



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, May 23, 2019, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

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

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

Pages

A. APPROVAL OF AGENDA

B. POETRY READING

By Youth Poet Laureate, Aziza Moqia Sealey-Qaylow.

C. READING OF MINUTES

C.1 Minutes from the daytime meeting held May 9, 2019 1

C.2 Minutes from the evening meeting held May 9, 2019 4

D. REQUESTS TO ADDRESS COUNCIL

D.1 Ryan Moen: Single Use Waste

D.2 Chris Zmuda: Questions to Mayor and City Council

D.3 Julia Veintrop: Help Us Protect the City's Most Vulnerable

D.4 Andrew Hill: Horse Carriages

D.5 Tayler Zavitz: Horse Carriage Ban

D.6 Corie Kielbiski: Motion to Phase Out and Ban Horse Carriages

E. PROCLAMATIONS

E.1 "Brain Injury Awareness Month" - June 2019 21

E.2	<u>"Orca Action Month" - June 2019</u>	22
E.3	<u>"Orca Awareness Month - Southern and Northern Residents" - June 2019</u>	24
E.4	<u>"Intergenerational Day Canada" - June 1, 2018</u>	25
E.5	<u>"Pollinator Week" - June 17 to 23, 2019</u>	26
*E.6	<u>"ALS Awareness Month" - June 2019</u>	27
	<u>Addendum</u>	
*E.7	<u>"Myalgic Encephalomyelitis Awareness Day" - May 12, 2019</u>	28
	<u>Addendum</u>	
*E.8	<u>"Built Green Day" - June 5, 2019</u>	29
	<u>Addendum</u>	

F. PUBLIC AND STATUTORY HEARINGS

G. REQUESTS TO ADDRESS COUNCIL

G.1	<u>Ellen Campbell: Legal Options for Horse-Drawn Carriages</u>	30
*G.2	<u>Benjamin Baird: Presenting Petition for Affordable Housing</u>	44
	<u>Addendum: Petition</u>	
G.3	<u>Aaren Topley: Foodland Trust</u>	
G.4	<u>Michael Lines: Hillside-Quadra Plans</u>	
G.5	<u>Gregory Vriend: Down Zoning 950 Kings</u>	
G.6	<u>Laura Taylor: Save 950 Kings Road</u>	
G.7	<u>Katarina Sjoblom: Victoria Horse Carriage Industry</u>	
G.8	<u>Tom Walker: Horse Carriage</u>	
G.9	<u>Donna Friedlander: Horse Drawn Carriages</u>	
*G.10	<u>Will Clinging: Carriage Horses in Victoria</u>	50
	<u>Addendum: Presentation</u>	
G.11	<u>Hannah Keown: Carriages in Victoria</u>	

- *G.12 Emily May: Horse Carriages
- G.13 Jennifer Gravel: Carriage Horses
- G.14 Martha Gerlach: Horse-Drawn Carriages
- G.15 Mandi Mcleod: Carriage
- G.16 Breghnan Dolan: Animal Rights
- G.17 Ron Armstrong: Horse Drawn Carriage Industry
- G.18 Nicole Fisher: Horse-Drawn Carriages
- G.19 Vincent Gornall: 950 Kings Road
- G.20 Jenn Neilson: 950 Kings
- G.21 Kelly Greenwell: Public Park Space and a Community Hub at 950 Kings
- *G.22 Ben Clark: Food and Farmlands Trust
Addendum
- *G.23 Jeremy Petzing: Late Night Program
Addendum
- *G.24 Christine Beattie: Horse-Drawn Carriages
Addendum
- *G.25 Chloé Dufort: 950 Kings
Addendum
- *G.26 Carol Lewis: Preserving the Carriage Industry in Victoria
Addendum
- *G.27 Domenico Trombetta: Caleche Tours
Addendum
- *G.28 Kari Sloane: Motion to Phase Out Horse-Drawn Carriages
Addendum
- *G.29 Rowena Locklin: 950 Kings Greenspace and Recreation

Addendum

*G.30 Katie Underwood: Food and Farmland Trust

Addendum

*G.31 Tesla Palmatier: Community and Recreational Space at 950 Kings

Addendum

*G.32 Anisa Newell: 950 Kings Rd

Addendum

*G.33 Michelle Gorman: Phasing Out the Horse Drawn Carriage Industry by 2023

60

Addendum

*G.34 Melissa Hailey: Horse Carriage

Addendum

*G.35 John Hall: 950 Kings

Addendum

*G.36 Kayla Balfour: Horse Carriages

Addendum

*G.37 Tony Aston: Horse Drawn Carriages

Addendum

*G.38 Reid James: Phasing Out of Horse-Drawn Carriages

Addendum

*G.39 Taylor Dew-Jones: Horse Carriages

Addendum

G.40 Amanda Sather: Support of the Motion to Ban Horse Carriages

Addendum

G.41 Emma Stanton: Support of the Motion to Ban the HorseCarriages

Addendum

G.42 Connie Mahoney: Support of the Motion to Ban HorseCarriages

Addendum

G.43 Jennifer Forberg: Support the Ban of the Horse DrawnCarriages

Addendum

G.44 Kelly Carson: Support for the Phasing Out of HorseCarriages

Addendum

G.45 Lisa Warden: Support of the Motion to Ban Horse-DrawnCarriages

Addendum

G.46 Anika Bell: Support the Motion to Ban Horse-Drawn Carriages

Addendum

G.47 Al Reford: Horse Carriages

Addendum

G.48 Natasha Illi: Horse Carriages Ban Proposal

Addendum

G.49 Mike Ursel: Support of the Motion to Ban Horse Carriages

Addendum

G.50 Leslie Ursel: Support of the Motion to Ban Horse Carriages

Addendum

G.51 Bonnie Takahashi: Support of the Motion to Ban HorseCarriages

Addendum

G.52 Deyan Keller: Support of the Motion to Ban Horse Carriages

Addendum

G.53 Brandon Lau: Horse Carriages

Addendum

G.54 Anita: Support of the Motion to Ban Carriage Horses

Addendum

G.55 Angela Scotton: Support of the Motion to Ban HorseCarriages

Addendum

G.56 James Richardson: Support of the Motion to Ban HorseCarriages

Addendum

G.57 Leah Blackburn: Support of a Ban on Horse Carriages

Addendum

G.58 Chris Anthony: Support on the Ban of Horse Carriages

Addendum

G.59 Jen Larose: Support on the Ban of Horse Carriages

Addendum

G.60 Magnus McElroy: Horse Carriage Ban

Addendum

G.61 Lexi Vigilante: Support of the Motion to Ban HorseCarriages

Addendum

G.62 Carla Hyslop: Support of a Ban on Horse Carriages

Addendum

G.63 Holly Vear: Support of the Motion to Ban Horse Carriages

Addendum

G.64 Matt Scott: Support of the Motion to Ban Horse Carriages

Addendum

G.65 Hillary Wakefield: Support of the Motion to Ban HorseCarriages

Addendum

G.66 Dr. Tino Martinez: Veterinary Oversight of Tally-Ho Horses

Addendum

G.67 Pat Bastone: Support of the Motion to Ban Horse Carriages

Addendum

G.68 Kennadie Friedlander: Horse Drawn Carriages

Addendum

G.69 Jordan Reichert: Horse Carriages

Addendum

G.70 Tom Tucker: Horse Carriages

Addendum

G.71 Jaime Kelly: 950 Kings Road

Addendum

H. UNFINISHED BUSINESS

H.1 Letter from the Minister of Transportation and Infrastructure 61

A letter of response dated April 24, 2019, regarding the City's resolution on transformational improvements for regional transit.

H.2 Letter from the District of Lillooet 63

A letter of response dated April 30, 2019, regarding support for the City's resolution 'Shifting Investment to Low-Emission Transportation'.

H.3 Letter from the Minister of Municipal Affairs and Housing 64

A letter of response dated May 2, 2019, regarding the City's request for ongoing funding to extend Our Place Society's Drop-In Centre hours in the spring and summer months, starting in 2020.

H.4 Letter from the Federal Minister of Finance 65

A letter of response dated May 8, 2019, regarding the University of Victoria's proposal to create a dual degree in common law and Indigenous legal orders and build a Legal Lodge to house this program.

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the May 16, 2019 COTW Meeting 66

[Link to the May 16, 2019 COTW Agenda](#)

I.1.a.a Restoring Provincial Support for Libraries

I.1.a.b Late Night Program Update

I.1.a.c Transitioning from Commercial Horse-Drawn Carriage
Operations to E-Carriages

*I.1.b Report from the May 23, 2019 COTW Meeting

[Link to the May 23, 2019 COTW Agenda](#)

Addendum: Report

*I.1.b.a Support for Victoria Reconciliation Dialogues Grant
Applications

*I.1.b.b Supporting the Ban on Shark Fin Importation Act Bill
S238

*I.1.b.c Victoria Airport Authority - Report to Nominators
Presentation

*I.1.b.d First Quarter Accountability Report

*I.1.b.e 3020 Douglas Street and 584 Burnside Road East -
Rezoning Application No. 00676 and & Development
Permit with Variance Application No. 00542 (Burnside)

*I.1.b.f 2220 Cook Street - Rezoning Application No.00684 &
Development Permit with Variances Application No.
00107 (North Park)

*I.1.b.g 2566-2580 Fifth Street - Rezoning Application No. 00673
and Associated Official Community Plan Amendment &
Development Permit with Variances Application No.
00100 (Hillside/Quadra)

*I.1.b.h Bylaw Amendment to Indicate Access to Sightseeing
Vehicle Parking Stands

*I.1.b.i Support for Establishment of Regional Food and
Farmland Trust

*I.1.b.j Application of Equity and Affordability Policies

*I.1.b.k Ensuring Appropriate Land Use at 950 Kings Road

J. NOTICE OF MOTIONS

K. BYLAWS

K.1 Storefront Cannabis Retailer Regulation Bylaw

67

A report recommending:

- **1st and 2nd readings of:**
 - Storefront Cannabis Retailer Regulation Bylaw No. 19-053

The purpose of this bylaw is to align the bylaw with the provincial *Cannabis Control and Licensing Act* and federal *Cannabis Act* and further minimize and adverse effects that storefront cannabis retailers may have on the safety, health, and well-being of the community.

K.2 Land Use Procedures Bylaw

75

A report recommending:

- **1st, 2nd, and 3rd readings of:**
 - Land Use Procedures Bylaw, Amendment Bylaw (No. 10) No. 19-037

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.

K.3 Bylaw and Update for 2832 and 2838 Shakespeare Street: Rezoning Application No. 00656 and Development Permit with Variances Application No. 00116

86

A report recommending:

- **1st and 2nd readings of:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1199) No. 19-056
- **Consideration of updated Development Permit with Variances Motion**

The application is ready to proceed to Public Hearing and proposes to subdivide and rezone the existing two lots and create a new small lot facing Morley Street.

***K.4 Bylaw for 553 Raynor Avenue: Rezoning Application No. 00616**

103

A report recommending:

- **1st and 2nd readings of:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1190) No. 19-059

The application is ready to proceed to Public Hearing and proposes to add additional floor area in the existing house for a single-family dwelling with a secondary suite.

Addendum: Report and Bylaw

L. CORRESPONDENCE

L.1 Letter from the Mayor of the City of Calgary 108

A letter dated March 21, 2019, expressing concern on the decision by Victoria's City Council to ask the Union of BC Municipalities to explore filing a lawsuit against oil and gas companies to recover the costs of climate change.

L.2 Letter from CREST 110

A letter dated March 26, 2019, providing an update on the Capital Region's emergency communications system from their February board meeting.

L.3 Letter from the Mayor of the Corporation of the District of Saanich 112

A letter dated April 23, 2019, requesting that the City continuing to provide the Victoria Sexual Assault Centre with long-term and continuous funding.

M. NEW BUSINESS

N. QUESTION PERIOD

O. ADJOURNMENT



MINUTES - VICTORIA CITY COUNCIL

May 9, 2019, 11:31 A.M.

Capital Regional District Boardroom

625 Fisgard Street

To be held immediately following the Committee of the Whole Meeting

PRESENT: Mayor Helps, Councillor Alto, Councillor Thornton-Joe, Councillor Young, Councillor Dubow, Councillor Collins, Councillor Potts

PRESENT VIA ELECTRONIC PARTICIPATION Councillor Isitt

ABSENT Councillor Loveday

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk , S. Thompson - Deputy City Manager / Director of Finance, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, C. Mycroft - Manager of Executive Operations, T. Zworski - City Solicitor, C. Havelka – Deputy City Clerk, K Sidhu - Committee Secretary, A. Hudson - Acting Director of Sustainable Planning & Community Development

A. **CONVENE COUNCIL MEETING**

B. **APPROVAL OF AGENDA**

Moved By Councillor Alto
Seconded By Councillor Collins

That the agenda be approved.

CARRIED UNANIMOUSLY

C. **CLOSED MEETING**

Moved By Councillor Collins
Seconded By Councillor Potts

MOTION TO CLOSE THE MAY 9, 2019 COUNCIL MEETING TO THE PUBLIC

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

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

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

Section 90(1)(g) litigation or potential litigation affecting the municipality;

Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Section 90(2) A part of a council meeting may be closed to the public if the subject matter being considered relates to one or more of the following:

Section 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

CARRIED UNANIMOUSLY

F. UNFINISHED BUSINESS

F.1 Intergovernmental Relations - Community Charter Section 90(2)(b)

Council received a verbal update on an intergovernmental relations matter.

The discussion was recorded and kept confidential.

H. NEW BUSINESS

H.1 Legal Advice - Community Charter Section 90(1)(i)

Council received a verbal update regarding a legal advice matter.

The discussion was recorded and kept confidential.

H.2 Land - Community Charter Section 90(1)(e)

Council received closed correspondence regarding a land matter.

The discussion was recorded and kept confidential.

H.3 Intergovernmental Relations - Community Charter Section 90(2)(b)

Council received a verbal update regarding intergovernmental relations.

The discussion was recorded and kept confidential.

H.4 Legal Advice / Litigation - Community Charter Section 90(1)(g)

Council received a verbal update on a matter regarding legal advice and potential litigation.

The discussion and motion were recorded and kept confidential.

J. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Collins

That the Closed Council Meeting be adjourned at 12:12 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

May 9, 2019, 6:30 P.M.
Capital Regional District Boardroom
625 Fisgard Street

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

ABSENT: Councillor Isitt

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

B. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Collins

Seconded By Councillor Loveday

That the agenda be approved as amended.

Amendment:

Moved By Councillor Alto

Seconded By Councillor Collins

That Dan Cox and Paul Beilstein be added to the second Request to Address Council section of the agenda.

CARRIED UNANIMOUSLY

On the main motion as amended:
CARRIED UNANIMOUSLY

C. READING OF MINUTES

Councillor Thornton-Joe requested the minutes from the daytime meeting held April 25, 2019 be voted on separately.

Moved By Councillor Alto
Seconded By Councillor Potts

That the following minutes be adopted:

1. Minutes from the daytime meeting held January 24, 2019
2. Minutes from the evening meeting held April 25, 2019

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Collins

Councillor Thornton-Joe asked that her absence from this meeting be confirmed, as she had been present for the Committee of the Whole and Closed Council meetings.

That the minutes from the daytime meeting held April 25, 2019 be adopted.

CARRIED UNANIMOUSLY

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Dubow
Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 Jordan Reichert: One Year Anniversary of Accident Precipitating BC SPCA Recommendations to Ban Horse Carriages

Outlined why Council should prohibit horse carriages and trolleys in the City of Victoria.

D.2 Ian Sutherland: OCP

Outlined why Council should uphold the Official Community Plan for the City.

D.3 Allan Lingwood: This Month in Cannabis Legislation History

Outlined concerns relating to the legalization process of Cannabis.

D.5 Briane Andersen: Repeal of Section 46(1) Bylaw 10-046

Outlined why Council should repeal Section 46 (1) of Bylaw No. 10-046 to allow dogs on leash in the Ross Bay Cemetery.

D.6 Anastasia, Charlotte Castro, and Brady: Council Support of Federal Bill S238 Prohibiting Import of Shark Fin Into Canada

Outlined why Council should support Federal Bill S238 to prohibit the importation of shark fins into Canada.

E. PROCLAMATIONS

E.1 "Apraxia Awareness Day" - May 14, 2019

Moved By Councillor Alto

Seconded By Councillor Dubow

That the following proclamation be endorsed:

1. "Apraxia Awareness Day" - May 14, 2019

CARRIED UNANIMOUSLY

E.2 "North American Safe Boating Awareness Week" - May 18 to 24, 2019

Moved By Councillor Alto

Seconded By Councillor Collins

That the following proclamation be endorsed:

1. "North American Safe Boating Awareness Week" - May 18 to 24, 2019

CARRIED UNANIMOUSLY

E.3 "Phones Away Day" - May 23, 2019

Moved By Councillor Alto

Seconded By Councillor Potts

That the following proclamation be endorsed:

1. "Phones Away Day" - May 23, 2019

CARRIED UNANIMOUSLY

E.4 "International Internal Audit Awareness Month" - May 2019

Moved By Councillor Collins

Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "International Internal Audit Awareness Month" - May 2019

CARRIED UNANIMOUSLY

F. PUBLIC AND STATUTORY HEARINGS

**F.1 224 Superior Street: Rezoning and Development Permit Application No. 00582, and Heritage Alteration Permit with Variances Application No. 00007
Zoning Regulation Bylaw, Amendment Bylaw (No. 1141) No. 19-010:**

The purposes of this Bylaw are to rezone the property with the civic address of 224 Superior Street so that:

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

Development Permit Application:

The Council of the City of Victoria will also consider issuing a Development Permit for the land known as 224 Superior Street (in Development Permit Area 15A: Intensive Residential – Small Lot) for the purposes of approving the exterior design and finishes for the proposed small lot house and landscaping.

Heritage Alteration Permit with Variances Application:

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

F.1.a Public Hearing & Consideration of Approval

Chelsea Medd (Planner): *Advised that the application is to convert the existing B&B into four residential units and to subdivide the property to create a new small lot to build a single family dwelling.*

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

Donald Halton and Fernando Vazquez (Applicants): Provided information regarding the application.

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

Mayor Helps closed the public hearing at 7:17 p.m.

Moved By Councillor Thornton-Joe
Seconded By Councillor Potts

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1141) No. 19-010

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1141) No. 19-010
2. Housing Agreement (224 Superior Street) Bylaw (2019) No. 19-011

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

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

1. Plans date stamped August 8, 2018.
2. Development meeting all Zoning Regulation Bylaw
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00007 for the existing heritage-designated building at 224 Superior Street, subject to all chimneys being reconstructed to match existing photographs and drawings, to the satisfaction of the Director of Sustainable Planning and Community Development, and in accordance with:

1. Plans, date stamped August 8, 2018
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. Reduce side yard setback from 3.65m to 1,20m
 - b. Reduce rear yard setback from 4.0m to 1,36m
 - c. Reduce parking from six stalls to four stalls
 - d. Relaxation to allow parking in the front yard
 - e. Increase the site coverage from 30.0% to 35.09%
3. Heritage Alteration Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.2 933 Collinson Street: Development Permit with Variance Application No. 00086

Development Permit with Variances Application No. 00086:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 933 Collinson Street, in Development Permit Area 15A, for purposes of allowing the placement of an existing deck and stairs in the rear yard of the subject property.

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

Chelsea Medd (Planner): *Advised that the application is to allow for the construction of a new deck and stairs.*

Mayor Helps opened the opportunity for public comment at 7:21 p.m.

Dominique Makay (Applicant): Provided information regarding the application.

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

Mayor Helps closed the opportunity for public comment at 7:22 p.m.

Moved By Councillor Young
Seconded By Councillor Collins

That Council authorize the issuance of Development Permit with Variance Application No. 00086 for 933 Collinson Street, in accordance with:

1. Plans date stamped March 9, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, R1-S2 Zone, except for the following variances:
 - i. to reduce the rear yard setback from 6.0m to 2.0m (for deck and stairs)
 - ii. increase the site coverage from 40% to 60.1% (for deck and stairs).
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

G. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Potts
Seconded By Councillor Loveday

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

G.2 Benjamin Baird: Victoria Housing Strategy

Outlined why Council should resolve the housing affordability crisis in Victoria through policies that recognize the suffering experienced by the poor, disabled, and elderly who are the most impacted by housing instability and homelessness.

G.1 Mary Doody Jones: Concerns Re: Fairfield Neighbourhood Plan

Outlined concerns relating to the Fairfield Neighbourhood Plan.

G.3 Ted Smith: International Medical Cannabis Day and Clean Air Bylaw

Outlined why Council should proclaim June 11th as "International Medical Cannabis Day" and support an amendment to the Capital Regional District's Clean Air Bylaw that would allow the Victoria Cannabis Buyer's Club to provide a safe space for patients to consume medical cannabis.

G.4 Dan Cox: 1400 Vancouver / 952 Johnson

Outlined how Council can support affordable rental building applications.

G.5 Paul Beilstein: Legal vs. Illegal Suites and Infrastructure

Outlined concerns relating to infrastructure costs that are charged as a result of building legal suites.

H. UNFINISHED BUSINESS

H.1 Letter from the Minister of Finance

A letter of response dated April 17, 2019, regarding a request that local governments receive the authority to introduce a surtax on vacant residential properties.

Moved By Councillor Loveday

Seconded By Councillor Alto

That the correspondence dated April 17, 2019 from the Minister of Finance be received for information.

CARRIED UNANIMOUSLY

H.2 Letter from the Minister of Finance

A letter of response dated April 29, 2019, regarding the City's request for a public inquiry into money laundering in British Columbia real estate.

Moved By Councillor Potts

Seconded By Councillor Collins

That the correspondence dated April 29, 2019 from the Minister of Finance be received for information.

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Collins

That the correspondence dated April 29, 2019 from the Minister of Finance be received for information **and that Council request that the Mayor write the federal government and appropriate ministers, attaching this letter, and request appropriate action on money laundering and impacts in the Province of British Columbia, including launching a public inquiry.**

CARRIED UNANIMOUSLY

On the main motion as amended:

That the correspondence dated April 29, 2019 from the Minister of Finance be received for information and that Council request that the Mayor write the federal

government and appropriate ministers, attaching this letter, and request appropriate action on money laundering and impacts in the Province of British Columbia, including launching a public inquiry.

CARRIED UNANIMOUSLY

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the May 2, 2019 COTW Meeting

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

Moved By Councillor Collins
Seconded By Councillor Loveday

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

I.1.a.b 2832 and 2838 Shakespeare Street: Rezoning Application No. 00656 (Oaklands)

Moved By Councillor Alto
Seconded By Councillor Collins

Rezoning Application No. 00656

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.

Development Permit with Variances Application No. 00116

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. reduce the front yard setback for an accessory building from 18.00 m to 15.25 m for Lot 2;

- iii. allow an accessory building in the front yard for Lot 2; and
- 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.

CARRIED UNANIMOUSLY

I.1.a.c City Family

Moved By Councillor Alto
Seconded By Councillor Collins

That the update from the Council appointees to the City Family be received for information.

CARRIED UNANIMOUSLY

I.1.a.d 553 Raynor Avenue: Rezoning Application No. 00616 (Vic West)

Moved By Councillor Loveday
Seconded By Councillor Collins

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.

CARRIED UNANIMOUSLY

I.1.a.e 331 / 337 St. Charles Street: Development Variance Permit Application No. 00204 (Fairfield-Gonzales)

Moved By Councillor Potts
Seconded By Councillor Collins

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
reduce the rear yard setback of Lot A from 9.1m to 4.56
 - ii. reduce the lot width of Lot B from 15.0m to 11.64m
 - iii. reduce the front yard setback of Lot C from 7.5m to 4.78m
 - iv. reduce the north side yard setback of Lot C from 2.78m to 1.54m
 - v. 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."

FOR (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe
 OPPOSED (1): Councillor Young

CARRIED (7 to 1)

I.1.a.f Proposed Amendments to the Land Use Procedures Bylaw No. 16-028

Moved By Councillor Alto

Seconded By Councillor Potts

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 nonconformity.
14. The costs to be included in landscaping security estimates.
15. Direct staff to, if possible, incorporate into the bylaw changes on the notion that for City initiated rezonings, a sign be included on the property where the property owner is willing.
16. That staff give consideration as part of amendments to the bylaw to allow the installation of a temporary sign in proximity of the parcel.

CARRIED UNANIMOUSLY

I.1.a.g Festival Investment Grant 2019 Allocations

Moved By Councillor Loveday
Seconded By Councillor Alto

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.

CARRIED UNANIMOUSLY

I.1.b Report from the May 9, 2019 COTW Meeting

I.1.b.a 952 Johnson Street and 1400 Vancouver Street - Rezoning Application No. 00666, Development Permit with Variance Application No. 00095 and Heritage Designation Application No. 000184 (McCall's Floral Chapel) (Harris Green)

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

Rezoning Application

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the

proposed development outlined in Rezoning Application No. 00666 for 952 Johnson Street and 1400 Vancouver Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set subject to:

- a. Preparation of a Housing Agreement to secure the tenure of all dwelling units as rental in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - b. Registration of legal agreements on the property's title to secure public realm improvements, to the satisfaction of the Director of Engineering and Public Works.
 - c. Heritage designation of the chapel building located at 952 Johnson Street and 1400 Vancouver Street.
2. That Council authorize the street-level projecting canopies over the City Right-of-Way and anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

Development Permit with Variance Application No. 00095

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. 00666, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00095 for 952 Johnson Street and 1400 Vancouver Street in accordance with:

1. Plans date stamped March 27, 2019
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. increase the building height to 49.8m
3. The Development Permit lapsing two years from the date of this resolution."

Heritage Designation Application No. 000184

That Council approve the designation of the property located at 952 Johnson Street and 1400 Vancouver Street, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

Amendment:

Moved By Mayor Helps

Seconded By Councillor Collins

That Council direct staff to work with applicant to secure some sort of assurance, that should the applicant receive

CMHC funding, that the mortgage savings would be directed to make a portion of the units as affordable as possible.

CARRIED UNANIMOUSLY

On the main motion as amended:

Rezoning Application

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00666 for 952 Johnson Street and 1400 Vancouver Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set subject to:
 - a. Preparation of a Housing Agreement to secure the tenure of all dwelling units as rental in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - b. Registration of legal agreements on the property's title to secure public realm improvements, to the satisfaction of the Director of Engineering and Public Works.
 - c. Heritage designation of the chapel building located at 952 Johnson Street and 1400 Vancouver Street.
2. That Council authorize the street-level projecting canopies over the City Right-of-Way and anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
3. That Council direct staff to work with applicant to secure some sort of assurance, that should the applicant receive CMHC funding, that the mortgage savings would be directed to make a portion of the units as affordable as possible.

Development Permit with Variance Application No. 00095

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. 00666, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00095 for 952 Johnson Street and 1400 Vancouver Street in accordance with:

1. Plans date stamped March 27, 2019
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. increase the building height to 49.8m
3. The Development Permit lapsing two years from the date of this resolution."

Heritage Designation Application No. 000184

That Council approve the designation of the property located at 952 Johnson Street and 1400 Vancouver Street, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

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

OPPOSED (1): Councillor Dubow

CARRIED (7 to 1)

**I.1.b.b 1068 Chamberlain - Development Permit with Variance
Application No. 00110 (Gonzales)**

Moved By Councillor Collins

Seconded By Councillor Alto

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

"That Council authorize the issuance of Development Permit with Variance Application No. 00110 for 1068 Chamberlain Street, in accordance with:

1. Plans date stamped March 28, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. reduce the rear yard setback from 12.7m to 10.26m.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

I.1.b.c Storefront Cannabis Retailer Regulation Bylaw 19-053

Moved By Councillor Collins

Seconded By Councillor Alto

That Council direct staff to:

1. Bring forward the Storefront Cannabis Retailer Regulation Bylaw 19-053 for first and second readings to a Council meeting.
2. Schedule an Opportunity for Public Comment at a regular Council meeting as an opportunity to make representations on the proposed bylaw in accordance with section 59 of the Community Charter.
3. Provide notice of the intention to adopt the new Storefront Cannabis Retailer Regulation Bylaw by mail to all known

- storefront cannabis retailers as well as through normal advertising of Council's agenda.
4. Undertake a review and analysis of business license fees once Provincial Licensing and Enforcement has stabilized.

CARRIED UNANIMOUSLY

I.1.b.d Attendance at the ICCA Conference, Heidelberg, Germany May 21-24, 2019

Moved By Councillor Collins
Seconded By Councillor Dubow

That Council authorize the attendance and associated costs for Mayor Lisa Helps to attend the International Conference on Climate Action (ICCA2019) conference to be held in Heidelberg, Germany May 21-24, 2019.

CARRIED UNANIMOUSLY

I.1.b.e Attendance at the Infrastructure Canada's Smart Cities award for SIPP in Ottawa May 12-15, 2019

Moved By Councillor Alto
Seconded By Councillor Dubow

That Council authorize the attendance and associated costs for Mayor Lisa Helps to meetings with Ministers Duclos and McKenna and the National Bike Summit in conjunction with her trip to Infrastructure Canada's Smart Cities awards, May 12 - 15, 2019.

CARRIED UNANIMOUSLY

I.1.b.f Community Engagement Strategy for the Transgender, Non-Binary and Two-Spirit (TNB2S) Inclusion Plan

Moved By Councillor Alto
Seconded By Councillor Loveday

That Council approve an expenditure of up to \$3,000.00, from funding already allocated for engagement activities related to strategic plan objectives, to provide honoraria of \$25 per participant at each TNB2S session and at the Indigenous and Two Spirit session.

CARRIED UNANIMOUSLY

K. BYLAWS

K.1 Vehicles for Hire Bylaw

Moved By Councillor Alto

Seconded By Councillor Loveday

That the following bylaw **be adopted**:

1. Vehicles for Hire Bylaw, Amendment Bylaw (No. 19) No. 19-046

CARRIED UNANIMOUSLY

K.2 Officers Bylaw Amendment

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That the following bylaw **be adopted**:

1. Officers Bylaw, Amendment Bylaw (No. 1) No. 19-027

CARRIED UNANIMOUSLY

N. QUESTION PERIOD

A question period was held.

O. ADJOURNMENT

Moved By Councillor Loveday

Seconded By Councillor Alto

That the Council meeting adjourn.

TIME: 8:20 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

“BRAIN INJURY AWARENESS MONTH”

- WHEREAS** *more than 180,000 British Columbians are living with the outcome of an acquired brain injury; and*
- WHEREAS** *each year 22,000 British Columbians will suffer an acquired brain injury which may affect their cognitive, physical, psychological and social well-being; and*
- WHEREAS** *the effects are equally life-altering for the families, significant others, and friends; and*
- WHEREAS** *the personal costs to those living with a brain injury in the loss of quality of life, lost productivity and contribution to society is vast; and*
- WHEREAS** *the costs to society for care, supports, rehabilitation, emergency services and front line workers is astounding, and*
- WHEREAS** *public education for prevention and awareness are crucial within communities province-wide to reduce the incidence and prevalence of acquired brain injury, and*
- WHEREAS** *June has been designated as Brain Injury Awareness Month in British Columbia to reduce incidents, promote education and awareness, to aide survivors of brain injury to rebuild their live to achieve his or her maximum potential, and*
- WHEREAS** *The Cridge Centre for the Family and University of Victoria will be hosting the 6th Annual Survive Strive Thrive Conference, a one-day educational event on brain injury.*

NOW, THEREFORE I do hereby proclaim the month of June 2019 as **“BRAIN INJURY AWARENESS MONTH** 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 23rd day of May, Two Thousand and Nineteen.

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored By:
Janelle Breese Biagioni
The Cridge Centre for the
Family Brain Injury Services

“ORCA ACTION MONTH”

- WHEREAS** *British Columbia’s Resident Killer Whales (orcas) are listed as endangered (Southern population, of the Salish Sea) and threatened (Northern population) under the Species at Risk Act, and*
- WHEREAS** *Salish Sea orcas are an iconic population, culturally significant for Indigenous peoples and bring much pleasure and interest to residents of and visitors to the City of Victoria and*
- WHEREAS** *major factors in the decline of the Salish Sea orcas include previous captures for marine parks, declining salmon populations, marine pollution, vessel disturbance and underwater noise, and*
- WHEREAS** *the City of Victoria supports efforts to recover this endangered population by better understanding and providing for their needs, and*
- WHEREAS** *during the month of June various conservation groups in the Pacific Northwest come together to focus on educating the public and taking action to protect the Salish Sea orcas, and*
- WHEREAS** *bringing attention to the plight of the Salish Sea orcas also brings attention to conservation efforts to recover British Columbia’s herring and Chinook salmon populations, and*
- WHEREAS** *we recognize the importance of respecting and observing the Salish Sea orcas with care.*

NOW, THEREFORE I do hereby proclaim the month of June 2019 as **“ORCA ACTION MONTH”** on the **HOMELAND** 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 23rd day of May, Two Thousand and Nineteen.

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored By:
Tessa Danelesko
Georgia Strait Alliance

“ORCA AWARENESS MONTH – SOUTHERN AND NORTHERN RESIDENTS”

WHEREAS *British Columbia's resident Killer Whales (orcas) are listed as endangered (southern population at 74) and threatened (northern population) under the Species at Risk Act 2003; and*

WHEREAS *the existence of orcas brings much pleasure and interest to residents of, and visitors to, British Columbia, and continued existence of this population of culturally complex and sentient sea mammals has intrinsic value; and*

WHEREAS *the Province of British Columbia and the City of Victoria support the efforts to help this endangered population through improving public understanding of the species and its needs;*

WHEREAS *various conservation groups in the Pacific Northwest come together in the month of June to focus on educating the public and taking action to enhance the survival of orcas, the city declares June 2018 to be Orca Awareness Month .*

NOW, THEREFORE *I do hereby proclaim the month of June 2019 as “ORCA AWARENESS MONTH – SOUTHERN AND NORTHERN RESIDENTS” on the HOMELAND of the Lekwungen speaking ESQUIMALT AND SONGHEES FIRST NATIONS in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA.*

IN WITNESS WHEREOF, *I hereunto set my hand this 23rd day of May, Two Thousand and Nineteen.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored By:
Diane McNally
Orca Network Outreach

“INTERGENERATIONAL DAY CANADA”

WHEREAS *Intergenerational Day Canada, June 1st, is meant to raise awareness about the power of making simple, respectful intergenerational connections; and*

WHEREAS *Intergenerational Day Canada, June 1st is a day to focus on the profound positive influence intergenerational connecting has on eliminating isolation and loneliness, moving us towards healthy, all-age friendly communities; and*

WHEREAS *Intergenerational Day Canada, June 1st is a day to celebrate all of the good things presently taking place between generations in local community; and*

WHEREAS *Intergenerational Day Canada, June 1st encourages simple, fun intergenerational sharing*

WHEREAS *Intergenerational Day Canada, June 1st will be an official reminder, a yearly invitation for every citizen to take one small respectful step to bridge generations within his or her local community.*

NOW, THEREFORE *I do hereby proclaim Saturday, June 1st, 2018 as*
“INTERGENERATIONAL DAY CANADA” 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 23rd day of May, Two Thousand and Nineteen.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored By:
Sharon Mackenzie
Executive Director
i2i Intergenerational Society

“POLLINATOR WEEK”

WHEREAS *pollinator species such as birds and insects are essential partners of farmers and ranchers in producing much of our food supply; and*

WHEREAS *pollination plays a vital role in the health of our national forests and grasslands, which provide forage, fish and wildlife, timber, water, mineral resources, and recreational opportunities as well as enhanced economic development opportunities for communities; and*

WHEREAS *pollinator species provide significant environmental benefits that are necessary for maintaining healthy, biodiverse ecosystems; and*

WHEREAS *the City of Victoria has managed wildlife habitats and public lands such as City forest, grasslands, and parks for decades; and*

WHEREAS *the City of Victoria provides producers with conservation assistance to promote wise conservation stewardship, including the protection and maintenance of pollinators and their habitats on working lands and wildlands; and*

NOW, THEREFORE *I do hereby proclaim the week of June 17th – June 23rd, 2019 as “POLLINATOR 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 23rd day of May, Two Thousand and Nineteen.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored By:
Jennifer Lotz
Pollinator Partnership Canada

“ALS AWARENESS MONTH”

(Lou Gehrig's Disease)

WHEREAS *ALS is a rapidly progressive fatal motor neuron disease with unknown cause or cure; and*

WHEREAS *over 400 British Columbians at any given times are living with ALS; and*

WHEREAS *ALS, also known as Low Gehrig's disease can strike anyone, regardless of age, gender or circumstances; and*

WHEREAS *recent advances in ALS research have produced promising leads and we must continue this crucial work; and*

WHEREAS *the Victoria Chapter of the ALS Society of BC is dedicated to providing direct support to ALS patients, along with their families and caregivers, to ensure the best quality of life possible while living with ALS.*

NOW, THEREFORE *I do hereby proclaim the month of June 2019 as “ALS AWARENESS MONTH” on the HOMELANDS of the Lekwungen speaking 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 13th day of June Two Thousand and Nineteen.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Oana Grant
Victoria Chapter
ALS Society of BC

“MYALGIC ENCEPHALOMYELITIS AWARENESS DAY”

WHEREAS *Myalgic Encephalomyelitis (ME) also known as Chronic Fatigue Syndrome (CFS) is a severe neuro immune disease characterized as overwhelming exhaustion, cognitive problems, pain, post-exertional malaise, immune disorders, flu like symptoms, headaches, cardiac symptoms, postural orthostatic tachycardia, dizziness and balance problems, that leaves many ME patients homebound or bedridden for many years and as many as 75% are unable to work; and*

WHEREAS *because of stigma and a lack of attention by Provincial and Federal governments, and the research and medical communities, patients struggle to get access to appropriate medical care desperately needed resulting in loss of hope and thus higher rates of suicide; and*

WHEREAS *ME afflicts more than 560,000 Canadians; and*

WHEREAS *ME research funding is a fraction of other diseases, Canada spending \$158.58 average per patient with other chronic diseases vs. 12 cents for ME patients, a disease recognized by the World Health Organization as a neurological disease;*

WHEREAS *ME awareness should lead to equitable healthcare for patients and increased funding for research by the Federal Government, provincial Government and private entities and result in better medical care with more accurate diagnosis and appropriate treatments.*

NOW, THEREFORE *I do hereby proclaim the May 12th, 2019 as “MYALGIC ENCEPHALOMYELITIC AWARENESS DAY” on the HOMELANDS of the SONGHEES AND ESQUIMALT NATIONS in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA.*

IN WITNESS WHEREOF, *I hereunto set my hand this 23rd of May Two Thousand and Nineteen.*

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

**Sponsored by:
Gloria Gray
ME Victoria Association**

“BUILT GREEN DAY”

WHEREAS *the City of Victoria is committed to sustainable growth and responsible stewardship of our natural environment; and*

WHEREAS *Built Green Canada is a national organization that advocates for sustainable environmental practices in the residential building sector; and*

WHEREAS *Built Green Canada delivers programs to assist builders in building more sustainably using the latest technologies to create healthier, more efficient, and durable homes; and*

WHEREAS *the City of Victoria is dedicated to protecting our natural resources and encourages sustainable development; and*

NOW, THEREFORE *I do hereby proclaim the day June 5th, 2019 as “BUILT GREEN DAY” on the **HOMELANDS** of the Lekwungen speaking **ESQUIMALT AND SONGHEES FIRST NATIONS** in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE** of **BRITISH COLUMBIA**.*

IN WITNESS WHEREOF, *I hereunto set my hand this 23rd day of May, Two Thousand and Nineteen.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Jenifer Christenson
Executive Director
Built Green Canada

Legal Options for a Horse-Drawn Vehicle Prohibition or Stringent Regulations in the City of Victoria

By: Ellen Campbell
Word Count: 3750

N.B.: This research paper was originally prepared for Professor Tom Zworski's Municipal Law Class (Law 383: Municipal Law and Sustainability), as a final assignment in furtherance of a Juris Doctorate Degree at the University of Victoria. It is not legal advice and is provided here for informational purposes only.

Introduction

The national, provincial, and local political contexts around the prohibition of horse-drawn vehicles make the legality of such a prohibition a very relevant and timely issue. Federally, municipalities across Canada have either entered or considered entering into horse-drawn vehicle prohibitions.¹ Locally, City Councillors of Victoria have come out publicly in support of getting horses off of the streets of the municipality.² Moreover, the Victoria Horse Alliance has proposed and advocated for a ban on horse-drawn vehicles in Victoria, following the steps of Friends of Animals, who had earlier proposed a ban on horse-drawn vehicles to council.³ Furthermore, a petition to ban horse-drawn vehicles has reached 38 480 votes, and the BC SPCA has made formal recommendations to substantially change the regulations of the horse-drawn vehicles.⁴ It is important to note that this municipal issue has arisen in the midst of larger discussions around animals provincially and federally. Regarding the larger national

¹ Katie Dangerfield, "Horse-drawn carriages draw controversy across Canada – why are advocates pushing for a ban," (29 June 2018) *Global News*, online: <<https://globalnews.ca/news/4299637/montreal-bans-horse-drawn-carriage-canada/>> [https://perma.cc/T874-HCP4].

² CBC News, "Horse-drawn carriages not appropriate for Victoria, councillor says," 14 March 2018, *CBC News* source: <https://www.cbc.ca/news/canada/british-columbia/ben-isitt-horse-drawn-carriages-victoria-1.4575944> [https://perma.cc/96EK-YJGV].

³ Shannon Elliot, "Victoria's Horse-Drawn Carriages: Concerns Over Safety, Health and Appropriateness," (3 April 2007), *Ban Horse Carriages Victoria*, online: *Ban Horse Carriages Victoria* <<http://www.banhorsecarriagesvictoria.org/wp-content/uploads/2015/12/foa-carriage-elliott-report.pdf>> [https://perma.cc/C4FG-FUJS].

⁴ Letter from Craig Daniel to Mayor Helps and Council, May 28. 2019, <https://spca.bc.ca/wp-content/uploads/City-of-Victoria-Mayor-and-Council-05-28-18.pdf>

context, Justice Abella of the Supreme Court of Canada in *R v DLW (DLW)* has recently recognized that there is a “transformed legal environment consisting of more protection for animals.”⁵ Further, both the majority in *Bogaerts v Attorney General of Ontario (Bogaerts)*⁶ and the minority (Chief Justice Fraser) in *Reece v Edmonton (Reece)*⁷ have recognized the vulnerability of animals in the administrative and municipal law frameworks (respectively). It is in light of this complex political and legal context that I consider the broader considerations around the prohibition of horse-drawn vehicles in Victoria. In particular, I propose to determine the authorities the City of Victoria could use to prohibit horse-drawn vehicles. Subsequently, I identify particular legal challenges that could arise from a ban or more stringent regulations.

The paper will be divided into five sections. First, it will provide an overview of the social, political, and economic context of horse-drawn vehicles within the municipality of Victoria. This will be important not only in terms of providing context but also to determining any municipal purposes that could support increased regulations and/or a ban. The second section will distinguish the difference between the City of Victoria’s enabling legislation and that of the City of Montréal, under which it could enact bylaw 18-041: By-law Prohibiting Calèches [horse-drawn vehicles]⁸ (which enters into force December 31, 2019). The third section will consider three grounds of the City’s ability to prohibit horses or horse-drawn vehicles: the City’s prohibition powers in relation to carnivals, public shows, exhibitions, and performances; the City’s prohibition powers in relation to animals; and the City’s prohibition powers in relation to highways. The fourth section will consider the legal issues that could arise from a prohibition of

⁵ *R v DLW*, 2016 SCC 22, [2016] 1 SCR 402 at para 141.

⁶ *Bogaerts v Attorney General of Ontario*, 2019 ONSC 41, 2019 ONSC (CanLII).

⁷ *Reece v Edmonton*, 2011 ABCA 238, 2011 ABCA 238 (CanLII).

⁸ City of Montréal, by-law No 18-041, *By-law Prohibiting Calèches* (20 August 2018).

horse-drawn carriages or from the adoption of increased regulations, such as those the BC SPCA has proposed. It will end with a short conclusion.

Part One: The Social, Political, and Economic Context of Horse-Drawn Vehicles in Victoria

Sight-seeing horse carriage businesses have a long and historical relationship with the City of Victoria. For example, Tally-Ho has been operating in Victoria since 1903.⁹ They are an income-generating business and hire a number of students throughout the year. Nonetheless, their business has historically comprised of up to 80% of the bylaw enforcement issues in the entire city.¹⁰ In the past three years, there have been 35 incidents recorded around property damage, collisions, personal injury, and other threats to welfare and safety as a result of horse-drawn vehicles in the municipality of Victoria.¹¹ In June 2018, after the collapse of a horse and alleged mishandling by the horse-drawn business organization, the BC SPCA released recommendations around prohibiting horse-drawn carriages in Victoria's downtown core and moving them to Beacon Hill park in the interests of public safety and animal welfare.¹² Following these recommendations, the municipality of Victoria updated only one term of their regulations, which was to require identification criteria on each of the horses. The matter was reportedly submitted to staff for a broader re-consideration of the issues that the recommendations was raised, but there has been no reported change as of yet.¹³

Part Two: Comparing Montréal to Victoria on the Horse-Drawn Vehicle Prohibition Issue

⁹ Tally-Ho Carriage Tours, "Our History," *Tally-Ho Carriage Tours* (2019), online: <<https://www.tallyhotours.com/about-us/#history>> [https://perma.cc/XL7V-SM7T]

¹⁰ Shannon Elliot, *supra* note 3 at 7.

¹¹ Jordan Reichert, "2019 Report on the Operation of Horse-Drawn Carriages in Victoria B.C.," (2019) Victoria Horse Alliance and Animal Alliance of Canada at 7.

¹² Craig Daniel, *Letter from Craig Daniel to Mayor Helps and Council*, (28 May 2019), online: <<https://spca.bc.ca/wp-content/uploads/City-of-Victoria-Mayor-and-Council-05-28-18.pdf>> [https://perma.cc/8ZZ4-2F8R].

¹³ Jordan Reichert, "2019 Report on the Operation of Horse-Drawn Carriages in Victoria B.C.," (2019) Victoria Horse Alliance and Animal Alliance of Canada at 4.

Because the City of Montréal has prohibited horse-drawn vehicles, some proponents may wonder if that enables the City of Victoria to prohibit them as well. In response to this claim, I summarize and distinguish the legislation that enabled the City of Montréal's prohibition on horse-drawn vehicles Bylaw 18-041 from that of the City of Victoria.¹⁴ Bylaw 18-041 was enabled by three pieces of legislation, two of which are relevant to this discussion. Provision 68, section C, of the *Charter of the City of Montréal (Charter)* established that Montréal has various powers with regard to the regulation of horse-drawn carriages.¹⁵ Section ten of the *Municipal Powers Act*¹⁶ gives the City of Montréal the ability to regulate with regard to economic activities. Section six of the same act states that Montréal's regulatory powers include the power to prohibit. The definition's inclusion of prohibition powers is important because it effectively means that Montréal has the ability to prohibit both in terms of its regulatory powers in regard to horse-drawn carriages and its regulatory power in relation to economic activities. This is distinguishable from the City of Victoria, whose ability to regulate businesses under *Community Charter* section 8(6) is limited to a definition of regulate that only "includes authorize, control, inspect, limit and restrict, including by establishing rules respecting what must or must not be done, in relation to the persons, properties, activities, things or other matters being regulated."¹⁷ In addition to its enabling legislation, another factor militating in favour of supporting a bylaw for the City of Montréal is the Québec provincial Government's recent recognition of animal sentience in section 898.1 of its 2015 Bill 45: *An Act to improve the legal situation of animals*.¹⁸ This provision has been read in cases such as *Montréal (Ville de) c Lours*, to strike down some

¹⁴ Bylaw 18-041, *supra* note 8.

¹⁵ *Charter of the City of Montréal*, SQ 1996, c 102.

¹⁶ *Municipal Powers Act*, CQLR 2009, C-47.1.

¹⁷ *Community Charter*, SBC 2003, c 26 at schedule sec 1.

¹⁸ *An Act to improve the legal situation of animals* (Bill 54), SQ 2015, c 35.

sections of the City of Montréal's breed specific bylaw as a result of its incompatibility with this legislation.¹⁹ While this legislation is new, and so far has only been used to limit municipal authority, it is possible that such legislation could help to bolster municipal confidence around regulating and prohibiting animals. Given that the municipality of Victoria cannot look to a sentence provision in support of prohibitions or regulations for animals, or a broader power to prohibit economic activities, the comparison of the legal ability for Montréal to enact horse-drawn vehicle prohibitions is of limited assistance.

Part Three: Identifying Municipal Powers that May Support a Horse-Drawn Vehicle

Prohibition in Victoria

Moving on from this case study, this section will look at three powers municipality of Victoria to prohibit horse-drawn vehicles: 1) its power to prohibit in relation to carnivals, public shows, exhibitions, and performances, 2) its prohibition powers in relation to animals, and 3) its prohibition powers in relation to highways.

Prohibition powers in relation to carnivals, public shows, exhibitions, and performances

Municipalities inability to prohibit in relation to business under the *Community Charter* in British Columbia has one exception: the ability to prohibit in relation to carnivals, public shows, exhibitions and performances.²⁰ This section (59(1)(d)) of the *Community Charter* enables Victoria to prohibit in relation to “prohibit the operation of a public show, exhibition, carnival or

¹⁹ *Lours c Montréal (Ville de)*, 2016 QCCS 4770, 2016 QCCS 4770 (CanLII). Note that this case never went back to court on the issue of whether breed specific legislation was incompatible with the provisions as a result of the fact that breed specific provisions were repealed by the subsequent government. Laura Marchand, “Project Montréal has vowed to repeal the pit bull ban, but dangerous dogs still euthanized, (26 October 2017) *CBC News*, online: <<https://www.cbc.ca/news/canada/montreal/projet-montreal-has-vowed-to-repeal-the-pit-bull-ban-what-would-happen-next-1.4374155>> [https://perma.cc/CH9E-Z492].

²⁰ *Community Charter*, SBC 2003, c 26 at 59(1)(d).

performance of any kind or in any particular location.”²¹ Under this power, the City of Victoria has enacted section 16 of the *Animal Responsibility Bylaw*, which provides that

- (1) A person must not operate or carry on a public show, exhibition, carnival or performance in which animals are required to perform tricks, fight or otherwise participate for the amusement or entertainment of an audience.
- (2) Despite subsection (1), a person may operate or carry on: 1. (a) an exhibition or performance involving horses or in which individuals ride horses or ponies. . . . if the person does not use or treat any animal in an inhumane manner for profit or advantage.²²

One could argue that horse-drawn vehicles could be understood to fit under this power given that the City of Victoria phrases section 16(2)(1)(a) as an exception to the broader prohibition on shows, exhibitions, carnivals, or performances. To accomplish this, however, one would be required to consider whether individuals riding horses or using carriages could be interpreted as a “public show, exhibition, carnival or performance” as considered in the *Community Charter*.²³

Prohibition powers in relation to animals and in relation to property

Under section 8(3)(k) of the *Community Charter*, the City of Victoria has the ability to “regulate, prohibit, and impose requirements in relation to animals.”²⁴ In addition, section 8(8)(b) of the *Community Charter* gives the City of Victoria the ability to “prohibit persons from doing things with their property.”²⁵ An example of municipal legislation made under this bylaw is section 27 of the *Animal Responsibility Bylaw* of the City of Victoria, which prohibits the keeping of “(1) . . . (a) farm animal[s], (b) rooster, or (c) peafowl” but exempts from this regulation “(2) . . . (a) a person who is licensed to operate a business using a horse drawn sightseeing vehicles pursuant to the Vehicles for Hire Bylaw with respect to horses used in the

²¹ *Community Charter*, SBC 2003, c 26 at 59(1)(d).

²² City of Victoria, by-law No 11-044, *Animal Responsibility Bylaw* (13 August 2018), s 16.

²³ *Community Charter*, SBC 2003, c 26 at 59(1)(d).

²⁴ *Community Charter*, SBC 2003, c 26 at 8(3)(k).

²⁵ *Community Charter*, SBC 2003, c 26 at 8(8)(b).

business.”²⁶ One could argue that, because the City of Victoria has included horse-drawn sightseeing vehicles as an exception to the bylaw, that they would equally be able to rescind this exception and prohibit them in relation to their ability to prohibit in relation to animals. The later section on issues raised in the use of prohibition powers will discuss the extent of the City of Victoria’s power to prohibit in relation to these sections and whether or not section sixteen of the *Animal Responsibility Bylaw* could help to address whether such a prohibition would be *intra vires* in relation to common law in British Columbia.

Prohibition power in relation to highways

Section 36 of the *Community Charter* gives municipalities the ability to “regulate and prohibit in relation to all uses of or involving a highway or part of a highway” in accordance with the *Motor Vehicles Act* (MVA) section 124(13)²⁷ and municipalities’ ability to prohibit in relation to extraordinary traffic. Section 124(13) of the MVA states that

The council of a municipality may, by bylaw not inconsistent with or derogatory to this Part, provide for the following:

...

(b) the regulation, control or prohibition of . . . ridden or herded animals, vehicular traffic and traffic by other conveyances, either singly or together, on sidewalks, walkways or boulevards, or in or on lanes or ways separating the rear property lines of parcels of land fronting on highways running more or less parallel to and on each side of the lanes or ways, and at intersections of the lanes or ways, and at intersections of the lanes or ways with each other or with highways;

(c) the regulation, control or prohibition of the stopping, standing or parking of vehicles in the municipality²⁸

If we consider horse-drawn vehicles to be interpreted as either “ridden or herded animals” or to fall within the understanding of “vehicular traffic and traffic by other conveyances,” then this provision could be interpreted to give the municipality of Victoria sufficient prohibitory powers

²⁶ *Animal Responsibility Bylaw*, *supra* note 21 s 27.

²⁷ *Community Charter* *supra* note 17 at 36(2)(a); *Motor Vehicle Act*, RSBC 1996, c 318 at 124(13).

²⁸ *Motor Vehicle Act*, RSBC 1996, c 318 at 124(13).

in relation to horse-drawn vehicles. Importantly, however, 124(13)(13) states that municipal bylaws that regulate, control, or prohibit traffic on arterial highways “as defined in the *Transportation Act*” must have the approval of the “minister responsible for the administration of the *Transportation Act*.”²⁹ As a result, a municipality hoping to apply a bylaw prohibiting horse-drawn vehicles in Victoria would likely need to seek the approval of the minister when they apply to arterial highways. The next section will consider how the City of Victoria’s ability to prohibit is potentially limited by the broader common law context and division of powers around businesses.

Prohibition Power in Relation to Public Safety

The *Community Charter* also enumerates that the municipality of Victoria has the power to prohibit in relation to “the health, safety or protection of persons or property in relation to matters referred to in section 63.”³⁰ Given the finding of the number and severity of events impacting horse-drawn carriages, this may constitute another valid ground on which to prohibit horse-drawn vehicles in the municipality. Considerations around this will also be discussed below.

Part Four: Issues that Could Arise in the Prohibition or Regulation of Horse-Drawn Vehicles

There are numerous issues that could arise in the face of a prohibition or increased regulations to horse-drawn vehicles in Victoria. This section will address five issues: claims that a prohibition or increased regulation effectively prohibits a business (contrary to its limited powers to regulate under *Community Charter* section 8(6)), claims that the prohibition would be made in bad faith, claims that the contractual relationship between the City and the municipality

²⁹ *Community Charter* *supra* note 17 at 36(2)(a); *Motor Vehicle Act*, RSBC 1996, c 318 at 124(13)(13).

³⁰ *Ibid* at 8(3)(g)

could fetter the municipality's lawmaking power, claims that compensation would need to be paid to the horse carriages, and claims that the Municipality is enacting legislation that was also motivated by concerns outside of its jurisdiction.

Claims that the Prohibition Effectively Prohibits a Business

As outlined earlier, the City of Victoria could prohibit horses used for profit under *Community Charter* sections 8(3)(k) (in relation to animals),³¹ 8(8)(b) (in relation to property),³² and 36 (in relation to highways), and 8(3)(g) (the safety of persons).³³ Nonetheless, these prohibitory powers may be at odds with the City of Victoria's more limited ability to regulate in relation to business under section 8(6) of the *Community Charter* (with the exception of section 68 ability to regulate carnivals, performances, and so on). As a result, we must look to case law to consider whether creating a bylaw prohibiting horse-drawn carriages would be *ultra vires* for effectively prohibiting a business.

In *International Bio Research*, the Court found that "Municipal regulation of the conduct of business, including prohibiting certain types of transactions, is an established aspect of valid business regulation."³⁴ For example, in *Try-san International Co and the City of Vancouver*, the court found that municipalities can create regulations that mean that businesses will lose 90% of their revenue, but that those regulations are valid nonetheless.³⁵ This was affirmed in *International Bio Research* which found that the Court may uphold regulations that "may set conditions for the operation of a business that make it uneconomic to continue" when they do not

³¹ *Ibid* at 8(3)(k).

³² *Ibid* at 8(8)(b).

³³ *Ibid* at 36.

³⁴ *International Bio Research*, 2011 BCSC 471 (CanLII) 2011 BCSC 471 (CanLII) at 37.

³⁵ *Try-san International and the City of Vancouver, Re* (1978), DLR 83 DLR (3d), Carswell BC 1190 at 15. This authority was later affirmed in *British Columbia Lottery Corp v Vancouver City* (1997), 46 BCLR (3d) 24 at para 44.

amount to a prohibition.³⁶ In that case, the Court found that a bylaw against selling dogs in pet stores “does not prohibit retail pet stores. It regulates the animals that can be sold by them.”³⁷

One could therefore make the argument that the City of Victoria could validly regulate horse carriages to keep in check with BC SPCA recommendations on horse carriages in the interests of public health and safety and also out of concern for animals, despite its potentially devastating economic effects.

If the City of Victoria created a prohibition in relation to its power to prohibit in relation to animals or highways, the municipality could argue that they are not prohibiting the actual business of sight-seeing, just the manner in which that business is done. However, one issue with this argument is that horse-drawn carriages have historically depended upon animals in a way that pet stores³⁸ or shops selling shark fin soup do not.³⁹ Nonetheless, one could argue that their vehicles are primarily sight-seeing and that this could be accomplished by other means.

Claims that the Prohibition is in Bad Faith

Bad faith, in the municipal sense of the term, is used when “council exercises a statutory power for a purpose other than that envisaged by the statutory power.”⁴⁰ In *Shell Canada Products Ltd v Vancouver (City) (Shell)*, the Court found that a municipal purpose needs to be valid not only in terms of the words expressly stated in the enabling statute but also in the purpose and objectives of the enabling statute.⁴¹ Consequently, the municipality would need to find a valid municipal purpose that could give the municipality valid grounds to effect a

³⁶ *International Bio Research*, *supra* note 34 at para 41.

³⁷ *International Bio Research*, *supra* note 34 at para 41

³⁸ *International Bio Research*, *supra* note 33.

³⁹ *Eng v Toronto (City)*, 2012 ONSC 6818, 2012 ONSC 6818 (CanLII).

⁴⁰ *International Bio Research*, *supra* note 34 at para 61; Also see *Grosvenor v East Luther Grand Valley (Township)*, 2007 ONCA 55, 84 OR (3d).

⁴¹ *Shell Canada Products Ltd v Vancouver (City)*, [1994] 1 SCR 231, 110 DLR (4th) (SCC).

regulation or prohibition⁴² that affected the community itself. While the court in *Xentel DM Inc v Windsor (City)* (*Xentel*) found that morality concerns around animals do not necessarily disqualify bylaws from being considered valid,⁴³ a bylaw, which prohibited the “conducting, operating, taking part in or carrying on of any entertainment whatsoever which involves the participation of exotic animals,”⁴⁴ was found *ultra vires* because it was primarily motivated by animal welfare or general morality instead of public safety to protect individuals from animal attacks.⁴⁵ In the words of the court, the bylaw

was primarily motivated by consideration of animal welfare and an examination and assessment of any evidence to support the public safety purpose of s. 236(7) was virtually ignored by Council in reaching its decision. Therefore, in accordance with my earlier discussion of the evidence, I find that the resulting ban on the performance of circus animals was primarily (or in pith and substance) motivated by considerations of morality and is therefore *ultra vires* Council as an infringement of the criminal law power.⁴⁶

This case is differentiable from the municipality of Victoria in that, in the past 18 years leading up to the by-law, there had been no reports of incidents that threatened the public’s safety whereas, in the Case of Victoria, there have been 35 such incidents in the past year.⁴⁷ In contrast, a more recent (2011) case from British Columbia, *International Bio Research* found that a bylaw prohibiting the sale of pets from pet stores to reduce “the number of unwanted and abandoned dogs” and improve “the conditions of dogs sold as pets in Richmond” was found to be valid in light of the fact that the bylaw was created in light of the “cost to Richmond in caring for unwanted dogs.” Additionally, in this case, the municipal purpose was considered broadly, in

⁴² Municipal purposes are laid out in section 7 of the *Community Charter* and include “(a) provide for good government of its community, (b) providing for services, laws, and other matters for community benefit, (c) providing for stewardship of the public assets of its community, and (d) fostering the economic, social and environmental well-being of its community” *Community Charter*, SBC 2003, c 26 at 7.

⁴³ *Xentel DM Inc v Windsor (City)*, 243 DLR (4th) 451, [2004] OJ No 3656 (QL) (ONSC).

⁴⁴ *Xentel*, *supra* note 31 at para 2

⁴⁵ *Xentel*, *supra* note 31 at para 5.

⁴⁶ *Xentel*, *supra* note 31 at para 125.

⁴⁷ *Ibid* at 10; Reichert *supra* note 11 at 7.

keeping with *Nanaimo v Rascal Trucking (Nanaimo)*,⁴⁸ *Shell*,⁴⁹ and section 4(1) of the *Community Charter*.⁵⁰ Unlike in Richmond, the authority of the City of Victoria does not carry a legislative history of prohibition of horse-drawn vehicles;⁵¹ nonetheless, a valid municipal purpose may be found to in terms of the cost of the municipality saved in regard to regulating and enforcing requirements with regard to horse drawn vehicles and through the broader interpretation enabled by *Nanaimo*, *Shell* and Section 4(1).

Another argument that the municipality could raise is that the by-law is being created to enhance the wellbeing of its community under 7(d) of the *Community Charter*.⁵² This line of argument was used in *Eng v Toronto (Eng)*.⁵³ In that case, the City argued that the bylaw against the selling of shark meat in Toronto gave “voice and effect to social and environmental values of Toronto pertaining to the natural environment, including animals.”⁵⁴ However, this argument was struck down on the basis that the shark finning practice that was offensive to the municipality occurs outside of the municipality and therefore “cannot be considered to relate to their social well-being.”⁵⁵ Although earlier prohibitions and regulations in relation to animals (for example, in *Xentel*) have identified animal welfare issues as an invalid basis for municipal legislation, it is possible that the municipality of Victoria could find support in the social well-being purpose given the widespread support for such a prohibition and the changing Canadian context with regards to concern around animals (see para 1), and given that the City of Victoria case is distinguishable from *Eng* in that the offending act is taking place within municipal limits.

⁴⁸ *Nanaimo (City) v Rascal Trucking Ltd*, 2000 SCC 13, [2000] 1 SCR 342.

⁴⁹ *Shell Canada Products Ltd v Vancouver (City)*, [1994] 1 SCR 231, 110 DLR (4th) (SCC).

⁵⁰ *Community Charter* *supra* note 17 at 4(1).

⁵¹ *International Bio Research* *supra* note 32 at para 36.

⁵² *Community Charter*, *supra* note 17 at 7(d).

⁵³ *Eng v Toronto*, 2012, ONSC 6818, ONSC 6818 (CanLII) at para 70.

⁵⁴ *Ibid* at para 70.

⁵⁵ *Ibid* at para 74.

Whether the Contractual Relationship Between the City of Victoria and the Horse-Drawn Vehicles Businesses Fetter Municipal By-Law Making Authority?

The Court in *Ocean Wise Conservation Association v Vancouver Board of Parks and Recreation* found that municipalities cannot fetter their bylaw making power in contracts with others.⁵⁶ Moreover, section 14(f) of “Schedule E: Parking Stand Agreement” of the *Vehicles for Hire Bylaw* states that “Nothing in this Agreement will be construed to create a relationship of partners, joint ventures, fiduciaries or any other similar relationship between the Licensee on the one hand and the City on the other.”⁵⁷ Consequently, the City likely need not be worried that they have fettered their by-law making power by entering into contractual relationships with horse-drawn vehicle businesses.

Whether compensation would need to be paid to the horse-drawn carriages?

Section 31 of the *Community Charter* provides that municipalities can expropriate property in accordance with the *Expropriation Act*. Further to that, section 33 of the *Community Charter* provides that

- (1) Unless expressly provided otherwise, if a municipality expropriates real property or works under this or any other enactment, compensation is payable to the owners, occupiers or other persons interested in the property for any damages necessarily resulting from the exercise of those powers beyond any benefit that the person claiming the compensation may derive from the work resulting in the expropriation.

In keeping with the legislation, “Schedule E: The Parking Stand Agreement” clearly states in section 13 that

The Licensee will not be entitled to compensation for any loss or injurious affectation or disturbance resulting in any way from the termination of this Agreement or the application of sections 2 or 3 of this Agreement.⁵⁸

⁵⁶ *Ocean Wise Conservation Association v Vancouver Board of Parks and Recreation*, 2019 BCCA 58, 2019 BCCA 58 (CanLII) at 61-63.

⁵⁷ City of Victoria, by-law no 03-060, *Vehicles for Hire Bylaw* (1 May 2016) at Schedule E s 14(f).

⁵⁸ *Ibid* at 13.

Consequently, it is likely that the City of Victoria would not be required to provide compensation to the Horse-drawn carriages businesses for the expropriation of their property.⁵⁹

Whether the Municipality of Victoria could prohibit or regulate if it was also motivated by other concerns?

Another challenge that could arise against the City of Victoria if it created a ban with the purpose of increasing public safety, whether it could do so given that it was also motivated by the welfare of animals. *Canadian Plastic Bag Association v Victoria (City)* (*Canadian Plastic Bag Association*), affirmed that a municipal bylaw could have another purpose that was outside of municipal jurisdiction as long as “the Court is satisfied that Council does in fact have a lawful purpose and it acts in good faith.”⁶⁰ While it is unclear that the finding of *Canadian Plastic Bag Association* stretches to accommodate for the protection of the welfare interests of animals, this could be an interesting argument given the changing legal context noted by Justice Abella in *DLW* that detailed how interpretations of existing laws around animals are changing.

Conclusion

This paper has covered a number of issues in relation to the prohibition powers that the City of Victoria has in relation to prohibiting horse-drawn vehicles. It addressed the differences between the City of Montréal’s enabling legislation to that of the City of Victoria to provide insight into the differences in these regimes. Subsequently, it considered the various powers that could be used to enable a prohibition on horse-drawn vehicles in the City of Victoria. Finally, it considered the challenges that the City of Victoria could face on creating such a ban.

⁵⁹ Nonetheless, something the municipality may want to consider is case law around the expropriation of property when there is an express statement, and guidelines for expropriating such property.

⁶⁰ *Canadian Plastic Bag Association v Victoria (City)*, 2018 BCSC 1007, 2018 BCSC 1007 (CanLII) at para 30.

Inclusionary Housing Petition

Require 50% of New Construction to be Affordable to Local Incomes

On May 16, Victoria City Council will consider what amount of new condominium developments will be required to be affordable to local wages. This policy is called inclusionary housing.

We, the undersigned, request that:

1. The City of Victoria stop excluding households that earn less than \$30,000 from the City's housing policies and programs. There should be no high-end, expensive real estate development without visible and meaningful social benefits. Specifically, require 50% of all new residential construction be permanently affordable as follows: 20% to very low income (currently defined as < \$20k), 20% to low income (\$20 - \$34k) and 10% for low to moderate income (\$34 - \$55k).
2. There be no displacement and no net loss of low-cost, rental housing. At minimum, require 1:1 replacement of rental housing at existing rental rates in new developments and offer first right of refusal to displaced tenants. Otherwise, decisions to build condominiums will result in a decrease of affordable rental housing, rather than moving towards solutions.
3. There be transparent reporting on numbers of affordable homes that are being built. According to the Canadian Rental Index there are 6170 households within the City of Victoria who pay more than 50% of their income on rent. Ninety-eight per cent of these households earn, on average, less than \$31,089 and the vast majority (72%) earn less than \$21,848. These households and those experiencing homelessness should be at the centre of City planning with regard to the creation of new housing.

The city recently adopted a new definition of affordable housing, which has tied affordability to 5 different income groups as follows:

- Very low income (currently defined as under \$20,000)
- Low income (\$20 - \$34,000)
- Low to moderate income (\$34 - \$55,000)
- Moderate income (\$55 - \$85,000)
- Above moderate income (currently defined as over \$85,000)

We notice that new construction is largely affordable to households with above moderate income and that housing contributions from new real estate development intend to serve low to moderate income households. We also notice that the households in greatest need are excluded from this policy.

Every rezoning application should specify how many homes are built that are affordable to each of the five income groups, even when the number is zero.

4. You recognize that the inclusionary housing policy will not create the number of affordable homes we need. The city must take a proactive role in buying land and building housing. Expensive real estate development is taking up too much taxpayer time and resources. At least ½ of the City's planning staff should be reprioritized to the mission of building decommodified housing that is clearly needed by the poorer half of our community.

	First Name	Last Name	Postal Code			
1	Miranda	Harvey	Victoria	33	Marie José	Matthews
2	David	Steele	V8R5G7	34	Brenda	Proctor V8V1a3
3	alison	acker	V8V 1P7	35	Cheryl	Matli v8v 4k3
4	Dr. William	Graham	V8X 5A3	36	Judy	Lightwater v8v 4k3
5	Anke	van Leeuwen	Victoria	37	Scott	Lawrance Victoria
6	Catharine	Bushe	V0P1Z0	38	Hilary	Knight V8S 2P5
7	Aileen	Penner	V9a 7h6	39	Mary	Stocks V8X-1W1
8	LAurie	Yeo	V9a1r9	40	Beverley	Zeiner T5Y 3B6
9	Margaret	Paul	V8P5B8	41	Lasse	Tammilehto Victoria
10	Douglas	Laird	Victoria	42	Kate	Lackey V8T1L2
11	Jenny	Farkas	V8T1M7	43	Mark	Shakespear V8X4R2
12	Jacquie Lynn	Holland		44	Rosemary	Marsh Victoria
13	Albert	Kitchen	V9C 0C3	45	Tracie	Park V9Z 1H6
14	Sherri	Loken	V8V1L1	46	Elena	Andrade V8V 3R4
15	Nicole	McMorran	V8V3N9	47	Ava	Christl Victoria
16	Dale	Horricks	V8P 3V3	48	Leslie	Robinson V8t 4x4
17	John R	Bell	V9A6T5	49	Lynn	Taylor v8v2s6
18	Darleene	Horricks	V8P 3V3	50	Lauren	Rumiel V8P1J8
19	Nicole	Moen	V8v 2h5	51	Erin	Dale V8v2y8
20	Claudia	Kobayashi	V8R 3C9	52	Deborah	Yaffe V8V 3A3
21	Chrishelle	Berry	V8t4h5	53	Deborah	Diduck Victoria
22	David	Turner	V8T 3W7.	54	Geneva	Hagen V8T 4G8
23	Sherri	Hohert	V8Y1X9	55	Susan	Clark V8Z 7J2
24	Susan	Quipp	Victoria	56	Barbra	Scott V8V2J7
25	Nicole	Larche	V8t4h5	57	Laura jane	Johnston V8T1B2
26	Stara	Morning	V8V3Z2	58	Jenny	Kremler V8T 2K7
27	Patricia	Woodall	Victoria	59	Deirdre	Ryan-Morissette V8X4B8
28	Chris	Eve	V8R4Z4	60	Alice	Whitehead V8T 1B2
29	Jeanette	Aubin	V8V 3B5	61	Danielle	Bolton V8P5J1
30	Denver	Carere	v8s1g3	62	Abbey	Piazza V8s4w5
31	Larry	Gambone	V9R 4W7	63	David	Wignall V8T1B2
32	Fiona	Wheeler	V8T3Z3	64	Faith	Kremler Victoria
				65	Francis	Kremler V8T 2J2

66	Sol	Kinnis	V8t 1b2	100	Sharon	Mooney	V8R 5L7
67	suzanne	Nievaart	V8V 4M2	101	Barbara	Pedrick	V8V 2j5
68	James	Coccola	Victoria	102	Sandi	Plewes	V9a2w8
69	Janice	Vis-Gitzel	Edmonton	103	Kate	Shelton	V8t 2y9
70	ME	Personally	T5K 1R3	104	Lorraine	Scollan	V8S 3K8
71	Miles	Ransaw	V3J 0A9	105	Jocelyn	Gifford	V8l2p1
72	Paul	Cobb	V8T1A8	106	Johane	Mui	V8x-3c9
73	Rebecca	Chappell		107	Melissa	Erletz	V8T 4E8
74	Heather	Lanigan	Victoria	108	Trevor	Hinton	V8T 1N9
75	Chris	Brugger	V8z3z7	109	David	Coulson	V9L6R2
76	Jennine	Gates	V8P 3T2	110	Colleen	Maguire	V8R1H9
77	Christina	Lafleur	V9A 5A8	111	Johanna	Henderson	V8V3Y2
78	Jared	Amos	Victoria	112	Amy	Nold	Saanichton
79	Gail	Riel	V9A6X9	113	Martin	Gavin	V8V 2P3
80	Gregory	Temorcioglu	Victoria	114	Carmen	Craig	V8V2K4
81	Trista	Boeyenga	V8V2X3	115	Amanda	Paddock	V8V3C5
82	Kyle	Hull	V9a 3b7	116	Erica	Cronin	V8R2K8
83	Gerald	Williams	Sooke	117	William	Young	Victoria
84	Margaret	Lapp	V8V 3A7	118	Ashley	McKay	Victoria
85	David	Guilbault	V8s4w5	119	Adele	Barnes	V8T 2N7
86	Astrid	Starke	V9A0G3	120	Kathy	Whiting	V8V2P3
87	Carmen	Leveille	Victoria	121	Alison	Phosy	Victoria
88	Brian	Roche	Vancouver	122	Betsy	Nuse	V8V 3A6
89	Wendy	Young	V9b 1L2	123	Amanda	Heffelfinger	V8R4G5
90	Alicia	Parker	V8X1E9	124	Victoria	Philibert	V8V 3C2
91	Marion	Smardon	Victoria	125	Colton	Hash	V9A 5X9
92	Jess	Ingram	V8R3Y9	126	shelley	Gaylor	V8T3K5
93	Darren	Murphy	V8t2c9	127	danielle	small	V0R 2W0
94	rachel	montpetit	victoria	128	Tracy	Yerrell	V8Z 3C7,
95	Julie	Samson	Cumberland	129	Sebastian	Lassak	V8V 3H7
96	Carolyn	Orr	Victoria	130	Dawn	Smith	V8X1W1
97	Devon	Grieve	Victoria	131	Fred	Schuurman	N4t oa1
98	Zoe	Friesen	V8r6n3			Consford	
99	Kay	Gallivan	V6R2C7	132	Melissa	Wehrle	V8R1B5

133	Toula	Hatzioanno u	V8V 3T5,
134	Sarah	Murphy	Victoria
135	JOan	Athey	v8v 2e8
136	Mike	Buchanan	v9c3y7
137	PAUL	AUSTIN	v8w 2g4
138	Jocelyn	Samek	Victoria
139	Yvonne	St John	Victoria
140	David	Bagshaw	Victoria
141	Kimberly	Mackenzie	V8T3H3
142	Brian	Smith	Gibsons
143	Jonathan	Ross	V8v2j7
144	Runa J.T.	Fiander	V0R 1K0
145	Elizabeth	Cronin	V8R2K8
146	Marcella	Ross	V8r2A3
147	Sue	Gentry	V8V2C4
148	Donna	Hamilton	V8T1M7
149	Lydia	Smith	V9a1v2
150	Leeanne	Kicks	V8T 4B8
151	Tyler	Witzel	Victoria
152	Riley	Webb	V8R3X6
153	Riley	Webb	V8R35
154	Annalea	Sordi	V8V1T6
155	Troy	Lemberg	V8W 1K8
156	Catherine	May	V8m 1T5,
157	Dustin	McLean	V8T 1M7
158	Dana	Corrigan	V8T 1N9
159	Denise	Barry	V8V 3Z2
160	Julie	Villafana	V8v 4t3
161	jana	morrison	v8v 3p1
162	Justin	Steele	v8z3s4
163	Lauren	Heppell	V8T2E9
164	Phoebe	Ramsay	V8t3H3
165	Sandra	Doherty	Victoria

166	Drew	Whiteside	V8W 0E2
167	Jessica	Knowler	V8t2y6
168	David	Oswald	Victoria
169	Jzero	Schuurman	Victoria
170	Timothy	Dubroy	Victoria
171	Alexandra	Korinowsky	V8W 0E5
172	Renee	Crawford	V8W 0A4
173	Frank	Van Drimmelen	V8S 3R4
174	Jess	Paffard	V8S 1C8
175	Aimee	van Drimmelen	Victoria
176	Dylan	Perkons	Victoria
177	Garrett	McClure	V8V1T6
178	Marion	Pape	V9A 0A9
179	Steve	Lyne	V8T1E7
180	Lorne	Daniel	V8V3B1
181	David	Dekker	Victoria
182	Arlene	Carson	V8V2T4
183	Tiffany	Shelswell	V8X1G3
184	Richard	Budd	V8S 1Y9
185	Samantha	Hart	V9A3X2
186	Dana	Holtby	V8T 4C9
187	Lisa	Crossman	V8T 5G4
188	Pat	Kinrade	v8v1h2
189	Lindsey	Alton	V9A 6C9
190	Natasha	Bray	V8T4E5
191	Paula	Ring	Victoria
192	Treena	Norrish	V8V 2S5
193	Forrest	Boden	Duncan
194	Mark	Grill	Victoria
195	Andrew	Kerr	V8T1K7
196	L	S	V8z3r7
197	Brandi	Heeren	V8S 3S7
198	Janette	Sperber	V9a1t3

199	Sarah	Steinerstauh	V8t3j7	232	Bernice	Kamano	V8T 5A1
200	Adam	Bailey	V9A 2c3	233	Nellie	Lamb	V5T1M5
201	Sarah	Steinerstauh	V8t3j7	234	Gail	Star	Victoria
202	Tim	Olson	V9A3P5	235	Verna	Stone	V8V 3L3
203	Gudrun	Finnen	V0N 2M2	236	Julie	Higginson	V8Z2C8
204	Helen	Durie	V8V 2Z5	237	RICHARD	PALMER	V8R 1W8
205	Alba	Clevenger	T1W 2W2	238	Nancy Lane	Macgregor	V8V4P3
206	Bre	Sherwood	V9G1X9	239	Phyllis	Webster	V8V 2Y9
207	Michael	Simpson		240	Georgina	Hope	V8r 3t3
208	Tanja	Bolenz	V5V1Y7	241	Meaghan	MacDonald	V8T 2B3
209	Courtney	Smith	v8p3j8	242	Tanille	Geib	V8p 1j8
210	Dan	Miller	V8V 4S8	243	Saria	Andrew	Victoria
211	Beverley	Clifford	V8V 4C4	244	Courtney	Chaney	V8T 3J5
212	Robert	Anderson	V9A 4A8	245	Claudia	Schwan	Victoria
213	trevor	mackay	V8R2P7	246	Hannah	Gelderman	Victoria
214	Giselle	Ruemke	VICTORIA	247	Tiffany	Hannan	V8R 5A9
215	Joanne	Winstanley	Victoria	248	Jake	Hrubizna	V8V 2T8
216	Blythe	Bell	V8n6k8	249	J Stephen	Lewis	Victoria
217	Rachel	Anderson	V9A 3G1	250	Melanie	turner	V8v2l6
218	Mara	Diaz	V8v1p7	251	Roberta	Holob	V8V 3G3
219	J'aimeclaire	Boland	V8v2c3	252	Patricia	Vardon	V8S 1A1
220	Regine	Klein	Victoria	253	Jared	Melvin	V9B5R3
221	Jessica	Lucas	Victoria	254	Dan	Tkachuk	V9R 6X8
222	Brian	Balogh	V9A3y3	255	Jared	Middleton	V8V4V6
223	Kerry	Turner	V8V 5A2	256	Jane	Galley	V8y1m9
224	Michelle	Jacques	V8T 3M9	257	Emily	Lavender	V8R 1Y4
225	Mark	Atkins	V8R 2A3	258	Walter	Parsons	Victoria
226	Nancy	Issenman	V8R3Y1	259	G.	K.	V8T 1L8
227	Nasstasia	Yard	V8R 2M8	260	Andrew	LaFrance	V8V2S2
228	Tamara	Mortimer	V8S 3J7	261	Nadja	Fink	V8T1G5
229	Katia	Gauvin	V9A 3y3	262	Keith	Cherry	V8T 3w6
230	Marv	Gandall	V8W 0C8	263	William	Appledorf	V8V 1R8
231	Nicole	Chaland	V8V 2T6	264	Bobby	Arbess	V8T-1B2
				265	Melanie	Lum	V8V4W5

266	Andrea	Walker Collins	V8T 1M6	298	Alexis	Hogan	V8T 1C9
267	Terence	Nathan	V8V4P9	299	Lana	Nyuli	V8T 4A8
268	Howard	Breen	Victoria	300	Samantha	Jensson	V8R1L2
269	Breanna	Merrigan	Victoria	301	Susan	Pomeroy	V8V2R2
270	Jessica	Duncan	Victoria	302	Deanna	Schneider	V8S2N7
271	Nathan	Grills	V8v3h7	303	Karin	Knowlton	V8s3z6
272	Deborah	de Boer	V8S 2A3	304	Alison	Davies	V9a6t7
273	Michael	Madrone	Victoria	305	Renée	Layberry	V8V2W9
274	Leon	Beauvais	V8V0B2	306	Andrew	Barrett	V8R 3Y1
275	doreen	fehr	v8z 3y8	307	Emily	Geen	V8R 2L2
276	Fernand	Magnin	V8T-1E7	308	Lee	Harris	Victoria
277	Julia	Grav	v9a 7g6	309	Lori	Shreenan	V0R2P2
278	Anas	Al Salah	V8Z7G3	310	Bruce	Elkin	V8V 3W6
279	Ann	Chaland		311	elaine	lakeman	V8L 5J9
280	Joshua	Goldberg	V8Z 2X7	312	Laura	Gildner	V8V 3Y5
281	William	Arnold	V8R 0A1	313	Lisa	Matthaus	V8T 2Z1
282	Beth	Cruise	V9B 3A1	314	Amy	White	V8v2x1
283	Keiro	Blyth	V8R 1B9	315	Ben	Isitt	V8t3x5
284	Camille	O'Sullivan	V8V 2Y9	316	judith	bellis	v8r3y3
285	Bruce	Dean	Victoria	317	David	Lennam	V8V2T6
286	Therese	Eley	Brentwood Bay	318	Emery	Hartley	V9A4W9
287	Andrea	Kucherawy	V8V 3V9	319	Kelly	Carson	Victoria
288	Eren	Holman	V8V3N6	320	Natasha	Lefevre	
289	Morgan	Cranny	Victoria	321	Chris	Zielonka	V8t 4g3
290	Regan	Shrumm	V9A 3A6	322	Ben	Baird	Victoria
291	constance	cooke	V8X2A3				
292	Kelly	Hobson	V8t4g8				
293	Hannah	van Adrichem	v8v 3j7				
294	michael	jess	v8p 1t4				
295	Alison	McDormand	V8V2X1				
296	Robin	Tizya	V8T3S2				
297	Ottilie	Short	Victoria				

Will Clinging

Certified Journeyman Farrier
Vice President Western Canadian Farriers Association

supporting

Carriage Horses of Victoria

Victoria Carriage Horse Shoeing and Wash Station



Tally Ho Shoeing and Wash Station



Neglected Feet of Recently Purchased Draft Horse



Healthy Feet of Working Carriage Horses of Victoria



Well maintained hoof
prior to trim



“natural” hoof prior
to trim



Freshly trimmed
healthy hoof



Before and After



We use cookies to enhance your experience on our website. This website uses cookies that provide targeted advertising and which track your use of this website. By clicking 'continue' or by continuing to use our website, you are agreeing to our use of cookies. You can change your cookie settings at any time.

Continue Find out more

Home > British & World English > exploitation

Definition of *exploitation* in English:

exploitation



NOUN

- 1 [mass noun] The action or fact of treating someone unfairly in order to benefit from their work.

'the exploitation of migrant workers'

+ More example sentences

+ Synonyms

- 2 The action of making use of and benefiting from resources.

'the Bronze Age saw exploitation of gold deposits'

+ More example sentences

+ Synonyms

- 2.1 The fact of making use of a situation to gain unfair advantage for oneself.

'the Government's exploitation of the fear of crime'

+ More example sentences

+ Synonyms

Pronunciation ?

exploitation /ɛksplɔɪ'teɪʃ(ə)n/

WORD OF THE DAY

argonaut

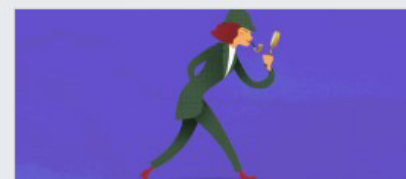


GET WORD OF THE DAY BY EMAIL

Enter your email address



Click here to see our Privacy Policy.



Try our interactive feature to learn how words enter the OED!

OED Oxford English Dictionary
The definitive record of the English language

Purchase an OED subscription for just £90 / \$90



Victoria Carriage Horse Board Meeting





Death Knell Sounded on Horse Carriage Industry In Victoria

Phasing out the Carriage Industry in Victoria affects 55 working horses, their owners, the drivers, the farriers, the veterinarians and other varied associated work and staff connected to this industry.

An historic industry that has served Victoria for 116 years, it allows tourists and residents alike to view the city from a unique perspective with a driver that provides interesting and historic facts about the city itself.

Both Victoria Carriage Tours and Tally Ho, the two companies operating in Victoria, are members in good standing with Carriage Operators of North America <https://cona.org/>, an international non-profit organization committed to promoting the humane welfare of carriage animals and quality carriage operations which promotes a support network to assist member companies in attaining and maintaining the highest levels of professionalism and customer service.

Donna Friedlander, the owner of Tally Ho, is a board member for Carriage Operators of North America, and her Operations manual for Tally Ho is being used to revise CONA's own guides.

The two horses that fell at Ogden point last year did not collapse, they fell. Lying on the ground as they did in the video, is what they are trained to do when something goes wrong. Both were checked out by a veterinarian, who found them to be healthy and uninjured. It is interesting to me that has been played in the news several times in the weeks leading up to the May 16th Council vote.

A property owner, tax payer and a person that believes that the City I was born in and I love should be lead and managed with fact based decisions; I find Council's treatment of this industry through this decision appalling and borders on discrimination. It flies in the face of the newly minted City of Victoria Strategic Plan 2019 -2022.

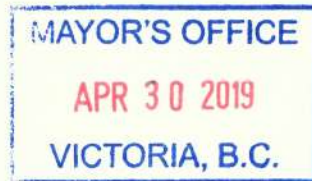
Please take the time to understand and review the facts that make the Horse Carriage Industry what it is before making the decision to phase it out in five years.

Sincerely,

Dr. Michelle D. Gorman, Ph.D



APR 24 2019



Reference: 284721

Her Worship
Mayor Lisa Helps
City of Victoria
1 Centennial Square
Victoria BC V8W 1P6

Dear ~~Mayor~~ ^{Lisa} Helps,

Re: Transformational Regional Transit Improvements

Premier John Horgan asked me to respond to your letter of March 20, 2019, regarding the City's resolution on transformational improvements for regional transit.

Working with communities to build public transit and infrastructure is a priority for the provincial government, and I appreciate the City of Victoria's commitment to finding innovative solutions that promote transit ridership and support environmental sustainability. I have shared your suggestions with staff in the ministry's Transit Branch for their information.

In the meantime, I am pleased to let you know that progress is being made on a number of the items in your letter. For example, BC Transit is scheduled to launch their NextRide program in Victoria later this year, providing passengers with real-time information on buses. In addition, the construction of southbound bus lanes from the Burnside bridges to Tolmie Avenue along Highway 1 was recently announced as part of a federal funding partnership through the Investing in Canada Infrastructure Program. This announcement also included the planned introduction of tap payment technology in Victoria.

Moreover, in accordance with my mandate letter to BC Transit, the Corporation has been directed to ensure it is well positioned to meet or exceed the Province's legislated targets for greenhouse gas emissions (2030, 2040 and 2050), and to provide a formal status update by August 31, 2019.

Our new comprehensive southern Vancouver Island transportation strategy will take a coordinated look at ways to relieve traffic congestion on the South Island. We will explore all modes of transportation, including public transit, to find ways to improve traffic flow and move people more efficiently in this rapidly growing area of the province.

.../2

The provincial government is a proud funding partner of BC Transit and the Victoria Regional Transit Commission and, since 2014, has invested approximately \$59 million towards capital projects on southern Vancouver Island. We have also invested more than \$40 million in provincial operating funding for the South Island in 2018/19, encompassing the Victoria and Cowichan Valley regional transit systems and the Cowichan Valley Commuter service.

As you know, transit in the Victoria area falls under the purview of the Victoria Regional Transit Commission (VRTC), so I am glad to see that you have also shared your resolutions with the VRTC. I look forward to continuing to work with the VRTC to find ways to improve public transit for South Island residents, and I encourage the City to continue to share its suggestions and support for transit improvements with the VRTC directly.

Thank you for taking the time to write.

Yours sincerely,



Claire Trevena
Minister

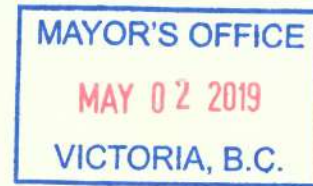
Copy to: Premier John Horgan



The District of Lillooet
616 Main Street, PO Box 610, Lillooet, BC V0K 1V0
Tel: (250) 256-4289 **Fax:** (250) 256-4288
E-mail: cityhall@lillooetbc.ca

April 30, 2019

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



Dear Ms. Helps,

RE: Support for the City of Victoria resolution 'Shifting Investment to Low-Emission Transportation'

At the April 15, 2019 Regular Meeting of Council, the Council of the District of Lillooet passed the following resolution:

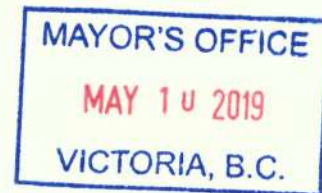
***THAT** Correspondence from Victoria Mayor, Lisa Helps, regarding 'Support for Resolutions' dated March 13, 2019 be received; and*

***THAT** Council support the resolution 'Shifting Investment to Low-Emission Transportation' from the City of Victoria specifically to express our interest in passenger rail service from the GVA to BC's interior in the form of incentives for private sector businesses to provide passenger rail service; and*

***THAT** the article 'A Railway Runs Through It' written by Rick Crosby and published by Pique Newsmagazine on March 24, 2019, be included.*

Yours truly,

Joni L'Heureux
Acting Corporate Officer
District of Lillooet



MAY 2 - 2019

Ref: 245492

Her Worship Mayor Lisa Helps
City of Victoria
1 Centennial Sq
Victoria BC V8W 1P6

Dear Mayor Helps: *Lisa,*

Thank you for your letter requesting ongoing funding to extend Our Place Society's Drop-in Centre hours in the spring and summer months, starting in 2020.

As you know, in addition to providing funding to extend the Drop-in Centre's hours during the winter months, BC Housing approved funding increases to Our Place Society for the current fiscal year that have allowed the society to extend the My Place and First Metropolitan temporary shelters to March 31, 2020; purchase additional mats; and supplement other operating and maintenance costs for the current 2019/20 season. In addition, since 2011, the Province of British Columbia has provided \$100,000 per year toward Our Place Society's meal services through the Community Gaming Grants program—the maximum annual amount allowable to local organizations.

The Province is pleased to continue its support for Our Place Society and its programming, and I have passed along your funding request to BC Housing for their consideration when they are ready to begin looking at budgets for the 2020/21 fiscal year.

The Province appreciates the City of Victoria's commitment to addressing the needs of residents who are experiencing homelessness, and we look forward to continuing this important work in partnership with you.

Thank you again for writing.

Sincerely,

Selina Robinson
Minister

Minister of Finance



Ministre des Finances

Ottawa, Canada K1A 0G5

MAY 08 2019

2019FIN483281

Her Worship Lisa Helps
Mayor
City of Victoria
ldeamaral@victoria.ca

Dear Mayor Helps:

Thank you for your correspondence of February 13, 2019 regarding your support for the University of Victoria's proposal to create a dual degree in common law and Indigenous legal orders and build a Legal Lodge to house this program. Please excuse the delay in replying.

The Government of Canada recognizes the importance of revitalizing Indigenous legal systems, and the important role that Indigenous law institutes, in partnership with Indigenous communities, can play in understanding, developing and implementing Indigenous laws. The University of Victoria has been a leader in this field. This is why Budget 2019 announced \$9.1 million over three years, starting in 2019-20, to support the construction of an Indigenous Legal Lodge at the University of Victoria. In addition, Budget 2019 announced another \$10 million over five years, starting in 2019-20, in support of Indigenous law initiatives across Canada through the Justice Partnership and Innovation Program. Both of these investments respond directly to the Truth and Reconciliation Commission's *Calls to Action, No. 50*, to fund the establishment of Indigenous law institutes for the development, use and understanding of Indigenous laws, and access to justice in accordance with the unique cultures of Indigenous peoples in Canada.

Given their role in the implementation of these investments, I have forwarded a copy of your correspondence to my colleagues, the Minister of Justice and Attorney General of Canada, the Honourable David Lametti, and the Minister of Innovation, Science and Economic Development, the Honourable Navdeep Bains.

Thank you for taking the time to share your views.

Yours sincerely,

The Honourable Bill Morneau, P.C., M.P.

c. The Honourable David Lametti, P.C., M.P.
The Honourable Navdeep Bains, P.C., M.P.

Canada

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD MAY 16, 2019

For the Council meeting of May 23, 2019, the Committee recommends the following:

1. Restoring Provincial Support for Libraries

WHEREAS libraries are a social justice equalizer that provide universal access to information and learning materials irrespective of income levels;

WHEREAS libraries are now so much more than books, building community and a sense of inclusion;

WHEREAS restoring funding to libraries supports the BC Government's agenda to eliminate poverty, improve access to education, and address social justice in BC;

WHEREAS funding rates have been frozen since 2009 and inflationary costs have increasingly been put on municipal property tax payers which is a regressive approach to funding public libraries;

WHEREAS municipalities face downloading from upper levels of government and have few tools to raise funds,

THEREFORE BE IT RESOLVED that Council request the Mayor write to the Minister of Education, the Premier, and all local MLAs strongly advocating for the restoration of library funding to a level that reflects both inflationary cost increases since 2009 and the value of this system to the Province.

BE IT FURTHER RESOLVED that this resolution be forwarded to other municipalities in the Capital Regional District and across BC requesting their favourable consideration.

2. Late Night Program Update

1. That Council receive this report for information.
2. That Council direct staff to reach out to the "May I?" Project, the Retail Action Network, and the Good Night Out project to invite them to participate in the Late Night Advisory Committee, and connect with downtown service providers and others to include individuals from marginalized communities, including but not limited to the street-involved community, international students, racialized communities, and the LGBTQI+ community.

3. Transitioning from Commercial Horse-Drawn Carriage Operations to E-Carriages

That Council refers the following resolution to the next Quarterly Update, with staff providing information on the resource implications of proceeding with the action outlined:

1. That Council amends the Strategic Plan 2019-2022 to include the new 2020 action: "Develop regulations to phase out commercial horse-drawn carriage operations on city streets by 2023, providing adequate notice to operators, employees and members of the public."
2. The Council encourages collaboration between industry, the City and provincial regulators to pursue innovation in electric-powered vehicles for hire, to provide ongoing and enhanced opportunities for experiential tourism, employment and economic development.
3. That Council refers the recommendations in the letter received by Council on May 28, 2018 and July 25, 2018, to staff to inform revisions to regulations and policies between now and 2023.



Council Report

For the Meeting of May 23, 2019

To: Council
From: C. Coates, City Clerk
Subject: Storefront Cannabis Retailer Regulation Bylaw

Date: May 16, 2019

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Storefront Cannabis Retailer Regulation Bylaw No. 19-053

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 19-053.

The issue came before Council on May 9, 2019 where the following resolution was approved:

Storefront Cannabis Retailer Regulation Bylaw

That Council direct staff to:


1. Bring forward the Storefront Cannabis Retailer Regulation Bylaw 19-053 for first and second readings to a Council meeting.
2. Schedule an Opportunity for Public Comment at a regular Council meeting as an opportunity to make representations on the proposed bylaw in accordance with section 59 of the Community Charter.
3. Provide notice of the intention to adopt the new Storefront Cannabis Retailer Regulation Bylaw by mail to all known storefront cannabis retailers as well as through normal advertising of Council's agenda.
4. Undertake a review and analysis of business license fees once Provincial Licensing and Enforcement has stabilized.

Respectfully submitted,


Chris Coates
City Clerk

Report accepted and recommended by the City Manager:

Date:


May 17, 2019

List of Attachments:

- Bylaw No. 19-053

STOREFRONT CANNABIS RETAILER REGULATION BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to align the bylaw with the provincial *Cannabis Control and Licensing Act* and federal *Cannabis Act* and further minimize any adverse effects that storefront cannabis retailers may have on the safety, health and well-being of the community.

Contents

PART 1 - INTRODUCTION

- 1 Title
- 2 Definitions

PART 2 - BUSINESS LICENCES

- 3 Business licences required for storefront cannabis retailers
- 4 Licence Inspector's authority to refuse a storefront cannabis retail licence

PART 3 - OPERATING REGULATIONS

- 5 Regulation of storefront cannabis retailers

PART 4 – GENERAL PROVISIONS

- 6 Offences
- 7 Severability
- 8 Consequential Amendments
- 9 Repeal

Under its statutory powers, including section 8(6) of the *Community Charter*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

PART 1 – INTRODUCTION

Title

- 1 This Bylaw may be cited as the "Storefront Cannabis Retailer Regulation Bylaw No. 19-053".

Definitions

- 2 In this Bylaw:

"cannabis"

has the same meaning as in the *Cannabis Act* (Canada);

“storefront cannabis retailer”

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

PART 2 - BUSINESS LICENCES

Business licences required for storefront cannabis retailers

- 3 (1) A person must not operate a storefront cannabis retailer unless the person holds a valid licence issued under the provisions of this Bylaw and the Business Licence Bylaw.
- (2) A person applying for the issuance or renewal of a licence to operate a storefront cannabis retailer must:
 - (a) make an application to the Licence Inspector on the form provided for that purpose; and
 - (b) pay to the City a \$5,000 annual licence fee.

Licence Inspector's authority to suspend or refuse a storefront cannabis retail licence

- 4 (1) The License Inspector may suspend a licence or refuse to issue or renew a license where the applicant does not have a provincial cannabis retail store licence.
- (2) A decision of the Licence Inspector under subsection (1) may be appealed to Council by submitting a request in writing to the City Clerk within 30 days of the decision.

PART 3 - OPERATING REGULATIONS

Regulation of storefront cannabis retailers

- 5 A person carrying on a storefront cannabis retailer must:
 - (a) install and maintain an air filtration system that effectively minimizes odour impacts on neighbouring properties;
 - (b) ensure that two employees are present on the premises at all times when the business is open to the public, including one manager;
 - (c) ensure that windows on any street frontage of the premises are not blocked by translucent or opaque material, artwork, posters, shelving, display cases or similar elements;
 - (d) not be open for business between the hours of 8 p.m. and 9 a.m. the next day;
 - (e) display any advertising or sign that is visible from outside of the premises except for a maximum of two signs which display no images and contain only:

(i) alpha-numeric characters,

(ii) the business name, and

is in a size as permitted under the *Sign Bylaw*.

PART 4 – GENERAL PROVISIONS

Offences

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

Severability

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

Consequential Amendments

- 8 (1) Ticket Bylaw No. 10-071 is amended by:
- (a) repealing Schedule A and replacing it with a new Schedule A attached to this Bylaw as Schedule 1; and
 - (b) repealing Schedule S.1 and replacing it with a new Schedule S.1 attached to this Bylaw as Schedule 2.
- (2) Business Licence Bylaw No. 89-071 is amended by repealing section 35.

Repeal

9. Cannabis-Related Business Regulation Bylaw No.16-061 is repealed.

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

Schedule A**Bylaws & Enforcement Officers**

Item Number	Column 1 - Bylaws	Column 2 - Bylaw Enforcement Officers
1	Abandoned Properties Bylaw	Bylaw Officer; Police Constable
2	Animal Control Bylaw -sections 17, 36, 37, 38, 39, 48 and 49	Animal Control Officer; Bylaw Officer; Police Constable
3	Animal Control Bylaw -all provisions except those listed in Item 2	Animal Control Officer; Manager of Bylaw and Licensing Services; Police Constable
4	Bicycle Courier Bylaw	Bylaw Officer; Police Constable
5	Blasting (Construction) Operations Bylaw	Building Inspector; Bylaw Officer
6	Boulevard Tree Lighting Bylaw	Bylaw Officer; Electrical Inspector
7	Building Bylaw	Building Inspector; Bylaw Officer
8	Business Licence Bylaw	Bylaw Officer
9	Commercial Vehicle Licensing Bylaw	Bylaw Officer; Police Constable
10	Dance (All-Night Event) Bylaw	Bylaw Officer; Police Constable
11	Dance (Club) Bylaw	Bylaw Officer; Police Constable
12	Electrical Safety Regulation Bylaw	Bylaw Officer; Electrical Inspector
13	Escort and Dating Service Bylaw	Bylaw Officer
14	Fence Bylaw	Bylaw Officer
15	Fire Prevention and Regulation Bylaw	Bylaw Officer; Fire Prevention Officer; Police Constable
16	Fireworks Bylaw	Bylaw Officer; Fire Prevention Officer; Police Constable
17	Idling Control Bylaw	Bylaw Officer; Police Constable
18	Litter Prohibition Bylaw, 1977	Bylaw Officer
19	Storefront Cannabis Retailer Regulation Bylaw	Bylaw Officer, Police Constable
20	Noise Bylaw	Bylaw Officer; Police Constable
21	Nuisance (Business Regulation) Bylaw	Bylaw Officer
22	Outdoor Market Bylaw	Bylaw Officer
23	Parking Lot Bylaw	Bylaw Officer
24	Parks Regulation Bylaw -sections 6(j), 6(k), 12(3), 12(4) and 17	Animal Control Officer; Bylaw Officer; Police Constable
25	Parks Regulation Bylaw - all provisions except those listed in Item 23	Bylaw Officer; Police Constable
26	Pesticide Use Reduction Bylaw	Bylaw Officer
27	Plumbing Bylaw	Bylaw Officer; Plumbing Inspector

28	Property Maintenance Bylaw	Bylaw Officer; Police Constable
29	Residential Properties Parking Bylaw	Bylaw Officer; Police Constable
30	Ross Bay Cemetery Bylaw	Bylaw Officer; Police Constable
31	Sanitary Sewer and Stormwater Utilities Bylaw	Bylaw Officer

32	Second Hand Dealers Bylaw	Bylaw Officer; Police Constable
33	Sidewalk Cafes Regulation Bylaw	Bylaw Officer
34	Sign Bylaw	Bylaw Officer
35	Solid Waste Bylaw	Bylaw Officer
36	Street Collections Bylaw	Bylaw Officer; Police Constable
37	Street Vendors Bylaw	Bylaw Officer; Police Constable
38	Streets and Traffic Bylaw - sections 20 to 44 inclusive	Manager of Bylaw and Licensing Services; Police Constable
39	Streets and Traffic Bylaw - all provisions except those listed in Item 36	Bylaw Officer; Police Constable
40	Towing and Immobilizing Companies Bylaw	Bylaw Officer; Police Constable
41	Tree Preservation Bylaw	Bylaw Officer
42	Vehicles For Hire Bylaw	Bylaw Officer; Police Constable
43	Zoning Regulation Bylaw	Bylaw Officer

Schedule 2

Schedule S.1
Storefront Cannabis Retailer Regulation Bylaw
Offences and Fines

Column 1 – Offence	Column 2 – Section	Column 3- Set Fine	Column 4 – Fine if paid within 30 days
Operate without a valid licence	3 (1)	\$1000	\$1000
Failure to install and maintain air filtration system	5 (a)	\$500	\$500
Failure to provide required staff	5 (b)	\$500	\$500
Cover windows contrary to regulations	5 (c)	\$250	\$250
Operate outside of permitted hours	5 (d)	\$250	\$250
Display or advertise prohibited sign	5 (e)	\$250	\$250



Council Report For the Meeting of May 23, 2019

To: Council **Date:** May 3, 2019
From: Andrea Hudson, Acting Director of Sustainable Planning and Community Development
Subject: Update Report - 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.

EXECUTIVE SUMMARY

At the May 2, 2019 Committee of the Whole Meeting, the Committee of the Whole passed a motion to move the proposed Land Use Procedures Bylaw amendments forward to be considered at a meeting of Council with the following direction to staff:

- “1. Direct staff to, if possible, incorporate into the bylaw changes on the notion that for City initiated rezonings, a sign be included on the property where the property owner is willing.
2. That staff give consideration as part of amendments to the bylaw to allow the installation of a temporary sign in proximity of the parcel.”

Staff have revised the proposed bylaw amendment to incorporate these two items into the changes.

Respectfully submitted,

Rob Bateman
Senior Process Planner
Development Services Division

Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:

May 17, 2019

List of Attachments

- 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) in section 27(a) by striking out “*Zoning Regulation Bylaw*” and replacing it with “zoning bylaw”;
 - (f) by striking out section 28 and replacing it with:
 - “Section 27 does not apply to City-initiated amendments:
 - a. that involve ten or more parcels; or
 - b. where, in the opinion of the Director, the posting of signage is not practical because the owner of the affected site does not consent and there is no suitable public property for the signage in sufficiently close proximity to the affected site.”
 - (g) 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).”;

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.
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	Permit is valid for two years from the date of issuance.

Row #	A. Permit Types	B. DPAs and HCAs	C. Conditions
		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	
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 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 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 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 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	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
14	Temporary buildings and structures that do not exceed 100 m ² in floor area	All DP Areas and all HCAs	<p>Temporary buildings and structures located on private property.</p> <p>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.</p>
15	Temporary construction trailers and temporary residential unit sales trailers	All DP Areas and all HCAs	<p>Temporary construction trailers and temporary residential unit sales trailers located on private property.</p> <p>Covenant is in place to ensure removal of temporary construction trailers and temporary residential unit sales trailers subject to the following time frame:</p> <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.
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.

Row #	A. Permit Types	B. DPAs and HCAs	C. Conditions
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 529 of the <i>Local Government Act</i> ; and 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 v) the proposed new use requires no more than 6 additional bicycle parking	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.

Row #	A. Permit Types	B. DPAs and HCAs	C. Conditions
	stalls, even if the total variance for the building exceeds 6 bicycle parking stalls.		

**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.



Council Report

For the Meeting of May 23, 2019

To: Council **Date:** May 16, 2019

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

Subject: **Update Report for Rezoning Application No. 00656 and Development Permit with Variances No. 00116 for 2832 and 2838 Shakespeare Street**

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1188) No. 19-056

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 6.00m to 1.80m 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 18.00m to 15.25m for Lot 2
 - iv. reduce the side yard setback for an accessory building from 0.60m to 0.30m for Lot 2.
3. The Development Permit lapsing two years from the date of this resolution.”

EXECUTIVE SUMMARY

The purpose of this report is to update Council on the Development Permit with Variances application for 2832 and 2838 Shakespeare Street. The conditions set by Council on May 9, 2019 have been met, and the draft minutes are attached. The applicant has revised the landscape plan to include existing trees to be removed to the satisfaction of the Director of Sustainable Planning and Community Development.

BACKGROUND

Minor revisions to the plans were required to show the existing trees on the site and the existing trees proposed to be removed. The landscape plan has been revised and is attached to this report. The two trees proposed to be removed are not protected under the Tree Preservation Bylaw. The motion for Council's consideration has been updated to reflect this.

CONCLUSIONS

As per Council's motion on May 9, 2019, the applicant has revised the landscape plan. As the applicant has carried out the conditions set out by Council, staff recommend that the application advance to a Public Hearing for further consideration.

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:

May 17, 2019

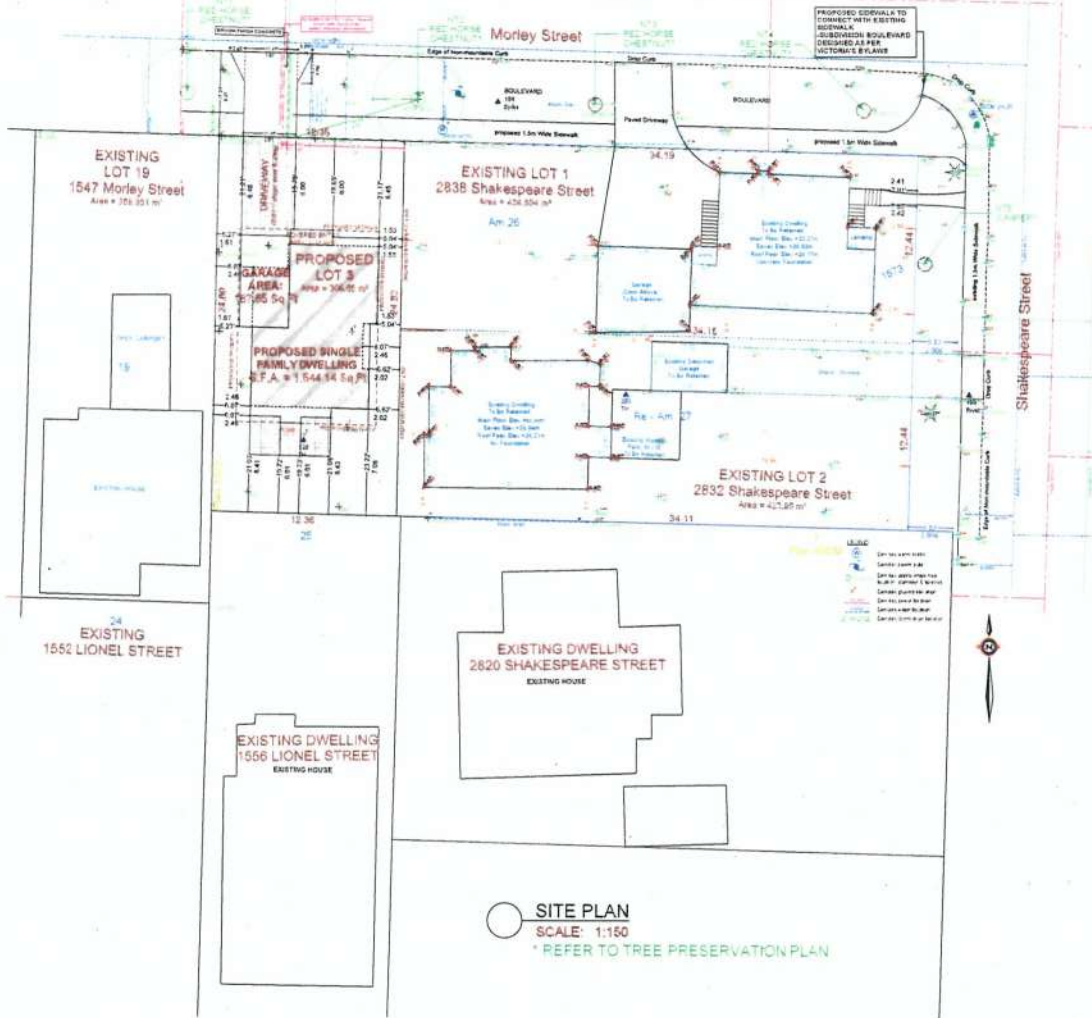
List of Attachments

- Attachment A: Plans date stamped March 7, 2019 (with revised landscape plan dated May 10, 2019 and deemed March 7, 2019)
- Attachment B: Motion from Council's May 9, 2019 Draft Minutes.

Received
City of Victoria

MAR 07 2019

Planning & Development Department
Development Services Division



PROJECT DATA TABLE - SINGLE FAMILY DWELLING	
Address	1547 Morley Street, Victoria
Lot Size	376.351 m ² (10,362.51 sq ft)
zoning	Residential - Single Dwellings
Height	12.19 m (39.98 ft)
Average grade	12.19 m (39.98 ft)
Highest allowed roof height	12.19 m (39.98 ft)
Plot Area	376.351 m ² (10,362.51 sq ft)
Upper floor area	154.414 m ² (4,181.41 sq ft)
Lower floor area	154.414 m ² (4,181.41 sq ft)
Garage	154.414 m ² (4,181.41 sq ft)
Average coverage	154.414 m ² (4,181.41 sq ft)
Total gross floor area	308.828 m ² (8,362.82 sq ft)
Floor space ratio	0.821 (82.1%)
Site coverage	154.414 m ² (4,181.41 sq ft)
Lot coverage (incl)	154.414 m ² (4,181.41 sq ft)
Setbacks	Front: 1.83 m (5.99 ft), Side: 1.83 m (5.99 ft), Rear: 1.83 m (5.99 ft)
Front yard setback	1.83 m (5.99 ft)
Side yard setback	1.83 m (5.99 ft)
Rear yard setback	1.83 m (5.99 ft)
Interior side yard setback (Block)	1.83 m (5.99 ft)
Interior side yard setback (Block) (Maximum space side setback)	1.83 m (5.99 ft)
Interior side yard setback (Block) (Maximum space side setback) (Side)	1.83 m (5.99 ft)
Interior side yard setback (Block) (Maximum space side setback) (Rear)	1.83 m (5.99 ft)
Maximum space side setback	1.83 m (5.99 ft)

PROJECT INFORMATION TABLE - EXISTING SINGLE FAMILY DWELLING	
Address	2838 Shakespeare Street, Victoria
Lot Size	428.506 m ² (12,222.11 sq ft)
zoning	Residential - Single Dwellings
Height	12.19 m (39.98 ft)
Average grade	12.19 m (39.98 ft)
Highest allowed roof height	12.19 m (39.98 ft)
Total Plot Area	428.506 m ² (12,222.11 sq ft)
Floor Space Ratio	0.821 (82.1%)
Site coverage	154.414 m ² (4,181.41 sq ft)
Lot coverage (incl)	154.414 m ² (4,181.41 sq ft)
Setbacks	Front: 1.83 m (5.99 ft), Side: 1.83 m (5.99 ft), Rear: 1.83 m (5.99 ft)
Front yard setback	1.83 m (5.99 ft)
Side yard setback	1.83 m (5.99 ft)
Rear yard setback	1.83 m (5.99 ft)
Interior side yard setback (Block)	1.83 m (5.99 ft)
Interior side yard setback (Block) (Maximum space side setback)	1.83 m (5.99 ft)
Interior side yard setback (Block) (Maximum space side setback) (Side)	1.83 m (5.99 ft)
Interior side yard setback (Block) (Maximum space side setback) (Rear)	1.83 m (5.99 ft)
Maximum space side setback	1.83 m (5.99 ft)

PROJECT INFORMATION TABLE - EXISTING SINGLE FAMILY DWELLING	
Address	2832 Shakespeare Street, Victoria
Lot Size	421.85 m ² (11,382.11 sq ft)
zoning	Residential - Single Dwellings
Height	12.19 m (39.98 ft)
Average grade	12.19 m (39.98 ft)
Highest allowed roof height	12.19 m (39.98 ft)
Total Plot Area	421.85 m ² (11,382.11 sq ft)
Floor Space Ratio	0.821 (82.1%)
Site coverage	154.414 m ² (4,181.41 sq ft)
Lot coverage (incl)	154.414 m ² (4,181.41 sq ft)
Setbacks	Front: 1.83 m (5.99 ft), Side: 1.83 m (5.99 ft), Rear: 1.83 m (5.99 ft)
Front yard setback	1.83 m (5.99 ft)
Side yard setback	1.83 m (5.99 ft)
Rear yard setback	1.83 m (5.99 ft)
Interior side yard setback (Block)	1.83 m (5.99 ft)
Interior side yard setback (Block) (Maximum space side setback)	1.83 m (5.99 ft)
Interior side yard setback (Block) (Maximum space side setback) (Side)	1.83 m (5.99 ft)
Interior side yard setback (Block) (Maximum space side setback) (Rear)	1.83 m (5.99 ft)
Maximum space side setback	1.83 m (5.99 ft)

CUSTOMER:
PAM HARTLING

ADDRESS:
2832 & 2838 SHAKESPEARE STREET, VICTORIA

DRAWING NAME:
SITE PLAN - ALL LOTS

DRAWING SCALE:
1:150

ISSUE DATE:
MAR. 06, 2019

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)

ATTACHMENT A



EFFECTIVE RISK OF FLOOD DUE TO UNDEVELOPED WATERSHEDS	
Exposure to Floe	0.00
177 Damaged Roads	0.00
102 Sub. Houses	
2071 Sub. Houses @ 145,000	
Water loss: 102 x (174,432) =	17,892,096
Sub. Damaging	2,147
Exposure to Floe	0.00
	\$194,657

Effective Balance for Foundation Bal.	
Enter ending	0
Enter ending bank balance	
(1) 1/12 Auto transfer	2.11
	Rs2.11
Return to "Effective Balance" screen	
Effective Balance for Pledge Bal. A/T	
Enter Amount	0
Building Paper	0

[illegible]

Labels from "Bioscience Resource Project"

R0602.25

CONSTRUCTION ASSEMBLIES:

1 4" concrete floor on 4 mil epoxy V.A. reinforced granular fill

2 3/4" floor joist 16" O.C. top, red and blue 3"x8" T&G plywood V. bracing @ 8" O.C. top.

3 A-1 wall studs, building paper, 7/16" G.S.B. (1/2" top, 3/8" bottom), 2" x 4" plywood bracing diagonal by member @ 12" O.C. top, R21 or insulation, 1/2" x 1/2" x 1/2" joist V.A. 16" O.C.

4 Top framing 1/4" O.C. top, 1/2" GWS French Sheetrock

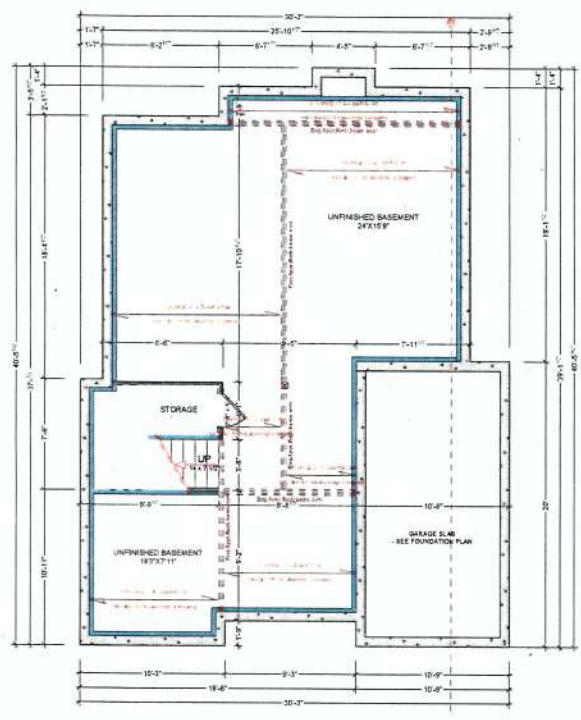
5 Exterior finish, 3/4" x 6" x 16" pressure treated studs, 8 layers 24" max. building paper, 1/2" x 1/2" x 1/2" 16" O.C. 2x8 batt insulation, 4 mil, poly V.A., 1/2" GWS. (See attachment)



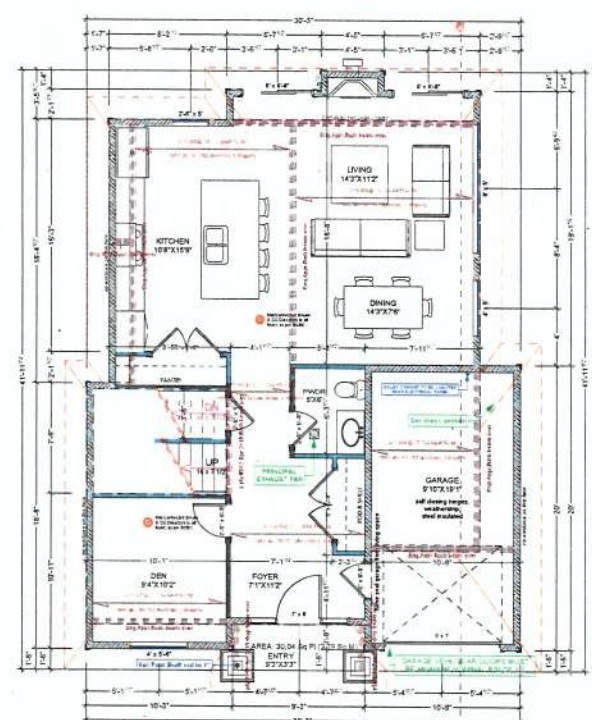
RECEIVED
 City of Victoria
 MAR 07 2019
 Planning & Development Department
 Building 1000, 1000 Blenheim

MAR 07 2019

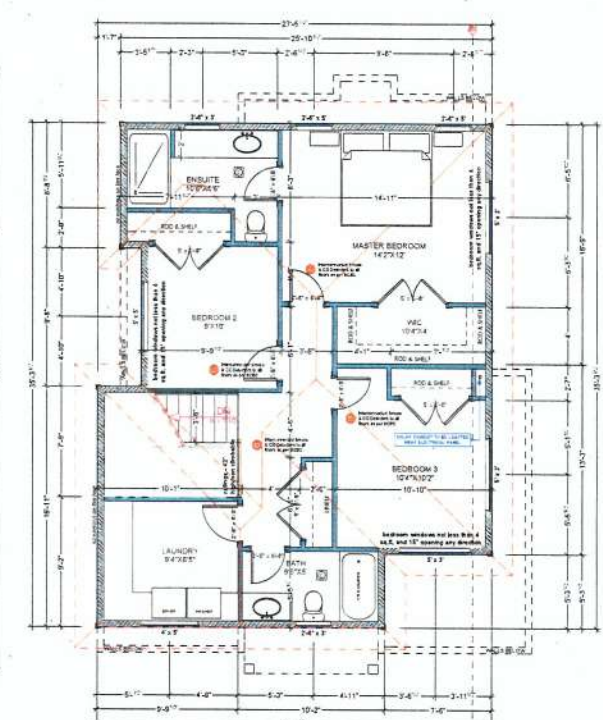
Planning & Design
Development



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" PLUMBING - SEE ELECTRICAL 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" PLUMBING - SEE ELECTRICAL FOR DETAILS

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

<p>GENERAL NOTES:</p> <p>ALL MATERIALS AND CONSTRUCTION METHODS TO CONFORM TO THE CURRENT EDITION OF THE NATIONAL BUILDING CODE AS WELL AS ANY LOCAL BUILDING CODES OR BYLAWS WHICH MAY HAVE PRECEDENCE.</p> <p>ALL MEASUREMENTS MUST BE VERIFIED ON SITE BY OWNER 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 S.E. LAND SURVEYOR.</p> <p>ALL SETBACKS SHALL BE COMPLIED BY THE OWNER/BUILDER.</p> <p>ALL GRADE ADJUSTMENTS ARE THE RESPONSIBILITY OF THE OWNER/BUILDER AND ANY NOTATIONS ARE TO BE MADE ON SITE.</p> <p>CONFIRMATION 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 BEARINGS ON COMPACTED UNDISTURBED SUBGRADE 20% TO 4" DEEPER DEPTH BELOW FROST PENETRATION.</p>	<p>IF DOPTER CONDITIONS APPLY THE FOLLOWING 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 12 MPa.</p> <p>FOUNDATION CONCRETE SHALL HAVE MIN. COMPRESSIVE STRENGTH OF 28 MPa (4000 PSI) IN DAYS. MIXED, PLACED AND TESTED IN ACCORDANCE WITH CANALAS.</p> <p>ALL WALLS ARE 8" CONCRETE UNLESS OTHERWISE NOTED.</p> <p>ALL GRADES ARE ESTIMATED ONLY AND SHALL BE RECHECKED ON SITE.</p> <p>ALL WOOD IN CONTACT WITH CONCRETE SHALL BE TREATED OR SEPARATED BY A MOISTURE RESISTANT GASKET MATERIAL.</p>	<p>JOISTER, TRUSSES AND BEAMS:</p> <p>BUILDING FRAMES TO BE AUTHORIZED TO FOUNDATION BY FASTENING DELTA PLATE TO FOUNDATION WITH NOT LESS THAN 12mm (1/2") DIA. ANCHOR BOLTS AT 1200mm (48") MAX. SPACING.</p> <p>ALL ENGINEERED BEAMS TO BE SIZED BY SUPPLIER.</p> <p>ALL SPANS SHALL CONFORM TO THE TABLES SET OUT IN THE 2015 B.C. CODE AND THE NATIONAL BUILDING CODE OF CANADA AND VARIATIONS OF ALL SPANS IS THE RESPONSIBILITY OF THE OWNER/BUILDER.</p>	<p>ROOFING:</p> <p>ALL ROOFING SHALL BE SUPPLIED TO MANUFACTURER'S SPECIFICATION AND SHALL INCLUDE SATE PROTECTION FROM UV RAYS AND BLOW 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.</p> <p>ALL ROOFING SHALL INCORPORATE STEEP FLASHING.</p> <p>ALL PENETRATIONS THROUGH ROOF SHALL INCLUDE APPROPRIATE FLASHING.</p> <p>DOORS - ROUGH OPENING SIZES:</p> <p>FRAME OPENING 1" HIGHER THAN DOOR.</p> <p>FRAME HEIGHT 2" FOR EXTERIOR DOORS AND 2 1/2" FOR INTERIOR DOORS.</p> <p>DOOR FRAME OPENING 1" HIGHER THAN DOOR.</p> <p>DOOR FRAME HEIGHT 2 1/2".</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 CAN 5.18.</p>	<p>NEITHER JAVA DESIGNS NOR THE DESIGNER ACCEPTS RESPONSIBILITY FOR THE FOLLOWING:</p> <p>INFORMATION PROVIDED ON EXISTING BUILDINGS OF SITE.</p> <p>CONFIRMATION OF PLANS TO SITE.</p> <p>CONTRACTS AND DIMENSIONS NOT SHOWN ON THESE PLANS.</p>
--	--	--	--	---	---	---

CUSTOMER:
PAM HARTLING

ADDRESS:
2032 & 2038 SHAKESPEARE STREET, VICTORIA

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

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

ISSUE DATE:
MAR. 06, 2019

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
A4



EXTERIOR FINISHES SCHEDULE			
A	ROOFING	ASPHALT ROOFING WITH RAISED RIDGE & HP CAPS	WALL FINISH
B	GUTTER & SOFFIT	ALUMINUM GUTTER AND NON-PAINTED SOFFIT	WALL FINISH
C	BARGE BOARD	3/4" WITH 1/4" DOUBLE BARGE BOARD, PAINTED TRIM COLOR	DETAIL
D	WINDOW & DOOR TRIM	1/4" TRIM BOARDS - PAINTED, STAINED	POSTS
E	CORNER TRIM	1/4" CORNER BOARDS - PAINTED, STAINED	
			HARDWARE AND SATTIN
			1/4" @ 12" S.C. HANDSCREEN AS PER BISC
			STUCCO - SEE OWNER FOR TEXTURE FINISH - 1/4" SCREEN AS PER BISC
			DECORATIVE FINISH
			ARTS & CRAFTS COLUMNS MADE OF 1/4" PLYWOOD WITH STAINERS PAPER AND STUCCO WITH STONE CONCRETE OVER CUP OVER INTERNAL 6/8 POST



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

MAR 07 2019
Planning & Design Architect

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

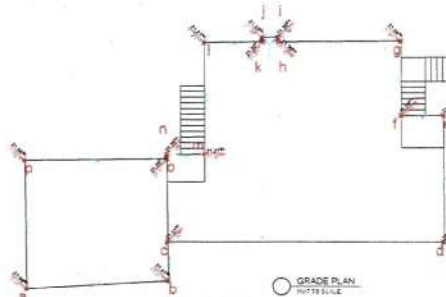
JAVA DESIGNS
WHERE LINES ON PAPER BECOME WALLS ON SITE
PH: 250.590.2468 FX: 250.590.4577 www.javadesigns.ca

SHEET NUMBER
A5

 SITE PLAN
SCALE: 1/100



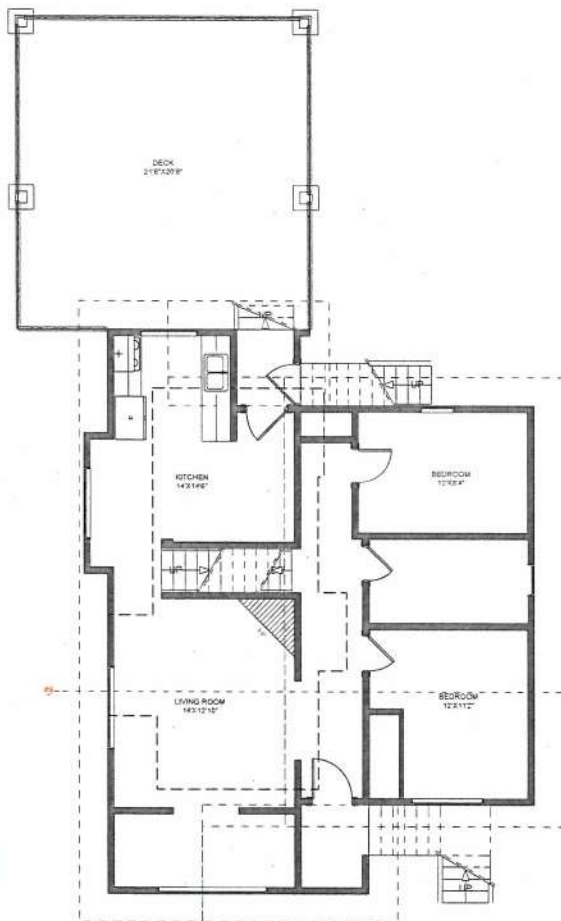
EXISTING CROSS SECTION A-2: LOT 1 2838 SHAKESPEARE ST.
SCALE: 1/4" = 1' - 0"
EXISTING TO BE RETAINED



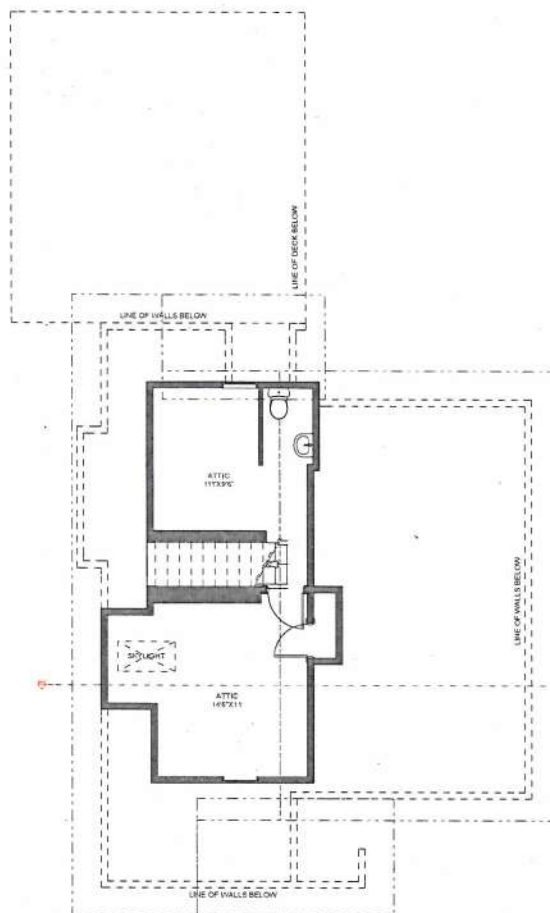
GRADE PLAN		NOTES	
Given Points	Eq. of Line	Solution Set	Table
(0, 0)	$y = 2x + 1$	$(0, 1)$	1
(1, 1)	$y = 2x + 1$	$(1, 3)$	3
(2, 2)	$y = 2x + 1$	$(2, 5)$	5
(3, 3)	$y = 2x + 1$	$(3, 7)$	7
(4, 4)	$y = 2x + 1$	$(4, 9)$	9
(5, 5)	$y = 2x + 1$	$(5, 11)$	11
(6, 6)	$y = 2x + 1$	$(6, 13)$	13
(7, 7)	$y = 2x + 1$	$(7, 15)$	15
(8, 8)	$y = 2x + 1$	$(8, 17)$	17
(9, 9)	$y = 2x + 1$	$(9, 19)$	19
(10, 10)	$y = 2x + 1$	$(10, 21)$	21
(11, 11)	$y = 2x + 1$	$(11, 23)$	23
(12, 12)	$y = 2x + 1$	$(12, 25)$	25
(13, 13)	$y = 2x + 1$	$(13, 27)$	27
(14, 14)	$y = 2x + 1$	$(14, 29)$	29
(15, 15)	$y = 2x + 1$	$(15, 31)$	31
(16, 16)	$y = 2x + 1$	$(16, 33)$	33
(17, 17)	$y = 2x + 1$	$(17, 35)$	35
(18, 18)	$y = 2x + 1$	$(18, 37)$	37
(19, 19)	$y = 2x + 1$	$(19, 39)$	39
(20, 20)	$y = 2x + 1$	$(20, 41)$	41
(21, 21)	$y = 2x + 1$	$(21, 43)$	43
(22, 22)	$y = 2x + 1$	$(22, 45)$	45
(23, 23)	$y = 2x + 1$	$(23, 47)$	47
(24, 24)	$y = 2x + 1$	$(24, 49)$	49
(25, 25)	$y = 2x + 1$	$(25, 51)$	51
(26, 26)	$y = 2x + 1$	$(26, 53)$	53
(27, 27)	$y = 2x + 1$	$(27, 55)$	55
(28, 28)	$y = 2x + 1$	$(28, 57)$	57
(29, 29)	$y = 2x + 1$	$(29, 59)$	59
(30, 30)	$y = 2x + 1$	$(30, 61)$	61
(31, 31)	$y = 2x + 1$	$(31, 63)$	63
(32, 32)	$y = 2x + 1$	$(32, 65)$	65
(33, 33)	$y = 2x + 1$	$(33, 67)$	67
(34, 34)	$y = 2x + 1$	$(34, 69)$	69
(35, 35)	$y = 2x + 1$	$(35, 71)$	71
(36, 36)	$y = 2x + 1$	$(36, 73)$	73
(37, 37)	$y = 2x + 1$	$(37, 75)$	75
(38, 38)	$y = 2x + 1$	$(38, 77)$	77
(39, 39)	$y = 2x + 1$	$(39, 79)$	79
(40, 40)	$y = 2x + 1$	$(40, 81)$	81
(41, 41)	$y = 2x + 1$	$(41, 83)$	83
(42, 42)	$y = 2x + 1$	$(42, 85)$	85
(43, 43)	$y = 2x + 1$	$(43, 87)$	87
(44, 44)	$y = 2x + 1$	$(44, 89)$	89
(45, 45)	$y = 2x + 1$	$(45, 91)$	91
(46, 46)	$y = 2x + 1$	$(46, 93)$	93
(47, 47)	$y = 2x + 1$	$(47, 95)$	95
(48, 48)	$y = 2x + 1$	$(48, 97)$	97
(49, 49)	$y = 2x + 1$	$(49, 99)$	99
(50, 50)	$y = 2x + 1$	$(50, 101)$	101
(51, 51)	$y = 2x + 1$	$(51, 103)$	103
(52, 52)	$y = 2x + 1$	$(52, 105)$	105
(53, 53)	$y = 2x + 1$	$(53, 107)$	107
(54, 54)	$y = 2x + 1$	$(54, 109)$	109
(55, 55)	$y = 2x + 1$	$(55, 111)$	111
(56, 56)	$y = 2x + 1$	$(56, 113)$	113
(57, 57)	$y = 2x + 1$	$(57, 115)$	115
(58, 58)	$y = 2x + 1$	$(58, 117)$	117
(59, 59)	$y = 2x + 1$	$(59, 119)$	119
(60, 60)	$y = 2x + 1$	$(60, 121)$	121
(61, 61)	$y = 2x + 1$	$(61, 123)$	123
(62, 62)	$y = 2x + 1$	$(62, 125)$	125
(63, 63)	$y = 2x + 1$	$(63, 127)$	127
(64, 64)	$y = 2x + 1$	$(64, 129)$	129
(65, 65)	$y = 2x + 1$	$(65, 131)$	131
(66, 66)	$y = 2x + 1$	$(66, 133)$	133

Received
City of Victoria
MAR 07 2019
Planning, C.D. - Victoria Department
Davidson, W. - Victoria

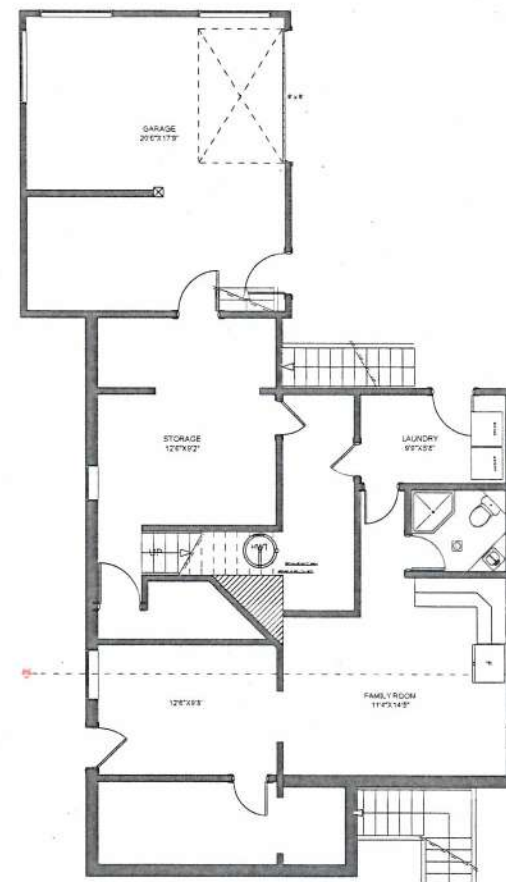
 <p>JAVA DESIGNS WHERE LINES ON PAPER BECOME WALLS ON SITE PH 250.590.2468 FX 250.590.4577 www.javadesigns.ca</p>	SHEET NUMBER <div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center; margin: 0 auto;"> A6 </div>
	DRAWING NAME: EXISTING LOT 1 2838 SHAKESPEARE ST.: SITE PLAN & GRADE PLAN
ISSUE DATE: MAR. 08, 2019	DRAWN BY: KYLE LEGGETT
CUSTOMER: PAMI HARTLING	ADDRESS: 2832 & 2830 SHAKESPEARE STREET, VICTORIA



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



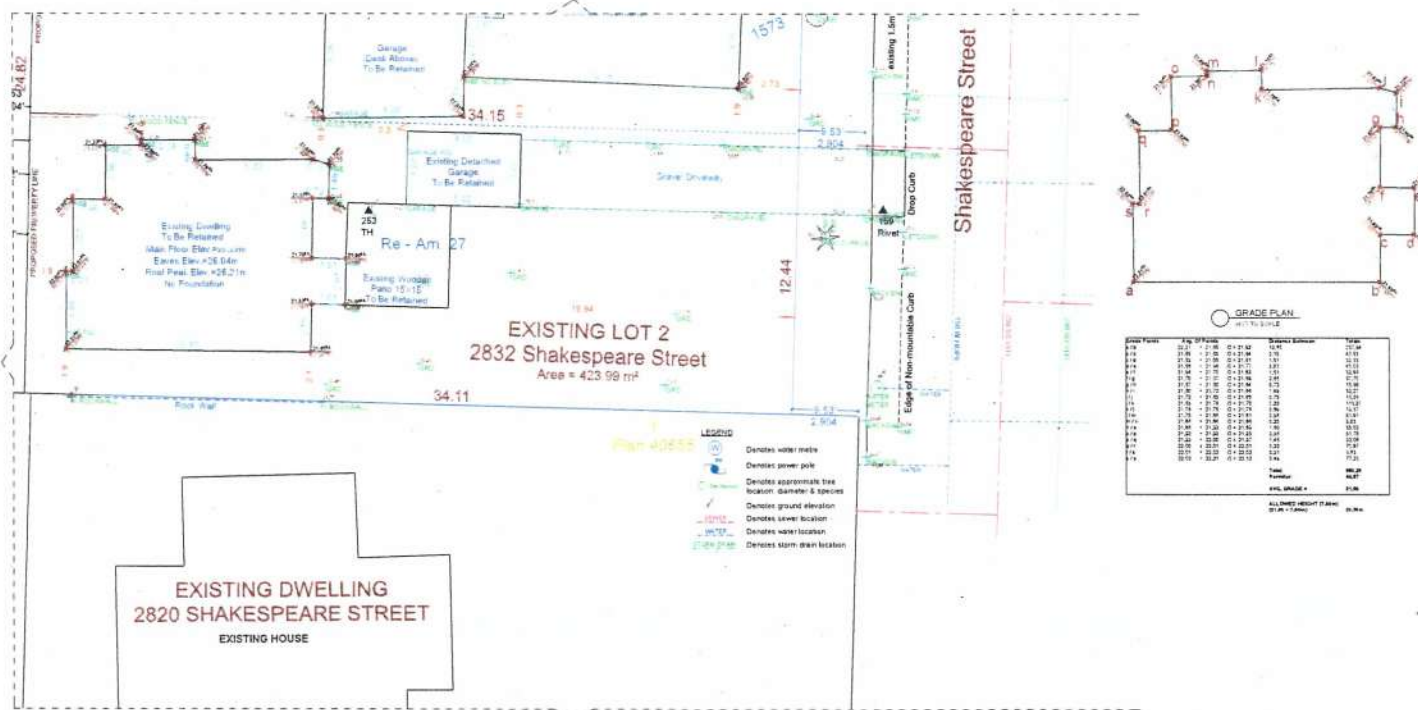
EXISTING LOWER FLOOR PLAN (6'-6" WALLS)
SCALE: 1/4" = 1'-0"
EXISTING LOWER FLOOR AREA: 1,025 Sq Ft
EXISTING GARAGE AREA: 402 Sq Ft
2838 SHAKESPEARE ST. VICTORIA BC

Received
City of Victoria
MAR 07 2019
Planning Department

 JAVA DESIGNS WHERE LINES ON PAPER BECOME WALLS ON SITE PH 250.590.2468 FX 250.590.4577 www.javadesigns.ca	ISSUE DATE: MAR. 06, 2019 DRAWN BY: KYLE LEGGETT	DRAWING NAME: EXISTING LOT 1, 2838 SHAKESPEARE ST. FLOOR PLANS DRAWING SCALE: 1/4" = 1'-0"	CUSTOMER: PAM HARTLING ADDRESS: 2832 & 2838 SHAKESPEARE STREET, VICTORIA
	SHEET NUMBER A7		

PROJECT INFORMATION TABLE - EXISTING WHOLE FAMILY DWELLING			
Address	2832 Shakespeare Street	City	Victoria
Lot Area	423.98 m ² (10,587.5 sq. ft.)	Zone	R1-10
Project	Re-entrant	Owner	Private
Project Date	10/01/2019		
Height of highest point	15.73 m (51.6 ft.)		
Highest point of highest	15.73 m (51.6 ft.)		
Total Floor Area	15.73 m ² (170.5 sq. ft.)		
Floor Space Ratio	15.73 m ² (170.5 sq. ft.)		
Site coverage	15.73 m ² (170.5 sq. ft.)		
Lot coverage (Ratio)	15.73 m ² (170.5 sq. ft.)		
Open space	15.73 m ² (170.5 sq. ft.)		
Existing building on the			
Front yard setback	15.73 m (51.6 ft.)		
Rear yard setback	15.73 m (51.6 ft.)		
Side yard setback (Ratio)	15.73 m (51.6 ft.)		
Side yard setback (Ratio)	15.73 m (51.6 ft.)		
EXISTING ACCESSORY BUILDING - TO BE RETAINED			
Building Use	Garage		
Location	Front Yard		
Ground Floor Area	15.73 m ² (170.5 sq. ft.)		
Height	15.73 m (51.6 ft.)		
Front Setback	15.73 m (51.6 ft.)		
Rear Setback	15.73 m (51.6 ft.)		
Side Setback	15.73 m (51.6 ft.)		
Maximum Height	15.73 m (51.6 ft.)		
Rear Yard Setback	15.73 m (51.6 ft.)		

SITE PLAN
SCALE: 1:100



Point	Elev.	Point	Elev.	Point	Elev.	Point	Elev.
1	15.73	11	15.73	21	15.73	31	15.73
2	15.73	12	15.73	22	15.73	32	15.73
3	15.73	13	15.73	23	15.73	33	15.73
4	15.73	14	15.73	24	15.73	34	15.73
5	15.73	15	15.73	25	15.73	35	15.73
6	15.73	16	15.73	26	15.73	36	15.73
7	15.73	17	15.73	27	15.73	37	15.73
8	15.73	18	15.73	28	15.73	38	15.73
9	15.73	19	15.73	29	15.73	39	15.73
10	15.73	20	15.73	30	15.73	40	15.73
11	15.73	21	15.73	31	15.73	41	15.73
12	15.73	22	15.73	32	15.73	42	15.73
13	15.73	23	15.73	33	15.73	43	15.73
14	15.73	24	15.73	34	15.73	44	15.73
15	15.73	25	15.73	35	15.73	45	15.73
16	15.73	26	15.73	36	15.73	46	15.73
17	15.73	27	15.73	37	15.73	47	15.73
18	15.73	28	15.73	38	15.73	48	15.73
19	15.73	29	15.73	39	15.73	49	15.73
20	15.73	30	15.73	40	15.73	50	15.73
21	15.73	31	15.73	41	15.73	51	15.73
22	15.73	32	15.73	42	15.73	52	15.73
23	15.73	33	15.73	43	15.73	53	15.73
24	15.73	34	15.73	44	15.73	54	15.73
25	15.73	35	15.73	45	15.73	55	15.73
26	15.73	36	15.73	46	15.73	56	15.73
27	15.73	37	15.73	47	15.73	57	15.73
28	15.73	38	15.73	48	15.73	58	15.73
29	15.73	39	15.73	49	15.73	59	15.73
30	15.73	40	15.73	50	15.73	60	15.73
31	15.73	41	15.73	51	15.73	61	15.73
32	15.73	42	15.73	52	15.73	62	15.73
33	15.73	43	15.73	53	15.73	63	15.73
34	15.73	44	15.73	54	15.73	64	15.73
35	15.73	45	15.73	55	15.73	65	15.73
36	15.73	46	15.73	56	15.73	66	15.73
37	15.73	47	15.73	57	15.73	67	15.73
38	15.73	48	15.73	58	15.73	68	15.73
39	15.73	49	15.73	59	15.73	69	15.73
40	15.73	50	15.73	60	15.73	70	15.73
41	15.73	51	15.73	61	15.73	71	15.73
42	15.73	52	15.73	62	15.73	72	15.73
43	15.73	53	15.73	63	15.73	73	15.73
44	15.73	54	15.73	64	15.73	74	15.73
45	15.73	55	15.73	65	15.73	75	15.73
46	15.73	56	15.73	66	15.73	76	15.73
47	15.73	57	15.73	67	15.73	77	15.73
48	15.73	58	15.73	68	15.73	78	15.73
49	15.73	59	15.73	69	15.73	79	15.73
50	15.73	60	15.73	70	15.73	80	15.73
51	15.73	61	15.73	71	15.73	81	15.73
52	15.73	62	15.73	72	15.73	82	15.73
53	15.73	63	15.73	73	15.73	83	15.73
54	15.73	64	15.73	74	15.73	84	15.73
55	15.73	65	15.73	75	15.73	85	15.73
56	15.73	66	15.73	76	15.73	86	15.73
57	15.73	67	15.73	77	15.73	87	15.73
58	15.73	68	15.73	78	15.73	88	15.73
59	15.73	69	15.73	79	15.73	89	15.73
60	15.73	70	15.73	80	15.73	90	15.73
61	15.73	71	15.73	81	15.73	91	15.73
62	15.73	72	15.73	82	15.73	92	15.73
63	15.73	73	15.73	83	15.73	93	15.73
64	15.73	74	15.73	84	15.73	94	15.73
65	15.73	75	15.73	85	15.73	95	15.73
66	15.73	76	15.73	86	15.73	96	15.73
67	15.73	77	15.73	87	15.73	97	15.73
68	15.73	78	15.73	88	15.73	98	15.73
69	15.73	79	15.73	89	15.73	99	15.73
70	15.73	80	15.73	90	15.73	100	15.73

RECEIVED
City of Victoria
MAY 07 2019
Planning
City of Victoria

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

CUSTOMER:
PAM HARTLING

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

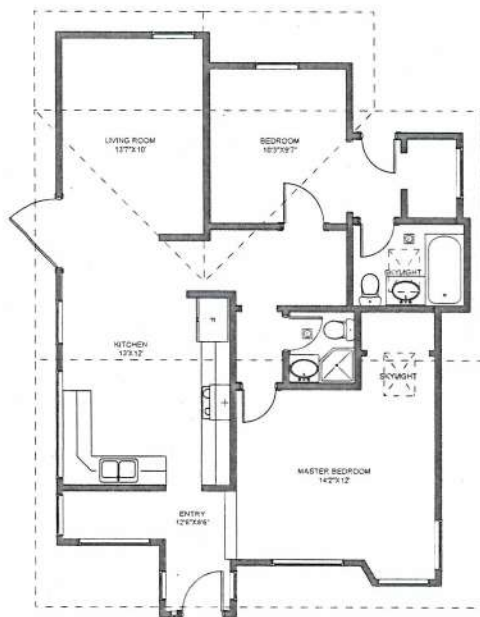
ISSUE DATE:
MAR. 05, 2019

DRAWN BY:
KYLE LEGGETT

ADDRESS:
2832 & 2838 SHAKESPEARE STREET, VICTORIA

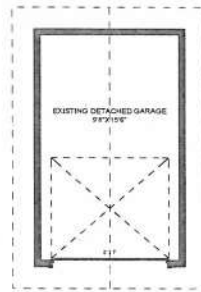
DRAWING SCALE:
SEE DRAWINGS

SHEET NUMBER
A8



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

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



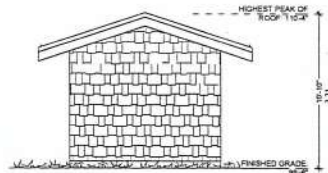
EXISTING DETACHED GARAGE PLAN (8'-0 3/4" WALLS)

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



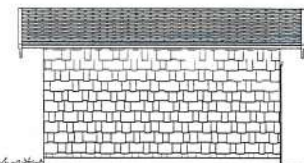
EXISTING DETACHED GARAGE REAR ELEVATION

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



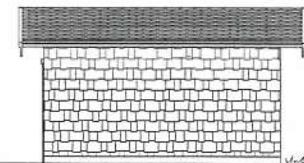
EXISTING DETACHED GARAGE FOUNDATION

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

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

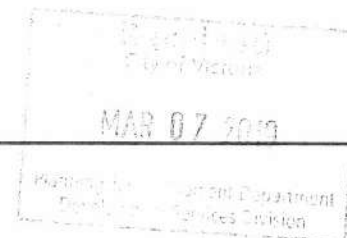
DRAWING NAME: EXISTING LOT 2 2832 SHAKESPEARE ST. FLOOR PLANS & GARAGE ELEVATIONS
DRAWING SCALE: 1/4"=1'-0"

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

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

SHEET NUMBER

A9





EXISTING LOT 1: 2838 SHAKESPEARE ST.
SCALE 1/16\"/>

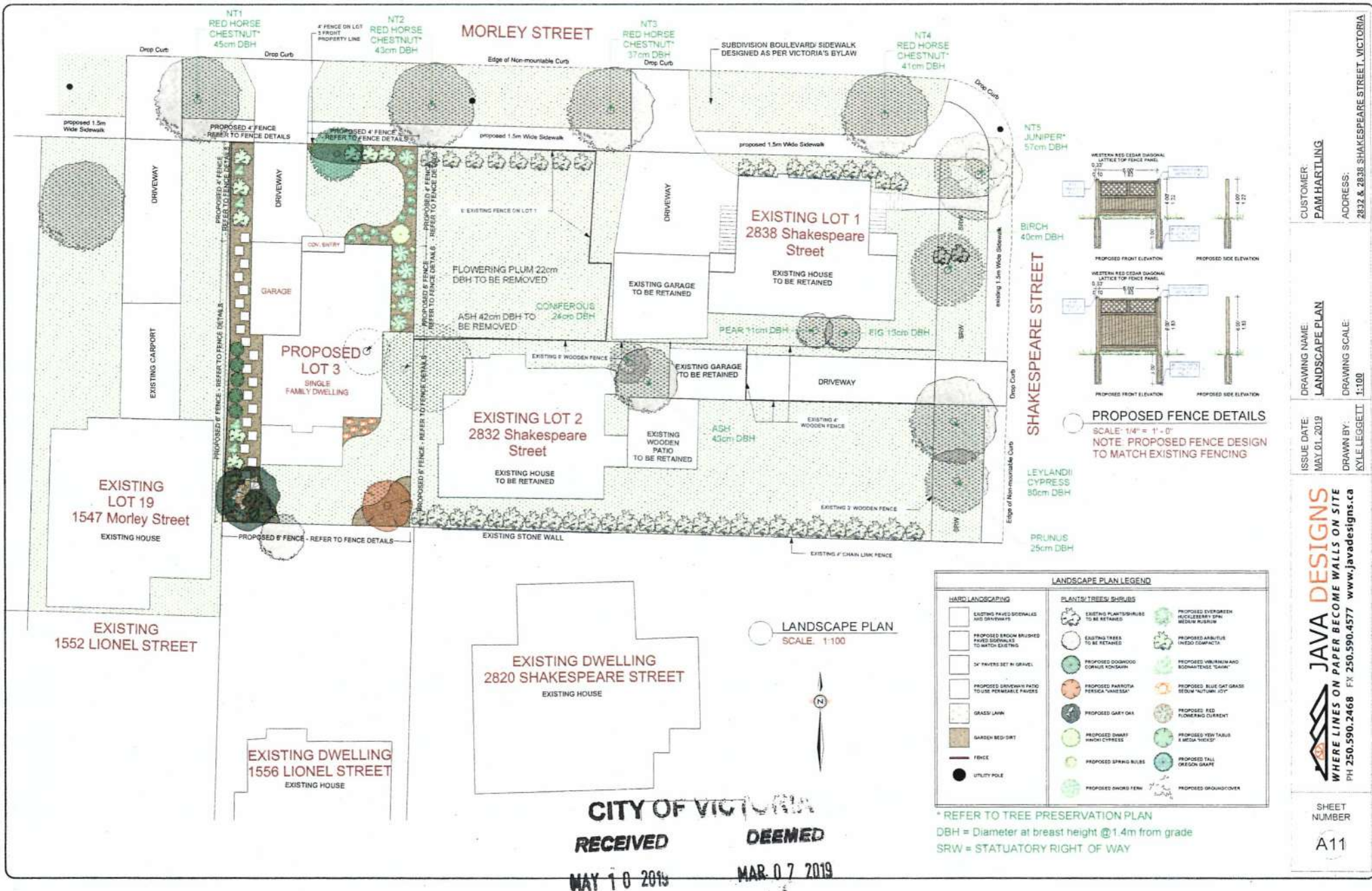
EXISTING LOT 2 IN BACKGROUND: 2832 SHAKESPEARE ST.
SCALE 1/16\"/>

PROPOSED LOT 3: FRONT ELEVATION
SCALE 1/16\"/>

EXISTING: 1547 MORLEY ST.
SCALE 1/16\"/>



<p>SHEET NUMBER</p> <p>A10</p>	<p>JAVA DESIGNS WHERE LINES ON PAPER BECOME WALLS ON SITE PH: 250.590.2468 FX: 250.590.4577 www.javadesigns.ca</p>	<p>ISSUE DATE: MAR. 06, 2019</p> <p>DRAWN BY: KYLE LEGGETT</p>	<p>DRAWING NAME: STREETSCAPE</p> <p>DRAWING SCALE: 1/16"=1'-0"</p>	<p>CUSTOMER: PAM HARTLING</p> <p>ADDRESS: 2832 & 2838 SHAKESPEARE STREET, VICTORIA</p>
---	---	--	--	---



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

DRAWING NAME: LANDSCAPE PLAN
DRAWING SCALE: 1:100

ISSUE DATE: MAY 01, 2019
DRAWN BY: KYLE LEGGETT

JAVA DESIGNS
WHERE LINES ON PAPER BECOME WALLS ON SITE
PH: 250.590.2458 FX: 250.590.4577 www.javadesigns.ca

SHEET NUMBER: A11

CITY OF VICTORIA
RECEIVED
MAY 10 2019

DEEMED
MAR 07 2019

MAR 07 2019



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

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

SHEET
NUMBER
A12

I.1.a.b

2832 and 2838 Shakespeare Street: Rezoning Application No. 00656 (Oaklands)**Motion**Rezoning Application No. 00656

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.

Development Permit with Variances Application No. 00116

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. reduce the front yard setback for an accessory building from 18.00 m to 15.25 m for Lot 2
 - iii. allow an accessory building in the front yard 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.

Carried

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw to rezone land known as 2832 Shakespeare Street and 2838 Shakespeare Street from the R1-B Zone, Single Family Dwelling District to the R1-S2 Zone, Restricted Small Lot (Two Storey) District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT
BYLAW (NO. 1188)”.
- 2 The land known as 2832 Shakespeare Street and 2838 Shakespeare Street, legally
described as PID 007-203-934 Re-Amended Lot 27 (DD 143563I), Section 29-30,
Victoria District, Plan 1573 and PID 000-056-766 Amended Lot 26 (DD 70326I), Section
29-30, Victoria District, Plan 1573 and shown hatched on the attached map, are
removed from the R1-B Zone, Single Family Dwelling District, and placed in R1-S2
Zone, Restricted Small Lot (Two Storey) District.

READ A FIRST TIME the _____ day of _____ 2019

READ A SECOND TIME the _____ day of _____ 2019

Public hearing held on the _____ day of _____ 2019

READ A THIRD TIME the _____ day of _____ 2019

ADOPTED on the _____ day of _____ 2019

CITY CLERK

MAYOR



Council Report
For the Meeting of May 23, 2019

To: Council **Date:** May 22, 2019
From: C. Coates, City Clerk
Subject: 553 Raynor Avenue: Rezoning Application No. 00616

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1190) No. 19-059

BACKGROUND

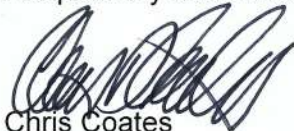
Attached for Council's initial consideration is a copy of the proposed Bylaw No. 19-059.

The issue came before Council on May 9, 2019 where the following resolution was approved:


553 Raynor Avenue: Rezoning Application No. 00616

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.

Respectfully submitted,


Chris Coates
City Clerk

Report accepted and recommended by the City Manager:


Date: May 22, 2019

List of Attachments:

- Bylaw No. 19-059

NO. 19-059

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R1-B-R Zone, Single Family Dwelling (Raynor) District, and to rezone land known as 553 Raynor Avenue from the R1-B Zone, Single Family Dwelling District, to the R1-B-R Zone, Single Family Dwelling (Raynor) District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT
BYLAW (NO. 1190)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of
Schedule “B” under the caption PART 1 – Detached Dwelling Zone by adding the
following words:
- “1.145 R1-B-R Zone, Single Family Dwelling (Raynor) District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 1.144
the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 553 Raynor Avenue, legally described as PID: 008-390-509, Lot 3,
Block 1, Section 31, Esquimalt District Plan 833 and shown hatched on the attached
map, is removed from the R1-B Zone, Single Family Dwelling District, and placed in the
R1-B-R Zone, Single Family Dwelling (Raynor) District.

READ A FIRST TIME the _____ day of _____ 2019

READ A SECOND TIME the _____ day of _____ 2019

Public hearing held on the _____ day of _____ 2019

READ A THIRD TIME the _____ day of _____ 2019

ADOPTED on the _____ day of _____ 2019

CITY CLERK

MAYOR

PART 1.145 – R1-B-R ZONE, SINGLE FAMILY DWELLING (RAYNOR) DISTRICT

1.145.1 Permitted Uses in this Zone

The following uses are the only uses permitted in this Zone:

- a. Uses permitted in the R1-B Zone, Single Family Dwelling District, subject to the regulations set out in Part 1.2 of the Zoning Regulation Bylaw and subsection (b)
- b. Single family dwellings constructed prior to 1912 are:
 - i. subject to the regulations in this Part; and
 - ii. permitted to have no more than one of the following accessory uses:
 - secondary suite; or
 - garden suite, subject to the regulations in Schedule “M”

1.145.2 Lot Area

- a. Lot area (minimum) 557m²
- b. Lot width (minimum) 15.2m average lot width

1.145.3 Floor Area, Floor Space Ratio

- a. Total floor area (minimum) 70m²
- b. Total floor area (maximum) 361m²
- c. Floor area, for the first and second storeys combined (maximum) 280m²

1.145.4 Height, Storeys

- a. Principal building height (maximum) 7.9m
- b. Storeys (maximum) 2.5
- c. Roof deck Not permitted

PART 1.145 – R1-B-R ZONE, SINGLE FAMILY DWELLING (RAYNOR) DISTRICT

1.145.5 Setbacks, Projections

- | | |
|--|---|
| a. <u>Front yard setback</u> (minimum) | 7.5m |
| Except for the following maximum projections into the setback: | |
| • Steps less than 1.7m in <u>height</u> | 2.5m |
| • porch | 1.6m |
| b. <u>Rear yard setback</u> (minimum) | 7.5m or 25% of lot depth, whichever is greater |
| c. <u>Side yard setback</u> from interior <u>lot lines</u> (minimum) | 1.5m or 10% of the <u>lot</u> width, whichever is greater

3.0m for one side yard when the lot is not serviced by a rear lane |
| d. Combined <u>side yard setbacks</u> (minimum) | 4.5m |
| e. Eave projections into <u>setback</u> (maximum) | 0.75m |

1.145.6 Site Coverage

<u>Site Coverage</u> (maximum)	40%
--------------------------------	-----

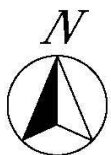
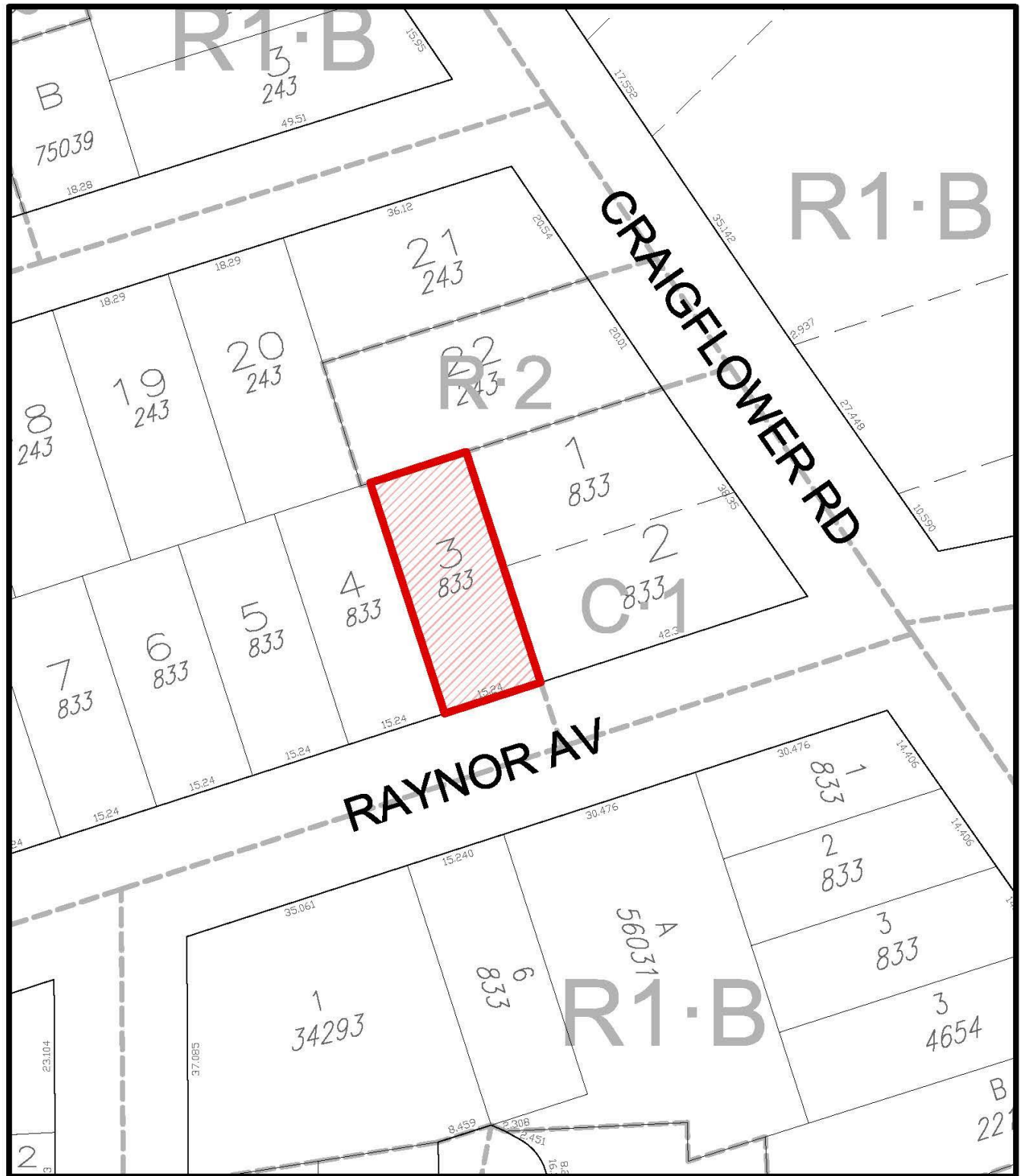
1.145.7 Vehicle and Bicycle Parking

- | | |
|-------------------------------------|--|
| a. <u>Vehicle parking</u> (minimum) | Subject to the regulations in Schedule "C" |
| b. <u>Bicycle parking</u> (minimum) | Subject to the regulations in Schedule "C" |

1.145.8 Outdoor Features

- | |
|--|
| a. The <u>setbacks</u> set out in section 1.145.5 apply to <u>outdoor features</u> as though they are <u>buildings</u> |
| b. <u>Outdoor features</u> may not exceed a height of 3.5m from <u>natural grade</u> or <u>finished grade</u> , whichever is lower |

Appendix 1 to Bylaw No.



553 Raynor Avenue
Rezoning No.00616

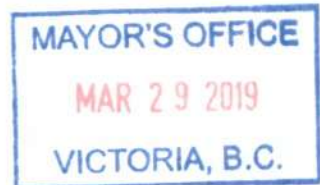




Calgary

Naheed K. Nenshi, Mayor

March 21, 2019



Mayor Lisa Helps
City of Victoria
1 Centennial Square
Victoria BC V8W 1P6

Dear Mayor Helps: *Lisa!*

I am writing on behalf of my colleagues on Calgary City Council to express our concern for the recent decision by Victoria's City Council to ask the Union of BC Municipalities to explore filing a lawsuit against oil and gas companies to recover the costs of climate change. While I respect the right of every municipality to take whatever action they feel is necessary to protect the best interests of their citizens, I also believe that it is important to speak up when those actions could have detrimental impacts on other Canadians.

Like Victoria, The City of Calgary is also concerned about the climate. We are well-acquainted with the financial impacts of climate change. For example, we have experienced significant flood events and other unusual weather that has resulted in billions of dollars in losses, including the then-costliest natural disaster in Canadian history (the 2013 flood). In 2018, City Council unanimously passed our Climate Strategy, and all our business units have been instructed to integrate its principles into all of their work and budgets. We are proud to have been selected as a member of the 100 Resilient Cities global network, where we have been working with global partners on a Resiliency Strategy that will incorporate best practices from around the globe to build a stronger community that can successfully meet the challenges posed by climate change.

And we put our beliefs into practice. Calgary Transit purchases all of its electricity from renewable sources. The CTrain runs off of this renewable energy and is the only LRT system in North America that is completely powered by wind-generated electricity. Calgary was the first Canadian municipality to adopt a Sustainable Buildings Policy, and in 2017, we completed a retrofit of 80,000 streetlights to LED lights, reducing our electricity consumption by 50 percent.

Our work reflects that of the Canadian energy sector. For decades, this sector has attracted skilled workers from across Canada with well-paying jobs, many of them here in Calgary. We are also proud that the prosperity generated has been shared across Canada, from coast to coast to coast. However, since 2015, the drop in global energy prices and the specific impact of lack of access to non-US markets has hit Calgary's economy particularly hard. We have gone from being the economic engine of the country to having one of the highest unemployment rates in the country. For us, building economic

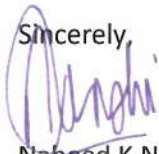
resilience has been as important as climate resilience, and we are making great strides in diversifying our economy, while remaining at the forefront of innovation in the energy industry.

I believe that access to clean, safe, convenient energy is one of the most important challenges facing humanity. And I believe that the Canadian energy sector is leading the world in responsible energy development.

As I have said for many years, including in your beautiful city, we are blessed as a nation with an incredible asset. It makes sense to maximize the value of our national, natural, asset and reinvest that money in technology that will lead us into the future. Today, people still require fossil fuels to travel on planes, ferries and cruise ships, to heat their homes, and to produce goods and services that we all enjoy. The women and men working in Canadian energy produce these fossil fuels in a responsible and sustainable way, and are getting better at it every day. They don't deserve to be vilified or penalized for the great work they do.

Over the past few years, our oil and gas industry has not only been impacted by global factors outside of its control, but by rhetoric from some fellow Canadians and those abroad about how they alone are responsible for climate change. A productive response to climate change and a resilient economy requires collaboration between municipalities and industry instead of distracting gestures. Let's listen to each other, understand each other and move forward together.

Sincerely,



Naheed K. Nenshi

MAYOR

Thanks for engaging on this!



EMERGENCY COMMUNICATIONS

Unit 110-2944 West Shore Parkway, Victoria, BC V9B 0B2
Phone 250.391.6552 | Fax 250.391.1601 | CREST.CA

March 26, 2019

City of Victoria
#1 Centennial Square
Victoria, BC
V8W 1P6

Dear Mayor Helps & Council,

In the interest of keeping our shareholders informed and up-to-date on the Capital Region's emergency communications system, the following is a brief highlight of February's board meeting.

As you know we are well underway on our technology renewal project. The "next generation" technology is replacing the existing 16-year old radio system that currently serves 50 emergency response agencies within the Capital Region. The new radio system is based on digital radio technology known as Project 25 (P25), which provides first responders with enhanced audio clarity and improved coverage among other operational and safety benefits.

Phase 1 build-out of sites in the core is complete and agency cutover onto the new system has been underway since January. The cut-over process is coordinated on an agency by agency basis, and typically takes place quite quickly. Presently Victoria police, Saanich police, Oak Bay police, Victoria bylaw, and University of Victoria security are operating on the new P25 network. We anticipate the transition for core fire departments to occur during the 2nd quarter of 2019.

Phase 2 (Westshore & Saanich Peninsula), Phase 3 (Gulf Islands & Pacific Rim) will follow the same pattern, with an expectation that the new system will be complete by end of 2019.

Site availability and build out are critical to the network timetable. Some of the sites in Phases 2 (Westshore) & 3 do not yet have final agreements in place. This is a priority over the coming months.

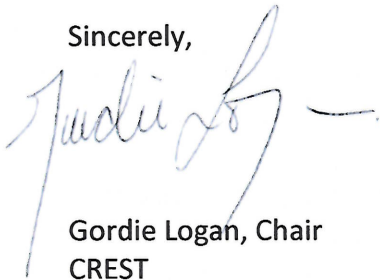
As the region grows, as density increases, and as buildings get taller, it is of upmost importance for the CREST Board that our region's emergency communications system continues to respond optimally in a rapidly changing physical landscape. To avoid unintended, costly and serious

public safety consequences, it would be prudent to have CREST work pro-actively with local government planning staff to help inform planning decisions thereby ensuring that new development allows for uninterrupted communications for emergency providers within new buildings. The process of engagement with municipal staff has consisted of sharing of information, education and coordination. CREST's general manager has discussed this issue at CAO regional forums to discuss ways of furthering this endeavor. Thank you in advance for your support.

I have also enclosed a small primer booklet on CREST that you might find worthwhile.

With new council members coming on board as a result of civic elections last fall, we are more than willing to provide a short CREST update in person to Council or your committee of the whole. Please feel free to let general manager Gord Horth at ghorth@crest.ca or myself know if you would like more information on the work of CREST.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gordie Logan", followed by a horizontal line.

Gordie Logan, Chair
CREST

Cc: CAO Jocelyn Jenkyns, CFO Susanne Thompson, Police Chief Del Manak, Fire Chief Paul Bruce



The Corporation of the District of Saanich | Mayor's Office

770 Vernon Avenue Victoria BC V8X 2W7 | T 250-475-5510 | F 250-475-5440 | www.saanich.ca

April 23, 2019

City of Victoria
c/o Jocelyn Jenkyns, CAO
1 Centennial Square
Victoria, BC V8W 1P6



Ms. Jenkyns:

Re: FUNDING FOR THE VICTORIA SEXUAL ASSAULT CENTRE

Further to the greatly appreciated statement provided on April 12, 2019, of the B.C. government's promise to provide funding of \$200,000 over the next two years to the Victoria Sexual Assault Centre, Saanich Council would request consideration of the information below with regards to continuing to provide the Victoria Sexual Assault Centre with long-term and continuous funding.

Report of Councillor Taylor dated March 28, 2019 recommending that Council:

"Request that the Mayor write, on behalf of Council, to the Premier of British Columbia, copying Ministers responsible for Health and Social Services as well as Members of the Legislative Assembly representing constituencies within the Capital Regional District, requesting that the Government of British Columbia provide the Victoria Sexual Assault Centre with continuous provincial funding; and"

"Request that the Mayor write, on behalf of Council, to the Capital Regional District Board and to every municipality within the Capital Regional District, requesting that they also write to the Province requesting that continuous provincial funding be provided to the Victoria Sexual Assault Centre."

At the District of Saanich Council meeting held April 8, 2019, Mayor and Council passed the following Amended Motion:

That Council:

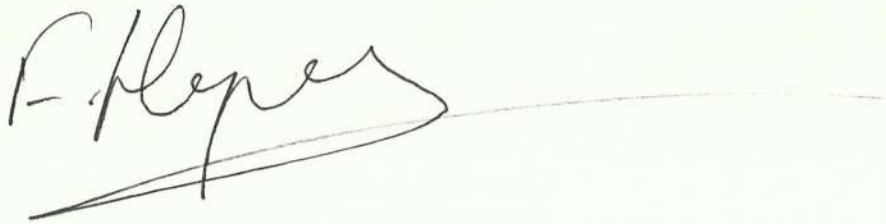
"Request that the Mayor write, on behalf of Council, to the Premier of British Columbia, copying Ministers responsible for Health and Social Services as well as Members of the Legislative Assembly representing constituencies within the Capital Regional District, as

well as copying Brenda Butterworth-Carr, Assistant Deputy Minister and Director of Police Services, the Minister of Public Safety and Solicitor General, the Minister of Health, the Minister of Mental Health & Addictions, and local Police Boards and the RCMP requesting that the Government of British Columbia provide the Victoria Sexual Assault Centre with continuous provincial funding; and"

"Request that the Mayor write, on behalf of Council, to the Capital Regional District Board and to every municipality within the Capital Regional District, requesting that they also write to the Province requesting that continuous provincial funding be provided to the Victoria Sexual Assault Centre."

If you have any questions regarding this matter, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read 'F. Haynes', with a long, sweeping horizontal line extending to the right.

Fred Haynes
Mayor

FH/rm

C. District of Saanich Council
City of Victoria Council