



REVISED AGENDA - COMMITTEE OF THE WHOLE

Thursday, June 27, 2019, 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

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

Pages

A. APPROVAL OF AGENDA

B. CONSENT AGENDA

Proposals for Consent Agenda:

- C.1. - Minutes from the meeting held June 13, 2019
- E.1. - 1661 Burton Avenue - Rezoning Application No. 00692 (Oaklands)
- E.2. - 1302 Finlayson Street - Rezoning Application No. 00687, Development Permit with Variance Application No. 00546 (Hillside/Quadra)
- F.5. - License for Use of Federal Property Agreement - Department of National Defence
- H.1. - UBCM Motion to Allow Incorporated Municipalities to Institute Safe Speed Zones in Residential Areas

C. READING OF MINUTES

C.1 Minutes from the meeting held June 13, 2019

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D. UNFINISHED BUSINESS

E. LAND USE MATTERS

*E.1 1661 Burton Avenue - Rezoning Application No.00692 (Oaklands)

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Addendum: Additional Correspondence and Presentation

A report regarding the proposed Rezoning Application to a site-specific zone in order to permit a daycare and recommending it move forward to a public hearing.

*E.2 1302 Finlayson Street - Rezoning Application No. 00687, Development Permit with Variance Application No.00546 (Hillside/Quadra)

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This item was removed from the Agenda as per the applicant's request.

Addendum: Presentation

A report regarding the proposed rezoning in order to subdivide the property, retain the existing mixed-use building, and construct a new small lot house and recommending it move forward to a public hearing.

- *E.3 2915 Douglas Street - Temporary Use Permit Application No. 00014 (Burnside) 118**

Addendum: Presentation

A report regarding the proposal to temporarily permit 25 units of supportive rental housing and a 22-bed substance use treatment facility in the existing building and recommending that it move forward with opportunity for public comment.

- *E.4 Application to Change Hours of Licensed Service for Clark & Co. at 1002 Blanshard Street (Downtown) 143**

Addendum: Presentation

A report regarding the proposal to change hours of licensed service associated with a food primary license and is seeking a Council resolution.

F. STAFF REPORTS

- *F.1 Garden Suite Program Review and Next Steps 166**

Addendum: Presentation and Update to Report

A report providing an update on the Garden Suite Program seeking Council's direction.

- F.2 Project Update: Waterfront Public Realm Initiative 202**

A report regarding an update on the public realm projects along with waterfront area, associated with the replacement of the Johnson Street Bridge.

- *F.3 Johnson Street Bridge and Bastion Square Public Art Report 210**

Addendum: Presentation

A report detailing new information received on public art regarding Triangle Island and Bastion Square.

- *F.4 709/711 Douglas Street (CityStudio Victoria) 236**

Addendum: Presentation

A report regarding the proposal to return 709/711 Douglas Street to the Real Estate revenue portfolio for lease.

F.5	<u>License for Use of Federal Property Agreement - Department of National Defence</u>	245
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A report seeking Council approval for a five-year renewal of the original agreement approved by Council at the Governance and Priorities meeting of August 13, 2013.

G. NOTICE OF MOTIONS

H. NEW BUSINESS

H.1	<u>UBCM Motion to Allow Incorporated Municipalities to Institute Safe Speed Zones in Residential Areas</u>	254
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A report regarding the UBCM motion to allow incorporated municipalities to institute safer speed zones in residential areas.

H.2	<u>Peer Informed Task Force and Mental Health and Addictions Strategy</u>	256
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A report regarding the proposed initiatives and recommendations of the Peer Informed Task Force and Mental Health and Addictions Strategy.

H.3	<u>Tax Relief for the Royal Canadian Legion Trafalgar Pro Patria Branch 292</u>	261
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A report regarding the proposal to provide an immediate grant to the Royal Canadian Legion Trafalgar Pro Patria Branch No. 292 and to consider subsequent grants be included in annual budget considerations.

H.4	<u>Preventing Sexual Harassment and Sexual Assault in the City of Victoria</u>	269
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A report proposing recommended inclusions in the development of the Municipal Liquor Policy and the Late Night Program.

*H.5	<u>Library Funding</u>	271
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Addendum: New Item and Report

A report providing additional direction regarding the UBCM Library Funding.

I. ADJOURNMENT OF COMMITTEE OF THE WHOLE



MINUTES - COMMITTEE OF THE WHOLE

June 13, 2019, 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

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

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

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, S. Thompson - Deputy City Manager / Director of Finance, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, A. Meyer - Assistant Director of Development Services, A. Hudson - Acting Director of Sustainable Planning & Community Development, C. Mycroft - Manager of Executive Operations, T. Zworski - City Solicitor, M. Heiser - Committee Secretary, J. O'Connor - Deputy Director of Finance, A. Johnston - Planner, D. Manak - Chief Constable

A. APPROVAL OF AGENDA

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the agenda be approved.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Alto

That the Agenda of the June 13, 2019, Committee of the Whole meeting be amended as follows:

Consent Agenda:

C.1 Minutes from the meeting held May 2, 2019

C.3 Minutes from the meeting held June 6, 2019

H.2 Proclamation – International Medical Marijuana Day

H.3 Proclamation – Small Business Month

H.4 Proclamation – World Refugee Day

J.1 Conference Attendance request for Councillor Dubow at the Federation of Canadian Municipalities

CARRIED UNANIMOUSLY

The Mayor recalled the vote on the motion.

Councillor Thornton-Joe advised there was an error with the Minutes from the meeting held May 2, 2019 and that they be removed from the consent agenda.

CARRIED UNANIMOUSLY

Main Motion as amended:

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

That the following items be approved without further debate:

C.3 Minutes from the meeting held June 6, 2019

Moved By Councillor Isitt

Seconded By Councillor Alto

That the minutes from the meeting held June 6, 2019 be adopted.

CARRIED UNANIMOUSLY

H.2 Proclamation - International Medical Marijuana Day

Committee received a report dated May 24, 2019 from the City Clerk regarding a proclamation for International Medical Marijuana Day on June 11, 2019.

Moved By Councillor Isitt

Seconded By Councillor Alto

That the International Medical Marijuana Day Proclamation be forwarded to the June 13, 2019 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

H.3 Proclamation - Small Business Month

Committee received a report dated June 7, 2019 from the City Clerk regarding a proclamation for Small Business Month, June 2019.

Moved By Councillor Isitt

Seconded By Councillor Alto

That the Small Business Month Proclamation be forwarded to the June 13, 2019 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

H.4 Proclamation - World Refugee Day

Committee received a report from the City Clerk dated June 10, 2019 regarding a proclamation for a World Refugee Day on June 20, 2019.

Moved By Councillor Isitt

Seconded By Councillor Alto

That the *World Refugee Day* Proclamation be forwarded to the June 13, 2019 Council meeting for Council's Consideration.

CARRIED UNANIMOUSLY

J.1 Conference Attendance Request for Councillor Dubow at the Federation of Canadian Municipalities

Committee received a Council Member Motion dated June 5, 2019 from Councillor Dubow requesting authorization for attendance and the associated costs for the Federation of Canadian Municipalities Conference.

Moved By Councillor Isitt

Seconded By Councillor Alto

That Council authorize the attendance and associated costs for Councillor Dubow to attend the FMC Conference to be held in Quebec City, May 30-June 2, 2019.

CARRIED UNANIMOUSLY

C. READING OF MINUTES

C.1 Minutes from the meeting held May 2, 2019

Moved By Councillor Alto

Seconded By Councillor Loveday

That the minutes from the Committee of the Whole meeting held May 2, 2019 be corrected to show that Councillor Thornton-Joe was absent for this meeting.

CARRIED UNANIMOUSLY

C.2 Minutes from the meeting held May 16, 2019

Moved By Councillor Loveday

Seconded By Councillor Collins

That the minutes from the Committee of the Whole meeting held May 16, 2019 be corrected to show that Councillor Alto left the meeting after the recess.

CARRIED UNANIMOUSLY

D. Presentation

D.1 1st Quarter Update - VicPD

Committee received a presentation from Chief Constable Del Manak, Victoria Police Department, highlighting quarterly successes, challenges, and strategic planning. Chief Constable Del Manak delivered an update concerning the deployment and logistics of Canada Day.

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

That Council receive the presentation for information.

CARRIED UNANIMOUSLY

D.2 External Grant Review Committee – Grant Allocations

Committee received a presentation from Chris Tilden and Colleen Kasting from the External Grant Review Committee regarding progresses and activities including grant approvals and recommendations to Council. Committee discussed staff's support with applications and the process in place for fund allocation.

Councillor Loveday withdrew from the meeting at 10:13 a.m. due to a pecuniary conflict of interest with the following item, as his partner works for one of the applicants who is suggested to receive a grant.

Moved by Councillor Collins

Seconded by Councillor Isitt

That Council approve the External Grant Review Committee's recommendations for grant awards for the Strategic Plan Grant Program.

Amendment:

Moved by Councillor Isitt

To allocate \$6,000 from the amount proposed for the Greater Victoria Visitors & Convention Bureau to the Pandora Arts Collective Society.

DEFEATED due to no seconder

Amendment:

Moved by Councillor Isitt

Seconded by Councillor Collins

That the amount for the Greater Victoria Visitors & Convention Bureau be adjusted to \$13,760.

Amendment to the amendment:

Moved by Councillor Isitt

That the amount proposed for the Greater Victoria Visitors & Convention Bureau be shared equally between the Greater Victoria Visitors & Convention Bureau and the Pandora Arts Collective Society.

DEFEATED due to no seconder

On the amendment:

FOR (1): Councillor Isitt

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

DEFEATED (1 to 7)

Amendment:

Moved by Councillor Isitt

Seconded by Councillor Potts

That an amount of \$8,265 be allocated from contingency to the Pandora Arts Collective Society.

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

On the main motion:

CARRIED UNANIMOUSLY

Councillor Loveday returned to the meeting at 10:38 a.m.

Motion Arising:

Moved by Councillor Isitt

Seconded by Councillor Loveday

That staff be directed to contact crossing guard society to determine the potential impact of the proposed allocation and report back on a possible alternate amount funded from contingency for consideration at a future COTW meeting.

CARRIED UNANIMOUSLY

Moved by Mayor Helps

Seconded by Councillor Alto

That Council approve the recommendations to improve the process as proposed in the External Grant Review Committee report.

CARRIED UNANIMOUSLY

E. UNFINISHED BUSINESS

F.1 Inclusionary Housing and Community Amenity Policy

Committee received a presentation from Hollie McKeil, Housing Planner, Andrea Hudson, Acting Director - Sustainable Planning and Community Development, and Blair Erb, Coriolis Consulting, providing an assessment of the impacts of the proposed amendments including a comparative policy analysis, additional economic analysis from Coriolis Consulting, and feedback from Inclusionary Housing Working Group members.

Moved by Councillor Isitt

Seconded by Councillor Alto

1. That Council determine:
 - a. the project size threshold at 40 or 60 units
 - b. the proportion of cash-in-lieu CACs allocated to municipal reserve funds that support:
 - i. affordable housing at: 70% or 50%
 - ii. local amenities at: 30% or 50%
2. Adopt the Inclusionary Housing and Community Amenity Policy, 2019 as presented on April 11, 2019 (Attachment A)
3. Direct staff to:
 1. apply the Inclusionary Housing and Community Amenity Policy, 2019 to rezoning applications received after June 13, 2019
 2. issue an Expression of Interest to non-profit housing and government agencies to purchase and/or operate inclusionary housing units

3. monitor the requirements for staff resources needed for policy implementation, administration and monitoring and report back in one year with requests for additional resources as needed; and
4. report back on policy results in three years following policy implementation (2022).

Amendment:

Moved by Councillor Isitt

Seconded by Councillor Dubow

That the policy be amended to add a new Section 1, and renumber the subsequent sections accordingly:

1. Negotiation for Housing Affordability

The City of Victoria's approach to applications for additional density beyond the existing permitted density is negotiation between applicants and the City to achieve the maximum affordability in new projects. This includes the provision of new nonmarket units delivered on site or cash-in-lieu contributions to cover the capital costs of new nonmarket units built elsewhere, in order to offset the impacts of redevelopment on affordability and community inclusiveness. These negotiations will be informed by the considerations outlined below.

Motion to postpone:

Moved by Councillor Collins

Seconded by Councillor Isitt

That Committee postpone further discussion on this amendment, Negotiation for Housing Affordability, until main motion is discussed.

CARRIED UNANIMOUSLY

Committee considered items 2 and 3 from the main motion.

Committee recessed at 12:00 p.m.

Committee reconvened at 12:05 p.m.

F. Presentation: City Family - Janice Simcoe

Committee received a presentation from Janice Simcoe, member of the City Family, regarding current initiatives and learning opportunities. Additionally, Janice Simcoe presented Committee with a gift of significance.

Moved By Councillor Isitt

Seconded By Councillor Alto

That Council receive the presentation for information.

CARRIED UNANIMOUSLY

F.1 Inclusionary Housing and Community Amenity Policy - Continued

Amendment to the Policy, item 2:

Moved by Councillor Isitt

Seconded by Councillor Dubow

Change the requirement for onsite units for large projects from 10% to 20%.

Motion to postpone:

Moved by Councillor Collins

Seconded by Councillor Alto

That Committee postpone consideration of this amendments pending further discussion.

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

OPPOSED (2): Councillor Dubow and Councillor Isitt

CARRIED (7 to 2)

Amendment:

Moved by Councillor Potts

Seconded by Councillor Collins

Consider development proposals with height and densities greater then OCP through a bonus density of floor area provided that the additional height and density results in community amenities deemed appropriate by Council for the benefit of the community such as:

- Affordable housing
- Energy efficiency above the current BC Energy Step Code
- Accessible housing (special needs housing as defined by the Local Government Act)
- 2 and 3 bedroom units
- Daycare facilities
- Enhanced green space
- Other provisions deemed appropriate by Council

FOR (5): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Loveday and Councillor Potts

OPPOSED (4): Councillor Dubow, Councillor Isitt, Councillor Thornton-Joe and Councillor Young

CARRIED (5 to 4)

Moved by Councillor Isitt
Seconded by Councillor Collins

Motion to lift the previously postponed amendment from the table.

CARRIED UNANIMOUSLY

Amendment to the Policy, item 2:

Change the requirement for onsite units for large projects from 10% to 20%.

Moved by Councillor Isitt
Seconded by Councillor Collins

Motion to extend meeting:
That the Committee of the Whole Meeting be extended to 4:30 p.m.

CARRIED UNANIMOUSLY

Amendment to the amendment:

Moved by Councillor Loveday
Seconded by Councillor Isitt

To add:

Allow projects to come forward with less than 20% of inclusionary units if:

- 1. The applicant demonstrates that the inclusionary units will make the project not financially viable; or**
- 2. The project is primarily comprised of 2 or 3 bedroom units; or**
- 3. Economic analysis shows a different level of non-market home ownership is supportable within the project.**

FOR (8): Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe and Councillor Young

OPPOSED (1): Mayor Helps

CARRIED (8 to 1)

Amendment to the amendment:

Moved by Councillor Collins
Seconded by Councillor Potts

4. There is energy efficiency above the step code requirements

CARRIED UNANIMOUSLY

Amendment to the amendment:

Moved by Councillor Collins

Seconded by Councillor Isitt

Strike out "less than" and add "between 10% and"

CARRIED UNANIMOUSLY

Amendment to the amendment:

Moved by Councillor Isitt

Seconded by Councillor Dubow

4. Economic analysis shows a different level of non-market rental or home ownership units is supportable within the project.

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

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

CARRIED (7 to 2)

On the amendment:

FOR (5): Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday and Councillor Potts

OPPOSED (4): Mayor Helps, Councillor Alto, Councillor Thornton-Joe and Councillor Young

CARRIED (5 to 4)

Amendment:

Moved by Councillor Isitt

Seconded by Councillor Collins

1. That Council determine:

- a. the project size threshold at 60 units
- b. the proportion of cash-in-lieu CACs allocated to municipal reserve funds that support:

- i. affordable housing at: **70%**
- ii. local amenities at: **30%**

Amendment to Amendment:

Moved by Councillor Thornton-Joe

Seconded by Mayor Helps

- b. the proportion of cash-in-lieu CACs allocated to municipal reserve funds that support:

- i. affordable housing at: **50% ~~70%~~**
- ii. local amenities at: **50% ~~30%~~**

FOR (4): Mayor Helps, Councillor Alto, Councillor Thornton-Joe, Councillor Young

OPPOSED (4): Councillor Dubow, Councillor Isitt, Councillor Loveday and Councillor Potts

DEFEATED (4 to 5)

A Council member requested the amendments be separated.

On the amendment:

That Council determine:

- a. the project size threshold at **60** units

CARRIED UNANIMOUSLY

On the amendment:

- b. the proportion of cash-in-lieu CACs allocated to municipal reserve funds that support:

- iii. affordable housing at: **70%**
- iv. local amenities at: **30%**

FOR (5): Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday and Councillor Potts

OPPOSED (4): Mayor Helps, Councillor Alto, Councillor Thornton-Joe and Councillor Young

CARRIED (5 to 4)

Motion to postpone:

Moved by Councillor Isitt

Seconded by Councillor Alto

That Council postpone consideration of this policy to determine the preamble.

CARRIED UNANIMOUSLY

Motion to lift the postponed amendment from the table:

Moved by Councillor Isitt

Seconded by Councillor Alto

That Council lift the postponed amendment regarding Negotiation for Housing Affordability from the table for discussion.

CARRIED UNANIMOUSLY

On the amendment:

That the policy be amended to add a new Section 1, and renumber the subsequent sections accordingly:

1. Negotiation for Housing Affordability

The City of Victoria's approach to applications for additional density beyond the existing permitted density is negotiation between applicants and the City to achieve the maximum affordability in new projects. This includes the provision of new nonmarket units delivered on site or cash-in-lieu contributions to cover the capital costs of new nonmarket units built elsewhere, in order to offset the impacts of redevelopment on affordability and community inclusiveness. These negotiations will be informed by the considerations outlined below.

FOR (2): Councillor Dubow and Councillor Isitt

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

DEFEATED (2 to 7)

Motion to lift the postponed amendment from the table:

Moved by Councillor Alto

Seconded by Councillor Thornton-Joe

That Council lift the postponed policy from the table for final consideration.

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council approve:

c. the project size threshold at 60 units

- d. the proportion of cash-in-lieu CACs allocated to municipal reserve funds that support:
 - i. affordable housing at: 70%
 - ii. local amenities at: 30%
2. Adopt the Inclusionary Housing and Community Amenity Policy, 2019 as presented on April 11, 2019 (Attachment A)
3. Direct staff to:
 - a. apply the Inclusionary Housing and Community Amenity Policy, 2019 to rezoning applications received after June 13, 2019;
 - b. issue an Expression of Interest to non-profit housing and government agencies to purchase and/or operate inclusionary housing units;
 - c. monitor the requirements for staff resources needed for policy implementation, administration and monitoring and report back in one year with requests for additional resources as needed; and
 - d. report back on policy results in three years following policy implementation (2022).

Change the requirement for onsite units for large projects from 10% to 20%

Allow projects to come forward with between 10 and 20% of inclusionary units if:

1. The applicant demonstrates that the inclusionary units will make the project not financially viable; or
2. The project is primarily comprised of 2 or 3 bedroom units; or
3. Economic analysis shows a different level of non-market rental or home ownership units is supportable within the project.
4. There is energy efficiency above the step code requirements.

Consider development proposals with height and densities greater than OCP through a bonus density of floor area provided that the additional height and density results in community amenities deemed appropriate by Council for the benefit of the community such as:

- Affordable housing
- Energy efficiency above the current BC Energy Step Code
- Accessible housing (special needs housing as defined by the Local Government Act)
- 2 and 3 bedroom units
- Daycare facilities
- Enhanced green space
- Other provisions deemed appropriate by Council

FOR (6): Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday and Councillor Potts

OPPOSED (3): Mayor Helps, Councillor Thornton-Joe and Councillor Young

CARRIED (6 to 3)

Motion arising:

Moved by Councillor Thornton-Joe

Seconded by Councillor Dubow

That the final decision on this matter deferred to the Council meeting on June 27, 2019 to allow stakeholders to comment.

Amendment:

Moved by Councillor Collins

Seconded by Councillor Loveday

That the final decision on this matter with respect to the OCP be deferred to the Council meeting on June 27, 2019 to allow stakeholders to comment.

FOR (4): Councillor Collins, Councillor Isitt, Councillor Loveday and Councillor Potts

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

DEFEATED (4 to 5)

On the motion arising:

FOR (6): Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Thornton-Joe and Councillor Young

OPPOSED (6): Mayor Helps, Councillor Collins and Councillor Potts

CARRIED (6 to 3)

Councillor Isitt left the meeting at 2:55 p.m.

Committee recessed at 2:55 p.m.

Committee reconvened at 3:00 p.m.

G. LAND USE MATTERS

G.1 1712 and 1720 Fairfield Road (Rhodo) - Update on Rezoning Application No. 00618 and Development Variances Application No. 00098 (Gonzales)

Councillor Loveday left the meeting at 3:15 p.m.

Committee received a report dated May 30, 2019 from the Acting Director of Sustainable Planning and Community Development regarding the proposal to rezone to a new site-specific zone in order to increase the density and allow for ground-oriented multiple dwelling units at this location and recommending it move forward to a public hearing.

Committee discussed the building's relation to Hollywood park.

Moved By Councillor Alto

Seconded By Councillor Potts

Rezoning Application No. 00618

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00618 for 1712 & 1720 Fairfield Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of the following legal agreements:

- a. Statutory Right-of-Way to secure 1.15 metres of 1712 Fairfield Road adjacent to Fairfield Road, to the satisfaction of the Director of Engineering and Public Works
- b. Housing Agreement to ensure that future strata bylaws cannot restrict the rental of units to non-owners (with the exception of two below-market ownership units), to the satisfaction of the Director of Sustainable Planning and Community Development
- c. Legal agreements to secure two one-bedroom units as below-market housing, to the satisfaction of the City Solicitor (below market housing offered for sale at 15% below market rate, in perpetuity).

Development Permit with Variances Application No. 00098

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. 00618, if it is approved, consider the following motion:

That Council authorize the issuance of Development Permit Application No. 000519 for 1712 & 1720 Fairfield Road, in accordance with:

1. Plans date stamped May 28, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. Reduce the required vehicle parking stalls from 24 to 22.
3. The Development Permit lapsing two years from the date of this resolution."

FOR (5): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (2): Councillor Dubow, Councillor Young

CARRIED (5 to 2)

G.2 603-607 Pandora Avenue (Plaza Hotel) - Heritage Alteration Permit Application No. 00235 (Downtown)

Committee received a report dated June 5, 2019 from the Acting Director of Sustainable Planning and Community Development proposing to allow for demolition of the fire damaged heritage-designated Plaza Hotel and originally known as Hotel Westholme.

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council authorize the issuance of Heritage Alteration Permit Application No. 00235 for 603607 Pandora Avenue to authorize the demolition of the heritage-designated Plaza Hotel, historically known as the Hotel Westholme, conditional upon the following elements being salvaged, documented and stored by the applicant with a photographic inventory provided to the City, all under the supervision of a heritage consultant, for the purpose of integration into a future proposed development, to the satisfaction of the Director of Sustainable Planning and Community Development:

- two round polished granite columns
- a selection of white glazed brick
- heavy structural timbers that only suffered minor fire damage
- cast iron structural columns above and below grade from the Government Street elevation
- sidewalk prisms.

CARRIED UNANIMOUSLY

E. UNFINISHED BUSINESS

F.2 Application of Equity and Affordability Policies

Committee considered the Motion as proposed at the June 6 meeting of the Committee of the Whole.

Councillor Collins left the meeting at 3:10 p.m. and returned at 3:15 p.m.

Moved By Councillor Dubow

Seconded By Councillor Alto

That Victoria City Council direct staff to:

- i. Not build facilities in existing green space.
- ii. Apply an equity lens to siting, design, amenity selection, engagement, procurement, and evaluation, to inform decisions about and investment in community

- iii. Apply an affordability lens to assess total cost of ownership, siting, amenity selection, operating costs, costs to taxpayers and users
- iv. Invite potential partners and neighbourhood representatives to collaborate to align and help achieve these equity and affordability objectives
- v. Embed distributional, procedural, structural and inter-generational equity into the City's corporate policies guiding hiring, staff training and professional development, procurement and civic engagement.

Amendment:

Moved By Mayor Helps

Seconded By Councillor Young

That Victoria City Council direct staff to Develop a plan to revisit the objectives, scope and schedule of activities for the Crystal Pool project, that aligns with the new Strategic Plan, for Council consideration."

Amendment to the amendment:

Moved By Councillor Alto

Seconded By Mayor Helps

Develop a plan to revisit the objectives, scope and schedule of activities for the Crystal Pool project, that aligns with the new Strategic Plan, **including consideration of items ii, iii, iv below,** for Council consideration.

FOR (1): Councillor Young

OPPOSED (6): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Potts and Councillor Thornton-Joe

DEFEATED (6 to 1)

Amendment to the amendment:

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

Develop a plan to revisit the objectives, scope and schedule of activities for the Crystal Pool project, that aligns with the new Strategic Plan, **including application of the evaluative tools described in section ii, iii, iv below,** for Council consideration.

FOR (6): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Potts and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (6 to 1)

On the amendment:

CARRIED UNANIMOUSLY

Amendment:

Moved By Mayor Helps

Seconded By Councillor Young

i. Ensure no net loss of green space in the neighbouring area,

FOR (6): Mayor Helps, Councillor Alto, Councillor Young, Councillor Collins, Councillor Potts and Councillor Thornton-Joe

OPPOSED (1): Councillor Dubow

CARRIED (6 to 1)

Amendment:

Moved By Councillor Alto

Seconded By Mayor Helps

Develop a plan to revisit the objectives, scope and schedule of activities for the Crystal Pool project, that aligns with the new Strategic Plan, including application of the evaluative tools described in section i, ii, iii, iv below, for Council consideration.

FOR (6): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Potts, Councillor Thornton-Joe and Councillor Young

OPPOSED (1): Councillor Dubow

CARRIED (6 to 1)

On the motion as amended:

A Council member requested that the motion be separated.

Main paragraph:

That Victoria City Council direct staff to develop a plan to revisit the objectives, scope and schedule of activities for the Crystal Pool project that aligns with the new Strategic Plan, including application of the evaluative tools described in section i, ii, iii, iv below, for Council consideration:

FOR (5): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Young, and Councillor Thornton-Joe

OPPOSED (2): Councillor Collins and Councillor Potts

CARRIED (5 to 2)

- i. Ensure no net loss of green space in the neighbouring area.

CARRIED UNANIMOUSLY

- ii. Apply an equity lens to siting, design, amenity selection, engagement, procurement, and evaluation, to inform decisions about and investment in community

CARRIED UNANIMOUSLY

- iii. Apply an affordability lens to assess total cost of ownership, siting, amenity selection, operating costs, costs to taxpayers and users

CARRIED UNANIMOUSLY

- iv. Invite potential partners and neighbourhood representatives to collaborate to align and help achieve these equity and affordability objectives

Amendment:

Moved By Councillor Collins

Seconded By Mayor Helps

Invite potential partners and neighbourhood representatives to collaborate to align and help achieve these equity, **accessibility** and affordability objectives

CARRIED UNANIMOUSLY

- v. Embed distributional, procedural, structural and inter-generational equity into the City's corporate policies guiding hiring, staff training and professional development, procurement and civic engagement.

FOR (6): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Potts and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (6 to 1)

Moved By Councillor Alto

Seconded By Mayor Helps

Motion Arising:

That Council direct the City Manager to embed these 4 principles ii, iii, iv, v for the city's emerging equity policies.

FOR (6): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Potts and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (6 to 1)

H. **ADJOURNMENT OF COMMITTEE OF THE WHOLE**

Moved By Councillor Alto

Seconded By Councillor

That the Committee of the Whole Meeting be adjourned at 4:28 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



Committee of the Whole Report For the Meeting of June 27, 2019

To: Committee of the Whole

Date: June 13, 2019

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

Subject: Rezoning Application No. 00692 for 1661 Burton Avenue

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00692 for 1661 Burton Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following condition is met:

1. Preparation and execution of a Statutory Right-of-Way of 1.21m off Shakespeare Street and 1.17m off the laneway.

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1661 Burton Avenue. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a site-specific zone in order to permit a daycare for more than eight children within a house conversion.

The following points were considered in assessing this application:

- the proposal is generally consistent with the Traditional Residential Urban Place Designation as described in the *Official Community Plan, 2012 (OCP)*. The proposed use represents a "community service" use which is considered an appropriate use in all Urban Place Designations
- the proposal is generally consistent with the intent of maintaining the single family character of the neighbourhood

- the subject property meets all of the requirements of Schedule G - House Conversion Regulations for a kindergarten except for being built prior to 1931.

BACKGROUND

Description of Proposal

This Rezoning Application is to convert an existing single family dwelling into a kindergarten for more than eight children. The application meets all of the requirements for a kindergarten house conversion except that the building was constructed in 1949. The Schedule G - House Conversion Regulations within the *Zoning Regulation Bylaw* require the building to be constructed prior to 1931 and therefore a rezoning is required.

The following differences from the current zone are being proposed and would be accommodated in the new zone:

- permit the kindergarten use within a building constructed prior to 1950
- reduce the landscape screening requirements for parking stalls adjacent to a residential property.

Tenant Assistance Policy

The proposal is to convert an existing single family dwelling which would result in a loss of one existing residential unit. However, the building was previously owner-occupied and therefore no tenants are being displaced.

Sustainability Features

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

Active Transportation Impacts

The application proposes a three stall bicycle rack, which supports active transportation.

Accessibility Impact Statement

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

Land Use Context

The area is characterized primarily by single family dwellings. Hillside Mall is located immediately to the east and Clawthorpe Park is located a block northwest of the subject property.

Existing Site Development and Development Potential

The site is presently a single family dwelling. Under the current R1-B Zone, Single Family Dwelling Zone, the property could be developed as a single family dwelling with either a secondary suite or a garden suite.

Data Table

The following data table compares the proposal with Schedule G - House Conversion Regulations, which is applicable within the R1-B Zone, Single Family Dwelling District. An asterisk is used to identify where the proposal is less stringent than the regulations.

Zoning Criteria	Proposal	R1-B Zone
Site area (m ²) - minimum (Schedule G)	677.0	670.0
Lot width (m) - minimum (Schedule G)	18.52	18.0
Height (m) - maximum	4.20	7.60
Storeys - maximum	1	2
Setbacks (m) - minimum		
Front	9.10	7.50
Rear	16.80	9.14
Side (west)	4.50	1.85
Side on flanking street - Shakespeare Street	4.10	3.50
Date of construction (Schedule G)	1945 *	1931
Additions in last 5 years (Schedule G)	None	Not permitted
Addition of unenclosed space (Schedule G)	None	Not permitted
Exterior changes (Schedule G)	None	Not permitted
Parking - minimum	2	2
Long term bicycle parking stalls - minimum	0	0
Short term bicycle parking stalls - minimum	3	0

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Oaklands CALUC at a Community Meeting held on April 29, 2019. The minutes from that meeting are attached to this report.

ANALYSIS

Official Community Plan

The proposal is generally consistent with the Traditional Residential Urban Place Designation as described in the *Official Community Plan, 2012 (OCP)*, and the proposed use represents a

“community service” use which is considered an appropriate use in all Urban Place Designations. The OCP further encourages multigenerational neighbourhoods and the creation of “quality, accessible and affordable daycare” spaces in order to foster community wellbeing.

Local Area Plans

The subject property is designated as an area of greatest stability within the *Oaklands Neighbourhood Plan*. While there are no policies specifically addressing daycares, the plan envisions maintaining the family character of the neighbourhood within this designation. The provision of childcare facilities is generally in line with the intent of maintaining family character.

Tree Preservation Bylaw and Urban Forest Master Plan

There are three existing Douglas Fir trees in the rear yard of the subject site. One 95cm diameter at breast height (DBH) Fir tree is bylaw protected.

None of these trees will be impacted by the proposed application or changes to the driveway and residence. Potential excavation associated with establishing play structures on the critical root zones of the protected tree will not be permitted. If the applicant wishes to do this, an ISA certified arborist will be required during the construction phase to supervise any ground excavation.

There is one 60cm DBH public Maple tree on Burton Street that will not be affected by the proposed application. This tree will have protection fencing installed during the renovation period, which will be confirmed at the Building Permit stage.

Regulatory Considerations

Generally, the use of kindergarten is permitted within single family dwellings under Schedule G - House Conversions. The proposal meets all of the regulations to qualify for a house conversion except for the date of construction. As per Schedule G, the dwelling is required to be constructed prior to 1931; however, in this instance the single family dwelling was constructed in 1945. This difference in construction dates is effectively negligible, since there are no changes to the exterior of the house and therefore the character of the neighbourhood remains the same.

Schedule C requires a minimum landscaped area of 1.0m width and a landscape screen of 1.5m in height for parking stalls that are adjacent to a residential property. The two parking stalls on the subject site are located against the property line, with an existing low fence used as screening and does not meet the minimum screening requirements. However, this parking area is an existing condition and there are trees on the adjacent property that aid in screening. Therefore, the site-specific zone will be written to permit the existing conditions.

Should Council consider forwarding the Rezoning Application to a Public Hearing, staff recommend that a Statutory Right-of-Way of 1.17m off the laneway and 1.21m off Shakespeare Street be secured to help fulfil Council-approved OCP objectives such as enhanced facilities for walking, cycling and boulevards, which support the long-term viability of large canopy trees.


CONCLUSIONS

The proposal is generally consistent with the relevant policies in providing childcare throughout the city. In addition, a rezoning would not have been required if the building was constructed 15 years earlier. This difference in year of construction will have little to no outward impact and therefore staff recommend Council consider supporting the application.

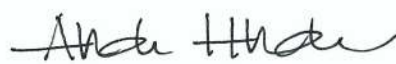
ALTERNATE MOTION

That Council decline Rezoning Application No. 00692 for the property located at 1661 Burton Avenue.

Respectfully submitted,



Michael Angrove
Planner
Development Services Division

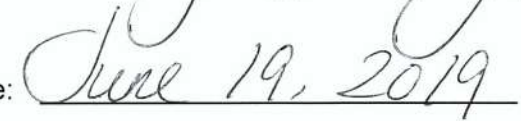


Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager



Date:

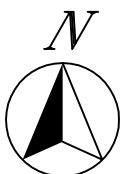
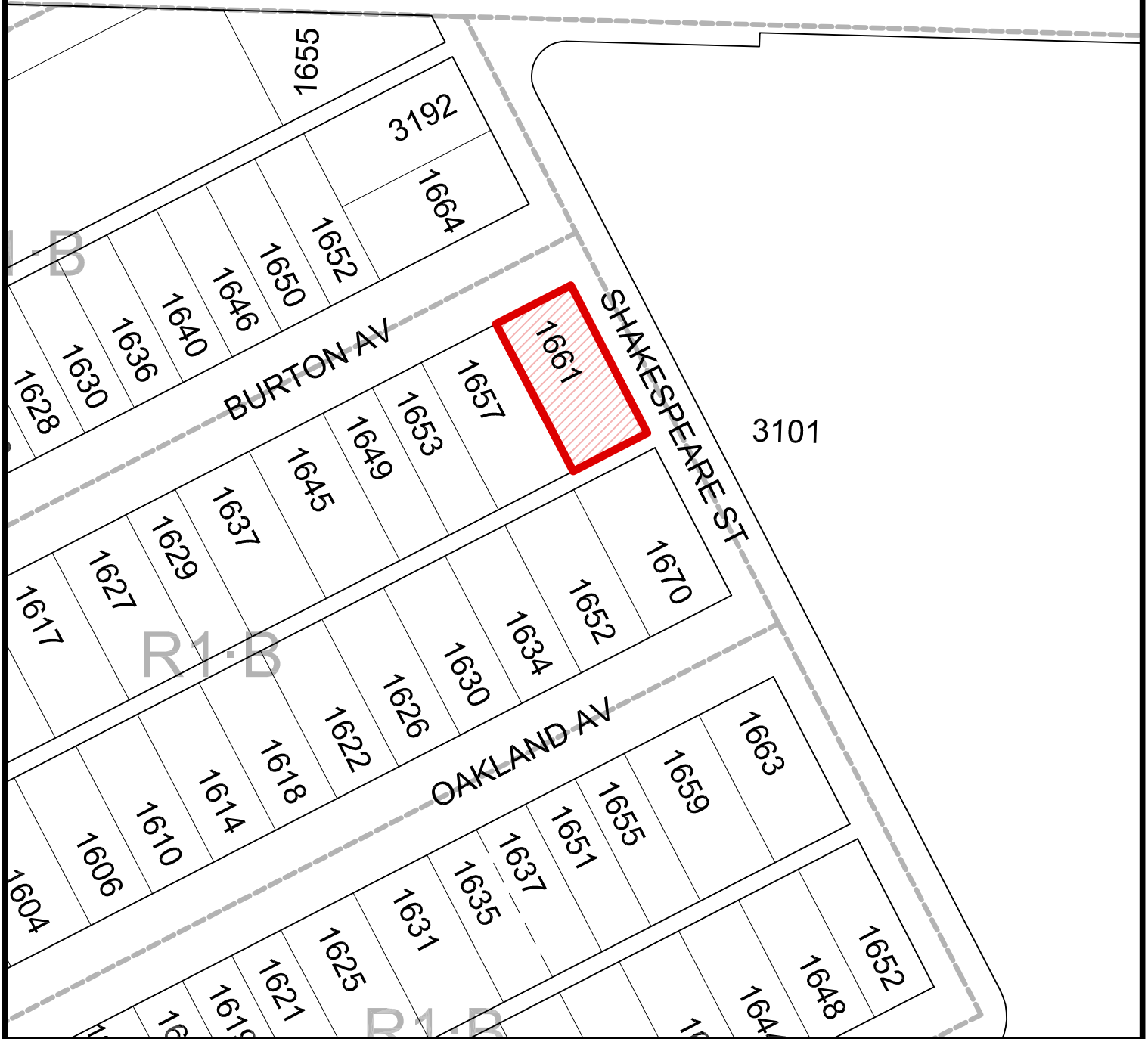


List of Attachments

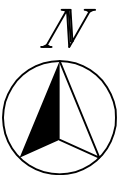
- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped June 10, 2019
- Attachment D: Letter from applicant to Mayor and Council dated receive May 10, 2019
- Attachment E: Community Association Land Use Committee minutes dated April 29, 2019
- Attachment F: Correspondence (Letters received from residents).

MUNICIPALITY OF SAANICH

NORTH DAIRY RD



1661 Burton Avenue
Rezoning No.00692

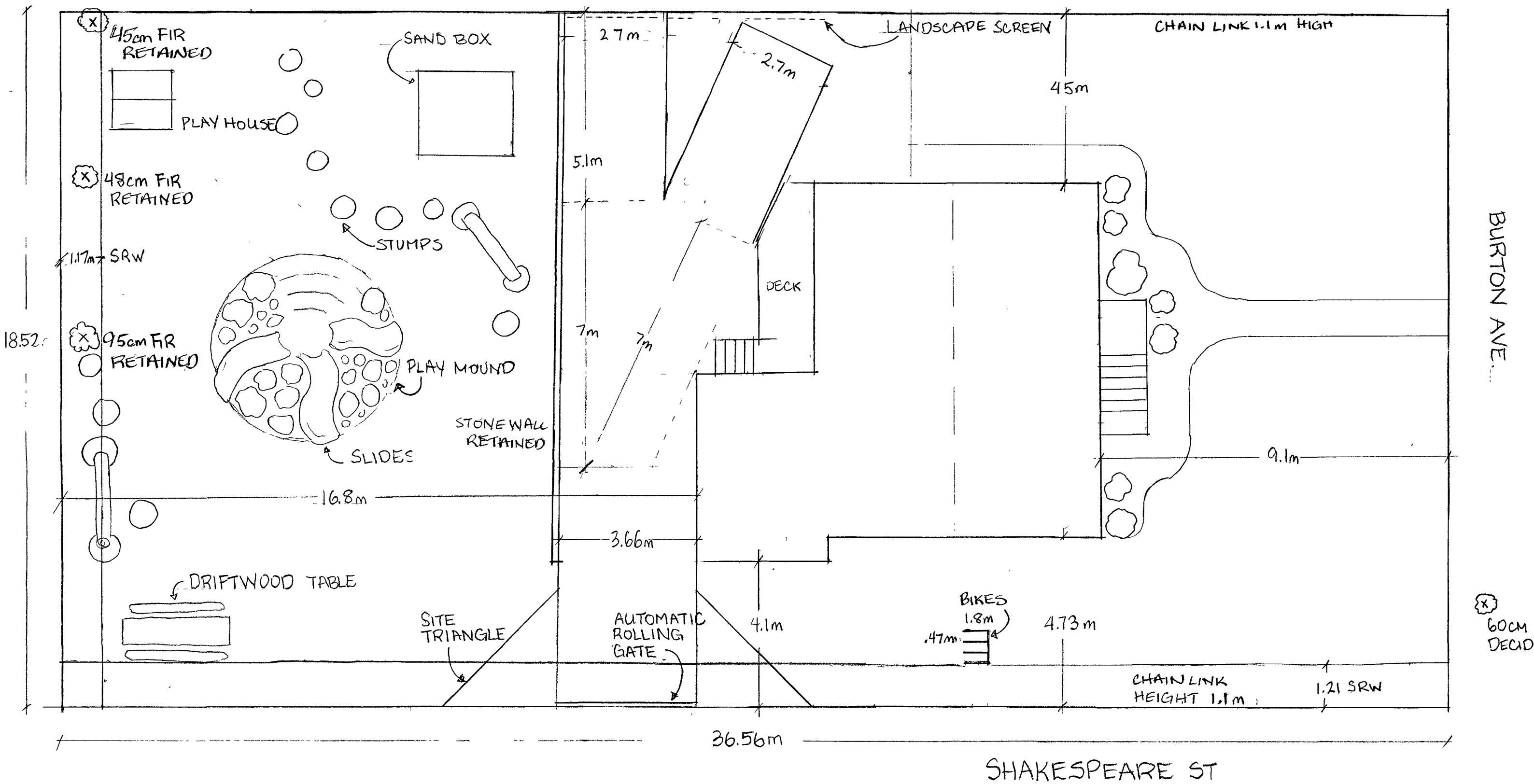


1661 Burton Avenue
Rezoning No.00692



ATTACHMENT C

PROJECT INFORMATION TABLE	
Zone (existing)	R1B
Proposed Zone	Site Specific
Site Area	677m2
Total Floor Area	94m2
Commercial Floor Area	94m2
Floor Space Ratio	277
Site Coverage	14%
Open Site Space	84%
Number of Stories	2
Parking Stalls	2
Bicycle Parking	3
Building Set Backs	
Front Yard	9.1m
Rear Yard	16.8m
Side Yard Left	4.5m
Side Yard Right	4.1m
Combined Side Yards	8.6m
Residential Use Details	
Total Number of Units	N/A
Unit Type	N/A
Ground Oriented Suites	N/A
Minimum Floor Area	N/A
Total residential Floor Area	N/A



1 Site Plan
Sht-1 SCALE: 1/8" = 1'-0"

Gillybird Nature
Schools Ltd.
2750 Roseberry Ave
Victoria BC
V8R 3T9
250.704.6607

Site Plan

1661 Burton Ave
Victoria BC
V8T 2N5

PID: 005-484-707
Legal Desc: Sot 3
Sections 29 and 30,
Victoria District
Plan 8908

Date: April 6, 2018

Scale: 1/4"

Zoning Application

From: R1-B

To: Site Specific

Drafted By:

Gillian Fehr ID, PMP

Drawing:

SP1

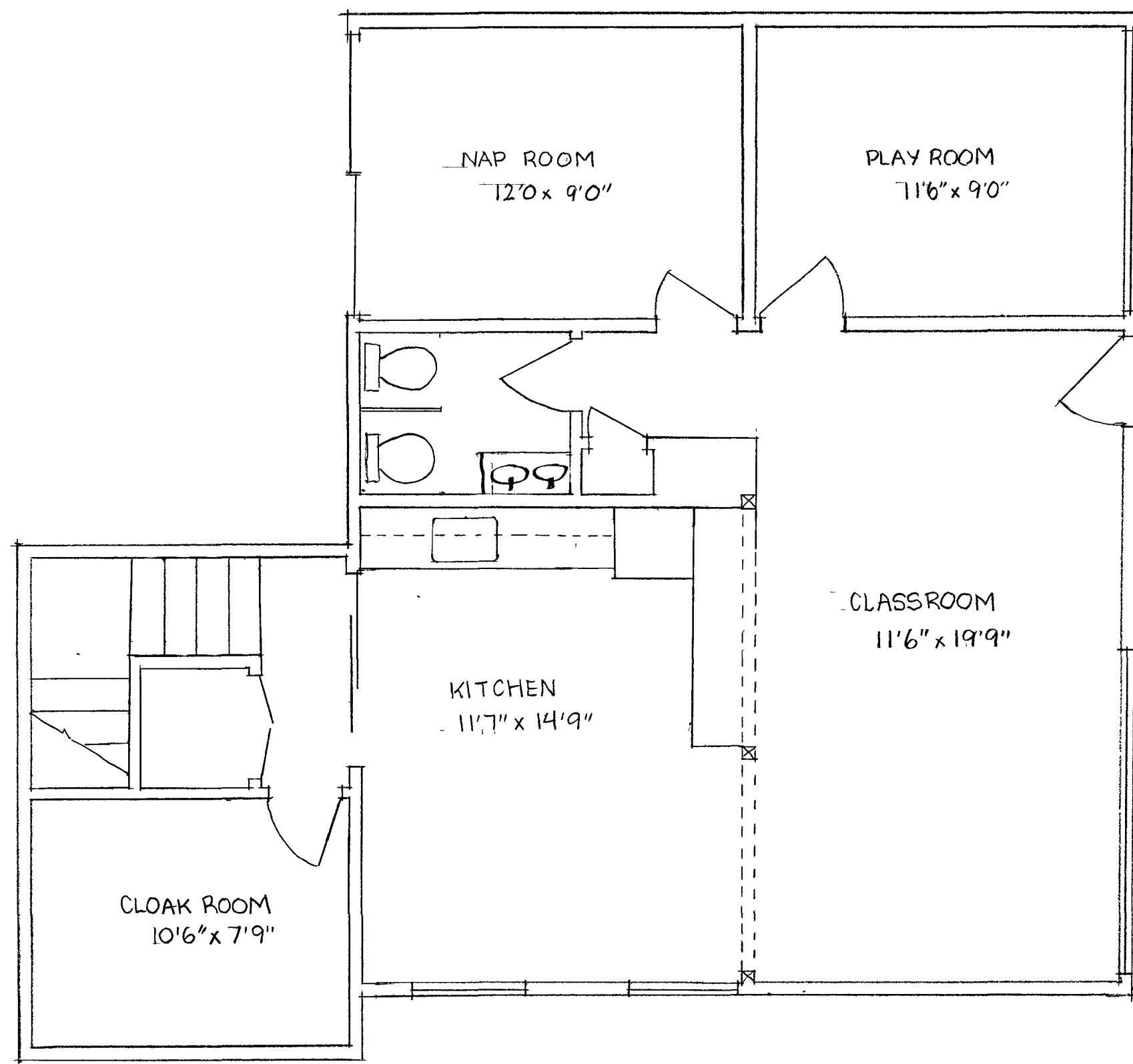
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1 of 4

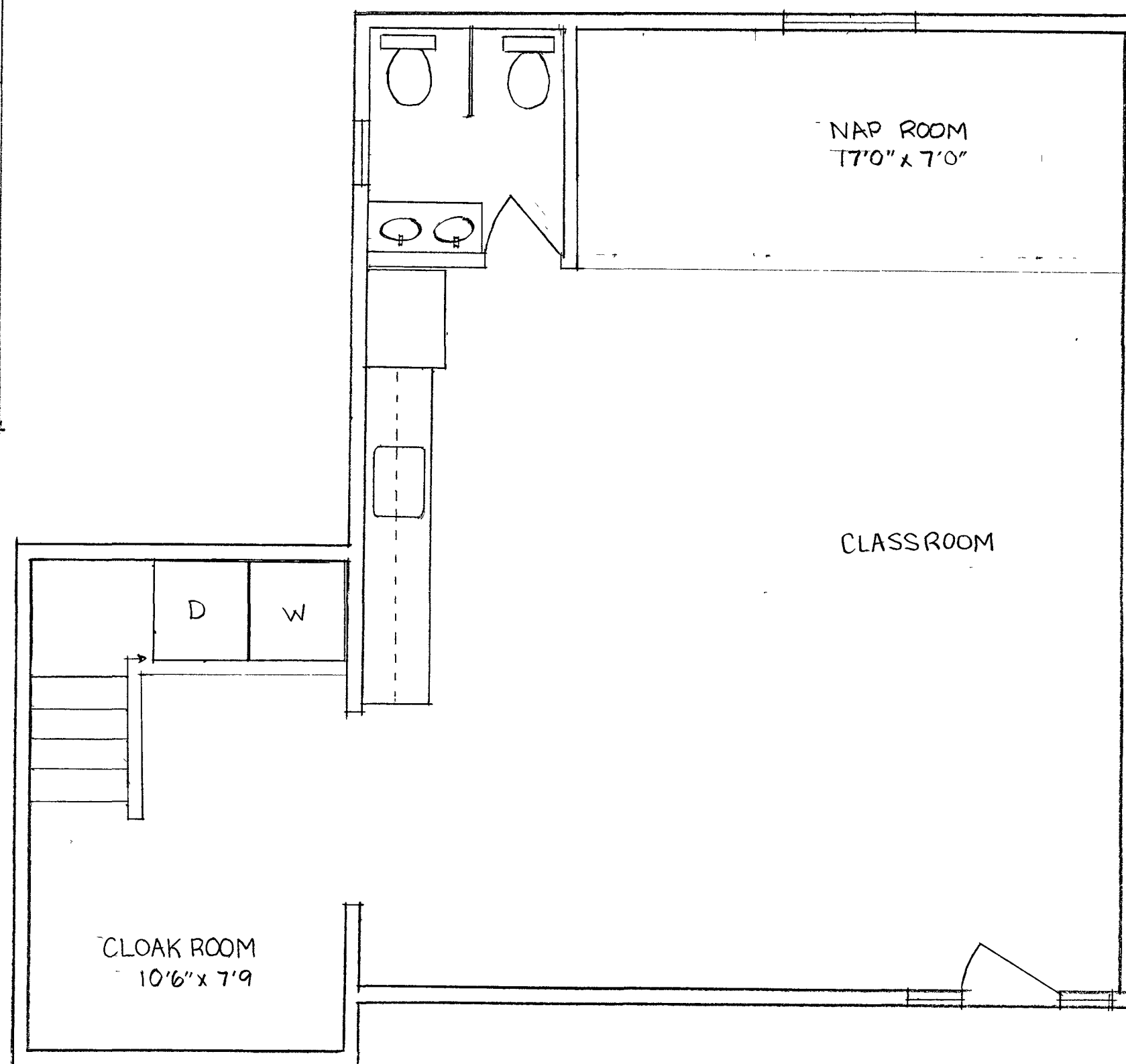
Revision:

REVISIONS

1. LANDSCAPING SCREEN
2. BIKE RACK SIZE + RELOCATION
3. SITE TRIANGLE
4. AUTOMATIC ROLLING GATE
5. FIR TREES TBR
6. STONE WALL TBR
7. DECIDUOUS TBR
8. CHANGE ANGLE OF PARKING STALL
9. HEIGHT OF CHAIN LINK
10. BIKE RACK SIZE
11. PARKING STALL SIZE
12. SRW SIZE



1 Main Floor Plan
Sht-2 SCALE: 1/4" = 1'-0"



2 Lower Floor Plan
Sht-2 SCALE: 1/4" = 1'-0"

Gillybird Nature
Schools Ltd
2750 Roseberry Ave
Victoria BC
V8R 3T9
250.704.6607

**Main Floor Plan
Lower Floor Plan**

1661 Burton Ave
Victoria BC
V8T 2N5

PID: 005-484-707
Legal Desc: Sot 3
Sections 29 and 30,
Victoria District
Plan 8908

Date: April 6, 2018

Scale: 1/4"

Zoning Application

From R1-B

To: Site Specific

Drafted By:

Gillian Fehr ID, PMP

Drawing:

ML1

Sheet:

2 of 4

Revision:



1 Burton Ave Streetscape
Sht-3



2 Burton Ave Elevation
Sht-3



3 Shakespeare St. Streetscape
Sht-3



4 Shakespeare St. Elevation
Sht-3

Gillybird Nature
Schools Ltd.
2750 Roseberry Ave
Victoria BC
V8R 3T9
250.704.6607

Streetscapes Elevations

1661 Burton Ave
Victoria BC
V8T 2N5

PID: 005-484-707
Legal Desc: Sot 3
Sections 29 and 30,
Victoria District
Plan 8908

Date: April 6, 2018

Scale: 1/4"

Zoning Application

Site Specific

Drafted By:

Gillian Fehr ID, PMP

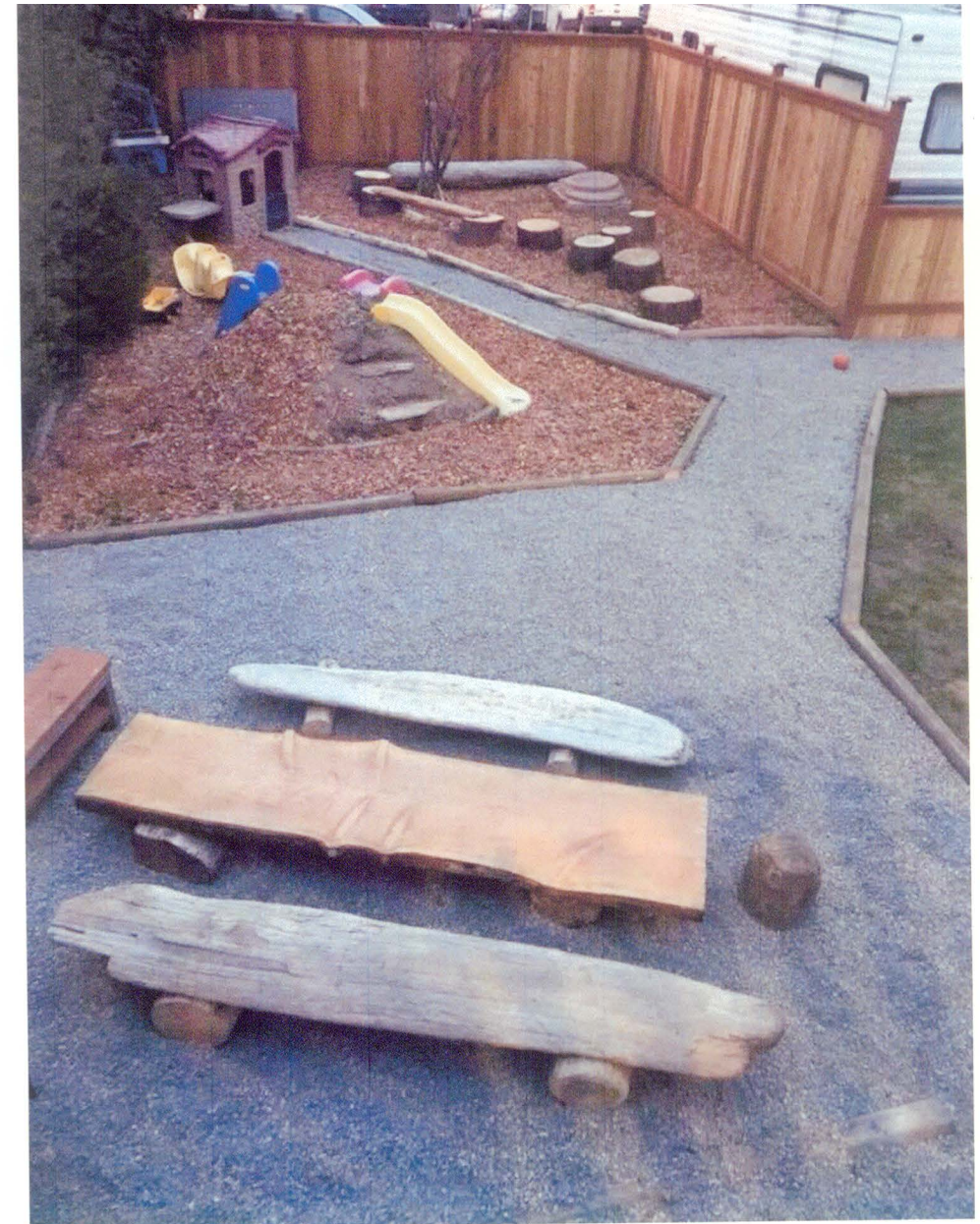
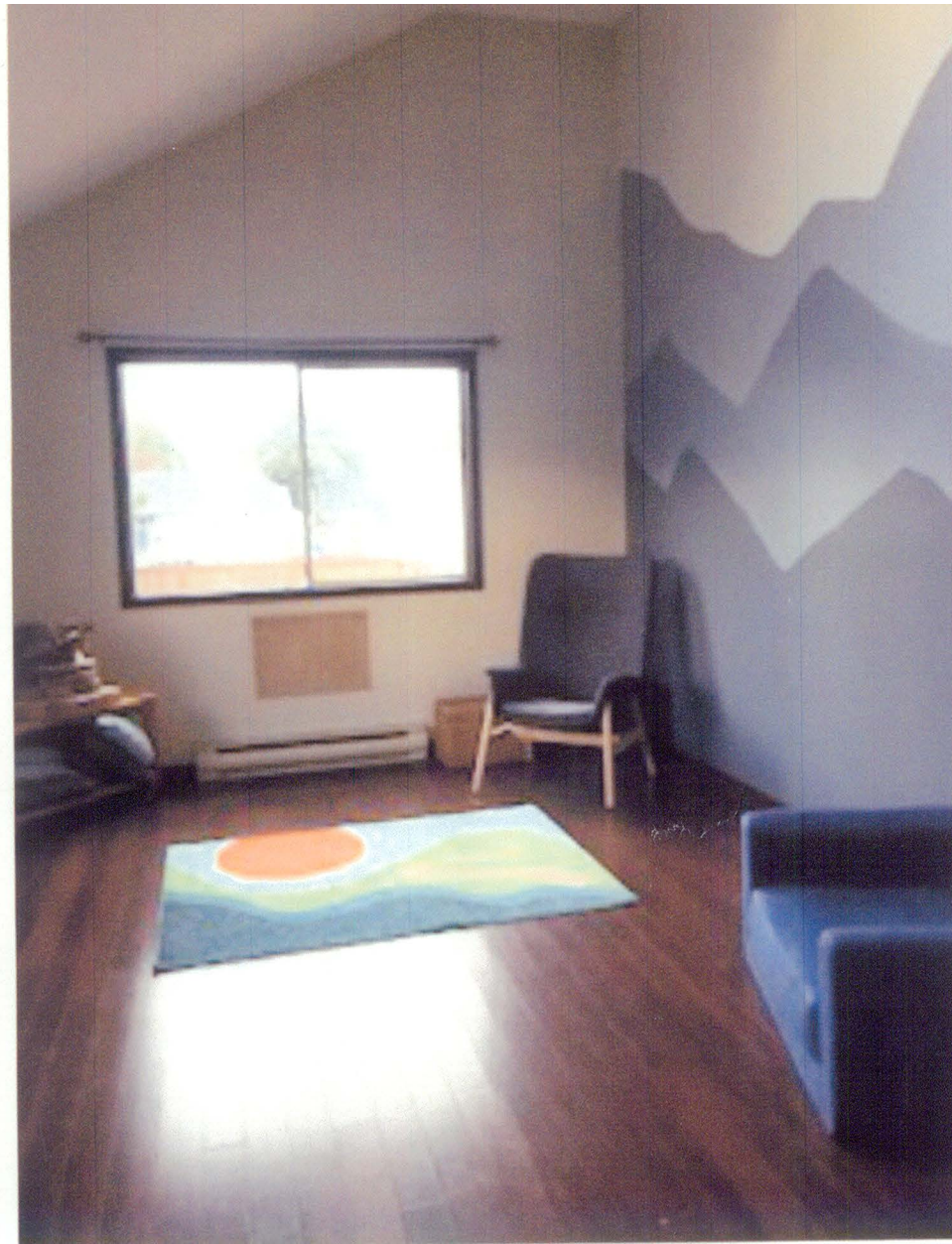
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SE1

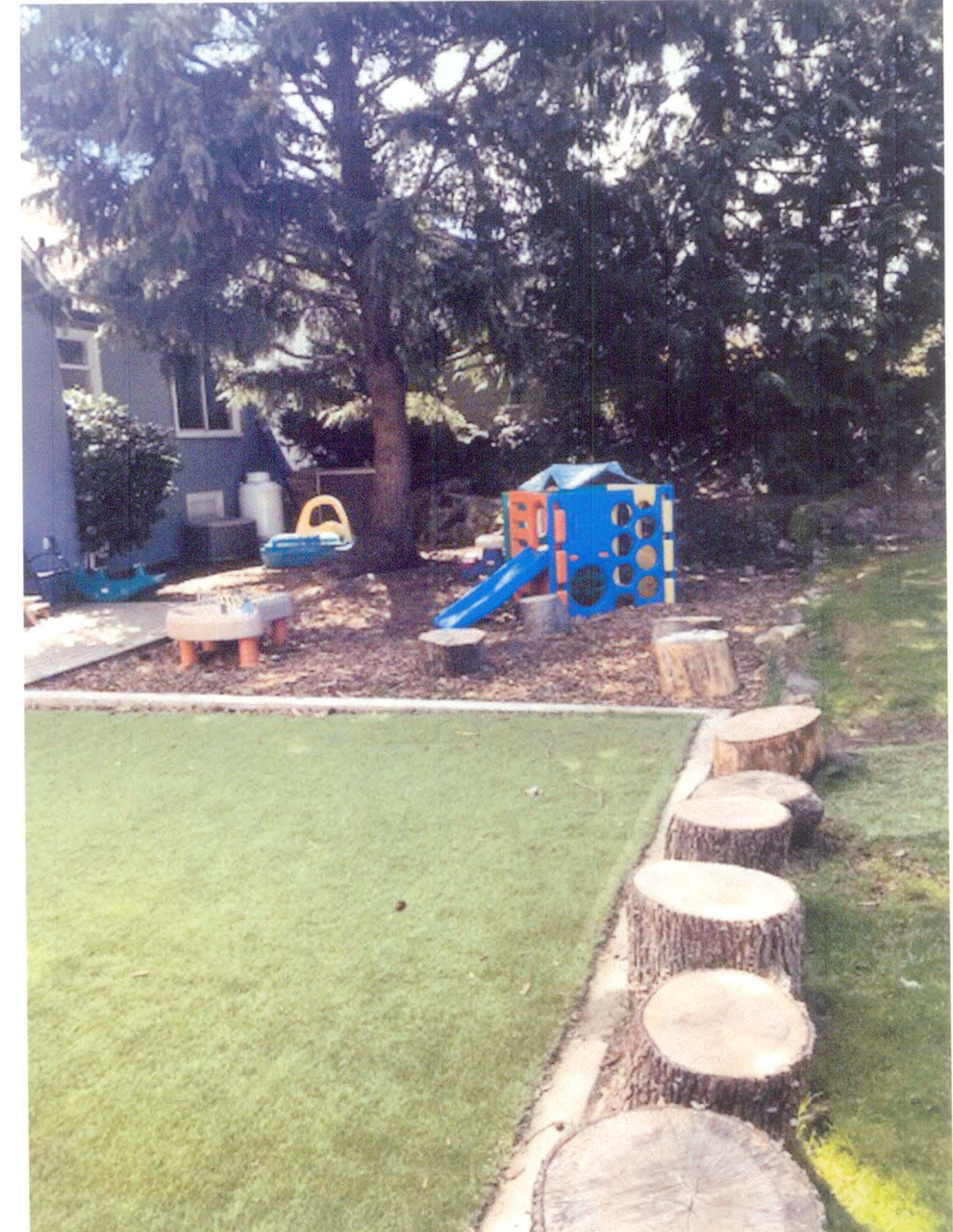
Sheet:

3 of 4

Revision:



1 Big Tree Location
Sht-4



2 Gillybird Location
Sht-4

Gillybird Nature
Schools Ltd.
2750 Roseberry Ave
Victoria BC
V8R 3T9
250.704.6607

**Big Tree Location
Gillybird Location**

1661 Burton Ave
Victoria BC
V8T 2N5

PID: 005-484-707
Legal Desc: Sot 3
Sections 29 and 30,
Victoria District
Plan 8908

Date: April 6, 2018

Scale: N/A

Zoning Application

From: R1-B

To: Site Specific

Drafted By:

Gillian Fehr ID, PMP

Drawing:

BG1

Sheet:

4 of 4

Revision:

Gillian Fehr
Gillybird Nature Schools Ltd.
2750 Roseberry Avenue
Victoria BC V8R3T9

To: Mayor and Council

Regarding: 1661 Burton Ave

Gillybird Nature Academy and Big Tree Nature School are currently successfully operating facilities with over 40 families from the local community on our waitlist.

The community of Oaklands is desperate for more childcare spaces, and would benefit greatly from having a program that focuses on children being educated in the outdoors. With our fortunate access to green space within walking distance, the children enrolled at the Gillybird Nature Schools benefit immeasurably from fresh air, daily exercise and develop a personal relationship with their environment.

A center that is able to offer 12 new 30 month to school age spots, as well as 12 infant toddler spots, would be greatly valued at this time in the community.

We will not be changing the site in any way, the original structure will remain intact, no trees will be cut down, and there will be no loss of permeable surface on the lot. The proposed change to zoning would only be for the use to be changed to allow for childcare. As we can be classified as a kindergarten under Victoria Bylaws, the only box the current site does not check is that the home is not older than 1931. The lot is both wide enough and large enough to qualify under the existing regulations.

Our centers do not operate on the weekends, evenings, or even early mornings, so I do not foresee the neighbors having any issues with noise. Compared to a potential tenant disaster if the home was turned into a rental, childcare facilities would create far less noise or disturbance to the surrounding homes. We spend much of our time of site, at local parks and green spaces, and our current locations have never had any type of complaint against us.

Public infrastructure will not be impacted as the water usage is actually quite a bit less than a family residence. With no one showering, taking baths or doing household laundry, the water usage will mostly be toilet flushing. Because we will be doing a bathroom renovation before we open, we have discussed adding a grey water capture to further reduce our impact. Our centers are very green minded and we do not produce much refuse. We recycle everything that is able to be picked up by the city, and I personally take soft plastics and styrofoam to recycling depots.

Please allow me to expedite this process, I will be licensed and opening the center for 8 children in May or June, and I very much hope to be rezoned and able to invite more families to join our center by August.

Conditions to be met prior to Committee of the Whole:

1. Landscaping screen will be installed between on site parking and the neighbour's property line.
2. Bicycle rack have been relocated to Shakespeare St. to allow for easier access
3. Hedge will be trimmed to be 1m tall within the site triangle of the driveway
4. An automatic rolling gate will be installed to ensure that vehicle do not encumber the sidewalk
5. Fir and deciduous trees on the property will be retained and cared for
6. The stone wall and other existing structures will be retained
7. Statutory Right of Way of 1.17m on the Burton Ave side and 1.21m on Shakespeare St..
8. Bike rack sizes have been corrected
9. Tree sizes have been corrected
10. Chain link fence height identified

Thank you,

Gillian Fehr



Mission

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

Oaklands Community Association Land Use Committee April 29, 2019 Community Meeting Minutes

Location: Oaklands Neighbourhood House - 2629 Victor Street

Contact: landuse@oaklandsca.com

Meeting overview:

On April 29, 2019, the Oaklands Community Association Land Use Committee (CALUC) hosted a community meeting for a proposed rezoning for a daycare at 1661 Burton Avenue and another community meeting for a proposed small lot subdivision at 2700 Avebury. The meeting was attended by roughly 40 residents of Oaklands and by two City of Victoria Planners (Chelsea Medd and Mike Van Der Laan).

1661 Burton Avenue

Project Overview

- Gilly-Bird Nature School is opening an infant and child daycare at 1661 Burton and is applying for a rezoning to permit an increase from 8 children to 12.
- The centre would be open Monday to Friday from 8am to 5pm and there would be minimal changes to the property (house paint and some exterior building updates and some changes to landscaping were noted).

Summary of Discussions

- A neighbouring resident was concerned about increased traffic on the road and a reduction in parking spaces for residents during daycare hours. The proponent noted that there are very little parking and traffic issues at her two other existing daycares (one in Oaklands). As well, ten neighbours to the existing Gilly Bird daycare, by vote of hand, had no concerns about traffic or parking from the other Gilly-Bird Daycare on their block; whereas, 5 of 10 nearby residents to 1661 Burton by vote of hand said they were concerned about traffic and parking. Following further discussion with the concerned neighbours, the proponent committed to work with any concerned neighbours to address parking and traffic issues related to the 1661 Burton Ave daycare should they arise.
- Another neighbour noted concerns about access to local nearby parks for neighbourhood children who may be displaced by children from 1661 Burton Ave. The proponent acknowledged the participants concern and noted that many daycares travel by bus or walk to visit playgrounds throughout the city and that City parks are intended for the enjoyment of all residents.

- Overall, with parking and traffic issues still an outstanding concern for some participants, the majority of the attendees were supportive of the additional childcare spaces that the 1661 Burton Ave daycare would provide. The proponent thanked the attendees for their support and encouraged them to send additional questions to her via the Gilly-Bird website.

2700 Avebury Road

Project Overview

- A representative of the owner of 2700 Avebury provided an overview of the proposed small lot subdivision proposed for the current property.
- The existing house would remain while a portion of the property would be sub-divided and a new home, with site coverages of 29% (note: 40% is allowed under the City's regulations) of the new lot would be constructed and sold.
- The design would require some blasting to accommodate the slab on grade foundation and no windows would be facing into neighbouring properties.

Summary of Discussions:

- Some attendees noted that the design was in keeping with the neighbourhood character and that infill development was needed in the City to accommodate the growing population. The Representative noted that the subdivided lot and home would likely be marketed at \$850k which she considered affordable for some young families by today's current standards.
- Some immediate neighbours expressed their opposition to the subdivision proposal noting concerns for:
 - Uncertainty on blasting effects to neighbouring homes;
 - Increased parking demand and traffic volumes on Kings and Avebury from increased density; and
 - Existing home would eventually be demolished and replaced thereby increasing impacts of densification further.

The Representative noted that blasting, if done correctly, is almost imperceptible to nearby residents, is safe, rarely results in damage to properties, and that the blasters are insured in the event that damages do occur. The Proponent also noted that the new home would have it's own parking space on the property and would not be constructed to accommodate additional suites which could result in increased parking demand in the future. Lastly, the Representative noted no current plans to re-develop the existing house on the property.

- One neighbour, who had previously subdivided their own property across the street, expressed opposition to the proposal.

- One neighbour noted that the stretch of Kings between Avebury and Rosebury already has 8 households (i.e. primary residences and suites) cumulatively on either side of the street and that parking is already an issue and that they had “done their part” to allow for density on the street.¹
- A number of members of the Oaklands Rise, which supports alternatives to sidewalks on some Oaklands streets, appealed to the proponent to support their initiative by requesting the removal of the sidewalk from the proposal as currently required by the City. The Representative committed to exploring this option further with the Oaklands Rise and the City.
- The current tenants of the 2700 Avebury property were in attendance and noted their support for the proposed subdivision stating that they welcome additional neighbours and children.
- One participant noted concern for the large tree on the south east corner of the property. The Representative assured the participants that this tree would not be affected by the small lot subdivision proposal.

¹ Although not stated at the meeting, for comparison purposes, Oaklands CALUC notes that on Haultain St (between Avebury and Rosebury) there are 13 households (i.e. primary residences and suites) and that parking is sufficient.



CITY OF VICTORIA

Mayor

Lisa Helps
T 250.361.0200
E mayor@victoria.ca

Councillors

Marianne Alto
T 250.361.0216
E malto@victoria.ca

Chris Coleman
T 250.361.0223
E ccoleman@victoria.ca

Ben Isitt
T 250.882.9302
E bisitt@victoria.ca

Jeremy Loveday
T 250.634.2327
E jloveday@victoria.ca

Margaret Lucas
T 250.361.0217
E mlucas@victoria.ca

Pamela Madoff
T 250.361.0221
E pmadoff@victoria.ca

Charlayne Thornton-Joe
T 250.361.0219
E cthorne-ton-joe@victoria.ca

Geoff Young
T 250.361.0220
E gyoung@victoria.ca

1 Centennial Square
Victoria, British Columbia
Canada V8W 1P6

www.victoria.ca

October 28, 2018

To Whom It May Concern:

Re: Community Support for New Childcare Spaces

I am writing in support of the application of Gillian Fehr of Gillybird Nature Schools Ltd. for funding from the New Spaces Fund to create new childcare spaces in the City of Victoria.

Expanding access to affordable childcare and early childhood education is a strategic priority for the City of Victoria, contributing toward a more inclusive and cohesive community.

Victoria's municipal council has recognized the need of families in the municipality to have more childcare options, and has supported efforts to expand childcare options in several Victoria neighbourhoods. Provincial support through the New Spaces Fund now provides financial capacity to support the establishment of new childcare facilities and the expansion of existing facilities.

Gillybird Nature Academy and Big Tree Nature School has operated successfully in our municipality for a number of years. With support from the New Spaces Fund, more children will have access to education in the outdoors, particularly infants as well as children older than 30 months, addressing gaps in existing childcare services.

For these reasons, I encourage you to support this application for support for the New Spaces Fund.

All the best,

Ben Isitt
Victoria City Councillor and Capital Regional District Director

Lucas De Amaral

From: Rob Sherman [REDACTED]
Sent: May 1, 2019 10:20 AM
To: landuse@oaklandsca.com; Victoria Mayor and Council;
[REDACTED]
Subject: 1661 Burton Ave proposed development application
Categories: Need to file in S Drive

To Whom it May Concern,

On April 26th I attended the Community Meeting for Proposed Development to allow for a kindergarten at 1661 Burton Ave. as I am a resident on Burton Ave that received one of the notices sent out for the hearing.

First let me start by stating that the notice that was sent out appeared to be an avenue of input from the residents in the immediate area to voice support or concern about a business being opened up in our residential neighborhood. Finding out that this was not the case was to say the least, disconcerting.

The applicant Gillian made it very clear that her daycare or adventure centre (I cannot remember what her wording was) is opening June 1st and that we (the notice recipients) were only there to approve her application to increase her capacity for the centre from 8 to 12.

I have concerns about the amount of traffic that this business could potentially bring onto Burton Ave. While the applicant will down play this by stating that she will ask her clients to come down roads other than Burton Ave, she has absolutely no ability to control what her clients do or how they do it.

My concerns are about the increased traffic volume and with it, the impact to the limited parking on Burton Ave as well as a likely hood of people speeding (going faster than they safely should be) to get out of the area to get to work on time. The traffic volumes will increase during peak times of people leaving for work and coming home from work, so the likely hood of there being a negative impact is high.

The applicant will tell you that she will ask her clients to park in the Hillside Mall parking lot, but she does not really have a say in how the mall lot will be used and the mall could easily shut that down. And with Wal-mart going into the old Sears store, there will be construction going on which will impact the ability for her clients to park in that area which she is expecting them to. Of course, this is speculation at this time, but are very real scenarios that will again impact the local residents if her ideal situations are not able to be met.

The applicant has suggested that a loading zone could be put on Shakespeare Rd (around the corner from Burton Ave, but this would at best accommodate two cars, so where would the others park? The clients would still have to drive in and out of the area increasing the local traffic.

The applicant had support at the meeting, but from what I can tell, they were from another area of the Oaklands Community and not one of the local residents that received this notification because they live within 100 meters of the address asking for the rezoning change. While I appreciate their right to have a voice, their input should be limited as they will not be impacted by the potential increase of traffic.

If the applicant is allowed to open her business with 8 clients for June 1st without consideration from the neighborhood, so be it, but what I ask is that the application to increase capacity from 8 clients to 12 be put on

hold and reviewed with the residents again in 6 months so that we can assess if there are any negative impacts to the potential increase in the local traffic. It will be easier to grant permission in 6 months rather than try and take it away if the business does impact the area negatively.

I am not against quality daycare as I understand how hard it is to find, I am concerned about the potential impacts to the area that I have lived in for over 20 years by increasing the traffic in a small area that is already heavily saturated with vehicles.

I am happy to have a conversation with anyone about this, but I think another application to increase the capacity of the applicants kindergarten in 6 months is a reasonable compromise for everyone.

Rob Sherman

Sent from my iPhone

Lucas De Amaral

From: Rob Sherman [REDACTED]
Sent: May 1, 2019 4:55 PM
To: gillian fehr
Cc: landuse@oaklandsca.com; Victoria Mayor and Council
Subject: Re: 1661 Burton Ave proposed development application

Categories: Need to file in S Drive

Hi Gillian, please see my responses below in italics.

You probably won't want to or might not see the need to, but I am up for an open and constructive conversation – not a debate (as it will serve no purpose) and so much can be lost in translation when using email.

So, if you would like to or feel the need to respond, please address me directly as I am sure that the council has better things to do than to be part of a dialogue where you are apt to malign me (through hearsay). By labelling me a fear monger, aggressive, and that I bulldoze and scare people.

Rob

Sent from my iPhone

Begin forwarded message:

From: gillian fehr [REDACTED]
Date: May 1, 2019 at 1:05:55 PM PDT
To: Rob Sherman [REDACTED]
Cc: landuse@oaklandsca.com, mayorandcouncil@victoria.ca
Subject: Re: 1661 Burton Ave proposed development application

Thank you for your comments,

With respect, families can not wait for 6 months.

There are little (to no) Infant Toddler spots in our community and opening 12 new ones is not a negative, but a huge positive for everyone in Oaklands.

Let's be honest while this is not a negative, this is not a positive for EVERYONE in regards to daycare (not the location). I believe there is a shortage of quality daycare and there always has been, even when my kids were young. But this is really only huge positive for those that will use your service while serving the greater good in a peripheral manner. And for you to maximize your profit per square foot of space. I tried to not overstate the negatives or use fear mongering (as you put it) but paint a realistic picture of possibilities.

I DO have support from immediate neighbours, but they were elderly women who felt bulldozed by the way you were speaking so aggressively at the community meeting, and felt scared to voice how happy they were at the prospect of seeing new little faces in the area that they have

been residing for more than 30 years. I know this because they told my husband outside that they were scared to speak against you.

The ladies you speak of – one of them did speak about how happy she would be to see the little faces, so please, let us be truthful about what did and did not happen. Please do not try and paint a picture that is not true. As for the other lady, she is my direct neighbor and has been for twenty years, we are very friendly and have never had a harsh word between us so I find that you lumping her into being scared to speak is an alternate fact; a stretch of the truth.

Stating how someone else felt is complete hearsay and does not make for a productive conversation but rather serves your agenda of making me out to be the “bad guy” to your self-perceived role as a savior of the community. I spoke and let others speak; I did not disparage anyone or say they were wrong or not let anyone have an opportunity to add the voice to the dialogue. But let me say this - I felt it was you who set the aggressive tone by stating in your opening statement to the group that you “are not changing the property by adding a new building to the lot which is within your right to do” like you are doing us a favor and in some ways felt like a veiled threat that if this doesn’t happen for you that you may do that. You and your husband several times throughout the conversation brought up scenarios that “could be worse’ for the neighborhood continuing the tone you set.

If anything, I felt as if I was outnumbered and bullied as it seemed that you brought support (residents on Roseberry I believe) from outside of the 100 meter radius that was invited to the meeting to voice support or concern for your request.

I am not applying to turn the lot into a huge development, and I was surprised that you wouldn’t be excited that the building would not be demolished, with a large duplex/4 plexus built in place.

I think this is moot point as this proposal is not on the table, but if it were, I would have the same concerns about the increase of vehicles. Plus I am pretty certain that bylaws state that there needs to be a certain number of parking spaces for each residence.

My families ARE respectful drivers and will not (nor have they ever) speed on a street threat their own children will be attending care at. To suggest parents will be speeding on streets where the Center will be located is total speculation, and fear mongering. If there is concern for speeding cars, it would not be coming from people dropping off and picking up small children.

I am not pointing a finger at “your families”, I do not know them so I cannot say how they behave one way or the other; all I am stating is that the increase of vehicles will impact parking and when people (all people) are in a rush, they tend to go faster in areas they shouldn’t. You can’t be so naive to think that this is not the case and that people jockeying to get past each other is not going to happen ever. So while “your people” might not speed, the presence of their vehicles could contribute to others doing so. All I am pointing out is that the increase of vehicles contributes even indirectly to my concerns.

Furthermore, being a nature based center, I attract families that walk and bike when ever they are able.

And when they aren’t, they could possibly drive to the center and increasing traffic to the area at peak hours, thereby supporting my concern.

Immediate neighbours have agreed that changing the no stopping zone on Shakespeare to residential parking and a drop off zone would eliminate virtually everyone's reservations, except yours. Singularly, yours.

Concerns about what? Traffic or parking. This would help address the parking, but not the amount of increased traffic on the road. You would have to agree with that statement.

I found your vehemence to be disproportionate to the nature of the meeting, and many others stated the same after you left. Just because your voice was the loudest, doesn't mean it is the most prevalent.

Perhaps it was disproportionate, however, in the moment (after finding out that this was not about opening a kindergarten, but rather to approve an increase in your clientele) and how I feel you set the tone, by stating what you could do with the property, I feel like none of us had a voice in the matter and I was quite upset by that fact. I thought a community was about being able to talk about things and come to an understanding or agreement after facts and opinions had been brought forward. I don't feel that there was in this case as you were opening your business on June 1st and you seemingly were expecting unanimous support for the additional 4 spots. If you could look at it from my point of view instead you might be able to understand where I am coming from.

Being a home owner, I too dislike the ever shrinking parking spaces available for my own vehicles at my homes. But densification means that that is not going to stop. In fact, if we suited the Burton home, there would be potentially 4 new cars parked on the street. In this case, only drop off and pick up at 8-9 and 4-5 would be an issue. Zero cars parked over night or on weekends, when I would assume most residents would like to be parking their own cars.

Again, to my point, trying to paint a picture of it could be worse. I say it could be better if a single person who only rode their bike moved in. That didn't happen so it is just a valid a statement as yours which is moot - as that is not the situation we are dealing with. And also as you stated, the traffic impact would be at peak hours when people are trying to leave for work and come home. Those are the hours of impact. If the hours were between 11 am and 2 pm, then I would still have some concern, but the impact to traffic flow would not be as likely as it is in the hours you have noted.

I very much hope that when we open for 8 children you will see that your concerns will be mitigated.

I would very much like my concerns to be mitigated, that is why I am suggesting a 6 month review; if there is little to no impact, I would gladly support the increase to 12. I do not think that is unreasonable at all. I like to err on the side of caution and until the impacts are known, I think reviewing the impact to the neighbor is the prudent thing to do. Neither you nor I can state for certain what will happen either way and without that certainty, taking a cautious approach is the best and fair course of action for all parties.

My ask from the council is simple, even though I may be the only voice against the increase, I ask that the application be put on hold for 6 months so that we can actually see what impact the increased traffic will have in the area. What works in one area may not work in another, and only time will tell if there are or are not issues. If the application is granted and there are issues, it will be much harder to restrict the center back down to 8 spaces; and this would create a

much larger burden on the families that could no longer attend if that decision was made. Once the genie is out of the bottle, you can't put it back in.

Sent from my iPhone

On May 1, 2019, at 1:05 PM, gillian fehr [REDACTED] wrote:

Thank you for your comments,

With respect, families can not wait for 6 months.

There are little (to no) Infant Toddler spots in our community and opening 12 new ones is not a negative, but a huge positive for everyone in Oaklands.

I DO have support from immediate neighbours, but they were elderly women who felt bulldozed by the way you were speaking so aggressively at the community meeting, and felt scared to voice how happy they were at the prospect of seeing new little faces in the area that they have been residing for more than 30 years. I know this because they told my husband outside that they were scared to speak against you.

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My families ARE respectful drivers and will not (nor have they ever) speed on a street threat their own children will be attending care at. To suggest parents will be speeding on streets where the Center will be located is total speculation, and fear mongering. If there is concern for speeding cars, it would not be coming from people dropping off and picking up small children.

Furthermore, being a nature based center, I attract families that walk and bike when ever they are able.

Immediate neighbours have agreed that changing the no stopping zone on Shakespeare to residential parking and a drop off zone would eliminate virtually everyone's reservations, except yours. Singularly, yours.

I found your vehemence to be disproportionate to the nature of the meeting, and many others stated the same after you left. Just because your voice was the loudest, doesn't mean it is the most prevalent.

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I very much hope that when we open for 8 children you will see that your concerns will be mitigated.

Gillian



On May 1, 2019, at 10:19 AM, Rob Sherman [REDACTED] wrote:

To Whom it May Concern,

On April 26th I attended the Community Meeting for Proposed Development to allow for a kindergarten at 1661 Burton Ave. as I am a resident on Burton Ave that received one of the notices sent out for the hearing.

First let me start by stating that the notice that was sent out appeared to be an avenue of input from the residents in the immediate area to voice support or concern about a business being opened up in our residential neighborhood. Finding out that this was not the case was to say the least, disconcerting.

The applicant Gillian made it very clear that her daycare or adventure centre (I cannot remember what her wording was) is opening June 1st and that we (the notice recipients) were only there to approve her application to increase her capacity for the centre from 8 to 12.

I have concerns about the amount of traffic that this business could potentially bring onto Burton Ave. While the applicant will down play this by stating that she will ask her clients to come down roads other than Burton Ave, she has absolutely no ability to control what her clients do or how they do it.

My concerns are about the increased traffic volume and with it, the impact to the limited parking on Burton Ave as well as a likely hood of people speeding (going faster than they safely should be) to get out of the area to get to work on time. The traffic volumes will increase during peak times of people leaving for work and coming home from work, so the likely hood of there being a negative impact is high.

The applicant will tell you that she will ask her clients to park in the Hillside Mall parking lot, but she does not really have a say in how the mall lot will be used and the mall could easily shut that down. And with Wal-mart going into the old Sears store, there will be construction going on which will impact the ability for her clients to park in that area which she is expecting them to. Of course, this is speculation at this time, but are very real scenarios that will again impact the local residents if her ideal situations are not able to be met.

The applicant has suggested that a loading zone could be put on Shakespeare Rd (around the corner from Burton Ave, but this would at best accommodate two cars, so where would the others park? The clients would still have to drive in and out of the area increasing the local traffic.

The applicant had support at the meeting, but from what I can tell, they were from another area of the Oaklands Community and not one of the local residents that received this notification because they live within 100 meters of the address asking for the rezoning change. While I appreciate their right to have a voice, their input should be limited as they will not be impacted by the potential increase of traffic.

If the applicant is allowed to open her business with 8 clients for June 1st without consideration from the neighborhood, so be it, but what I ask is that the application to increase capacity from 8 clients to 12 be put on hold and reviewed with the residents again in 6 months so that we can assess if there are any negative impacts to the potential increase in the local traffic. It will be easier to grant permission in 6 months rather than try and take it away if the business does impact the area negatively.

I am not against quality daycare as I understand how hard it is to find, I am concerned about the potential impacts to the area that I have lived in for over 20 years by increasing the traffic in a small area that is already heavily saturated with vehicles.

I am happy to have a conversation with anyone about this, but I think another application to increase the capacity of the applicant's kindergarten in 6 months is a reasonable compromise for everyone.

Rob Sherman

Sent from my iPhone

From: Bridey Morrison Morgan <[REDACTED]>
Sent: Friday, May 10, 2019 10:51 AM
To: Victoria Mayor and Council
Subject: RE: Mayor and Council email RE: Community Meeting - Proposed Development - 1661 Burton Avenue

Greetings Monica:

Thank you for the acknowledgement of my letter / email regarding re: re-zoning. Please forward these comments to the appropriate individuals.

I appreciate the information about the Community Care and Assisted Living act.

My big concern is that no notification (as a courtesy / transparency) about this legislation was given to the community as to what was happening to the property in question.

Furthermore, before the day care is up and running, we have the owner / operator applying for re-zoning to accommodate more children and the neighbourhood has not had time to adjust to the new traffic patterns we will be dealing with.

The application (which I will point out again – talked about re-zoning for a kindergarten – not an increase to the number of children attending the day care).

I think for the sake of the community / neighbourhood no change to the zoning should take place for at least 6 months. If Ms. Fehr's day care operation doesn't cause a problem / have negative impact in our neighbourhood, she could then re-apply and I am sure the neighbourhood would fully support her application for re-zoning.

Sincerely,
bridey morrison morgan

Sent from Mail for Windows 10

From: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Sent: Wednesday, May 8, 2019 9:47:50 AM
To: [REDACTED]
Subject: Mayor and Council email RE: Community Meeting - Proposed Development - 1661 Burton Avenue

Dear Bridey,

Thank you for your email regarding a rezoning application for 1661 Burton Avenue, it has been shared with Mayor and Council.

I have also filed your email with this address, to be shared with Mayor and Council again once this application comes before them for consideration at a Committee of the Whole meeting. More information on this application can also be found on the City's Development Tracker.

To provide some clarification on the process, the Community Care and Assisted Living Act permits daycares for up to 8 children within single family dwellings; this is provincial legislation which overrules a city's zoning regulations. However to have any more than 8 children, Island Health would then require the building be zoned for this use, by the municipality. Such an application has been received by the City to rezone 1661 Burton.

Thank you for your sharing your feedback with Mayor, Council and the City of Victoria.

Sincerely,

Monica Dhawan
Correspondence Coordinator
Mayor / City Manager's Office
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

From: Bridey Morrison Morgan [REDACTED]
Sent: May 4, 2019 1:37 PM
To: Victoria Mayor and Council
Cc: Ben Isitt (Councillor)
Subject: Community Meeting - Proposed Development - 1661 Burton Avenue

Please see the attachment – letter from resident re: 1661 Burton Ave.

Thank you.

bridey morrison morgan
[REDACTED]

Sent from Mail for Windows 10

Monica Dhawan

From: Bridey Morrison Morgan [REDACTED]
Sent: Tuesday, June 25, 2019 10:32 AM
To: Victoria Mayor and Council
Subject: RE: Mayor and Council email RE: re-zoning application - 1661 Burton Avenue

Good morning Monica, Mayor and Council:

Thank you for another reply.

Re: your response to my points about traffic and the park. I find it totally amazing that city staff sitting in their downtown offices would be able to comment on what is good for our street and playground. For example, since when is having 2 swings for possibly 24 children (from the daycare) plus other neighbourhood children playing in the park a suitable ratio of equipment and users of the equipment ?

I find it interesting that on the public board posted on the property would advertise "giving input to the re-zoning" and in all likelihood the city is going to rubber stamp the application for re-zoning.

It is my understanding from the information that you sent to me about licensing, the City is saying that IH and the Province are the decision makers about when and where daycare operations are set up in residential communities. Their rules override the City and also, feedback in the community.

To me it appears that the City, IH and the Province all want to appear as being supportive of day care – making themselves look good to the public. However, I as a resident of the street feel that there is potential for disruption to my life and my neighbourhood.

bridey morrison morgan

Sent from [Mail](#) for Windows 10

From: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Sent: Friday, June 21, 2019 12:35:04 PM
To: 'Bridey Morrison Morgan'
Subject: RE: Mayor and Council email RE: re-zoning application - 1661 Burton Avenue

Thank you for your follow up email, Bridey. I should have clarified on point #3 that I was referring to City staff based on site visits to the park.

I will share your email with Mayor and Council and with the Planner for their information. I will also file this latest email as well, to ensure it is on the public agenda when the application comes before Council for their consideration.

Sincerely,
Monica

From: Bridey Morrison Morgan [REDACTED]
Sent: Thursday, June 20, 2019 6:38 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: RE: Mayor and Council email RE: re-zoning application - 1661 Burton Avenue

Dear Mayor, Council and Monica:

Thank you for your personal reply to my 2nd letter.

My reply to the following points –

Point # 1) I find it interesting the Transportation staff reviewed the file and have no concerns. **The people in that department do not live on my street** and I, as a resident of the street, do have a high degree of concern about 24 vehicles driving down my street possibly twice a day, five days a week. My grandchildren and other street on the street will no longer be able to play freely and safely with the increased traffic flow department. I am not sure the people in the Traffic Department would want increased traffic on their street.

Point # 3) I am aware that the daycare has it's own playground area and I can appreciate that the "staff do not have concerns about overcrowding in the playground". I assume you mean the daycare staff. If so, I appreciate that they have no concerns, but again as a resident of the neighbourhood, I do have a concern. Why would the staff's opinion over rule or have more weight than residents of the community?

As I stated before, it is my opinion that the private-for-profit owner / operator, Ms. Fehr, from the start **has not been transparent and honest about her intentions in acquiring the property**. It may be a great business opportunity for Ms. Fehr but in my opinion it is not an improvement to our community / neighbourhood. Again, I will remind all of you that at the OCA meeting, 29 April 2019, **Ms. Fehr told those in attendance that she wanted support for 4 more spaces not 16 more spaces**. She advised us that she was already licensed for 8 children and wanted to increase the number of children from 8 to 12.

In my opinion, having a commercial business at the end of our residential street in our neighbourhood is not desirable. The is not a case of "not in my backyard" but rather a case of the process moving forward without a lot of dialogue with the residents.

For your information, I will be contacting Island Health and the Provincial Government about my concerns about permitting re-zoning for private-for-profit day care operations in long established neighbourhoods without an open and transparent public consultation process with residents. I support publicly funded day care.

Yours truly,

bridey morrison morgan


Thank you for you

Sent from [Mail](#) for Windows 10

From: Victoria Mayor and Council <mayorandcouncil@victoria.ca>

Sent: Thursday, June 20, 2019 2:28:50 PM

To: 'Bridey Morrison Morgan'

Subject: Mayor and Council email RE: re-zoning application - 1661 Burton Avenue

Dear Bridey,

Thank you for your email regarding a rezoning application for 1661 Burton Avenue, it has been shared with Mayor and Council.

This application is scheduled to come before Council at the Committee of the Whole meeting on June 27. At that time, Council will consider whether the application will proceed to a Public Hearing (or to decline, defer decision, etc.) Should it proceed to a Public Hearing, the public is then notified of the Hearing through various means, including an update to the signage, a mail-out, and an ad in the newspaper.

The City's [Development Tracker](#) has the most up-to-date information regarding this proposal, including the most recent plans. The staff report for the Committee of the Whole meeting will be published the Friday before the meeting on our [Council webcasting portal](#).

To respond to some of your questions, the Planning department has provided the following information:

1. Transportation staff have reviewed the file and did not raise concerns regarding traffic. However, a Statutory Right-of-Way is being requested along Shakespeare Street which would be used for future road improvements.
2. The R1-B Zone permits for house conversions which permit daycares. In this instance, this requires a rezoning only because the house was constructed in 1945 (house conversions for daycares must be built prior to 1931 according to the zoning).
3. The daycare has its own play area and Clawthorpe Park would be used as an outing – not its primary location. Staff do not have concerns about overcrowding.

Island Health would place the limit on the number of children allowed, and not the City.

I have filed your email with this address, to be shared with Mayor and Council again once this application comes before them at the Committee of the Whole meeting.

Sincerely,

Monica Dhawan
Correspondence Coordinator
Mayor / City Manager's Office
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6



From: Bridey Morrison Morgan [REDACTED]
Sent: Wednesday, June 12, 2019 3:15 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>; Ben Isitt (Councillor) <Blisitt@victoria.ca>
Subject: re-zoning application - 1661 Burton Avenue

Attached please find a second letter regarding – 1661 Burton Ave, Victoria, BC

I look forward to your reply and information about the upcoming public meeting with council to discuss the impact in our community / neighbourhood.

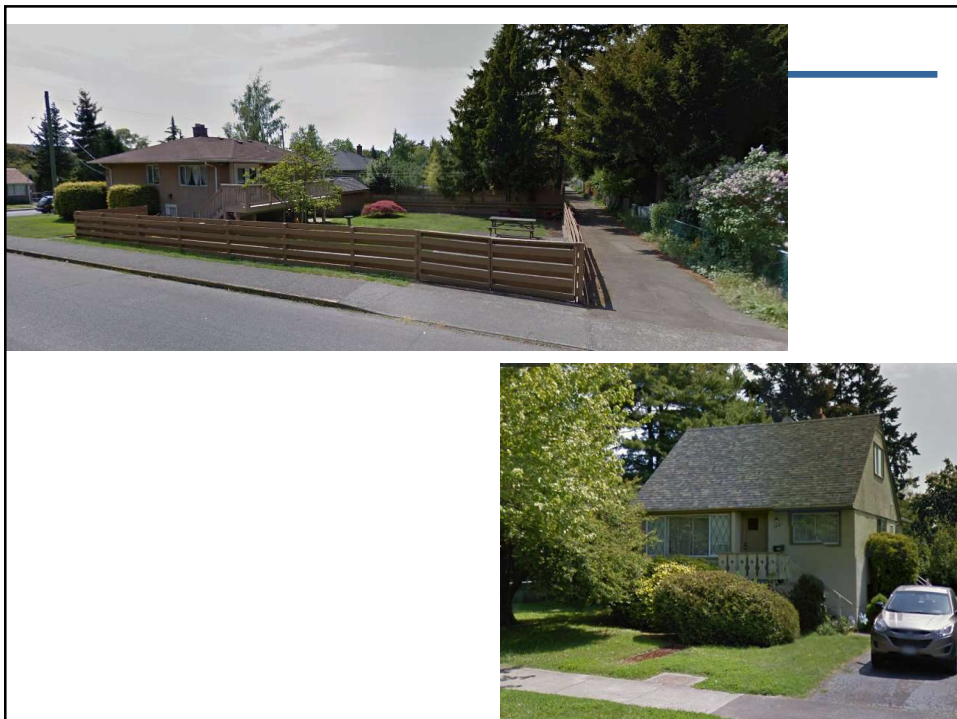
Thank you.

bridey morrison morgan
[REDACTED]

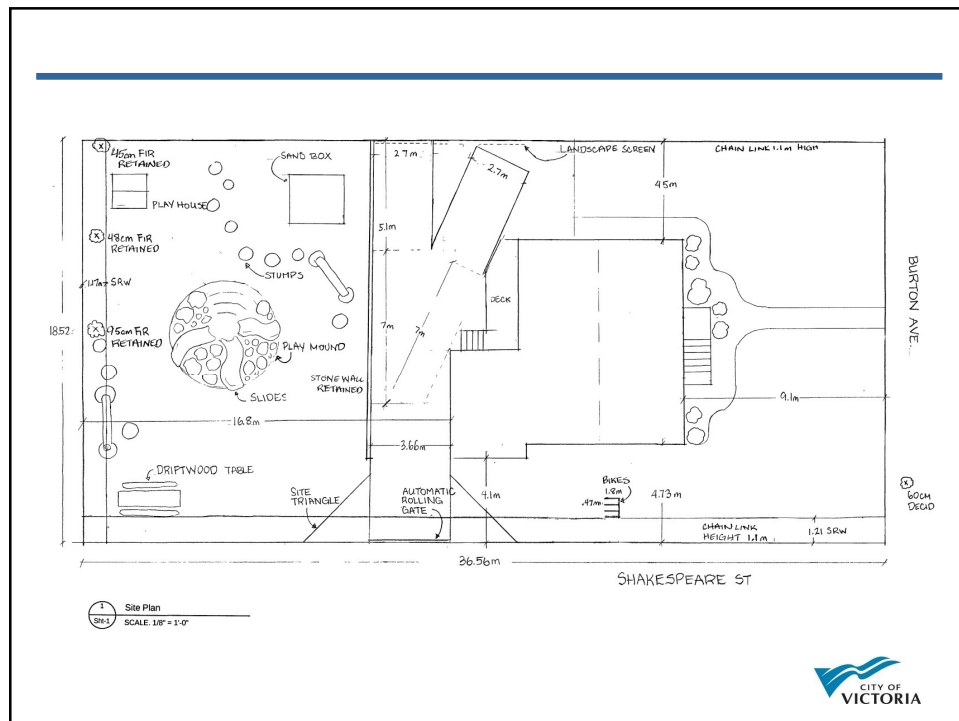
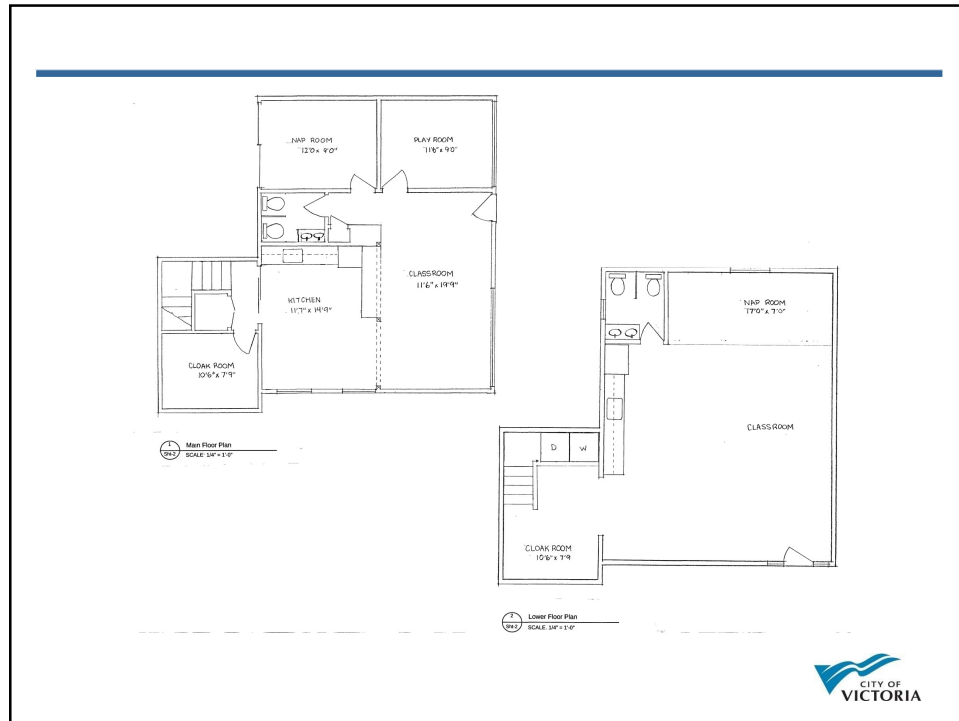
Sent from [Mail](#) for Windows 10

Rezoning Application for 1661 Burton Avenue











Committee of the Whole Report For the Meeting of June 27, 2019

To: Committee of the Whole

Date: June 13, 2019

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

Subject: Rezoning Application No. 00687 for 1302 Finlayson Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00687 for 1302 Finlayson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of a Statutory Right-of-Way of 2.50m on the Finlayson Street frontage, to the satisfaction of the City Solicitor.
2. A motion from the Heritage Advisory Panel considering the placement of the existing mixed-use building on Victoria's Register of Heritage Properties.

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1302 Finlayson Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to two zones, the R1-S2 Zone, Restricted Small Lot (Two Storey) District and a site specific zone, in order to subdivide the property, retain the existing mixed-use building and construct a new small lot house on the northern portion of the property.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential Urban Place Designation in the *Official Community Plan* (OCP, 2012)
- the proposal is consistent with the housing objectives and policies within the *Hillside-Quadra Neighbourhood Plan* to ensure that infill is compatible with the existing character of the neighbourhood

- the proposal is consistent with the *Small Lot House Rezoning Policy* (2002), as the existing building onsite is being retained.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone from the R1-B Zone, Single Family Dwelling District, to two zones, the R1-S2 Zone, Restricted Small Lot (Two Storey) District and a site specific zone, in order to subdivide the property, retain the existing mixed-use building and construct a new small lot house on the northern portion of the property.

The following differences from the standard zone are being proposed and will be discussed in relation to the concurrent Development Permit with Variances Application.

- reduced front and rear setbacks on Lot A (new building)
- increased floor space ratio and total floor area on Lot B (existing building)
- increased site coverage on Lot B
- reduced side yard (Finlayson Street) setback on Lot B.

Affordable Housing Impacts

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

Tenant Assistance Policy

The proposal is to retain an existing building and redevelop the rear yard, which would not result in the loss of existing residential units.

Sustainability Features

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

Active Transportation Impacts

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

Public Realm Improvements

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

Accessibility Impact Statement

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

Land Use Context

The area is characterized primarily by single family dwellings. Highview Park is located immediately to the north and Summit Park is located just south of the subject property.

Existing Site Development and Development Potential

The site presently houses a mixed-use building with a commercial unit on the ground floor and a residential unit on the second storey. Under the current R1-B Zone, Single Family Dwelling District, the property could be developed as a single family dwelling with either a garden suite or a secondary suite.

Data Table

The following data table compares the proposal with the existing R1-B Zone, Single Family Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks identifies a legal non-conforming component.

Zoning Criteria	Proposal - Lot A (new building)	Proposal - Lot B (existing building)	Zone Standard R1-S2, Restricted Small Lot (Two Storey)
Site area (m ²) - minimum	260.50	283.40	260.0
Density (Floor Space Ratio) - maximum	0.60	0.75 *	0.60
Total floor area (m ²) - maximum	157.13	211.26 **	190.0
Site coverage (%) - maximum	38.41	47.99 *	40
Lot width (m) - minimum	16.99	18.70	10.0
Height (m) - maximum	7.50	7.38	7.50
Storeys - maximum	2	2	2
Setbacks (m) - minimum			
Front (west - Highview Street)	2.0 *	0.43 **	6.0
Rear (east)	3.43 * (steps) 4.63 * (building)	2.72 ** (steps) 4.61 ** (building)	6.0
Side (north)	2.40	3.01	1.50 (non-habitable) 2.40 (habitable)
Side (south)	3.0	N/A	1.50 (non-habitable) 2.40 (habitable)
Side on flanking street (Finlayson Street)	N/A	0.51 *	2.40
Parking (residential) - minimum	1	1	1
Parking (commercial) - minimum	0	0 **	2

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Hillside-Quadra CALUC at a Community Meeting held on November 28, 2018. A letter dated January 6, 2019 is attached to this report.

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

ANALYSIS

Official Community Plan

The *Official Community Plan (OCP)* designates the property within the Traditional Residential Urban Place Designation, which envisions ground-oriented residential uses as well as low-rise mixed-use along arterial and secondary arterial roads with densities up to 1:1 Floor Space Ratio (FSR). The proposed small lots would be subject to Development Permit Area 15A: Intensive Residential - Small Lot (DPA 15A). Further analysis related to the design will be provided in the accompanying Development Permit with Variances Application report.

Local Area Plans

The *Hillside-Quadra Neighbourhood Plan* identifies the property within the Maintain Current Zoning designation. Within this designation, small lot developments will be considered on their own merits at the time of application, and should conform to established City criteria. The proposal meets the overall housing objectives in compatibility with the established scale and character of adjacent and nearby housing.

Tree Preservation Bylaw and Urban Forest Master Plan

There are four existing Green Ash trees, two public and two privately owned, on the subject site. Staff recommend removing two of the Ash trees to allow for a new pedestrian sidewalk, as there is currently no sidewalk and this will contribute to pedestrian safety and mobility. Three new boulevard trees will be planted as replacement trees in a new grass boulevard that is currently gravel. Their species will be determined at the Building Permit stage. No new trees are proposed on the subject site. A mature 71cm diameter at breast height (DBH) protected Garry Oak tree located in Highview Park, nine metres from the subject property boundary, will not be impacted by the proposed application.

Small Lot House Rezoning Policy

The application is consistent with the Small Lot House Rezoning Policy. The existing building on the lot will be retained and the new house is generally sensitive in character to the nearby dwellings. The applicant conducted consultation of the immediate neighbours and achieved 100% support from respondents on the neighbour petition.

Regulatory Considerations

Generally, the density of small lots is limited to 0.60:1 FSR, whereas the proposed Lot B is 0.75:1 FSR. Staff are supportive of this increase in density, as Lot B is not a traditional small lot due to the existing mixed-use building with commercial on the ground floor and residential on the upper storey. In addition, the OCP identifies maximum densities up to 1:1 in the Traditional Residential designation, which this proposal meets. Finally, the building has been identified as having heritage value and the property owner is willing to place the mixed-use building on the Heritage Register.

Should Council consider approving the Rezoning Application, staff recommend that a 2.5m Statutory Right-of-Way (SRW) on Finlayson Street be secured to help fulfill the Council-approved OCP objectives such as enhanced facilities for walking, cycling, public transit and boulevards that support the long-term viability of large canopy trees. This is in addition to the 0.86m road dedication that would be taken as a condition of subdivision.

CONCLUSIONS

The proposal to rezone and subdivide the subject property, retain the existing building, and construct one new small lot dwelling is consistent with the objectives in the *Official Community Plan, Hillside-Quadra Neighbourhood Plan* and the *Small Lot House Rezoning Policy*. Staff recommend Council consider supporting this application.

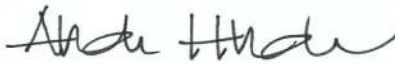
ALTERNATE MOTION

That Council decline Rezoning Application No. 00687 for the property located at 1302 Finlayson Street.

Respectfully submitted,

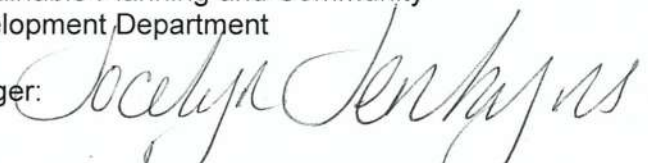


Michael Angrove
Planner
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: June 19, 2019

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped May 3, 2019
- Attachment D: Letter from applicant to Mayor and Council dated May 3, 2019
- Attachment E: Community Association Land Use Committee Comments dated January 6, 2019
- Attachment F: Statement of Significance for 1302 Finlayson Street
- Attachment G: Arborist Report
- Attachment H: Small Lot Petition



Committee of the Whole Report

For the Meeting of June 27, 2019

To: Committee of the Whole **Date:** June 13, 2019

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

Subject: Development Permit with Variances Application No. 000546 for 1302 Finlayson Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00687, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 000546 for 1302 Finlayson Street, in accordance with:

1. Plans date stamped May 3, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the front yard setback from 6.0m to 2.0m (Lot A)
 - ii. reduce the rear yard setback from 6.0m to 4.63m to the building and to 3.43m to the steps (Lot A)
 - iii. reduce the side yard setback on Finlayson Street from 6.0m to 0.51m (Lot B)
 - iv. increase the site coverage from 40% to 47.99% (Lot B).
3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development, that address the asymmetry of the second floor north façade windows, the width of the exterior railing supports.
4. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

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

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 1302 Finlayson Street. The proposal is to subdivide the property into two new small lots, maintain the existing mixed-use building on the southern lot and construct a new small lot house on the northern lot. The variances are related to front and rear yard setbacks on Lot A (new building) and floor area, site coverage, and a side yard setback on Lot B (existing building).

The following points were considered in assessing this application:

- the proposal is consistent with the design guidelines specified in the *Small Lot House Rezoning Policy* (2002) and the applicant would retain the existing mixed-use building
- reducing the front yard setback on Lot A (new building) is supportable as it is a greater setback than Lot B and creates a staggered transition to the park
- reducing the rear yard setback on Lot A is supportable as it lines up with the existing building on Lot B
- increasing the site coverage on Lot B is supportable as this is a result of retaining the existing building and there is still adequate amenity space onsite
- reducing the side yard (Finlayson Street) setback on Lot B is supportable as this is an existing condition that is being made worse through the City-required land dedication.

BACKGROUND

Description of Proposal

The proposal is to subdivide the property into two new small lots, maintain the existing mixed-use building on the southern lot and construct a new small lot house on the northern lot. Specific details include:

- two-storey building with a side yard parking pad
- traditional style architecture
- wrap-around balcony that provides eyes on the street and on the park to the north
- exterior materials such as Hardieshingle and Hardieplank siding, and asphalt shingles that are reflective of other buildings in the area.

A variance to reduce the front yard setback from 6.0m to 2.0m and the rear yard setback from 6.0m to 4.63m (3.43m to the steps) is required for the proposed house. For the existing house, variances are required to reduce the side yard setback on Finlayson Street from 6.0m to 0.51m and increase the site coverage from 40% to 47.99%.

Affordable Housing Impacts

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

Tenant Assistance Policy

The proposal is to retain an existing building and redevelop the rear yard, which would not result in the loss of existing residential units.

Sustainability Features

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

Active Transportation Impacts

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

Public Realm Improvements

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

Accessibility Impact Statement

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

Existing Site Development and Development Potential

The site presently houses a mixed-use building with a commercial unit on the ground floor and a residential unit on the second storey. Under the current R1-B Zone, Single Family Dwelling District, the property could be developed as a single family dwelling with either a garden suite or a secondary suite.

Data Table

The following data table compares the proposal with the existing R1-B Zone, Single Family Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks identifies a legal non-conforming component.

Zoning Criteria	Proposal - Lot A (new building)	Proposal - Lot B (existing building)	Zone Standard R1-S2, Restricted Small Lot (Two Storey)
Site area (m ²) - minimum	260.50	283.40	260.0
Density (Floor Space Ratio) - maximum	0.60	0.75 *	0.60
Total floor area (m ²) - maximum	157.13	211.26 **	190.0
Site coverage (%) - maximum	38.41	47.99 *	40
Lot width (m) - minimum	16.99	18.70	10.0
Height (m) - maximum	7.50	7.38	7.50
Storeys - maximum	2	2	2

Zoning Criteria	Proposal - Lot A (new building)	Proposal - Lot B (existing building)	Zone Standard R1-S2, Restricted Small Lot (Two Storey)
Setbacks (m) - minimum			
Front (west - Highview Street)	2.0 *	0.43 **	6.0
Rear (east)	3.43 * (steps) 4.63 * (building)	2.72 ** (steps) 4.61 ** (building)	6.0
Side (north)	2.40	3.01	1.50 (non-habitable) 2.40 (habitable)
Side (south)	3.0	N/A	1.50 (non-habitable) 2.40 (habitable)
Side on flanking street (Finlayson Street)	N/A	0.51 *	2.40
Parking (residential) - minimum	1	1	1
Parking (commercial) - minimum	0	0 **	2

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Hillside-Quadra CALUC at a Community Meeting held on November 28, 2018. A letter dated January 6, 2019 is attached to this report.

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

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP)* identifies this property within Development Permit Area 15A, Intensive Residential - Small Lot. The proposal is generally consistent with the design guidelines specified in the *Small Lot Design Guidelines*. The immediate area primarily consists of traditional architectural styles. The proposed dwelling maintains the overall massing and gabled roofline that is found on many other houses in the area. The wrap-around deck would provide for eyes on both the street and Highview Park. The proposed setbacks are similar to the existing dwelling and provide a step back towards the park.

The house on the southern lot is existing so has not been assessed against the *Small Lot Design Guidelines*; however, any future exterior renovations would require consideration of the consistency with these guidelines.

Tree Preservation Bylaw and Urban Forest Master Plan

There are four existing Green Ash trees, two public and two privately owned, on the subject site. Staff recommend removing two of the Ash trees to allow for a new pedestrian sidewalk, as there is currently no sidewalk and this will contribute to pedestrian safety and mobility. Three new boulevard trees will be planted as replacement trees in a new grass boulevard that is currently gravel. Their species will be determined at the Building Permit stage. No new trees are proposed on the subject site. A mature 71cm diameter at breast height (DBH) protected Garry Oak tree located in Highview Park, nine metres from the subject property boundary, will not be impacted by the proposed application.

Regulatory Considerations

There are four variances related to this application. The first variance is to reduce the front yard setback on Lot A (new building). This setback represents a greater setback than Lot B and creates a staggered transition to the park. The second variance is to reduce the rear yard setback on Lot A. This setback is in line with the building on Lot B and provides adequate amenity space for the future residents. The second storey windows on the east façade will be obscured glass in an effort to mitigate overlook concerns with the adjacent property. The third variance is to increase the site coverage on Lot B, which is a result of retaining the existing building while providing the minimum site area for Lot A. Finally, a variance is required to reduce the side yard setback on Lot B on Finlayson Street. This is an existing legal non-conforming condition that is being made worse through the City-required land dedication and therefore no perceptible change is occurring.

CONCLUSIONS

The proposal to construct a new small lot house along with four variances is consistent with Development Permit Area 15A: Intensive Residential - Small Lot. The small lot house is a form of sensitive infill development and generally fits in with the existing neighbourhood. In this instance, the proposed variances are recommended as being supportable as the front yard setback of the proposed dwelling is an increase over the existing building to the south, the rear yard setback of the proposed dwelling is consistent with the existing building, the site coverage allows the existing house to be retained, and the side yard setback on the existing house is an existing condition that is triggered by a land dedication to the City. Therefore, staff recommend Council consider supporting this application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 000546 for the property located at 1302 Finlayson Street.

Respectfully submitted,



Mike Angrove
Planner
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

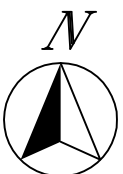
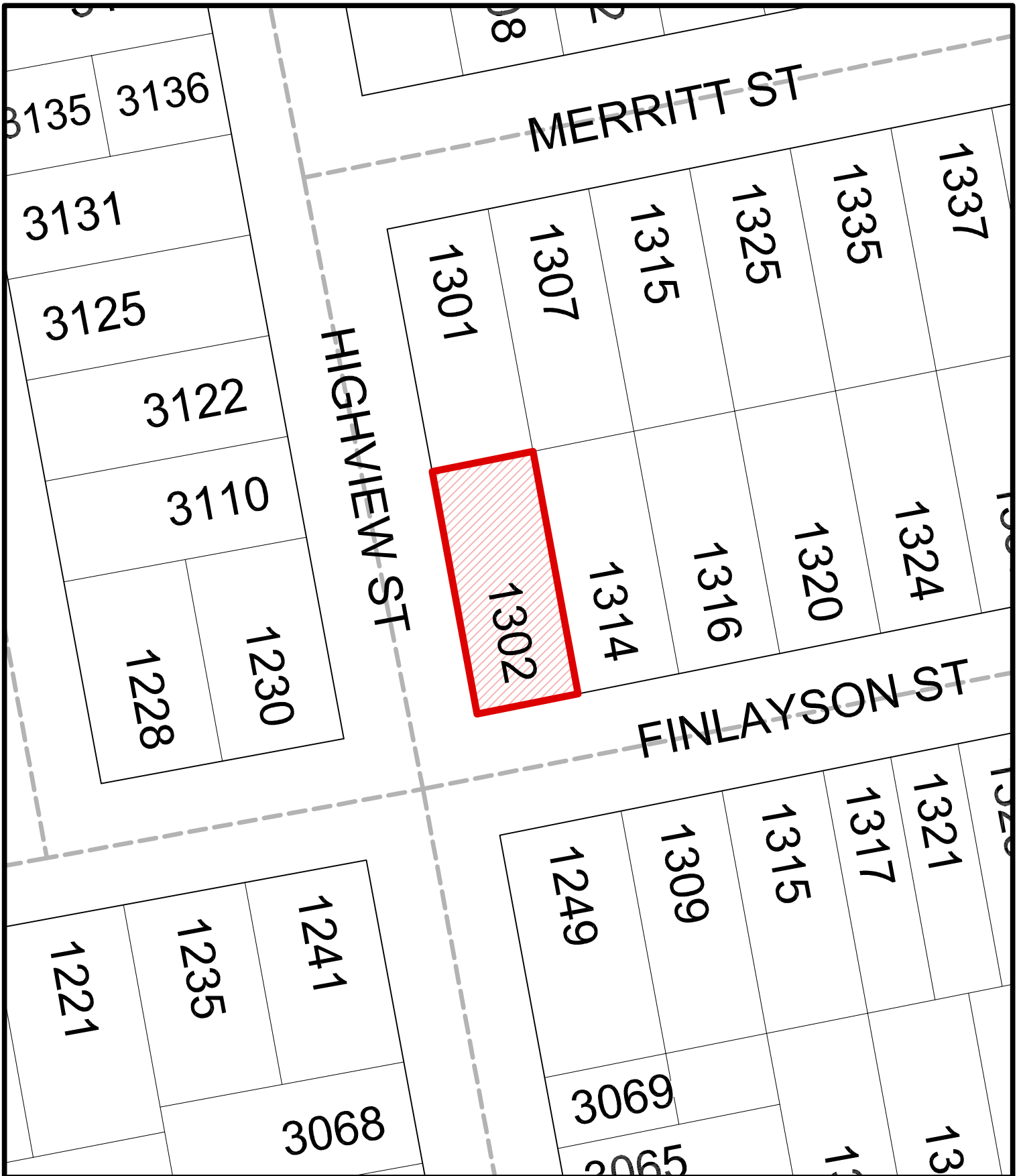
Report accepted and recommended by the City Manager:

Date:

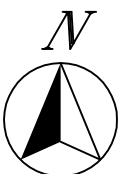
Deborah Jenkins
June 19, 2019

List of Attachments

- Attachment A: Subject Map
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1302 Finlayson Street
Rezoning No.00687



1302 Finlayson Street
Rezoning No.00687

BC LAND SURVEYORS SITE PLAN OF:

Civic: 1302 Finlayson Road

Legal: Lot 15, Block 3, Section 4

Victoria District, Plan 1200

Parcel Identifier: 004-796-376
In the City of Victoria

Setbacks are derived from field survey.

Parcel dimensions shown hereon are derived from Land Title Office records.

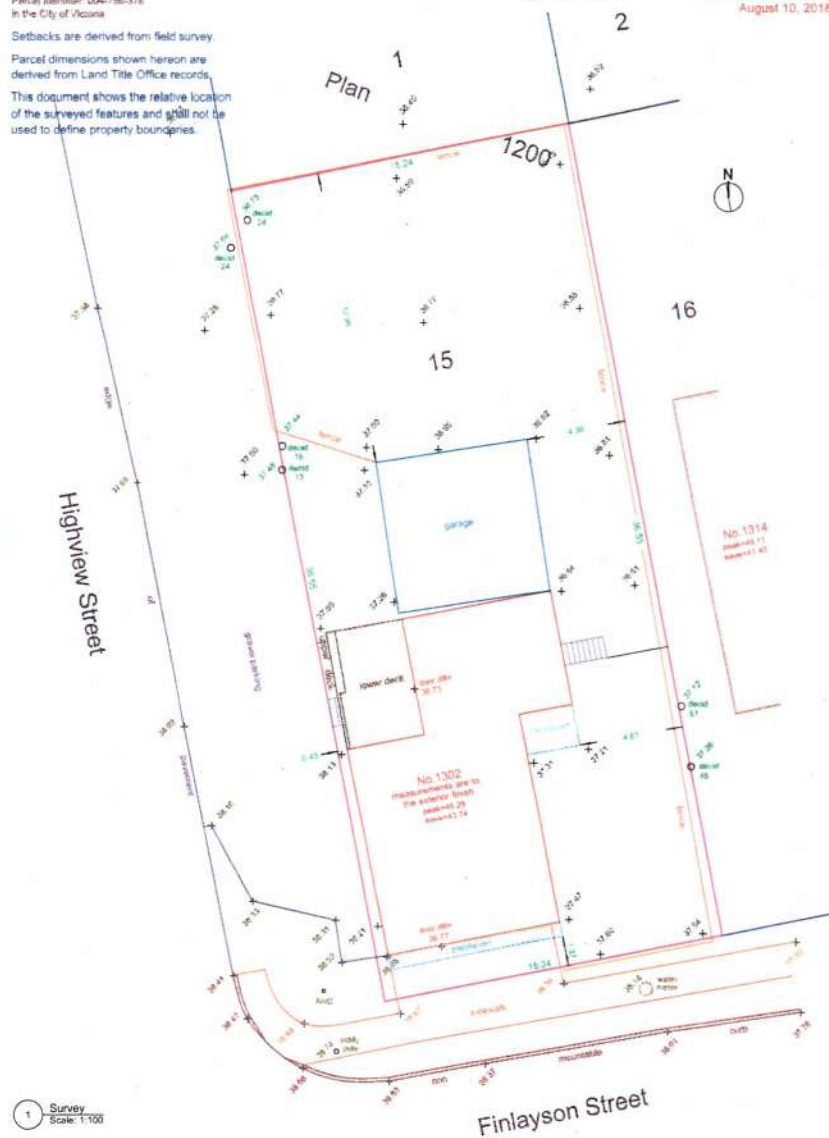
This document shows the relative location of the surveyed features and shall not be used to define property boundaries.

LEGEND

Elevations are to geoid datum
+ - denotes - guy wire
+ - denotes - existing elevation
Tree diameters are in centimetres

Lot Area = 557 m²

File: 12628-32
POWELL & ASSOCIATES
B.C. Land Surveyors
250-2500 Douglas Street
Victoria, BC V8T 4H4
phone (250) 380-8855
August 10, 2018



Received
City of Victoria

MAY 03 2019

Planning & Development Department
Development Services Division

Sheet Number List
A 1.0 Existing Site Survey
A 1.1 Proposed Site Data Table Site Survey Plan
A 1.2 Street Elevations
A 1.3 Elevations - Proposed 3105 Highway
A 1.4 Cross Sections and Materials 3105 Highway
A 1.5 Floor Plans - Proposed 3105 Highway
A 1.6 Floor Plans - Existing 1302 Finlayson
A 1.7 Landscape Plan

No.	Date	Issue Notes
D	19-5-02	Revisions for TRG
C	19-1-9	Revisions for TRG
B	18-11-22	CAUC - Revision
A	18-10-21	CAUC - Client Review

Adrian Brett & Associates
10451 Redhaven Dr Sidney BC V8L 3K
C: 613-619-4171
adrian.brett1@gmail.com

Project No: 1302 Finlayson
3105 Highway
Rezoning

Sheet No: Existing Site
Survey

Project Manager: [blank] Project ID: [blank]

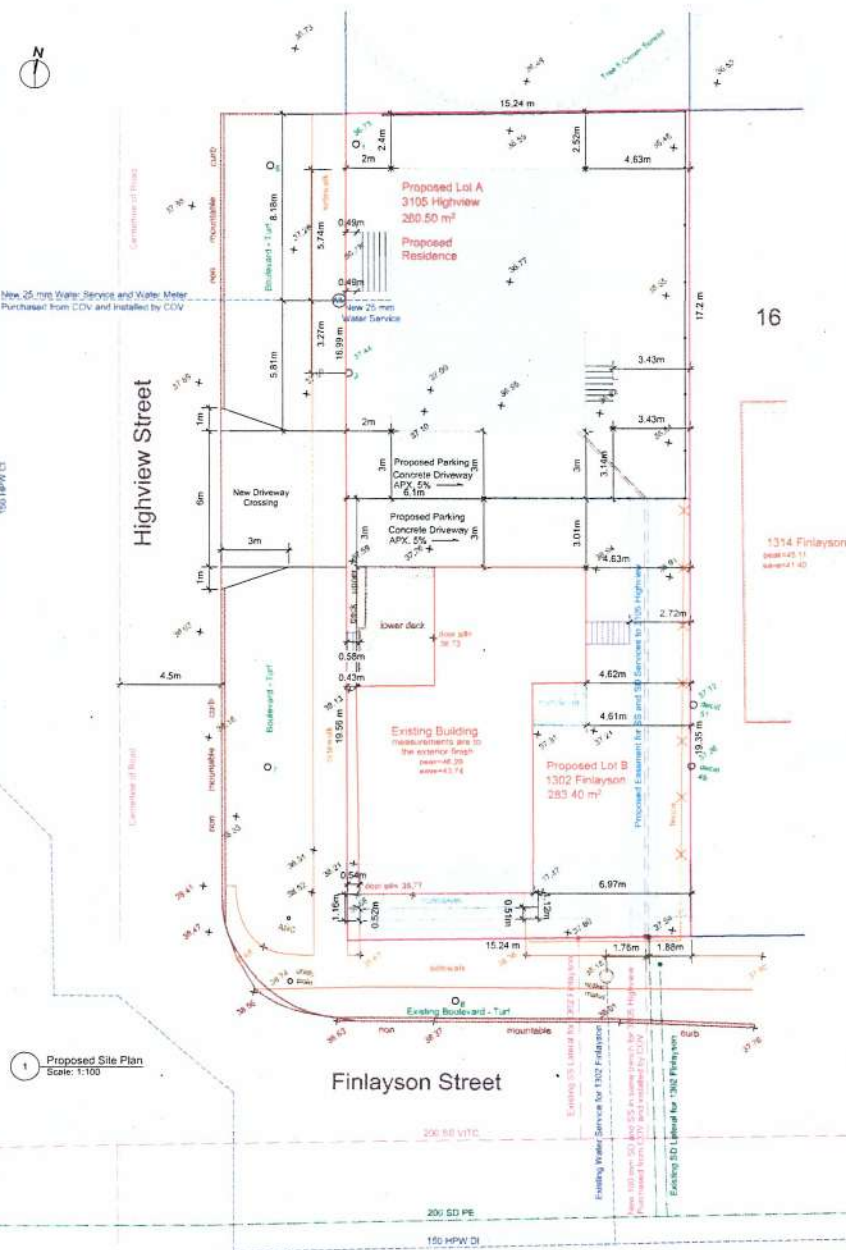
Drawn by: [blank] Date: [blank] As Noted

Checked by: A.B. Date: [blank] Sheet No: A 1.0

Date: 20190502 of [blank]

CAD File Name: A 1.7

ATTACHMENT C



1 Proposed Site Plan
Scale: 1:100

Zoning Data	
Proposed Lot A 3105 Highview (metric)	Existing Lot B 1302 Finlayson (metric)
Existing Zone	81-B
Proposed Zone	81-B
Lot Area	260.50
Lot Frontage on Street	16.70
Site Coverage	38.41%
FSR	0.75
Open Site Space	52.10%
Site Coverage	100.07
Floor Area 1+2	157.13
Main	83.96
Upper	73.17
Basement	82.41
Floor Area all Floors	239.54
Commercial Floor Area	85.64
Residential Floor Area	153.90
Number of Dwelling Units	1
Parking Stalls	1
Number of Storeys	2
Height	7.50
Average Grade	36.80
Peak Height	45.76
Eave Height	42.84
Front yard	2.00
Rear yard	2.72
North Side Yard	2.40
South Side Yard	3.00
Combined Side Yard	5.40
Outdoor Private Space Area	106.02

Hydraulic Calculations		
3105 Highview Lot A		
Fixture or Device	Picture Units	Total Fixture Units
Bathroom Group	3.6	3
Bathub	1.4	0
Clothes Washer	1.4	1
Dishwasher	1.4	1
Hose Bibb	2.8	2
Sink, bar	1	1
Sink, Bathroom (Basin)	0.7	2
Sink, Kitchen	1.4	1
Sink, Laundry	1.4	0
Shower stall	1.4	0
Water closet (toilet)	2.2	1
	Total	24.6
Water meter and service from main to property line		
25 mm Water Meter and Service		
Water service size from property line to house.		
25 mm Water Service		

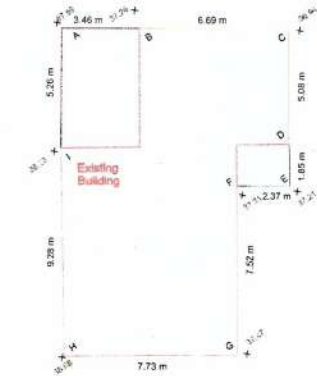
Trees				
Tree Number	Species	DBH (in)	CRF (in)	Open Space (in)
1	Green Ash - Fraxinus pennsylvanica	0.22	5.0	6.5
2	Green Ash - Fraxinus pennsylvanica	0.22	6.0	10.0
3	Green Ash - Fraxinus pennsylvanica	0.19	4.0	6.5
4	Green Ash - Fraxinus pennsylvanica	0.12	4.5	7.0
5	Garry Oak - Quercus garryana	0.75	7.5	19.0
6	TBD by Parks			new min. 8cm caliper
7	TBD by Parks			new min. 8cm caliper
8	TBD by Parks			new min. 8cm caliper

3105 Highview Average Grade											
Grade Points	Geodetic Elevation (M)	Geodetic Elevation (FT)	Between Grade Points	Average of Points (M)	Average of Points (FT)	Between Grade Points	Distance (M)	Distance (FT)	Totals		
A	36.73	120.47	AB	36.66	120.24	AB	8.52	28.26	315.83		
B	36.59	120.02	BC	36.71	120.39	BC	8.86	29.07	320.35		
C	36.82	120.77	CD	36.82	120.77	CD	1.20	3.94	44.18		
D	36.82	120.77	DE	36.82	120.77	DE	0.73	2.39	27.33		
E	36.82	120.77	EF	36.82	120.77	EF	1.20	3.94	44.18		
F	36.82	120.77	FG	36.96	121.23	FG	8.62	28.26	310.41		
G	37.10	121.69	GH	36.94	121.15	GH	6.24	20.45	230.29		
H	36.77	120.61	HI	36.77	120.61	HI	1.51	4.95	55.52		
I	36.77	120.61	IJ	36.77	120.61	IJ	2.60	8.53	95.60		
J	36.77	120.61	JK	36.77	120.61	JK	1.51	4.95	55.52		
K	36.77	120.61	KL	36.75	120.54	KL	2.78	9.12	102.20		
Total							45.86		1687.61		
Average Grade	36.80	120.70									

1302 Finlayson Average Grade											
Grade Points	Geodetic Elevation (M)	Geodetic Elevation (FT)	Between Grade Points	Average of Points (M)	Average of Points (FT)	Between Grade Points	Distance (M)	Distance (FT)	Totals		
A	37.59	123.30	AB	37.43	122.75	AB	3.46	11.35	129.49		
B	37.26	122.21	BC	37.10	121.69	BC	6.69	21.94	248.20		
C	36.94	121.16	CD	36.97	121.26	CD	5.08	16.66	187.81		
D	37.00	121.36	DE	37.11	121.70	DE	1.85	6.07	68.64		
E	37.21	122.05	EF	37.26	122.21	EF	2.37	7.77	86.31		
F	37.31	122.38	FG	37.39	122.64	FG	7.52	24.67	281.17		
G	37.47	122.90	GH	38.08	124.89	GH	7.73	25.35	294.32		
H	38.88	126.87	HI	38.41	125.07	HI	5.28	17.32	199.14		
I	38.13	125.07	IA	37.95	124.18	IA	5.28	17.32	199.14		
Total							48.24		1853.48		
Average Grade	37.64	123.47									



2 Average Grade Points 3105 Highview
Scale: 1:100



3 Average Grade Points 1302 Finlayson
Scale: 1:100

D	15-5-02	Revisions for TRG
C	15-1-8	Revisions for Development Permit
B	15-11-32	CALC - Revision
A	15-10-21	CALC - Client Review
Rev	Date	Issue Notes
Adrian Brett & Associates 10461 Reathaven DR Sidney BC V8L 3H6 C: 613-815-1171 adrian.brett1@gmail.com		
Project No	1302 Finlayson 3105 Highview Rezoning	
Issue No	Proposed Site Data Table Site Servicing Plan	
Project Manager	Project ID	Project No
Drawn By Candover Designs	Date	As Noted
Reviewed By A.B.	Project No	A 1.1
Date 20/09/2022	Project No	A 1.1
Drawn By A.B.	Project No	A 1.1

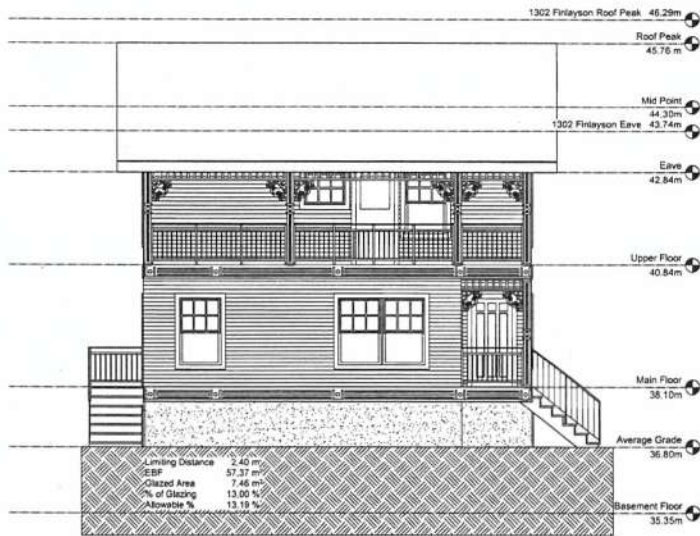


1 Highview Frontage
Scale: 1:50

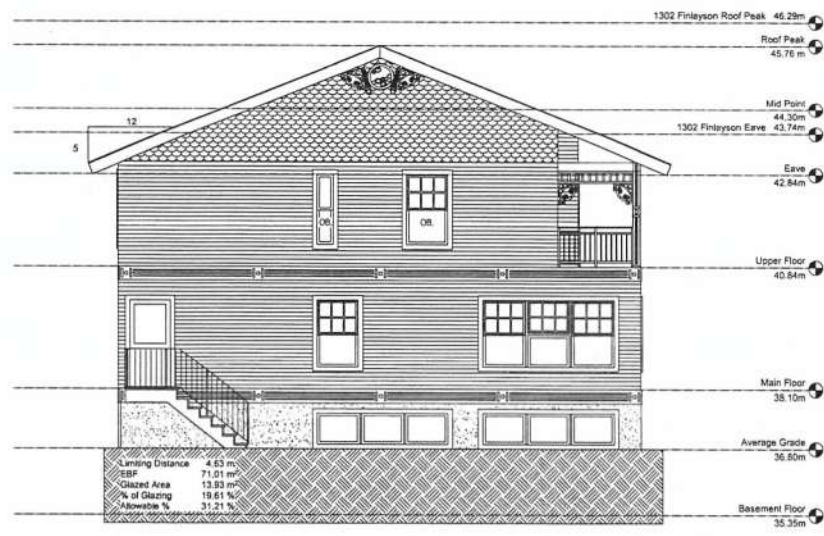


2 Finlayson Frontage
Scale: 1:50

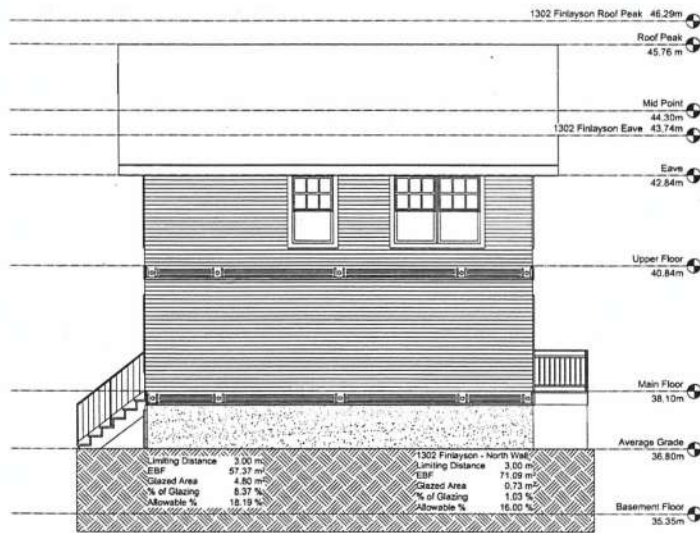
Rev	Date	Issue Notes
D	15-0-02	Revisions for TRG
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<p>Adrian Brett & Associates Adrian Brett & Associates 10451 Reshewen Dr Sidney BC V8L 3H6 C: 613-513-4171 adrian.brett1@gmail.com</p>		
Project No	1302 Finlayson 3105 Highview Rezoning	
Sheet No	Street Elevations	
Project Manager	Project ID	
Drawn By Caroline Designs	Scale	As Noted
Reviewed By A.B.	Sheet No	A 1.2
Date 20180502		of A 1.7
1302 Finlayson		



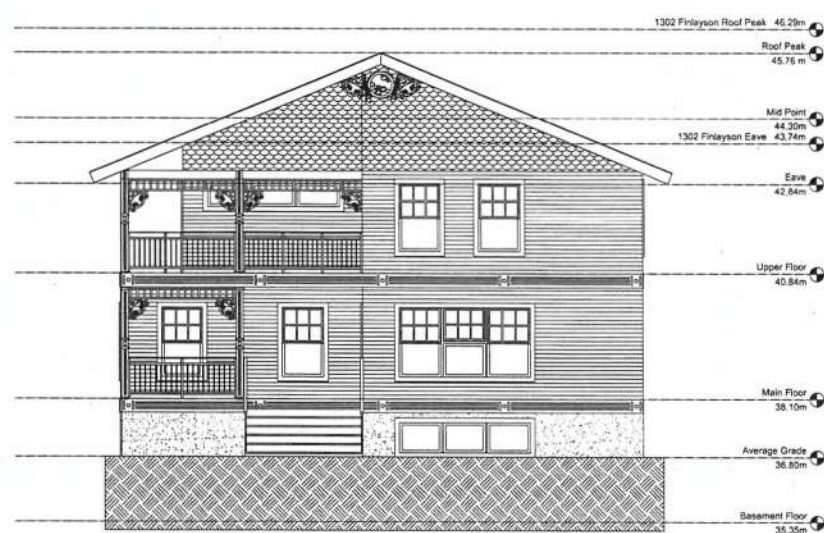
1 North Elevation
Scale: 1:50



2 East Elevation
Scale: 1:50



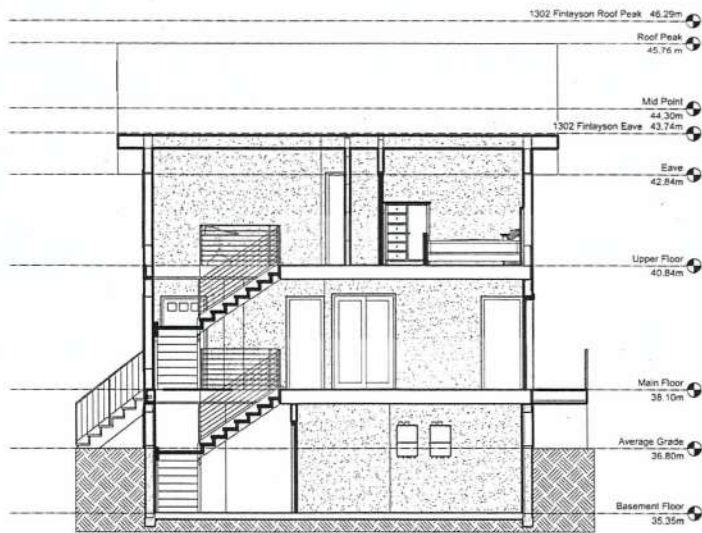
3 South Elevation
Scale: 1:50



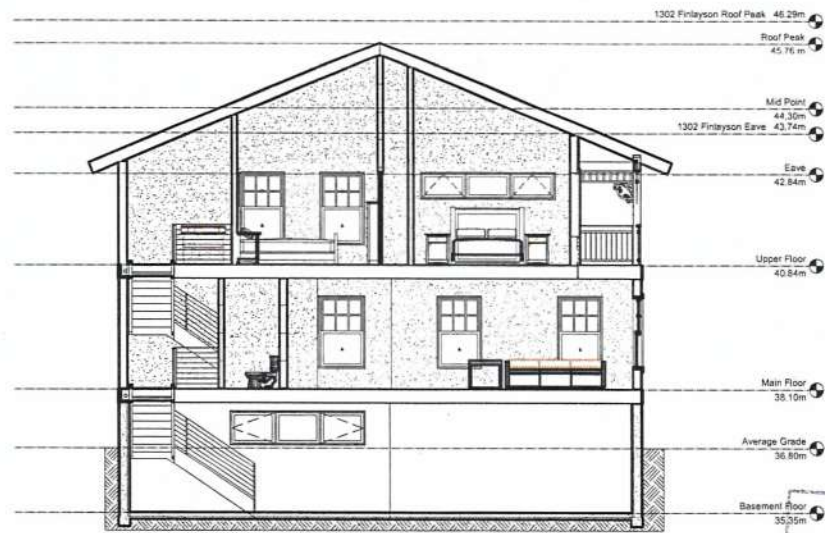
4 West Elevation
Scale: 1:50

Received
City of Victoria
MAY 03 2019
Planning & Development Department
Resource Services Division

D	19-5-02	Revisions for TRG
C	19-1-9	Revisions for TRG
B	19-11-22	CALUC - Revision
A	18-10-21	CALUC - Client Review
No.	Date	Issue Notes
Adrian Brett & Associates 10451 Reshawn Dr Sidney BC V8L 3H6 C 613-618-4171 adrian.brett1@gmail.com		
Project No.	1302 Finlayson 3105 Highview Rezoning	
Sheet No.	Elevations - Proposed 3105 Highview	
Project Manager	Project ID	
Client	Scale	As Noted
Drawn by	Check by	
Date	A 1.3	
1/21/19	A 1.7	



1 Cross Section 1
Scale: 1:50



2 Cross Section 2
Scale: 1:50

EXAMPLE OF GINGERBREAD DETAILING IN BLUE AND WHITE COLOUR SCHEME



HARDIESHINGLE SIDING IN HALF-ROUND NOTCHED PANEL INSTALL IN END GABLES - PAINTED WHITE

HARDIEPLANK LAP SIDING IN SELECT CEDARMILL INSTALLED ON MAIN AND UPPER EXTERIOR WALLS - PAINTED IN PENINSULA (0654) BLUE

HARDIE TRIM BOARDS - PAINTED WHITE

PRESSURE TREATED DECKING STAINED BROWN - FRONT DECK AND REAR STAIRS

PAINTED WHITE RISERS - FRONT AND REAR STAIRS

DURADECK IN BARNWOOD COLOUR - UPPER COVERED DECK

STEEL INSULATED DOORS PAINTED IN PENINSULA (0654) BLUE - FRONT AND BACK

METAL FLASHING, FASCIA AND VENTED SOFFITS - WHITE

ASPHALT SHINGLES - CHARCOAL GREY



HardieTrim® Lap Siding
SELECT CEDARMILL

Our select cedar trim boards are made from the most beautiful, fire-rated cedar trim boards available. They are made from the most beautiful, fire-rated cedar trim boards available. They are made from the most beautiful, fire-rated cedar trim boards available.

Bottoms Blue 2016/2017

More CedarTrim® Technology colors are available from 2018

THICKNESS: 0.312"

LENGTH: 164" boards

WIDTH: 12" 14" 16" 18" 20" 22" 24" 26" 28" 30"

EXPOSURES: 16" 18" 20" 22" 24" 26" 28" 30"

*See website for availability in CedarTrim® Technology, only for select.



HARDIESHINGLE SIDING IN HALF-ROUND NOTCHED PANEL



HardieTrim® Boards
4/4 SMOOTH

Peninsula 0654

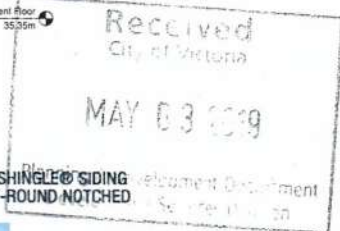
THICKNESS: 0.75"

LENGTH: 144" boards

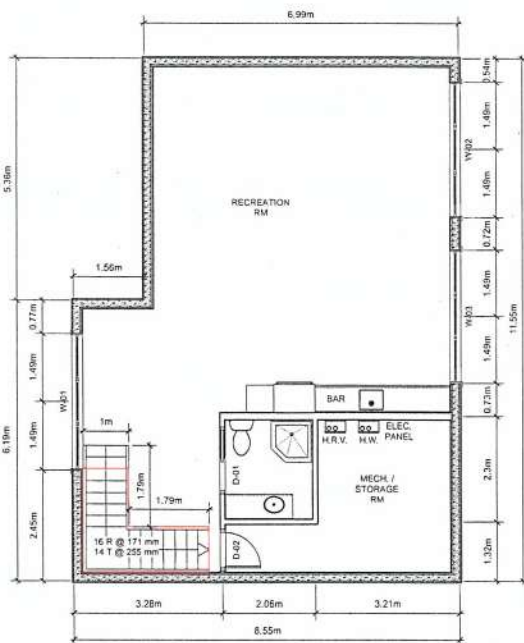
WIDTH: 145" 17.25" 18" 18.5" 19" 19.5" 20"

9.25"

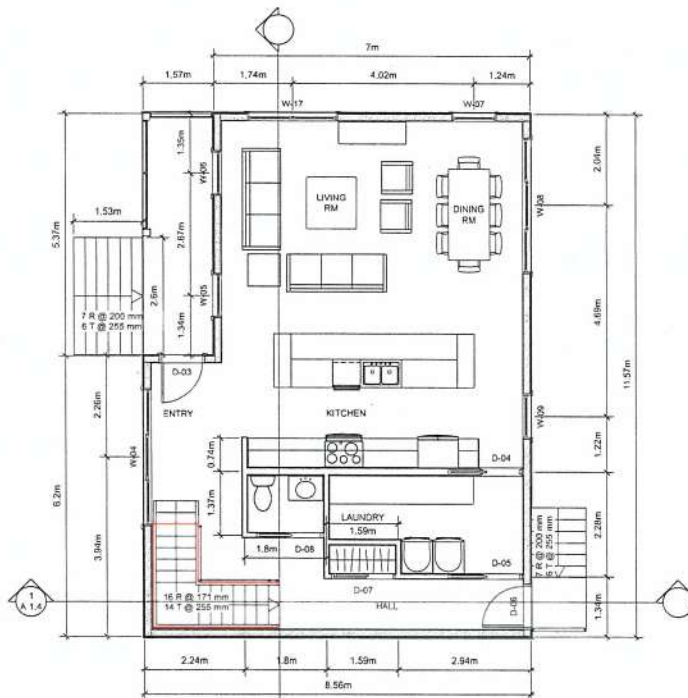
*See website for availability in CedarTrim® Technology, only for select.



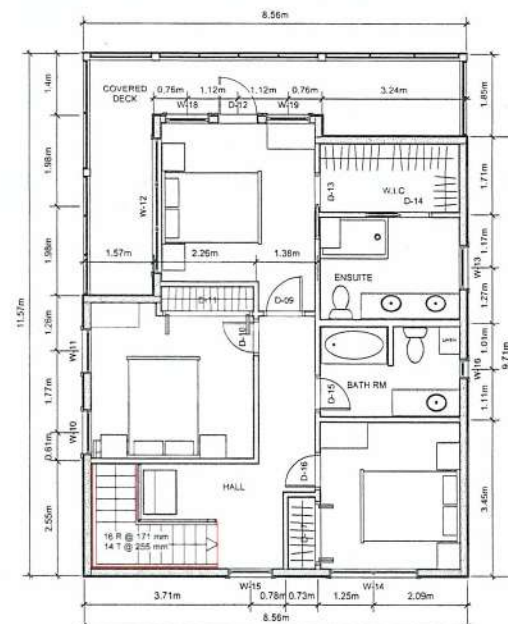
D	15-5-02	Revisions for TRS
C	15-1-18	Reasoning & Development Permit
B	15-11-22	CAUC - Revision
A	18-10-21	CAUC - Client Review
No.	Date	Issue Notes
<p>Adrian Brett & Associates</p> <p>Adrian Brett & Associates 10461 Redburn Dr, Sidney BC V8L 3H6 C: 613-619-4171 adrian.brett@gmail.com</p>		
Project No:	1302 Finlayson 3105 Highview Rezoning	
Sheet No:	Cross Sections and Materials 3105 Highview	
Project Manager:	Project ID:	
Client:	Design:	As Noted
Drawn by:	Check by:	A.B.
Date:	20180502	
CAD File Name:		
		A 1.4 of A 1.7



1 Basement Floor Plan
Scale: 1:50



2 Main Floor Plan
Scale: 1:50



3 Upper Floor Plan
Scale: 1:50

ALL WORK TO COMPLY WITH THE CURRENT EDITION OF THE BC BUILDING CODE

ALL FRAMING TO BE IN ACCORDANCE WITH THE 2012 BC BUILDING CODE
ALL LUMBER TO BE SPF #2 OR BETTER UNLESS NOTED OTHERWISE
ALL EXTERIOR WALL AND ROOF SHEATHING TO BE 1/2" STANDARD PLY FLYWOOD UNLESS NOTED OTHERWISE
ALL EXPOSED EXTERIOR POSTS TO BE 6X8 MIN.
ALL LINTELS TO BE 2-PLY 2X10 U.N.O.

ALL CONCRETE TO BE MINIMUM 25 MPa AT 28 DAYS

EXTERIOR FOUNDATION WALL TO EXTEND MIN 150 mm ABOVE FINISHED GRADE

ALL INTERIOR DOORS TO BE MINIMUM 6'8" TALL UNLESS NOTED OTHERWISE; PROVIDE MIN. 2-STUDS E/S AT JAM FRAMING

ALL EXPOSED EXTERIOR FRAMING TO BE PRESERVATIVE TREATED LUMBER; FIELD TREAT ALL CUTS

DESIGN LOADS: VICTORIA: Ss: 1.5 kPa Sr: 0.3 kPa

ALL NEW WINDOWS TO MEET NAFS: DP: 1440 PG: 30 WATER RESIST: 220

HANDRAILS TO COMPLY WITH BCBC DIV B 9.8.7

GUARDRAILS TO COMPLY WITH BCBC DIV B 9.8.8. NO OPENING GREATER THAN 100MM

AIR BARRIER TO BE OVERLAPPED, STRUCTURALLY SUPPORTED AND SEALED AT ALL JOINTS.

EFFECTIVE RSI MUST BE MAINTAINED BEHIND ELECTRICAL RECEPTACLES AND PIPING AS PER BCBC 9.36

SMOKE ALARMS TO BE INSTALLED IN EACH SLEEPING ROOM, EVERY STOREY AND THE AREA OUTSIDE SLEEPING ROOMS AND THE REMAINDER OF THE STOREY, AS PER BCBC DIV B 9.10.10.3
CO2 ALARMS TO BE INSTALLED IN EACH BEDROOM OR 9M OUTSIDE THE BEDROOM DOOR.

BEDROOM WINDOWS TO MEET BCBC DIV B 9.5.10.1 NO DIMENSION LESS THAN 380MM WITH AN AREA OF 0.35M²

ALL NEW FLASHINGS TO COMPLY TO BCBC DIV B 9.2.7.3.7 - 9.2.7.3.8

BATHROOM EXHAUST TO COMPLY WITH 9.32

VENTILATION TO COMPLY WITH BCBC 9.32

ROOF SPACE VENT AREA SHALL BE NOT LESS THAN 1/150

SOLID RWL AND PERIMETER DRAIN TO BE CONNECTED TO NEW STORM DRAIN LATERAL

Door Schedule

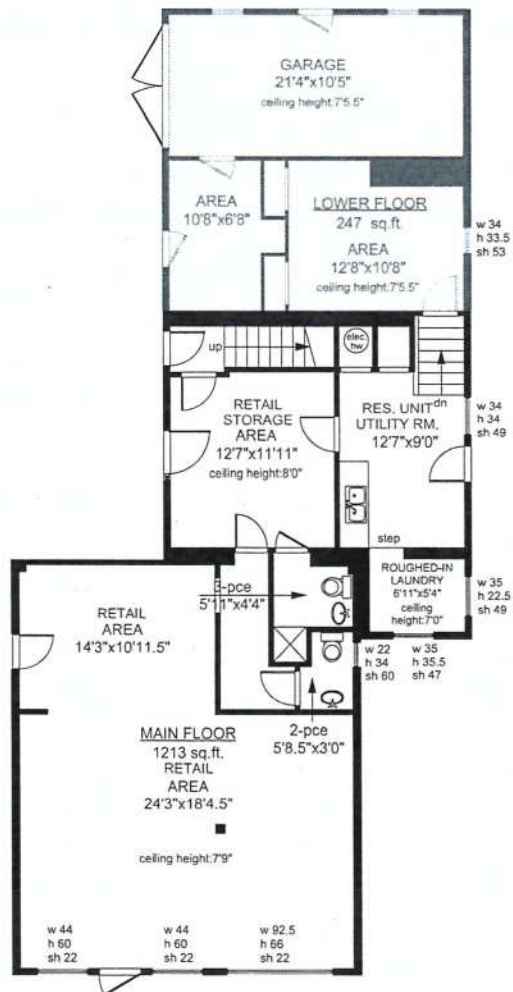
Mark	Nominal Size		Thickness	Configuration	Slab Style	Openings	
	Width	Height				RO Width	RO Height
D-01	0.81m	2.04m	0.04m	Pocket Simple	Solid	0.83m	2.05m
D-02	0.81m	2.04m	0.04m	Pocket Simple	Solid	0.83m	2.05m
D-03	1m	2.04m	0.04m	Pocket Simple	Custom	1.02m	2.05m
D-04	0.81m	2.04m	0.04m	Pocket Simple	Solid	0.83m	2.05m
D-05	0.81m	2.04m	0.04m	Pocket Simple	Solid	0.83m	2.05m
D-06	1m	2.04m	0.04m	Pocket Simple	Glass	1.02m	2.05m
D-07	1.4m	2.1m	0.04m	Clear	Panel	1.42m	2.11m
D-08	0.81m	2.04m	0.04m	Pocket Simple	Solid	0.83m	2.05m
D-09	0.81m	2.04m	0.04m	Pocket Simple	Solid	0.83m	2.05m
D-10	0.81m	2.04m	0.04m	Pocket Simple	Solid	0.83m	2.05m
D-11	2m	2.04m	0.04m	Bi-fold Sluport	Solid	2.02m	2.05m
D-12	0.81m	2.04m	0.04m	Pocket Simple	Glass	0.83m	2.05m
D-13	0.81m	2.04m	0.04m	Pocket Simple	Solid	0.83m	2.05m
D-14	0.81m	2.04m	0.04m	Pocket Simple	Solid	0.83m	2.05m
D-15	0.81m	2.04m	0.04m	Pocket Simple	Solid	0.83m	2.05m
D-16	0.81m	2.04m	0.04m	Pocket Simple	Solid	0.83m	2.05m
D-17	1.4m	2.04m	0.04m	Bi-fold Sluport	Solid	1.42m	2.05m

Window Schedule

Mark	Nominal Size		Glass	Openings	Configuration
	Width	Height			
W-01	3m	0.76m	Clear	YES 0.848 M x 0.729 M	Casement
W-02	3m	0.76m	Clear	YES 0.848 M x 0.729 M	Casement
W-03	3m	0.76m	Clear	YES 0.848 M x 0.729 M	Casement
W-04	3m	1.6m	Clear	YES 0.848 M x 0.729 M	Double Hung
W-05	1m	1.6m	Clear	YES 0.848 M x 0.729 M	Double Hung
W-06	1m	1.6m	Clear	YES 0.848 M x 0.729 M	Double Hung
W-07	1m	1.6m	Clear	YES 0.848 M x 0.729 M	Double Hung
W-08	3m	1.6m	Clear	YES 0.848 M x 0.729 M	Double Hung
W-09	1m	1.6m	Clear	YES 0.848 M x 0.729 M	Double Hung
W-10	1m	1.6m	Clear	YES 0.848 M x 0.729 M	Double Hung
W-11	1m	1.6m	Clear	YES 0.848 M x 0.729 M	Double Hung
W-12	3m	0.6m	Clear	YES 0.848 M x 0.614 M	Awning
W-13	1m	1.6m	Obscured / Frosted	YES 0.848 M x 0.729 M	Double Hung
W-14	3m	1.6m	Clear	YES 0.848 M x 0.729 M	Double Hung
W-15	1m	1.6m	Clear	YES 0.848 M x 0.729 M	Double Hung
W-16	0.45m	1.8m	Obscured / Frosted	NO 0.386 M x 0.729 M	Double Hung
W-17	3m	1.6m	Clear	YES 0.848 M x 0.729 M	Double Hung
W-18	1m	1.6m	Clear	YES 0.848 M x 0.729 M	Double Hung
W-19	1m	0.8m	Clear	YES 0.848 M x 0.729 M	Fixed



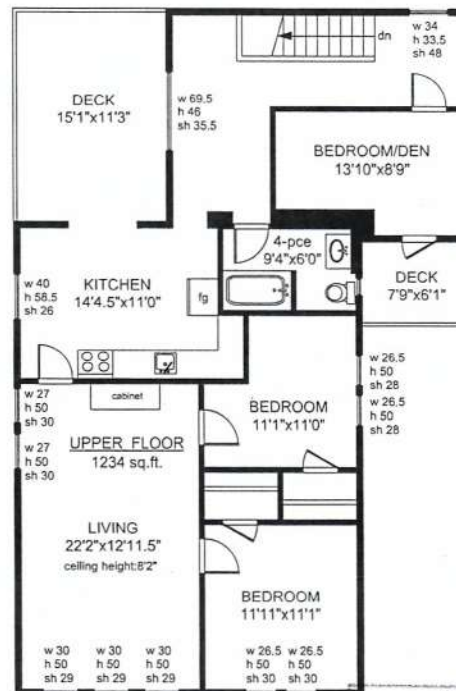
D	16-5-02	Revisions for TRG
C	15-1-3	Revisions for TRG
B	15-1-3	Revisions for TRG
A	15-1-3	Revisions for TRG
A	15-10-21	CAUC - Client Review
No.	Date	Name
Adrian Brett & Associates 10461 Reathaven DR Sidney BC V8L 3H5 C: 613-614-1171 adrian.brett1@gmail.com		
Project No.	1302 Finlayson 3105 Highway Rezoning	
Drawn By	Floor Plans - Proposed 3105 Highway	
Project Manager	Project ID	
Client/Owner	As Noted	
Scale	A.B.	
Date	20190502	
Scale	A 1.5	
Scale	A 1.7	



1 Main Floor - Existing
Scale: 1:50

NO CHANGE TO EXISTING DWELLING UNIT AND RETAIL STORE
DEMOLISH EXISTING GARAGE AND REPAIR EXTERIOR FINISH ON
NORTH WALL OF EXISTING DWELLING UNIT AND STORE
AREA TO BE REMOVED SHOWN IN GREY

Existing Retail Space on Main Floor 86.64 m²
Existing Residential Area on Main & Upper Floor 124.62 m²



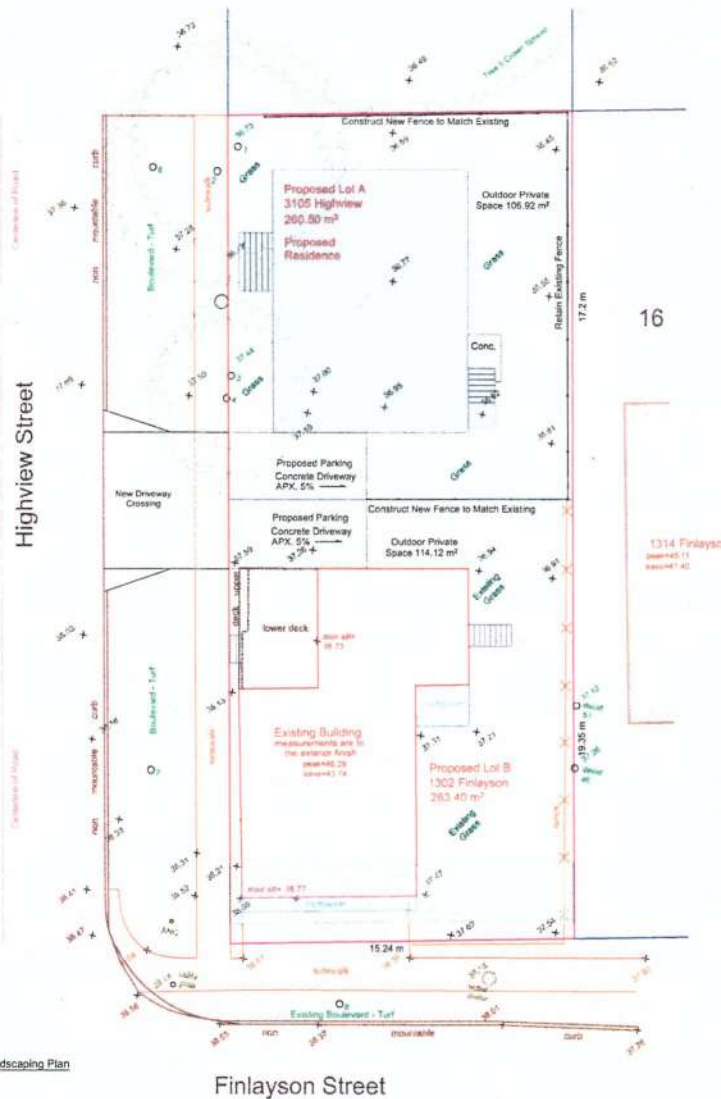
2 Upper Floor - Existing
Scale: 1:50

Received
City of Victoria

MAY 03 2019

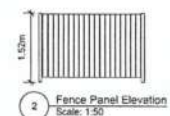
Planning & Development Department
Development Services Division

D	19-5-02	Revisions for TRS
C	19-1-9	Planning & Development Permit
S	19-11-32	CALUC - Revision
A	18-10-21	CALUC - Client Review
No.	Date	Issue Notes
 Adrian Brett & Associates Design Firm Adrian Brett & Associates 10461 Riesthaven DR Sidney BC V8L 3H6 C: 613-615-4171 adrian.brett1@gmail.com		
Project No. 1302 Finlayson 3105 Highview Rezoning		
Issue No. Floor Plans - Existing 1302 Finlayson		
Prepared By	CD	As Noted
Reviewed By	A.B.	A 1.6
Date	20190502	of A 1.7
Drawn By		



1 Proposed Landscaping Plan
Scale: 1:100

Trees					
Tree Number	Species	DBH (in)	CRZ (m)	Crown Spread (m)	Comments
1	Green Ash - Fraxinus pennsylvanica	0.22	5.0	9.5	Existing to be retained
2	Green Ash - Fraxinus pennsylvanica	0.22	6.0	10.0	Existing to be retained
3	Green Ash - Fraxinus pennsylvanica	0.19	4.0	6.5	Existing to be retained
4	Green Ash - Fraxinus pennsylvanica	0.12 0.12 0.11	4.5	7.0	Existing to be retained
5	Garry Oak - Quercus garryana	0.75	7.5	18.0	Existing to be retained
6	TBD by Parks				New min. 8cm caliper
7	TBD by Parks				New min. 8cm caliper
8	TBD by Parks				New min. 8cm caliper



Existing fence panels. New fence to match existing fence.

Received
City of Victoria

MAY 03 2019

Planning & Development Department
Development Services Division

D	15-5-02	Revisions for TRG
C	15-1-5	Rezoning & Development Permit
B	15-11-22	CALUC - Revision
A	18-10-21	CALUC - Client Review
No.	Date	Issue Notes
 Adrian Brett & Associates Adrian Brett & Associates 10451 Rasthaven DR Sidney BC V8L 3H6 C 613-619-4171 adrian.brett1@gmail.com		
Project No.	1302 Finlayson 3105 Highview Rezoning	
Drawn By	Landscape Plan	
Project Manager	Project ID	
Drawn By Candace Design	Scale	As Noted
Reviewed By A.S.	Drawn By	A 1.7
Date 20190502	Sheet	A 1.7
Scale 1:100		

Letter to Mayor & Council

May 3, 2019

Re: Proposed Small Lot Housing Subdivision at 1302 Finlayson Street

Owner: Paul and Marta Fisher

Applicant: Adrian Brett & Associates

INTRODUCTION & OVERVIEW

This letter provides a rationale for the proposed development at 1302 Finlayson Street (at Highview Street). The project entails the subdivision of an existing R1-B lot into two lots, one R1-S2 single family residential lot and one site-specific zoned lot allowing the continued use of the existing commercial neighbourhood amenity. The existing residential/commercial building (the English Cabinetmaker store) will be preserved and a new single family home is proposed behind it, which will front onto Highview Street. The proponent intends to rent the above grade residential unit of the existing building, retain the existing commercial use and utilize the new single family home as his primary residence. The project will also provide a 0.86 road dedication and a 2.5m-wide Statutory Right of Way for future streetscape improvements along Finlayson.

RATIONALE & SUPPORT

Policy Support

Official Community Plan

- Consistent with Traditional Residential Land Use designation, which supports ground-oriented built forms.
- Consistent with numerous housing and infill policies.

Development Permit Area (15A)

Consistent with numerous DPA objectives, including:

- Accommodation of 10% of Victoria's population growth in traditional residential areas
- Support existing commercial services.
- Accommodation of growth in Traditional Residential neighborhoods in a gradual manner that reflects the local context.
- Integrates a single family home into the neighborhood in a manner that respects the established character of the neighborhood.

Small Lot House Rezoning Policy

Consistent with numerous objectives, including:

- Preferred corner lot siting.
- Preserves existing house and business.
- High quality neo-traditional architectural design that is representative of adjacent homes vernacular style.

- Consultation with adjacent neighbours and wider community, more than 75% of neighbors are in favor of the proposed development.

Project Need & Benefits

- Satisfies need for sensitive infill housing in a strategic location – a corner lot on public and active transportation routes with easy access to green space (Highview and Summit Parks are within walking distance)
- Retains an existing local commercial amenity.
- Adds value to the neighborhood via high quality architecture.
- Enhance eyes on the park (Highview Park) and improves public safety.

Servicing

- The site is served by all necessary public infrastructure and services.
- The project will provide a 0.86 Road Dedication and a 2.5m wide SRW to accommodate future improvements along Finlayson Street.
- Very little on-street parking is available on Finlayson Street. The owner and neighbors have organized a petition to ask Council to allow the frontage along Highview Street to remain a gravel shoulder so that existing parking spots can be retained.

Neighbourhood / Appropriateness

The site is appropriate for a small lot rezoning for the following reasons:

- it is a corner lot located on public and active transportation routes.
- The site is walkable to parks, schools, services, and amenities.
- The proposal is consistent with its surrounding development patterns of lot sizes, moderately sized homes, and architectural details.
- The owner has agreed to place the existing commercial/residential building on the City's Heritage Register and has provided a Statement of Significance.
- The owner is willing to covenant the existing upper unit of the building to ensure it retains its use as rental housing into perpetuity.

Impacts & Impact Mitigation

- Project will retain a neighbourhood commercial amenity and retain much needed rental housing.
- Design of new house will improve neighbourhood safety by providing additional sightlines from the new home onto the nearby Highview Park (Crime Prevention through Environmental Design).
- No protected trees will be affected by the addition of this proposed new single family home.
- New house is of a modest scale, consistent with the heights and building footprints of neighbouring homes.
- The second floor windows of the proposed house will be frosted so as to maintain both the resident's and neighbor's privacy. Views from the first floor windows (facing the neighboring property to the east) will be obscured by the 1.5m high fence erected on the property line. Also the new house is positioned to the rear of the neighbour's lot, the

windows on the east side of the new house look onto the neighboring back yard where there are no buildings. Neither house will be in the direct view of its neighbor's windows.

VARIANCES

The proposal requires two setback variances:

1. On the front yard (fronting Highview Street) of the proposed new house, (2.0m proposed), a variance of 4m is requested to allow for the new house to be positioned closer to the street to be more consistent with the position of the existing house, which is setback only 0.43m from Highview Street.
2. On the rear yard (east) of the proposed new house (3.43m proposed) a variance of 2.57m is requested. This requested back yard setback variances is consistent with typical small lot designs. The impact of the rear variance is mitigated by frosted glazing on its east façade, and the adjacent house is located much farther south on its neighbouring lot, out of direct view from the new proposed house.
3. The requested variances do not significantly affect the amount of private outdoor space provided for each lot. The lot with the existing building will have approximately 114m² of private outdoor space and the lot with the new building will have approximately 106m² of outdoor space. In addition to these private outdoor spaces, there is also ample public open space nearby. Highview Park abuts the north property line of this site and contains approximately 1,680m² of outdoor amenity space.
4. There are also many other nearby properties with similar rear and front yard setbacks in the local neighborhood. The following table provides several examples of nearby properties that have rear/front setbacks less than the 6m zoning requirement.

Property Address	Front Yard Setback	Rear Yard Setback
3136 Highview Street	1.5m	4.5m
3135 Mars Street	4.5m	3.2m
3114 Mars Street	3.0m	4.8m
3104 Mars Street	7.0m	0.75m
3122 Highview Street	3.2m	18.0m

SUMMARY

The proposed development is consistent with the objectives and guidelines of the OCP, Development Permit Area 15A and the Small Lot Rezoning policy. This proposal is an example of context-sensitive and neighbourhood-scaled infill housing. It will retain much needed attainable rental housing units in the city, as well as retaining an existing neighbourhood commercial amenity. Moreover, the corner lot location is ideal for this type of development, the proposed design is responsive and sensitive to the neighbourhood, and its orientation will improve public safety by providing more eyes onto Highview Park.

By email to: Michael Angrove,
City of Victoria mangrove@victoria.ca

6 January 2019

Dear Michael Angrove:

Re: Community Meeting for 1302 Finlayson Avenue Rezoning

Community Meeting Details

Date: 28 November 2018

Location of meeting: Quadra Village Community Centre, 901 Kings Avenue

Meeting facilitators: Hillside Quadra Neighbourhood Action Committee (NAC): 3 members

Attendance: 5: 4 in 100m notification distance, 1 outside notification area;

Meeting Chair: Jon Munn, NAC

Note taker: Deborah McCarron, NAC

Proposed Development Details

Proponent: Adrian Brett of Adrain Brett and Associates

Owner: Paul Fisher

Proposal: Rezone from R1-B Single Family Dwelling District to R1-S2 Restricted Small Lot (Two Storey) District and a new zone to fit the nonconforming situation; and vary the R1-S2 6.0m front and rear yard building setbacks from to 2.0m and 3.4m respectively.

The proponent presented the proposal and answered questions. Currently, 1302 Finlayson is the site of a commercial building with residential on the upper floor.

The current owner operates the English Carpenter furniture business.

The proponents would like to rezone their land to new zones with lot size minimums which would permit a subdivision to create two small lots. The adjacent table provided by the proponent summarizes the lot and building dimensions if the proposal is successful.

No table was presented to show how the existing uses and building do not conform with the existing zone or how the

	Proposed Lot A 3105 Highview (metric)	Existing Lot B 1302 Finlayson (metric)
Existing Zone	R1-B	R1-E
Proposed Zone	R1-S2	NEA
Lot Area	260.50	283.41
Lot Frontage on Street	16.99	18.71
Site Coverage	38.41%	47.99%
FSR	0.60	0.71
Open Site Space	52.10%	45.37%
Site Coverage	100.07	135.96
Floor Area 1+2	157.13	211.26
Main	83.96	104.25
Upper	73.17	107.01
Basement	82.41	
Floor Area all Floors	239.54	211.26
Commercial Floor Area	N/A	86.64
Residential Floor Area	239.54	124.62
Number of Dwelling Units	1	1
Parking Stalls	1	1
Number of Storeys	2	2
Height	7.30	7.42
Average Grade	36.80	37.60
Peak Height	44.88	46.26
Eave Height	43.31	43.74
Front yard	2.00	0.43
Rear yard	3.43	2.72
North Side Yard	2.40	3.00
South Side Yard	3.00	0.51
Combined Side Yard	5.40	3.51

existing situation and zone differ from the proposal. Although a development permit and the related guidelines normally are required for intensive residential development, details of conformity were only discussed briefly.

The proponent briefly described that the existing commercial use on the lot does not conform to the R1-B zone and the siting of the building does not conform to the yard distance requirements of the zone because the existing situation largely existed prior to the adoption of the zoning bylaw. There was no summary of what changes to the property were made over the years and how the nonconforming situation was addressed with or without city permits.

It was noted at the meeting that the proposal requests a new zone to accommodate the unusual nonconforming situation of the commercial use with lot line setbacks close to 0.5m. The city has the option to ask that any building be brought into conformity with the existing R1-B. The variances required for the existing building to be in conformity with the R1-S2 zone were not discussed.

The road edge adjacent to the lot is largely gravel with no drainage or transport related improvements. The proponent noted that the city usually requires adjacent road improvements when there is a subdivision or rezoning. This would likely be a curb and gutter to direct rain water for drainage and a sidewalk for safe pedestrian travel. The proponent is requesting to construct a planted ditch to absorb rain water, or bioswale instead of the regular improvements. This is a subdivision related detail, so the decision would be made by the Engineering Department.

The proponent said that what the city Official Community Plan (OCP) wants in urban areas is traditional residential housing. They feel the proposal meets development permit area objectives and it is sensitive infill. He suggested that the city wants contact sensitive new developments to support future population growth. They also want retention of existing local businesses in the community such as the existing business.

As part of the proposal the owner will be making the spindle work copied from the 1880s design to be placed on the façade overlooking the park to match the 1914 character of the original house. The proponent said the wraparound porch facing north and west will enhanced the ability for surveillance or 'eyes on the park,' and this is a good way to make the park more secure. Also, there are no changes to be made to the existing house. There will be minor grade differences between the new house on Highview and the existing house on Finlayson Street.

Discussion

A number of issues were discussed. It was noted that the adjacent owner and/or resident neighbour to the east would be most affected by the proposal and no representative for that neighbour was present.

Use and Density

Three of four of the neighbours said they are “absolutely are for this”, and it is “sensible development.” One of three, suggested it feels the new building would encroaching on the park and he is losing his view of the park although he didn’t think this would be an issue for zoning.

A resident asked what the height of the new house’s basement would be and if it is underground and being designed as a liveable space. Adrian responded that basement suites are not permitted under small lot zoning. Adrian feels this rule is about to be changed. The neighbour objects to any basement suite.

Transportation/ Parking

Many meeting participants stated that they like more space for on-street parking. A couple of people said that pedestrians walking to and from the park would be o.k. without a sidewalk.

Additional parking demand from the proposal was briefly discussed but no clear conclusion was reached. Three neighbours liked the way people could park now, although only one off-street parking space per unit may not be adequate. The proponent did not address this issue clearly.

Traffic/Street Improvements

There was some discussion of how a bioswale would be designed with driveways and parking.

An 18-year resident two doors down on Finlayson said the sidewalk would end at the property line by the park if a conventional curb and gutter were done. She is against this. She likes the additional parking on the shoulder that can be kept if it’s placed in gravel. On another project across the street this was an issue and the neighbours collected 16 signatures to keep the soft gravel shoulder. She thinks they could get more signatures if needed.

Affordability

A minor mention was made regarding affordability. The proponent said this is a small market-oriented proposal, but the existing residential unit on top of the commercial unit could be more affordable.

Design – Building Form and Character

Those attending agreed that the attention to detail from the 1880s design to be placed on the façade overlooking the park was a good idea.

The neighbours also asked about the siding and the use of color. They commented that they did not like the latest improvement across the street and the existing green colour of the building could be changed. The owner responded that he’s tending toward dark blue and plans to keep the original character.

One suggestion asked that a colour and materials board be presented to show the possibilities. This is an issue for the development permit, but there is no public notice at that stage.

Conclusion

Overall, the proposal seen as acceptable by the small number of attendees.

Jon Munn
CALUC Co-Chair
Hillside Quadra Neighbourhood Action Committee

cc. Hillside Quadra NAC, Adrian Brett

STATEMENT OF SIGNIFICANCE FOR 1302 FINLAYSON STREET

THE ENGLISH CABINET MAKER
(FORMERLY FINLAYSON GROCERY)



Prepared by Adrian Brett & Associates

For

The City of Victoria



1302 Finalyson Street – The English Cabinet Maker

Construction date:

1925

Architect/Builder:

Unknown

DESCRIPTION OF HISTORIC PLACE

The English Cabinet Maker, formerly known as Finlayson Grocery is a two storey wooden commercial and residential building. Originally built with only a commercial retail space on the first floor and a residential upper floor; later a rear addition of a deck, retail storage space, and second floor balcony was added sometime after 1925.

HERITAGE VALUE

The English Cabinet Maker buildings has heritage value for its aesthetic and socio-cultural attributes.

The English Cabinet Maker has aesthetic value as it is a representative example of the types of mixed-use buildings built during the 1920's-1930 in Victoria. It is a good example of the craftsmanship employed by vernacular builders in British Columbia during a relative construction boom that occurred just prior to the Great Depression. The building has retained its original commercial window styling on the first floor and double hung windows on the second floor.

On the rear addition of the building there are two decorative wooden posts and that fan upwards forming support for the second floor balcony. Although the building lacks any ornamentation or notable features on its east and west elevations, its front façade is characterized by large display windows that were once primarily used to draw the attention of pedestrian traffic inwards towards shelves stocked with food. Today these windows serve a similar purpose to draw attention to the finely crafted wood cabinetry and furniture contained within.

The English Cabinet Maker is also valued for its continuous use as a commercial building and as an important amenity for the Highview neighborhood. The building served as a grocery store from 1925 to 1965 and then a variety of other commercial uses before it became a craft furniture store in 2018.

CHARACTER DEFINING ELEMENTS

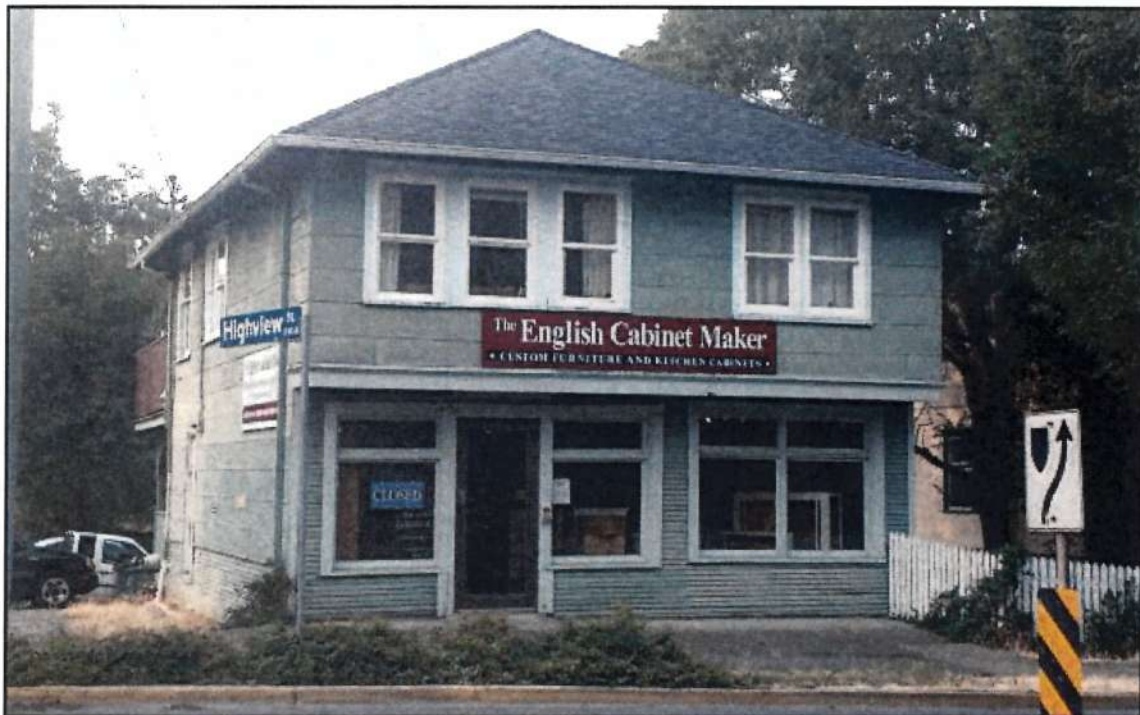
Those elements that define the building's vernacular design include:

Distinct and large display windows on first floor
Double hung windows on second floor

Second floor overhang on front façade
Mid-pitch roof
Wooden siding
Decorative fan posts on rear deck

Elements that relate to this building's socio-cultural value:
Continuous use since its construction as a small-scale neighborhood commercial building

ADDITIONAL PHOTOS OF 1302 FINLAYSON STREET







Talbot Mackenzie & Associates

Consulting Arborists

1302 Finlayson Street, Saanich

Construction Impact Assessment &

Tree Preservation Plan

PREPARED FOR: Paul Fisher
1302 Finlayson Street
Victoria, BC
V8T 2V6

PREPARED BY: Talbot, Mackenzie & Associates

Graham Mackenzie
ISA Certified # PN-0428
TRAQ – Qualified

DATE OF ISSUANCE: October 15, 2018

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



Talbot Mackenzie & Associates

Consulting Arborists

Jobsite Property: 1302 Finlayson Street, Saanich
Date of Site Visit: October 10, 2018
Site Conditions: Residential/business lot. No construction activity present.

Summary: We do not anticipate any impacts to the 75.0 cm d.b.h. Garry oak tree located in the park adjacent to this property provided the proposed excavation does not extend into the park property. There is an Ash tree located on the boulevard that is likely a volunteer. While it could possibly be retained given the proposed building scheme, in our opinion it would be better to remove this tree and if desired replant with a healthy young boulevard planting of a more desirable species.

Scope of Assignment: To inventory the existing bylaw protected trees and any trees on neighbouring properties that could potentially be impacted by construction or that are within three metres of the property line as well as 1 Garry oak tree located in the adjacent Park. Review the proposal to subdivide the property and construct an additional residence on the property and comment on how construction activity may impact existing trees. Prepare a tree retention and construction damage mitigation plan for those trees deemed suitable to retain given the proposed impacts.

Methodology: We visually examined the trees on the property and prepared an inventory in the attached Tree Resource Spreadsheet. Each by-law protected tree was identified using a numeric metal tag attached to its lower trunk. Municipal trees and neighbours' trees were not tagged. Information such as tree species, DBH (1.4m), crown spread, critical root zone (CRZ), health, structure, and relative tolerance to construction impacts were included in the inventory. The by-law protected trees with their identification numbers were labelled on the attached Site Plan.

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

Summary of Tree Resource: There are two bylaw protected trees that could potentially be impacted by the proposal, 1 Garry oak tree in the neighbouring park and 1 Ash tree located on the municipal frontage. The Garry oak tree is located 8.5 meters from the property line and we have calculated the critical root zone to be 7.5 meters. We do not anticipate any impacts to the Garry oak. The Ash tree located on the municipal frontage is likely a volunteer that was not planted and

in our opinion, it would be better to remove this tree and replant with a healthy young boulevard tree if that is what is desired.

Potential Impacts on Trees to be Retained and Mitigation Measures

- **Barrier fencing:** The areas surrounding the trees to be retained should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones. The barrier fencing must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing. The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose. As there is an existing fence between the park and the subject property, it will serve as barrier fencing. If the Ash tree is going to be retained, we recommend that the critical root zone be fenced.
- **Arborist Supervision:** All excavation occurring within the critical root zones of protected trees should be completed under supervision by the project arborist. Any roots encountered must be pruned back to sound tissue to reduce wound surface area and encourage rapid compartmentalization of the wound. We do not anticipate that any significant roots will be encountered from the Garry oak on the neighboring property, but if roots are encountered, we can visit the site to document and prune any roots.
- **Blasting:** There is a possibility that rock will be encountered during the excavation. Care must be taken to ensure that the area of blasting does not extend beyond the necessary footprints and into the critical root zones of surrounding trees. The use of small low-concussion charges and multiple small charges designed to pre-shear the rock face will reduce fracturing, ground vibration, and overall impact on the surrounding environment. Only explosives of low phytotoxicity and techniques that minimize tree damage should be used. Provisions must be made to ensure that blasted rock and debris are stored away from the critical root zones of trees.
- **Arborist Role:** It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:
 - Locating the barrier fencing
 - Reviewing the report with the project foreman or site supervisor
 - Locating work zones, where required
 - Supervising any excavation within the critical root zones of trees to be retained
 - Reviewing and advising of any pruning requirements for machine clearances

Talbot Mackenzie & Associates

- **Review and site meeting:** Once the project receives approval, it is important that the project arborist meet with the principals involved in the project to review the information contained herein. It is also important that the arborist meet with the site foreman or supervisor before any site clearing, tree removal, demolition, or other construction activity occurs and to confirm the locations of the tree protection barrier fencing.

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

Yours truly,



Talbot Mackenzie & Associates
ISA Certified Consulting Arborists

Encl. 1-page tree resource spreadsheet, 1-page site plan with trees, barrier fencing specifications

Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve their health and structure or to mitigate associated risks.

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

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

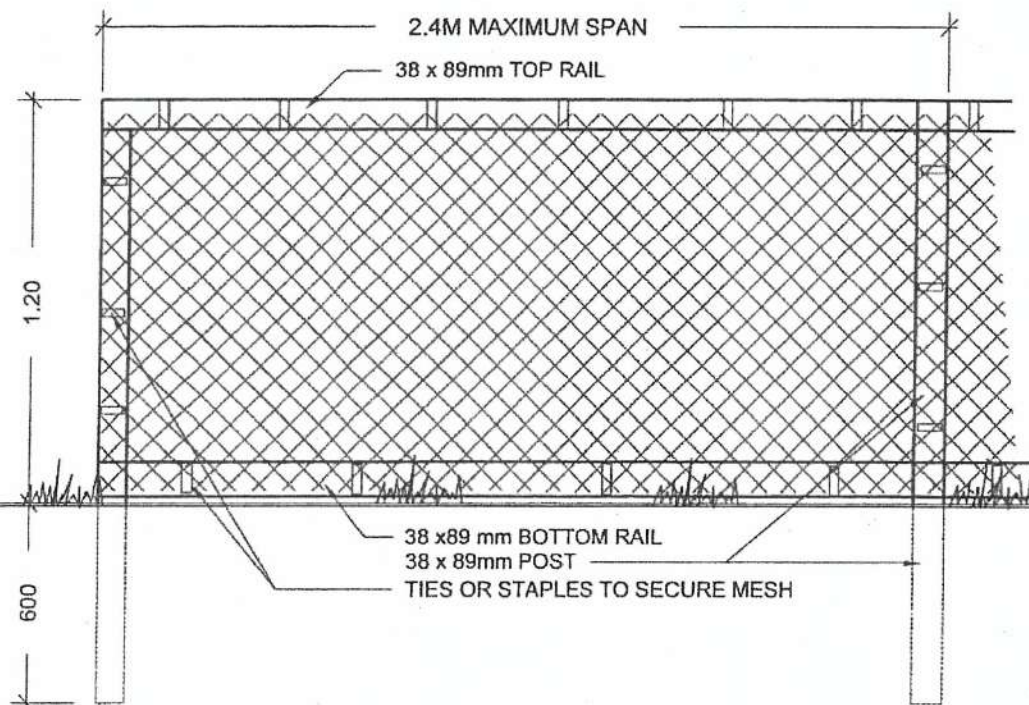
Tree Resource Spreadsheet

Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m)	CRZ (m)	Relative Tolerance	Health	Structure	Remarks and Recommendations
1	Garry oak	<i>Quercus garryana</i>	75.0	19.0	7.5	Good	Good	Good	No impacts anticipated.
2	Green Ash	<i>Fraxinus pennsylvanica</i>	22.0	6.0	3.0	Fair	Fair/Poor	Good	Possible to retain, but in our opinion it would be better to replant with a healthy young tree of a more desirable species.

Prepared by:
 Talbot Mackenzie & Associates
 ISA Certified and Consulting Arborists
 Phone: (250) 479-8733
 Fax: (250) 479-7050
 email: tmtreehelp@gmail.com

Civic: 1302 Finlayson Road
Legal: Lot 15, Block 3, Section 4,
Victoria District Plan 1200
Parcel Identifier: 004-296-373
in the City of Victoria





TREE PROTECTION FENCING
 FENCE WILL BE CONSTRUCTED USING
 38 X 89 mm (2"X4") WOOD FRAME:
 TOP, BOTTOM AND POSTS. *
 USE ORANGE SNOW-FENCING MESH AND
 SECURE TO THE WOOD FRAME WITH
 "ZIP" TIES OR GALVANIZED STAPLES

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

DETAIL NAME:

TREE PROTECTION FENCING

DATE: Oct 30/07
 DRAWN: DM
 APP'D: RR
 SCALE: N.T.S.

E105
 DRAWING

**SUMMARY
SMALL LOT HOUSE REZONING PETITION**

I, PAUL FISHER, have petitioned the adjacent neighbours* in compliance with
(applicant)
 the Small Lot House Rezoning Policies for a small lot house to be located at 1302 FINLAYSON
(location of proposed house)
 and the petitions submitted are those collected by DEC 30/2018
(date)

Address	In Favour	Opposed	Neutral (30-day time expired)
1249 FINLAYSON	✓	✓	✓
1309 FINLAYSON	✓		
1241 FINLAYSON	✓		
1314 FINLAYSON	✓		
1314 FINLAYSON	✓		
1314 FINLAYSON	✓		
1314 FINLAYSON	✓		
1314 FINLAYSON	✓		
3110 HIGHVIEW	THIS IS A VACANT LOT		
1230 HIGHVIEW			✓
1309 FINLAYSON	✓		
1249 FINLAYSON	✓		
1241 FINLAYSON	✓		

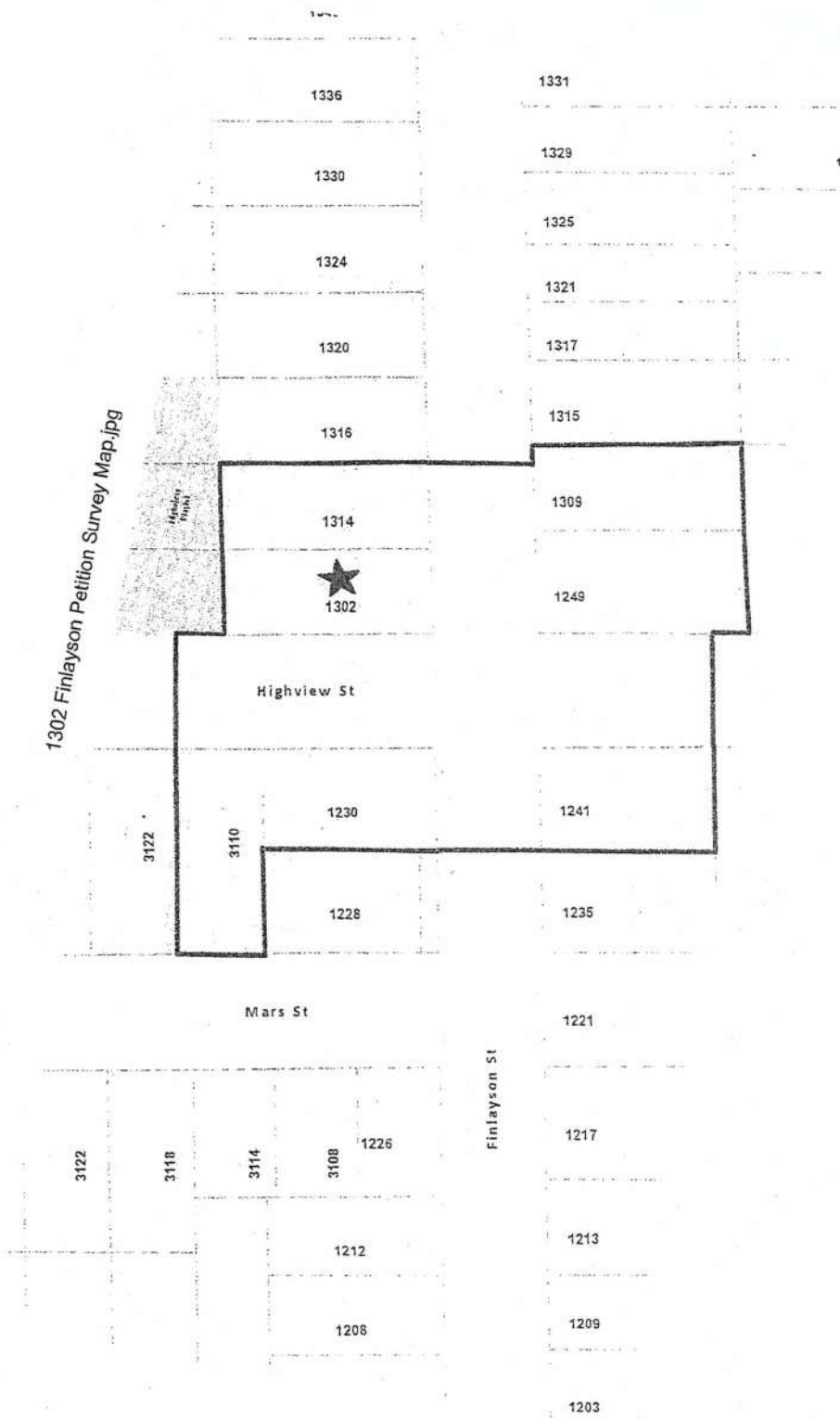
SUMMARY	Number	%
IN FAVOUR	11	100
OPPOSED	0	
TOTAL RESPONSES	11	100%

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

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

1/10/2019

1302 Finlayson Petition Survey Map.jpg



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

Paul Fisher (print name), am conducting the petition requirements for the

property located at 1302 Finlayson Street

to the following Small Lot Zone: R1-S2 Small Lot Residential

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

Please review the plans and indicate the following:

NAME: (please print) ADRIAN LAMBERT (see note above)

ADDRESS: 1249 FINLAYSON ST.

Are you the registered owner? Yes ☒ No ☐

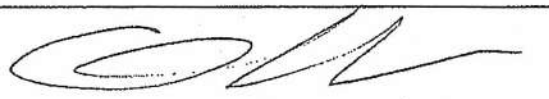
I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

2/5/2019
Date


Signature

CITY OF VICTORIA

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

PAUL + MARTHA FISHER ? am conducting the petition requirements for the
(print name)

property located at 1302 FINLAYSON ?

to the following Small Lot Zone: R1-S2 SMALL LOT RESIDENTIAL

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

Please review the plans and indicate the following:

NAME: (please print) Callum Scott (see note above)

ADDRESS: 1244 Finlayson St. Victoria V8T 2V5

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

One person renting on site works night shifts, hopefully
noise can be kept to a minimum

Nov. 7 2018

Date

Eden Scott

Signature

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

PAUL + MARTIN FISHER
(print name), am conducting the petition requirements for the

property located at 1302 FINLAYSON

to the following Small Lot Zone: R1-S2 SMALL LOT RESIDENTIAL

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Please review the plans and indicate the following:

NAME: (please print) Matthew Locke (see note above)

ADDRESS: 1309 FINLAYSON

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Nov ~~14~~ / 4 2018
Date

[Signature]
Signature

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

Paul Fisher
(print name), am conducting the petition requirements for the

property located at 1302 Finlayson Street

to the following Small Lot Zone: R1-S2

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Please review the plans and indicate the following:

NAME: (please print) KIM LOCKE (see note above)

ADDRESS: 1309 Finlayson st.

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Jan 15, 2019
Date

Kim Locke
Signature

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

PAUL + MARTHA FISHER
(print name)

, am conducting the petition requirements for the

property located at 1302 FINLAYSON

to the following Small Lot Zone: R1-S2 SMALL LOT RESIDENTIAL

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Please review the plans and indicate the following:

NAME: (please print) Amanda Loughheed (see note above)

ADDRESS: 1241 Finlayson

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Nov 4th 2017
Date

[Signature]
Signature

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

Paul Fisher
(print name), am conducting the petition requirements for the

property located at 1302 Finlayson Street

to the following Small Lot Zone: R1-S2 Small Lot Residential

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

Please review the plans and indicate the following:

NAME: (please print) Sandy Zinkowski (see note above)

ADDRESS: 1241 Finlayson St

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

- Please keep the community informed how the process is going

Jan 28/19
Date

Sandy Zinkowski
Signature

CITY OF VICTORIA

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

PAUL + MARTHA FISHER, am conducting the petition requirements for the
(print name)

property located at 1302 FINLAYSON ST

to the following Small Lot Zone: R1 - S2 SMALL LOT RESIDENTIAL

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Please review the plans and indicate the following:

NAME: (please print) JENNIFER BRACH (see note above)

ADDRESS: 1314 FINLAYSON ST.

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

DEC 15/18
Date

Jennifer Brach
Signature

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

PAUL + MARTHA FISHER
(print name), am conducting the petition requirements for the

property located at 1302 FINLAYSON

to the following Small Lot Zone: R1-S2 SMALL LOT RESIDENTIAL

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Please review the plans and indicate the following:

NAME: (please print) Jonathan Parker (see note above)

ADDRESS: 1314 FINLAYSON

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Date

Jonathan Parker
Signature

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

PAUL + MARTHA FISHER (print name), am conducting the petition requirements for the

property located at 1302 Finlayson

to the following Small Lot Zone: R1-S2 SMALL LOT RESIDENTIAL

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Please review the plans and indicate the following:

NAME: (please print) Roberto Verdugo (see note above)

ADDRESS: 1314 Finlayson Street

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application:

Comments:

December 12 2018
Date

Roberto Verdugo S.
Signature

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

PAUL + MARTHA FISHER, am conducting the petition requirements for the
(print name)

property located at 1302 FINLAYSON ST
to the following Small Lot Zone: R1 - S2 SMALL LOT RESIDENTIAL

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Please review the plans and indicate the following:

NAME: (please print) Xuguang Zhang (see note above)

ADDRESS: 1314 Finlayson Street

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Dec. 12, 2018
Date

Xuguang Zhang
Signature

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

PAUL + MARTHA FISHER, am conducting the petition requirements for the
(print name)

property located at 1302 FINLAYSON ST

to the following Small Lot Zone: R1-S2 SMALL LOT RESIDENTIAL

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Please review the plans and indicate the following:

NAME: (please print) Jonathan Parker (see note above)

ADDRESS: 1314 Finlayson

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

12.17.18
Date

Jonathan Parker
Signature

Supplementary Petition to Retain Gravel Shoulder on Highview Road

The applicant wishes to petition Council to allow for the frontage along Highview Road to remain an undeveloped gravel shoulder. It is expected that the City's engineering requirements will demand a concrete sidewalk, curb, and gutter along the Highview frontage of 1302 Finlayson Street. At the Community Meeting held on November 28, 2018, the neighbours in attendance unanimously agreed they would like the gravel shoulder to be retained. Subsequent to the meeting, the attendees organized a petition amongst the neighbours to request Council to allow this frontage to remain a gravel shoulder, as it currently exists. The neighbours have gathered 17 signatures from the immediate area to support their cause. Please see the following pages of names and addresses.

Development of 1302 Finlayson – Survey Supplement

I am in favor of retaining the gravel and grass shoulder along the Highview Street frontage of the property located at 1302 Finlayson Street, in lieu of a concrete sidewalk, curb, and gutter.

Signature	Name (Printed)	Address	In Favor (x)	Opposed (x)
	JANIS TURNER	3064 HIGHVIEW	✓	
	GEOFF STAMP	1316 FINLAYSON	✓	
	SARA DEYELL	1316 FINLAYSON	✓	

SUMMARY	IN FAVOR	OPPOSED
Totals:	3	0

Development of 1302 Finlayson – Survey Supplement

I am in favor of retaining the gravel and grass shoulder along the Highview Street frontage of the property located at 1302 Finlayson Street, in lieu of a concrete sidewalk, curb, and gutter.




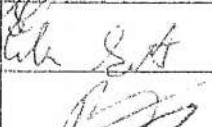

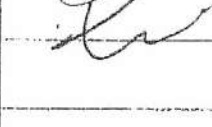
Signature	Name (Printed)	Address	In Favor (x)	Opposed (x)
<i>Heather Huchyn</i>	Heather Huchyn	3136 Highview St	X	
<i>Braden Huchyn</i>	Braden Huchyn	3136 Highview St	X	
<i>Jocelyn Esarte</i>	Jocelyn Esarte	3142 Highview	✓	
<i>Shelina Levinson</i>	Shelina Levinson	3142 Highview	✓	
<i>Michael Abel</i>	Michael Abel	3171 Mars St	✓	
<i>Karen Abel</i>	Karen Abel	3171 Mars St.	✓	
<i>Juan Hiera</i>	Juan Hiera	3161 Mars St	✓	-
<i>Jennifer Suter</i>	Jennifer Suter	3175 Mars St	✓	
<i>D. Wynn</i>	D. Wynn	1308 Market	✓	

SUMMARY	IN FAVOR	OPPOSED
Totals:	9	0

17 IN FAVOR TOTAL

Development of 1302 Finlayson – Survey Supplement

I am in favor of retaining the gravel and grass shoulder along the Highview Street frontage of the property located at 1302 Finlayson Street, in lieu of a concrete sidewalk, curb, and gutter.

Signature	Name (Printed)	Address	In Favor (x)	Opposed (x)
	1249 Finlayson	1249 Finlayson	X	
	Amanda Longhurst	1241 Finlayson	X	
	Matt Lock	1309 Fin	X	
	Callum Scott	1244 Finlayson	X	
	Jonathan Perke	1314 Finlayson	X	
	Chad McHarg	1325 Finlayson	X	

SUMMARY	IN FAVOR	OPPOSED
Totals:	5	0

Rezoning & Development
Permit with Variances
Application
for
1302 Finlayson Street

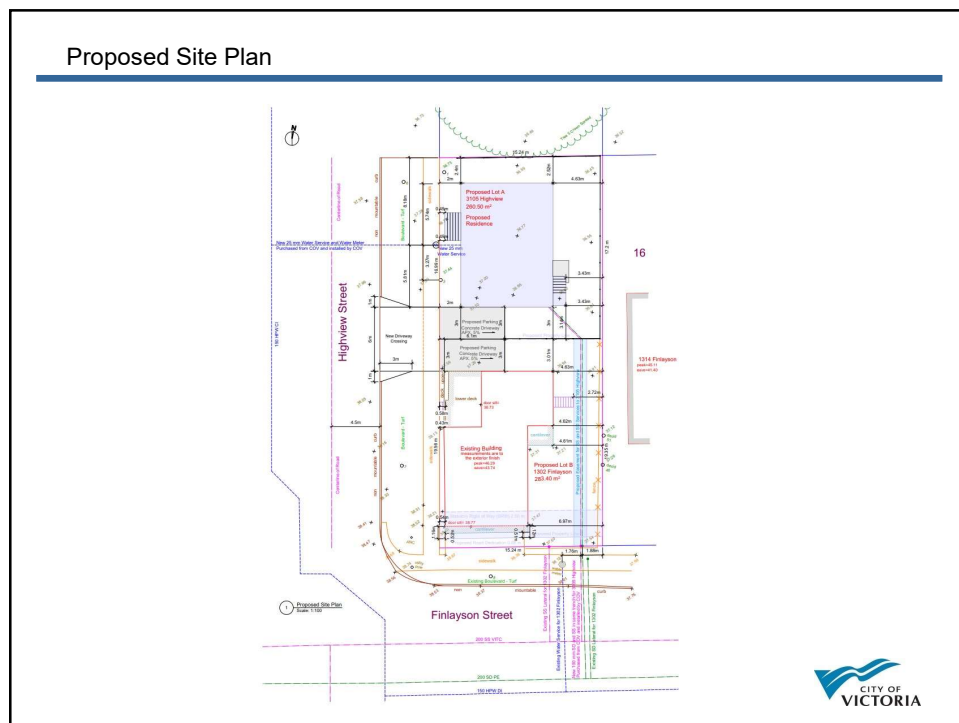
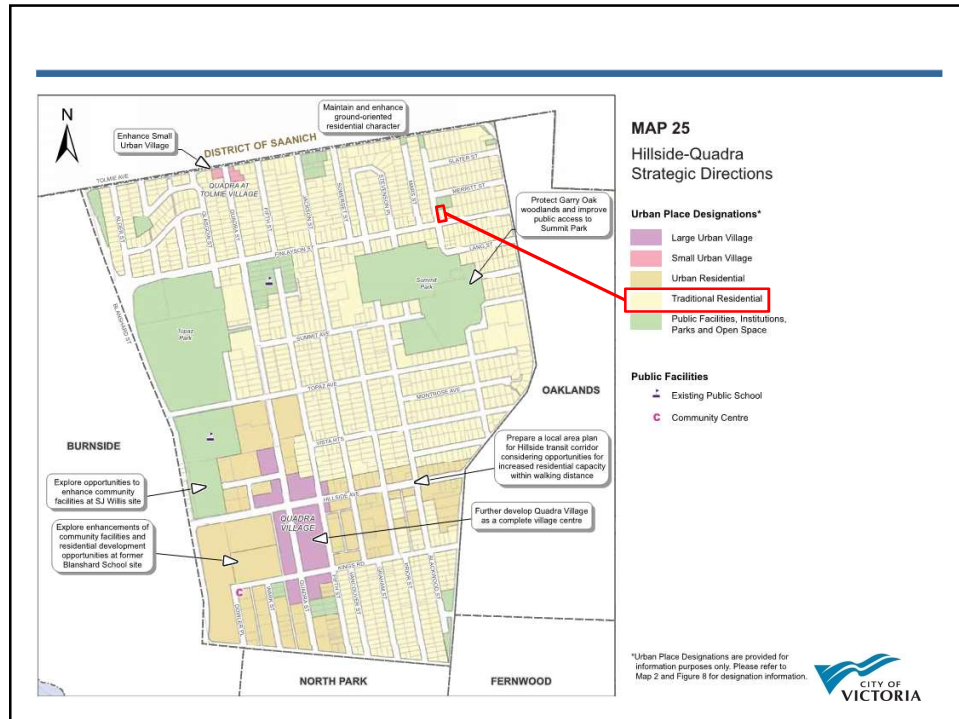


1302 Finlayson



Neighborhood Photos

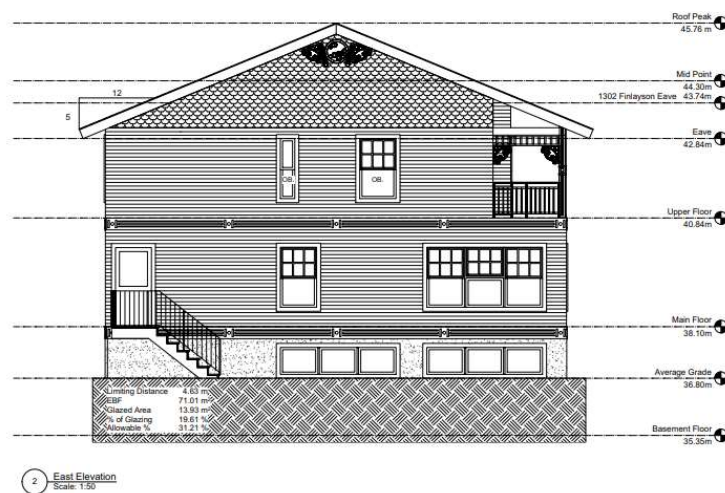




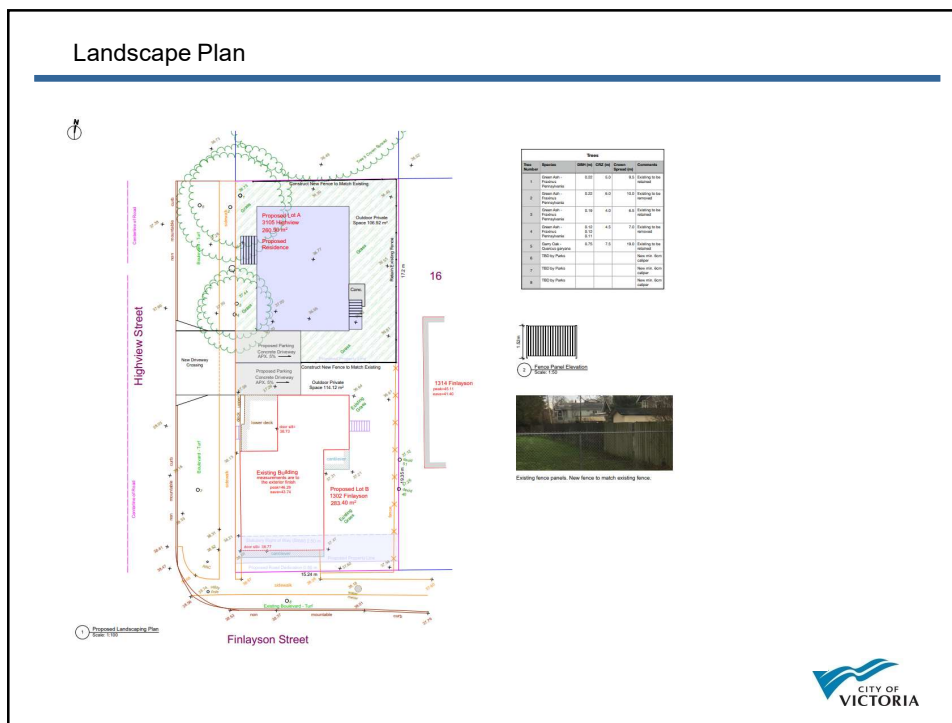
Front Elevation – Facing Highview Street



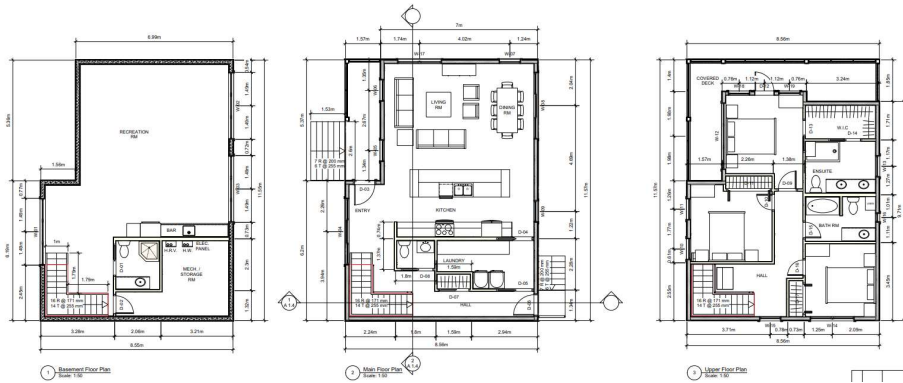
Rear Elevation



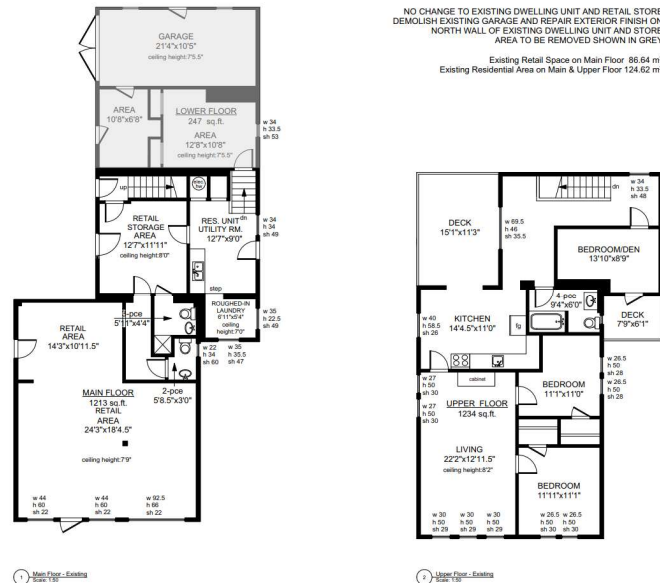
[illegible]



Floor Plan of Proposed New Single Family Home



Floor Plan of Existing Building





Committee of the Whole Report For the Meeting of June 27, 2019

To: Committee of the Whole **Date:** June 13, 2019
From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development
Subject: Temporary use Permit with Variance Application No. 00014 for 2915 Douglas Street

RECOMMENDATION

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

"That Council authorize the issuance of Temporary Use Permit Application No. 00014 for 2915 Douglas Street, in accordance with:

1. Plans date stamped May 17, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required number of parking spaces from 60 to 40.
3. Registration of a Section 219 Covenant on the adjoining properties located at 2905 and 2909 Douglas Street and 720, 730 and 740 Topaz Avenue to secure an additional 20 parking spaces in order to comply with the parking requirement for the proposed uses in the existing building at 2915 Douglas Street, to the satisfaction of the Director of Engineering and Public Works."
4. The Temporary Use Permit lapsing three years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 493 of the Local Government Act, Council may issue a Temporary Use Permit. A Temporary Use Permit may allow a use not permitted by zoning, may specify conditions under which the temporary use may be carried on, and may allow and regulate construction of buildings and structures in respect of the use of which the permit is issued.

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Temporary Use Permit with Variance Application for the property located at 2915 Douglas Street. The proposal is to temporarily permit 25 units of supportive rental housing and a 22-bed substance use treatment facility in the existing building.

The following points were considered in assessing these applications:

- The *Official Community Plan* (OCP, 2012) identifies the property within the General Employment Urban Place Designation, which does not support residential uses and treatment facilities; however, TUPs are permitted in the OCP throughout the whole City.
- The OCP supports the efforts of senior government and community organizations to reduce poverty through enabling stable housing with support services.
- The subject property is designated General Employment in the *Burnside Gorge Neighbourhood Plan*, 2017, which also does not support residential uses and treatment facilities. However, the proposal to provide an interim use that addresses a critical housing need and demand for health services in the community, while giving the applicant time to develop a long-term redevelopment plan for the site, is supportable.
- The applicant currently operates a 50-bed shelter (The Arbutus Shelter), which is permitted under the existing T-1 Zone, Limited Transient Accommodation District. The existing restaurant is considered existing non-conforming as it was permitted as an accessory use in conjunction with the previous motel.
- The applicant is proposing to reduce the required number of parking spaces from 60 to 40. The applicant has indicated to staff that the parking demand for the residential uses and treatment facility is 15 parking spaces. The parking requirement for the existing restaurant is 12 parking spaces; therefore the total parking demand for the building is approximately 27 parking spaces. The applicant is willing to register an easement on the adjacent properties to secure an additional 20 parking spaces and comply with the parking requirements for the existing building.

BACKGROUND

Description of Proposal

The proposal is to temporarily permit 25 units of supportive rental housing and a 22-bed substance use treatment facility in the existing building. Subject to Council approval, a Temporary Use Permit (TUP) can be extended one time for an additional period of up to three years. The proposed variance is related to parking.

Sustainability Features

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

Active Transportation Impacts

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

Public Realm Improvements

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

Existing Site Development and Development Potential

The site is presently a restaurant, shelter, supportive rental housing and substance use treatment facility. Under the current T-1 Zone, the permitted uses are restricted to single-family dwellings and customary accessory uses, transient accommodation, housekeeping apartment buildings, boarding houses and rooming houses.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on April 29, 2019, the application was referred for a 30-day comment period to the Burnside Gorge CALUC. At the time of writing this report, a letter from the CALUC had not been received.

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

ANALYSIS

Official Community Plan

The *Official Community Plan* (OCP, 2012) identifies the property within the General Employment Urban Place Designation. Residential uses are not supported within this designation. A TUP would permit the proposed uses for a period of up to three years, with the ability to extend the permit for another three years subject to Council approval. The OCP supports the efforts of senior government and community organizations to reduce poverty through enabling stable housing with support services.

Local Area Plans

The *Burnside-Gorge Neighbourhood Plan*, 2017, identifies the subject site as General Employment, which does not support residential uses. However, the proposal to provide an interim use that addresses a critical housing need and demand for health services in the community, while giving the applicant time to develop a long-term redevelopment plan for the site, is supportable.

Regulatory Considerations

According to Schedule C: Off-street Parking, the parking requirement for the proposed uses is 60 parking stalls, including 48 parking stalls for "Transitional Housing and Emergency Shelter" use and 12 stalls for the "Restaurant" use. The applicant is proposing to reduce the required number of parking spaces from 60 to 40.

Staff have requested that the applicant register easements on their adjoining properties at 2905 and 2909 Douglas Street and 720, 730 and 740 Topaz Avenue in order to secure an additional 20 parking spaces and comply with the parking requirement for the existing building at 2915 Douglas Street. The applicant is willing to register an easement and for that reason, the parking variance is supportable.

CONCLUSIONS

The proposal to temporarily permit 25 units of supportive rental housing and a 22-bed substance use treatment facility in the existing building for a period of up to three years at the property located at 2915 Douglas Street is supportable given that it is an opportunity to allow an interim use to accommodate a critical housing need and health services in the community, while giving the applicant time to develop a long-term redevelopment plan for the site. The parking variance is also supportable given that the applicant is willing to register an easement on

adjacent properties to secure more parking for the uses in the existing building. Staff recommend for Council's consideration that the application advance to a Public Hearing.

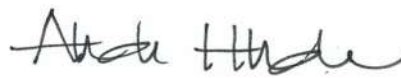
ALTERNATE MOTION

That Council decline TUP with Variance Application No. 00014 for the property located at 2915 Douglas Street.

Respectfully submitted,




Leanne Taylor
Senior Planner
Development Services Division



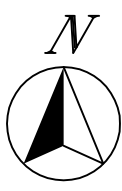
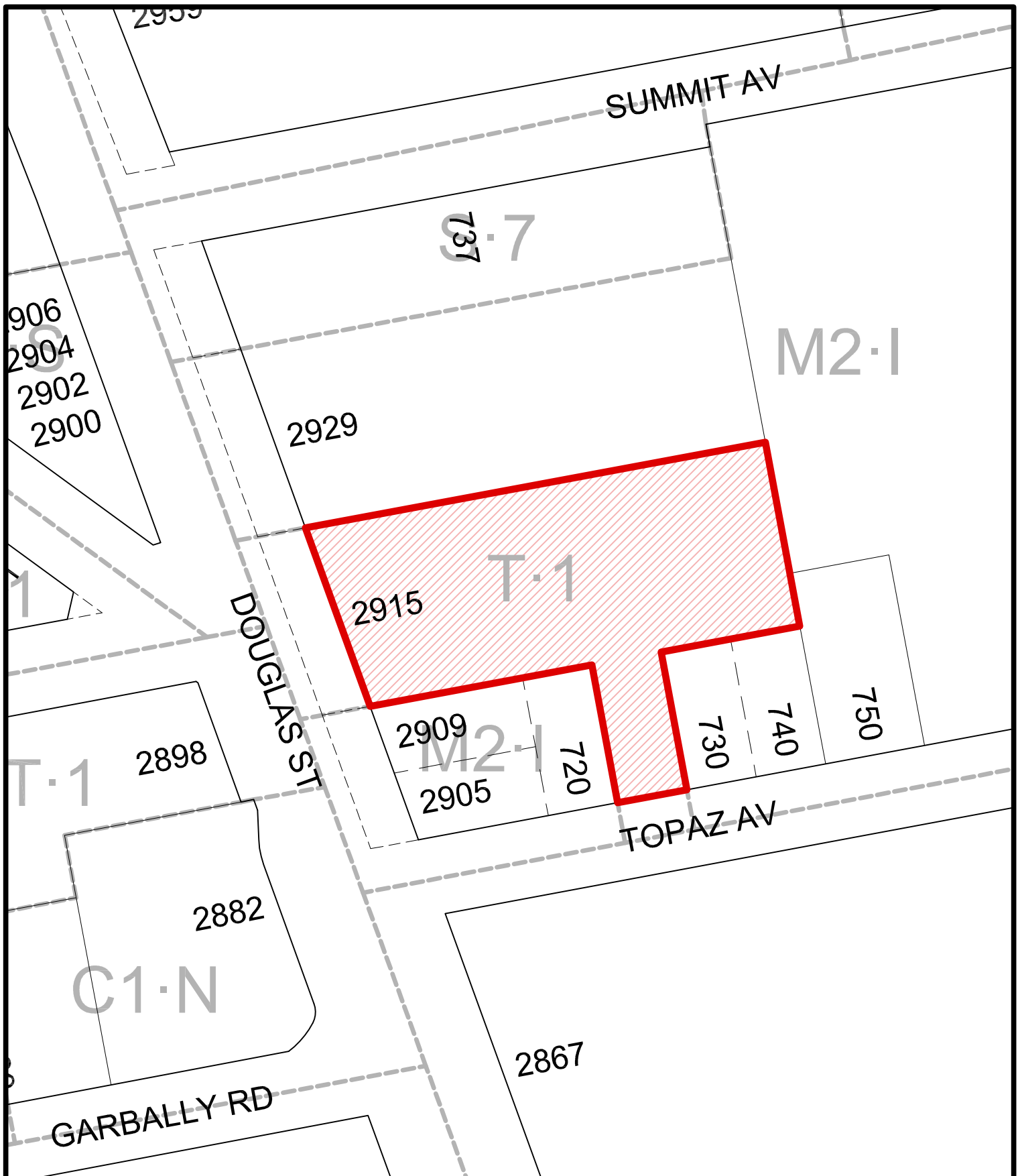
Andrea Hudson, Assistant Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: June 19, 2019

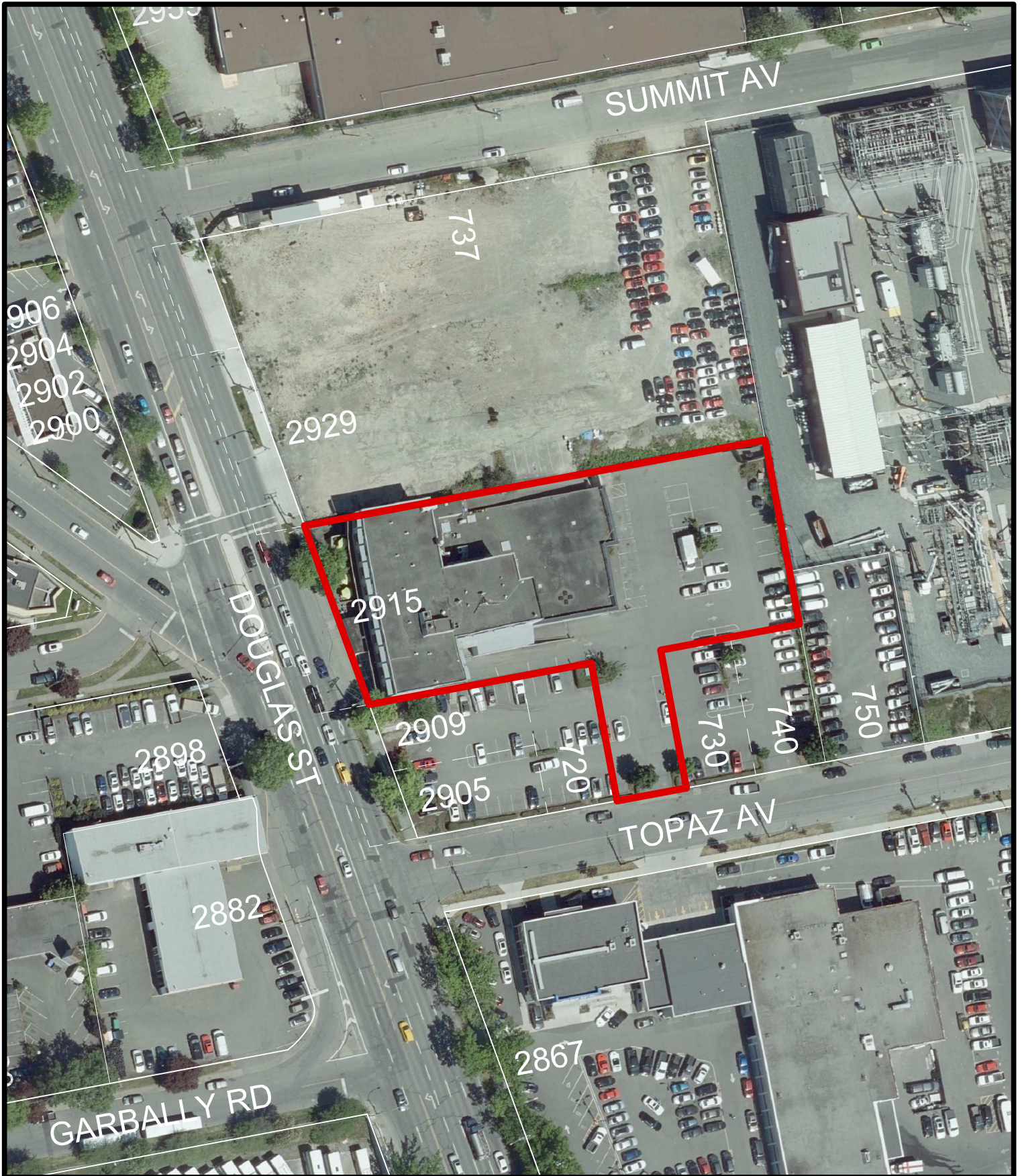
List of Attachments

- Attachment A: Zoning Map
- Attachment B: Aerial Photo
- Attachment C: Plans dated May 17, 2019
- Attachment D: Letter from applicant dated May 17, 2019.



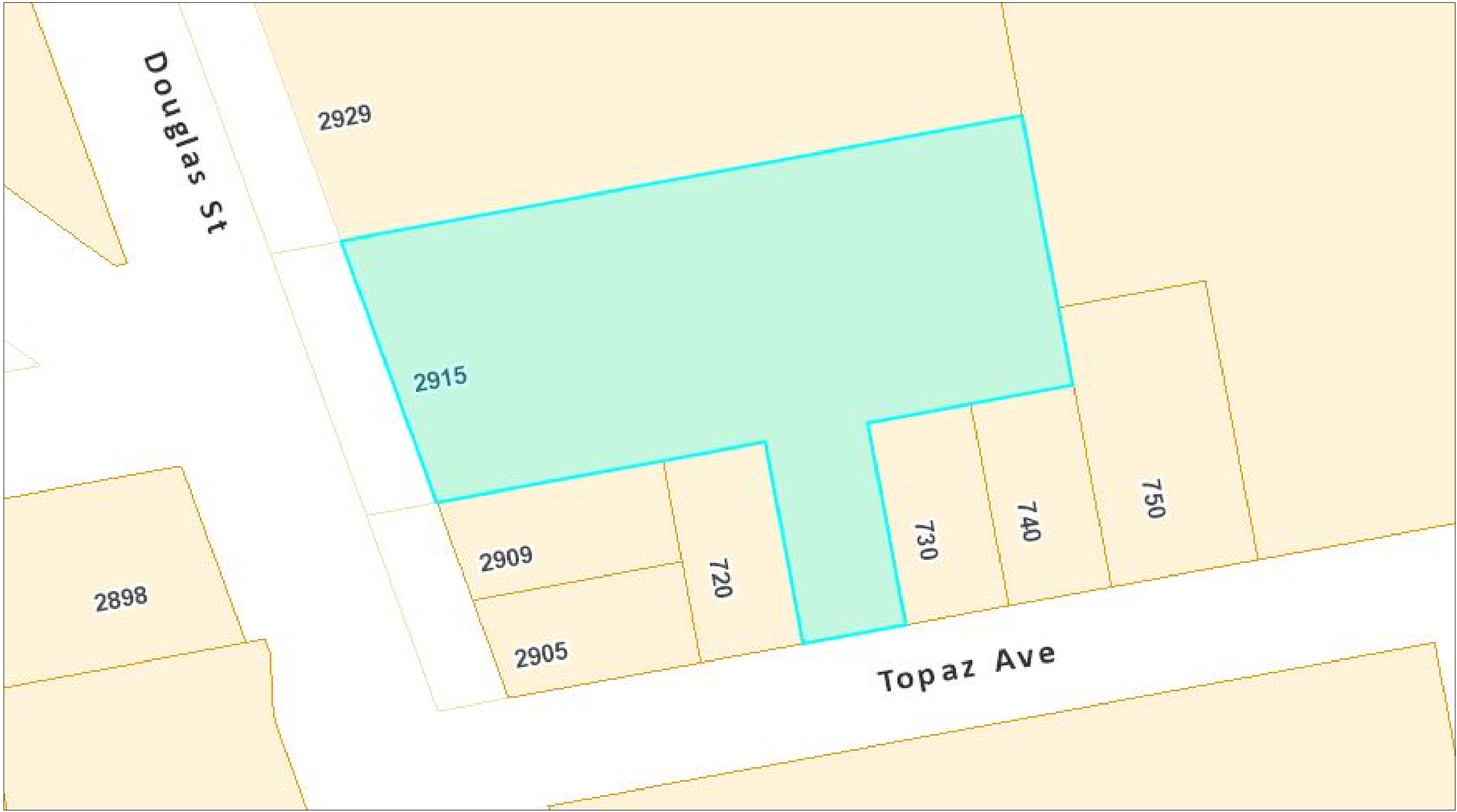
2915 Douglas Street
Temporary Use Permit No.00014





2915 Douglas Street
Temporary Use Permit No.00014


ATTACHMENT C



EXISTING SITE LOCATION



AERIAL VIEW - EXISTING BUILDING LOCATION



Revisions

Received Date:
May 17, 2019



UNIT LOCATION IN BUILDING 11

BUILDING CODE REVIEW		
BUILDING CODE:	2018 BRITISH COLUMBIA BUILDING CODE	
EXISTING MAJOR BUILDING OCCUPANCIES:	GROUP C - RESIDENTIAL OCCUPANCY (TRANSITIONAL HOUSING)	
	GROUP A, DIVISION 2 - ASSEMBLY OCCUPANCY (SPOONS DINER)	
SUBSIDIARY OCCUPANCY:	GROUP D - BUSINESS AND PERSONAL SERVICES (SUPPORT SERVICES FOR TRANSITIONAL HOUSING)	
BUILDING AREA:	1638 SQUARE METRES	
BUILDING HEIGHT:	4 STOREYS	
SPRINKLERED:	YES	
FIRE ALARM:	YES	
STREETS FACED:	2	
CONSTRUCTION ARTICLE:	3.2.2.50 - GROUP C, UP TO 6 STOREYS, SPRINKLERED	3.2.2.24 - GROUP A, DIVISION 2, UP TO 6 STOREYS, ANY AREA, SPRINKLERED
ALLOWABLE BUILDING HEIGHT:	6 STOREYS	6 STOREYS
ALLOWABLE BUILDING AREA:	1800 SQUARE METRES IF 4 STOREYS IN BUILDING HEIGHT	ANY AREA
ALLOWABLE CONSTRUCTION:	COMBUSTIBLE OR NONCOMBUSTIBLE	NONCOMBUSTIBLE ONLY
SPRINKLERED:	REQUIRED	REQUIRED
FLOOR ASSEMBLIES FRR:	NOT LESS THAN 1 HOUR	NOT LESS THAN 1 HOUR
MEZZANINE FRR:	NOT LESS THAN 1 HOUR	NOT LESS THAN 1 HOUR
LOADBEARING WALLS, COLUMNS & ARCHES FRR:	NOT LESS THAN THAT REQUIRED FOR THE SUPPORTED ASSEMBLY	NOT LESS THAN THAT REQUIRED FOR THE SUPPORTED ASSEMBLY
TRAVEL DISTANCE (BCBC 3.4.2.5.b):	45 METRES (BUILDING COMPLIES)	45 METRES (BUILDING COMPLIES)

PROJECT:
SECOND FLOOR
T.U.P

2915 DOUGLAS STREET
VICTORIA, BC

CLIENT:

BC HOUSING


210-4252 Commerce Circle, Victoria, BC
www.stellerconsulting.com
250-294-5076

ISSUE FOR:	DATE:
REVISIONS	MAY 16, 2019

SAC PROJECT NO.:

BCH-2915-19

DRAWN BY:

SL

DATE:

MAY 16, 2019

SCALE:

NTS

DRAWING TITLE:

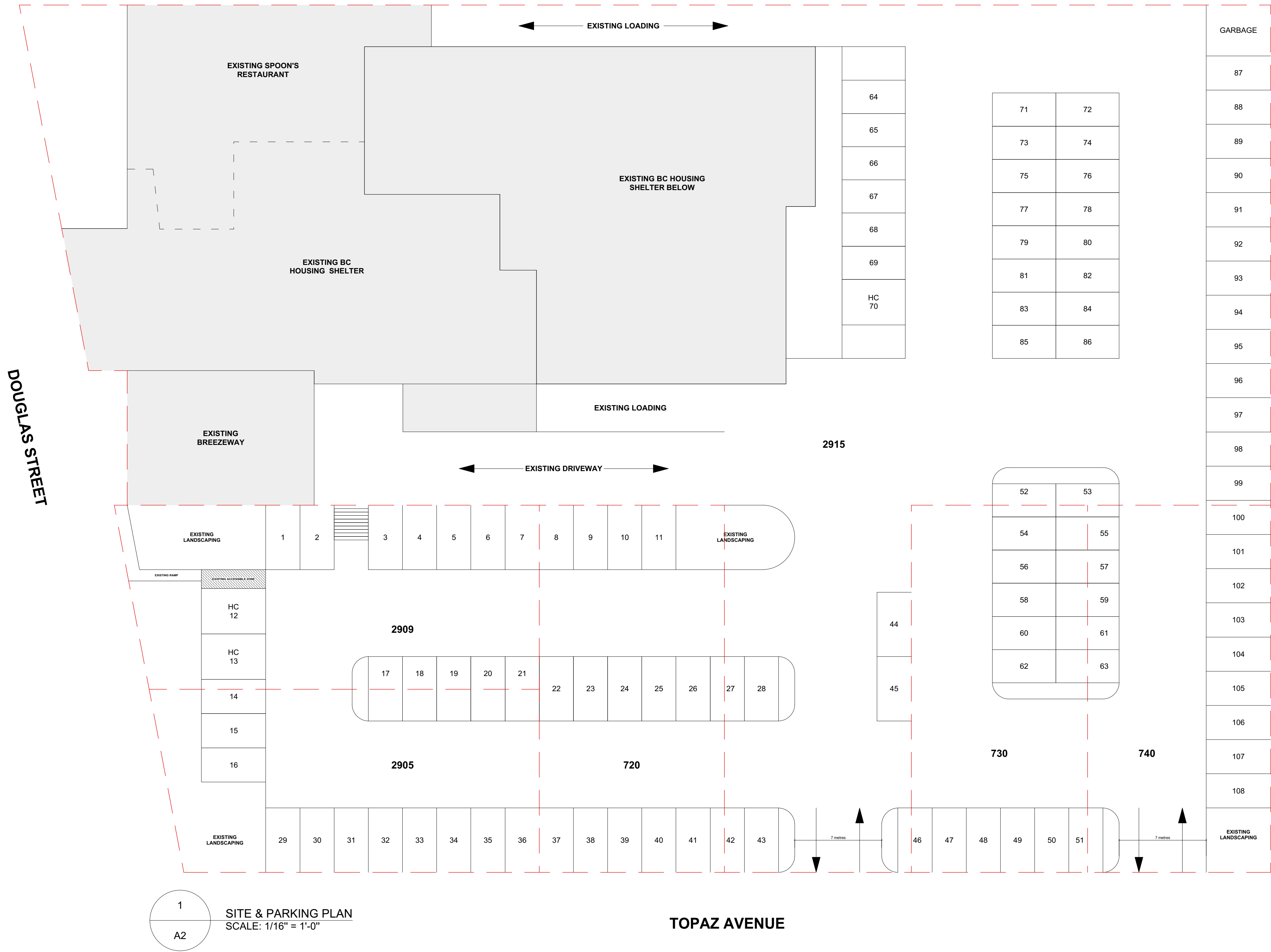
SITE LOCATION &
CODE REVIEW

DRAWING NUMBER:

A1

PARKING REQUIREMENTS (AS PER CITY OF VICTORIA SCHEDULE C)				
FLOOR LEVEL	SPOON'S RESTAURANT	BC HOUSING SHELTER OFFICE	BC HOUSING TRANSITIONAL HOUSING/SHELTER	TOTAL PARKING COUNT
BASEMENT LEVEL (Transitional Housing)	-	-	1546 sqm / 80 sqm = 19.3	19.3
MAIN FLOOR (Shelter office & Spoon's Restaurant)	239 sqm / 20 sqm = 11.95	58 sqm / 50 sqm = 1.16	532 sqm / 80 sqm = 6.65	19.76
SECOND FLOOR (Supportive Treatment/Transitional Housing)	-	-	831 sqm / 80 sqm = 10.39	10.39
THIRD FLOOR (Transitional Housing)	-	-	831 sqm / 80 sqm = 10.39	10.39
TOTAL:	11.95	1.16	46.73	60 PARKING SPACES REQUIRED

DRAWING LEGEND	
PROPERTY LINES	---



PROJECT:
**SECOND FLOOR
T.U.P**

2915 DOUGLAS STREET
VICTORIA, BC

CLIENT:

BC HOUSING

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ARCHITECTURAL
CONSULTING

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BCH-2915-19

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SL

DATE:

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SCALE:

1/16" = 1'-0"

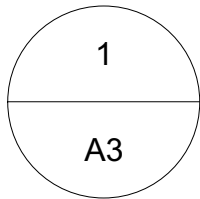
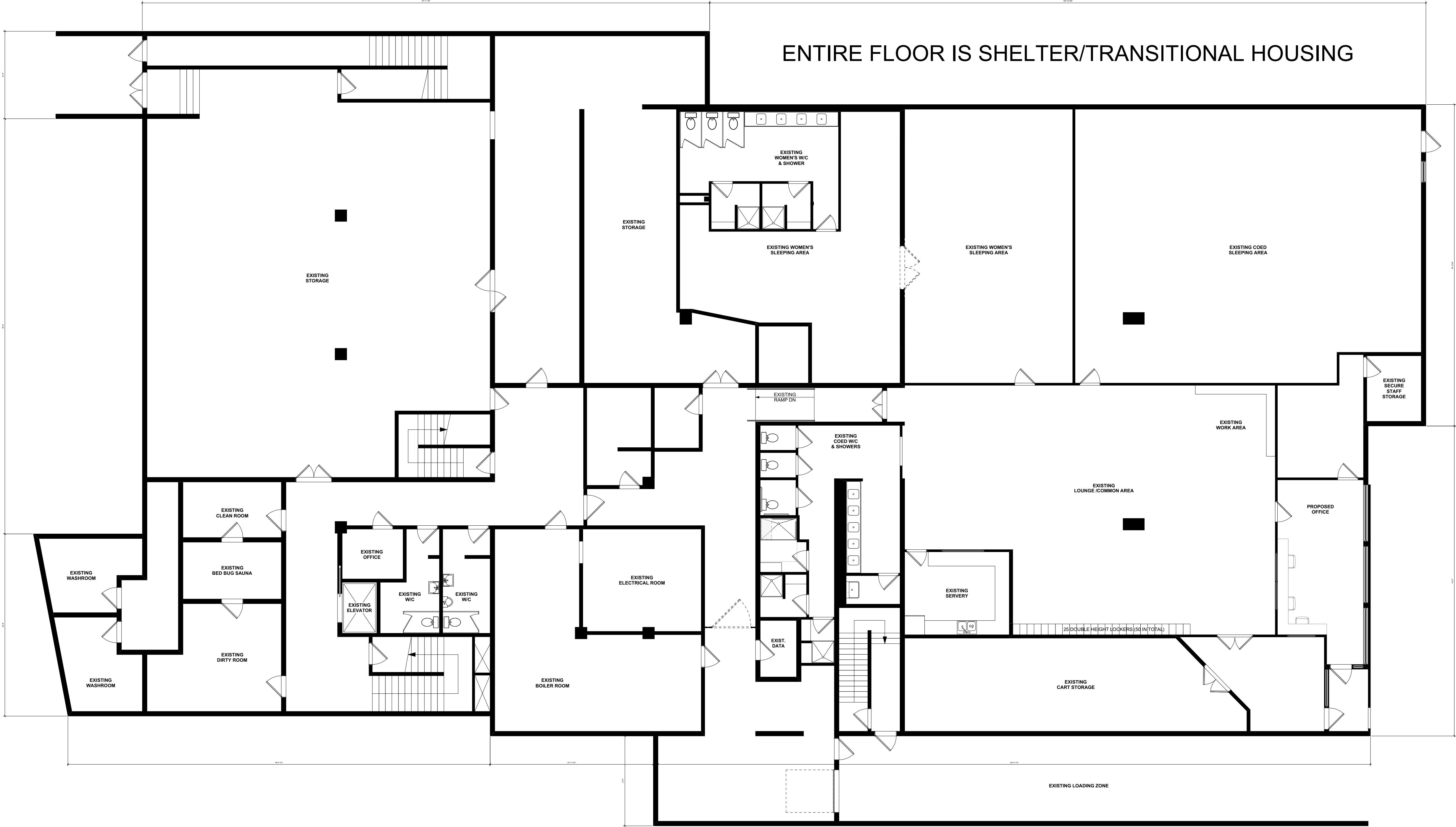
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**SITE PLAN &
PARKING PLAN**

DRAWING NUMBER:

A2

PARTITION LEGEND	
EXISTING PARTITION - TO REMAIN	



EXISTING BASEMENT PLAN
SCALE: 1/8" = 1'-0"

PROJECT:
**SECOND FLOOR
T.U.P**

2915 DOUGLAS STREET
VICTORIA, BC

CLIENT:

BC HOUSING

steller
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DATE:

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SCALE:


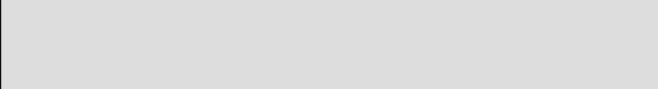
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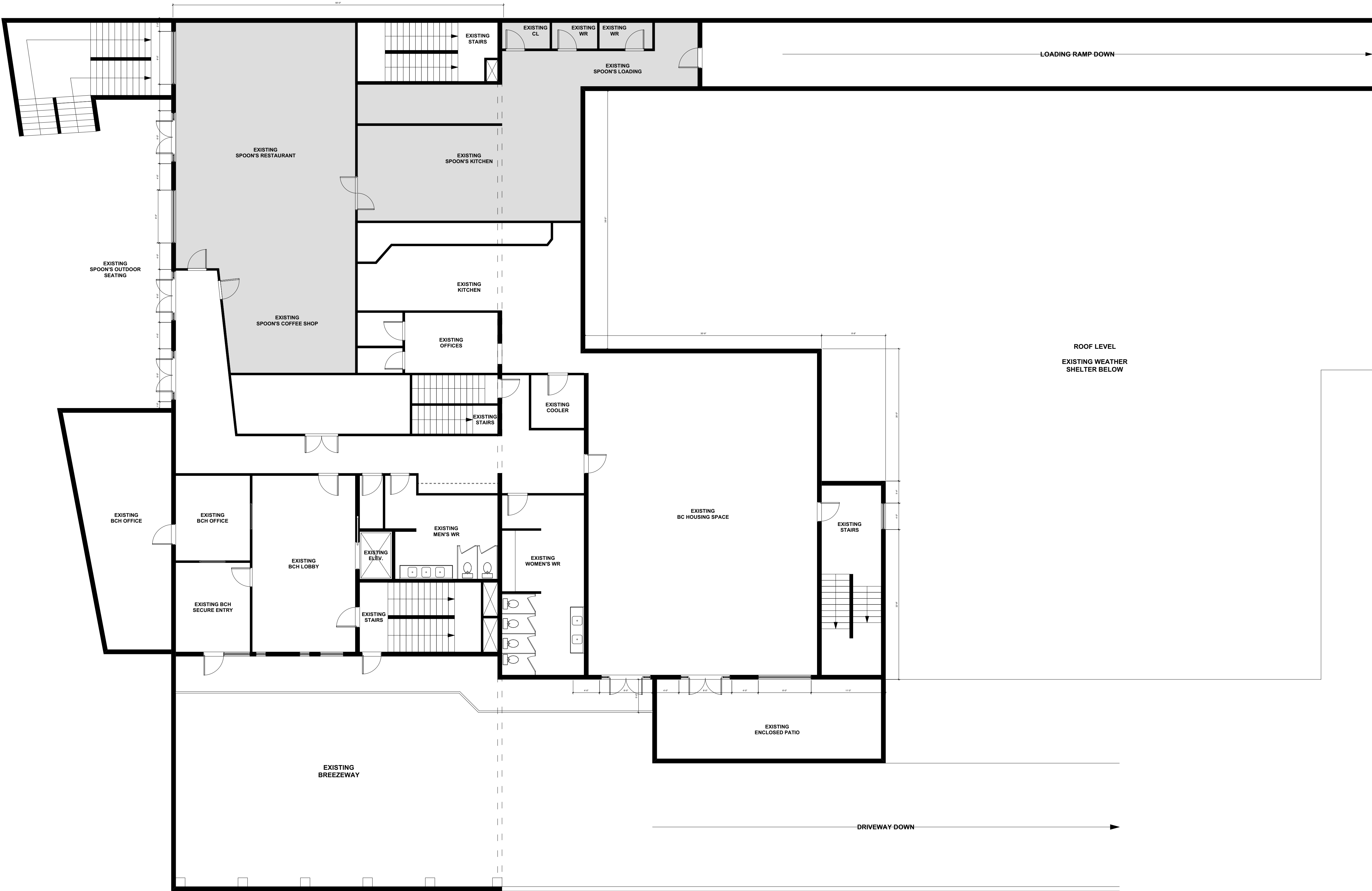
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**EXISTING
BASEMENT
PLAN**

DRAWING NUMBER:

A3

DRAWING LEGEND	
EXISTING PARTITION - TO REMAIN	
EXISTING SPOON'S RESTUARANT AREA	



1
A4
EXISTING MAIN FLOOR PLAN
SCALE: 1/8" = 1'-0"

PROJECT:
**SECOND FLOOR
T.U.P**

2915 DOUGLAS STREET
VICTORIA, BC

CLIENT:

BC HOUSING

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DATE:

MAY 16, 2019

SCALE:



1/8" = 1'-0"

DRAWING TITLE:

**EXISTING MAIN
FLOOR**

DRAWING NUMBER:

A4

PARTITION LEGEND	
EXISTING PARTITION - TO REMAIN	
EXISTING PARTITION - TO BE REMOVED	



1
A5
EXISTING SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

PROJECT:
**SECOND FLOOR
T.U.P**

2915 DOUGLAS STREET
VICTORIA, BC

CLIENT:

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SCALE:



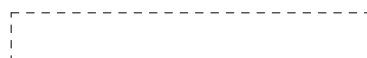

1/8" = 1'-0"

DRAWING TITLE:

**EXISTING
SECOND FLOOR
PLAN**

DRAWING NUMBER:

A5

PARTITION LEGEND			
EXISTING PARTITION - TO REMAIN		NEW 3 5/8" STEEL STUDS @ 16" O.C WITH 1/2" GWB ON EACH SIDE, PAINTED	
EXISTING PARTITION - TO BE DEMOLISHED		NEW 6" STEEL STUDS @ 16" O.C WITH 5/8" TYPE X GWB ON EACH SIDE, PAINTED SMOKE SEAL & FIRE STOP PENETRATIONS	



1
A6
PROPOSED SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

PROJECT:
**SECOND FLOOR
T.U.P**

2915 DOUGLAS STREET
VICTORIA, BC

CLIENT:

BC HOUSING

steller
ARCHITECTURAL
CONSULTING

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BCH-2915-19

DRAWN BY:

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DATE:

MAY 16, 2019

SCALE:

1/8" = 1'-0"

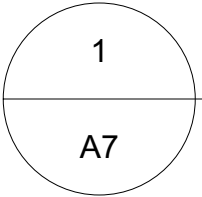
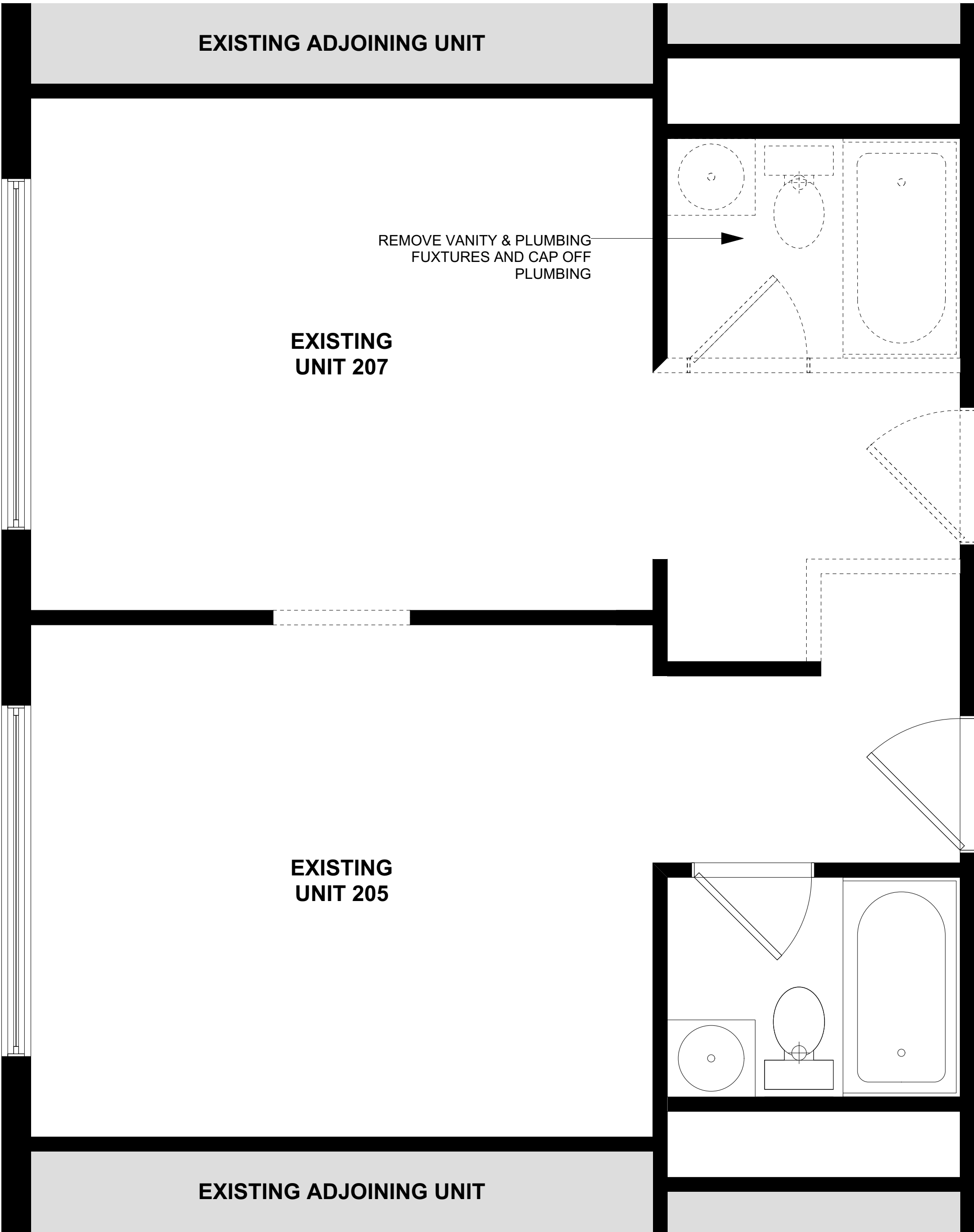
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**PROPOSED
SECOND FLOOR
PLAN**

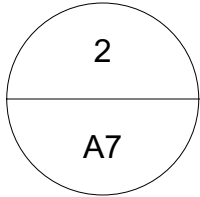
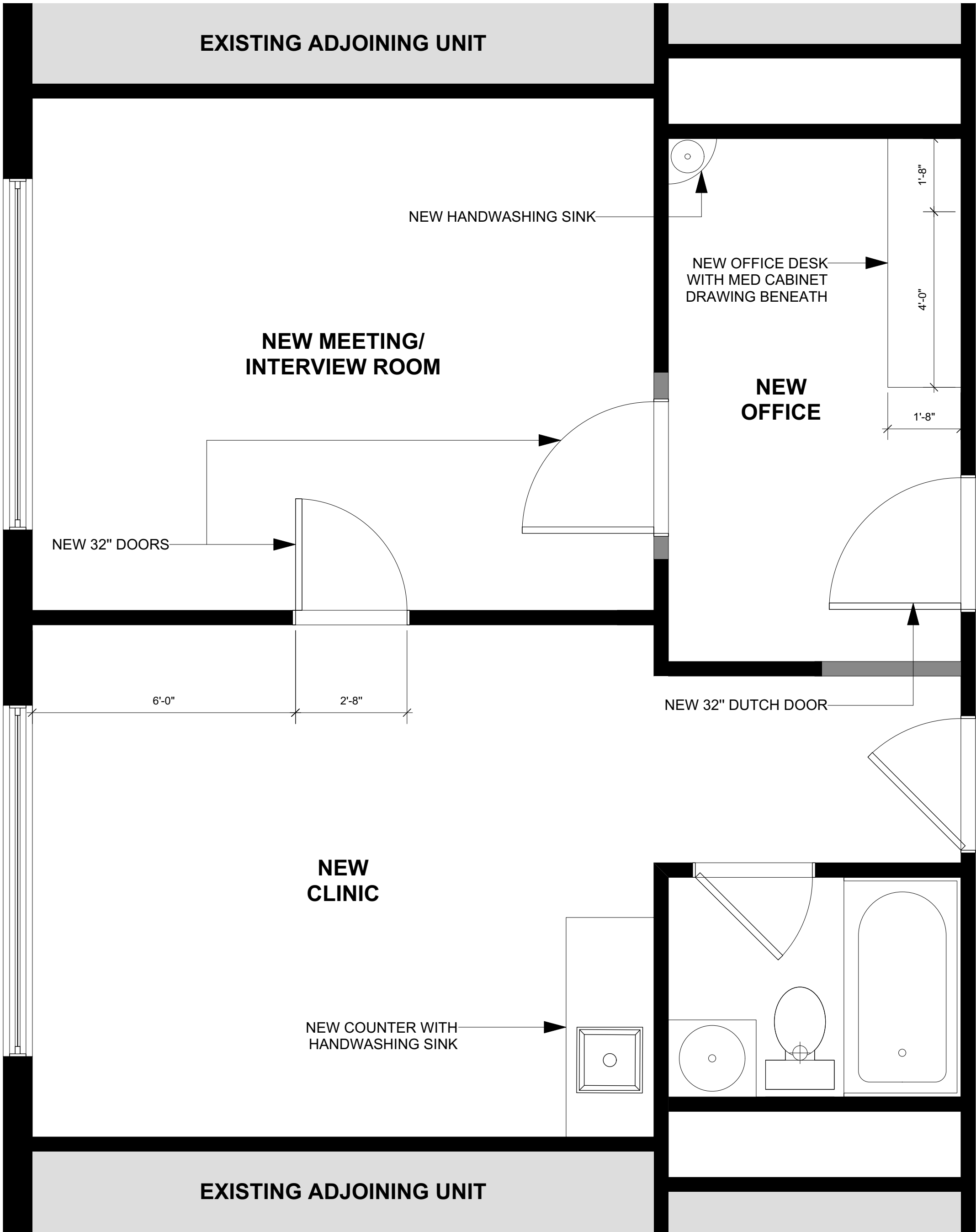
DRAWING NUMBER:

A6

PARTITION LEGEND			
EXISTING PARTITION - TO REMAIN	<div></div>	NEW 3 5/8" STEEL STUDS @ 16" O.C WITH 1/2" GWB ON EACH SIDE, PAINTED	<div></div>
EXISTING PARTITION - TO BE DEMOLISHED	<div></div>	NEW 6" STEEL STUDS @ 16" O.C WITH 5/8" TYPE X GWB ON EACH SIDE, PAINTED SMOKE SEAL & FIRE STOP PENETRATIONS	<div></div>



EXISTING UNIT 205 & 207
SCALE: 1/2" = 1'-0"



PROPOSED UNIT 205 & 207
SCALE: 1/2" = 1'-0"

PROJECT:
**SECOND FLOOR
T.U.P**

2915 DOUGLAS STREET
VICTORIA, BC

CLIENT:

BC HOUSING



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SAC PROJECT NO.:

BCH-2915-19

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SL

DATE:

MAY 16, 2019

SCALE:

1/2" = 1'-0"

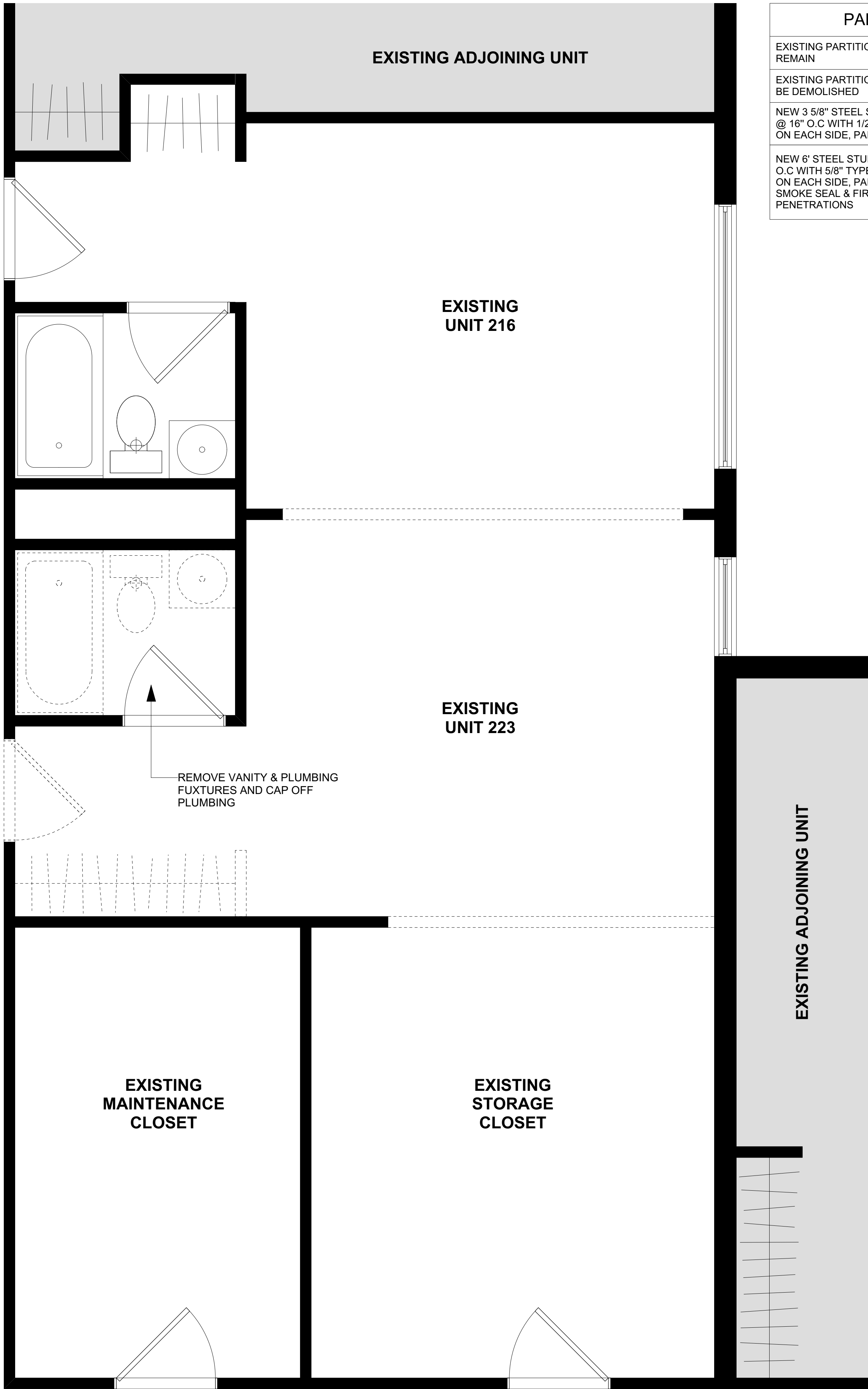
DRAWING TITLE:

**EXISTING &
PROPOSED
UNITS 205 & 207**

DRAWING NUMBER:

A7

EXISTING CORRIDOR



EXISTING ADJOINING UNIT

PARTITION LEGEND	
EXISTING PARTITION - TO REMAIN	
EXISTING PARTITION - TO BE DEMOLISHED	
NEW 3 5/8" STEEL STUDS @ 16" O.C WITH 1/2" GWB ON EACH SIDE, PAINTED	
NEW 6" STEEL STUDS @ 16" O.C WITH 5/8" TYPE X GWB ON EACH SIDE, PAINTED SMOKE SEAL & FIRE STOP PENETRATIONS	

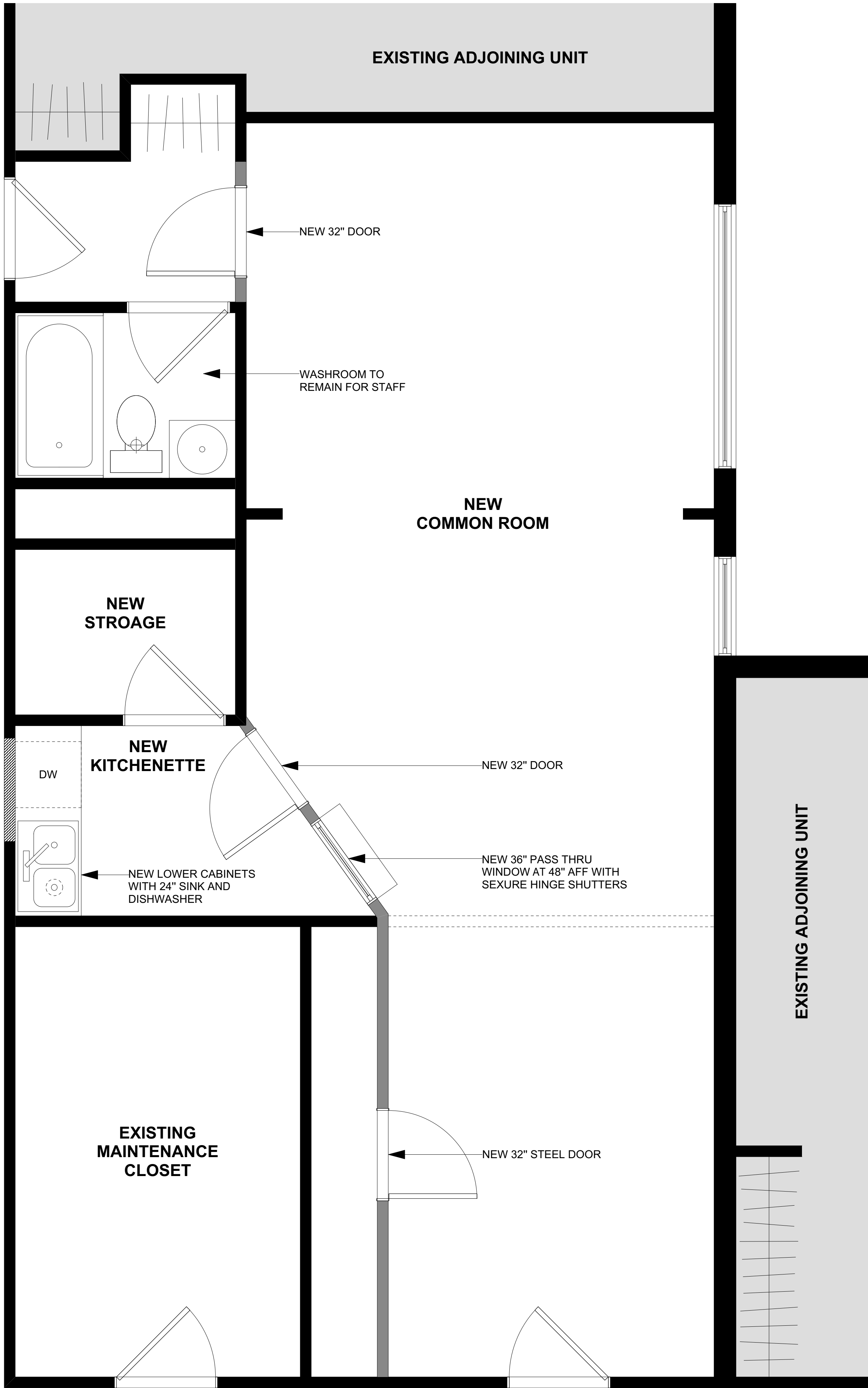
1

A8

EXISTING UNIT 216 & 223
SCALE: 1/2" = 1'-0"

EXISTING CORRIDOR

EXISTING CORRIDOR



EXISTING ADJOINING UNIT

2

A8

PROPOSED UNIT 216 & 223
SCALE: 1/2" = 1'-0"

EXISTING CORRIDOR

PROJECT:
**SECOND FLOOR
T.U.P**

2915 DOUGLAS STREET
VICTORIA, BC

CLIENT:

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SL

DATE:

MAY 16, 2019

SCALE:

1/2" = 1'-0"

DRAWING TITLE:

**EXISTING &
PROPOSED
UNITS 216 & 223**

DRAWING NUMBER:

A8

PARTITION LEGEND	
EXISTING PARTITION - TO REMAIN	<div></div>
EXISTING PARTITION - TO BE REMOVED	<div></div>



ENTIRE FLOOR IS SHELTER/TRANSITIONAL HOUSING

1
A9
EXISTING THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"

PROJECT:
**SECOND FLOOR
T.U.P**

2915 DOUGLAS STREET
VICTORIA, BC

CLIENT:

BC HOUSING

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DRAWN BY:

SL

DATE:

MAY 16, 2019

SCALE:

1/8" = 1'-0"

DRAWING TITLE:

**EXISTING THIRD
FLOOR**

DRAWING NUMBER:

A9

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

RE: 2915 DOUGLAS STREET TEMPORARY USE PERMIT APPLICATION

Dear Mayor Helps & Council,

PHS Community Services Society (PHS) is pleased to submit this application for a Temporary Use Permit approval for the property located at 2915 Douglas Street. This zoning change will allow us to qualify for the provincial Assisted Living Registry program. This program provides residents with a daily per diem; this is necessary to create sustainable recovery services to vulnerable citizens in Victoria and neighbouring communities.

PROJECT SUMMARY

The building and lot being considered were zoned and operated for decades as a motel. It was recently purchased by the province and converted to a supportive housing project to address both the homelessness crisis in Victoria and the overdose crisis. In terms of the overdose crisis the response has been to bring in the Vancouver Island Health Authority (IH) and renovate the second floor (22Units) of the building to be a supportive substance use treatment program named the Douglas Street Community Supportive Treatment (DSC ST) program.

GOVERNMENT POLICIES

The address is located in the Burnside Gorge neighbourhood. The Burnside Gorge Official Community Plan from July 2017 designates this block as General Employment. This temporary use permit would fall within that designated category. Victoria's Official Community Plan has a Housing and Homelessness Strategy (Chapter 13) which addresses the need for support services by means of short term stay shelters and safe beds. This temporary use will allow those individuals in need of such services to access them at 2915 Douglas.

PROJECT BENEFITS & AMENITIES

The DSC SL project is unique in the continuum of care available through Island Health: it is targeted at people who are higher needs (typically street entrenched) and therefore unsuitable for more mainstream programs. It is a crucial service in the midst of the opioid crisis and is a high-volume project with its capacity at 22 beds. The program is in-patient, meaning the program participants live at the DSC supportive recovery while they are involved in the recovery program. Each resident has their own room and meals are provided to allow people to focus on their needs and their recovery. Programming includes group sessions, traditional approaches (12 Step and SMART) as well as yoga and creative writing.

NEED & DEMAND

The proposed operating budget, developed between IH and PHS, is based on a 'per diem' model for the residents of the program. The per diem component reflects approximately 30% of the operating budget. To be eligible for the daily per diems the supportive treatment program would need to be certified and registered with the Provincial Ministry of Health's Assisted Living Registry¹. PHS has completed the Assisted Living Registry application process, including the site visit, but is unable to meet the requirement for a business license from the City of Victoria due to zoning issues beyond our control. At present then the program is operating at a significant deficit and PHS is working with IH and BC Housing to remedy the business license issue as soon as possible. Possible solutions are a 'temporary business license' while the City of Victoria and BCH are developing the larger rezoning proposal.

NEIGHBOURHOOD

The Douglas Street Community building is located in the Burnside-Gorge neighbourhood.

2915 Douglas St.

V8T 4M8

IMPACTS

There are no anticipated impacts from being granted a temporary business license or from a rezoning of the land use as the building is fully occupied now with:

- 25 units of housing – 3-5 years
- 22-beds Supportive Treatment – up to a 9 month stay
- 50-bed Shelter (The Arbutus Shelter) – 1 month (average stay)

SAFETY & SECURITY

PHS is committed to the Burnside-Gorge community and indeed has been attending monthly meetings with the Burnside-Gorge Community Advisory Committee (CAC) for well over a year now. The building is staffed 24/7 with 2 PHS staff at the front door. The Supportive Treatment program has another staff at reception on the Treatment floor 24/7 as well as a project nurse and Project Manager Monday through Friday.

The Arbutus Shelter has 2 staff on 24/7 as well.

In total the building has a base staff team of at least 5 people 24 hours per day, 7 days per week. With a nurse and 2 Managers. Most of the building is equipped with CCTV and the doors are fitted with electronic key locks.

Providing people experiencing unstable housing/homelessness, with addiction and mental health challenges, with supportive housing and treatment options is a net benefit for Victoria and the local community. At PHS we are committed to supporting both the neighbours and the residents and we have earned to trust of the neighbours by doing so.

¹ <https://www2.gov.bc.ca/gov/content/health/accessing-health-care/assisted-living-registrar>

In the 2 years the Douglas St. Community building has been in operation there have been no significant concerns and in fact the feedback from the Community (via the CAC) has been exemplary.

TRANSPORTATION

The front of the building faces Douglas Street, a major transportation corridor of Victoria's Burnside Gorge neighbourhood. A bus stop is located less than 100 metres northwest of the entrance at the corner of Douglas Street and Summit Avenue.

HERITAGE

The building in question has no heritage status, nor are there any nearby buildings which have heritage status.

GREEN BUILDING FEATURES

This temporary use permit would not envision changes to the current building structure.

INFRASTRUCTURE

The site is located along the main thoroughfare of Douglas Street with easy access to public transportation. Police services are located within 1 block of the site.

ABOUT PHS Community Services Society

PHS operates over 1500 units of supportive housing between Vancouver and Victoria. PHS operates two buildings in Victoria:

- The Johnson St. Community - 844 Johnson St.
- The Douglas St. Community – 2915 Douglas St.

PHS also contracts with Island Health to provide primary care to residents through our PHS Health Clinic and operates the first residential-based Supervised Consumption Site that has a Health Canada exemption (Section 56).

Sincerely,



Russell Maynard
PHS Community Services Society
778.889.2201



Burnside Gorge Community Association

471 Cecelia Road, Victoria, BC V8T 4T4
T. 250-388-5251 | F. 250-388-5269
info@burnsidegorge.ca | www.burnsidegorge.ca

June 17, 2019

Mayor & Council
#1 Centennial Square
Victoria, BC

Dear Mayor and Council:

Burnside Gorge CALUC comment on the TUP application No. 00014 for 2915 Douglas Street

The Burnside Gorge LUC has no objections to a TUP being granted for supportive housing and a supportive substance use treatment centre at the Douglas Street Community at 2915 Douglas Street. The Douglas Street Community already has a limited substance use treatment centre and this will bring the centre into compliance to allow for an application for a business license.

The BGLUC has expectations that PHS will monitor the area surrounding their property to mitigate any neighbourhood issues. It is of critical importance that no downgrading of the neighbourhood occurs.

The Burnside Gorge community looks forward to an improved supportive program that assists recovery service programs.

Respectfully,

Avery Stetski
Land Use Committee Chair Burnside Gorge Community Association

cc: Sustainable Planning and Community Development Department
Russ Maynard, PHS

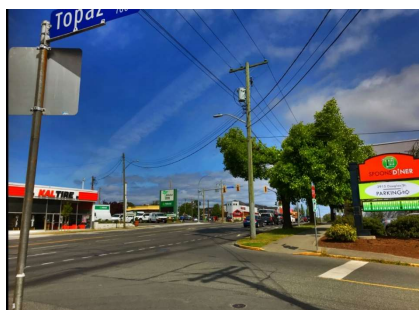
Temporary Use Permit
Application No. 00014
for
2915 Douglas Street



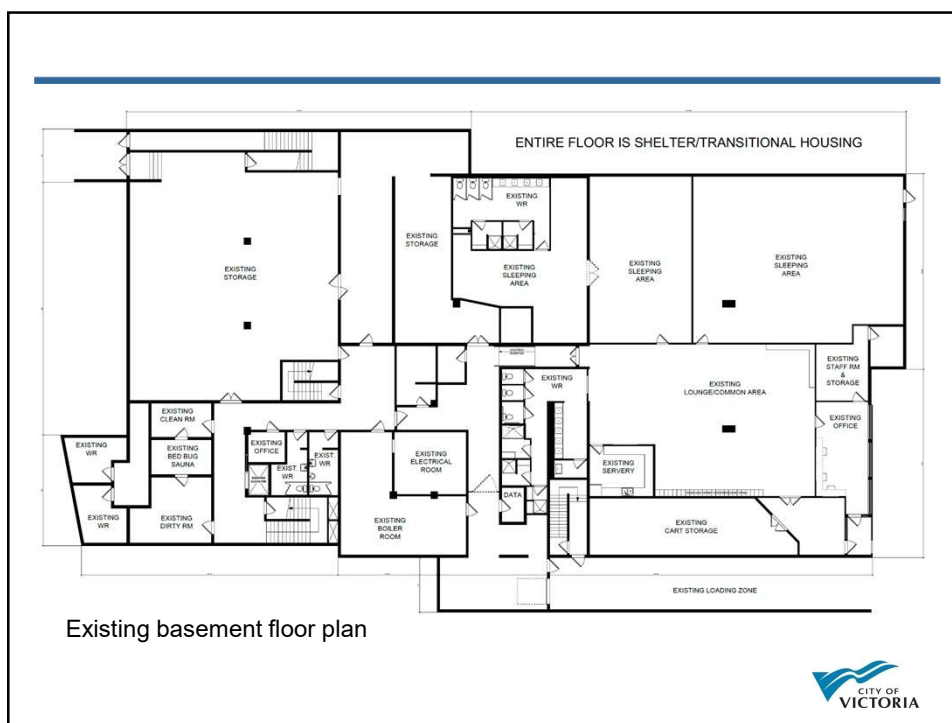
Site: As Is



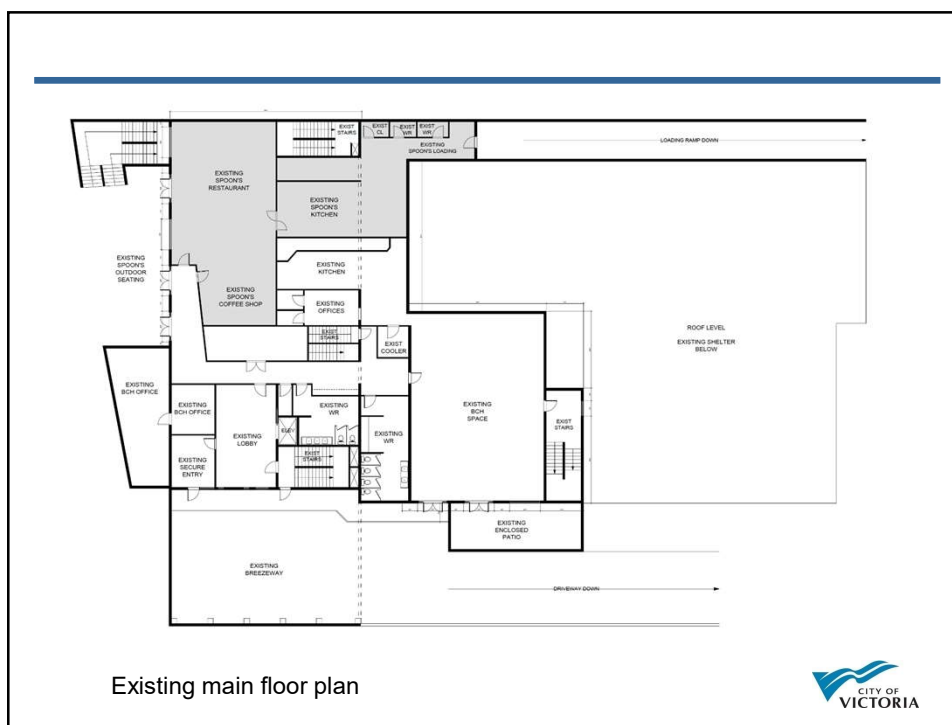
Neighbouring properties:





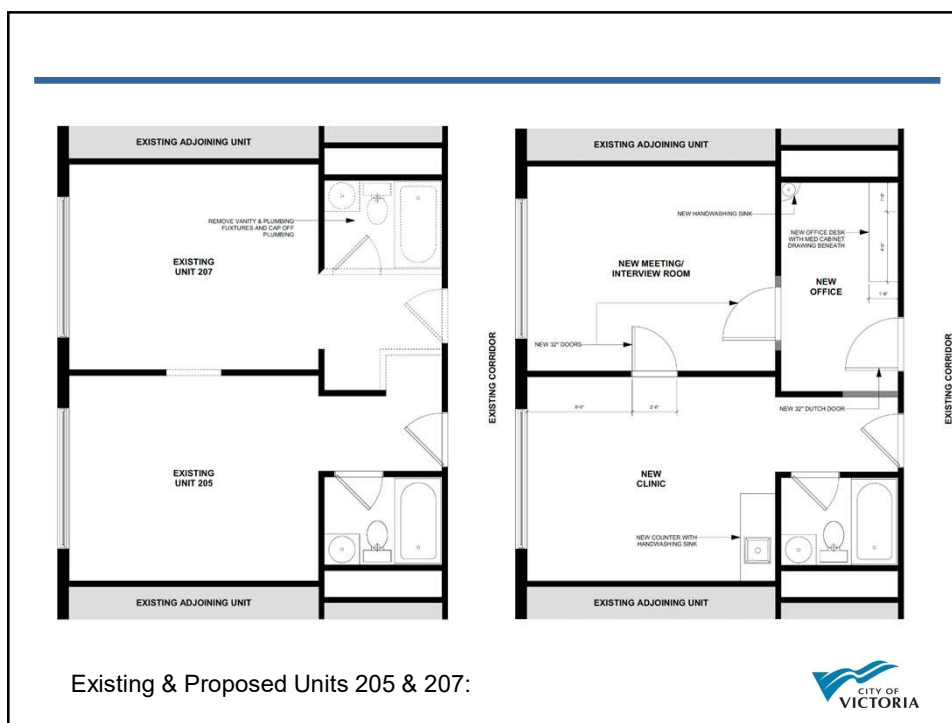
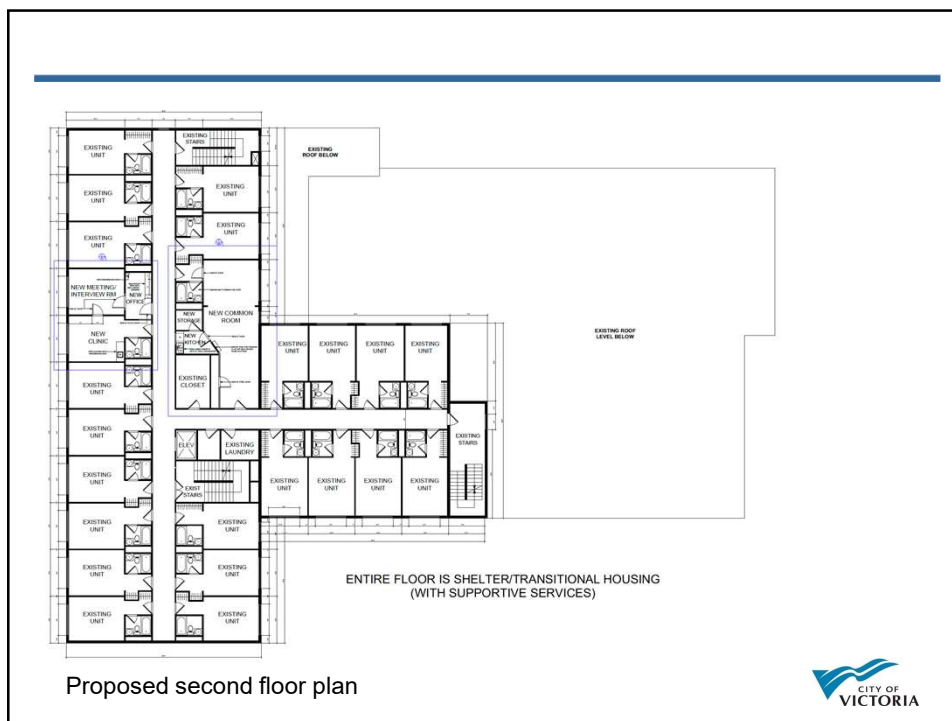


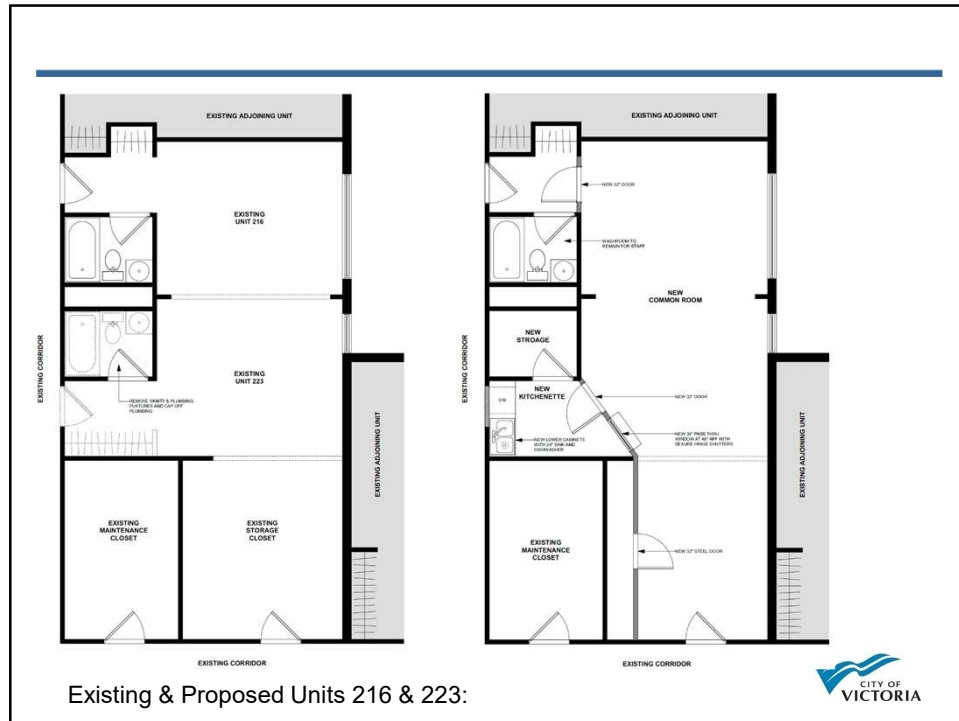
Existing basement floor plan



Existing main floor plan









Committee of the Whole Report

For the Meeting of June 27, 2019

To: Committee of the Whole **Date:** May 17, 2019

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

Subject: Application for a Change to Hours of Licensed Service for a Food Primary License for Clarke & Co., 1002 Blanshard Street.

RECOMMENDATION

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

Council, after conducting a review with respect to noise and community impacts, does support the application of Clarke & Co., located at 1002 Blanshard Street, to adjust hours of licensed service to 9:00 am to 1:00 am daily, with an occupant load of 32 persons.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request, and assumptions are the noise impacts would be negligible based on experience with the operator, and nature of the request. The requested hours of operation in conjunction with the existing occupant load are not expected to result in negative impacts to the community.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan and long term viability of the establishment. The business model embraces the combination of small occupant load and high quality of offerings, and provides a unique contribution to the richness, and diversity of offerings in the area.
- c. The views of residents were solicited via a mail out which included 249 letters to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received two letters in response to the request, both of which supported or had no objection to the application.
- d. Council recommends the license be approved.

EXECUTIVE SUMMARY

The purpose of this report is to seek a Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act*, regarding an application by Clarke & Co. to change hours of licenced service associated with their food primary licence to have hours of operation from 9:00 am to 1:00 am daily, and an occupant load of 32 persons. The application has been reviewed by City staff including Planning, Engineering, Business and Community Relations, Bylaw, and Police. In addition, a public notification process is conducted, as required by the Liquor Licence Policy, to allow individuals and the community to share comments through written correspondence. The application has been reviewed against technical policy, and inputs provided by City staff, and through the public notification process have been considered. The proposal has also been considered in the context of the local vicinity and the City as a whole, all of which are reflected in this report and the resulting recommendation.

Clarke & Co.'s application to change existing hours of 9:00 am to 12:00 am, to 9:00 am to 1:00 am with an existing occupant load of 32 is not in conflict with the City's current Liquor License Policy. Generally speaking, and outside of police concerns related to resources, staff have not expressed concern for the adjustment mainly due to the small size of the existing establishment. Opportunity for public comment included two letters, both of which supported the application. Staff have recommended for Council's consideration that a resolution be made regarding the application, and that Council support the application to change hours of operation to 9:00 am to 1:00 am daily with an occupant load of 32 persons at 1002 Blanshard Street.

PURPOSE

The purpose of this report is to seek Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act* (the Act), regarding an application by Clarke & Co. to change hours of operation from 9:00 am to 12:00 am daily to 9:00 am to 1:00 am daily, with an occupant load of 32 persons.

The letter of intent provided in conjunction with the application is included as Appendix A.

BACKGROUND

The Liquor and Cannabis Regulations Branch (LCRB) issues liquor licences under the authority of the *Liquor Control and Licensing Act* and regulations. LCRB determines the category of licence appropriate for the business based on submitted details. In the case of Clarke & Co., the establishment is regulated under a food primary licence.

With regard to the application to change hours of a food primary licence past the hour of 12:00 am for Clarke & Co., local government is asked to provide comments and recommendations to the LCRB regarding:

1. The impact of noise on nearby residents.
2. Impact on the community if the application is approved.
3. Whether the amendment will result in the service area being operated in a manner that is contrary to the primary purpose.

A map of the subject property and the immediate area is attached to this report (Appendix B) and illustrates the 100m public notification area targeted for comment.

As noted above, this application is to change hours of licensed service from 9:00 am to 12:00 am daily, to 9:00 am to 1:00 am daily with an occupant load of 32 persons. The Liquor and Cannabis

Regulations Branch is requesting a resolution from the City of Victoria regarding the application and the review criteria noted above.

ISSUES & ANALYSIS

The following sections will identify the key issues and provide analysis for Council's consideration:

Zoning

The site is zoned as CBD-1 which permits the activities of the food primary licence and there are no parking requirements attributed to the use.

Noise Bylaw

The City's Noise Bylaw sets forth limits on four key areas within the City which are the Quiet District, Intermediate District, Harbour Intermediate and Activity District. Clarke & Co. is within the Intermediate Noise District and limited to 60 dBA at the point of reception during daytime hours which end at 10:00 pm. During nighttime hours, noise at the point of reception received is limited to 50 dBA in Quiet districts, 55 dBA in the Harbour Intermediate and Intermediate districts and 65 dBA in the Activity district. 50 dBA is comparable to rainfall, light traffic or a refrigerator and 60 dBA is comparable to conversational speech or an air conditioner. Where issues of non-compliance exist, Bylaw Officers and Police have authority to order compliance.

The City of Victoria Noise District Map is included for reference (Appendix C).

Vicinity and Municipal Impacts

Predictability of noise related issues or other community impacts, negative or positive in effect, is challenging due to a number of variable factors. The business model, target clientele, quality of owner/operator, existing density of licenced capacity in the area, hours of service, demographics, and fluctuating populations due to tourism factor into predicting the likelihood of noise related issues and impacts on the community.

Consideration of those factors can assist a municipality to predict negative aspects associated with licenced establishments. The factors considered in conjunction with any application approval at time of consideration change over the life of a licenced establishment, and when they do change, and issues arise, compliance related to noise and other aspects is re-established using tools of enforcement. These tools include LCRB enforcement which ensure responsible and appropriate service as required by the terms of the licence with LCRB. The Noise Bylaw can be enforced to bring an establishment into compliance, and police have authority to bring an establishment back into compliance where issues are more complex.

Clarke & Co.'s application has been considered with regard to the impact it would have on the community and its potential to generate noise related issues. The impact has been considered in terms of the vicinity and within the city as a whole. The establishment is a food primary and so has been compared to existing food primary capacity in the area and the City as a whole.

Vicinity Analysis – Licenced Occupant Load and % Increase							
Opening & Closing Hours	Clarke & Co. Seating	Existing Liquor Primary Seats	Increase in Seat Capacity	Existing Food Primary Seats	Increase in Seat Capacity	All Existing Seats	Increase in Seat Capacity
9:00 AM	32	80	n/a	1071	0%	1151	0%
1:00 AM	32	3415	n/a	1411	2.3%	4826	0.66%
City Wide Analysis							
Opening & Closing Hours	Clarke & Co.	Existing Liquor Primary Seats	Increase in Seat Capacity	Existing Food Primary Seats	Increase in Seat Capacity	All Existing Seats	Increase in Seat Capacity
9:00 AM	32	15,682	n/a	16,919	0%	32,601	0%
1:00 AM	32	17,866	n/a	20,811	0.15%	38,677	0.08%

The local vicinity and the city as a whole have been considered in terms of contributory impact related to occupant load and hours of operation, and if approved, represents a 0.66% increase to licenced capacity in the evening hours within the vicinity and an increase of 0.08% city wide. Vicinity information is attached as Appendix D.

The hours proposed for licensed service are in keeping with other licenced establishments in the vicinity, and the potential impact on residents is expected to be minimal primarily due to the size of the establishment at 32 persons.

City Liquor Licensing Policy

The City's Liquor Licensing Policy directs staff to consider applications for liquor licences having hours of operation not later than 2:00 am. The applicable Council Policy is attached to this report (Appendix E).

The hours of licensed service proposed in this application are within the parameters of the policy.

City Referrals

An inter-departmental review of the project has been undertaken by City staff. The inter-departmental review includes circulation to Planning, Engineering, Business and Community Relations, Bylaw, and Police. That review has resulted in the following feedback:

Planning

- The use is permitted in the zone and there is no restriction on hours of business.

Engineering

- Transportation related noise impacts or general community impact are not anticipated.

Business and Community Relations

- Business and Community Relations noted the establishment to be in an area that provides hospitality services and that the density of licenced establishments in the area is low. The request is supportable.

Bylaw

- Bylaw echoes comments made by Business and Community Relations

Police

- Police express limited concern regarding the request due to resource pressures and do not support the request. Full comments are available in Appendix F.

Community Consultation

In accordance with the City's Liquor Licensing Fee Bylaw and Liquor Licensing Policy, all property owners and occupiers within 100 metres of the applicant's location were solicited by a mailed notice to provide input regarding this application. In addition to the 249 letters sent, Clarke and Co. displayed a notice poster at the entrance for 30 days which invited people to provide input to the City with respect to this application.

A total of two letters were received, both of which supported the application and one was a letter from the Downtown Residents' Association. The letters are available in Appendix G.

Applicant Response

As is standard practice as a part of the liquor licence process, after City staff gives input, the applicant has a chance to review the information (and this report) and respond prior to the report being forwarded to Council. After the applicant reviewed City staff comments, the applicant has declined opportunity to provide additional correspondence based on the limited concern expressed.

In summary, after conducting a review with respect to noise and community impacts and soliciting community views regarding Clarke & Co.'s application to change existing hours of 9:00 am to 12:00 am daily, to 9:00 am to 1:00 am daily with an occupant load of 32 persons, it is considered that the proposal is consistent with current City policy. Therefore, staff recommend that Council consider directing staff to notify the Liquor Licensing Agency that Council supports the application for the addition of a lounge endorsement to the manufacture's license.

IMPACTS

Accessibility Impact Statement

None

Strategic Plan 2019 – 2022

The recommendation to support the application is likely to increase the long-term viability of the restaurant as a local employer and economic contributor, which is consistent with Strategic Objective #4 – *Prosperity and Economic Inclusion*.

Impacts to Financial Plan

None

Official Community Plan

The license application is consistent with the *Official Community Plan*.

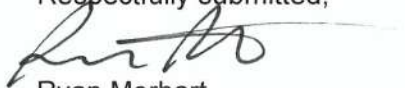
CONCLUSIONS

The application to change hours at Clarke & Co. from 9:00 am to 1:00 am daily with an occupant load of 32 people is not in conflict with the City's current liquor licensing policy. Staff recommend for Council's consideration that a resolution be made regarding the application and that Council support the application for proposed hours for Clarke & Co. at 1002 Blanshard Street.

ALTERNATE MOTION (No Support)

That Council, after conducting a review with respect to noise and community impacts regarding the application to add lounge endorsements to the manufacturing licences of Clarke & Co., at 1002 Blanshard Street, does not support the request for the amendment.

Respectfully submitted,

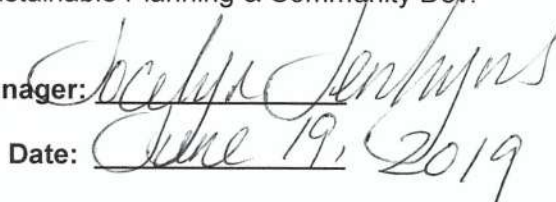


Ryan Morhart
Manager
Permits & Inspections



Andrea Hudson
Acting Director
Sustainable Planning & Community Dev.

Report accepted and recommended by the City Manager:



Date: June 19, 2019

List of Attachments

- Appendix A: Rationale Letter
- Appendix B: Site Map
- Appendix C: Noise District Map
- Appendix D: Vicinity Map
- Appendix E: Council Policy
- Appendix F: Police Comments
- Appendix G: Public Response from 30 day posting
- Appendix H: Provincial Liquor License Types

LCLB OFFICIAL PLAN
MUST BE KEPT WITH LIQUOR LICENCE AND
AVAILABLE FOR INSPECTION AT ALL TIMES
Date Issued: July 12, 2012 *Loren Appert*
FP Licence # 303529 General Manager

City of Victoria
ed for O

City of Victoria
*Reviewed for Occupant Load Only

Main Floor 23 Persons

Miscellaneous

Patrol Deck: 1st Persons

Total 34 Persons

Building Official

Name: Debra
Signature: [Signature]
Date: July 6, 2012

Date: July 6, 2012

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Appendix A

1002 BLANSHARD ST

CLARKE & CO.

SIDEWALK BAR

Appendix A

PLAN VIEW

SCALE 1/4" = 1'

MAY 29 2017

MAIN
ENTRANCE

For Person 01 see other plan

SERVICE
ENTRANCE

WINDOWS

Patio 1 = 9 persons

6'-4" (193 cm) 6'-10" (208 cm) 30.5 x 243.2
1' x 8' 1' x 8'

5' (152.4 cm) 5'

34 x 48 (86.36 x 121.92)

ACCESS
GRATES

10' ± 34 x 72 (86.36 x 182.88)

LCLB OFFICIAL PLAN
MUST BE KEPT WITH LIQUOR LICENCE
AND AVAILABLE FOR INSPECTION AT ALL TIMES
Date issued: August 25, 2017

Licence #: 303529

General Manager

LIQUOR CONTROL AND LICENSING BRANCH
FLOOR PLANS - APPROVAL IN PRINCIPLE

DATE August 17, 2017

LICENSING
ADMINISTRATOR

Maximum Capacity: Person 01-23 Patio 01-08
Unless otherwise approved by the General Manager, Liquor
Control and Licensing, approval is subject to the terms and/or
conditions of specified in the approval letter(s) dated:

PSA PCA AIP

EDGE OF SIDE WALK

PAGE 1 OF 2

BLANSHARD STREET

BROUGHTON STREET

City of Victoria - Fire Department * Occupier Load Reviewed Under Current BC Fire Code Only				
Maximum Occupant Load in Main Floor:	Persons	Persons	Persons	Persons
Mezzanine:	9	9	9	9
Patio/Deck:	9	9	9	9
Total:	9	9	9	9
Fire Prevention Officer Name: M. S. S. Y.	Signature:	DATE:	AUG 16/17	

LIGHT
POST

GARBAGE
CAN

0 chairs 2' x 2'
8 total



Legend

Victoria Parcels

1: 2,036



Notes

Appendix B

THIS MAP IS NOT TO BE USED FOR NAVIGATION

103 0 52 103 Meters

NAD_1983_CSRS_UTM_Zone_10N





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

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This plan should be field confirmed by the user prior to beginning construction. BC Hydro, Fortis Gas, Telus, and Fibre Optics locations must be confirmed with the appropriate utility. For internal use only. Do not distribute.

City of Victoria Noise District Map

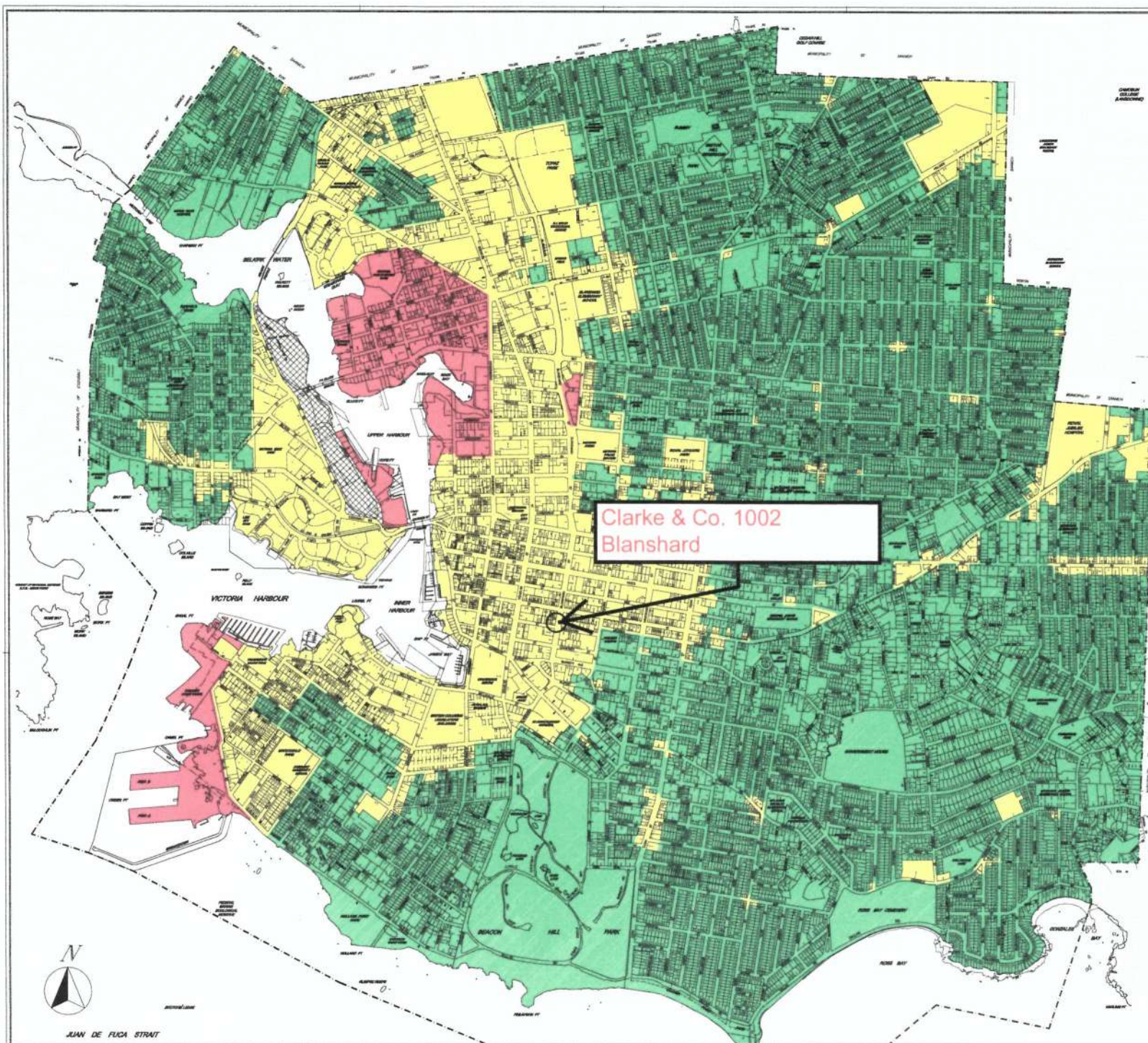
Clarke & Co, 1002
Blanshard

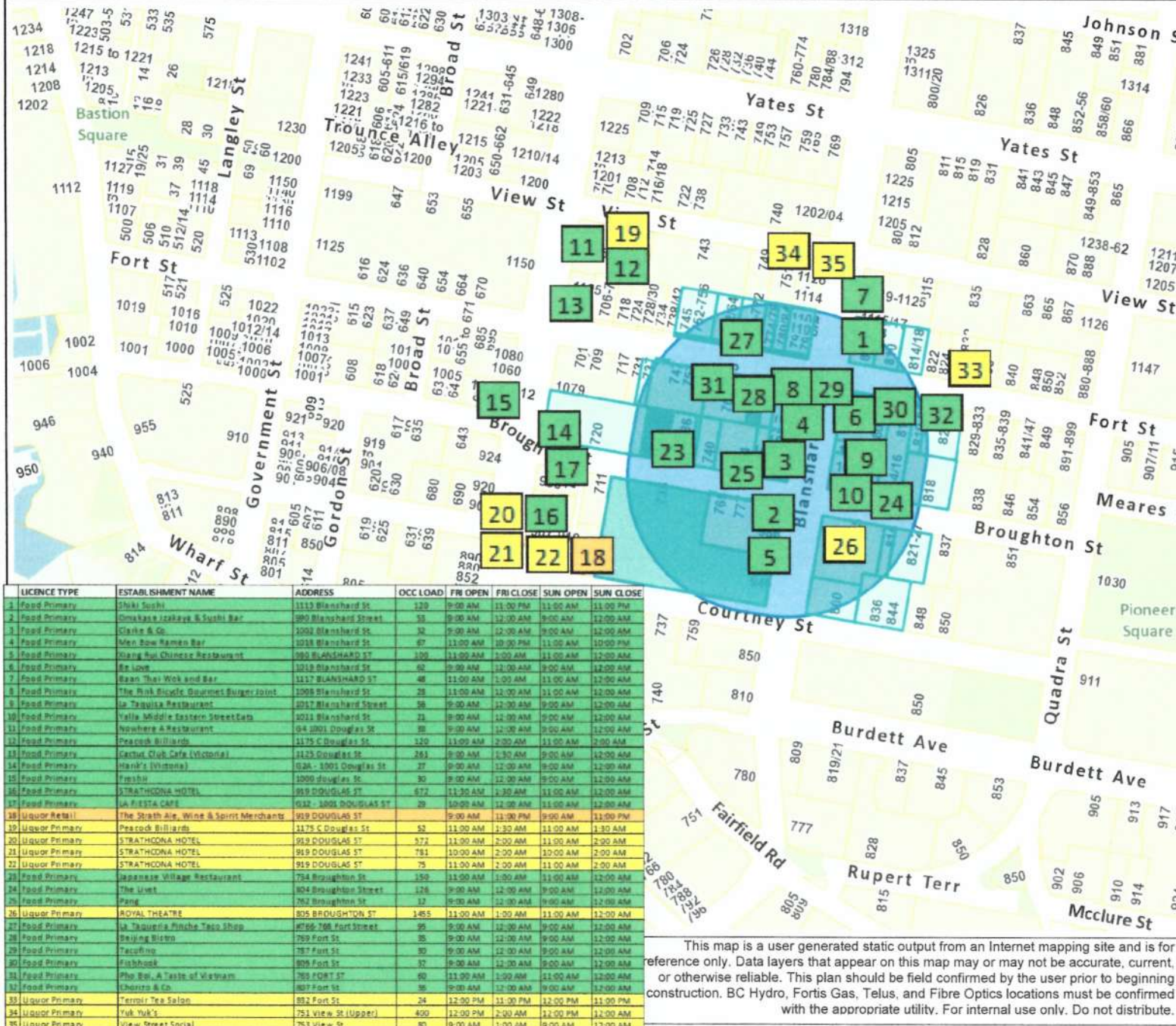
LEGEND

-  Quiet District
-  Intermediate District
-  Harbour Intermediate District
-  Activity District

Date: February 17, 2004

Scale: Not to Scale





Legend

Victoria Parcels


1: 4,073

Notes

Appendix D

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This plan should be field confirmed by the user prior to beginning construction. BC Hydro, Fortis Gas, Telus, and Fibre Optics locations must be confirmed with the appropriate utility. For internal use only. Do not distribute.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

	Liquor Licencing Policy
	Page 1 of 2
SUBJECT: Liquor Licencing Policy	
PREPARED BY: Sustainable Planning and Community Development	
AUTHORIZED BY: City Council	
EFFECTIVE DATE: October 12, 2017	
REVIEW FREQUENCY: Every three years	REVISION DATE:

A. PURPOSE

The purpose of the City of Victoria's Liquor Licensing Policy is to provide direction to the following parties:

1. Liquor licence applicants on the process and fees associated with City of Victoria review of applications;
2. Liquor Control and Licencing Board (LCBC) on the types of applications that the City will opt-out of providing comment on; and
3. City staff on application review and public notification criteria for those types of liquor licence applications that require review by Council and opportunity for the public to comment.

B. POLICY STATEMENTS

1. This policy applies to liquor license applications in the City of Victoria.:
2. The city will opt out of the review and comment requirements for the following types of applications;
 - a. Liquor Primary with licensed service up to 10:00 pm and having an occupant load less than 31 persons.
 - b. Manufacturer with Lounge Endorsement, Special Event Area, or Picnic Area with licensed service up to 10:00 pm and having an occupant load less than 31 persons.
 - c. A temporary extension to hours of licensed service for all licence types up to 3:00 am on New Year's Eve.
 - d. The addition of an Entertainment Endorsement to any Food Primary with licensed service up to 12:00 am.
3. The City of Victoria generally does not approve the extension of liquor service past 2:00 am, with the exception of New Year's Eve, which allows for service up to 3:00 am. In extraordinary cases, the City may consider short term or one time provisions for allowing liquor service between 2:00 am and 9:00 am to accommodate international sporting or significant cultural events.

C. PROCEDURES

A business engaging in the manufacture, sale or service of liquor must have a City of Victoria Business License to lawfully conduct its businesses.

The provincial government, through the Liquor Control and Licensing Branch, is the first and last point of contact for businesses interested in applying for a liquor licence.

The application process and related fees will be made available to any business or member of the public through the internet or by request.

For any liquor applications where the City of Victoria has not opted out of providing comment, the following provisions apply:

1. Public notification for comment will be placed at the site for a period no less than 30 days.
2. The City will provide public notification through mailed notice to all residents and businesses within a 100 metre radius.
3. The City will provide notification to the applicable community association.
4. When providing comment on an application, the City will include comments on those aspects within the parameters set by LCLB which currently include:
 - a. Noise impacts in the immediate vicinity of the establishment;
 - b. Impact on the community if approved (including the location of the establishment and person capacity and hour of liquor service of the establishment)
 - c. Confirm that the establishment is being operated in a manner that is consistent with its primary purpose (only for food primary)

D. ENFORCEMENT POLICY

Businesses that have a history of non-compliance with local and provincial government bylaws and legislation or re-occurring nuisance issues may be subject to a Good Neighbour Agreement that will be reviewed along with the annual renewal of a business licence. Lack of adherence to this agreement may result in a business licence being revoked. This will be assessed by staff on a case by case basis.

E. REFERENCES

Business License Bylaw (89-071)
Land Use Procedures Bylaw (16-028)
Noise Bylaw (03-012)
Liquor Licensing Fee Bylaw (01-06)

F. REVISION HISTORY

None

Ryan Morhart

From: DoNotReply@escribemeetings.com on behalf of eSCRIBE Notification
<DoNotReply@escribemeetings.com>
Sent: Monday, June 18, 2018 3:15 PM
To: Ryan Morhart
Subject: eSCRIBE Task Alert: Motion Arising from the Motion to Postpone to the June 14, 2018 Committee of the Whole meeting the 1199 Government Street - Application for a Permanent Change to Hours of Service for a Food Primary License (0302087) Earl's Restauran...

This is an automated task reminder from eScribe.

A Task has been assigned to you does not have a due date.

Meeting: **VCC_Jun14_2018**

Agenda Item: **Motion Arising from the Motion to Postpone to the June 14, 2018 Committee of the Whole meeting the 1199 Government Street - Application for a Permanent Change to Hours of Service for a Food Primary License (0302087) Earl's Restaurant (Downtown)**

Due Date: **None**

Task Description:

That Council direct staff that all future liquor licence applications include a letter from the Police Department attached to the report.

To view the task, please [click here](#).

Please complete the task as soon as possible. Thank you.

Ryan Morhart

From: Watson, Cliff [REDACTED]
Sent: Sunday, April 21, 2019 5:49 PM
To: Ryan Morhart
Subject: RE: LL000287 Clarke and Co. | 1002 Blanshard Street

Clarke & Co, at the corner of Blanshard and Broughton, is a relatively small, food-primary operation.

The application seeks to increase the liquor service hours from midnight until 1am. The application does not seek to increase the number of liquor seats.

Any time hours of liquor operations are extended later into the evening, and into the highest call-volume times for the police department, VicPD has concerns about the incremental effect on our ability to provide adequate service to the downtown core.

VicPD is already heavily reliant on the Late Night Task Force to keep a lid on liquor-related disorder and calls for service, as the existing minimum general uniform duty numbers have not seen an increase in at least 15 years.

As for comments on whether the change in hours would result in the licensee operating contrary to the primary purpose, questions would need to be asked as to staffing and availability of food service during the later hours proposed. We are not in a position to comment on those particular realities of the food service industry late at night – but there seems to be a sense that as the hours extend, food service diminishes.

Again, it's difficult to predict the effects that this individual application for extended hours would have, but again it's the incremental effect. For this reason, VicPD could not 'support' an extension of the liquor service hours.



Sgt Cliff Watson
Operational Planning
Victoria Police Department
850 Caledonia Ave
Victoria BC, V8T 5J8
Office. 250-995-7218
[REDACTED]
[REDACTED]



TOWN OF VIEW ROYAL

Appendix G

45 View Royal Avenue, Victoria, BC, Canada V9B 1A6

Ph. 250-479-6800 • Fx. 250-727-9551 • E. info@viewroyal.ca • www.viewroyal.ca

May 10, 2019

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

**Attention: R. Morhart, Manager, Permits & Inspections, Sustainable Planning and
Community Development Department**

Dear Mr. Morhart:

RE: Notice of Application for a Food Primary Licence – 1002 Blanshard Street

At the May 7, 2019 Council meeting, Council was in receipt of the City of Victoria's notice of application for a Food Primary Licence at 1002 Blanshard Street and Council passed the following resolution:

"THAT the Town support the referral from the City of Victoria for a change to Clarke & Co.'s Food Primary Licence application at 1002 Blanshard Street extending the hours of operation/hours from 9:00 a.m. to 12:00 a.m. to 9:00 a.m. to 1:00 a.m."

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

Sincerely,

Elena Bolster
Deputy Corporate Officer



1715 Government Street
Victoria, BC
V8W 1Z4

Mayor Lisa Helps and Council
City of Victoria
c/o Mr. Ryan Morhart – Manager, Permits and Inspections
No.1 Centennial Square, Victoria, BC, V8W 1P6

May 8th, 2019

Re: Application to Extend Hours of Operation Food Primary Licence – 1002 Blanshard Street, Clarke & Co.

Dear Manager Bylaw and Licensing Services,

The DRA Land Use Committee has reviewed the application to extend operating hours for the Food Primary Licence at 1002 Blanshard Street, otherwise known as Clarke & Co. Additionally, we have communicated with the strata and residents at the nearby residential building at 838 Broughton Street, The Escher, for additional input.

Feedback is as follows:

- With an occupant load of 32 persons, the extension of the operating hours from midnight to 1:00 am is not anticipated to create additional noise or nuisance to neighbours.
- Nearby residents did not express any concerns with this operation under the existing hours. Furthermore, they did not raise any objections to the proposed change in operating hours.

The DRA has ongoing concerns regarding food primary locations operating liquor service late night in downtown areas proximal to residential buildings. However, it appears reasonable to support the staff recommendation to extend hours to 1 am daily in this particular case due to the relatively small size of the establishment.

Sincerely,

Ian Sutherland
Chair
Downtown Residents Association Land Use Committee

Types of Liquor Licences Issued in the Province of British Columbia

Last updated: October 5, 2017

The Liquor Control and Licensing Branch (LCLB) supervises over 10,200 licensed establishments and over 25,000 temporary special events per year in B.C.

The purpose of this document is to give a broad understanding of the types of liquor licences issued in B.C. Visit the LCLB's website at www.gov.bc.ca/liquorregulationandlicensing and the hyperlinks below for the most up to date information.

Licences:

Agent – for independent liquor agents who market products from liquor manufacturers outside of B.C.

Catering – for catering companies who wish to serve liquor in addition to food, with food service as the primary purpose.

Food Primary – for businesses where the primary purpose is to serve food (such as restaurants).

A Patron Participation Endorsement is an additional term and condition on a food primary licence that permits the active involvement of patrons in entertainment or results in patrons leaving their seats, such as dancing or karaoke. An application for this endorsement requires additional considerations beyond the routine assessment of an initial application. To ensure that community concerns about noise, nuisance and other impacts are considered, input from local government or First Nation authorities is required before patron participation entertainment will be approved for a food primary establishment.

Liquor Primary – for businesses where the primary purpose is to sell liquor (such as bars, pubs, and nightclubs, as well as stadiums, theatres, aircraft, etc.). Liquor primary licences are also for businesses that wish to serve liquor as an additional service to their primary business (such as spas, salons, art galleries, etc.)

Liquor Primary Club – a sub-class of the liquor primary licence for private clubs. To be eligible to apply, the club must be a society registered under the provincial Societies Act or a non-profit or veterans organization incorporated by special act of parliament. LP Clubs must have at least 50 members who pay annual fees. The service area of an LP Club is restricted to members and guests only.

Manufacturer – for businesses making wine, cider, beer (this includes brew pubs), or spirits (known as wineries, breweries, and distilleries). Manufacturers can also apply to add a lounge, special event area, and/or picnic area endorsement to their manufacturer licence.

UBrew/UVin (Ferment-on-Premises) – for businesses that sell ingredients, equipment and provide advice for customers to make their own beer, wine, cider or coolers.

Licensee Retail Store* – for selling liquor by the bottle at retail stores (often called private liquor stores).

[Wine Store*](#) – for wine stores including winery-operated stores, independent wine stores, VQA stores and tourist wine stores.

[Special Wine Store](#) – available to eligible grocery stores only, the special wine store licence permits the sale of 100% BC wine on grocery store shelves.

**No new licences are available at this time.*

Permits:

[Special Event Permit](#) – for individuals and groups holding special events (such as community celebrations, weddings or banquets).

[Ethyl Alcohol Purchase Permit](#) – for purchasing ethyl alcohol for commercial and industrial use.

[Charitable Auction Permit](#) – for registered charities and non-profit organizations that wish to hold liquor auctions to raise funds for a charitable purpose.

What is the difference between a food primary and a liquor primary licence?

A food primary licence is issued when the primary purpose of the business is the service of food (such as restaurants and cafes). A liquor primary licence is issued when the primary purpose of the business is the service of liquor, hospitality or entertainment (such as bars, pubs, spas, and art galleries).

The approval process is different for both types of licences, with the process for liquor primaries being more involved. Minors are generally prohibited from liquor primary establishments, unless the licence specifically allows them.

Additional Resources:

[Forms](#) – access to all LCLB forms, including application forms and licence change forms.

[Frequently Asked Questions](#) – answers to common liquor-related questions.

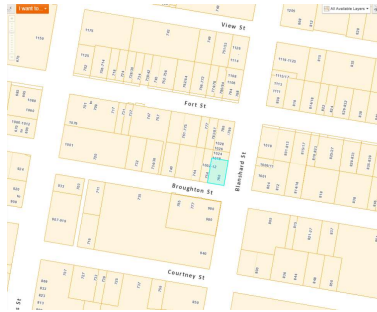
[Licensed Establishment Locations](#) – a list of all licensed establishments in B.C.

[Publications & Resources](#) – access to the licensee terms and conditions handbooks, public consultations, and the Local Government/First Nations Guide page and more.

LCRB Application

Request to Change Licenced Hours – Food Primary

Clarke & Co., 1002 Blanshard Street



Liquor and Cannabis Regulation Branch (LCRB)

- Restaurants
- Bars
- Pubs Retailers
- Manufacturers and
- Special Events.



LCRB Approvals

- Criminal Background Checks
- Local Government

<ul style="list-style-type: none"> Municipal Input Public Input 	<div style="border-left: 1px solid black; height: 100px; margin: 0 5px;"></div>	<ul style="list-style-type: none"> : potential for noise : potential for impact on the community, and
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- Occupant Load Approvals



Local Government

Staff Review:

- Police, Bylaw, Planning, Business and Community Relations and Engineering
- Zoning regulation, liquor policy and the Liquor Licencing Fee Bylaw

Public Notification and Comment:

- Notice Posted at entrance to establishment
- Mailed Notice to within 100m of establishment
- 30 days to provide comment

Local Government provides a resolution with comment on:

- Potential for Noise
- Potential for Impact on the Community, and



LCRB Application

LICENCE TYPE	
EXISTING	Food Primary
OCCUPANT LOAD	
EXISTING	32 PERSONS
LICENSED HOURS OF OPERATION	
EXISTING	9:00 am to 12:00 am daily
PROPOSED	9:00 am to 1:00 am daily
RECOMMENDATION	9:00 am to 1:00 am daily



Staff Review and Public Comment

Staff Review:

- The proposal is consistent with anticipated uses in the area
- Staff did not express concern for the request
- Police have limited concern due to resource pressure

Public Comment:

- Two letters were received, both in support of the application, and the Downtown Resident's Association did not provide comment.



Recommendation

That Council direct staff to notify the Liquor and Cannabis Regulation Branch that Council supports the application to adjust hours of licenced service associated with the Food Primary licence of Clarke & Co. to 9:00 am to 1:00 am daily.





Committee of the Whole Report

For the Meeting of June 27, 2019

To: Committee of the Whole **Date:** June 13, 2019

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

Subject: Garden Suite Program Review and Next Steps

RECOMMENDATION

- 1) That Council direct staff to consult on changes and topic areas, detailed in this report, and bring forward *Zoning Regulation Bylaw*, *Official Community Plan* and *Land Use Procedure Bylaw* amendments to a future Committee of the Whole meeting. Key areas for consultation and further exploration include:

Zoning Regulation Bylaw

- allow additional floor area for garden suites on larger lots
- allow garden suites in conjunction with secondary suites and duplexes
- explore mechanisms to manage or limit the height of garden suites on "plus sites" to ensure that privacy, shading and contextual issues can be addressed
- consider aligning setbacks between some zones and the garden suite regulations
- restrict the conversion of accessory buildings to garden suites to those accessory buildings built before 2019 or after five years from date of construction
- identify other *Zoning Regulation Bylaw* improvements that may arise through the review process.

Garden Suite Design Guidelines

- refine and clarify the Garden Suite Design Guidelines using the document included in Attachment C as a starting point and bring forward the necessary Official Community Plan Amendment Bylaw considerations.

Process Improvements

- explore process improvements to make building a garden suite easier while maintaining design oversight.

Fees

- review the possibility of increasing the fee for garden suite applications to more fully recover costs associated with processing applications.

- 2) That Council direct staff to continue to monitor application volumes and work to maximize efficiencies that may result from proposed refinements outlined in this report, and bring forward any necessary staff resourcing requests in conjunction with the 2020 Budget deliberations.

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with an update on the Garden Suite Program, share a number of observations and seek direction on further review and consultation work being planned.

On April 17, 2017, Council amended the *Zoning Regulation Bylaw* to allow garden suites as a permitted use in single family dwelling zones. Concurrent with this bylaw amendment, Council delegated authority to staff to review and approve garden suites where they are consistent with the design guidelines expressed in the *Garden Suite Policy and Design Guidelines*. Since that time, the City has received 58 applications, which have resulted in 39 Development Permit approvals. Of these approvals, 13 have been constructed, 24 are either in the process of obtaining Building Permits or are under construction and two have not yet initiated a Building Permit process. A full breakdown of these statistics is provided in the Background section of this report. Key observations to date, include:

- although only 13 garden suites have been fully constructed since the advent of the Delegated Development Permit (DDP) process, it would appear that the program is fairly well-received in the community; however, there are some instances where neighbours have been unhappy with the establishment of garden suites in their neighbourhoods
- both the *Zoning Regulation Bylaw* as well as the *Garden Suite Policy and Guidelines* would benefit from refinements to improve clarity and usability
- garden suites often present complex site servicing and tree protection challenges, which can lead to a diminishment of the urban forest. This creates a challenge in terms of balancing the desire to provide additional housing options with the desire to protect and enhance the urban forest
- since the bylaw changes in 2017, there has been a dramatic increase in the amount of staff time required to manage the Garden Suite Program. Despite this, the process of delegated authority, which allows staff to approve garden suites where they meet the design guidelines, appears to be yielding good results, although some applicants are desirous of a speedier process and would prefer to not make changes to meet the design standards or other City policy and regulations
- on rare occasion, a proposed garden suite has been controversial and neighbours have been very disappointed that the process does not include direct Council oversight
- some process improvements are warranted to make constructing garden suites easier
- the program would likely benefit from dedicated staff resources, and an increase in fees may be justified to facilitate this.

This report also provides a discussion regarding challenges related to height and contextual fit of garden suites on “plus” sites, which are sometimes experienced because of the greater height that is permitted for lots that fall into this category. If Council wishes to curb the potential for problems associated with this aspect of the Zoning Bylaw regulations while the more fulsome review of the Garden Suite Program is underway, Option Two, included in the Options & Impacts section of this report, would provide appropriate direction to staff.

Based on staff’s experience with the program to date as well as feedback that has been informally received from applicants, designers, builders and neighbours, staff recommend that the changes recommended in this report be considered and consulted on as part of the garden suite program updates identified in the Strategic Plan and proposed for implementation in the Victoria Housing Strategy.

PURPOSE

The purpose of this report is to provide Council with an update on the Garden Suite Program. This report is also intended to seek Council's direction regarding areas where further evaluation and consultation would be beneficial in informing future changes to the regulations and policy.

BACKGROUND

The following provides a brief history of the approach to and development of garden suites in the City of Victoria:

- the City began collecting data on garden suites in 2004. At that time, building a garden suite required a rezoning application with final approval by Council
- in 2010 and 2011, staff prepared a report and draft policy on garden suites with public consultation and feedback
- in 2011, Council adopted the *Garden Suite Rezoning Policy*
- in 2016, Council adopted the *Victoria Housing Strategy, 2016-2025*, which included the outcome to "Permit Garden Suites in Zoning" to encourage their development as another housing option for low- to moderate-income households
- in 2016, staff began engagement and prepared Zoning Bylaw amendments, including *Schedule M – Garden Suites*, to consider allowing garden suites as a permitted use in single family zones and zones referring to the single family dwelling regulations
- in April 2017, Council adopted the proposed changes and updated the *Land Use Procedures Bylaw* to give staff authority to approve garden suites when they meet the *Garden Suite Design Guidelines* and *Zoning Regulation Bylaw*.

From 2004 to 2017 (13 years) when a rezoning application was required to facilitate the construction of a garden suite, there was an average of two applications per year, totalling 27 applications (19 approved).

From April 17, 2017 to April 17, 2019 (2 years), after the Delegated Development Permit (DDP) program was launched, there have been 58 applications (56 DDPs, 1 Rezoning, 1 Development Permit with Variance). In other words, in the past two years, the City has received more than double the number of applications as were received in the previous 13 years combined.

Of the 58 applications received since April 2017:

- 36 Development Permit applications have been approved through delegated authority by staff
- 2 applications were referred to Council because they were inconsistent with the design guidelines, and these applications were approved by Council
- 1 application has been approved by Council through a Development Permit with Variance
- 1 application was refused through delegated authority
- 5 applications have been cancelled/retired
- 3 applications are on hold at the request of applicants
- 9 applications are currently either in-process or are with the applicants who are undertaking revisions
- 1 rezoning and development permit application for a duplex with garden suite was presented to Council, where it was referred back to the applicant and staff for revisions. The applicant has placed this application on hold and is now advancing construction of an accessory garage instead.

Of the 39 garden suite development permits that have been issued between April 2017 and April 2018:

- 13 have been constructed
- 24 are either obtaining building permits or under construction
- 2 have been approved but the applicants have not yet advanced them to the construction phase.

Some additional data, based on all 58 applications:

- 22.4% have been built or are under construction along with a newly-constructed single family dwelling (13)
- 15.5% have utilized an existing accessory building (9)
- 74.1% of applications qualify as "plus sites" (43), which are defined as corner lots, double frontage lots and lots having a lot area greater than 557m². For "plus sites," the floor area can be up to 56m² and the height can be 5.5m / 1.5 stories. Of these:
 - the average height is 4.2m
 - 41.9 % have a half storey or second floor (17)
 - the average floor area is 47.2m²
- the smallest garden suite is 21 m²
- the average height of a non-plus garden suite is 3.37m
- one garden suite also included a garage.

Of the 13 garden suites that have been built, six owners participated in an informal survey and staff learned that:

- 3 suites are rented (rents ranged from \$1200 to \$2000 with the average rent being \$1650)
- 2 suites are occupied by family members
- 1 suite is used as extra space for occasional visitors
- full cost of construction, upon completion, ranged from \$120,000 to \$220,000 with the average construction cost being \$180,000 (including design, fees, labour and materials, landscaping, appliances and window coverings) while the average declared Building Permit fee is approximately \$106,000.

ANALYSIS

Based on staff experience with the program to date, as well as feedback received from property owners, designers, builders, some neighbours and Council, the following topics have been identified as benefiting from further discussion and analysis:

- Zoning Bylaw Regulations and *Schedule M – Garden Suites*
- *Garden Suite Design Guidelines*
- affordability and housing diversity
- construction costs
- site servicing and transportation
- impact on the urban forest
- staff resources
- delegated authority – processing times
- application fees
- community consultation
- tiny houses.

These topics are explored below and, where relevant, recommended next steps are provided. A summary of the recommended next steps is included at the beginning of this report in the main recommendation provided for Council's consideration.

Zoning Bylaw Regulations and Schedule M – Garden Suites

Schedule M – Garden Suites of the *Zoning Regulation Bylaw* (Appendix A) establishes that:

- garden suites are only permitted in association with a single family dwelling (not with duplexes or other uses)
- garden suites are not permitted in association with a secondary suite
- only one garden suite is permitted on a lot.

Schedule M – Garden Suites also sets out siting requirements related to:

- location in relation to a principal dwelling
- maximum size
- height
- site coverage
- setbacks from property lines
- criteria for “plus sites.”

There has been some feedback from those involved in the development of garden suites as well as from Council members, noting that changes to Schedule M should be considered, particularly in relation to increasing the maximum floor area and allowing garden suites in conjunction with duplexes and secondary suites. However, there has also been feedback from neighbours and those concerned about the urban forest (see related section) that the current regulations are too permissive.

Additionally, there is currently some inconsistency between Schedule M and the Design Guidelines, particularly in relation to “plus sites,” where the zoning regulations establish a maximum height of 5.5m, yet the Design Guidelines have numerous statements about the importance of ensuring a sensitive fit with neighbours and minimizing shading and privacy impacts. For comparison, a garden suite on a “regular” lot is permitted a maximum height of 3.5m. While the guidelines stress the importance of being sensitive when introducing additional height, it is challenging to get applicants to respond to design criteria when an entitlement is established within the regulations. For these reasons, it may be useful to consider changes to Schedule M to reduce the height allowed on “plus sites” and instead facilitate extra height in appropriate cases through a variance process, which could allow for more site sensitive evaluation.

There are also inconsistencies between zoning regulations and Schedule M, for example, when setbacks are sometimes required to be a greater distance from the side street when a building is being proposed on a corner lot. This is at odds with the *Small Lot Policy and Design Guidelines*, which recommend that suites developed on corner or double frontage lots should be sited as close to the street as possible. Further examination of the intent of the regulations verses the design guidelines, along with the resulting impact on the urban form, would be beneficial.

Additionally, it has recently come to light that some applicants appear to be submitting building permits for accessory buildings (i.e. garages) rather than garden suites, applying later to convert the structure to a garden suite. It would seem that this is being done in order to avoid both a building design review and to circumvent design guidelines related to tree protection. Builders may also be pursuing this approach to avoid the costs associated with meeting Step 1 of the BC Energy Step Code at the building permit stage. As a result, it may be worth adding a provision to the *Zoning Regulation Bylaw* that would prevent the conversion of accessory buildings constructed after 2019 into garden suites or requiring a waiting period of five years prior to conversion.

Recommended Next Steps:

That Council direct staff to consult on potential changes to the *Zoning Regulation Bylaw* in order to:

- allow additional floor area for garden suites on larger lots
- allow garden suites in conjunction with secondary suites and duplexes
- explore the potential benefits and impacts of limiting the height of garden suites on “plus sites” and only allowing extra height through a variance process
- align setback differences in some zones and Schedule M
- restrict the conversion of accessory buildings to garden suites to those accessory buildings built before 2019 or after a five-year waiting period
- examine other zoning bylaw improvements that arise through the review process.

If Council wishes to immediately limit challenges related to the additional height that is permitted on “plus” sites while the more fulsome review is being undertaken, Option Two, included in the Options & Impacts section of this report, provides direction to staff to prepare the necessary *Zoning Regulation Bylaw* changes.

Design Guidelines – DPA 15 E: Intensive Residential – Garden Suites

The *Garden Suite Policy and Guidelines* (the Design Guidelines) have been in use since 2011, when they were established to guide rezoning applications. The Design Guidelines were not fully revised when Council changed the *Zoning Regulation Bylaw* to permit garden suites as an entitlement on properties with single family dwellings; nor were they fully reworked for the purpose of informing the delegated development permit application process, which Council established to help streamline, but still provide oversight to, the establishment of garden suites. As a result, the Design Guidelines contain a significant amount of regulatory information which is now redundant and a number of sections are written in a manner intended to provide policy guidance, assuming that there will be a process where Council will make a decision rather than giving clear development permit guidance.

Additionally, community values and expectations regarding topics such as accessibility, tree protection, rainwater management and climate action leadership have evolved considerably since this document was written. It would also be beneficial to provide guidance regarding suitable distances from internal property lines to accommodate the inclusion of windows or openings. Currently the guidelines are silent on this matter and just discourage the placement of openings facing neighbouring properties; however, there are some siting circumstances, including providing a more significant setback (for example 5 metres or more), which may facilitate ground floor openings and thereby enable additional siting options.

As a result, it would be important that the above-noted lenses and design considerations be applied to a review and rewrite of the document. Attachment C includes a draft revision to the Design Guidelines for Garden Suites that staff recommend be used as a starting point for consultation, further review and ultimate refinement. Changes to this document will require an OCP Amendment Bylaw, which would be brought forward for Council's consideration after further engagement and refinements have occurred.

Recommended Next Steps:

That Council direct staff to consult on the revised Design Guidelines included in Attachment C and report back at a future Committee of the Whole Meeting with the necessary OCP Amendment Bylaw considerations.

Affordability and Housing Diversity

The *Victoria Housing Strategy, 2016-2025* identified a supporting action to permit garden suites in zoning under the strategic action, "Consider new zoning approaches to encourage affordable housing projects." The 2016 staff report noted that "...these private accessory buildings can serve as a unique and autonomous housing option, providing increased privacy over secondary suites or multi-unit housing and potentially added affordability. For homeowners, the addition of a garden suite to the property can produce secure rental income, improving housing affordability on the owner side." In the small survey completed during this process (6 respondents), the average cost of building a garden suite was shown to be higher than anticipated at the building permit stage, and the resulting rents of \$1200-\$2000 per month for a one bedroom unit, averaging 48m², indicate that the primary benefit of garden suites is not their affordability. Rents are reflective of building costs (the more expensive a unit is to construct, the higher the rent will be), as well as market value for a highly desirable new, private, detached rental unit.

A preliminary review of the assessed value of 13 properties from a pre-garden suite condition to after construction of a garden suite (where the BC Assessment data had been updated) is summarized in the table below. It is noted that both the assessed value of on-site improvements and the overall property value increases; however, it should be noted that any improvement to a property (e.g. kitchen renovation, addition of a secondary suite, building addition) will increase the assessed value. Further work to determine the impact of a new garden suite on property values verses the impact of adding a secondary suite or intensifying the density of a property through a different form of development will provide interesting data to inform the review and next steps.

	Average Assessed Building Value Before Construction of a Garden Suite*	Average Assessed Building Value After Construction of a Garden Suite	Building Value Increase (on-site improvements)	Overall Property Value Increase
Garden Suite added to property <u>with an existing house</u>	\$130,222	\$213,000	107%	20%
Garden Suite added to property <u>along with renovations to existing house*</u>	\$148,000	\$212,000	43%	18%
Garden Suite added <u>with redevelopment of new house</u>	\$235,050	\$492,000	129%	35%

*removed one property as an outlier, which saw a building value increase of 1079%

Despite potential challenges with affordability, like other infill housing types, garden suites provide several important benefits. They are a form of secured rental accommodation that increases the City's overall stock of ground-oriented rental accommodation. They improve housing diversity by providing ground-oriented rental housing throughout the City that often includes a separate and

sometimes fenced outdoor space, which can be a valuable asset for residents with children, pets and/or an interest in urban agriculture. Garden suites also create new rental housing options in residential neighbourhoods with proximity to schools, parks and other amenities. Finally, they can improve affordability by acting as a mortgage helper, providing options for multi-generational families or caregivers and providing a mechanism for aging in place.

Construction Costs

Based on the declared building permit value, the average cost of construction for a newly built garden suite is \$90,964, with the average construction cost for all projects that included garden suites being \$106,338. The average cost of construction according to the respondents of the informal survey was \$180,000. This latter figure includes estimated costs associated with outfitting the unit with items such as window coverings, associated landscaping and soft costs associated with plan preparation and the Development Permit process. Given the tendency to underestimate at the Building Permit stage when exact costs are unknown and the small sample of informal survey respondents, it is likely that the actual costs are in the range of \$130,000 to \$150,000. Further consultation and review will enable staff to develop a firmer understanding of the actual costs of building a garden suite.

A new challenge for homeowners wanting to act as the general contractor and/or builder, to reduce costs and/or to maintain a greater degree of oversight on the project, is that the Homeowner Protection Act requires builders and general contractors to obtain a Residential Builder License. This can add to costs and create an additional regulatory hurdle; however, this change to the Homeowner Protection Act is intended to ensure safety and quality standards are met as a protection to the end user.

Site Servicing and Transportation

The fees for City services (water, sewer) for a garden suite range from \$6,500 to \$18,300. The variation in fees is largely dependent on the size of the servicing to the principal dwelling and whether it is feasible to connect through the principal house's existing services. It is least expensive to connect to services that are already established for the principal dwelling (if limited to a water upgrade only) and more expensive if completely separate connections for all services are required.

Although builders tend to opt for the least expensive option (connecting through the main house), there are two primary reasons why a different option may be chosen:

- the existing size of services in the principal house are not adequate to handle the additional load associated with a garden suite, and rather than upgrading the services to the principal house it is more economical to run a separate connection for the garden suite
- site constraints such as topography, location and/or depth of the services in the right-of-way make utilizing an existing connection challenging.

Connecting to electricity and gas would be an additional cost to the homeowner; however, these are not City services.

The elimination of the requirement for garden suites to go through a rezoning process has removed the ability of staff to negotiate statutory right-of-ways where roads and lanes are less than the standard width. This has resulted in circumstances where future mobility and access improvements may be limited. Additionally, although the *Zoning Regulation Bylaw* does not require onsite parking for garden suites, it is noted that over time and as more garden suites are developed, there may be increased competition and demand for on street parking.

Impact on the Urban Forest

The densification of property does have implications for the City's goals related to the urban forest, as buildings, site servicing and trees are vying for space.

Over the past two years, the potential impact to existing trees resulting from garden suites has been an area of focus. To date, no bylaw-protected trees have been removed to enable the construction or servicing of garden suites, as property owners and staff have collaborated on the placement of new buildings. However, it is important to note that there are currently garden suite applications under review where the retention of bylaw-protected trees is at odds with the siting and/or servicing of proposed garden suites. Meanwhile, staff have estimated the number of non-bylaw protected trees that have been removed to accommodate garden suite construction in 2018 to be approximately 40. Also, as noted earlier in this report, applications for accessory buildings which will later be the subject of applications to convert to garden suites are able to circumvent stricter design guidelines related to tree protection.

Site servicing is another element that can be challenging for tree preservation, with some applicants needing or preferring to establish separate services for the garden suite rather than connecting to the services already installed for the principal dwelling. This often results in the need to run multiple conduits through yards and boulevards, which further fragments the limited area available for planting new trees and retaining existing trees. This is particularly detrimental to the ability to plant large canopy trees, which require large uninterrupted areas for root growth. Large canopy trees have been shown to be especially beneficial in reducing the heat island affect, increasing biodiversity and creating a sense of place in neighbourhoods. The ecosystem benefits provided by large canopy trees, such as cooling, carbon sequestration and storm water attenuation, are exponentially greater than those provided by small canopy trees.

The addition of walkways, patios and other hardscape features associated with garden suites also reduces available planting space for trees in back yards and, of course, the larger the footprint of the garden suite, the less open space is available to support the urban forest. Any increase in the permitted size of garden suites and/or increase in site coverage regulations would have negative impacts on urban trees, particularly when approximately two-thirds of the City's urban forest is located on private property in the rear yards of single family dwellings.

Based on the observations and experiences of staff, the following changes to the Design Guidelines are suggested and are included in the draft Design Guidelines (Attachment C), which are recommended to be the focus of further consultation:

- restrict the use of hard surfaces, artificial grass, rock mulch and other similar landscaping materials
- encourage the use of natural landscape materials
- clarify that although direct access to the garden suite needs to be maintained, this can be achieved with materials other than hard surfaces
- require that the suite is serviced through the principal dwelling unless it can be demonstrated that it is not feasible to do so.

Council has recently reaffirmed support for the Urban Forest Master Plan and a review of the Tree Preservation Bylaw, including stronger provisions related to defining what qualifies as a protected tree and exploring a provision where more trees require replacement, if removed. Currently any trees located within a building envelope of a proposed building or driveway are not considered "protected." This project is now underway and staff will be reporting to Council later this year on the progress.

Recommended Next Steps:

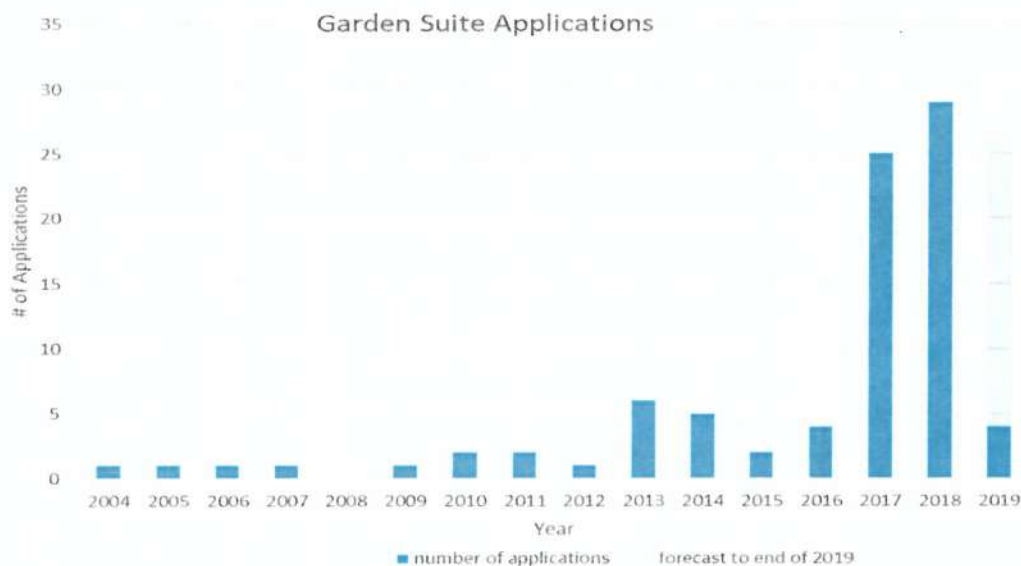
That Council direct staff to consider and consult on the revised Design Guidelines included in Attachment C as part of the Victoria Housing Strategy and Strategic Plan implementation work, and report back at a future Committee of the Whole Meeting with the necessary OCP Amendment Bylaw considerations.

Staff Resources

As noted previously, from 2004 to 2017 (13 years), when a rezoning process was required to facilitate the construction of a garden suite, there were an average of two applications per year, totalling 27 applications (19 approved). It was estimated that a garden suite rezoning application took between 30 to 50 hours of planning staff time to process, averaging approximately 80 hours a year expended on these types of applications.

From April 17, 2017 to April 17, 2019 (2 years), after the Delegated Development Permit (DDP) program was launched, there have been 58 applications. On average, a garden suite DDP application takes between 15 to 25 hours of Planning staff time. (This average does not include additional time associated with extremely complex/controversial application(s), or applications that go to Council.) Additionally, there are usually between 10 to 15 enquiries regarding the garden suite program per week, which can usually be responded to within 15 to 60 minutes each.

This results in a situation where prior to the new program being introduced, approximately 80 hours per year were dedicated to garden suite applications. Based on the data collected over the past two years, approximately 580 hours per year of Planning staff time has been devoted to processing garden suite applications. The new program is more time efficient for applicants and eliminates the need for a Public Hearing (thereby lightening Council agendas); however, many of the processes and steps have remained unchanged for staff, regardless of whether a Delegated Development Permit or a Rezoning process is followed. Additionally, as noted previously, at least another 260 hours per year (5 hours/week) have been spent assisting with enquiries, resulting in a total of approximately 840 hours (6 months) of staff time dedicated to the garden suite program.



To date, this additional work was able to be absorbed by staff because of efficiencies that were found in the processing of Storefront Cannabis Rezoning Applications. Council will recall that this

initiative received a temporary (two year) staff increase in order to respond to the need to process more than 30 additional rezoning applications in a short time frame. The funding which enabled this additional position to exist concludes at the end of 2019.

It is also important to note that staff from Parks, Recreation and Facilities as well as Engineering and Public Works also expend considerable staff time helping applicants work through servicing and tree issues related to these proposals, both during the planning stage as well as during construction. Additionally, City Legal Services assist staff when there are legal issues associated with the development of garden suites.

In conjunction with the 2019-2022 City of Victoria Strategic Plan, Council included a strategy to consider the creation of a Small Scale Housing Ambassador intended to provide enhanced service and guidance for residential developments of up to ten units in 2020. This may be of great benefit to garden suite proponents as they are often “one-time” applicants paired with inexperienced consultants that lack the knowledge to efficiently advance their own applications. However, it is likely that the “Small Scale Housing Ambassador” position would need to be in addition to a request for maintaining the existing staffing level, as this is required to simply keep up with the present application volumes and to provide the current level of application assistance to garden suite applicants.

Recommended Next Steps:

That Council direct staff to continue to monitor application volumes and work to address challenges while maximizing efficiencies that may result from some of the proposed refinements outlined in this report, and bring forward any necessary staffing requests in conjunction with the 2020 Budget deliberations.

Delegated Authority – Processing Times

With the adoption of the Bylaw changes in 2017, Council established a regime of delegated authority to enable staff to approve garden suite applications where they are consistent with the zoning regulations and the Design Guidelines. This change has come with both benefits and challenges. As noted in the proceeding section, it has added a new body of work which saves time for applicants and Council, but adds volume for staff.

Additionally, the work of reviewing and processing an application through the delegated development permit process takes a minimum of four weeks. If there is a need for revisions in order to help proponents bring their proposals in line with the Design Guidelines or address servicing / tree challenges or Building Code, this timeline is lengthened.

To address this added work volume and to reduce the time associated with processing Development Permits to the point they are approvable, Council could consider removing the requirement for a Development Permit. This would enable proponents of garden suites that meet zoning requirements (the vast majority of applications) to be built as a right with a Building Permit alone, without the requirement to meet design guidelines. This would remove the requirement for applicants to adhere to design or landscape standards, and technical and servicing issues could be worked through as part of the Building Permit process. This would reduce the staff time required to process applications and would speed up the process for applicants; however, staff have observed that the overall fit and quality of proposals is enhanced with the requirement for a Development Permit, so this “quality control” would be lost if the approach were changed.

While overall the system of delegated authority has worked fairly well, there have been cases where residents have been opposed to the addition of a garden suite to their neighbour’s properties,

indicating that such an entitlement should only be granted on a case-by-case basis with an application to change the zoning. Given the competing objectives of wanting to encourage a diversity of housing options with the sensitivity of fitting this type of infill housing into existing neighbourhoods and the importance of limiting impact to the urban forest, staff recommend that the current system of requiring a DDP be maintained; however, other changes or improvements could be pursued to potentially facilitate the design review process such as establishing a number of precedent or model garden suite designs that applicants may choose to adapt to their particular context and specific site.

Recommended Next Steps:

That Council direct staff to explore and bring forward tools and refinements through the Victoria Housing Strategy update to make building a garden suite easier.

Application Fees

The application fee for a garden suite is \$1000 (increased from \$200 in 2018 as part of the City's fee updates). In light of the fairly high level of labour associated with processing these applications, it may be worth considering whether a fee increase is warranted. This would help fund the increased staff resources required to manage this program.

Recommended Next Steps

That Council direct staff consult on the possibility of a potential fee increase for garden suites to more fully recover the costs associated with processing these applications during the garden suite program update in the forthcoming Victoria Housing Strategy.

Community Consultation

Given the differing views and the intertwined nature of the zoning regulations with the design guidelines as well as the other factors that influence the development of garden suites within the City of Victoria, it would be beneficial to consult the community on the proposed changes and topic areas outlined in this report. In particular, it would be useful to engage developers and owners of garden suites, applicants who have abandoned or "stalled" in the application process, neighbours of built and under construction garden suites, residents living in garden suites, the Advisory Design Panel, the Accessibility Working Group, Renters Advisory Committee, Community Trees Matter Group and Community Association Land Use Committees. This work could be undertaken as part of a 2019 priority action item included in the Victoria Housing Strategy regarding potential garden suite amendments. Staff would prepare a follow up Committee of the Whole report based on the feedback received through this consultation.

Recommended Next Steps:

That Council direct staff to consult with the above-mentioned stakeholders on the changes and topic areas outlined in this report during the garden suite program update proposed in the forthcoming Victoria housing Strategy and report back to Committee of the Whole.

Tiny Houses

The creation of regulations and policies related to "tiny houses," which are generally defined as small houses that are mobile, represent a unique set of challenges and opportunities including:

- compatibility with standards for sheltering
- developing appropriate zoning criteria

- potential for applying design guidelines
- energy efficiency
- ensuring seismic integrity
- servicing (water, electricity, sewage).

Given that this is a discrete piece of work which will likely require its own regulatory framework, staff recommend that the development of regulatory tools (if any) progress independently from the Garden Suite Program. This will help ensure that refinements and improvements to the Garden Suite Program can progress at a more efficient pace.

OPTIONS & IMPACTS

The following provides an analysis of some potential options for moving forward. A table is provided at the end of this section to illustrate the comparative outcomes of each option.

Option One – Comprehensive Review and Consultation (Recommended)

That Council direct staff to proceed with the consultation and review as outlined in this report as part of the forthcoming Victoria Housing Strategy, and report back to Committee of the Whole.

This option is recommended because it allows the most thorough and comprehensive review; however, it will absorb considerable staff resources which Council may choose to allocate to other housing priorities which yield more housing, at a quicker rate, in which case Option Three may present a better choice.

Option Two - Comprehensive Review and Consultation + Zoning Bylaw “Quick Fixes”

That Council direct staff to proceed with the consultation and review as outlined in this report and report back to Committee of the Whole, and that staff be directed to prepare the necessary Zoning Regulation Bylaw Amendments to limit the conversion of new accessory buildings to garden suites and reduce the height of Garden Suites to 4.2m for “plus” sites. (This is 0.7m higher than the standard garden suite height, so it would offer some additional flexibility in how applicants design units, and represents the average height that has been requested for “plus” sites, to date.)

This option would advance some “quick fixes” to the Zoning Bylaw and would allow for the more fulsome review and consultation to proceed as described in Option One.

Option Three - Zoning Bylaw and Design Guideline (OCP Amendment) “Quick Fixes” and Advance Comprehensive Review and Consultation as a Longer Term Housing Strategy.

Pending the outcome of Council’s prioritization of actions put forward in the Victoria Housing Strategy, Council may wish to direct staff to prepare a report to advance OCP Amendments to the Garden Suite Design Guidelines (Attachment C) to make basic changes in order to simplify and clarify the design guidelines to enhance staff’s ability to influence design and landscaping as well as amend the *Zoning Regulation Bylaw* in order to reduce height on “plus” sites and limit the ability of new accessory buildings to be converted to garden suites.

This option may be seen as preferable, depending on the chosen priorities and allocation of staff resources in relation to the Victoria Housing Strategy as a whole. It is also possible for Council to opt for Option Three at a later date, after discussions in July related to the Victoria Housing Strategy as a whole.

The following table provides a comparative assessment of the options outlined above:

	Option 1 Comprehensive Review & Consultation	Option 2 Comprehensive Review & Consultation + ZBL Quick Fix	Option 3 ZBL & OCP Quick Fix Advance Comprehensive Review Later
Fulsome Review and Consultation undertaken soon	✓	✓	
Initiate Immediate Zoning “Fixes” to limit conversion of accessory buildings and reduce height for “plus” sites		✓	✓
Initiate Immediate Amendment to OCP to make basic changes to Design Guidelines			✓
Focus Staff Resources on other Housing Priorities identified in the Victoria Housing Strategy. Advance fulsome review and consultation at a later date.			✓

Accessibility Impact Statement

There is an opportunity to consider refinements to the Design Guidelines to include increased accessibility measures in garden suites as part of the recommended review and consultation phases. The draft Design Guidelines also advance goals around accessibility.

2019 – 2022 Strategic Plan

The City of Victoria Strategic Plan includes an action to consider the creation of a position to help with small scale residential development (less than 10 units) as part of the 2020 budget deliberations.

Impacts to Financial Plan

At this time there are no impacts to the Financial Plan. Future reports would identify any budgetary needs, for instance additional dedicated staff. These would be referred to the 2020 financial planning process.

Official Community Plan Consistency Statement

This initiative advances the following broad objectives contained in the OCP:

- 13 (a) - That housing development responds to future demand and is facilitated through land use policies and practices
- 13 (c) - The existing supply of rental housing is expanded through regeneration
- 13 (d) - A wide range of housing choice is available within neighbourhoods to support a diverse, inclusive and multigenerational community.

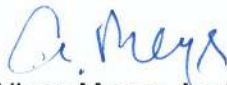
CONCLUSIONS

The Garden Suite Program has been in place for two years and has generally yielded good results; however, there are a number of refinements and improvements that should be considered to both the *Zoning Regulation Bylaw – Schedule M*, the Design Guidelines and potentially the fees to improve the program. Because of the interwoven nature of the bylaws, design guidelines and structure of delegated authority, combined with the complexities of site servicing and tree protection along with competing community values related to preserving green space and tree canopy verses adding housing, staff recommend further review and consultation.

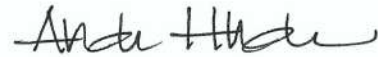
Respectfully submitted,



Chelsea Medd, Planner
Development Services

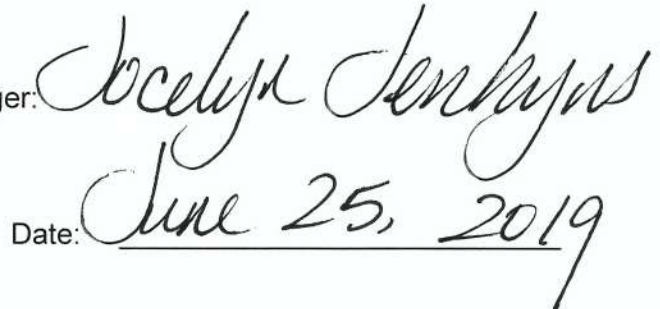


Alison Meyer, Assistant Director
Development Services



Andrea Hudson, Acting Director
Sustainable Planning and
Community Development
Department

Report accepted and recommended by the City Manager:



Date: June 25, 2019

List of Attachments

- Attachment A: Schedule M – Garden Suites of the *Zoning Regulation Bylaw*
- Attachment B: *Garden Suite Policy and Design Guidelines*
- Attachment C: Draft *Garden Suite Design Guidelines*.

Schedule M – Garden Suites

1 Restrictions

- a. A garden suite is only permitted when the primary building is used for a single family dwelling.
- b. A garden suite is not permitted on a lot when a single family dwelling contains a secondary suite.
- c. No more than one garden suite is permitted on a lot.

2 Setback, Separation Space and Location

- a. Rear yard setback (minimum) 0.6m
- b. Side yard setback from interior lot lines (minimum) 0.6m
- c. Side yard setback on a flanking street for a corner lot (minimum) 3.5m, or the minimum front yard setback of the adjoining lots whichever is the greater, when the adjoining lots shares a common lot line other than a rear lot line
- d. Separation space between a garden suite and a single family dwelling (minimum) 2.4m
- e. A garden suite must be located in a rear yard.

3 Rear Yard Site Coverage

- a. Rear yard site coverage (maximum) 25%
- b. Site coverage (maximum) Subject to site coverage regulations in the applicable zone

4 Height, Storeys, Floor Area and Roof Decks

- a. Height (maximum) 3.5m
- b. Number of storeys (maximum) 1
- c. Floor area (maximum) 37m²
- d. Roof deck Not permitted

5 Plus Site - Regulations, Height, Storeys and Floor Area

a. Properties that meet one or more of the following criteria are considered a "plus site":

- a corner lot
- a lot with two street frontages
- a lot with rear yard laneway access
- a lot greater than 557m² in total area.

b. Notwithstanding Section 4, the following restrictions apply to a garden suite on a "plus site":

- | | |
|--|------------------|
| i. <u>Height</u> (maximum) | 5.5m |
| ii. Number of <u>storeys</u> (maximum) | 1.5 |
| iii. Floor <u>area</u> (maximum) | 56m ² |
| iv. <u>Roof deck</u> | Not permitted |

6 Vehicle Parking

a. Vehicle parking for a garden suite

Subject to the regulations
in Schedule "C"

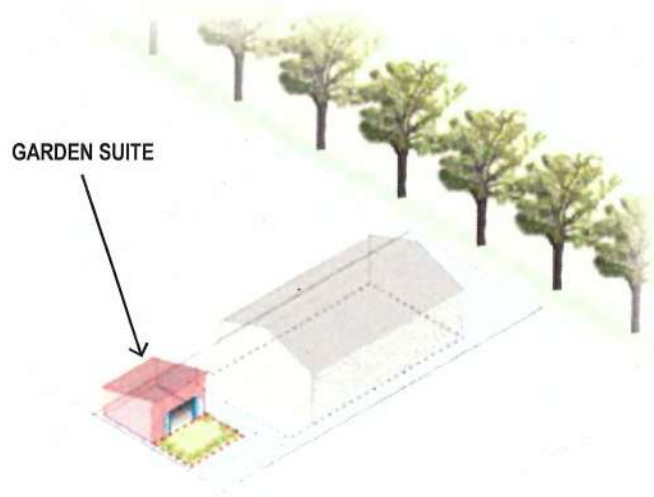
Bylaw 17-001 adopted April 13, 2017

THE GARDEN SUITE POLICY AND GUIDELINES

To be used in consideration of rezoning and development permit applications

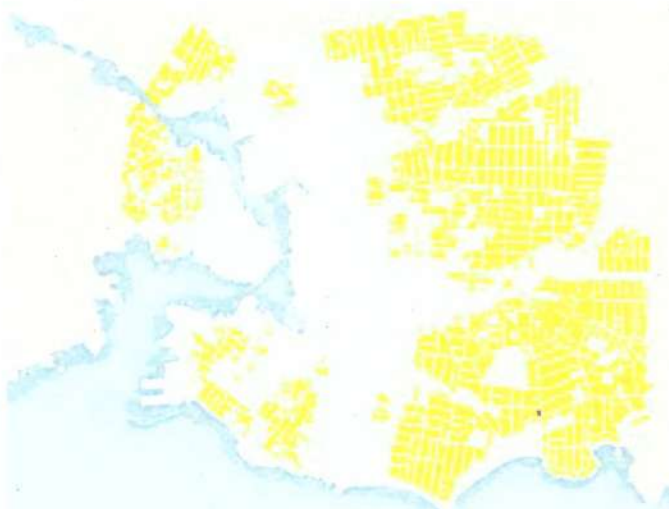
1. What is a Garden Suite?

A Garden Suite is a small, ground-oriented, unit located in the rear yard of a single family detached dwelling.



2. Where can a Garden Suite be located?

Eligible locations for a Garden Suite in Victoria include all properties that contain only a single family detached dwelling and are appropriately zoned. The proposal must meet all requirements of the Garden Suite Policy and should incorporate the design guidelines contained in the Policy. Properties that already have secondary suites are not eligible.



POTENTIAL GARDEN SUITE SITES: The properties shaded in yellow above include sites with the appropriate zoning designation to consider Garden Suites. The graphic is illustrative only.

3. Requirements

The requirements for a Garden Suite to be considered are:

EXISTING LAND USE	Single Family Dwelling
EXISTING ZONING	R1-A Rockland Single Family Dwelling; R1-B, Single Family Dwelling; R1-G Single Family Dwelling (Gonzales); R-2 Two Family Dwelling; R-J Low Density Attached Dwelling; R-K Medium Density Attached Dwelling
LOCATION	Rear yard only
HEIGHT (MAXIMUM)	3.5 m
SETBACKS (MINIMUM)	0.6 m from all lot lines 2.4 m from existing dwelling
CORNER LOT SETBACK ON FLANKING (SIDE) STREET (MINIMUM)	Equal to the existing setback of the primary structure to the flanking street on the adjacent property
REAR YARD SITE COVERAGE (MAXIMUM)	25% maximum
TOTAL SITE COVERAGE (MAXIMUM)	30-40% maximum, based on existing zoning requirement
MAXIMUM TOTAL FLOOR AREA	37 m ² (approximately 400 ft ²)
BUILDING CODE	All BC Building, Plumbing, and Electrical Code regulations apply for residential uses.
STRATA TITLING	Strata titling of properties with Garden Suites is prohibited.
ACCESS	An unobstructed pathway must be constructed and maintained between the public street and the Garden Suite entrance, with a minimum width of 1 m for private and emergency access.
ROOFTOP PATIOS	Interior or exterior structured access to the Garden Suite rooftop is prohibited for all purposes including patios.
PARKING	There are no additional parking requirements for the creation of a Garden Suite but the primary dwelling should have a minimum of 1 parking stall which may not be located in the front yard.
SECONDARY SUITES	Secondary Suites are not permitted on a lot with a Garden Suite.
SERVICING	Servicing to the rear yard must be located underground.

4. Design Guidelines

Character

Quality in design, high quality architectural expression, and unique individual identity of a Garden Suite are encouraged. However, the Garden Suite should relate to the principal building on site in terms of materials, roof form, and general architectural expression. The intent, however, is not to create a "miniature version" of the primary building.

Modular and pre-fabricated housing represents a potential opportunity for homeowners to reduce the construction cost and to reduce construction time and disturbance of neighbours. Therefore, these construction methods are supportable. However, the finished structure must be undifferentiated from on-site and adjacent existing structures in terms of quality of construction and the appearance of permanence in addition to meeting all the BC Building, Plumbing, and Electrical Codes.

Privacy

Windows oriented towards adjacent properties are strongly discouraged to maintain levels of privacy with adjacent neighbours and in some cases, may be prohibited by Building Code regulations. Exceptions for windows oriented towards adjacent properties may be considered if design features are provided that mitigate privacy concerns. For example, windows with opaque glass that permit light into the garden suite but prevent overlook into adjacent yards, or other design solutions may be acceptable.

Rooftop outdoor space is prohibited to protect privacy of neighbours.

Design measures should be taken to mitigate overlook concerns on adjacent properties in the case of garden suites on "plus sites" that have additional floor area or building height.

Minimize Shading

Consideration should be given to minimize shading on adjacent private open space while maximizing contiguous on-site open space. Typically, this means:

- locating the Garden Suite in the southern portion of the rear yard
- locating the highest portion of a pitched or arched roof at the interior of the site, with the roof sloping down towards the nearest lot line
- orienting the ridge so as to minimize shadow on adjacent lots

Siting

Where possible, the Garden Suite should be located to be at least partially visible from the street.

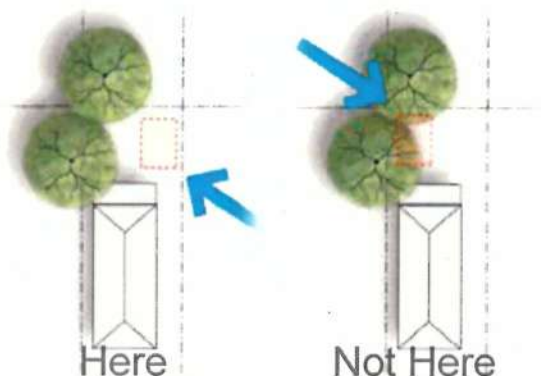
In the case of corner lots, lots with laneway access or double-fronting lots, the Garden Suites should be directly oriented to the adjacent public right-of-way. This means

including front doors that are directly oriented to the street or laneway windows directed towards the street or laneway and landscape that reinforces the location of the entry.

On corner lots, the Garden Suite is sited as close to the side street as possible to create a consistent streetscape pattern.

Respect Mature Landscape Elements

Siting should respect mature trees both on site and on adjacent properties. This means locating the Garden Suite so as to minimize impact on a tree's root system. A certified arborist report may be required as part of the application when a tree on the subject site or a neighbouring lot may be affected.

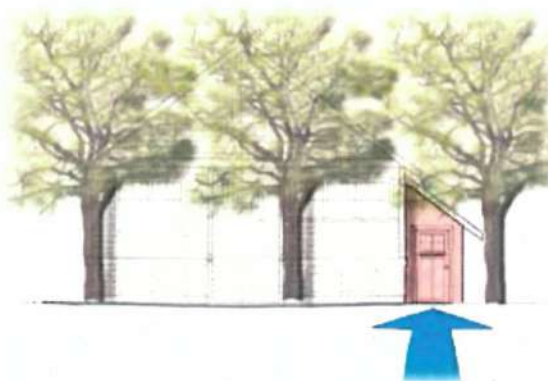


Hierarchy of Siting Considerations

In the event that a Garden Suite cannot be sited without adverse impacts to either mature landscape or shading on adjacent properties, the following hierarchy of policies apply:

1. protect mature landscape on adjacent properties
2. protect mature landscape on subject property
3. minimize shading on adjacent properties.

Care should also be taken to minimize the visual impact on adjacent properties. However, this does not mean that the Garden Suite will not be completely unseen from adjacent lots.



Windows

Windows should be maximized along those façades oriented to the interior of the site. On corner lots, lots with laneway access or double-fronting lots, windows should be oriented to the street or laneway.

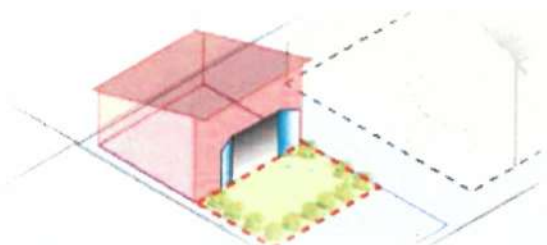
Rooftops

Rooftop outdoor space is prohibited to mitigate privacy concerns of neighbourhoods. Rooftop energy initiatives such as solar panels or solar hot water heating may be considered.

Green roofs are encouraged as benefits include reducing stormwater runoff, improving water quality, reducing urban heat island effect, conserving energy, creating wildlife habitat, and prolonging the life of the roof membrane. An added benefit is that the green roof may soften the appearance of the Garden Suite from neighbouring lots.

Usable Outdoor Space

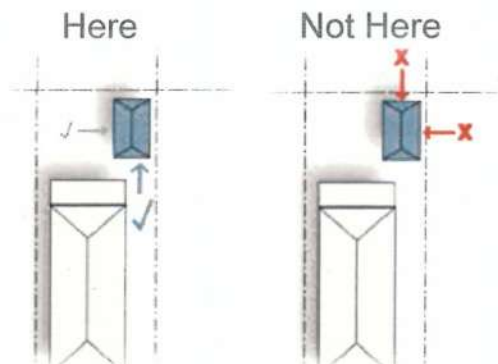
Design and orientation of the Garden Suite should ensure a direct connection with usable outdoor space. A minimum of 15 m² of semi-private outdoor space should be clearly associated with the Garden Suite. This may be achieved through plantings or changes in surface materials. Hard-surfaced areas are supportable but should include permeable pavers, be decorative in nature, and must not be usable as a parking space.



Entries and Addressing

Unit entries should be oriented to the street. When this is not practical, a secondary preference would be to locate the entry to the interior portion of the site.

A Garden Suite must be assigned a unique, individual address. This will occur at the building permit stage. An address sign for the Garden Suite must be located at a clearly visible location along the street frontage.



Landscape

Native plant species and drought-tolerant plants are encouraged in side yard areas, particularly within narrow setbacks between the Garden Suite and adjacent lots where access for maintenance and upkeep is limited.

Heritage

The City will request that all properties identified on the Heritage Register will receive Heritage Designation when a Garden Suite is introduced to a property. Where a property may have heritage value but has not been identified or included on the Heritage Register, the City would encourage applicants to consider heritage designation as they pursue approval of a Garden Suite.

In cases where an existing accessory building is heritage designated, a Heritage Alteration Permit is required and the *Standards and Guidelines for the Conservation of Historic Places in Canada* apply.

In cases where a new Garden Suite is located on a property where the primary structure is protected by heritage designation or is identified on the heritage register, then a Heritage Alteration Permit is not required for construction of the Garden Suite but the *Standards and Guidelines for the Conservation of Historic Places in Canada* should be considered.

Parking and Driveways

No additional parking is required for the Garden Suites but the primary dwelling should have a minimum of 1 parking stall which may not be located in the front yard. Any proposed changes to the parking layout and driveway should include permeable paving materials.

In situations where an existing parking space is displaced by the creation of the Garden Suite, the new parking location should occur within the existing driveway in order to prevent an increase in paved surface but should be located beyond the front face of the primary building as per general parking requirements.

Garbage and Recycling

The proposed site plan should consider the location of extra garbage and recycling bins and screen these from view. These should not be located near the primary entrance of either residence.

5. Exceptions

The requirements for Garden Suites are intended to be consistently applied to all eligible sites. However, given the variety of lot sizes and configurations in the City, natural site conditions unique to each lot, and the possibility that older, existing accessory buildings may not comply with current accessory building requirements, staff may consider recommending approval of a Garden Suite in the following situations.

Exception #1: Existing Garage Conversions

In situations where an existing garage or accessory building is located on site, a Garden Suite may be located within a structure that exceeds the standard requirements provided that:

- the structure was built with all appropriate permits and has not been altered
- the structure is fully upgraded to meet all Building Code requirements for residential use

In the event that a new structure is required to replace the existing legal non-conforming accessory building, the new structure must not exceed the footprint, height, or roof form as defined by the existing structure. Careful documentation of this should be prepared and submitted to the City prior to demolition in order to ensure an opportunity to verify the scale of the existing structure.

Exception #2: "Plus Sites"

Properties that meet the following criteria are considered "Plus Sites":

- a corner lot
- a lot with two street frontages
- a lot with rear yard laneway access
- lots greater than 557 m² (6,000 ft²) in total area.

On "plus sites", there may be an opportunity to increase the floor area of a Garden Suite up to a maximum of 56 m² (600 ft²). The additional floor area may be considered supportable if it can be demonstrated that it would not have a negative impact on privacy, shading, or overlook of or onto neighbouring properties.

Additional floor area may be achieved either by:

- increasing the floorplate - though not to a level exceeding site coverage requirements - to accommodate all floor space on a single level.
- exceeding the height requirement in order to incorporate a loft space with a floor area no greater than 50% of the building footprint, provided that interior floor to ceiling height of the loft space is kept minimal (approximately seven feet) and careful attention is given to prevent excess shading on neighbouring lots.



POTENTIAL GARDEN SUITE "PLUS" SITES: The properties shaded in dark yellow in the graphic above indicate potential Garden Suite "Plus" Sites where an additional floor area may be considered. These properties have the appropriate zoning designation for Garden Suites and are either located on a block corner, between two streets, or between a street and a laneway. The graphic is illustrative only.

Exception #3: Protected Trees

In situations where the siting of a Garden Suite is severely limited by the presence of protected trees as described in the Tree Preservation Bylaw, a height variance may be considered to accommodate a sleeping loft provided that:

- the maximum floor space of the Garden Suite does not exceed typical requirements
- the floor area of the sleeping loft does not exceed 50% of the ground floor area
- design measures are taken to mitigate shading or overlook concerns on adjacent properties.

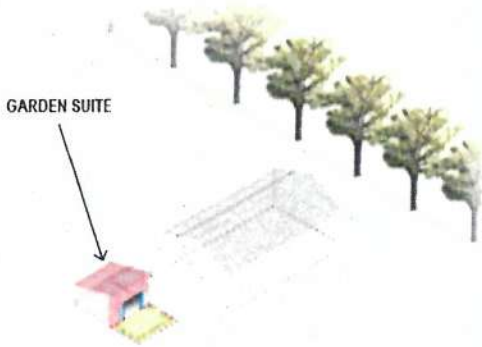
6. Note to Applicants

- Confirm with City staff what type of development application or permit is required.
- It is advisable to discuss the proposal with your immediate neighbours.
- Applicants are encouraged to review a preliminary proposal with the City's Engineering and Public Works Department to better understand potential servicing costs and with the City's Planning and Development Department to better understand the rezoning requirements and process. The applicant should also consider aspects related to providing utilities to the Garden Suite including phone, cable, and internet.

DRAFT – to be used for consultation and review.
 Final version will be reformatted and professionally designed.

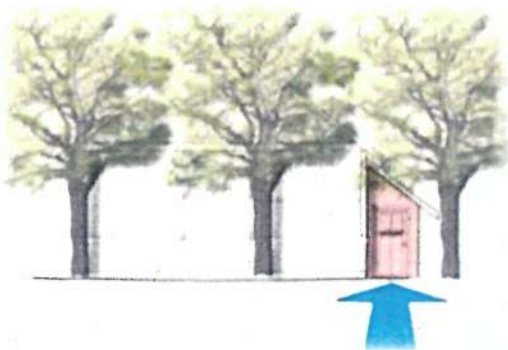
Garden Suite Design Guidelines

A garden suite is a small ground-oriented residential dwelling unit located in the rear yard of a single family detached dwelling. Garden suites are intended to be rental units and strata titling is prohibited.



Character

Quality design, high quality architectural expression and unique individual identity of a garden suite is encouraged. However, the garden suite should relate to the principal building on site in terms of materials, roof form and general architectural expression. The intent, however, is not to create a “miniature version” of the primary building. Modular and pre-fabricated garden suites may also be supportable; however, the finished structure must be undifferentiated from on-site and adjacent existing structures in terms of quality of construction and appearance of permanence.



Local Context

Care should also be taken to minimize the visual impact on adjacent properties. A garden suite should not be perceived as a dominant feature from a neighbouring property. However, this does not mean that the garden suite will not be completely unseen from adjacent lots.

Privacy

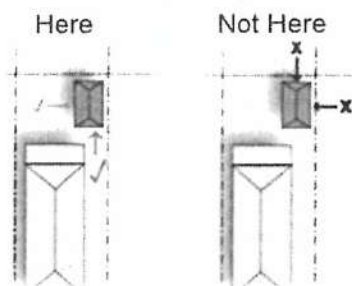
Windows oriented towards adjacent properties are strongly discouraged in order to maintain levels of privacy with adjacent neighbours, and in some cases may be prohibited by Building Code regulations.

Exceptions for windows oriented towards adjacent properties may be considered if design features that mitigate privacy concerns are provided. For example, design solutions such as small windows with opaque glass that permit light into the garden suite but prevent overlook into adjacent yards may be acceptable. In these situations, operable windows will not typically be supported.

In terms of building siting, design and landscaping, consideration should be taken to mitigate overlook concerns onto adjacent properties. This is particularly important in instances where the garden suite is perceived as taller than structures in adjoining properties because of the height of the garden suite or because of the grade of the property. Rooftop outdoor space is prohibited to protect the privacy of neighbours.

Windows and Entries

Windows should be maximized along façades that are oriented to the interior of the site.



On corner lots, lots with laneway access or double-fronting lots, windows should be oriented to the street or laneway. In some instances, where there is sufficient distance between the building and the side property line and landscape screening (e.g. approximately 5m or more), and where it can be demonstrated that overlook will be limited, some windows may be oriented towards neighbouring properties.

Unit entries should be oriented towards the street. When this is not practical, a secondary preference would be to locate the entry to the interior portion of the site.

Building Height

Overall garden suite height and the location of the highest part(s) of any roofs should be carefully considered to ensure that the potential for overlook onto neighbouring sites as well as the prominence of the garden suite as viewed from neighbouring sites is minimized. The impact of building height should also be considered in relation to shading impacts on neighbouring properties. Finally, the height of the garden suite should respond to the adjacent and nearby context to ensure the building fits into and responds to the local setting.

Rooftops

Rooftop outdoor space is prohibited to mitigate privacy concerns. Rooftop energy initiatives such as solar panels or solar hot water heating may be considered if the visual and shading impacts can be mitigated.

Green roofs are encouraged, as benefits include reducing stormwater runoff, improving water quality, reducing the urban heat island effect, conserving energy and creating wildlife habitat. An added benefit is that the green roof may soften the appearance of the garden suite from neighbouring lots.

Minimize Shading

Consideration should be given to minimize shading on adjacent private open space while maximizing contiguous on-site open space. Typically, this means:

- locating the garden suite in the southern portion of the rear yard
- locating the highest portion of a pitched or arched roof at the interior of the site, with the roof sloping down towards the nearest lot line
- orienting the ridge so as to minimize shadow on adjacent lots.

Siting

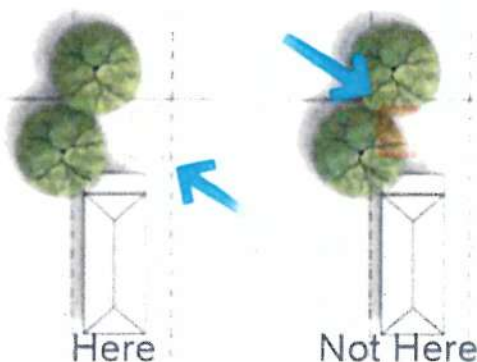
Where possible, the garden suite should be located to be at least partially visible from the street.

In the case of corner lots, lots with laneway access or double-fronting lots, the garden suite should be directly oriented to the adjacent public right-of-way. This means including front doors and windows that are directly oriented to the street or laneway and providing landscaping that reinforces the location of the entry.

On corner and double-frontage lots, garden suites should be sited as close to the street as possible to create a consistent streetscape pattern.

Respect for Mature Landscape Elements

Siting should respect mature trees both on-site and on adjacent properties. This means locating the garden suite to minimize the impact on a tree's root system. A certified arborist report may be required as part of the application when a tree on the subject site or a neighbouring lot has the potential to be affected.



Accessibility

Consider including measures to facilitate ease of access, internal maneuverability as well as fixtures and systems to increase the accessibility of garden suite units.

Protected Trees

In situations where the siting of a garden suite is severely limited by the presence of protected trees as described in the *Tree Preservation Bylaw*, a height variance may be considered to accommodate some floor area provided that:

- the maximum floor space of the garden suite does not exceed the zoning maximum
- the floor area of the sleeping loft does not exceed 50% of the ground floor area
- design measures are taken to mitigate shading and overlook concerns onto neighbouring properties and the design provides a contextual response not resulting in a dominant structure out of scale with the setting.

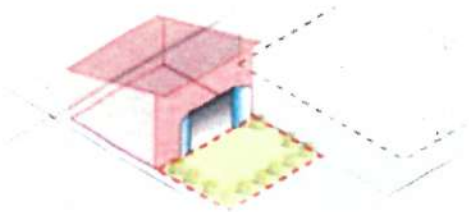
Hierarchy of Siting Considerations

In the event that a garden suite cannot be sited without adverse impacts to either mature landscape or shading on adjacent properties, the following hierarchy of policies apply:

1. protect mature landscape on adjacent properties
2. protect mature landscape on the subject property
3. minimize shading on adjacent properties.

Usable Outdoor Space and Landscaping

Design and orientation of the garden suite should ensure a direct connection with useable outdoor space. A minimum of 15m² of semi-private outdoor space should be clearly associated with the garden suite. This may be achieved through plantings, borders, fences or changes in materials. Hard surfaced materials should be avoided to increase the permeability of the site. This area must not be useable as a parking space.



Unobstructed access must be maintained between the public street and the garden suite. Ideally, a permeable material will be used.

A garden suite will be assigned a unique, individual address at the Building Permit stage. An address sign for the garden suite must be located at a clearly visible location along the street frontage.

The use of soft, natural landscaping is encouraged to establish a separate outdoor space for the residents of the garden suite and to enhance privacy.

Native plant species and drought-tolerant plants are encouraged in side yard areas, particularly within narrow setbacks between the garden suite and adjacent lots where access for maintenance and upkeep is limited.

Parking and Driveways

No additional parking is required for a garden suite; however, in situations where an existing parking space is displaced by the creation of a garden suite, the new parking location should occur within the existing driveway in order to prevent an increase in paved surface. Any proposed changes to the parking layout and driveway should include permeable paving materials, which must be routinely maintained to ensure ongoing permeability.

Garbage and Recycling

The proposal should consider the location of extra garbage and recycling bins, which should be screened from view. Garbage and recycling bins should not be located near the primary entrance of either residence.

Heritage

The City will request that all properties identified on the Heritage Register receive Heritage Designation when a garden suite is introduced to a property. Where a property has heritage value but has not been identified or included on the Heritage Register, the City would encourage applicants to consider heritage designation or registration.

In cases where an existing accessory building is heritage designated, a Heritage Alteration Permit is required and the *Standards and Guidelines for the Conservation of Historic Places in Canada* apply.

In cases where a new garden suite is located on a property where the primary structure is protected by heritage designation or is identified on the heritage register, then a Heritage Alteration Permit is not required for construction of the Garden Suite but the *Standards and Guidelines for the Conservation of Historic Places in Canada* should be considered.



GARDEN SUITE PROGRAM REVIEW AND NEXT STEPS



Purpose

- Provide update
- Seek direction on next steps



Garden Suite Program Review and Next Steps

Presentation Format

- Background
- Data
- Key Observations
- Options for next steps



Garden Suite Program Review and Next Steps

Background



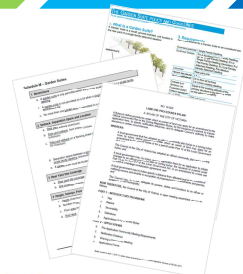
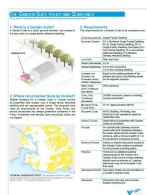
<2010

2011

2016

2017

2019<



Garden Suite Program Review and Next Steps

Garden Suite Data

2004-2017 (13 years)

- 27 applications received

April 2017-April 2019 (2 years)

- 58 applications received
 - 36 DDPs approved by Staff
 - 2 DDPs approved by Council when referred
 - 1 DPV approved by Council
 - 1 DDP declined
 - 1 Rezoning (not approved)
 - 9 DDPs in process and 3 on hold
 - 5 DDPs cancelled/retired



Garden Suite Program Review and Next Steps

Garden Suite Data

Garden Suite Construction

- 13 constructed
- 24 in process of getting permits or under construction
- 2 have not yet applied for BPs



Garden Suite Program Review and Next Steps

Garden Suite Data

Observations

(all applications since 2017)

- 22.4% with new single family dwelling (13)
- 15.5% utilize an existing accessory building (9)
- 74.1% qualify as “Plus Sites”
- Of “Plus Sites”
 - Average height 4.2m
 - 41.7% have half storey (17)



Garden Suite Program Review and Next Steps

Key Observations

- Zoning Bylaw Regulations
- Design Guidelines
- Affordability and Housing Diversity
- Construction Costs
- Site Servicing and Transportation
- Urban Forest
- Staff Resources
- Delegate Authority and Processing Times
- Application Fees
- Community Consultation



Garden Suite Program Review and Next Steps

Zoning Regulation Bylaw – Schedule M

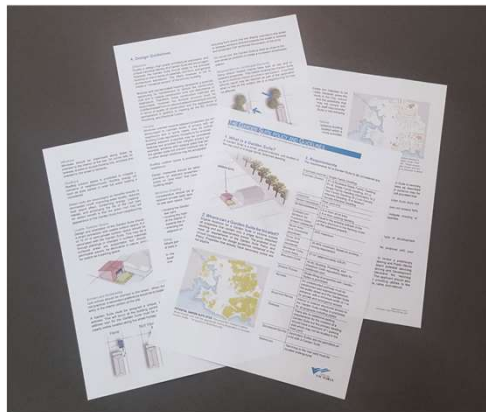
- Regular sites:
 - 37m² / 3.5m height
- “Plus” sites:
 - 56m² / 5.5m height
- Some inconsistency between “plus” site regulations and design guidelines
- Challenge with conversion of Accessory Buildings



Garden Suite Program Review and Next Steps

Design Guidelines

- Original intent
- Would benefit from:
 - simplification
 - context / neighbourhood fit
 - landscaping/ trees
 - windows facing side yards
 - accessibility



Garden Suite Program Review and Next Steps

Affordability & Housing Diversity

- Construction Costs
- Rental Rates
- Assessment Values
- Housing Diversity:
 - Ground oriented
 - Multi-generational
 - Aging in place
 - Caregiver units
 - Mortgage helper

	Average Assessed Building Value Before Construction of a Garden Suite*	Average Assessed Building Value After Construction of a Garden Suite	Building Value Increase (on-site improvements)	Overall Property Value Increase
Garden Suite added to property with an existing house	\$130,222	\$213,000	107%	20%
Garden Suite added to property along with renovations to existing house*	\$148,000	\$212,000	43%	18%
Garden Suite added with redevelopment of new house	\$235,050	\$492,000	129%	35%



Garden Suite Program Review and Next Steps

Construction Costs

- Average declared value for Building Permits \$106,338
- Informal survey suggest higher actual costs



Garden Suite Program Review and Next Steps

Site Servicing

- City fees: \$6,500 to \$18,300
- Other service connections



Garden Suite Program Review and Next Steps

Urban Forest

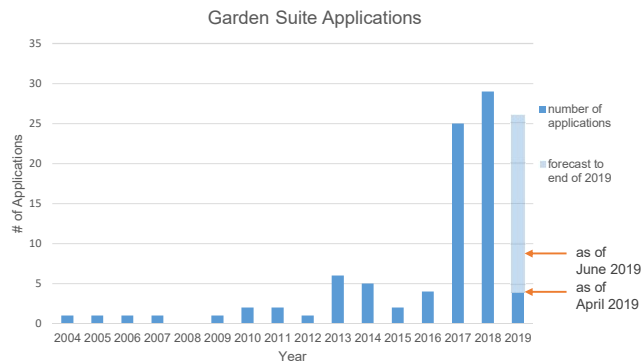
- Two thirds of City's Urban Forest located in rear yards
- No bylaw protected trees impacted to date
- Site servicing can limit trees
- Accessory buildings
- Design Guidelines



Garden Suite Program Review and Next Steps

Staff Resources

- 840 hours of planning staff time / year
- Parks, Engineering and Legal time
- Inexperienced, often one-time applicants
- Small scale housing ambassador



Garden Suite Program Review and Next Steps

Delegated Authority – Processing Times

- Minimum four weeks
- Some feel process too long
- Some feel current system too permissive
- Council could remove requirement for a Development Permit to speed up
- However, DP adds value and on balance, it works



Garden Suite Program Review and Next Steps

Application Fees

- \$1000
- Labour intensive applications
- Consider a fee increase?



Garden Suite Program Review and Next Steps

Community Consultation

- Complex and interconnected considerations
- Benefit from further engagement



Garden Suite Program Review and Next Steps

Options & Impacts

Option One – further consultation and review and report back

Option Two – initiate immediate zoning amendments to reduce height on plus sites and limit conversion of new accessory buildings + further consultation and review and report back

Option Three - initiate immediate zoning amendments to reduce height on plus sites and limit conversion of new accessory buildings + design guideline changes (OCP Amendment) + focus staff resources on other housing priorities

	Option 1 Comprehensive Review & Consultation	Option 2 Comprehensive Review & Consultation + ZBL Quick Fix	Option 3 ZBL & OCP Quick Fix Advance Comprehensive Review Later
Fulsome Review and Consultation undertaken soon	✓	✓	
Initiate Immediate Zoning "Fixes" to limit conversion of accessory buildings and reduce height for "plus" sites		✓	✓
Initiate Immediate Amendment to OCP to make basic changes to Design Guidelines			✓
Focus Staff Resources on other Housing Priorities identified in the Victoria Housing Strategy. Advance fulsome review and consultation at a later date.			✓



Garden Suite Program Review and Next Steps

Conclusion

- Zoning and Design Guidelines would benefit from refinement
- Delegated Authority offers design oversight
- Urban forest challenges
- Benefit from further review and consultation



Garden Suite Program Review and Next Steps



Committee of the Whole Report

For the Meeting of June 27, 2019

To: Committee of the Whole **Date:** June 20, 2019
From: Thomas Soulliere, Director of Parks, Recreation and Facilities
Subject: Project Update: Waterfront Public Realm Initiatives

RECOMMENDATION

That Council receive this report for information.

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with an update on the public realm projects along the waterfront area, associated with the replacement of the Johnson Street Bridge. The scope consists of the following project components:

- "Former S-Curve Lands" (Songhees Park Expansion)
- Boulevard Landscaping
- "Triangle Island"
- Janion Plaza
- Northern Junk Plaza
- David Foster Harbour Pathway (DFHP) Pedestrian Underpass

This report focuses on key activities and progress since the last update to Council in December 2017. A related staff report focused on the proposed public art for the Triangle Island space is also being presented for Council consideration.

PURPOSE

The purpose of this report is to provide Council with an update on the progress of the various waterfront public realm improvements, in the areas around the new Johnson Street Bridge.

BACKGROUND

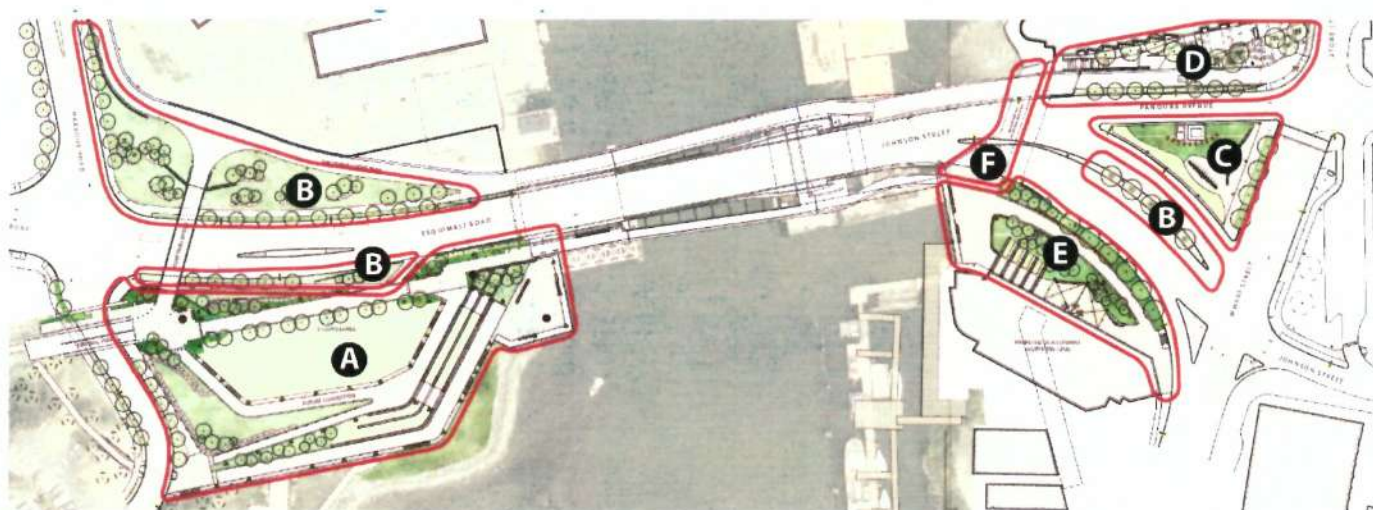
The project team has organized the work around the six areas that are planned to enhance the experience for residents and visitors, in this part of the City. The work ranges from new boulevards and pedestrian and cycling pathways, to welcoming plazas and park space, all within walking distance of the downtown core. The largest of these areas, in the location previously

identified as “former s-curve lands” on project documents, presents as a generous expansion to Songhees Park, in the Vic West neighbourhood.

In December 2017, staff presented a report to Council that included conceptual design drawings and a funding strategy, resulting in the following decisions:

- Council accepted the revised concept designs for the “triangle island” space and Northern Junk Plaza
- A budget of \$650,000 for the work associated with the new boulevards and Triangle Island
- Direction for staff to report back amending the Development Cost Charges (DCC) Bylaw by merging parks acquisition and park development charges.
- A budget of \$3,000,000 for the construction of the future Victoria West park (“former s-curve lands”)
- Direction for staff to present the proposed plans to the Accessibility Working Group (AWG) for information and input
- Direction for staff to work with the Songhees and Esquimalt Nations to incorporate local Indigenous elements into the story wall and identify other opportunities to recognize the history of the Lekwungen Peoples on these lands.

Following this direction from Council, staff disseminated the work into six projects, as noted in the site plan below:



A) Songhees Park Expansion
B) Boulevard Landscaping
C) Triangle Island

D) Janion Plaza
E) Northern Junk Plaza
F) DFHP Pedestrian Underpass

The first half of 2018 was a very active period, consisting of completion of construction of the Johnson Street Bridge, as well as the initiation of design and procurement activities for various public realm projects.

As approved by Council, the amendment to the City's Development Cost Charges bylaw, to merge park acquisition and development charges, was completed in September 2018.

ISSUES & ANALYSIS

The project components are currently in various phases of progress or completion. Continuing to move efficiently is a focus for the project team in order to mitigate against key risks including cost escalation, competitive market conditions, and maintaining access to transportation connections. An overview of the project status is provided in the table below, including an update on each component.

Project	Status	Comments
Songhees Park Expansion	Some Challenges	Delay in design development due to resourcing challenges and other organizational priorities, budget risk due to market escalation. Schedule updated.
Triangle Island	Some Challenges	Delay in design development due to complexities relating to public art; to be resolved in June.
Boulevard landscaping	Complete	
Janion Plaza	Complete	
DFHP Pedestrian Underpass	Complete	
Northern Junk Plaza	Inactive	Awaiting new proposal from developer.

Songhees Park Expansion

Overview

The Songhees Park Expansion is a major initiative to construct a new park space that integrates with the existing Songhees Park and the Johnson Street Bridge, in an area formerly known as the 's-curve lands'. In December 2017, Council approved a concept plan for the park following two phases of public engagement.

Last year, the new plaza next to the bridge was completed and opened for public use, providing scenic views of the harbour. Staff have recently completed a furnishing plan for this space and the new seating elements will be installed over the coming month.

The project team is currently in the process of selecting a consultant partner, to complete the detailed design and construction drawings for this park.

Public Engagement

The project team has recently engaged with representatives of the Accessibility Working Group, the Victoria West Community Association, and the Songhees First Nation to solicit input on the park plan. Staff have also reached out to the Esquimalt First Nation and look forward to hearing their perspective.

In April, staff met with the Accessibility Working Group (AWG) and presented material relating to the concept design for feedback. Staff received input regarding wayfinding, low-allergen plantings, stinging insects, and site furnishings. A request from the AWG for low-allergen plants appears to

be a viable option and horticulture and arboriculture teams are currently assessing a potential planting list, which will be shared with the AWG for awareness.

An engagement session with the Victoria West Community Association (VWCA) was also held in April. The dialogue was collaborative, and staff recorded input including concerns about the amount of hardscape and potential lack of shade, as well as a desire for play features in the park. Staff confirmed that while the conceptual design had been approved by Council, there were some opportunities to mitigate or manage the concerns identified in the detailed design process. Staff have committed to a follow-up meeting with representatives of the VWCA once the design consultant is onboarded.

In May, staff met with senior representatives from the Songhees First Nation to learn about the cultural significance of this site as the traditional home of the Songhees people. The discussion covered topics such as, the site history, recent changes in the area, current programs being developed in the region, as well as the potential for new educational opportunities about the Lekwungen territory in the park. Follow-up meetings have been scheduled with the Songhees representatives to explore these opportunities in more detail.

Risk Management

The risk management plan is an important component of this project. A summary of the key risks, impacts and responses is included below.

Key Risks	Description	Response
Contaminated Soil	<ul style="list-style-type: none"> - Contaminated soils are presently encapsulated below a large portion of the future park area - Provincial regulatory requirements include permits, safe work procedures, and safe disposal of contaminated soils during the construction of the park redevelopment 	<ul style="list-style-type: none"> - Staff have retained an environmental consultant to assess geotechnical conditions, design details, and the development of site safety and remediation requirements - Mitigation strategies, and design solutions will continue to be refined through the detailed design process
Archaeological Conditions	<ul style="list-style-type: none"> - Archaeological monitoring of ground disturbing activities is required due to evidence of early cultural activity in this location 	<ul style="list-style-type: none"> - Staff are working with consultants to develop an archaeological monitoring program to manage this risk - Mitigation strategies, and design solutions will be developed through the detailed design process
Market Conditions, Competition, and Cost Escalation	<ul style="list-style-type: none"> - Since 2016 the local market has experienced a major increase in construction activity, with numerous large projects, 	<ul style="list-style-type: none"> - Staff are taking a proactive value management approach, which implements value engineering best practices throughout design and construction process

	<p>resulting in labour shortage, and cost pressures</p> <ul style="list-style-type: none"> - Annual cost escalation of ~10%, confirmed through recent tender activity 	<ul style="list-style-type: none"> - Staff are working with quantity surveyors to complete detailed cost estimates at key project milestones
Shoreline Considerations	<ul style="list-style-type: none"> - Construction on or near the high tide mark may trigger federal permit requirements, not currently within the project scope 	<ul style="list-style-type: none"> - The concept design Council endorsed in 2017 does not include work below the high tide mark. Changes in project scope directly adjacent to the shoreline would require additional resources and would have an impact the project schedule. - Special consideration regarding construction methodology to minimize impact to the shoreline

Next Steps

Detailed design work is expected to be finished in Q4 2019. Following procurement of a contractor, construction is anticipated to start in mid-2020.

Triangle Island

Overview

In 2017, Council approved the commissioning of Public Art for Triangle Island to the City of Victoria's Artist in Residence Luke Ramsey and Indigenous Artist in Residence Lindsay Delaronde, with a project budget of up to \$250,000. At the end of that year, Council received and approved The Orca Public Art design. The art component is a major aspect of the new triangular public space, and further investigation by staff into the art construction and delivery has resulted in a need for additional dialogue with Council. A separate report has been prepared detailing the new information and potential options associated with the public art, for Council consideration.

In addition to the funding available for the public art, \$291,000 is available for public realm improvements associated with the construction of the civil and landscape elements of this public space. As the artwork and all other aspects of the space are intrinsically linked, progress on the detailed design has been paused until the direction for the art project has been confirmed.

Risk Management

A summary of the key risks, impacts and responses, for this project is included below.

Key Risks	Risk Description	Risk Response
Design	<ul style="list-style-type: none"> - The landscaping, civil engineering and artwork are intrinsically linked, and progress 	<ul style="list-style-type: none"> - Presentation of new information and options

	on the design must consider all aspects	relating to the art for Council consideration and direction
Schedule	- To complete the remaining hard and soft landscaping, direction on the public art is required	

Next Steps

Staff will proceed in accordance with direction received from Council following consideration of the report being presented, Johnson Street Bridge and Bastion Square - Public Art.

David Foster Harbour Pathway Underpass

Council approved the construction of the underpass portion of the pathway in 2018. The underpass provides a pedestrian connection between the Northern Junk Public Plaza and the Janion Building public plaza.

The pathway consists of a suspended steel bridge structure with concrete slab and integrated lighting. The pathway is wheelchair accessible and designed to provide a welcoming pedestrian experience along the waterfront. Future consideration may be given to programming for the area as well as a public art in coordination with the development of the Northern Junk Plaza. The pathway will connect through the Janion Building deck and to the newest segment planned development at the Pearl Building, located at 1628 Store Street.

Northern Junk Plaza

Interim improvements to the pedestrian walkway and hydro-seeding were installed by PCL in 2018 and currently provide access to the Johnson Street Bridge pedestrian walkway. Final construction of this plaza will be dependent on approved development plans for the adjacent Northern Junk property. As a result, design development of the Northern Junk Plaza is currently on hold pending receipt of a proposal through the development permit application process.

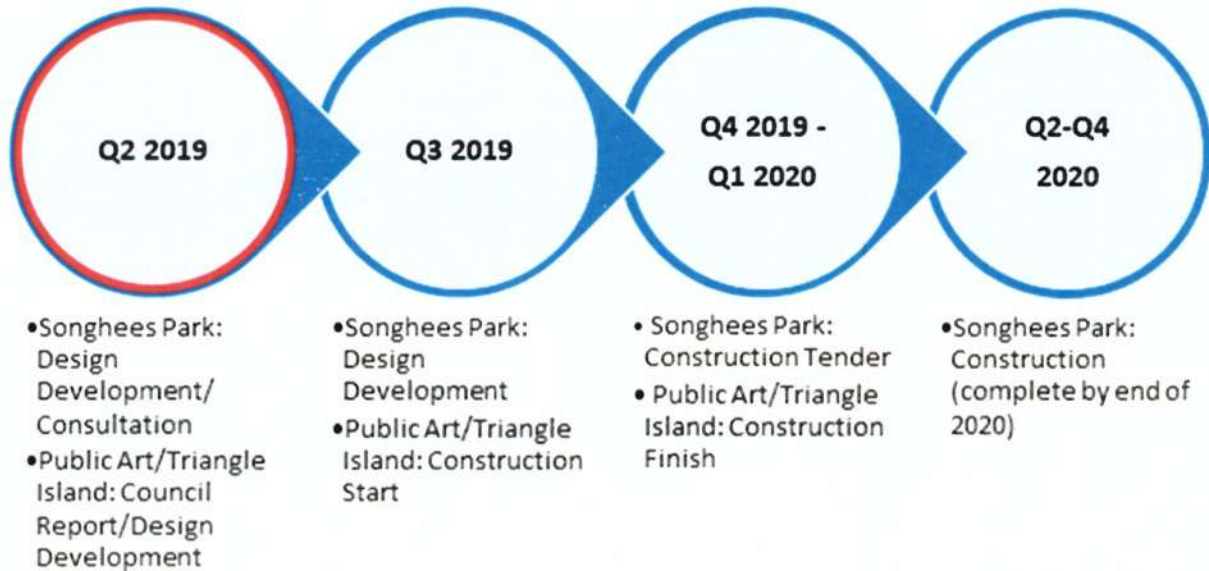
Budget

The project investments to-date associated with activities related to design, engineering, construction, and engagement activities are noted below.

	Project Component	Budget	Actuals & Commitments	Budget Remaining
1	Songhees Park expansion	\$3,000,000	\$23,500	\$2,976,500
2	Boulevard landscaping, Triangle Island, and Janion plaza	\$651,700	\$330,614	\$321,086
3	DFHP pedestrian underpass	\$614,000	\$586,286	\$27,714
4	Public art	\$250,000	\$0	\$250,000
6	Total	\$4,515,700	\$901,411	\$3,614,289

Schedule

The schedule below outlines the key milestones relating to Songhees Park and Triangle Island, including the public art installation, to be reviewed with Council in June.



2019 - 2022 Strategic Plan

The Waterfront Public Realm Initiative is consistent with achieving outcomes for the following objectives in the 2019 – 2022 Strategic Plan:

- Strategic Objective #5: Health, Well-Being and a Welcoming City
- Strategic Objective #6: Climate Leadership and Environmental Stewardship
- Strategic Objective #7: Sustainable Transportation
- Strategic Objective #8: Strong, Liveable Neighbourhoods

Official Community Plan Consistency Statement

The Waterfront Public Realm Initiative is consistent with the Official Community Plan, specifically policies and actions identified under the following goals:

- 7(B): Victorians move freely and efficiently via a safe, integrated and convenient network of public transit, bike routes, and a supportive, inviting pedestrian realm in preference to driving alone.
- 8(A): Victoria is vibrant and attractive with high quality architecture and urban design that enhance its unique character and sense of place.
- 9(A): Victoria is an active community where everyone enjoys convenient access to community parks, open spaces, facilities, amenities and programs close to where they live.

Impacts to Financial Plan

All the projects have been approved for funding within the current Financial Plan. The funding considerations relating to the public art are noted within a separate report, as referenced above.

Accessibility Impact Statement

Accessibility and connectivity are primary requirements informing the initiatives and will continue to be of focus throughout the detailed design of the remaining projects. As noted above, specific attention is being given to the treatments, including hardscape and plants for the new park space in Vic West, to reduce potential barriers to access and enjoyment of this public space.

CONCLUSIONS

The project team is pleased to have made measurable progress in accordance with the project schedule and budget, resulting in the design, construction, and completion of several components. These new amenities are eagerly anticipated by the community and will add to the vibrancy of the waterfront area for citizens of all ages and abilities.

Respectfully submitted,




Derrick Newman
Assistant Director
Facilities Management



Thomas Soulliere
Director
Parks, Recreation and Facilities

Report accepted and recommended by the City Manager:


Date: June 21, 2019



Committee of the Whole Report

For the Meeting of June 27, 2019

To: Committee of the Whole **Date:** May 9, 2019
From: Kerri Moore, Head of Business and Community Relations
Subject: Johnson Street Bridge and Bastion Square Public Art Report

RECOMMENDATION

That Council:

1. Decline proceeding with the Orca Project in Triangle Island.
2. Approve the Welcome Pole request from Bastion Square Revitalization Association funded by the funds held in trust for the Bastion Square Revitalization Association.
3. Direct staff to hold a new design competition funded from the \$250,000 public art budget within the Johnson Street Bridge project.
4. Direct staff to relocate Commerce Canoe to Triangle Island.

EXECUTIVE SUMMARY

This report provides an update to Council based on new information received regarding public art for Triangle Island and Bastion Square. Staff are proposing new solutions for Council's consideration to advance and maximize public art opportunities in key downtown locations while finding cost efficiencies and completion of these projects in a timely manner. Several emerging issues and opportunities informed the recommendations in this report.

On December 14, 2017, Council approved the Orca project designed by the City's Artist in Residence Luke Ramsey and Indigenous Artist in Residence Lindsay Delaronde for Triangle Island. The steel from the old Johnson Street Bridge was provided to the artists as an option for consideration, however, the steel did not fit the artistic vision proposed by the artists.

The total budget for the Orca Project is \$250,000 funded from the Johnson Street Bridge project. Upon approving the design concept, the next step is a detailed cost analysis to ensure the project is feasible. Staff received multiple cost estimates from qualified professionals to estimate the fabrication and installation of the Orca artwork. All estimates exceeded the approved \$250,000 budget in the magnitude of \$100,000 to \$200,000 over budget.

During the cost analysis phase for the Orca project two emerging issues arose.

First, in January 2018, a petition with 800 signatures supported the creative re-use of steel from the former Johnson Street Bridge and a request to hold a new design competition. The petition and design jam hosted by the Victoria Design Nerds also recommended engaging the community through participatory design jams, reviews and other fun and creative ways to involve the public in the project.

At the 24 May, 2018 Committee of the Whole meeting, Council directed staff to report back with opportunities, implications, and a potential budget of holding a design contest to creatively re-use the steel in the public realm. Council referred this motion to staff as well as to the Art in Public Places Committee (AIPP). There was strong support from the Committee for a legacy project related to the 'Blue Bridge' and interest in further public art integration in and around the bridge site. Opening the competition to one or multiple sites and considerations for playful, interactive, digital, and multi-sensory experiences were recommended by the AIPP.

Secondly, the Bastion Square Revitalization Association (BSRA), engaged the City regarding the opportunity to host a carving shed in the Square during the summer market, with the desire to raise a Welcome Pole at the end of the market season. Preliminary analysis indicated this would likely require relocation of the Commerce Canoe designed by Illarion Gallant in 2007.

Based on the feasibility analysis of the Orca Project, the desire by a community group to hold a new design competition, and the request to raise a new Welcome Pole and relocation of Commerce Canoe, staff recommend a creative approach that satisfies the City's goal to enliven and beautify the public realm, while being prudent with the financial implications of these decisions.

PURPOSE

To update and seek Council direction based on new information received regarding public art for Triangle Island and Bastion Square.

BACKGROUND

Orca Project in Triangle Island

At the April 13, 2017 Committee of the Whole meeting, Council approved awarding the commission to the City of Victoria's Artist in Residence Luke Ramsey and Indigenous Artist in Residence Lindsay Delaronde, as the artists for this project, with a project budget of up to \$250,000 currently allocated within the Johnson Street Bridge project budget. The triangle green at the intersection of Pandora Avenue, and Johnson and Wharf Streets was selected as the site to base the design concept. The Orca concept was approved by Council at the Committee of the Whole meeting on December 14, 2017.

Based on the initial design concept received by the artist Luke Ramsey, the next phase of the project was to undertake a more detailed cost analysis to ensure the project was feasible. Staff recently received three Class D cost estimates from third-party firms with all estimates projecting the Orca Project would exceed current budget of \$250,000. The Class D Estimates did not include an artist fees, audio visual component or a contingency to complete the project. Staff project a total budget of just under \$500,000 with a higher contingency factor based on the current design concept. More detailed design and construction drawings are needed to provide a more accurate cost estimate.

The design and implementation of the proposed Orca artwork and the landscaping elements within Triangle Island were integrated and interconnected. As such the construction of the plaza and installation of landscaping in Triangle Island is waiting for the final direction on the public art. Should the public art for Triangle Island change, the landscape design would be required to be updated to reflect, showcase and integrate with the new public art piece. It is important that the design of the landscaping and artwork be seamlessly integrated from the outset to achieve a cohesive, singular open space design for this prominent location. Funding of \$291,000 is available to complete the civil work and construction of the Triangle Island plaza currently allocated within the Johnson Street Bridge project budget. This is above and beyond the \$250,000 public art budget line for the Johnson Street project.



Site Concept: Orca Project

Bastion Square Welcome Pole Request and Relocation of Commerce Canoe



Over the last few months, the Bastion Square Revitalization Association (BSRA) has been in discussion with the City and stakeholders regarding a pole carving project and a request for a new Welcome Pole installation in Bastion Square. The goal of the project is to provide an opportunity for visitors and residents to learn more about the Lekwungen People and local traditions and customs, and the significance of this site to local First Nations.

The Pole would be carved throughout the summer during the Bastion Square Summer Market season by Tom LaFortune and members of his family. Tom is a member of the Tsawout First Nation who has connections to several families whose ancestral lands are in the southern part of what is known as Vancouver Island. He finished his first carving when he was 11 years old. In the years that followed, Tom has carved masks, rattles, paddles, dishes, talking sticks, single figures and countless totem poles. Today his work is distinguished by its fluidity and refined use of colour.

The design envisioned by the carver Tom LaFortune tries to bring together a shared past. Victoria today is home to all of us. Tom's design incorporates both the traditions of his people and a representation of those who came more recently. It is about cross-culture, sharing, and becoming one. As in times past, the central figure is the village elder with his talking stick facing the sea who will give future visitors, on behalf of all of us, a welcome to Victoria. The pole would be sited near the entrance of Bastion Square at Wharf Street where the Commerce Canoe is currently located.

The BSRA has received verbal confirmation from the Esquimalt and Songhees Nations of their support for this project.

The letter also requests a relocation of Illarion Gallant's Commerce Canoe from Bastion Square to another site to make space for the Welcome Pole near the entrance at Wharf Street.

Creatively Re-Use Steel Design Competition

A petition was circulated to support the creative re-use of the steel from the Johnson Street Bridge. Over eight hundred signatures supported the idea. The Victoria Design Nerds hosted a design jam to further discussion regarding re-use of the steel within the public realm and specifically discussed Upcycled Urbanism, and how we might memorialize the Johnson Street Bridge by honouring the past and looking to the future in a contemporary way. Twenty five participants, from heritage planners, urban designers, architects, artists and members of the public participated in break-out sessions and rapid jam sessions to generate possible ideas. In summary, the following ideas were proposed:

- Walking tour podcast for storytelling
- Counterweight viewing platform with Blue Bridge railings
- Interactive sculpture with lights, music and green space
- Projecting art, facts and images onto the new bridge
- Laser sculpture hologram of the old bridge
- Beams along a pathway connected to an app telling the story of place
- Memorial benches, picnic tables, planters, light structures, frames.

At the 24 May, 2018 Committee of the Whole meeting, Council directed staff to report back with opportunities, implications, and a potential budget of holding a design contest to creatively re-use the steel in the public realm. Council referred this motion to staff as well as to the Art in Public Places Committee (AIPP).

The AIPP Committee recommended an Open Call to Artist or Design Competition with a total budget allocation of \$125,000. Opening the competition to one or multiple sites with considerations for playful, interactive, digital, and multi-sensory experiences, should be encouraged within the competition parameters. There was also a desire and recommendation by the Committee to actively engage the design community and the public at large in the design competition whether through participatory design jams, reviewing and voting on submissions, as well as other fun and creative ways to engage the public in this project.

Further details and information about the Nerd Jam session are attached to this report.



Design Nerd Jam Engagement Summary Excerpt

ISSUES & ANALYSIS

Orca Project in Triangle Island

Based on third party Class D cost estimates, the Orca project, will require additional funding or a complete redesign and reduced scoping by the artists to meet the current budget of \$250,000 to move this project towards completion. To complete the remaining hard and soft landscaping for Triangle Island, a decision on public art is required to ensure the above and below ground civil work aligns with the installation and expression of the public art. If a new competition or redesign of the Orca project is proposed for this site, it will delay the entire Triangle Island project until summer and possibly fall of 2020 with cost escalations for materials and labour due to further delay.

To date, the only funding expense for Orca Project is completion of the Class D Cost Estimates. All artist fees to date have been expended from the Artist in Resident budgets. Both Luke Ramsey and Lindsay Delaronde have completed their residencies with the City. Any additional work undertaken by the artists to complete this project would need to be added to the Orca project budget.

Public Art in Bastion Square: Welcome Pole Request and relocation of 'Commerce Canoe'

Based on discussions with the BSRA board, staff are supportive of the proposal to install a Welcome Pole in Bastion Square to honour the Lekwungen people at this significant highly visible location.

The Welcome Pole would be funded from the Bastion Square Public Market Fund. The funding is held in trust towards revitalization of the Square and can include structural improvements and public art considerations. These funds are generated from vendors' fees collected from the Bastion Square Public Market. Currently the City holds \$242,500 in trust. The Welcome Pole would be fully funded from the trust.

In discussion with City staff, the BSRA Board, and the artist Illarion Gallant, the recommendation is to relocate 'Commerce Canoe' due to the close proximity of two artistic vertical elements within the Square. This is to ensure the Welcome Pole is the visual focus in this area. Staff propose moving 'Commerce Canoe' to Triangle Island as the preferred location based on the scale, material use and thematics of the artwork and how it will integrate well into the transitory nature of Triangle Island and its location adjacent to harbour. This would also expedite completion of Triangle Island.



Concept Rendering showing Commerce Canoe at Triangle Island.



Concept Rendering showing Commerce Canoe at Triangle Island

Creatively Re-Use Steel Design Competition

There is strong community support to commemorate the old 'Blue Bridge'. A petition and community design jam session encourages Council to consider a new design competition and consider allowing artists and designers to use the steel from the old Johnson Street Bridge.

As per the staff report by the Engineering and Public Works Department on May 24, 2018, re-use of the steel components for a design competition or directly to an interested party such as artists and designers to create public art, may potentially introduce risks of liability to the City related to the hazards associated with the steel condition and lead paint coatings. A full disclosure of the hazard types in order to quantify any risks could impose additional costs to the City in order to complete hazard and condition assessments of the structure prior to transferring the material.

The City would need to develop a unique selection process and complete a formal condition and risk assessment which would require additional time and administrative effort to complete.

As stated in the May 24, 2018 staff report, the rail bridge steel has significant surface corrosion and is coated in lead-paint, which represents health hazards that will need to be responsibly managed through the disposal process. No detailed estimate or bid process has established a cost to remediate the steel and remove the lead paint, however, a rough estimate of \$20,000 depending on the method of removal, can be assumed. If the City were to direct the steel to a specific interested group, it would likely impose a requirement on the City to develop a unique selection process, and complete a formal condition and risk assessment on the structure, at the cost of between \$5,000 and \$10,000 (an estimate of contractor and staff administrative costs). Transfer of the material directly to an interested party (for public art or other use) may potentially introduce risks of liability to the City related to the hazards associated with the steel condition and lead paint coatings

If Council chose to undertake a Design Competition and re-use the steel, staff would recommend that artist and design teams would need to detail how they would re-use the steel to ensure the City can conduct a thorough assessment and technical review to minimize any liability and risk to the City.

The Art in Public Places Committee recommended \$125,000 to host a Design Competition. This does not include any costs associated with disposal, remediation and administration costs including possible structural assessments that may be required for the steel. The estimate for this work is \$30,000. The total budget to issue a new Design Competition and provide steel from the old Johnson Street Bridge would be \$155,000.

Art in Public Places Committee Recommendation

Staff have had several meetings and correspondence with the AIPP Committee members on this project. Staff provided a full debrief on the public art considerations for Triangle Island and the Welcome Pole proposal. Based on information received, the Art in Public Places Committee recommend the following for Council consideration:

- To not complete the Orca Project and support a new design competition to commemorate the Old Blue Bridge and its history.
- Move the Commerce Canoe piece from Bastion Square to Triangle Island and complete the landscaping details
- Accept and approve Welcome Pole for Bastion Square.

OPTIONS & IMPACTS

OPTION 1 (RECOMMENDED):

That Council:

1. Decline proceeding with the Orca Project in Triangle Island.
2. Approve the Welcome Pole request from Bastion Square Revitalization Association funded by the funds held in trust for the Bastion Square Revitalization Association.
3. Direct staff to hold a new design competition funded from the \$250,000 public art budget within the Johnson Street Bridge project.
4. Direct staff to relocate Commerce Canoe to Triangle Island.

This option will allow for cost and time efficiencies by reallocating budget from the Orca project to a new design competition aligning with community input and using existing public art in the City's public art collection to resolve site limitations and constraints within the Triangle Island site.

OPTION 2:

1. Approve additional funding to complete the Orca project in Triangle Island.
2. Approve the Welcome Pole request from Bastion Square Revitalization Association funded by the funds held in trust for the Bastion Square Revitalization Association.
3. Direct staff to report back on site options, detailed feasibility assessment and cost estimate to re-site 'Commerce Canoe' artwork to a new location.
4. As part of the 2020 Financial Plan process, consider allocating \$155,000 to hold a new design competition to commemorate the old 'Blue Bridge' and re-use of the steel.

Additional funding from the Public Art Reserve Fund would be required to complete the Orca project and host a new Design Competition. Allocating additional public art funding from the Reserve would limit future opportunities to complete public art projects such as the Artist in Resident Program, Commute Bus Shelter, and Commercial Alley. The fund would be nearly depleted if this option is chosen.

OPTION 3:

1. Request a revised design concept and scope for the Orca project to meet budget of \$250,000.
2. Approve the Welcome Pole request from Bastion Square Revitalization Association funded by the funds held in trust for the Bastion Square Revitalization Association.
3. Direct staff to report back on site options, detailed feasibility assessment and cost estimate to re-site 'Commerce Canoe' artwork to a new location.

- As part of the 2020 Financial Plan process, consider allocating \$155,000 to hold a design competition to commemorate the old 'Blue Bridge' and re-use of the steel.

Requesting a redesigned design concept may require the artist to consider less durable, aesthetically palatable material choices as well as a significant reduction on size and scope of the sculpture which could greatly impact the overall design and aesthetic of Triangle Island. This may not meet Council or the public's expectations for this scope of competition. Council would need to approve a redesigned Orca artwork which could delay completion of Triangle Island until 2020 or beyond.

An additional \$155,000 would be required from the Public Art Reserve to fund a new Design Competition.

Accessibility Impact Statement

Consultation with the Accessibility Working Group would be included in the project plan to ensure it meets accessibility standards. Art in Public Places Committee and Design Jam participants strongly encouraged the new design competition parameters include a multi-sensory experience for all users.

Impacts to Financial Plan

No impacts to the Financial Plan based on the staff recommendation and keeping within Johnson Street Bridge project budgets for public art and Triangle Island. Currently the Public Art Reserve Fund has \$382,000 for future public art projects. If Option 2 or 3 is selected, the total draw from Reserves would be near depleted to fund future public art projects throughout the city.

2019 - 2022 Strategic Plan

The Triangle Island and Bastion Square Public Art initiative is consistent with achieving outcomes for the following objectives in the 2019 – 2022 Strategic Plan:

- Strategic Objective #5: Health, Well-Being and a Welcoming City
- Strategic Objective #8: Strong, Liveable Neighbourhoods

Official Community Plan Consistency Statement

Section 8: Placemaking

8 (L) That heritage and cultural values are identified, celebrated, and retained through community engagement.

8.37 Support a wide range of opportunities for permanent and temporary art in public and public-private spaces

14.2 Continue to enhance the Urban Core through public realm improvements for pedestrian comfort and enjoyment, such as plantings, lighting, street furniture and art in public places

Section 16: Arts and Culture

16 (A) Victoria is a place where artists are able to thrive and where people from all walks of life enjoy formal and informal opportunities to create and enjoy the arts, culture and entertainment activities

16 (C) That cultural diversity and cultural heritage are celebrated and sustained.

16 (D) That the arts are accessible to a broad diversity of people and groups.

16 (F) That art in public places is supported and enabled as a public good and an expression of community identity.

16 (G) That creativity and cultural development are fostered through public dialogue and lifelong learning.

16.6 Encourage broad access to arts and culture facilities, events and activities for people of all ages, incomes, backgrounds and lifestyles.

16.7 Encourage education, training and informal learning opportunities in the arts, design and culture.

16.13 Encourage and enable community-led public art programs with support from City staff and professional artists.

CONCLUSION:

Based on the feasibility of the Orca project, a desire by the community for a new design competition to commemorate the old Bridge, a Welcome Pole request and site considerations within Bastion Square, staff recommend a creative approach to public art installations that satisfy the City's goals to enliven and beautify the public realm at the same time being prudent with the financial implications of these decisions.

Respectfully submitted,



Nichola Reddington
Senior Cultural Planner



Kerri Moore
Head of Business and Community Relations

Report accepted and recommended by the City Manager:

Date:


June 17, 2019

List of Attachments

Appendix A: Design Nerd Jam Engagement Summary

Appendix B: Proposal from Bastion Square Revitalization Association

BRIDGE

VERB.

MAKE A DIFFERENCE BETWEEN TWO GROUPS SMALLER OR LESS SIGNIFICANT.

NOUN.

A) A STRUCTURE CARRYING A PATHWAY OR ROADWAY OVER A DEPRESSION OR OBSTACLE.

B) A TIME, PLACE OR MEANS OF A CONNECTION OR TRANSITION.

"TO BRIDGE THE GAP BETWEEN SOMETHING."

SYNONYMS:
JOIN, LINK, CONNECT, UNITE,
STRADDLE, OVERCOME,
RECONCILE

SO FAR..

OPEN
INNOVATION
CHALLENGE

850+
PETITION
SIGNATURES

MEDIA
COVERAGE

CHEK  radio

Victoria
buzz

C-FAX 1070

DISCOVER
TECTORIA

COUNCIL
PRESENTATION

NERD
JAM

BYE BYE
BLUE

ART IN PUBLIC PLACES
COMMITTEE PRESENTATION

DESIGN
COMPETITION?

PAST **HISTORY** ACKNOWLEDGED

HOW MIGHT WE CELEBRATE HISTORY
WITHOUT DISHONOURING LOCAL
COMMUNITY?

PRESENT **COMMUNITY** ENGAGED

HOW MIGHT WE TELL THE MANY
STORIES OF THE BLUE BRIDGE WHILE
MAKING PEOPLE SMILE?

FUTURE **TECHNOLOGY** HIGHLIGHTED

HOW MIGHT WE CELEBRATE OUR MEMORIES
OF THE BLUE BRIDGE WHILE EMBRACING
VICTORIA'S EVOLVING IDENTITY?

UPCYCLED URBANISM:

HOW MIGHT WE MEMORIALIZE THE JOHNSON STREET BRIDGE BY HONOURING THE PAST AND LOOKING TO THE FUTURE IN A CONTEMPORARY WAY?

25 ATTENDEES | POTLUCK & BYOB | EMPATHY MAPPING | 5 BREAK-OUT GROUPS | RAPID JAM SESSION

NERD JAM SUMMARY & OUTCOMES

Keynote speaker, Jared Korb, facilitated the evening and introduced Design Thinking.

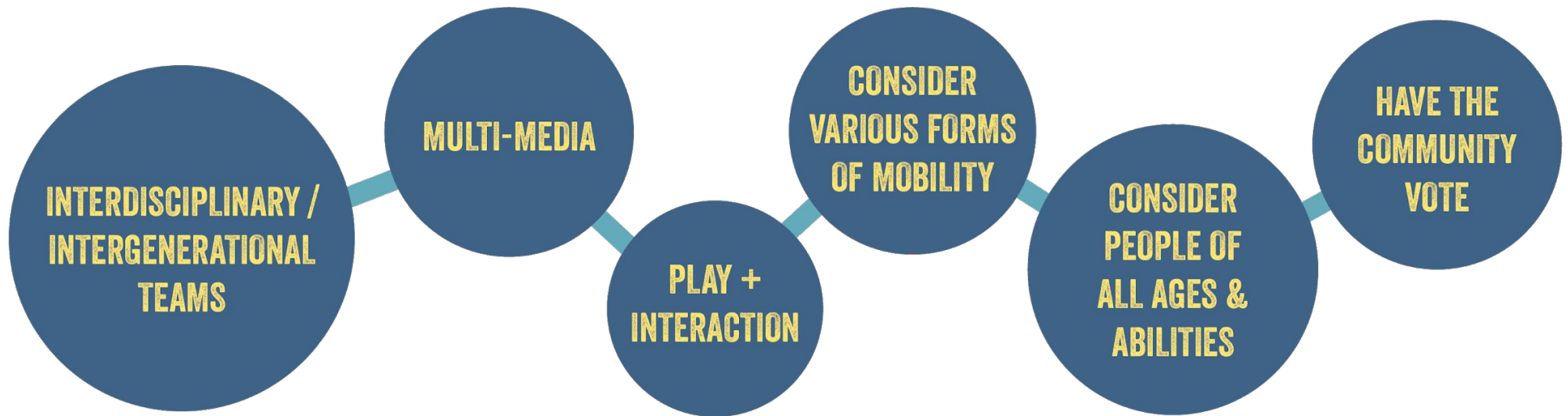
4 Expert Panelists presented on the Design Challenge from their perspective:

- Steve Barber *Retired Victoria Heritage Planner* - Heritage preservation through adaptive reuse
- Jeremy Loveday *City of Victoria Councillor* - Memorialization through storytelling
- Anna Babicz *City of Victoria Urban Designer* - Embracing the transformational journey from history to future
- Silvia Bonet *Finlayson Bonet Architecture* - Public art versus art in public places

IDEAS

- Walking tour podcast for storytelling
- Counterweight viewing platform with Blue Bridge railings
- Interactive sculpture with lights, music and green space
- Projecting art, facts and images onto the new bridge
- Laser sculpture hologram of the old bridge
- Beams along a pathway connected to an app telling the story of place
- Memorial benches, Picnic tables, Planters, Light structures, Frames

HOW MIGHT WE COLLABORATE TO CREATE AN INCLUSIVE & ENGAGING DESIGN COMPETITION?



STEPS

- Define audience
- Set objective and parameters
- Community input
- Diverse teams of professionals, artists and local representatives
- Judging panel selection
- Awards structure
- Quantity and quality of steel available
- Site selection
- Setting the stage
- Resource allocation
- Method of working together
- Communications plan



+



VICTORIA
DESIGN
NERDS



April 2, 2019

The Bastion Square Salish Welcome Pole Project

The Bastion Square Revitalization Association's (BSRA) purpose is to promote the social and economic health of downtown Victoria by implementing improvements to Bastion Square. In keeping with these goals, the BSRA is planning to commission a Salish Totem Pole of Welcome to be carved in Bastion Square and eventually with the approval of the City of Victoria, placed in the Square.

Background:

The Salish people have a close association with the Bastion Square vicinity as there was a village next to what became Fort Victoria for many years before the arrival of the Hudson's Bay Company. In recent years we have seen totem poles raised in the city mainly on Provincial lands, but almost all of these were not Salish. This then will be a great opportunity to have a traditional Salish welcome Pole in our city for locals and visitors alike to enjoy and experience.

The Vision:

The design envisioned by our carver Tom LaFortune tries to bring together our shared past. Victoria today is home to all of us. Crossing cultures and breaking down barriers is more important now than reconciliation. Tom's design incorporates both the traditions of his people and a representation of those who came more recently. He honors both. It is about cross-culture, sharing, and becoming one. As in times past, the central figure is the village elder with his talking stick facing the sea who will give future visitors, on behalf of all of us, a welcome to Victoria.

The Plan:

This coming summer work on the totem pole would be completed by our carver Tom and his family in Bastion Square. This would give visitors to our city the opportunity to experience and see the art and culture of our Salish people. The BSRA plans to have the totem in a protected area afterhours, but during the Market days (Thursday to Sunday) the totem would be accessible to the public. The BSRA would like to include Salish artisans and entertainers in this year's Market. We think it would be a great opportunity for our local Salish people to showcase their vibrant traditions and art. At the end of the summer the BSRA would like to see the pole raised in the Square and secured for future generations of Victorians and visitors alike to appreciate. With the introduction of the totem pole to the Square the BSRA thought this might be a good opportunity to repurpose the "Commerce Canoe", which could be relocated to a more central location, such as closer to the City's new bridge. This would allow it to be more visible and appreciated by more of the public. The BSRA could gift the artwork to the City and in return the City could help with the installation of the totem pole.

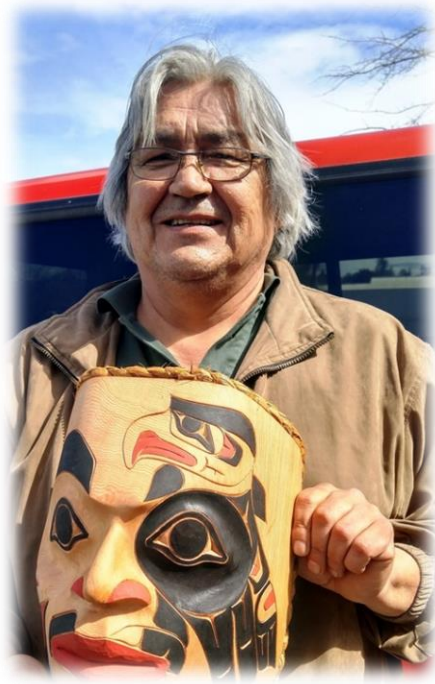
Action:

The BSRA plans to dedicate a portion of accumulated trust funds for the Totem Pole Project and will seek to share costs with other interested organizations, community groups and project supporters. In this early planning stage of the project, efforts are being made to identify the scope of work, a reasonable schedule, appropriate costs and a path through an approval process with the City of Victoria and other agencies that may require input.

At this stage, the BSRA invites the City of Victoria to make relevant comments and assist us in furthering the Totem Pole Project.

On behalf of the BSRA,

Randy Stewart
BSRA Operations Manager



Tom La Fortune

KETIWTEL/Katekwa Tom is a member of the Tsawout First Nation who has connections to several families whose ancestral lands are in the southern part of what is known as Vancouver Island. He finished his first carving when he was 11 years old. In the years that followed, Tom has carved masks, rattles, paddles, dishes, talking sticks, single figures and countless totem poles. He has also made painted drums. Today his work is distinguished by its fluidity and refined use of colour.

Tom has a great appreciation for the late Simon Charlie, a true master carver who gave him the opportunity and encouragement to find his artistic ability and continue to learn with each piece of art he creates. Some credit can be extended to his two older brothers Doug LaFortune and Francis Horne who along with his three younger brothers Perry, Howard and Aubrey LaFortune have shared their different views of carving techniques and design all of which has

enhanced the style Tom uses today.

Tom's work can be found in collections all over the world. Some of his most notable works include the Harvest Time and Owl Spirit poles completed for Duncan's City of Totems project, the totem pole commissioned by the CBC and featured on television coverage of the 1994 Commonwealth Games, a single owl figure overlooking the Ross Fountain at the world famous Butchart Gardens in Victoria, S'ael, a twenty-five foot pole completed as part of Royal Roads University's 75 years of changing lives celebrations, and a Salish arch for the Fort Rodd Hill National Historic Site he has completed all have special meaning.

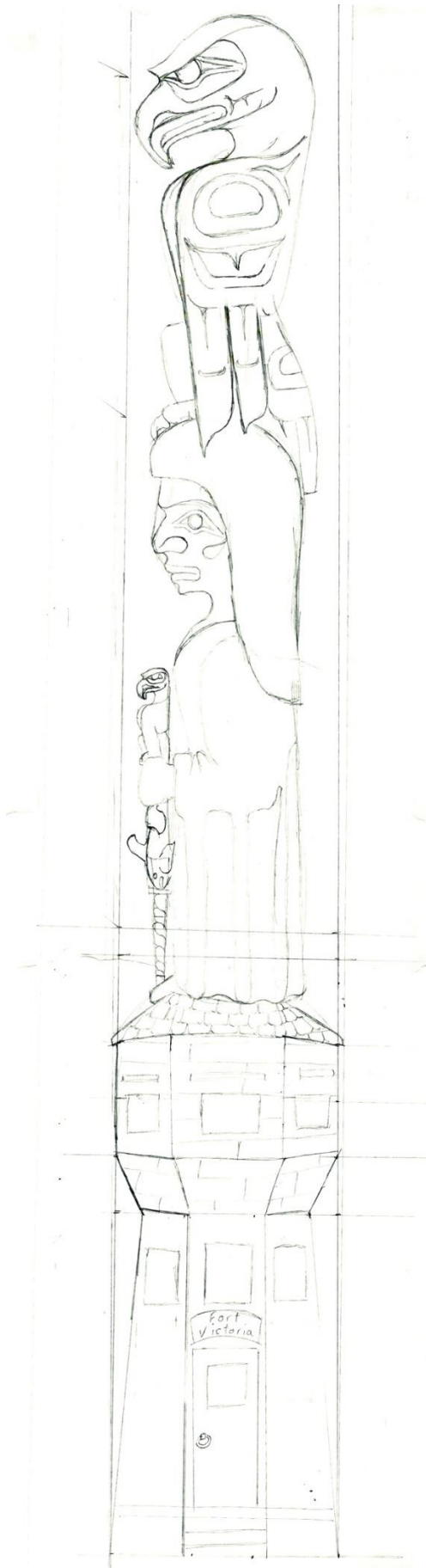
Other works of art include: three 20 foot house posts, two which are joined by an arch and a 28.5 foot loon figure which stands at the center of the Songhees Wellness Centre.

Last summer he completed a 25 foot totem pole at the Royal BC Museum which was jointly commissioned by Timber West, the Ministry of Health and the Royal BC Museum. Titled; Crossing Cultures and Healing. While carving each day he enjoyed the interpretive conversation with the public many of whom were visitors to Victoria.

He still enjoys producing and sharing his creativity with young and upcoming artists. Teaching a contemporary and new refined style of Salish art.

Tom lives with his partner Doreen whom encourages him and continues to be his biggest supporter and he is close to his two sons and large extended family.







**Totem Pole
Centered in octagonal
area, facing the harbour**

**Totem Pole
Replacing the Commerce Canoe
sculpture, facing the harbour**

**Proposed Totem Pole Locations
Lower Bastion Square**

April 2019

Johnson Street Bridge and Bastion Square Public Art Report



Purpose

To update and seek Council direction based on new information received regarding public art for Triangle Island and Bastion Square.



Intersection of
Pandora Avenue,
Johnson and
Wharf Streets

Triangle Island



- PROGRAM LEGEND**
- 1 Public Art With Feature Lighting
 - 2 Viewing Plaza
 - 3 Bermed Planting
 - 4 Hydro Kiosk
 - 5 Screen - Corten Stanchions
 - 6 Bench Seating



Orca

Orca

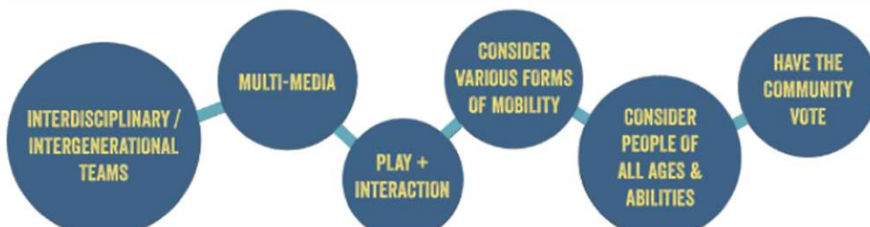
11 orca/surf boards 51" x 264" Height

Fabricated aluminum shapes with galvanized steel internal structure.

Included LED lighting and audio/sound component.



HOW MIGHT WE COLLABORATE TO CREATE AN INCLUSIVE & ENGAGING DESIGN COMPETITION?



New Design Competition

New Design Competition

Strong support from the AIPP Committee for a legacy project related to the 'Blue Bridge' and interest in further public art integration in and around the bridge site.

The Committee recommended an **Open Call to Artist or Design Competition** with a budget allocation of **\$125,000**.

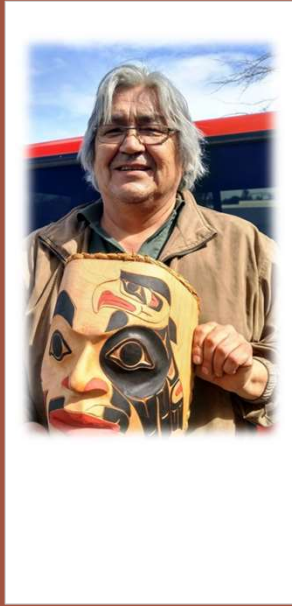


Bastion Square Welcome Pole

- Concurrently, the Bastion Square Revitalization Association (BSRA), engaged the City regarding the opportunity to host a carving shed in the Square during the summer market, with the desire to raise a Welcome Pole at the end of the market season.

- BSRA would use funds from the Market Fund Agreement.



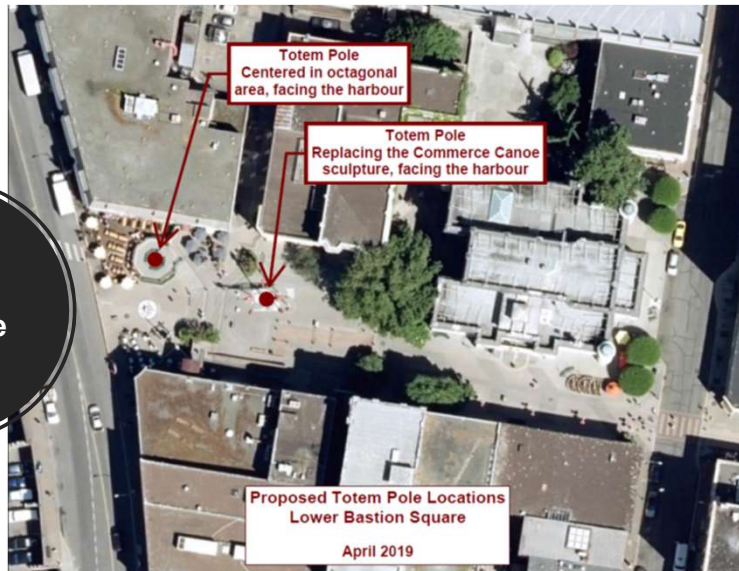


Bastion Square Welcome Pole

The Pole would be carved throughout the summer during the Bastion Square Summer Market season by Tom LaFortune.



Bastion Square Welcome Pole



Commerce Canoe



Commerce Canoe by artist Illarion Gallant.



Orca Project

- The next step in the project was a further detailed cost analysis from a third party to ensure the project was feasible.
- Staff received multiple Class D cost estimates for the fabrication and installation of the Orca artwork. All estimates exceeded the \$250,000 budget allocation based on a higher contingency factor.



Options and Analysis

- Feasibility of the Orca project.
- Desire by the art and design community to hold a new design competition.
- The Welcome Pole donation for Bastion Square and site considerations for its installation.
- Relocation of Commerce Canoe.



Staff Recommendation

OPTION 1

That Council:

1. Decline proceeding with the Orca Project in Triangle Island.
2. Approve the Welcome Pole request from Bastion Square Revitalization Association funded by the funds held in trust for the Bastion Square Revitalization Association.
3. Direct staff to hold a new design competition funded from the \$250,000 public art budget within the Johnson Street Bridge project.
4. Direct staff to relocate Commerce Canoe to Triangle Island.







Committee of the Whole Report

For the Meeting of June 27, 2019

To: Committee of the Whole **Date:** June 6, 2019
From: Kerri Moore, Head of Business & Community Relations
Subject: 709/711 Douglas Street (CityStudio Victoria)

RECOMMENDATION

That Council authorizes the use of 709/711 Douglas Street, known as 'CityStudio Victoria', be returned to the Real Estate revenue portfolio.

EXECUTIVE SUMMARY

As outlined within the economic action plan; *Making Victoria – Unleashing Potential* and under the engine of Advanced Education and Research & Development, one of the action items was to; "Partner to create a post-secondary presence downtown including but not limited to teaching and research facilities, incubation opportunities, continuing studies/life-long learning, student housing, and a City Studio." The concept of a downtown Victoria CityStudio was branded after the Vancouver CityStudio model.

In partnership with the three post-secondary institutions, the City was asked to provide a space downtown. City staff secured a City owned retail space located at 742 Johnson Street and CityStudio operated there from February 2016 to July 2018. In August 2018 CityStudio moved to its current location at 709/711 Douglas Street. In addition to CityStudio use, other community users have also booked the site for their own use when CityStudio was available.

Since opening, the operation intended to have a full time coordinator to manage the space, create the programming and be the connector between the City, the partner post-secondary institutions, and community/private sector. However, efforts to secure funding either through third party grants or the partner post-secondary institutions was unsuccessful and the responsibility remained with the Manager of Strategic Relations & Business Development. From January 2017 to December 2018, the operation was supervised by a co-op student, who was managed by the Manager of Strategic Relations & Business Development (SRBD). From December 2018 onwards, the space has been managed by a SRBD staff person; however, these duties are taking away resources from their core business requirements and cannot be maintained with existing resources.

Early in 2018, Camosun College left the partnership to focus on other priorities. From inception, funding for CityStudio Victoria has remained the responsibility of the City and the 2019 Financial Plan does not include a budget for its operation. Early in 2019, Royal Roads University expressed interest in assuming the operation of CityStudio Victoria and a downtown space would no longer be required. This transition would allow the City to continue to be involved and provide CityStudio

projects for students while releasing the City from the financial responsibility of providing the retail space, operational costs, and staff time to manage.

Given the departure of CityStudio (the original purpose of utilizing this rental unit) and the lack of resources to carry out the management activities necessary to permit ongoing use by other groups, SRBD staff recommend returning 709/711 Douglas Street to the real estate portfolio as a new lease opportunity.

PURPOSE

The purpose of this report is to seek Council approval to return 709/711 Douglas Street, a retail unit located at Crystal Garden known as CityStudio Victoria, to the Real Estate revenue portfolio for lease.

BACKGROUND

CityStudio Victoria is a partnership with three post-secondary institutions. This was a deliverable outlined in the City's previous economic action plan called *Making Victoria – Unleashing Potential*.

In November 2015 the first meeting to discuss the concept was convened representing the 3 post-secondary institutions; the University of Victoria, Royal Roads University and Camosun College, along with Mayor Helps, City of Victoria staff, and other interested parties from the private sector.

Some of the action items from the meeting included:

- Identification of potential space(s) by City of Victoria
- Investigation of existing agreements with post secondaries and build on what exists
- Communicating to the Presidents of Royal Roads University, University of Victoria and Camosun College the importance of this initiative.

Based on the action items above, staff quickly secured a viable City owned space located at 742 Johnson Street. The space opened in February 2016 and operated at this location until July 2018, when it then moved to 709/711 Douglas Street. Since inception, CityStudio Victoria has struggled to adopt the original Vancouver model and has been unsuccessful in securing partner funds or alternate funds to support the operations success.

The operation was intended to have a full-time coordinator to manage the space, create the programming and be the connector between the City, the partner post-secondary institutions, and community/private sector. Initial grant funding was attempted through the McConnell Foundation, but was unsuccessful and the responsibility to manage and operate the space remained with the Manager of Strategic Relations & Business Development. This equated to approximately a .5 FTE position. To support the CityStudio operation and secure a full-time coordinator, the City approved \$25,000 to be included in the 2017/2018 Financial Plan. A meeting with the post-secondary partners to propose equal funding contributions to further support the operation and the full-time coordinator was unsuccessful. The concept of a co-op student was then introduced and initiated in March 2017. During this time, a number of community and not-for-profit groups approached the City to use the space and this was approved based on availability, however, CityStudio post-secondary partners maintained first right of refusal. Usage of the space increased as a result with much of the site management activities now spent on logistics supporting approximately 25-30 other user groups.

CityStudio never operated like the Vancouver model that is reliant on a full-time coordinator to work with City staff and the post-secondary community to create courses offered. Without the funding for

a full-time coordinator this is not possible and does not represent the 'CityStudio' brand. Of note, the Vancouver model works with one post-secondary as the lead to administer registration, course credit transfers, and provide partial funding.

ISSUES & ANALYSIS

With Royal Roads assuming operation of CityStudio, and no longer needing the City owned location at 709/711 Douglas Street, the original purpose for removing this unit from the revenue lease pool is no longer present. The City and CityStudio partners also permitted various community groups to book the location when not used by the CityStudio partners. With the closure of CityStudio, new bookings of the site have not been made pending a determination of the future use of the unit.

The 2019 Financial Plan does not include a budget for CityStudio and the operation and management of the space has remained with SRBD staff. SRBD management was never envisioned to be a permanent resource for managing the logistics necessary to support CityStudio; or the expanded demands from secondary use by community groups numbering between 25 to 30 organizations. Logistics efforts include: vetting booking requests, booking and schedule change management, responding to inquiries, access control, booking software maintenance and site cleaning. Staff estimated the resources necessary to properly manage the logistics would require an additional .5 FTE equivalency approximately.

Based on the existing lease rates at Crystal Garden retail units, staff expect this location could generate approximately \$18,000 to \$20,000 in annual rental revenue and \$7,000 in property taxes if leased to a business operator. It would likely take at least four to six months to find a suitable tenant given the location and demand for this type of retail space.

The Crystal Garden is included within the Victoria Conference Centre revenue model which includes the four pillars; retail, parking, food & beverage, and space rental.

OPTIONS & IMPACTS

Option 1 – Approve 709/711 Douglas Street be returned to the Real Estate portfolio as a new lease opportunity (Recommended)

Staff are recommending this option given the departure of CityStudio and the lack of existing resources to take on the additional scope of work required to provide logistics necessary to manage a broad based user-meeting site. This option would be expected to increase annual revenue from Crystal Gardens by \$25,000 to \$27,000 between rent and property taxes.

Option 2 – 709/711 Douglas Street space be retained for community use

This option would continue to allow users groups to book and make use of a stable site for their meeting purposes. Without this option, they would need to return to their previous methods of securing meeting space. While CityStudio was a defined action plan goal that supported the use of the City lands and the expansion of City services, operating a broad based user meeting site in the downtown would be expanding the services the City is providing beyond the City's strategic plan. Expanding the role and services of SRBD would require that additional resources are committed that are not currently within the 2019 Financial Plan.

Accessibility Considerations

There is no impact on accessibility from the recommendations.

2019 – 2022 Strategic Plan

Returning the 709/711 retail space to the Real Estate revenue portfolio is consistent with achieving outcomes for the following objectives in the 2019 – 2022 Strategic Plan:

Strategic Objective #4: Strategic Objective #4: Prosperity and Economic Inclusion – low vacancy in downtown retail spaces is maintained.

Impacts to Financial Plan

Option 1 will provide a new revenue opportunity for the City. Given lead times to secure new tenants, it is unlikely additional revenue will be material in 2019. However, starting in 2020 lease revenue can be expected to increase by \$18,000 to \$20,000 annually.

If Option 2 is considered, the 2019 Financial Plan does not include a budget to operate 709/711 Douglas Street if maintained for community meeting use. Additional resources comprising a .5 FTE and additional operating budget of approximately \$5000 would be required. The operating funding would provide the following services: wifi, website hosting, booking platform, and miscellaneous costs such as dry erase marks and office supplies.

Official Community Plan Consistency Statement

The recommendations are consistent with the zoning in the OCP.

CONCLUSIONS

CityStudio will transition to Royal Roads University to assume the operation and management that will still honour the original partnership with the City's involvement. Given the departure of City Studios and the lack of existing resources to take on the additional scope of work required to provide logistics necessary to manage a broad based user-meeting site, staff recommend returning the unit to the real estate revenue portfolio.

Respectfully submitted,



Kerri Moore
Head of Business & Community Relations



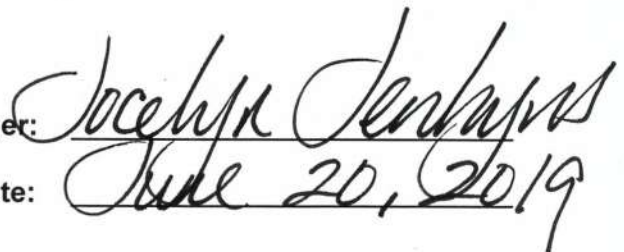
Peter Rantucci
Head of Real Estate



Susanne Thompson
CFO & Deputy City Manager

Report accepted and recommended by the City Manager:

Date:


June 20, 2019

709 / 711 Douglas St. (CityStudio Victoria)



Purpose

The purpose of this report is to seek Council approval to return 709/711 Douglas Street, a retail unit located at Crystal Garden known as CityStudio Victoria, to the Real Estate revenue portfolio for lease.



709 / 711 Douglas Street (CityStudio Victoria)

CityStudio Victoria

- CityStudio Victoria (CSV) is a deliverable from the 2015 Economic action plan *Making Victoria – Unleashing Potential*
- A partnership with Victoria's three post-secondary institutions
- Opened at 742 Johnson Street in February 2016
- Moved to 709/711 Douglas Street in July 2018



709 / 711 Douglas Street (CityStudio Victoria)

CityStudio Victoria

- The CityStudio model is based on a full-time coordinator to manage the space, create the programming and be the connector between the City, partner post-secondary institutions, and community/private sector
- Initial grant funding or other partner funding was unsuccessful
- Responsibility remained with Manager of Strategic Relations & Business Development (SRBD) = .5 FTE approximately



709 / 711 Douglas Street (CityStudio Victoria)

CityStudio Victoria

- To support the operation and secure a full-time coordinator, the City approved \$25,000 to be included in the 2017/2018 Financial Plan
- In 2017 & 2018, the operation was supervised by co-op students from each partner post secondary institution
- Reliant on a full-time coordinator to work with City staff and the post-secondary community to create the courses offered.



709 / 711 Douglas Street (CityStudio Victoria)

Issues & Analysis

- Early in 2018 Camosun College left the partnership due to other priorities
- Royal Roads University to assume the operation of CityStudio Victoria and no longer needs the City owned location at 709/711 Douglas Street
- 2019 Financial Plan does not include a budget for CityStudio
- Expanded demands on the space by secondary user groups, between 25-30



709 / 711 Douglas Street (CityStudio Victoria)

Issues & Analysis

- Vetting booking requests, management of bookings, responding to inquiries, access control and site cleaning
- Estimated staff resources to properly manage the logistics would require an additional .5FTE
- Based on existing retail lease rates at Crystal Garden, staff expect this location could generate approximately \$18,000 to \$20,000 in annual revenue



709 / 711 Douglas Street (CityStudio Victoria)

Options & Impacts

Option 1 – Approve 709/711 Douglas Street be returned to the Real Estate portfolio as a new lease opportunity (Recommended)

Staff are recommending this option given the departure of CityStudio and the lack of existing resources to take on the additional scope of work required to provide logistics necessary to manage a broad based user-meeting site.

This option would be expected to increase annual revenue from Crystal Gardens by \$25,000 to \$27,000 between rent and property taxes.



709 / 711 Douglas Street (CityStudio Victoria)

Options & Impacts

Option 2 – 709/711 Douglas Street space be retained for community use

Continue to allow community user groups to book and make use of a stable site for their meeting purposes. Without this option, they would need to return to their previous methods of securing meeting space.

While CityStudio Victoria was a defined action plan goal that supported the use of the City lands and the expansion of City services, operating a broad based user meeting site in the downtown would be expanding the services the City is providing beyond the City's strategic plan.

Expanding the role and services would require additional resources are committed that are not currently within the 2019 Financial Plan.



709 / 711 Douglas Street (CityStudio Victoria)

Questions?



709 / 711 Douglas Street (CityStudio Victoria)



Committee of the Whole Report

For the Meeting of June 27, 2019

To: Committee of the Whole **Date:** June 14, 2019
From: Paul Bruce, Fire Chief
Subject: License for Use of Federal Property Agreement – Department of National Defence

RECOMMENDATION

That Council authorize the Mayor and City Clerk to execute an agreement with the Department of National Defence to:

- 1) Access through licence, the property located at Workpoint, Canadian Forces Base Esquimalt, Township of Esquimalt and, permission to use the land for staff training in practical application of structural collapse and technical rescue training. This agreement supersedes the original "property use" agreement approved by Governance and Priorities Committee of August 13, 2013. and;
- 2) Request authorization from Council for the delegated right to renew or extend this licence after the end of its term on substantially the same terms and conditions, subject to review and approval of the Fire Chief and the City Solicitor.

EXECUTIVE SUMMARY

In August of 2013, the City of Victoria established an agreement for the Temporary Use of Federal Real Property at Workpoint, CFB Esquimalt. This agreement was renewed in August of 2015 through mutual consent and is now provided to Council for review, renewal and acceptance based on substantially similar terms and conditions as past agreements. The proposed "licence" is valid for five years and staff are seeking Council approval to provide for renewal and or extension through review and approval of the Fire Chief and City Solicitor.

Primarily, this property is used for practical training of structural collapse, confined space and technical rescue training and is valuable for location, the use of stationary equipment and props, concrete supply and building materials supply and, the continued progress in enhancing relationships with relation to regional and jurisdictional response.

PURPOSE

The purpose of this report is to seek Council approval for a five-year renewal of the original agreement approved by Council at the Governance and Priorities meeting of August 13, 2013. The

primary resolve included in this land use “licence” is to afford indemnification to the Department of National Defence related to the potential for employee injury and/or property damage. This agreement stipulates that the City of Victoria, utilizing their insurance coverage through MIABC and WorkSafeBC will provide coverage for an injury and/or damage to the property.

BACKGROUND

The City of Victoria has a high probability of a damaging earthquake occurring within the next 50 years. Many buildings within the City remain vulnerable to moderate to large earthquake. To better prepare for any response, search and rescue potential, the Victoria Fire Department are training in structural collapse techniques to expand staff response capacity in the event of an earthquake.

This property is suitable and valuable in providing an area where scenarios can be made realistic and differing response capacity can be practiced. Additionally, the relationship between the parties is further enhanced through discussion on response, capacity and mutual considerations.

ISSUES & ANALYSIS

The primary objective of this “licence” agreement is to provide indemnification to the Department of National Defence if an employee is injured. The City of Victoria has sufficient and effective insurance to provide this indemnification request.

OPTIONS & IMPACTS

2015 – 2018 Strategic Plan

N/A

Impacts to Financial Plan

N/A

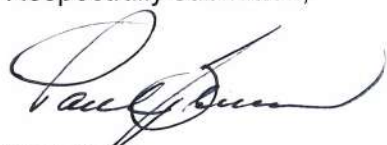
Official Community Plan Consistency Statement

N/A

CONCLUSIONS

This agreement provides access to valuable training areas, within the Capital Regional District and, aligns with operational requirements to continue training for structural collapse, confined space and technical rescue. Additionally, alliance with CFB Esquimalt regarding support and response in a major event, is further enhanced through relationship building and mutual training of members assigned to this function. These relationships extend to addressment of additional efficiencies and discussion between the parties on emergency response goals and effective response planning.

Respectfully submitted,



Paul Bruce
Fire Chief

Report accepted and recommended by the City Manager:


Date: June 19, 2019

List of Attachments

- Appendix A - Licence for Use of Federal Real Property

LICENCE FOR USE OF FEDERAL REAL PROPERTY

THIS AGREEMENT, dated the 29th day of April 2019

BETWEEN:

HER MAJESTY THE QUEEN in right of Canada, represented herein by the Minister of National Defence, (hereinafter referred to as “the Minister”)
OF THE FIRST PART

AND:

THE CORPORATION OF THE CITY OF VICTORIA, 1 Centennial Square,
Victoria British Columbia V8W 1P6 as represented by Victoria Emergency Management Agency (hereinafter referred to as the “Applicant”)
OF THE SECOND PART.

WHEREAS the Minister is the owner of a Defence establishment known as Workpoint, Canadian Forces Base Esquimalt, located in the Township of Esquimalt, in the Province of British Columbia.

WHEREAS the Applicant has requested that the Minister provide access to and use of the following property:

Permission to access Workpoint site on a “non-exclusive” basis for the purpose of training the Applicant’s staff and volunteers, including in particular permission to use land and the Urban Search and Rescue (USAR) training facility and props. The Workpoint site is hereinafter referred to as “the Property”.

NOW THEREFORE the parties mutually covenant and agree with each other as follows:

1.0 THE MINISTER’S COVENANTS

- 1.1 The Minister hereby agrees to provide the Applicant with the access to and use of the Property by means of a Licence only; this Agreement does not create an exclusive use or interest in land.
- 1.2 The Minister does not assume any responsibility for, nor guarantee the quality of the Property provided or the results thereof.
- 1.3 The Minister provides the Property “AS-IS”.

2.0 TERM

- 2.1 The Agreement shall be for a term of 5 years commencing on 15 May 2019 and ending on 14 May 2024.
- 2.2 The Applicant may use the Property on an “as needed basis” but will provide the Minister with 2 weeks written notice to request the dates the Applicant requires.

3.0 GENERAL TERMS

- 3.1 The Applicant acknowledges that the aforesaid permission exists only by agreement of the Minister and not by any other right or title whatsoever.
- 3.2 The Applicant accepts the property “AS FOUND”.
- 3.3 The Applicant will not assign this Agreement to third party without the written consent of the Minister.
- 3.4 The Applicant shall provide their own materials, tools, and equipment for their training purposes.

4.0 CONDITION OF THE PROPERTY

- 4.1 The Applicant hereby agrees to use the Property for the purpose of conducting search and rescue training and for no other purpose whatsoever.
- 4.2 The Applicant will ensure that any material brought into the Property is removed, the garbage has been picked up, and that Property is left in a condition satisfactory to the Minister, provided the Applicant will not be required to leave the Property in a condition that is better than that found by the Applicant immediately prior to the Applicant’s use of the Property.
- 4.3 The Applicant understands that all military training/activities takes precedence over the use of the Property and that other activities may take place in and around the Property while the Applicant is using the Property.
- 4.4 The Applicant understands that if Canadian Forces Base Esquimalt is required to heighten the level of security for Defence purposes, access to the Property may be restricted indefinitely.
- 4.5 The Applicant shall abide by all military regulations, orders and instructions, including those issued by the Minister or DND site representative placed in charge of the Property.
- 4.6 The Applicant shall comply with all Federal, Provincial and Municipal laws, instructions and or regulations applicable to the use of the Property by the Applicant.

- 4.7 The Applicant is responsible for the safe care and custody of the Property while being used by the Applicant, reasonable wear and tear excepted. The Applicant will replace any property, which is broken, damaged or lost by the Applicant by replacements of a similar nature and of equal value that are acceptable to the Minister, or at the option of the Minister, pay compensation in respect of such loss, breakage or damage.

5.0 LIABILITY

- 5.1 The Applicant shall indemnify and save harmless Her Majesty, Her Officers, servants and employees, and members of Her Armed Forces, Her and their heirs, executors, administrators, successors and assigns, of and from all injury, damage, actions, causes of action, claims and demands of whatsoever nature which may result or be brought by reason of any act of default of the Applicant, the Applicant's agents or employees, or on account of any damage to the property or equipment of the Applicant, or in connection with any loss, damage or injury in any manner based upon, arising out of, or incidental to the enjoyment by the Applicant of the use of the Property.
- 5.2 The Applicant agrees that the Minister shall not be liable for any injury or damage to persons or property resulting from any act of God, acts of the Queen's enemies, strikes, lockouts, earthquakes, fire, explosion, gas, electricity, water, rain, snow or leaks from the street or subsurface or from any other place or by reason of the interruption of any public utility or service or for injury or damage by any cause of whatsoever nature, provided such injury or damage is not caused by the negligence of the Minister, its servant or agents.
- 5.3 Prior to execution of this agreement, the Applicant will show proof of insurance from their insurers for Public Liability coverage in the amount of \$5,000,000.00 (Five Million Dollars) showing that Her Majesty the Queen in the Right of Canada (Canada) is named as an additional Insured under any liability insurance policies for Canada's respective rights and interests under this Agreement.

6.0 ENVIRONMENTAL

- 6.1 The Applicant is required to immediately notify the Minister of any accident or circumstance on the Property giving rise to a claim either personal and/or environmental by calling the Joint Operations Centre at (250) 363-2425 (manned 24 hours per day).
- 6.2 All environmental spills on the Property must be reported to the Minister, regardless of size and shall immediately be reported by calling the Joint Operations Centre at (250) 363-2425 (manned 24 hours per day).
- 6.3 The Applicant shall abide by and comply with applicable Federal, Provincial and Municipal environmental legislation, regulations, rules or guidelines and take all

steps necessary to ensure that there are no environmental concerns arising from the use of the Property advising the Minister immediately of any such concern; hazardous materials, liquids or solid waste, shall be the disposal responsibility of the Applicant; the Applicant agrees to clean up, at its expense, any part of the Property contaminated as a result of activities by the Applicant immediately upon becoming aware of the contamination; if the Applicant fails to clean up the Property within three days, the Minister may proceed with the clean up at the Applicant's expense.

7.0 FINANCIAL

- 7.1 Due consideration is deemed to be provided for the use of the property, therefore no charge is applied.

8.0 SECURITY

- 8.1 The Applicant understands that the Minister is not responsible for the security of the Applicants personnel, students, equipment or material on the Property.

9.0 TERMINATION

- 9.1 Either the Minister or the Applicant may at any time terminate this Agreement upon giving to the other parties 60 days written notice of intention to terminate.
- 9.2 This Agreement shall in the Ministers discretion, be terminated and withdrawn forthwith and without advance notice in the event of these public lands or facilities being required for public purposes or by reason of circumstances that, in the opinion of the Minister, constitute an unforeseen emergency or the property is required for Department of National Defence operational requirements, or it becomes apparent that the continuation of this Agreement may be contrary to the interest of the Canadian Forces.
- 9.3 This Agreement shall remain in effect until 14 May 2024 or until either withdrawn from or terminated pursuant to either paragraph 10.1 or 10.2.
- 9.4 This Agreement takes precedence over any oral discussions or exchange of letters between the parties prior to the date of its execution. No variation of the terms herein made subsequent to the date of execution of this Agreement shall be valid, unless set out in writing and signed by both parties.

10.0 OVERHOLD

- 10.01 If the Applicant remains in possession of the Property after the expiration of the Term or termination of this Licence, or any renewal of this Licence, without objection by the Minister and without any written agreement otherwise providing, the Applicant shall be deemed to be a tenant from month to month at a rent, payable in advance on the first day of each month, equal to one-twelfth (1/12th) of the annual rent payable immediately prior to the overholding, and shall be subject otherwise to all applicable provisions of this Licence.

11.0 NOTICE

- 11.1 Any notice given in connection with this Licence Agreement shall be delivered to the respective addresses set out below or to such other address as either of the parties may designate in writing.

(a) The Applicant	The Corporation of the City of Victoria Victoria Emergency Management Agency 1 Centennial Square Victoria, BC V8W 1P6 Attention: Office of the Fire Chief
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(b) The Minister	Canadian Forces Base Esquimalt Building SH575 PO Box 17000, Stn Forces Victoria BC V9A 7N2 Attention: A/Properties Officer Real Property Operations Section (ESQ)
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Signed by or on behalf of the Licensee, in the Province of British Columbia on the _____ day of _____ 2019:

Mayor Lisa Helps

C.D. Coates, City Clerk

Signed on behalf of Her Majesty the Queen in Right of Canada, in the Province of British Columbia on the 29th day of April 2019:

For the MINISTER OF NATIONAL DEFENCE



M.A. Kierstead, Maj, Officer Commanding, Section Esquimalt, Real Property Operations Unit (Pacific)

Print Name



Witness



Print Name



Council Member Report

For the Committee of the Whole Meeting of June 27, 2019

Date: June 13, 2019

From: Mayor Lisa Helps

Subject: **UBCM motion to allow incorporated municipalities to institute safer speed zones in residential areas**

BACKGROUND

In the City of Victoria's 2019-2022 Strategic Plan, under **Strategic Objective #7, 'Sustainable Transportation'**, a key strategic action tasked to Council is to "**Lower speed limits on local neighbourhood streets to 30 km per hour**". In order for cities to be able to change speed zones en masse, an amendment to the Motor Vehicles Act is required. To that end, it is recommended that Council, with the City of Vancouver, co-sponsor a motion to UBCM to advocate for this change.

WHEREAS currently, the Motor Vehicle Act ("MVA") stipulates a speed limit of 50 kilometers per hour ("km/h") within city limits;

WHEREAS the probability of pedestrian survival is about 90% if struck by a motor vehicle travelling at 30 km/h, while survival is reduced to 20% if struck by a motor vehicle travelling at 50 km/h;

WHEREAS lower speed limits are more compatible with active transportation, and create safer, better engaged, healthier and more inclusive communities;

WHEREAS in 2015, the BC Road Safety Strategy set out the goal of zero traffic fatalities and serious injuries and discussed safe speeds. In 2016, the Provincial Health Officer's Annual Report also recommended a 30 km/h speed limit in urban areas;

WHEREAS in June 2016, as part of its position paper, Modernizing the BC Motor Vehicle Act, the British Columbia-based Road Safety Law Reform Group recommended: "A default provincial speed limit of 30 km/h for local (no centre line) streets should be included in the Motor Vehicle Act, with municipalities enabled to increase speed limits on local streets in a case by-case basis by by-law and posted signage.";

WHEREAS in 2018, the provincial government's B.C. Community Road Safety Toolkit recommended lower speed limits in downtown areas and residential roads; and under the Motor

Vehicle Act, changes to default speed limits require street-by-street, block-by-block posted signage which could otherwise incur significant expense for local governments;

THEREFORE BE IT RESOLVED that the Minister of Transportation and Infrastructure be asked to consider an amendment to the Motor Vehicle Act that would allow incorporated municipalities to institute blanket speed zones in residential areas.

RECOMMENDATION

That Council, with Vancouver, co-submit the above motion for consideration at UBCM, to be held in September, 2019.

Respectfully submitted,

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

Mayor Lisa Helps



Council Member Motion
Committee of the Whole Meeting of June 27th, 2019

Date: Thursday June 20th, 2019

From: Councillor Alto, Councillor Potts, Councillor Loveday

Subject: Peer Informed Task Force and Mental Health and Addictions Strategy

Background

Cities across North America are on the forefront of the overdose epidemic. Our province has been in a state of public health emergency for over three years and our community has lost too many lives. The already devastating effects are made much worse by the concurrent global housing and affordability crisis. The city of Victoria has been deeply impacted by these overlapping realities. These challenges are often further compounded by a lack of understanding that can lead to stigmatization, marginalization, insufficient or misdirected resources, and ultimately strain our community fabric.

A Peer-Informed Mental Health and Addictions Task Force culminating in a Mental Health and Addictions Strategy was brought forward for consideration in the 2019-2022 Strategic Plan:

Strike a peer informed task force to identify priority actions to inform a Mental Health and Addictions Strategy actionable at the municipal level i.e. prevention, advocacy, integration of services, and education.

Six related actions, identified through the strategic planning session, were to be incorporated into this work and are as follows:

1. Mental Health and Addictions Advocacy

- a. Advocate for better prevention and more support for those aging out of foster care – there were 156 unhoused youth in the 2018 Point in Time Count*
- b. Advocate for more funds for mental health and more publicly funded recovery options and destigmatization of mental health and addictions*
- c. Advocate for and facilitate planning and delivery of additional harm reduction services in the city and region, including a safe inhalation site*
- d. Advocate for the BC government to provide currently illicit drugs /safer substances to reduce harm from addictions*
- e. Advocate for / work with agencies and other governments and professional bodies to facilitate increased harm reduction training (more clarity, training for who?)*

f. Advocate to the Province and/or the CRD and Capital Regional Hospital District to measure homelessness, acute addiction, mental health and to identify service gaps and better coordinate between existing service providers and create better funding opportunities

These actions were ranked as some of the highest priorities by participants of the Strategic Plan Engagement Summit. To facilitate this task force, Council appointed Councillors Potts and Alto, who have, in consultation with community leaders and colleagues, been developing a Terms of Reference (see attachment A) for the proposed Peer-Informed Task Force and following Strategy.

Community Wellness

Since this item was adopted into the Strategic Plan community conversations have revealed the need for immediate action on the overdose epidemic and a reframing of the task force to best address the challenges our community is facing. Community Wellness was found to be a better heading for such an endeavour as we seek a collaborative, community response to largely systemic issues. Reframing this way begins the work of destigmatizing the individual who is impacted by conditions and challenges often out of their own control.

Scoping Review

To begin the work of the Community Wellness Task Force we propose to engage a scoping review which “aims to map rapidly key concepts underpinning a research area and the main sources and types of evidence available”, providing a “reconnaissance” of literature in a particular area of interest. Scoping reviews have been found to be relevant to policy makers to provide accurate information on what is known or what has been done in an area of interest.

A scoping review consists of a series of steps beginning with 1) identifying the research questions, 2) defining the parameters of the search, 3) selecting relevant documents, 4) charting the data and 5) interpreting the data for relevance to policy and practice. The advantage of this type of review is that a broad range of evidence can be considered, depending on the scope, resources and time available, it can be broad or narrow. The scoping review can be nested within a collaboration. Ideally, the scoping review would be conducted with the Community Wellness Task Force acting as an overarching advisory body involved in defining the question and important considerations for the search and interpretation of the findings. This is important to ensure that questions are framed appropriately and that the findings are interpreted accurately from the perspective of those with lived experience.

Peers

Research and experience have clearly identified that solutions that work best are ones that involve those who are directly affected. This is the foundation that this task force and the following strategy rests. We are committed to a peer-informed, inclusive process that will provide multiple opportunities for conversation, contribution, analysis, interaction, and relationship building. The work and experiences of peers will culminate in recommendations within a Community Wellness Strategy for Victoria Council to consider.

Engagement sessions for peers should include accommodations to honour their work and enable participation where multiple barriers to doing so often exist. These may include:

- living wage honoraria for peer participants;
- honoraria for Indigenous Elders;
- bus tickets for those who require assistance with transportation;
- food for evening sessions;
- professional counsellors on site for emotional support

Some of these costs may be available from the amount Council has already allocated for engagement activities related to strategic plan objectives. However, Council approval is required to pay honoraria for community members who participate in an engagement sessions.

Recommendations

1. That Council re-name the Task Force and following Strategy as a 'Community Wellness Peer-Informed Task Force and Strategy'; to reflect its evidenced-based emphasis on community wellness related to mental wellness and addictions.
2. That Council appoint Councillor Loveday as a third Councillor member of the Task Force.
3. That Council approve the draft Terms of Reference, attached (Attachment A).
4. That Council approve up to \$25,000 from Contingencies, and as allowed under the City's Purchasing Policy, direct the City Manager to partner with the University of Victoria to undertake a 'scoping rapid review' of comparable jurisdictions' efforts to take meaningful action on a municipal mental wellness and addictions strategy, and that such a review delivers a 'map of the field of program' on which the City can base a local strategy informed by those affected by mental wellness and addictions, their peers and allies.
5. That Council approve up to \$7,500 from Contingencies to accommodate honouraria for community participants in the Task Force.

Respectfully submitted,



Councillor Potts



Councillor Alto



Councillor Loveday

Peer-Informed Task Force on Community Wellness: Draft Terms of Reference

Prepared for: COTW July 27, 2019

1.0 Background

To best position our municipality to receive the supports it needs to alleviate the pressures being borne by the most vulnerable in our community, and to create conditions where we can thrive together as a community a Peer Informed Mental Health and Addictions Task Force culminating in a Mental Health and Addictions Strategy was brought forward for consideration in the 2019-2022 Strategic Plan. Since then community conversations have revealed the need for immediate action on the overdose epidemic (being addressed by separate motions) and a reframing of the task force to best address the challenges our community is facing. Community Wellness was found to be a better heading for such an endeavour as we seek a collaborative, community response to largely systemic issues.

2.0 Purpose and Mandate

The Peer-informed Task Force will help the City of Victoria identify high priority actions, feasible at the municipal level (i.e. Prevention, Education, Integration of Services, and Advocacy) that will address community wellness challenges such as, but not limited to, mental health and/or addiction challenges. The Peer-Informed Task Force will be informed by those with lived experiences who will review the current delivery of services as provided through the engagement of a wide range of stakeholders (i.e. healthcare, social service providers, and housing providers) to identify and inform what actions need to be taken to deliver an effective, responsible, and community building response at the municipal level.

3.0 Guiding Principles

The Task Force will be peer informed. Engagement and recommendations will culminate in Community Wellness Strategy for the City of Victoria with deliverables that are consistent with the goals of the City of Victoria as outlined in the 2019-2022 Strategic Plan and are deliverable at the municipal level.

4.0 Objectives and Outcomes

4.1 Convene a peer-informed task force.

4.2 Scoping review to map rapidly key concepts underpinning a research area and the main sources and types of evidence available,

4.3 Council liaisons, with staff support, will engage stakeholders at two sessions per group. One lunchtime and one evening, both at city hall.

4.4 Stakeholders will respond to questions relating to service delivery and existing conditions in each of the four areas actionable at the municipal level:

- Education
- Prevention
- Integration of Services
- Advocacy

4.5 Council leads and staff support will compile results into a format for the Peer Task Force to review.

- 4.6 In three to four sessions the Peer Task Force will review the results of the stakeholder engagement and develop recommendations relating to the four actionable areas.
- 4.7 Council leads and staff support will compile peer-informed recommendations into a draft Community Wellness Strategy.
- 4.8 Community members will have the opportunity to provide feedback via an online survey.
- 4.9 All participants will meet for a final session to review draft.
- 4.10 Council Liaisons and staff will compile the Community Wellness Strategy and present to council for consideration.

5.0 Composition

- 5.1 Membership of Peer Task Force will be selected through an expression of interest and consist of 12-14 members.
- 5.2 Membership can bring experience from a variety of sectors; however, the primary experience most relevant to the Peer-Informed Community Wellness Task Force includes:
Personal lived experience with mental illness, problematic substance use, and/or addictions;
Family experience with mental illness, problematic substance use, and/or addictions;
Experience with the mental health and addiction health care system; and/or Experience with homelessness.
- 5.3 Membership should also carefully consider the inclusion of individuals with diverse experiences including, but not limited to, age, ethnicity, disability, sexual identity, and/or gender balance.
- 5.4 Peer members will receive honouraria for their participation.
- 5.4 Three members of Council shall be appointed as Council liaisons.
- 5.5 Staff support will be allocated at the direction of the City Manager.



**Council Member Report
For the Committee of the Whole Meeting of June 27, 2019**

To	Committee of the Whole	Date:	June 20, 2019
From	Councilors Alto and Thornton-Joe		
Subject	Tax Relief for the Royal Canadian Legion Trafalgar Pro Patria Branch No. 292		

Background

Broadly

The Royal Canadian Legion's mission has been the same for the last 100 years – to serve Veterans, which includes serving military and RCMP members and their families; to promote Remembrance; and to serve our communities and our country.

At the end of WWI there were 15 veteran's groups, and a number of regimental associations, that supported former service members across Canada. Despite working to help returning military personnel in need, they were fragmented and as such, to a greater extent, unsuccessful. An appeal for unity in 1925 led to the formation of the Dominion Veterans Alliance. From this start, the Canadian Legion was founded in Winnipeg in 1926. Initially focusing on WWI veterans, the outbreak of WWII saw many more service people requiring assistance. The Legion rose to the challenge and began helping returned service members as well as those serving abroad.

The Legion continues to help improve the lives of veterans, ex-service members and their families, and today has expanded its programs and services out into communities, in partnership with and support for other community-serving agencies and advocates. The Legion has 300,000 members in more than 1400 Branches. It advocates on behalf of veterans, including serving military and RCMP members, and their families, and provides essential support and alliances in communities across Canada.

Locally

The Royal Canadian Legion Trafalgar Pro Patria Branch No. 292 (the 'branch') is located at 411 Gorge Road in Victoria. Its mission is "To serve Veterans and their dependents." and "To promote Remembrance and to act in the service of Canada and its communities." It is a non-profit organization under the *Income Tax Act of Canada*.

With the recent closures of the Britannia Legion and the Esquimalt Legion, the Pro Patria Legion remains the only active Legion serving greater Victoria. ⁽¹⁾ The Pro Patria's current membership is 1340. Membership is not restricted to veterans or service people – all are welcome.

⁽¹⁾ The Public Service Branch, located in a provincial government building at 514 Government Street, opens only for special occasions and three hours on Friday afternoons, for a membership currently listed at 87.

The branch owns its property on Gorge Road. Its building accommodates a range of services, including offering spaces free of charge for community groups, and at reduced rates for private functions such as weddings, memorial services, celebrations etc. Approximately 60% of its property is taken up by a parking lot, used by members, guests, event attendees, and as drop-off/pick-up parking for parents of students at the nearby Montessori school.

The Current Issue – An Increasing Tax Burden

The branch's property assessments, and corollary tax bills, have fluctuated over recent years. In the last 5 years, these have been:

2015	\$77,744.15
2016	\$72,773.97
2017	\$74,030.78
2018	\$71,371.78
2019	\$104,231.78

Branch leadership demonstrated financial responsibility by anticipating that the 2019 tax assessment would follow the trend seen through the last 4 or 5 years, and fall in the range of approximately \$70,000+. The branch has reserved that amount to ensure its ability to pay its fair contribution to the city's property tax revenues.

The unusual, and unexpected, increase from 2018 to 2019, has placed a critical burden on the branch's capacity to sustain operations beyond this year. It does not have the capacity to pay the full amount of its 2019 tax assessment, and should such a payment remain due, will need to contemplate closure.

BC Assessment for 2019 determined that approximately 35% of the branch's property value arises from the category called 'recreation/not for profit', while approximately 65% arises from what BC Assessment considers 'business/other'. This translates to \$36,481.12 in taxes due for 'recreation/non-profit' and \$67,750.66 due for 'business/other', totalling the \$104,231.78 due on July 2 for 2019.

Tax Relief Policies from other Municipalities

Victoria remains one of only a few municipalities in British Columbia that offer no tax relief to a local Legion branch.

Most municipalities in which a Legion branch exists offer a mechanism to relieve tax payment, in the form of grants in amounts intended to contribute to tax payments, or exemptions based on different classes of assessments as defined and allowed by BC Assessment (BCA). Attached is a list of branches that have indicated that they had some form of permissive tax exemption or other type of property tax relief in 2018.

Exemption applications vary widely and ultimately it is up to BCA as to what they allow, based primarily on considerations within Class 8 (recreational) and Class 6 (commercial/other). A review of the varying degrees of exemptions, exclusions, allowances and categories permitted for different Legion branches reveals a miscellany of interpretation that appears to result from an inconsistent application of classifications. Some examples:

Partial Exemptions

- Chilliwack: provides a partial exemption (new for 2019) on Class 8 only; Class 6 (bar) is fully taxable
- Kelowna: Class 6 is not exempt but Class 8 portion is exempt
- District of West Vancouver: exempt class 8, Class 6 is fully taxable

Full Exemption

- Township of Langley: provides full exemption since 2018
- Abbotsford: provides a full exemption, and the property is 100% Class 8
- Coquitlam: provides full exemption for both Class 6 and 8
- Town of Sidney: provides full exemption (class 6 and 8)
- City of Port Coquitlam: provides full exemption for class 1, 6 and 8
- Burnaby: provides full exemption and property is classified as class 6
- District of Hope: provides full exemption for both Class 6 and Class 8

Other Grants

- Delta: doesn't provide an exemption, but gives a grant that approximates the Delta taxes the Legion pays

It should be noted that tax assessments and the regulations governing them are the purview of the BC Assessment Authority, and municipalities do not have the authority to override BC Assessment. Advocacy to the provincial government for changes in these regulations could provide a province-wide policy that would afford a more consistent, comprehensive approach to tax relief for all BC Legion branches.

Local Branch Community Contributions

The Pro Patria branch has, as one of its fundamental tenets, a commitment to supporting local community organizations, projects and services. A sample of recipients of its financial contributions to community-serving agencies for 2019, totalling over \$153,000, includes:

- Anawim House
- Victoria Single Parent Resource Centre
- Burnside Gorge Community Association
- Operation Trackshoes
- Victoria Women's Transition House
- Victoria Hospice Society
- Military Police Blind Children's Fund
- Gorge Soccer Association – Girls Under 16s
- Children's Health Foundation of Vancouver Island
- Veterans' Transition Program
- Vancouver Island Compassion Dog (PTSD Support dogs)
- Cockerell House transitional housing for homeless veterans
- The Lodge at Broadmead
- Legion Manor seniors' housing

The branch also offers scholarships, bursaries and awards to local students.

Additionally, the branch partners with a number of other local not-for-profit organizations, many of whom have offered letters of support for the branch, its activities and community involvement. Two such examples – from the Burnside Gorge Community Association and the Vancouver Island Compassion Dogs – are attached.

In Conclusion

The Royal Canadian Legion Branch #292 is the only remaining active Legion branch in the city of Victoria.

The branch has a history of community service, and continues to be a vital neighbourhood social service partner, and contributor to the city and its residents, including those with and without past or current military service.

The City of Victoria is one of a very few municipalities that offers no tax relief to a Legion branch within its boundaries.

A currently untenable, unexpected increase in property tax assessment has put the future of the branch in jeopardy.

Future tax assessments are unlikely to significantly decrease.

Providing an operational grant in an amount approximating 35% of the current (and future) tax assessments compares to the lower range of other municipalities' tax relief practices, and will enable the branch to remain open and maintain its financial and social service commitments.

Recommendations

That Council provide an immediate grant to the Royal Canadian Legion Trafalgar Pro Patria Branch No. 292, in the amount of \$36,481.12, to be paid from the 2019 contingency.

That in future years Council consider, as part of its annual budget deliberations, subsequent grants to the Royal Canadian Legion Trafalgar Pro Patria Branch No. 292 of \$40,000 in 2020, with the annual amount rising by \$5,000 in each subsequent year, until 2025, whereupon this custom will be reviewed.

That the Mayor, on behalf of Council, write to the province urging them to consider a province-wide policy and/or legislative change to enable the BC Assessment Authority or other relevant agencies to fully exempt all Legions in British Columbia from payment of property taxes.

Respectfully submitted,



Councillor Alto



Councillor Thornton-Joe

June 18, 2019

To Whom It May Concern:

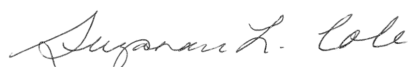
I am writing on behalf of the Burnside Gorge Community Association to lend our support of the Pro Patria Legion Branch 292. It is my understanding that the Legion is applying for financial relief for the property taxes of the building they occupy at 411 Gorge Rd East. The Legion has shown Burnside Gorge and its City of Victoria residents much support over the last 20 years; I truly hope the support for them is there when it is needed.

During the time that Burnside School operated as an Elementary School, the Legion was a dedicated partner in sharing special events and ceremonies with the children. Even after the closure of the school, the Legion continued to support children, youth and families in the neighborhood through generous annual donations to our Youth Centre and Christmas Hamper programs. The community donations are made available through the Legion's meat draws and other fundraising events. As a contributing community member, the Legion generously shares their parking lot and building space to assist others such as the Montessori School and supports community events such the Selkirk Waterfront Festival. The Legion is a strong presence and giving member of the Burnside Gorge Community and dedicates its efforts to supporting those less fortunate in our communities.

If the Legion were to close their doors, the Burnside Gorge Community Association and many other community agencies, would lose the valuable assistance that the Legion funds provide and the community would lose a most valued presence in the neighborhood. It is our hope that the Legion will receive the financial relief required to continue in their efforts to provide a high level of community service.

Please do not hesitate to contact me if you have any questions.

Sincerely,



Suzanne Cole
Executive Director



BC & ALBERTA GUIDE DOGS

GUIDE DOGS • AUTISM SUPPORT DOGS • PTSD SERVICE DOGS

bcandalbertaguidedogs.com



Serving those who served
A Division of BC Guide Dogs

June 7, 2019

Lorraine Salkus
President
RCL Trafalgar/Pro Patria Branch
#10 411 Gorge Road E,
Victoria, BC V8T 2W1

Dear,

On behalf of all of us at Vancouver Island Compassion Dogs and BC & Alberta Guide Dogs, thank you for your donation of \$1000 towards our PTSD Service Dog Program.

Your support will make a tremendous impact in our programs capacity to provide life-changing PTSD Service Dogs and support services to military Veterans and retired RCMP living with Post Traumatic Stress.

As you know our PTSD Service Dog program for Veterans includes a personalized 52 Week Healthy Community Living Program, as well as individual after care for the working life of the Service Dog, usually eight years, all at no cost to the recipient. This can only happen with the generous support of donors like you.

Thank you for helping us deliver this program that provides our Veterans with renewed purpose, confidence and unconditional support, facilitating increased participation and inclusion in society, and creating enormous positive impact on their families and the communities they live in

Respectfully,

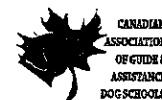
Mike Annan
Executive Director
Vancouver Island Compassion Dogs
A Division of BC Guide Dogs

BC Head Office
7061 Ladner Trunk Road
Delta, BC V4K 3N3
Phone: 604.940.4504
Toll-free (Canada):
1.877.940.4504
Fax: 604.940.4506

Alberta Office
11 - 6115 4th Street SE
Calgary, AB T2H 2H9
Phone: 403.258.0819
Toll-free (Alberta):
1.877.258.0819

BC Vancouver Island
1027 Pandora Avenue
Victoria, BC V8V 3P6
Phone: 250.413.3095

**Vancouver Island
Compassion Dogs**
Office: Rms 9-10,
744 Primrose St.,
Qualicum Beach, BC
Phone: 250.909.0090
Mailing address: BC Head
Office
vicompassiondogs.ca



Legal Title: British Columbia Guide Dog Services
Registered Charity Number: 89131 1763 RR0001

BC/YUKON COMMAND LEGION BRANCHES WITH PERMISSIVE TAX EXEMPTION

Branch number	Branch name	Property tax?	Full, partial or no exemption	Percentage exempted
4	Chilliwack	No	Full	
6	Cloverdale	No	Full	
8	White Rock	No	Full	
10	Nanaimo	Yes	Partial	66.30%
17	Courtenay	Yes	Full	
20	Nakusp	Yes	Partial	62%
22	Summerland	Yes	Partial	33%
29	CRESTON	Yes	Partial	27%
32	Agassiz	No	Full	
34	Pouce Coupe	No	Full	
35	Armstrong	Yes	Partial	99.50%
36	Fernie	Yes	Partial	0%
46	Revelstoke	No		
49	Mount Arrowsmith	Yes	Partial	85.20%
50	Burns Lake	No	Full	
52	Kamloops	No	Full	
54	Sooke	No	Partial	
57	Mission	No	Full	
59	Grand Forks	No	Full	
61	Delta	No		
62	Salmon Arm	No	Full	
66	Lillooet	No	Full	
74	Kaslo	No	Full	
83	South Burnaby	No	Full	
84	Gulf islands	No	Full	
91	Prince Edward	No	Full	
94	Cariboo (Quesnel)	Yes	Partial	
96	MERRITT	No	Full	
98	Enderby	No		
99	Sicamous	Yes	Partial	
107	Chase	Yes	Partial	56%
109	Gibsons	Yes	Partial	

113	ASHCROFT	Yes	Partial	
118	North Vancouver	No	Full	
119	Port Moody	No		
122	Golden	Yes	Partial	15%
127	Public Service	No	Full	
133	Port Coquitlam	No	Full	
134	Malahat	Yes	Partial	30%
140	Sechelt	No		
141	Dawson Creek	No	Full	
147	Sayward Valley	No	Full	
150	Bowen Island	No		
162	Lytton	No		
164	Powell River	Yes	Partial	
171	Ladysmith	Yes	Partial	35.56%
176	Billy Bishop/Kerrisdale	Yes	Partial	20%
179	GRANDVIEW/COLLINGWOOD	Yes	Partial	44.85%
189	Oyama	No		
203	Edgewood	Yes	Partial	50%
210	Lake Cowichan	Yes	Partial	52%
217	Salmo	Yes	Partial	50%
228	Hope	No	Partial	
236	Westwold	Yes	Partial	87.20%
237	Port Hardy	Yes	Partial	66.00%
239	Pender island #239	Yes	Partial	66%
242	N Thompson	No	Full	
250	Kitimat	Yes	Partial	50%
257	Sea view Centennial	No		
259	Vavenby & District	Yes	Partial	75%
261	FOREST GROVE	No	Full	
263	coquitlam	No	Full	
265	Aldergrove	No	Full	
276	Slocan Valley	No	Full	
277	Diamond Head	No	full	
281	Port McNeill	Yes	Full	
286	Tumbler Ridge	Yes	Partial	
293	Alberni Valley	Yes	Partial	20%



Council Member Motion

For the Committee of the Whole Meeting of June 27, 2019

To: Committee of the Whole **Date:** June 27, 2019
From: Councillor Loveday, Councillor Collins, and Councillor Potts
Subject: **Preventing Sexual Harassment and Sexual Assault in the City of Victoria**

Preventing Sexual Harassment and Sexual Assault in the City of Victoria

Background:

The City of Victoria has committed to the creation of a Municipal Liquor Policy in 2019 to help guide the City's programs and approvals. The City of Victoria also facilitates a Late Night Program which aims to balance a safe and lively downtown nightlife while maintaining and enhancing the livability of the downtown neighbourhood.

Council's Strategic Plan 2019 includes an action to "explore ways to end sexual harassment and assault in Victoria, including using the Good Night Out international model to create a safe nightlife campaign for Victoria venues, bars, clubs and festivals."

In the Late Night Program Update, presented to Committee of the Whole on May 16, 2019, the report noted that previously,

"a sexual assault prevention workshop was conducted primarily for bar and restaurant operators, but also included VicPD and taxi stand attendants. The session was well-received, and several follow-up initiatives were supported by attendees. These included venue audits, a common code of conduct and a trial of a late night street patrol team modelled after Good Night Out in Vancouver."

While this workshop was an important first step, the report acknowledged the need to take additional actions to improve safety. Directions for improving safety included: working with licensees to address public space issues related to their operations; completing the update to the BarWatch program; conducting audits of venues to ensure the staff and environment minimize risk of sexual harassment incidents; developing a common policy for business operators that establishes a best practices standard for conduct; and initiating awareness patrols of teams that are activated late on weekend evenings interacting with patrons and providing information about sexual harassment.

The Victoria Sexual Assault Centre states that:

“Most people assume sexualized violence is rape or sexual assault, but it includes many other forms of violence and encompasses all forms of unwanted sexual contact. Sexualized violence is an overarching term used to describe any violence, physical or psychological, carried out through sexual means or by targeting sexuality.”

Motion:

1. That Council includes sexualized violence prevention in the mandate of the Municipal Liquor Policy and the Late Night Program.
2. That Council direct staff to report back with implications of and options for mandating sexualized violence prevention training for bar and nightclub staff as part of either the liquor license or business license approval process.
3. That Council request that liquor license applicants submit a sexual harassment and sexual violence prevention plan alongside their liquor license application.

Respectfully submitted,



Councillor Loveday



Councillor Collins



Councillor Potts



Council Member Motion
Committee of the Whole Meeting of June 27, 2019

Date: June 25, 2019

From: Councillor J. Loveday

Subject: Library Funding

Background:

The following motion was passed by Council at the May 23, 2019 meeting:

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.

The direction in the original motion was to have the Mayor write to the Provincial Government and to correspond with CRD and BC municipalities to support the positions being advocated in the resolution. The motion did not direct that it be forwarded to the 2019 UBCM Convention. Approval by the UBCM may serve as a more beneficial demonstration of the support around the Province for funding.

The motion has now been amended to provide direction for it to be considered at this year's UBCM Convention and has been reformatted to meet UBCM's resolution format for the convention.

Motion:

WHEREAS libraries are a social justice equalizer that provide universal access to information and learning materials irrespective of income level and are now so much more than books, building community and a sense of inclusion,

AND 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. Municipalities face downloading from upper levels of government and have few tools to raise funds. Restoring funding to libraries supports the BC Government's agenda to eliminate poverty, improve access to education, and address social justice in BC and restoring funding to libraries supports the BC Government's agenda to eliminate poverty, improve access to education, and address social justice in BC.

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities call on the Provincial Government to restore library funding to a level that reflects both inflationary cost increases since 2009 and the value of this system to the Province.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jeremy Loveday', with a stylized flourish at the end.

Councillor Jeremy Loveday