



REVISED AGENDA - COMMITTEE OF THE WHOLE

Thursday, April 23, 2020, 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

At this time, due to the COVID-19 Pandemic, public access to City Hall is not permitted. This meeting may be viewed on the City's live stream webcast at www.victoria.ca

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A. APPROVAL OF AGENDA

*B. CONSENT AGENDA

Proposals for Consent Agenda:

- C.1 - Minutes from the meeting held April 2, 2020
- F.2 - 1023 Tolmie Avenue: Rezoning Application No. 00672 and Development Permit with Variances Application No. 00097

C. READING OF MINUTES

C.1 Minutes from the meeting held April 2, 2020

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*D. Presentation

*D.1 Victoria Police Department - Special Funding Request for Topaz Park Policing Costs

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Addendum: New Item

A letter from the Chief Constable requesting funding for a five-week supplemental deployment in and around the Topaz Park neighborhood.

E. UNFINISHED BUSINESS

F. LAND USE MATTERS

*F.1 650 Speed Avenue: Temporary Use Permit with Variances Application No. 00016 (Burnside)

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Addendum: Presentation and Additional Correspondence

A report regarding the proposed Temporary Use Permit with Variances Application No. 00016 for 650 Speed Avenue in order to convert the existing four-storey motel to multiple dwelling to provide approximately 22 rental dwelling units for supportive housing.

*F.2	<u>1023 Tolmie Avenue: Rezoning Application No. 00672 and Development Permit with Variances Application No. 00097 (Hillside/Quadra)</u>	41
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Addendum: Presentation

A report regarding the proposed Rezoning Application No. 00672 and Development Permit with Variances Application No. 00097 for 1023 Tolmie Avenue in order to subdivide the property and construct a new small lot house to the south of the existing dwelling.

*F.3	<u>1820 Government Street: Update on Application for a new Food Primary License with Entertainment Endorsement for January Gin Joint & Eatery (Downtown)</u>	71
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Addendum: Presentation and COTW Report from March 5, 2020

An update report regarding the Application for a New Food Primary License with Entertainment Endorsement for January Gin Joint & Eatery at 1820 Government Street and details about the roles and responsibilities of the City and LCRB in the approvals process.

G. STAFF REPORTS

*G.1	<u>COVID-19 Update (Verbal)</u>	126
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Addendum: April 23, 2020 CAO Remarks

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Addendum: Report and Presentation

A report regarding the proposed recommendations authorizing the Heritage Advisory Panel and the Advisory Design Panel to conduct meetings electronically.

*G.3	<u>Revenue and Tax Policy Benchmark Monitoring and 2020 Tax Rates</u>	150
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Addendum: Presentation

A report regarding updated benchmark measures related to the City's Revenue and Tax Policy and seeking direction on 2020 tax rates.

H. NOTICE OF MOTIONS

I. NEW BUSINESS

*I.1	<u>Council Member Motion: 2020 Financial Plan Review - COVID-19</u>	171
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Addendum: New Item and Pages 7 & 9 from 2020 Financial Plan - Potential Adjustments

A Council Member Motion regarding a proposed amendment to the Financial Plan motion approved April 9, 2020.

***I.2 Council Member Motion: Re-Opening of Provincial Parks**

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Addendum: New Item

A Council Member Motion regarding the proposed request to the Province to re-open Provincial parks for day use in order to reduce levels of use in local and regional parks and allow for greater physical distancing.

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE



MINUTES - COMMITTEE OF THE WHOLE

April 2, 2020, 9:01 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

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

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Isitt, Councillor Dubow, Councillor Young

PRESENT ELECTRONICALLY: Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk, P. Bruce - Fire Chief, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, P. Bellefontaine – Acting Director of Engineering & Public Works, B. Eisenhauer - Head of Engagement, J. Jensen - Head of Human Resources, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, J. O'Connor - Deputy Director of Finance, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, N. Sidhu - Assistant Director of Parks, Recreation & Facilities, A. Harned – Food System Coordinator, C. Tunis – Planner, M. Heiser - Committee Secretary

A. APPROVAL OF AGENDA

Moved By Councillor Dubow
Seconded By Councillor Isitt

That the agenda be approved.

Councillor Dubow withdrew from the meeting at 9:02 a.m.

CARRIED UNANIMOUSLY

Councillor Dubow returned to the meeting at 9:04 a.m.

B. CONSENT AGENDA

Moved By Councillor Dubow
Seconded By Councillor Alto

That the following items be approved without further debate:

CARRIED UNANIMOUSLY

C.1 Minutes from the meeting held March 12, 2020

Moved By Councillor Dubow
Seconded By Councillor Alto

That the minutes from the Committee of the Whole meeting held March 12, 2020 be adopted.

CARRIED UNANIMOUSLY

E.3 582 St. Charles Street: Heritage Alteration Permit with Variance Application No. 00020 (Rockland)

Committee received a report dated March 12, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed Heritage Alteration Permit with Variance Application No. 00020 for 582 St. Charles Street in order to retroactively approve a variance for a decades-old third-floor balcony and an exterior fire escape and recommending that it move forward to an opportunity for public comment.

Moved By Councillor Dubow
Seconded By Councillor Alto

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

"That Council authorize the issuance of Heritage Alteration Permit with Variance Application No. 00020 for 582 St. Charles Street, in accordance with:

1. Plans, date stamped January 28, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - o to permit a roof deck.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development.
4. Heritage Alteration Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

E.4 1009 Southgate Street: Heritage Designation Application No. 000190 (Fairfield)

Committee received a report dated March 12, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed Heritage Designation Application No. 000190 for 1009 Southgate Street in order to designate the exterior of the property and recommending that it move forward to a public hearing.

Moved By Councillor Dubow
Seconded By Councillor Alto

That Council approve the designation of the property located at 1009 Southgate Street, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY

F.2 Proclamation - Human Values Day

Committee received a report dated March 27, 2020 from the City Clerk regarding the proclamation for Human Values Day, April 24, 2020.

Moved By Councillor Dubow

Seconded By Councillor Alto

That the *Human Values Day* Proclamation be forwarded to the April 9, 2020 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

F.3 Proclamation - Melanoma Awareness Month

Committee received a report dated March 27, 2020 from the City Clerk regarding the proclamation for Melanoma Awareness Month, May 2020.

Moved By Councillor Dubow

Seconded By Councillor Alto

That the *Melanoma Awareness Month* Proclamation be forwarded to the April 9, 2020 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

Motion to go into a closed Committee of the Whole meeting at 9:08 a.m.

Moved By Councillor Young

Seconded By Councillor Dubow

That Council close the Committee of the Whole meeting for the following reasons:

- Community Charter Section 90(2)(b) – Intergovernmental Relations
- Community Charter Section 90(1)(c) – Employee Relations

CARRIED UNANIMOUSLY

The open Committee of the Whole meeting reconvened at 11:09 a.m.

D. UNFINISHED BUSINESS

D.1 Council Member Motion: Scaling Up Growing in the City for Community Resilience

Committee received a Council Member Motion dated March 31, 2020 from Councillor Isitt and Councillor Loveday regarding the proposed scaling up of the Growing in the City Initiative.

Due to technical difficulties, Committee recessed at 11:17 a.m. and reconvened at 11:34 a.m.

Moved By Councillor Isitt
Seconded By Mayor Helps

That the motion be lifted from the table.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council authorize the scaling up of the Growing in the City initiative with the following actions, to increase community resilience and food security in response to Covid-19:

1. Temporarily reprioritize the focus of some Parks Department capacity to grow food plants from seed in the municipal nursery and greenhouses for planting in the 2020 growing season, harnessing expertise on appropriate plant selection from stakeholders in the Urban Food Table.
2. Work with stakeholder organizations in the Urban Food Table, School District 61 and local farmers to develop a distribution plan for food plants, soil and educational resources to scale up food production and increase community resilience and food security.
3. Adhere strictly to workplace safety and public health guidelines during the implementation of this program.

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Loveday

1. Temporarily reprioritize the focus of some Parks Department capacity **as outlined in Option 2** to grow food plants from seed in the municipal nursery and greenhouses for planting in the 2020 growing season, harnessing expertise on appropriate plant selection from stakeholders in the Urban Food Table.

Committee discussed the following:

- *Plant distribution*
- *Community involvement in agriculture*

On the amendment:

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council authorize the scaling up of the Growing in the City initiative with the following actions, to increase community resilience and food security in response to Covid-19:

1. Temporarily reprioritize the focus of some Parks Department capacity as outlined in Option 2 to grow food plants from seed in the municipal nursery and greenhouses for planting in the 2020 growing season, harnessing expertise on appropriate plant selection from stakeholders in the Urban Food Table.
2. Work with stakeholder organizations in the Urban Food Table, School District 61 and local farmers to develop a distribution plan for food plants, soil and educational resources to scale up food production and increase community resilience and food security.
3. Adhere strictly to workplace safety and public health guidelines during the implementation of this program.

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Motion arising:

Moved By Councillor Isitt

Seconded By Councillor Loveday

That staff report back on options for reallocating funds within the food systems budget to expand the distribution of gardening materials to neighborhoods.

CARRIED UNANIMOUSLY

Committee recessed at 12:03 p.m. and reconvened at 12:54 p.m.

E. LAND USE MATTERS

E.1 Development Application Processes - Considerations to Address COVID-19 Pandemic

Committee received a report dated March 31, 2020 from the Director of Sustainable Planning and Community Development seeking direction from Council on several aspects of the development application review processes to ensure the ongoing construction of housing and to enhance the ability of the development and trades industries to both weather and recover from the COVID-19 pandemic.

Committee discussed the following:

- *Incorporating public comment and Community Association Land Use Committee participation*
- *Accommodating input from the public*
- *Options to follow approved process while maintaining social distance*

- *Participation in Public Hearings and Opportunity for Public Comments*
- *Ongoing conversations with the Province with respect to Public Hearings*
- *Process for staff research moving forward should this motion be adopted*

Moved By Mayor Helps

Seconded By Councillor Alto

That Council direct staff to report back on modifications to development application processes, as detailed in this report, in order to continue to process applications through the COVID-19 pandemic, while complying with public health orders and meeting the transparency and accountability of land use processes.

Amendment:

Moved By Councillor Isitt

Seconded By Mayor Helps

That Council direct staff to report back on modifications to development application processes, as detailed in this report, in order to continue to process applications through the COVID-19 pandemic, while complying with public health orders and meeting the transparency and accountability of land use processes:

- **the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications, particularly regarding the pre-submission requirement for CALUC Community Meetings**
- **processes and referrals to advisory committees**

Amendment to the amendment:

Moved By Mayor Helps

Seconded By Councillor Alto

That Council direct staff to report back on modifications to development application processes, as detailed in this report, in order to continue to process applications through the COVID-19 pandemic, while complying with public health orders and meeting the transparency and accountability of land use processes:

- **the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications, particularly regarding the pre-submission requirement for CALUC Community Meetings**
- **processes and referrals to advisory committees**
- **processes related to the requirement for an Opportunity for Public Comment (OPC) that is linked with variance applications**
- **opportunities to expand delegated authority to staff to deal with minor variances and some subsets of development, particularly in relation to affordable housing**
- **opportunities to reconsider the requirement for public hearings associated with rezoning applications both in terms of the form they take and when they are required.**

Councillor Loveday requested that Council consider the 3 bulleted items in the amendment to the amendment and the 2 bulleted items in the amendment separately.

On the amendment to the amendment:

- **processes related to the requirement for an Opportunity for Public Comment (OPC) that is linked with variance applications**

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

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

- **opportunities to expand delegated authority to staff to deal with minor variances and some subsets of development, particularly in relation to affordable housing**

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

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

CARRIED (5 to 3)

- **opportunities to reconsider the requirement for public hearings associated with rezoning applications both in terms of the form they take and when they are required.**

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

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

CARRIED (5 to 3)

On the amendment:

- **the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications, particularly regarding the pre-submission requirement for CALUC Community Meetings**

CARRIED UNANIMOUSLY

- **processes and referrals to advisory committees**

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

On the main motion as amended:

That Council direct staff to report back on modifications to development application processes, as detailed in this report, in order to continue to process applications through the COVID-19 pandemic, while complying with public health orders and meeting the transparency and accountability of land use processes:

- the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications, particularly regarding the pre-submission requirement for CALUC Community Meetings
- processes and referrals to advisory committees
- processes related to the requirement for an Opportunity for Public Comment (OPC) that is linked with variance applications
- opportunities to expand delegated authority to staff to deal with minor variances and some subsets of development, particularly in relation to affordable housing
- opportunities to reconsider the requirement for public hearings associated with rezoning applications both in terms of the form they take and when they are required.

Amendment:

Moved By Mayor Helps

Seconded By Councillor Isitt

That Council direct staff to report back on modifications to development application processes, as detailed in this report **and including consideration of electronic participation of the public**, in order to continue to process applications through the COVID-19 pandemic, while complying with public health orders and meeting the transparency and accountability of land use processes:

- the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications, particularly regarding the pre-submission requirement for CALUC Community Meetings
- processes and referrals to advisory committees
- processes related to the requirement for an Opportunity for Public Comment (OPC) that is linked with variance applications
- opportunities to expand delegated authority to staff to deal with minor variances and some subsets of development, particularly in relation to affordable housing
- opportunities to reconsider the requirement for public hearings associated with rezoning applications both in terms of the form they take and when they

CARRIED UNANIMOUSLY

Amendment:

Moved By Mayor Helps

Seconded By Councillor Alto

That this matter be forwarded to the daytime Council meeting.

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council direct staff to report back on modifications to development application processes, as detailed in this report and including consideration of electronic participation of the public, in order to continue to process applications through the COVID-19 pandemic, while complying with public health orders and meeting the transparency and accountability of land use processes:

- the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications, particularly regarding the pre-submission requirement for CALUC Community Meetings
- processes and referrals to advisory committees
- processes related to the requirement for an Opportunity for Public Comment (OPC) that is linked with variance applications
- opportunities to expand delegated authority to staff to deal with minor variances and some subsets of development, particularly in relation to affordable housing
- opportunities to reconsider the requirement for public hearings associated with rezoning applications both in terms of the form they take and when they

That this matter be forwarded to the daytime Council meeting.

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

OPPOSED (2): Councillor Isitt and Councillor Loveday

CARRIED (6 to 2)

Motion to extend the meeting:

Moved By Councillor Alto

Seconded By Councillor Young

That the Committee of the Whole meeting be extended to 3:00 p.m.

CARRIED UNANIMOUSLY

E.2 429 and 431 Parry Street: Development Variance Permit Applications No. 00234 and No. 00235 (James Bay)

Committee received a report dated March 12, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed Development Variance Permit Application No. 000234 for 429 Parry Street and Development Variance Permit Application No. 00235 for 431 Parry Street in order to construct two new single-family dwellings with secondary suites and recommending that it move forward to an opportunity for public comment.

Moved By Councillor Alto

Seconded By Councillor Dubow

That, subject to the preparation and execution of legal agreements to secure a Statutory Right-of-Way, to the satisfaction of the Director of Engineering, that

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

That Council authorize the issuance of Development Variance Permit Applications No.00234 for 429 Parry Street and No.00235 for 431 Parry Street in accordance with:

1. Plans date stamped December 19, 2019 (429 Parry Street) and December 23, 2019 (431 Parry Street)
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
For Development Variance Permit No. 00234 at 429 Parry Street:
 - i. reduce the front yard setback from 7.5m to 3.79m;
 - ii. reduce the rear yard setback from 8.28m to 4.71m for the rear stairs and 5.61m for the building;
 - iii. reduce the north side yard setback from 1.5m to 1.2m;
 - iv. reduce the south side yard setback from 3m to 2m; and
 - v. reduce the combined side yard setback from 4.5m to 3.2m.For Development Variance Permit No. 00235 at 431 Parry Street:
 - i. reduce the front yard setback from 7.5m to 4.41m;
 - ii. reduce the rear yard setback from 8.28m to 4.42m for the rear stairs and 4.95m for the building;
 - iii. reduce the north side yard setback from 1.5m to 1.2m;
 - iv. reduce the south side yard setback from 3m to 2m; and
 - v. reduce the combined side yard setback from 4.5m to 3.2m.
3. Registration of legal agreements on both property titles to secure a Statutory Right-of-Way, to the satisfaction of the Director of Engineering.
4. The Development Permits lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F. STAFF REPORTS

F.1 COVID-19 Update (Verbal)

The City Manager and Deputy City Manager / Director of Finance delivered a verbal update on current COVID-19 matters listed as follows:

- The City's operations as it relates to local economy
- Caring for vulnerable populations
- Working with other local governments
- Updates from health authorities and federal government

Moved By Councillor Alto

Seconded By Councillor Isitt

That Council receive this report for information.

Committee discussed the following:

- *Timing expectations with current initiatives*
- *Local economic recovery*

Amendment:

Moved By Councillor Loveday

Seconded By Mayor Helps

That Council receive this report for **information and allocate up to \$200,000 from the 2020 Contingency, to the City Manager and Fire Chief, to provide adequate supports to vulnerable populations without any further delay and mitigate risks to city facilities, with the City working to recover all costs from upper levels of government.**

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

CARRIED (7 to 1)

On the main motion as amended:

That Council receive this report for information and allocate up to \$200,000 from the 2020 Contingency, to the City Manager and Fire Chief, to provide adequate supports to vulnerable populations without any further delay and mitigate risks to city facilities, with the City working to recover all costs from upper levels of government.

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

CARRIED (7 to 1)

Motion arising:

Moved By Councillor Isitt

Seconded By Mayor Dubow

That this motion be moved to the daytime Council meeting of April 2, 2020.

CARRIED UNANIMOUSLY

Mayor Helps withdrew from the meeting at 2:22 p.m.

Councillor Dubow assumed the Chair.

Committee discussed the following:

- *Social distancing as it relates to transportation in community space*
- *Relocation procedures for vulnerable people*

G. NOTICE OF MOTIONS

G.1 Council Member Motion: On-Demand Delivery / Dispatch of Goods and Services on a Non-Profit Basis

Committee received a Council Member Motion dated March 27, 2020 from Councillor Isitt regarding the proposed development of a non-profit platform for on-demand delivery / dispatch of goods and services.

Moved By Councillor Isitt
Seconded By Councillor Alto

That this matter be referred to the April 16 Committee of the Whole meeting.

CARRIED UNANIMOUSLY

G.2 Council Member Motion: Parking in City Parkades

Committee received a Council Member Motion dated March 27, 2020 from Councillor Thornton-Joe and Councillor Alto regarding the proposed Council authorization of staff to make City Parkades free for the month of April 2020.

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council authorize staff to make City Parkades free for the month of April, 2020.

Committee discussed the following:

- *Current parking income*
- *Ensuring relief is provided to those who need it*
- *Cleaning of parking pay stations*

Mayor helps returned to the meeting and assumed the chair at 2:50 p.m.

Councillor Isitt withdrew from the meeting at 2:50 p.m. and returned at 2:59 p.m.

Motion to extend the meeting:

Moved By Councillor Alto
Seconded By Councillor Dubow

That the Committee of the Whole meeting be extended to 3:15 p.m.

CARRIED UNANIMOUSLY

Motion to refer:

Moved By Mayor Helps
Seconded By Councillor Alto

That this be referred to staff to give consideration and bring forward recommendations to Council.

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

CARRIED (7 to 1)

G.3 Council Member Motion: Taking Responsibility for the Provision of Emergency Housing and Supports in our Community

Committee received a Council Member Motion dated March 31, 2020 from Councillor Isitt and Councillor Potts regarding the proposed activation of the Emergency Social Services Team to ensure that every community member has access to lodging and support during the COVID-19 pandemic.

Council considered the motion and no further action was taken.

Motion arising:

Moved By Councillor Isitt
Seconded By Mayor Helps

That the Council Member Motion: Scaling Up Growing in the City for Community Resilience be considered at the daytime Council meeting.

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

CARRIED (7 to 1)

I. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Young

That the Committee of the Whole Meeting be adjourned at 3:05 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



OFFICE OF THE CHIEF CONSTABLE

850 CALEDONIA AVENUE VICTORIA, BRITISH COLUMBIA, CANADA V8T 5J8 T: 250.995.7217 F: 250.384.1362

April 20, 2020

Mayor & Council
c/o City of Victoria

Via E-mail

Dear Mayor and Council:

RE: Special Funding Request for Topaz Park Policing Costs

The Victoria Police Department is requesting that the City of Victoria specifically fund a five-week supplemental uniform deployment in and around the Topaz Park neighborhood based on the abrupt increase in crime and disorder in that area. These additional resources will enhance police presence and visibility and help prevent crime in the immediate vicinity. The cost of this deployment is approximately \$52,500 and retroactive to April 17, 2020.

Background

The COVID-19 pandemic has caused significant changes to occur worldwide. Locally, we have seen a reduction in shelter space and an implementation of a “no guest” policy at some locations to enhance physical distancing measures. This has caused an increase in the unsheltered population and resulted in the opening of Topaz Park as a shelter location. Anecdotally, the number of people coming to Topaz Park from areas outside Victoria have increased since the introduction of Topaz Park as a shelter location. Significant logistical hurdles inclusive of staffing the site 24/7, changes in management, and maintaining health care options have been also been observed.

Crime and Observations

When a shelter or site for the vulnerable sector establishes itself, so too does the criminal element that preys upon that sector and the surrounding community. The good work attempting to be done is overshadowed by those that are committing “survival crime” as well as by the criminals that target this vulnerable sector. Topaz Park is no exception; the Burnside Gorge and Hillside Quadra Communities and the vulnerable population are being targeted.

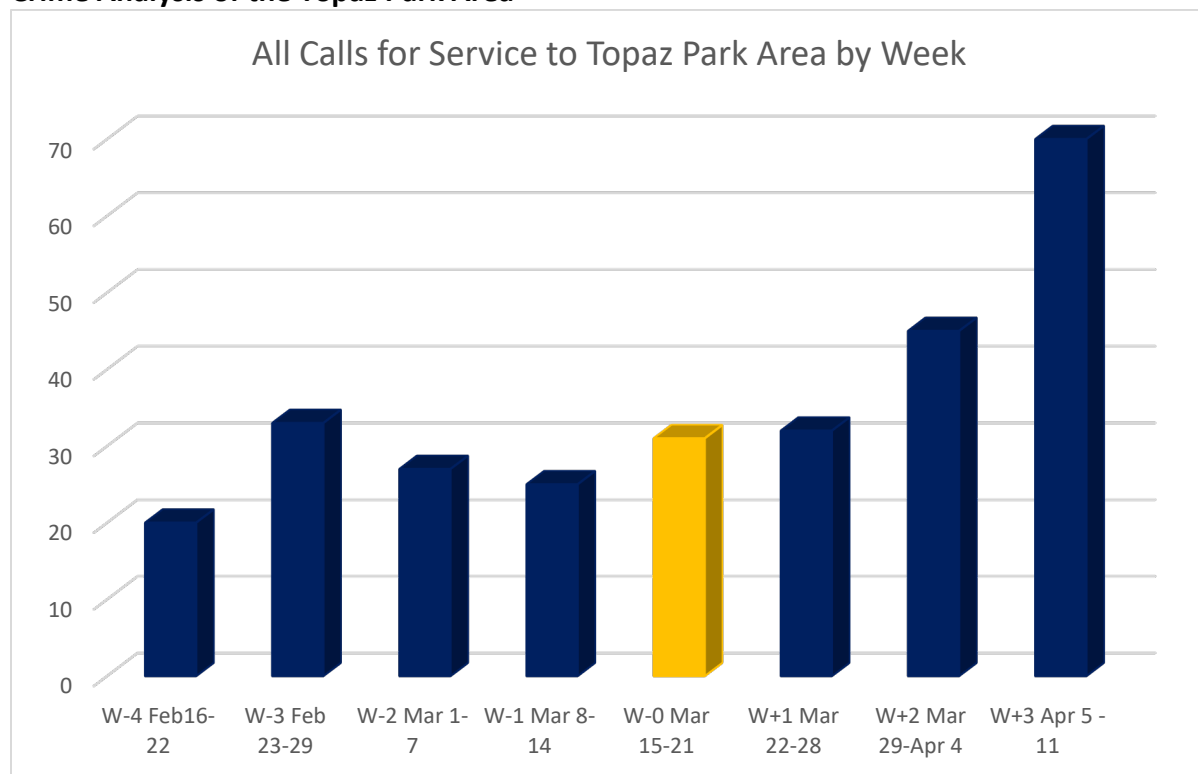
Observations and actions by members of Strike Force, Patrol, and the Community Services Division since the Topaz site was set up include:

- Multiple Bait Bike activations and arrests
- Stolen property recovery, including a bike worth over \$10,000
- Investigation that led to the seizure of over \$30,000 of stolen property
- Increases in the immediate area of Thefts, Break-ins, Stolen Property, Suspicious Activity
- On-site incidents of disturbances including one that involved a handgun

Observations and actions by officers specifically deployed to the Topaz Park area in just *two shifts* include;

- Multiple drug dealing vehicle checks adjacent to the main camp
- Arrests for Breach, Drug Possession for the Purpose of Trafficking, and Possession of Stolen Property
- Anecdotal reports of assaults on the vulnerable, specifically women, within the camp
- Multiple items that could be used as weapons including hammers, bats, and knives
- Bicycle “chop shop”

Crime Analysis of the Topaz Park Area



Funding Request

The Victoria Police Department has not seen a significant drop in calls for service during the pandemic. We are still maintaining our service levels to Victoria and Esquimalt and have not slowed or modified our deployment beyond the safety precautions implemented for our front-line officers. In fact, we have made efforts to increase our visibility and re-tasked Strike Force to be dedicated to fight the increase in property related crime. The public is already concerned enough with the safety and security of their families and neighbourhoods due to the pandemic; they should not have to be concerned with a rise in crime rate or nuisance calls in their neighborhood.

The five-week special deployment will allow me to assign two officers to the Topaz Park neighborhood seven days a week. The approximate cost of this deployment is \$10,500/week for a total of \$52,500. This request is effective retroactively to April 17, 2020 and will conclude on May 22, 2020, subject to an additional request to Council should there be a public safety need to continue with the deployment.

The Victoria Police Department is requesting that the City of Victoria provide additional funding for this deployment to help protect our residents, both on-site and in the community, and to assist the Victoria Police Department in preventing and deterring crime and maintaining social order in the Topaz Park neighborhood.

Yours Truly,



Del Manak

c. Victoria & Esquimalt Police Board



Committee of the Whole Report

For the Meeting of April 23, 2020

To: Committee of the Whole **Date:** April 9, 2020

From: Karen Hoesle, Director, Sustainable Planning and Community Development

Subject: Temporary Use Permit Application No. 00016 for 650 Speed Avenue

RECOMMENDATION

1. That Council waive the standard practice of holding an opportunity for public comment for this application but direct staff to continue other standard practices related to sign posting and public notification, including a request for written commentary to come back to Council for consideration prior to issuing the Temporary Use Permit.
2. And subject to the required notification and advertising, Council consider issuing the Temporary Use Permit as follows:

“That Council authorize the issuance of Temporary Use Permit Application No.00016 for 650 Speed Avenue in accordance with plans submitted to the Sustainable Planning and Community Development department, date stamped April 2, 2020, to permit the additional use of multiple dwelling, subject to the following conditions:

 - i. No less than 15 parking spaces shall be provided for residents.
 - ii. The planting beds in the front and rear yards shall be cleaned up and reinstated.
 - iii. The Temporary Use Permit, if issued, expires two years from the date of this resolution.”

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Temporary Use Permit Application for the property located at 650 Speed Avenue. The proposal is to convert the existing four-storey motel to multiple dwelling in order to provide

approximately 22 rental dwelling units for supportive housing. The plans associated with this application provide for no visitor parking spaces, whereas Schedule C would normally require that two visitor spaces be provided for this use. Fifteen parking spaces are provided for residents.

The following points were considered in assessing this application:

- the *Official Community Plan* (OCP, 2012) identifies the subject property within the Town Centre Urban Place Designation, which supports multi-unit residential buildings
- expanding the supply of rental housing through regeneration of existing buildings is encouraged in the OCP
- the OCP also supports the re-use and retrofit of existing buildings
- the *Burnside Gorge Neighbourhood Plan* designates the subject property Town Centre, which also supports multi-unit residential buildings
- the applicant (Victoria Cool Aid Society) is proposing to relocate current tenants in the Cedar Grove Supportive Housing program at 210 Gorge Road East to the existing building in order to begin construction of a new affordable housing development which was recently approved by Council in June 2019
- the existing motel has self-contained units, which include full kitchens and bathroom facilities
- the parking variance is supportable given that the subject property is within close proximity to frequent transit service on Douglas Street. The applicant is also providing bicycle parking on site.

Given the current COVID-19 pandemic, combined with the urgent need for supportive and affordable rental housing in the City, Council may wish to allow this project to advance to the point of final Council consideration by waiving the formal Opportunity for Public Comment while continuing with the practice of allowing for written comments. Other aspects of the process that ensure transparency and notification of the public would be maintained.

BACKGROUND

Description of Proposal

The proposal is to change the use from a motel to multiple dwelling to accommodate approximately 22 supportive housing units for a period of up to two years. The applicant intends to apply for rezoning in the future in order to provide permanent affordable rental housing for low to moderate income individuals by retaining the existing building. Specific details of the current proposal to support a residential use at this location include:

- amenity and office space for residents and support staff on the ground floor
- 22 bicycle parking spaces in an existing carport at the rear of the building.

No visitor parking spaces are provided, while Schedule C would require two spaces. Fifteen parking spaces are provided for the residents.

Affordable Housing

The applicant proposes the creation of 22 new residential units which would increase the overall supply of affordable housing in the area. The fully self-contained units, which include full kitchens and bathroom facilities, would operate as supportive housing for the current tenants in the Cedar Grove Supportive Housing program at 210 Gorge Road East, while this property is being redeveloped into a new affordable and supportive housing project, approved by Council in June 2019.

Sustainability Features

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

Active Transportation

The applicant is proposing 22 bicycle parking spaces within a secure and enclosed carport, which supports active transportation.

Public Realm

No public realm improvements beyond City standard requirements are proposed in association with this Temporary Use Permit Application.

Accessibility

The British Columbia Building Code regulates accessibility as it pertains to buildings. The outdoor common areas are accessible and there is an elevator in the building.

Existing Site Development and Development Potential

The site is presently a motel. Under the current T-1 Zone, Limited Transient Accommodation District, the permitted uses are restricted to single family dwellings and customary accessory uses, transient accommodation, housekeeping apartment buildings, boarding houses and rooming houses.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on April 2, 2020 the application was referred for a 30-day comment period to the Burnside Gorge CALUC. A letter dated April 15, 2020 is attached to this report.

An Opportunity for Public Comment is not a legislative requirement for temporary use permits under the *Local Government Act*. Each municipality in British Columbia has the authority to determine if there should be a public forum associated with the approval of temporary use permits. The City's *Land Use Procedures Bylaw*, states the following with respect to the City's requirements for an Opportunity for Public Comment:

31. Council may provide an opportunity for public comment before passing a resolution to issue:

- a. a development variance permit, other than a permit that varies a bylaw under Section 528 of the *Local Government Act*;
- b. a development permit with variances;
- c. a heritage alteration permit with variances;
- d. a temporary use permit.

Given the current COVID-19 pandemic and the public health order limiting social gatherings and requiring physical distancing, combined with the urgent need for supportive and affordable rental housing in the City, especially at this time, Council may wish to consider waiving the Opportunity for Public Comment for this Temporary Use Permit (TUP) application to allow this

project to advance to the point of final Council consideration. This would facilitate not only the formalization of the 22 units that are the subject of this TUP, but would allow for the construction of 72 new supportive and affordable rental dwelling units at 210 Gorge Road East and the relocation of the residents of the Gorge Road site to Speed Avenue. The applicant notes that the development at 210 Gorge Road East will continue to be delayed if the applicant must wait for an opportunity for public comment to occur for the TUP.

While the staff recommendation includes the necessary language to waive the Opportunity for Public Comment, all other aspects of the process that ensure transparency and notification of the public would be maintained. The *Local Government Act* requires for TUPs that a notice be placed in a newspaper and that mailed notice be provided within the distance specified in the City's bylaws. In this instance notification requirements involve adjacent properties, therefore, consistent with the City's *Land Use Procedures Bylaw*, mailed notice would be sent to owners and occupiers of the subject site and adjacent properties. This notice would still invite recipients to provide written comments on the proposal if they felt inclined. Also in accordance with the City's *Land Use Procedures Bylaw*, a sign would be posted on the property notifying the public of Council's upcoming consideration of the matter along with an invitation to provide written feedback.

To ensure development applications can continue to move forward during the COVID-19 pandemic, a report that explores alternative ways to advance development applications that include Opportunities for Public Comment is under preparation. However, there are numerous application scenarios to be considered and since this work is intertwined with developing new ways of remote participation in the development application processes, this report will take a bit more time. To facilitate this TUP for supportive housing, staff thought it would be prudent to include a recommendation, specific to this application only. However, if Council would prefer to wait, the alternate motion is structured accordingly.

ANALYSIS

Official Community Plan

The subject property is designated Town Centre in the *Official Community Plan* (OCP, 2012), which supports multi-unit residential buildings. Expanding the supply of rental housing through regeneration of existing buildings is encouraged in the OCP. The OCP also encourages the re-use and retrofit of buildings. The proposal is consistent with the land use policies and further advances policy objectives in the OCP.

Local Area Plans

The *Burnside Gorge Neighbourhood Plan* designates the subject property Town Centre, which supports multi-unit residential buildings. The proposal is also consistent with the land use policies outlined in the Plan.

Regulatory Considerations

Under *Schedule C: Off-street Parking* in the *Zoning Regulation Bylaw*, the proposal would normally require 17 parking spaces, consisting of 15 residential and two visitor parking spaces. The plans associated with this application provide no visitor parking spaces. The proposal does not meet the criteria for a lower parking ratio in *Schedule C: Off-street Parking* because there is a condition in Schedule C requiring that the applicant enter a Housing Agreement to secure the affordable housing in perpetuity in order to qualify for a lower parking ratio. This condition is not

feasible for a TUP application given the term restrictions that are associated with a TUP. Regardless, a reduction in parking from 17 to 15 parking spaces is supportable given the subject property's close proximity to a frequent transit that is available on Douglas Street and the addition of bicycle parking on site.

CONCLUSIONS

The proposal to temporarily permit a multiple dwelling in order to change the use from an existing motel to approximately 22 supportive and affordable housing units for a period of up to two years is consistent with the policy objectives outlined in the OCP and *Burnside Gorge Neighbourhood Plan*. A TUP would enable the applicant to temporarily relocate the tenants from 210 Gorge Road (Cedar Grove Supportive Housing Program) to this existing building in order to allow the applicant to begin the construction of a new affordable housing development on Gorge Road. Staff recommend for Council's consideration that the requirement for an Opportunity for Public Comment is waived.

ALTERNATE MOTION

OPTION 1

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

1. That Council authorize the issuance of Temporary Use Permit Application No. 00016 for 650 Speed in accordance with plans submitted to the Sustainable Planning and Community Development department, date stamped April 2, 2020, to permit the additional use of multiple dwelling, subject to the following conditions:
 - i. No less than 15 parking spaces shall be provided for residents.
 - ii. The planting beds in the front and rear yards shall be cleaned up and reinstated.
 - iii. The Temporary Use Permit, if issued, expires two years from the date of this resolution.

OPTION 2

That Council decline Temporary Use Permit Application No. 00016 for the property located at 650 Speed Avenue.

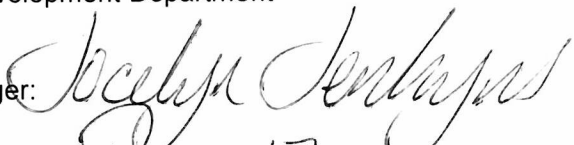
Respectfully submitted,


Leanne Taylor
Senior Planner
Development Services Division



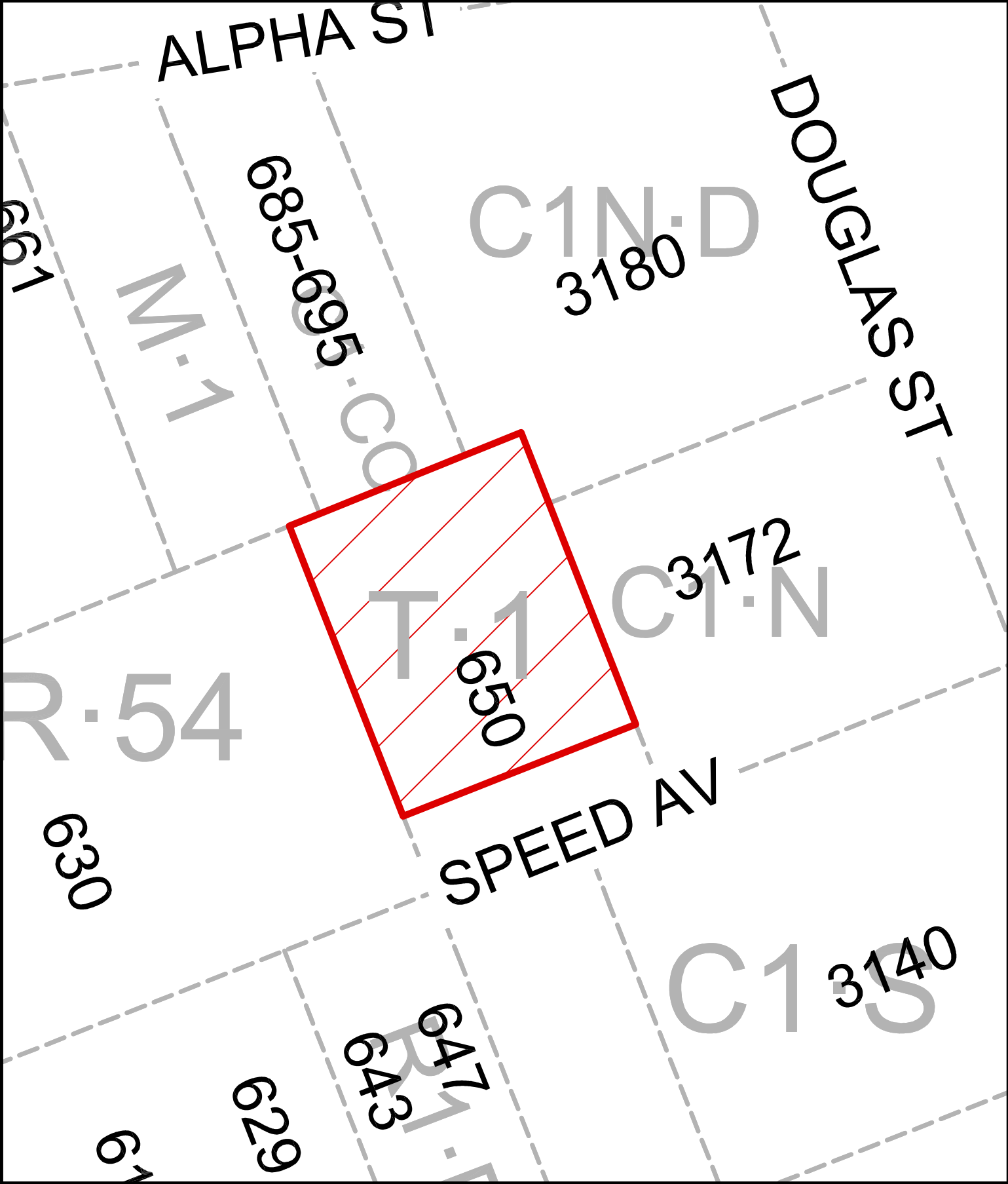

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: Apr. 17, 2020

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment D: Plans dated April 2, 2020
- Attachment C: Applicant's letter dated April 2, 2020
- Attachment E: Letter from the Burnside Gorge CALUC dated April 15, 2020.



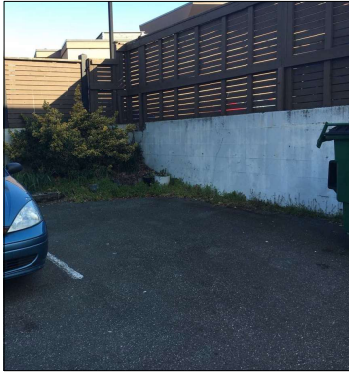
650 Speed Street
Temporary Use Permit #00016



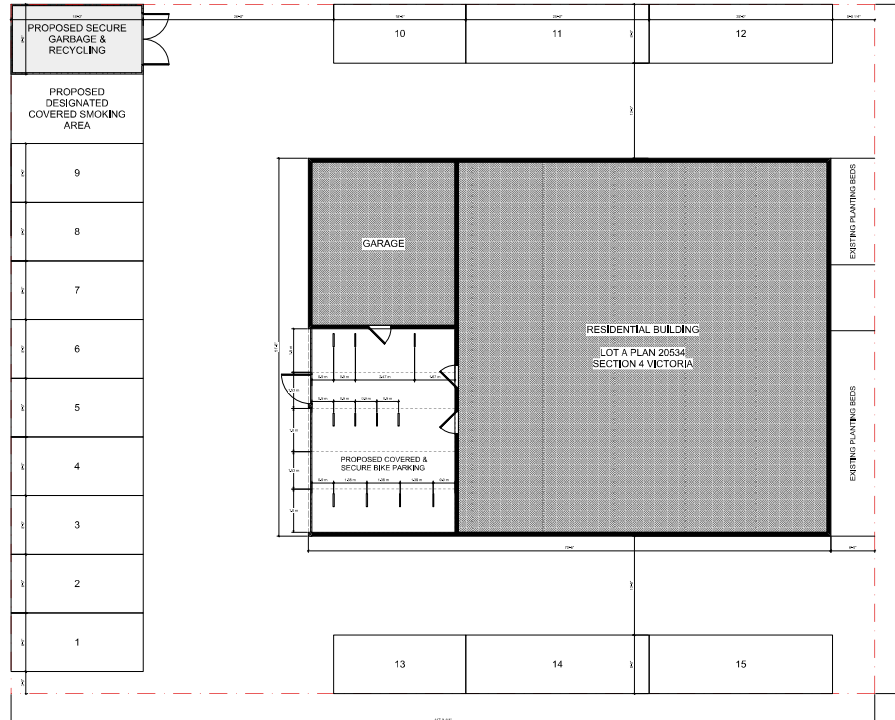


650 Speed Street
Temporary Use Permit #00016





EXISTING AREA TO BE LOCATION OF PROPOSED SECURE GARBAGE & RECYCLING ENCLOSURE AND COVERED SMOKING AREA

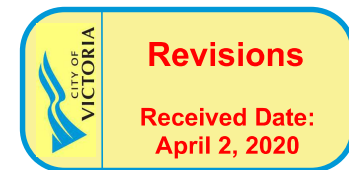


1
A1 SITE/PARKING PLAN
1/8" = 1'-0"

PARKING REQUIREMENTS (AS PER CITY OF VICTORIA SCHEDULE C)			
FLOOR LEVEL	APARTMENT	OFFICE	PARKING REQUIRED
GROUND FLOOR	1 apartments less than 45 sqm 1 x 0,7 = 0,7	75,4 sqm / 55 sqm = 1,37	2,07
SECOND FLOOR	7 apartments less than 45 sqm 7 x 0,7 = 4,9	-	4,9
THIRD FLOOR	7 apartments less than 45 sqm 7 x 0,7 = 4,9	-	4,9
FOURTH FLOOR	7 apartments less than 45 sqm 7 x 0,7 = 4,9	-	4,9
TOTAL	15,4	1,37	16,77 REQUIRED 15 PROVIDED
* A TWO PARKING STALL VARIANCE IS REQUESTED *			



DRAWING LEGEND	
PROPERTY LINES	---
COMMERCIAL BUILDING	---



PROJECT:

**SPEED AVE
TUP**

PROJECT ADDRESS:

650 SPEED AVENUE
VICTORIA, BC

CLIENT:

**VICTORIA COOL
AID SOCIETY**



ISSUED FOR: DATE:

REVISION NO. DATE:
1 02/04/20

SAC PROJECT NO.:

SPE-650-20

DRAWN BY:

SL

DATE:

APRIL 2, 2020

SCALE:

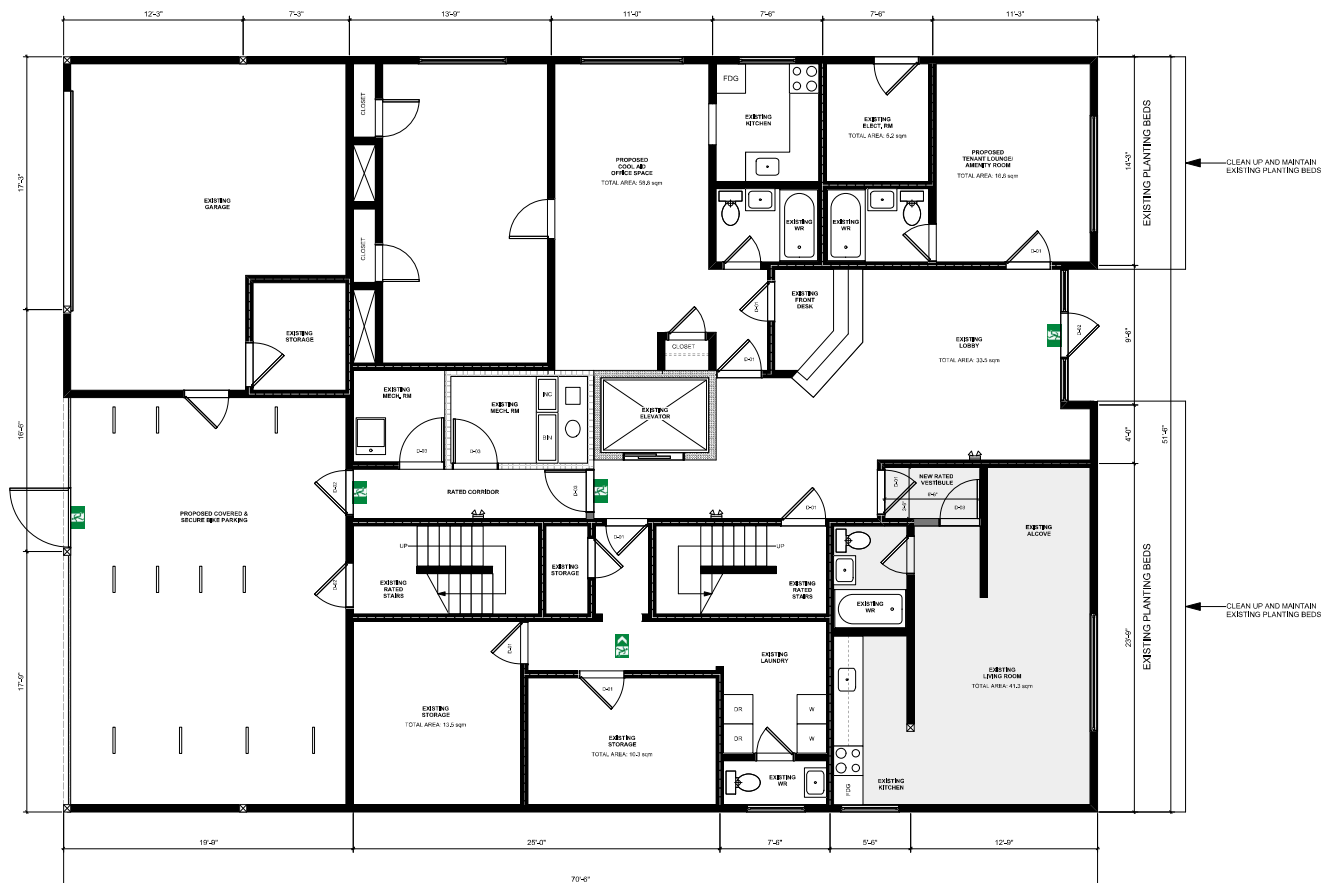
AS SHOWN

DRAWING TITLE:

SITE PLAN

DRAWING NUMBER:

A1



1
A3
PROPOSED GROUND FLOOR PLAN
1/4" = 1'-0"

PARTITION LEGEND	
EXISTING WALLS & PARTITIONS - TO REMAIN	
EXISTING 5" CONCRETE BLOCK WALLS - TO REMAIN	
EXISTING 8" CONCRETE BLOCK WALLS - TO REMAIN	
ENSURE EXISTING PARTITIONS HAVE A 1 HOUR FIRE RESISTANCE RATING AS PER 2018 BCBC	
NEW 1 HOUR FRR PARTITION: 3 5/8" STEEL STUDS @ 16" O.C. WITH 1/2" TYPE C GWB ON EACH SIDE, PAINTED, SMOKE SEAL & FIRE STOP	

DRAWING LEGEND	
NEW GREEN RUNNING PERSON EXIT SIGN	
EXISTING & PROPOSED EMERGENCY LIGHTING	
EXISTING RESIDENTIAL UNIT	

DOOR LEGEND	
MRK	COMMENT
D-01	ENSURE EXISTING DOORS HAVE A 45 MIN FRR AND ARE EQUIPPED WITH 45 MIN FRR HARDWARE AND CLOSER. REMOVE EXISTING DOOR KNOBS AND INSTALL NEW LEVER LATCH DOOR HANDLES.
D-02	REMOVE EXISTING DOOR KNOBS AND INSTALL NEW LEVER LATCH DOOR HANDLES.
D-03	NEW 45 MINUTE FRR DOOR WITH 45 MINUTE HARDWARE AND CLOSER.

PROJECT:

**SPEED AVE
TUP**

PROJECT ADDRESS:

650 SPEED AVENUE
VICTORIA, BC

CLIENT:

**VICTORIA COOL
AID SOCIETY**

steller
ARCHITECTURAL
CONSULTING

21042020 Commercial
Victoria, BC V8N 4K6
250.626.2121

ISSUED FOR: DATE:

REVISION NO.: DATE:

1 02/04/20

SAC PROJECT NO.:

SPE-650-20

DRAWN BY:

SL

DATE:

APRIL 2, 2020

SCALE:

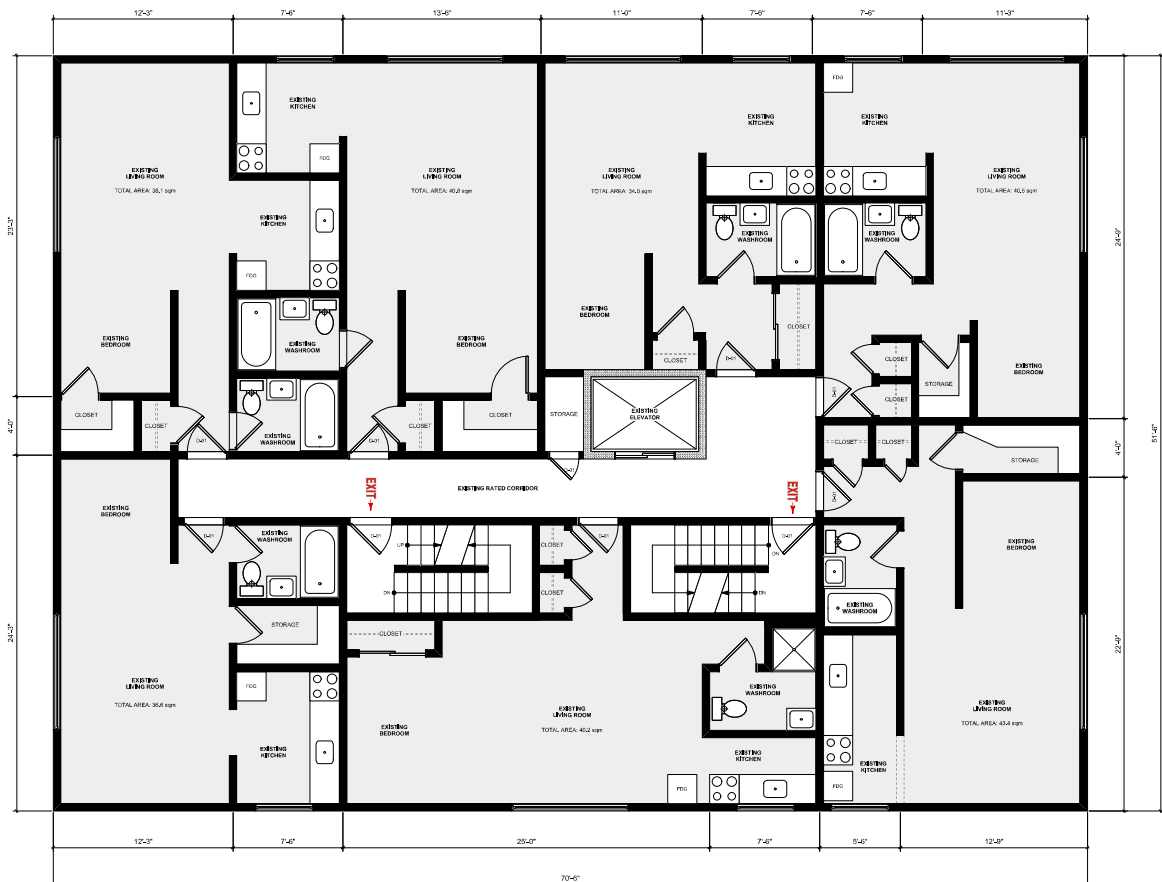
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DRAWING TITLE:

**PROPOSED GROUND
FLOOR PLAN**

DRAWING NUMBER:

A3



1
A4
EXISTING LEVEL 2-4 FLOOR PLANS
1/4" = 1'-0"

PARTITION LEGEND	
EXISTING BASEBUILDING WALLS & PARTITIONS - TO REMAIN	
EXISTING 6" CONCRETE BLOCK WALLS - TO REMAIN	

DRAWING LEGEND	
EXISTING RED EXIT SIGNS	EXIT
EXISTING RESIDENTIAL UNIT	

DOOR LEGEND	
MRK	COMMENT
D-01	ENSURE EXISTING DOORS HAVE A 45 MIN FRR AND ARE EQUIPPED WITH 45 MIN FRR HARDWARE AND CLOSER, REMOVE EXISTING DOOR KNOBS AND INSTALL NEW LEVER LATCH DOOR HANDLES.

ENSURE ALL FLOORS ARE EQUIPPED WITH EXIT SIGNS AND EMERGENCY LIGHTING

PROJECT:
**SPEED AVE
TUP**

PROJECT ADDRESS:
600 SPEED AVENUE
VICTORIA, BC

CLIENT:
**VICTORIA COOL
AID SOCIETY**

2140200 Commercial Court
Victoria, BC V8N 4K6
(250) 383-1234

ISSUED FOR: DATE:

REVISION NO.: DATE:
1 02/04/20

SAC PROJECT NO.:
SPE-650-20

DRAWN BY:
SL

DATE:
APRIL 2, 2020

SCALE:
AS SHOWN

DRAWING TITLE:
EXISTING
LEVEL 2-4 FLOOR
PLANS

DRAWING NUMBER:
A4



April 2, 2020

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

RE: 650 SPEED AVENUE -- Application for Temporary Use Permit

Dear Mayor Helps & Council:

Victoria Cool Aid Society (Cool Aid) is pleased to submit this application for a Temporary Use Permit approval for the motel located at 650 Speed Avenue. This application proposes using the 22-unit motel known as the Mayfair Motel for the temporary relocation of tenants from our Cedar Grove property located at 210 Gorge Road East while the latter site is redeveloped.

PROJECT SUMMARY

The building and lot being considered is currently zoned *T-1 Limited Transient Accommodation* and has operated as an affordable motel since 1961. The motel was originally designed as a small apartment building; all units are self-contained with full kitchens and bathrooms and adequate electrical supply for a permanent residential use. The building has been very well maintained and is highly suitable for the purpose of providing more long-term affordable rental housing stock.

Cool Aid's purchase of the building and immediate use is to allow for the interim relocation of our Cedar Grove Supportive Housing program, and to allow for this use, we are seeking a two-year Temporary Use Permit for the operation of our supportive housing program. When our 210 Gorge redevelopment is complete, the relocated tenants will be welcomed back to their new units at 210 Gorge, and at that time, our long-term plan is to make an application to rezone the property for affordable rental housing, and be able to offer these 22 units as long-term rental housing for low to moderate income individuals.

GOVERNMENT POLICIES

The site falls under the Town Centre designation in the Official Community Plan which supports both residential and commercial uses. The Burnside Gorge Local Area Plan also supports a residential use for this property with additional density for an affordable rental use.

PROJECT BENEFITS AND AMENITIES

Cool Aid has been actively working on the redevelopment of the Cedar Grove property for over four years now. A critical aspect of the redevelopment has been the need to find a suitable property to relocate the existing tenants to. For over two years, Cool Aid had been actively searching for suitable units to block lease, but the supply was simply not available.

Finding the Mayfair Motel property has enabled us to keep the Cedar Grove community of people together, along with the program's support staff, during the redevelopment phase.

We are also able to move the program to a property which, in many ways, is better suited for a supportive housing program than the current 210 Gorge property has been. The 650 Speed Avenue property has a controlled access entrance, with adequate programming space on the ground level and an elevator for those with mobility issues.

IMPACTS

Cool Aid respects that BC Housing has committed to a moratorium on any additional supportive housing units in the Burnside Gorge neighbourhood, and wish to make it clear that there will be no net increase in supportive housing units in Burnside Gorge as a result of this proposal. We are simply temporarily relocating tenants who have been a part of the Burnside Gorge neighbourhood for many years to a different part of the neighbourhood. As stated, in the long term, we will make an application to the City to rezone the property as rental housing.

Early in the process of acquiring the building, Cool Aid reached out to neighbours on Speed Avenue to make them aware of our plans to apply for a temporary use permit. We have been proactive and transparent in our communications, with the goal of working with immediate neighbours to ensure the successful transition of our supportive housing program to the neighbourhood.

We have heard feedback that the neighbourhood is contending with issues of vehicle break-ins and other challenges and have expressed a concern that the relocation of our supportive housing program could exacerbate this situation. We have been working with the strata council members at nearby buildings and management of local businesses to collaborate on solutions, which will address these concerns around safety and security in the immediate area. We are confident that by building and maintaining a strong relationship with our neighbours, the addition of these permanent rental-housing units will be well accepted.

SAFETY AND SECURITY

With controlled access and location of our support staff on the ground level, we will maintain safety and security for both our tenants and neighbours. The property is already equipped with security cameras for both the interior and exterior. Cool Aid will be reviewing these camera placements and exterior lighting to determine if any upgrades are required.

Cool Aid wrote to Mayor and Council in January expressing our support for VicPD in their request for additional officers so that they have the capacity to adequately respond to neighbourhood concerns such as those raised by members of the Burnside Gorge community. Community resource officers are effective supports for neighborhoods and service providers, and neighborhoods experiencing an increase in reported crimes rightfully expect an increase in police patrols and a more visible and responsive presence in the community.

Cool Aid continues to work with our neighbours and the Burnside Gorge Community Association to mitigate any impacts that our own operations have on the neighbourhood. As well, we continue to work with other service providers and the Community Advisory Council to address neighbourhood issues and reduce to the extent possible the impacts of homelessness on both the individuals experiencing it, and the residents and businesses of Burnside Gorge.

TRANSPORTATION

The property's location along the Douglas Corridor is highly accessible for public transit, which is a key transportation choice for our tenants. There are 15 parking spaces available on site and we are requesting a variance for 2 parking spaces. The majority of residents in our supportive housing programs do not own cars. There are 3 tenants in our Cedar Grove housing program who own vehicles. Combined with our staff on-site, we anticipate our need for parking to be 7 spaces total during this temporary use period which is well below the number of parking spaces provided.

GREEN BUILDING FEATURES

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

CONCLUSION

We feel very fortunate that we have located an appropriate and suitable housing option for the relocation of our Cedar Grove tenants. We are seeking Council's approval for this Temporary Use Permit so that we may proceed with our redevelopment at 210 Gorge Road E, and create an additional 51 units of affordable housing on that property. With the addition of the Mayfair Motel purchase, we will be achieving an additional 22 units of affordable rental housing stock within the City of Victoria.

Sincerely,

Kathy Stinson
Chief Executive Officer

cc:
Deanna Bhandar,
Director, Real Estate Development

April 15, 2020

Mayor & Council
 #1 Centennial Square
 Victoria, BC

Dear Mayor and Council:

Burnside Gorge LUC comment on Temporary Use Permit Application for 650 Speed Avenue

The Burnside Gorge Land Use Committee (BGLUC) has reviewed the application by Victoria CoolAid Society for a 2 year Temporary Use Permit (TUP) for the Mayfair Motel at 650 Speed Avenue.

The applicant has met with the surrounding community and addressed their concerns as outlined in CoolAid's letter of April 2, 2020. The community has expectations that any problems arising from the relocation of the Cedar Grove supportive housing site will be resolved by CoolAid. In addition the BGLUC would look for assurances that at the end of the TUP the motel revert to an affordable housing site and not as supportive nor subsidized housing.

The BGLUC has no objections to this 2 year TUP application with the conditions outlined in CoolAid's April 2, 2020 letter and our comments above.

Respectfully,



Avery Stetski
 Land Use Committee Chair
 Burnside Gorge Community Association

cc: Sustainable Planning and Community Development Department
 Deanna Bhandar, Victoria CoolAid Society

1

Temporary Use Permit
Application No. 000016
For
650 Speed Avenue



1

2



2

3

Subject Site



3

4

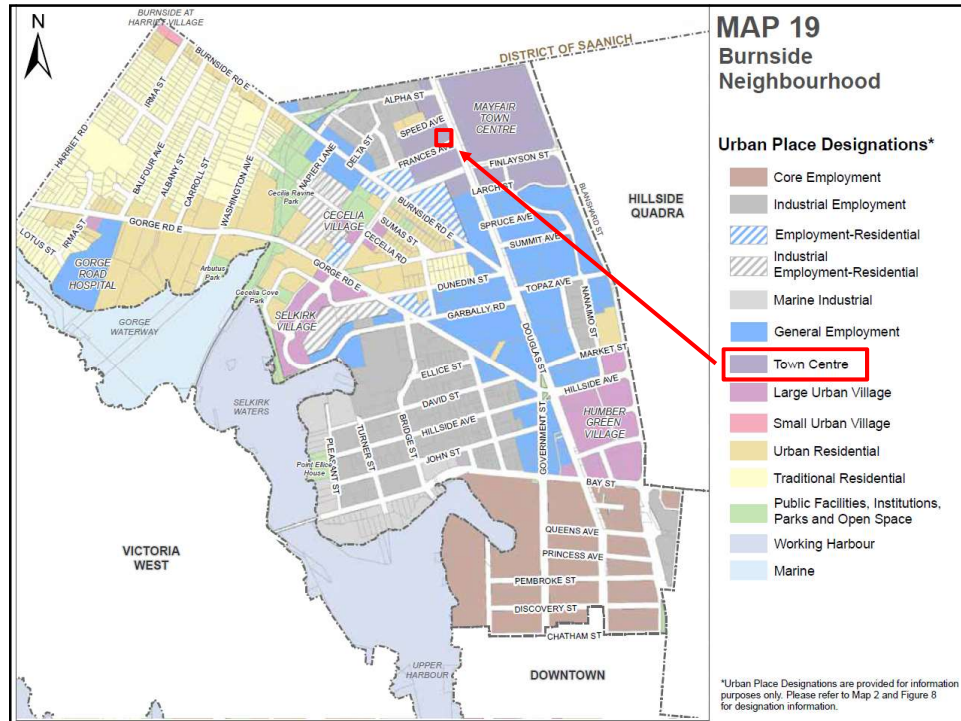
Flaman Fitness
3172 Douglas St



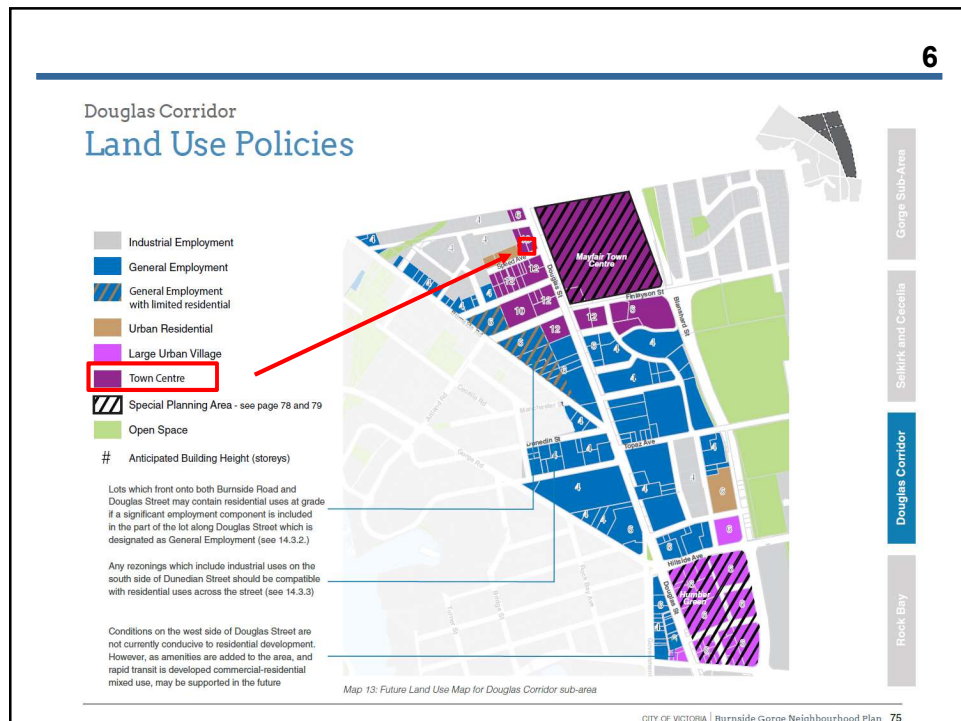
Mayfair Walk
630 Speed Ave



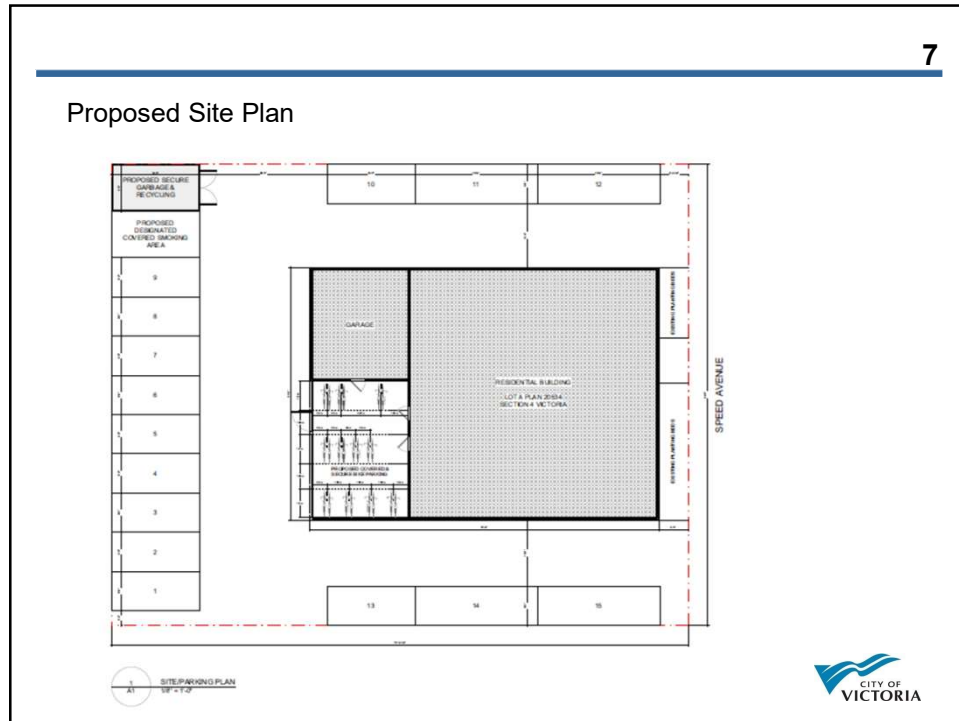
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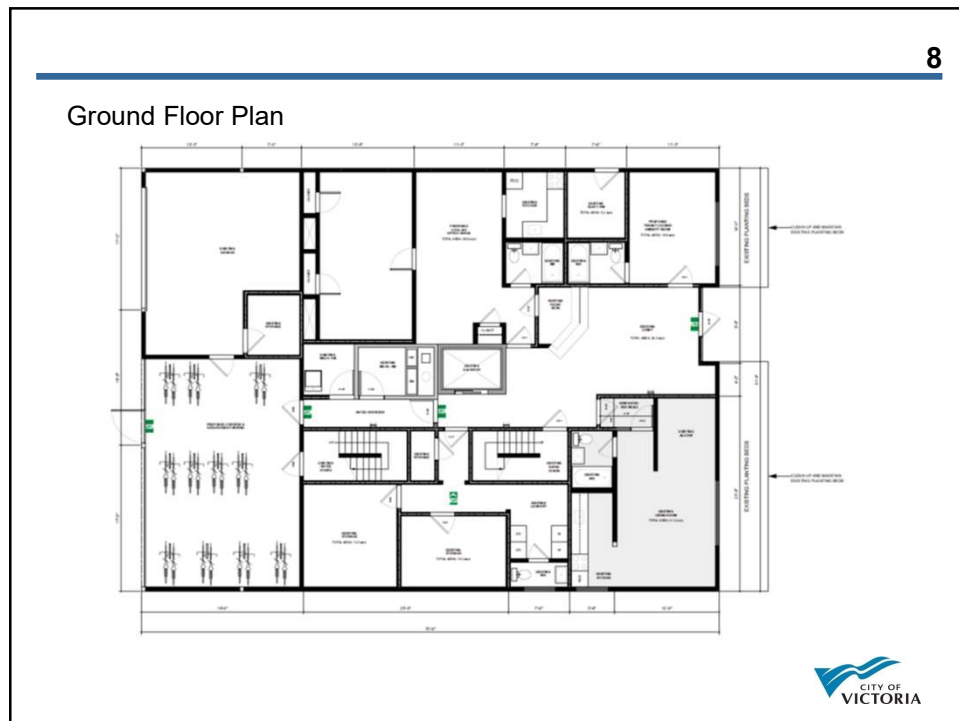
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6



7



8

Levels 2 – 4 Floorplans



April 22, 2020

To City of Victoria

RE: Temporary use Permit for 650 Speed Avenue, Victoria, BC

Back in early March 2020, it was brought to our attention that the Victoria Cool Aid Society, has submitted an application for a 2-year temporary use permit for 650 Speed Avenue. The Temporary use permit is to temporarily relocate the residents of 210 Gorge Road, while Victoria Cool Aid Society replaces the existing 21 supportive housing apartments.

As a neighbouring developer, business, owner of a residence we strongly oppose the plans the Victoria Cool Aid Society has for the 650 Speed Avenue property. We support Market Rental affordable housing spectrum, though strongly oppose the non-market affordable housing spectrum that Victoria Cool Aid Society is proposing, as the plans drastically impact the neighbourhood.

This housing would be on the main street of Victoria, beside a large development that is to commence this summer, we have concerns over the safety of the trades, and their tools, with the residents that Victoria Cool Aid Society houses. When we asked if we can have a tour of the current 210 Gorge Road residence, we were turned down, and they had suggested another location to tour. However, the reasons for our tour, would be to see how the people in the current housing live, and get a better feeling of whom is moving in next door to us.

Review of the Official Community Plan for the Mayfair Town Center, this sort of housing does not seem to be listed, and this spectrum of affordable housing can in the long term affect the plan of the area. In conjunction with the Burnside Gorge Community plan, the median income in the area is \$45,827 a year, based on the information we have received from Victoria Cool Aid Society this is not a typical income for the residents they expect to be moving into their building.

The safety and well-being of our residents, homeowners and business owners should be paramount. The changes within Mayfair Mall, do not align with adding a low-income affordable housing next door. According to the City of Victoria's housing Continuum, there are three levels of rental housing, non-market, low end of market rental housing and market rental housing. Developers are being encouraged to build affordable market rental housing, and we are doing so with our new development on Speed Ave, however what the Victoria Cool Aid is proposing is bringing in non-market rental housing which is the complete opposite.



We would ask that further reviews by the City as well as more public consultation take place prior to approving the temporary use permit. It is with our experience in rentals that once tenants move in, it will be extremely hard to get them out, therefore this all needs to take place prior to anyone moving in.

Regards,

A large, stylized handwritten signature in black ink, which appears to read "Edward Gerie". The signature is written over the word "Regards," and extends across the middle of the page.

Edward Gerie
President
Mike Geric Construction Ltd.



4520 West Saanich Road // Victoria // BC V8Z 3G4

To City of Victoria

Re: Temporary use Permit for 650 Speed Avenue, Victoria, BC

As the owner and developer in the neighborhood, we strongly oppose the plans from the Victoria Cool Aid Society for 650 Speed Avenue property. We strongly oppose the non-market affordable housing spectrum that Victoria Cool Aid Society is proposing, as the plans has big impact in neighborhood.

Our concern is the safety of our residents, homeowners especially the kids in the area.

Name:	Address:	Phone:
-------	----------	--------

James Liu	612 Frances Avenue	
Li Wang	618 Frances Avenue	
Lining Jack Tan	606 Frances Avenue	
Sha Peng	605 Speed Avenue	
Xianglin Yang	607 Speed Avenue	
Lining Chen	609 Speed Avenue	
Yi Han	615 Speed Avenue	
Hongbin Sun	629 Speed Avenue	



Committee of the Whole Report

For the Meeting of April 23, 2020

To: Committee of the Whole **Date:** April 9, 2020

From: Karen Hoes, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00672 for 1023 Tolmie Avenue

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00672 for 1023 Tolmie Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1023 Tolmie Avenue. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to the R1-S1 Zone, Restricted Small Lot (One Storey) District in order to subdivide the property and construct a new small lot house to the south of the existing dwelling.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential Urban Place Designation in the *Official Community Plan* (OCP, 2012)
- the proposal is consistent with the housing objectives and policies within the *Hillside-Quadra Neighbourhood Plan* to ensure that infill development is compatible with the existing character of the neighbourhood
- the proposal is consistent with the *Small Lot House Rezoning Policy* (2002), as the existing building on-site is being retained.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone from the R1-B Zone, Single Family Dwelling District, to the R1-S1 Zone, Restricted Small Lot (One Storey) District, in order to subdivide the property and construct a new small lot house to the south of the existing dwelling. Both properties would be within the R1-S1 Zone should the application be approved.

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

- reduced front, rear and south side yard setbacks on the south lot (new building)
- reduced south side yard setback on the north lot (existing building).

Affordable Housing

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

Tenant Assistance Policy

The proposal is to retain the existing single family dwelling and subdivide the property, which would not result in a loss of existing residential units. Therefore, a Tenant Assistance Plan is not required.

Sustainability Features

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

Active Transportation

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

Public Realm

No public realm improvements beyond City standard requirements are proposed in association with this Rezoning Application.

Accessibility

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

Land Use Context

The area is characterized predominantly by single family dwellings. Eight small lot houses have been approved and are under construction immediately to the east. The Quadra at Tolmie Small Urban Village is located to the west of the subject site. Multi-unit residential buildings are located to the north, within the District of Saanich.

Existing Site Development and Development Potential

The site is presently occupied by a single family dwelling. Under the current R1-B Zone, the property could be developed with a single family dwelling and either a secondary suite or a garden suite.

Data Table

The following data table compares the proposal with the standard R1-S1 Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone. Two asterisks are used to identify where the proposal is legally non-conforming.

Zoning Criteria	Proposed North Lot (existing building)	Proposed South Lot (new building)	Zone Standard R1-S1
Site area (m ²) – minimum	267.80	268.30	260
Density (Floor Space Ratio) – maximum	0.24	0.23	0.6
Total floor area (m ²) – maximum	64.40	62.90	160
Lot width (m) – minimum	16.41	16.20	10
Site coverage (%) - maximum	26.32	31.20	40
Height (m) – maximum	4.53	4.35	5
Storeys – maximum	1	1	1
Setbacks (m) – minimum			
Front (Fifth Street)	4.74**	4.20* (to house) 3.0* (to deck)	6.0
Rear	1.60**	3.50*	6.0
Side (north)	n/a	3.0	1.50 (non-habitable window) 2.40 (habitable window)
Side (south)	1.73* (habitable window)	1.50* (habitable window)	1.50 (non-habitable window) 2.40 (habitable window)

Zoning Criteria	Proposed North Lot (existing building)	Proposed South Lot (new building)	Zone Standard R1-S1
Side on flanking street (Tolmie Avenue)	7.48	n/a	2.40
Parking – minimum	1	1	1

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Hillside-Quadra CALUC at a Community Meeting held on June 28, 2018. A letter dated July 25, 2018 is attached to this report. The delay between the Community Meeting and Committee of the Whole Meeting was caused by revisions that were required before the application could proceed. Updated plans have been sent to the CALUC and at the time of writing this report a new letter from the CALUC has not been received by staff.

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

ANALYSIS

Official Community Plan

The *Official Community Plan* (OCP, 2012) designates the property within the Traditional Residential urban place designation, which envisions ground-oriented residential uses. The proposal is subject to Development Permit Area 15A: Intensive Residential - Small Lot (DPA 15A) and is generally consistent with the objectives of DPA 15A to achieve new infill development that respects the established character in residential areas. Further analysis related to the design will be provided in the accompanying Development Permit with Variances Application report.

Local Area Plans

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

Tree Preservation Bylaw and Urban Forest Master Plan

The goals of the Urban Forest Master Plan include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods.

This application was received prior to October 24, 2019, and therefore falls under Tree Preservation Bylaw No. 05-106 consolidated June 1, 2015. The applicant is proposing to retain all trees on the subject lot and on adjacent lots. No bylaw-protected trees are impacted by the proposal and all municipal trees will be protected and retained. One tree is proposed to be planted on the subject property.

Small Lot House Rezoning Policy

The proposal is generally consistent with the *Small Lot House Rezoning Policy*, as the existing building will be retained and the proposed lots meet the minimum lot size and width. In addition, the existing and proposed house will maintain the predominantly low heights that are found in the adjacent area, as the R1-S1 Zone has a maximum height of one storey.

CONCLUSIONS

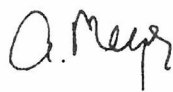
The proposal to rezone and subdivide the subject property, retain the existing building, and construct one new small lot dwelling is consistent with the objectives in the *Official Community Plan*, *Hillside-Quadra Neighbourhood Plan* and the *Small Lot House Rezoning Policy*. Staff recommend Council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

ALTERNATE MOTION

That Council decline Rezoning Application No. 00672 for the property located at 1023 Tolmie Avenue.

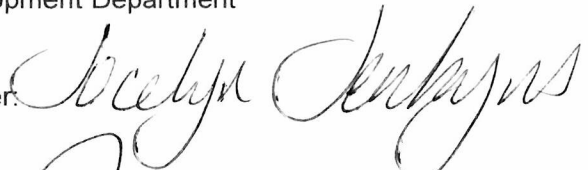
Respectfully submitted,


Michael Angrove
Senior Planner
Development Services Division




Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: Apr. 17, 2020

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped April 6, 2020
- Attachment D: Letter from applicant to Mayor and Council dated October 3, 2019
- Attachment E: Community Association Land Use Committee Comments dated July 25, 2018
- Attachment F: Small Lot Petition



Committee of the Whole Report For the Meeting of April 23, 2020

To: Committee of the Whole **Date:** April 9, 2020

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: Development Permit with Variances Application No. 00097 for 1023 Tolmie Avenue

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00097, if it is approved, consider the following motion:

That Council authorize the issuance of Development Permit with Variance Application No. 00097 for 1023 Tolmie Avenue, in accordance with:

1. Plans date stamped April 6, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the front yard setback on the south lot from 6.0m to 4.2m to the building and 3.0m to the deck;
 - ii. reduce the rear yard setback on the south lot from 6.0m to 3.5m;
 - iii. reduce the south side yard setback on the south lot from 2.4m to 1.5m for any portion of a dwelling used for habitable space and which has a habitable window; and
 - iv. reduce the south side yard setback on the north lot from 2.4m to 1.73m for any portion of a dwelling used for habitable space and which has a habitable window.
3. The Development Permit lapsing two years from the date of this resolution.

LEGISLATIVE AUTHORITY

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

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 1023 Tolmie Avenue. The proposal is to subdivide the property and construct a new small lot house on the southern portion of the property.

The following points were considered in assessing this application:

- the proposal is consistent with the design guidelines specified in the *Small Lot House Rezoning Policy* (2002) and the applicant would retain the existing single family dwelling
- the proposal is consistent with the *Hillside-Quadra Neighbourhood Plan* as it maintains the established character of the neighbourhood
- reducing the front yard setback on the south lot (new building) is supportable as it is a similar setback to the existing house and allows for adequate amenity space in the rear yard
- reducing the rear yard setback on the south lot (new building) is supportable as the setback is measured to exterior stairs and amenity space is preserved since the building itself is an appropriate distance from the rear lot line
- reducing the south side yard setback on the north lot (existing building) is supportable as the impacts will be internal to the site and the low building heights ensure that privacy is maintained
- reducing the south side yard setback on the south lot (new building) is supportable as the only proposed windows are at ground level, which ensures that privacy is maintained.

BACKGROUND

Description of Proposal

The proposal is to subdivide the property and construct a new small lot house on the southern portion of the property. Specific details include:

- one-storey building with a side yard parking pad
- traditional style of architecture with exterior materials that include hardie shingles, horizontal hardie siding and cultured rock
- front porch that increases amenity space while improving the interaction with the public realm.

A variance to reduce the south side yard setback from 2.4m to 1.73m is required for the existing house. For the proposed house, variances are required to reduce the front yard setback from 6.0m to 3.0m to the porch and 4.2m to the building face, reduce the rear yard setback from 6.0m to 3.5m, and reduce the south side yard setback from 2.4m to 1.5m.

Affordable Housing

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

Tenant Assistance Policy

The proposal would retain the existing single family dwelling and therefore a Tenant Assistance Plan is not required.

Sustainability Features

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

Active Transportation

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

Public Realm Improvements

No public realm improvements beyond City standard requirements are proposed in association with this Development Permit Application.

Accessibility

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

Existing Site Development and Development Potential

The site is presently occupied by a single family dwelling. Under the current R1-B Zone, the property could be developed with a single family dwelling and either a secondary suite or a garden suite.

Data Table

The following data table compares the proposal with the standard R1-S1 Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone. Two asterisks are used to identify where the proposal is legally non-conforming.

Zoning Criteria	Proposed North Lot (existing building)	Proposed South Lot (new building)	Zone Standard R1-S1
Site area (m ²) – minimum	267.80	268.30	260
Density (Floor Space Ratio) – maximum	0.24	0.23	0.6
Total floor area (m ²) – maximum	64.40	62.90	160
Lot width (m) – minimum	16.41	16.20	10
Site coverage (%) - maximum	26.32	31.20	40
Height (m) – maximum	4.53	4.35	5
Storeys – maximum	1	1	1

Zoning Criteria	Proposed North Lot (existing building)	Proposed South Lot (new building)	Zone Standard R1-S1
Setbacks (m) – minimum			
Front (Fifth Street)	4.74**	4.20* (to house) 3.0* (to deck)	6.0
Rear	1.60**	3.50*	6.0
Side (north)	n/a	3.0	1.50 (non-habitable window) 2.40 (habitable window)
Side (south)	1.73* (habitable window)	1.50* (habitable window)	1.50 (non-habitable window) 2.40 (habitable window)
Side on flanking street (Tolmie Avenue)	7.48	n/a	2.40
Parking – minimum	1	1	1

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Hillside-Quadra CALUC at a Community Meeting held on June 28, 2018. A letter dated July 25, 2018 is attached to this report. The delay between the Community Meeting and Committee of the Whole Meeting was caused by revisions that were required before the application could proceed. Updated plans have been sent to the CALUC and at the time of writing this report a new letter from the CALUC has not been received by staff.

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

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP, 2012)* identifies this property within Development Permit Area 15A, Intensive Residential - Small Lot. The proposal is generally consistent with the design guidelines specified in the *Small Lot Design Guidelines*. The immediate area primarily

consists of low heights and traditional architectural styles. The proposed dwelling is designed to fit into the existing context through its low height, pitched roof used in the area and front porch.

The house on the northern lot is existing and there are no changes proposed, so the building has not been assessed against the *Small Lot Design Guidelines*.

Local Area Plans

The *Hillside-Quadra Neighbourhood Plan* envisions future housing infill to be compatible with the established scale and character of adjacent and nearby housing. Staff believe the proposal is consistent with the Plan as the proposed house maintains the traditional architectural style and low heights that are found in the neighbourhood.

Tree Preservation Bylaw and Urban Forest Master Plan

The goals of the Urban Forest Master Plan include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods.

This application was received prior to October 24, 2019, and therefore falls under Tree Preservation Bylaw No. 05-106 consolidated June 1, 2015. The applicant is proposing to retain all trees on the subject lot and on adjacent lots. No bylaw-protected trees are impacted by the proposal and all municipal trees will be protected and retained. One tree is proposed to be planted on the subject property.

Regulatory Considerations

One variance for the north lot (existing dwelling) would reduce the south side yard setback from 2.4m to 1.73m. This variance is considered supportable as it is an internal condition and the proposed house has no windows on the north façade, which means privacy is maintained between the two dwellings.

There are three variances required for the south lot (proposed dwelling):

- reduce the front yard setback on the south lot (new building) from 6.0m to 3.0m. This setback is measured from the front lot line to the porch, which creates a positive relationship to the street. The front lot line to the building itself has a 4.2m setback, which is a similar setback to the existing house
- reduce the rear yard setback on the south lot from 6.0m to 3.5m, which is measured to the external staircase. The distance between the rear lot line and the building face is 5.5m, which is an appropriate distance that maintains both adequate amenity space and privacy with the neighbouring property
- reduce the south side yard setback when the building face has a habitable window of the south lot from 2.4m to 1.5m. The only habitable window on the proposed building is located just above the ground plane and therefore the privacy with the adjacent neighbour would be maintained.

CONCLUSIONS

The proposal to construct a new small lot house along with four variances is consistent with Development Permit Area 15A: Intensive Residential - Small Lot. The small lot house is a form of sensitive infill development and generally fits in with the existing neighbourhood. In this instance, the proposed variances are recommended as being supportable, as the front yard

setback of the proposed dwelling allows for a front porch and the building face setback is consistent with the existing dwelling, the rear yard setback of the proposed dwelling is minimal when measured to the building face, and both south side yard setback variances maintain privacy by eliminating sightlines into the adjacent dwellings. Therefore, staff recommend Council consider supporting this application.

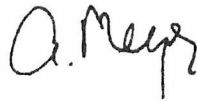
ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00097 for the property located at 1023 Tolmie Avenue.

Respectfully submitted,



Michael Angrove
Senior Planner
Development Services Division



Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

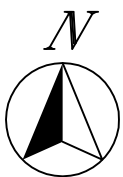
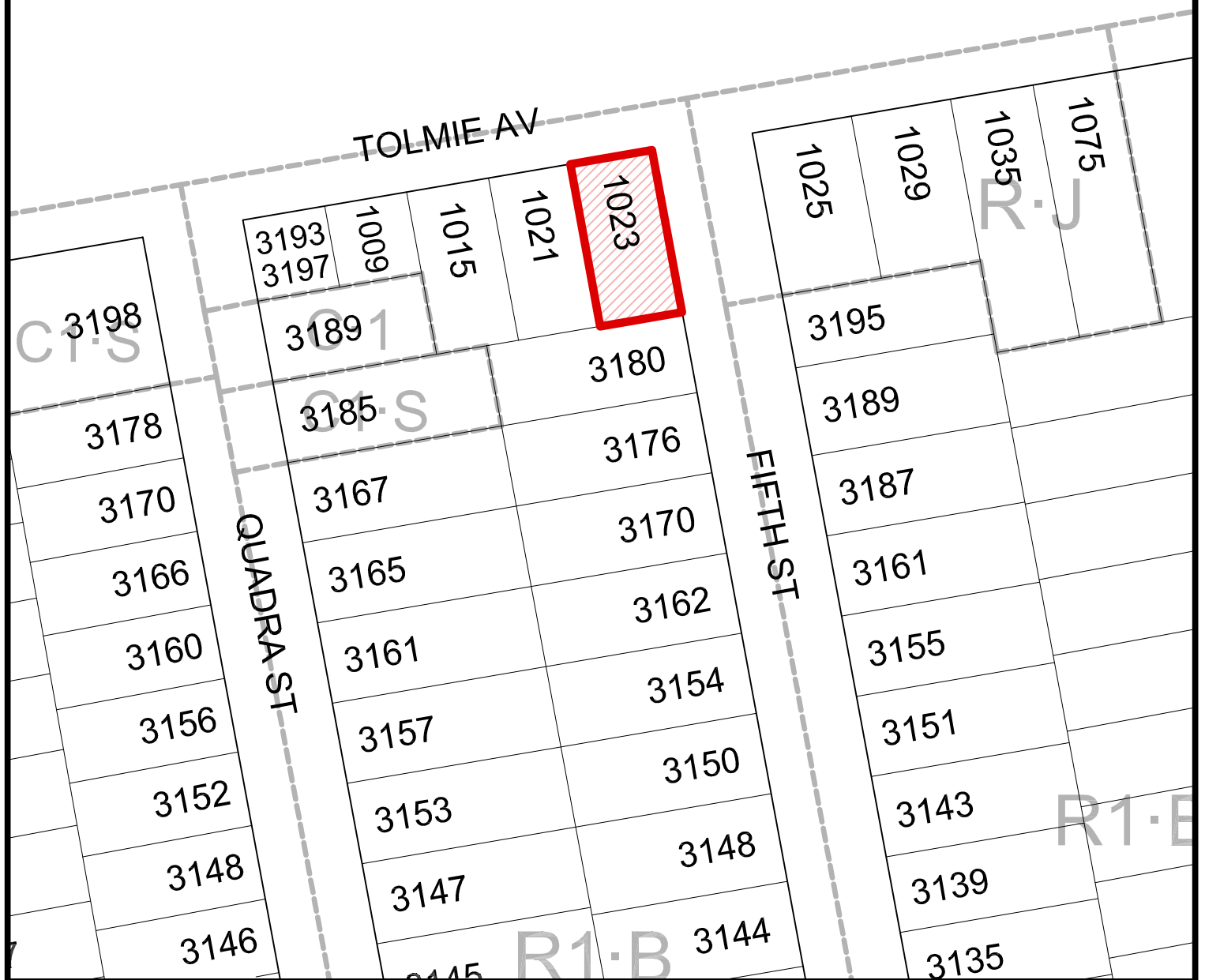


Date: April 17, 2020

List of Attachments

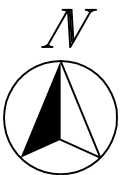
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MUNICIPALITY OF SAANICH



1023 Tolmie Avenue
Rezoning No.00672

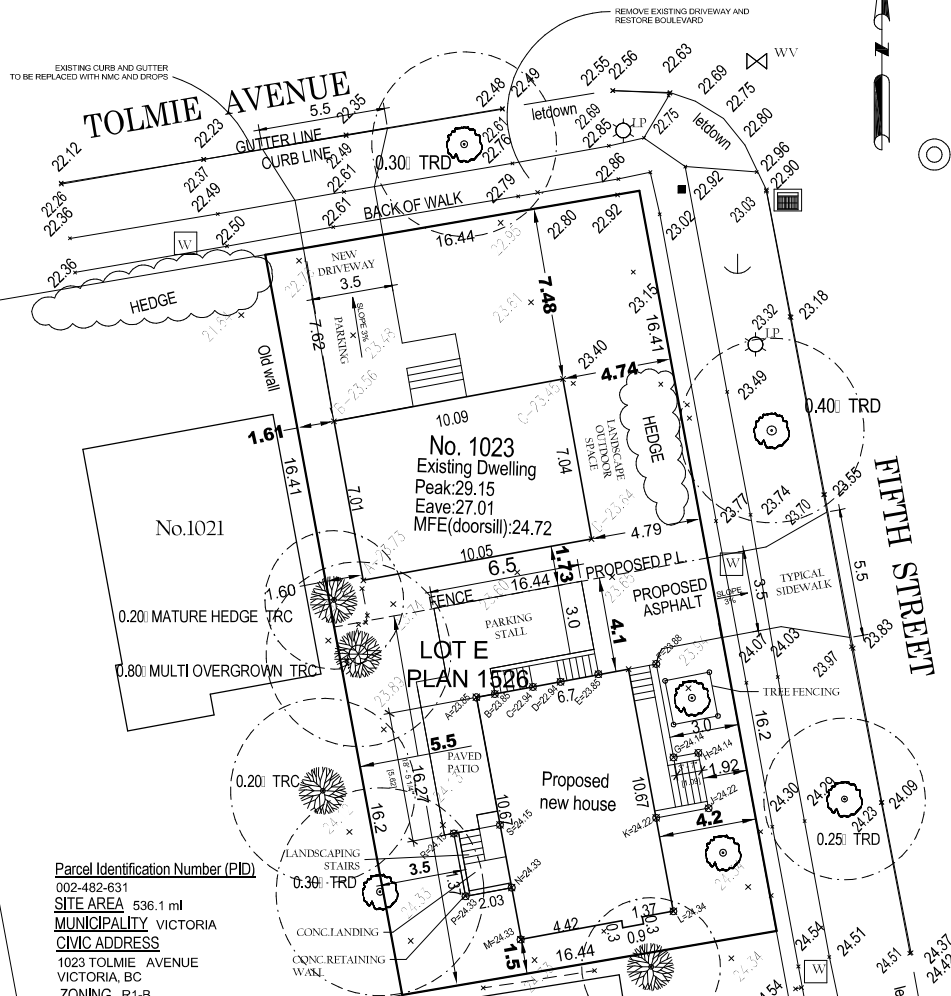




1023 Tolmie Avenue
Rezoning No.00672



B.C. LAND SURVEYOR'S SITE PLAN OF:
LOT E, SECTION 4, VICTORIA DISTRICT, PLAN 1526



Parcel Identification Number (PID)
002-482-631
SITE AREA 536.1 ml
MUNICIPALITY VICTORIA
CIVIC ADDRESS
1023 TOLMIE AVENUE
VICTORIA, BC
ZONING R1-B

Site Plan
1 : 100

Existing House Grade Calculation

GRADE POINTS	Grade Points	Average of Points	Distance Between Grade points (m)	Totals
Grade Point A : 23.73	Points A-B	$((A+B)/2)$	23.65×7.01	165.75
Grade Point B : 23.56	Points B-C	$((B+C)/2)$	23.51×10.09	237.17
Grade Point C : 23.45	Points C-D	$((C+D)/2)$	23.55×7.24	169.76
Grade Point D : 23.64	Points D-A	$((D+A)/2)$	23.69×10.05	238.03
Average grade =				806.71

Proposed House Grade Calculation

GRADE POINTS	Grade Points	Average of Points	Distance Between Grade points (m)	Totals
Grade Point A : 23.85	Points A-B	$((A+B)/2)$	23.85×0.81	19.32
Grade Point B : 23.85	Points B-C	$((B+C)/2)$	23.40×1.68	39.30
Grade Point C : 22.94	Points C-D	$((C+D)/2)$	22.94×1.22	27.99
Grade Point D : 22.94	Points D-E	$((D+E)/2)$	23.40×1.68	39.30
Grade Point E : 23.85	Points E-F	$((E+F)/2)$	23.87×2.54	60.62
Grade Point F : 23.88	Points F-G	$((F+G)/2)$	24.01×4.11	98.68
Grade Point G : 24.14	Points G-H	$((G+H)/2)$	24.14×1.09	26.31
Grade Point H : 24.14	Points H-I	$((H+I)/2)$	24.18×2.44	59.00
Grade Point I : 24.22	Points I-J	$((I+J)/2)$	24.22×2.31	55.95
Grade Point J : 24.22	Points J-K	$((J+K)/2)$	24.28×4.11	99.79
Grade Point K : 24.34	Points K-L	$((K+L)/2)$	24.34×6.71	163.29
Grade Point L : 24.34	Points L-M	$((L+M)/2)$	24.33×2.38	55.47
Grade Point M : 24.33	Points M-N	$((M+N)/2)$	24.33×2.03	49.39
Grade Point N : 24.33	Points N-P	$((N+P)/2)$	24.24×2.77	67.14
Grade Point P : 24.15	Points P-R	$((P+R)/2)$	24.15×2.03	49.02
Grade Point R : 24.15	Points R-S	$((R+S)/2)$	24.00×5.62	134.88
Grade Point S : 24.15	Points S-A	$((S+A)/2)$		43.43
Average grade =				1045.46

LEGEND

Elevations are geodetic based on Integrated survey monument 32-4 in the City of Victoria at elevation 27.380m.

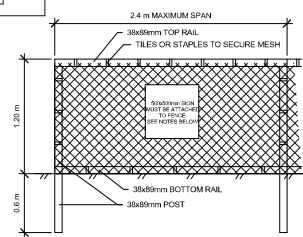
Note: Only trees with Trunk greater than 0.20m are identified. Consult Arborist to verify tree species

Grade shots are taken at the point marked X

- denotes Lead plug found
- denotes Deciduous Tree type, trunk size in cm
- denotes Coniferous Tree type, trunk size in cm
- denotes Water meter
- denotes unmarked manhole
- denotes pole with light
- denotes Storm Manhole
- denotes Sanitary manhole
- denotes Anchor
- denotes water valve
- denotes catchbasin
- MFE - denotes Main Floor Elevation (Door Sill)

FLAT LOT, UNABLE TO CONTOUR

Tree protection fencing



TREE PROTECTION FENCING

- NOTES:
1. FENCE WILL BE CONSTRUCTED USING 38x89 mm (2"x4") WOOD FRAME: TOP, BOTTOM AND POSTS.
 2. ATTACH A 500mm x 500mm SIGN WITH THE FOLLOWING WORDING: WARNING: HABITAT PROTECTION AREA. THIS SIGN MUST BE AFFIXED ON EVERY FENCE OR AT LEAST EVERY 10 LINEAR METRES.
 - * IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED.

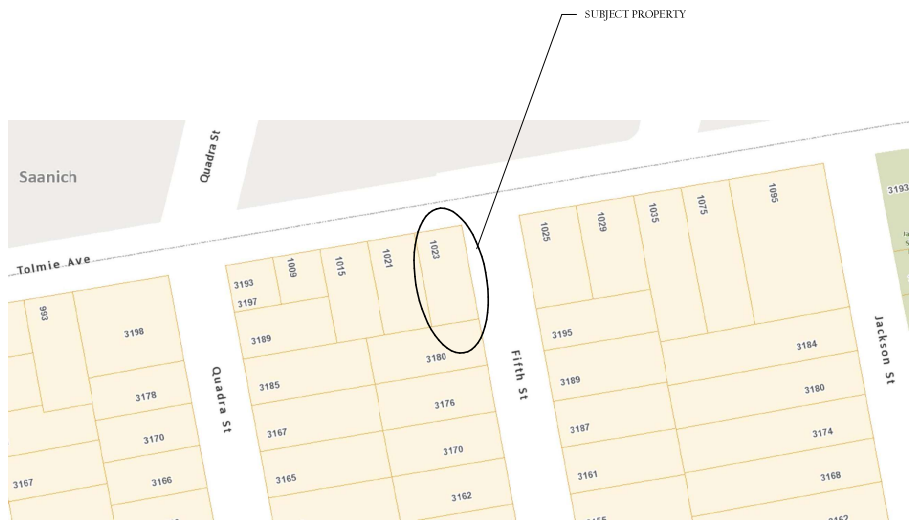
Existing/Proposed Lot Data Table

Zoning	Parent / existing parcel remainder - North Lot	Proposed new South Lot	Zone Standard (R1-S1)
Site Area (m ²) (min)	R1-B 287.9	R1-S1 288.3	280
Lot Width (m) (min)	16.41	16.2	10.0
Total Floor Area (m ²) (max)	64.4	62.9	160.0
Density max	0.24	0.23	0.6 to 1
Average grade	23.59	24.07	n/a
Height of Building (m) (max)	4.53	4.35	5.0
Number of Storeys (max)	1	1	1
Basement	Yes	Yes	Permitted
Roof Deck	No	No	Not permitted
Setbacks (m):			
Front (Pth Street)	4.74	4.2 to house, 3.0 to deck	6.0
Projection - Stairs (max)	n/a	2.28	2.5 (1.7m max H)
Projection - Porch roof (max)	n/a	1.2	1.5 (no vertical supports)
Rear (direction)	1.6	3.5	6.0
Side (north)	n/a	3.0	1.5 (non-habitable)
Side (south)	1.73	1.5	2.4 (habitable)
Sid on flanking street (Tolmie Ave)	7.48	n/a	2.4
Site Coverage (%)	26.32	31.2	40
Parking	1	1	1
Parking location	Side	Side	
Driveway/parking slope % (max)	3	3	8.0
Driveway/parking material	Asphalt	Pavers and Asphalt	Solid surface

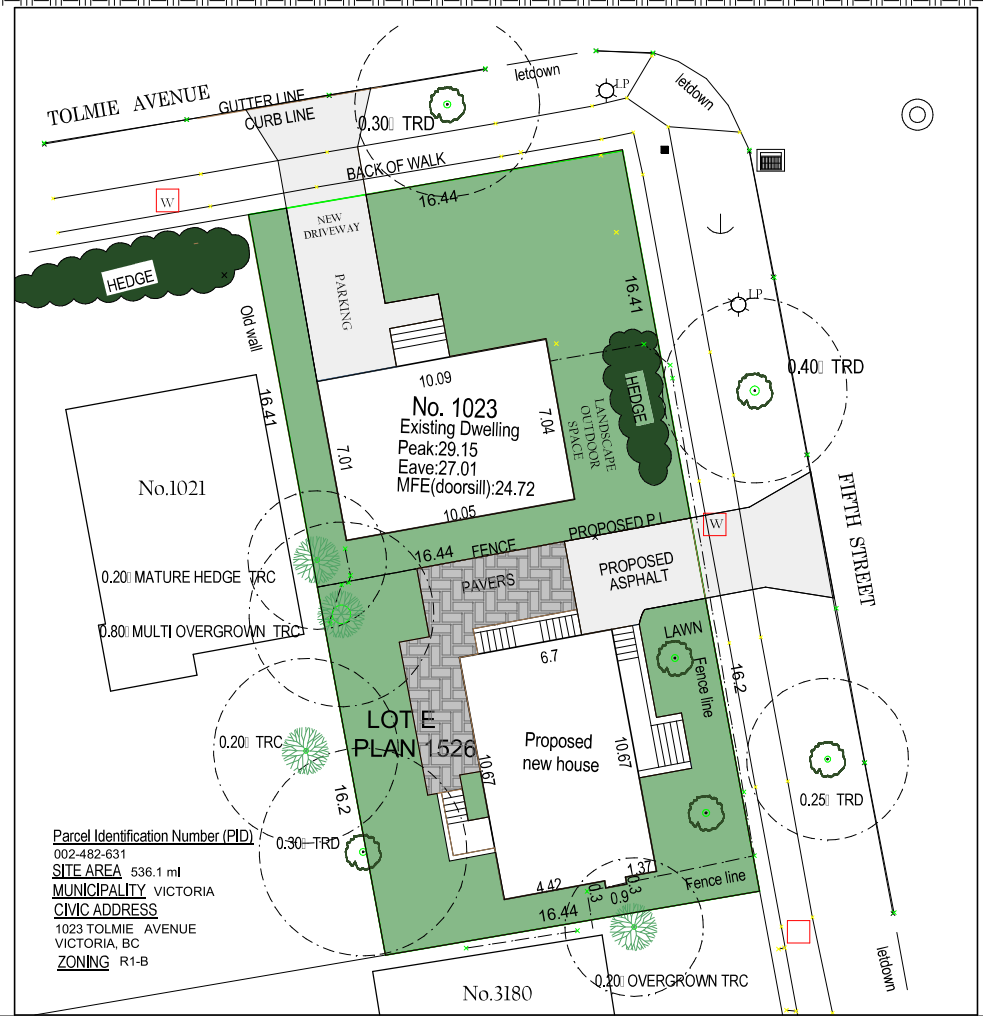




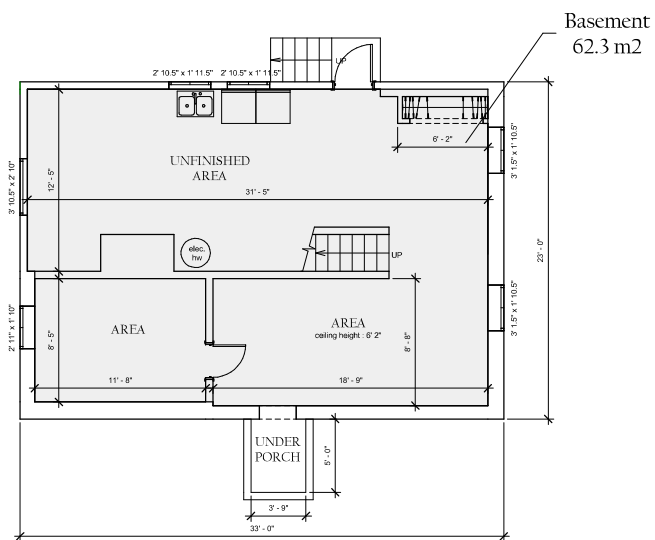
Streetscape
 1/4" = 1'-0"



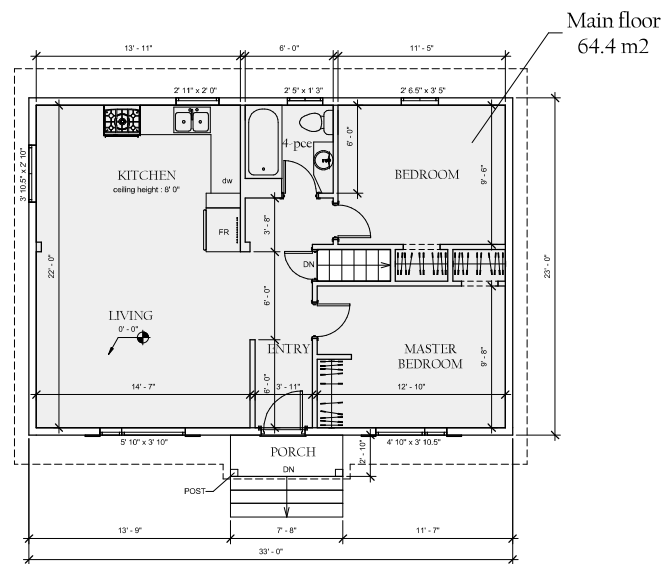
Landscape Plan
 1 : 100



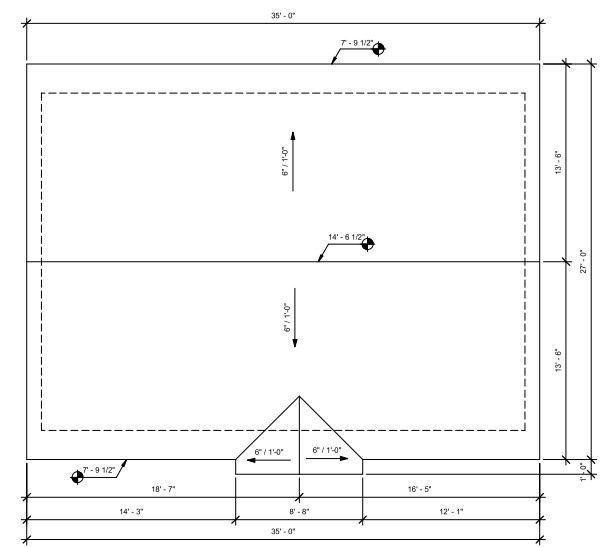
Rev	Date	Author	Revised/Notes
1	2015-02-20	Project set	
2	2015-02-20	Final set	
Aspire Custom Designs 1140 Duke Street Victoria BC Canada V8V 1J9 Canada - Tel: 250-470-1888			
1023 Tolmie Avenue Lot Subdivision			
Landscape Plan			
Drawn by	L. Basso	Scale	1" = 10' if not noted
Checked by	L. Basso	Sheet	A1.1
File No.	2015-02-20	Project	0



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



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



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

Rev	Date	Author	Revised/Notes
1	2013-01	ASPIRE	Initial Design
2	2013-02	ASPIRE	Revised Design
3	2013-03	ASPIRE	Final Design
4	2013-04	ASPIRE	Final Design
5	2013-05	ASPIRE	Final Design
6	2013-06	ASPIRE	Final Design
7	2013-07	ASPIRE	Final Design
8	2013-08	ASPIRE	Final Design
9	2013-09	ASPIRE	Final Design
10	2013-10	ASPIRE	Final Design
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North elevation

1/4" = 1'-0"



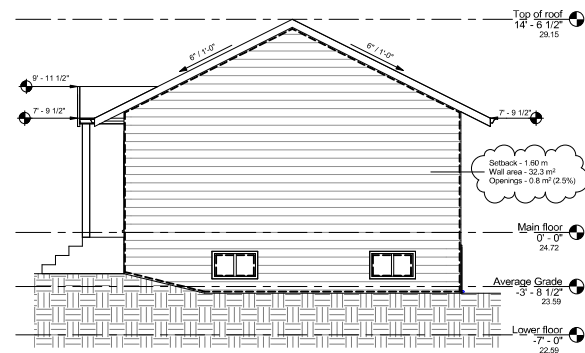
East elevation

1/4" = 1'-0"



South elevation

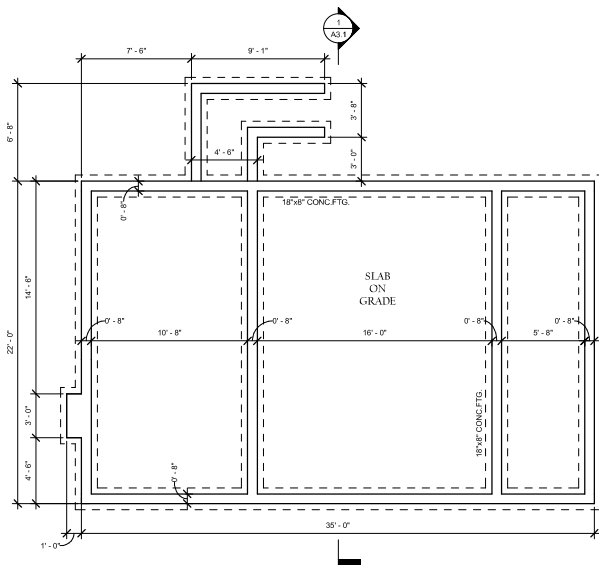
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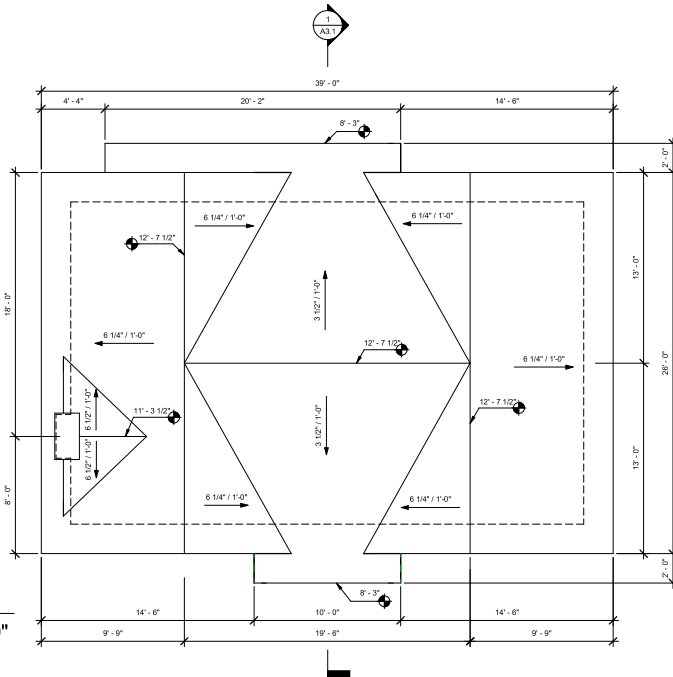
West elevation

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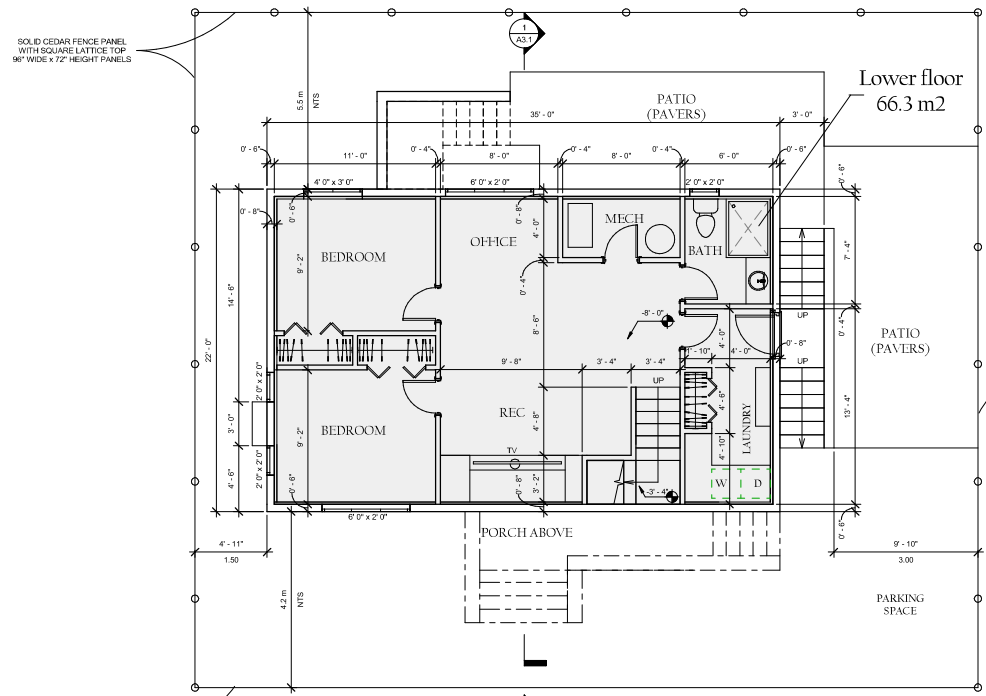
Rev	Date	Author	Revised/Notes
1	2013-03-20	Printed out	
Aspire Custom Designs			
1142 Halls Road			
Vancouver, BC Canada V6V 1L9			
Canada - Suite 200-410 1888			
1023 Tomsie Avenue			
Lot Subdivision			
Existing House Elevations			
L. Board		1/4" = 1/8" or as noted	
L. Board		A2.1	
Rev 20 2020		0	



Foundation plan
1/4" = 1'-0"

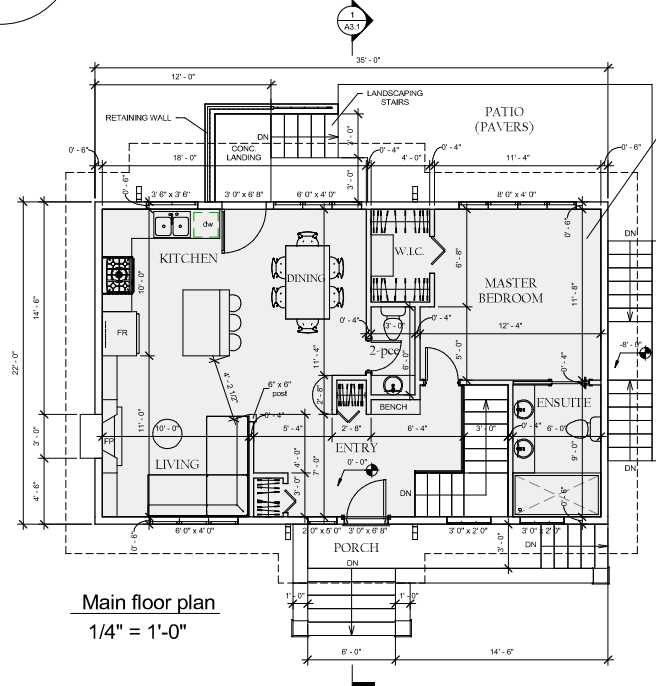


Roof plan
1/4" = 1'-0"



Lower floor
66.3 m2

Lower floor plan
1/4" = 1'-0"



Main floor
62.9 m2

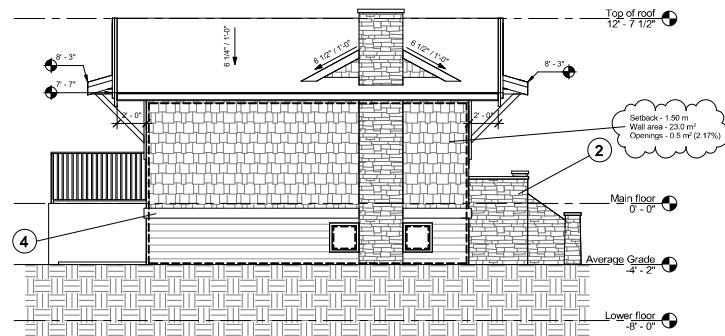
Main floor plan
1/4" = 1'-0"

Rev.	Date	By	Check	Description/Notes
1	2023-03-28	Planned	Not used	
2	2023-03-28	Planned	Not used	
<div> </div> <div> </div>				
<div> Aspire Custom Designs 11425 Main Street Victoria BC Canada V8L 1L3 Canada / Phone 250-470-1888 </div>				
10223 Tolaria Avenue Lot Subdivision				
Proposed House Plans				
Drawn by	L. Bloor	Scale	1/4" = 1'-0" or as noted	
Checked by	L. Bloor	Sheet	A3.0	
Project No.	2023-03-28	Revision	0	



Front elevation

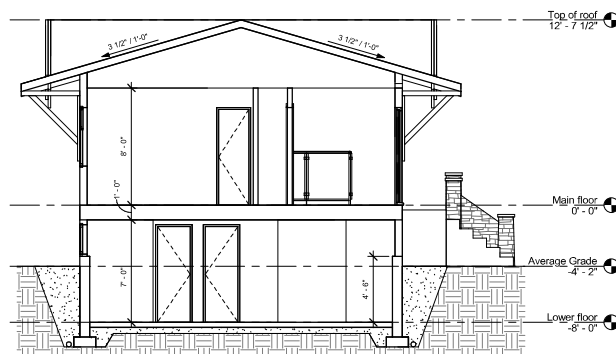
1/4" = 1'-0"



Left side elevation

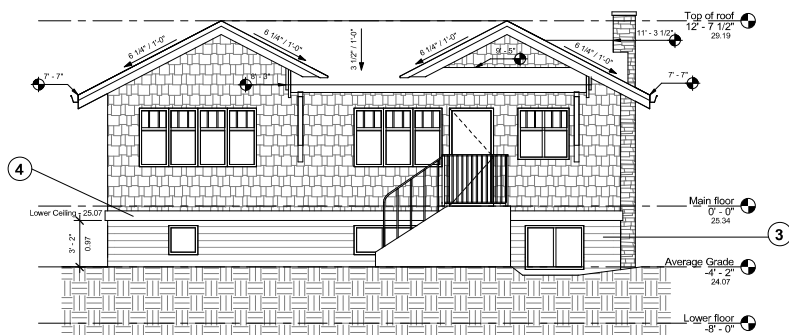
1/4" = 1'-0"

- ① Hardie Shingles (Non-combustible) - Light Grey
- ② Cultured Rock - Dark Grey
- ③ Horizontal Hardie Siding (Non-combustible) - Dark Grey
- ④ White Trim



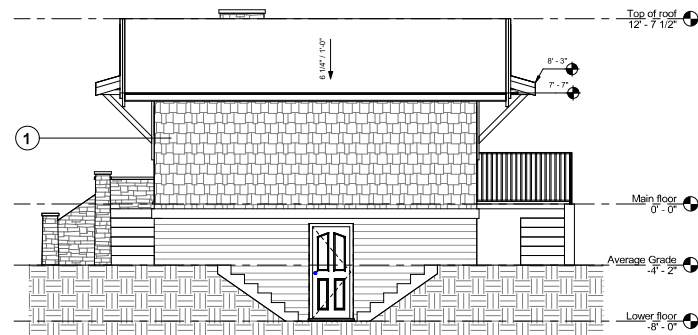
Building section

1/4" = 1'-0"



Rear elevation

1/4" = 1'-0"



Right side elevation

1/4" = 1'-0"

To: City of Victoria

Attention: Mayor and Council

From: Vincent Portal and Paul Bergmann

Date: October 3rd, 2019

Re: proposed small lot housing subdivision at 1023 Tolmie Avenue

Dear Mayor and Council,

We are seeking approval to pursue a small lot subdivision at 1023 Tolmie Avenue.

The subject property is a corner lot property situated at the corner of Tolmie Avenue and Fifth Street. The location is within walking distance to parks, schools, and numerous services and amenities. It is also located near major public transportation and biking corridors.

The project entails the subdivision of an existing R1-B corner lot into two R1-S2 lots to create a new family dwelling. The proposed 2-storeys, 3 bedrooms, 2 bath (approx. 1400 sf) new dwelling would be facing Fifth Street.

The existing house which is currently rented to a family will be preserved.

We have petitioned a total of 31 residences, including the apartment building at 1028 Tolmie Avenue located in the Municipality of Saanich. Out of the 31 residences petitioned, 8 support the proposal, one is opposed, and the others are neutral (no response provided within a 30-day time period or despite repeated efforts to connect with them).

The proposal submitted for your consideration has benefited from valuable City staff input. All technical requirements, as well as suggestions made by City staff such as increasing front yard space, street relationship, and enhancing street presence with the creation of better outdoor spaces have been incorporated.

The proposal is consistent with the Official Community Plan and Small Lot Housing Rezoning Policy and is similar to another small lot subdivision completed in the past a few houses up the block at the corner of Fifth Street and Finlayson. The creation of one additional single-family dwelling by maximizing the use of a limited supply of land is a small, yet important contribution to increasing the City's housing stock.

The proposed new dwelling is of modest scale and consistent with the heights, massing and overall feel and look of adjoining properties. The design characteristics of the proposed new dwelling is consistent with older homes in the neighbourhood, including overall scale, roof lines, proportion of glazing and character details.

The design of the proposed new dwelling accounts for the privacy needs of existing properties located on the North and South sides by purposefully neglecting or minimizing the use of glazing. The front of the house is facing East (Fifth Street) which provides sufficient space to accommodate the privacy of houses located across the street. The use of a cedar panel fence all around the property, in addition to the presence of an established row of evergreen on the West side of the property will also contribute to a sense of privacy. There is no protected tree impacted by the proposal.

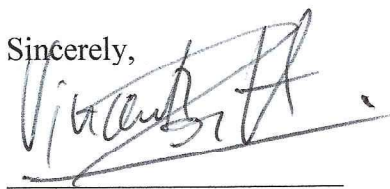
The existing home will benefit from minor exterior alterations (e.g. relocation of driveway and parking pad to the Northwest corner to create more outdoor space and landscaped space on the North and Northeast corner, removal of a stair and landing area on the South East corner) that will improve streetscape on Tolmie Avenue and Fifth Street while causing minimal disturbance to the tenants. The addition of a single new house will also improve the streetscape along Fifth Street.

The proposal requires three variances:

- Existing home (1 variance): The rear yard setback on the existing home is 1.61m (6.0m required). A variance of 4.39m is requested to allow for the preservation of the existing house. Relocating the driveway and parking pad to the rear yard provide for greater and usable outdoor space on the opposite corner of the existing property (at the corner of Tolmie Avenue and Fifth Street). The existing mature vegetation provides privacy to the existing home.
- Proposed new dwelling home (2 variances): A variance of 1.8m is requested for the front yard (6.0m required, 4.2m to house; 3.0m to deck proposed) and a variance of 0.5m is requested for the rear yard (6.0 required, 5.5m proposed). These requests are consistent with typical small lot designs. The existing and well-established vegetation (rear yard) creates a good privacy screen. Requested variance for the front yard provides for well situated green/play space and contributes to street appeal.

This proposal is respectfully submitted for your consideration.

Sincerely,



Vincent Portal



Paul Bergmann

By email to: mangrove@victoria.ca

Michael Angrove, Planner

25 July 2018

Dear Michael Angrove:

Re: Community meeting for 1023 Tolmie Ave

Community Meeting Details

Date: 28 June 2018

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

Meeting facilitated by: Hillside Quadra Neighbourhood Action Committee (NAC)

Approximate number of people in attendance: 5 community members, 2 members of NAC executive

Meeting Chair: Jenny Fraser

Note-taker: Zachary May

Proposed Development Details

Vincent Portal, on behalf of the property owner, Samantha Wood, who was also present at the meeting, provided details of the proposed development.

The property is a corner lot, with the existing dwelling fronting onto Tolmie Avenue. It is zoned R1-B and the proponent is seeking a small lot subdivision. The lot is 536.1m² and meets the size requirements for small lot subdivision.

The existing single family dwelling on the property would be retained with minor exterior alterations (removal of steps and landing on the south side of the dwelling). This dwelling is a small bungalow. It is currently a rental property, and the proponent indicates it would continue to be a rental dwelling.

The new dwelling would front onto Fifth Street. It would be two storeys high with a full basement, and have a main floor area of 63m². Elevations suggest it would be similar in height to the existing dwelling to the north, and lower than the existing house to the south. It would be 1.5 metres from the fence line of the property directly to the south. In order to maintain privacy between the new dwelling and the adjacent dwellings, the new dwelling would have minimal glazing on both the north and south sides. On the south side, the only windows would be two basement windows located below the fence line of the adjacent dwelling. The proponent indicates her family intends to live in this new dwelling.

Each dwelling would have its own off-street parking located behind the front line of the building in keeping with current requirements. The driveway of the new dwelling would be on the north side.

The proponent is seeking variances on both the existing and the proposed new building.

- One variance on the existing dwelling, a reduction from 6 metres (required) to 1.73 metres (actual) on the south side (the back of the existing dwelling); and
- Two variances on the proposed new building: i) from 6 metres to 4.2 metres in the front, and ii) from 6 metres to 5.5 metres in the rear.

NAC chaired an earlier Community Meeting on this property in March 2008 or 2009; the proponent did not pursue development at that time.

Discussion

The discussion was dominated by the neighbour directly to the south who stated that he doesn't want another house to be built beside his house. The reasons provided included concerns about: increased traffic and on-street parking; changing the continuity of the neighbourhood; privacy; the size of the lot; and the proximity of the proposed new house. Mr. Portal confirmed that the proposed onsite parking and lot size are consistent with City requirements, and other meeting participants confirmed that other small lot subdivisions exist in the neighbourhood.

The neighbour also suggested preferred alternatives including adding on to the existing dwelling; demolishing the existing dwelling and building adjacent townhouses; moving the existing dwelling to the north end of the property and building the second dwelling further to the north; and reducing the footprint of the new dwelling and increasing its height. The proponent indicated that these options were not economically feasible, or not in keeping with R1-B zoning. She also indicated that the current proposal to build a lower dwelling with a larger footprint reflects in part an effort to respond to earlier concerns about the height of an earlier design.

Meeting participants asked whether the design could be modified so that the driveway is south of the proposed new house – creating a wider buffer between the new house and the neighbour to the south. Mr. Portal indicated this would not meet requirements for setbacks.

One meeting participant commented that the proposed removal of the rear stairs and landing on the existing dwelling was a positive design decision. Another meeting participant asked about landscaping; this will include permeable paving. The proposed new dwelling will not incorporate any special energy efficiency measures beyond code due to their costs.

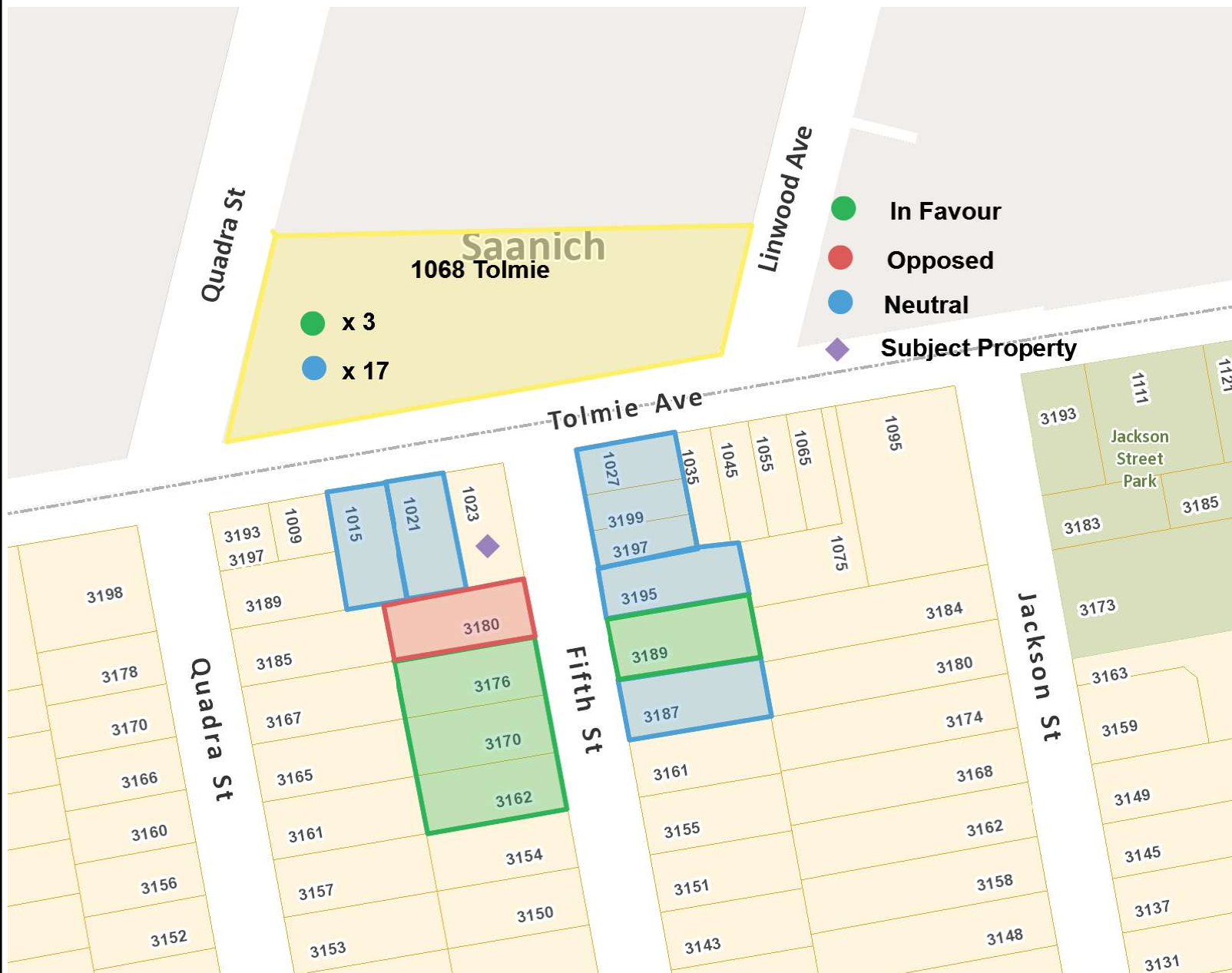
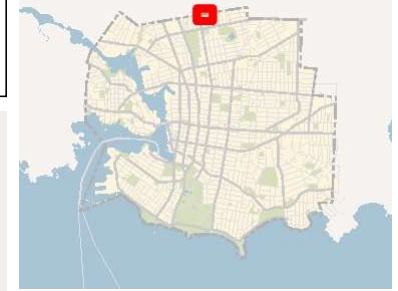
Thank you on behalf of the neighbourhood for the opportunity to comment on this proposed development.

Jenny Fraser (no electronic signature available)

CALUC Chair,
Hillside Quadra Neighbourhood Action Committee

cc. Hillside Quadra Neighbourhood Action Committee nag@quadravillagecc.ca

Vincent Portal



Legend

Victoria Parcels

1: 1,600



Notes

81 0 41 81 Meters

NAD_1983_CSRS_UTM_Zone_10N

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

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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

1

Rezoning and Development
Permit with Variances
Application
For
1023 Tolmie Avenue



1

Aerial View

2



2

Subject Site

3



3

Neighbouring Properties

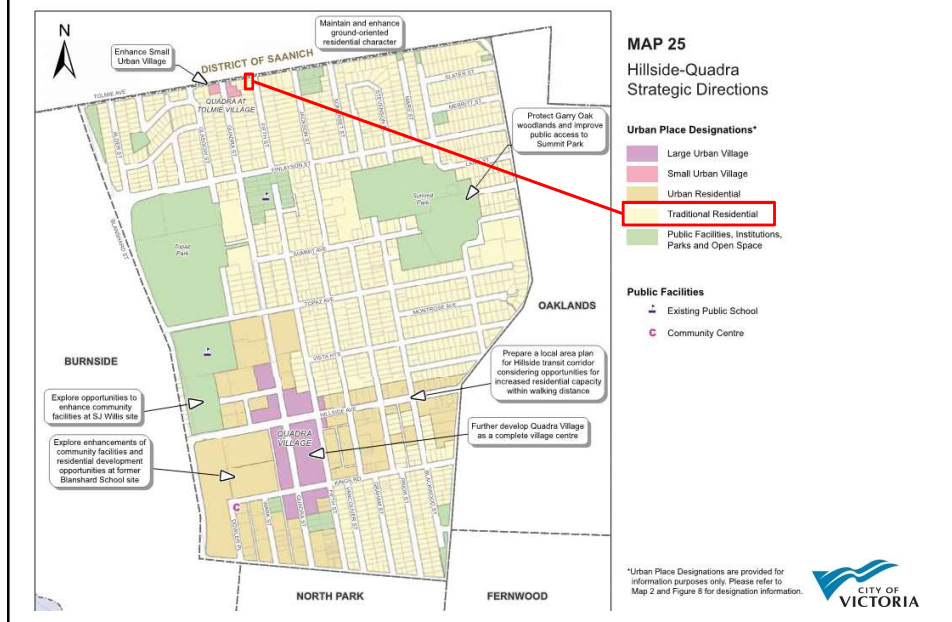
4



4

Official Community Plan

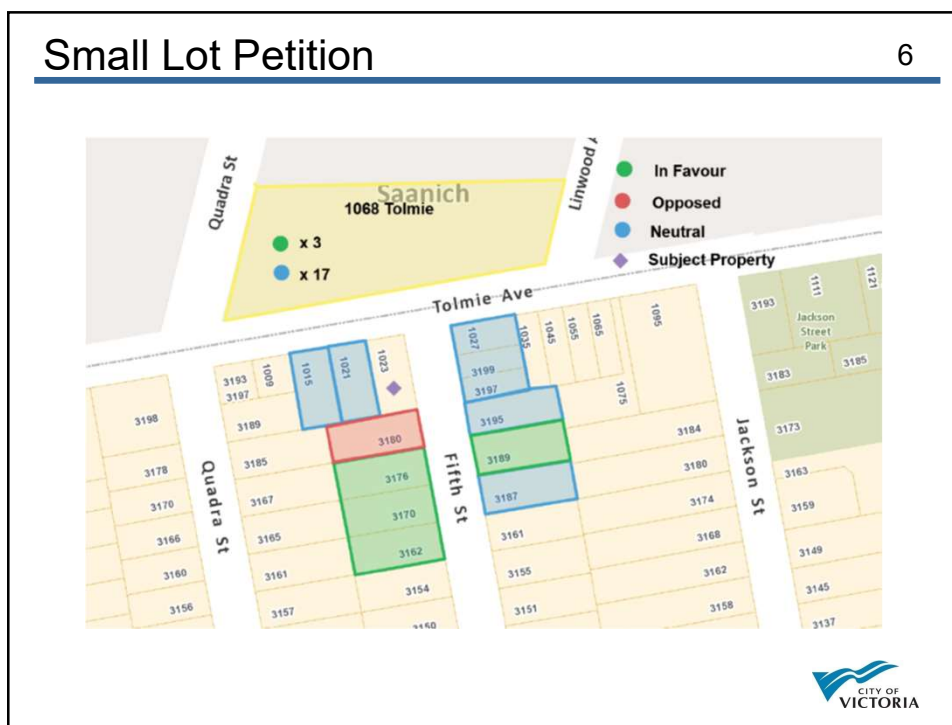
5



5

Small Lot Petition

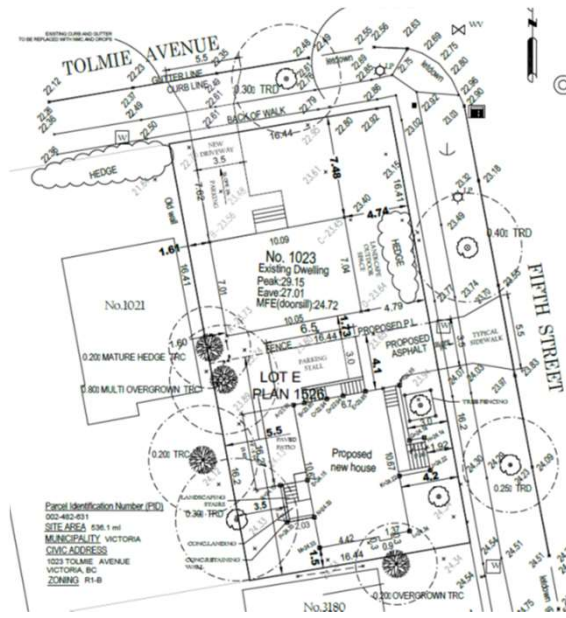
6



6

Site Plan

7



7

Elevations

8



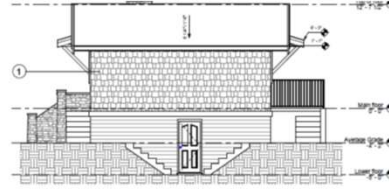
Front elevation
1/4" = 1'-0"



Left side elevation
1/4" = 1'-0"



Rear elevation
1/4" = 1'-0"



Right side elevation
1/4" = 1'-0"



8

Street Context

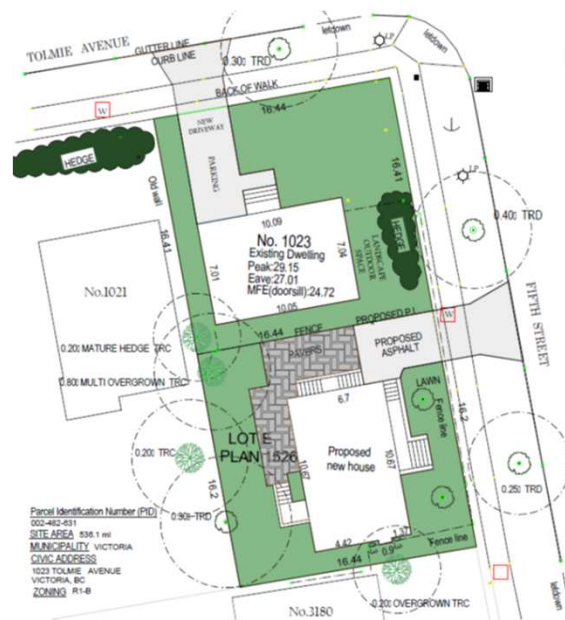
9



9

Landscape Plan

10



10



Committee of the Whole Report

For the Meeting of April 23, 2020

To: Committee of the Whole **Date:** March 27, 2020

From: Karen Hoesel, Director, Sustainable Planning and Community Development

Subject: **Update on Application for a New Food Primary License with Entertainment Endorsement for January Gin Joint & Eatery at 1820 Government Street**

RECOMMENDATION

That Council receive this report for information.

ADDITIONAL INFORMATION

At the Council meeting of March 12, 2020, Council directed staff to provide information from the applicant on how the application is consistent with the food primary designation. There were also questions about the roles and responsibilities of the City and LCRB in the approvals process.

The approval of liquor licences is the authority of LCRB and they consider all aspects of applications against their guidelines. These guidelines assess aspects of the business subject to the terms and conditions of the licence under which the business may serve alcoholic beverages. In the case of food primary licences, determination that the primary purpose of the business is food involves consideration of kitchen equipment; furnishings and lighting; menu type; hours of entertainment and games to be offered; advertising; hours of operation; financial records; and ratios of food to liquor sales. These aspects of a restaurant are regulated by policy to ensure the operation of the restaurant and behaviour of patrons does not become so similar to that of a liquor primary license that the distinction between the two becomes blurred.

When local governments are referred an application it is for the purpose of providing comment regarding the impact of noise on nearby residents, impact on the community if the application is approved, or whether or not the application, if approved, would result in the service area being operated in a manner that is contrary to the primary purpose. The City's review process includes public notification and circulation of the application to City departments for commentary.

At the Committee of the Whole meeting of March 12, 2020, Council requested information from the applicant to demonstrate how their application is consistent with the food primary designation. The applicant has provided a letter in response to this request which is attached as Appendix A. The letter provides additional information about the general business concept, the intended menu, target clientele, and the relationship of the establishments name to the food and beverage served.

The applicant has been in contact with the LCRB regarding their application and understands menu selection, name of the establishment and other aspects detailed in the Guidelines are subject to

review and approval of LCRB file managers and inspection staff. As local governments consider applications in parallel with LCRB review, specific issues about the in-process application for a Food Primary Licence with Entertainment Endorsement have not been conveyed to the applicant and are not made available to City staff.

Respectfully submitted,



Ryan Morhart
Manager
Permits & Inspections



Karen Hoese
Director
Sustainable Planning &
Community Dev.

Report accepted and recommended by the City Manager:



Date: April 17, 2020

List of Attachments

Appendix A: Letter from January Gin Joint & Eatery dated March 25, 2020



January Gin Joint & Eatery Ltd.
1820 Government Street
Victoria, BC V8T 4N5
T. 604-644-3042
E. tt@januaryinvictoria.com

Committee of the Whole
City of Victoria
No. 1 Centennial Square
Victoria, BC V8W 1P6

March 25, 2020

In Regards To:

Application for 1 Hour Extension of Regular Food Primary Liquor
Service; and Application for Patron Participation Entertainment
Endorsement; 1820 Government St, Victoria, BC V8T 4N5

Dear Mayor Helps and Members of Council,

Thank you again for the opportunity to provide more information about our small business venture and address any questions or concerns regarding my 2 Applications currently being considered by the City.

January Gin Joint & Eatery is proudly unique in several ways and we hope to become a beacon for those seeking a finer dining experience downtown and to be a long-term, contributing business member supporting the environmental sustainability and economic vibrancy of the City of Victoria.

Despite the many challenges of opening a restaurant in a heritage building, it was very important to us to be able to celebrate the history of the City of Victoria as well as its future and that of the Capital Region District with our venture. To this end we have chosen the landmark 100+ year old Lim Dat Building in the Old-Town-Chinatown-Brewery-Design Districts and are excited to be part of the revitalization and story of these neighbourhoods and the downtown core.

As it would be economically inconceivable and physically infeasible to undertake the mechanical upgrades, specifically the fire suppression and HVAC systems, necessary within the building and our individual unit in order to install a full working kitchen with heat source(s), we opted to follow

in the footsteps of trend-setting and award-winning Food Primary licensed, charcuterie-only style restaurants in Vancouver, Salt Tasting Room¹ and Bartholomew Bar², both of which are enjoying great success moving away from more traditional, North American style meals to share plates and charcuterie and thereby install only a cold kitchen.

We are very excited to be the first such local establishment and as we celebrate our heritage with our historic location within our long-famous neighbourhood, we also want to give a nod to both our past *and* our future by featuring gin cocktails specifically crafted to pair with our selection of fine cheeses and meats. Invented by the army of the British East India Company and popularized by the soldiers of the British Empire, the Gin and Tonic is globally associated with all things British and if we are successful in our collaborations with local (gin) distillers and our marketing campaigns, it will soon be globally associated with the City of Victoria, named of course, for HRH, Queen Victoria.

Gin is experiencing a revival, and has been for the last five years; with an approximately \$286.27 Million in gin sales in Canada in 2018³; and with a projected global CAGR (compound annual growth rate) of 4.2% between 2018-2023⁴. Demand has increased and supply is diverse, ranging from household name labels like Beefeater and Gordon's to boutique craft gins, and unconventional-turned-trend pink and colored gins to the innovative non-alcoholic adaptation. With 3 different types of juniper (the primary botanical used in the production of gin) indigenous to British Columbia, it's no wonder we have seen such a strong trend towards local craft gin distillers in the Greater Victoria Area. Amongst the more than 1 dozen local gin distillers and over 30 in BC, is most notably, Vancouver Island's Sheringham Distillery, located just outside of Victoria, which took the top prize at the World Gin Awards in 2019. Looking to our future, we predict there will be even more local distillers of gin within Victoria and the Capital Region District in the years to come.

We don't feel we are promoting alcohol sales ahead of food sales with our business name of January Gin Joint & Eatery, but rather promoting our Capital Region's heritage *and* our future as a world-class destination for both foodies and gin lovers, whether they travel across the seas or across our city to reach our doors. We are not offering craft beer for consumption; we are not offering a selection of BC wines. Our business is not primarily focused on the sale of alcohol. We are simply lovers of exquisite cheeses and meats and mean to specifically pair those with 6 featured, rotating, original gin craft cocktails, created by our award-winning head bartender to perfectly compliment our selection of appetizers, charcuterie and desserts (and gin and tonics, of course!).

January Gin Joint & Eatery's selected Operating Name is meant to help us stand out within an industry in BC which hit record sales in 2019 with \$15 Billion in revenue⁵. Many Food Primary licensed restaurants have chosen to advertise that they offer food and a wide selection of alcohol for sale with generalized names such as Veneto Bar Ristorante while others want customers to know they are in the right place if they wish to specifically pair wine with their meal as indicated in their LCRB approved name choices such as The Collective Wine Bar & Kitchen. We want our customers to find us because, like us, they too love to eat and when they eat, drink gin!

¹ <http://www.salttastingroom.com/>

² <https://dailyhive.com/vancouver/bartholomew-vancouver>

³ <https://www.statista.com/statistics/557745/gin-dollar-sales-canada/>

⁴ <https://www.researchnester.com/reports/gin-market-global-demand-analysis-opportunity-outlook-2023/55>

⁵ <https://www.straight.com/food/1337051/bc-food-and-beverage-industries-hit-record-year-15-billion-revenue-2018>

In a telephone conversation Monday, March 23, 2020 with our assigned Case Manager from The BC Liquor and Cannabis Regulation Branch, I was assured that a children's menu is not a requirement of a Food Primary licensed restaurant operating within BC. We have found that only a few restaurants within the downtown core of Victoria offer a dedicated children's menu for minors accompanying a parent or guardian to a licensed restaurant. We are confident that if any of our over-30 target market were to accompany a minor into our establishment, before midnight or after; we have a variety of healthy choices which can be found within the Canada Food Guide such as cheeses⁶, fresh fruits and vegetables⁷, and whole grain bread⁸, which are not only nutritious and suitable for children but which also encourage sharing and family interaction⁹.

We are confident the The BC Liquor and Cannabis Regulation Branch will find our menu selection, which includes 12 appetizers, 4 dedicated unique charcuterie boards, many optional add-ons and 14 desserts for dinner to be a more than adequate offering for our 40 seat restaurant capable of only supporting a cold kitchen without a heat source and consistent with a Food Primary Liquor License. We researched and reviewed the names of many other Food Primary licensed restaurants before incorporating as January Gin Joint & Eatery Ltd. and feel the precedent set by the The BC Liquor and Cannabis Regulation Branch by extending Food Primary Liquor Licenses to other businesses referencing alcohol in their names will also be extended to our restaurant, as like them, our primary focus is still food sales. We expect The BC Liquor and Cannabis Regulation Branch will award a Food Primary Liquor License to January Gin Joint & Eatery, allowing us to operate regular hours of liquor service between 9am and midnight daily.

January Gin Joint & Eatery brings together the trendy but traditional style of charcuterie sharing boards in lieu of more traditional-style evening restaurant meals, with gin-focused craft cocktails & desserts for the perfect pairing. We do not want to be a bar or nightclub. We do not want to negatively impact our home with unacceptable noise levels or put additional strain on City Police Services or LCRB Inspectors. By way of promoting social interaction, networking and the sharing of appetizers, charcuterie and desserts, serving 2-8 people at a time from a single sharing board, we expect to significantly reduce our environmental impact on our community over the next 20 years, specifically with reduced water consumption. We want to contribute to the late night vitality of our city by offering a unique and sophisticated destination for finer dining clientele to remain in our neighbourhood longer. We want to contribute to the economic viability of the City of Victoria by providing another reason for locals and tourists alike to visit or stay in our downtown core after 5pm. We want to celebrate and promote the success stories of other small businesses in our neighbourhood and Greater Victoria Region such as Olo Restaurant, Brasserie L'Ecole, Saveur and Sheringham Distillery. We want to support the revitalization and safety of our District by keeping our lights on later and offering a safe haven to those patrons seeking food and drink downtown after midnight. We want to help support the future success of businesses new to the area such as Sherwood and the much anticipated new restaurant by the Toptable Group at 1515 Douglas and encourage others to follow suit.

⁶<https://food-guide.canada.ca/en/healthy-eating-recommendations/make-it-a-habit-to-eat-vegetables-fruit-whole-grains-and-protein-foods/eat-protein-foods/>

⁷<https://food-guide.canada.ca/en/healthy-eating-recommendations/make-it-a-habit-to-eat-vegetables-fruit-whole-grains-and-protein-foods/eat-vegetables-and-fruits/>

⁸<https://food-guide.canada.ca/en/healthy-eating-recommendations/make-it-a-habit-to-eat-vegetables-fruit-whole-grains-and-protein-foods/eat-whole-grain-foods/>

⁹ See Appendix 1

I am proud to live in Victoria and be an ambassador of all it has to offer historically and in its future. It is my home within Canada by choice. I want my restaurant to be a destination for years to come for people seeking out quality food, local gins, and unique finer dining experiences which promote social interaction. I am excited to be a new contributor to the future success of our city. I hope the Committee of the Whole and City Council also conclude we will be a welcome addition to a vibrant new Victoria in the coming 20 years of our Lease at 1820 Government Street. With your approval of our Applications for a 1 hour extension of alcohol service Thursday - Saturday and an Entertainment Endorsement for occasional use of our (basement) private dining room for unplugged, live music; we hope to be one of the survival stories within Victoria's Hospitality, Culinary and Tourism Industries after the decimation which already happening and sure to worsen in the wake of the Coronavirus (COVID-19) pandemic. We look forward to doing our part to help keep our local economy alive, support our fellow restaurants, our neighbourhood and all local businesses, large and small; support the City of Victoria and help rebuild a socially, economically and environmentally sustainable model for the future.

Thank you for your time and consideration.

Respectfully,

Tanya Topolniski
Owner/Operator

cc. The BC Liquor and Cannabis Regulation Branch (LCRB)
400-645 Tyee Rd
Victoria, BC V9A 6X5

APPENDIX 1



SMALL

Trio of Olives ~ variety of small, medium & large olives to share

Sweet Pea Pesto Crostini ~ sweet pea pesto, roasted garlic, parmesan on toasted Fol Epi baguette

Marinated Mozzarella & tomato ~ fresh basil & chives, cherry tomatoes, mozzarella & Fol Epi baguette

Cheese & Zucchini Roulades ~ grilled zucchini, ricotta & parmesan, olives, fresh basil

Oven Roasted Root Vegetables - locally sourced potato, sweet potato, blue potato, taro root & parsnip oven roasted, salted & served with buttermilk ranch or vegan french onion dip

Relish Plate ~ local brined, pickled, & marinated vegetables

MEDIUM

Antipasto Selection - pickled pepperoncini, cherry tomatoes, olives, petite pepperoni & salami, mushrooms, chickpeas, provolone cheese

Artichoke & Gruyere ~ roasted artichoke hearts, rich gruyere topped with Parmigiano-reggiano, Fol Epi baguette

Classic Crab Dip ~ cream cheese, smoked paprika, tender crab meat, Lavash crackers

Buffalo Tartare ~ hand-chop buffalo, capers, chives, shallots, and seasoned egg yolk served with toasted Fol Epi baguette

Ceviche ~ local, seasonal marinated fresh fish served with toasted Fol Epi baguette

Crudit  Tray ~ garden fresh vegetables, house made goat's milk yogurt dip or vegan french onion dip

LARGE

Chef's Platter ~ Chef's selection of favorites from above

For Two \$ ____

For Four \$ ____

For More \$ see your bartender

CHARCUTERIE

A rotating selection of artisan cheeses or vegan artisan cheeses, house preserves, smoked, cured & cooked meats or fish, vegan proteins, pickled vegetables, fresh fruits. All served with local Fol Epi whole wheat baguette. Start by choosing your board:

Traditional

prosciutto, bresaola,
jamón Serrano,
peppered salami

West Coast

smoked salmon, cold-smoked halibut,
hot-smoked albacore tuna,
west-coast mousseline

Modern

foie gras, pâté grandmere
Hazelnut rillettes de canard,
foie de volaille

Vegan

Very Good Butchers vegan pepperoni, roast beast
or deli fowl; Sweet Earth traditional seitan slices,
Harmless Ham™

For Two \$ _____

For Four \$ _____

For More \$ see your bartender

Customize with your favorite additions:

\$12 each

Neal's Yard Sparkenhoe Red Leicester	Neal's Yard Colston Bassett Stilton
Neal's Yard Brightwell Ash Gruyere	Salt Spring Island Cheese Co's St. Jo Feta
Double-creamed Brie Gouda Gorgonzola	Salt Spring Island Cheese Co's Flower Chevre
Aged Cheddar Comte	Salt Spring Island Cheese Co's Herb and Garlic Ruckles

\$7 each

Pickled red onion	Pickled cauliflower	Kalamata olives Castelvetrano olives
Pickled asparagus stalks	Marinated mushrooms	any protein listed above
Arbequina olives	Picholine olives	Pickled asparagus

\$4 each

Crackers - apricot, fig & lemon raincoat crisps® Crackers - seasonal pumpkin spice raincoat crisps®
Crackers - cranberry hazelnut raincoat crisps® Crackers - Seattle favorite mini Croccantini cracker
Crackers - Gone Crackers™ olive oil & cracked pepper cracker

\$3 each

Mango chutney Blackberry jam Red Pepper jelly Blueberry Jalapeno jelly Caramelized onions

Complimentary: Extra baguette, 1 per order

***(Not Just For)* DESSERT**

Salted Caramel & Dark Chocolate Figs - as delicious as they sound

Macaroons - selection of Fol Epi's current offerings

Poached Pears - red wine poached pears, honey, ginger, cardamom syrup, honey-cinnamon vegan almond creme fraiche

Almond & Apple Tart - autumnal apple & almond tart with slightly sweet, nutty frangipane filling. Served with vegan Calvados Chantilly almond cream

Lavender-Poached Peaches Blackberry Bread Pudding - lavender-spiked blackberry-peach compote, Fol Epi sourdough bread pudding, grand marnier infused vegan heavy almond cream

Poire William Charlottes - a pair of pear and pistachios infused cakes, filled with Bavarian style vegan almond cream

Basket of Profiterole - because 1 is never enough..

Champagne & raspberry possets - vegan cashew double cream, local raspberries & champagne

Chocolate coconut banoffee tartlet - bourbon-laced biscuit, caramel, banana toffee, & creamy coconut topping

Strawberry & elderflower trifle - ripe strawberries, ginger jelly, lemon drizzle cake, double vanilla cream

Gooseberry creme brulée tart - seasonal fresh berries, sweet pastry, crisp cracked sugar topping

Cheese Platter - Chef's selection of cheese, vegan cheese or both

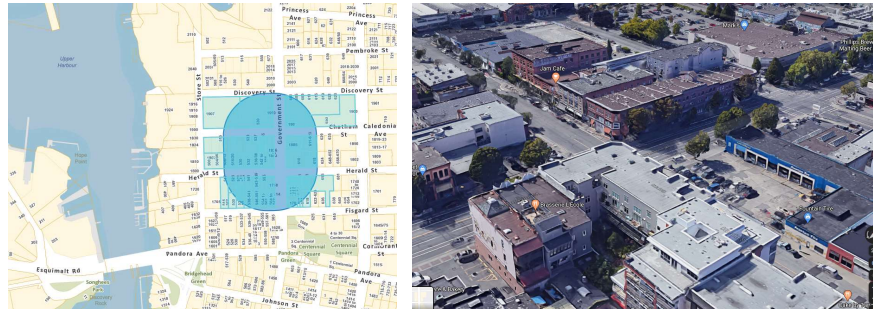
Chocolate Lover's Plate - a rotting selection of the world's finest

Classic English Lemon Curd - smooth, silky, tangy & tart

Pate de Fruit - a selection of classic sugared French fruit jellies

Update - LCRB Application

New Food Primary Licence with Entertainment Endorsement,
January Gin Joint & Eatery, 1820 Government Street



1

Update:

- LCRB is the approving authority for liquor licences.
- Local Governments provide comment regarding,
 - the impact of noise on nearby residents,
 - impact on the community if the application is approved, and
 - whether or not the application, if approved, would result in the service area being operated in a manner that is contrary to the primary purpose.
- Applicants letter providing additional information about consistency with the food primary license designation.



2

Recommendation from the March 12, 2020 report

That Council direct staff to notify the Liquor and Cannabis Regulation Branch that Council supports the application to having hours from 9:00 am to 12:00 am Sunday – Wednesday, 9:00 am to 1:00 am Thursday - Saturday, an occupant load of 43 people and an entertainment endorsement.





Committee of the Whole Report

For the Meeting of March 5, 2020

To: Committee of the Whole **Date:** January 30, 2020

From: Karen Hoese, Acting Director, Sustainable Planning and Community Development

Subject: **Application for a New Food Primary Licence with Entertainment Endorsement for January Gin Joint & Eatery at 1820 Government Street**

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 January Gin Joint & Eatery located at 1820 Government Street to have hours of operation from 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday, an occupant load of 43 people and an entertainment endorsement.

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 assumptions are the noise impacts would be comparable in proportion to existing licence capacity in the vicinity.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports this new business and the long-term viability of the establishment.
- c. The views of residents were solicited via a mail out which included 474 letters to neighbouring property owners and occupants within 100 metres of the licensed location and a notice posted at the property. The City received one letter from the Downtown Residents Association opposing the application in response to the request.
- d. Council recommends the hours supported for the establishment be approved.

EXECUTIVE SUMMARY

The purpose of this report is to seek a Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act*, regarding an application by January Gin Joint & Eatery. The application is for a new Food Primary Licence with hours of operation, being 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday, an occupant load

of 43 people and an entertainment endorsement. Provisions of an entertainment endorsement end at midnight, regardless of later closing hours.

January Gin Joint & Eatery's application for a new food primary licence with an entertainment endorsement is consistent with the City's current Liquor License Policy. The application has been reviewed by City staff including Planning, Engineering, Business and Community Relations, Bylaw, and Police against policy, and their inputs have been considered. Staff have not expressed concern for the application and police have indicated that the licence will have minimal effect in terms of its contribution to issues associated with late night liquor seats. LCRB regulations state that activities associated with an entertainment endorsement are required to end at 12:00 am. 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.

In addition, a public notification process was conducted, as required by the Liquor Licence Policy, to allow individuals and the community to share comments through written correspondence. Opportunity for public comment included one letter opposed to the application from the Downtown Residents Association.

Staff have recommended for Council's consideration that a resolution be made regarding the application, and that Council support the application for a new Food Primary licence having hours of operation from 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday, an occupant load of 43 people and an entertainment endorsement at 1820 Government Street

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 January Gin Joint & Eatery for a new food primary license with an entertainment endorsement.

BACKGROUND

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

This application is for a Food Primary licence with an entertainment endorsement and a letter of intent has been provided in conjunction with the application, included in Appendix A.

The applicant proposes hours from 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday, an occupant load of 43 people and an entertainment endorsement. 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.
3. Whether or not the amendment, if approved, would result in the service area being operated in a manner that is contrary to the primary purpose.

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

ISSUES & ANALYSIS

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

Zoning

Zoning for the establishment is OTD-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. January Gin Joint & Eatery 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 a number of variable factors. The business model, target clientele, quality of owner/operator, existing density of licenced capacity in the area, hours of service, demographics, and fluctuating populations due to tourism factor into predicting the likelihood of noise related issues and impacts on the community.

Consideration of those factors can assist a municipality to predict negative aspects associated with licenced establishments. The factors considered in conjunction with any application approval at time of consideration change over the life of a licenced establishment, and when they do change, and 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.

January Gin Joint & Eatery's application has been considered regarding the impact it would have on the community and its potential to generate noise related issues. The establishment is regulated under a food primary licence and has been compared in terms of existing capacity in the vicinity and citywide, for comparison and understanding of likely impact. Approval of the licence at this location will have the incremental impact of increasing licenced seating capacity in the vicinity by 2.9%. Other food primaries in the vicinity have compatible hours of business and occupant loads. City wide, incremental impacts on licenced seating capacity is 0.07%. 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,

Planning

- The application is supportable as the establishment is zoned appropriately for its intended use.

Engineering

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

Community and Business Relations

- Community and Business Relations did not bring forward objections to this application.

Bylaw

- Bylaw Services did not bring forward objections to this application.

Police

- Police note the application is for a food primary licence outside the downtown core and that it shouldn't be significantly affected by, or contribute to, the collective and incremental effects of the increase in late night liquor seats. Full police comments are available in Appendix F.

Community Consultation

In accordance with the City's Liquor Licensing Fee Bylaw and Liquor Licensing Policy, all property owners and occupiers within 100 metres of the applicant's location were solicited by a mailed notice to provide input regarding this application. In addition, January Gin Joint & Eatery posted a notice poster at the entrance for 30 days, which invited input to the City with respect to this application.

Notices were mailed to 474 owners and occupants and in response, one letter was received from the Downtown Residents Association opposed to the application. The letter is available in Appendix G.

Applicant Response

As is standard practice as a part of the liquor licence process the applicant has a chance to review this report and respond prior to the report being forwarded to Council. After the applicant reviewed City staff comments, the applicant chose to provide additional correspondence related to the staff review and the report. This correspondence is available in Appendix H.

IMPACTS

Accessibility Impact Statement

None

Strategic Plan 2019 – 2022

The recommendation to support the application also supports the business plan of the establishment and presumably its long term viability, 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 designation which permits a mix of uses including commercial, retail, office and multi-unit residential.

CONCLUSIONS

The application of January Gin Joint & Eatery located at 1820 Government Street is supportable where hours of operation are from 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday, has an occupant load of 43 people, and an entertainment endorsement. Concern for the application was expressed by the Downtown Residents Association, however impacts are not expected as the establishment is relatively small, and the area is experienced with similarly sized establishments and hours of operation. Standard Food Primary Licenses allow licensed service up to 12:00 am daily without referral to local government and activities permitted by an entertainment endorsement are required to end at midnight.

ALTERNATE MOTIONS

1. That Council, after conducting a review with respect to noise and community impacts regarding the application of January Gin Joint & Eatery, at 1820 Government Street, does not support the application.

Respectfully submitted,




Ryan Morhart
Manager, Permits & Inspections



Karen Hoese, Director
Sustainable Planning & Community Dev.

Report accepted and recommended by the City Manager:


Date: Feb 24, 2020

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



January Gin Joint & Eatery Ltd.
1820 Government Street
Victoria, BC V8T 4N5
C. 604-644-3042
E. tt@januaryinvictoria.com

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

October 21, 2019

Letter of Intent Re: Application for Extended Hours of Liquor Service and Patron Participation
Entertainment Endorsement, 1820 Government Street, Victoria, BC V8T 4N5

Dear Mayor Helps and Council,

I am submitting this letter to you in regards to my Application for an Extension of Standard Hours of Liquor Service for a Food Primary License and a Patron Participation Entertainment Endorsement at 1820 Government Street, in the City of Victoria.

I am intending to open a neighborhood Owner-Operated restaurant, January Gin Joint & Eatery, in the heart of the Brewery District, within the historic Lim Dat building. The establishment is centrally located in this increasingly popular destination area, just 1 block north of Chinatown.

January will offer it's over-the-age-of-30 target market both charcuterie and desserts, espresso, premium teas, and a limited selection of craft cocktails; supporting the neighbourhood's growing fine dining culture by providing a sophisticated yet comfortable stop both before and after your dinner plans. January is proud to be one of the many unique local, small businesses which are helping to grow and re-shape this neighbourhood, making it a desirable day and night destination for locals and tourists alike.

Our goal is to support the established restaurants within the neighbourhood such as Olo, Brasserie L'Ecole and Saveur to name a few; encourage new business to the area and help make Old Town, Chinatown and the Brewery District a more appealing destination for dining within the City of Victoria.

I am seeking a 1-hour extension past the (9am-midnight) Standard Hours of Liquor Service for a Food Primary License on the evenings of Thursday, Friday and Saturday only. I am proposing to be open for business from 3pm to 1am on these three evenings. I believe this will appeal to the customers exiting neighbourhood restaurants (which close at midnight) whom are seeking a nightcap, dessert, coffee, tea, or waiting for available taxi, ride-sharing or dial-a-driver services.

January is also seeking a Patron Participation Entertainment Endorsement, allowing it's customers to utilize the lower level of the establishment, when not reserved for private dining, for occasional dancing.

I have over 30 years of service and management experience in Hospitality and the Food and Beverage Industry. I hold my Serving It Right Certification from BC's Responsible Beverage Service Program. I have previously worked with City officials and local police to ensure guest and public safety during and after the consumption of alcohol in a restaurant and am well versed in the Noise Bylaws of the Intermediate (Noise) District of The City of Victoria as I live in the same neighbourhood as January is located.

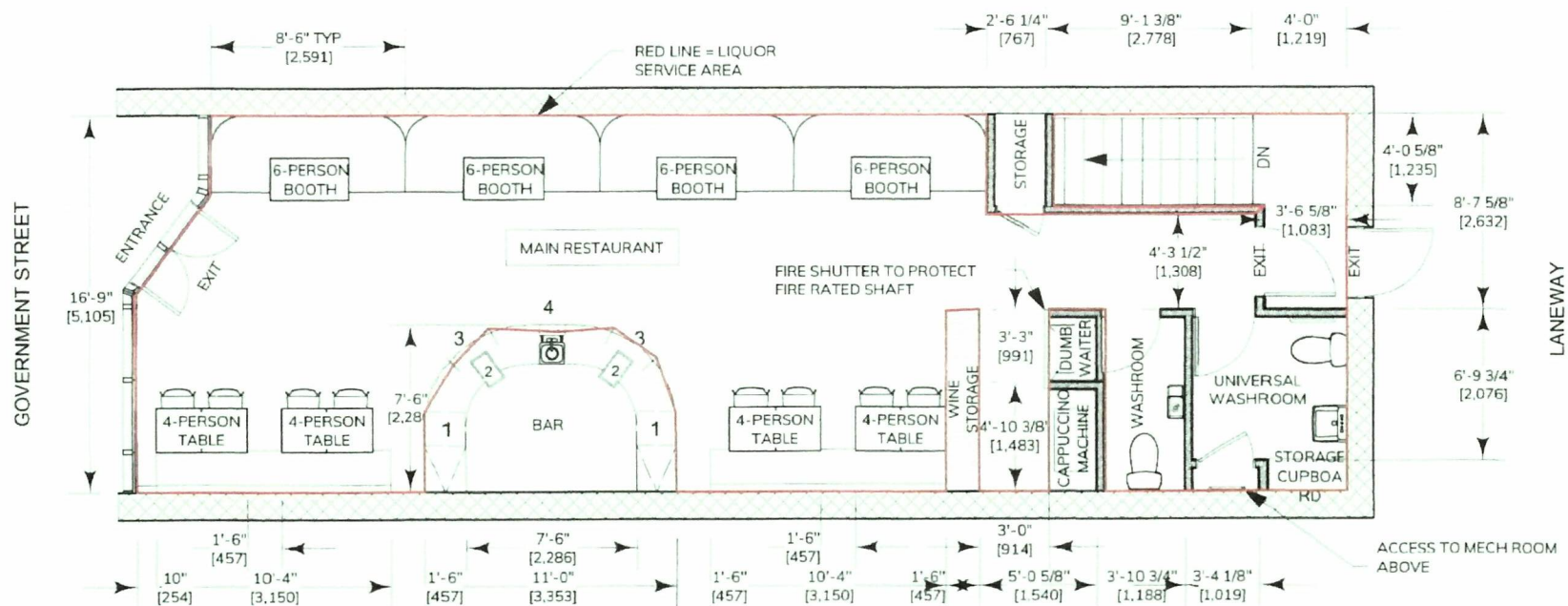
I have every confidence that January Gin Joint & Eatery can operate responsibly, be compliant with *Local and Provincial Regulations* and be a welcome addition to the Brewery District. It will support and enhance, not disrupt, its home, its neighbourhood community and its city.

Please do not hesitate to contact me with any questions or concerns. Thank you for your time and consideration.

Respectfully,



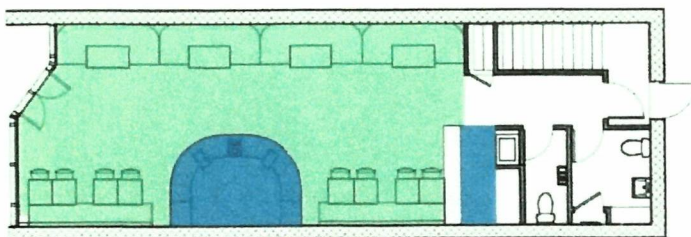
Tanya Topolniski
Owner/Operator



3 Main Floor
LL103 Scale: 1/8" = 1'-0"

EQUIPMENT LEGEND

- 1 = BAR FRIDGE
- 2 = ICE WELL
- 3 = LIQUOR SERVICE AREA
- 4 = HANDWASH/DUMP SINK



MAIN FLOOR (48m2) OCCUPANT LOAD:

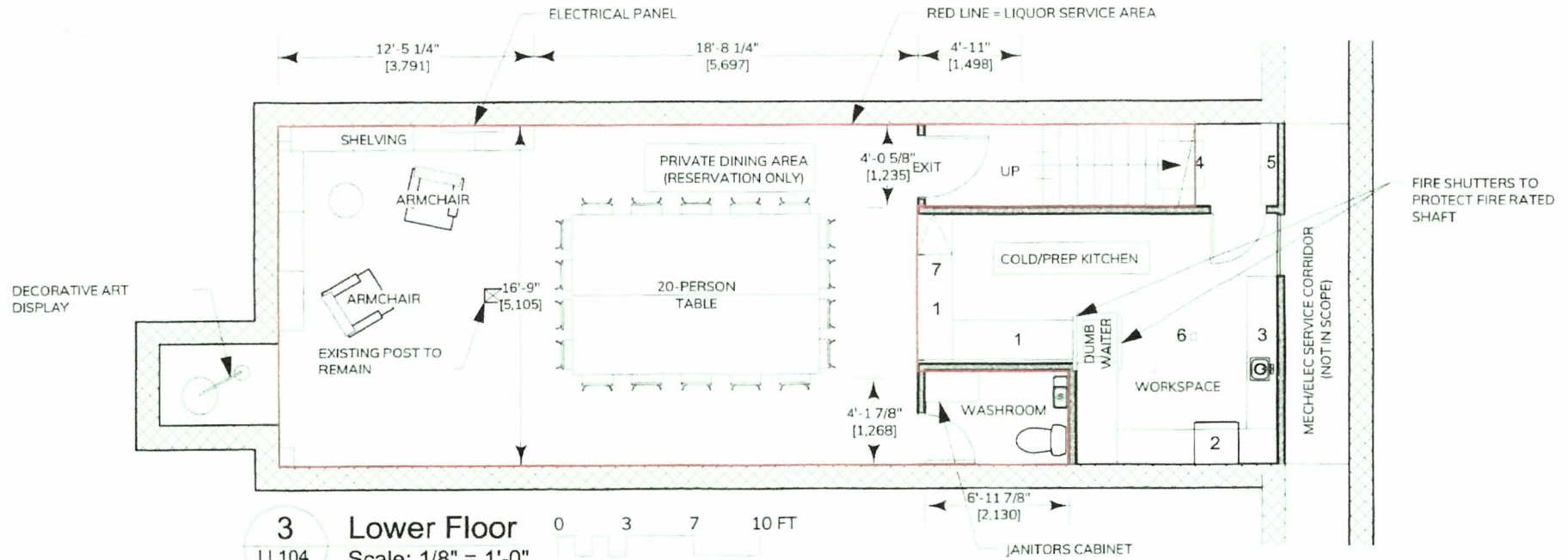
CUSTOMERS (GREEN):	= 40 SEATS
STAFF (BLUE) MAX 3:	= 3
TOTAL	= 43



October 17, 2019

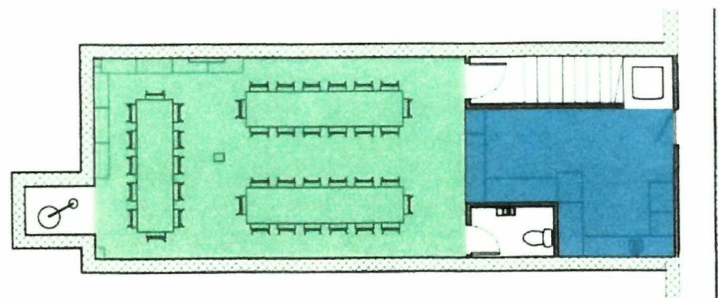
Main Floor Food Primary Liquor Licence Application





EQUIPMENT LEGEND

- 1 = REFRIGERATED SANDWICH STATION
- 2 = DISHWASHER
- 3 = HANDWASH/PREP SINK
- 4 = KEGERATOR
- 5 = STAFF LOCKERS
- 6 = FLOOR DRAIN
- 7 = OCCASIONAL LIQUOR SERVICE AREA



LOWER FLOOR OCCUPANT LOAD:

CUSTOMERS (GREEN):	= 22 SEATS
STAFF (BLUE) MAX 2:	= 2
TOTAL	= 24



Oct 17, 2019

Lower Floor Food Primary Liquor Licence Application

91



02/17/2019



SMALL

Trio of Olives ~ variety of small, medium & large olives to share

Hummus & Baguette or Crackers ~ roasted red pepper & garlic hummus with Fol Epi baguette or Lavash crackers

Sweet Pea Pesto Crostini ~ sweet pea pesto, roasted garlic, parmesan on toasted Fol Epi baguette

Baba Ganoush ~ Roasted Eggplant & Baguette

Marinated Mozzarella & tomato ~ fresh basil & chives, cherry tomatoes, mozzarella & Fol Epi baguette

Cheese & Zucchini Roulades ~ grilled zucchini, ricotta & parmesan, olives, fresh basil

Oven Roasted Root Vegetables - locally sourced potato, sweet potato, blue potato, taro root & parsnip oven roasted, salted & served with buttermilk ranch or vegan french onion dip

MEDIUM

Antipasto Selection - pepperoncini, cherry tomatoes, olives, petite pepperoni & salumi, mushrooms, chickpeas, provolone cheese

Relish Plate ~ local brined, pickled, & marinated vegetables

Crudit  Tray ~ garden fresh vegetables, house made goat's milk yogurt dip or vegan french onion dip

LARGE

Chef's Platter ~ Chef's selection of favorites from above

For Two \$____

For Four \$____

For More \$____

CHARCUTERIE

A rotating selection artisan cheeses or vegan artisan cheeses, house preserves, smoked, cured & cooked meats or fish, house pickled vegetables, fresh fruits. All served with local Fol Epi whole wheat baguette. Start by choosing your board:

Traditional

prosciutto, bresaola,
jamón Serrano,
peppered salami

West Coast

smoked salmon,
hot-smoked albacore tuna, cold-smoked
halibut, west-coast mousseline

Modern

foie gras, pâté grandmère
hazelnut rillettes de canard,
foie de volaille (chicken liver)

Vegan

Very Good Butchers vegan pepperoni, roast beast
& deli fowl and Sweet Earth traditional seitan
slices & Harmless Ham™

For Two \$____

For Four \$____

For More \$____

Customize with your favorite additions:

\$____ each

Neal's Yard Sparkenhoe Red Leicester	Neal's Yard Colston Bassett Stilton
Neal's Yard Brightwell Ash Gruyère	Salt Spring Island Cheese Co's St. Jo Feta
Double-creamed Brie Gouda Gorgonzola	Salt Spring Island Cheese Co's Flower Chèvre
Salt Spring Island Cheese Co's Herb and Garlic Ruckles	Aged Cheddar Comte

\$7 each

Pickled red onion	Pickled cauliflower	Kalamata olives	Castelvetro olives
Pickled asparagus stalks	marinated mushrooms	Pickled carrots	
Arbequina olives	Picholine olives	Pickled asparagus	

\$4 each

Crackers - apricot, fig & lemon raincoat crisps®
Crackers - seasonal pumpkin spice raincoat crisps®
Crackers - cranberry hazelnut raincoat crisps®
Crackers - Gone Crackers™ olive oil & cracked pepper cracker
Crackers - Seattle favorite mini Croccantini cracker

\$3 each

Mango chutney	Blackberry jam	Red Pepper jelly
Blueberry Jalapeno jelly	Caramelized onions	

Complimentary: Extra baguette

***(Not Just For)* DESSERT**

Salted Caramel & Dark Chocolate Figs

Poached Pears - red wine poached pears, honey, ginger, cardamom syrup, honey-cinnamon crème fraîche

Almond & apple tart - autumnal apple & almond tart with slightly sweet, nutty frangipane filling. Served with Calvados Chantilly cream.

Lavender-Poached Peaches Blackberry bread pudding - lavender-spiked blackberry-peach compote, Fol Epi sourdough bread pudding, grand marnier infused heavy cream.

Poire William Charlottes - a pair of pear and pistachios infused cakes, filled with Bavaria cream

Basket of Profiterole - because 1 is never enough..

Champagne & raspberry possets - double cream, local raspberries & champagne

Chocolate coconut banoffee tartlet - bourbon-laced biscuit, caramel, banana toffee, & creamy coconut topping

Strawberry & elderflower trifle - ripe strawberries, ginger jelly, lemon drizzle cake, double vanilla cream

Gooseberry crème brûlée tart - seasonal fresh berries, sweet pastry, crisp cracked sugar topping

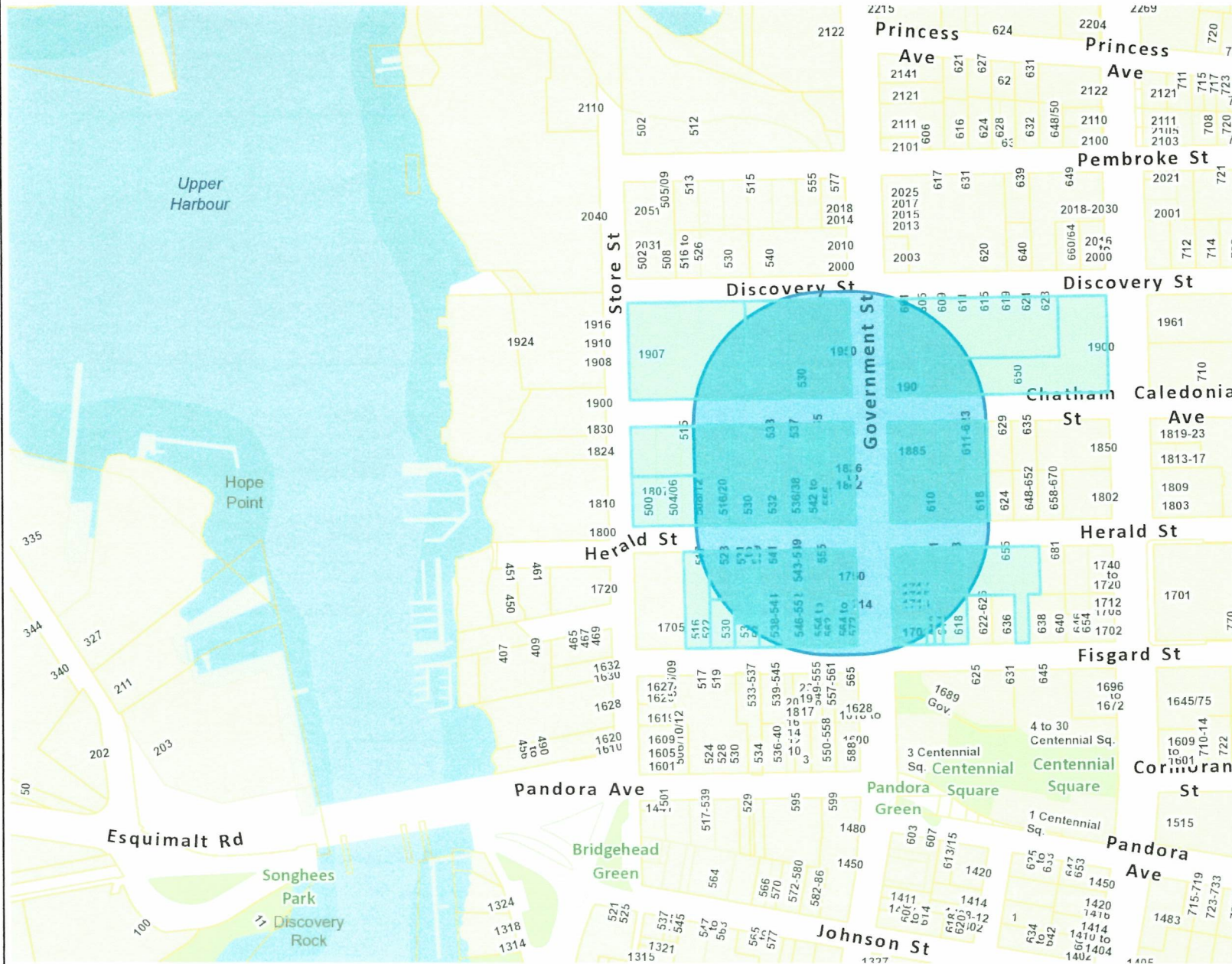
Cheese Platter - Chef's selection of cheese, vegan cheese or both

Chocolate Lover's Plate - a rotting selection of the world's finest

Classic English Lemon Curd - smooth, silky, tangy & tart

Pate de Fruit - a selection of classic sugared French fruit jellies

**** Takeaway Baskets available for pick up until 1am***



Legend

 Victoria Parcels

1: 4,317



Notes

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

City of Victoria Noise District Map

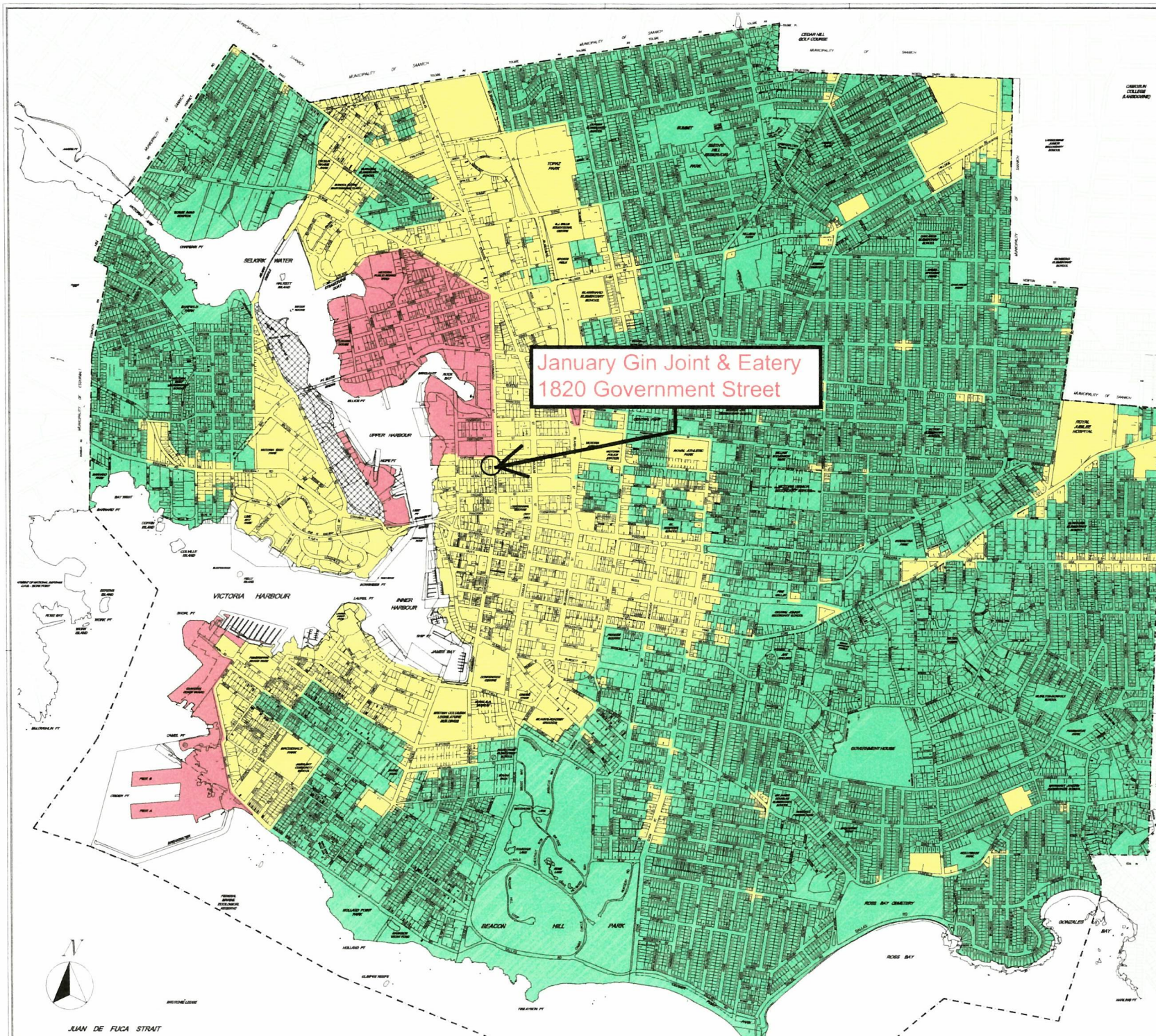
January Gin Joint & Eatery
1820 Government Street

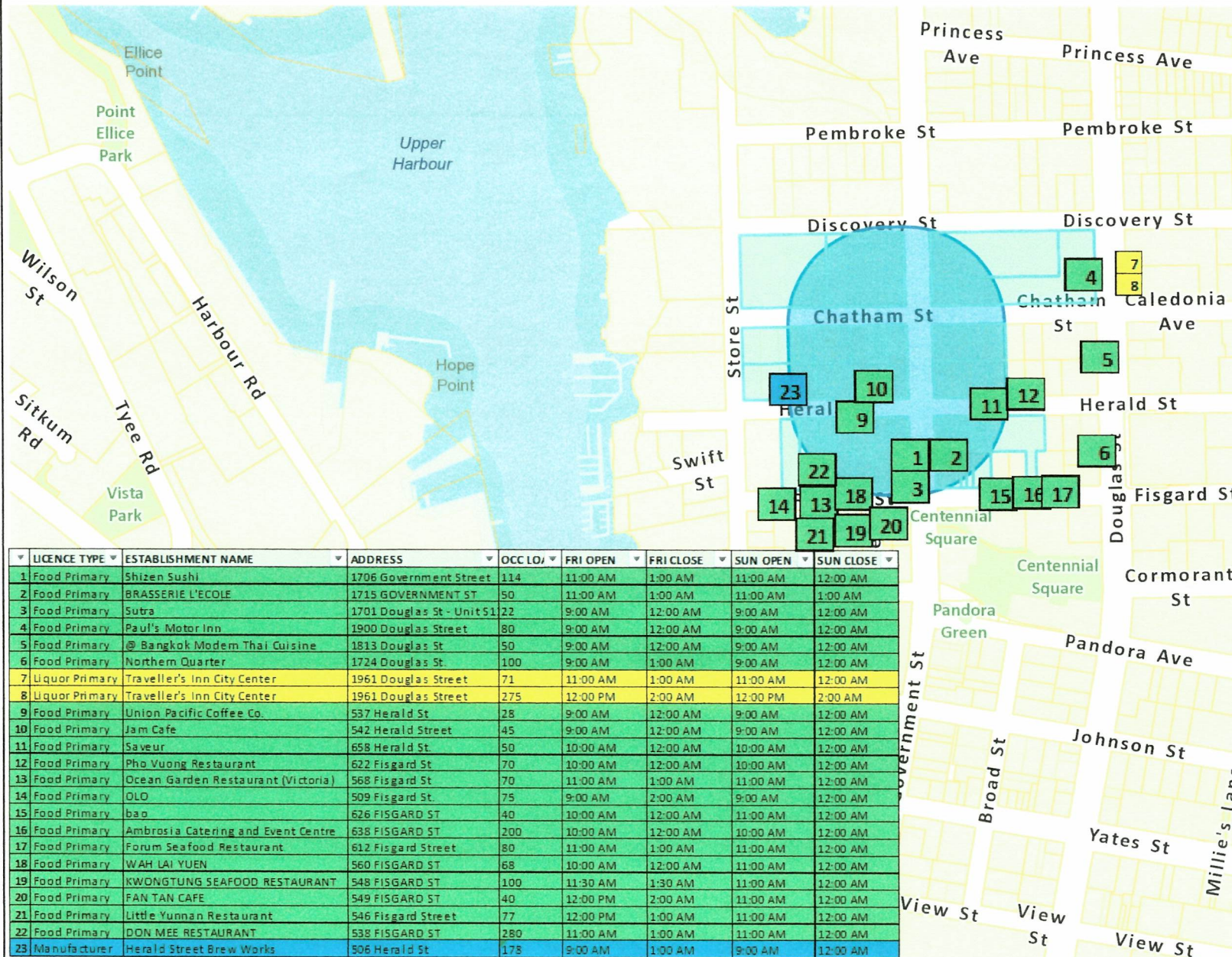
LEGEND

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

Date: February 17, 2004

Scale: Not to Scale





Legend

 Victoria Parcels

1: 5,821




Notes

296 0 148 296 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.

	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

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 Restaurant...

This is an automated task reminder from eScribe.

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

Meeting: **VCC_Jun14_2018**

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

Due Date: **None**

Task Description:

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

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

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

Ryan Morhart

From: Watson, Cliff [REDACTED]
Sent: January 30, 2020 4:21 PM
To: Ryan Morhart
Subject: RE: LL000311 January Gin Joint and Eatery | 1820 GOVERNMENT ST

Hi Ryan,

At this point, on this particular application, we will opt not to submit comments specifically in support of or in opposition against this application.

The application is for a food primary licence outside the downtown core, that shouldn't be significantly affected by, or contribute to, the collective and incremental effects of the increase in late night liquor seats.

Cliff



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



1715 Government Street
Victoria, BC, V8W 1Z4

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

February 3rd, 2020

**Re: Application for Food Primary Liquor Licence with Patron Participation –
January Gin Joint & Eatery**

Dear Mayor Helps and Council,

With regards to a Food Primary Liquor Application with Patron Participation for January Gin Joint & Eatery at 1820 Government Street, the DRA Land Use Committee understands the following:

- The application proposes operating hours from 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday with an occupant load of 67 people.
- The applicant intends to operate from 3:00 pm to 1:00 am Thursday through Saturday.
- The Patron Participation Entertainment Endorsement is intended to allow customers to use the lower level of the establishment for occasional dancing when not being used for dining.
- The proposed establishment is intended to be a stopping off point before or after other dinner plans.
- The proposed food menu consists of charcuterie and desserts.

Feedback in response to the submitted plans is as follows:

- By only offering charcuterie and desserts, this application does not comply with the rules and requirements for food primary licences as set by the Liquor Control and Licensing Act. Specifically, Item 18 (b) states, “when liquor is being sold or served, there must be a varied selection of food items, including appetizers and

main courses or their equivalent, available for purchase and the food items must be prepared in a kitchen in the establishment”.

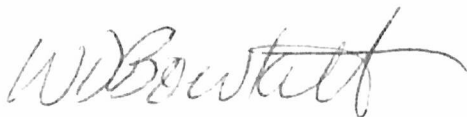
- From our records, there are 26 rental units in the two floors above the street level commercial units along Government Street. These units have provided living and working spaces for local artists and other residents. Going back to 1980, there has never been a licensed establishment in this building. Sager’s Home Living has been the anchor tenant all along.
- In general, the concept may have some appeal but co-locating it in a heritage building without sound mitigation long occupied by residents with the proposed hours of operation and the request for public participation is deeply troubling.
- This application appears to present a concept that is consistent with a licensed lounge and not a food primary.
- The Patron Participation Entertainment Endorsement cannot be supported in any way at this location to preserve the liveability for long-established residents in this building. If granted, there is no mechanism to prohibit this use on the ground floor directly beneath residents’ suites either by this operator or future operators.

In addition to the comments provided by committee and community members, we have concluded an assessment of the application in relation to our DRA LUC Liquor Policy (attached). We find that this application does not adequately meet the requirements in the following areas:

- Policy 1: Proximity to residential buildings and units
- Policy 2: Sound mitigation
- Policy 4: Days and hours of operation (Indoor seating)
- Policy 5: Excess patron noise
- Policy 7: Late night hours – rationale and justification
- Policy 8: Patron participation
- Policy 9: Entertainment endorsement
- Policy 10: Implications of licencing in perpetuity
- Policy 11: Food service strategy (Food primary licences)
- Policy 13: Level of support by residents

The DRA LUC points out that introducing late night activities into a residential building "after the fact" should be considered through a different and much more powerful lens. Co-locating these types of uses in a heritage building with no sound mitigation, for the hours proposed that includes patron participation and entertainment will inevitably result in conflict between residents and the business operator(s) and destroy the liveability of the residential units. DRA LUC members strongly support a vibrant downtown that includes a variety of late night establishments but we cannot support this food primary licence application as proposed.

Sincerely,



Wendy Bowkett
Land Use Committee, Downtown Residents Association

**Victoria Downtown Residents Association
Land Use Committee
Liquor Primary & Late Night Food Primary Liquor Licence
Applications: Policy
02 February 2020**



The Victoria Downtown Residents Association's Land Use Committee ("LUC") has been extremely consistent in expressing concerns regarding Food Primary Applications that propose to operate after midnight and Liquor Primary Applications within the Downtown Harris Green Community. As residents, we support an active, dynamic community with a diversity of entertainment and business operations. In addition, we support the long-term coexistence of residential uses and business operations. The following policy provides clarity to community stakeholders regarding the parameters the LUC uses to assess each application. The LUC may withhold support for an application if any of the following aspects are not adequately addressed.

1. Proximity to residential buildings and units

Sufficient separation between licenced venues and residential units is required to ensure liveability for residents and the successful coexistence of licenced operations and residents. Support may be withheld for applications that propose inserting licenced venues proximal to residential units. We may decline to support any liquor application that is proposed to be located in an existing residential building. (Likewise, we do not provide wholesale support for the creation of residential units adjacent to established licenced venues without comprehensive mitigation strategies.)

2. Sound mitigation

Support may be withheld for applications that have not properly mitigated noise impacts on effected residential units through proper design and soundproofing assemblies with consideration for whether neighbouring residential units have sufficient window Sound Transmission Class Ratings and air-conditioning.

3. Capacity (Indoor seating)

Support for an application may be withheld if the requested capacity is expected to negatively impact the residential community. EG. Large capacity operations with late night hours of operation adjacent to residential units will not be supported.

4. Days and hours of operation (Indoor seating)

An application may be supported if the days and hours of operation are not expected to negatively impact the residential community.

5. Excess patron noise

Late Night Food Primary and Liquor Primary operations often come with associated nuisance noise, such as patrons congregating on the street, yelling, and smoking, etc, patrons exiting en masse on closing, and interior noise related to capacity. An application may be supported if excess patron noise is not expected to negatively impact the residential community.

6. Outdoor seating (Patio or Sidewalk): proximity, capacity and hours of operation

Hours of operation for outdoor seating areas may be regulated differently than for the related indoor operations. An application may be supported if the capacity and hours of operation for outdoor seating areas are not expected to negatively impact the residential community. The proximity of residential units to outdoor seating areas will be assessed on a case-by-case basis in terms of the potential impact.

7. Late night hours – rationale and justification required for both Liquor and Food Primary

Support for late night hours may be withheld if an applicant does not supply their rationale and justification for extended hours. These will be assessed on a case-by-case basis in terms of the potential impact on the residential community.

8. Patron participation

Support for the inclusion of patron participation will be assessed on a case-by-case basis relative to the other aspects of this policy.

9. Entertainment endorsement

Support for the inclusion of entertainment endorsement will be assessed on a case-by-case basis relative to the other aspects of this policy.

10. Implications of licencing in perpetuity

Support for an application will consider the potential long-term impact of the existence of the licence beyond the proposed business model and current operator/applicant.

11. Food service strategy (Food primary licences)

Applications for new food primary liquor licences requesting late operating hours will also be reviewed on the basis of their food service strategy. Support may be withheld if an application does not demonstrate that food service is the focus of the operation after midnight. Food primary applications for venues that intend to effectively operate as liquor primary venues will not be supported.

12. Food Primary Licences: Sales records

Applicants are requested to demonstrate that food service will remain the focus of their operations. Support for the extension of operating hours for existing food primary liquor licences will be determined on the basis of sales records for food and alcoholic beverages for evening hours. Food primary venues that intend to effectively operate as liquor primary venues in the late night will not be supported.

13. Level of support of residents

Support or concerns expressed by residents in the neighbourhood through letters and emails also inform the LUC and will shape the level of support for applications.



January Gin Joint & Eatery Ltd.
1820 Government Street
Victoria, BC V8T 4N5
T. 604-644-3042
E. tt@januaryinvictoria.com

Committee of the Whole
City of Victoria
No. 1 Centennial Square
Victoria, BC V8W 1P6

February 14, 2020

In Regards To:

Application for Extended Hours of Liquor Service and Patron
Participation Entertainment Endorsement, 1820 Government St,
Victoria, BC V8T 4N5

Dear Mayor Helps and Members of Council,

Thank you for the opportunity to specifically address the concerns of the Downtown Residents Association Land Use Committee, in addition to any concerns or questions by Members of Council regarding my Application.

January Gin Joint & Eatery is a for-profit business and will be open during regular dinner hours of service, as well as before and after those traditional 5pm-9pm peak dinner hours of operation. In order to help grow and sustain a vibrant economy within the Old-Town-Chinatown-Brewery-Design Districts, businesses need to help attract consumers throughout the whole of the day and evening, providing reasons for people to stay in the neighbourhood longer; making it a destination within the City for locals and tourists alike. Our menu is designed to celebrate the restaurants within the neighbourhood rather than be in direct competition with them.

Everything old is new again with the contemporary charcuterie trend. From heritage meats to bold flavors to plant-based options (fig "salami" anyone?), specialty options are helping to drive consumer interest and boost sales. The meat department and deli counter represent a \$9 billion industry in the U.S. alone, with a \$200 million increase in sales dollars and volume growth

from the specialty deli meat segment in 2018¹. Thanks to the widespread interest in nose-to-tail and farm-to-table cookery, chefs are taking a closer look at utilizing food waste with in-house charcuterie creations. The public's genuine like for eating pâté and terrines, and better-quality meat available from heritage breeds supports the industry growth. The concept of January Gin Joint & Eatery brings together this trendy but traditional style of sharing boards in lieu of more traditional-style evening meals, with craft cocktails & desserts for the perfect pairing.

By way of serving appetizers, charcuterie and desserts - rather than appetizers, more traditional evening-style meals, and desserts, we are hoping to support the already established fine and finer dining restaurants within the neighbourhood such as Olo, Brasserie L'Ecole and Saveur; as well as those new to the area such as Sherwood and the much anticipated new restaurant by the Toptable Group at 1515 Douglas. We feel our menu selection which includes 12 appetizers, 14 desserts and customizable charcuterie portions for any sized party to enjoy before dinner or in lieu of dinner is a more than adequate offering for our 40 seat restaurant². We are not open for breakfast or lunch; nor are we a licensed lounge, bar or nightclub.

Our Target Market:

Before building our "before & after" dining and drinks destination, we conducted a market survey and feasibility study and we are certain that, in addition to the seasonal-based tourists, there is a wide range of local people who would patronize our establishment for dinner or before and after dinner on a regular basis. In view of that, we have created strategies that will enable us to reach out to various groups of people who are likely going to become our loyal customers. Below is our target market:

- 30+ year old customers
- Those seeking a more quiet, intimate space
- Charcuterie lovers
- Brasserie L'Ecole patrons waiting for a table
- Others frequenting downtown Victoria; specifically Old Town, Chinatown & the Brewery-Design District, as a destination for a dining experience
- Dessert & chocolate lovers
- High-end gin aficionados
- Craft cocktail lovers

Our Competitive Advantage:

Competition in the food and beverage industry will always remain intense. There is not currently a turn-of-the-century, Paris/London food-hall inspired charcuterie destination in Victoria. We are excited to be the first such establishment in the city and follow in the footsteps of success stories from Vancouver such as award-winning and groundbreaking Salt Tasting Room³ and Bartholomew Bar⁴, both of which are Food Primary charcuterie only style restaurants. With January located at historic 1820 Government Street, we definitely have a competitive advantage with location, location, location within the rapidly growing dining destination of the

¹ Source: <http://bit.ly/2u8l0gd>

² See appendix 1

³ <http://www.salttastingroom.com/>

⁴ <https://dailyhive.com/vancouver/bartholomew-vancouver>

Brewery-Design District and Chinatown/Old Town areas vs other fine dining focused food and beverage establishments located outside of these trendy areas.

January Gin Joint & Eatery Ltd. is an Owner-Operated restaurant; operated by myself, a charcuterie lover, craft cocktail enthusiast and the sole owner of the Corporation. My capital expenditure is over \$450,000 and with the engagement of my long term lease, this venture is the last segment of my 30+ year career in hospitality before retirement. The entirety of the project has been thoroughly researched and purposefully designed to be a lasting contribution to our community and City.

I personally reside on the 2nd floor of The Lim Dat - the same city block-long building in which January Gin Joint & Eatery operates, municipally described as 1802 - 1826 Government Street; legally described as P.I.D. 009-370-731 Lot 477, Victoria City and P.I.D. 009-370-749 Lot 478, Victoria City (located between Herald Street and Chatham Street).

There are currently 22 residential suites leased via Devon Properties Ltd⁵ within the building (Suites 1003-1012 and Suites 2001-2012); rather than 26 as noted in the records of the DRA LUC. I have lived on each of the 2 residential floors, in a total of 3 different suites within the building, and am intimately aware of the noise transference both from elsewhere within the building, and from the sidewalks and busy Truck Route⁶ and vehicle thoroughfare of Government Street, directly outside. I intend to continue to live in the building so long as January is operational, allowing for an exceptionally short commute from my 2nd floor loft home to my commercial ground floor business tenancy.

The fellow residents of the Lim Dat are friends and neighbours, and the building is our home. I have taken the time to engage in meaningful, productive dialogue with all of those available to speak directly with me in regards to my Application. Of the 17 people with whom I was able to connect face to face in a short period of time, in addition to others indirectly or elsewhere in the neighbourhood, each supported our restaurant being in the building, its Extended Hours Application, and its Entertainment Endorsement Application.

These supporters include 3 individuals who voiced concerns when I solicited their feedback. After discussing the measures January is taking to ensure we do not negatively impact our neighbours and neighbourhood, each was happy to add their name and support to our poll of the tenants of the Lim Dat (and surrounding area) regarding the matter at hand⁷. Notably, two separate residents of the Lim Dat who are in favor of my Application have lived in the building for 28 years, and 22 years, respectively. Neither feels January Gin Joint & Eatery will negatively impact their continued tenancy or the appeal of the building to future tenants as the community transitions towards the vision outlined in the 30-year Official Community Plan adopted by the City in 2012⁸.

With the support of the building Owners, who thoroughly read our business plan and carefully considered our Offer to Lease, our impact on our neighbours and neighbourhood, and that

⁵ https://devonproperties.com/properties/lim-dat-building/?property_query=

⁶ <https://www.victoria.ca/assets/Departments/Engineering~Public~Works/Documents/TruckRoutes.pdf>

⁷ see attached - appendix 2

⁸ <https://www.victoria.ca/EN/main/residents/community-planning/official-community-plan.html>

impact on their business of successfully operating a mixed use commercial-residential building in a commercial-residential-industrial neighbourhood; we entering into a (20 year) long-term lease contract between January Gin Joint & Eatery Ltd. and 1802 - 1826 Government Street Properties Ltd.

Our interior design, decor and menus reflect our desire to create an upscale, intimate conversational space for the over-30 clientele; all created for the purpose of sharing, socializing and networking. Every reasonable consideration to enhance noise reduction and noise absorption which could be implemented during the construction phase of the restaurant build-out has been incorporated, including the furniture, design and decor elements. Minimization of sound transmission in (residential) buildings is an important factor to ensure occupant comfort, and is closely related to fire-resistant construction⁹.

The reconstructed, fire-rated floor assembly between the lower level and main (street) level and the new fully enclosed fire-rated corridor from the lower level to main level, encapsulating the new stair assembly, in combination with the existing 21-inch-thick brick interior demising walls between units and same (brick) exterior walls will ensure little-to-no noise transference from the lower level of the restaurant to any level above it¹⁰. Other purpose built sound reducing elements include, but are not limited to:

- Use of 5/8" drywall for new construction where space permits¹¹
- Use of Green Glue Noiseproofing Compound¹²
- Staggered stud walls with acoustical insulation for new wall assemblies where space permits¹³
- Use of acoustic nail-up tin ceiling tiles in conjunction with acoustical pad¹⁴
- Fabric upholstered, high, channel-back designed curved booths and fabric upholstered banquettes for seating¹⁵
- Installation of rubber door gaskets, rubber sealant & new caulking around all windows¹⁶
- Firestopping between main floor and residential area of building¹⁷
- Strategically place indoor plants¹⁸

Anyone who understands the science of soundproofing understands the best way to ensure you are not negatively impacting your surrounding area is to simply not produce the sound(s) to begin with which might cause disturbance. To this end, January Gin Joint & Eatery is not installing a traditional sound system. Background music and the system it is delivered though will be absent of any heavy bass or subwoofers and kept to an appropriate level for the time of

⁹ http://cwc.ca/wp-content/uploads/2019/03/publications-IBS3_Fire_SMC_v2.pdf

¹⁰ See attached appendix 3

¹¹ https://www.soundproofingcompany.com/soundproofing_101/understanding-stc-and-stc-ratings

¹² <https://www.greengluecompany.com>

¹³ see attached appendix 3

¹⁴ <https://www.americaninceilings.com/colors-master-acoustic.html>

¹⁵ <https://www.soundproofcow.com/proper-furniture-placement-can-reduce-sound/>

¹⁶ <https://www.tmhardware.com/Door-Gaskets/>

¹⁷ https://www.hilti.com/medias/sys_master/hf9/h56/9161894821918.pdf?mime=application/pdf&realname=Restricting

¹⁸ <https://betersoundproofing.com/best-sound-absorbing-indoor-plants/>

day and our District within the City¹⁹. On the occasion of a live performance in the lower level of the establishment, it would be unplugged and acapella, as is appropriate and in keeping with the period-specific design and decor. Any such occasional performance would also comply with the times set for such activities in accordance with the licensing and not continue late night.

In conclusion, I believe January Gin Joint & Eatery will have a positive impact in its neighbourhood, and be a welcome addition to the historical Lim Dat building. We do not seek to replace Sager's Home Living as the anchor tenant. We aim to contribute to the revitalization of the neighbourhood, help make it a safer place for residents and customers alike, contribute to the economic viability of the Official Community Plan and uphold the support of the City of Victoria, its various departments, Managers and Directors.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Tanya Topolniski', written in a cursive style.

Tanya Topolniski
Owner/Operator

¹⁹ <https://www.victoria.ca/assets/City~Hall/Bylaws/bylaw-03-012.pdf>

APPENDIX 1



SMALL

Trio of Olives ~ variety of small, medium & large olives to share

Sweet Pea Pesto Crostini ~ sweet pea pesto, roasted garlic, parmesan on toasted Fol Epi baguette

Marinated Mozzarella & tomato ~ fresh basil & chives, cherry tomatoes, mozzarella & Fol Epi baguette

Cheese & Zucchini Roulades ~ grilled zucchini, ricotta & parmesan, olives, fresh basil

Oven Roasted Root Vegetables - locally sourced potato, sweet potato, blue potato, taro root & parsnip oven roasted, salted & served with buttermilk ranch or vegan french onion dip

Relish Plate ~ local brined, pickled, & marinated vegetables

MEDIUM

Antipasto Selection - pickled pepperoncini, cherry tomatoes, olives, petite pepperoni & salumi, mushrooms, chickpeas, provolone cheese

Artichoke & Gruyère ~ roasted artichoke hearts, rich gruyère topped with Parmigiano-reggiano, Fol Epi baguette

Classic Crab Dip ~ cream cheese, smoked paprika, tender crab meat, Lavash crackers

Buffalo Tartare ~ hand-chop buffalo, capers, chives, shallots, and seasoned egg yolk served with toasted Fol Epi baguette

Ceviche ~ local, seasonal marinated fresh fish served with toasted Fol Epi baguette

Crudit  Tray ~ garden fresh vegetables, house made goat's milk yogurt dip or vegan french onion dip

LARGE

Chef's Platter ~ Chef's selection of favorites from above

For Two \$ ____

For Four \$ ____

For More \$ *see your bartender*

CHARCUTERIE

A rotating selection of artisan cheeses or vegan artisan cheeses, house preserves, smoked, cured & cooked meats or fish, vegan proteins, pickled vegetables, fresh fruits. All served with local Fol Epi whole wheat baguette. Start by choosing your board:

Traditional

prosciutto, bresaola,
jamón Serrano,
peppered salami

West Coast

smoked salmon, cold-smoked halibut,
hot-smoked albacore tuna,
west-coast mousseline

Modern

foie gras, pâté grandmère
hazelnut rillettes de canard,
foie de volaille

Vegan

Very Good Butchers vegan pepperoni, roast beast
& deli fowl, Sweet Earth traditional seitan
slices, Harmless Ham™

For Two \$ ____

For Four \$ ____

For More \$ *see your bartender*

Customize with your favorite additions:

\$12 each

Neal's Yard Sparkenhoe Red Leicester	Neal's Yard Colston Bassett Stilton
Neal's Yard Brightwell Ash Gruyère	Salt Spring Island Cheese Co's St. Jo Feta
Double-creamed Brie Gouda Gorgonzola	Salt Spring Island Cheese Co's Flower Chèvre
Salt Spring Island Cheese Co's Herb and Garlic Ruckles	Aged Cheddar Comte

\$7 each

Pickled red onion	Pickled cauliflower	Kalamata olives	Castelvetrano olives
Pickled asparagus stalks	Marinated mushrooms		
Arbequina olives	Picholine olives	Pickled asparagus	

\$4 each

Crackers - apricot, fig & lemon raincoat crisps® Crackers - seasonal pumpkin spice raincoat crisps®
Crackers - cranberry hazelnut raincoat crisps® Crackers - Seattle favorite mini Croccantini cracker
Crackers - Gone Crackers™ olive oil & cracked pepper cracker

\$3 each

Mango chutney Blackberry jam Red Pepper jelly
Blueberry Jalapeno jelly Caramelized onions

Complimentary: Extra baguette, 1 per table

***(Not Just For)* DESSERT**

Salted Caramel & Dark Chocolate Figs - as delicious as they sound

Macaroons - selection of Fol Epi's current offerings

Poached Pears - red wine poached pears, honey, ginger, cardamom syrup, honey-cinnamon vegan almond crème fraîche

Almond & apple tart - autumnal apple & almond tart with slightly sweet, nutty frangipane filling. Served with vegan Calvados Chantilly almond cream

Lavender-Poached Peaches Blackberry bread pudding - lavender-spiked blackberry-peach compote, Fol Epi sourdough bread pudding, grand marnier infused vegan heavy almond cream

Poire William Charlottes - a pair of pear and pistachios infused cakes, filled with Bavarian style vegan almond cream

Basket of Profiterole - because 1 is never enough..

Champagne & raspberry possets - vegan cashew double cream, local raspberries & champagne

Chocolate coconut banoffee tartlet - bourbon-laced biscuit, caramel, banana toffee, & creamy coconut topping

Strawberry & elderflower trifle - ripe strawberries, ginger jelly, lemon drizzle cake, double vanilla cream

Gooseberry crème brûlée tart - seasonal fresh berries, sweet pastry, crisp cracked sugar topping

Cheese Platter - Chef's selection of cheese, vegan cheese or both

Chocolate Lover's Plate - a rotting selection of the world's finest

Classic English Lemon Curd - smooth, silky, tangy & tart

Pâte de Fruit - a selection of classic sugared French fruit jellies

**** Takeaway Baskets available for pick up until 1am***

APPENDIX 2

TO: Committee of the Whole, City of Victoria

DATE: February 11, 2020

SUBJECT: Application for Extended Hours and Entertainment Endorsement for January
Gin Joint & Eatery 1820 Government Street, Victoria

I understand January Gin Joint & Eatery, located at 1820 Government Street, in the Lim Dat Building, is applying for an 1 hour extension of a Food Primary License Application Thursday - Saturday only and for an Entertainment Endorsement. I SUPPORT the addition of the restaurant to the neighbourhood. I DO NOT feel it or the extended hours will have any additional negative impact on the noise levels in the building or on the surrounding streets.

(PRINT) NAME	ADDRESS	SIGNATURE
Curtis Vertefeuille	304-555 Chatham	
Andrew Harris	523 Fisgard	
Catrina Stuart	1012-1818 Government	
Tristan Shouldice	1011-1818 Government St.	
Michelle DeRocher	2005-1818 Government St.	
Rachel Burt	2010-1818 Government St.	
David Ferguson	2001-1818 Gov't	
Larry Salvador	2009-1818 Gov't	
ANDREW STRUTHERS	2011-1818 GOVERNMENT	
JL Boutilier	1008-1818 Government	
Jenna Shouldice	1011-1818 Government	
ELLIOTT LORAN	1818 GOVERNMENT APT 2002	
Tanya Topolinski	1003-1818 GOVT. ST.	
Sandra Christensen	2003-1818 Govt St.	
TREVOR BAIL	1007-1818 GOVERNMENT ST	
Sean Osborne	1007-1818 GOV ST	

Chris Stuart 1012-1818 Government St. C Stuart
 JANET MACDONALD #2007-1818 Government St. D. Mac
 Fred Berglund 407-640 Fitzgerald SA
 Marlene Schickel 1818-2005 BOV. ST. SUTTE
 SIMON D. ROCHAS 2003-1818 Govt St. Simon D.

TO: Committee of the Whole, City of Victoria

DATE: February 11, 2020

SUBJECT: Application for Extended Hours and Entertainment Endorsement for:
 January Gin Joint & Eatery 1820 Government Street, Victoria

I understand January Gin Joint & Eatery, located at 1820 Government Street, in the Lim Dat Building, is applying for an 1 hour extension of a Food Primary License Application Thursday - Saturday only and for an Entertainment Endorsement. I SUPPORT the addition of the restaurant to the neighbourhood. I DO NOT feel it or the extended hours will have any additional negative impact on the noise levels in the building or on the surrounding streets.

(PRINT) NAME

RICK HANNA

ADDRESS

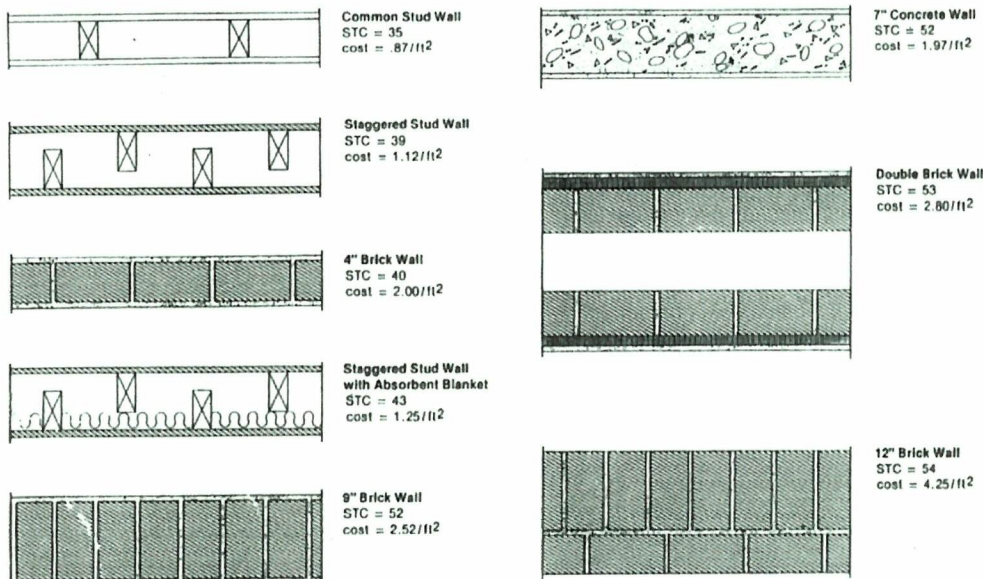
1010, 1818 GOVERNMENT STREET

SIGNATURE

[Signature]

APPENDIX 3

Figure 4.13 shows a sample of wall types ranging from the lowest to the highest sound insulation values. The cost of these walls in dollars per square foot is given for comparison of cost effectiveness.¹²



4.13 Wall Types with STC Rating and Approximate Cost.

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.

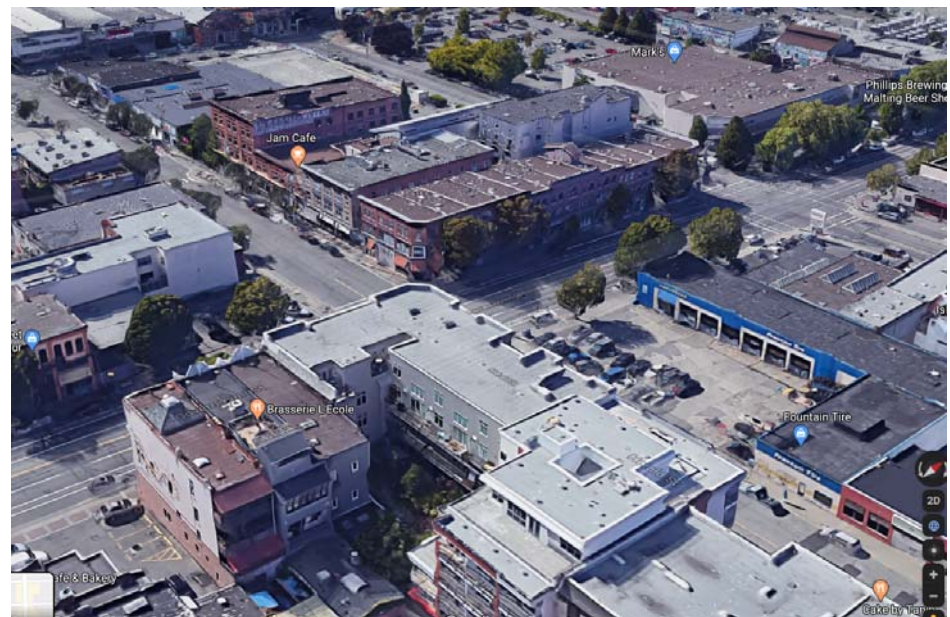
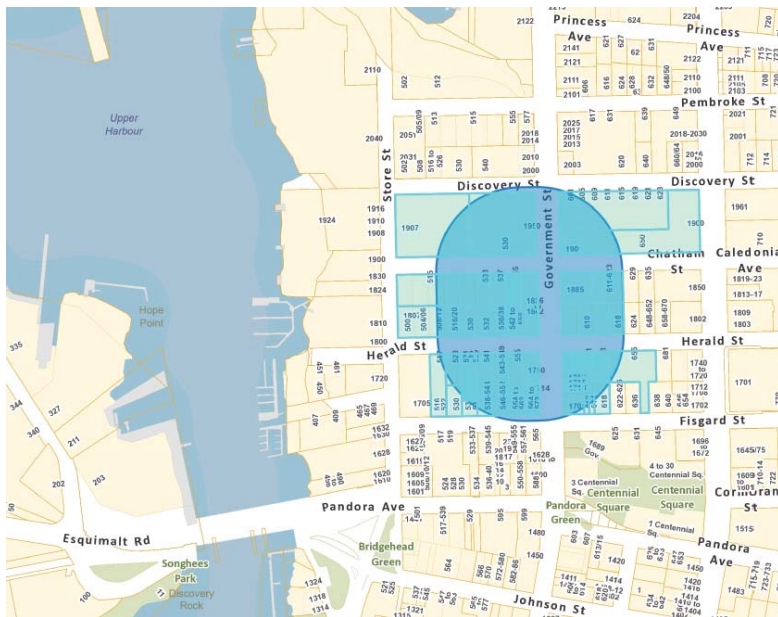
[Frequently Asked Questions](#) – answers to common liquor-related questions.

[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 Food Primary Licence with Entertainment Endorsement,
January Gin Joint & Eatery, 1820 Government Street



Liquor and Cannabis Regulation Branch (LCRB)

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

LCRB Approvals

- Criminal Background Checks

- Local Government

Municipal Input

Public Input

: potential for noise

: potential for impact on the community, and

- Occupant Load Approvals

Local Government

Staff Review:

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

Public Notification and Comment:

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

Local Government provides a resolution with comment on:

- Potential for Noise
- Potential for Impact on the Community, and
- Whether or not the amendment, if approved, would result in the service area being operated in a manner that is contrary to the primary purpose.

LCRB Application

LICENCE TYPE

PROPOSED	Food Primary with Entertainment Endorsement
----------	---

OCCUPANT LOAD

PROPOSED	43 PEOPLE
----------	-----------

LICENSED HOURS OF OPERATION

PROPOSED	9:00 am to 12:00 am Sunday – Wednesday, 9:00 am to 1:00 am Thursday - Saturday
----------	--

Staff Review and Public Comment

Staff Review:

- The proposal is consistent with anticipated uses in the area
- The application is supportable and impacts to the community are not anticipated.

Public Comment:

- One letter was received which is opposed to the application, from the Downtown Resident's Association.
- 474 notification letters were sent in association with the request.

Recommendation

That Council direct staff to notify the Liquor and Cannabis Regulation Branch that Council supports the application to having hours from 9:00 am to 12:00 am Sunday – Wednesday, 9:00 am to 1:00 am Thursday - Saturday, an occupant load of 43 people and an entertainment endorsement.

April 23/20 CAO Remarks

Good Morning Mayor and Council.

Emergency Operations Centre

We are continuing to triage all COVID-19 related City responses through the EOC with daily check ins at 2pm for the entire EOC and various working group calls at other times during the day.

In a time of pandemic – neighbourhoods are coming together.

Neighbourhood Team

Beginning this week some neighbourhood associations have moved their meetings to the **Zoom platform** to connect virtually. The Neighbourhood Liaisons are participating to provide their updates with a focus on the **‘Neighbours Helping Neighbours’ page** created with tools & resources to support residents with things like; ideas on how to help your neighbours, staying connected, ideas to stay active, and access to food. This page will continue to be updated with new information and programs.

<https://www.victoria.ca/EN/main/residents/neighbourhoods.html>

The **City of Victoria’s Local Champions program** continues to thrive in these uncertain times with 28 active participants. **Day long weekend learning sessions have been pared down to three hour workshops** and will increase in frequency as we continue to deliver the course curriculum online via Zoom mtgs. Classmates who share common themes within their projects have been put into **Learning Pods**, and are able to use the break out group function in Zoom to facilitate learning and supporting their projects. **A number of classmates have taken on Covid 19 response as a theme to their practicums, and are actively reaching out to their neighbours to provide support.**

Business Hub / Economic Development

To further support business, **an online campaign** has been created to focus on locals supporting those businesses who are still operating and/or have pivoted to an online retail platform. Called **ShopYYJ**, ads should be seen in the next few days on a variety of social media channels and media. Similarly another **campaign to promote the tools and resources available to businesses** will be created called **yyjbizsupport** to provides additional support to the Provincial and Federal programs.

Victoria Conference Centre

Several upgrade projects have started to take advantage of the closed facility such as the accessibility door installed off the Atrium, and meeting rooms refreshed with paint and new LED lighting, these efforts will further support our recovery when business returns to normal.

Get Growing

Get Growing, Victoria! is an initiative run by the City of Victoria’s **Growing in the City program** in partnership with community-partner, non-profit organizations to grow and distribute vegetable and herb seedlings to communities in need.

The COVID-19 pandemic has generated renewed interest in community resilience and food security, and **many residents have expressed interest in learning to garden to supplement their food supplies.** In April of 2020, City of Victoria Council directed staff to temporarily reprioritize the municipal nursery and

greenhouses for the growth and distribution of food starts to be shared over the 2020 growing season. Using existing Parks nursery operations, as many as 75,000 edible plant starts will be grown in 2020.

The City of Victoria's role in this program primarily as the "supplier" as we can provide our existing infrastructure (greenhouse, costs of inputs, soil, peat pots, locally sourced organic seeds, etc.) paired with our existing staffing time and expertise to help start these seeds. The City can operate this initial phase of Get Growing Victoria at such a scale that it provides a substantial impact on reducing barriers such as upfront costs and limited transportation for community members who might be facing financial impacts during COVID-19.

City staff in are the midst of finalizing some exciting partnerships with various organizations who match the description of both types of distribution hubs. There are some innovative programs that are emerging that look to help fill the gaps of where vulnerable populations need support.

My Fed Farm is an example of program that has emerged since the pandemic hit – the program operated by Food-Eco District will support 500 families and laid off workers by **providing home-based start up food gardens in raised fabric bags ideal for growing on balconies or small spaces**. The program will also provide all the supplies and offers an initial online consultation and education materials necessary to get started. **This program is a partnership between TOPSOIL Innovative Urban Agriculture, FED, City of Victoria and other partner organizations.**

We look forward to working with other partner organizations who are seeking innovative and collaborative solutions to localizing our food systems and acting as conduits to provide fresh food to those who need it most.

Get Growing Victoria is rapidly moving to keep up with the growing season, so we will continue to scale up as we learn here, as long we have interest and demand from partners organizations.



Committee of the Whole Report For the Meeting of April 23, 2020

To: Committee of the Whole **Date:** April 17, 2020
From: Karen Hoes, Director, Sustainable Planning and Community Development
Subject: Heritage Advisory Panel and Advisory Design Panel Referrals During the COVID-19 Pandemic

RECOMMENDATIONS

That Council:

1. Authorize meetings of the Heritage Advisory Panel and Advisory Design Panel to be conducted electronically during the period that the provincial declaration of a state of emergency made March 18, 2020, under section 9 (1) of the Emergency Program Act in relation to the COVID-19 pandemic and any extension of the duration of that declaration, is in effect.
2. That recommendations be forwarded to the April 23, 2020 Council Meeting so that the actions can be implemented immediately.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations on authorizing the Heritage Advisory Panel (HAPL) and Advisory Design Panel (ADP) to conduct meetings electronically in accordance with Ministerial Order No. M083 (Attachment B). This will enable development applications to advance through the panel review process with the benefit of input from both of these panels while maintaining physical distancing and compliance with the Provincial Health Officer's Order prohibiting mass gatherings.

According to Ministerial Order No. M083 (Attachment B), Council committees can meet without the public present while still being considered to be an open meeting under the Order. The order permits committee meetings to be conducted electronically. To continue to meet the transparency objectives of the *Community Charter*, staff are recommending that the full agenda packages continue to be posted on the City's website at least three days in advance of meetings, and more detailed minutes of the meetings be kept in order to capture a sense of the discussion amongst panel members. The City's electronic meeting software also allows staff to livestream and close caption meetings for real time public viewing, as well as record and host them online for later viewing. Barring any unforeseen technical issues, staff will implement these measures for ADP and HAPL meetings to enable the public to listen/view meetings remotely and achieve the greatest degree of transparency permitted by the technology.

While this report focuses on facilitating the operations of ADP and HAPL, in that they have a unique role in review of development applications, the learnings and tools developed from reactivating these panels can be applied to Council's other advisory committees.

PURPOSE

The purpose of this report is to present Council with information, analysis and recommendations on authorizing the Heritage Advisory Panel (HAPL) and Advisory Design Panel (ADP) to conduct meetings electronically. This will enable development applications to advance through the panel review process with the benefit of input from both of these panels while maintaining physical distancing and compliance with the Provincial Health Officer's Order prohibiting mass gatherings.

BACKGROUND

On March 16, 2020, the British Columbia Medical Health Officer passed an order (Attachment A) that prohibits gatherings in excess of 50 people. Shortly after this order and based on further provincial guidance on the necessity of physical distancing during the pandemic, the City of Victoria suspended meetings of Advisory Committees until further notice.

On March 26, 2020, Ministerial Order No. M083 (Attachment B) gave municipalities the ability to hold electronic City Council meetings and committee meetings without the public being physically present. The order will be in place for the duration of the state of emergency.

At the April 2, 2020 City Council meeting, Council directed staff to report back on modifications to development application processes, including processes and referrals to advisory committees, in order to continue to process applications through the COVID-19 pandemic while complying with public health orders and meeting the transparency and accountability of land use processes.

ISSUES AND ANALYSIS

Land Use Procedures Bylaw

The City's *Land Use Procedures Bylaw* states, "when processing an application, the Director may refer the application to other agencies or associations, the Technical Review Groups, Advisory Committees or other staff members." While application referral to the ADP and/or HAPL is not strictly necessary, it is an important part of the process that brings additional professional review and critique to proposals.

Electronic Meetings

The March 26, 2020 Ministerial Order temporarily overrides *Community Charter* and procedure bylaw requirements during the state of emergency, to permit electronic meetings to occur without the public being present. To enable the continued processing of development applications with the benefit of input and advice from HAPL and ADP, staff are recommending that meetings be conducted electronically. The City has the technology to distribute electronic agendas, post them online and host web-based meetings in which panel members can view presentations and participate in audio and video discussions of applications. Staff will work with applicants to ensure they are able to present their applications using this technology as well.

Staff tested the City's technology with all current members of HAPL and all were able to access the software, participate in a discussion and view a presentation. Staff will conduct a further test on April 22nd with ADP members. If any new information or learnings arise as a result of the April 22nd test with Advisory Design Panel, staff will provide a verbal update to Council at the April 23rd Committee of the Whole meeting.

Public Participation

Local governments in British Columbia operate under the *Community Charter* and *Local Government Act*. Under Clause 89 of the *Community Charter*, all meetings of council and committees are required to be “open to the public”. Consequently, HAPL and ADP meetings are held at City Hall, with meeting dates and times posted to the City website. However, unlike City Council Meetings, the public cannot comment on, or directly participate in HAPL or ADP meetings. The public, if in attendance, are present only as observers. Attendance records show that public attendance at HAPL and ADP meetings is very low, with one or two people attending intermittently.

The City’s electronic meeting software allows staff to livestream, record and close caption committee meetings for public viewing. Barring any unforeseen technical issues, staff will implement these measures for upcoming meetings to enable the public to listen/view a meeting remotely and achieve the greatest degree of transparency permitted by the City’s technology.

Staff are recommending that full agendas for HAPL and ADP continue to be posted to the City website at least three days in advance of the meeting, and that as an immediate action more detailed minutes of the meeting will be taken and posted on the website once ratified.

Application Processing

There are approximately six applications that require ADP review, and there are two Heritage Alteration Permit Applications that require HAPL review, with a further two applications expected in the coming weeks. The proposals ready for ADP review include a six-storey mixed-use building with 75 affordable rental units in Burnside Gorge, a 15-storey mixed-use building with 129 residential units in Harris Green, a townhouse proposal with 34 units in Burnside Gorge and a five-storey building and seven-storey building on Tyee Road with a combined 148 residential units. With the exception of delegated Heritage Alteration Permits, most applications could still technically proceed to Council. However, they might not include the meaningful improvements that often result from the input of the heritage consultants, historians, architects, landscape architects, engineers and other qualified professionals that comprise HAPL and ADP.

The continued suspension of HAPL also has timing implications for delegated heritage applications. On June 14, 2018 Council directed that, “as part of the Delegated Authority Process of land use applications refer, heritage-related applications to the Heritage Advisory Panel for their consideration...”. This means that even very minor alterations, such as changing paint colours, removing chimneys, installing skylights and removing non-original building features, require HAPL review before the permits can be issued.

Other Advisory Committees

This report focuses on facilitating the operations of ADP and HAPL, which play a key role in the review of development applications and are critical to advancing the development review process during the COVID-19 pandemic. However, there are a number of other Council-appointed advisory committees that are also currently suspended at this time. While they are not the subject of this report, it is anticipated that the learnings and tools developed from reactivating HAPL and ADP will be applicable to other advisory committees.

OPTIONS AND IMPACTS

Option 1 (*Recommended*)

That Council:

1. Authorize meetings of the Heritage Advisory Panel and Advisory Design Panel to be conducted electronically during the period that the provincial declaration of a state of emergency made March 18, 2020, under section 9 (1) of the Emergency Program Act in relation to the COVID-19 pandemic and any extension of the duration of that declaration, is in effect.
2. That recommendations be forwarded to the April 23, 2020 Council Meeting so that the actions can be implemented immediately.

This option would enable development applications to advance through the review process with the benefit of advisory committee input. This will enhance the City's ability to weather the economic impacts and ultimately recover from the pandemic.

Option 2

Provide alternate direction to staff on preferred approaches to holding committee meetings.

Option 3

That Council decline the staff recommendations. This option is not recommended. Although Section 15 of the *Land Use Procedures Bylaw* stipulates that referral to the advisory committees is optional, it is not optional for delegated Heritage Alteration Permits, which Council directed staff to refer to HAPL in all circumstances. Declining the staff recommendations would put these applications on indefinite hold. Some developments would not move forward, which would have negative consequences with regard to economy and positioning the City for recovery after COVID-19.

Accessibility

ADP and HAPL meetings are currently held at City Hall and are not livestreamed, so members and the public must physically travel to City Hall to observe or participate. Electronic meetings are more physically accessible to panel members, although members must have access to a phone or computer. Remote meetings, if they can be recorded and posted on the City's website, would also be more accessible for the general public.

2019 - 2022 Strategic Plan

The Strategic Plan contains a number of objectives which depend on viable and timely development activity. Therefore, although the proposed recommendation does not have direct Strategic Plan implications, any measures that promote continuation of processing of land use applications are likely to help achieve numerous Strategic Plan objectives, including increased supply of affordable and rental housing as well as maintaining a healthy economy.

Impacts to Financial Plan

The City of Victoria has a license to operate a web-based meeting program called Microsoft Teams, which has worked well for a range of internal and external meeting participants. It is unlikely that

the City will have to purchase any additional software licenses, so there are no anticipated impacts to the City's financial plan as a result of holding meetings electronically; however, in terms of staff resources, this approach is more labour intensive.

CONCLUSIONS

Staff recommend that Council authorize Advisory Design Panel and Heritage Advisory Panel meetings to be held electronically for the duration of the provincial limits on gathering and social distancing requirements. Ministerial Order No. M083 released on March 26, 2020 grants permission to municipalities to hold electronic committee meetings without the public being physically present. Adopting this practice will enable development applications that require HAPL and ADP review to continue to advance, which will better position the City to weather and recover after the pandemic. To continue to meet the transparency objectives of the *Community Charter*, staff are recommending that the full agenda package of the panels continue to be posted to the City's website and that more detailed minutes of the meetings be taken. Staff are also committed to using the livestreaming, recording and close caption functions of the City's electronic meeting software to enable the public to view the meetings live or afterwards to achieve the greatest degree of transparency and accessibility possible.

Respectfully submitted,


John O'Reilly
Senior Heritage Planner
Development Services




Karen Hoese, Director
Sustainable Planning and
Community Development Department

Report accepted and recommended by the City Manager:



Date: April 21, 2020

List of Attachments

- Attachment A: Provincial Health Officer Order
- Attachment B: Ministerial Order No. M083.



Cliff #1157407

CLASS ORDER (mass gatherings) re: COVID-19

**NOTICE TO OWNERS, OCCUPIERS AND OPERATORS
OF PLACES AT WHICH LARGE NUMBERS OF PEOPLE GATHER (CLASS)**

ORDER OF THE PROVINCIAL HEALTH OFFICER

(Pursuant to Sections 30, 31, 32 and 39 (3) *Public Health Act*, S.B.C. 2008)

The *Public Health Act* is at:

<http://www.bclaws.ca/civix/content/complete/statreg/08028/?xsl=/templates/browse.xsl>

(excerpts enclosed)

TO: AN INDIVIDUAL / SOCIETY / CORPORATION OR OTHER ORGANIZATION INCLUDING A MUNICIPALITY / REGIONAL DISTRICT / SCHOOL BOARD / UNIVERSITY / COLLEGE / RELIGIOUS ORGANIZATION WHICH IS THE OWNER/OCCUPIER/OPERATOR OF OR IS OTHERWISE RESPONSIBLE FOR A THEATRE / SPORTS ARENA / CONFERENCE HALL / CHURCH / RECREATION CENTRE / CASINO / PARK / FESTIVAL SITE OR OTHER INDOOR OR OUTSIDE PLACE

WHEREAS:

- A. A communicable disease known as COVID-19 has emerged in British Columbia;
- B. SARS-CoV-2, an infectious agent, can cause outbreaks of serious illness known as COVID-19 among the public;
- C. A person infected with SARS-CoV-2 can infect other people with whom the infected person is in contact;
- D. The gathering of large numbers of people in close contact with one another can promote the transmission of SARS-CoV-2 and increase the number of people who develop COVID-19;

- E. You belong to the class of people who are the owner, occupier or operator, or are otherwise responsible for, a place or places at which large numbers of people gather in British Columbia;
- F. I have reason to believe and do believe that
- (i) the risk of an outbreak of COVID-19 among the public constitutes a health hazard under the *Public Health Act*;
 - (ii) because the risk of an outbreak extends beyond the authority of one or more medical health officers and coordinated action is needed to protect the public from contracting COVID-19, it is in the public interest for me to exercise the powers in sections 30, 31, 32 and 39(3) of the *Public Health Act* **TO ORDER** as follows:

You are prohibited from permitting the gathering of people in excess of **50 people** at a place of which you are the owner, occupier or operator, or for which you are otherwise responsible.

This Order expires on May 30, 2020 and is subject to revision, cancellation or extension by me.

You are required under section 42 of the *Public Health Act* to comply with this Order. Failure to comply with this Order is an offence under section 99 (1) (k) of the *Public Health Act*.

Under section 43 of the *Public Health Act*, you may request me to reconsider this Order if you:

1. Have additional relevant information that was not reasonably available to the me when this Order was issued,
2. Have a proposal that was not presented to me when this Order was issued but, if implemented, would
 - (a) meet the objective of the order, and
 - (b) be suitable as the basis of a written agreement under section 38 [may make written agreements]
3. Require more time to comply with the order.

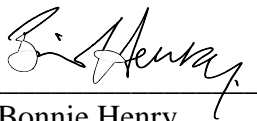
Under section 43 (6) an Order is not suspended during the period of reconsideration unless the health officer agrees, in writing, to suspend it.

If you fail to comply with this Order, I have the authority to take enforcement action against you under Part 4, Division 6 of the *Public Health Act*.

You may contact me at:

Dr. Bonnie Henry, Provincial Health Officer
4th Floor, 1515 Blanshard Street
PO Box 9648 STN PROV GOVT, Victoria BC V8W 9P4
Fax: (250) 952-1570

DATED THIS: 16 day of March 2020

SIGNED: 
Bonnie Henry
MD, MPH, FRCPC
Provincial Health Officer

DELIVERY BY: News release on the BC Government website, the BC Centre for Disease Control website and by email.

Enclosure: Excerpts of *Public Health Act*

ENCLOSURE

Excerpts of the *PUBLIC HEALTH ACT*

Public Health Act [SBC 2008] c. 28

Definitions

1 In this Act:

"health hazard" means

- (a) a condition, a thing or an activity that
 - (i) endangers, or is likely to endanger, public health, or
 - (ii) interferes, or is likely to interfere, with the suppression of infectious agents or hazardous agents, or
- (b) a prescribed condition, thing or activity, including a prescribed condition, thing or activity that
 - (i) is associated with injury or illness, or
 - (ii) fails to meet a prescribed standard in relation to health, injury or illness;

When orders respecting health hazards and contraventions may be made

30 (1) A health officer may issue an order under this Division only if the health officer reasonably believes that

- (a) a health hazard exists,
- (b) a condition, a thing or an activity presents a significant risk of causing a health hazard,
- (c) a person has contravened a provision of the Act or a regulation made under it, or
- (d) a person has contravened a term or condition of a licence or permit held

by the person under this Act.

(2) For greater certainty, subsection (1) (a) to (c) applies even if the person subject to the order is complying with all terms and conditions of a licence, a permit, an approval or another authorization issued under this or any other enactment.

General powers respecting health hazards and contraventions

31 (1) If the circumstances described in section 30 [*when orders respecting health hazards and contraventions may be made*] apply, a health officer may order a person to do anything that the health officer reasonably believes is necessary for any of the following purposes:

- (a) to determine whether a health hazard exists;
- (b) to prevent or stop a health hazard, or mitigate the harm or prevent further harm from a health hazard;
- (c) to bring the person into compliance with the Act or a regulation made under it;
- (d) to bring the person into compliance with a term or condition of a licence or permit held by that person under this Act.

(2) A health officer may issue an order under subsection (1) to any of the following persons:

- (a) a person whose action or omission
 - (i) is causing or has caused a health hazard, or
 - (ii) is not in compliance with the Act or a regulation made under it, or a term or condition of the person's licence or permit;
- (b) a person who has custody or control of a thing, or control of a condition, that
 - (i) is a health hazard or is causing or has caused a health hazard, or
 - (ii) is not in compliance with the Act or a regulation made under it,

or a term or condition of the person's licence or permit;

(c) the owner or occupier of a place where

(i) a health hazard is located, or

(ii) an activity is occurring that is not in compliance with the Act or a regulation made under it, or a term or condition of the licence or permit of the person doing the activity.

Specific powers respecting health hazards and contraventions

32 (1) An order may be made under this section only

(a) if the circumstances described in section 30 [*when orders respecting health hazards and contraventions may be made*] apply, and

(b) for the purposes set out in section 31 (1) [*general powers respecting health hazards and contraventions*].

(2) Without limiting section 31, a health officer may order a person to do one or more of the following:

(a) have a thing examined, disinfected, decontaminated, altered or destroyed, including

(i) by a specified person, or under the supervision or instructions of a specified person,

(ii) moving the thing to a specified place, and

(iii) taking samples of the thing, or permitting samples of the thing to be taken;

(b) in respect of a place,

(i) leave the place,

(ii) not enter the place,

(iii) do specific work, including removing or altering things found in the place, and altering or locking the place to restrict or prevent

entry to the place,

(iv) neither deal with a thing in or on the place nor dispose of a thing from the place, or deal with or dispose of the thing only in accordance with a specified procedure, and

(v) if the person has control of the place, assist in evacuating the place or examining persons found in the place, or taking preventive measures in respect of the place or persons found in the place;

(c) stop operating, or not operate, a thing;

(d) keep a thing in a specified place or in accordance with a specified procedure;

(e) prevent persons from accessing a thing;

(f) not dispose of, alter or destroy a thing, or dispose of, alter or destroy a thing only in accordance with a specified procedure;

(g) provide to the health officer or a specified person information, records, samples or other matters relevant to a thing's possible infection with an infectious agent or contamination with a hazardous agent, including information respecting persons who may have been exposed to an infectious agent or hazardous agent by the thing;

(h) wear a type of clothing or personal protective equipment, or change, remove or alter clothing or personal protective equipment, to protect the health and safety of persons;

(i) use a type of equipment or implement a process, or remove equipment or alter equipment or processes, to protect the health and safety of persons;

(j) provide evidence of complying with the order, including

(i) getting a certificate of compliance from a medical practitioner, nurse practitioner or specified person, and

(ii) providing to a health officer any relevant record;

(k) take a prescribed action.

(3) If a health officer orders a thing to be destroyed, the health officer must give the person having custody or control of the thing reasonable time to request reconsideration and review of the order under sections 43 and 44 unless

(a) the person consents in writing to the destruction of the thing, or

(b) Part 5 [*Emergency Powers*] applies.

May make written agreements

38 (1) If the health officer reasonably believes that it would be sufficient for the protection of public health and, if applicable, would bring a person into compliance with this Act or the regulations made under it, or a term or condition of a licence or permit held by the person under this Act, a health officer may do one or both of the following:

(a) instead of making an order under Division 1, 3 or 4, enter into a written agreement with a person, under which the person agrees to do one or more things;

(b) order a person to do one or more things that a person has agreed under paragraph (a) to do, regardless of whether those things could otherwise have been the subject of an order under Division 1, 3 or 4.

(2) If, under the terms of an agreement under subsection (1), a health officer conducts one or more inspections, the health officer may use information resulting from the inspection as the basis of an order under this Act, but must not use the information as the basis on which to

(a) levy an administrative penalty under this Act, or

(b) charge a person with an offence under this Act.

Contents of orders

39 (3) An order may be made in respect of a class of persons.

Duty to comply with orders

42 (1) A person named or described in an order made under this Part must comply with the order.

(2) Subsection (1) applies regardless of whether the person leaves the geographic area for which the health officer who made the order is designated.

Reconsideration of orders

43 (1) A person affected by an order, or the variance of an order, may request the health officer who issued the order or made the variance to reconsider the order or variance if the person

(a) has additional relevant information that was not reasonably available to the health officer when the order was issued or varied,

(b) has a proposal that was not presented to the health officer when the order was issued or varied but, if implemented, would

(i) meet the objective of the order, and

(ii) be suitable as the basis of a written agreement under section 38 [*may make written agreements*], or

(c) requires more time to comply with the order.

(2) A request for reconsideration must be made in the form required by the health officer.

(3) After considering a request for reconsideration, a health officer may do one or more of the following:

(a) reject the request on the basis that the information submitted in support of the request

(i) is not relevant, or

(ii) was reasonably available at the time the order was issued;

(b) delay the date the order is to take effect or suspend the order, if satisfied

that doing so would not be detrimental to public health;

(c) confirm, rescind or vary the order.

(4) A health officer must provide written reasons for a decision to reject the request under subsection (3) (a) or to confirm or vary the order under subsection (3) (c).

(5) Following a decision made under subsection (3) (a) or (c), no further request for reconsideration may be made.

(6) An order is not suspended during the period of reconsideration unless the health officer agrees, in writing, to suspend it.

(7) For the purposes of this section,

(a) if an order is made that affects a class of persons, a request for reconsideration may be made by one person on behalf of the class, and

(b) if multiple orders are made that affect a class of persons, or address related matters or issues, a health officer may reconsider the orders separately or together.

(8) If a health officer is unable or unavailable to reconsider an order he or she made, a similarly designated health officer may act under this section in respect of the order as if the similarly designated health officer were reconsidering an order that he or she made.

Review of orders

44 (1) A person affected by an order may request a review of the order under this section only after a reconsideration has been made under section 43 [*reconsideration of orders*].

(2) A request for a review may be made,

(a) in the case of an order made by a medical health officer, to the provincial health officer, or

(b) in the case of an order made by an environmental health officer, to a medical health officer having authority in the geographic area for which the environmental health officer is designated.

(3) If a review is requested, the review is to be based on the record.

(4) If a review is requested, the reviewer may do one or more of the following:

(a) delay the date the order is to take effect or suspend the order, if satisfied that doing so would not be detrimental to public health;

(b) confirm, vary or rescind the order;

(c) refer the matter back to the person who made the order, with or without directions.

(5) A reviewer must provide written reasons for an action taken under subsection (4) (b) or (c), and a person may not request further review of an order.

Offences

99 (1) A person who contravenes any of the following provisions commits an offence:

...

(k) section 42 [*failure to comply with an order of a health officer*], except in respect of an order made under section 29 (2) (e) to (g) [*orders respecting examinations, diagnostic examinations or preventive measures*];

PROVINCE OF BRITISH COLUMBIA

**ORDER OF THE MINISTER OF PUBLIC SAFETY AND
SOLICITOR GENERAL**

Emergency Program Act

Ministerial Order No. M083

WHEREAS a declaration of a state of emergency throughout the whole of the Province of British Columbia was declared on March 18, 2020;

AND WHEREAS local governments, including the City of Vancouver, and related bodies must be able to conduct their business in accordance with public health advisories to reduce the threat of COVID-19 to the health and safety of members and employees of local government and related bodies and members of the public;

AND WHEREAS it is recognized that public participation in local governance is an essential part of a free and democratic society and is important to local governments' purpose of providing good government to communities;

AND WHEREAS the threat of COVID-19 to the health and safety of people has resulted in the requirement that local governments and related bodies implement necessary limitations on this public participation;

I HEREBY make the attached Local Government Meetings and Bylaw Process (COVID-19) Order.

March 26, 2020

Date



Minister of Public Safety and Solicitor General

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Emergency Program Act, R.S.B.C. 1996, c. 111, s. 10

Other: MO 73/2020

LOCAL GOVERNMENT MEETINGS AND BYLAW PROCESS (COVID-19) ORDER

Definitions

- 1 In this order:
 - “**board**” has the same meaning as in the Schedule of the *Local Government Act*;
 - “**council**” has the same meaning as in the Schedule to the *Community Charter*;
 - “**municipality**” has the same meaning as in the Schedule of the *Community Charter*;
 - “**municipality procedure bylaw**” has the same meaning as “procedure bylaw” in the Schedule of the *Community Charter*;
 - “**regional district**” has the same meaning as in the Schedule of the *Local Government Act*;
 - “**regional district procedure bylaw**” means a procedure bylaw under section 225 of the *Local Government Act*;
 - “**Vancouver council**” has the same meaning as “Council” in section 2 of the *Vancouver Charter*;
 - “**Vancouver procedure bylaw**” means a bylaw under section 165 [*by-laws respecting Council proceedings and other administrative matters*] of the *Vancouver Charter*.

Application

- 2 This order only applies during the period that the declaration of a state of emergency made March 18, 2020 under section 9 (1) of the *Emergency Program Act* and any extension of the duration of that declaration is in effect.

Open meetings - municipalities

- 3 (1) Despite
 - (a) Division 3 [*Open Meetings*] of Part 4 [*Public Participation and Council Accountability*] of the *Community Charter*, and
 - (b) any applicable requirements in a municipality procedure bylaw of a council, a council or a body referred to in section 93 [*application of rule to other bodies*] of the *Community Charter* is not required to allow members of the public to attend an open meeting of the council or body.
- (2) For the purposes of Division 3 [*Open Meetings*] of Part 4 [*Public Participation and Council Accountability*] of the *Community Charter*, if a council or a body do not allow members of the public to attend an open meeting under subsection (1) of this section, the open meeting is not to be considered closed to the public.

Open meetings – regional districts

- 4 (1) Despite
 - (a) Division 3 [*Open Meetings*] of Part 4 [*Public Participation and Council Accountability*] of the *Community Charter*,

- (b) section 226 [*board proceedings: application of Community Charter*] of the *Local Government Act*, and
 - (c) any applicable requirements in a regional district procedure bylaw of a board,
- a board or a board committee established under section 218 [*appointment of select and standing committees*] of the *Local Government Act* is not required to allow members of the public to attend an open meeting of the board or committee.
- (2) For the purposes of Division 3 [*Open Meetings*] of Part 4 [*Public Participation and Council Accountability*] of the *Community Charter* as that Division applies to a regional district under section 226 of the *Local Government Act*, if a board or a board committee do not allow members of the public to attend an open meeting under subsection (1) of this section, the open meeting is not to be considered closed to the public.

Open meetings - Vancouver

- 5 (1) Despite
- (a) section 165.1 [*general rule that meetings must be open to the public*] of the *Vancouver Charter*, and
 - (b) any applicable provision in the Vancouver procedure bylaw,
- the Vancouver council or a body referred to in section 165.7 [*application to other city bodies*] of the *Vancouver Charter* is not required to allow members of the public to attend an open meeting of the council or body.
- (2) For the purposes of section 165.1 of the *Vancouver Charter* if the Vancouver council or a body do not allow members of the public to attend an open meeting under subsection (1) of this section, the open meeting is not to be considered closed to the public.

Electronic meetings – municipalities

- 6 (1) Despite
- (a) section 128 [*electronic meetings and participation by members*] of the *Community Charter*, and
 - (b) any applicable requirements in a municipality procedure bylaw of a council,
- a council or a body referred to in section 93 [*application of rule to other bodies*] of the *Community Charter* may conduct all or part of a meeting of the council or body by means of electronic or other communication facilities.
- (2) A member of a council or body who participates in a meeting by means of electronic or other communication facilities under this section is deemed to be present at the meeting.
- (3) Section 128 (2) (c) and (d) [*electronic meetings and participation by members*] of the *Community Charter* does not apply in respect of a meeting conducted by means of electronic or other communication facilities under this section.

Electronic meetings – regional districts

- 7 (1) Despite
- (a) section 221 [*electronic meetings and participation by members*] of the *Local Government Act*,

(b) the Regional District Electronic Meetings Regulation, B.C. Reg. 271/2005, and

(c) any applicable requirements in a regional district procedure bylaw of a board,

a board or a board committee established under section 218 [*appointment of select and standing committees*] of the *Local Government Act* may conduct all or part of a meeting of the board or committee by means of electronic or other communication facilities.

(2) A member of a board or board committee who participates in a meeting by means of electronic or other communication facilities under this section is deemed to be present at the meeting.

(3) Section 2 (2) (d) and (e) [*electronic meetings authorized*] of the Regional District Electronic Meetings Regulation does not apply in respect of a meeting conducted by means of electronic or other communication facilities under this section.

Electronic meetings - Vancouver

8 Despite

(a) section 164.1 [*meeting procedures*] of the *Vancouver Charter*,

(b) the City of Vancouver Council Electronic Meetings Regulation, B.C. Reg. 42/2012,

(b) any applicable provision in the Vancouver procedure bylaw,

the Vancouver council or a body referred to in section 165.7 [*application to other city bodies*] of the *Vancouver Charter* may conduct all or part of a meeting of the council or body by means of electronic or other communication facilities.

(2) A member of the Vancouver council or other body who participates in a meeting by means of electronic or other communication facilities under this section is deemed to be present at the meeting.

(3) Section 2 (2) (c) and (d) [*electronic meetings authorized*] of the City of Vancouver Council Electronic Meetings Regulation does not apply in respect of a meeting conducted by means of electronic or other communication facilities under this section.

Timing requirement for bylaw passage – municipalities

9 Despite section 135 (3) [*requirements for passing bylaws*] of the *Community Charter*, a council may adopt a bylaw on the same day that a bylaw has been given third reading.

Timing requirement for bylaw passage – regional districts

10 Despite section 228 [*bylaw adoption at same meeting as third reading*] of the *Local Government Act*, a board may adopt a bylaw described in that section at the same meeting at which the bylaw passes third reading if the motion for adoption receives the majority of the votes cast.

1

Heritage Advisory Panel and Advisory Design Panel Referrals During the COVID-19 Pandemic



1

Background

2

- **March 16-** Mass gatherings Banned
- City closes down City Hall and suspends Advisory Committee meetings until further notice
- **March 26-** Ministerial Order M083 authorizes municipalities to hold electronic committee meetings without the public physically present during the State of Emergency



2

Meeting Format and Public Transparency Measures 3

HAPL/ADP Electronic Meeting Format

- Web-based meetings using City-owned software
- HAPL and ADP members can view presentations and discuss/vote in real time
- Similar functionality to “Zoom”, with better security

Public Transparency

- Full meeting agenda packages posted online
- Detailed minutes taken and posted online after the meeting

Additional Transparency Measures

- Staff will livestream and close caption panel meetings for public viewing
- Staff will record and post meetings on City website for later public viewing



3

Staff Recommendation 4

1. Authorize meetings of the Heritage Advisory Panel and Advisory Design Panel to be conducted electronically during the period that the provincial declaration of a state of emergency made March 18, 2020, under section 9 (1) of the Emergency Program Act in relation to the COVID-19 pandemic and any extension of the duration of that declaration, is in effect.
2. That recommendations be forwarded to the April 23, 2020 Council Meeting so that the actions can be implemented immediately.



4



Committee of the Whole Report For the Meeting of April 23, 2020

To: Committee of the Whole **Date:** April 15, 2020
From: Jo-Ann O'Connor, Deputy Director of Finance
Subject: Revenue and Tax Policy Benchmark Monitoring and 2020 Tax Rates

RECOMMENDATIONS

That Council:

1. Approve 2020 tax rates in alignment with the Revenue and Tax Policy as follows:

Residential	3.1152
Utility	34.4916
Major Industrial	10.3581
Light Industrial	10.3581
Business	10.3581
Rec/Non Profit	6.8316
2. Direct staff to bring forward Tax Bylaw, 2020 for introductory readings and adoption to the daytime Council meeting on May 7, 2020.

EXECUTIVE SUMMARY

Under the *Community Charter*, as part of the financial plan, Council is required to outline its objectives and policies regarding revenue proportions by funding source; distribution of property taxes among property classes; and permissive property tax exemptions. In addition, before adopting the annual property tax bylaw, Council must consider the tax rates proposed in conjunction with its objectives and policies for the distribution of property taxes among property classes. The City's Revenue and Tax Policy outlines these objectives and policies.

Given the current situation with COVID-19, the benchmarks that are shared with Council from 2019 are likely not helpful indicators for this year's tax rate setting. However, they are included in the report for consistency. A few of these metrics are no longer available from BC Stats and those have been left blank for 2019, showing only the 2018 comparators.

On April 9, 2020, Council eliminated the planned property tax increase by reducing transfers to infrastructure reserves. As such, the City will collect the same dollar amount in taxes this year compared to 2019. However, the City's portion of the tax bill is only about 60% of the total bill and approximately 40% is taxes levied on behalf of other agencies such as the Capital Regional District, Capital Regional Hospital District, Municipal Finance Authority, BC Assessment, BC Transit and School District #61. Many of these other agencies have increased the amounts requisitioned and therefore, the overall tax bill will increase. However, for business and industrial classes, the Province announced that they will reduce the school tax rate by 50% for those properties, so that will reduce the total amount payable. Another impact to the overall tax bill is a property's assessed

value change; if a property's assessed value has increased more than the average for that property tax class, then that property's tax bill will increase compared to 2019.

The recommended tax rates option reflects the Council-approved Revenue and Tax Policy.

To accommodate the printing and mailing of property tax notices to allow ample time for taxpayers to receive notices and pay before the tax due date, staff are proposing both the introduction and adoption of the tax rate bylaws at the daytime Council meeting on May 7. The provisions of the recent Order from the Provincial Government enabling local governments to adopt bylaws in one meeting as a result of COVID-19 enables this approach. While not to be used without thought, the time sensitivity issues, brought on by the COVID-19 Pandemic and the recent changes to the Financial Plan warrant, in staff's view, the introduction and adoption of the Bylaw in the same meeting.

PURPOSE

The purpose of this report is to provide updated benchmark measures related to the City's Revenue and Tax Policy and seek direction on 2020 tax rates.

BACKGROUND

Under section 165 of the *Community Charter*, as part of the financial plan, Council is required to outline its objectives and policies regarding revenue proportions by funding source; distribution of property taxes among property classes; and permissive property tax exemptions. In addition, under section 197, before adopting the annual property tax bylaw, Council must consider the tax rates proposed in conjunction with its objectives and policies for the distribution of property taxes among property classes. The City's Revenue and Tax Policy outlines these objectives and policies.

In BC, property assessments are undertaken by BC Assessment and form the basis on which taxation at the local level is established through the variable tax rate system in the Community Charter. There are nine different property classes under this system. Within the City, there are seven property classes, each of which has a specific tax rate established by Council. City Policy noted below establishes some framework for the way in which City taxes are apportioned between the various property classes.

The annual tax bylaw must be approved before May 15th each year, but after the financial plan bylaw as required under section 197 of the Community Charter.

The policies on Distribution of Property Taxes among Property Classes, as detailed in the City's Revenue and Tax Policy are:

Policy 2.0

Maintain the current share of distribution of property taxes among property classes, excluding the impact of new assessment revenue, by allocating tax increases equally. Business and industrial classes will be grouped as outlined in Policy 2.1.

Policy 2.1

Tax rates for the light and major industrial tax classes will be equal to the business tax rate to support the City's desire to retain industrial businesses.

Policy 2.2

Farm tax rates will be set at a rate so taxes paid by properties achieving farm status will be comparable to what the property would have paid if it were assessed as residential.

Market value changes that result in uneven assessment changes between property classes result in a tax burden shift to the class experiencing greater market value increases, unless tax ratios are modified.

Until 2007, it was Council's practice to modify tax ratios to avoid shifts *between* property classes, due to uneven assessed value changes. This practice provided tax increases that were equal for all classes.

For 2007 and 2008 Council chose to hold the business class and industrial class ratios at the 2006 level. This resulted in a higher tax increase being passed on to the residential class compared to business and industrial.

In 2009 Council adopted the Revenue and Tax Policy. The industrial tax ratios were reduced to the same level as the business tax ratio. The business and industrial class ratios were also reduced marginally in 2009, 2010 and 2011.

In 2012, a comprehensive review of the Revenue and Tax Policy was conducted to determine if Council's objective of reducing the tax burden on the business class was appropriate and if so, that the mechanism of achieving the objective (reduction of tax ratio) was the most effective mechanism. The review concluded that additional relief for the business tax class was warranted. However, the tax ratio was not the best mechanism for achieving that goal; a better mechanism was tax share. As a result, Council changed the policy to focus on the tax share rather than tax ratios, and to reduce the business class share of property taxes from 49.35% to 48%, excluding new property tax revenue from new construction, over three years (2012-2014).

Since the final year of implementation for the policy was 2014, and in accordance with Council's direction, another comprehensive review of the policy was completed, including the analysis of the same indicators from the 2011 review. Based on the findings, it was recommended that no further shifting of taxes be done. On January 29, 2015, Council approved maintaining the current share of distribution of property taxes among property classes excluding the impact on new assessment, and directed staff to annually bring forward a monitoring report on benchmarks as outlined in the January 29, 2015 report.

Since that time, Council has reviewed the benchmarks annually and no changes have been made to the Revenue and Tax Policy. However, in 2016 Council held the business tax share to 48% and in 2018 Council shifted taxes from business to residential.

ISSUES & ANALYSIS

The following section outlines the 2019 benchmark measures, followed by tax rate options for 2020 for Council's consideration.

Revenue and Tax Policy Benchmark Measures

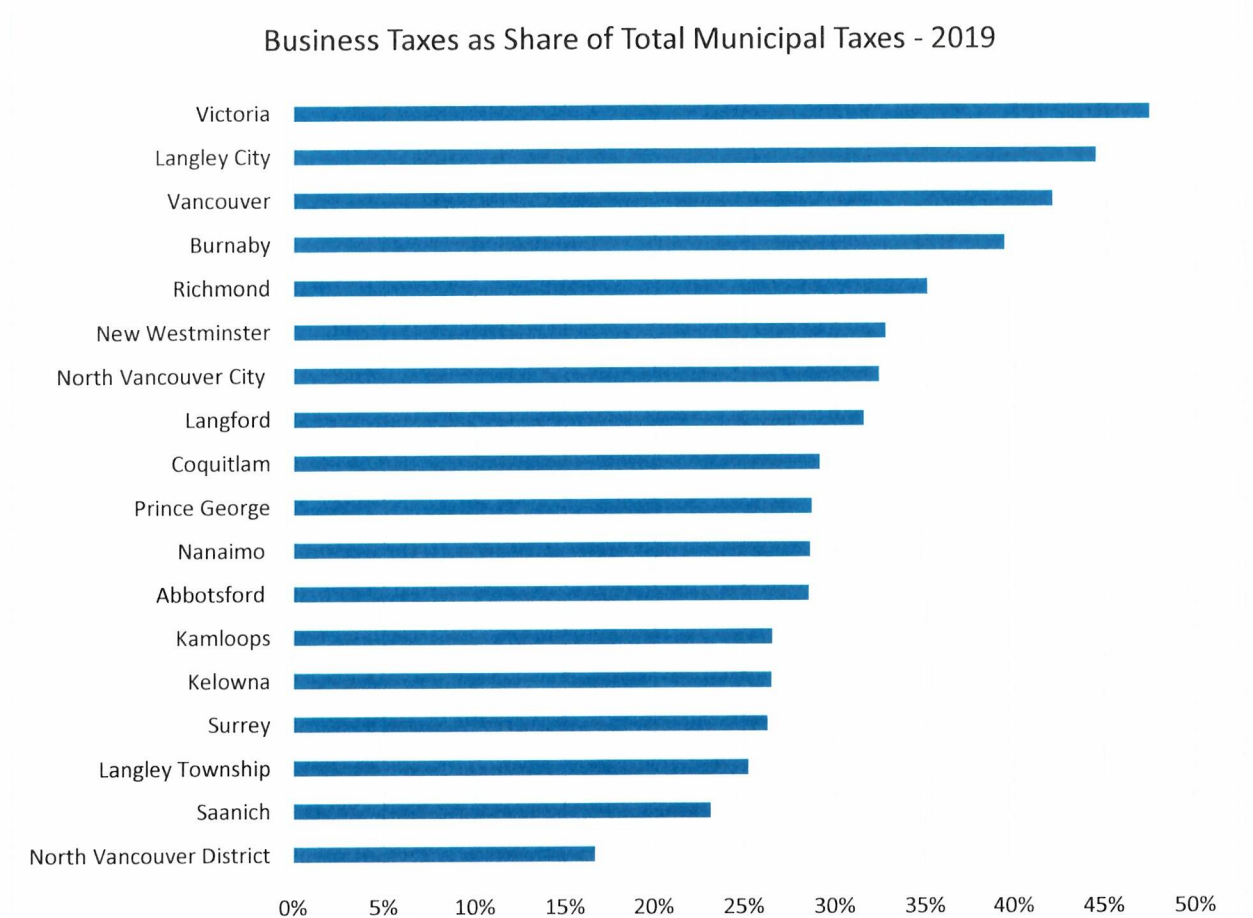
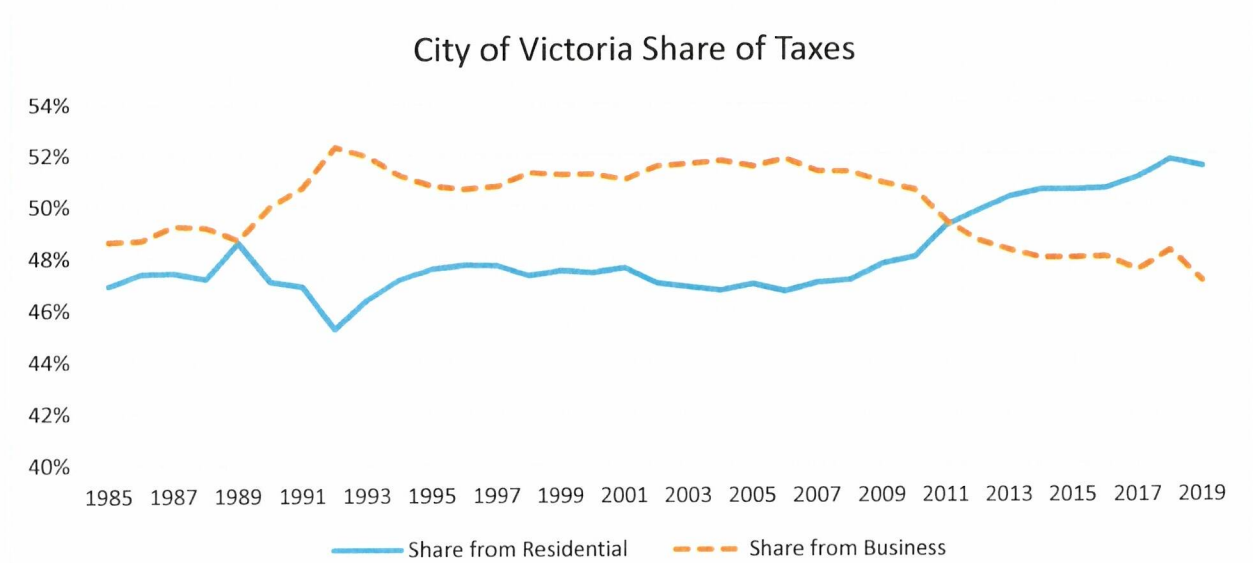
Below are the benchmark measures that Council directed staff to monitor annually. These benchmarks can inform Council's decision on the desired share of property tax distribution among property classes.

Benchmark	2018 Measure	2019 Measure
Share of Taxes – excluding NMC:		
Business	46.78%	47.06%
Non-residential (including business)	48.23%	48.49%
Residential	51.77%	51.50%
Business Tax Ratio	3.5349	3.4794
Ratio of business/residential building assessment	47.2	48.0
Business Property Tax Rates	11.6261	10.9821
Residential Taxes per capita	\$781.91	\$774.88
% value of commercial building permits in CRD*	42%	n/a
Ratio of commercial to residential building permits*	28%	n/a
Vacancy rates – downtown office buildings	6.40%	4.70%
Vacancy rates – suburban office buildings	6.70%	5.60%
Downtown retail vacancy rates	4.10%	3.10%

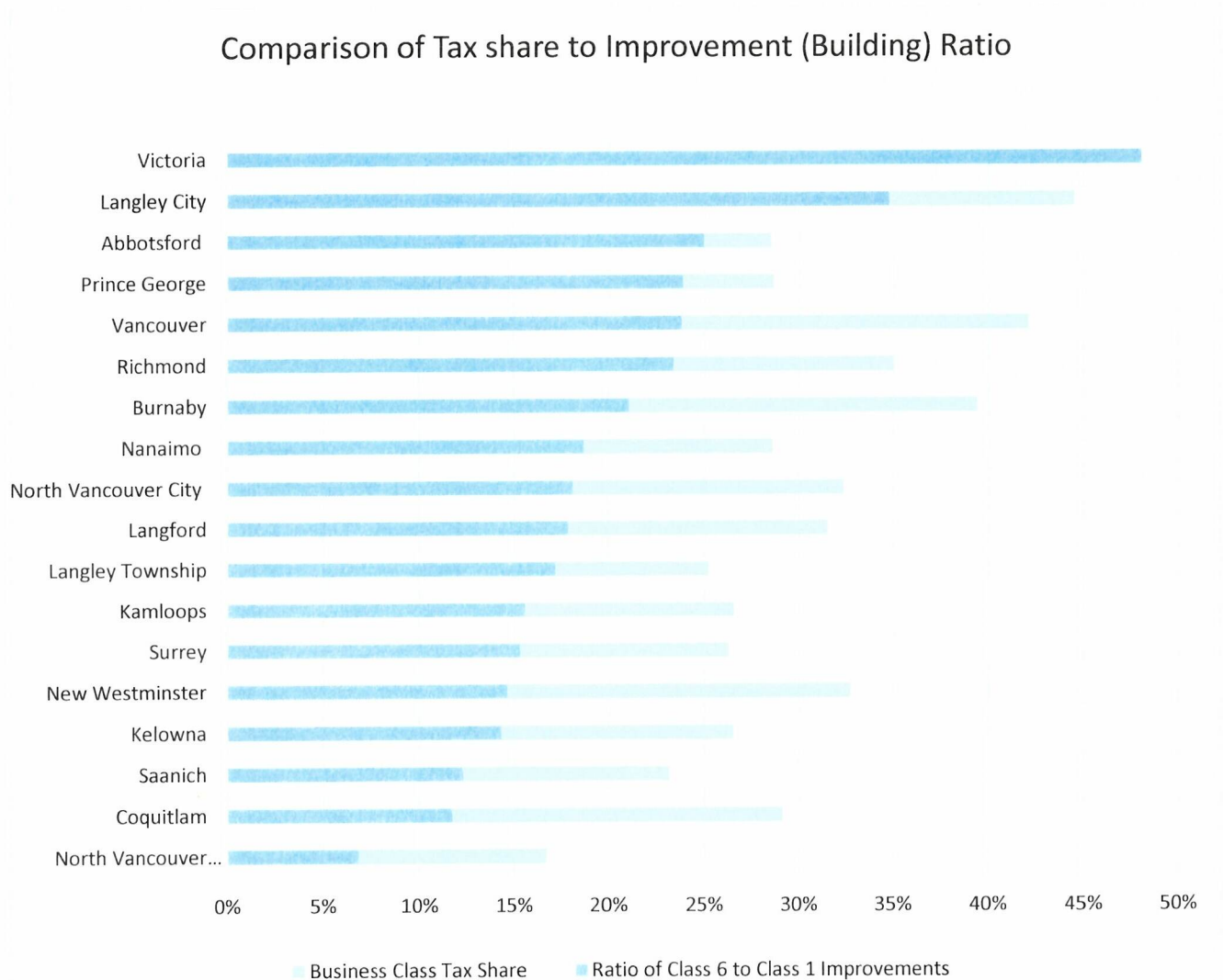
* At the present time, BC Stats no longer produces building permit statistics

Share of Taxes

In 2019, the share of municipal taxes paid by the business class remained high when compared to other municipalities. However, the share of taxes paid by the business class continues to be at a historical low for Victoria.



The review done in 2015 concluded that based on the following indicator, the share of taxes paid by the business class is not considered unreasonable given the City's high concentration of commercial properties and relatively small footprint. This concentration can be measured by comparing business class building values to residential class building values. The building values are an estimate of the value of the physical structures on the land and exclude the value of land itself. As the chart below depicts, the City's ratio is even, whereas the comparable municipalities collect a larger share of taxes from the business class compared to the building values.

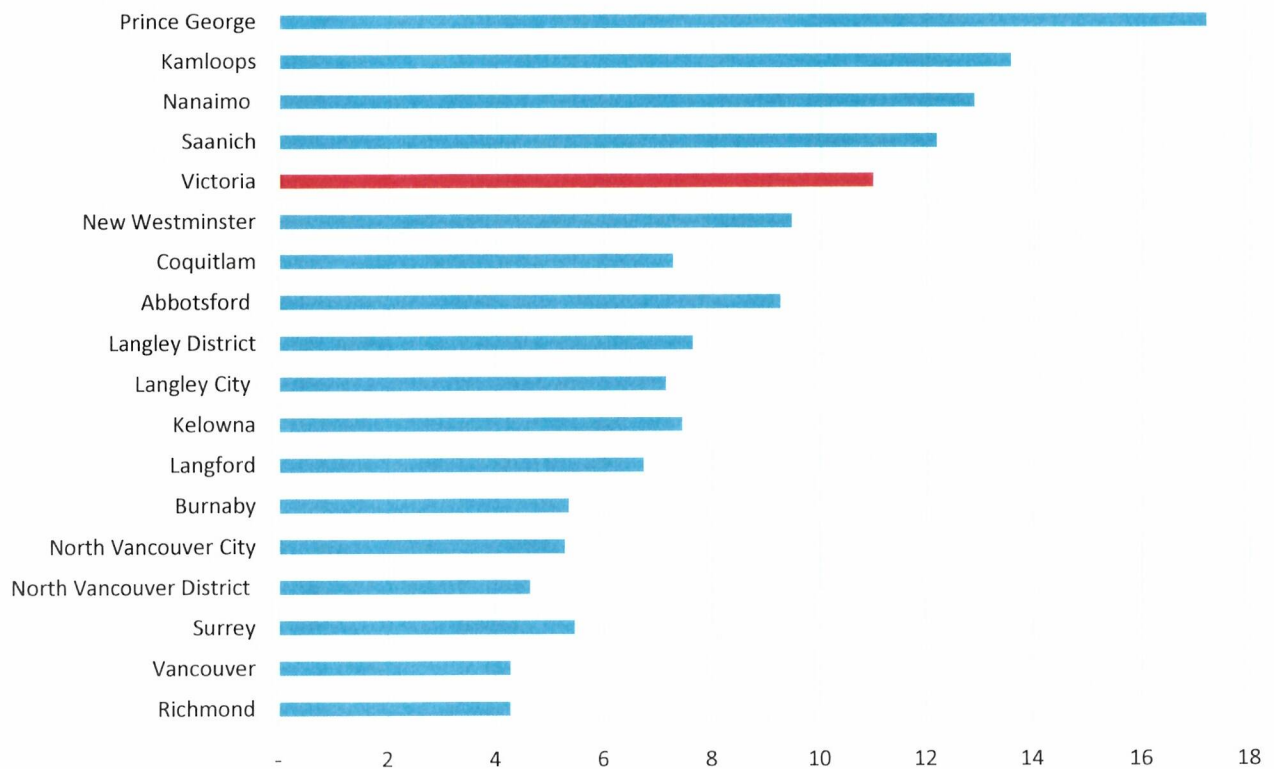


Business Tax Ratio & Tax Rates

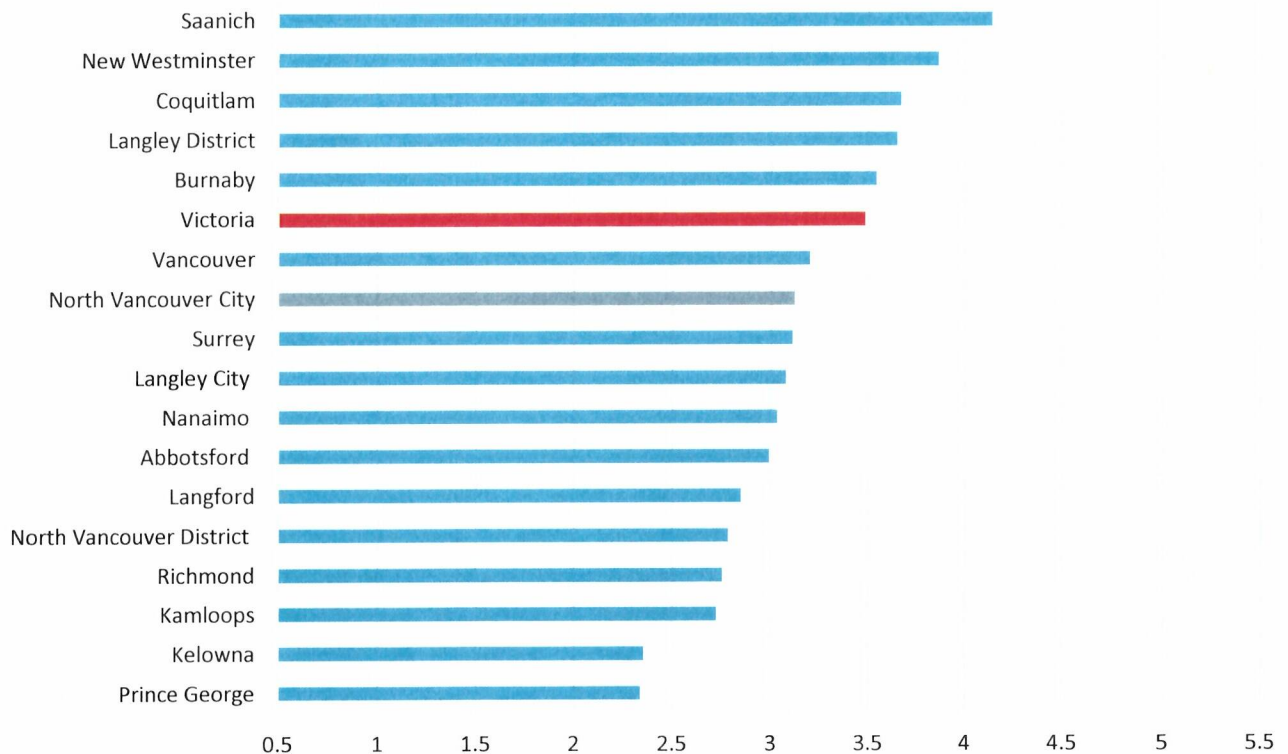
From 2018 to 2019, there were changes in the business tax ratio and business class tax rates. Overall assessed values for the business and residential classes increased significantly (10.06% for business and 8.33% for residential) and tax rates decreased; however, the ratio decreased due to the higher assessed value increase for commercial properties. The business class tax ratio decreased from 3.5349 to 3.4794, and there was a slight change in the tax share per class, excluding the impact of new assessment. The ratio decrease was a direct result of market forces and not tax policy.

City of Victoria business tax rates are higher than many comparable municipalities. The usefulness of this measure is limited by differences in land values among communities. For example, tax rates in the Lower Mainland are generally lower than in Victoria, but land values are higher.

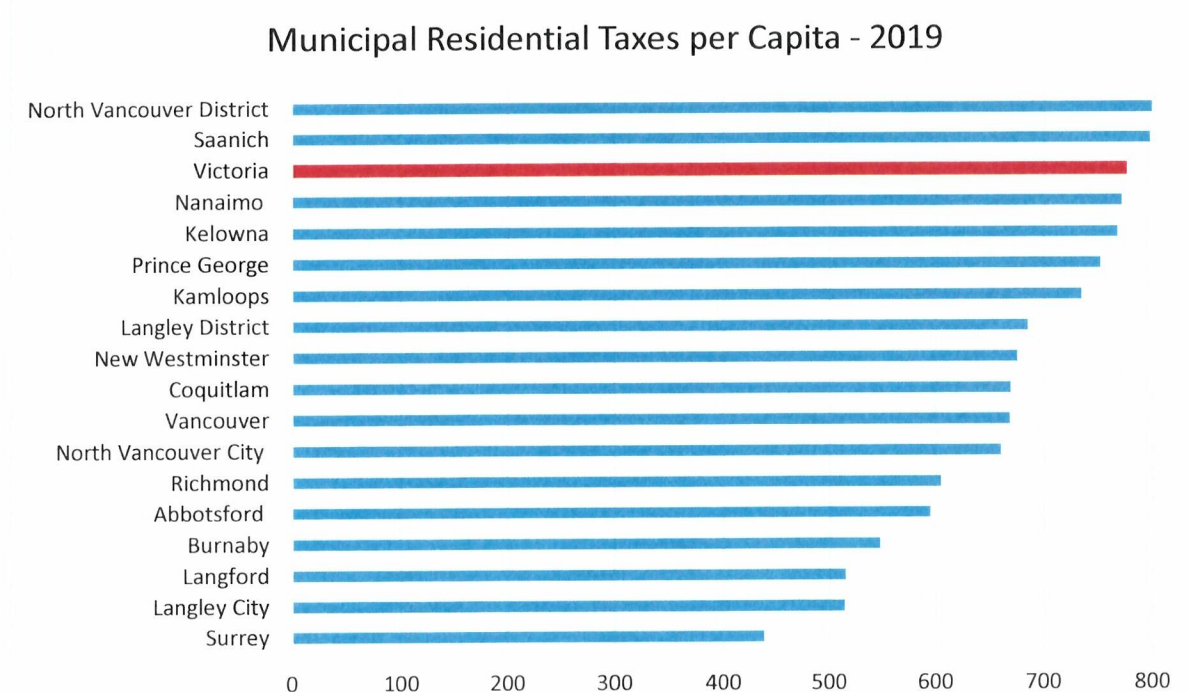
Municipal Business Tax Rate 2019



Business Class Tax ratio - 2019

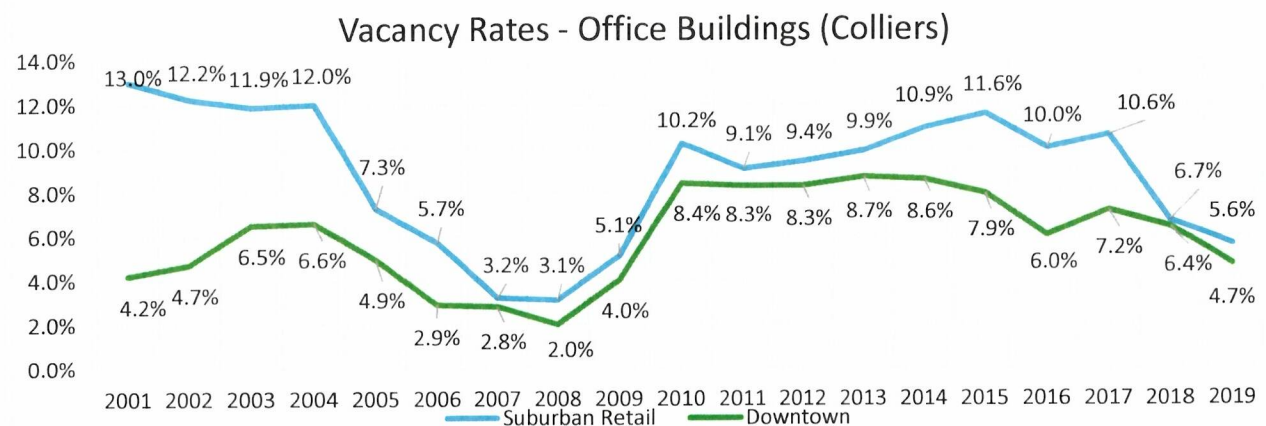


Despite how the tax burden is shared between property classes, the overall tax burden remains high when compared to neighbouring and comparable communities. One of the reasons for higher taxes is the fact that Victoria, as a core community, incurs greater costs in some service areas than neighbouring communities, notably for policing. Victoria ranks third highest in residential taxes per capita in the group of comparable municipalities.

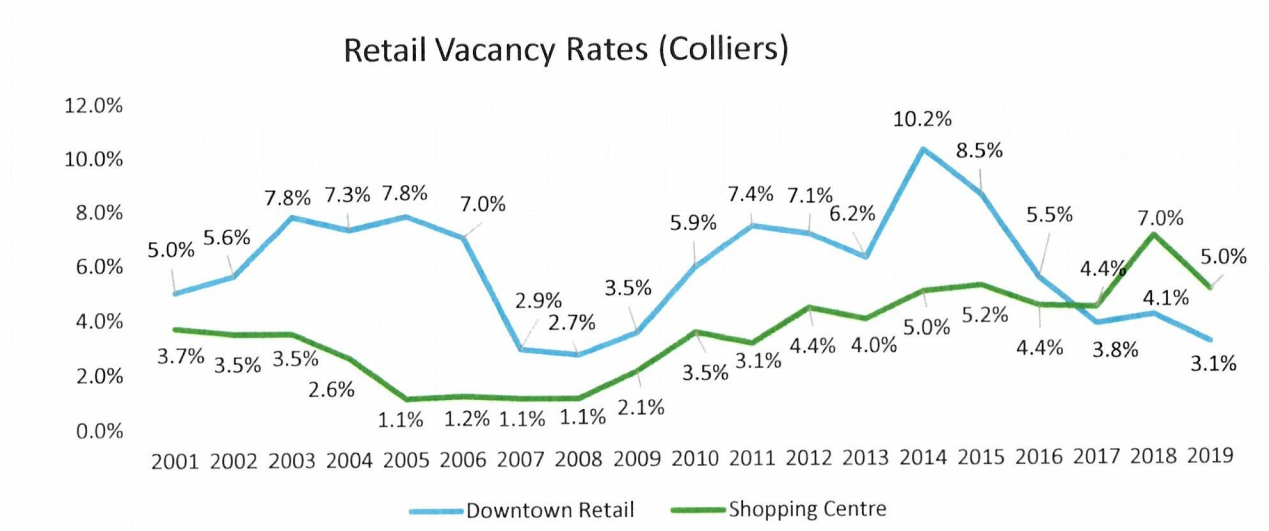


Vacancy Rates

Downtown office vacancy rates decreased from 2018 (6.40%) through 2019 (4.70%). The total downtown inventory increased by 107,000 square feet in the past year but vacancy rates remain compressed, a testament to the high demand and positive market conditions Victoria is experiencing. Suburban office vacancy rates saw a reduction from 2018 (6.7%) through 2019 (5.6%).



Downtown retail vacancy rates decreased from 2018 (4.1%) through 2019 (3.1%). Shopping centre vacancy rates decreased from 2018 (7.0%) through 2019 (5.0%).



Should Council wish to make a change to the existing Revenue and Tax Policy, a motion outlining the desired changes would accomplish that.

2020 Tax Rate Alternatives

For 2020, assessed values increased for residential properties by an average of 1.28% and for business by an average of 5.98%. Taxpayers will not necessarily experience a similar increase in their property taxes because it is the individual property's assessment change as compared to the average change in assessment for the entire property class that will dictate the property tax change for that specific property. If a residential property has a greater than 1.28% increase in assessed value, then that property will experience a higher than average tax change and vice versa. Council's decision on how to allocate taxes among the property classes will determine the property tax change for a property with an average change in assessed value in each class. Since the total assessed value increase for the residential class is lower than the increase for business, the business class ratio will be mathematically reduced if the current policy of allocating an equal tax change is implemented.

There are a number of alternatives for the distribution of taxes among tax classes for Council's consideration. These are only a few of the possible options, but are identified here to illustrate the various tax policies that Council has implemented in past years. The recommended option is the one that reflects the Council-approved Revenue and Tax Policy.

Option 1 – Equalize tax change, hold industrial tax rate same as business (current tax policy) – recommended

Current tax policy equalizes any tax increase or decrease, with the exception of industrial classes which are held at the same tax rate as business. As outlined in the following table, for 2020, all but industrial classes would see a *decrease* of 0.04% whereas industrial classes would see changes reflecting the assessment changes for those classes.

	<u>Tax Ratio</u>	<u>Tax Share</u> <u>Excluding NMC</u>	<u>Tax Rate</u>	<u>Tax Change</u>	<u>2019 Tax Rates</u>
Residential	1.0000	51.04%	3.1152	-0.04%	3.1564
Utility	11.0720	0.49%	34.4916	-0.04%	31.6048
Major Industrial	3.3250	0.12%	10.3581	9.72%	10.9821
Light Industrial	3.3250	0.78%	10.3581	3.72%	10.9821
Business	3.3250	47.39%	10.3581	-0.04%	10.9821
Rec/Non Profit	2.1930	0.18%	6.8316	-0.04%	7.1031

The *decrease* would be approximately \$1 for the average residential property (\$815,000 assessed value) and \$4 for a typical business (\$683,000 assessed value).

Option 2 – Equalize tax change across all tax classes (tax policy prior to 2007)

This option would result in an overall property tax increase of 0%. However, industrial classes would have different tax rates than business.

	<u>Tax Ratio</u>	<u>Tax Share</u> <u>Excluding NMC</u>	<u>Tax Rate</u>	<u>Tax Change</u>	<u>2019 Tax Rates</u>
Residential	1.0000	51.06%	3.1165	0.00%	3.1564
Utility	11.0720	0.49%	34.5056	0.00%	31.6048
Major Industrial	3.0292	0.11%	9.4404	0.00%	10.9821
Light Industrial	3.2046	0.75%	9.9869	0.00%	10.9821
Business	3.3249	47.41%	10.3619	0.00%	10.9821
Rec/Non Profit	2.1931	0.18%	6.8347	0.00%	7.1031

There would be no tax change for the average residential property (\$815,000 assessed value) or a typical business (\$683,000 assessed value).

Option 3 – maintain the business tax share at 48%, excluding new assessment revenue (tax policy from 2012-2014 was to reduce share to 48%)

This option would result in a larger tax increase for business compared to residential, and does not reflect the changes to new assessments coming on-stream since the shift in 2014. The resulting tax rates are outlined in the following table:

		<u>Tax Share</u>			
	<u>Tax Ratio</u>	<u>Excluding NMC</u>	<u>Tax Rate</u>	<u>Tax Change</u>	<u>2019 Tax Rates</u>
Residential	1.0000	50.43%	3.0781	-1.23%	3.1564
Utility	11.0720	0.48%	34.0807	-1.23%	31.6048
Major Industrial	3.4080	0.12%	10.4902	11.12%	10.9821
Light Industrial	3.4080	0.79%	10.4902	5.04%	10.9821
Business	3.4080	48.00%	10.4902	1.23%	10.9821
Rec/Non Profit	2.1930	0.18%	6.7503	-1.23%	7.1031

The *decrease* would be approximately \$31 for the average residential property (\$815,000 assessed value) and the *increase* would be approximately \$87 for a typical business (\$683,000 assessed value).

Option 4 – hold ratios same as in 2018 (tax policy 2007-2011)

This option would result in a larger increase for business compared to residential as a result of the larger assessment increase for business properties as outlined in the following table:

		<u>Tax Share</u>			
	<u>Tax Ratio</u>	<u>Excluding NMC</u>	<u>Tax Rate</u>	<u>Tax Change</u>	<u>2019 Tax Rates</u>
Residential	1.0000	49.94%	3.0481	-2.19%	3.1564
Utility	10.0130	0.43%	30.5208	-11.55%	31.6048
Major Industrial	3.4797	0.12%	10.6056	12.34%	10.9821
Light Industrial	3.4794	0.80%	10.6056	6.20%	10.9821
Business	3.4794	48.53%	10.6056	2.35%	10.9821
Rec/Non Profit	2.2504	0.18%	6.8595	0.36%	7.1031

The *decrease* would be approximately \$56 for the average residential property (\$815,000 assessed value) and the *increase* approximately \$165 for a typical business (\$683,000 assessed value).

OPTIONS & IMPACTS

Option 1: Do not amend the revenue and tax policy and approve tax rates as outlined in option 1 above (recommended)

This option will pass on equal tax increases to all classes, except major and light industry whose tax rates will remain the same as business.

Impacts: Tax increases will be shared equally among tax classes, excluding major and light industry whose property tax changes will depend on changes to assessed values.

Option 2: Amend the revenue and tax policy to shift taxes away from or toward the business class as determined by Council

This option will increase or reduce the burden on the business class with the equal and opposite burden to the residential class. This will influence the City's tax ratio and share of taxes, but overall taxes collected by the City will remain the same.

CONCLUSION

As identified during the comprehensive tax policy review in 2015, there is no single indicator that can be used to demonstrate whether taxes should be shifted from one tax class to another. Therefore a number of benchmark measures are provided to inform Council's decision making.

Respectfully submitted,



Jennifer Lockhart
Manager of Revenue



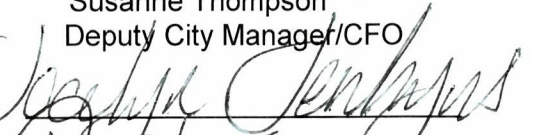
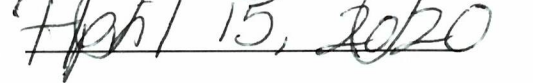
Jo-Ann O'Connor
Deputy Director of Finance



Susanne Thompson
Deputy City Manager/CFO

Report accepted and recommended by the City Manager:


Date:

List of Attachments

Appendix A: Revenue and Tax Policy

Appendix A – Revenue and Tax Policy

 CITY OF VICTORIA	REVENUE AND TAX POLICY	
	No.	Page 1 of 3
SUBJECT:	Revenue and Tax Policy	
PREPARED BY:	Finance	
AUTHORIZED BY:	City Council	
EFFECTIVE DATE:	February 16, 2009	REVISION DATE: January 29, 2015
REVIEW FREQUENCY:	Annually	

PURPOSE

The purpose of the Revenue and Tax Policy is to outline the proportions of revenue sources, the distribution of property taxes among property classes and the use of permissive property tax exemptions.

OBJECTIVES

- To provide tax payers with stable, equitable and affordable property taxation while at the same time providing high quality services.
- To support the OCP and other City plans as well as complement the Regional Context Statement.

POLICIES

1. Revenue Proportions by Funding Sources

Property taxes are the main source of revenue for the City and pay for services such as police and fire protection, bylaw enforcement, and infrastructure maintenance. Property taxes provide a stable and consistent source of revenue for services that are difficult or undesirable to fund on a user pay basis. Therefore, property taxes will continue to be the City's major source of revenue.

However, it is the City's desire to charge user fees where feasible. Some programs, such as recreation, are partially funded by user fees. The City also has several self-financed programs that are fully funded by user fees. These include Water Utility, Sewer Utility, Garbage Utility, and the Victoria Conference Centre.

Policy 1.0

User pay funding will be used for such services that are practical and desirable to fund on a user pay basis.

Services that are undesirable or impractical to fund on a user pay basis will be funded by property taxes.

Policy 1.1

The City will continue to explore alternative revenue sources to diversity its revenue base.

2. Distribution of Property Taxes Among Property Classes

Market value changes that result in uneven assessment changes between property classes result in a tax burden shift to the class experiencing greater market value increases unless tax ratios are modified to mitigate the shift.

Until 2007, it was Council's practice to modify tax ratios to avoid such shifts. This equalization practice provided an effective tax increase that was equal for all classes. It is important to be aware that this practice only avoids shifts *between* property classes. There is still a potential for shifts *within* a property class where one property has experienced a market value change that is greater than the average for that class.

However, starting in 2007, business and industrial tax ratios have been held constant in recognition of the larger tax burden that has been placed on those classes. This resulted in higher tax increases being passed on to the residential class compared to business and industrial.

The pressure continues across the country to reduce the tax burden on the business and industrial classes. In recognition of this, and the desire to support a healthy business environment, Council's goal is to have a business class tax burden that is equitable.

In 2012, a comprehensive review of the Revenue and Tax Policy was conducted to determine if Council's objective of reducing the tax burden on the business class was appropriate and if so, that the mechanism of achieving the objective (reduction of tax ratio) was the most effective mechanism to achieve the goal. The review concluded that additional relief for the business tax class was warranted. However, the tax ratio was not the best mechanism of achieving that goal. As a result, Council approved the following policy objective: *To reduce the business property tax class share of the total property tax levy to 48% over three years (2012-2014). The redistribution excludes impact of new assessment revenue. The total redistribution of the tax levy was \$1.51 million.*

In 2015, an update review was completed and based on the findings, policy 2.0 was amended to maintain the current share of taxes among tax classes.

Policy 2.0

Maintain the current share of distribution of property taxes among property classes, excluding the impact of new assessment revenue, by allocating tax increases equally. Business and industrial classes will be grouped as outlined in Policy 2.1.

Policy 2.1

Tax rates for the light and major industrial tax classes will be equal to the business tax rate to support the City's desire to retain industrial businesses.

Policy 2.2

Farm Tax Rates will be set at a rate so taxes paid by properties achieving farm status will be comparable to what the property would have paid if it were assessed as residential.

3. Use of Permissive Property Tax Exemptions

The City continues to support local non-profit organizations through permissive tax exemptions. Each year, a list of these exemptions is included in the City's Annual Report.

In addition, the City offers a Tax Incentive Program to eligible owners of downtown heritage designated buildings to offset seismic upgrading costs for the purposes of residential conversion of existing upper storeys. The exemptions are for a period up to ten years.

The City encourages redevelopment of lands within the City and the use of environmentally sustainable energy systems for those developments through revitalization property tax exemptions.

Policy 3.0

Permissive property tax exemptions are governed by the City's Permissive Property Tax Exemption Policy, which outlines the criteria for which property tax exemptions may be granted.

Policy 3.1

Heritage property tax exemptions are governed by the City's Heritage Tax Incentive Program.

Policy 3.2

Revitalization property tax exemptions are governed by the City's Revitalization Tax Exemption (Green Power Facilities) bylaw.

Revenue and Tax Policy Benchmarks and 2020 Tax Rates



1

Purpose

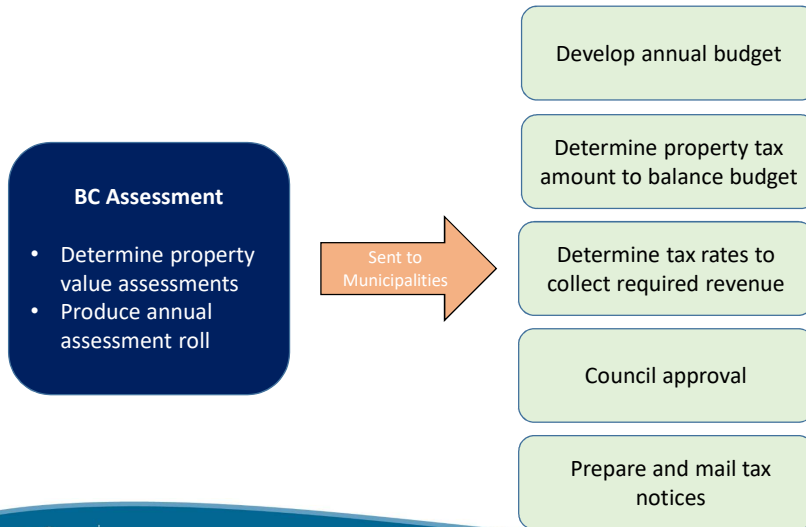
- To provide updated benchmark measures related to the City's Revenue and Tax Policy
- To seek direction on 2020 tax rates



Revenue and Tax Policy Benchmarks and 2019 Tax Rates

2

Budget and Property Taxes



3

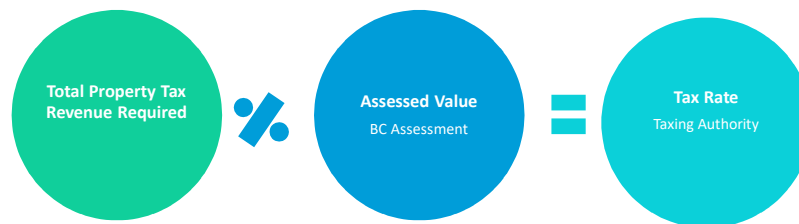
Other Taxing Jurisdictions

- City collects tax levies for other external entities
- Represent approximately 40% of total tax bill
 - CRD/CRHD
 - BC Assessment
 - School Tax
 - BC Transit
 - MFA



4

Property Tax Rate Calculation



Revenue and Tax Policy Benchmarks and 2019 Tax Rates

5

Property Tax Bill Calculation



Revenue and Tax Policy Benchmarks and 2019 Tax Rates

6

Impact on Taxpayers

	Your Property's Value Change	Property Tax Impact
1.	 LOWER than Average Change for Property Class	Taxes Likely* DECREASE
2.	 SIMILAR to the Average Change for Property Class	Taxes Likely* DO NOT CHANGE
3.	 HIGHER than Average Change for Property Class	Taxes Likely INCREASE

*The diagram above assumes that there are no changes in the distribution of property tax funding between property classes.



Revenue and Tax Policy Benchmarks and 2019 Tax Rates

7

Revenue and Tax Policy

Distribution of property taxes among property classes:

1. Maintain current share of distribution of property taxes – allocate tax increases equally between the classes
2. Tax rates for light and major industry same as business
3. Farm tax rates set to achieve comparable to residential



Revenue and Tax Policy Benchmarks and 2019 Tax Rates

8

Tax Rate Option 1: Equalize tax increase, industrial same as business (current tax policy)

	Tax Ratio	Tax Share Excluding NMC	Tax Rate	Tax Change	2019 Tax Rates
Residential	1.0000	51.04%	3.1152	-0.04%	3.1564
Utility	11.0720	0.49%	34.4916	-0.04%	31.6048
Major Industrial	3.3250	0.12%	10.3581	9.72%	10.9821
Light Industrial	3.3250	0.78%	10.3581	3.72%	10.9821
Business	3.3250	47.39%	10.3581	-0.04%	10.9821
Rec/Non Profit	2.1930	0.18%	6.8316	-0.04%	7.1031

Average residential property (\$815,000 assessed value) *decrease* of \$1

Typical business property (\$683,000 assessed value) *decrease* of \$4



Revenue and Tax Policy Benchmarks and 2019 Tax Rates

9

Tax Rate Option 2: Equalize tax increase, for all classes (tax policy prior to 2007)

	Tax Ratio	Tax Share Excluding NMC	Tax Rate	Tax Change	2019 Tax Rates
Residential	1.0000	51.06%	3.1165	0.00%	3.1564
Utility	11.0720	0.49%	34.5056	0.00%	31.6048
Major Industrial	3.0292	0.11%	9.4404	0.00%	10.9821
Light Industrial	3.2046	0.75%	9.9869	0.00%	10.9821
Business	3.3249	47.41%	10.3619	0.00%	10.9821
Rec/Non Profit	2.1931	0.18%	6.8347	0.00%	7.1031

Average residential property (\$815,000 assessed value) no change

Typical business property (\$683,000 assessed value) no change



Revenue and Tax Policy Benchmarks and 2019 Tax Rates

10

Tax Rate Option 3: Maintain business tax share at 48%, excluding NMC (tax policy 2012-2014 was to reduce to 48%)

	Tax Ratio	Tax Share Excluding NMC	Tax Rate	Tax Change	2019 Tax Rates
Residential	1.0000	50.43%	3.0781	-1.23%	3.1564
Utility	11.0720	0.48%	34.0807	-1.23%	31.6048
Major Industrial	3.4080	0.12%	10.4902	11.12%	10.9821
Light Industrial	3.4080	0.79%	10.4902	5.04%	10.9821
Business	3.4080	48.00%	10.4902	1.23%	10.9821
Rec/Non Profit	2.1930	0.18%	6.7503	-1.23%	7.1031

Average residential property (\$815,000 assessed value) *decrease* of \$31
 Typical business property (\$683,000 assessed value) increase of \$87



Revenue and Tax Policy Benchmarks and 2019 Tax Rates

11

Tax Rate Option 4: Hold ratios same as 2019 (tax policy for business ratio 2007-2011)

	Tax Ratio	Tax Share Excluding NMC	Tax Rate	Tax Change	2019 Tax Rates
Residential	1.0000	49.94%	3.0481	-2.19%	3.1564
Utility	10.0130	0.43%	30.5208	-11.55%	31.6048
Major Industrial	3.4797	0.12%	10.6056	12.34%	10.9821
Light Industrial	3.4794	0.80%	10.6056	6.20%	10.9821
Business	3.4794	48.53%	10.6056	2.35%	10.9821
Rec/Non Profit	2.2504	0.18%	6.8595	0.36%	7.1031

Average residential property (\$815,000 assessed value) *decrease* of \$56
 Typical business property (\$683,000 assessed value) increase of \$165



Revenue and Tax Policy Benchmarks and 2019 Tax Rates

12



Council Member Motion
Committee of the Whole Meeting of April 23, 2020

Date: April 21, 2020

From: Mayor Helps

Subject: 2020 Financial Plan Review – COVID-19

Background:

On April 9, 2020, Council gave consideration to the 2020 Financial Plan as a result of the COVID-19 Pandemic, passing a multi-part motion that prescribed adjustments to the Financial Plan. In addition to the specified adjustments, part of the motion included :

“That Council review and consider amendments to the 2020 budget in July 2020 with specific attention to the tables on pages 7 and 9 of this report”

The full motion is attached as Appendix A.

Council also approved changing the tax due date from July to August. In keeping with that direction it is more practical to review and consider the adjustments after the tax due date at the beginning of August as opposed to before it.

Recommendation

That Council amend the April 9, 2020 Financial Plan motion item (g) to:

That Council review and consider amendments to the 2020 budget at the August 6, 2020 Committee of the Whole meeting with specific attention to the tables on pages 7 and 9 of this report”

Respectfully submitted,

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

Mayor Lisa Helps

List of Attachments

Appendix A: April 9, 2020 Financial Plan Motion

2020 Financial Plan – Potential Adjustments – April 9, 2020

Motion:

1. That Council direct staff to:
 - a. Defer the capital projects listed in the table on page 7 of this report;
 - b. Delay the initiatives listed in the table on page 9 of this report;
 - c. Reallocate \$11.64 million in unrestricted property tax funding from the deferred capital projects to offset actual and potential revenue shortfalls in the operating budget;
 - d. Create a larger operating budget contingency using the funding allocated to the delayed initiatives;
 - e. Extend the payment due date for utility bills to 90 days from 45 days and bring forward bylaw amendments to authorize that change;
 - f. Extend the payment due date for property taxes to August 1, 2020 to align with the date the City is required to pay the property taxes levied on behalf of the Capital Regional District, the Capital Regional Hospital District, BC Assessment, and the Municipal Finance Authority; and bring forward amendments to the Alternative Tax Scheme Bylaw to align with the August due date;
 - g. That Council review and consider amendments to the 2020 budget in July 2020 with specific attention to the tables on pages 7 and 9 of this report;
 - h. Reduce the transfer from property taxes by \$4.68 million to be proportionally allocated between the Heavy Equipment, City Equipment and Building and Infrastructure reserves to reduce the property tax increase to zero per cent for 2020; and
 - i. Amend the Alternate Tax Scheme Bylaw and adjust the penalties to 2 per cent per month for August, September, October, November and December for 2020.
2. That the Mayor on behalf of Council advocate to the Province of BC to:
 - a. Increase amounts for Homeowner Grants, and create a new category of grant applicable to persons who have lost income due to the pandemic;
 - b. Reinstate the financial hardship Deferral Program and extend the program to commercial properties; and
 - c. Amend legislation to align payment due dates for taxes collected on behalf of other agencies with municipal Alternative Tax Scheme Bylaws.

Using the above principles, staff have determined that approximately \$22 million can be deferred as follows:

2020 Capital Projects - Potential Deferrals

	Draft Budget \$	Deferral \$	Remaining Budget \$
Active Transportation			
Bus Shelter Installation	\$ 31,000	\$ 31,000	\$ -
David Foster Harbour Pathway	2,468,000	968,000	1,500,000
Pathway Upgrades	982,000	432,000	550,000
	\$ 3,481,000	1,431,000	\$ 2,050,000
Neighbourhoods			
Wayfinding	\$ 45,000	45,000	\$ -
Parks			
Topaz Park - Southern Park Enhancements	\$ 3,800,000	\$ 3,800,000	\$ -
Topaz Park - Artificial Turf Field	4,794,000	4,494,000	300,000
Dogs in Parks	165,000	70,000	95,000
	\$ 8,759,000	\$ 8,364,000	\$ 395,000
Street Infrastructure			
LED Signal Head/Ped Countdown Signal and Audible Ped Signal Installation	\$ 108,000	\$ 108,000	\$ -
New Traffic Signal Safety Upgrades and Installations	458,000	100,000	358,000
Seasonal Animation	29,000	29,000	-
Traffic Controller Replacement Program	505,000	205,000	300,000
Gate Of Harmonious Interest Chinatown	1,181,000	831,000	350,000
Traffic Signal Fibre Optic Upgrade	89,000	25,000	64,000
Surface Infrastructure Program	530,000	80,000	450,000
Audible/Accessible Pedestrian Signals	17,000	17,000	-
Pagoda Fixtures - Electrical Upgrades	100,000	50,000	50,000
	\$ 3,017,000	1,445,000	\$ 1,572,000
Retaining Walls and Railings			
Wharf Street 1112 Retaining Wall	\$ 461,000	361,000	\$ 100,000
Ross Bay Seawall Replacement	150,000	150,000	-
	\$ 611,000	\$ 511,000	\$ 100,000
Facilities			
VCC Upgrades and Repairs	1,613,000	876,000	737,000
Parks Public Washroom	667,000	400,000	267,000
Crystal Pool & Wellness Centre Replacement Project	7,926,000	7,926,000	-
Public Works Facility Master Plan	250,000	250,000	-
Community Centre Improvement Program	589,000	539,000	50,000
	\$ 11,045,000	\$ 9,991,000	\$ 1,054,000
Total	\$ 26,958,000	\$ 21,787,000	\$ 5,171,000

Staff have also reviewed the new and expanded initiatives Council approved during the budget process that have yet to be actioned and could therefore be delayed. The following is a listing of those initiatives totalling approximately \$3 million:

Potential Available Reallocation	FTE	NMC (Ongoing)	2019 Surplus (One Time)	B&I
<u>Accessibility and Inclusion</u>				
Accessibility and Inclusion Recreation Role - 1 FTE	1	52,000		
Gender Diversity Training for All Staff			28,000	
Welcoming City Strategy			50,000	
<u>Housing</u>				
Tenant Housing Ambassador - 1 FTE	1	107,900		
Housing and Development Summit		15,000		
Social Planner - 1 FTE	1	125,111		
<u>Arts and Culture</u>				
Canada Day Special Duty Policing		107,000		
Festival Investment Grant Program		25,000		
Special Duty Policing - Cost for First Three Police Officers		53,000		
Create Victoria - Cultural Infrastructure Grant Program			100,000	
Create Victoria - Cultural Spaces Roadmap			25,000	
Create Victoria Implementation Position - 1 FTE	1	113,400		
Special Events - In Kind Services		19,000		
<u>Banfield Park to Selkirk Bike Route</u>				
Banfield Park to Selkirk Bike Route			35,000	
<u>Childminding</u>				
Childminding - Committees		1,800		
<u>Climate and Environment</u>				
Building Energy and Emissions Specialist - 1 FTE	1	108,000		
Climate Leadership Plan - Oil to Heat Pump Incentive Program			300,000	
Climate Champion Program			50,000	
<u>Heritage</u>				
Heritage Position - .5 FTE	0.5	50,000		
<u>Managing Growth and New Development</u>				
Secretary - Legislative Services - 1 FTE	1	80,500		
Development Services - 1 FTE	1	142,500		
<u>Greater Victoria Coalition to End Homelessness</u>				
Coordinated Implementation of Pandora Task Force			50,000	
<u>Placemaking</u>				
Place-Making - Engagement Costs			8,000	
<u>Protocol</u>				
Protocol			20,000	
<u>Reconciliation and Indigenous Relations</u>				
Reconciliation Training			34,650	
Truth and Reconciliation Dialogues			80,000	
Indigenous Relations Function			75,000	
Witness Reconciliation Program		30,000		
<u>Equity, Diversity and Inclusion</u>				
External Community Liaison - 2 FTE	2	215,900		
Equity and Inclusion Coordinator -1 FTE	1	107,900		
External Contractor			75,000	
<u>Strategic Plan Support Services</u>				
Engagement			75,000	
<u>Sustainability Mobility Strategy</u>				
Transportation - 1 FTE	1	142,600		
Public Secure Bike Parking				500,000
<u>NeighbourHub - 709/711 Douglas Street</u>		11,460		
<u>Banfield Park Swimming Dock Study</u>			15,000	
Total	11.5	\$ 1,508,071	\$ 1,020,650	\$ 500,000



Council Member Motion
Committee of the Whole Meeting of April 23, 2020

Date: April 21, 2020

From: Councillor Young

Subject: Re-opening of Provincial Parks

Recommendation

That Council request the Province to re-open Provincial parks for day use in order to reduce levels of use in local and regional parks and allow for greater physical distancing.

Rationale

In her comments on April 18 in response to the following question;

"...I'm just wondering to what extent are the new cases we've been hearing about over the past number of days, are we seeing that from public spaces, like grocery stores, parks, things like that, or are we still generally seeing most of the cases emerge at existing outbreak centres?"

Dr. Henry replied;

"Yeah, most cases are emerging in close contacts. We're are not seeing transmission of the virus, nor have we anywhere in the world, from very fleeting contact outside or in places like grocery stores. For the most part, what we're seeing is people who have spent time together inside in a space together, in close contact with them. So if we look at the prison setting, for example, long-term care, we can see that, but many of the community cases as well are people who may have travelled, may have been exposed to someone, been exposed and not recognized that they were ill and passed it on to family and friends."

"That's where we're seeing across-the-board-- it's mostly those close contacts that we are seeing. It's not something like being outside and being, for a very short period of time, next to somebody....."

On April 21, in response to a question about what she would do about observed crowding in parks, Dr. Henry pushed back very strongly against the suggestion that parks should be closed. Instead, she stressed the importance of preserving physical distancing in other ways, such as one-way trails and enforcement.

In light of these comments, I think we are likely to see continued heavy use of park space, and should both encourage the Province to reduce pressure on our own parks by re-opening theirs, and ensure that our parks encourage distancing in ways other than by discouraging visitation.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to be 'G. Young', written over the name 'Councillor Young'.

Councillor Young