



Thursday, September 17, 2020

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

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

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

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F. BYLAWS

- F.1 Bylaw for 2920 Prior Street: Rezoning Application No. 00708, Development Permit with Variances Application No. 00151, Development Permit with Variances Application No. 00147, and Development Variance Permit Application No. 00245 13

A report recommending:

- 1st and 2nd readings of:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1232) No. 20-086

The application is ready to proceed to Public Hearing and proposes to retain the existing house and permit a garden suite, and to subdivide the property for a new small lot.

- F.2 Bylaw for 1881 Fort Street: Rezoning Application No. 00713 21

A report recommending:

- 1st and 2nd readings of:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1213) No. 20-009

The application is ready to proceed to Public Hearing and proposes to permit the use of a Storefront Cannabis Retailer.

- F.3 Bylaw for 2021-2022 Permissive Tax Exemptions 25

Pending approval of the September 10, 2020 COTW Motion:

- **1st, 2nd, and 3rd readings of:**
 - Tax Exemption (Permissive) Bylaw, 2021-2022 No. 20-085

The purpose of the bylaw is to provide tax exemption for lands or improvements which qualify for a permissive exemption under section 224 of the *Community Charter*.

F.4 Bylaw for 2615-2629 Douglas Street: Heritage Designation Application No. 00187 27

A report recommending:

- **1st and 2nd readings of:**
 - Heritage Designation (2615-2629 Douglas Street) Bylaw No. 20-052

The application is ready to proceed to Public Hearing and proposes to designate the property as heritage.

F.5 Bylaw for 2615-2629 Douglas Street: Heritage Tax Exemption 31

A report recommending:

- **1st, 2nd, and 3rd readings of:**
 - Tax Exemption (2615, 2621, 2623, 2625, 2627, and 2629 Douglas Street) Bylaw No. 20-079

The purpose of the bylaw is to assist in the preservation and rehabilitation of the heritage building located at 2615, 2621, 2623, 2625, 2627, and 2629 Douglas Street, including the seismic upgrading of the heritage building, by exempting a portion of the land from municipal property taxes for 10 years.

F.6 Bylaw for Amendment to the Officers Bylaw 82

- **Consideration of adoption of:**
 - Officers Bylaw (Amendment No. 2) Bylaw No. 20-101

The purpose of this bylaw is to amend the bylaw that established Officer Positions for the City of Victoria.

Pending approval of the September 10, 2020 COTW Motion:

- **1st, 2nd, and 3rd readings of:**
 - Rental Property Standards of Maintenance Bylaw No. 20-091

The purpose of the bylaw is to establish minimum standards of maintenance for rental units and residential properties in Victoria for the health, safety and protection of tenants and existing rental stock; the protection and enhancement of the well-being of the community; and better regulation of residential rental business.

G. CLOSED MEETING

MOTION TO CLOSE THE SEPTEMBER 17, 2020 COUNCIL MEETING TO THE PUBLIC

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

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

Section 90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

Section 90(1)(c) labour relations or other employee relations;

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

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

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

H. APPROVAL OF CLOSED AGENDA

I. READING OF CLOSED MINUTES

J. UNFINISHED BUSINESS

K. CORRESPONDENCE

L. NEW BUSINESS

- L.1 Legal Advice/Litigation - Community Charter Sections 90(1)(g) and (i)
- L.2 Appointment - Community Charter Section 90(1)(a)
- L.3 Appointment - Community Charter Section 90(1)(a)
- L.4 Land - Community Charter Section 90(1)(e)
- L.5 Land - Community Charter Section 90(1)(e)
- *L.6 Litigation - Community Charter Section 90(1)(i)
- L.7 Employee Relations - Community Charter Section 90(1)(c)

M. CONSIDERATION TO RISE & REPORT

N. ADJOURNMENT



MINUTES - VICTORIA CITY COUNCIL

September 3, 2020, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

The City of Victoria is located on the homelands of the Songhees and Esquimalt People
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may be viewed on the City's webcast at www.victoria.ca.

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

PRESENT
ELECTRONICALLY: Councillor Loveday and Councillor Potts

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, T. Soulliere -
Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor,
K. Hoese - Director of Sustainable Planning and Community
Development, C. Havelka - Deputy City Clerk, C. Mycroft -
Manager of Executive Operations, M. Angrove - Planner, P. Martin
- Council Secretary, P. Bellefontaine - Director of Engineering &
Public Works

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the agenda be approved as amended.

Amendment:

Moved By Councillor Alto

Seconded By Councillor Dubow

That Rose Henry be added to the second Request to Address Council section of the
agenda.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

B. Poetry Reading

The Youth Poet Laureate, Neko Smart, read a poem titled "I never imagined myself
foresteering" by video submission.

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto

Seconded By Councillor Isitt

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 Mehdi Najari: CFAX Attack on Mayor and Council

Outlined his concerns with the attack on Council by CFAX in relation to their work trying to solve homelessness in the City of Victoria.

D.2 Robin Bayley: Accessibility and Kindness

Outlined the importance of kindness and the need for a new accessibility committee.

D.4 Jeremy Caradonna: Safe Reopening of School

Outlined why Council should remove campers that are in direct proximity of South Park Family School.

D.5 Lindsay Cerilli: South Park Students' Health and Safety Compromised Due to Beacon Hill Park Homeless Encampment

Outlined why Council should remove the homeless encampment in Beacon Hill Park due to the close proximity to South Park Elementary School.

D.6 Katie Stewart: Action on Homeless and Addiction Issues

Outlined why Council should reinforce the Parks Regulation Bylaw so that camping in parks is not allowed for 24 hours a day.

G.1 Rich Fleming: Beacon Hill Camping

Outlined why Council should make changes to the Parks Regulation Bylaw to provide greater safety around schools.

F. PUBLIC AND STATUTORY HEARINGS

F.1 1400 Quadra Street and 851 Johnson Street: Rezoning Application No. 00738

Zoning Bylaw 2018, Amendment Bylaw (No. 6) - No. 20-078:

To permit a storefront cannabis retailer at 1400 Quadra Street and to remove storefront cannabis retailer as a permitted use at 851 Johnson Street.

F.1.a Public Hearing & Consideration of Approval

Michael Angrove (Senior Planner): Advised that the application is to allow for the use of a Storefront Cannabis Retailer at 1400 Quadra Street and remove the use of a Storefront Cannabis Retailer from 851 Johnson Street.

Mayor Helps opened the public hearing at 7:12 p.m.

Michael Forbes (Applicant): Provided information regarding the application.

Council recessed from 7:18 p.m. until 7:23 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed bylaw.

Mayor Helps closed the public hearing at 7:23 p.m.

Moved By Councillor Loveday
Seconded By Councillor Dubow

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

1. Zoning Bylaw 2018, Amendment Bylaw (No. 6) No. 20-078

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

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

CARRIED (6 to 2)

Moved By Councillor Alto
Seconded By Councillor Potts

That the following bylaw **be adopted:**

1. Zoning Bylaw 2018, Amendment Bylaw (No. 6) No. 20-078

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

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

CARRIED (6 to 2)

F.3 1118 Princess Avenue: Development Variance Permit Application No. 000246

Development Variance Permit Application No. 00246:

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 1118 Princess Avenue for the purpose of varying certain requirements of the *Zoning Regulation Bylaw* namely; to permit a portable school building to be located over a lot line and for the resulting zero side yard setback conditions on both of the impacted lots.

F.3.a Opportunity for Public Comment & Consideration of Approval

Michael Angrove (Senior Planner): Advised that the application is for a classroom building located over two lots.

Mayor Helps opened the opportunity for public comment at 7:28 p.m.

Michael Van Bakel (Applicant): Provided information regarding the application.

Council recessed from 7:33 p.m. to 7:38 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed application.

Mayor Helps closed the opportunity for public comment at 7:38 p.m.

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council authorize the issuance of Development Variance Permit Application No. 00246 for 1118 Princess Avenue, in accordance with:

1. Plans date stamped July 15, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Allow the building to be constructed over a property line
 - ii. Reduce the side yard setback from 1.85m to 0.0m (West - Lot 16)
 - iii. Reduce the side yard setback from 1.85m to 0.0m (East Lot 17).
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.4 2558 Quadra Street: Rezoning Application No. 00707 and Development Permit with Variances Application No. 00141

Zoning Regulation Bylaw, Amendment Bylaw (No. 1225) No. 20-054:

To rezone the land known as 2558 Quadra Street from the C1-QV Zone, Quadra Village District, to the C1-QV2 Zone, Quadra Village (2558 Quadra) District, to permit a five-storey affordable rental residential building with ground floor commercial.

Development Permit with Variances Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 2558 Quadra Street, in Development Permit Area 5: Large Urban Villages for the purposes of approving the exterior design and finishes for the proposed mixed-use development as well as landscaping.

F.4.a Public Hearing & Consideration of Approval

Michael Angrove (Senior Planner): *Advised that the application is to permit a five-storey affordable rental building, with commercial on the ground floor.*

Mayor Helps opened the public hearing at 7:42 p.m.

Kaye Melliship, Charles Kierulf, Tamara Bonnemaïson, and James Munro (Applicants): Provided information regarding the application.

Barton Crilly (Resident by Video Submission): Expressed support for the application in relation to his positive experience as a tenant at Forest Heights.

Council recessed from 8:00 p.m. until 8:05 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed bylaw.

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1225) No. 20-054

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1225) No. 20-054
2. Housing Agreement (2558 Quadra Street) Bylaw (2020) No. 20-055

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council authorize the issuance of Development Permit with Variance Application No. 00141 for 2558 Quadra Street, in accordance with:

1. Plans date stamped February 12, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. decrease the rear yard setback from 4.53m to 2.90m to the steps;
 - ii. decrease the north side yard setback from 4.53m to 0m to the parkade and 2.52m to the building face; and
 - iii. decrease the south side yard setback from 4.53m to 0m to the parkade and 3.89m to the building face.
3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development and the Director of Engineering, addressing staff comments regarding the public realm.
4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

G. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto

Seconded By Councillor Dubow

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

G.2 Shae Smith: Housing

Advised Council that many of the homeless people camping in Beacon Hill Park have moved away from South Park School, that they appreciate the work being done by the City, as well as concerns that all campers are being painted with a negative brush.

G.3 Nathan Popp: City Response to Sheltering During the Pandemic

Outlined why Council should not allow continuous daytime sheltering in parks and prohibit camping in Hollywood Park and Gonzales Park.

G.4 April McNeil: Sheltering at Hollywood Park

Outlined why Council should consider an amendment to the Parks Regulation Bylaw to prohibit sheltering within 50 meters of all playgrounds, sporting fields, and high traffic play areas.

G.5 Mollie Margetts: G.1. City Response on Sheltering During the Pandemic

Outlined why Council should re-implement the bylaw that allows camping only between the hours of 7 p.m. and 7 a.m.

G.6 Rob Vanzella: I.1 Rodenticide Ban

Outlined support for the Council Member Motion to ban rodenticide.

G.7 Mark Gustafson: South Park School Buffer

Outlined why Council should amend the Parks Regulation Bylaw to prohibit sheltering within a specific distance of South Park School.

G.8 Marie Turcott: Anticoagulant Rodenticides

Outlined support for the Council Member Motion to ban rodenticide.

G.9 Rose Henry: Unhoused Community

Outlined why Council should provide showers and toilet facilities for the unhoused community.

O. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the Council meeting adjourn.

TIME: 8:45 pm

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

Subject: FW: SG File No. 574866

From: "PSSG WEBFEEDBACK PSSG:EX" <PSSGWebFeedback@gov.bc.ca>
Date: Monday, August 31, 2020 at 11:40 AM
To: "Lisa Helps (Mayor)" <LHelps@victoria.ca>
Cc: John Horgan <Premier@gov.bc.ca>, Richard Elliott <RElliott@victoria.ca>, Colleen Mycroft <cmycroft@victoria.ca>
Subject: SG File No. 574866

Her Worship Mayor Lisa Helps
Mayor of the City of Victoria
Email: mayor@victoria.ca

Dear Mayor Helps:

Thank you for your letter of January 21, 2020, regarding the Victoria Cannabis Buyers Club (VCBC). First, please accept my apologies for the lengthy delay in my response. It recently came to my attention that due to an administrative error your incoming letter was inadvertently misfiled. As the Minister responsible for implementation of the legal non-medical cannabis framework in British Columbia, I am pleased to respond on behalf of the Province.

For clarification, the Province is responsible for regulating non-medical cannabis sales; Health Canada regulates medical cannabis, including access and sales. Storefront sales are not permitted under the federal medical cannabis regime. Under both provincial and federal criminal law, it is illegal to sell cannabis not produced by a Health Canada licensed producer. While I appreciate the intentions of your request for an exemption for the VCBC to continue its operations, the Province cannot authorize activities that are illegal under federal criminal law.

Under the federal regime, medical cannabis users can purchase products directly from Health Canada licensed producers. Some medical users may be able to access significant discounts on products through compassionate pricing programs offered by many licensed producers. Medical users are of course also welcome to buy cannabis through the provincial non-medical system.

Protecting health and safety is a shared priority of both the provincial and federal governments with the legalization of non-medical cannabis. That is why cannabis products from licensed producers are strictly regulated to ensure they are fit for human consumption including mandatory testing for the presence of solvent residues and contaminants such as pesticides, mould, bacteria, and heavy metals. Regulated cannabis products are also tested to confirm THC and CBD amounts.

That said, I have raised this issue with my federal ministerial counterpart and encouraged exploration of a licence that could allow VCBC to continue providing certain services. The Province has also urged the VCBC to contact Health Canada about licensing and informed them they may want to share their views about enabling medical users to access cannabis through a storefront. The City may also wish to share its support for the VCBC model with Health Canada at: cannabis@canada.ca.

Thank you for writing.

Sincerely,

Mike Farnworth
Minister of Public Safety
and Solicitor General

pc: The Honourable John Horgan
Richard Elliot
Colleen Mycroft

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD SEPTEMBER 10, 2020

For the Council meeting of September 17, 2020, the Committee recommends the following:

E.1 1023 Tolmie Avenue: Update Report for Rezoning Application No. 00672 and Development Permit with Variances Application No. 00097 (Hillside/Quadra)

Rezoning Application No. 00672

That first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a public hearing date be set for the proposed development outlined in Rezoning Application No. 00672 for 1023 Tolmie Avenue.

Development Permit with Variances No. 00097

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. 00627, 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 July 20, 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 6.00m to 4.30m to the building and 3.40m to the deck;
 - ii. reduce the rear yard setback on the south lot from 6.00m to 4.60m to the stairs and 5.40m to the building;
 - iii. reduce the south side yard setback on the north lot from 2.40m 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.”

F.1 Rental Property Standards of Maintenance Bylaw and Implementation Plan

That Council:

1. Direct staff to bring forward the Rental Property Standards of Maintenance Bylaw for consideration of introductory readings;
2. Approve written submissions from persons who consider they are affected by the proposed Bylaw as the public representations method under section 59 (2) of the Community Charter, and provide notice by way of newspaper, website, and social media advertising;
3. Provide early approval for the Tenant Ambassador to allow the position to start at the beginning of January 2021 to
 - a. Precede the commencement date of the Bylaw (January 31, 2021)
 - b. Oversee the implementation and operation of the Bylaw;
4. Launch an eighteen-month feedback and monitoring period after the Bylaw comes into force to monitor the Bylaw's operation and to collect experiential input from the public;
5. Direct staff to return to Council in eighteen months following bylaw commencement to report on the Bylaw's effectiveness and determine if any updates are needed based on data and feedback.

F.2 2021-2022 Permissive Exemptions

That Council:

1. Approve all applications for a permissive property tax exemption detailed in Table 2 for the 2021 - 2022 tax years.
2. Direct staff to prepare a 2020 permissive property tax exemption bylaw for Council's consideration at the September 17, 2020 Council meeting.

Motion arising:

That Council direct staff to report back no later than the first quarter of 2021 on options and implications for revising the Permissive Tax Exemption policy to provide exemptions for community centers owned and operated by ethno-cultural groups.

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD SEPTEMBER 17, 2020

For the Council meeting of September 17, 2020, the Committee recommends the following:

D.1 Council Member Motion: Rodenticides in the City of Victoria (Verbal)

That Council:

1. Adopts the policy of introducing a complete ban on use of anticoagulant rodenticides on all City of Victoria owned properties, with immediate effect.
2. Directs staff to communicate this policy direction to residents and businesses, including information on the harmful impacts of anticoagulant rodenticides and the availability of more ecologically sustainable alternatives.
3. Requests that the Mayor write, on behalf of Council, to the provincial Minister of Environment, requesting that the Province of British Columbia introduce a province-wide ban on the use of anticoagulant rodenticides, to increase protection for wildlife species.
4. To incorporate humane practices in regards to pest control in all City of Victoria properties.

E.4 801 Bank Street: Development Variance Permit No. 00248 (Glenlyon Norfolk School) (Gonzales)

1. That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:
That Council authorize the issuance of Development Variance Permit Application No. 00248 for 801 Bank Street, in accordance with:
 - a. Plans date stamped September 10, 2020.
 - b. Development meeting all *Zoning Regulation Bylaw, Schedule F, Accessory Building Regulations* requirements, except for the following variances:
Modular Classroom (1 storey):
 - i. Locate the building in the side yard instead of rear yard
 - ii. Increase the maximum combined floor area from 37m² to 75.8m²
 - iii. Increase the maximum height from 3.50m to 3.88mModular Classroom (2 storey):
 - i. Locate a building in the side yard instead of rear yard
 - ii. Increase the maximum combined floor area from 37m² to 404.4m²
 - iii. Increase the maximum height from 3.50m to 7.15mPre-fabricated Gym:
 - i. Locate the building in the side yard instead of rear yard
 - ii. Increase the maximum combined floor area from 37m² to 226.6m²
 - iii. Increase the maximum height from 3.50m to 6.38mTemporary Power Panel:
 - i. Locate the building in the side yard instead of rear yard
 - c. The Development Permit lapsing two years from the date of this resolution.
2. That recommendations be forwarded to the September 17, 2020 daytime Council Meeting so that an opportunity for public comment can be scheduled in October.

3. That prior to scheduling an Opportunity for Public Comment the City receive more information regarding on-site and off-site trees, including an Arborist Report and Tree Preservation Plan, and revised plans showing anchoring and base preparation for the proposed buildings to the satisfaction of the Director of Parks, Recreation and Facilities.
4. That issuance of the Development Variance Permit be subject to a legal agreement securing the removal of the buildings within three years from the date of Council approval, to the satisfaction of the Director of Sustainable Planning and Community Development.

That any future proposals for rezoning or variances on the site will address the issues of access and drop off at the campus. And that Council direct staff to report back at the Opportunity for Public Comment on options for implementing traffic calming in the vicinity of Glenlyon Norfolk School.

F.3 By-election

1. That Council direct staff to report back with a budget request and process for conducting a by-election during the pandemic once the planning has occurred.
2. That Council request the Minister of Municipal Affairs and Housing for a Ministerial Order to expand Mail Ballot Voting opportunities for anyone interested in using that option.
3. That Council request that Elections BC share any information with respect to safety plans for particular voting locations, plexiglass dividers and any other relevant or available infrastructure that will assist the City of Victoria in carrying out a By-election.
4. Direct staff to work towards a December 12, 2020 election date subject to advice from the Provincial Public Health Officer and/or sufficient information and safety plans to ensure participation and public safety.
5. That Council direct staff to engage with Elections BC and report back on the possibility of holding the by-election concurrently with a potential Provincial election including opportunities for safety improvements, cost savings, and expediting the City of Victoria's by-election timeline.

H.2 Council Member Motion: Extending the "Open Air Recovery - Support for Restaurants and Cafes in Public Spaces" Program

1. That Council endorse in principal the extension of the Open Air Recovery – Support for Restaurants and Cafes in Public Spaces expanded and expedited patio initiative pending receipt of a report from City Staff detailing feedback from businesses and residents.
2. That Council request that the Mayor write to the Premier of British Columbia, MLAs representing local ridings, and the BC Liquor and Cannabis Regulation Branch to advocate for an extension of the temporary authorization of licensed service areas.



Council Report

For the Meeting of September 17, 2020

To: Council
From: C. Coates, City Clerk
Subject: 2920 Prior Street: Rezoning Application No. 00708, Development Permit with Variances Applications No. 00147 and No. 00151, and Development Variance Permit Application No. 00245
Date: September 10, 2020

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1232) No. 20-086

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 20-086.

The issue came before Council on July 16, 2020 where the following resolution was approved:

2920 Prior Street: Rezoning Application No. 00708, Development Permit with Variances Applications No. 00147 and No. 00151, and Development Variance Permit Application No. 00245

Rezoning Application No. 00708

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00708 for 2920 Prior Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variance Application No. 00147, Development Permit with Variance Application No. 00151 and Development Variance Permit No. 00245

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. 00708, if it is approved, consider the following motions:

"That Council authorize the issuance of Development Permit with Variance Application No. 00147 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance to R1-S2, Restricted Small Lot (Two Storey) Dwelling:
 - ii. Decrease the side yard setback for habitable room window from 2.40m to 1.5m.
3. The Development Permit lapsing two years from the date of this resolution.

And that Council authorize the issuance of Development Permit with Variance Application No. 00151 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance to Schedule M – Garden Suite
 - i. Increase the maximum height from 3.50m to 4.15m.
3. The Development Permit lapsing two years from the date of this resolution.

And that Council authorize the issuance of Development Variance Permit Application No. 00245 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances for the existing house:
 - ii. Decrease the minimum side yard setback (south) from 2.40m to 0.92m (for the deck only)
 - iii. Decrease the minimum side yard setback for a habitable room window (north) from 2.40m to 1.88m.
3. The Development Permit lapsing two years from the date of this resolution.”

Respectfully submitted,



Chris Coates
City Clerk

Report accepted and recommended by the City Manager:



Date:

September 10, 2020

List of Attachments:

- Bylaw No. 20-086

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by:

- Creating the R1-B-GS6 Zone, Single Family Dwelling with Garden Suite (Prior Street) District;
- Rezoning a portion of the land known as 2920 Prior Street from the R1-B Zone, Single Family Dwelling District to the R1-B-GS6 Zone, Single Family Dwelling with Garden Suite (Prior Street) District;
- Rezoning a portion of the land known as 2920 Prior Street from the R1-B Zone, Single Family Dwelling District to the R1-S2 Zone, Restricted Small Lot (Two Storey) District.

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

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1232)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 1 – Detached Dwelling Zones by adding the following words:

“1.149 R1-B-GS6 Zone, Single Family Dwelling with Garden Suite (Prior Street) District”.
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 1.148 the provisions contained in Schedule 1 of this Bylaw as Part 1.149.
- 4 The land known as 2920 Prior Street, legally described as PID: 001-548-514, Lot 104, Block 6, Section 4, Victoria District, Plan 299, and shown on the attached map, is removed from the R1-B Zone, Single Family Dwelling District, and:
 - (a) that the portion of the lot shown as cross hatched on the attached map placed in the R1-B-GS6 Zone, Single Family Dwelling with Garden Suite (Prior Street) District; and
 - (b) that the portion of the lot shown hatched on the attached map placed in the R1-S2 Zone, Restricted Small Lot (Two Storey) District.

READ A FIRST TIME the	day of	2020
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READ A SECOND TIME the	day of	2020
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Public hearing held on the	day of	2020
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READ A THIRD TIME the	day of	2020
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ADOPTED on the

day of

2020

CITY CLERK

MAYOR

Schedule 1

PART 1.149 – R1-B-GS6 ZONE, SINGLE FAMILY DWELLING WITH GARDEN SUITE (PRIOR STREET) DISTRICT

1.149.1 Permitted Uses in this Zone

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

- a. Single family dwelling subject to regulations in this part, with no more than one of the following accessory uses:
Secondary suite; or
Garden suite subject to the regulations in this part
- b. Home occupation subject to the regulations in Schedule “D”
- c. Accessory Buildings subject to the regulations in Schedule “F”

1.149.2 Lot Area

- a. Lot area (minimum) 545m²
- b. Lot width (minimum) 21m

1.149.3 Floor Area of the Principle Building, Density

- a. Floor area, for the first and second storeys combined (maximum) 190m²
- b. Floor Space Ratio (maximum) 0.35:1

1.149.4 Height, Storeys

- a. Principal building height (maximum) 7.50m
- b. Storeys (maximum) 2

Schedule 1

PART 1.149 – R1-B-GS6 ZONE, SINGLE FAMILY DWELLING WITH GARDEN SUITE (PRIOR STREET) DISTRICT

1.149.5 Setbacks, Projections

- | | |
|--|--|
| a. <u>Front yard setback</u> (minimum) | 6.10m |
| Except for the following maximum projections into the setback: | |
| • Steps less than 1.7m in <u>height</u> | 2.50m |
| • porch | 1.60m |
| b. <u>Rear yard setback</u> (minimum) | 16.00m |
| c. <u>Side yard setback</u> (South) (minimum) | 2.40m |
| d. <u>Side yard setback</u> (North) (minimum) | 1.50m, or
2.40m for any portion of a dwelling used for habitable space which has a window |
| e. Eave projections into <u>setback</u> (maximum) | 0.75m |

1.149.6 Site Coverage

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

1.149.7 Vehicle Parking

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

1.149.8 Outdoor Features

- | |
|--|
| a. The <u>setbacks</u> set out in section 1.149.5 apply to <u>outdoor features</u> as though they are <u>buildings</u> |
| b. <u>Outdoor features</u> may not exceed a height of 3.5m from <u>natural grade</u> or <u>finished grade</u> , whichever is lower |

1.149.9 Location of Garden Suite

- | |
|---|
| a. <u>Garden suite</u> must be sited in the <u>rear yard</u> |
| b. No more than one <u>garden suite</u> is permitted per <u>lot</u> |

Schedule 1

PART 1.149 – R1-B-GS6 ZONE, SINGLE FAMILY DWELLING WITH GARDEN SUITE (PRIOR STREET) DISTRICT

1.149.10 Garden Suite Floor Area

- c. Floor area, for all floor levels combined (maximum) 60m²

1.149.11 Garden Suite Height, Storeys

- a. Garden Suite building height (maximum) 3.50m
b. Storeys (maximum) 1
c. Roof deck Not permitted

1.149.12 Garden Suite Setbacks, Separation Space

- a. Building setback from south lot line (minimum) 5.20m
b. Building setback from north lot line (minimum) 4.40m
c. Building setback from east lot line (minimum) 1.50m
d. Building setback from west lot line (minimum) 1.00m
e. Separation space from principal dwelling (minimum) 2.40m

Council Report

For the Meeting of September 17, 2020

To: Council **Date:** September 9, 2020
From: C. Coates, City Clerk
Subject: 1881 Fort Street: Rezoning Application No. 00713

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1213) No. 20-009

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 20-009.

The issue came before Council on December 12, 2019 where the following resolution was approved:

1881 Fort Street: Rezoning Application No. 00713

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00713 for 1881 Fort Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Revised plans identifying the Statutory Right-of-Ways, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Preparation and execution of a Statutory Right-of-Way of 1.4m off Davie Street and 0.72m off Fort Street.
3. Council authorizing an Encroachment Agreement for the four parking stalls at the northern-most portion of the site that project into City property in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

Respectfully submitted,



Chris Coates
City Clerk

Report accepted and recommended by the City Manager:



Date: September 10, 2020

List of Attachments:

- Bylaw No. 20-009

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the C1-4 Zone, Fort Street Commercial (Cannabis) District, and to rezone land known as 1881 Fort Street from the C-1 Zone, Limited Commercial District to the C1-4 Zone, Fort Street Commercial (Cannabis) District.

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

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT
BYLAW (NO. 1213)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of
Schedule “B” under the caption PART 4 – GENERAL COMMERCIAL ZONES by adding
the following words:

“4.97 C1-4 Zone, Fort Street Commercial (Cannabis) District”

- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 4.96
the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 1881 Fort Street, legally described as PID: 003-483-495, Lot 1,
Section 76, Victoria District, Plan 26670, and shown hatched on the attached map, is
removed from the C-1 Zone, Limited Commercial District, and placed in the C1-4 Zone,
Fort Street Commercial (Cannabis) District.

READ A FIRST TIME the _____ day of _____ 2020

READ A SECOND TIME the _____ day of _____ 2020

Public hearing held on the _____ day of _____ 2020

READ A THIRD TIME the _____ day of _____ 2020

ADOPTED on the _____ day of _____ 2020

CITY CLERK

MAYOR

PART 4.97 – C1-4 ZONE, FORT STREET COMMERCIAL (CANNABIS) DISTRICT**4.97.1 Permitted Uses in this Zone**

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

- a. Uses permitted in the C-1 Zone, Limited Commercial District; and
- b. Storefront cannabis retailer provided that only one storefront cannabis retailer is permitted to operate on a single lot.

4.97.2 Size & Location of Uses

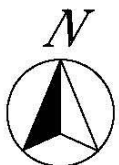
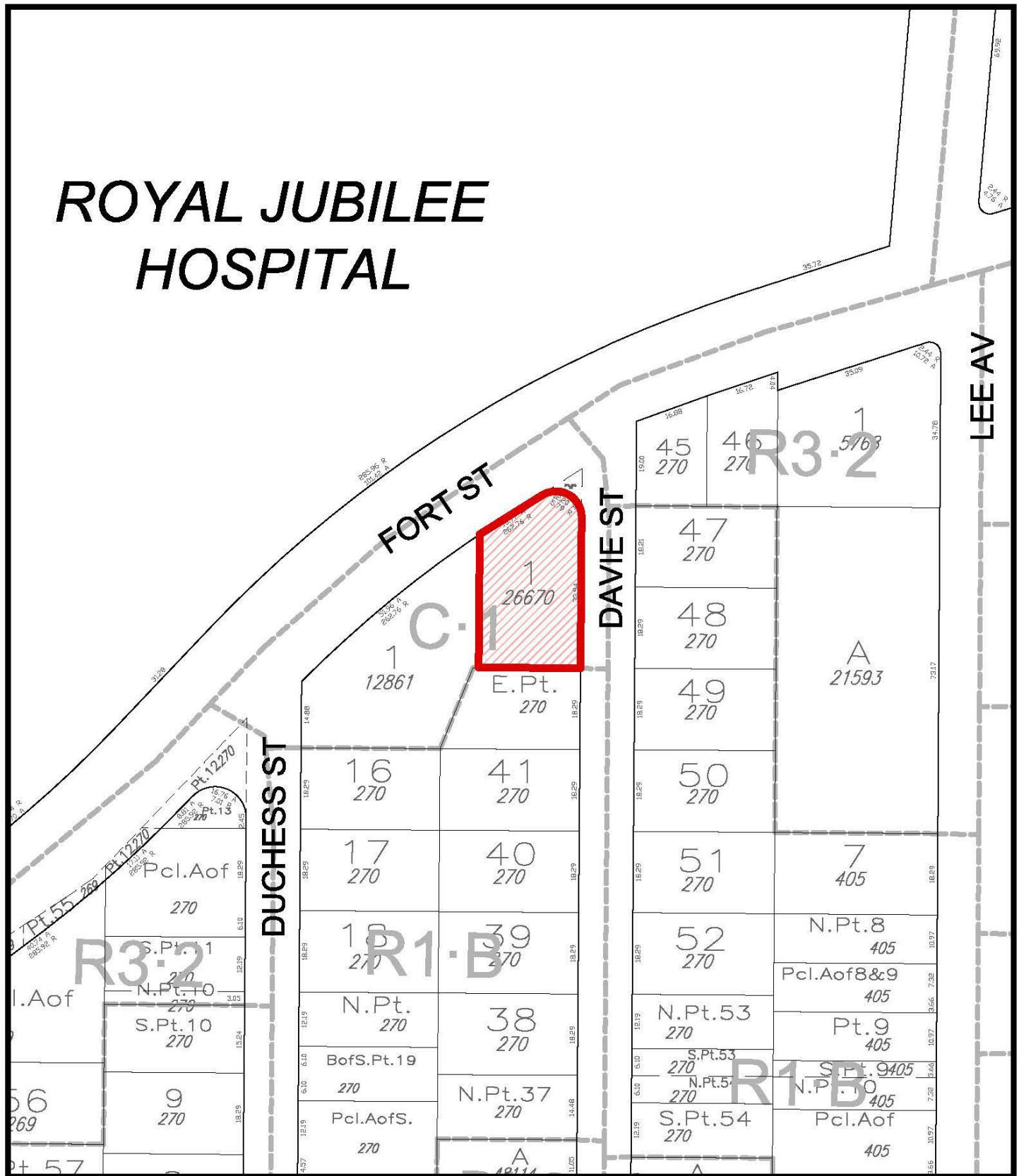
A storefront cannabis retailer must:

- a. be located on the ground floor
- b. not occupy more than 88m²; and
- c. not occupy more than 6.0m in length of a building facing Fort Street.

4.97.3 General Regulations

- a. Subject to the regulations in this Part 4.97, the regulations in the C-1 Zone, Limited Commercial District apply in this Zone.

ROYAL JUBILEE HOSPITAL



1881-1885 Fort Street
Rezoning No.00713

NO. 20-085

A BYLAW OF THE CITY OF VICTORIA

To provide tax exemption for lands or improvements which qualify for a permissive exemption under section 224 of the *Community Charter*.

Section 224 of the *Community Charter* provides that a Council, by bylaw, may exempt from taxation imposed under section 197 of the *Community Charter* certain lands and improvements or both, for the period and subject to the conditions stated in the bylaw;

Council wishes to exempt from taxation certain lands and improvements that are owned, held, or operated for the uses or purposes identified in section 224 of the *Community Charter*;

Notice of this bylaw has been given in accordance with section 227 of the *Community Charter*.

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

1. This Bylaw may be cited as the "TAX EXEMPTION (PERMISSIVE) BYLAW, 2021-2022."
2. Each parcel of land described in Columns B and D of the Schedule to this Bylaw and any improvements on such parcel shall be exempt from taxation under section 197(1) (a) of the *Community Charter* for the term specified in Column C, on the condition that such parcel is used, held, owned or occupied by the organization named in the corresponding row of Column A of the Schedule.

READ A FIRST TIME the _____ day of _____ 2020.

READ A SECOND TIME the _____ day of _____ 2020.

READ A THIRD TIME the _____ day of _____ 2020.

ADOPTED on the _____ day of _____ 2020.

CITY CLERK

MAYOR

Column A Owner/Occupier	Column B Folio	Column C Term	Column D Legal Description
NON PROFIT EXEMPTIONS:			
Victoria Cool Aid Society	10738014	2021-2022	LOT A PLAN 20534 SECTION 4 VICTORIA
PLACES OF WORSHIP EXEMPTIONS:			
Fung Loy Kok Institute of Taoism	12824001	2021-2022	LOT 111/112, BLOCK O, SECTION 31, ESQUIMALT, VIP549 (EXEMPTION NOT EXTENDED TO LEASED AREA)
Gurdwara Singh Sabha Society of Victoria	10744041	2021-2022	B SECTION 4 VICTORIA PLAN VIP2214 (EXEMPTION APPLIES TO PORTION OF PROPERTY BEING USED FOR WORSHIP)



Council Report

For the Meeting of September 17, 2020

To: Council **Date:** September 11, 2020
From: C. Coates, City Clerk
Subject: 2615-2629 Douglas Street: Heritage Designation Application No. 00187

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Heritage Designation (2615-2629 Douglas Street) Bylaw No. 20-052

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 20-052.

The issue came before Council on February 27, 2020 where the following resolution was approved:

2615-2629 Douglas Street: Heritage Designation Application No. 00187

That Council approve the designation of the property located at 2615-2629 Douglas Street, specifically the original 1971 exterior of the historic building described in the attached Statement of Significance, in accordance with plans dated February 13, 2020, 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.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Chris Coates'.

Chris Coates
City Clerk

Report accepted and recommended by the City Manager:

A handwritten signature in black ink, appearing to read 'Cecilia Denbigh'.

Date: September 11, 2020

List of Attachments:

- Bylaw No. 20-052

NO. 20-052

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to designate the exterior of the building located at 2615-2629 Douglas Street to be protected heritage property.

Under its statutory powers, including Section 611 of the *Local Government Act*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

1. This Bylaw may be cited as the “HERITAGE DESIGNATION (2615-2629 DOUGLAS STREET) BYLAW”.
2. The exterior portions of the building as indicated in the photographs and diagrams in Schedule A attached to this Bylaw and located at 2615-2629 Douglas Street, legally described as PID: 003-149-021, Lot 2, Section 4, Victoria District, Plan 23740, is designated to be protected heritage property.

READ A FIRST TIME the _____ day of _____ 2020.

READ A SECOND TIME the _____ day of _____ 2020.

Public Hearing Held On the _____ day of _____ 2020.

READ A THIRD TIME the _____ day of _____ 2020.

ADOPTED on the _____ day of _____ 2020.

CITY CLERK

MAYOR

Schedule 'A'



Front (West) Elevation

Note: Designation (red outline) excludes flagpoles and landscaping



Side (South) Elevation

Note: Designation (red outline) excludes print reel room (indicated with arrow) and landscaping

Schedule 'A'



Rear (East) Elevation and Side (North) Elevation

Note: Designation (red outline) excludes print reel room and rooftop mechanical equipment indicated with the arrows



Side (North) Elevation

Note: Designation (red outline) excludes landscaping, furnishings and walls not attached to the building



Council Report

For the Meeting of September 17, 2020

To: Council **Date:** September 10, 2020
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: **Heritage Tax Exemption Bylaw No. 20-079 for 2615-2629 Douglas Street (the Times Colonist Building)**

RECOMMENDATION

That Council give first, second and third reading to the Tax Exemption (2615, 2621, 2623, 2625, 2627, and 2629 Douglas Street) Bylaw No. 20-079.

LEGISLATIVE AUTHORITY

In accordance with Section 225 of the *Community Charter*, Council may exempt protected heritage property from taxation under section 197(1)(a) to the extent provided in the bylaw and subject to conditions established by the exemption agreement.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with the completed Heritage Tax Exemption Bylaw and notice for the property at 2615, 2621, 2623, 2625, 2627, and 2629 Douglas Street (the Times Colonist Building), in accordance with Council's motion of February 27, 2020:

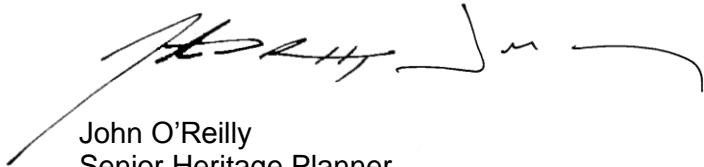
That Council instruct the City Solicitor to prepare a Tax Exemption Bylaw for 2615-2629 Douglas Street for land and improvements located within 66.1 metres of the front property line for 10 years, pursuant to Section 225 of the Community Charter, with the following conditions:

- 1. That the heritage designation of the property be completed.*
- 2. That a covenant identifying the tax exemption be registered on the title of the property and any possible future strata titles.*
- 3. That the final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.*

Council must give the Heritage Tax Exemption Bylaw three readings before staff can proceed to prepare and register a section 219 covenant on title of the property, which identifies the tax exemption and associated conditions.

After the By-law receives three readings, staff can provide legal notification for advertising in the newspaper once each week for two consecutive weeks prior to Council's final adoption of the bylaw.

Respectfully submitted,



John O'Reilly
Senior Heritage Planner
Development Services Division



Karen Hoese, Director
Sustainable Planning and Community
Development Department

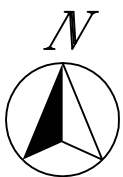
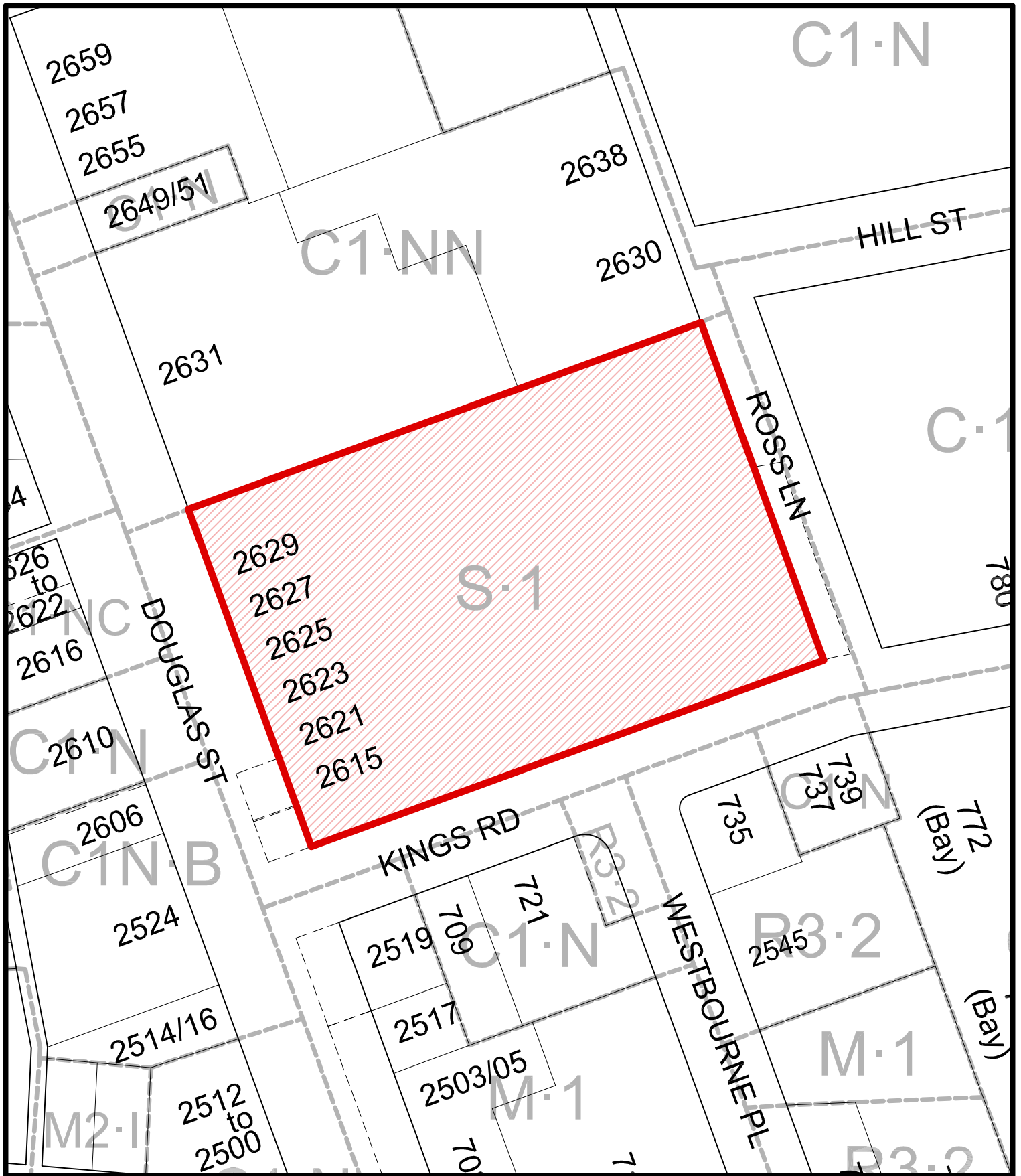
Report accepted and recommended by the City Manager:



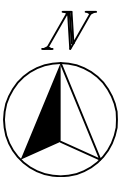
Date: September 11, 2020

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Committee of the Whole Report and Attachments, February 13, 2020
- Attachment D: Council Minutes, February 27, 2020
- Attachment E: Tax Exemption (2615, 2621, 2623, 2625, 2627, and 2629 Douglas Street) Bylaw No. 20-079
- Attachment F: Notice of Proposed Permissive Tax Exemption.



2615 - 2629 Douglas Street
Rezoning No.00680



2615 - 2629 Douglas Street
Rezoning No.00680





Committee of the Whole Report For the Meeting of February 27, 2020

To: Committee of the Whole **Date:** February 13, 2020
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: Tax Incentive Program Application No. 00030 for 2615-2629 Douglas Street

RECOMMENDATION

That Council instruct the City Solicitor to prepare a Tax Exemption Bylaw for 2615-2629 Douglas Street for land and improvements located within 66.1 metres of the front property line for 10 years, pursuant to Section 225 of the *Community Charter*, with the following conditions:

1. That the heritage designation of the property be completed.
2. That a covenant identifying the tax exemption be registered on the title of the property and any possible future strata titles.
3. That the final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.

LEGISLATIVE AUTHORITY

In accordance with Section 225 of the *Community Charter*, Council may exempt protected heritage property from taxation under Section 197(1)(a) to the extent provided in the bylaw and subject to conditions established by the exemption agreement.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding an application for a ten-year partial tax exemption under the City's Tax Incentive Program to assist in the seismic upgrading of the property known as the Victoria Press Building at 2615-2629 Douglas Street. The 130,000 square foot Victoria Press Building is the subject of a concurrent application for heritage designation and a building permit application proposing a comprehensive renovation to convert it into a campus-style "destination office complex". In addition to the seismic upgrade, the applicant is planning a wide range of improvements, including exterior cleaning, architectural lighting, renovating the entrance to be barrier-free, and re-roofing the building. The total project budget is \$26,592,000 and the cost of seismic upgrading is estimated at \$5,558,451. The total value of the proposed property tax exemption over 10 years is less than the cost to seismically upgrade the building based on either current or projected property taxes after the renovation.

The tax exemption would include the footprint of the original 1971 Victoria Press Building and adjacent lands and exclude the print reel room at the southeast corner of the property and the large parking lot beyond it. The print reel room was an addition to the original building

constructed in 1991. It is not considered to have heritage value. Based on consultation with BC Assessment and the City Finance Department, staff are recommending that the tax exemption only apply to land and existing improvements on the front half of the property measured to a depth of 66.1 metres from the front property line. The City retained an independent consultant to evaluate the applicant's pro-forma, as required for non-residential heritage buildings applying for a tax exemption. The consultant concluded that without the tax exemption, the project would not be financially feasible.

The proposed rehabilitation project advances important policies outlined in the *Official Community Plan* (2012) and the *Downtown Core Area Plan* (2011) in relation to emergency management (seismic hazards), economic development, and heritage conservation. The application was reviewed by the Victoria Civic Heritage Trust at its meeting on December 18, 2019, and was recommended for approval (see attached letter, dated December 20, 2019).

BACKGROUND

The Victoria Press Building is a large, three-level, Late Modern style office building built in 1971. It is located on the east side of Douglas Street. The property is bounded by Douglas Street to the west, Kings Road to the south and Ross Lane to the east. The building occupies approximately half the lot, with the rear third of the property occupied by surface parking. It is located in the Douglas Street corridor in the Humber Green area of the Burnside Gorge Neighbourhood, which features mostly low-density auto-oriented land uses. The building is a cast-in-place concrete structure with three levels. The lower level is half below grade and accessible from Douglas Street through sunken courtyards extending to either side of the main entrance. The upper two-storeys feature a repeating series of white pre-cast concrete panels surfaced with aggregate stucco. Set within each panel is a tinted ("smoked") glass window. The building has a prominent main entrance structure that projects forward from the front façade. The sides of the entrance structure feature curved bays with double height windows that reveal a pair of site-specific cedar totem sculptures from 1973, which were designed by artist Godfrey Stephens.

The heritage Tax Incentive Program (TIP) began in March 1998 to provide tax exemptions of up to 10 years to assist heritage-designated building owners with the high cost of seismic upgrading. Initially, the program was focused on accelerating the conversion of underused or vacant upper storeys of downtown heritage buildings to residential uses; however, the program was expanded to include exclusively non-residential rehabilitation projects on a case by case basis, provided an independent financial analysis was carried out. The TIP has led directly to the creation of 699 residential units in 43 rehabilitated heritage buildings and attracted \$266 million in private investment primarily to the downtown.

Proposed Seismic Upgrade

The building's structure consists of concrete slabs supported by concrete columns distributed on a 24' grid. The columns connect to the slabs through a column capital and a lowered, square shaped panel of concrete called a "drop panel". The interior is partitioned with non-load-bearing masonry walls. The building was designed to meet the standards of the 1965 Building Code.

Since it was built, seismic upgrade requirements have increased significantly. The applicant's engineer has designed a new seismic force resisting system to meet the applicable seismic upgrade requirements for their current building permit under the British Columbia Building Code (BCBC, 2012). The engineer estimates that the existing building has less than 20% of the lateral force resistance required by BCBC 2012. The main issue is that the columns and walls

do not have enough capacity to resist forces exerted on them by the side to side motion of the floor and roof slabs during a seismic event. To correct this, the proposed seismic upgrade consists of the following:

- addition of two new concrete cores anchored to the underlying bedrock and additional concrete shear walls
- addition of new connections between the concrete cores and slabs to resist lateral forces
- addition of a new ring beam foundation capable of transferring the lateral forces from the structure to the surrounding soil
- restraining the existing pre-cast concrete panels around the exterior of the building
- bracing unreinforced masonry walls inside the building
- bracing the existing building's pre-cast concrete parapets.

The above seismic upgrade are designed to resist seismic ground motions with a probability of exceedance of 5% in 50 years. A magnitude 7 earthquake within 10 kilometres of the site or a magnitude 9 earthquake (The "Big One") occurring offshore are expected to result in shaking similar to this design level, according to the engineer.

Other Building Upgrades Proposed Under Building Permit No. 055060

The project includes a full scope of conservation work aimed at preserving and rehabilitating all of the building's Late Modern architectural components, including the historic association with the Times Colonist newspaper and the industrial character of the building's interior. Much of the remaining work is also eligible for heritage incentives:

Pre-cast Concrete Panels

- seismic restraint of the panels to the façade of the building
- thorough cleaning of the panels to restore their original brightness
- replacement of sealants on panel joints and replacement of window frames
- architectural lighting.

Roof

- existing roof to be stripped, with new insulation and waterproof membranes installed.

Douglas Street Entrance

- historic main entrance retained and enhanced
- access reconfigured to become barrier free, including removal of steps and installation of a wide and level entrance to the lobby
- architectural lighting.

Kings Road Alterations

- original double-height space reinstated through the removal of a steel framed second floor added in 1991 with the print reel room addition
- replacement of blank metal cladding with curtain wall glazing to reveal the full height of the original press hall
- new exterior lighting.

Other Exterior Work

- rehabilitation of sunken landscaped courtyards next to the main entrance

- new cladding and glazing added to the print reel room.

Interior

- lobby tiles, wall tiles and geometric hand railing in the lobby retained
- hazardous materials to be removed and new electrical and plumbing systems added
- building to be fully sprinklered
- light wells/skylights to be cut into existing floor slabs at all levels, bringing natural light to a central circulation spine
- reconfiguration of internal walls
- concrete frame structure retained and exposed
- masonry walls retained and braced.

ANALYSIS

Staff recommend that Council consider supporting the project by approving the proposed tax exemption, since it will contribute to the City's strategic objectives for the Humber Green area of the Douglas Corridor as set out in the Burnside Gorge Neighbourhood Plan. The Neighbourhood Plan envisions the area transforming through the construction of projects that are transit-supportive and contain commercial and mixed-uses. The Victoria Press Building project is the first phase in the applicant's plan to completely redevelop the site.

The proposed tax exemption is consistent with the following policies:

Official Community Plan

The proposal to grant the project a tax exemption is generally consistent with the *Official Community Plan* (OCP), which states in Section 18: Emergency Management, "there is a 32% likelihood of a damaging earthquake event in the City before 2054". Such a disaster is likely to require the demolition and extensive reconstruction of buildings and structures. As such, the OCP contains many policies urging the City's decision makers to prepare for such an event and incentivize the seismic upgrading of existing buildings. The proposal is consistent with policies under Section 8 - Placemaking: Urban Design and Heritage:

- 8.6 *Conserve and enhance the heritage value, character and special features of areas, districts, streetscapes, cultural landscapes and individual properties throughout the city.*
- 8.43 *Encourage high quality architecture, landscape and urban design to enhance the visual identity and appearance of the City*
- 8.50 *Encourage new development to avoid the demolition of heritage property, or one or more of its façades.*
- 8.51 *Continue to give consideration to tools available under legislation to protect or conserve heritage property including, but not limited to: heritage designation bylaws.*

The proposal is consistent with policies under Section 14: Economy of the *Official Community Plan* including the following:

- 14.33 *Continue to invest in the heritage character of the Downtown and other neighbourhoods through incentives for rehabilitation and seismic upgrades.*

The recommended option is consistent with Section 18: Emergency Management of the Official Community Plan, including:

- 18.16 Continue incentives for seismic upgrades to owners of designated heritage property, and consider incentives for non-heritage properties.*

Burnside Gorge Neighbourhood Plan

The conservation of the building through designation, seismic upgrading and other restorative measures is consistent with Section 4.1, "General Policies for Land Management and Development", and Section 8, "Heritage", which states:

- 4.1.6. Encourage the conservation of important heritage buildings: Burnside neighbourhood contains important heritage buildings and sites of the Coast Salish people, the neighbourhood's agricultural, residential, and industrial history, and the natural and recreational history of the Gorge Waterway.*
- 8.1.2. Consider future additions to the City's Register of Heritage Properties in consultation with property owners...*

Standards and Guidelines for the Conservation of Historic Places in Canada

The proposal is consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada* (the Standards and Guidelines). The applicant proposes to preserve and restore all character-defining elements on the primary elevations. The most significant proposed alterations to the building are to the 1991 print reel room addition, which is not a character-defining element of the building. The removal of the blank corrugated metal cladding of this portion of the building and the introduction of expansive glazing will give the building a presence on Kings Road that it currently lacks.

Resource Impacts

The project will rehabilitate approximately 130,000 square feet of underutilized commercial space at an estimated total construction cost of \$26.6 million. The following is a breakdown of the project budget with the print reel room costs separated. The reason that the print reel room is separated is because it will not be heritage designated and will not factor into the calculations for the tax incentive.

Victoria Press Building	
Renovation Cost	\$23,660,000
Seismic Upgrade Only	\$5,324,483

Print Reel Room	
Renovation Cost	\$2,932,000
Seismic Upgrade Only	\$233,968

The value of the tax incentive is calculated based on the value of land and existing improvements to a depth of 66.1 metres from the front property line because this is the extent of the heritage designated portion of the building. In 2019, the current property taxes for all land and improvements were \$347,377, based on a total assessed value of \$20,285,000. In 2020, BC Assessment estimates that the heritage-designated portions of the property will comprise approximately \$11,300,000 of the total assessed value, which equates to annual taxes of \$194,407 when apportioned accordingly.

The formula to determine how many years the tax exemption will apply is the rate of the current year's property tax multiplied by the number of years required to reach an amount equal to or less than the estimated cost of seismic upgrading, up to a maximum of 10 years. The applicant has requested the full term of 10 years because the cost of the seismic upgrade (\$5,324,483) will exceed the maximum tax incentive calculation of \$1,944,075 (\$194,407 x 10).

Cost of Seismic Upgrading = \$5,324,483.00 > \$1,944,075 (\$194,407 x 10)

After the renovation, the assessed value of the property is estimated to increase from \$20,285,000 million to \$35,391,000 million. This means that the value of the tax exemption could be as high as \$452,489 per year in property taxes or \$4,524,896 over 10 years. This is still less than the \$5,324,483 cost of seismic upgrading.

Over the 10-year period, the City would redistribute the amount of the tax exemption to be covered by non-exempt tax payers, so there is no loss in tax revenue to the City.

Accessibility

The project will make all significant entrances to the building fully accessible. Upgrades include the reconfiguration and enlargement of the existing wheelchair ramp at the front to make the entrance accessible from a north or south direction. The main lobby of the building includes an elevator. The entrances to the print reel room and the press hall at the southeast corner of the building will be fully accessible from grade, without the need for any ramps.

CONCLUSIONS

The proposed tax exemption will facilitate the rehabilitation and seismic upgrading of over 130,000 square feet of commercial space within a building with significant heritage value as a symbol of over 150 years of print journalism in Victoria. The project will be a significant step forward in advancing the City's goals for the Humber Green area of the Burnside Gorge Neighbourhood. Staff therefore recommend that Council consider supporting the application.

ALTERNATE MOTIONS

That Council decline Tax Incentive Program Application No. 00030

Respectfully submitted,



John O'Reilly
Senior Heritage Planner
Development Services



Karen Hoese, Director
Sustainable Planning and Community
Development Department



Susanne Thompson
Deputy City Manager/CFO
Finance Department

Report accepted and recommended by the City Manager:

Jocelyn Senkynus
Date: Feb 21, 2020

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Site Plan showing Tax Exempt Area
- Attachment D: Photos
- Attachment E: Architectural Plans, dated February 13, 2020
- Attachment F: Letter from Victoria Civic Heritage Trust, dated December 20, 2019
- Attachment G: 2019 Property Tax and Assessment Notices
- Attachment H: Heritage Conservation Rationale: Victoria Press Building
- Attachment I: Seismic Evaluation by RJC Engineers, dated December 13, 2019.

2615-2629 Douglas Street



Main Entrance

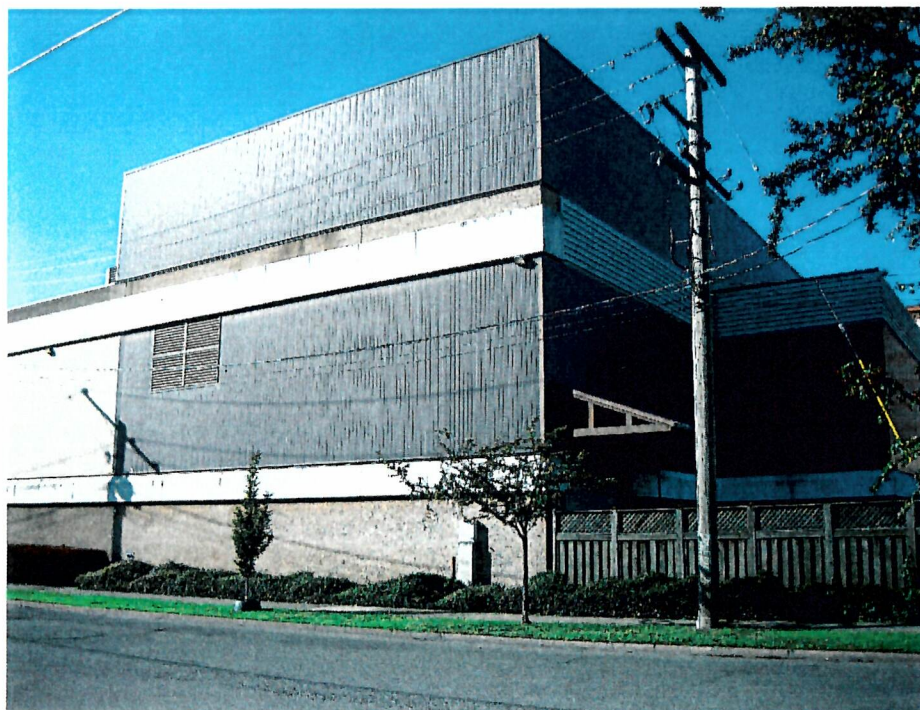


Front (west) elevation

2615-2629 Douglas Street



Side (south) elevation



Side (south) elevation print reel room

2615-2629 Douglas Street



Rear (east) elevation



Rear (east) elevation

2615-2629 Douglas Street



Godfrey Stephens Sculptures in Main Lobby

VICTORIA ZONING BYLAW SUMMARY

[illegible]

PROJECT DESCRIPTION

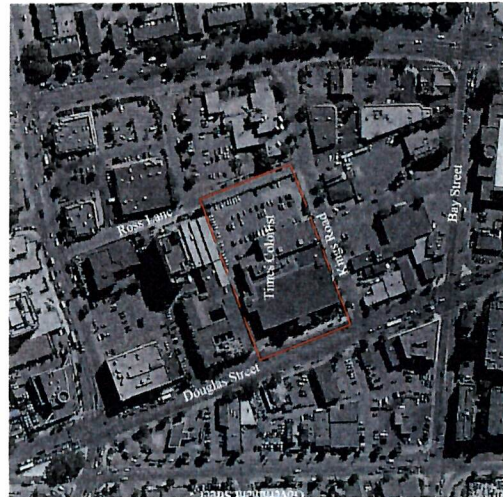
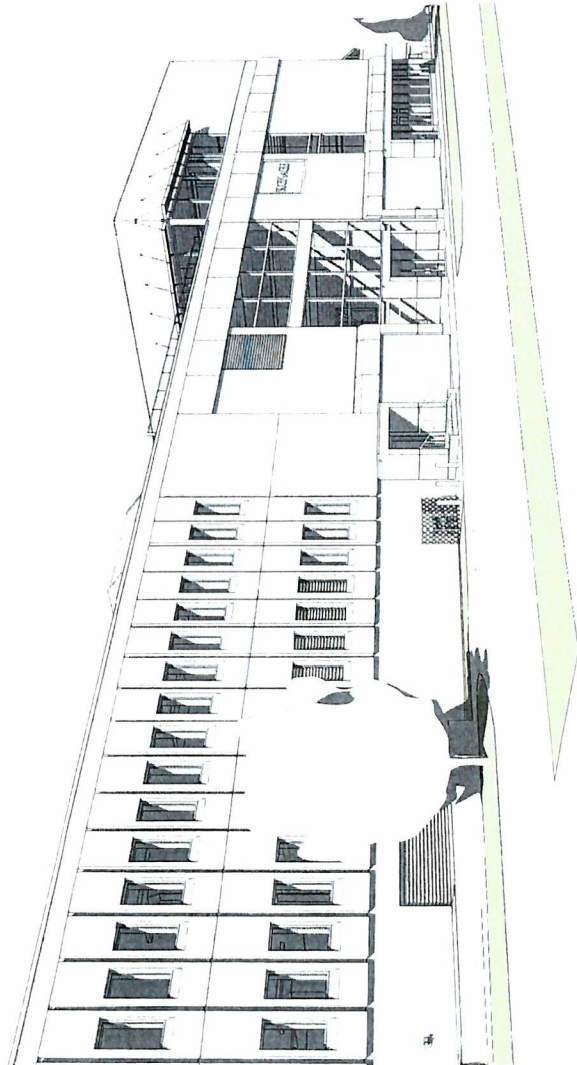
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BUILDING CODE SUMMARY

[illegible]

LIST OF DRAWINGS

DP000	Final Plan
DP001	Site Plan Proposed
DP002	Final Proposed First Floor
DP003	Final Proposed Second Floor
DP004	Final Proposed Third Floor
DP005	Final Proposed Road
DP006	Location North
DP007	Location South
DP008	Location East
DP009	Location West
DP010	Site Analysis
DP011	So. Analysis
DP012	Agency



LOCATION PLAN

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Pha Name	FD	3.17	Design 9' / m
Lower Bay	5555	5555	5555
Upper Bay	5555	5555	5555

Plans Proposed -
First Floor

Victoria
977 Fort Street V8V 3K3 T 1-250-685-3367
Nanaimo
102-5190 Dublin Way V9T 2K8 T 1-250-585-5810
Comox Valley 250-251-1000 and 250-251-1001
The property of **Deanna** (C. H. & L. Inc.)
910-1010 St. St. Andrews 250-251-1001
The property of **Deanna** (C. H. & L. Inc.)



NOTES

1	EXISTING TO BE DEMOLISHED
2	EXISTING TO BE RECONSTRUCTED
3	NEW CONSTRUCTION
4	NEW CONSTRUCTION TO BE DEMOLISHED

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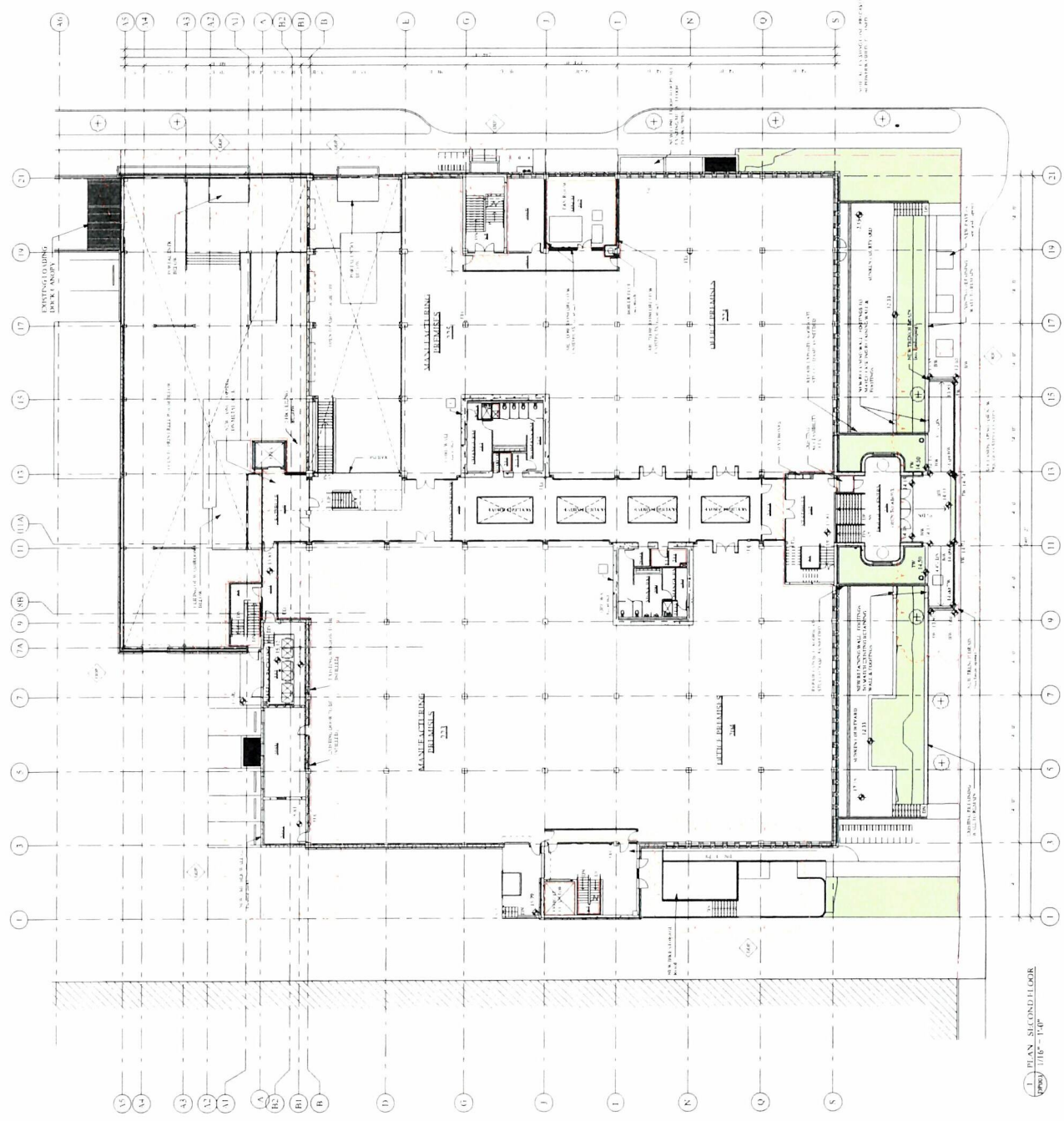
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2	11/11/19	11/11/19	11/11/19	11/11/19
3	11/11/19	11/11/19	11/11/19	11/11/19
4	11/11/19	11/11/19	11/11/19	11/11/19

Victoria Press LTD
2621 Douglas St. Victoria
BC
Plans Proposed -
Second Floor



diKa DP003

VER 303 T 1-250-485-1187
877 Fort Street
102 S.W. Dublin Way VST 208 T 1-250-545-1010
The above information is provided for your information only. It is not to be used for any other purpose without the written consent of the City of Victoria.



1. PLAN SECOND FLOOR
11/11/19 - 1/4/20

NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

2. ALL WALLS ARE 12" THICK UNLESS OTHERWISE NOTED.

3. ALL FLOORS ARE 4" THICK UNLESS OTHERWISE NOTED.

4. ALL ROOFS ARE 6" THICK UNLESS OTHERWISE NOTED.

5. ALL CEILING ARE 8" THICK UNLESS OTHERWISE NOTED.

6. ALL STAIRS ARE 4" THICK UNLESS OTHERWISE NOTED.

7. ALL ELEVATIONS ARE TO FACE UNLESS OTHERWISE NOTED.

8. ALL SECTIONS ARE TO FACE UNLESS OTHERWISE NOTED.

9. ALL DETAILS ARE TO FACE UNLESS OTHERWISE NOTED.

10. ALL FINISHES ARE TO FACE UNLESS OTHERWISE NOTED.

11. ALL MATERIALS ARE TO FACE UNLESS OTHERWISE NOTED.

12. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CITY OF VICTORIA BUILDING CODE.

13. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CITY OF VICTORIA PLANNING & DEVELOPMENT DEPARTMENT SERVICES DIVISION.

14. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CITY OF VICTORIA PLANNING & DEVELOPMENT DEPARTMENT SERVICES DIVISION.

15. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CITY OF VICTORIA PLANNING & DEVELOPMENT DEPARTMENT SERVICES DIVISION.

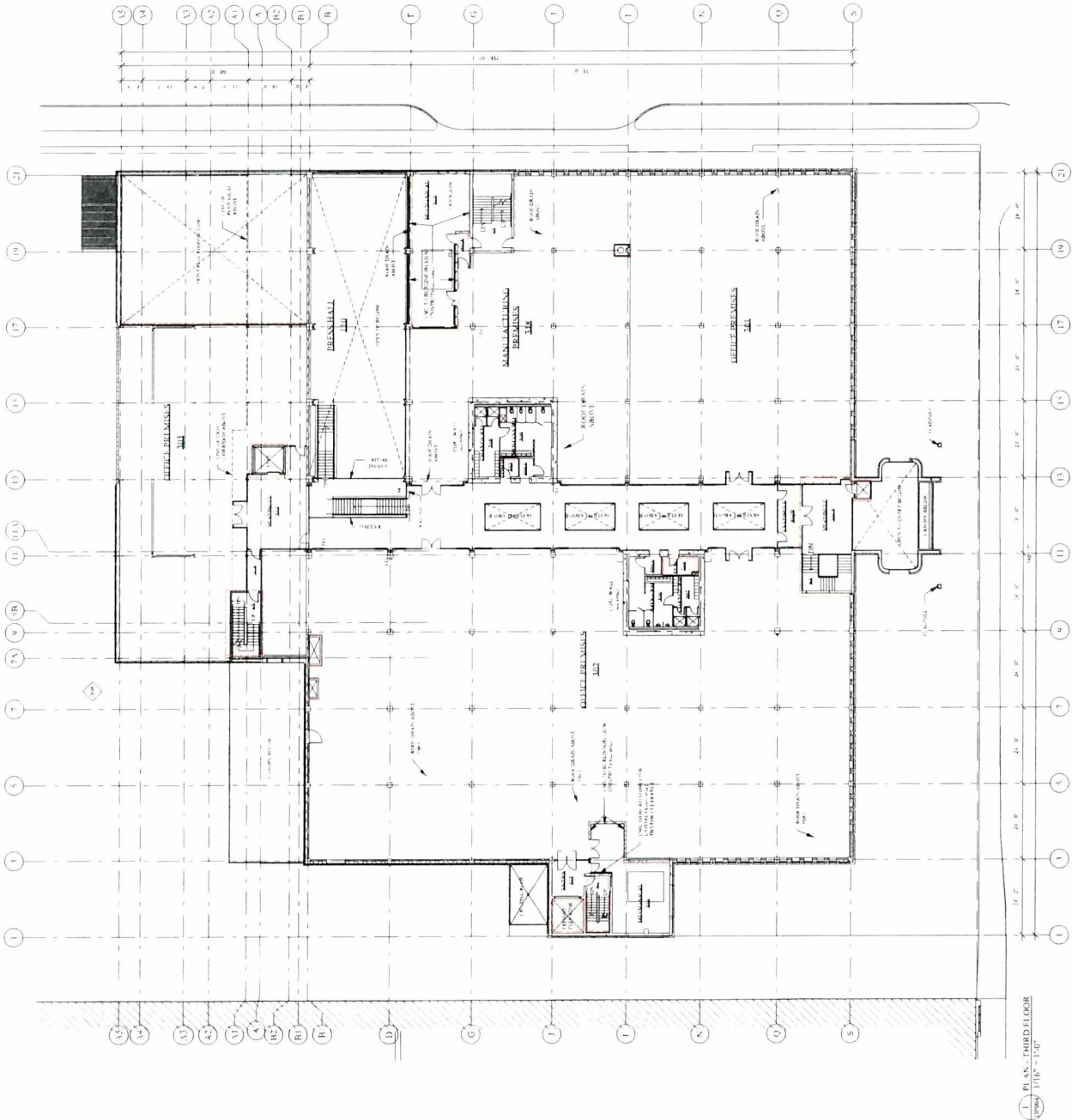
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Development Services Division

Project No.	010118	Project Name	Victoria Press LTD
Issue No.	001	Issue Date	01/11/18
Issue Description	As per approved design & specifications		
Drawn By	010118	Checked By	010118
Drawn Date	01/11/18	Checked Date	01/11/18

Victoria Press LTD
2621 Douglas St. Victoria
BC
Plans Proposed -
Third Floor



dhKa DP004
dHKA ARCHITECTS
8777 F.W. Street
Victoria, BC V8P 1A1
Tel: 250-685-1367
Fax: 250-685-1368
Email: info@dhka.ca
Website: www.dhka.ca



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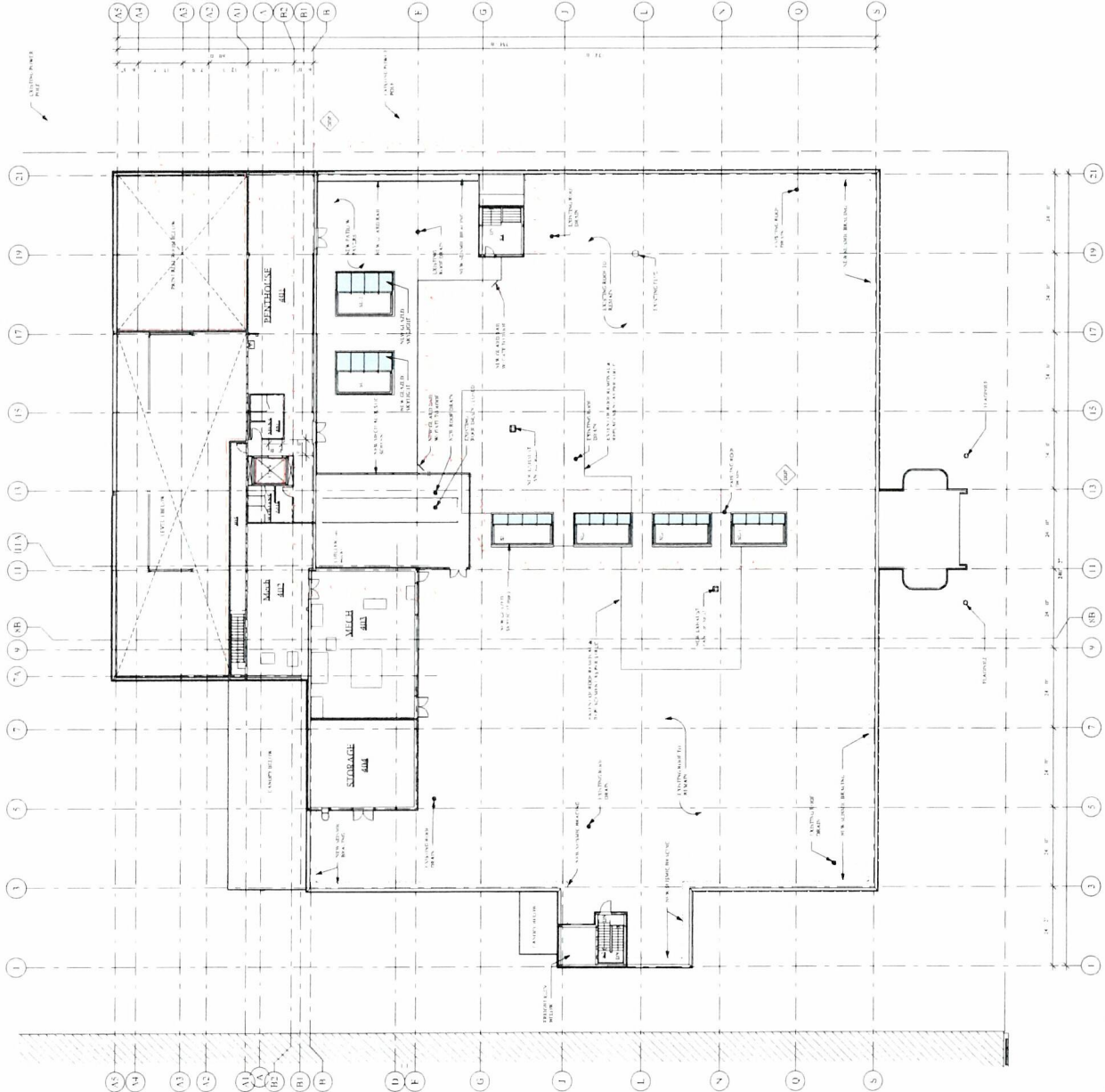
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Victoria Press LTD
2621 Douglas St. Victoria
BC
Plans Proposed -
Roof



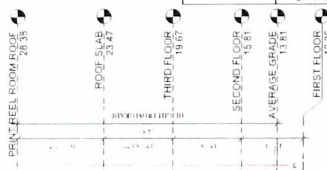
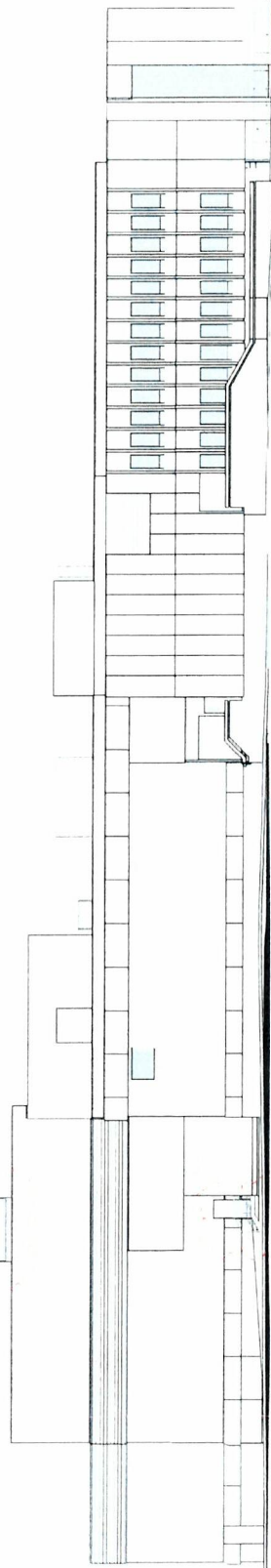
DP005

dHKAarchitects
Victoria
977 Fort Street
Nanaimo
V8V 3K3 T 1-250-685-1367



PLAN - ROOF
1/16" = 1'-0"

Planning & Development Department
Development Services Division

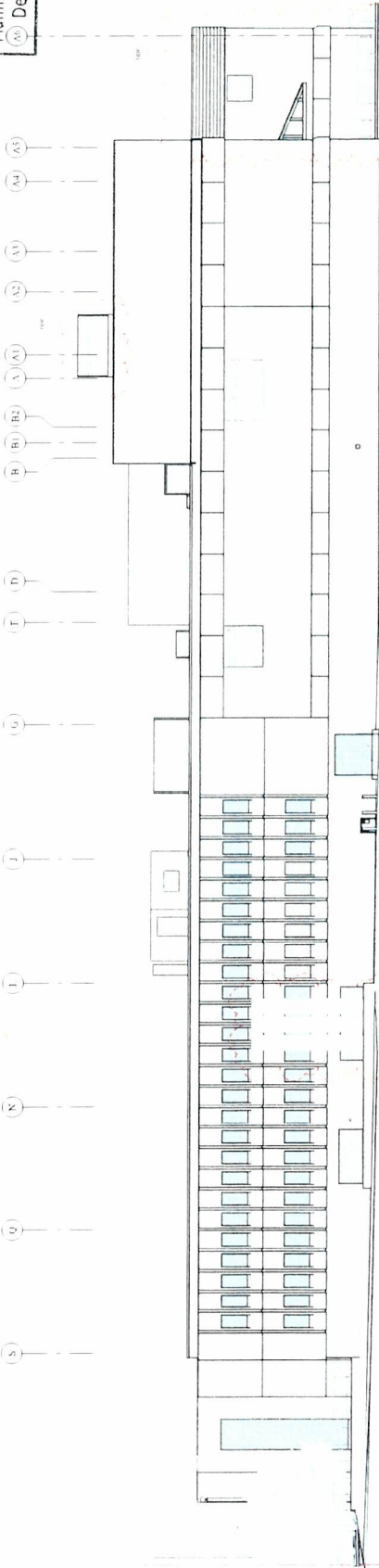


— HKa DP006
dHK architects

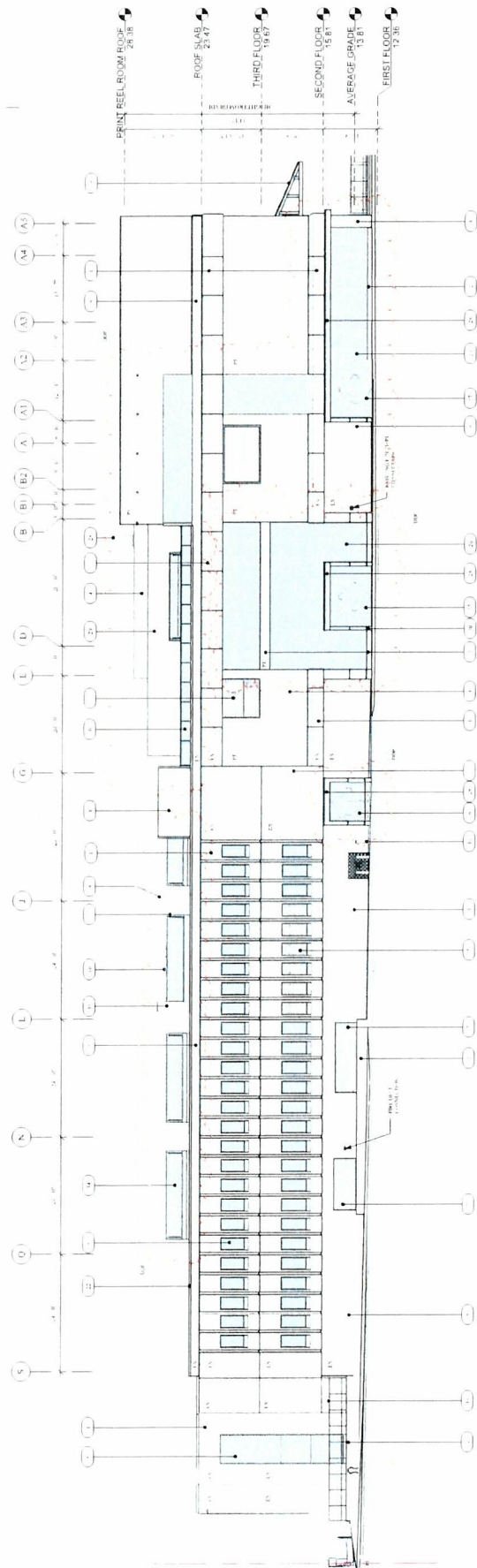
VICTORIA
977 Fort Street
V8V 3K3 T 1-250-685-1367
Nanaimo
102-5190 Dublin Way V9T 2K8 T 1-250-585-3810

FEB 13 2020

Planning & Development Department
(A) Development Services Division



1 South Elevation - Existing
Scale: 1/32" = 1'-0"



2 ELEVATIONS PROPOSED - NORTH UP
Scale: 1/32" = 1'-0"

Material Schedule

1	Existing Concrete Block	To Remain
2	Existing Concrete Block	To Remain
3	Existing Concrete Block	To Remain
4	Existing Concrete Block	To Remain
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11	Existing Concrete Block	To Remain
12	Existing Concrete Block	To Remain

Material Schedule

1	Existing Concrete Block	To Remain
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3	Existing Concrete Block	To Remain
4	Existing Concrete Block	To Remain
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10	Existing Concrete Block	To Remain
11	Existing Concrete Block	To Remain
12	Existing Concrete Block	To Remain

Material Schedule

1	Existing Concrete Block	To Remain
2	Existing Concrete Block	To Remain
3	Existing Concrete Block	To Remain
4	Existing Concrete Block	To Remain
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11	Existing Concrete Block	To Remain
12	Existing Concrete Block	To Remain

Material Schedule

1	Existing Concrete Block	To Remain
2	Existing Concrete Block	To Remain
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10	Existing Concrete Block	To Remain
11	Existing Concrete Block	To Remain
12	Existing Concrete Block	To Remain

Victoria Press LTD
2621 Douglas St. Victoria
BC
Elevations - South

DP007
dKa
Project: 2621 Douglas St. Victoria
Sheet: 2621 Douglas St. Victoria
Scale: 1/32" = 1'-0"

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Development Services Division

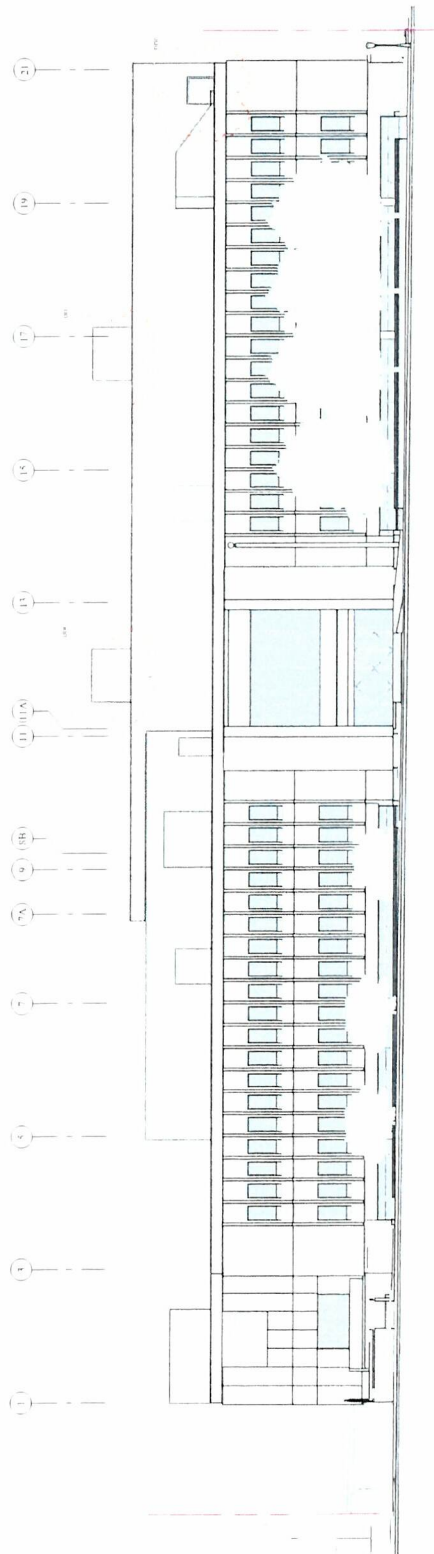
dHKArchitects
Victoria
977 Fort Street
Nanaimo
V8V 3K3 T 1-250-685-1367

2. INVARIANTS PROPOSED - FAST DP

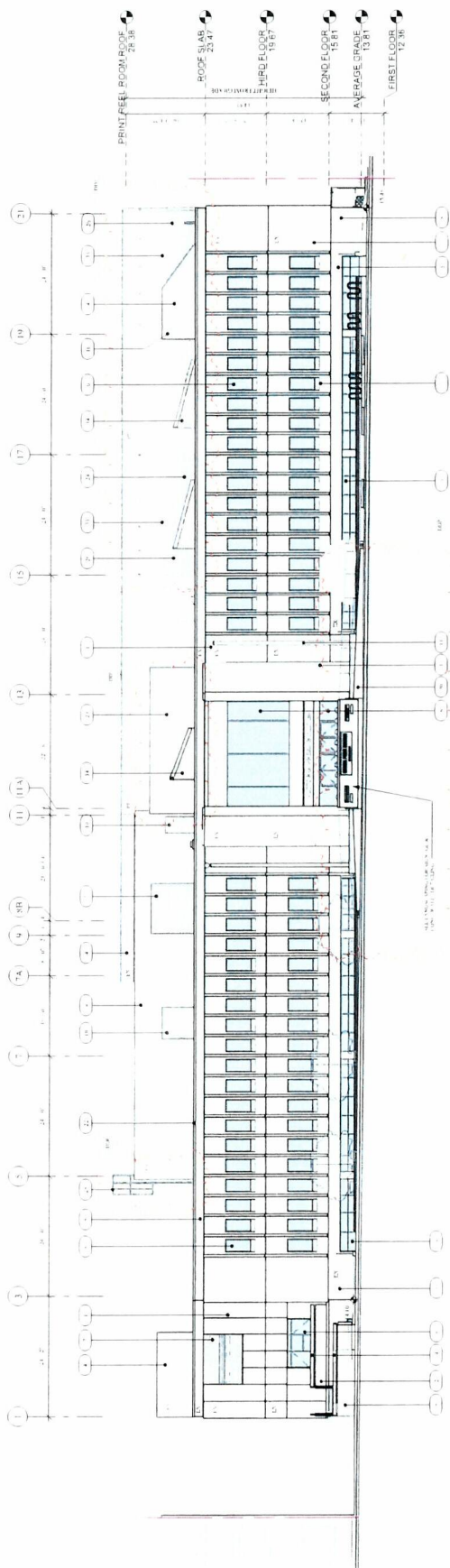


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Development Services Division



1 West Elevation - Existing
Scale: 1/8" = 1'-0"



2 Elevations Proposed - West DP
Scale: 1/8" = 1'-0"

3 Material Schedule

1	Existing Concrete Masonry Unit (CMU)
2	Existing Concrete Masonry Unit (CMU)
3	Existing Concrete Masonry Unit (CMU)
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5	Existing Concrete Masonry Unit (CMU)
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4 Material Schedule

1	Existing Concrete Masonry Unit (CMU)
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11	Existing Concrete Masonry Unit (CMU)
12	Existing Concrete Masonry Unit (CMU)

5 Material Schedule

1	Existing Concrete Masonry Unit (CMU)
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12	Existing Concrete Masonry Unit (CMU)

6 Material Schedule

1	Existing Concrete Masonry Unit (CMU)
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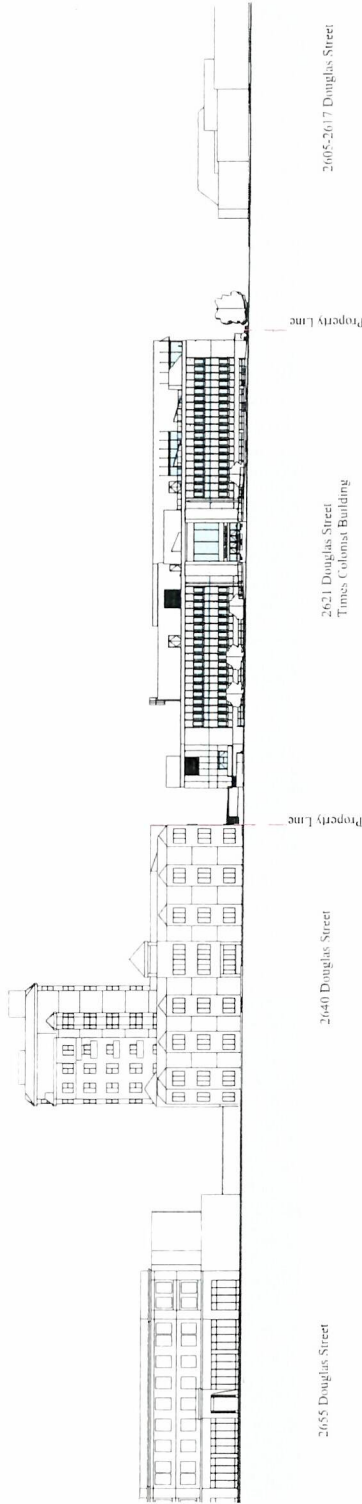
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2621 Douglas St. Victoria
BC
Elevations - West

DP009
dKa
360 architects
1000 Burrard Street, Suite 1000
V6C 2E6
Tel: 250-566-5455
Fax: 250-566-5456
www.dka.ca

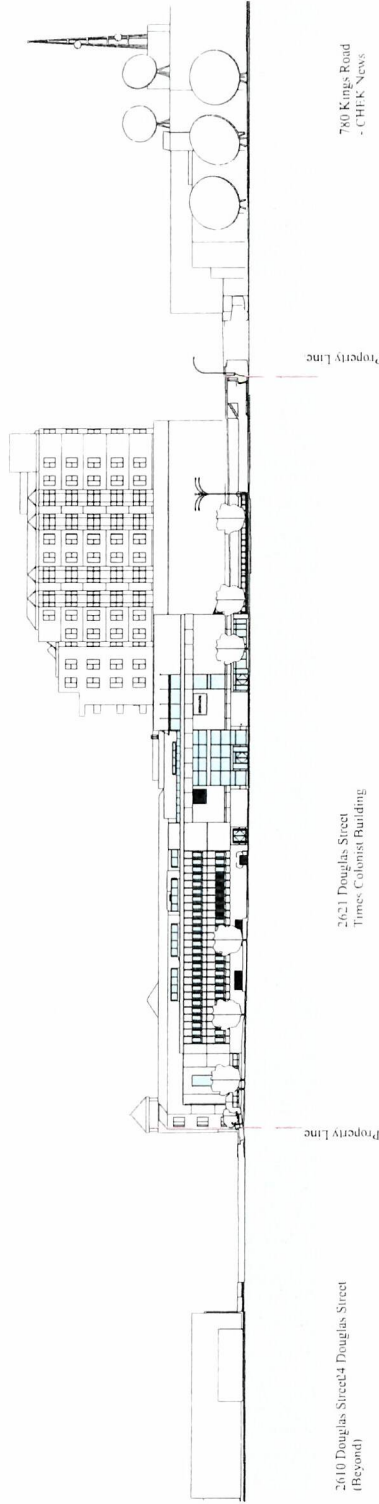
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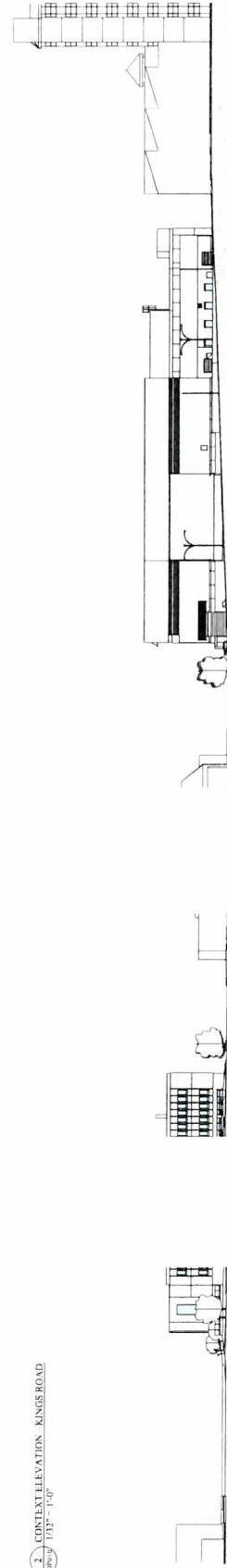
Planning & Development Department
Development Services Division



1. CONTEXT ELEVATION - DOUGLAS STREET
Scale: 1/32" = 1'-0"



2. CONTEXT ELEVATION - KINGS ROAD
Scale: 1/32" = 1'-0"



3. CONTEXT ELEVATION - DOUGLAS STREET
Scale: 1/32" = 1'-0"

4. CONTEXT SECTION - KINGS ROAD EAST
Scale: 1/32" = 1'-0"

5. CONTEXT SECTION - KINGS ROAD WEST
Scale: 1/32" = 1'-0"

Nova Pacific Homes
2638 Ross Lane

2621 Douglas Street
Times Colonist Building

737 Kings Road

2621 Douglas Street Kings Road
Times Colonist Building

2610 Douglas Street
Times Colonist Building

2621 Douglas Street
Times Colonist Building

2621 Douglas Street
Times Colonist Building

Plot No.	1/200-17	Page 1 of 4
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Sheet	1/32" = 1'-0"	Project No.

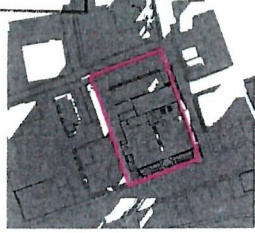
Victoria Press LTD
2621 Douglas St. Victoria
BC
Site Analysis

dpKa DP010
dpKa architect
3777 Fort Street
Vancouver, BC V6R 4K3
Tel: 604-683-1387
Fax: 604-683-1388
Email: info@dpka.com
Website: www.dpka.com

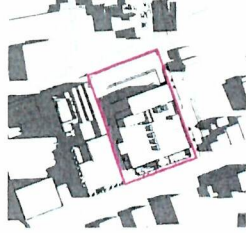
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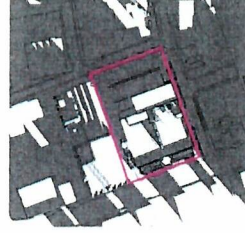
Planning & Development Department
Development Services Division



10. SITE PLAN WINTER SOLSTICE 8AM
DP011 SCALE NTS



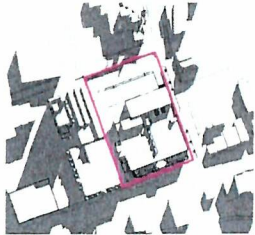
12. SITE PLAN WINTER SOLSTICE NOON
DP011 SCALE NTS



14. SITE PLAN WINTER SOLSTICE 4PM
DP011 SCALE NTS



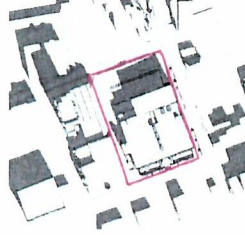
16. SITE PLAN SPRING EQUINOX 2PM
DP011 SCALE NTS



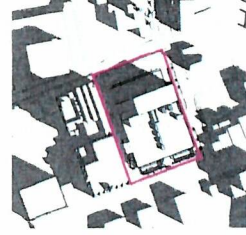
9. SITE PLAN SPRING EQUINOX 8AM
DP011 SCALE NTS



11. SITE PLAN SPRING EQUINOX NOON
DP011 SCALE NTS



13. SITE PLAN SPRING EQUINOX 4PM
DP011 SCALE NTS



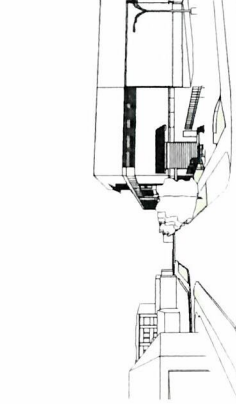
15. SITE PLAN WINTER SOLSTICE 2PM
DP011 SCALE NTS



3. Douglas Street - South - Proposed
DP011 SCALE



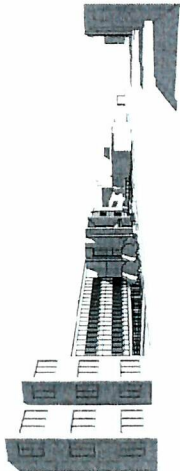
4. Douglas Street - South - Existing
DP011 SCALE 3" = 1'0"



6. Kings Road - East - Proposed
DP011 SCALE



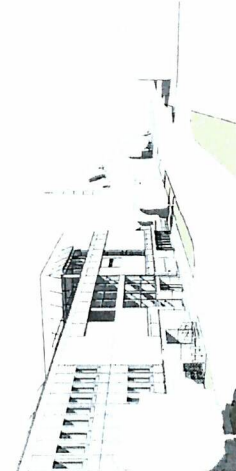
8. Kings Road - East - Existing
DP011 SCALE 3" = 1'0"



1. Douglas Street - North - Proposed
DP011 SCALE



2. Douglas Street - North - Existing
DP011 SCALE 3" = 1'0"



5. Kings Road - West - Proposed
DP011 SCALE



7. Kings Road - West - Existing
DP011 SCALE 3" = 1'0"

Victoria Press LTD
2621 Douglas St. Victoria
BC
Site Analysis

dp architects
877 Fort Street
Vancouver, BC V6C 2E6
TEL: 604-681-5810
FAX: 604-681-5811
www.dparchitects.com

DP011

FEB 13 2020

Planning & Development Department
Development Services Division

Age Group	Age 15-24	Age 25-34	Age 35-44	Age 45-54	Age 55-64	Age 65-74	Age 75+
Male	10.2	10.5	10.8	11.1	11.4	11.7	12.0
Female	10.5	10.8	11.1	11.4	11.7	12.0	12.3

Victoria Press LTD

2621 Douglas St. Victoria
BC

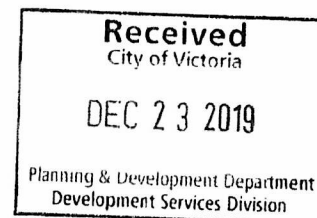
Views

DP012

dHKAarchitects
Victoria
877 Fort Street
Nanaimo
V8V 3K3 T 1-250-685-1367
102-5190 Dublin Way V8T 2K8 T 1-250-585-5810



Victoria
CIVIC
HERITAGE
TRUST



City of Victoria
1 Centennial Square
Victoria, British Columbia V8W 1P6

20 December 2019

Attention: Mayor and Council

Downtown Heritage Tax Incentive Program for Non-Residential Buildings

Recommendation to City of Victoria for Approval of a Ten-Year Tax Exemption

**2615-2621 Douglas Street
Victoria Press Building / Times Colonist Building
Lot 2, Section 4, Victoria, Plan 23740; PID 003-149-021; Folio Number: 09696034**

Dear Mayor and Council:

At a meeting held on 18 December 2019, the Board of Directors of the Victoria Civic Heritage Trust reviewed a Tax Incentive Program (Non-Residential Use) application submitted by the property owner, **TC Evolution Limited Partnership / 0922010 BC Ltd**, for the **Victoria Press Building** (aka **Times Colonist Building**) located on the property at **2615-2621 Douglas Street**.

The owner requests a ten-year tax exemption for the historically significant 1971 Late Modern architectural style Victoria Press Building at 2615-2621 Douglas Street, excluding the non-historic Print Reel Room addition built in 1991. The proposed work on the Victoria Press Building at 2615-2621 Douglas Street meets the criteria of the Tax Incentive Program – Non-Residential Uses for: 1) substantial rehabilitation; 2) new use for a vacant or an underutilized space; and 3) a new economic use of the building.

Proposed eligible work on the building includes: exterior preservation of the character-defining 1971 pre-cast concrete panel system and rehabilitation of the main entrance and hard landscaping; interior retention, rehabilitation, and adaptive re-use of the original concrete building; Building Code improvements for fire protection including fire sprinklers; new electrical and mechanical systems; and, seismic upgrading to improve life safety compliant with the 2012 Building Code for seismic and wind force levels, including building two new large concrete shear wall cores anchored to rock below, adding diaphragm connections from the new concrete shear wall cores to the existing concrete slabs, adding a new ring beam concrete foundation, seismically restraining the existing exterior pre-cast concrete panels and concrete parapets, and bracing interior unreinforced masonry walls.

A City-appointed financial consultant, Coriolis Consulting Corp of Vancouver BC, conducted a financial review of the proposed project. The consultant recommendations were made directly to the City of Victoria in a report dated 26 November 2019. Total renovation costs for the heritage portion of the property only, excluding all work related to the 1991 addition, are estimated to be **\$23,660,000.00**. The current 2019 property tax for 2615-2621 Douglas Street is **\$347,376.61**.

A technical review of the project was undertaken by our Architectural Conservation Committee (ACC) on 18 December 2019. The ACC forwarded its recommendation to the Board of Directors for consideration. Subject to Heritage Designation and a required site visit following completion of the project, the Board passed a motion of recommendation to the City of Victoria on 18 December 2019:

Subject to Council's approval and the project meeting all other City requirements, and verification of final costs, 2615-2621 Douglas Street is eligible and recommended for a tax exemption period of Ten (10) Years.

...2

2...

We are pleased to support this project and to submit our recommendation to Council.

Please do not hesitate to contact our office should there be any questions regarding our review.

Sincerely yours,



Clive Townley
President

copy: John O'Reilly, Senior Heritage Planner, City of Victoria



1 Centennial Square
Victoria, BC V8W 1P6
T 250.361.0228
F 250.361.0214

www.victoria.ca

Office Hours:
Monday – Friday: 8 a.m. – 4:30 p.m.

2019 PROPERTY TAX NOTICE

DUE DATE: Tuesday, July 2, 2019



26964

10% PENALTY IF NOT PAID OR GRANT NOT CLAIMED BY JULY 2, 2019

0922010 BC LTD
PO BOX 8087 STN CENRAL
VICTORIA BC V8W 3R7

09696034 BC LTD PO BOX 8087 STN CENRAL VICTORIA BC V8W 3R7				LEGAL DESCRIPTION			
				LOT 2, SECTION 4, VICTORIA, PLAN 23740			
				TOTAL NET ASSESSED VALUES FOR TAXATION PURPOSES			
				CLASS	GENERAL	SCHOOL	HOSPITAL
				5 - Light Ind	6,995,000	6,995,000	6,995,000
				6 - Business	13,290,000	13,290,000	13,290,000
FOLIO NUMBER	09696034	ACCESS CODE	057379				
PROPERTY ADDRESS	2615 DOUGLAS ST			A - NOT ELIGIBLE FOR GRANT	B - BASIC GRANT UNDER AGE 65	C - SENIOR/ADD'L AGE 65+ & OTHER	
PID	003-149-021		RATES				
SCHOOL TAXES COLLECTED ON BEHALF OF PROVINCE OF BC							
SCHOOL - OTHER				3.70000	75,054.50	75,054.50	75,054.50
ADDITIONAL SCHOOL TAX					0.00	0.00	0.00
BASIC SCHOOL TAXES					75,054.50	75,054.50	75,054.50
FEES COLLECTED ON BEHALF OF OTHER AGENCIES							
BC ASSESSMENT				0.10820	2,194.84	2,194.84	2,194.84
CAPITAL REGIONAL DISTRICT				0.75390	15,292.86	15,292.86	15,292.86
CAPITAL REGIONAL HOSPITAL DISTRICT				MULTIPLE	11,900.69	11,900.69	11,900.69
MUNICIPAL FINANCE AUTHORITY				MULTIPLE	11.55	11.55	11.55
REGIONAL TRANSIT				0.94120	19,092.24	19,092.24	19,092.24
TOTAL OTHER LEVIES					48,492.18	48,492.18	48,492.18
TAXES AND OTHER CHARGES LEVIED BY MUNICIPALITY							
DEBT				0.37710	7,649.47	7,649.47	7,649.47
GENERAL				6.86520	139,260.58	139,260.58	139,260.58
POLICE				3.73980	75,861.84	75,861.84	75,861.84
BOULEVARD TAX				2.50000	587.13	587.13	587.13
SEWER FRONTAGE				2.65000	470.91	470.91	470.91
NET MUNICIPAL TAXES AND OTHER CHARGES					223,829.93	223,829.93	223,829.93
TOTAL CURRENT TAXES					347,376.61	347,376.61	347,376.61
TOTAL TAXES DUE					347,376.61	347,376.61	347,376.61

IF ELIGIBLE YOU CAN CLAIM YOUR HOME OWNER GRANT ONLINE AT www.victoria.ca OR REMIT APPLICATION FORM BELOW.
INTEREST TO THE DUE DATE IS INCLUDED IN THE AMOUNT SHOWN FOR ARREARS AND DELINQUENT TAXES.

A - NO GRANT	B - UNDER AGE 65	C - AGE 65+ & OTHER
\$347,376.61	\$347,376.61	\$347,376.61



BC ASSESSMENT

IMPORTANT INFORMATION FOR PROPERTY IDENTIFICATION

Area: 01-Capital

Jurisdiction: 234-City of Victoria

Roll: 09-696-034

School District: 61-Greater Victoria

Neighbourhood: 091

CONFIDENTIAL PIN: 0007868734



2019 PROPERTY ASSESSMENT NOTICE

Property Location & Description

2615 DOUGLAS ST
LOT 2, PLAN VIP23740, SECTION 4, VICTORIA LAND DISTRICT
PID: 003-149-021

2019 Assessment – represents your property value as of July 1, 2018

Assessed Value	Value	Class
Land	4,286,000	Light Industry
	8,131,000	Business/Other
Buildings	2,719,000	Light Industry
	5,159,000	Business/Other
2019 Assessed Value	\$20,295,000	
Taxable Value	Municipal	
Less Exemptions	10,000	
2019 Taxable Value	\$20,285,000	

Important messages about your Assessment

- On a budget? Prepay your taxes monthly and earn interest too! Details and application form at www.victoria.ca or call 250-361-0228.

The Assessment Office for this property is:

Victoria Assessment Office
102-3350 Douglas St
Victoria BC V8Z 7X9
01-61-234-09-696-034

The Owner/Lessee of this property is:

29854

S-01
0922010 BC LTD
PO BOX 8087 STN CENRAL
VICTORIA BC V8W 3R7

This is **not** a tax notice. Tax notices are issued by your local government.

This notice contains important information about your property. Please review & keep for your records. No action is required unless you disagree with your assessment.

YOUR PROPERTY VALUE HISTORY

2019	+11%	\$20,295,000
2018	+1%	\$19,995,000
2017	+12%	\$17,853,000
2016	+1%	\$17,676,000

Visit bcaassessment.ca/propertytax & refer to the back page to learn how your value change relates to your property taxes.



IMPORTANT DATES

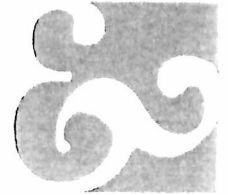
- July 1, 2018**
Assessed value is estimated for most types of properties as of this date.
- October 31, 2018**
Assessed value reflects property's physical condition & permitted use as of this date.
- DEADLINE FOR FILING A NOTICE OF COMPLAINT (APPEAL) IS JANUARY 31, 2019**
Important information about the appeal process can be found on the back page.

CONTACT US

For more information about your Assessment Notice go to bcaassessment.ca

From our website you can search for your property, compare your assessment, & update your mailing address.

Call us at **1-866-valueBC** (1-866-825-8322) or 604-739-8588.



HERITAGE CONSERVATION RATIONALE
VICTORIA PRESS BUILDING, 2621 DOUGLAS STREET, VICTORIA B.C.
Wednesday, October 3, 2018

The intent of this rehabilitation project is to adapt the existing Victoria Press Building for compatible contemporary uses, while protecting its identified heritage values and character-defining elements, as defined in the *Victoria Press Building Statement of Significance* prepared by Donald Luxton & Associates Inc. in February of 2018.

The Heritage Value of the site may be summarized as follows:

The Victoria Press Building is significant for its direct association with the Times Colonist newspaper, as its purpose built headquarters, as well as the evolving nature of the newspaper industry, in particular during the mid to late twentieth century. Built in 1971, the building is additionally valued for its eclectic Late Modern architectural style, as designed by the architectural firm of Moody Moore Duncan Rattray Peters Searle Christie.

The elements that define the heritage character of the Victoria Press Building itself that will be retained include its:

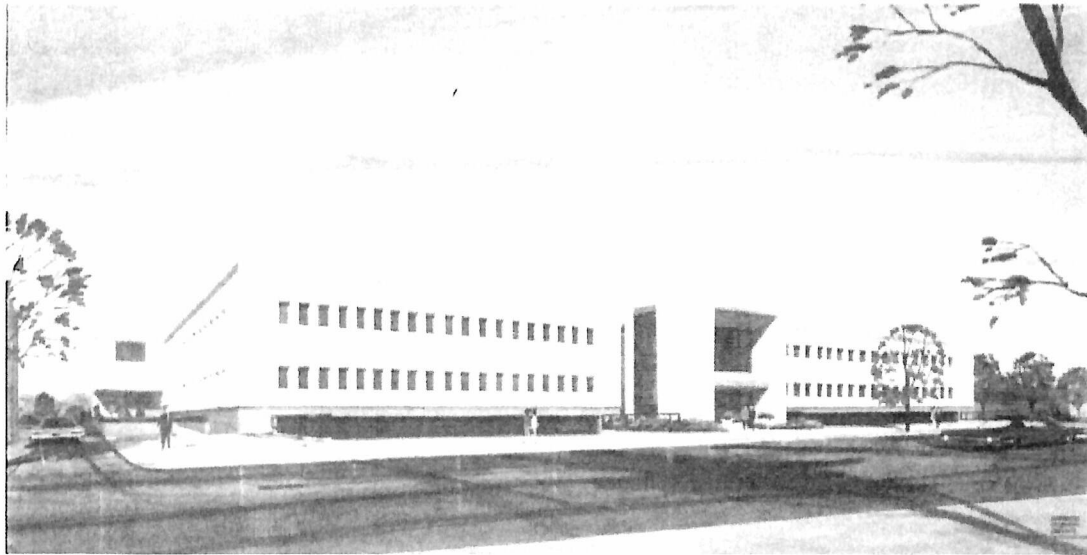
- location on Douglas Street in Victoria's Burnside neighbourhood;
- commercial form, scale and massing as expressed by its symmetrical rectilinear form, two-storey height, with full-basement level, and prominent central entryway;
- characteristics of the Late Modern style including its pre-cast concrete panels, exposed aggregate stucco cladding at the entry, roof and foundation lines, and its full-height central entryway with rounded pre-cast concrete walls, suggesting the influence of Formalism, which features a bell-cast stucco covered entry, red-tiled steps, and geometric metal handrails, which are also featured in the interior of the building;
- original smoked-glass recessed fixed-pane window assemblies designed to fit one per pre-cast panel across all elevations.

Received
City of Victoria

SEP 13 2019

Planning & Development Department
Development Services Division

DONALD LUXTON AND ASSOCIATES INC.
1051 570 CLARKEVILLE STREET - VANCOUVER B.C. V6G 1Y4



HERITAGE CONSERVATION STRATEGY

The Parks Canada *Standards & Guidelines for the Conservation of Historic Places in Canada* is the nationally recognized reference used to determine the approach of intervention to historic properties. In general, the project may be defined as a **Rehabilitation**, with overall **Preservation** of the majority of the historic building fabric. The architectural plans are being prepared by de Hoog & Keirulf Architects, and include the retention of the robust industrial character in some of the interior spaces.

Rehabilitation: the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

Preservation: the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.

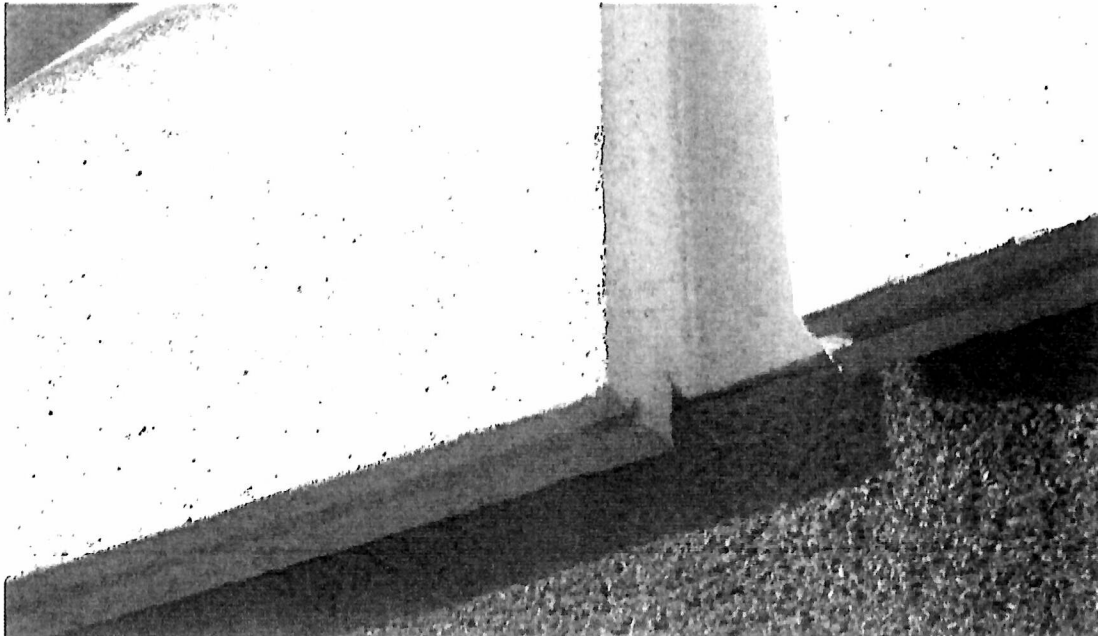
The proposed interventions have been assessed against the *Standards*, and their impact on the historic place has been assessed as follows.

CONSERVATION STANDARD	PROPOSED INTERVENTION
GENERAL STANDARDS FOR ALL PROJECTS	2621 DOUGLAS STREET
1. Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.	The proposed work conforms and is acceptable. Heritage character-defining Elements (CDEs) have been determined in the Statement of Significance, and their heritage value is maintained by the proposed interventions.

2. Conserve changes to a historic place, which over time, have become character-defining elements in their own right.	The proposed work conforms and is acceptable.
3. Conserve heritage value by adopting an approach calling for minimal intervention.	The proposed work conforms and is acceptable. The proposed use allows retention of CDEs and a sensitive adaptive reuse.
4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.	The proposed work conforms and is acceptable. Proposed new interventions are contemporary in appearance and do not mimic the historic character (refer to Standards 10 and 11)
5. Find a use for a historic place that requires minimal or no change to its character-defining elements.	The proposed mixed-use conforms to the historic nature of the building and is acceptable.
6. Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.	The proposed work conforms and is acceptable. There are no known archaeological resources.
7. Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.	The proposed work conforms and is acceptable. Further investigation will occur prior to the commencement of construction. Conservation specifications will be prepared for each category of material, and proposed intervention, stabilization and cleaning methods will be assessed.
8. Maintain character-defining elements on an ongoing basis. Repair character-defining element by reinforcing the materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.	The proposed work conforms and is acceptable. Further investigation will occur prior to the commencement of construction, which will determine the condition of historic materials.
9. Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable upon close inspection. Document any intervention for future reference.	The proposed work and level of documentation conforms and is acceptable.
ADDITIONAL STANDARDS RELATING TO REHABILITATION	2621 DOUGLAS STREET
10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.	All proposed work will be reviewed and monitored to ensure that all interventions comply. The original plans are available and provide information that will guide overall conservation.

11. Conserve the heritage value and character-defining elements when creating any new additions to a historic place and any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.	The proposed work conforms and is acceptable. The proposed interventions will be contemporary in nature. Compatibility will be ensured through the use of appropriate materials. The interventions will be subordinate by stepping back as required. New interventions will be distinguishable through the use of contemporary materials and detailing.
12. Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.	The proposed work conforms and is acceptable. Interventions can be considered removable in the future as required.
ADDITIONAL STANDARDS RELATING TO RESTORATION	2621 DOUGLAS STREET
13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.	The proposed work conforms and is acceptable.
14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.	The proposed work conforms and is acceptable.

Based on this assessment, the proposed interventions to the Victoria Press Building have been determined to be in conformance with *Conservation Standards*.



CHARACTER-DEFINING ELEMENTS

As outlined in the Statement of Significance, the following character-defining elements of the building itself have been determined. Proposed interventions to the CDEs have been assessed as follows.

CONSERVATION ASSESSMENT	PROPOSED INTERVENTION
CHARACTER-DEFINING ELEMENT	2621 DOUGLAS STREET
Location on Douglas Street in Victoria's Burnside neighbourhood.	The proposed interventions will maintain the current site relationship and appearance to the main streets.
Commercial form, scale and massing as expressed by its symmetrical rectilinear form, two-storey height, with full-basement level, and prominent central entryway.	The proposed mixed-use maintains the heritage value of the site, enabling minimal interventions for adaptive reuse.
Characteristics of the Late Modern style including its pre-cast concrete panels, exposed aggregate stucco cladding at the entry, roof and foundation lines, and its full-height central entryway with rounded pre-cast concrete walls, suggesting the influence of Formalism, which features a bell-cast stucco covered entry, red-tiled steps, and geometric metal handrails, which are also featured in the interior of the building.	The proposed mixed use maintains the heritage value of the site, enabling minimal interventions for adaptive reuse.
Original smoked-glass recessed fixed-pane window assemblies designed to fit one per pre-cast panel across all elevations.	The fenestration pattern will be maintained.

Based on this assessment, the character-defining elements of the Victoria Press Building will not be significantly impacted by the proposed interventions, and the heritage value of the structure will be maintained.

Please do not hesitate to contact us if you have any questions, or wish to discuss any aspects of this heritage assessment.

Sincerely,



Donald Luxton, FRAIC
Principal, Donald Luxton & Associates Inc.

December 13, 2019

David Fullbrook
TC Evolution Limited Partnership
PO Box 8087
Victoria, BC V8W 3R9

Dear David,

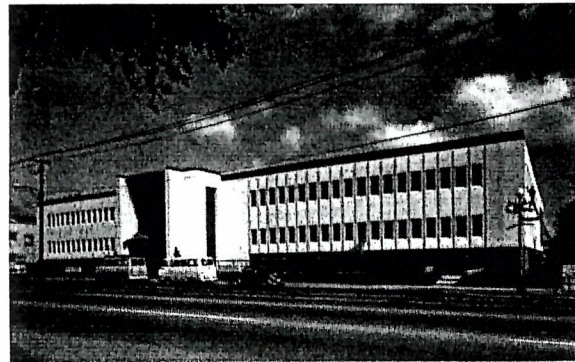
RE: Victoria Press Building - 2615 Douglas Street, Victoria, BC
Seismic Evaluation

RJC No. VIC.117156.0003

As requested, we have completed an overview of the existing Victoria Press building at 2615 Douglas Street. Our review is based on our observations on site, available original construction drawings, and measurements completed on site.

1.0 Building Description

The existing Victoria Press building was built in 1971 to house the printing presses and offices of the Times Colonist Newspaper Company. In 1988, a steel building was added to the east side of the building for larger printing presses. The addition will not be discussed or incorporated in this report. The original three-storey building was designed and built of cast-in-place concrete and non-loadbearing masonry interior partition walls. The printing presses sat within the original building surrounded by offices for the paper company and other tenants. The building is clad with precast concrete panels with built-in windows. The structural system consists of concrete slabs with capitals and drop panels, supported by concrete columns on a 24' grid. The original Victoria Press building and its façade will be preserved for its historic character.



2.0 Seismic Review

This structure was designed in accordance with the National Building Code of Canada (NBCC) 1965. Since this time, there have been significant developments to the seismic requirements of the Canadian Building Code. The seismic load resisting capacity of the existing structure will be compared to the requirements of the British Columbia Building Code 2012 (BCBC 2012 or the "Code"). The lateral force resisting system for



the Victoria Press building was not clearly defined on the original drawings but we presume the engineers relied on a combination of concrete shear walls and moment frame connections between the slabs and columns.

The lateral loads imparted on the building by seismic accelerations or wind forces are currently transferred to the walls through the roof and floor diaphragms. The connections from the walls and columns to the floor and roof are required to resist in-plane shear forces and out-of-plane tension forces in order to stabilize the columns and walls and transfer shear loads. Although the diaphragms are able to transfer these forces to the columns and walls, the columns and walls themselves do not have adequate capacity to resist current Code specified force levels.

RJC has not provided an in depth review of the buildings seismic capacity as the existing structure will be upgraded to provide a new seismic force resisting system. However, based on our experience and limited review of the existing structure, it appears the existing building has less than 20% of the lateral force resistance required by current Code.

The existing precast façade connections to the base building do not have the required capacity or ductility to move with the building or resist the Code specified lateral forces or deformations.

3.0 Seismic Upgrading

There is no requirement in the BCBC 2012 to upgrade existing buildings to resist current seismic loading criteria. However, the NBCC 2015 provides guidelines for upgrading existing structures, and the City of Victoria has the authority to require upgrades when a major renovation or change in use is planned. These guidelines were followed using the seismic hazard levels from the BCBC 2012, which was the Code in force at the time of Building Permit submission, with reference to the enhanced upgrade guidance in the NBCC 2015 commentary. The guidelines indicate that for a building such as the Victoria Press building, the upgrading must be designed for the forces associated with the NBCC ground motions with a 5% probability of exceedance in 50 years.

The current development plan will provide seismic upgrades to the existing building and restraint to the heritage facade to meet or exceed the 5% in 50 years seismic hazard level as per the 2012 Building Code for seismic and wind force levels. This work includes the following:

- Addition of two new concrete cores, consisting of shear walls anchored to rock below;
- The addition of sufficient diaphragm connections from the new concrete shear walls to the existing concrete slabs to resist both in-plane and out-of-plane seismic forces;
- Addition of a new ring beam concrete foundation that is capable of transferring the lateral forces from the structure to the surrounding soil;
- Restraint of the existing precast panels façade;
- Bracing of unreinforced masonry walls inside the building; and,
- Bracing of the existing building precast concrete parapets.

4.0 Gravity Load Review

The Victoria Press development plan is to preserve the existing building and façade. Therefore, the existing structure was analyzed to determine if the gravity components were adequate for the intended loading. The existing building was originally designed for two additional floors; therefore, the gravity columns and foundations have significant capacity for their intended loading. The entire existing building relies on concrete caissons that bear on the bedrock below. The existing structural drawings show reinforcement in the slabs that meet the current Code for strength requirements under the intended loading. The new concrete cores require demolition of existing columns within the structure. These columns load transfer will be reinstated by the new concrete core walls.

5.0 Probable Cost

The cost estimate, provided by Farmer Construction, to perform the above listed work is \$5,381,460, which is, in our opinion, reasonable for the scope of work.

6.0 Summary and Recommendations

The seismic capacity of the existing building is significantly less than that required by the current BC Building Code and upgrades will be required to meet the Code. The planned upgrades will bring the building's lateral capacity up to the level required by BCBC 2012 and the NBCC 2015 commentary. RJC's base building structural drawings (included for reference) indicate all upgrade and seismic restraint details for the renovations to the Victoria Press building. The cost estimate provided appears reasonable.

We trust this meets your requirements at this time. Please let us know if you have any questions or comments.

Yours truly,

READ JONES CHRISTOFFERSEN LTD. M. PLETT

PROFESSIONAL ENGINEER
33536

DESIGNATED
STRUCTURAL ENGINEER

Leon Plett, P.Eng., Struct. Eng., MStructE, LEED AP
Managing Principal



CG/LP/lm

Encls. RJC drawings dated November 15, 2019 and Issued for Steel Tender

F.9 2615-2629 Douglas Street: Tax Incentive Program Application (Burnside-Gorge)

Motion:

That Council instruct the City Solicitor to prepare a Tax Exemption Bylaw for 2615-2629 Douglas Street for land and improvements located within 66.1 metres of the front property line for 10 years, pursuant to Section 225 of the Community Charter, with the following conditions:

1. That the heritage designation of the property be completed.
2. That a covenant identifying the tax exemption be registered on the title of the property and any possible future strata titles.
3. That the final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.

Carried

TAX EXEMPTION (2615, 2621, 2623, 2625, 2627, AND 2629 DOUGLAS STREET)

BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to assist in the preservation and rehabilitation of the heritage building located at 2615, 2621, 2623, 2625, 2627, and 2629 Douglas Street, including the seismic upgrading of the heritage building, by exempting a portion of the land from municipal property taxes for 10 years.

Contents

- 1 Title
- 2 Definitions
- 3 Tax exemption
- 4 Delegation of signing authority
- 5 Coming into force

Under its statutory powers, including section 225 of the *Community Charter*, the Council of the Corporation of the City of Victoria enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "TAX EXEMPTION (2615, 2621, 2623, 2625, 2627, AND 2629 DOUGLAS STREET) BYLAW".

Definitions

- 2 In this Bylaw,

"improvements"

means all of the Land's improvements that exist at any time during the 10-year period that section 3 is in effect;

"Land"

means the land, including its improvements, located at civic address 2615, 2621, 2623, 2625, 2627, and 2629 Douglas Street in Victoria, British Columbia, and legally described as:

PID: 003-149-021

LOT 2, SECTION 4, VICTORIA DISTRICT, PLAN 23740

Tax exemption

- 3 (1) If the conditions of the tax exemption agreement #20-079 attached at Schedule A to this Bylaw are fulfilled, the assessed value of the portion of land and improvements located within 66.1 metres of the front property line (Douglas Street) of the Land is exempt from property taxes imposed

under section 197(1)(a) of the *Community Charter* for a period of 10 consecutive calendar years, beginning either:

- (a) in the calendar year following the year this Bylaw comes into force on or before October 31; or
- (b) in the second calendar year following the year this Bylaw comes into force after October 31.

Delegation of Signing Authority

- 4** The Director of Sustainable Planning and Community Development is authorized to execute the tax exemption agreement substantially in the form attached at Schedule A to this Bylaw.

Coming into force

- 5** This Bylaw comes into force on the day the City issues an occupancy permit for the improvements located within 66.1 metres of the front property line (Douglas Street) of the Land.

READ A FIRST TIME the _____ day of _____.

READ A SECOND TIME the _____ day of _____.

READ A THIRD TIME the _____ day of _____.

ADOPTED by at least 2/3 of all members of the Council on the _____ day of _____.

CITY CLERK

MAYOR

Schedule "A"
Tax Exemption Agreement #20-079

TAX EXEMPTION AGREEMENT #20-079
2615, 2621, 2623, 2625, 2627, AND 2629 DOUGLAS STREET

THIS AGREEMENT dated for reference the ____ day of _____, 2020.

BETWEEN:

0922010 B.C. LTD.
Suite 2800-666 Burrard Street
Vancouver, BC V6C 2Z7

(the “**Owner**”)

AND:

THE CORPORATION OF THE CITY OF VICTORIA
1 Centennial Square
Victoria, BC V8W 1P6

(the “**City**”)

WHEREAS:

A. The Owner is the registered owner in fee-simple of:

003-149-021
LOT 2, SECTION 4, VICTORIA DISTRICT, PLAN 23740

(the “**Lands**”);

B. The City is The Corporation of the City of Victoria;

C. The Owner is proposing to carry out seismic upgrading and other improvements to an existing heritage building on the Lands while preserving the heritage building (the “**Works**”);

D. The City will consider adopting a bylaw to support the conservation of the heritage building on the Lands (the “**Heritage Building**”) by exempting a portion of the Lands from certain property taxes for a period of ten (10) years, under the City of Victoria Bylaw No. 20-079 (the “**Tax Exemption Bylaw**”) subject to the Owner agreeing to the conditions established in this tax exemption agreement pursuant to section 225 of the *Community Charter*.

NOW THEREFORE, in consideration of the premises and the mutual covenants and agreements contained herein, and the sum of ONE (\$1.00) DOLLAR of lawful money of Canada now paid to the Owner by the City (the receipt and sufficiency of which is hereby acknowledged), and for other good and valuable consideration the parties covenant and agree each with the other as follows:

1. The Owner and the City acknowledge that the City will consider adopting the Tax Exemption Bylaw pursuant to section 225 of the *Community Charter* exempting a portion of the Lands, to the extent provided under the Tax Exemption Bylaw, from certain property taxes imposed under section 197 of the *Community Charter* for a period of ten (10) consecutive calendar years (the “**Tax Exemption**”).

2. The Owner and the City agree that the Tax Exemption is subject to the following conditions:
- (a) the Owner has applied for and obtained heritage designation protection for the Heritage Building on the Lands pursuant to the *Local Government Act*;
 - (b) the Owner has submitted the following documents to the satisfaction of the Victoria Civic Heritage Trust such that the Victoria Civic Heritage Trust can verify that the Works have been completed as proposed under the Owner's heritage tax exemption application to the City and advise City Council accordingly:
 - (i) cost breakdown and invoices pertaining to the Works;
 - (ii) letter certified by the Owner's structural engineer of record that the Works have been completed in accordance with the sealed engineering plans on file with the City, and with the requirements of the *British Columbia Building Code*; and
 - (iii) any other records reasonably requested by the Victoria Civic Heritage Trust;
 - (c) a covenant pursuant to section 219 of the *Land Title Act* identifying the Tax Exemption and the restriction on use of the Heritage Building on the Lands set out in subsection (d) below, is and remains registered at the Victoria Land Title Office against title to the Lands and any strata lot into which the Lands are subdivided; and
 - (d) the Tax Exemption does not apply in a calendar year during which any part of the Heritage Building on the Lands is used for residential purposes.
3. The Owner shall indemnify and save harmless the City and each of its elected and appointed officials, officers, employees, agents and contractors, from any and all claims, causes of action, suits, demands, fines, penalties, costs or expenses or legal fees whatsoever which anyone has or may have, whether as owner, occupier or user of the Lands, or by a person who has an interest in or comes onto the Lands, or otherwise, which the City incurs as a result of any loss or damage or injury, including economic loss, arising out of or connected with:
- (a) the breach of any covenant in this Agreement;
 - (b) the use of the Lands contemplated under this Agreement; and
 - (c) restrictions or requirements under this Agreement.
4. The Owner hereby releases and forever discharges the City and each of its elected and appointed officials, officers, employees, agents and contractors, of and from any claims, causes of action, suits, demands, fines, penalties, costs or expenses or legal fees whatsoever which the Owner can or may have against the City for any loss or damage or injury, including economic loss, that the Owner may sustain or suffer arising out of or connected with:
- (a) the breach of any covenant in this Agreement;
 - (b) the use of the Lands contemplated under this Agreement; and
 - (c) restrictions or requirements under this Agreement.
7. Nothing contained or implied in this Agreement shall prejudice or affect the rights and powers of the City in the exercise of its functions under any public or private statutes, bylaws, orders and regulations, all of which may be fully and effectively exercised in relation to the Lands as if the


Agreement had not been executed and delivered by the Owner.

8. It is mutually understood, acknowledged and agreed by the parties hereto that the City has made no representations, covenants, warranties, guarantees, promises or agreements (oral or otherwise) with the Owner other than those contained in this Agreement.
9. The Owner covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions set out in this Agreement and they shall be binding upon the Owner as personal covenants only during the period of its respective ownership of any interest in the Lands.
11. This Agreement shall enure to the benefit of the City and shall be binding upon the parties hereto and their respective heirs, executors, successors and assigns.
12. Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.
13. The Owner agrees to execute all other documents and provide all other assurances necessary to give effect to the covenants contained in this Agreement.
14. If the Owner consists of more than one person, each such person will be jointly and severally liable to perform the Owner's obligations under this Agreement
15. This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
16. If any part of this Agreement is found to be illegal or unenforceable, that part will be considered separate and severable and the remaining parts will not be affected thereby and will be enforceable to the fullest extent permitted by law.
17. Nothing in this Agreement shall limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or issued thereunder, or pursuant to statute, by the City shall estop, limit or impair the City from relying upon and enforcing this Agreement.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year first above written.

The Corporation of the City of Victoria, by its)
authorized signatories:)
)
)
_____)
Karen Hoese, Director of Sustainable Planning)
and Community Development)

0922010 B.C. Ltd., by its authorized
signatory(ies):



Print Name: PAUL SILK

Print Name:

CAN: 34158342.3

NOTICE OF HERITAGE DESIGNATION OF PROPERTY KNOWN AS 2615-2629 DOUGLAS STREET

Under the provisions of the *Local Government Act*, the City of Victoria intends to designate the 1971 exterior of the building located at 2615-2629 Douglas Street, Victoria, BC and having a legal description of PID: 003-149-021, Lot 2, Section 4, Victoria District, Plan 23740 as protected heritage property, under Heritage Designation Bylaw No. ###-### (2615-2629 Douglas Street).

Members of the public interested in this matter will be given an opportunity to be heard by City Council at a Public Hearing to be held in the Council Chamber, City Hall, 1 Centennial Square, Victoria, BC, on Thursday, _____, 2020 at 6:00 p.m.

Correspondence can be submitted for inclusion in the meeting agenda via mail to the address noted above, or by email at: publichearings@victoria.ca. Correspondence should be received by 11:00 a.m. the day before the Council meeting.

Please note that all correspondence submitted to the City of Victoria in response to this Notice will form part of the public record and will be published in a meeting agenda when this matter is before the Council or a Committee of Council. The City considers the author's address relevant to Council's consideration of this matter and will disclose this personal information. The author's phone number and email address is not relevant and should not be included in the correspondence if the author does not wish this personal information disclosed.

NOTICE OF PROPOSED PERMISSIVE TAX EXEMPTION FOR PROPERTY KNOWN AS 2615-2629 DOUGLAS STREET

For the purpose of assisting in the preservation and rehabilitation of heritage property, including the seismic upgrading and commercial revitalization of heritage property to support the planned evolution of the Humber Green area in the Burnside Gorge Neighbourhood, the Council of the Corporation of the City of Victoria proposes a bylaw that would exempt from municipal property taxes for 10 years the heritage-designated building located at 2615-2629 Douglas Street, Victoria, BC and having a legal description of PID: 003-149-021, Lot 2, Section 4, Victoria District, Plan 23740

The exemption would apply if:

- (a) the Victoria Civic Heritage Trust verifies and advises the City that the upgrading of the property is complete and fully paid for by the owner, and is in accordance with the B.C. Building Code;
- (b) all units within the building are used for commercial office purposes
- (c) a covenant pursuant to section 219 of the *Land Title Act* identifying the tax exemption and the restrictions on the use of the building stated in paragraph (b) of this notice has been registered at the Land Title Office.

The estimated amount of municipal property taxes that would be imposed on the property if it were not exempt for the year in which Bylaw ###-### takes effect and the following two years is approximately \$194,407.00

Any questions pertaining to this proposed heritage permissive tax exemption should be directed to John O'Reilly, Senior Heritage Planner, at 250.361.0484 or joreilly@victoria.ca.

Copies of the proposed Bylaws and other relevant documents and information may be inspected at City Hall, 1 Centennial Square, Victoria, BC from the date of this Notice to and including the date of the Public Hearing, from 8:00 a.m. to 4:30 p.m., from Monday to Friday both inclusive, excluding public holidays.

NO. 20-101
A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Bylaw that
Establishes Officer Positions for the City of Victoria

Under its statutory powers, including sections 146-150 of the *Community Charter*, the Municipal Council of the Corporation of the City of Victoria enacts the following provisions:

1. This Bylaw may be cited as "OFFICERS BYLAW (AMENDMENT NO. 2) No. 20-101".
2. That Officers Bylaw No. 18-106 be amended by deleting section 4 in its entirety and replacing it with the following:

“4 (1) The people holding the following positions are *officers* of the City:

- (a) Director of Parks, Recreation and Facilities;
- (b) City Solicitor;
- (c) Fire Chief; and,
- (d) Head of Human Resources

READ A FIRST TIME the	10th	day of	September	2020.
READ A SECOND TIME the	10th	day of	September	2020.
READ A THIRD TIME the	10th	day of	September	2020.
ADOPTED the		day of		2020.

CITY CLERK

MAYOR

RENTAL PROPERTY STANDARDS OF MAINTENANCE BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to establish minimum standards of maintenance for rental units and residential properties in Victoria for the health, safety and protection of tenants and existing rental stock; the protection and enhancement of the well-being of the community; and better regulation of residential rental businesses.

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Under its statutory powers, including section 8(3)(g) and (h) and section 8(6) of the *Community Charter* and section 32(1)(a) of the *Residential Tenancy Act*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

PART 1 – INTERPRETATION AND APPLICATION

Title

1. This Bylaw may be cited as the “Rental Property Standards of Maintenance Bylaw”.

Definitions

2. (1) In this Bylaw, the following words and terms have the meanings set out in the *Residential Tenancy Act*: landlord, rental unit, residential property, tenancy agreement, tenant.

- (2) In this Bylaw:

“bathroom”

means a room consisting of not less than one toilet, one wash basin and one bathtub or shower;

“Building Code”

means the British Columbia Building Code, as amended from time to time;

“community kitchen”

means a room not part of a dwelling unit or housekeeping unit and designed or intended for the use of the preparation of food;

“dwelling unit”

means one or more habitable rooms designed, occupied or intended for use, including occupancy, by one or more persons as an independent and separate residence in which a facility for cooking, sleeping facilities and a bathroom are provided for the exclusive use of such person or persons;

“facility for cooking”

includes any equipment, device or appliance used to heat or cook food, or any combination thereof, and includes the arrangement of service lines which provide the energy source being used or intended to be used to service such facility;

“good order”

means suitable for intended use and functioning as intended and designed;

“housekeeping unit”

means one or more habitable rooms containing therein facilities for cooking and a sink but no other sanitary facilities;

“person”

includes a corporation, partnership or party, and the personal or other legal representatives of a person to whom the context can apply according to law;

“sanitary facilities”

includes any toilet and toilet tank, urinal, bathtub, shower or hand basin;

“sleeping unit”

means one or more habitable rooms equipped to be used for sleeping and sitting purposes only.

Application

3. This Bylaw applies to all rental units and residential properties that are regulated by the *Residential Tenancy Act*.

PART 2 – MAINTENANCE STANDARDS

Owner's Duties and Obligations

4. An owner of residential property shall maintain it in accordance with the standards prescribed in this Bylaw, and shall not use, permit the use of, rent or offer to rent any rental unit that does not conform to the minimum maintenance standards prescribed in this Bylaw.

Plumbing and Water

5. (1) All plumbing, including plumbing fixtures, drains, vents, water pipes, toilets and toilet tanks, and connecting lines to the water and sewer system, in the residential property shall be maintained in good order.
- (2) Every hand basin, bathtub, shower, and sink in the rental units shall have an adequate supply of hot and cold running water and every toilet and toilet sink in the residential property shall have an adequate supply of running water.

- (3) Hot water supplied to the rental units must be at a minimum temperature of 45°C (113°F) and a maximum of 60°C (140°F).
- (4) Water provided to a rental unit must be fit to drink.
- (5) A person providing a rental unit in a residential property for rent must, within a reasonable period of time, repair or replace any structures or surfaces within the residential property that are damaged by water due to plumbing leaks, water ingress, or any other cause.

Gas and Electrical Appliances and Systems

- 6. (1) All gas and electrical systems and appliances in a residential property shall be maintained in good order.
- (2) All systems of appliance venting in a residential property shall be maintained in good order.

Heating Systems

- 7. (1) Every rental unit shall be provided with adequate heating facilities that are maintained in good order.
- (2) Heating facilities provided in a rental unit shall be capable of maintaining a minimum indoor air temperature in the rental unit of at least 21°C (70 °F).
- (3) The heating equipment shall be turned on in order to maintain the required temperature defined in subsection (2) upon the request of any occupant of a rental unit.
- (4) Portable room heaters or cooking facilities must not be used as a primary source of heat in a rental unit.

Electrical Systems and Lighting

- 8. (1) Electrical wiring and lighting equipment, including circuits, fuses, circuit breakers, electrical equipment and electrical heating systems, shall be maintained in good order in a residential property.
- (2) Adequate levels of artificial lighting shall be maintained in good order in each room of a rental unit, and in all common areas of a residential property.

Maintenance of Services and Utilities

- 9. (1) No person providing a rental unit in a residential property, or anyone acting on that person's behalf, shall disconnect or cause to be disconnected any service or utility providing light, heat, air conditioning, refrigeration, water or cooking facilities for any rental unit occupied by a tenant, except for such reasonable period of time as may be required for the purpose of repairing, replacing, or altering the service or utility, and then only during the reasonable minimum time that the action is necessary.

- (2) Any person disconnecting or causing to be disconnected any service or utility pursuant to subsection (1) for the purposes of routine maintenance must provide notice of the disconnection and its estimated duration to all affected tenants no less than 24 hours prior.
- (3) Any person responsible for any service or utility rates shall be deemed to have caused the disconnection, shutting off, removal or discontinuance of the service or utility if the person fails to pay the rates and, as a result of the non-payment, the service or utility is no longer provided, and that same person is responsible for reinstating the service or utility and for any fees associated with doing so.

Appliances and Other Facilities

- 10. A person providing a rental unit in a residential property for rent must ensure that all appliances and other facilities and services supplied by the landlord are maintained in good order.

Cooking Facilities

- 11. (1) No one shall prepare food or permit the preparation of food in a sleeping unit.
- (2) All sleeping units shall have access to a community kitchen within the residential property that is:
 - (a) equipped with a facility for cooking, mechanical refrigeration in the proportion of 0.0566 cubic meters (2 cubic feet) for each occupant, and a sink installed in a counter having a backsplash and drain board made of materials impervious to water;
 - (b) accessible from a common entrance; and
 - (c) maintained in good order and in a clean condition.
- (3) All housekeeping units and dwelling units shall have a kitchen area that is:
 - (a) equipped with a facility for cooking, mechanical refrigeration, and a sink installed in a counter having a backsplash and drain board made of materials impervious to water; and
 - (b) maintained in good order and in a clean condition.

Sanitary Facilities

- 12. (1) For sleeping units and housekeeping units:
 - (a) every unit shall have access to a hand basin, toilet, and bathtub or shower that are in good order within the residential property;

- (b) at least one hand basin and one toilet shall be provided and maintained in good order for every 5 sleeping units or housekeeping units in a residential property;
 - (c) at least one bathtub or shower shall be provided and maintained in good order for every 10 sleeping units or residential units in a residential property; and
 - (d) the hand basins, toilets, bathtubs and showers provided pursuant to paragraphs (b) and (c) shall be provided in a room or rooms that are accessible from a common area within the building.
- (2) At least one bathtub or shower, toilet, and hand basin shall be provided and maintained in good order within each dwelling unit.
 - (3) The floors and enclosures around showers in a residential property shall be finished with a smooth finish that is impervious to moisture.
 - (4) All walls and ceilings in rooms containing sanitary facilities within a residential property shall be finished with a smooth, washable surface.
 - (5) All rooms containing sanitary facilities within a residential property shall be maintained in good order, free of mould and in a clean condition.

Laundry Facilities

- 13. (1) Subject to subsection (4), every residential property containing one or more sleeping units or housekeeping units shall provide and maintain for the use of tenants a minimum of one washer, dryer and double laundry sink contained within a laundry room.
- (2) Every laundry room within a residential property shall be maintained in a clean and sanitary condition and all sinks provided in a laundry room shall be connected to hot and cold running water and properly connected to the drainage system.
- (3) Subject to subsection (4), every dwelling unit shall contain a laundry room equipped with a double laundry sink and provisions for a washer and dryer to be installed.
- (4) A laundry room need not be provided in a dwelling unit or a residential property if the owner provides evidence demonstrating that:
 - (a) it is not possible to provide a laundry room without evicting a tenant; or
 - (b) it is not possible to provide a laundry room without undertaking significant and costly plumbing upgrades.

Garbage, Debris Storage and Disposal

14. For every residential property:

- (1) all garbage and refuse shall be stored in proper receptacles and removed in accordance with the requirements of all applicable City bylaws;
- (2) garbage bags containing garbage shall be stored only within an enclosed garage or in a covered garbage receptacle;
- (3) a garbage storage facility or a sufficient number of suitable receptacles shall be provided that are readily accessible to all occupants and sufficient to contain all garbage, debris and waste;
- (4) every receptacle for garbage shall be water tight, provided with a tight-fitting cover, rodent and pest proof and maintained in a clean and tidy state;
- (5) every garbage chute, garbage disposal room, garbage storage area, garbage container or receptacle shall be washed and cleaned as often as is necessary to maintain a clean and odour free condition; and
- (6) the site dedicated to the temporary storage and disposal of garbage and refuse shall be kept in a litter-free and odour-free condition, and maintained in a manner that will not attract rodents or pests, create a health or other hazard, or obstruct an emergency route.

Structural Integrity

15. Every building that is part of the residential property, and its structural components, including roofs, stairs, railings, porches, deck joists, rafters, beams, columns, foundations, floors, walls and ceilings, shall be maintained in good order.

Foundations

16. In every residential property, foundation walls and other supporting members shall be maintained in good order.

Exterior Walls

17. For every residential property:

- (1) exterior walls and their components shall provide adequate protection from the weather and shall be maintained
 - (a) in good order,
 - (b) free from loose or unsecured objects and materials, and
 - (c) in a manner to prevent or retard deterioration due to weather or infestations;

- (2) canopies, marquees, awnings, screens, fire escapes, pipes, ducts, air conditioners and all other similar equipment, attachments, extensions and their supporting members shall be maintained in good order, safely and properly anchored and protected against deterioration and decay;
- (3) exterior wall facings, projections, cornices and decorative features shall be maintained in good order and safely and properly anchored; and
- (4) mechanical ventilating systems and their supporting members shall be maintained in good order.

Doors, Windows and Ventilation

- 18. (1) Openings in exterior walls of a residential property, other than doors and windows, shall be effectively protected to prevent the entry of rodents, insects or pests.
- (2) All exterior doors and windows in a rental unit shall be maintained in good order, weather tight, and capable of being securely closed and locked.
- (3) All doors to the rental unit shall be maintained in good order, weather tight, and capable of being securely closed and locked by the tenant.
- (4) All doors within a rental unit shall be maintained in good order.
- (5) Every rental unit shall be provided with a means of ventilation.
- (6) All systems of ventilation within a rental unit, mechanical or natural, shall be maintained in good order.
- (7) All rooms within a residential property with sanitary facilities shall be provided with a window or ventilation system which shall be maintained in good order.
- (8) Unless a satisfactory alternative means of ventilation is provided, every habitable room in a rental unit must have at least one window that can be easily opened.

Roofing

- 19. The roof, including the flashing, fascia, soffit, and cornice, shall be maintained in a weather-tight condition so as to prevent leakage of water into the rental units and common areas of a residential property.

Stairs, Balconies, Porches and Landings

- 20. Stairways, balconies, porches, and landings within every residential property shall be maintained
 - (1) in a safe and clean condition;
 - (2) in good order, and

- (3) free from holes, cracks, excessive wear and warping, and hazardous obstructions.

Basements

21. Within every residential property:

- (1) basement floor drains shall be maintained in good order; and
- (2) floors in a basement shall be kept dry and free from major cracks, breaks or similar conditions that would create an accident hazard or allow the entrance of water into the basement.

Floors

22. Within every residential property:

- (1) floors shall be maintained in a clean condition, reasonably smooth and level and free of loose, warped or decayed boards, depressions, protrusions, mould, deterioration or other defects which may create health, fire or accident hazards;
- (2) where floors are covered, the covering shall be maintained in a safe condition; and
- (3) shower room, toilet room and bathroom floors shall be covered with smooth moisture resistant floor finishes, and in such condition as to permit easy cleaning.

Walls and Ceilings

23. Interior walls and ceilings of a residential property shall be maintained in a clean, mould-free condition, in good order and free from holes, or loose or broken plaster that may create health, fire or accident hazards.

Maintenance of Fire Safety Systems and Exits

24. Within every residential property:

- (1) walls, floors and roof construction, including fire protective closures, sprinkler systems, fire alarm and detection systems and other means of fire protection, shall be maintained in good order;
- (2) each rental unit shall have a working smoke detector in accordance with the British Columbia Fire Code Building Code, the Building Code, and City bylaws;
- (3) each means of egress shall be maintained in good order and shall be free of obstructions;
- (4) hallways, stairwells, and exterior areas shall be adequately illuminated to allow for safe passage at all times; and

- (5) securely fastened handrails shall be provided throughout the residential property in accordance with the Building Code.

Elevators

- 25. (1) Every elevator in a residential property shall be maintained in a safe, clean, and operational condition at all times.
- (2) An elevator in a residential property must not be out of service for more than one month unless the closure cannot reasonably be avoided.
- (3) If an elevator is scheduled for service that will require it to be unavailable for use for more than 2 hours, the owner of the residential property must provide notice to all tenants at least two days prior to the scheduled service.
- (4) If an elevator is to be out of service or remains inoperative for more than one month, until the elevator returns to operation, the owner of the residential property must provide information to all tenants on the efforts that are being made to repair or replace the elevator and the expected date of the elevator's return to operation
 - (a) within no less than 35 days of the elevator being out of service, and
 - (b) thereafter, on a weekly basis.
- (5) If the only elevator in the residential property is scheduled to be out of service or remains inoperative for more than 2 hours due to breakdown, in addition to the other requirements of this section, the owner of the residential property must:
 - (a) notify each tenant in writing as soon as possible of the closure, asking tenants to make their needs as a result of the closure known,
 - (b) if the elevator remains unavailable, develop a plan in coordination with tenants for accommodating the needs of tenants who require use of the elevator, and within 48 hours of the closure communicate that plan to tenants and implement it, and
 - (c) while the elevator remains unavailable, provide all tenants with regular updates on the efforts that are being made to repair or replace the elevator, the expected time of the elevator's return to operation, and any changes to the plan referred to in paragraph (b).
- (6) Notwithstanding subsections (1) and (2), if an elevator breaks down and the elevator is not required by the Building Code, the owner of the residential property may leave the elevator out of service and cease complying with the requirements of subsections (4) and (5), provided that the owner provides tenants requiring use of an elevator with:
 - (a) notification in writing as soon as possible, and

- (b) reasonable accommodations, which may include financial assistance with moving expenses, compensation, or other arrangements for the benefit of such tenants.

Parking or Storage Garages

- 26. No machinery, boats, vehicles, trailers or parts of the aforementioned items that are in a wrecked, discarded, dismantled, inoperative or abandoned condition, or rubbish or discarded furniture shall be kept or allowed to remain in a parking garage or parking area of a residential property.

Pest Control

- 27. (1) A person providing a rental unit in a residential property for rent must take all reasonable steps to avoid infestation of the residential property or any rental unit with rodents and pests, and, if such infestation has occurred, must take reasonable steps to eliminate the infestation.
- (2) A tenant occupying a rental unit must cooperate with the landlord in keeping the residential property free of rodent and pest infestation and take any reasonable measures to eliminate the infestation, including adequate sanitation measures, timely removal of waste, and where applicable, the movement and treatment of personal belongings.
- (3) When taking steps to eliminate the infestation, landlords must accommodate reasonable alternative treatment options for the infestation based on the needs of the tenant.

Mould

- 28. (1) A person providing a rental unit in a residential property for rent must take all reasonable steps to prevent mould in the residential property.
- (2) If a tenant reports mould to the landlord, the landlord must respond in a timely way and take all reasonable steps to eliminate the mould from all structures and surfaces of a residential property.

Repairs

- 29. When undertaking any repairs on a residential property, a person providing a rental unit in residential property for rent must utilize a professional with the certification and training suitable for performing the repairs, if the tenant has so requested.

PART 3 – MISCELLANEOUS

Severability

- 30. If any provision or part of this Bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the Bylaw and the balance of the Bylaw, or its

application in the circumstances, shall not be affected and shall continue to be in full force and effect.

Commencement

31. This Bylaw comes into force on January 31, 2021.

READ A FIRST TIME the day of 2020

READ A SECOND TIME the day of 2020

READ A THIRD TIME the day of 2020

ADOPTED on the day of 2020

CITY CLERK

MAYOR