REVISED AGENDA - COMMITTEE OF THE WHOLE

Thursday, October 10, 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 September 19, 2019
- F.1 - Request for Boulevard Removal from the Taxed Boulevard Program
- F.3 - Appointment - Bylaw Officer
- F.4 - Proclamation - Fair Employment Week

C. READING OF MINUTES

C.1 Minutes from the meeting held September 19, 2019 — 1

D. UNFINISHED BUSINESS

D.1 Postponed Motion - Fare Free Youth Bus Program - Update and Considerations

Motion postponed from the October 3, 2019 Committee of the Whole Meeting:

Petition to BC Transit through the VRTC to introduce the required Smart Bus capabilities to enable online pass allocation, single, digital tap payment systems, and data capture, for our regional transit system.

E. LAND USE MATTERS

*E.1 570 Yates Street: Liquor Primary License Application No. 000294, Leopold's Tavern (Downtown) — *19*

Addendum: Presentation and Additional Correspondence

A report regarding the proposed application by Leopold's Tavern for a Liquor Primary Licence.

F. STAFF REPORTS

F.1 Request for Boulevard Removal from the Taxed Boulevard Program — 64

A report regarding the proposed boulevard removal from the Taxed Boulevard Program for the south side of Richardson Street between Harbinger Avenue and Cornwall Street.

*F.2 Canada Day Report *69*

Addendum: Report and Appendixes

A report regarding the history and specifics pertaining to the City's role in programming annual Canada Day celebrations and seeking direction on how to proceed for 2020.

F.3 Appointment - Bylaw Officer 99

A report regarding the appointment of Shannon Perkins as the Manager of Bylaw and Licensing Services.

F.4 Proclamation - Fair Employment Week 100

A report regarding the proclamation for Fair Employment Week.

G. NOTICE OF MOTIONS

*G.1 Council Member Motion - Affordable Artist Housing in the City of Victoria *103*

Addendum: Correspondence

A report regarding the proposed alignment of the Create Victoria Masterplan with the Victoria Housing Strategy to include the creation of housing for artists.

H. NEW BUSINESS

I. ADJOURNMENT OF COMMITTEE OF THE WHOLE

MINUTES - COMMITTEE OF THE WHOLE

September 19, 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:	Councillor Dubow in the Chair, , Councillor Isitt, Councillor Potts, Councillor Thornton-Joe, Councillor Young
ABSENT:	Mayor Helps
ABSENT FOR A PORTION OF THE MEETING:	Councillor Alto, Councillor Loveday
ON LEAVE:	Councillor Collins
STAFF PRESENT:	J. Jenkyns - City Manager, C. Coates - City Clerk , P. Angelblazer - Committee Secretary, 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, T. Zworski - City Solicitor, A. Johnston - Planner, R. Bateman - Planner, J. O'Connor - Deputy Director of Finance, K. Okazaki – Planning Assistant, A. Mcstravick – Planning Assistant, J. O'Reilly – Heritage Planner, L. Milburn – Senior Planner Housing Policy, J. Handy – Senior Planner, L. Taylor – Senior Planner

A. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the agenda be approved.

Amendment:

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the Agenda of the September 19, 2019, Committee of the Whole meeting be amended as follows:

Consent Agenda:

C.1 - Minutes from the meeting held September 5, 2019

E.6 - Recommendation for Urban Earth Med Compassion Club at 2020 Douglas Street (Burnside-Gorge)

F.2 - Proclamation - Fire Prevention Week

F.3 - Proclamation - Small Business Month

F.4 - Proclamation - Performance and Learning Month

F.5 - Proclamation - British Home Child Day

F.6 - Proclamation - World Cerebral Palsy Day

H.1 - Council Member Motion - Enforcement of the CRD Clean Air Bylaw

H.3 - Council Member Motion - Conference Attendance Request for Councillor Isitt - UBCM

H.4 - Council Member Motion - Conference Attendance Request for Councillor Isitt - Climate Caucus Summit

H.6 - Council Member Motion - Conference Attendance Request for Councillor Potts - UBCM

H.8 - Council Member Motion - Conference Attendance Request for Councillor Dubow - UBCM

CARRIED UNANIMOUSLY

On the motion:

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Isitt
Seconded By Councillor Potts

That the following items be approved without further debate

CARRIED UNANIMOUSLY

C.1 Minutes from the meeting held September 5, 2019

Moved By Councillor Isitt
Seconded By Councillor Potts

That the minutes from the Committee of the Whole meeting held September 5, 2019 be adopted.

CARRIED UNANIMOUSLY

E.6 Recommendation for Urban Earth Med Compassion Club at 2020 Douglas Street (Burnside-Gorge)

Council received a report dated September 4, 2019 from the City Clerk providing information on an application by Urban Earth Med Compassion Club, with a recommendation to support the application.

Moved By Councillor Isitt
Seconded By Councillor Potts

That Council direct staff to advise the Liquor and Cannabis Regulation Branch:

1. Council supports the application of Urban Earth Med Compassion Club at 2020 Douglas Street to receive a provincial cannabis retail store license with the following comments on the prescribed considerations:

    a. The Council recommends that the LCRB issue a license to Urban Earth Med Compassion Club at 2020 Douglas Street, subject to the condition that this license not be issued until after Urban Earth Med Compassion Club obtains a Delegated Development Permit for any proposed alterations to the building exterior that are required to operate the business.

    b. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are no site-specific comments in terms of impacts on the community and the property has been zoned for retail sale of cannabis.

    c. The views of residents were solicited through a mail-out to neighbouring property owners and occupiers within 100 metres of this address and to the relevant neighbourhood association. The City sent 136 letters and received 2 letters in response. Both letters share a concern about the sale of cannabis in this location. The City did not receive correspondence from the neighbourhood association.

    d. A Delegated Development Permit is required to ensure alterations to the building exterior do not diminish the pedestrian experience and create safety concerns by obstructing the view from the sidewalk or street into the store.

CARRIED UNANIMOUSLY

F.2 Proclamation - Fire Prevention Week

Moved By Councillor Isitt
Seconded By Councillor Potts

That the *Fire Prevention Week* Proclamation be forwarded to the September 19, 2019 Council Meeting for Council's consideration

CARRIED UNANIMOUSLY

F.3 Proclamation - Small Business Month

Moved By Councillor Isitt
Seconded By Councillor Potts

That the *Small Business Month* Proclamation be forwarded to the September 19, 2019 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

F.4 Proclamation - Performance and Learning Month

Moved By Councillor Isitt
Seconded By Councillor Potts

That the *Performance and Learning Month* Proclamation be forwarded to the September 19, 2019 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

F.5 Proclamation - British Home Child Day

Moved By Councillor Isitt
Seconded By Councillor Potts

That the *British Home Child Day* Proclamation be forwarded to the September 19, 2019 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

F.6 Proclamation - World Cerebral Palsy Day

Moved By Councillor Isitt
Seconded By Councillor Potts

That the *World Cerebral Palsy Day* Proclamation be forwarded to the September 19, 2019 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

H.1 Council Member Motion - Enforcement of the CRD Clean Air Bylaw

Council received a report dated September 13, 2019 from Council members Thornton-Joe and Alto requesting support for Victoria CRD representatives to obtain information on Bylaw Enforcement, and further petition the CRD to hire staff to adequately enforce the Clean Air Bylaw.

Moved By Councillor Isitt
Seconded By Councillor Potts

DRAFT

Request that the City's CRD representatives ask that the CRD report to its Board on the number, distribution and capacity of its current bylaw enforcement staff, and further petition the CRD to hire additional staff necessary to adequately enforce the CRD Clean Air Bylaw

CARRIED UNANIMOUSLY

H.3 Council Member Motion - Conference Attendance Request for Councillor Isitt - UBCM

Moved By Councillor Isitt
Seconded By Councillor Potts

That Council authorize the attendance and associated costs for Councillor Isitt to attend the Union of BC Municipalities (UBCM) annual meeting in Vancouver, BC, from September 23-27, 2019, with estimated costs as follows:
Registration: $550
Transportation: $250
Accommodation: $1200
Means and Incidentals: $240

Estimated total costs: $2240

CARRIED UNANIMOUSLY

H.4 Council Member Motion - Conference Attendance Request for Councillor Isitt - Climate Caucus Summit

Moved By Councillor Isitt
Seconded By Councillor Potts

That Council retroactively authorize the attendance and associated costs for Councillor Isitt to attend the Climate Caucus Summit, which took place in Vancouver, BC, on August 13, 2019, with the following costs:

Transportation: $250
Means and Incidentals: $25
Estimated total costs: $275

CARRIED UNANIMOUSLY

H.6 Council Member Motion - Conference Attendance Request for Councillor Potts - UBCM

Moved By Councillor Isitt
Seconded By Councillor Potts

1. That Council approve the attendance of the 2019 Union of BC Municipalities Convention and related expenses for Councillor Potts.

   Estimated Expenses:

Travel - $300
Incidentals - $100
Conference registration - $840
Total = $1240

CARRIED UNANIMOUSLY

H.8 Council Member Motion - Conference Attendance Request for Councillor Dubow

Moved By Councillor Isitt
Seconded By Councillor Potts

1. That Council authorize the attendance and associated costs for Councillor Dubow to attend the 2019 Union of BC Municipalities Convention on September 23rd to September 27th 2019.

CARRIED UNANIMOUSLY

D. UNFINISHED BUSINESS

D.1 Permissive Tax Exemptions

Council received a presentation from the Deputy Director of Finance providing an update on Council's inquiry into the Royal Canadian Legion's membership requirements. Communications received from the Legion indicate that there is no restriction on permanent residents in regards to associate membership.

Committee discussed:

- Legions' associate membership requirements
- Permissive tax exemption impacts

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the Royal Canadian Legion Pro Patria Branch be exempted from all property taxes for the Class 8 taxable assessment for the years 2020 to 2022.

CARRIED UNANIMOUSLY

Councillor Isitt left the meeting at 9:20 a.m. due to a non-pecuniary conflict of interest with the following item as his father lives in an adjacent strata building.

E. LAND USE MATTERS

E.1 415 and 435 Michigan Street: Rezoning Application No. 00637 and Development Permit with Variances Application No. 00055 (James Bay)

Councillor Loveday joined the meeting at 9:34 a.m.

Council received a report dated September 5, 2019 from the Acting Director of Sustainable Planning and Community Development providing information on Rezoning and Development Permit with Variances applications that would provide for the construction of a four-storey multiple dwelling building containing 24 dwelling units while retaining the two existing 13 story dwellings. The report recommends approval subject to certain conditions.

Council discussed:

- Parking and density requirements generally and on the lot
- Parking, health and safety concerns expressed by current tenants
- Loss of greenspace
- Accessibility of the proposed developments

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00637 for 415 and 435 Michigan Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

i. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure all of the dwelling units on site as rental, in perpetuity.

ii. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure two of the proposed one-bedroom rental dwelling units as below-market housing (offered for rent at 30% of the gross annual household income for $55,200 income households, in perpetuity).

DEFEATED

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

Rezoning Application No. 00637

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00637 for 415 and 435 Michigan Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure all of the dwelling units on site as rental, in perpetuity.
2. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure two of the proposed one-bedroom rental dwelling units as below-market housing (offered for rent at 30% of the gross annual household income for $55,200 households, in perpetuity).
3. Registration of a legal agreement on the property's title, with terms and in a form to the satisfaction of the Director of Engineering and the City Solicitor, to secure Transportation Demand Management measures that include:
    i. provision of one car share vehicle;
    ii. a dedicated on-site car share parking space;
    iii. a car share membership each for 50 dwelling units;
    iv. $100 of driving credit for each of the car share memberships; and
    v. three on-site bicycles that are part of a bike share program

Development Permit with Variances Application No. 00055

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. 00637, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00055 for 415 and 435 Michigan Street, in accordance with

1. Plans date stamped June 4. 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
    i. increase the number of buildings permitted on one lot from one to three:
    ii. reduce the front setback to buildings from 15m to 5 5m;
    iii. reduce the front setback to canopies on a building from 12m to 5m;
    iv. reduce the front setback to stairs on a building from 12m to 2.0m;
    v. increase the site coverage from 14% to 23.6%;
    vi. reduce the open site space from 40% to 31%;
    vii. reduce the number of parking spaces (not visitor) from 221 to 130;
    viii. reduce the number of parking spaces (visitor) from 22 to 11;
    ix. permit accessory buildings in the side yard;
    x. increase the floor area for an accessory building from $37m^2$ to $54m^2$.
3. Revised plans addressing inconsistencies in the project data table.

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

Amendment:

Moved By Councillor Young
Seconded By Councillor Thornton-Joe

Replace the above #3 in Rezoning with:

3. **That Council direct staff to work with the applicant to revise the proposal to provide additional parking spaces and/or develop a comprehensive TDM package to mitigate the parking shortfall and submit revised plans to address inconsistencies in the project data table, and bring the revised proposal back to a future Committee of the Whole meeting.**

FOR (5): Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Dubow Councillor Young

OPPOSED (1): Councillor Alto

CARRIED (5 to 1)

On the motion:

Rezoning Application No. 00637

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00637 for 415 and 435 Michigan Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure all of the dwelling units on site as rental, in perpetuity.
2. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure two of the proposed one-bedroom rental dwelling units as below-market housing (offered for rent at 30% of the gross annual household income for $55,200 households, in perpetuity).
3. That Council direct staff to work with the applicant to revise the proposal to provide additional parking spaces and/or develop a comprehensive TDM package to mitigate the parking shortfall and submit revised plans to address inconsistencies in the project data table, and bring the revised proposal back to a future Committee of the Whole meeting.

Development Permit with Variances Application No. 00055

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. 00637, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00055 for 415 and 435 Michigan Street, in accordance with

1. Plans date stamped June 4. 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
   i. increase the number of buildings permitted on one lot from one to three: reduce the front setback to buildings from 15m to 5 5m;
   ii. reduce the front setback to canopies on a building from 12m to 5m;
   iii. reduce the front setback to stairs on a building from 12m to 2.0m;
   iv. increase the site coverage from 14% to 23.6%;
   v. reduce the open site space from 40% to 31%;
   vi. reduce the number of parking spaces (not visitor) from 221 to 130;
   vii. reduce the number of parking spaces (visitor) from 22 to 11;
   viii. permit accessory buildings in the side yard;
   ix. increase the floor area for an accessory building from $37m^2$ to $54m^2$.
3. Revised plans addressing inconsistencies in the project data table.
4. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

Councillor Isitt returned to the meeting at 10:33 a.m.

Committee recessed at 10:33 a.m., and reconvened at 10:41 a.m.

E.2 <u>514 and 518 Sumas Street: Rezoning Application No. 00691 (Burnside-Gorge)</u>

Council received a report dated September 5, 2019 from the Acting Director of Sustainable Planning and Community Development providing information on a Rezoning application that would provide for an increase in density, and permission for an attached dwelling. The report recommends Council approval subject to certain conditions.

Moved By Councillor Potts
Seconded By Councillor Young

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00691 for 514 and 518 Sumas 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. Prepare and execute a Housing Agreement to ensure that future Strata Bylaws cannot prohibit the rental of dwelling units.
2. Prepare and execute a legal agreement to secure a 1.172m Statutory Right-of-Way along the lane frontage.

CARRIED UNANIMOUSLY

E.3 1139 Burdett Avenue: Rezoning Application No. 00690 and Heritage Alteration Permit with Variances Application No. 00232 (Fairfield)

Council received a report dated September 5, 2019 from the Acting Director of Sustainable Planning and Community Development providing information to Council on a Rezoning application that would provide for the conversion of an existing building into multiple dwelling units and addition units through a rear addition. The report recommends Council approve the application.

Committee discussed:

- Appreciation for the quality of the proposal, and the increase of density.

Moved By Councillor Isitt
Seconded By Councillor Loveday

Rezoning Application No. 00690

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00690 for 1139 Burdett 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 Housing Agreement to secure rental of the dwelling units in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development.

Heritage Alteration Permit with Variances Application No. 00232

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

“That Council authorize the issuance of Heritage Alteration Permit with Variances Application No. 00232 for 1139 Burdett Street, in accordance with:

1. Plans date stamped May 9, 2019, and the Heritage Restoration Plan date stamped July 8, 2019.

2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

   i. reduce the minimum rear yard setback from 9.18m to 2.03m

   ii. reduce the minimum side yard setback (east) from 2.19m to 1.50m

   iii. increase the maximum height from 7.6m to 9.3m.

3. Heritage Alteration Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

E.4 <u>2 Paul Kane Place: Development Permit Application No. 00544 and 1 Cooperage Place: Development Permit Application No. 000545 (Vic West)</u>

Council received a report dated August 29, 2019 from the Acting Director of Sustainable Planning and Community Development providing information for Development Permit applications that would amend a previously approved Development Permit to allow for mechanical equipment and screening to the roof of both marina buildings, a gas meter enclosure, and change several glazed doors to solid doors. The report recommends Council decline the applications.

Committee discussed:

- Neighbours concerns with trash disposal, and ventilation issues.
- Possibility for further landscaping
- Requirements for public access

Councillor Alto left the meeting at 11:15 a.m.

Moved By Councillor Loveday
Seconded By Councillor Isitt

1. That Council decline Development Permit Application No. 000544 for the property located at 2 Paul Kane Place; and

2. That Council decline Development Permit Application No. 000545 for the property located at 1 Cooperage Place.

CARRIED UNANIMOUSLY

Motion Arising:

Moved By Councillor Loveday
Seconded By Councillor Isitt

That Council direct staff to install signage indicating that the Statutory Right of Way is a public walkway.

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Young

Add “To work with the property owner” after “direct staff”

CARRIED UNANIMOUSLY

On the motion:

That Council direct staff to work with the property owner to install signage indicating that the Statutory Right of Way is a public walkway.

CARRIED UNANIMOUSLY

E.5 Official Community Plan Annual Review 2018

Council received a report dated September 5, 2019 from the Acting Director of Sustainable Planning and Community Development presenting the results of the Official Community Plan Annual Review for 2018.

Committee discussed:

- Public art and place-making

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council:

1. Receive the Official Community Plan Annual Review 2018 and City of Victoria 2018 Housing Report for information and direct staff to communicate the findings and highlights to the public.
2. Direct staff to undertake an updated housing demand forecast and OCP capacity assessment.
3. Direct staff to report back with recommendations for using the contributions accrued in the Downtown Heritage Seismic Upgrade Reserve Fund.

CARRIED UNANIMOUSLY

F. STAFF REPORTS

F.1 Tenant Assistance Policy Review and Enhancements

Council received a report dated September 5, 2019 from the Acting Director of Sustainable Planning and Community Development providing information resulting from a one-year review of the City's Tenant Assistance Policy, including proposed recommendations resulting from the review.

Committee Discussed:

- Tenant ambassador position
- Effect of further strengthening of tenant assistance policies
- Procedural and resource considerations of further amendments and engagement.

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council direct staff to:

1. Amend the Tenant Assistance Policy to:

    a. Update compensation structure for market rental housing to be based on length of tenancy at either:

        i. the higher of CMHC average rent for the City of Victoria (as identified in CMHC's Annual Rental Market Report , adjusted annually) or the tenant 's existing rent; or

        ii. free rent in a different building.

    b. Update compensation structure for non-market or social housing to be based on length of tenancy and tenant's existing rents, where compensation on free rent in a different building is preferred.

    c. Add moving expense option for 3+ bedroom units at $1,000.

    d. Where right of first refusal applies, moving expenses are covered for both the move out and return to the building.

    e. "Vulnerable Tenants" to be referred to as "Tenants Requiring Additional Assistance" with additional supports identified.

2. Consider an additional 1 FTE for the Tenant Ambassador Position as part of the 2020 Financial Planning process.

3. Report back to Council following any significant changes to the *Residential Tenancy Act* that may impact provisions outlined in the Tenant Assistance Policy.

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Loveday

That staff undertake further engagement with the Renters Advisory Committee and with tenants and report back on further improvements to strengthen the policy.

Motion to refer:

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

That this be referred to the next quarterly update for staff to report on the implications of undertaking this work.

Amendment:

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

Remove "to the next quarterly update" and "following the meeting of the Renters Advisory Committee"

FOR (5): Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Dubow, and Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (5 to 1)

On the motion to refer:

FOR (3): Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (3): Councillor Dubow, Councillor Isitt, Councillor Loveday

DEFEATED (3 to 3)

Amendment to the amendment:

Moved By Councillor Isitt
Seconded By Councillor Loveday

That staff undertake further engagement with the Renters Advisory Committee and with tenants and report back ~~on further improvements to strengthen the policy.~~ **to Council on preliminary information for tenant engagement.**

CARRIED UNANIMOUSLY

On the amendment:

That staff undertake further engagement with the Renters Advisory Committee and with tenants and report back to Council on preliminary information for tenant engagement.

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

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

CARRIED (4 to 2)

DRAFT

On the motion:

That Council direct staff to:

1. Amend the Tenant Assistance Policy to:
    a. Update compensation structure for market rental housing to be based on length of tenancy at either:
        i. the higher of CMHC average rent for the City of Victoria (as identified in CMHC's Annual Rental Market Report , adjusted annually) or the tenant 's existing rent; or
        ii. free rent in a different building.
    b. Update compensation structure for non-market or social housing to be based on length of tenancy and tenant 's existing rents , where compensation on free rent in a different building is preferred.
    c. Add moving expense option for 3+ bedroom units at $1,000.
    d. Where right of first refusal applies, moving expenses are covered for both the move out and return to the building.
    e. " Vulnerable Tenants" to be referred to as " Tenants Requiring Additional Assistance" with additional supports identified.
2. Consider an additional 1 FTE for the Tenant Ambassador Position as part of the 2020 Financial Planning process.
3. Report back to Council following any significant changes to the *Residential Tenancy Act* that may impact provisions outlined in the Tenant Assistance Policy .
4. That staff undertake further engagement with the Renters Advisory Committee and with tenants and report back to Council on preliminary information for tenant engagement.

FOR (5): Councillor Loveday, Councillor Potts, Councillor Isitt, Councillor Thornton-Joe, and Councillor Dubow

OPPOSED (1): Councillor Young

CARRIED (5 to 1)

Committee recessed at 12:45 a.m. and reconvened at 1:05 p.m.

H. NEW BUSINESS

H.2 Council Member Motion - Advocacy for Legislation to Recover Municipal Costs Arising from Climate Change

Council received a report dated September 17, 2019 from Councillors Isitt and Loveday requesting that the Mayor write to the Premier of British Columbia

asking to introduce legislation to support local government efforts to recover a portion of costs incurred in relation to climate change

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council requests that the Mayor write, on behalf of Council, to the Premier of British Columbia, asking that the Government of British Columbia consider introducing legislation to support local governments in recovering a portion of costs incurred in relation to climate change.

FOR (5): Councillor Loveday, Councillor Potts, Councillor Isitt, Councillor Thornton-Joe, and Councillor Dubow

OPPOSED (1): Councillor Young

CARRIED (5 to 1)

H.5 Council Member Motion - Accessible Voting

Council received a report dated September 17, 2019 from Councillors Potts and Loveday forwarding a recommendation from the Accessibility Working Group to make an accessible voting machine available for the next municipal election or by-election on polling day at City Hall.

Moved By Councillor Potts
Seconded By Councillor Loveday

AWG recommends that Council direct staff to:

Make an accessible voting machine available for the next municipal election or by-election on polling day and that it be located at City Hall or another equally central polling location;

Widely publicize these accessibility options well in advance of polling day.

CARRIED UNANIMOUSLY

H.7 Council Member Motion - Temporary Accommodation of Peers Victoria Resources Society

Council received a report dated September 18, 2019 from Councillor Potts requesting that City staff work with the Peers Victoria Resources Society to determine temporary accommodations for the Society, and to subsequently execute a lease or license agreement.

Moved By Councillor Potts
Seconded By Councillor Loveday

Recognizing the importance of Peers Victoria Resources Society in preventing violence and providing support and counselling resources for vulnerable individuals in the City, that Council directs City staff to work with Peers Victoria Resources Society to determine if a temporary office space can be secured for their use (with minimal expense) for the period of October 1, 2019 to December

31, 2019 at the City's Old Island Saw Building on Bridge Street; and if so confirmed by staff that this can be accommodated, Council further authorizes the Mayor and City Clerk to execute a lease or license agreement, the terms of which are acceptable to the City Solicitor, for the space during the term at a rent that is affordable to them.

CARRIED UNANIMOUSLY

I. ADJOURNMENT OF THE COMMITTEE OF THE WHOLE

Moved By Councillor Isitt
Seconded By Councillor Potts

That the Committee of the Whole Meeting be adjourned at 1:13 p.m.

CARRIED UNANIMOUSLY

CITY CLERK	MAYOR

DRAFT

CITY OF VICTORIA

Committee of the Whole Report
For the Meeting of October 10, 2019

To: Committee of the Whole **Date:** September 11, 2019

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

Subject: Application for a New Liquor Primary Licence for Leopold's Tavern at 570 Yates Street

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RECOMMENDATION

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

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Leopold's Tavern located at 570 Yates Street having hours of operation from 9:00 am to 12:00 am daily with a total occupant load of 120 people (100 interior and 20 exterior, sidewalk café seats).

   Providing the following comments on the prescribed considerations:

   a. The impact of noise on the community near the establishment was considered in relation to the request and noise impacts are expected to be proportional to existing licence capacity and associated noise levels in the vicinity. The applicant has requested a closing time of 12:00 am Sunday through Thursday and 1:00 am on Friday and Saturday, which is not fully supportable due to existing density of licenced seating in the area and higher than average calls for service related to noise and other impacts associated with late night entertainment.

   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.

   c. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received five letters in response to the notification that went to 899 owners and occupants and all were opposed to the application which included one letter from the Downtown Residents Association.

   d. Council recommends the license be approved conditional on amending the closing hours to 12:00 am daily.

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 Leopold's Tavern. The application is for a new Liquor Primary licence having hours of operation from 9:00 am to 12:00 am Sunday through Thursday and 9:00 am to 1:00 am Friday and Saturday with a total occupant load of 120 people (100 interior and 20 exterior, sidewalk café seats). Leopold's Tavern application was reviewed by City staff including Planning, Engineering, Business and Community Relations, Bylaw, and Police. In addition, a public notification process was conducted, as required by the Liquor Licence Policy, to invite public comments through written correspondence. The application was evaluated using City policy, comments provided by City staff, and comments received through the public notification process. 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.

Leopold's Tavern application is consistent with the City's Liquor License Policy; however, significant concern has been brought forward through the staff review of the application. The density of licenced seating in the area is significant, generating a higher than average number of calls for service according to police input. Complaints from residents are voiced frequently and are an issue in the area, and while only five letters were received in response to 899 notices, one was from the Downtown Residents Association, outlining their opposition to the application.

The initial proposal included hours from 9:00 am to 2:00 am daily and an occupant load of 134 people (100 interior and 34 exterior, sidewalk café seats). After reviewing staff comments and community feedback, the applicant currently proposes reduced hours from 9:00 am to 12:00 am Sunday through Thursday and 9:00 am to 1:00 am Friday and Saturday, and a reduced occupant load of 120 people (100 interior and 20 exterior, sidewalk café seats). The reduction in seating is reflective of dimensional limitations associated with the sidewalk café policy. The applicant has revised their application three times throughout the course of review and the most recent public notification reflects the current proposal.

The establishment could be licenced under a food primary licence which would entitle them to provide licenced service from 9:00 am to 12:00 am daily, and this licence would not involve referral to local government. The point of significance is that an establishment of any occupant load, not open past 12:00 am does not involve referral to local government, and is seen as a baseline for consideration even though the operational requirements of a food primary are different from a liquor primary. Consideration of staff comments and community impacts, and awareness of baseline potential, has resulted in a recommendation that does not support the applicants requested closing time of 1:00 am on Friday and Saturday. To limit impacts to residents in the area, staff recommend having overall hours of operation from 9:00 am to 12:00 am daily applicable to the combined occupant load of 120 people (100 interior and 20 exterior, sidewalk café seats).

PURPOSE

The purpose of this report is to seek a Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act* (the Act), regarding an application by Leopold's Tavern for a Liquor Primary licence.

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 or acceptable for the business based on submitted details. In the case of Leopold's Tavern, the operator is seeking a liquor primary licence. Liquor primary licences allow for a greater

level of operational flexibility where a focus on food service is not a condition of operation.

This application is for a liquor primary license for Leopold's Tavern and a letter of intent has been provided with information about the business model and is included as Appendix A.

Leopold's Tavern is seeking approval for hours of licensed service from 9:00 am to 12:00 am Sunday through Thursday and 9:00 am to 1:00 am Friday and Saturday with an occupant load of 120 people (100 interior and 20 exterior, sidewalk café seats). The LCRB is requesting a resolution from the City of Victoria regarding:

1. The impact of noise on nearby residents.
2. Impact on the community if the application is approved.

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.

ISSUES & ANALYSIS

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

Zoning

Zoning for the establishment is CBD-1, which permits "drinking establishment" and "restaurant" uses and imposes no restriction on hours or occupant loads. Compliance would be demonstrated through application for a building permit and the resulting construction verified for compliance through the City inspection process related to an issued building permit.

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. Leopold's Tavern is within the Intermediate Noise District and limited to 60dBA 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 50dBA in Quiet districts, 55dBA in the Harbour Intermediate and Intermediate districts and 65dBA in the Activity district. 50dBA is comparable to rainfall, light traffic or a refrigerator and 60dBA 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 several 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 unanticipated issues arise, the fallback to re-establish compliance related to noise and other aspects is to use 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 additional authority to bring an establishment back into compliance where issues are more complex.

Leopold's Tavern has been considered regarding the impact it would have on the community and its potential to generate noise related issues. The establishment proposes licencing under a liquor primary licence and has been compared in terms of existing capacity in the vicinity and citywide, for comparison and understanding of likely impact.

The recommended closing hours of 12:00 am daily limits the proportional impact based on existing occupant loads and hours. On Friday and Saturday nights on the 500 block of Yates Street, there are 698 licenced seats permitted to operate until 1:00 am. The makeup of the 698 seats is 510 Food Primary and 188 Liquor Primary seats. The applicant's requested occupant load of 120 people and hours represent a 17% increase in total licenced seating or a 64% increase in Liquor Primary seats on the 500 Block of Yates.

At the recommended closing hour of 12:00 am, there are 1136 licenced seats and the makeup of the 1136 seats is 948 Food Primary and 188 Liquor Primary seats. The recommended midnight closing is less impactful and represents a 10% increase in total licenced seating or a 64% increase in Liquor Primary seats on the 500 Block of Yates.

Patios on the 500 Block of Yates Street exist only in association with food primary establishments and all have hours common to both interior spaces and patios. Outdoor patio hours on the street are as follows; Fiamo Italian Kitchen and Dylan's Sports Bar are licenced until 2:00 am; El Furniture Warehouse is licenced until 1:00 am; and Ferris' Oyster Bar and Chuck's Burger Bar are licenced until 12:00 am. Other Liquor Primaries near the 500 Block of Yates Street have exterior service areas restricted to 11:00 pm.

Business and Community Relations, Bylaw and Police have noted the area as having higher than average numbers of calls for service and noise related issues. This establishment could operate as a food primary licence in which case there would be no referral to local government where the establishment was not open past midnight, and this is recognized as the baseline for potential impacts. Proposals for hours beyond midnight are an opportunity for local government to reduce impacts where appropriate.

Vicinity information is attached as Appendix D.

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 was undertaken and included circulation to Planning, Engineering, Community and Business Relations, Bylaw, and Police. That review resulted in the following feedback

<u>Planning</u>

- The application is supportable as the establishment is zoned appropriately for use as a drinking establishment.

Engineering

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

Community and Business Relations

- Community and Business Relations supports closing hours no later than 12:00 am daily and patio hours not later than 10:00 pm to support increased downtown vitality while managing resident impacts.

Bylaw

- Bylaw shared concerns regarding the applicant's proposal and supports the recommended midnight closing time.

Police

- Police do not support the application due to existing issues in the area related to density of licenced establishments and late-night entertainment. Full police comments are available in Appendix F.

The original application proposed an exterior patio with a 34 person occupant load which was updated due to dimensional restrictions of the Sidewalk Café permit. The proposal is now for a reduced exterior, patio occupant load of 20 people, and 100 indoors for a total occupant load of 120 people.

Community and Business Relations recommend that patio hours are restricted to 10:00 pm daily to support increased downtown vitality while managing residential impacts. This is not reflected in the recommendation as the occupant load on the patio is small, limited public concern was expressed as a result of the public notification, and no other patio on the 500 Block of Yates Street has closing hours imposed that are less than midnight. Additionally, this operator or other new establishments could operate under a food primary licence in which case the patio could operate until midnight with no referral to local government. For these reasons, it is thought to be consistent with other approvals and likely to have minimal cumulative impacts to having closing hours of midnight for the 20 person patio.

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, Leopold's Tavern displayed a notice poster at the entrance for 30 days, which invited input to the City with respect to this application.

Five letters were received in response, all of which were opposed, and included one from the Downtown Residents' Association. Letters were sent to 899 owners and occupants within 100 metres of the establishment, and response 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. The applicant was notified of concerns brought forward through the City Staff review pertaining to the hours proposed in the 500 block of Yates Street. The applicant responded and has reduced the initially proposed hours of 9:00 am to 2:00 am daily to 9:00 am to 12:00 am Sunday through Thursday and 9:00 am to 1:00 am Friday and Saturday. These reduced hours are proposed to be common to both interior and exterior service areas.

Following public notification, the applicant was again given opportunity to review this report including community feedback and the applicant chose to provide additional correspondence. The applicant does not support the recommendation and has provided rationale for their position This correspondence is available in Appendix H.

IMPACTS

Accessibility Impact Statement
The establishment is accessible at ground level and meets accessibility requirements of the BC Building Code.

Strategic Plan 2019 – 2022
The recommendation to support the application is likely to increase the viability of the business as a local employer, which is consistent with Strategic Objective #4 – *Prosperity and Economic Inclusion*.

Impacts to Financial Plan
None

Official Community Plan
The proposed license is consistent with the *Official Community Plan* objectives for this neighbourhood as the property is located within the Core Historic District which permits commercial and mixed uses.

CONCLUSIONS

The application for a new liquor primary licence is supportable where hours of operation are from 9:00 am to 12:00 am daily with a total occupant load of 120 people (100 people indoors and 20 people on the patio). Staff and community concern make the applicant's proposed 1:00 am closing time on Friday and Saturday nights unsupportable due to density of licenced capacity in the area and above average levels of calls for service and noise related issues associated with late night entertainment. The site is appropriately zoned for the use, is consistent with current City policy, and staff's recommended amendment to hours of operation are in keeping with other establishments in the area. Staff recommend for Council's consideration that a resolution be made supporting the hours of operation from 9:00 am to 12:00 am for Leopold's Tavern.

ALTERNATE MOTIONS

1. Council could also support the application of Leopold's Tavern as requested having licenced hours of 9:00 am to 12:00 am Sunday through Thursday and 9:00 am to 1:00 am Friday and Saturday, and an occupant load of 120 people (100 people indoors and 20 people on the patio).

2. That Council, after conducting a review with respect to noise and community impacts regarding the application of Leopold's Tavern, at 570 Yates Street, does not support the application.

Respectfully submitted,

Ryan Morhart
Manager, Permits & Inspections

Andrea Hudson, Acting Director
Sustainable Planning & Community Dev.

Report accepted and recommended by the City Manager: Jocelyn Jenkyns

Date: Oct 4, 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: Applicants Comments
Appendix I: Provincial Liquor License Types

Appendix A

RisingTide CONSULTANTS

Experts in liquor licensing for the success of your business

APPLICATION FOR A LIQUOR PRIMARY LICENCE

AT: LEOPOLD'S TAVERN
570 YATES STREET,
VICTORIA, B.C. V8W 1K8

APPLICANT: LEOPOLD'S RESTAURANT VICTORIA INC.

REVISED LETTER OF INTENT
FOR THE APPLICATION FOR A LIQUOR PRIMARY LICENCE

Submitted to:

Liquor & Cannabis Regulation Branch
400 – 645 Tyee Road
Victoria, B.C.
V9A 0B4

APPLICATION FOR A LIQUOR PRIMARY LICENCE

AT: LEOPOLD'S TAVERN
570 YATES STREET,
VICTORIA, B.C. V8W 1K8

APPLICANT: LEOPOLD'S RESTAURANT VICTORIA INC.

LETTER OF INTENT
FOR THE APPLICATION FOR A LIQUOR PRIMARY LICENCE

INTRODUCTION/PRIMARY FOCUS

This Letter of Intent is provided in support of the application submitted to the Liquor and Cannabis Regulation Branch and the City of Victoria for a Liquor Primary Licence called Leopold's Tavern. The establishment is located in the Downtown area of Victoria on Yates Street near Government Street. This location is a great central location that serves not only the Downtown area, but has great links to Victoria West, Harris Green and North Park.

The proposed areas for licensing consist of the main bar area, patio and the corridor leading to the washrooms.

The estimated total occupancy is 120 patrons and staff inclusive of 20 person patio.

Included with the application is a copy of the proposed floor plan for this venue.

The maximum hours of liquor sales and service requested for this application are 9:00am to 12:00am, Sunday through Thursday and 9am to 1am on Friday and Saturday.

FOOD AND BEVERAGE SERVICE

Leopold's Tavern is a unique food and beverage environment with an extensive menu of hot and cold items with appetizers, entrees & desserts. The menu is based around homemade comfort food, with different daily specials.

Beverages range from local craft beers, wine, coolers, spirits and non-alcoholic soft drinks.

SITE LOCATION

The proposed licensed establishment is in a well-known part of town that has a mix of restaurants, coffee shops, offices, tourist attractions and clothing stores. The vibrant neighbourhood attracts both the residents of Greater Victoria and the tourists looking to enjoy the picturesque views in this historic commercial district.

As the establishment is located close to Government Street leading down to the waterfront, this will provide a significant amount of foot traffic. It is also located a short distance to the Johnson Street Bridge, the docks on David Foster Way and Wharf area.

COMPOSITION OF THE NEIGHBOURHOOD

The proposed licensed establishment is located on Yates Street, in Downtown Victoria. The site is in the historic commercial district. The following is a list of the social facilities and public buildings in the immediate area of the site:

- Federal Government Office – Correctional Service of Canada, Transport Canada
- Pacific Rim College
- Victoria Academy of Dramatic Arts
- McPherson Playhouse
- City Hall

Attached are maps of the area showing the proposed establishment, and the identified social facilities and public buildings in the area.

The liquor primary licence will not impact negatively on these facilities and public buildings for the follow reasons:

- The establishment management will not permit the facility to impact negatively on the community and the nearby social facilities and public buildings;
- The area is a commercial district with other restaurants and liquor establishments nearby, so the impact to the local community is minimal;

- The applicant has multiple locations across Canada, so is experienced in running Liquor Primary establishments; and

IMPACT OF NOISE ON THE COMMUNITY

The establishment will be conscious of the City of Victoria Noise Control Bylaw, and will make sure that noise is kept to a minimum. The City will assess this when the application is reviewed.

This is a neighbourhood pub style establishment and not a night club, so the ethos is to provide a relaxed and homely style atmosphere that caters to people who wish to enjoy local food and drink.

TARGET MARKET

This proposed liquor primary licensed establishment will primarily cater to adults nineteen (19) years of age and older, however minors will be allowed until 8pm when escorted by an adult. The target markets are the residents of City of Victoria, along with its many visitors. The establishment will cater to a broad target with mixed occupations who may be enjoying a family meal or drinks with friends.

HOSPITALITY/TOURISM DEVELOPMENT FACTORS

The proposed establishment will support the hospitality/tourism development factors by adding a different type of establishment to Yates Street. The current establishments that are located on this street are mainly clothing stores, coffee shops and restaurants.

BENEFITS TO THE COMMUNITY

There will be many positive benefits to the community as the establishment will be a destination for patrons wanting to enjoy food and beverages in a relaxed setting. The benefits will also include:

- Tax revenue to all levels of Government;
- Direct and indirect employment opportunities for residents of Victoria;
- Provide an interesting and exciting new venue for family events, fundraisers, and community events;
- A community safety initiative to encourage people to appoint designated drivers, or alternative ways to get home safely and without drinking and driving; and
- Local charity support, which is something the applicant is currently involved in across the other areas where they operate.

TRAFFIC IN THE VICINITY

The proposed venue will not impact negatively on traffic as this is already a destination that patrons visit to go for dinner or visit shops. It is in the core Downtown area with existing vehicle and foot traffic.

PARKING

There is a parkade directly across the street at Bastion Square Parkade 575 Yates Street that has 361 parking spaces. There are also additional parkades approximately 122 metres, 150 metres and 190 metres from the establishment location.

There is also limited on street parking available along Yates Street and the surrounding area.

PROXIMITY TO OTHER LIQUOR PRIMARY LICENSED ESTABLISHMENTS

The closest Liquor Primary licensed establishments are:

- Yates Street Taphouse & Grill, 759 Yates Street
- Irish Times Pub, 1200 Government Street

The proposed Liquor Primary Licence for Leopold's Tavern will not impact on the above licensed establishments as they are not in direct proximity and at least 100 metres apart.

OTHER FACTORS

- The addition of a Liquor Licence to the establishment will contribute to the tourism, and hospitality in the community;
- Liquor service will be provided to only adults, and no minors will be permitted; and
- The licensed taverns that the applicant has in Alberta, Saskatchewan and Manitoba have not had any problems in the past. They have a good reputation within these provinces.

All of which is respectfully submitted this July 22, 2019.

Edna Lizotte
Rising Tide Consultants Ltd.
1620-1130 West Pender Street
Vancouver BC V6E 4A4

Sidewalk Café Guidelines

Sidewalk cafes add vibrancy to our community and provide a welcoming place for people to meet, relax and dine. They can transform our streets by creating energy and drawing people into the area.

In the City of Victoria, sidewalk café licenses allow businesses to expand their restaurant or café to provide outdoor seating in some public spaces including sidewalks. The sidewalk café guidelines are intended to clarify and provide standards for sidewalk cafes in order to enhance the quality and safety of the pedestrian experience and to encourage economic vitality and street activity.

General

The main function of sidewalks is to support the movement of people throughout the city.

- Locations and design of sidewalk cafés should enhance the pedestrian experience along sidewalks and not negatively impact the movement of people or vehicles in the area.
- A sidewalk café can be allowed only if its location and construction will maintain a safe, secure and comfortable environment for pedestrians using the public right-of-way.
- A sidewalk café should reinforce the character of the area. The design and materials should respect the setting of the surrounding streetscape, buildings and neighbourhood.
- Sidewalk cafes should not negatively impact key public view corridors noted in other City policies.

Open Appearance

Sidewalk cafes should have an open appearance and contribute to a feeling of vibrancy and activity on the street. Sidewalk cafes cannot be fully enclosed. While it is important that Sidewalk Cafes contribute to street vitality, it is equally important that they do not cause noise issues, particularly at night. To ensure that Sidewalk Cafes comply with the Noise Bylaw, applicants may be required to provide more information, such as a noise assessment report, and/or make design changes to mitigate potential noise issues.

Maintain Accessibility

Sidewalk cafes should be designed to be accessible both inside the café and in the surrounding areas.

- A minimum horizontal clearance of 1.5 m from the sidewalk café to the nearest sidewalk obstruction, such as a tree, bike rack, sign post, utility pole, bench, portable sign or bus shelter, is required to allow pedestrian passageway. A clearance greater than 1.5 m may be required in high pedestrian flow areas. The clearances for pedestrian passageway should remain as straight and clear as possible.
- Access and passageway for pedestrians must only be on sidewalks or hardscaped surfaces for pedestrian safety and to avoid damage to grass, trees, and other vegetation. Access and passageway must not include tree grate surfaces or other tree well areas covered by pavers or other material.
- Unless the sidewalk café has permission to occupy the adjacent parking stall, a minimum clearance of 1.0 m from the nearest curb is required to separate the sidewalk café from traffic and parked cars. A distance greater than 1.0 m may be required in high traffic areas to ensure public safety.

Maintenance and Operations

The business with the sidewalk café licence is responsible for its maintenance.

- The business holding the license is responsible for the proper maintenance of the sidewalk café at all times, including repairs, painting, cleaning, and hazards.
- No cooking is allowed in the sidewalk café area.
- Trash receptacles are not permitted within the sidewalk café area.
- All objects associated with a sidewalk café such as furnishings, awnings, umbrellas, signage, lighting, and planters should be located within the sidewalk café area at all times with no parts overhanging outside of the area.
- Sidewalk cafés may be built only in locations where they do not obstruct access to public utilities, service connections, access for emergency vehicles and exits from buildings.

CONTINUED >

FOR MORE INFORMATION:
City of Victoria
E developmentservices@victoria.ca
1 CENTENNIAL SQUARE, VICTORIA, BC V8W 1P6 | victoria.ca

Maintenance and Operations, continued

- A sidewalk café must not obstruct delivery access to buildings.
- Sidewalk cafes must not obstruct access to hanging basket lamp poles.
- The design must promote visibility to passing traffic and maintain clear sightlines at intersections and crossings.
- The design, location, and area of the sidewalk café must not adversely affect boulevard vegetation such as grass and trees or prevent City access and maintenance.
- Trees which have tree grates or other tree well areas covered by pavers and other materials should not be included in a sidewalk café area without additional fencing to keep patrons and site furniture away from these areas.
- Roadway and curb drainage must be maintained.
- All objects fixed in place, such as fences and railings, must be of significant strength yet allow easy removal within two working days.
- A removable deck may be approved if there is a need to level a steep incline (more than 5%) or to harmonize indoor and outdoor seating levels.

Impacts to Neighbouring Trees and Boulevards

Consideration for neighbouring trees and boulevards should be taken into account with the design of sidewalk cafes.

- A sidewalk café must not cause damage to a street tree.
- No items including, but not limited to, signage, banners and lighting may be hung, attached, draped or affixed to a street tree.
- No liquids or cleaning products shall be dumped, allowed to flow or to drain in to a tree well or City drains.
- No pesticide or fertilizer applications shall be applied to street trees.

Furnishings

- Furnishings such as tables, chairs, and accessories should be moveable and of a solid weight for stability.
- Furnishings should be commercial grade, safe, sturdy, durable material and manufactured for outdoor use.
- All furnishings and accessories must be contained within the perimeter of the sidewalk café area.
- Furnishings must be limited to dining purposes only (e.g. tables, chairs, and accessories) and not obstruct the entrance to the café.

Weather Protection

- Awnings should be mounted on a removable wall bracket and be retractable.
- Weather protection, such as awnings, umbrellas or other similar solutions should be constructed of flame-resistant and fade-resistant canvas.

Heating

- Heaters must not be placed within the dripline and/or closer than 2 metres from any part of adjacent street trees.
- The visual impact of heating devices/systems should be considered and arranged to be as unobtrusive as possible.
- All outdoor heating devices should be appropriate for use in a sidewalk café and complement the character of the business to which it is associated.
- All outdoor heating devices must conform to safety standards established by the Canadian Standards Association (CSA) and certified by Underwriters' Laboratories of Canada (ULC), where necessary.

Lighting and Signage

Lighting fixtures should complement the character of the business.

- Lighting levels should be low and directed into the café rather than out towards the street.
- Light fixtures should complement the character of the business to which it is associated.
- No signage or third party advertising, other than for the business operating the café, is permitted.

Use of Adjacent Parking Stall

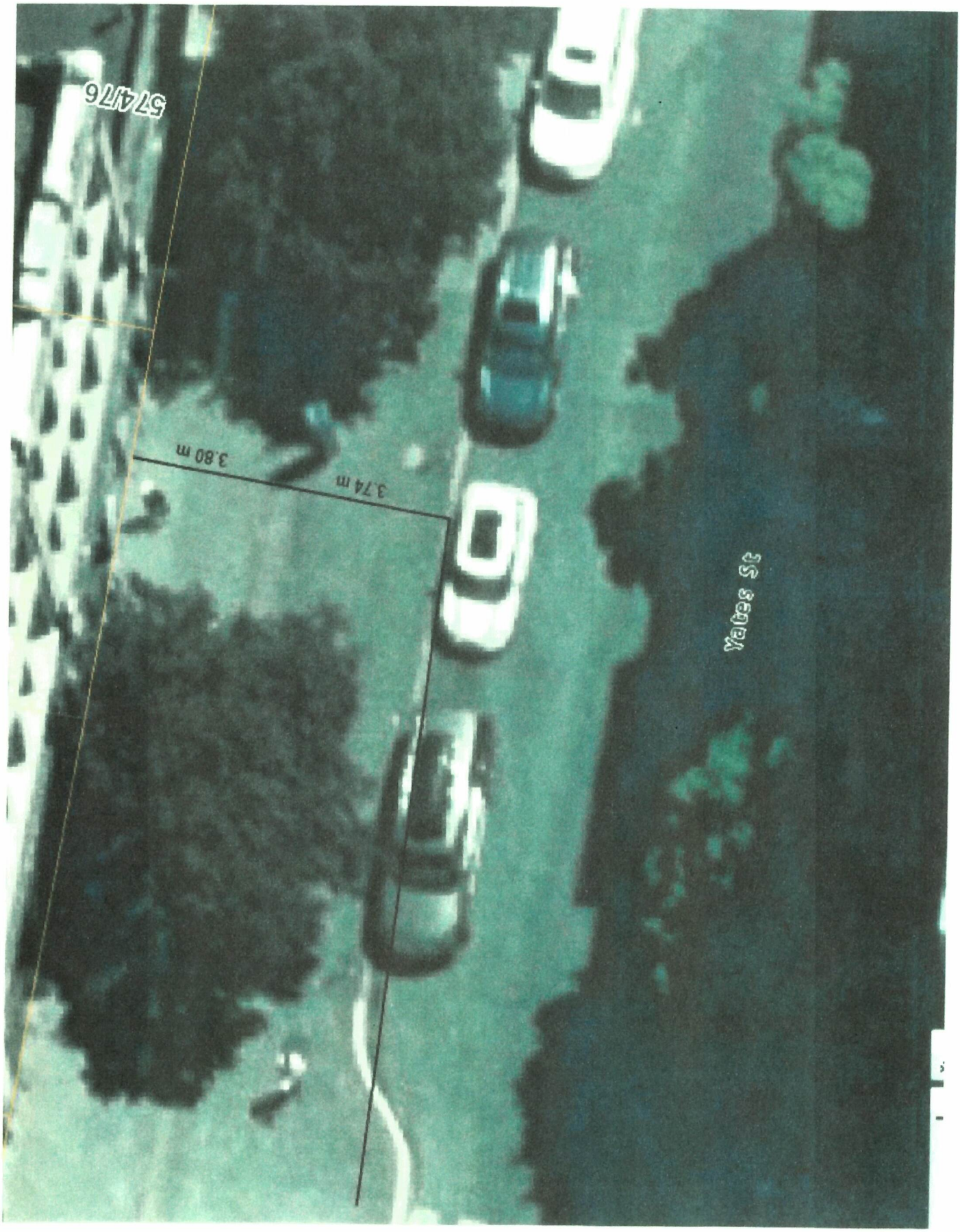
Cafés or restaurants may apply to the City to use an adjacent parking stall for a sidewalk café. In these cases, the following guidelines apply in addition to the guidelines above.

A sidewalk café must:

- Provide a one metre buffer between the outer edge of the sidewalk café and adjacent travel lane and should not extend more than 2.5 m from the curb into the street.
- Have railings that are a minimum of 1.07 m in height from curb elevation on all sides that are exposed to the street with reflectors for visibility to traffic.
- Only be located where permanent parking or loading is permitted. It must not occupy a lane used by moving traffic at any time.
- Provide adequate space to allow vehicle access to adjacent parking stalls.
- Not be located on a street exceeding a running slope of 5%.

These guidelines provide guidance to applicants and City staff when reviewing applications.

For further detail, please refer to the Sidewalk Café Bylaw (No. 16-038). Additional City Permits may be required.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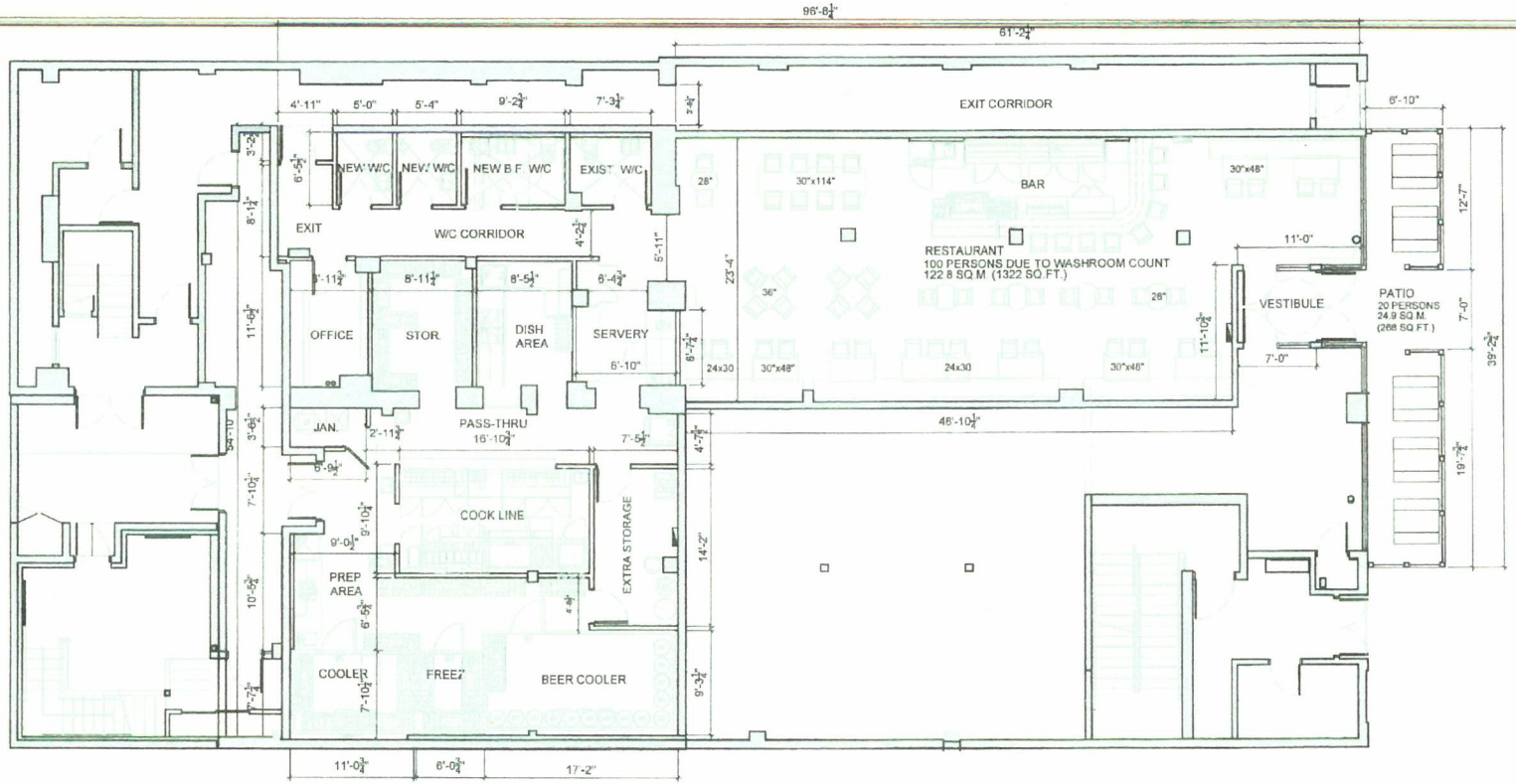

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R10

LEO'S VICTORIA LAYOUT

SCALE: 3/32" = 1'-0"

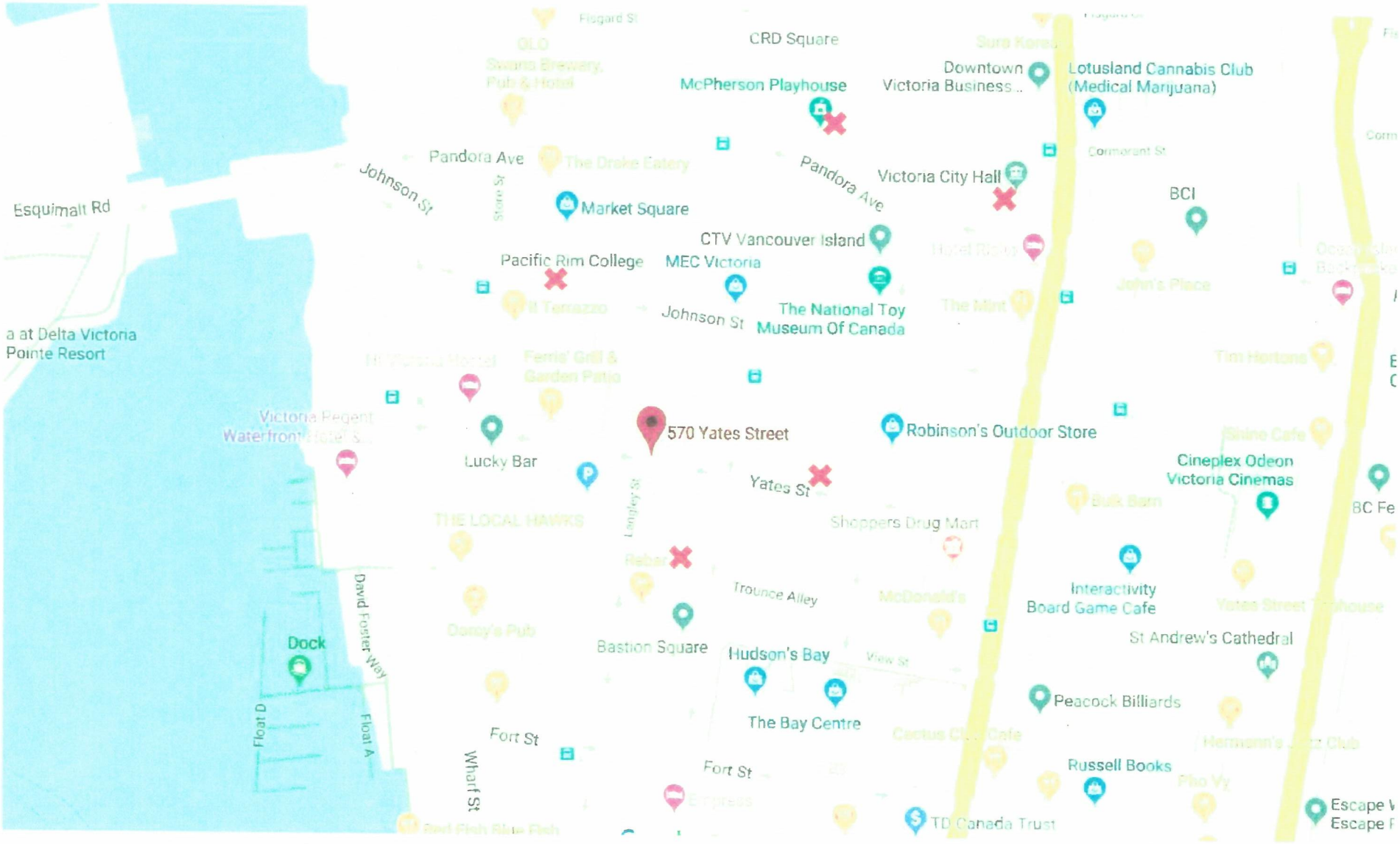
LEOPOLD'S VICTORIA
293.8 SQ.M. (3162 SQ.FT.)
570 YATES STREET,
VICTORIA, BC. V8W 1K8

REGISTERED ARCHITECT
JOHN PETER SAUTER
MAY 07 2019
BRITISH COLUMBIA

City of Victoria – Fire Department * Occupant Load Reviewed Under Current BC Fire Code Only	
Maximum Occupant Load is: Main Floor: 122 Persons	Fire Prevention Officer: Name: Brad Sfeit
Mezzanine: — Persons	Signature:
Patio/Deck: — Persons	
Total: 122 Persons	Date: June 7 2019

Leopold's Tavern – 570 Yates Street, Victoria, BC

Leopold's Tavern – 570 Yates Street, Victoria, BC



Leopold's Tavern – 570 Yates Street, Victoria, BC

CITY OF VICTORIA

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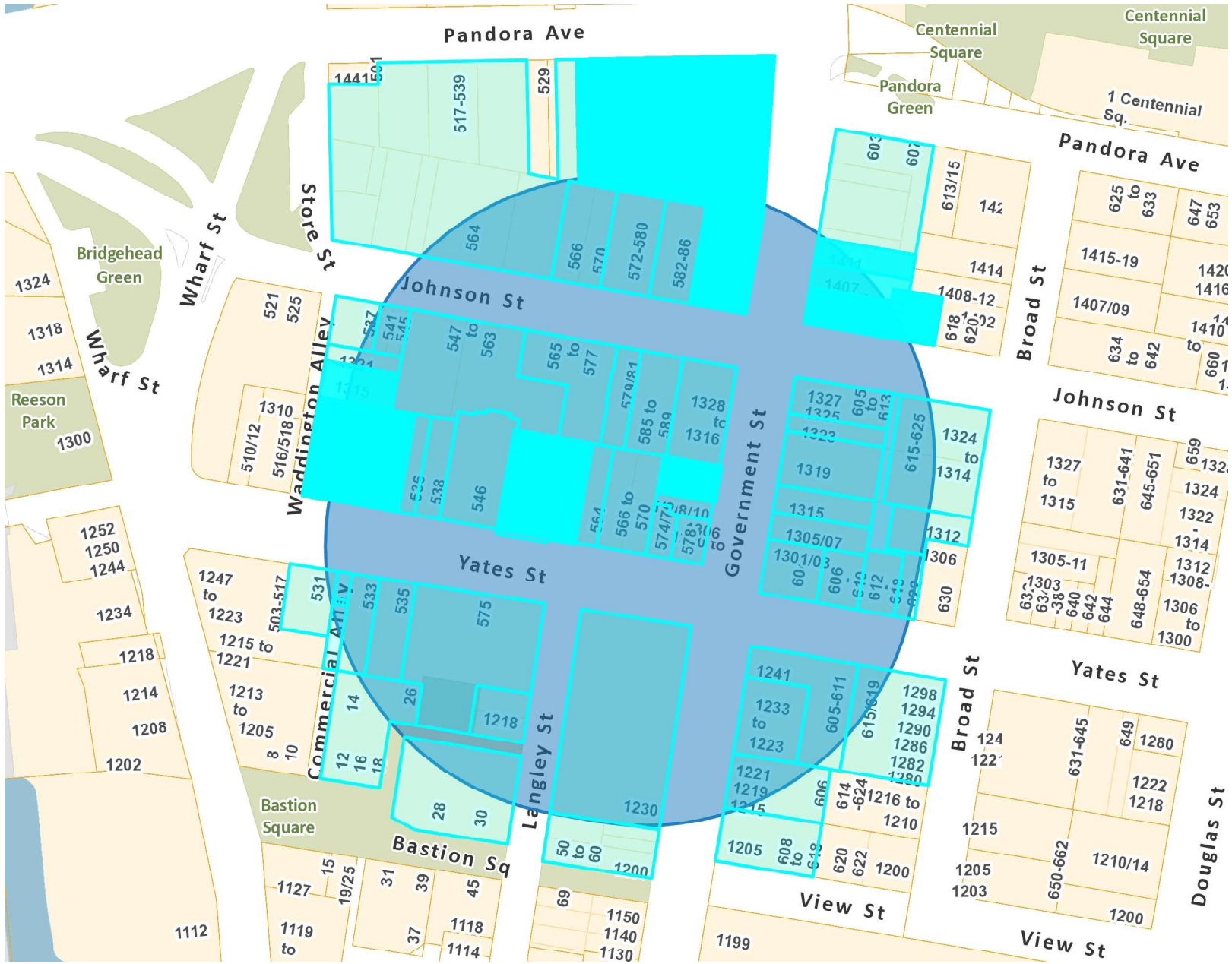
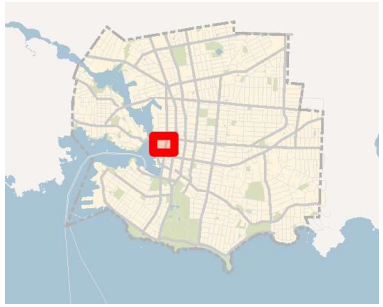
06/14/2019

Appendix B





Legend

- Victoria Parcels

1: 2,122

Notes

108 0 54 108 Meters

NAD_1983_CSRS_UTM_Zone_10N

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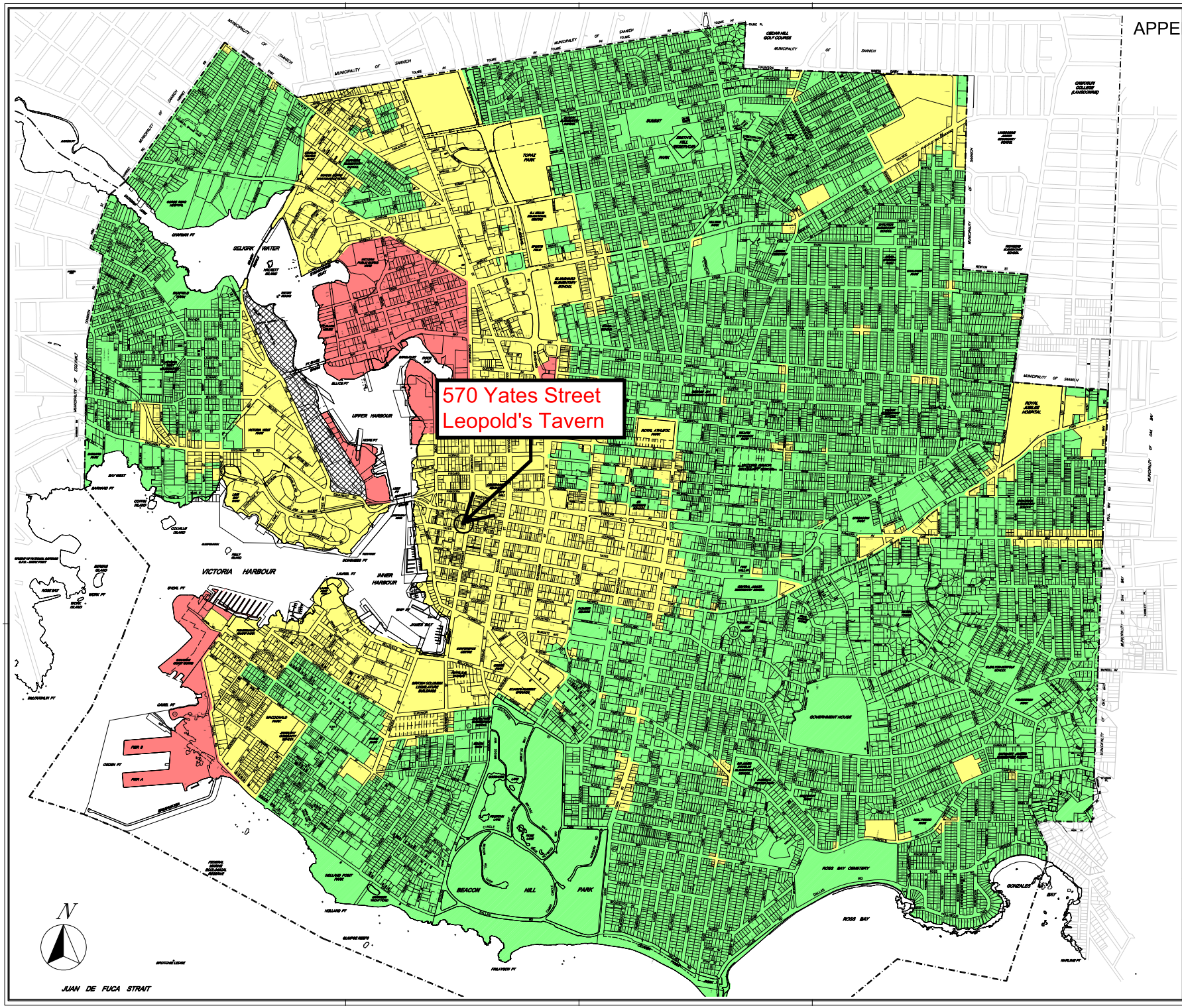
THIS MAP IS NOT TO BE USED FOR NAVIGATION

APPENDIX C

City of Victoria Noise District Map



LEGEND

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

Date: February 17, 2004

Scale: Not to Scale

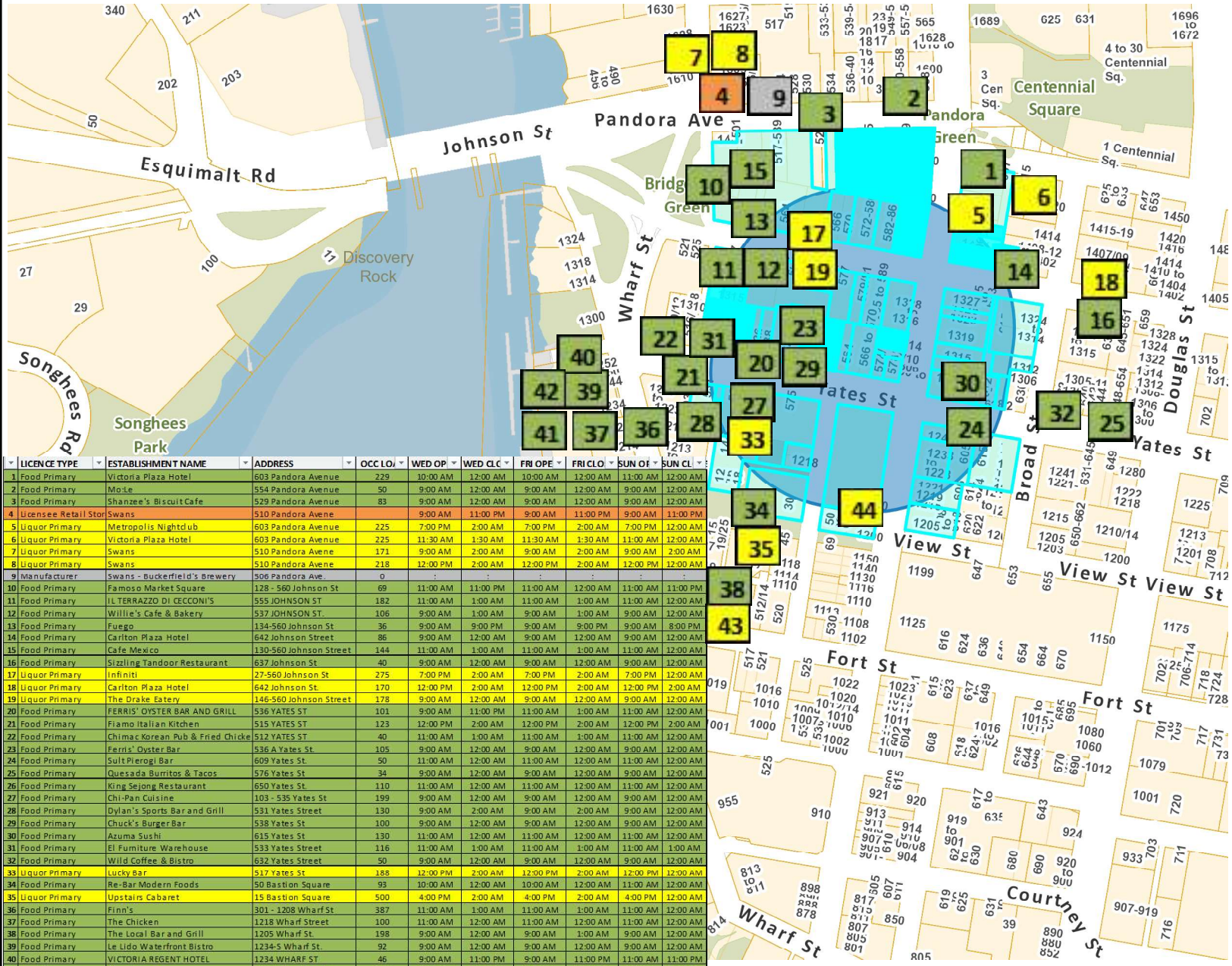
THE CITY OF VICTORIA

CITY OF VICTORIA

Printed from VicMap (Internal Version)

06/14/2019

Appendix D



	LICENCE TYPE	ESTABLISHMENT NAME	ADDRESS	OCC LOA	WED OP	WED CLO	FRI OPE	FRI CLO	SUN OP	SUN CL
1	Food Primary	Victoria Plaza Hotel	603 Pandora Avenue	229	10:00 AM	12:00 AM	10:00 AM	12:00 AM	11:00 AM	12:00 AM
2	Food Primary	Mo'Le	554 Pandora Avenue	50	9:00 AM	12:00 AM	9:00 AM	12:00 AM	9:00 AM	12:00 AM
3	Food Primary	Shanzee's Biscuit Cafe	529 Pandora Avenue	83	9:00 AM	12:00 AM	9:00 AM	12:00 AM	9:00 AM	12:00 AM
4	Licensee Retail Stor	Swans	510 Pandora Avene		9:00 AM	11:00 PM	9:00 AM	11:00 PM	9:00 AM	11:00 PM
5	Liquor Primary	Metropolis Nightclub	603 Pandora Avenue	225	7:00 PM	2:00 AM	7:00 PM	2:00 AM	7:00 PM	12:00 AM
6	Liquor Primary	Victoria Plaza Hotel	603 Pandora Avenue	225	11:30 AM	1:30 AM	11:30 AM	1:30 AM	11:00 AM	12:00 AM
7	Liquor Primary	Swans	510 Pandora Avene	171	9:00 AM	2:00 AM	9:00 AM	2:00 AM	9:00 AM	2:00 AM
8	Liquor Primary	Swans	510 Pandora Avene	218	12:00 PM	2:00 AM	12:00 PM	2:00 AM	12:00 PM	12:00 AM
9	Manufacturer	Swans - Buckerfield's Brewery	506 Pandora Ave.	0	:	:	:	:	:	:
10	Food Primary	Famoso Market Square	128 - 560 Johnson St	69	11:00 AM	11:00 PM	11:00 AM	12:00 AM	11:00 AM	11:00 PM
11	Food Primary	IL TERRAZZO DI CECCONI'S	555 JOHNSON ST	182	11:00 AM	1:00 AM	11:00 AM	1:00 AM	11:00 AM	12:00 AM
12	Food Primary	Willie's Cafe & Bakery	537 JOHNSON ST.	106	9:00 AM	1:00 AM	9:00 AM	1:00 AM	9:00 AM	12:00 AM
13	Food Primary	Fuego	134-560 Johnson St	36	9:00 AM	9:00 PM	9:00 AM	9:00 PM	9:00 AM	8:00 PM
14	Food Primary	Carlton Plaza Hotel	642 Johnson Street	86	9:00 AM	12:00 AM	9:00 AM	12:00 AM	9:00 AM	12:00 AM
15	Food Primary	Cafe Mexico	130-560 Johnson Street	144	11:00 AM	1:00 AM	11:00 AM	1:00 AM	11:00 AM	12:00 AM
16	Food Primary	Sizzling Tandoor Restaurant	637 Johnson St	40	9:00 AM	12:00 AM	9:00 AM	12:00 AM	9:00 AM	12:00 AM
17	Liquor Primary	Infiniti	27-560 Johnson St	275	7:00 PM	2:00 AM	7:00 PM	2:00 AM	7:00 PM	12:00 AM
18	Liquor Primary	Carlton Plaza Hotel	642 Johnson St.	170	12:00 PM	2:00 AM	12:00 PM	2:00 AM	12:00 PM	2:00 AM
19	Liquor Primary	The Drake Eatery	146-560 Johnson Street	178	9:00 AM	12:00 AM	9:00 AM	12:00 AM	9:00 AM	12:00 AM
20	Food Primary	FERRIS' OYSTER BAR AND GRILL	536 YATES ST	101	9:00 AM	11:00 PM	11:00 AM	1:00 AM	11:00 AM	12:00 AM
21	Food Primary	Fiamo italian Kitchen	515 YATES ST	123	12:00 PM	2:00 AM	12:00 PM	2:00 AM	12:00 PM	2:00 AM
22	Food Primary	Chimac Korean Pub & Fried Chicke	512 YATES ST	40	11:00 AM	1:00 AM	11:00 AM	1:00 AM	11:00 AM	12:00 AM
23	Food Primary	Ferris' Oyster Bar	536 A Yates St.	105	9:00 AM	12:00 AM	9:00 AM	12:00 AM	9:00 AM	12:00 AM
24	Food Primary	Sult Pierogi Bar	609 Yates St.	50	11:00 AM	12:00 AM	11:00 AM	12:00 AM	11:00 AM	12:00 AM
25	Food Primary	Quesada Burritos & Tacos	576 Yates St	34	9:00 AM	12:00 AM	9:00 AM	12:00 AM	9:00 AM	12:00 AM
26	Food Primary	King Sejong Restaurant	650 Yates St.	110	11:00 AM	12:00 AM	11:00 AM	12:00 AM	11:00 AM	12:00 AM
27	Food Primary	Chi-Pan Cuisine	103 - 535 Yates St	199	9:00 AM	12:00 AM	9:00 AM	12:00 AM	9:00 AM	12:00 AM
28	Food Primary	Dylan's Sports Bar and Grill	531 Yates Street	130	9:00 AM	2:00 AM	9:00 AM	2:00 AM	9:00 AM	12:00 AM
29	Food Primary	Chuck's Burger Bar	538 Yates St	100	9:00 AM	12:00 AM	9:00 AM	12:00 AM	9:00 AM	12:00 AM
30	Food Primary	Azuma Sushi	615 Yates St	130	11:00 AM	12:00 AM	11:00 AM	12:00 AM	11:00 AM	12:00 AM
31	Food Primary	El Furniture Warehouse	533 Yates Street	116	11:00 AM	1:00 AM	11:00 AM	1:00 AM	11:00 AM	1:00 AM
32	Food Primary	Wild Coffee & Bistro	632 Yates Street	50	9:00 AM	12:00 AM	9:00 AM	12:00 AM	9:00 AM	12:00 AM
33	Liquor Primary	Lucky Bar	517 Yates St	188	12:00 PM	2:00 AM	12:00 PM	2:00 AM	12:00 PM	12:00 AM
34	Food Primary	Re-Bar Modern Foods	50 Bastion Square	93	10:00 AM	12:00 AM	10:00 AM	12:00 AM	11:00 AM	12:00 AM
35	Liquor Primary	Upstairs Cabaret	15 Bastion Square	500	4:00 PM	2:00 AM	4:00 PM	2:00 AM	4:00 PM	12:00 AM
36	Food Primary	Finn's	301 - 1208 Wharf St	387	11:00 AM	1:00 AM	11:00 AM	1:00 AM	11:00 AM	12:00 AM
37	Food Primary	The Chicken	1218 Wharf Street	100	11:00 AM	12:00 AM	11:00 AM	12:00 AM	11:00 AM	12:00 AM
38	Food Primary	The Local Bar and Grill	1205 Wharf St.	198	9:00 AM	12:00 AM	9:00 AM	1:00 AM	9:00 AM	12:00 AM
39	Food Primary	Le Lido Waterfront Bistro	1234-S Wharf St.	92	9:00 AM	12:00 AM	9:00 AM	12:00 AM	9:00 AM	12:00 AM
40	Food Primary	VICTORIA REGENT HOTEL	1234 WHARF ST	46	9:00 AM	11:00 PM	9:00 AM	11:00 PM	11:00 AM	11:00 PM
41	Food Primary	The Flying Pig	1245 Wharf Street	178	9:00 AM	12:00 AM	9:00 AM	12:00 AM	9:00 AM	12:00 AM
42	Food Primary	The Guild	1250 WHARF ST	238	9:00 AM	2:00 AM	9:00 AM	2:00 AM	9:00 AM	12:00 AM
43	Liquor Primary	D'arcy McGee's	1127 Wharf Street	190	11:00 AM	1:00 AM	11:00 AM	2:00 AM	9:00 AM	1:00 AM
44	Liquor Primary	Irish Times Pub	1200 Government Street	250	9:00 AM	1:00 AM	9:00 AM	1:00 AM	9:00 AM	1:00 AM

NAD_1983_CSRS_UTM_Zone_10N

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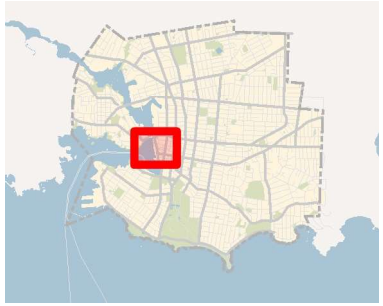


Legend

Victoria Parcels

1: 4,243

Notes

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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.

CITY OF VICTORIA	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 Licencing 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 Appendix F

From: Watson, Cliff [redacted]
Sent: Tuesday, June 18, 2019 1:41 PM
To: Ryan Morhart
Subject: RE: LL000294 Leopold's Tavern | 570 Yates Street

The application for "Leopold's Tavern" is for a new liquor primary licence.

The location, 570 Yates St, falls within an area populated with numerous other licensed establishments. The immediate area (500 block Yates St) is mixed-use, comprised of retail, government, food/restaurant, residential, and office/commercial. The area is one which generates an unusually high call-volume for police (721 calls for service for the past 12 months, the period June 18, 2018 to June 18, 2019) This does however include two unrelated 'hot spots'. Taking out these two 'hot spots' brings that total from 721 down to 373. However, those numbers are still relevant when considering the impacts on this particular neighbourhood and the residents that live here.

The addition of a new liquor primary establishment contributes to liquor-related disorder and calls-for-service later into the night. The effects that could be attributed specifically to this application are difficult to predict or determine. Documented issues are rarely assigned specifically to one address, but are commonly tagged to the block in which the incident(s) occur.

There is some history for this particular address when it operated with a liquor licence in the past, however, there have been significant additions to the residential population in the block and immediately surrounding area.

VicPD cannot support an application for a new liquor-primary establishment. An increase in the total liquor seats and/or hours equates to a greater demand on police resources, resulting in decreased level of service to the community. Current service and staffing levels cannot manage any further increase to liquor-related calls for service. VicPD is already heavily reliant on funding through the Late Night Task Force to meet even the most basic operational needs in the downtown core during the busy liquor hours (evening through to the early morning hours). There is no additional operational capacity to handle the increased call load that would result from this application, similar applications, and the incremental effect that they have collectively.

VICTORIA POLICE

Sgt Cliff Watson
Operational Planning
Victoria Police Department
850 Caledonia Ave
Victoria BC, V8T 5J8
[redacted]

From: Haden Chang [redacted]
Sent: August 12, 2019 10:46 AM
To: Ryan Morhart
Cc: [redacted]
Subject: Re: Update to Public Notification | Leopold's Tavern | Liquor Primary Licence | 570 Yates Street

Dear Ryan Morhart,

Thanks for getting back to us on this. With these changes to the proposal, we see no reason to change our stance from the one detailed in the email I sent back in May.

Thanks,
Haden

On Aug. 1, 2019 2:49 p.m., Ryan Morhart <RMorhart@victoria.ca> wrote:

Dear Haden Chang,

Thank you for your comments regarding an application for a new liquor primary licence for Leopold's Tavern at 570 Yates Street. On August 1st, staff were made aware that the public notification you previously received did not reflect amendments made by the applicant since the original notice was sent.

The previous public notification which provided opportunity for comment ending on May 31st, 2019 reflected proposed hours of operation from 9:00 am to 2:00 am daily and a total occupant load of 100 person and no exterior seating.

Following this notification period, the proposal was revised and now includes reduced hours, an outdoor patio and a total occupant load of 120 persons.

Council has postponed making a decision on this Liquor License Application, to allow another public notification process to provide additional opportunity for comment, ending on **September 2nd, 2019**. The updated public notification will include a new mailout and updated notice posting at 570 Yates street including the following updated details:

Notice of Application for a Liquor Primary Licence having hours of operation from

9:00 am to 12:00 am Sunday to Thursday and 9:00 am to 1:00 am Friday and Saturday

and a total occupant load of 120 persons with 100 allocated to the interior and 20

to an outdoor patio

We would like to provide you with an opportunity to update your comments in light of this new information. We apologize for any inconvenience and will ensure that public notices are re-conducted to reflect amendments to applications when they occur. Your comments will be provided to Council for consideration.

Please contact Ryan Morhart, Manager of Permits and Inspections, at 250-361-0241 or at rmorhart@victoria.ca if you have question regarding the amended application or opportunity for public comment.

Sincerely,

Ryan Morhart

Ryan Morhart

Manager & Chief Building Official

Permits & Inspections
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0241 **F** 250.361.1128

From: Haden Chang [redacted]
Sent: May 21, 2019 3:22 PM
To: Ryan Morhart <RMorhart@victoria.ca>
Subject: Response to the notice of 570 Yates St. obtaining a liquor primary licence

Manager, Permits & inspections

Sustainable Planning and Community Development Department

1 Centennial Square

Victoria, BC V8W 1P6

Hi,

On behalf of Wing Lee Holdings LTD. who own's a property within 100 meters of 570 Yates St., and in response to the notice of application for a liquor primary licence having hours of operations from 9:00 am to 2:00 am daily and an occupant load of 100 persons inside with no exterior seating, we would like to state that we are not opposed to Leopold's Tavern serving alcohol although we are opposed to Leopold's Tavern serving cannabis marijuana as there are already 4 cannabis dispensaries within 100 meters of our property and we are concerned of how the decrease in air quality may affect traffic through the area.

Thanks.

Haden

VICTORIA
DOWNTOWN
RESIDENTS
ASSOCIATION

1715 Government Street
Victoria, BC
V8W 1Z4
250.386.5503

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 28th, 2019

Re: Application for Liquor Primary Licence – Leopold's Tavern

Dear Mayor Helps and Council,

The DRA Land Use Committee has reviewed the application for a new Liquor Primary Licence for Leopold's Tavern at 570 Yates Street. It is our understanding that the applicant is seeking hours of operation from 9:00 am to 2:00 am daily with an occupant load of 100 persons inside with no exterior seating.

Feedback from the committee is as follows:

- Lucky Bar and Fiamo are the only late night liquor or food primary liquor establishments currently operating on the 500-block of Yates St that are open until 2:00 am. Both of these establishments were in business prior to any residential development on the block.
- Steamers Pub previously operated on the ground floor of 570 Yates St, the same location proposed for Leopold's Tavern, and operated from 1993 to 2007. In 2007, with a plan to develop residential units in the upper floors, the owner cited "obvious incompatible uses" between the residential units and a pub. Subsequently, Steamers Pub was permanently closed in December 2007 and the ground level premises were converted to retail.
- Approximately 75 new residential units have been created within the 500-block of Yates St since 2008; with more than half of those located at 570 Yates St and the neighbouring building.
- With the building on the N.W. corner of Government and Yates currently listed for sale, there is the potential for the addition of even more residential units.
- The insertion of a new late night liquor establishment within a residential building will create conflict between operators and residents.
- Under BC's Terms and Conditions for Liquor Primary Licences, live entertainment is permitted. Since there are residences above the proposed tavern, if this licence is granted, live entertainment should either be prohibited, or should be required to end by 10:00 pm as a condition of issuance of the licence.

- There have been a great number of applications for extended hours for food primary licences downtown recently, including at 538 Yates St. However, there is no City policy that applies within the downtown area regarding the siting of late night liquor establishments and proximity to residential development or vice versa.
- No City policy exists requiring residential developments to achieve mandatory standards of "sound transmission class" (soundproofing) for developments constructed within the "entertainment" areas of Downtown.
- No City policy exists requiring late night liquor operators to achieve mandatory standards of "sound transmission class" (soundproofing) between licenced spaces and residential units.
- The current COV noise bylaw is not suited to govern in cases of noise generated by liquor establishments.

The DRA LUC points out that the introduction of late night liquor outlets in established residential areas (or vice versa) has the potential to be highly problematic. This ongoing situation requires comprehensive policies be created to address and mitigate potential conflicts BEFORE they may arise. Certainly with the focus of much of the regional growth strategy on densifying the downtown area with many more thousands of residents, the need for such a policy is acute.

Lower Yates is, and has been, home to long-established, late-night clubs and restaurants (as well as several restaurants that are not open past midnight). Steamers was a long-established pub that operated mid-block for over a decade. The owner of the building that housed Steamers decided to convert the building to rental apartments and recognized that a pub and residences were completely incompatible, so the lease was terminated and Steamers shut down permanently. Establishing a late night liquor outlet again in the same location would undermine those efforts to provide a liveable environment for residents that have now established their homes on the block.

The DRA LUC points out that introducing late night activities into a residential area "after the fact" should be considered through a different and much more powerful lens. The alternative will simply be setting the residents and operators up for the inevitable but avoidable conflicts. DRA LUC members strongly support a vibrant downtown that includes late night drinking establishments but cannot support liquor service beyond midnight on the weekends with earlier weekday closings at a brand new liquor primary establishment co-located with many pre-existing residences.

Sincerely,

Wendy Bowkett
Land Use Committee, Downtown Residents Association

Ryan Morhart

From: [redacted]
Sent: August 12, 2019 3:41 PM
To: Ryan Morhart
Subject: 570 Yates application feedback

Hello,

I received a letter last week providing notice for business with-in 100 meters of 570 Yates.

I would like to provide my feedback to having the primary license of Leopold's Tavern extended into the late hours. I am against the extended hours and drinking on a patio on the sidewalk.

I have been at my location for over 11 years and have watched many things change over the years and some of the struggles I have dealt with. My main concern about this license is around drunk and disorderly behavior after hours and the urination into the doorways of the local small businesses. I have seen an exponential increase in pub and bar patrons urinating into our entrance way along Yates Street in the past couple of years. If the city is not going to increase the access to public washrooms into the area or patrol the issues on the street (reduced policing force), why are we promoting drinking in the downtown core in the late hours? I have seen and confronted many people (men) urinating in my doorway and each and everyone of them were bar/pub patrons. Leopold's Tavern is a drinking and party pub, and not a suitable location for such extended hours.

I recognize that Victoria is growing, but unsustainable social issues surround heavy drinking in our community. Why would the city be eagerly open to extending hours to an establishment that undermines our social health? In which the city has no concrete social services being provided or funded.

Lack of: policing force, public bathrooms and social program to deal with behavioral issues around heavy drinking make the extended hours of Leopold's not healthy for those of use that consider this our home, community and neighborhood.

Regards,
Scott Wingfield
604 Yates Street

Ryan Morhart

From: Skot Innes [redacted]
Sent: Monday, May 27, 2019 9:33 AM
To: Ryan Morhart
Subject: 570 Yates St.

I am a resident of 1314 Government St and am strongly against the license for having hours of 9-2am. I think the maximum late night hours should be 12am like the Drake etc. preferably 11pm.
If they receive a licence to 2am then every super drunk person who still wants to drink will come to that bar after all other bars are closed. I can't imagine that area become another Distrikt.
Sincerly,
Skot Innes

Ryan Morhart

From: Tim Grant [redacted]
Sent: August 12, 2019 8:57 AM
To: Ryan Morhart
Subject: Re: Update to Public Notification | Leopold's Tavern | Liquor Primary Licence | 570 Yates Street

Ryan:

The confusion on the application is disappointing . I assume this note has gone to all those who submitted a response. I worked hard to get may others to express opinion prior to the last council meeting.

Even with this change, my earlier comments still stand. Council does not seem to have any creative ideas for noise management that impacts residents in the area. Hence I do not agree with any development that increases noise level.

I have heard that redevelopment bylaws from the past restricted our building (Leiser) from installing double pain windows. Such was intended to support recreating historical design concepts. Perhaps Council could look at a program that would support residence to install upgraded windows that would better manage noise. Such a 'program' would certainly demonstrate a balanced approach to the issue,

Regards

Tim Grant

On Aug 1, 2019, at 3:48 PM, Ryan Morhart <RMorhart@victoria.ca> wrote:

Dear Tim and Sue Grant,

Thank you for your comments regarding an application for a new liquor primary licence for Leopold's Tavern at 570 Yates Street. On August 1st, staff were made aware that the public notification you previously received did not reflect amendments made by the applicant since the original notice was sent.

The previous public notification which provided opportunity for comment ending on May 31st, 2019 reflected proposed hours of operation from 9:00 am to 2:00 am daily and a total occupant load of 100 person and no exterior seating.

Following this notification period, the proposal was revised and now includes reduced hours, an outdoor patio and a total occupant load of 120 persons.

Council has postponed making a decision on this Liquor License Application, to allow another public notification process to provide additional opportunity for comment, ending on **September 2nd, 2019**. The updated public notification will include a new mailout and updated notice posting at 570 Yates street including the following updated details:

Notice of Application for a Liquor Primary Licence having hours of operation from 9:00 am to 12:00 am Sunday to Thursday and 9:00 am to 1:00 am Friday and Saturday and a total occupant load of 120 persons with 100 allocated to the interior and 20 to an outdoor patio

We would like to provide you with an opportunity to update your comments in light of this new information. We apologize for any inconvenience and will ensure that public notices are re-conducted to reflect amendments to applications when they occur. Your comments will be provided to Council for consideration.

Please contact Ryan Morhart, Manager of Permits and Inspections, at 250-361-0241 or at rmorhart@victoria.ca if you have question regarding the amended application or opportunity for public comment.

Sincerely,

Ryan Morhart

Ryan Morhart
Manager & Chief Building Official
Permits & Inspections
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0241 **F** 250.361.1128

<ATT970551.jpg> <ATT034382.jpg> <ATT875693.jpg> <ATT284314.jpg> <ATT742875.jpg>

-----Original Message-----
From: Tim Grant [redacted]
Sent: May 21, 2019 1:19 PM
To: Ryan Morhart <RMorhart@victoria.ca>
Cc: Tim Grant [redacted]
Subject: Leopolds Tavern

To whom it may concern,

Please accept our negative support to a liquor license being provided to Leopolds Tavern.

The block in question on Yates Street has a mixture of residential and commercial activity. Unfortunately the commercial activity, primarily Lucky Bar, is a catalyst to public noise through all hours of the night. The area does not need another drinking establishment that will only create more late night noise.

We have recently met the Mayor and other Municipal representatives to discuss noise management in the area. There was a commitment to explore solutions, but based on our experiences there does not appear to be a reduction in noise, especially after 2am closing hours.

Granting of a liquor license will only exacerbate an existing issue, without any mitigation for existing residence.

Please reject Leopold's request.

Thank you for the opportunity to input.

Tim and Sue Grant
202 525 Yates Street

Sent from my iPhone

Appendix H

Leo's Liquor Primary Application – Applicant's response

The applicant is pleased that the staff of the City of Victoria are generally recommending approval of the application. However, we disagree with the proposed restricted hours of operation.

The applicant feels strongly that they should have the right to remain competitive with other similarly licensed establishments within the area that are open until 1am, 1:30am or 2am. Leopold's operates pub style establishments all over Canada, and they want to bring their concept to Victoria. The location they chose was previously licenced as Steamers Pub which had licenced hours of 11am to 2am seven days a week.

Originally we wanted similar hours to the other establishments in the area, but have agreed to reduce the hours based on the initial staff recommendation. The current zoning allows for a Liquor Primary establishment and allows for a 1am close. It's important to note that an earlier closure may also cause patrons to move to other establishments in the area which are open later and may already be at full capacity. This only promotes overcrowding and people on the streets. The best strategy for Cities is to have the same closing hours for all establishments so patrons just go home at closing time. If the hours are approved as proposed in this report, the applicant may have to consider moving their business to another municipality in order be in competition with the other similar pub establishments.

With respect to the police comments, we understand there may be challenges with other establishments, however the applicant should not be penalised for issues with other licensees. If one has a rotten apple in a basket you deal with that apple but don't stop placing other apples in the basket.

It should be noted that there has been a new decrease in Liquor Primary licenced seats in this area with the cancellation of the Plaza Hotel Licence earlier this year at 603 Pandora Ave. This establishment had a capacity of 225 persons and closing hours of 1.30am Monday to Saturday and 12 midnight on Sunday.

Applicant will also be writing directly to the Mayor and Members of Council to discuss this in further detail prior to the Committee of the Whole meeting on October 3, 2019.

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.

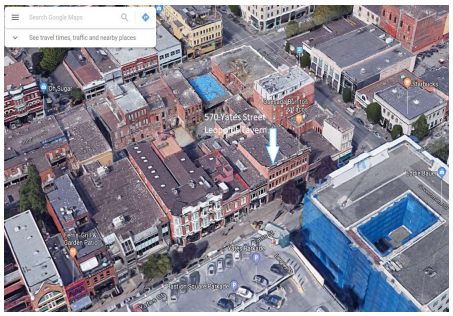
Licensed Establishment Locations – a list of all licensed establishments in B.C.

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

LCRB Application

New – Liquor Primary

Leopold's Tavern, 570 Yates Street



CITY OF VICTORIA

1

Liquor and Cannabis Regulation Branch (LCRB)

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

CITY OF VICTORIA

2

LCRB Approvals

- Criminal Background Checks
- Local Government
  - Municipal Input : potential for noise
  - Public Input : potential for impact on the community, and
- Occupant Load Approvals

3

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

4

LCRB Application

LICENCE TYPE	
PROPOSED	New Liquor Primary Licence

OCCUPANT LOAD – PROPOSED	
PROPOSED	120 PERSONS (100 inside and 20 on patio)

LICENSED HOURS OF OPERATION - PROPOSED	
PROPOSED	9:00 am to 12:00 am Sunday through Thursday 9:00 am to 1:00 am Friday and Saturday

5

Staff Review and Public Comment

Staff Review:

- 500 Block of Yates Street
  - High levels of calls for service in the area
  - Licenced seating
- Police state resource pressures.
- Community and Business Relations note issues related to noise Impacting residents in the area.

Public Comment:

- Letters were sent to 899 owners and occupants
- 5 letters were received opposed to the application which included one from the Downtown Resident's Association.

6

Recommendation

That Council direct staff to notify the Liquor and Cannabis Regulation Branch that Council supports the application for a new liquor primary licence for Leopold's Tavern having a 120 person occupant load (100 indoors and 20 on the outdoor patio) with hours of 9:00 am to 12:00 am daily common to all seating.

CITY OF VICTORIA

7

1715 Government Street
Victoria, BC
V8W 1Z4
250.386.5503

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

October 9th, 2019

Re: Application for Liquor Primary Licence – Leopold's Tavern - REVISED

Dear Mayor Helps and Council,

With regards to a Liquor Primary Application for Leopold's Tavern at 570 Yates Street, the DRA Land Use Committee understands the following:

- The application has been revised with regards to hours of operation, occupancy and the addition of an outdoor patio.
- The applicant is seeking hours of operation from 9:00 am to 12:00 am Sunday to Thursday and 9:00 am to 1:00 am Friday and Saturday with a total occupant load of 120 persons with 100 allocated to the interior and 20 to an outdoor patio.
- The Staff report to Council recommends hours of operation 9:00 am to 12:00 am daily with a total occupant load of 120 people (100 interior and 20 exterior, sidewalk cafe seats).

Feedback in response to the revisions, specifically, include:

- We applaud and support Staff's efforts to address some of the impacts this operation may have on the community by recommending restricted hours of operation from 1am to 12 am daily.
- Since the patio will be located under residents' windows, we also request that that the patio close at 10pm daily.

The original feedback from the committee remains relevant to this application so it has been updated and included below:

- Lucky Bar and Fiamo are the only late night liquor or food primary liquor establishments currently operating on the 500-block of Yates St that are open until 2:00 am. Both of these establishments were in business prior to any residential development on the block.
- Steamers Pub previously operated on the ground floor of 570 Yates St, the same location proposed for Leopold's Tavern, and operated from 1993 to 2007. In 2007, with a plan to develop residential units in the upper floors, the owner cited "obvious incompatible uses" between the residential units and a pub. Subsequently, Steamers Pub was permanently closed in December 2007 and the ground level premises were converted to retail.
- Approximately 75 new residential units have been created within the 500-block of Yates St since 2008; with more than half of those located at 570 Yates St and the neighbouring building.
- With the building on the N.W. corner of Government and Yates recently changing ownership, there is the potential for the addition of even more residential units.
- The insertion of a new late night liquor establishment within a residential building will create conflict between operators and residents.
- Under BC's Terms and Conditions for Liquor Primary Licences, live entertainment is permitted. Since there are residences above the proposed tavern, if this licence is granted, live entertainment should either be prohibited, or should be required to end by 10:00 pm as a condition of issuance of the licence.
- There have been a great number of applications for extended hours for food primary licences downtown recently, including at 538 Yates St. However, there is no City policy that applies within the downtown area regarding the siting of late night liquor establishments and proximity to residential development or vice versa.
- No City policy exists requiring residential developments to achieve mandatory standards of "sound transmission class" (soundproofing) for developments constructed within the "entertainment" areas of Downtown.
- No City policy exists requiring late night liquor operators to achieve mandatory standards of "sound transmission class" (soundproofing) between licenced spaces and residential units.
- The current COV noise bylaw is not suited to govern in cases of noise generated by liquor establishments.

The DRA LUC points out that the introduction of late night liquor outlets in established residential areas (or vice versa) has the potential to be highly problematic. This ongoing situation requires comprehensive policies be created to address and mitigate potential conflicts BEFORE they may arise. Certainly with the focus of much of the regional growth strategy on densifying the downtown area with many more thousands of residents, the need for such a policy is acute.

Lower Yates is, and has been, home to long-established, late-night clubs and restaurants (as well as several restaurants that are not open past midnight). Steamers was a long-established pub that operated mid-block for over a decade. The owner of the building that housed Steamers decided to convert the building to rental apartments and recognized that a pub and residences were completely incompatible, so the lease was terminated and Steamers shut down permanently. Establishing a late night liquor outlet again in the same location would undermine those efforts to provide a liveable environment for residents that have now established their homes on the block.

The DRA LUC points out that introducing late night activities into a residential area "after the fact" should be considered through a different and much more powerful lens. The alternative will simply be setting the residents and operators up for the inevitable but avoidable conflicts. DRA LUC members strongly support a vibrant downtown that includes late night drinking establishments but cannot support liquor service beyond midnight on the weekends with earlier weekday closings at a brand new liquor primary establishment co-located with many pre-existing residences.

Sincerely,

Wendy Bowkett
Land Use Committee, Downtown Residents Association

CITY OF VICTORIA

Committee of the Whole Report

For the Meeting of October 10, 2019

To:	Committee of the Whole	**Date:**	September 19, 2019
From:	Chris Coates, City Clerk		
Subject:	Request for Boulevard Removal from the Taxed Boulevard Program		

RECOMMENDATION

That Council approve the removal of the following boulevard from the Taxed Boulevard Program effective for the 2020 tax year:

1. South side of Richardson Street between Harbinger Avenue and Cornwall Street.

EXECUTIVE SUMMARY

Bylaw No. 19-042, attached as Attachment A, establishes a boulevard tax for the cost of maintenance of boulevards in the City of Victoria. Participation in the program is optional with residents having the opportunity to withdraw from the program by presenting Council with a petition signed by a minimum of two-thirds of the property owners representing a minimum two-thirds of the assessed value on the block.

The residents of the south side of Richardson Street between Harbinger Avenue and Cornwall Street have successfully petitioned for the removal of their block from the Taxed Boulevard Program. It should be noted that 665 Harbinger Avenue and 1255 Richardson Street are corner lots and this removal is for the Richardson Street frontage only.

Each removal has a financial impact on the City's boulevard maintenance program. This removal is estimated to reduce program revenue by approximately $463.38 for this block (based on 2019 property taxes) and is a reduction in the City's cost to provide the service.

Copies of the certification of petition and a map of the areas affected are attached as Attachments B and C.

Respectfully submitted,

Chris Coates
City Clerk

Susanne Thompson
Deputy City Manager/
Director of Finance

Report accepted and recommended by the City Manager: Jocelyn Denkynas

Date: Oct 1, 2019

List of Attachments

Attachment A – 2019 Boulevard Tax Bylaw, No. 19-042
Attachment B – Certificate of Petition for Removal from the Taxed Boulevard Program
Attachment C – Map

NO. 19-042

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to assess the cost of maintenance of boulevards in the City.

Under its statutory powers, including sections 12(1) and (4) of the *Victoria City Act, 1920* and section 259 of the *Community Charter*, the Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

1. This Bylaw may be cited as the "BOULEVARD TAX BYLAW, 2019"

2. For the purpose of providing the required sum for the year 2019 to defray the cost of maintenance and upkeep of the boulevards on all streets in the City of Victoria on which boulevards are maintained, the owner or occupier of any real property or any portion of real property which fronts and abuts upon any boulevard maintained by the City must pay an annual rate for 2019 of **$2.50** per m^2 of boulevard area upon which the real property or portion of real property fronts and abuts.

3. The rates imposed under this Bylaw must be imposed and collected with the annual general taxes for 2019 as a "Boulevard Tax," and are due and payable on the same date as the annual general taxes.

4. The rates and any interest on them, imposed under this bylaw must be specially charged as taxes on the real property for which the owner or occupier is made chargeable, as provided in section 259 of the *Community Charter*.

5. Bylaw No 18-054 the Boulevard Tax Bylaw, 2018, is repealed.

READ A FIRST TIME the	**25th**	day of	**April**	2019
READ A SECOND TIME the	**25th**	day of	**April**	2019
READ A THIRD TIME the	**25th**	day of	**April**	2019
ADOPTED the	**2nd**	day of	**May**	2019

"CHRIS COATES"
CITY CLERK

"LISA HELPS"
MAYOR

Certificate of Petition for Removal from Boulevard Maintenance Program

South Side of Richardson Street between Harbinger Avenue and Cornwall Street

Address	Assessed Value (2019)	In favour
1255 Richardson Street	$1,104,000	$1,104,000
1249 Richardson Street	$1,103,000	$1,103,000
1243 Richardson Street	$1,025,000	$1,025,000
665 Harbinger Avenue	$1,046,000	$1,046,000
	$ 4,278,000	$ 4,278,000

Number of Properties in Favour: 4 of 4
% of Assessed Value in Favour: 100%

Certified Sufficient

Chris Coates
City Clerk

CITY OF VICTORIA

Printed from VicMap (Internal Version)

09/19/2019

Legend

Victoria Parcels

1: 800

Notes

THIS MAP IS NOT TO BE USED FOR NAVIGATION

41 0 20 41 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

Committee of the Whole Report

For the Meeting of October 10, 2019

To:	Committee of the Whole	**Date:**	October 7, 2019
From:	Jeff Day, Senior Cultural Planner		
Subject:	Canada Day Celebrations		

RECOMMENDATION

That Council direct staff to:

1. Maintain the City's current approach for the Canada Day celebrations and increase the special event operations budget by $107,000 in the 2020 financial planning process to account for new police charges previously covered through the Police Board budget.

EXECUTIVE SUMMARY

The City has been organizing Canada Day celebrations since 2006. The majority of costs have been recovered through corporate sponsorships, with the City's taxpayers funding remaining costs such as traffic control, street cleaning and policing.

For 2019, Council approved one-time funding to cover policing costs for special events, including Canada Day. Council has yet to consider allocating funding for 2020. The event requires significant effort to organize and, to ensure successful delivery, should Council wish to continue with a similar event as in past years, a funding decision is requested. This report also outlines an alternative option for Council's consideration.

PURPOSE

The purpose of this report is to provide background for Council on the history and specifics pertaining to the City's role in programming annual Canada Day celebrations and seek direction on how to proceed for 2020.

BACKGROUND

Canada Day Celebrations in the Inner Harbour have been a fixture on the summer event calendar for nearly 50 years. For more than 30 years the Inter-Cultural Association of Greater Victoria (ICA) produced Folkfest as a way for a variety of groups to come together to share their cultural heritage with the community at-large. Canada Day was programmed as an extension of Folkfest by ICA until 2006.

The City assumed the responsibility for Canada Day celebrations in 2006. Over the past 14 iterations of the celebration, City staff, one Council representative and a succession of contracted local event production companies have successfully collaborated with event partners and stakeholders to shift the culture of the event towards the more inclusive and family friendly event it is today.

With a program that features a wide variety of activities and performances, appealing to attendees of all demographics, Victoria's Canada Day is the single largest free public celebration in Victoria each year. Featuring community-centred activities like the Living Flag (Canada's original and largest), the musically acclaimed main stage, and Flavour of Canada Food Village featuring local and international cuisine. The celebrations have been extremely popular with residents, new Canadians and visitors to British Columbia's Capital.

The Canada Day celebrations reflect our national heritage and identity. As the largest free to attend public event on Vancouver Island, Victoria's Canada Day is well known, attracting peak audience estimates ranging from 35,000 – 100,000 annually (depending on day of the week and weather). It is only through the support of senior government grants, municipalities and corporate sponsors that the City is able to produce an event that welcomes all residents and visitors to the Capital Region. *(Sponsorship deck attached)*

For more information, photos and content visit:
https://www.canadadayvictoria.ca/
https://www.facebook.com/CanadaDayVictoria
https://twitter.com/canadadayvic
https://www.instagram.com/canadadayvictoria/

ISSUES & ANALYSIS

More than 60% of the total 2019 Canada Day costs were recovered from corporate sponsorship and external grants. Policing accounted for 31% of the total event spend. The events site is active for 12 hours. Programming after 6pm accounted for the majority of the police callout. Last year 8 officers from other municipal forces assisted VicPD officers downtown in the evening hours.

2019 Production

Production expenses	**$234,224**
Production Revenue	$234,470 (incl. 25k annually budgeted through City operating)

2019 City Services

Police	$109,058
Traffic Control Equip.	$2,805
Carpenter Shop	$394
Street Cleaning	$1,818
Waterworks	$54
Total City Services Expenses	**$114,129**

$348,353	Total project budget inclusive of production and all City services.
$209,470	Cost recovered through corporate sponsorship and grants (excludes City 25K)
$138,883	Remaining cost to City (includes City's 25K budgeted for the project annually)

Production costs have remained steady since the City assumed responsibility for planning Canada Day. Policing costs for Canada Day have roughly doubled since 2010. The event has become

more inclusive and family friendly over this timeframe. Policing large public celebrations has become more challenging over the past decade due to the changing nature of real and perceived threats to public safety at these kinds of high profile gatherings. Police determine the level of response required to mitigate an ever changing landscape of threats to public safety.

Canada Day production costs are recovered through fundraising and grants. The City commits $25,000 cash through the City's annual budgeting process to offset production costs. The contracted event producers are responsible for raising the balance of the production budget. Because the entire production budget is not underwritten through the operating budget, it can be difficult to adhere to the production fee schedule as payments cannot be made until sponsorships and grants are awarded. Some grant programs do not confirm awards until closer to the event. Since the City ultimately carries the financial risk of the production, it would streamline the administration of the project if the entire scope of the event budget was reflected in the operating budget.

Should Council wish to continue celebrations at a similar scope and direction going forward, the following considerations will be critical for successful delivery of this event model:

- Account for a 10% cost increase in event production ($23,422) and City services ($11,412) to be allocated to operating for 2020. Production cost escalations have outpaced the budget scope in recent years.

- Canada Day policing costs previously covered by the Police Board are now being charged to the Arts Culture & Events operating budget. In the past, the City's operating budget covered a maximum of $12,000 towards Canada Day and police charges above this threshold were absorbed by the Police Board budget. Total Canada Day policing costs in 2019 were $109,058. These new costs ($97,058 +10%) will need to be accounted for in the City's 2020 operating budget. It needs to be noted that VicPD determines the risk to public safety at these kinds of mass participation events and these values are based on the 2019 expenditure which may differ from year to year depending on where the stat holiday lands, weather and threat assessment.

Should Council wish to reduce the scope of Canada Day and subsequently reduce the need for police special event call outs, the following changes could be considered:

- Reduced policing costs due to no evening component to the event.
- The change in programming would only marginally reduce the cost of production elements as much of the infrastructure required to ensure a mainstage experience on the Legislature lawns will be required and sponsors may choose not to participate.

OPTIONS & IMPACTS

Option 1 – Maintain Canada Day celebrations at current levels and scope (Recommended)

- Maintain the City's current approach for the 2020 Canada Day celebration and increase the special event operations budget by $107,000 during the 2020 financial planning process to account for new police charges previously covered through the Police Board budget.

Option 2 – Reduce scope of Canada Day celebrations in 2020

- Council to determine key program elements and City investment level.

Respectfully submitted,

Jeff Day
Senior Cultural Planner

Kerri Moore
Head of Business and Community Relations

Report accepted and recommended by the City Manager: Jocelyn Jenkyns

Date: Oct 8, 2019

List of Attachments:

Appendix A: Canada Day Final Report (2019)
Appendix B: Canada Day 2019 – Sponsorship Deck

APPENDIX A

Victoria's Canada Day 2019 FINAL REPORT

AN INITIATIVE OF

Victoria's Canada Day 2019

Final Report

Executive Summary

Victoria's Canada Day continues to maintain and enrich key programming elements that have been established over the history of the event. This included multicultural musical performances, fireworks, family activities, onsite sponsors, community groups, and food vendors. The event received continued support from local sponsors, successfully renewed old sponsor relationships (i.e. Black Ball Transport, CREST and Coca Cola Canada) and attracted new sponsors (i.e. TELUS and Bayview Place). Sponsors and supporters continue to see the value of participating publically in Victoria's Canada Day, as it is a relevant connection to the community that also celebrates our country.
In 2019, emphasis was placed on programming which would be representative of Canada's diversity and attract not only a family and community-oriented demographic but also those who love diversity in music.
The goal remains to create an event that attracts all ages and demographics to a safe and welcoming community celebration for all residents, tourists and stakeholders while providing exceptional programming and entertainment.

Below are some key objectives that were achieved this year:

- Sustain a community and family-oriented identity and message for the event.
- Continue to programme a diverse and inherently Canadian Main Stage that showcases different cultural groups and entertainment throughout the day and into the evening.
- Focus on Canada's diversity through Main Stage programming. This year we strove to buy talent that represented culturally diverse performers but that were not traditional cultural performances. The line-up was impressive in its representation and featured the first Indigenous headliner to grace the stage at Victoria's Canada Day as well as the first drag queen to emcee the show.
- Sustain the title of Canada's largest Living Flag earned from the year

previous. Continue to market the flag heavily and encourage strong public participation. This was achieved through the support of Coast Capital Savings, heavy social media posting, increasing the number of branded shirts to 2,500 (+25% yoy), and allowing group registrations for teams of 10 people or more.

- Produce a sustainable event and communicate methods for the community to live in an environmentally friendly way. This was accomplished through the continued promotion of on-site recycling and composting program, water refill stations and bike lock-up.
- Continue to offer and expand programming and times of the Belleville St activations and Family Zone on the Legislature Lawns. All activations ran from 10:30am - 5:30pm (2018 12pm - 5pm). This included Coast Capital Savings, Greater Victoria Public Library, TELUS, City of Victoria, La Societe Francophone de Victoria, and Sparkle Shack face painting on Belleville St. The Kids Zone on the lawn included an Inflatable Obstacle Course, free Face Painting, The Mandala Project, The Bateman Foundation and Victoria Bug Zoo. The Family Zone continues to over perform in terms of attendance and placement needs to be perhaps re-thought for 2020.
- Continue and improve collaboration with Victoria Police, BC Transit and the City of Victoria to create joint press releases to communicate the event as a safe and family-friendly event (and to provide strong messaging that there is zero tolerance for public intoxication).
- Continue to expand the social media presence of the event (via Twitter, Facebook, Instagram, and event website) to provide more information for the public and to engage the community. Started social media earlier this year (March) with themed weeks such as Canadianisms, Cool Canadians, Sponsor Wellness Week etc. The focus for this year was to create engaging Canadian content that would drive the public to follow the socials instead of those just looking for event information - this proved to be very successful with an increase in engagement across the board. See social media channels.
- Delivered a VIP experience fitting of its name this year by hosting at the penthouse of Bayview One. Prime location with unparalleled Fireworks (shot from directly in front of the building) allowed for the fireworks to be seen at eye level, as we were ten stories up. Catering provided in partnership with Vessel Liquor and Urban Grocer.
- Continue to end the day's programming with a packed fireworks display synchronized to a mix of Canadian music that is with an intro and outro thanking sponsors for their support.

EVENT OVERVIEW

Date: July 1, 2019
Location: Legislative Grounds
Attendance: 50,000 +

JULY 1
MAIN STAGE AT LEGISLATURE LAWNS
SCHEDULE OF EVENTS
MONDAY, JULY 1, 2019

10:30am to 5:30pm	FAMILY ZONE
12:00pm	COAST CAPITAL SAVINGS LIVING FLAG T-SHIRT PICK-UP BEGINS
12:00pm to DUSK	FLAVOUR OF CANADA FOOD VILLAGE
2:00pm	COAST CAPITAL SAVINGS LIVING FLAG PHOTO
3:00pm	INDIGENOUS BLESSING
3:15pm	THE LEKWUNGEN DANCERS
3:30pm	SINGING OF THE NATIONAL ANTHEM
3:45pm	COAST CAPITAL SAVINGS YOUTH BAND
4:20pm	DOMINIC PELLETIER OF CARAVANE
5:15pm	JOHNNY GR4VES
5:55pm	YOUTH POET LAUREATE, AZIZA MOQIA SEALEY-QAYLOW
6:10pm	FORTUNE KILLERS
6:55pm	CALEB HART
7:40pm	DIAMOND CAFE
8:35pm	KHANVICT
9:30pm	nêhiyawak
10:20pm	FIREWORKS

Financial Summary

Canada Day 2019	
Admin and Staff Expenses	$52,435.00
Artistic Programming and Artist Fees	$12,465.00
Production Expenses	$86,384.00
Living Flag Shirts	$11,800.00
Fireworks	$20,000.00
Travel	$0.00
Accomodation	$0.00
Marketing & Advertising	$4,585.00
Sponsor Acknowledment	$261.00
Insurance	$4,400.00
Consulting	$41,894.00
2019 Expenses	**$234,224.00**
City of Victoria	$25,000.00
Heritage Canada	$43,247.00
Sponsors & Government Agencies	$151,250.00
Vendors	$14,973.00
2019 Revenue	**$234,470.00**
	-$246.00

TOTAL CASH SPONSOR SUPPORT FOR 2019

Sponsors	**Cash Contribution**
Coast Capital Savings	Presenting
Bayview Place	Gold
TELUS	Gold
CREST	Silver
Coca Cola Canada	Silver
DVBA	Silver
Destination Greater Victoria	Silver
Urban Systems Ltd	Silver
Blackball Transport Ltd	Bronze
Royal Roads University	Bronze
Robbins Parking	Bronze
Chard Development Ltd	Bronze
Hotel Association of Greater Victoria	Bronze
Concert Properties Ltd	Event Friend
Abstract Developments	Event Friend
Canadian Heritage	$43,247
City of Victoria	$25,000
Province of BC – Franc Affairs	$10,000
District of Oak Bay	$1,650
Town of View Royal	$1,000
District of Saanich	$1000
Township of Esquimalt	$500
Metchosin	$100
TOTAL CASH CONTRIBUTIONS	**$219,497**

***At the time of report there is still a grant outstanding with the Province of Quebec in the amount of $7,000 - $10,000 that has not been adjudicated yet.

IN-KIND SUPPORT MEDIA SUPPORT

BLACK PRESS

Monday Magazine:

- 4.6 W X 6.2H colour - for print

Victoria News

- ¼page, colour ad
- ¼ page, colour ad
- ¼ page, colour Thank You ad

Saanich News

- ¼page, colour ad
- ¼ page, colour ad
- ¼ page, colour Thank You ad

Oak Bay News

- ¼page, colour ad
- ¼ page, colour ad
- ¼ page, colour Thank You ad

Goldstream Gazette

- ¼ page, colour ad
- ¼ page, colour Thank You ad

Peninsula News

- ¼ page, colour ad
- ¼ page, colour Thank You ad

USED VICTORIA:

- 184X90 px jpeg (4 images to rotate as GIF)

THE ZONE @ 91-3 & 100.3 THE Q!

For both radio stations: On-air announcement, live announcer mentions, produced promotional announcements, event calendar listing, e-newsletter listing, emcee opportunity to co-host the Main Stage, on-site activation, website banner and concert listing, and social media.

***Media in-Kind values are still be calculated at the time of this report

IN-KIND PRODUCT & SERVICES - $12,000 (not reflected in financial summary above)

BAYVIEW PLACE:

- VIP Reception at the Penthouse of Bayview One
- Valet Parking for VIP Reception
- Jazz Ensemble entertainment for VIP Reception

BAYVIEW PLACE Total: $5000

URBAN GROCER:

- All food for VIP Reception
    - Sushi
    - Cheese and crackers
    - Charcuterie
    - Fruit
    - Crudités
    - Dessert
    - Napkins
    - Coffee
    - Tonic
    - Two staff for VIP Reception
- Crew meals for July 1
- Greenroom Snacks for July 1

URBAN GROCER Total: $3000

VESSEL LIQUOR:

- All Liquor and glasses for VIP Reception
    - Beer
    - Red and white wine
    - Bubbly

VESSEL LIQUOR Total: $2000

VICTORIA BUG ZOO:

- Family Zone Activation

VICTORIA BUG ZOO Total: $1000

BATEMAN FOUNDATION:

- Family Zone Activation

BATEMAN FOUNDATION Total: $1000

Sponsor Recognition

MARKETING AND MEDIA

Sponsors were recognized through our website, social media outlets, press releases, news editorials, on-site branding, posters at the VIP location, on-stage announcements, the fireworks announcement broadcast through the inner harbour as well as the newly added 10' x 20' digital screen flown at the Main Stage.

ON-SITE ACTIVATIONS

We had six partners and community groups that activated around the Legislature Lawns:

Coast Capital Savings
TELUS
City of Victoria
Greater Victoria Public Library
La Societe Francophone de Victoria
Sparkle Shack Face painting
Bayview Place

2020 suggestion is to create an actual market, curated to offer a mix of retail and community organizations that is large enough to create a space that the public will be drawn to and spend time in.

VIP SPONSOR RECEPTION

The VIP reception was held at Bayview One Bayview Place. It was sponsored by Urban Grocer and Vessel Liquor.

COAST CAPITAL SAVINGS RECOGNITION

Coast Capital Savings was included in all events branding with their logo appearing on all on-site branding, all digital assets and all external marketing pieces such as newspaper ads. They were verbally recognized from the Main Stage multiple times as well as in radio interviews that Councilor Charlayne Thornton-Joe gave.

The Living Flag was referred to only as the "Coast Capital Savings Living Flag". Branded shirts were increased by 25% from 2018 for a total of 2,500 (1,000 in 2013, 1,500 in 2014 through 2016, 2000 in 2018).

This year saw the continuation of the "Coast Capital Savings Youth Band". This was a broad social media contest aimed at local 13-23 year old musicians who could enter to win the opportunity to play a set on the Main Stage.

Coast Capital was given two public speaking opportunities:
1) Introduce the winner of the Coast Capital Savings Youth band (accepted)
2) Speak at the VIP reception (accepted)

SPONSORSHIP RECOMMENDATIONS

- Coast Capital Savings has informed us that 2019 is their last year as the presenting sponsor.
- We should continue to focus on connecting with a few larger organizations that would have an interest in being involved in future celebrations.
- Focus should be placed on expanding sponsorship dollars from existing clients that already see value in the event and would be interested in increasing their involvement and outreach or having on-site activations.
- We maintained the contribution from the Province of British Columbia and the time of this report are waiting for the adjudication of the grant for Province of Quebec. These grants helped to bring bilingual artist Dominic

Pelletier to the stage. There is still room for the Province to come to the table with sponsorship however, as this is a partnership between the Francophone Affairs branch of the Provincial government, not the cultural branch.

- Thought should be given to applying for grants to specifically bring Indigenous performers to the Main Stage, as in Victoria there is a stronger connection with Indigenous peoples culture than French culture.
- A larger sponsor specifically looking to reach the family demographic could do an expansion of the Kids Zone. The conversation with Indigo was started this year and needs to continue in the fall so we are solid for spring 2020.

Marketing and Media Summary

BRANDING & MESSAGING

Maintained the name of the event this year as *Victoria's Canada Day* and continued to use the same logo. The City of Victoria was recognized in all physical events collateral as "An Initiative of the City of Victoria".

A one-page schedule was once again made for display on the website.
Prior to the event, road closure and noise notices were distributed to all local businesses and residences. Joint messaging continued with BC Transit and VicPD to ensure that the message of a safe, family friendly event was communicated across all channels.

CANADADAYVICTORIA.CA

Last year's website and domain was maintained for the event this year: www.canadadayvicctoria.ca Expanded website this year to include an ARTISTS tab that had bios, set times and pictures of all Main Stage performers.

SOCIAL MEDIA

This year we maintained all of the Victoria's Canada Day accounts in order to capitalize on the momentum of the previous years.
After the events we have a grand total of 728 Instagram followers (up 16.0% yoy), 2953 Facebook followers (up 24.5% yoy), and 884 Twitter followers (up 41.4% yoy). Large increases in both followers and engagement can be attributed to the shift in the type of content we posted as well as beginning posts earlier in the year (March). With themed weeks such as Canadianisms, Cool Canadians, Sponsor Wellness Week etc., the focus for this year was to create engaging Canadian content that would drive the public to follow the socials for content instead of those just looking for event information - this proved to be very successful with an increase in engagement across the board. We continued our concerted effort of live updating on social media during the day of the event and the response online grew considerably over last year as they were significantly more in-depth than 2018.

PRESS RELEASES

We sent out a total of two bilingual press releases with contributions by the Victoria Police, BC Transit, Coast Capital Savings, and Councilor Charlayne Thornton-Joe: Monday, June 10, 2019 and Monday, June 24, 2019. The press releases were distributed by the City of Victoria and were posted on the Victoria's Canada Day website. The first release was delayed by a week (due to controversy at City Hall regarding public events and policing budgets) in the hopes of not being aligned with a negative news cycle.

PHOTOGRAPHY

This year's photography was contracted to Lindsey Blaine Creative. A detailed shot list was given to Lindsey to ensure we captured the images required to showcase diverse and inclusive participants, as well as sponsorship brand-in-action photos in order to help sell the event in future years. All photos can be found at https://atomiqueproductions.smugmug.com

***We recommend a logo rebrand for 2019 events, which should include the new presenting sponsor *within* the logo.

PROGRAMMING

MAIN STAGE- AFTERNOON/EVENING CONCERT

The focus for programming this year was to make sure we had a culturally diverse line-up without having actual traditional cultural performances.

Main Stage performances began at 3pm with an Indigenous Blessing from the leader of the Lekwungen Dancers followed by their performance and then the bilingual version of the anthem sung by the Victoria Children's Choir.

Fintan was the winner of the second Coast Capital Savings Youth Band and he performed a very well attended and successful 25 minute set on the Main Stage. Dominic Pelletier who was brought in with funding from the Province of BC and the Province of Quebec followed his performance. Victoria's Youth Poet Laureate Aziza Moqia Sealey-Qaylow graced the stage with her spoken word.

The later part of the afternoon and then evening included: Khanvict, who explores his roots through his music, blending elements of classic Bollywood, Sufi and Panjabi music with Bass, Moombahton and Trap. The solo project of Tristan Thompson, Diamond Cafe, who channels the ghost of Prince, late-night slow jams and 80's tinged R&B. Caleb Hart's eclectic mix of genres ranges from reggae, gospel and soul to calypso, a mixture Hart likes to call island soul. Fortune Killers strike you with their dynamic synth-scape sand high-voltage performance whose alluring vocals, soaring lead lines, and heart-thumping grooves weave a musical web.

Headlining the Main Stage was nêhiyawak, who hail from amiskwaciy (Edmonton) on Treaty 6 territory. Comprised of Kris Harper, Matthew Cardinal, and Marek Tyler, these three Indigenous musicians coalesce at the intersection between traditional and contemporary music. This was the first headlining performance of an Indigenous band that Victoria's Canada Day has had.

The emcees for the afternoon/evening were Elli Hart from the band Dirty Mountain, who sang and played guitar during changeovers. She was joined by local favourite drag queen; Gouda Gabor. The two of them performed choreographed numbers together between the last three sets.

MAIN STAGE PERFORMERS

- Lekwungen Dancers
- Victoria Children's Choir (Singing of the bilingual National Anthem)
- Fintan (Coast Capital Savings Youth Band)
- Agartu Ali (Victoria's Youth Poet Laureate)
- Dominic Pelletier
- Johnny G4aves

- Victoria's Youth Poet Laureate Aziza Moqia Sealey-Qaylow
- Fortune Killers
- Caleb Hart
- Diamond Cafe
- Khanvict
- nêhiyawak

FAMILY ZONE ACTIVITIES

The decision made in 2018 to eliminate the kid's performer from the main stage and re-allocate that money on family programming has proved successful. So successful in fact, that this year we had both the Bateman Centre and the Victoria Bug Zoo as well as children's face-painting by Sparkle Shack come on as sponsors and offer free activations on-site. There is now a Family Zone space on the Northwest corner of the Legislature Lawns where you can spend child-centric time over the course of the day instead of just a 40-minute set on the Main Stage.

In addition to the Family Zone programming we also hosted Canada Day Drumming beginning at 10:30 am. This a group made up of local drumming groups like the Kung-Fu Club and Uminari Taiko, drummed separately and then as a group simultaneously at 11am with other cities across Canada. This was extremely well attended and received and should become a part of the annual programming going forward.

We changed the operating hours of the Family Zone to be 10:30am - 5:30pm this year giving us an additional two hours for us to cater to the families that come earlier in the day. It is suggested that these hours be maintained in 2020.

It would be advised to find a sponsor specifically for this area in order to expand the offering and longevity of the activated space.

GREEN INITIATIVE ACTIVITIES

A comprehensive waste filtering system (of recycling, compost and garbage bins) continues to be used. ReFUSE provided these bins once again as they are extremely affordable to work with and they drop off and pick up and sort all materials. ReFUSE provided bottle-recycling services, as well.

Bike lock-up system which is offered for free, continues to proves to be a good model.

Water refill station use continues to be popular. Water access is difficult on this site but it is advised that a secondary location be found for 2020.

A FLAVOUR OF CANADA

We continued A Flavour of Canada programming in 2019 to encourage attendance and diversify food choice. This year, 14 food vendors were set up along Belleville Street offering the best of what Victoria has to offer to the public. Vendors were set up on the south side of Belleville St. backing the Legislative Lawns allowing lines to stretch across the road, and providing unobstructed views of the Inner Harbour from the street.

The 2019 food vendors included:

- Coast Lunchbox
- L'Authentique Burgers and Poutine
- Deadbeetz
- Greek on the Street
- Finest at Sea
- Taco Justice
- Whistler Wood Fired Pizza
- Jewish Community Centre
- Mama Rosie's
- Discovery Coffee
- Lemon Heaven
- Kettle Corn
- Saltspring Island Fruitsicles
- Island Mini Donuts

FIREWORKS

Bryan Capistrano at The Zone arranged the musical programming for the fireworks. An intro and outro thanking our sponsors provided a great opportunity for their acknowledgement to a large audience. The outro provided exiting instructions for people after the fireworks, helping move people out of the harbour quickly. The total show time this year was a little over seven minutes due to budget constraints; the goal is to get the show back to the 10-minute mark.

COAST CAPITAL SAVINGS LIVING FLAG

Coast Capital Savings continues to provide generous support through sponsorship of the Living Flag in order to have naming rights to it. A portion of their total contribution goes to the purchasing of the branded shirts for this activation. Coast Capital Savings sees some of their greatest value in this piece of the event and made the request to have 2500 shirts printed an increase of 25% over 2018. It was suggested that they re-allocate the money they have spent in previous years on swag, to purchasing additional shirts. They agreed this was a better use of funds and branding money and added an additional $2500 to their sponsorship in order for the extra 500 shirts to be printed. We had approximately 3100 participants in the flag this year.

The T-shirt pickup was scheduled to start at 12:30, as in past years, however we had participants lining up as early as 9:00 a.m. to pick them up. As in previous, we encouraged group sign ups and priority pick-ups for those with teams of more than 10. These were picked up through the Coast Capital Savings tent, which was very popular with the public as well as valuable to Coast Capital Savings as a client touch point in the day.

Work done to mitigate protestors was deemed successful and included:

- A discussion held with indigenous leaders prior to Canada Day in order to offer them time in the programming to speak publically. This went a long way in deterring any asks for speaking opportunities from additional indigenous groups.
- A communication email sent to all parties taking part in the organizing of the Flag (City of Victoria, VicPD, Elite Security, and Atomique) confirming chain of command and protocols for disruptions.

SITE SET-UP/DESIGN

Scrims for delay and branding towers were exchanged for a 10' x 20' screen flown from the back of the Main Stage this year.
Belleville Street was closed at 6am (one hour earlier than in 2018), which was fundamental to ensuring that set-up for the Family Zone and A Flavour of Canada could be completed before the 10:30am start time. It is recommended to maintain the same street closure time in future years. Closing Government earlier or extending further West on Belleville to create a market is recommended so there is more to coming down to the site than just the Main Stage.

Suggestion to use a smaller stage in order to reallocate some of that funding to the talent spends.

Atomique continues to use a crash barricade at the front of the main stage to help security and police when maintaining the larger crowd into the evening.

Elevated reduced mobility access signage this year to eye-level making the access points easier to find. . The Legislature changed their landscaping to add in an additional two permanent ramps allowing access to the laws, Atomique added one at the Cenotaph, and one at the Queen Victoria statue bringing the total to four as opposed to the single point in 2018. This eliminated any issues that may have arisen in getting people onto the lawns.

Placing food vendors on the South side of Belleville allows for better crowd/line management and has the vendors in the thick of the crowd in order to exploit sales opportunities. However, with more activations this year than any year previous, Belleville has begun to feel a bit tight and we may need to think about expanding earlier in order to meet the demand from Sponsors to be on the street.

OPERATIONS

Operationally, the event ran smoothly with no major issues coming to our attention. Communication with the City Events Department and Victoria Police Department was excellent and the road closure timing worked well with the event schedule and allowed the public to feel safe throughout the entire event.

Although no security risks arose throughout or following the 2019 programming, Atomique will continue to work with local enforcement agencies to refine our operations plan to ensure that public safety procedures are current and effective.

STAGE & TECHNICAL

Pacific Audio Works was hired again to provide technical support for the Main Stage. Main Stage sound had a small kickback issue at the delay tower around 8:30pm but it was resolved in less than 10 minutes.

ADDITIONAL PRODUCTION RECOMMENDATIONS.

It is suggested that a complete map of the stage and stage area be mapped by itself in order to provide exact measurements for landing the stage, the concrete blocks to weight the scrims and what goes on the stage itself.

APPENDIX B

VICTORIA'S CANADA DAY 2019

2019 Sponorship Opportunities

atomique productions

CITY OF VICTORIA

CANADA DAY, VICTORIA

The Canada Day celebrations held annually in Victoria are a reflection of our national heritage and identity. As the biggest event on Vancouver Island, Victoria's Canada Day is well known, attracting more than 75,000 people. It is only through the support of municipalities and corporate sponsors like you that we are able to produce an event that welcomes all residents and visitors to the Capital Region.

With a programme that features a wide variety of activities and performances, appealing to attendees of all demographics, Victoria's Canada Day is the single largest free public celebration in Victoria each year. Featuring community-centred activities like the Living Flag (Canada's largest!), the musically acclaimed main stage (aptly positioned on Victoria's legislature lawns), and an ever growing local food village, the celebrations have plenty to offer everyone from both inside and outside of our ever-expanding community.

WHAT TO EXPECT...

EVENTS & ENTERTAINMENT

There will be expanded offerings for families & children in the daytime so that you can plan to spend the whole day in our beautiful Inner Harbour. This year will be a reimagining of a community celebration with emphasis on the unique and local aspects of our great Capital City.

With a Main Stage on the lawns of the legislature featuring live entertainment, a local food village, and family activities, this national celebration remains an anticipated and engaging community event. Over the past decade there have been performances by internationally recognized artists, such as Arkells, Radio Radio and Fred Penner, as well as homegrown favourites like Jon and Roy, Hey Ocean!, Quoia, the Odds, Current Swell, and Charlotte Diamond.

MULTICULTURALISM

A past focus on multiculturalism has included food and entertainment from countries including, Ireland, China, Guinea, Haiti, Cuba, Brazil, Mexico, the Metis First Nations, India, Mexico, Japan, the Songhees First Nation, Haida First Nations, Greece, Argentina, Salish First Nation, and Jewish and Quebecois cultures. Victoria's Canada Day is proud to continue this tradition in 2019.

THE LIVING FLAG

Each year participants gather on the legislature lawns to animate a living flag, which receives coverage in both local and national media. Victoria holds the distinction of having the largest Living Flag in the country for the last few years. Since 2017 alone it has had almost 10,000 participants.

Sponsor branded t-shirts are given to all participants for an amazing photo opportunity, which is widely circulated locally and nationally both during and after the event.

FIREWORKS SHOW

The highlight of the evening is a spectacular fireworks display which lights up Victoria's Inner Harbour, accompanied by a broadcast soundtrack and announcement that recognizes contributing sponsors before the fireworks. The fireworks are visible from a number of areas in Greater Victoria, but are set off in the Inner Harbour.

A FLAVOUR OF VICTORIA

This year's culinary offering at Government St. and Belleville St. incorporates an eclectic mix of local food vendors offering some of Victoria's best and most exciting mobile food experiences.

KEEPING CANADA DAY GREEN

OUR COMMITMENT

Being green is becoming an increasingly important focus for people of all ages and demographics. It's something that affects the future of all Canadians, including those who come to appreciate the picturesque surroundings of Victoria. By working to decrease our carbon footprint, this celebration prioritizes the longevity and health of our beautiful community and that of our planet.

GREEN INITIATIVE

The past six years have also seen the expansion of our green initiative to include a Bike Valet, Green Team Volunteers, and a waste system that differentiates between compost, recycling and garbage.

IN ACTION

- We require food vendors to only use recyclable and compostable eating containers and utensils
- Water refill stations are placed around the site to accommodate refillable water bottles
- Recycling teams monitor the site, with participating local community groups, and receive all monies from returnable items
- Sponsors are encouraged to provide environmentally-friendly giveaways and prizes; styrofoam and plastic items are strongly discouraged
- Printed materials are closely reviewed for quantity printed, materials used, and proper recycling methods employed
- Information booths on site raise awareness among participants, staff, service providers and the community about the benefits of sustainable living and environmental practices

SPONSORSHIP

While several public partners contribute annually to the festivities, it is only through the additional support of sponsors like you that Victoria's Canada Day can become a reality.

Sponsors who support the Canada Day celebrations receive access to the following benefits:

SOCIAL MEDIA

With an aim to reach a wide cross-section of demographics through multiple avenues, you have ample opportunity to engage with audiences before, during and after the event on Victoria's Canada Day social media channels including Instagram, Facebook and Twitter.

MEDIA COVERAGE

The media presence for Victoria's Canada Day is significant and broadcast through a number of mediums including websites, social media outlets, press releases, news editorials, print advertisements, posters at downtown locations and sponsor locations, and radio announcements.

ADDITIONAL ONLINE PRESENCE

You will receive recognition on the Victoria's Canada Day website with features including, but not limited to:

- Corporate logo recognition
- Contest opportunities

ON-SITE

- Your organization's name recognized on event banners
- Recognition through on-site media
- "Presenting Sponsor" opportunities related to programming
- Specific opportunities are based on the sponsorship levels, as described on the next page.

An onsite presence allows your organization an opportunity to be present during the festivities and engage with the public through meaningful branded activation sites. We look forward to partnering with you to create new and innovative ways to captivate the community through a range of activations that give credence to our history, our multiculturalism and our identity as a nation.

SPONSOR HIGHLIGHTS

Victoria's Canada Day celebrations foster a collective feeling of unity and a greater understanding of the richness our cultural diversity brings. Collaboration of Greater Victoria organizations and stakeholders allows us to create something special for our community to experience.

- You have an opportunity to align with Victoria's Canada Day well-established brand and mission to connect Vancouver Island's communities with Canada's multicultural heritage
- Create partnerships with corporate citizens, community associations, and arts and culture organizations to create impactful, results bearing experiences
- Multiple branding opportunities exist both pre-event and during the Canada Day celebrations around Victoria's Inner Harbour, with visibility to approximately 75,000 people during the event
- A generous social media presence through Instagram, Twitter and Facebook, allows you to provide information to the public and further engage the community before, during and after the event. This compliments Victoria's Canada Day already-established presence in traditional media (newspaper, television).

We are always open to new and exciting ways for organizations to become involved and welcome your ideas. See the following page for a full list of opportunities and sponsorship levels.

SPONSORSHIP TIERS

PROMOTION	PRESENTING (negotiable)	GOLD $10,000 - $20,000	SILVER $5,000	BRONZE $2,500	EVENT FRIEND $1,000
EXCLUSIVE BRAND CATEGORY RIGHTS (No Other Sponsor For A Competing Category)	EXCLUSIVE				
CUSTOMIZED ADVERTISING CAMPAIGN (Linking Brand To A Canada Day Programming Element)	EXCLUSIVE				
CORPORATE ADVERTISEMENT ON CANADA DAY WEBSITE	PREDOMINANT PLACEMENT	TIER 2 PLACEMENT			
NAME MENTION (WHERE POSSIBLE) IN RADIO PROMOTIONS	PREDOMINANT PLACEMENT	TIER 2 PLACEMENT	TIER 3 PLACEMENT		
CORPORATE LOGO ON ALL NEWSPAPER ADVERTISING	PREDOMINANT PLACEMENT	TIER 2 PLACEMENT	TIER 3 PLACEMENT	TIER 4 PLACEMENT	
CORPORATE LOGO ON ALL DISPLAY AND DISTRIBUTION MATERIAL	PREDOMINANT PLACEMENT	TIER 2 PLACEMENT	TIER 3 PLACEMENT	TIER 4 PLACEMENT	
CORPORATE LOGO AND LINK FEATURED ON CANADA DAY WEBSITE	PREDOMINANT PLACEMENT	TIER 2 PLACEMENT	TIER 3 PLACEMENT	TIER 4 SPONSOR PAGE	TIER 4 SPONSOR PAGE
ON-SITE					
KETING OPPORTUNITIES INCLUDING A 10 x 10 ACTIVATION TENT	PREDOMINANT PLACEMENT	TIER 2 PLACEMENT			
RECOGNITION IN ANNOUNCEMENT ON CANADA DAY EVENING STAGE	MINIMUM OF 3	MINIMUM OF 2	AT LEAST 1 MENTION		
INVITATION TO SPONSOR RECEPTION	10 VIP INVITATIONS	6 VIP INVITATIONS	4 VIP INVITATIONS	2 VIP INVITATIONS	2 VIP INVITATIONS
SIGNAGE AND BRAND RECOGNITION ON BANNERS AT KEY LOCATIONS AROUND THE INNER HARBOUR	CUSTOMIZED SIGNAGE FOR SPONSOR AND PREMIER PLACEMENT	PREMIER SIGNAGE PLACEMENT	TIER 3 PLACEMENT	TIER 4 PLACEMENT	ON DESIGNATED EVENT FRIEND BANNER

EVENT PRODUCERS

Atomique Productions has been Victoria, British Columbia's leading independent concert promotions company since 2000 and has grown to specialize in the management and execution of large-scale event productions. Founded with a mandate to bring a diverse range of national and international talent to the Greater Victoria population, Atomique Productions has since expanded their reach throughout BC and beyond, producing an average of 150+ concerts per year.

Atomique Productions is the producer of several music festivals on Vancouver Island including Rifflandia Festival – an annual four-day music, arts and culture festival in Downtown Victoria, BC, which showcases over 200 artists across more than 20 stages. Other events include Rock The Shores, Phillips Backyard Weekender, BreakOut West 2015 and the award winning Car Free YYJ – an all-ages celebration of community, spanning nine blocks and featuring more than 400 vendors and exhibitors.

For more information about our Partnership Packages, please contact:
Morgan Sutherland
morgan@atomiqueproductions.com

For more information about Victoria's Canada Day, please contact:
Vanessa Leong
vanessa@atomiqueproductions.com

atomique productions

CITY OF VICTORIA

Committee of the Whole Report
For the Meeting of October 10, 2019

To:	Committee of the Whole	**Date:**	October 2, 2019
From:	Chris Coates - City Clerk		
Subject:	Appointment Bylaw Officer		

RECOMMENDATION

That Council approve the appointment of Shannon Perkins:

1. As a Bylaw Officer pursuant to section 2(a) of the Inspection Bylaw (06-061).
2. As a Business License Inspector for the City of Victoria; and,
3. A Building Inspector for the purposes fo Section 57 of the Community Charter.

EXECUTIVE SUMMARY

Shannon Perkins has recently joined the City as the Manager of Bylaw and Licesing Services. To enable her to act with full capacity, a specific resolution of council suggested above is required.

Respectfully submitted,

Barrie Cockle
Lead, Bylaw and Licensing Services

Report accepted and recommended by the City Manager: Jocelyn Jenkins

Date: Oct 2, 2019

CITY OF VICTORIA

Committee of the Whole Report

For the Meeting of October 10, 2019

To: Committee of the Whole **Date:** September 26, 2019

From: Chris Coates, City Clerk

Subject: Fair Employment Week – October 7 to October 11, 2019

RECOMMENDATION

That the *Fair Employment Week* Proclamation be forwarded to the October 10, 2019 Council meeting for Council's consideration.

EXECUTIVE SUMMARY

Attached as Appendix A is the requested *Fair Employment Week* Proclamation. Council has established a policy addressing Proclamation requests. The policy provides for:

- A staff report to Committee of the Whole.
- Each Proclamation request requiring a motion approved at Committee of the Whole prior to forwarding it to Council for their consideration.
- Staff providing Council with a list of Proclamations made in the previous year.
- Council voting on each Proclamation individually.
- Council's consideration of Proclamations is to fulfil a request rather than taking a position.

A list of 2018 Proclamations is provided as Appendix B in accordance with the policy. Consistent with City Policy, Proclamations issued are established as fulfilling a request and does not represent an endorsement of the content of the Proclamation.

Respectfully submitted,

Chris Coates
City Clerk

List of Attachments

- Appendix A: Proclamation "Fair Employment Week"
- Appendix B: List of Previously Approved Proclamations

"FAIR EMPLOYMENT WEEK"

WHEREAS *Fair Employment Week is an opportunity to raise awareness about the rise of precarious employment on campus and the unfair working conditions experienced by contract faculty; and*

WHEREAS *Contract faculty can be paid less for doing the same work, in some cases faculty are paid 80% less; and*

WHEREAS *Wage fairness and job stability for contract faculty leads to improved services for students, their families, and the local area.*

NOW, THEREFORE *I do hereby proclaim the week of October 7th – 11th, 2019 as* ***"FAIR EMPLOYMENT WEEK"*** *on the HOMELANDS of the Lekwungen speaking* ***SONGHEES AND ESQUIMALT PEOPLE*** *in the* ***CITY OF VICTORIA, CAPITAL CITY*** *of the* ***PROVINCE*** *of* ***BRITISH COLUMBIA.***

IN WITNESS WHEREOF*, I hereunto set my hand this 10th day of October, Two Thousand and Nineteen.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Terri Van Steinburg
President
Federation of Post-Secondary Educators of BC

Appendix B

Council Meetings	Proclamations
17-Jan-19	BC Aware Days 2019: Be Secure, Be Aware Days - Jan 28 - February 5
31-Jan-19	Eating Disorder Awareness Week - February 1 - 7, 2019 International Development Week - February 3 - 9, 2019
14-Feb-19	Heritage Week 2019 - February 18 - 24, 2019 Rare Disease Day - February 28, 2019
28-Feb-19	Tibet Day - March 10, 2019
14-Mar-19	Purple Day - March 26, 2019 World Kidney Day - March 14, 2019 World Tuberculosis Day - March 26, 2019
28-Mar-19	Sikh Heritage Day - April 14, 2019 Global Meetings Industry Day - April 4, 2019
11-Apr-19	National Organ and Tissue Donation Awareness Week - April 21 - 27, 2019 Human Values Day 2019 - April 24, 2019 Global Love Day - May 1, 2019 National Dental Hygienists Week - April 6 - 12, 2019
25-Apr-19	Child Abuse Prevention Month - April 2019 St. George Day - April 23, 2019 Huntington Disease Awareness Month - May 2019 Falun Dafa Day - May 13, 2019
9-May-19	Apraxia Awareness Day - May 14, 2019 North American Safe Boating Awareness Week - May 18 - 24, 2019 Phones Away Day - May 23, 2019 International Internal Audit Awareness Month - May 2019
23-May-19	Brain Injury Awareness Month - June 2019 Orca Action Month - June 2019 Orca Awareness Month - Southern and Northern Residents - June 2019 Intergenerational Day Canada - June 1, 2019 Pollinator Week - June 17-23, 2019 ALS Awareness Month - June 2019 Myalgic Encephalomyelitis Awareness Day - May 12, 2019 Built Green Day - June 5, 2019
13-Jun-19	Small Business Month - June 2019 International Medical Marijuana Day - June 11, 2019 World Refugee Day - June 20, 2019
27-Jun-19	Pride Week - June 30 - July 7, 2019 Parachute National Injury Prevention Day - July 5, 2019
11-Jul-19	Mexican Heritage Week - July 9 to 14, 2019
25-Jul-19	Clover Point Parkrun Day - August 10, 2019
8-Aug-19	National Polycystic Kidney Disease Awareness Day - September 4, 2019
5-Sep-19	Mitochondrial Disease Awareness Week - September 15-21 2019 Project Serve Day- September 14, 2019 One Day Together - September 7, 2019
12-Sep-19	Manufacturing Month - October, 2019
19-Sep-19	Fire Prevention Week - 6-12 October Small Business Month - October 2019 Performance and Learning Month - September 2019 British Home Child Day - September 28, 2019 World Cerebral Palsy Day - September 19, 2019

Council Member Motion
For the Committee of the Whole Meeting of October 10th, 2019

To:	Committee of the Whole	**Date:**	Oct.3rd, 2019
From:	Councillor Jeremy Loveday		
Subject:	Affordable Artist Housing in the City of Victoria		

BACKGROUND

The Create Victoria Arts and Culture Masterplan states that "culture and creativity are essential aspects for vibrant and sustainable cities". For arts, culture, and creativity to thrive in a community, artists need to be able to live and work in that community. The City of Victoria is at a crucial moment for arts and culture as the City has increasingly become unaffordable for many residents including artists.

During the engagement process for the Create Victoria Arts and Culture Masterplan, the City of Victoria heard from many members of the arts community who expressed concerns about the impacts of the affordability crisis on artists' ability to live and create in Victoria. In response to this input, one of the goals of the Create Victoria plan is to "align with affordability initiatives by identifying artists and creators as potential applicants for affordability housing".

RECOMMENDATIONS

1. That Council direct staff to align the Create Victoria Masterplan with the Victoria Housing Strategy to include the creation of housing for artists as a goal of the Victoria Housing Strategy.
2. And that Council direct staff to consider ways to encourage the creation of affordable housing for artists through the implementation of existing policies including the inclusionary housing policy, housing reserve fund, and other relevant policies.

Respectfully submitted,

Councillor, Jeremy Loveday

Victoria Arts Promotion and Preservation Society

511 David st. suite E
Victoria BC
http://victoriaarts.ca/
Info@victoriaarts.ca

October 10 2019

To whom it may concern,

VAPPS is the **Victoria Arts Preservation & Promotion Society**, and our mission is to increase access to Victoria's artistic output, today and for future generations. We maintain Victoria's largest local arts database and calendar at www.artsvictoria.ca.

We couldn't agree more when we look to the Create Victoria Masterplan and see "culture and creativity are essential aspects for vibrant and sustainable cities". Homes of course, are a vital piece of that equation.

Councilor Loveday's motion resonates with us deeply, knowing that a city without artists is a city without heart. As we look to the arts-rich cities to the south of us including San Francisco, San Diego, Portland and others… we can see the very real and current difficulties that arts organizations and individuals are having maintaining spaces, and homes, within their respective cities. To see our local council taking action to address this emerging phenomenon is appropriate, timely and inspiring.

While the operations of HOW this would be managed and implemented remains to be seen, the core spirit and intent of this motion resonates with VAPPS deeply. Maintaining access to homes for artists in the core of the city, is a vital piece of maintaining the creativity, diversity, richness, music and LIFE that animates and beautifies our city.

VAPPS Board of Directors
Jason Guille, Nev Gibson, Sam Peekeekoot, Doug Jarvis, Stacey Ashwroth, Iain Duncan, Logan Ford
www.artsvictoria.ca