no effect after the year 2024

READ A FIRST TIME the	11 th	day of	April	2019.
READ A SECOND TIME the	11 th	day of	April	2019.
READ A THIRD TIME the	11 th	day of	April	2019.

ADOPTED on the

day of

2019.

CITY CLERK

MAYOR

“PHONES AWAY DAY”

WHEREAS *Phones away day encourages individuals to consciously put aside their cellular phones to engage mindfully with their community; and*

WHEREAS *People will be encouraged to be more active that day and will have more real-life conversations with both people they know and don't know; and*

WHEREAS *In an effort to promote connection, we hope participants will interact with the people around them at bus stops, in the grocery store line-ups, or during their breaks; and*

WHEREAS *Adults and youth alike are experiencing increasing life through digital means, and don't appreciate the beauty around them, sunsets, sound of rain in the trees, or the beautiful city we live in.*

NOW, THEREFORE I do hereby proclaim, Thursday May 23rd, 2019 as **“PHONES AWAY DAY”**, on the **TRADITIONAL TERRITORIES** of the **HOMELANDS** of the **SONGHEES AND ESQUIMALT PEOPLE** in the **CITY OF VICTORIA**, **CAPITAL CITY** of the **PROVINCE** of **BRITISH COLUMBIA**.

IN WITNESS WHEREOF, I hereunto set my hand this 9th day of May, Two Thousand and Nineteen.

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Tanya Lee
St. Michaels
University School

Appendix B**Council Meetings****Proclamations**

17-Jan-19	BC Aware Days 2019: Be Secure, Be Aware Days - Jan 28 - February 5
31-Jan-19	Eating Disorder Awareness Week - February 1 - 7, 2019 International Development Week - February 3 - 9, 2019
14-Feb-19	Heritage Week 2019 - February 18 - 24, 2019 Rare Disease Day - February 28, 2019
28-Feb-19	Tibet Day - March 10, 2019
14-Mar-19	Purple Day - March 26, 2019 World Kidney Day - March 14, 2019 World Tuberculosis Day - March 26, 2019
28-Mar-19	Sikh Heritage Day - April 14, 2019 Global Meetings Industry Day - April 4, 2019
11-Apr-19	National Organ and Tissue Donation Awareness Week - April 21 - 27, 2019 Human Values Day 2019 - April 24, 2019 Global Love Day - May 1, 2019 National Dental Hygienists Week - April 6 - 12, 2019
25-Apr-19	Child Abuse Prevention Month - April 2019 St. George Day - April 23, 2019 Huntington Disease Awareness Month - May 2019 Falun Dafa Day - May 13, 2019
09-May-19	



Committee of the Whole Report For the Meeting of May 2, 2019

To: Committee of the Whole
From: Chris Coates, City Clerk
Date: April 18, 2019
Subject: Proclamation "North American Safe Boating Awareness Week" May 18, 2019

RECOMMENDATION

That the *North American Safe Boating Awareness Week* Proclamation be forwarded to the May 9, 2019 Council meeting for Council's consideration.

EXECUTIVE SUMMARY

Attached as Appendix A is the requested *North American Safe Boating Awareness Week* Proclamation. Council has established a policy addressing Proclamation requests. The policy provides for:

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

A list of 2018 Proclamations is provided as Appendix B in accordance with the policy. Consistent with City Policy, Proclamations issued are established as fulfilling a request and does not represent an endorsement of the content of the Proclamation.

Respectfully submitted,

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

Chris Coates
City Clerk

LIST OF ATTACHMENTS

- Appendix A: Proclamation "North American Safe Boating Awareness Week"
- Appendix B: List of Previously Approved Proclamations

“NORTH AMERICAN SAFE BOATING AWARENESS WEEK”

WHEREAS *North American Safe Boating Awareness Week is a North America- wide event to promote safe and enjoyable recreational boating and to educate the public about safe boating practices, so we can continue to make progress in reducing fatalities and injuries related to recreational boating.*

NOW, THEREFORE *I do hereby proclaim May 18th, 2019 as “SAFE BOATING AWARENESS WEEK” on the HOMELANDS of the SONGHEES AND ESQUIMALT PEOPLE in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA.*

IN WITNESS WHEREOF, *I hereunto set my hand this 9th day of May, Two Thousand and Nineteen.*

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

**Sponsored by:
Canadian Safe Boating Council**

Appendix B

Council Meetings

Proclamations

17-Jan-19	BC Aware Days 2019: Be Secure, Be Aware Days - Jan 28 - February 5
31-Jan-19	Eating Disorder Awareness Week - February 1 - 7, 2019 International Development Week - February 3 - 9, 2019
14-Feb-19	Heritage Week 2019 - February 18 - 24, 2019 Rare Disease Day - February 28, 2019
28-Feb-19	Tibet Day - March 10, 2019
14-Mar-19	Purple Day - March 26, 2019 World Kidney Day - March 14, 2019 World Tuberculosis Day - March 26, 2019
28-Mar-19	Sikh Heritage Day - April 14, 2019 Global Meetings Industry Day - April 4, 2019
11-Apr-19	National Organ and Tissue Donation Awareness Week - April 21 - 27, 2019 Human Values Day 2019 - April 24, 2019 Global Love Day - May 1, 2019 National Dental Hygienists Week - April 6 - 12, 2019
25-Apr-19	Child Abuse Prevention Month - April 2019 St. George Day - April 23, 2019 Huntington Disease Awareness Month - May 2019 Falun Dafa Day - May 13, 2019
09-May-19	



Committee of the Whole Report For the Meeting of May 2, 2019

To: Committee of the Whole **Date:** April 18, 2019
From: Chris Coates, City Clerk
Subject: Proclamation "Apraxia Awareness Day" May 14, 2019

RECOMMENDATION

That the *Apraxia Awareness Day* Proclamation be forwarded to the May 9, 2019 Council meeting for Council's consideration.

EXECUTIVE SUMMARY

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

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

A list of 2018 Proclamations is provided as Appendix B in accordance with the policy. Consistent with City Policy, Proclamations issued are established as fulfilling a request and does not represent an endorsement of the content of the Proclamation.

Respectfully submitted,

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

Chris Coates
City Clerk

LIST OF ATTACHMENTS

- Appendix A: Proclamation "Apraxia Awareness Day"
- Appendix B: List of Previously Approved Proclamations

“APRAXIA AWARENESS DAY”

- WHEREAS** May 14, 2019 marks the 6th annual Childhood Apraxia of Speech Day during which awareness will be raised throughout Canada about Childhood Apraxia of Speech, an extremely challenging speech disorder in children; and
- WHEREAS** Childhood Apraxia of Speech (CAS) causes children to have significant difficulty learning to speak and is among the most severe speech deficits in children; and
- WHEREAS** the act of learning to speak comes effortlessly to most children, those with apraxia endure an incredible and lengthy struggle; and
- WHEREAS** without appropriate speech therapy intervention, children with apraxia are placed at high risk for secondary impacts in reading, writing, spelling, and other school-related skills; and
- WHEREAS** that such primary and secondary impacts diminish future independence and employment opportunities if not resolved or improved; and
- WHEREAS** most children with apraxia of speech will learn to communicate with their very own voices only if they receive early intervention, appropriate, intensive, and frequent speech therapy; and
- WHEREAS** it is imperative there be greater public awareness about childhood apraxia of speech in Victoria among community members, physicians, education professionals, policy makers, and elected officials; and
- WHEREAS** policy makers, intervention program administrators, schools and insurance providers are encouraged to recognize the critical need to provide adequate speech therapy and other services so that the impact of this disorder is minimized and so that thousands of affected children can grow into productive, contributing adult citizens; and
- WHEREAS** our highest respect goes to these children, as well as their families, for their effort, determination and resilience in the face of such obstacles.

NOW, THEREFORE I do hereby proclaim May 14th, 2019 as “APRAXIA AWARENESS DAY” on the HOMELANDS of the SONGHEES AND ESQUIMALT PEOPLE in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA

IN WITNESS WHEREOF, I hereunto set my hand this 9th day of May, Two Thousand and Nineteen.

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

***Sponsored by:
Leticia Villalpando Benavides
Apraxia Kids Volunteer***

Appendix B**Council Meetings****Proclamations**

17-Jan-19	BC Aware Days 2019: Be Secure, Be Aware Days - Jan 28 - February 5
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