



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, January 14, 2021, 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

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.

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

Pages

A. Music Performance

Music Performance by the George Bridgetower Trio (Camilo, Nicole, and Nicole) from the Victoria Conservatory of Music.

The recording provided for this City Council meeting is by young artists from the VCM Collegium Program. The Collegium is an enriched program for talented young classical musicians – singers, pianists and other instrumentalists – brought together with outstanding teachers to create a lively, collaborative educational experience devoted to the pursuit of musical excellence.

Youtube Link: [Ludwig van Beethoven, Trio in B flat major, Op. 11 - YouTube](#)

B. APPROVAL OF AGENDA

C. READING OF MINUTES

D. REQUESTS TO ADDRESS COUNCIL

D.1. Diane Chimich: Telus Ocean Development

D.2. Jason Leach: Building Permit Process for Older Homes Within the City of Victoria

D.3. Stafford Bingham: Telus Ocean Proposed Building

D.4. Brenda Dean: Telus Zoning Application

D.5. Negin Saadati: New benches on Dallas Road Expansion to become memorial benches

*D.6. Maria Wong: January 14 Meeting - Meegan Community Care Tent and Transitional Tiny Home Community

E. PROCLAMATIONS

*F. PUBLIC AND STATUTORY HEARINGS

Public and Statutory Hearings will be convened by electronic means as authorized by Ministerial Order No. M192:

"Local Government Meetings and Bylaw Process (COVID-19) Order No. 3"

To participate live at the hearing, phone 778-698-2440, participation code 1551794#

- You will be asked to state your name, and will then be placed on hold until it's your turn to speak.
- Please have your phone on mute or remain quiet when you join the call - any background noise or conversation will be heard in the live streamed meeting.
- When it is your turn to speak, staff will un-mute your call and announce the last 4 digits of your phone number.
- State your name, address and item you are speaking to.
- You will have 5 minutes to speak then will be cut off when the next speaker is connected.
- When speaking:
 - o Using a 'speaker phone' is not recommended unless require by the user.
 - o Turn off all audio from the meeting webcast.

For more information on Virtual Public Hearings, go

to: <https://www.victoria.ca/EN/meta/news/public-notice/virtual-public-hearings.html>

Please note that any videos you submit and the opinions you express orally will be webcast live and will be recorded to form a part of the public record. Correspondence you submit will form part of the public record and will be published on the agenda. Your phone number and email will not be included in the agenda. For more information on privacy and the FOIPPA Act please email foi@victoria.ca.

*F.1. 1133 Fort Street: Rezoning Application No. 00727

1

Council is considering an application to terminate the Land Use Contract and rezone the property to permit the current uses.

Addendum: Correspondence

F.1.a.	Public Hearing & Consideration of Approval	31
	<ul style="list-style-type: none">• Motion to give 3rd reading to:<ul style="list-style-type: none">• Zoning Regulation Bylaw, Amendment Bylaw (No. 1239) No. 20-118• Motion to adopt:<ul style="list-style-type: none">• Zoning Regulation Bylaw, Amendment Bylaw (No. 1239) No. 20-118	
*F.2.	<u>1002 Vancouver Street: Development Permit with Variances Application No. 00154</u>	34
	<i>Council is considering an application for the installation of a platform lift in the rear yard to lower waste bins from ground level to a basement holding area.</i>	
F.2.a.	Opportunity for Public Comment & Consideration of Approval:	
	<ul style="list-style-type: none">• Motion to approve development permit with variances	
*F.3.	<u>901 Gordon Street: Rezoning Application No. 00743</u>	70
	<i>Council is considering an application to permit the use of a Storefront Cannabis Retailer.</i>	
	<u>Addendum: Additional Correspondence</u>	
F.3.a.	Public Hearing & Consideration of Approval	103
	<ul style="list-style-type: none">• Motion to give 3rd reading to:<ul style="list-style-type: none">• Zoning Bylaw 2018, Amendment Bylaw (No. 7) No. 20-117• Motion to adopt:<ul style="list-style-type: none">• Zoning Bylaw 2018, Amendment Bylaw (No. 7) No. 20-117	
*F.4.	<u>1150 Douglas Street: Rezoning Application No. 00748</u>	105
	<i>Council is considering an application to permit the use of a Storefront Cannabis Retailer.</i>	
	<u>Addendum: Additional Correspondence</u>	
F.4.a.	Public Hearing & Consideration of Approval	141
	<ul style="list-style-type: none">• Motion to give 3rd reading to:<ul style="list-style-type: none">• Zoning Bylaw 2018, Amendment Bylaw (No. 8) No. 20-	

- **Motion to adopt:**
 - Zoning Bylaw 2018, Amendment Bylaw (No. 8) No. 20-125

G. REQUESTS TO ADDRESS COUNCIL

H. UNFINISHED BUSINESS

I. REPORTS OF COMMITTEES

J. NOTICE OF MOTIONS

K. BYLAWS

L. CORRESPONDENCE

M. NEW BUSINESS

N. QUESTION PERIOD

O. ADJOURNMENT

G. BYLAWS

G.4 Bylaw for 1133 Fort Street: Rezoning Application No. 00727

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

That the following bylaw **be given first and second readings:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1239) No. 20-118

CARRIED UNANIMOUSLY



Council Report

For the Meeting of December 10, 2020

To: Council **Date:** December 4, 2020
From: C. Coates, City Clerk
Subject: 1133 Fort Street: Rezoning Application No. 00727

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1239) No. 20-118

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 20-118.

The issue came before Council on November 12, 2020 where the following resolution was approved:

1133 Fort Street: Rezoning Application No. 00727

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw that would authorize the proposed development outlined in Rezoning Application No. 00727 for 1133 Fort Street, that first and second reading of the Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw be considered by Council and a Public Hearing date be set.

Respectfully submitted,

Chris Coates
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 20-118

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.a Report from the November 5, 2020 COTW Meeting

F.1.a.d 1133 Fort Street: Rezoning Application No. 00727 (Fairfield)

Moved By Councillor Young

Seconded By Councillor Thornton-Joe

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw that would authorize the proposed development outlined in Rezoning Application No. 00727 for 1133 Fort Street, that first and second reading of the Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY

F. LAND USE MATTERS

F.3 1133 Fort Street: Rezoning Application No. 00727 (Fairfield)

Committee received a report dated October 22, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed Rezoning Application No. 00727 for 1133 Fort Street in order to discharge a Land Use Contract and legitimize the current commercial uses on-site.

Moved By Councillor Alto
Seconded By Councillor Young

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw that would authorize the proposed development outlined in Rezoning Application No. 00727 for 1133 Fort Street, that first and second reading of the Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY



Committee of the Whole Report

For the Meeting of November 5, 2020

To: Committee of the Whole **Date:** October 22, 2020

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

Subject: Rezoning Application No. 00727 for 1133 Fort Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw that would authorize the proposed development outlined in Rezoning Application No. 00727 for 1133 Fort Street, that first and second reading of the Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

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

In accordance with Section 546 of the *Local Government Act*, a Land Use Contract may be discharged by bylaw with the agreement of the local government and the owner of the property and following a Public Hearing.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1133 Fort Street. The proposal is to discharge a Land Use Contract (LUC) and to rezone from the R3-1 Zone to a site-specific zone in order to legitimize the current commercial uses on-site.

The following points were considered in assessing this application:

- the proposal is generally consistent with the *Official Community Plan*, as the proposal achieves heritage conservation objectives
- the property is generally consistent with the *Fairfield Neighbourhood Plan*, as conservation and possible adaptive re-use of heritage buildings is strongly encouraged
- the proposal is consistent with Council's direction to terminate all remaining Land Use Contracts in the City of Victoria.

BACKGROUND

Description of Proposal

The property located at 1133 Fort Street is currently regulated by a Land Use Contract (LUC), which restricts the property to be used for residences, office uses except medical offices, and antique stores. On June 30, 2024, all Land Use Contracts in British Columbia will automatically expire. Upon expiration this property will fall under the R3-1 Zone, Multiple Dwelling District, and the commercial uses would become legally non-conforming. The property owners have proactively applied to discharge the LUC and rezone the property to ensure the commercial uses currently operating will continue to be permitted within the *Zoning Regulation Bylaw*.

The LUC regulating 1133 Fort Street effectively secured four items. The first item was the legal protection of the heritage building, which has subsequently been protected under heritage designation. The second item is requiring a minimum of four parking stalls. There is currently a total of six parking stalls at the rear of the property, and Schedule C of the *Zoning Regulation Bylaw* would now require a minimum of five stalls. The third item is protection of trees at the rear of the property. The applicant has submitted correspondence from the City of Victoria Park Administrator to the property owner, dated July 18, 1980, which permitted the removal of one tree and confirmed that only one tree remained: a Weeping ash. This tree remains on the property to this day. Finally, the LUC restricted the uses to residences, office uses except medical offices, and antique stores. Permitting these uses through the underlying zoning is the subject of this application.

If the application is forwarded to a Public Hearing, a new site-specific zone will be created for Council's consideration that permits the commercial uses found in the CA-2 Zone, Fort Street Special Commercial District for buildings constructed prior to January 1, 2020. Additionally, the Land Use Contract would be discharged.

Sustainability

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

Active Transportation

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

Public Realm

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

Accessibility

The British Columbia Building Code regulates accessibility as it pertains to buildings. At this time there are no proposed changes to the existing heritage building.

Land Use Context

The area is characterized mainly by multi-unit residential uses, with some commercial uses operating out of converted heritage houses.

Existing Site Development and Development Potential

The site and existing heritage-designated building are currently occupied with offices. Under the current R3-1 Zone, the property could be developed for multi-unit residential purposes, but any changes would require a Heritage Alteration Permit.

Data Table

The following data table compares the proposal with the standard CA-2 Zone, Fort Street Special Commercial District. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone. Two asterisks are used to identify a legal non-conforming condition.

Zoning Criteria	Proposal	Zone Standard CA-2
Site area (m ²) – minimum	631	N/A
Use within 6m of front of the building at street level	Office **	Office not permitted
Density (Floor Space Ratio) – maximum	0.28	2.50
Total floor area (m ²) – maximum	179.81	N/A
Height (m) – maximum	9.89	15.50
Storeys – maximum	3	N/A
Setbacks (m) – minimum		
Front (Fort Street)	5.42 (building) 4.51 (stairs)	0
Rear (Meares Street)	10.42	0
Side (west)	6.8	0
Side (east)	2.41	0
Vehicle parking – minimum	6	0 (CA-2 requirement) 5 (Schedule C requirement)
Bicycle parking – minimum		
Short term	0	0
Long term	0	0

Relevant History

On February 23, 2017, Council directed staff to begin the early termination of all remaining Land Use Contracts within the City of Victoria. Staff subsequently brought forward reports that resulted in Council terminating 13 LUCs that were seen as overly permissive towards commercial uses. The Land Use Contract regulating the subject property was not among the 13 LUCs terminated by the City in 2017. The applicant is amenable to terminating the Land Use Contract at 1133 Fort Street as part of this application.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant had preliminary conversations with the Fairfield-Gonzales CALUC. The Fairfield-Gonzales CALUC concluded that a community meeting was not required for this proposal (Attachment E).

ANALYSIS

Official Community Plan

The subject property is designated Urban Residential within the *Official Community Plan, 2012* (OCP), within which commercial uses along arterial roads are only envisioned as part of mixed-use developments. However, the OCP also indicates that guidelines can be varied when goals towards heritage conservation are achieved. Staff believe the proposal is consistent with the OCP since the building is heritage-designated, the uses are already legally present on site and formalizing them in a new zone helps to ensure ongoing flexibility in the repurposing of this heritage resource.

Fairfield Neighbourhood Plan

The *Fairfield Neighbourhood Plan* identifies the property within the Fort Street Corridor, which is recognized as a special character area with its concentration of heritage properties with smaller scale commercial uses at street level. The subject property is also located within the Urban Residential designation of the Plan, which strongly encourages conservation and possible adaptive re-use of buildings of heritage merit.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts and there are no impacts to public trees with this application. The existing Land Use Contract protected three trees at the rear of the property. The applicant has submitted correspondence from the City of Victoria Park Administrator to the property owner, dated July 18, 1980, which permitted the removal of one tree: a Weeping ash. This tree remains on the property to this day.

The third tree is unaccounted for, with no formal record of its removal. However, the aforementioned letter from the Park Administrator identified only one tree was left on the property as of July 18, 1980, so the removal of the tree did not occur in recent years. Nonetheless, the focus of this application is on establishing a new zone that will formalize the existing uses.

CONCLUSIONS

The proposal to terminate the Land Use Contract and rezone the property at 1133 Fort Street is consistent with the heritage goals in the OCP and the Urban Residential designation in the

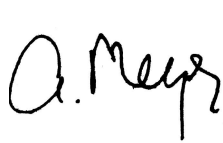
Fairfield Neighbourhood Plan. In addition, terminating the Land Use Contract is consistent with Council's direction in 2017 to terminate all remaining LUCs. Staff therefore recommend Council consider supporting this application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00727 for the property located at 1133 Fort Street.

Respectfully submitted,


Mike Angrove
Senior Planner
Development Services Division




Karen Hoese, Director
Sustainable Planning and Community
Development Department

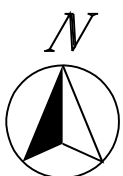
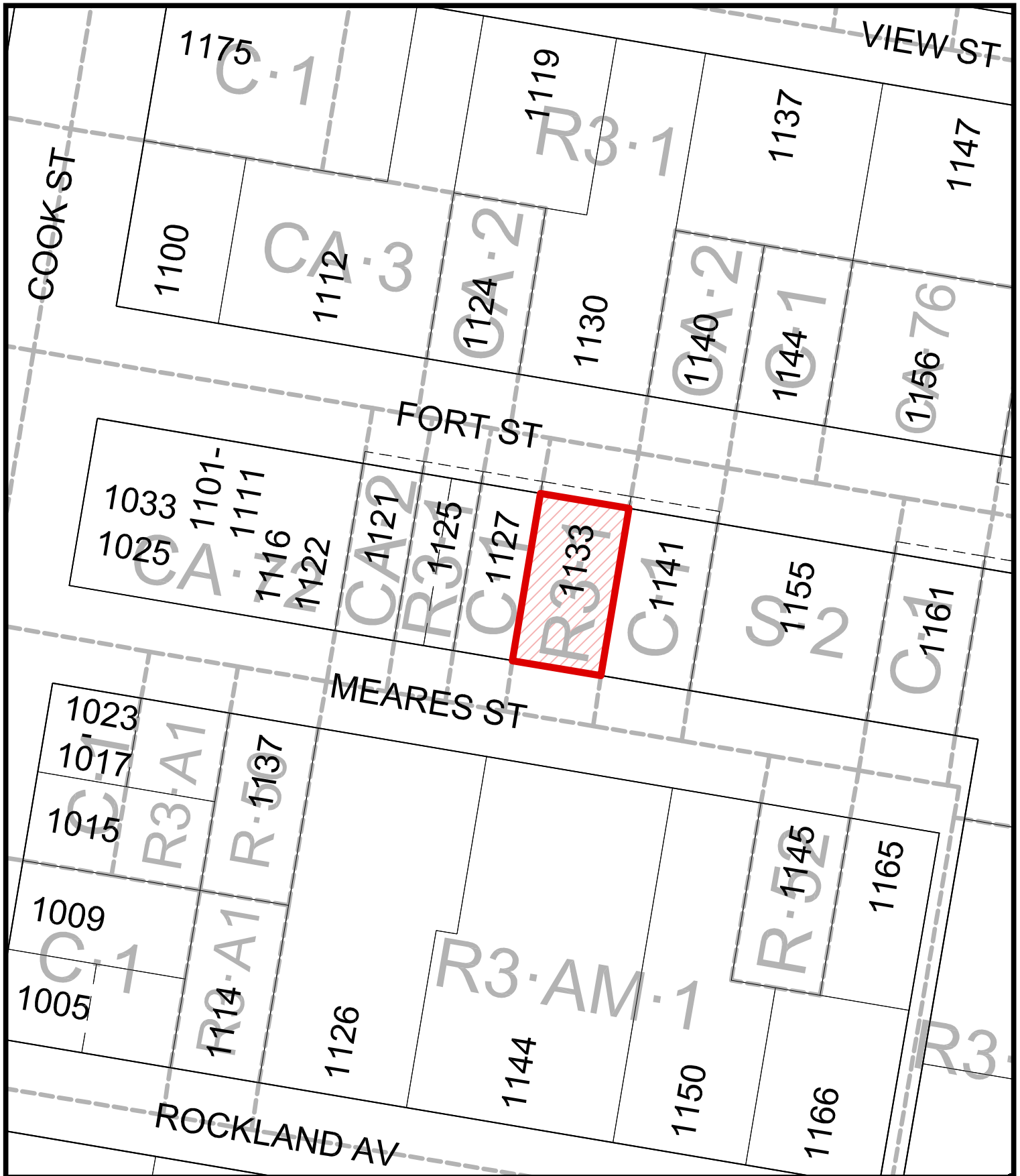
Report accepted and recommended by the City Manager:



Date: October 26, 2020

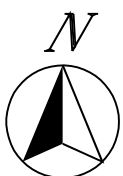
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated September 15, 2020
- Attachment D: Letter from applicant to Mayor and Council dated January 21, 2020
- Attachment E: Community Association Land Use Committee email dated September 23, 2019
- Attachment F: Letter from Parks Department, dated July 18, 1980.



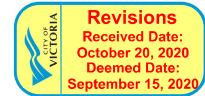
1133 Fort Street
Rezoning No.00727





1133 Fort Street
Rezoning No.00727





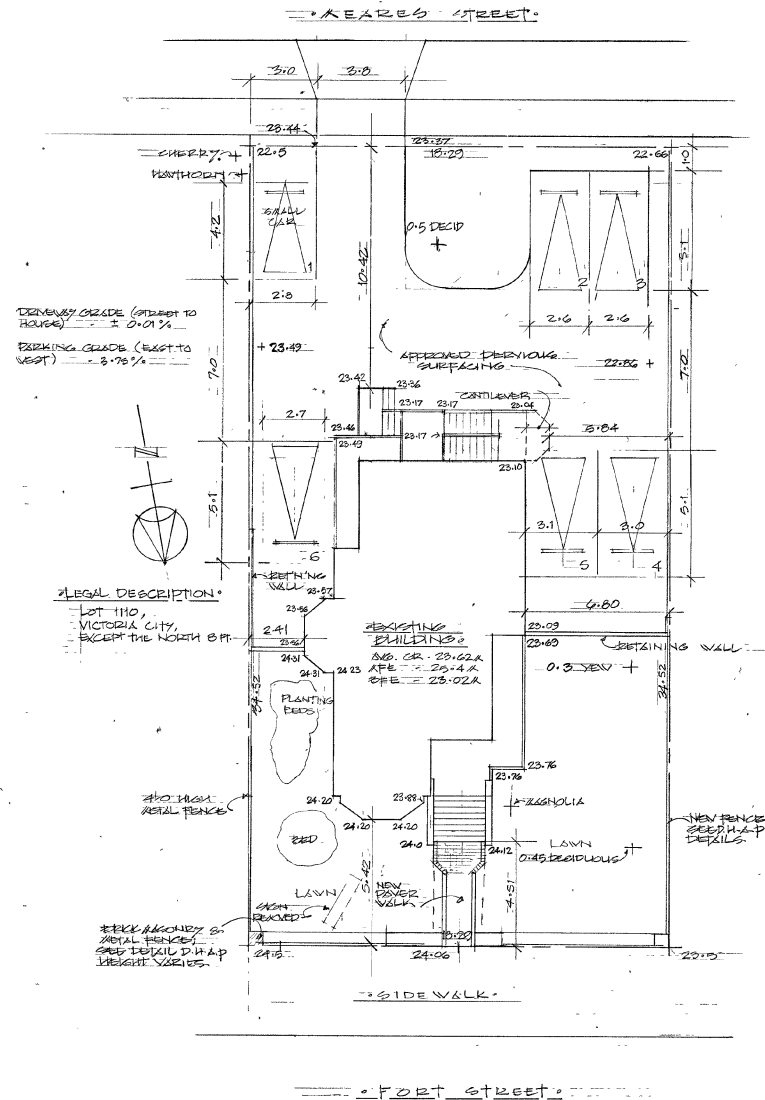
PROJECT INFORMATION TABLE		
EXISTING ZONE		R3-1
PROPOSED ZONE		CA-2 FORT ST SPEC COR
SITE AREA		631.12
TOTAL FLOOR AREA		179.81 m ²
COMMERCIAL FLOOR AREA		179.81 m ²
FLOOR SPACE RATIO		0.425 to 1
SITE COVERAGE		23.5% (149.32 m ²)
OPEN SITE SPACE		32.8% (207.80 m ²)
HEIGHT OF BUILDING		9.89 m
NUMBER OF STOREYS		3
PARKING STALLS ON SITE		6
BICYCLE PARKING		-
BUILDING SETBACKS		
FRONT YARD		5.42 m
REAR YARD		10.42 m
INTERIOR SIDE (EAST)		2.41 m
INTERIOR SIDE (WEST)		5.84 m
COMBINED SIDE YARDS		8.25 m
RESIDENTIAL USE DETAILS		
NO RESIDENTIAL USES AT PRESENT		

88.06 m² EXISTING NOT INCLUDED

NOTE:

ALL INFORMATION DERIVED FROM BUILDING DEPARTMENT RECORDS AND SITE MEASUREMENT. THIS APPLICATION PROPOSES ZONING TO REPLACE CANCELLED LAND USE CONTRACT. ALL CONDITIONS ARE EXISTING. NO WORK IS PROPOSED TO EXISTING HERITAGE DESIGNATED BUILDING.

ALL SITE DATA AND CALCULATIONS UPDATED FROM FIELD SURVEY BY GLEN MITCHELL, B.C.L.S. 2020-08-04.
 FILE NO. 000-080-394


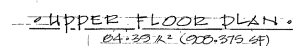
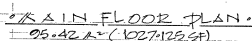
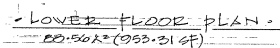


DESIGN NO. 11133
 DESIGN EXISTING
 SCALE 1:1000
 DATE: JULY 20, 2020
 PROJECT NO. 11133

PROPOSED ZONING
 for
 BATTERY STREET HOLDINGS
 SITE PLAN & PROJECT INFORMATION
 VICTORIA, B.C.

banks design
 victoria 250-586-3331
 website 250-586-3331

REVISER: SURVEY DATA - 05/06/20
 PLANNING - 14/09/20 - 16/10/20



PROPOSED ^{for} REZONING
1133 FORT STREET.
FLOOR PLANS.

Victoria 250-386-3331.

$$\neq 0 \text{ or } + \dots \text{ or } +$$

Figure 1. Schematic representation of the experimental design. The subjects were divided into two groups: the control group (n = 10) and the experimental group (n = 10). The control group received a standard diet (SD) and the experimental group received a high-fat diet (HFD). The subjects were divided into two groups: the control group (n = 10) and the experimental group (n = 10). The control group received a standard diet (SD) and the experimental group received a high-fat diet (HFD). The subjects were divided into two groups: the control group (n = 10) and the experimental group (n = 10). The control group received a standard diet (SD) and the experimental group received a high-fat diet (HFD).

2017年12月20日

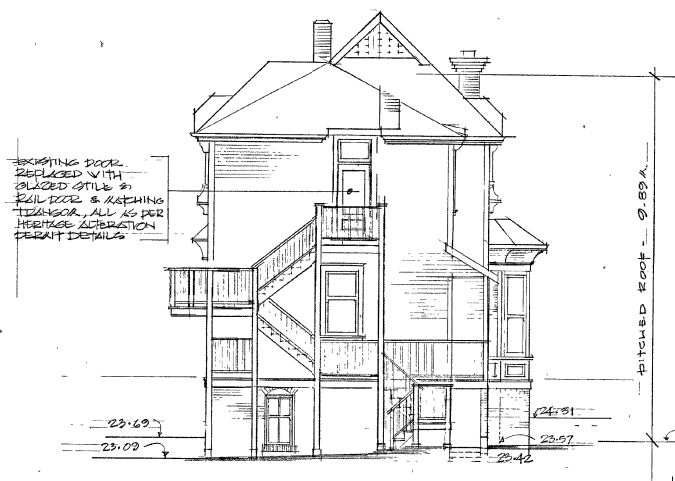
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DESIGN PRINCIPLES

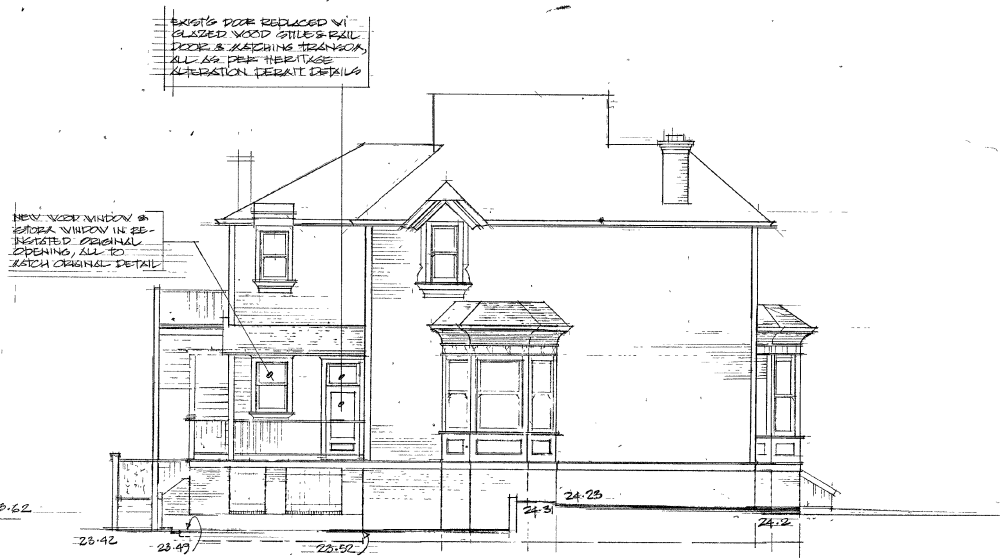
$$\sec \Delta L_E \approx \frac{1}{4}'' = 1' - 0''$$

100

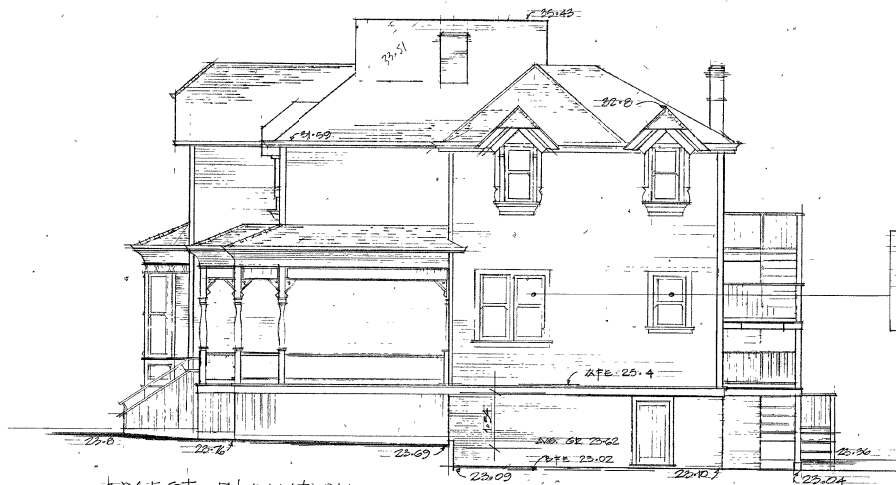
Page 3 of 3



• SOUTH ELEVATION (REAR STREET) •



• EAST ELEVATION •



• WEST ELEVATION •



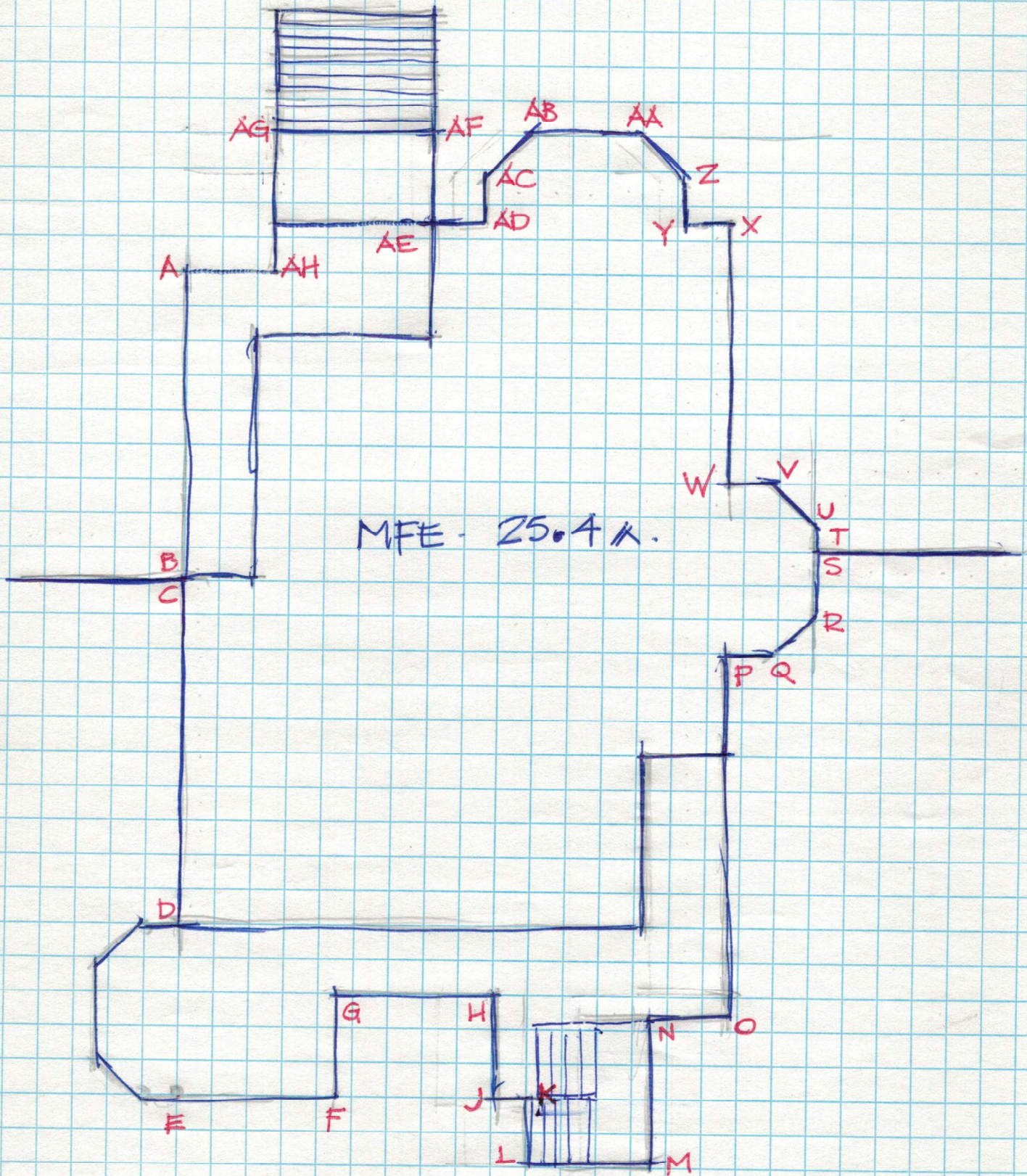
• NORTH ELEVATION (FRONT STREET) •

DENVER - SURVEY DATA - 05/06/20
PLANNING - 14/09/20

• DRAWING NO. 1/AB1
• DESIGNER: TMB
• DESIGN: EXISTING
• SCALE: 3/16" = 1'-0"
• DATE: JULY 20, 2020
• PERMIT NO. 1800

• PROPOSED FOR REZONING
• RATTLEY STREET HOLDINGS
• BUILDING ELEVATIONS
• VICTORIA, B.C.

banks
design
Victoria 250.386.3331
• 1133 FORT ST.



1133 FORT STREET
 AVERAGE GRADE CALCULATIONS

AB	23.76	23.69	23.725×6.0	-	142.35
CD	23.09	23.10	23.095×7.43	-	171.595
DE	23.10	23.04	23.07×2.2	-	50.75
EF	23.04	23.17	23.105×1.4	-	32.347
FG		23.17	23.17×1.1	-	25.48
GH		23.17	23.17×1.42	-	32.90
HJ		23.17	23.17×1.1	-	25.48
JK	23.17	23.36	23.265×1.9	-	44.203
KL	23	23.36	23.36×1.0	-	23.36
LM	23.36	23.42	23.39×1.82	-	42.56
MN	23.42	23.46	23.44×2.0	-	46.88
NO	23.46	23.49	23.475×1.08	-	25.353
OP	23.49	23.57	23.53×6.97	-	164.004
PQ	23.57	23.57	$23.57 \times .35$	-	8.249
QR	23.57	23.56	23.565×1.15	-	27.099
RS		23.56	23.56×1.3	-	30.628
TU	24.31		$24.31 \times .29$	-	7.04
UV		24.31	24.31×1.15	-	27.956
VW	24.31	24.23	$24.27 \times .35$	-	8.4945
WX	24.23	24.20	24.215×5.35	-	129.55
XY		24.20	24.2×0.39	-	9.438
YZ		24.20	24.2×0.35	-	8.47
ZA		24.20	24.2×1.15	-	27.83
AAB		24.20	24.2×1.59	-	38.478
ABAC	24.20	24.0	24.10×1.15	-	27.715
ACAD	24.20	23.88	$24.04 \times .35$	-	8.414
ADAE		23.88	$23.88 \times .36$	-	8.596
AFAF	23.88	24.0	23.94×2.1	-	50.274
AFAG	24.0	24.12	24.06×2.7	-	64.962
AGAH	24.12	23.76	23.94×2.1	-	50.274
AHAX	23.76	23.76	23.76×1.4	-	33.264

PERIMETER = 59.011

1394.0368

$$\text{AVG. GR.} = \frac{23.6211}{1}$$

1133 FORT STREET -
Average Grade Calculation

Main Floor Elevation (by bus) 25.04 m
floor assembly thickness 0.238 m.

Ceiling height of lowest level 25.16 m
average grade as calculated - 23.62 m

Ceiling is 1.54 m above 1.54
average grade, so lowest floor is
included in total floor area

This is reflected in Project Data included
on Drawing A1. of 268.37 m²

LOWEST STOREY VS - AVG GRADE CALCS.

SEE DRAWING A3.

1133 FORT STREET

21-Jan-20

Mayor Lisa Helps and Councillors,
Corporation of the City of Victoria,
1 Centennial Square,
Victoria, B.C. V8W 1P6

RE: Proposed Rezoning of 1133 Fort Street
Lot 1110, Victoria City, except the northerly 8 feet

Dear Mayor Helps and Councillors:

We are pleased to submit our application for the above noted property, to put in place a zone that will accurately reflect the present use and occupancy, and bring the property into closer conformity with the Official Plan.

This application is in fact driven by the Province's decision to terminate Land Use Contracts, under which this property was regulated. While the underlying zoning of R3-1 dictated residential use, the building, heritage designated, has been used for commercial purposes for many years.

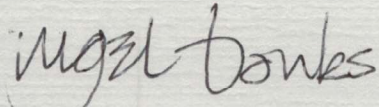
Discussion with the Planning Department led to the conclusion that the existing CA-2, Fort Street Special Commercial zone is an ideal fit for the property, meeting almost all criteria. There are a few small non conformities with the zone requirements; these were existing legal non-conformities under the now cancelled land use contract.

There is no work or alteration of any kind required for the building under this application; neither would there be any impact on existing tenancies. The charm of the existing building and its context are maintained exactly as is, and uses are brought much more in line with zoning. This project also maintains a large percentage of open space by utilizing existing parking and drives. The proposal will also preserve neighbourhood amenity through minimal disruption of the existing streetscape.

We have presented toe proposal to the Fairfield Gonzales Community Association land use committee, and they have determined that it does not require a full public meeting, as there are no proposed changes to the subject property.

Thank you for your consideration of this application.

Yours Very Truly,



Nigel Banks, on behalf of
the Bavington Family





Nigel Banks [REDACTED]

Re: 1133 Fort Street

1 message

CALUC chair [REDACTED]
To: Nigel Banks [REDACTED]

Mon, Sep 23, 2019 at 5:59 AM

Hi Nigel:

Thank you for the thoughtful presentation on Thursday. Our committee has decided that your proposal does not need to go to a public community meeting.

Thanks again.
Kevin

Kevin White
Interim Chair,
Fairfield-Gonzales Community Association
Land Use Committee

A Volunteer committee helping our neighbours engage in community planning by providing opportunities and processes to collect and forward residents' comments to City Council



FAIRFIELD GONZALES
COMMUNITY ASSOCIATION
the place to connect

Fairfield Gonzales Community Place
1330 Fairfield Road
Victoria BC V8S 5J1
near Moss street and Sir James Douglas School

[REDACTED]

From: Nigel Banks [REDACTED]
Sent: Thursday, September 19, 2019 9:26 AM
To: CALUC chair [REDACTED]
Subject: Re: 1133 Fort Street

Hi Kevin-
Just confirming tonight's meeting. is it still 7 pm?
Thanks

Nigel Banks

Sent from my iPhone

On Sep 3, 2019, at 7:03 PM, CALUC chair [REDACTED] wrote:

Hi Nigel:

Unfortunately, we did not have enough members to make a quorum this Thursday; therefore, we had to move the meeting to September 19 as part of a public meeting. I apologize for the late notice in notifying you of the change.

Many thanks, Kevin

Kevin White

Interim Chair,

**Fairfield-Gonzales Community Association
Land Use Committee**

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<Outlook-1515711930.png>

Fairfield Gonzales Community Place

1330 Fairfield Road

Victoria BC V8S 5J1

near Moss street and Sir James Douglas School

From: Nigel Banks [REDACTED]

Sent: Tuesday, September 3, 2019 9:31 AM

To: CALUC chair [REDACTED]

Subject: Re: [1133 Fort Street](#)

hi, Kevin-

here is the background to the [1133 fort street](#) rezoning:

2016 - province mandates an end to Land Use Contracts

2017- City of Victoria cancels same, leaving a number of properties, including this one, and several neighbouring ones going up Fort Street in limbo.

2018- I am retained by owners, the Bavington family, to pursue new appropriate zoning for the properties. After much discussion, we are proceeding with an application to rezone to Fort Street Special Commercial, a zone which includes all the uses presently in the building.

The proposal involves NO changes of any type to the existing site and buildings.

Just wanted to confirm that your committee Meeting is still scheduled for September 5th, at Fairfield Community Place.

regards

nigel banks
banks design

On Tue, Aug 13, 2019 at 1:13 PM CALUC chair [REDACTED] wrote:

Hi Nigel:

A full presentation is not required; however, please be prepared to explain the following:

As this rezoning involves absolutely no changes to the existing heritage building, its' site or occupants, I am writing to ask your associations' consideration of waiving a public meeting to review the proposal.

Any supplementary material would be helpful and possible save time.

Many thanks,

Kevin White
Interim Chair,
Fairfield-Gonzales Community Association
Land Use Committee

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1515711930374_PastedImage

Fairfield Gonzales Community Place
1330 Fairfield Road
Victoria BC V8S 5J1
near Moss street and Sir James Douglas School



From: Nigel Banks [REDACTED]
Sent: Monday, August 12, 2019 8:26 AM
To: CALUC chair [REDACTED]
Subject: Re: 1133 Fort Street

hi, Kevin-

Yes, I can attend. would you like any material before the meeting? Will your committee want a full presentation? there are no changes proposed to the building or uses- this is more of a housekeeping issue driven by the City. many thanks
nigel banks

nigel banks
banks design



On Sun, Aug 11, 2019 at 11:34 AM CALUC chair [REDACTED] wrote:

Hi Nigel:

Are you free to attend the next CALUC meeting (open for presentations) - scheduled for September 5, 2019 at 7:00 p.m. (address below)?

Thanks, Kevin

Kevin White
Interim Chair,
Fairfield-Gonzales Community Association
Land Use Committee

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Victoria BC V8S 5J1
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From: Nigel Banks [REDACTED]
Sent: Tuesday, July 30, 2019 9:29 AM
To: CALUC chair [REDACTED]
Subject: RE: 1133 Fort Street

Dear Ms. Albert-

We exchanged correspondence concerning the proposed rezoning of the above property in April and May, and I have been most remiss in not following up. I wonder when we might meet or chat to discuss moving forward; as I recall we both had extended trips which prevented scheduling. This property is part of the city's initiative to clean up a number of properties which fell under land use contracts terminated by the province.

I look forward to hearing from you.

Many thanks

nigel

nigel banks

banks design

From: CALUC chair [mailto: [REDACTED]]
Sent: April 23, 2019 10:19 AM
To: Nigel Banks <[REDACTED]>
Subject: Re: [1177-1185 Fort Street](#), "The Gables"

Mr Banks,

Many apologies for this less than timely response. I have missed this email and my only excuse has been scheduling many development proposals for Preliminary Meetings and Community Meetings.

I have reached out to some of our Committee members for their input and will, with any luck, get back to you within 24 hours.

Please accept my apologies for this oversight,

Alice J. Albert

Chair,

Fairfield-Gonzales Community Association

Land Use Committee

A Volunteer committee helping our neighbours engage in community planning by providing opportunities and processes to collect and forward residents' comments to City Council



FAIRFIELD GONZALES
COMMUNITY ASSOCIATION
the place to connect

Fairfield Gonzales Community Place

1330 Fairfield Road

Victoria BC V8S 5J1

near Moss street and Sir James Douglas School

[REDACTED]

[REDACTED]

From: Nigel Banks <[REDACTED]>
Sent: Wednesday, April 17, 2019 9:32 AM
To: CALUC chair
Subject: Fwd: [1177-1185 Fort Street](#), "The Gables"

Ms. Alice Albert

Chair, Land Use Committee

Fairfield Gonzales Community Association

.dear Ms. Albert

I am writing on behalf of the Bavington Family, the long-time owners of the property at [1133 Fort Street](#). As your committee may know, last year the City, as mandated by the Province of BC, cancelled the Land Use Contracts dating back many years which have regulated this property, as well as others in your neighbourhood area. In cancelling these contracts, the City requires that the properties put in place, through a Rezoning process, a zoning that will regulate use and density in a conventional manner.

I am handling that process for the owners, and we are ready to apply on their behalf for Zone CA-2, Fort Street Special Commercial District, which the planning department has recommended as covering all uses presently in the building. This would also retain as legal non-conforming any anomalies that do not fit within the suggested zoning.

As this rezoning involves absolutely no changes to the existing heritage building, its' site or occupants, I am writing to ask your associations' consideration of waiving a public meeting to review the proposal.

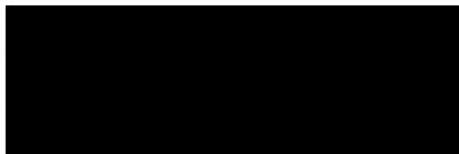
I am more than happy to handle such a presentation if your Association feels it is necessary, but I am unsure of the benefit to you.

sincerely yours

nigel banks

nigel banks

banks design





City of **VICTORIA** British Columbia

Office of
ALAN I. SMITH, B.S.A.
The Park Administrator
RONALD EDWARDS, O.D.H.
Superintendent of Maintenance

City Hall, #1 Centennial Square
Victoria, B.C.
V8W 1P6
(604) 385-5711

July 18, 1980

File: 2100

Mr. G. Scott Kendrew,
Coach House Realty Ltd.
203 - 1121 Yates St.
Victoria, B.C.
V8V 3N1

Dear Mr. Kendrew:

Re: Pear Tree at Rear of
1133 Fort Street
(Your Letter of July 17)

Please be advised that an onsite inspection of the pear tree in question revealed that it is unsound and should be removed. In no way can it be classed as a heritage tree.

We will also verify that there is only one other tree on the property, a Weeping Ash, that can provide an aesthetic outlook to the property. If any excavation is to take place near the roots, we would suggest that all torn roots be cut clean across and painted so that maximum healing can be effected. A good quality tree paint will close the wound.

Yours very truly,

Alan I. Smith

A.I. Smith,
Park Administrator.

AIS:ms

COACH HOUSE REALTY LTD

July 17th, 1980

Mr. A. Smith
Parks Administrator
1 Centennial Square,
Victoria, B. C.
V8W 1P6

Dear Sir:

We are writing this letter to request permission to remove the pear tree at the rear of 1133 Fort Street. This tree has a hollow centre that has decayed and rotted away, with the outer rim keeping it alive. We feel it is a safety hazard and would like to remove it from the property.

Further to our conversation on July 14, 1980, the Land Use Contract indicates three trees on the property. We purchased the property in June of 1979 and at that time were advised by the former owners that they had removed one tree with the City's permission.

Best regards,

COACH HOUSE REALTY LTD.,

G. Scott Kendrew

GSK/lf

cc. Planning Department

**CYR FAMILY
MARKETS**

David Cyr

1141 Fort St
Victoria, BC
V8V 3K9

E-mail:

[REDACTED]

City of Victoria

Legislative Services
1 Centennial Square
Victoria, BC V8W 1P6

To Whom It May Concern:

January 13, 2021

RE: Zoning Regulation Bylaw, Amendment Bylaw (No. 1239) No. 20-118:

I write to support the application and ask council to consider rezoning the land, known as 1133 Fort Street from the current R3-1 Zone, to C1-FH Zone, Fort Street Heritage District.

As a neighbour property owner to 1133 Fort Street, we have watched the care, attention, and respect that the new owners have taken. All the work, inside and out, has brought a new sense of purpose to both the building and the community, all while retaining the building's heritage charm.

As we continue to work on our property, we have enjoyed having a significant number of the community members stop and comment on the positive work being done on the sister properties.

Regards

David C. Cyr

President,
Cvr Familiv Markets Ltd.

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the C1-FH Zone, Fort Street Commercial Heritage District, and to rezone land known as 1133 Fort Street from the R3-1 Zone, Multiple Dwelling District, to the C1-FH Zone, Fort Street Commercial Heritage District, and with the consent of the property owner to authorize the discharge of the Land Use Contract for 1133 Fort Street.

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. 1239)”.
- 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:

“4.105 C1-FH, Fort Street Commercial Heritage District”

- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 4.104 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 1133 Fort Street, legally described as PID: 000-058-394, Lot 1110, Victoria City, Except the Northerly 8 Feet, and shown hatched on the attached map, is removed from the R3-1 Zone, Multiple Dwelling District, and placed in the C1-FH Zone, Fort Street Commercial Heritage District.
- 5 The Land Use Contract filed in the Victoria Land Title Office under number F26547 and modified by number H39577, against 1133 Fort Street is discharged.
- 6 The City Solicitor is authorized to execute all documents necessary for the discharge of the Land Use Contract referred to in section 5 of this Bylaw.

READ A FIRST TIME the	10th	day of	December	2020
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READ A SECOND TIME the	10th	day of	December	2020
------------------------	------------------------	--------	-----------------	------

Public hearing held on the		day of		2021
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READ A THIRD TIME the		day of		2021
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ADOPTED on the		day of		2021
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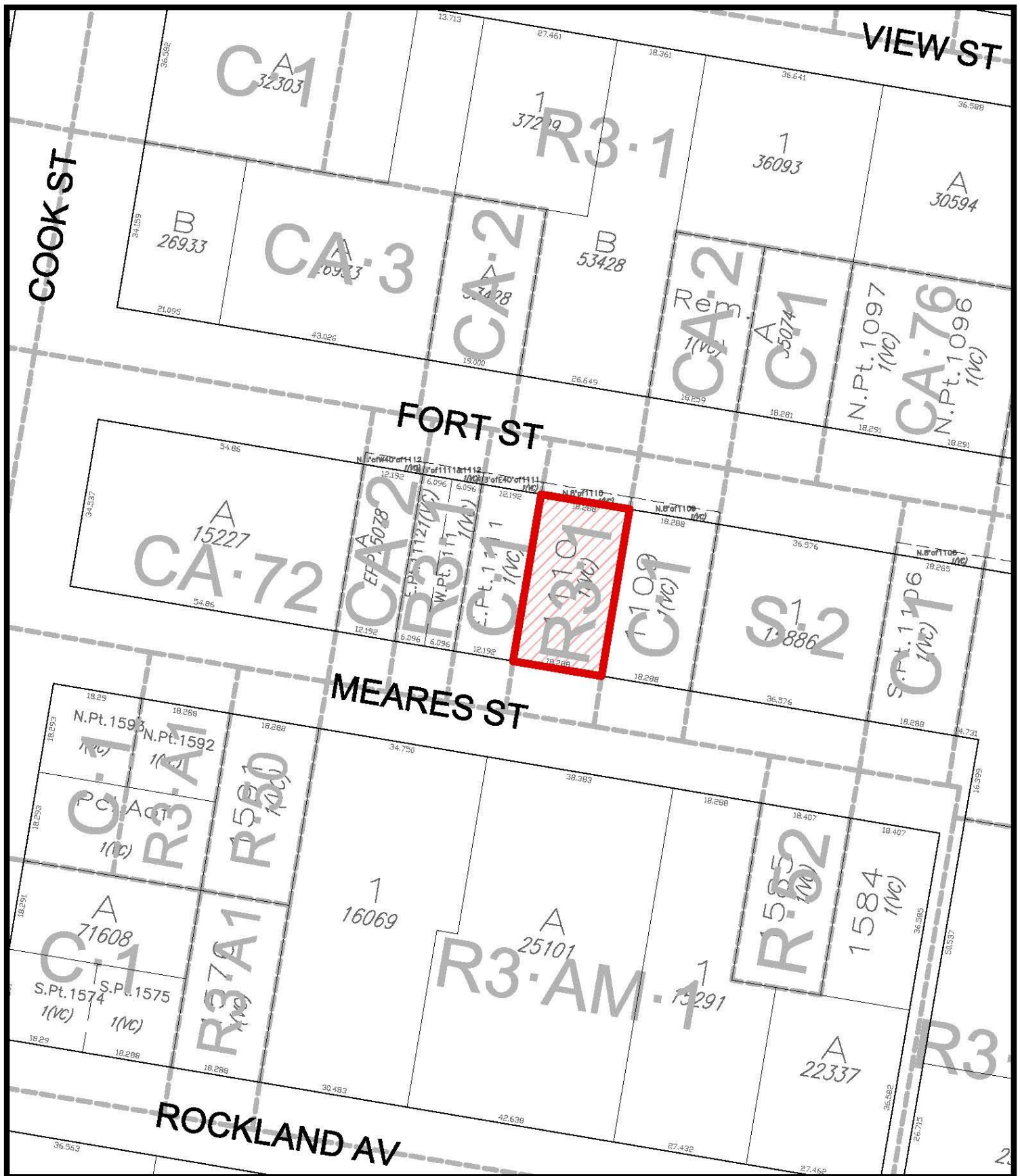
CITY CLERK

MAYOR

PART 4.105 – C1-FH ZONE, FORT STREET COMMERCIAL HERITAGE DISTRICT**4.105.1 Permitted Uses in this Zone**

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

- a. Uses permitted in the R3-1 Zone, Multiple Dwelling District, subject to the regulations set out in Part 3.3 of the Zoning Regulation Bylaw
- b. The uses set out in paragraphs (c) to (p) are permitted in buildings constructed prior to January 1, 2020 and are subject to the regulations set out in Part 3.3 of the Zoning Regulation Bylaw
- c. bakeries used predominantly for the retail sale of bakery products sold from the premises
- d. business and professional offices
- e. financial institutions, including chartered banks, credit unions, trust, insurance and mortgage companies
- f. stores and shops for the sale of goods, wares, or merchandise
- g. restaurants and coffee shops
- h. personal services including barbering, hairdressing, tailoring, shoemaking and shoe repair, optical, watch and jewelry repair, and small animal services
- i. churches and places of worship
- j. cultural facilities including museums, galleries and exhibits
- k. gymnasias
- l. laundrettes and drycleaning establishments used or intended to be used for the purpose of dealing with the public served thereby
- m. a commercial-residential building, provided that the ground floor is not used for residential purposes
- n. studios
- o. high tech
- p. call centre



1133 Fort Street
Rezoning No.00727



**F.1.a.b 1002 Vancouver Street: Development Permit with Variance
Application No. 00154 (Fairfield)**

Moved By Councillor Young

Seconded By Councillor Thornton-Joe

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

“That Council authorize the issuance of Development Permit with a Variance Application No. 00154 for 1002 Vancouver Street, in accordance with:

1. Plans date stamped August 19, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the rear yard setback from 6.65 metres to 0.3 metres
 - ii. reduce the minimum parking requirement from 31 spaces to 10 spaces *Development Variance Permit Application No. 00195 reduced the parking requirement from 21 spaces to 12 parking spaces
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

F.6 1002 Vancouver Street: Development Permit with Variance Application No. 00154 (Fairfield)

Committee received a report dated October 23, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed Development Permit with Variance Application No. 00154 for 1002 Vancouver Street in order to install a platform lift in the rear yard.

Moved By Councillor Alto

Seconded By Councillor Dubow

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

“That Council authorize the issuance of Development Permit with a Variance Application No. 00154 for 1002 Vancouver Street, in accordance with:

1. Plans date stamped August 19, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the rear yard setback from 6.65 metres to 0.3 metres
 - ii. reduce the minimum parking requirement from 31 spaces to 10 spaces
*Development Variance Permit Application No. 00195 reduced the parking requirement from 21 spaces to 12 parking spaces
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY



Committee of the Whole Report

For the Meeting of November 5, 2020

To: Committee of the Whole **Date:** October 23, 2020

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

Subject: Development Permit with Variance Application No. 00154 for 1002 Vancouver Street

RECOMMENDATION

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

"That Council authorize the issuance of Development Permit with a Variance Application No. 00154 for 1002 Vancouver Street, in accordance with:

1. Plans date stamped August 19, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the rear yard setback from 6.65 metres to 0.3 metres
 - ii. reduce the minimum parking requirement from 31 spaces to 10 spaces
**Development Variance Permit Application No. 00195 reduced the parking requirement from 21 spaces to 12 parking spaces*
3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with a Variance Application for the property located at 1002 Vancouver Street. The building is currently owned by BC Housing and operated by the Cool Aid Society. It contains 78 supportive housing units and 15 affordable rental units for seniors over the age of 50. The proposal is to install a platform lift in the rear yard to move garbage, compost and recycling from the ground level to a basement holding area proposed to be built in the underground parking garage at the foot of the vehicle ramp. The platform lift will allow kitchen staff to safely carry totes from a ground floor kitchen to the basement holding area, without having to walk up a flight of stairs and a steep vehicle ramp. Construction of the holding area

would eliminate two parking spaces and triggers the need for a variance. Construction of the lift structure requires a reduction to the rear yard setback.

The following points were considered in assessing this application:

- the proposal is generally consistent with the Design Guidelines for the Cathedral Hill Precinct under Development Permit Area 14: Cathedral Hill Precinct
- the proposal is generally consistent with the urban design policies in the *Fairfield Neighbourhood Plan (2019)*
- the proposed parking reduction is considered supportable based on observed parking usage and transportation demand management measures already in place.
- the rear yard variance is fairly minor in nature since it relates only to the proposed platform lift, which is a small structure used intermittently and located below the height of a retaining wall separating 1002 Vancouver Street from the adjacent property.

BACKGROUND

Description of Proposal

The proposal is to install a platform lift in the rear yard of the building to move garbage, compost and recycling from ground level to a basement holding area constructed in the underground parking garage.

The proposed variances are related to:

- the construction of the platform lift, which is located at the northwest corner of the existing vehicle ramp to the underground parking area and located 0.3 metres from the rear property line, whereas the Zoning Bylaw requires a minimum rear yard setback of 6.65 metres
- the construction of a garbage holding area in the existing underground parking garage which results in the elimination of two parking spaces and reduces the total number of parking spaces from 12 to 10.

In 2017, Council approved Development Variance Permit Application No. 00195, which granted a variance for a reduction in parking from 21 spaces to 12 parking spaces. Since the approval, Schedule C: Off Street Parking Regulations of the Zoning Bylaw has been updated and the parking requirements are technically higher than in 2017.

Affordable Housing

The existing building contains 78 supportive housing units and 15 affordable rental units for seniors over the age of 50.

Sustainability

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

Active Transportation

Secure, weather protected bicycle parking has been provided in accordance with the original development permit in excess of the Zoning Bylaw requirement. The Zoning Bylaw requires 4 Class 1 spaces. 16 Class 1 bicycle parking spaces have been provided. Showers are available for staff use on the main floor adjacent to the reception.

Public Realm

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

Accessibility

The platform lift is a feature that is intended to improve safety and accessibility for kitchen staff. Without the lift, kitchen staff have to carry garbage, compost and recycling up a flight of stairs and down a steep vehicle ramp to the waste storage room underground. In the winter months, this could be especially treacherous. While the platform lift is not required under the building code, the applicant notes that it is an improvement to accessibility.

Data Table

The following data table compares the proposal with the existing R-84 Zone – Mount Edwards Court Residential District.

An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone. A double asterisk is used to identify an existing non-conforming condition.

Zoning Criteria	Proposal	Existing Zone
Site area (m ²) – minimum	2927	2900
Lot width (m) (min.)	59.30	n/a
Floor space ratio (ratio) (max.)	1.19	1.20
Total floor area - as defined (m ²) (max.)	3486.00	3525.00
Average grade	23.70	
Height (m) (max.)	Existing	12.30
Storeys (max.)	3 + basement	3.00
Front (Vancouver)	4.84 - building 3.74 - veranda/sunroom 0 - stairs	3.70 (stairs less than 2m= 0m setback)
Rear (west)	6.66 0.30 * - Lift	6.65

Side (South - Rockland)	3.67 **	5.40
side south-stairs	landing: ~1.4 ** stairs: 3.42 **	landing-1.4 into setback stairs - 3.40m into setback
Side (North)	3.25 **	3.20
Eave projection	0.95 **	
Site coverage (%) (max.)	43.00	43.00
Parking	10 *	31.00 (required under new Sched C) 21 (required with previous proposal which was varied to allow 12.)
Class 1 Bicycle Parking	16	4
Class 2 Bicycle Parking	6	6

Relevant History

In 2017, Council approved Development Variance Permit Application No. 00195, which granted a variance to allow for reduction of parking from 21 to 12 spaces. Since the approval, Schedule C: Off Street Parking Regulations of the Zoning Bylaw was updated to include a new use called “Transitional Housing”. Prior to the Schedule C update, the building would have been considered a “Community Care Facility”, with a parking rate of 1 space per 5 beds. The new “Transitional Housing” use category is based on gross floor area instead of the number of beds and is more reflective of the actual parking demand for this type of facility.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on July 24, 2020 this application was referred for a 30-day comment period to the Planning & Zoning Committee of Fairfield Gonzales Community Association. At the time of writing this report, a letter from the CALUC had not been received.

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

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan* (OCP) identifies this property within DPA 14: Cathedral Hill Precinct.

The construction of a platform lift enables the applicant to construct a waste storage room inside the underground parking garage at the foot of the vehicle ramp that exits onto Rockland Avenue. The location of the waste storage room is minimally visible from the sidewalk on Rockland Avenue and is preferable to a conspicuous location beside the building at street level. The location of the waste storage room conforms to guideline 5(f)(i) of the design guidelines for the Cathedral Hill Precinct, which states that uses that are “dull” to pedestrians, e.g., space devoted to vehicles and service functions be kept to a minimum along all streets and walkways. In this instance, the proposed location is not obvious from public vantage points.

Additionally, the proposed location minimizes impacts to the Heritage Designated Mount Edward Building.

Fairfield Neighbourhood Plan (2019)

According to the *Fairfield Neighbourhood Plan (2019)*, the site is in the Northwest Area of the Fairfield Neighbourhood. Urban design policies for this area include the following:

- 6.2.9. *New buildings should consider use of building elements and building designs that complement the surrounding area.*
- 6.2.12. *Ensure that new development integrates attractive landscaping and building features that create attractive walking environments along the adjacent streets. With the exception of commercial or mixed use buildings on arterial streets, building frontages in this area are typically characterized by landscaped transitional or amenity spaces between the sidewalk and adjacent building.*

The construction of a platform lift enables the applicant to strategically locate the waste storage room underground, in a discrete, concealed location that minimizes impacts to the pedestrian realm along the Rockland Avenue public sidewalk.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application.

Regulatory Considerations

Staff have reviewed the proposed variances and recommend that they be supported and approved. The platform lift is located close to the rear property line and requires a rear yard setback variance, however the lift structure has a small footprint and is below the height of a retaining wall separating the property from its neighbour. It would be used only intermittently during the week, therefore staff do not foresee any nuisance impacts to the adjacent multi-unit residential building. Additionally, the provision of a platform lift enables the applicant to locate the waste storage room in the underground parking garage instead of at street level on Rockland Avenue. This meets a number of urban design and heritage conservation objectives.

The proposed parking variance reduces the amount of parking from the 12 spaces approved under Development Variance Permit Application No. 00195 to 10 spaces. Observed parking demand for the building is low given the building's use for supportive and affordable housing, and the building contains an excess of secure bicycle parking for staff and building residents therefore, the reduction in parking is reasonable.

CONCLUSIONS

Staff recommend that Council consider supporting the applicant's proposal to install a platform

lift in the rear yard of the existing building to allow kitchen staff to safely move garbage, compost and recycling from ground level to a storage room in the underground parking garage. In staff's opinion, the underground parking garage is the optimal location for the waste storage room, because it is discrete and minimizes any impact to the public realm along Rockland Avenue and the resulting variances are considered minor in nature.

ALTERNATE MOTION

That Council decline Development Permit with a Variance Application No. 00154 for the property located at 1002 Vancouver Street.

Respectfully submitted,



John O'Reilly
Senior Heritage Planner
Sustainable Planning and Community
Development



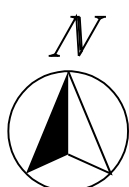
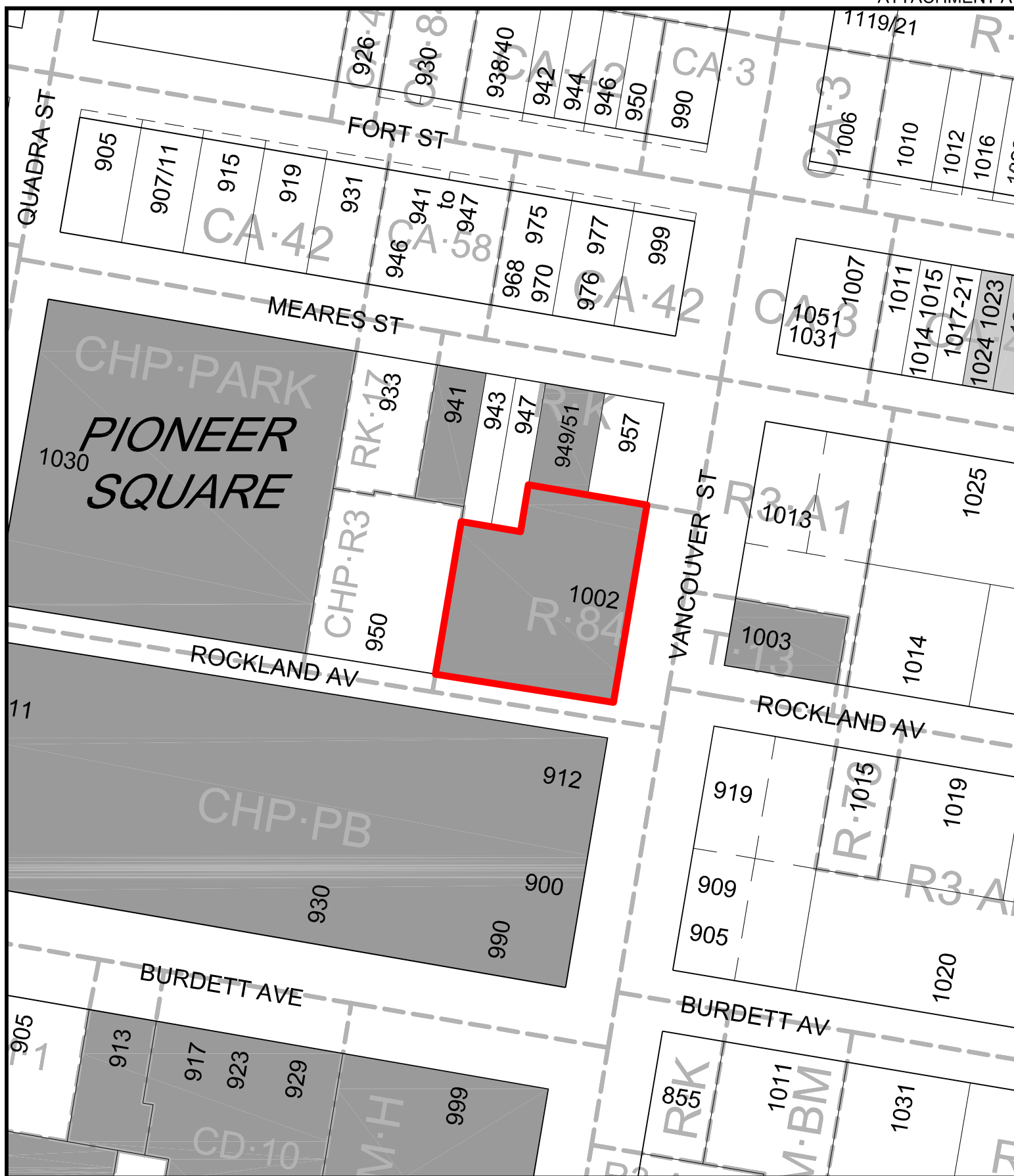
Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date: _____

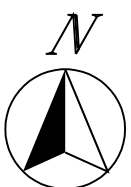
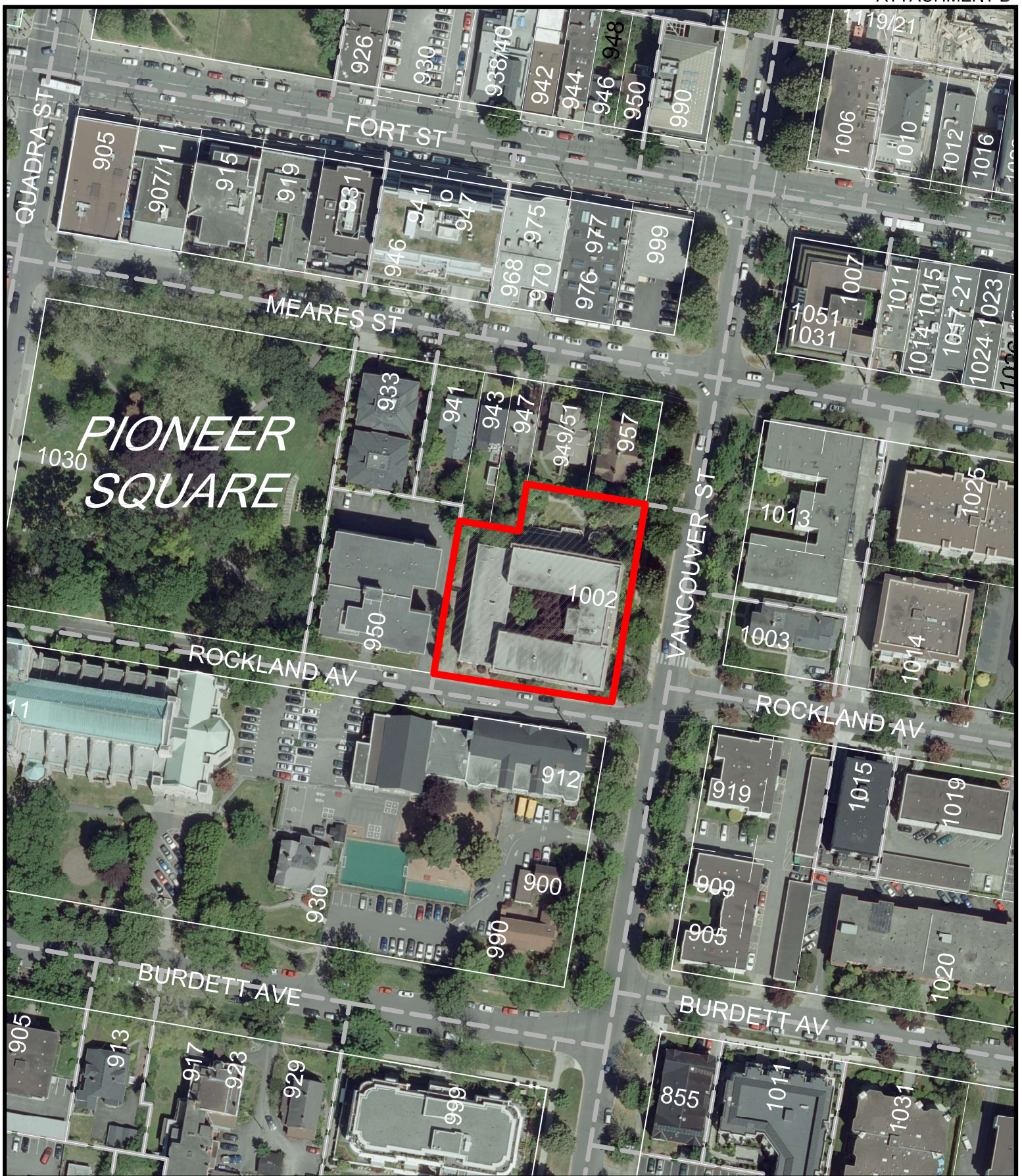
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped August 19, 2020
- Attachment D: Letter from applicant to Mayor and Council dated July 20, 2020



1002 Vancouver Street
Development Permit with Variance #00154





1002 Vancouver Street
Development Permit with Variance #00154



MT EDWARDS RENOVATIONS - 1002 VANCOUVER STREET

PROVINCIAL RENTAL HOUSING CORPORATION

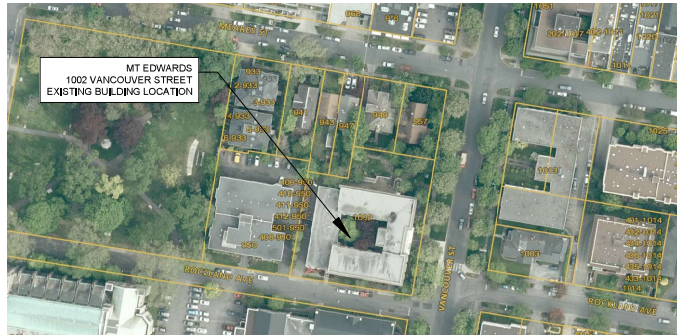
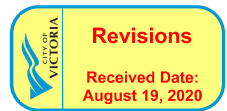
GARBAGE RELOCATION & VERTICAL LIFT PLATFORM

JGA
Jensen Group Architects
Suite 111 - 1034 Johnson Street, Victoria, BC, V8W 5N7
P: 250 360 9009 E: projects@jgaarch.com

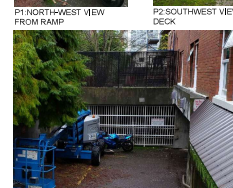
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1 LOCATION PLAN
A1 Scale = N.T.S.



3 SITE PHOTOS
A1 Scale = N.T.S.



EXAMPLE SAVARIA V-1504 VERTICAL LIFT PLATFORM

4 IMAGE OF LIFTS
A1 Scale = N.T.S.

PROJECT INFORMATION TABLE	
ZONE	R84 (EXISTING)
SITE AREA	2927M ²
ADDITIONAL BUILDING AREA	2M ²
SITE COVERAGE ALL BUILDINGS	43%
TOTAL BUILDING AREA	3,486M ² (INCLUDES 2M ² FOR LIFT)
SETBACKS	
REAR YARD	0.30M (AT LIFT LOCATION)*
SIDE YARD	22.0M (ROCKLAND SIDE)
SIDE YARD	30.0M (NORTH PROPERTY LINE)
SCHEDULE C PARKING 1 SPACE / 80M ²	44
PARKING STALLS	10 ¹⁰

* VARIANCE REQUIRED FROM 6.65M SETBACK
** VARIANCE REQUIRED FROM 44 PARKING SPACES

SCOPE OF WORK OF THIS PERMIT:

SUPPLY AND INSTALL LIFT TO PROVIDE ACCESS TO BASEMENT GARBAGE ROOM RELOCATED FROM ROCKLAND AVE. DUE TO CITY OF VICTORIA R.O.W.
INCLUDES REMOVAL OF 2 PARKING SPACES FOR NEW GARBAGE & RECYCLING ENCLOSURE

DRAWING LIST:

ARCHITECTURAL:

- A1 LOCATION PLAN, DRAWING INDEX & SCOPE OF WORK
- A2 SITE PLANS EXISTING & PROPOSED
- A3 U/G PARKING AREA GARBAGE ENCLOSURE FLOOR PLANS, SECTION & ELEVATION DEMOLITION
- A4 U/G PARKING AREA GARBAGE ENCLOSURE U/G FLOOR PLAN & SECTION RENOVATION
- A5 U/G PARKING AREA GARBAGE ENCLOSURE MAIN FLOOR PLAN & SECTION RENOVATION
- A6 U/G PARKING AREA GARBAGE ENCLOSURE ELEVATIONS RENOVATION
- A7 REFERENCE PLANS

BUILDING CODE INFORMATION (BCBC 2018 DIV B PART 3):
OCCUPANCY TYPE: C
BUILDING AREA: 1261M² (MAX 1800M²)
BUILDING HEIGHT: 3 STOREYS
BUILDING CLASSIFICATION: 3.2.2.54
SPRINKLERED: YES
CONSTRUCTION TYPE: COMBUSTIBLE CONSTRUCTION

BUILDING AREAS (BCBC 2018 DEFINITION OF AREA)

	EXISTING
BASEMENT	485M ² (5,220FT ²)
1ST FLOOR	1114M ² (11,992FT ²) *
2ND FLOOR	1,086.2M ² (11,692FT ²) *
3RD FLOOR	798.8M ² (8,597FT ²) **
TOTAL AREA	3,484M ² (37,502FT ²)
PARKADE	527M ² (5,673FT ²)

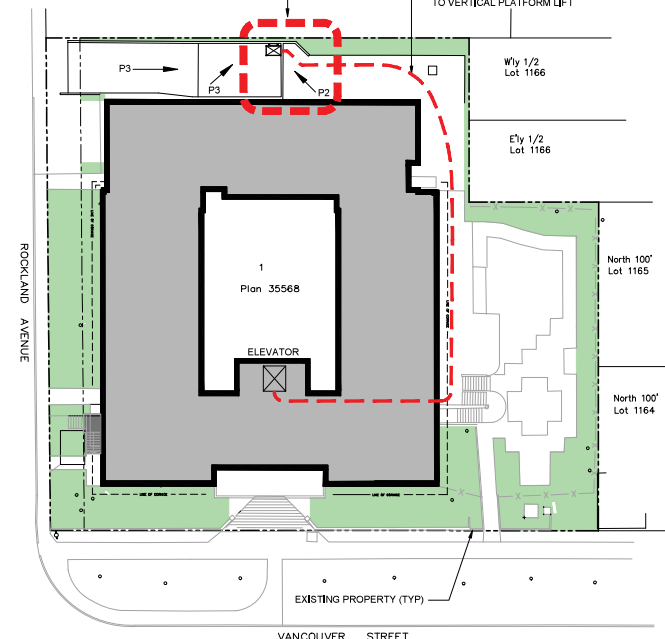
NEW LIFT AREA 2.0M² (21.5FT²)

AVERAGE GRADE CALCULATION (ZONING):

(22.80+22.13)/2 X 8.855M =	198.9
(24.47+24.48)/2 X 23.205M =	567.9
(24.43+24.48)/2 X 3.403M =	83.2
(24.43+24.46)/2 X 7.026M =	171.7
(24.46+24.46)/2 X 14.871M =	363.7
(21.81+24.46)/2 X 19.322M =	447.0
(24.46+24.45)/2 X 9.765M =	238.8
(24.45+23.25)/2 X 32.050M =	764.4
(23.25+22.8)/2 X 36.627M =	843.3
	3,678.9

PERIMETER = 155.199M

AVERAGE GRADE = 3,678.9/155.199 = 23.7



2 SITE PLAN - NEW LIFT AREA
A1 Scale = 1:250



Project
PRHC
MT. EDWARDS
NEW LIFT
1002 VANCOUVER STREET
VICTORIA, BC

Title
LOCATION PLAN,
SITE PLAN,
DRAWING LIST &
BUILDING CODE

Project No.: **1707**
Drawn By: **MD**
Checked By: **DB**
Scale: **AS SHOWN**

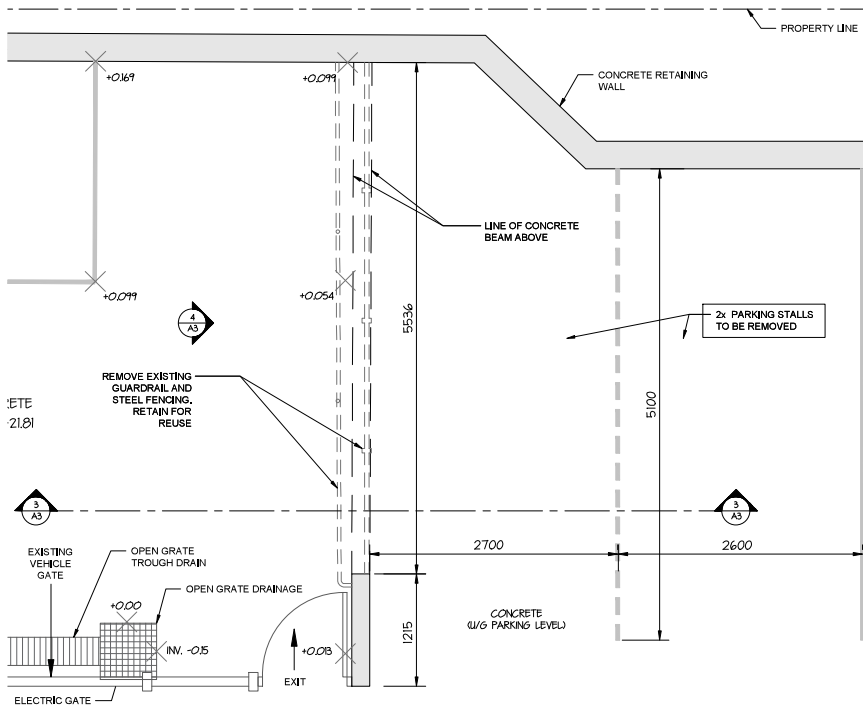
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No.: ISSUE: DATE:
Revision History
Issued For: Drawing No.:
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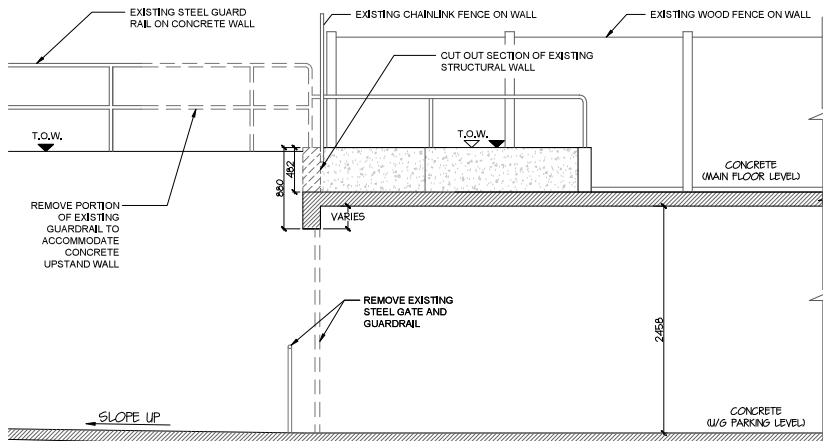
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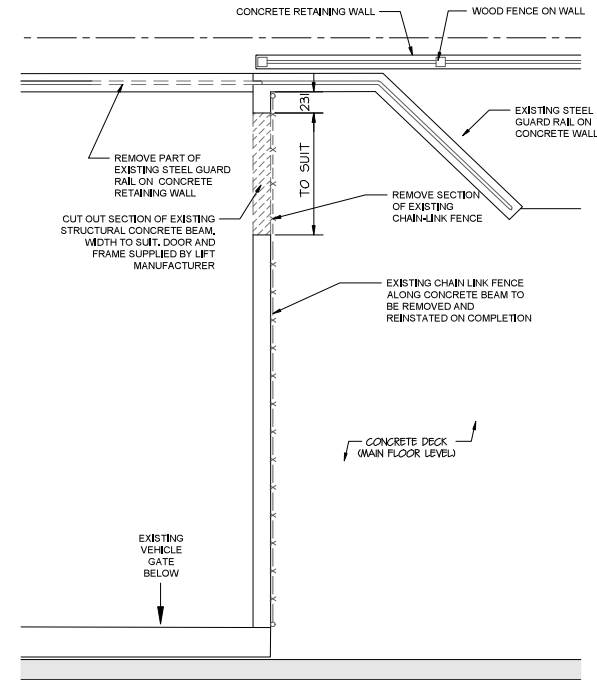
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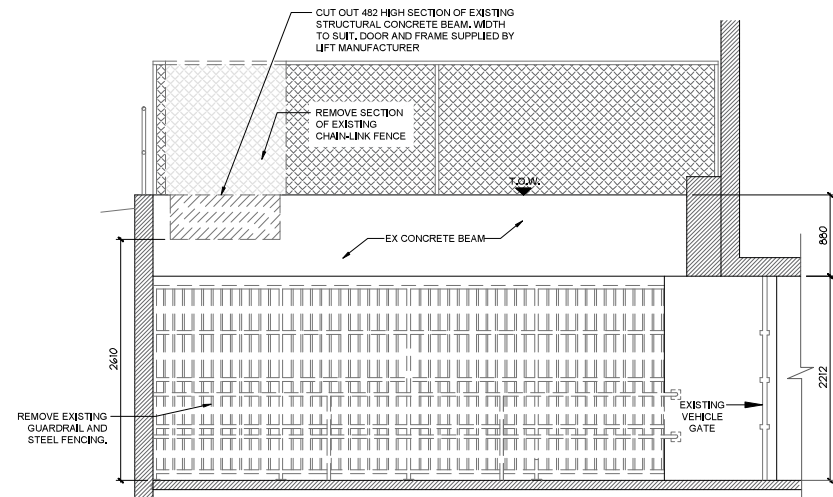
1 LIFT PLATFORM - BASEMENT PLAN DEMOLITION
Scale = 1:25



3 EXISTING WEST SECTION/ELEVATION DEMOLITION
Scale = 1:25



2 MAIN FLOOR PLAN DEMOLITION
Scale = 1:25



4 EXISTING NORTH ELEVATION DEMOLITION
Scale = 1:25

LEGEND:

DEMOLITION - - - - -

Project:
PHNC
MT. EDWARDS
NEW LIFT
1002 VANCOUVER STREET
VICTORIA, BC
Title:
UG PARKING AREA
GARBAGE ENCLOSURE
FLOOR PLANS, SECTION &
ELEVATION DEMOLITION

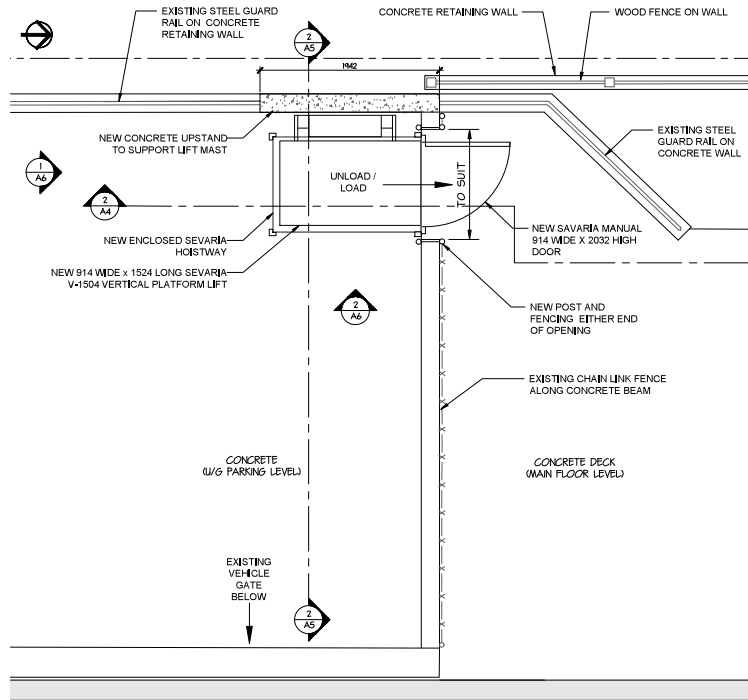
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Drawn By: **SS**
Checked By: **DB**
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No.: **ISSUE** DATE:
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☐ TENDER
☐ BUILDING PERMIT
☐ CONSTRUCTION
☐ AS BUILT
A3

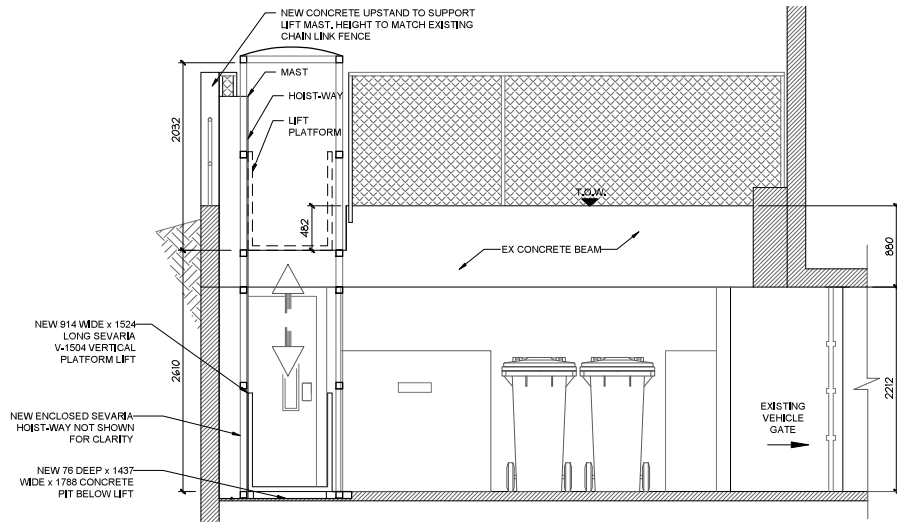
Date: **JUNE 10, 2020**

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47



1 MAIN FLOOR PLAN
A5 Scale = 1:25



2 SECTION
A5 Scale = 1:25

Project
PRHC
MT. EDWARDS
NEW LIFT
1002 VANCOUVER STREET
VICTORIA, BC

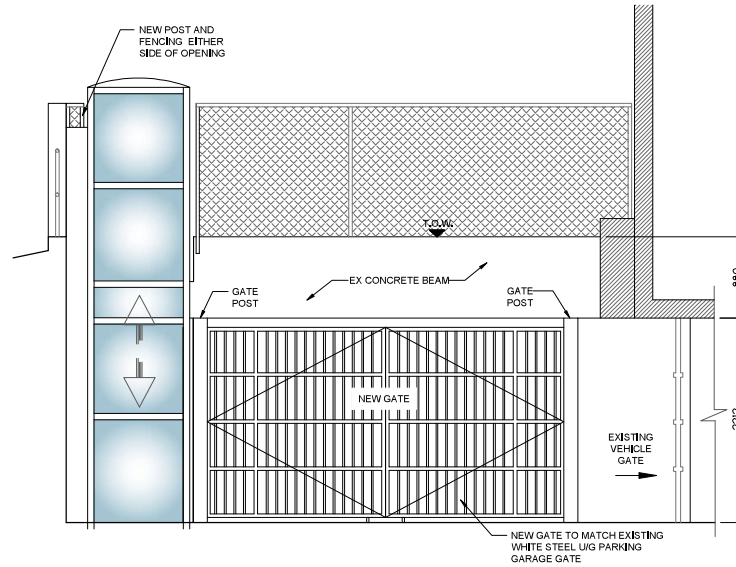
Title
UG PARKING AREA
GARBAGE ENCLOSURE
MAIN FLOOR PLAN &
SECTION RENOVATION

Project No.: 1707
Drawn By: SS
Checked By: DB
Scale: AS SHOWN

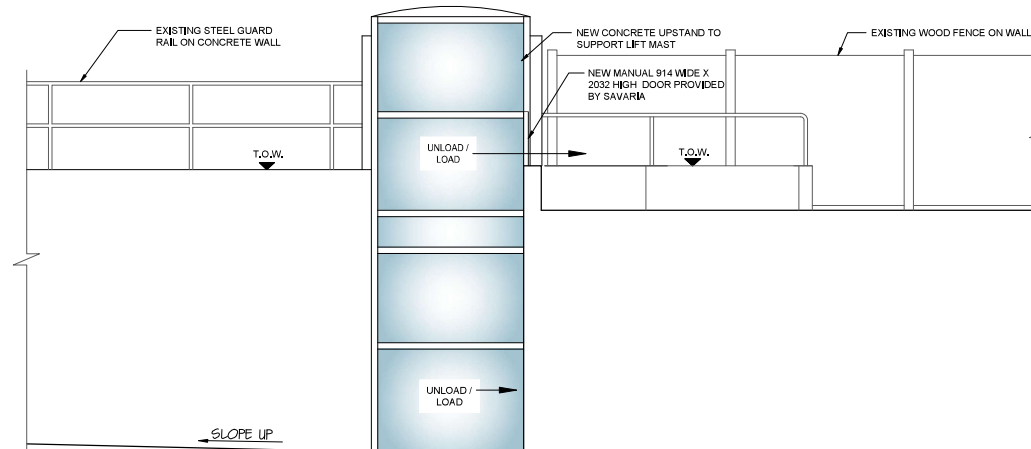
No. ISSUE DATE
Revision History

Issued For: Drawing No.:
☐ REVIEW
☐ 75% REVIEW
☐ 90% REVIEW
☐ TENDERS
☐ BUILDING PERMIT
☐ CONSTRUCTION
☐ AS BUILT

Date: JUNE 10, 2020



1 LIFT PLATFORM LOCATON - NORTH ELEVATION
A6 Scale : 1:25



2 LIFT PLATFORM LOCATION - WEST ELEVATION RENOVATION
A6 Scale : 1:25

Project
PRHC
MT. EDWARDS
NEW LIFT
1002 VANCOUVER STREET
VICTORIA, BC

Title
UG PARKING AREA
GARBAGE ENCLOSURE
ELEVATIONS RENOVATION

Project No.: 1707
Drawn By: SS
Checked By: DB
Scale: A6 SHOWN

No. ISSUE DATE

Revision History

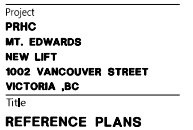
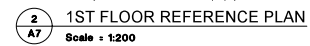
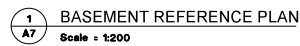
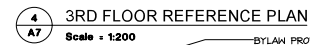
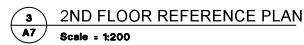
Issued For: Drawing No:

☐ REVIEW
☐ 75% REVIEW
☐ 100% REVIEW
☐ TENDERS
☐ BUILDING PERMIT
☐ CONSTRUCTION
☐ AS BUILT

Date: JUNE 10, 2020

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1. REVISED SUBMISSION REQUIREMENTS AUG 17/20

Date: **JUNE 10, 2020**

JENSEN GROUP

A · R · C · H · I · T · E · C · T · S INC.

Architecture • Urban Design • Master Planning • Development Consultants • Facility Studies

July 20, 2020

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

Attention: Mayor and Council

**Re: Provincial Rental Housing Corporation
Mt Edwards 1002 Vancouver Street
Development Permit Application**

Reason for application

This is an application for:

1. Installation of a platform lift in the rear yard of the above property to facilitate the removal of garbage, compostable and recyclables from ground level to the basement holding area.
2. Removal of two parking spaces in the basement parkade to create a space of sufficient size to accommodate the garbage and recycling holding area

Variances required to accommodate above:

1. Parking ;Reduction from 12 spaces to 10 spaces.
2. Accessory Building Rear yard setback from 0.6m to 0.3m for Lift installation

Project benefits and amenities

The relocation of the garbage and recycling area from a prominent location on the corner of Vancouver and Rockland to the basement parkade improves the aesthetics of the street frontage. The former garbage enclosure is replaced with landscaping. The lift will provide a safe transition for staff transporting totes from the main floor level to the basement parkade without having to exit the basement kitchen up steps out to the sidewalk on Rockland Ave and down a steep (non-conforming) vehicle ramp.

Heritage

The platform lift and enclosure are located on the west property line adjacent to the 1970's era addition and has no impact on the heritage aspects of the original 1906 building.

Design & Guidelines

The platform lift and enclosure will have a limited effect on the surrounding environment, located at the base of the parkade ramp and shielded from the drive aisle of the adjacent property by an extension of the concrete retaining wall. The platform lift occupies an area of 2.0sq.m (22 sq.ft.) Bins and totes behind the gates will not be as visible from Rockland Ave.

Neighborhoods

With the provision of an adequate holding area garbage /compostable and recycling pick-ups can be reduced. The Platform lift is adjacent to the drive aisle for the apartment building to the west and will be screened by a concrete wall to a similar height of the existing fence.

Transportation

This application is requiring a reduction in the required parking spaces from 12 spaces to 10 to accommodate the garbage, compostable and recycling holding area. Parking spaces (maximum 6) are only used by staff, Residents of Mt Edwards do not own vehicles. Bicycle spaces, 16 Class 1 and 6 Class 2 spaces have been provided as per original development permit

Green Building Features

The improved holding area promotes the collection and sorting of recyclables and allows compostable material to be held and shipped.

Yours very truly,

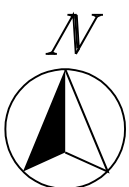
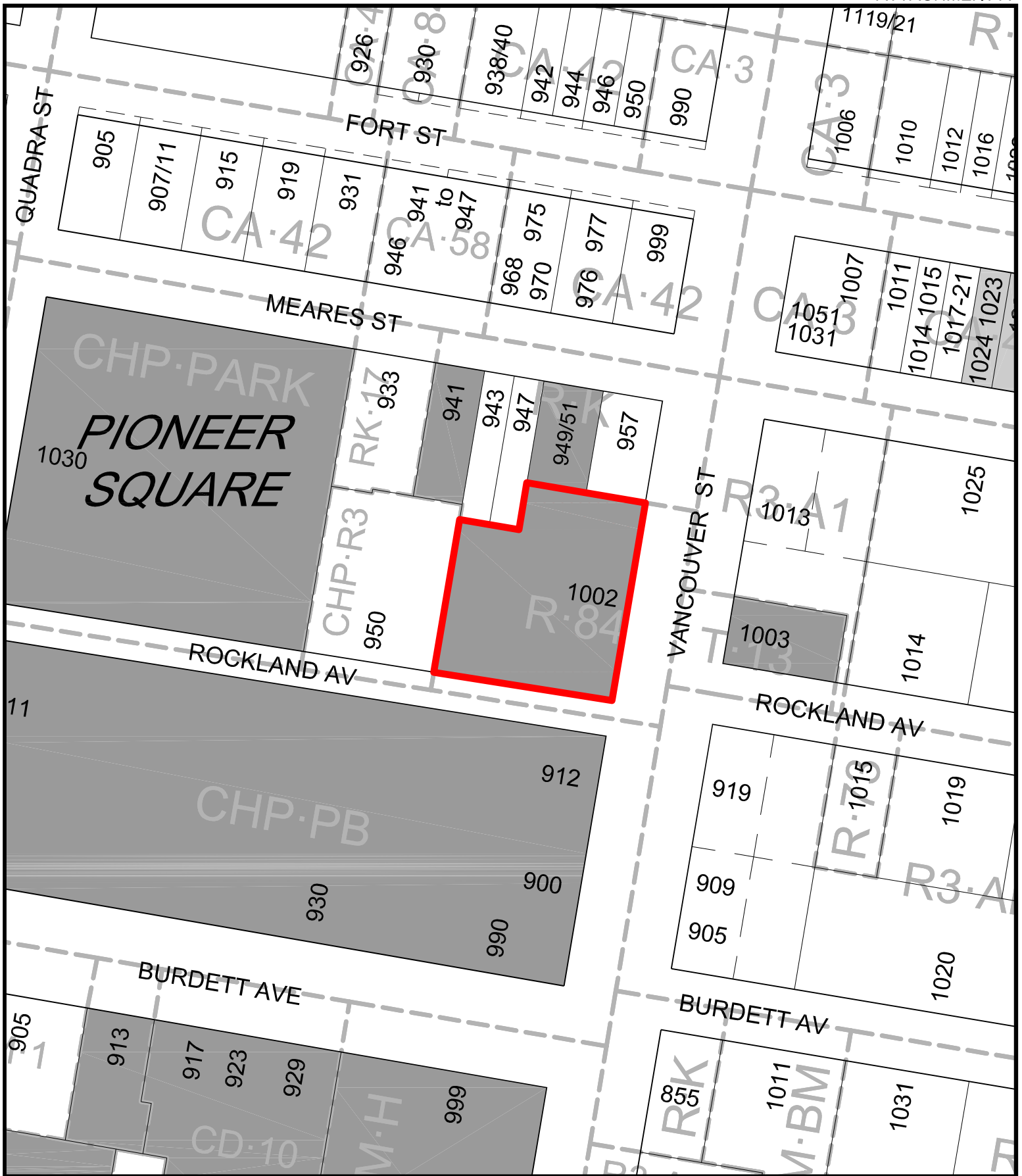
JENSEN GROUP ARCHITECTS INC.



Don Brown, Architect AIBC

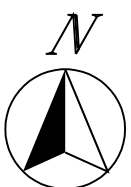
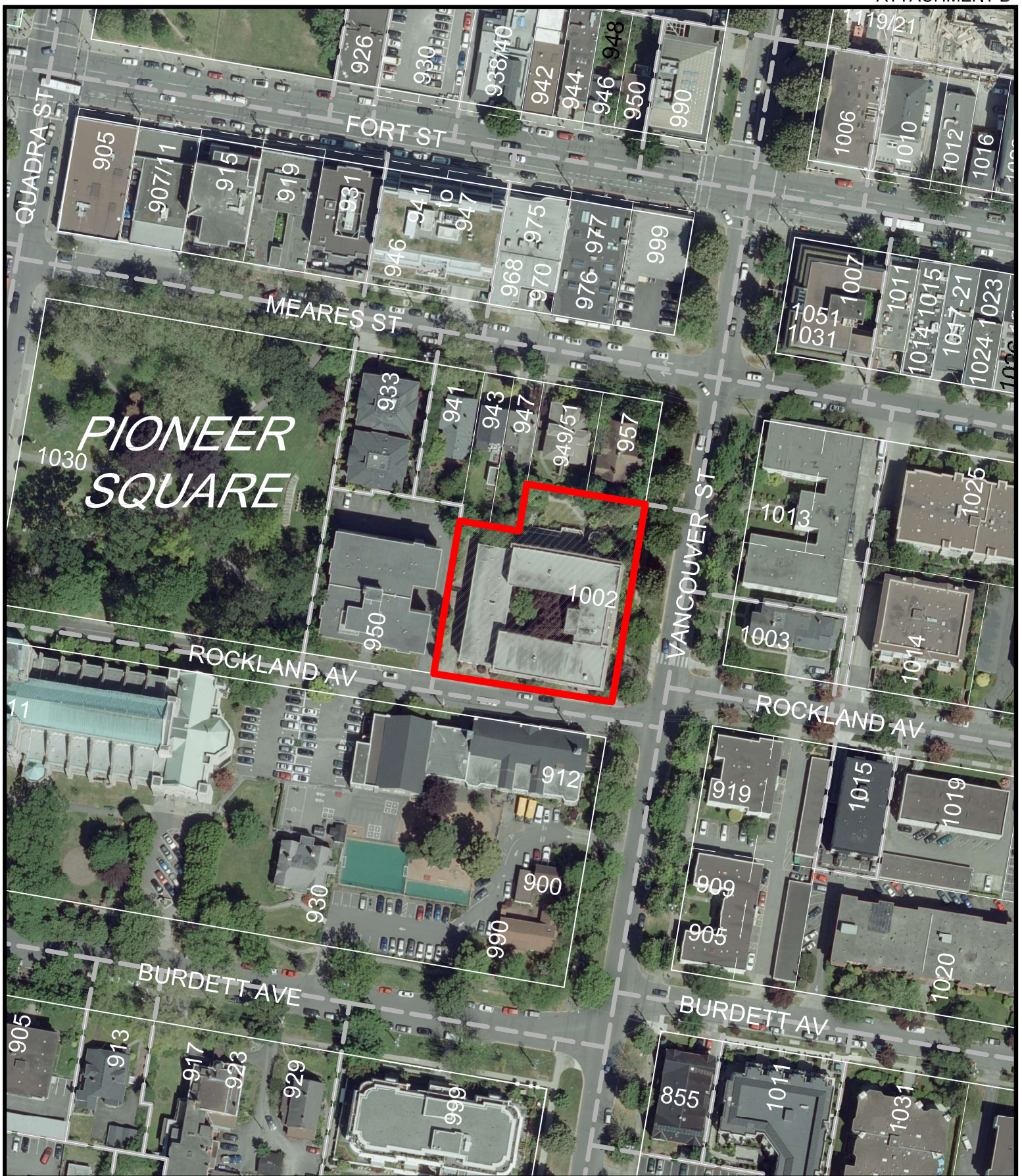
DB/kj

Cc Thai Li, BC Housing



1002 Vancouver Street
Development Permit with Variance #00154





1002 Vancouver Street
Development Permit with Variance #00154



MT EDWARDS RENOVATIONS - 1002 VANCOUVER STREET

PROVINCIAL RENTAL HOUSING CORPORATION

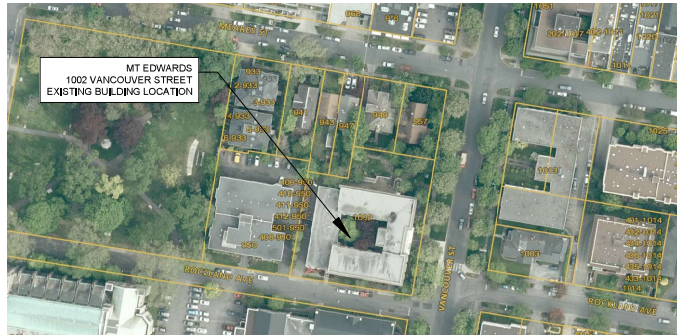
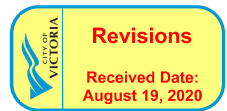
GARBAGE RELOCATION & VERTICAL LIFT PLATFORM

JGA
Jensen Group Architects
Suite 111 - 1034 Johnson Street, Victoria, BC, V8W 5N7
P: 250 360 9009 E: projects@jgaarch.com

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1 LOCATION PLAN
A1 Scale = N.T.S.



3 SITE PHOTOS
A1 Scale = N.T.S.



EXAMPLE SAVARIA V-1504 VERTICAL LIFT PLATFORM

4 IMAGE OF LIFTS
A1 Scale = N.T.S.

PROJECT INFORMATION TABLE	
ZONE	R84 (EXISTING)
SITE AREA	2927M ²
ADDITIONAL BUILDING AREA	2M ²
SITE COVERAGE ALL BUILDINGS	43%
TOTAL BUILDING AREA	3,486M ² (INCLUDES 2M ² FOR LIFT)
SETBACKS	
REAR YARD	0.30M (AT LIFT LOCATION)*
SIDE YARD	22.0M (ROCKLAND SIDE)
SIDE YARD	30.0M (NORTH PROPERTY LINE)
SCHEDULE C PARKING 1 SPACE / 80M ²	44
PARKING STALLS	10 ¹⁰

* VARIANCE REQUIRED FROM 6.65M SETBACK
** VARIANCE REQUIRED FROM 44 PARKING SPACES

SCOPE OF WORK OF THIS PERMIT:

SUPPLY AND INSTALL LIFT TO PROVIDE ACCESS TO BASEMENT GARBAGE ROOM RELOCATED FROM ROCKLAND AVE. DUE TO CITY OF VICTORIA R.O.W.
INCLUDES REMOVAL OF 2 PARKING SPACES FOR NEW GARBAGE & RECYCLING ENCLOSURE

DRAWING LIST:

ARCHITECTURAL:

- A1 LOCATION PLAN, DRAWING INDEX & SCOPE OF WORK
- A2 SITE PLANS EXISTING & PROPOSED
- A3 U/G PARKING AREA GARBAGE ENCLOSURE FLOOR PLANS, SECTION & ELEVATION DEMOLITION
- A4 U/G PARKING AREA GARBAGE ENCLOSURE U/G FLOOR PLAN & SECTION RENOVATION
- A5 U/G PARKING AREA GARBAGE ENCLOSURE MAIN FLOOR PLAN & SECTION RENOVATION
- A6 U/G PARKING AREA GARBAGE ENCLOSURE ELEVATIONS RENOVATION
- A7 REFERENCE PLANS

BUILDING CODE INFORMATION (BCBC 2018 DIV B PART 3):
OCCUPANCY TYPE: C
BUILDING AREA: 1261M² (MAX 1800M²)
BUILDING HEIGHT: 3 STOREYS
BUILDING CLASSIFICATION: 3.2.2.54
SPRINKLERED: YES
CONSTRUCTION TYPE: COMBUSTIBLE CONSTRUCTION

BUILDING AREAS (BCBC 2018 DEFINITION OF AREA)	
	EXISTING
BASEMENT	485M ² (5,220FT ²)
1ST FLOOR	1114M ² (11,992FT ²) *
2ND FLOOR	1,086.2M ² (11,692FT ²) *
3RD FLOOR	798.8M ² (8,597FT ²) **
TOTAL AREA	3,484M ² (37,502FT ²)
PARKADE	527M ² (5,673FT ²)

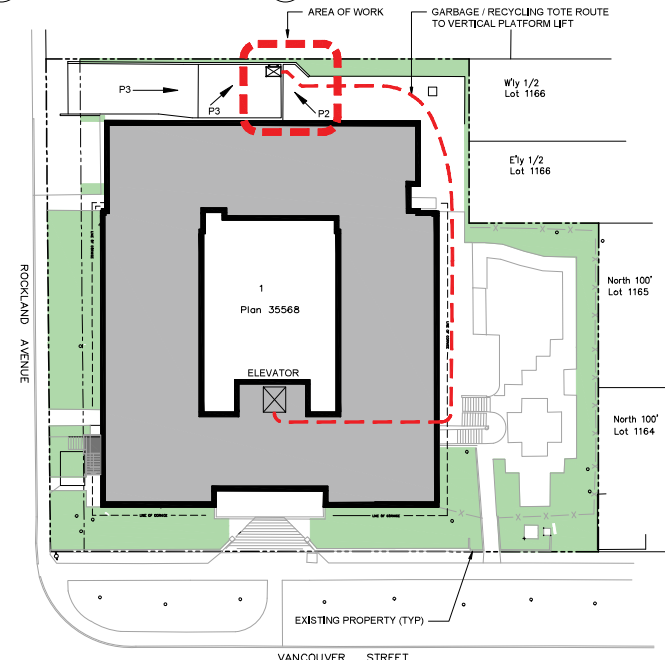
NEW LIFT AREA 2.0M² (21.5FT²)

AVERAGE GRADE CALCULATION (ZONING):

$(22.80 + 22.13) / 2 \times 8.855M = 198.9$
 $(24.47 + 24.48) / 2 \times 23.205M = 567.9$
 $(24.43 + 24.48) / 2 \times 3.403M = 83.2$
 $(24.43 + 24.46) / 2 \times 7.026M = 171.7$
 $(24.46 + 24.46) / 2 \times 14.871M = 363.7$
 $(21.81 + 24.46) / 2 \times 19.322M = 447.0$
 $(24.46 + 24.45) / 2 \times 9.765M = 238.8$
 $(24.45 + 23.25) / 2 \times 32.050M = 764.4$
 $(23.25 + 22.8) / 2 \times 36.627M = 843.3$
3,678.9

PERIMETER = 155.199M

AVERAGE GRADE = $3,678.9 / 155.199 = 23.7$



2 SITE PLAN - NEW LIFT AREA
A1 Scale = 1:250



Project:
PRHC
MT. EDWARDS
NEW LIFT
1002 VANCOUVER STREET
VICTORIA, BC

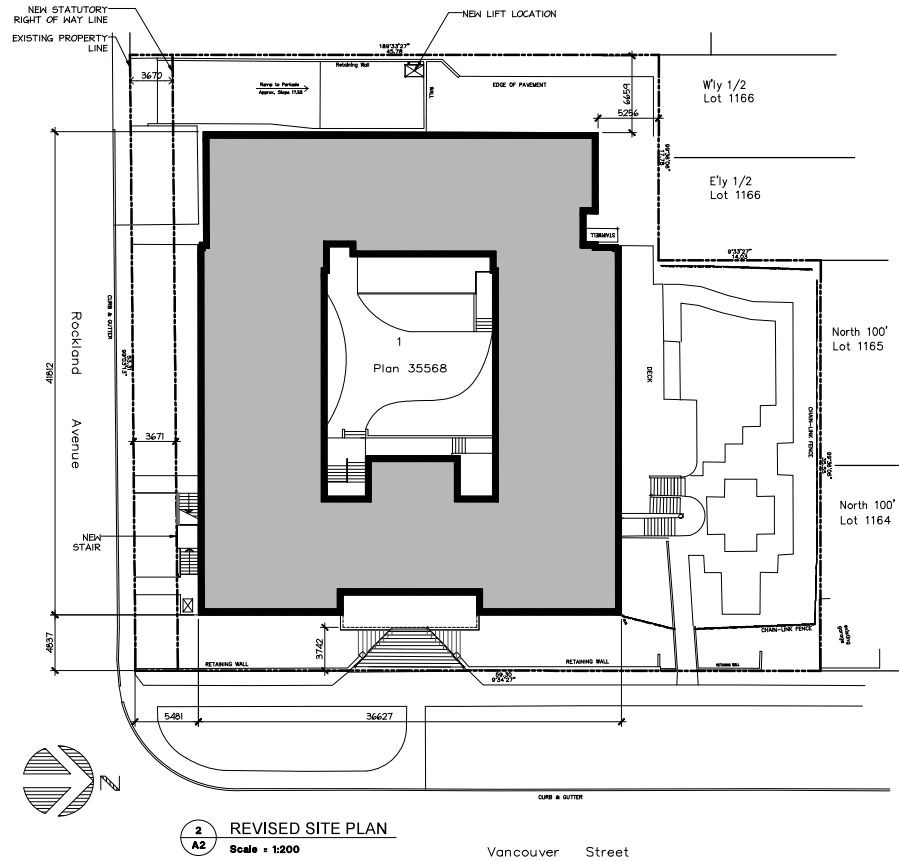
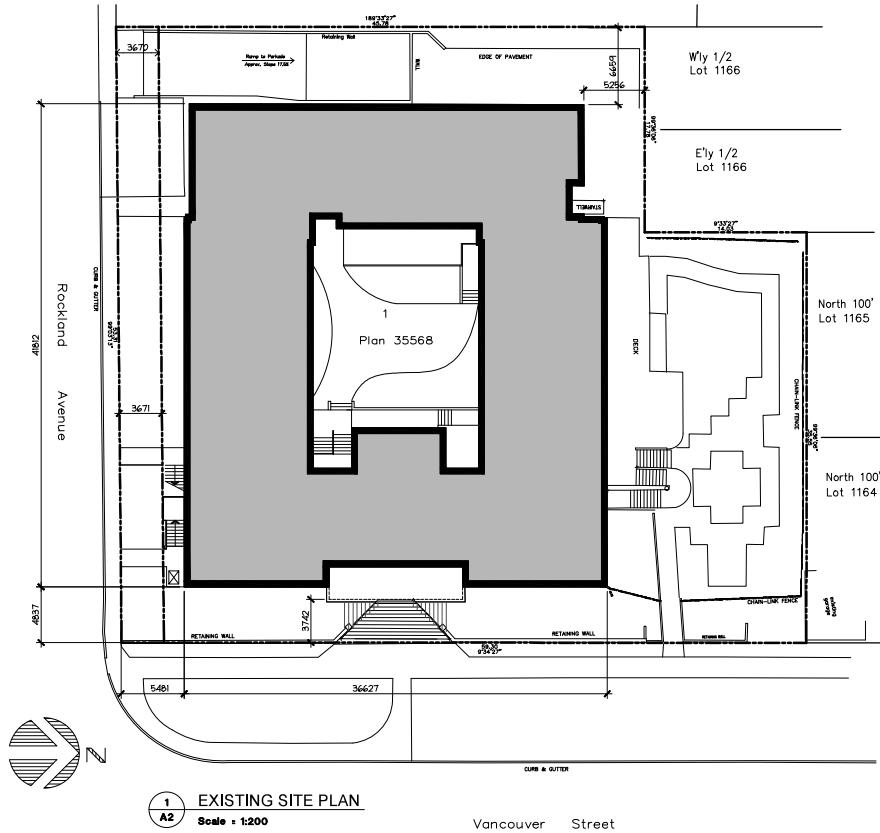
Title:
LOCATION PLAN,
SITE PLAN,
DRAWING LIST &
BUILDING CODE

Project No.: **1707**
Drawn By: **MD**
Checked By: **DB**
Scale: **AS SHOWN**

1. REVISED SUBMISSION REQUIREMENTS - AUG. 17/20

No.: ISSUE: DATE:
Revision History
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☐ 100% REVIEW
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☐ BUILDING PERMIT
☐ AS SHOWN
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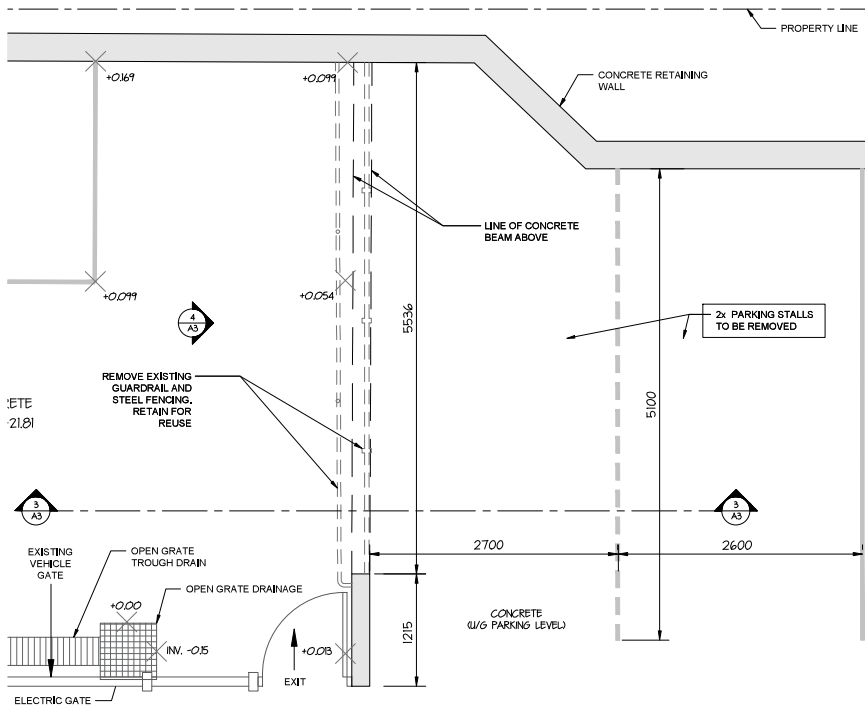
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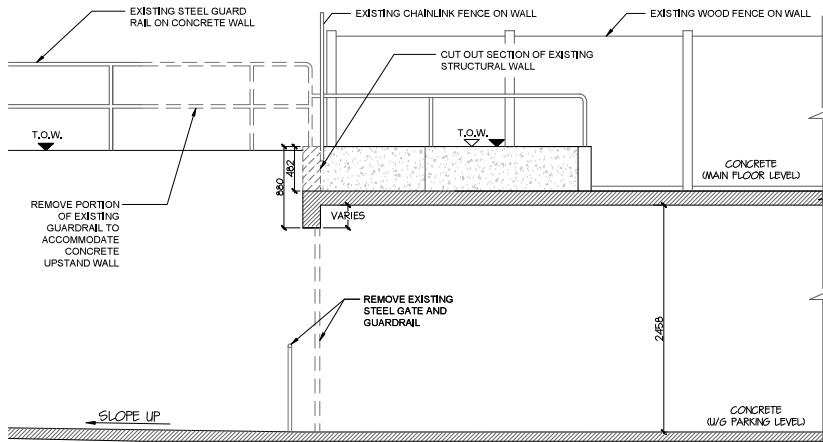
Project
PRHC
MT. EDWARDS
NEW LIFT
1002 VANCOUVER STREET
VICTORIA, BC
Title
SITE PLANS
EXISTING & PROPOSED

Project No.: 1707
Drawn By: PJ
Checked By: DB
Scale: AS SHOWN

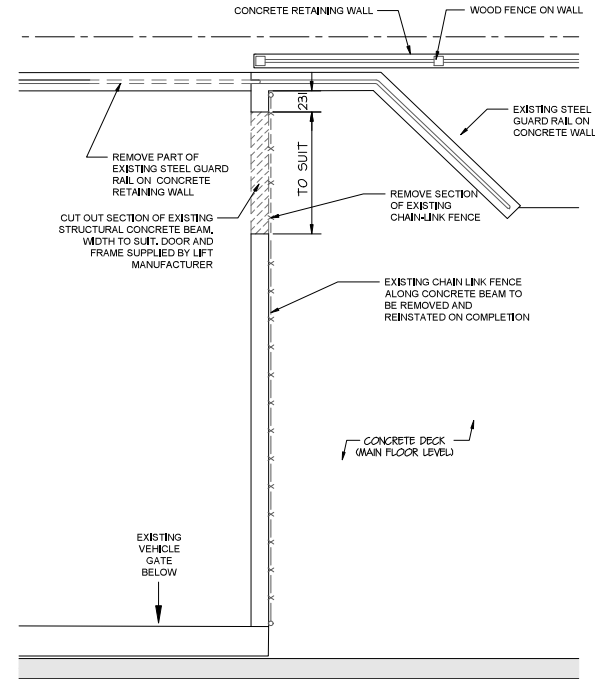
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Revision History
Issued For: Drawing No.:
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75% REVIEW
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TENDER
BUILDING PERMIT
CONSTRUCTION
AS BUILT
Date: JUNE 10, 2020



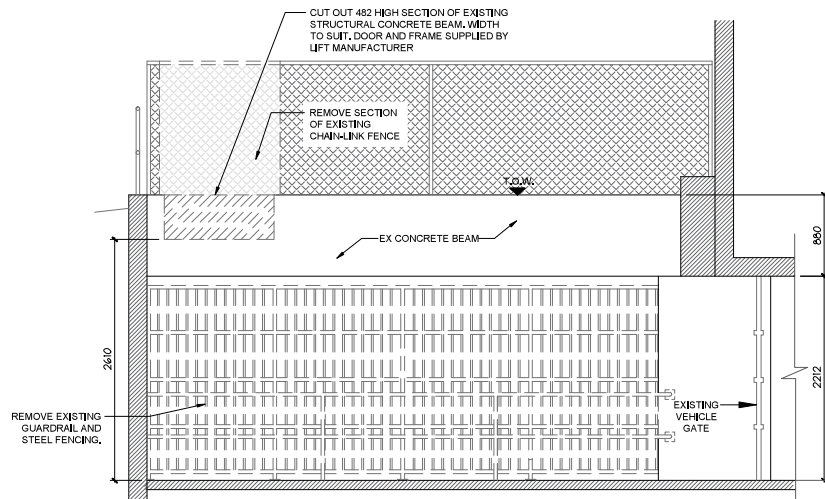
1 LIFT PLATFORM - BASEMENT PLAN DEMOLITION
Scale = 1:25



3 EXISTING WEST SECTION/ELEVATION DEMOLITION
Scale = 1:25



2 MAIN FLOOR PLAN DEMOLITION
Scale = 1:25



4 EXISTING NORTH ELEVATION DEMOLITION
Scale = 1:25

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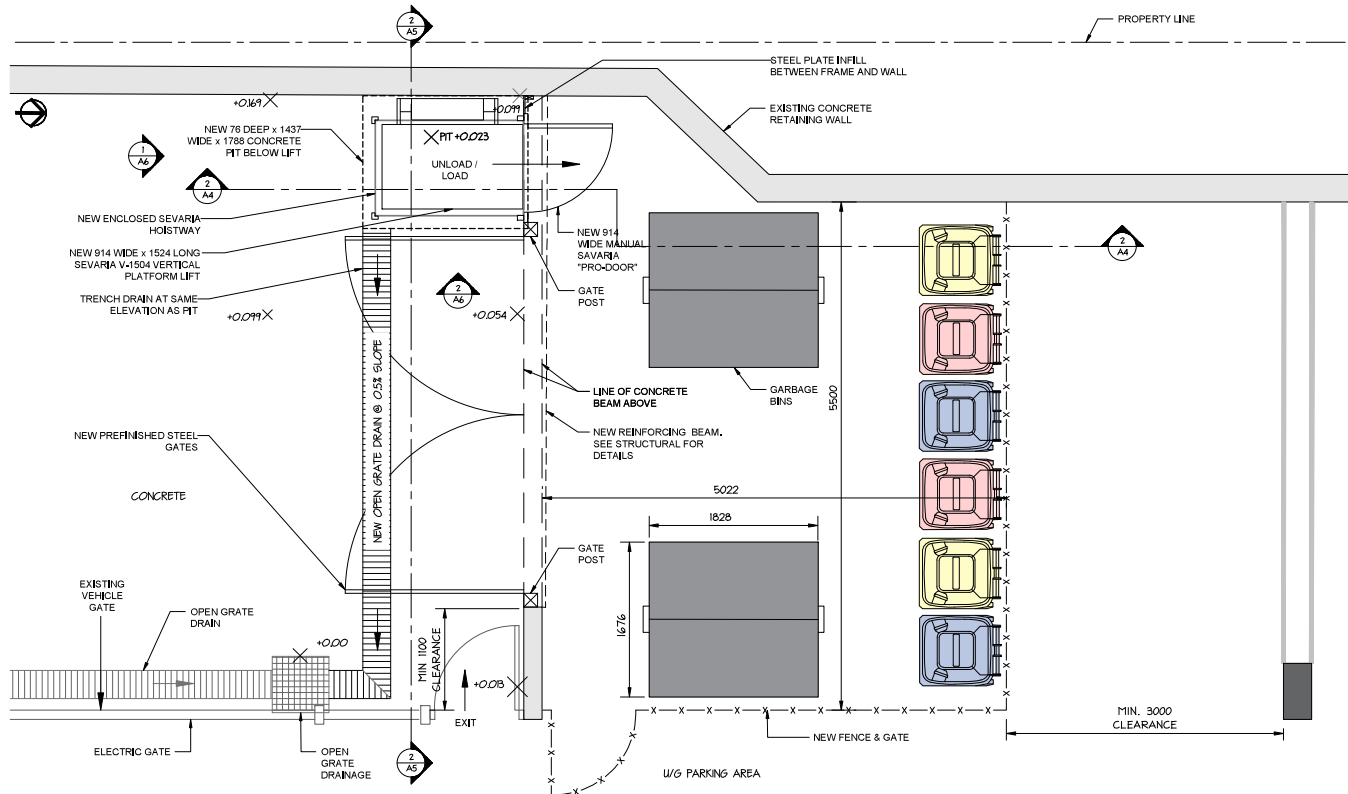
LEGEND:
DEMOLITION - - - - -

Project:
PHNC
MT. EDWARDS
NEW LIFT
1002 VANCOUVER STREET
VICTORIA, BC
Title:
UG PARKING AREA
GARBAGE ENCLOSURE
FLOOR PLANS, SECTION &
ELEVATION DEMOLITION

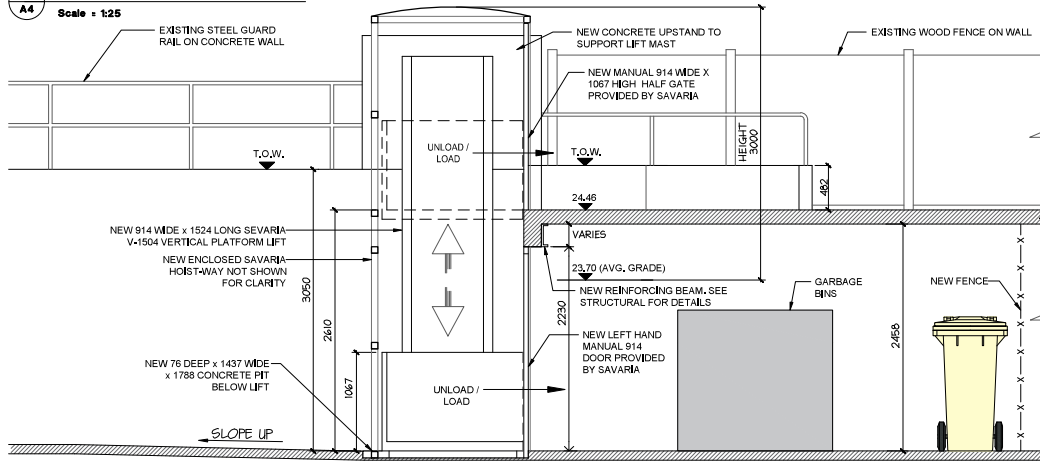
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Drawn By: **SS**
Checked By: **DB**
Scale: **AS SHOWN**

No.: **ISSUE** DATE:
Revision History
Issued For: Drawing No.:
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☐ 75% REVIEW
☐ 100% REVIEW
☐ TENDER
☐ BUILDING PERMIT
☐ CONSTRUCTION
☐ AS BUILT
A3

Date: **JUNE 10, 2020**



1 U/G FLOOR PLAN RENOVATION
Scale = 1:25



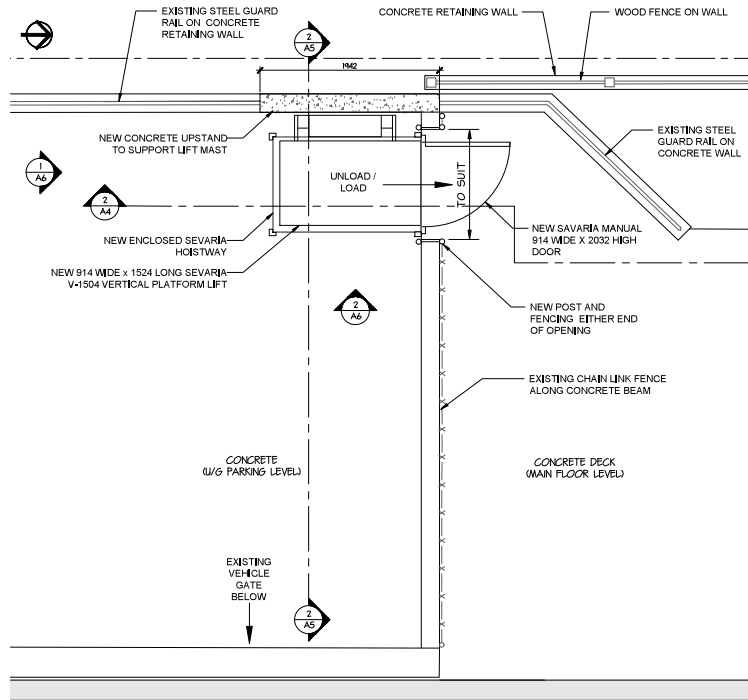
2 EAST SECTION/ELEVATION RENOVATION
Scale = 1:25

Project
PRHC
MT. EDWARDS
NEW LIFT
1002 VANCOUVER STREET
VICTORIA, BC
Title
UG PARKING AREA
GARBAGE ENCLOSURE
U/G FLOOR PLAN & SECTION RENOVATION

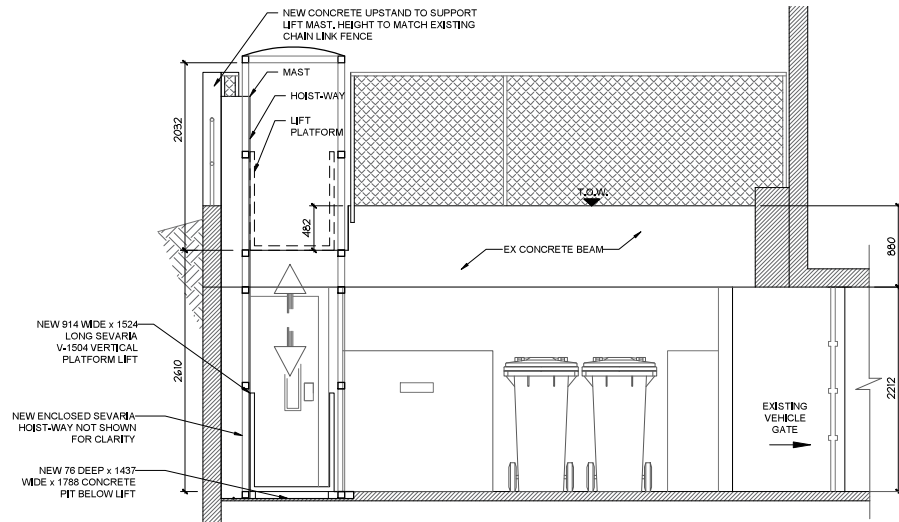
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Drawn By: **SS**
Checked By: **DB**
Scale: **AS SHOWN**

No.: **ISSUE** DATE:
Revision History
Issued For: Drawing No.:
☐ REVIEW
☐ 75% REVIEW
☐ 100% REVIEW
☐ TENDER
☐ BUILDING PERMIT
☐ CONSTRUCTION
☐ AS BUILT
A4

Date: **JUNE 10, 2020**



1
A5 MAIN FLOOR PLAN
Scale = 1:25



2
A5 SECTION
Scale = 1:25

Project
PRHC
MT. EDWARDS
NEW LIFT
1002 VANCOUVER STREET
VICTORIA, BC

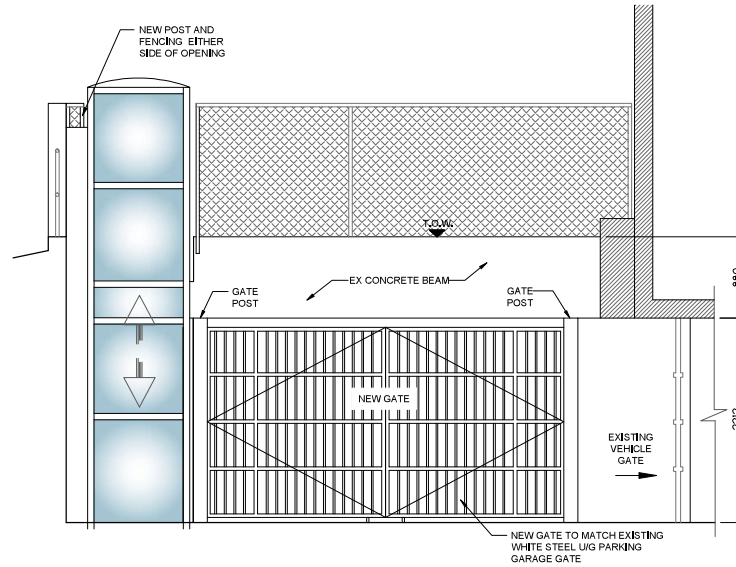
Title
UG PARKING AREA
GABBAGE ENCLOSURE
MAIN FLOOR PLAN &
SECTION RENOVATION

Project No.: **1707**
Drawn By: **SS**
Checked By: **DB**
Scale: **A5 SHOWN**

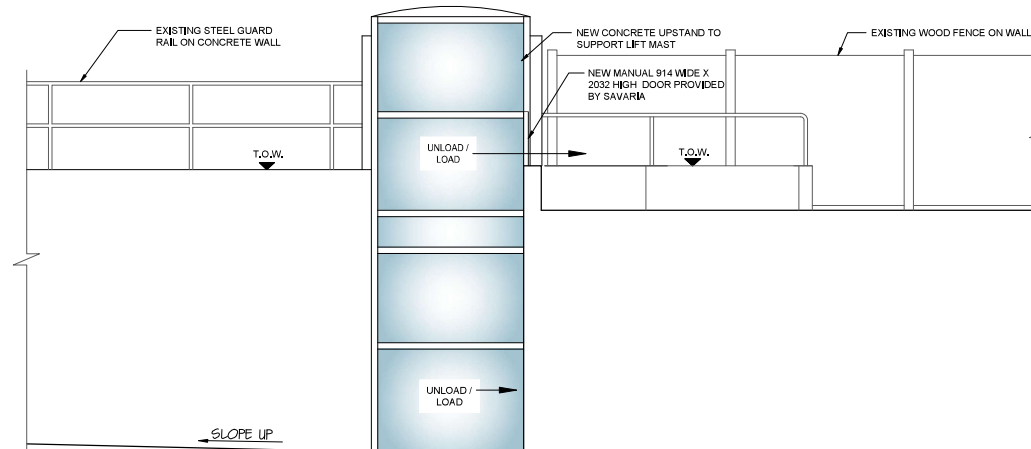
No. ISSUE DATE
Revision History

Issued For: Drawing No.:
☐ REVIEW
☐ 75% REVIEW
☐ 90% REVIEW
☐ TENDER
☐ BUILDING PERMIT
☐ CONSTRUCTION
☐ AS BUILT

Date: **JUNE 10, 2020**



1 LIFT PLATFORM LOCATON - NORTH ELEVATION
A6 Scale : 1:25



2 LIFT PLATFORM LOCATION - WEST ELEVATION RENOVATION
A6 Scale : 1:25

Project
PRHC
MT. EDWARDS
NEW LIFT
1002 VANCOUVER STREET
VICTORIA, BC

Title
UG PARKING AREA
GARBAGE ENCLOSURE
ELEVATIONS RENOVATION

Project No.: 1707
Drawn By: SS
Checked By: DB
Scale: A6 SHOWN

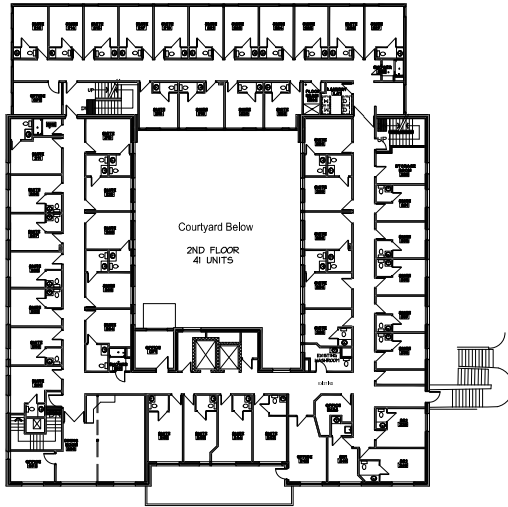
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Revision History

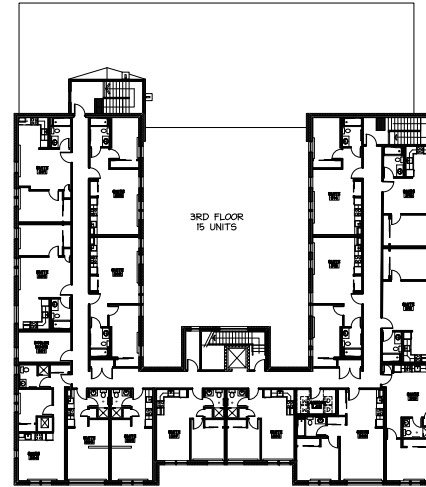
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☐ TENDERS
☐ BUILDING PERMIT
☐ CONSTRUCTION
☐ AS BUILT

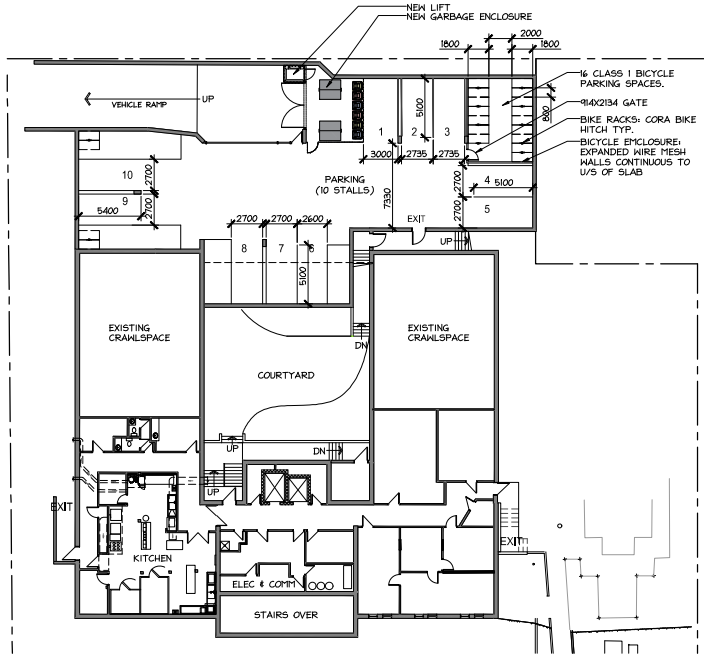
Date: JUNE 10, 2020



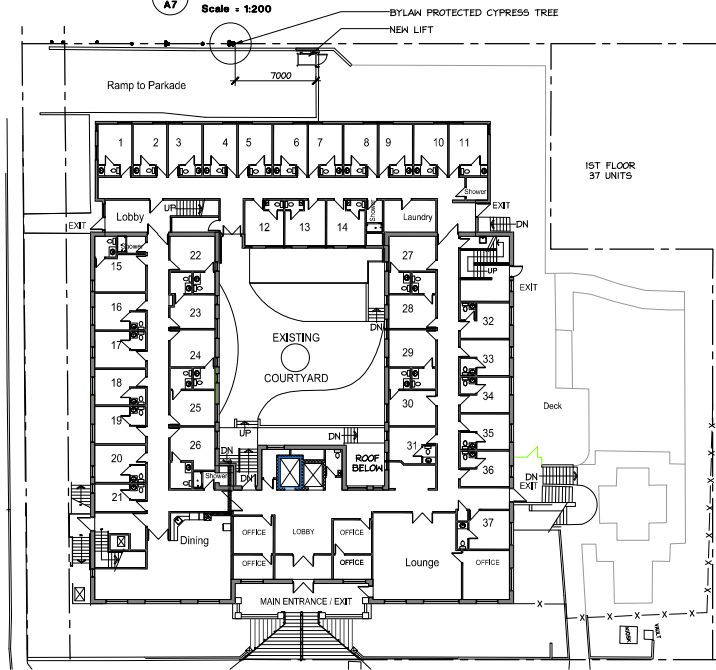
3 2ND FLOOR REFERENCE PLAN
A7 Scale = 1:200



4 3RD FLOOR REFERENCE PLAN
A7 Scale = 1:200



1 BASEMENT REFERENCE PLAN
A7 Scale = 1:200



2 1ST FLOOR REFERENCE PLAN
A7 Scale = 1:200



Project
PRHC
MT. EDWARDS
NEW LIFT
1002 VANCOUVER STREET
VICTORIA, BC
Title
REFERENCE PLANS

Project No.: **1707**
Drawn By: **PJ**
Checked By: **DB**
Scale: **1:200**

1. REVISED SUBMISSION REQUIREMENTS AUG 17/20

No.: ISSUE DATE:
Revision History
Issued For: **A7**

Date: **JUNE 10, 2020**

JENSEN GROUP

A · R · C · H · I · T · E · C · T · S INC.

Architecture • Urban Design • Master Planning • Development Consultants • Facility Studies

July 20, 2020

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

Attention: Mayor and Council

**Re: Provincial Rental Housing Corporation
Mt Edwards 1002 Vancouver Street
Development Permit Application**

Reason for application

This is an application for:

1. Installation of a platform lift in the rear yard of the above property to facilitate the removal of garbage, compostable and recyclables from ground level to the basement holding area.
2. Removal of two parking spaces in the basement parkade to create a space of sufficient size to accommodate the garbage and recycling holding area

Variances required to accommodate above:

1. Parking ;Reduction from 12 spaces to 10 spaces.
2. Accessory Building Rear yard setback from 0.6m to 0.3m for Lift installation

Project benefits and amenities

The relocation of the garbage and recycling area from a prominent location on the corner of Vancouver and Rockland to the basement parkade improves the aesthetics of the street frontage. The former garbage enclosure is replaced with landscaping. The lift will provide a safe transition for staff transporting totes from the main floor level to the basement parkade without having to exit the basement kitchen up steps out to the sidewalk on Rockland Ave and down a steep (non-conforming) vehicle ramp.

Heritage

The platform lift and enclosure are located on the west property line adjacent to the 1970's era addition and has no impact on the heritage aspects of the original 1906 building.

Design & Guidelines

The platform lift and enclosure will have a limited effect on the surrounding environment, located at the base of the parkade ramp and shielded from the drive aisle of the adjacent property by an extension of the concrete retaining wall. The platform lift occupies an area of 2.0sq.m (22 sq.ft.) Bins and totes behind the gates will not be as visible from Rockland Ave.

Neighborhoods

With the provision of an adequate holding area garbage /compostable and recycling pick-ups can be reduced. The Platform lift is adjacent to the drive aisle for the apartment building to the west and will be screened by a concrete wall to a similar height of the existing fence.

Transportation

This application is requiring a reduction in the required parking spaces from 12 spaces to 10 to accommodate the garbage, compostable and recycling holding area. Parking spaces (maximum 6) are only used by staff, Residents of Mt Edwards do not own vehicles. Bicycle spaces, 16 Class 1 and 6 Class 2 spaces have been provided as per original development permit

Green Building Features

The improved holding area promotes the collection and sorting of recyclables and allows compostable material to be held and shipped.

Yours very truly,

JENSEN GROUP ARCHITECTS INC.



Don Brown, Architect AIBC

DB/kj

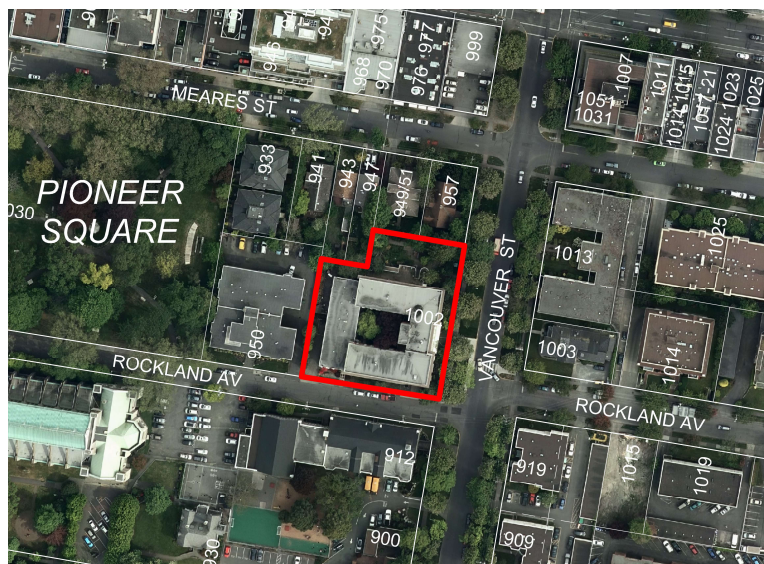
Cc Thai Li, BC Housing

Development Permit with
Variance Application No. 00154
for
1002 Vancouver Street



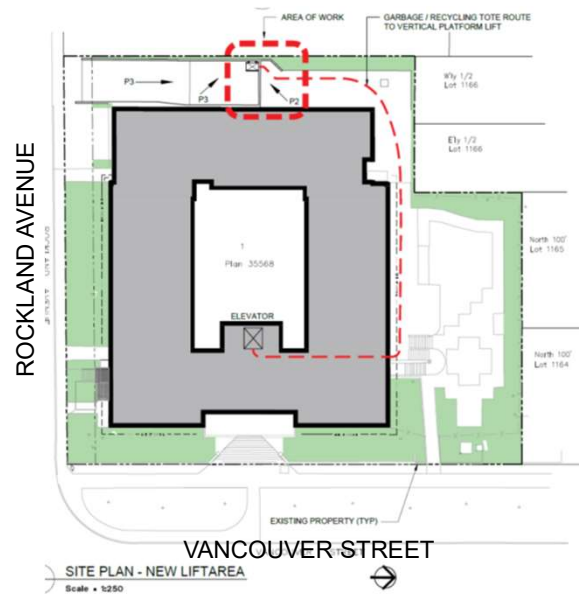
1

1002 Vancouver Street- Aerial View



2

1002 Vancouver Street- Site Plan



3

1002 Vancouver Street- Photos



View of property to the west



4

1002 Vancouver Street- Photos

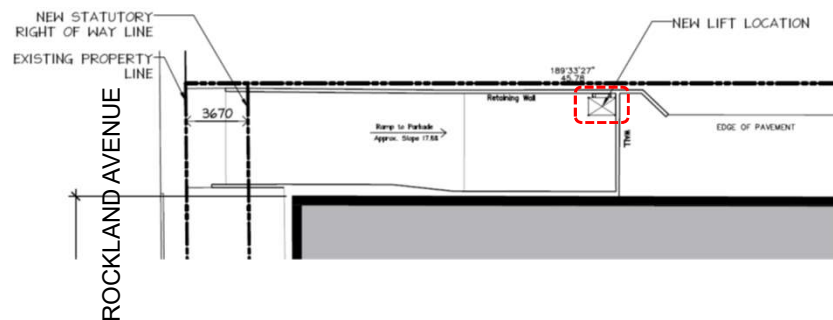


View of parking ramp



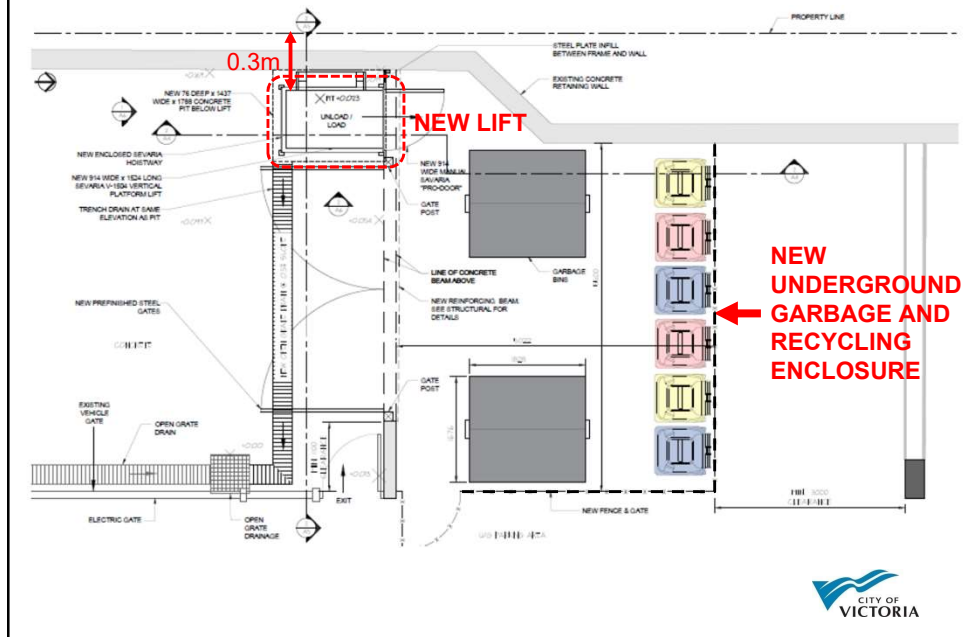
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1002 Vancouver Street- Site Plan Close-up



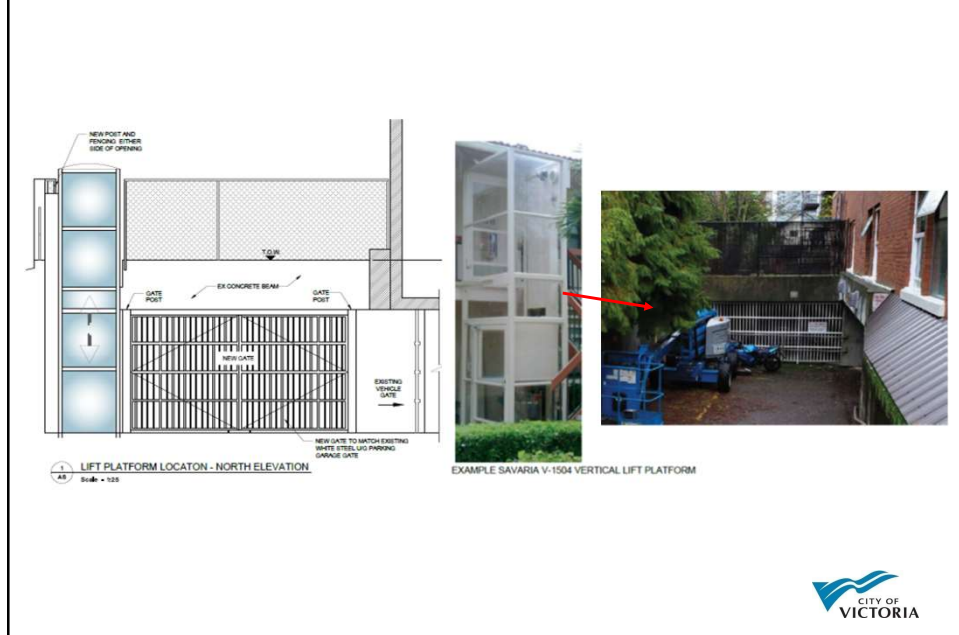
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1002 Vancouver Street- Lift and Enclosure



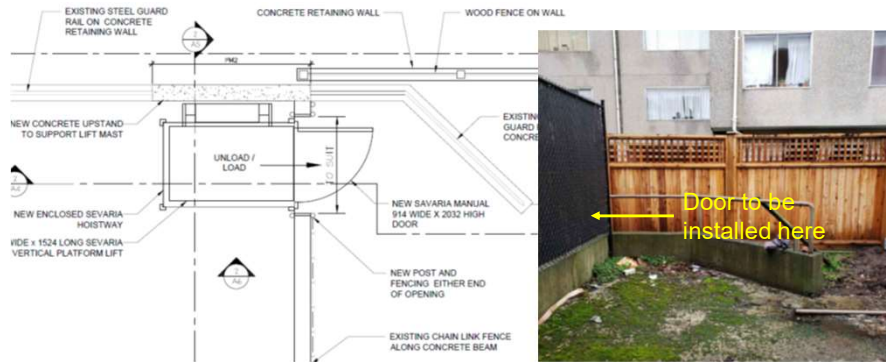
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1002 Vancouver Street- Elevation View



8

1002 Vancouver Street- Elevation View

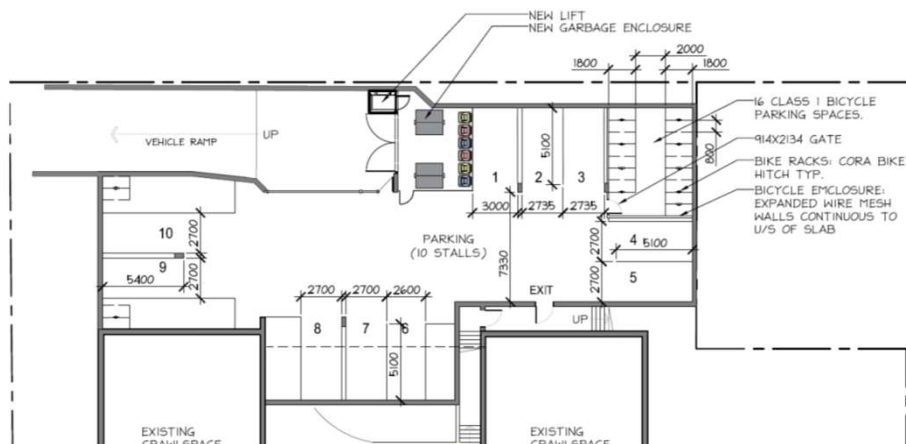


Ground level view of entry to lift



9

1002 Vancouver Street- Elevation View



Parking Variance: 31 spaces required, 10 proposed



10

**CYR FAMILY
MARKETS**

David Cyr

1141 Fort St
Victoria, BC
V8V 3K9

E-mail:

[REDACTED]

City of Victoria

Legislative Services
1 Centennial Square
Victoria, BC V8W 1P6

To Whom It May Concern:

January 13, 2021

RE: Zoning Regulation Bylaw, Amendment Bylaw (No. 1239) No. 20-118:

I write to support the application and ask council to consider rezoning the land, known as 1133 Fort Street from the current R3-1 Zone, to C1-FH Zone, Fort Street Heritage District.

As a neighbour property owner to 1133 Fort Street, we have watched the care, attention, and respect that the new owners have taken. All the work, inside and out, has brought a new sense of purpose to both the building and the community, all while retaining the building's heritage charm.

As we continue to work on our property, we have enjoyed having a significant number of the community members stop and comment on the positive work being done on the sister properties.

Regards

David C. Cyr

President,
Cyr Family Markets Ltd.

G.5 901 Gordon Street: Rezoning Application No. 00743

Moved By Councillor Alto

Seconded By Councillor Young

That the following bylaw **be given first and second readings:**

1. Zoning Bylaw 2018, Amendment Bylaw (No. 7) No. 20-117

CARRIED UNANIMOUSLY

DRAFT



Council Report

For the Meeting of December 10, 2020

To: Council **Date:** December 4, 2020
From: C. Coates, City Clerk
Subject: 901 Gordon Street: Rezoning Application No. 00743

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Bylaw 2018, Amendment Bylaw (No. 7) No. 20-117

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 20-117.

The issue came before Council on November 5, 2020 where the following resolution was approved:

901 Gordon Street: Rezoning Application No. 00743

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00743 for 901 Gordon Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.
2. That Council authorize the street-level projecting canopies over the City right-of-way on Gordon Street, Courtney Street and Broughton Street, provided that the applicant enters into an Encroachment Agreement prior to a Public Hearing 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

List of Attachments:

- Bylaw No. 20-117

**E.1.a.c901 Gordon Street - Rezoning Application No.00743
(Downtown)**

Moved By Councillor Alto

Seconded By Councillor Potts

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00743 for 901 Gordon Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.
2. That Council authorize the street-level projecting canopies over the City right-of-way on Gordon Street, Courtney Street and Broughton Street, provided that the applicant enters into an Encroachment Agreement prior to a Public Hearing in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

CARRIED UNANIMOUSLY

F.1 901 Gordon Street - Rezoning Application No. 00743 (Downtown)

Committee received a report dated October 6, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed rezoning of the property located at 901 Gordon Street to allow for a storefront cannabis retailer.

Committee discussed:

- *Reasoning for the decline motion*
- *Whether correspondence has been received from the school.*

Councillor Isitt withdrew from the meeting at 10:21 a.m.

Moved By Councillor Alto

Seconded By Councillor Loveday

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00743 for 901 Gordon Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.
2. That Council authorize the street-level projecting canopies over the City right-of-way on Gordon Street, Courtney Street and Broughton Street, provided that the applicant enters into an Encroachment Agreement prior to a Public Hearing in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of October 22, 2020

To: Committee of the Whole **Date:** October 8, 2020

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

Subject: Rezoning Application No. 00743 for 901 Gordon Street

RECOMMENDATION

1. That Council decline Rezoning Application No. 00743 for the property located at 901 Gordon Street.
2. That Council authorize the street-level projecting canopies over the City right-of-way on Gordon Street, Courtney Street and Broughton Street, provided that the applicant enters into an Encroachment Agreement prior to a Public Hearing in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 901 Gordon Street. The proposal is to add the use of storefront cannabis retailer to the OTD-1 Zone, Old Town District-1 as a site-specific regulation for 901 Gordon Street.

The following points were considered in assessing this application:

- the proposal is consistent with the Core Historic designation in the *Official Community Plan* and the Historic Commercial District designation in the *Downtown Core Area Plan*, both of which envision active commercial uses on the ground floor
- the proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy*, as there are three properties within 400m with storefront cannabis retailer as a permitted use and there is a school within 200m.

BACKGROUND

Description of Proposal

This Rezoning Application is to permit the use of storefront cannabis retailer at 901 Gordon Street. The following differences from the current OTD-1 Zone are being proposed:

- storefront cannabis retailer would be a permitted use
- only one storefront cannabis retailer would be permitted to operate on the property at a time
- storefront cannabis retailer would be restricted to a maximum floor area of 160m².

Sustainability

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

Active Transportation

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

Public Realm

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

Accessibility

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

Land Use Context

The area is characterized by primarily retail and restaurant uses, located at street level, with office uses and some residential uses located on the upper storeys.

Existing Site Development and Development Potential

The site is presently occupied by ground floor commercial units with a parkade on the upper storeys. Under the current OTD-1 Zone, Old Town District-1, the property could be developed for commercial and mixed-use buildings up to a height of 15m and a density of up 3.0:1 floor space ratio.

Community Consultation

Consistent with the *Storefront Cannabis Retailer Rezoning Policy*, the requirement to arrange and participate in a Community Association Land Use Committee (CALUC) Community Meeting is waived unless the application involves construction of a new building; however, the application was referred to the Downtown Residents Association. Also consistent with the Policy, the application has been referred to School District No. 61 and the Victoria Police Department (VicPD). No responses had been received at the time of writing this report.

ANALYSIS

Official Community Plan

The *Official Community Plan* (OCP) lists this property within the Core Historic urban place designation, within which retail is an envisioned use. The property is also included in Development Permit Area 1 (HC): Core Historic which among other things contains design guidelines that aim to create animated and welcoming streetscapes. Provincial regulations prohibit cannabis products from being visible from the street. While staff would encourage the applicant to maintain a positive street relationship, it should be noted that interior improvements that restrict visibility into the storefront, such as blinds or curtains, are not subject to staff approval. However, extensive use of non-transparent glass or screening films applied to glass would be considered contrary to the design guidelines and would require Council consideration and approval.

Downtown Core Area Plan

The *Downtown Core Area Plan* designates this property as Historic Commercial District. The application is consistent with the neighbourhood plan, in which zoning accommodates a diverse range of active commercial uses.

Tree Preservation Bylaw and Urban Forest Master Plan

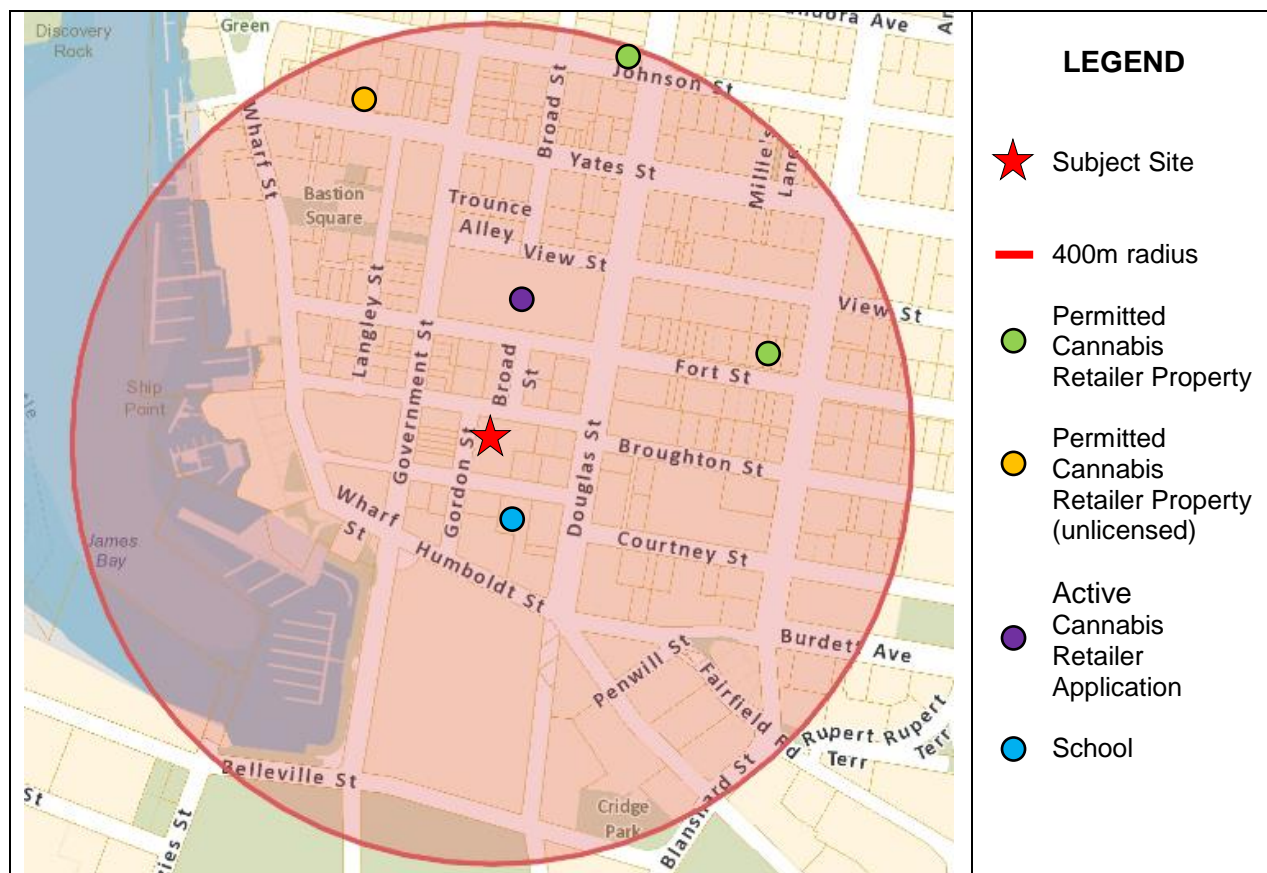
There are no Tree Preservation Bylaw impacts and no impacts to public trees with this Application.

Storefront Cannabis Retailer Rezoning Policy

The proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy* as there are three properties within 400m of the subject property that have storefront cannabis retailer as a permitted use:

- 778 Fort Street is 238m away and is provincially licensed]
- 1402 Douglas Street is 385m away and is provincially licensed
- 546 Yates Street is 333m away and non-operational and not provincially licensed.

Finally, there is one independent high school, the Pacific Institute for Innovation and Inquiry, 19m away from the subject property.



Encroachment Agreement

A number of street-level canopies are also existing along Gordon Street, Courtney Street and Broughton Street, which project above the City right-of-way. These are encouraged in the Guidelines to provide pedestrian weather protection and welcoming streetscapes. In order to continue to facilitate these canopies, the applicant is required to enter into an Encroachment Agreement with the City. As these are existing canopies, passage of motion #2 is recommended regardless of the decision on the main application.

CONCLUSIONS

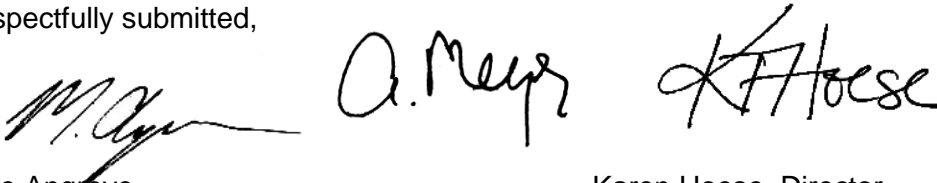
The proposal to permit the storefront cannabis retailer use is consistent with the *Official Community Plan* and the *Downtown Core Area Plan*. The proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy* as there are three other properties within 400m that permit the use of storefront cannabis retailer and there is a school within 200m of the subject property. Staff therefore recommend that Council consider declining the application. However, an alternate motion has been provided for Council's consideration.

ALTERNATE MOTION

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00743 for 901 Gordon Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

2. That Council authorize the street-level projecting canopies over the City right-of-way on Gordon Street, Courtney Street and Broughton Street, provided that the applicant enters into an Encroachment Agreement prior to a Public Hearing in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

Respectfully submitted,



Mike Angrove
Senior Planner
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

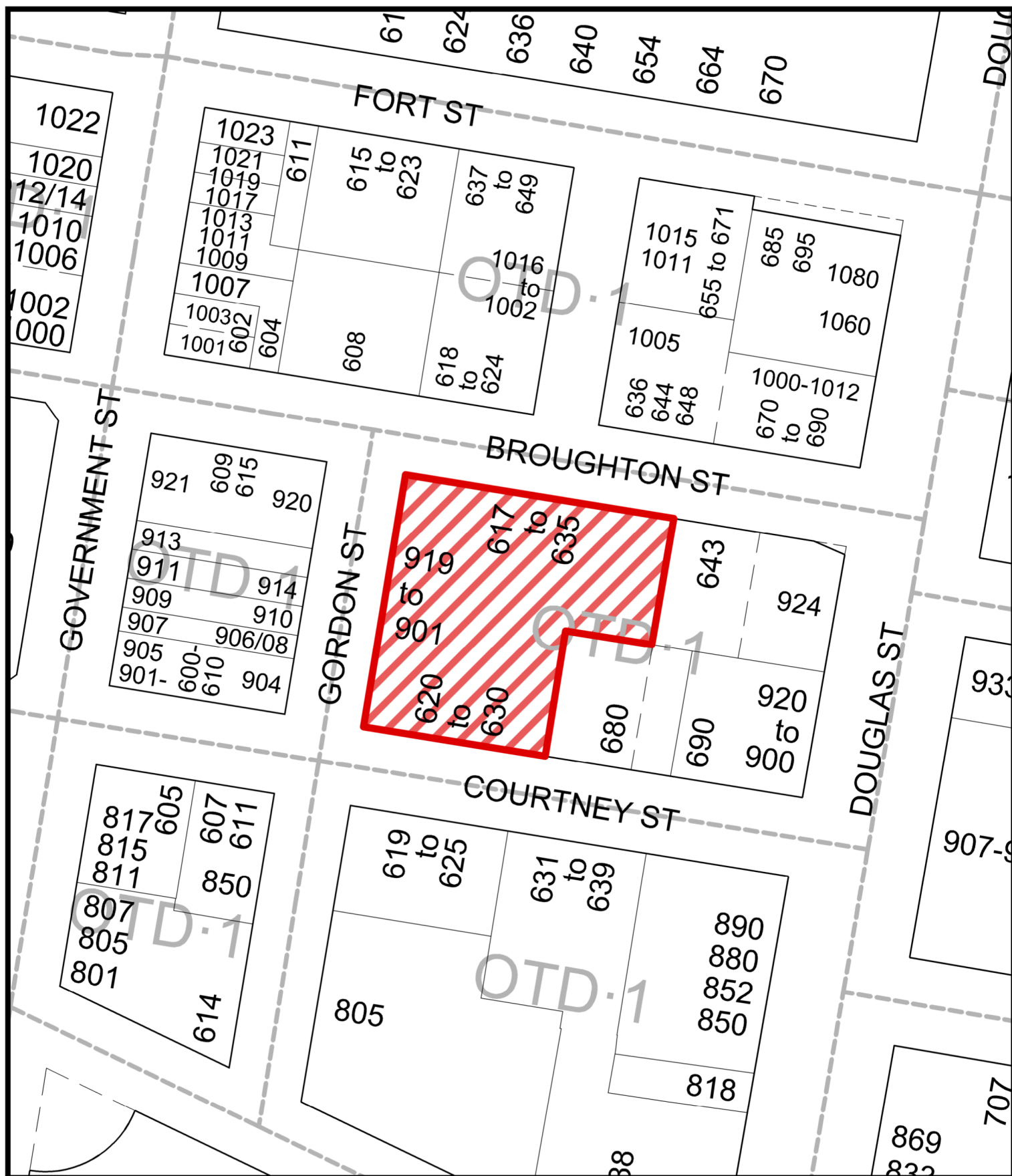
Report accepted and recommended by the City Manager:



Date: October 15, 2020

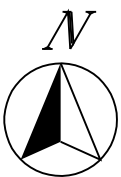
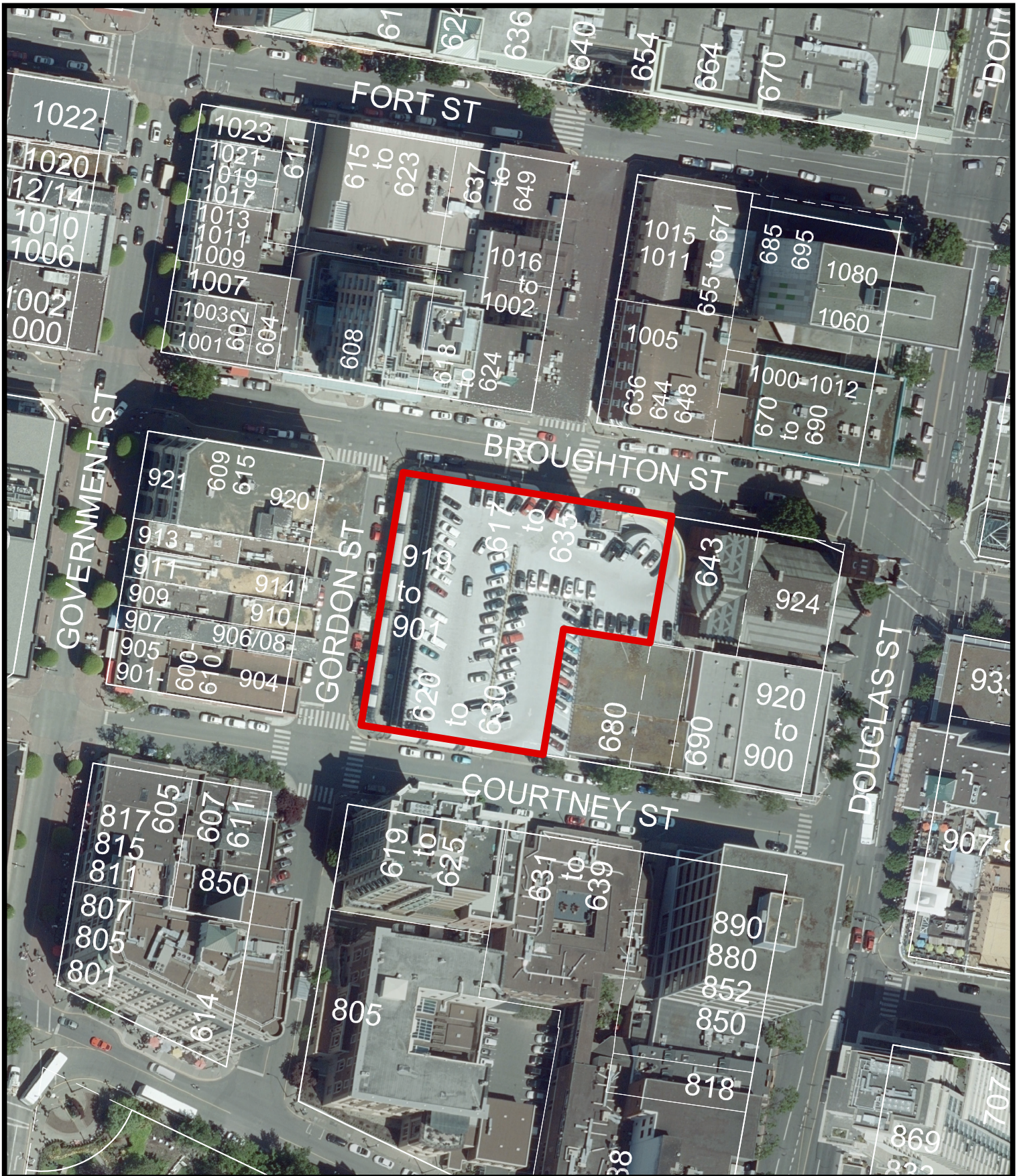
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped September 10, 2020
- Attachment D: Letter from applicant to Mayor and Council dated July 15, 2020
- Attachment E: Correspondence

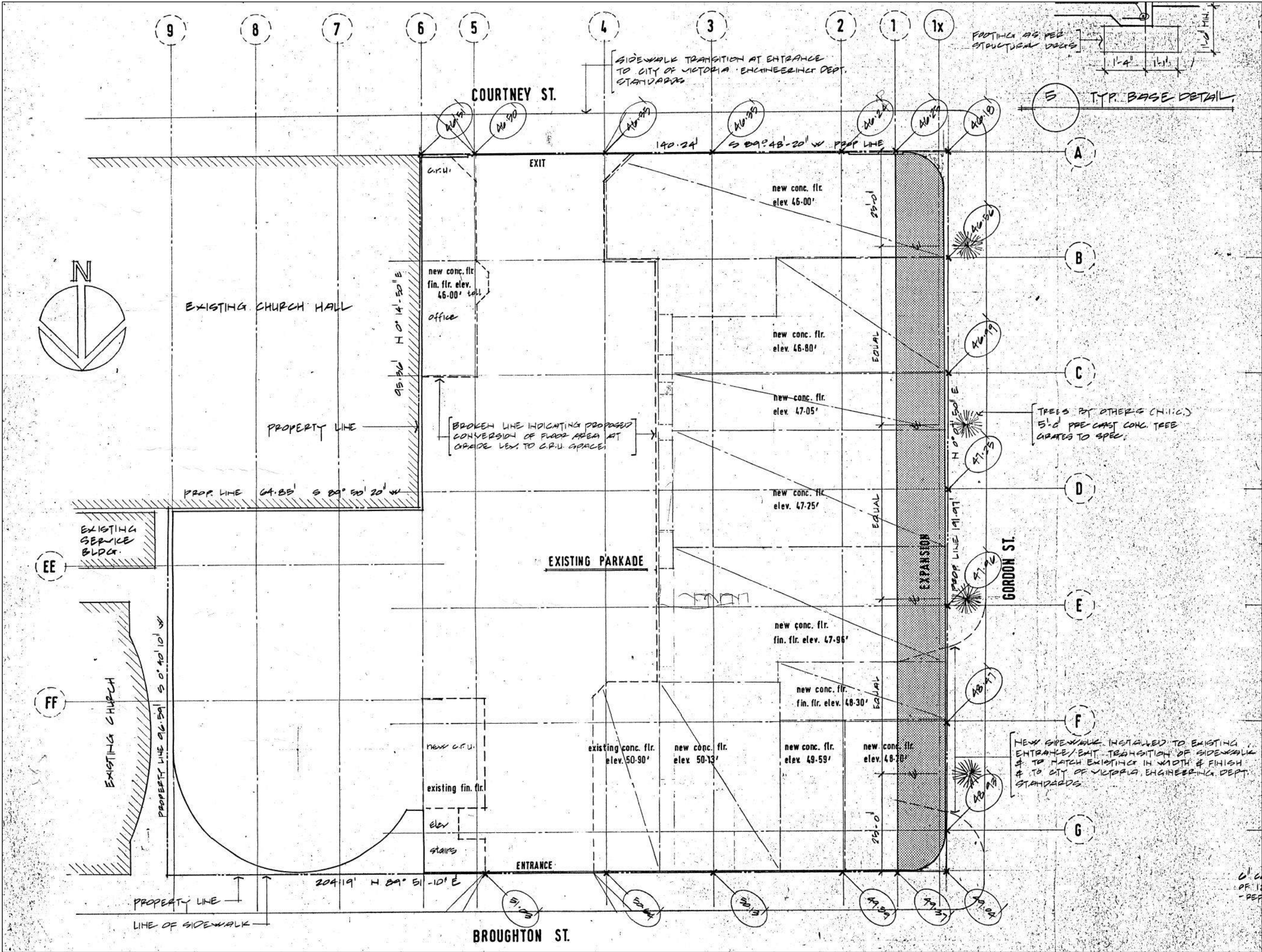


901 - 919 Gordon Street, 620 - 630 Courtney
Street and 617 - 635 Broughton Street
Rezoning No.00743

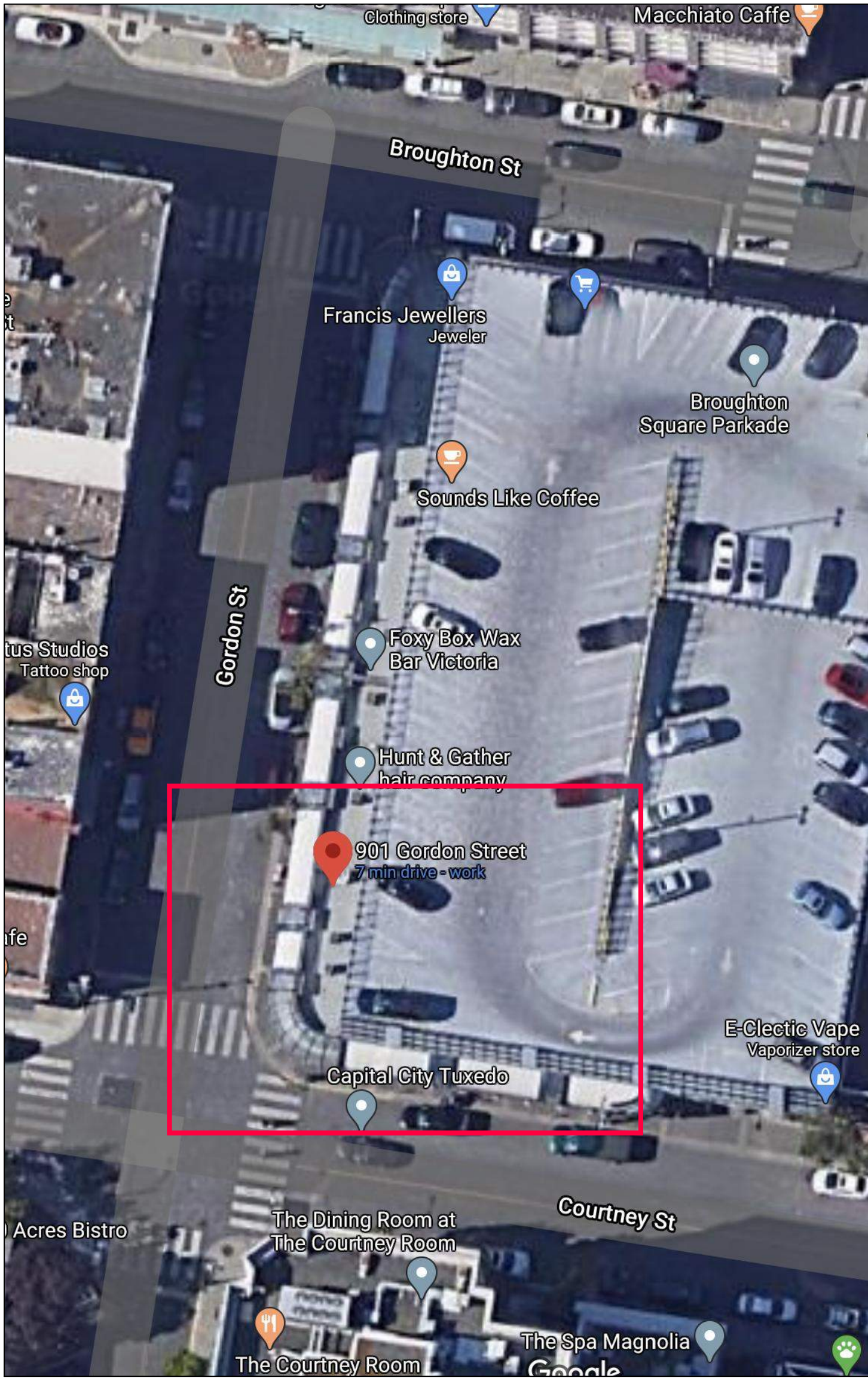




901 - 919 Gordon Street, 620 – 630 Courtney
Street and 617 – 635 Broughton Street
Rezoning No.00743



1 ORIGINAL SITE PLAN
SCALE: NTS



2 SATELLITE IMAGE
SCALE: NTS

*NOTE: NO CHANGES WILL BE MADE TO THE EXTERIOR



3 WEST ELEVATION
SCALE: NTS



4 SOUTH ELEVATION
SCALE: NTS

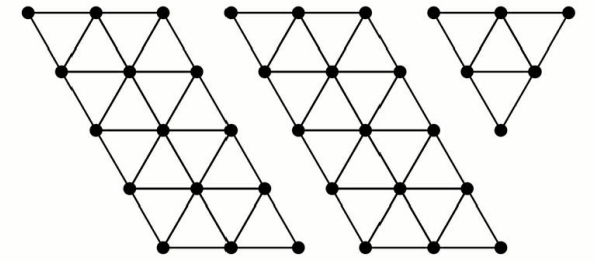


4 SIGNAGE ELEVATION
SCALE: NTS

Revisions

Bubbled areas indicate revisions compared to the previously submitted plans

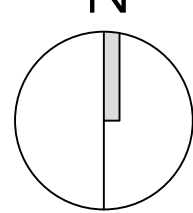
Received Date: September 10, 2020



WESTERN INTERIOR
DESIGN GROUP

#100 - 2105 DOWLER PLACE
VICTORIA, BC V8T 5B6
(250) 475-3666

CONSTRUCTION NORTH



NOTES/REVISIONS:

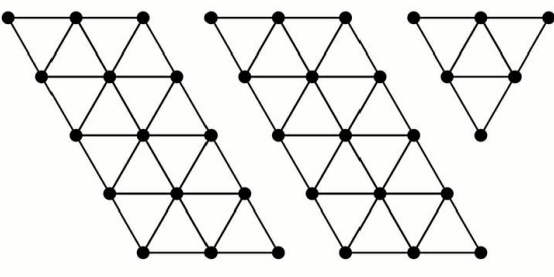
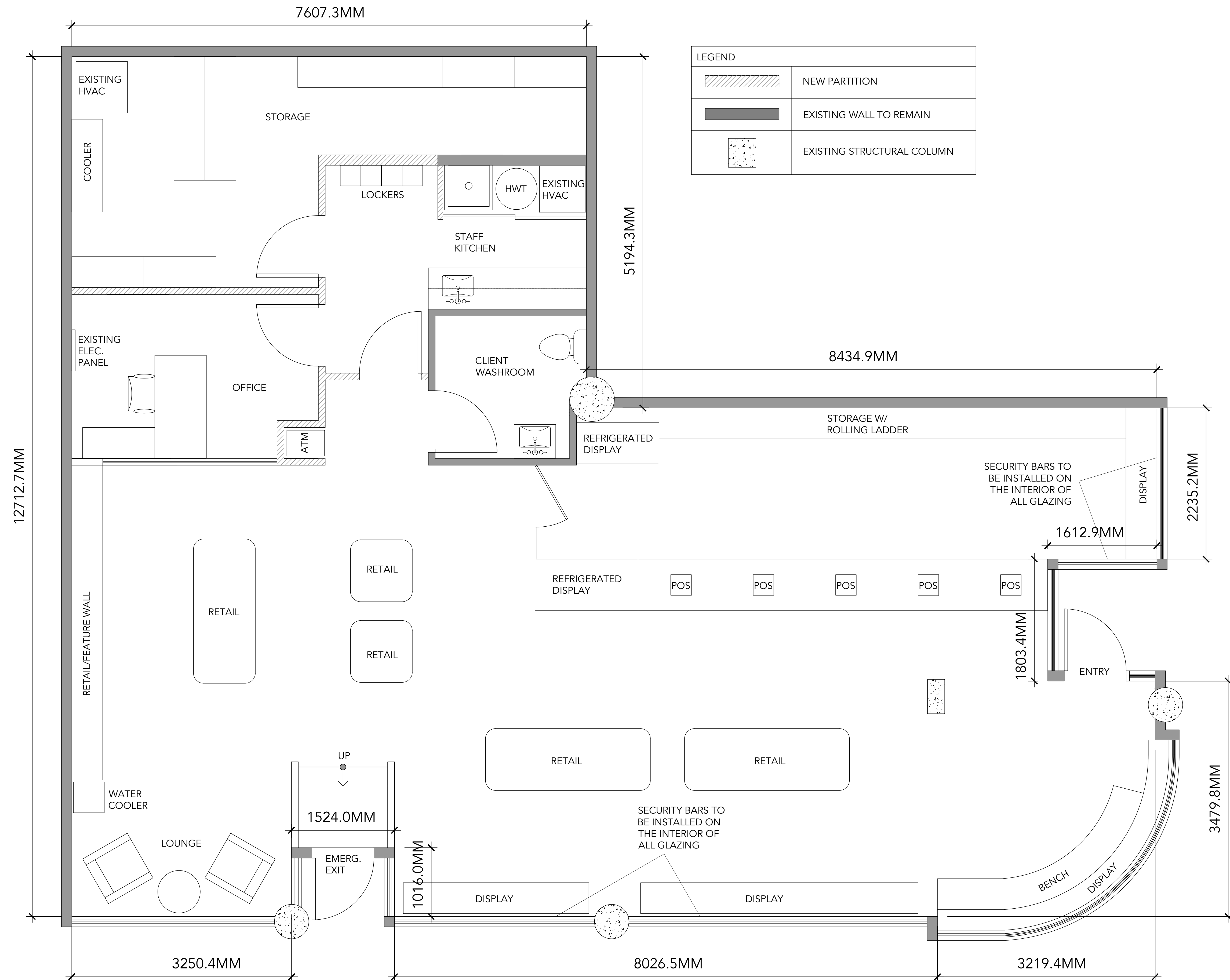
ISSUED FOR:	DATE:
REZONING	JULY 9-20
REVISIONS	AUG. 17-20

PROJECT:
SEED & STONE
901 GORDON ST.
VICTORIA, BC

DRAWING:
COVER PAGE

SCALE:
N/A
DATE:
AUG. 17, 2020

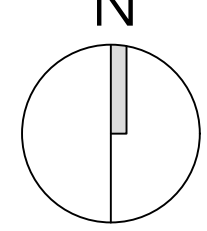
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WESTERN INTERIOR
DESIGN GROUP

#100 - 2105 DOWLER PLACE
VICTORIA, BC V8T 5B6
(250) 475-3666

CONSTRUCTION NORTH



NOTES/REVISIONS:

ISSUED FOR:	DATE:
REZONING	JULY 9-20
REVISIONS	AUG. 17-20
REVISIONS	SEPT. 16-20

PROJECT:
SEED & STONE
901 GORDON ST.
VICTORIA, BC

DRAWING:
FLOOR PLAN

SCALE: 1:30	ID1.01
DATE: SEPT. 16, 2020	

UNIT AREA: 155.15 SQ.M. (1670 SQ.FT.)

1 PROPOSED FLOOR PLAN
SCALE: 1:30



Songhees Nation

July 15, 2020

Mayor and Council, City of Victoria
#1 Centennial Square

Dear Mayor and Council,
Regarding: Seed & Stone: Cannabis Retail at 901 Gordon Street

I am happy to inform Mayor and Council that Songhees Nation's cannabis retail enterprise is moving forward! Our On-Reserve location is under construction and our licensing approval is in the final stages. We are pleased to submit this cannabis rezoning application for our first location in Victoria.

Songhees has selected Vikram Sachdeva of Seed & Stone as a business partner. We met Vikram through an existing relationship and found alignment in our values and business goals. Vikram has a licensed store open in Chilliwack and several locations under development in the lower mainland. He is an entrepreneur with twenty years experience as a multi-store Subway franchisee and a strong record of good corporate citizenship and regulatory compliance. Together we will operate premier cannabis retail stores under a trusted brand.

The Seed & Stone brand speaks to the natural world and the life cycle of plants. Our stores will have a serene mood, with a backlight forest scene on one wall. Connie Watts, of Tseshaht First Nation, our interior designer for the Songhees Wellness Centre, will enhance the indigenous branding in our stores, featuring pieces by Songhees artists. We will carry ancillary products from indigenous suppliers.

Finding a location in the heart of Lekwungen territory has been difficult. We are hopeful you will agree that 901 Gordon Street is a good fit for cannabis retail. We have leased this location subject to zoning approval. City staff will report that 901 Gordon Street is within 150 meters from a school and 350 meters from another Cannabis store. However, looking at this little neighbourhood in our small and densely developed City, we feel this location is appropriate and should be given consideration.

We met with Jeff Hopkins, founder of the Pacific School of Innovation and Inquiry located at 808 Douglas Street in the Nootka Court Mall. While Jeff is concerned about youth using cannabis in public spaces downtown, he agreed that regulated and licensed stores are part of the solution and wished us well with our endeavor.

901 Gordon Street has parking on the roof and an eclectic group of shops and services. Songhees' Seed & Stone stores will be a shopping experience attracting residents and tourists alike. Thank you for your consideration. We are available to answer questions, please contact Vikram Sachdeva vikrams@seedandstone.com or Christina Clarke Christina.clarke@songheesdevco.com.

Sincerely



Chief Ron Sam

cc Songhees Nation Chief and Council



September 25, 2020

Dear Matthew Angrove,
Area Planner, City of Victoria

I am writing today on behalf of the management and ownership of The Magnolia Hotel & Spa in regards to the rezoning application at 901-919 Gordon Street and 620-630 Courtney Street. The rezoning as posted is looking to permit the use of the storefront as a Cannabis Retailer.

The Magnolia Hotel & Spa has been operating at 623 Courtney Street since 1998 welcoming travelers in our luxury boutique hotel for over two decades. We are currently rated as the #1 Top Hotel in Canada by Trip Advisor, and currently employ approximately 75 people within the hotel and restaurant, The Courtney Room.

On behalf of management and ownership, we would like to express that we do not support this application to share the block with a Cannabis Retailer. We do not believe that having a Cannabis Retailer among upscale tourist and entertainment areas is beneficial for the neighborhood, and being a block from our iconic harbour we do not feel it is the image we are looking to convey to tourists of our beautiful city. Additionally, there are 4 retailers within several blocks of the hotel and as such we believe the market already has supply readily available.

Operationally we are concerned with the comings and goings of patrons of a Cannabis Retailer. Many businesses on our block have patios, and we have windows that open in to our establishments. We believe that there is a high risk that patrons would be smoking Cannabis nearby the store which would negatively impact the comfort of those patronizing hospitality businesses such as ours. We also know that there are no resources to actively police this. Hospitality businesses have been dramatically impacted by COVID-19 and we are utilizing any outdoor spaces available to both operate safely and make the best of a very poor business situation. We strongly believe that having a Cannabis retailer will be detrimental to these efforts.

Lastly, while possibly speculative but nonetheless concerning to our staff, since the rezoning application sign has gone up there have been concerns expressed from staff about what impact this retailer would have on the safety and security of the neighborhood. The safety and security of downtown has deteriorated during the past 6 months, during COVID-19. How much of this is perception, and how much reality could be debated, however it is a real concern for employees who come to work downtown.

Thank you for considering the views of neighboring businesses in reviewing this application. It is our hope as a business that this re-zoning is denied.

Please feel free to reach out to me at 250-412-8480 if you have questions about our letter and our concerns on this issue.

Bill Lewis,
General Manager
The Magnolia Hotel & Spa

**623 Courtney Street
Victoria, BC, V8W 1B8**



Richard Elliott

From: Bruce Williams [REDACTED]
Sent: October 19, 2020 4:40 PM
To: Victoria Mayor and Council
Cc: Jocelyn Jenkyns; Kerri Moore
Subject: Letter-Support-Songhees-cannabis-Oct19-2020
Attachments: Letter-Support-Songhees-cannabis-Oct19-2020.docx; Letter-Support-Songhees-cannabis-Oct19-2020.pdf

Please see the attachment here

Many thanks

Bruce Williams, Chief Executive Officer
Greater Victoria Chamber of Commerce

Email: [REDACTED] Web: www.victoriachamber.ca

Direct: [REDACTED] [REDACTED] [REDACTED]

Address: #100-852 Fort Street, Victoria, BC V8W 1H8



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October 19, 2020

Mayor Lisa Helps and Council
City of Victoria Municipal Hall
1 Centennial Square, Victoria BC,
V8W 1P6

Re. Build Back Victoria: Re-opening and Recovery

Dear Victoria Mayor and Council,

The Chamber supports the Songhees Nation's application to operate a retail cannabis outlet at 901 Gordon St. Regulated and licensed stores such as the one in this proposal help create a safe and regulated supply of cannabis.

The Seed and Stone partnership with Songhees Nation will offer a premium retail outlet with a trusted organization operating within regulatory compliance. The Seed and Stone brand creates awareness about the importance of the natural world and the lifecycle of plants. The design of the store will reflect genuine indigenous branding that will appeal to shoppers, whether they are locals or visitors to our destination.

We feel the creation of a new business enterprise such as this is an important step in retaining commercial vibrancy in the downtown core in this period of business uncertainty.

Thank you for your consideration.

Sincerely,



Bruce Williams
CEO,
Greater Victoria
Chamber of Commerce



John Wilson
Board Chair
Greater Victoria
Chamber of Commerce

Richard Elliott

From: Ian Sutherland [REDACTED]
Sent: October 19, 2020 6:18 PM
To: Victoria Mayor and Council; Lisa Helps (Mayor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor); Marianne Alto (Councillor); Ben Isitt (Councillor); Jeremy Loveday (Councillor); Sarah Potts (Councillor); Sharmarke Dubow (Councillor)
Cc: Michael Angrove
Subject: Rezoning Application No. 00743 for 901 Gordon Street
Attachments: 901 Gordon St - Cannabis Retail.pdf

To Mayor and Council,

Please find attached the DRA LUC letter in response to the rezoning application to permit the use of a Storefront Cannabis Retailer at 901 Gordon Street.

Regards,

Ian Sutherland



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

October 19th, 2020

Re: Rezoning Application No. 00743 for 901 Gordon Street

Dear Mayor Helps and Council,

The DRA LUC would like to offer support for the Staff recommendation to decline the application to permit the use of a Storefront Cannabis Retailer. As observed by Staff, “the proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy*”.

There are three properties within 400m of the subject property that have storefront cannabis retailer as a permitted use:

- 778 Fort Street is 238m away, is provincially licensed and has been operating at the location since 2014;
- 1402 Douglas Street is 385m away, is provincially licensed and has been operating at that location since 2015; and,
- 546 Yates Street is 333m away, non-operational and not provincially licensed.

Additionally, Staff point out that there is one independent high school, the Pacific Institute for Innovation and Inquiry that, at 19m away from the subject property, is well within the 200m proximity.

Proximity rules were established by Council to limit the number of Cannabis retailers to the point that the public is adequately served and operators do not need to sell to minors to make ends meet. There is a strong case that indicates a direct correlation between the viability of these businesses and compliance regarding sale to minors.

There is no shortage of ground floor retail properties for lease within the Downtown and therefore no apparent impediment for the applicant to seek a location that complies with the current proximity rules. It is important that precedence is not set in relaxing these proximity rules without a compelling rationale. We strongly encourage Council to uphold its wise decision to adopt the 400m proximity rule for Cannabis retailers and the 200m proximity rule for schools.

Sincerely,

A handwritten signature in black ink, appearing to be 'Ian Sutherland', with a large loop at the start and a trailing flourish.

Ian Sutherland
Chair Land Use Committee, Downtown Residents Association

cc COV Planning



September 25, 2020

Dear Matthew Angrove,
Area Planner, City of Victoria

I am writing today on behalf of the management and ownership of The Magnolia Hotel & Spa in regards to the rezoning application at 901-919 Gordon Street and 620-630 Courtney Street. The rezoning as posted is looking to permit the use of the storefront as a Cannabis Retailer.

The Magnolia Hotel & Spa has been operating at 623 Courtney Street since 1998 welcoming travelers in our luxury boutique hotel for over two decades. We are currently rated as the #1 Top Hotel in Canada by Trip Advisor, and currently employ approximately 75 people within the hotel and restaurant, The Courtney Room.

On behalf of management and ownership, we would like to express that we do not support this application to share the block with a Cannabis Retailer. We do not believe that having a Cannabis Retailer among upscale tourist and entertainment areas is beneficial for the neighborhood, and being a block from our iconic harbour we do not feel it is the image we are looking to convey to tourists of our beautiful city. Additionally, there are 4 retailers within several blocks of the hotel and as such we believe the market already has supply readily available.

Operationally we are concerned with the comings and goings of patrons of a Cannabis Retailer. Many businesses on our block have patios, and we have windows that open in to our establishments. We believe that there is a high risk that patrons would be smoking Cannabis nearby the store which would negatively impact the comfort of those patronizing hospitality businesses such as ours. We also know that there are no resources to actively police this. Hospitality businesses have been dramatically impacted by COVID-19 and we are utilizing any outdoor spaces available to both operate safely and make the best of a very poor business situation. We strongly believe that having a Cannabis retailer will be detrimental to these efforts.

Lastly, while possibly speculative but nonetheless concerning to our staff, since the rezoning application sign has gone up there have been concerns expressed from staff about what impact this retailer would have on the safety and security of the neighborhood. The safety and security of downtown has deteriorated during the past 6 months, during COVID-19. How much of this is perception, and how much reality could be debated, however it is a real concern for employees who come to work downtown.

Thank you for considering the views of neighboring businesses in reviewing this application. It is our hope as a business that this re-zoning is denied.

Please feel free to reach out to me at [REDACTED] if you have questions about our letter and our concerns on this issue.

Bill Lewis,
General Manager
The Magnolia Hotel & Spa

**623 Courtney Street
Victoria, BC, V8W 1B8**

1

Rezoning Application for 901 Gordon Street



1

Aerial View

2



2

Subject Site

3



3 WEST ELEVATION
SCALE: NTS



4 SOUTH ELEVATION
SCALE: NTS



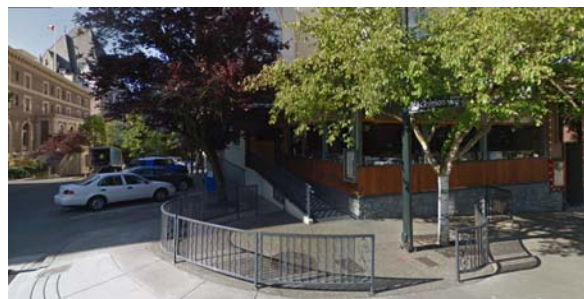
4 SIGNAGE ELEVATION
SCALE: NTS



3

Neighbouring Properties

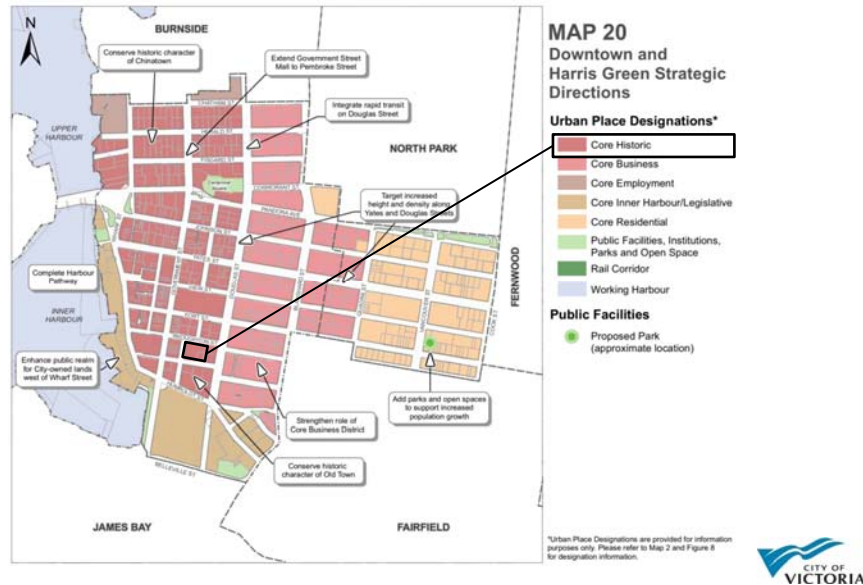
4



4

Official Community Plan

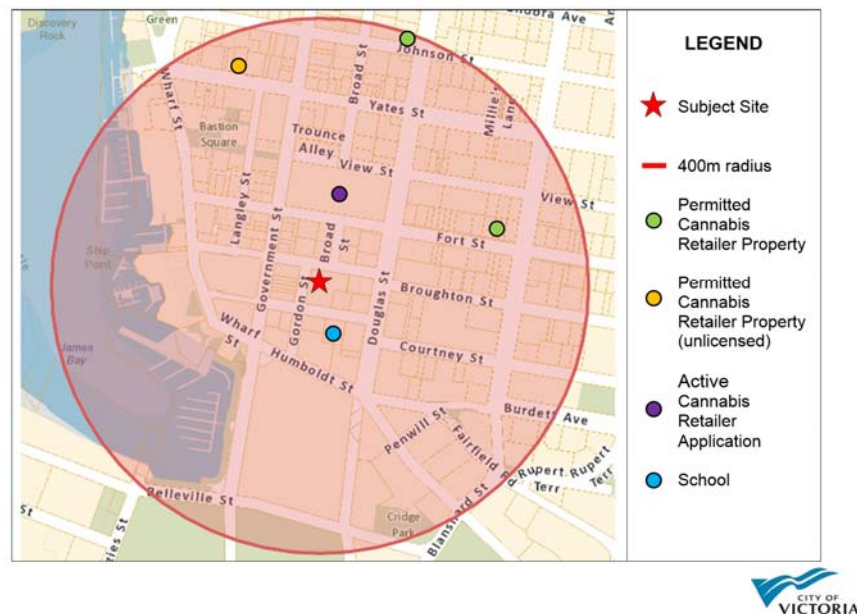
5



5

Distances from Other Retailers

6



6

Madison Heiser

From: Marty Brandt [REDACTED]
Sent: Sunday, January 10, 2021 11:54 AM
To: Public Hearings
Subject: Public Hearing - Jan 14, 2021 Rezoning Application
Attachments: Revised Written Submission - Jan 14, 2021 Public Hearing.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Please find attached my REVISED written submission OPPOSING the rezoning application. The attached written submission revises my previous submission to include additional information which was inadvertently omitted. Please use this version in place of the written submission submitted by me previously.

Please include my revised written submission within the material to be considered by Council when deciding upon this rezoning application. I would be grateful if you could confirm receipt at your earliest convenience.

Marty Brandt
Unit 704, 608 Broughton Street
Victoria, BC

Written Submission to Victoria Council

Hearing Date: January 14, 2021

Topic: Rezoning application 901-919 Gordon Street, 617-635 Broughton Street and 620-628 Courtney Street to permit a storefront cannabis retailer

Submitted By: Marty Brandt, Unit 704, 608 Broughton Street

Position: I am OPPOSED to the proposed rezoning application

Reasons:

Council Policy on Storefront Cannabis Retailer Rezoning applications indicates that the retailer should be “at least 200m (in a straight line from closest lot line to closest lot line) from a public or independent elementary, middle or secondary school”. I submit that inherent in this policy statement is the recognition by Council that it is not appropriate for a cannabis retailer to be located in close proximity to facilities frequented by school aged children. Accordingly, I submit that in the application of this Policy a “school” should not be defined narrowly, but rather should be broadly defined in order to accomplish the stated goal of ensuring that cannabis retailers are not located in close proximity to facilities frequented by school aged children.

The proposed location is next door to the Ballet Victoria Conservatory (“BV Conservatory”) located at 643 Broughton Street, a not for profit school operated by the Ballet Victoria Society. The BV Conservatory offers dance instruction to students ranging in ages from 3 to 18. Current enrollment at the school is in excess of 100 students. These students would be entering and exiting the BV Conservatory mere steps away from the proposed location for this cannabis retailer.

The proposed location is also kitty corner to Beaver Tails (602 Broughton Street), a popular pastry and ice cream vendor which is frequented by school aged children. Beaver Tails has a small outside seating area which is within direct line of sight to the proposed location. In addition, there are several other locations frequented by school aged children located on Government Street well within the 200m zone referred to in Council Policy including the candy store, Olde Tyme Candy Shoppe (1003 Government Street) and the dipped ice cream cone vendor, Chocolats Favoris (1010 Government Street).

I submit that due to the fact that the proposed location is next door to the BV Conservatory, a school teaching dance to children, and within an area populated by other retail establishments which are frequented by school aged children, the rezoning application should be viewed by Council as being in violation of the inherent purpose and spirit of the stated Council Policy of ensuring that cannabis retailers are not located near schools. I further submit that cannabis retailers are more appropriately located in areas populated by businesses which are targeted at, and predominantly frequented by, adult customers.



January 7, 2021

Dear Matthew Angrove,
Area Planner, City of Victoria

I am writing today with a revised position on behalf of the management and ownership of The Magnolia Hotel & Spa in regards to the rezoning application at 901-919 Gordon Street and 620-630 Courtney Street. The rezoning as posted is looking to permit the use of the storefront as a Cannabis Retailer. Please accept this letter in place of my letter to you which I sent on September 30th 2020.

Since our hotel letter in September, I have had the chance to speak with Christina Clarke about the project proposed nearby our hotel. She has openly shared detailed plans of the proposal, which clearly considerable efforts have been made to present an upscale establishment which aims to add a positive business addition to our neighborhood. In my conversations I have been able to learn more about the project, the vision for this store, and how it contributes to the growth of indigenous businesses in our area.

From my conversations with Mrs. Clarke, I have confidence that the concerns that we raised with respect to the impact on the neighborhood and potential detrimental challenges will be mitigated to the best of their abilities both due to the upscale nature of their proposal as well as their diligence and commitment in operating a business that contributes positively to our neighborhood.

With respect to our hotel management and ownership concerns about further Cannabis retailing in the downtown core, and being so close to the iconic Inner Harbour, I will share that our position on that matter has not changed. We, as a business, do not see Cannabis as a tourism driver that we believe contributes to a marketing image of Victoria and what we have to offer the world as a tourism destination.

Despite our concerns about Cannabis and tourism, I would like to share that I believe that the growth of indigenous business in our community is a very positive tourism contribution towards a more experiential tourism experience in our community. I believe a more experiential tourism experience will contribute to a more upscale, higher yielding, and more sustainable path forward for our tourism economy. Clearly, COVID-19 has shown us how valuable this sector is to our overall economy and the vibrancy of the downtown core.

In closing, while our business has concerns about the place of Cannabis and tourism, this proposal has made considerable efforts to present an upscale project and considered the views and impacts on surrounding businesses such as ours. Based on this, with the reasons shared in this letter, I would state our position as neutral.

Thank you for considering the views of neighboring businesses in reviewing this application. Please feel free to reach out to me at [REDACTED] if you have questions about our letter and our concerns on this issue.

Bill Lewis,
General Manager
The Magnolia Hotel & Spa

**623 Courtney Street
Victoria, BC, V8W 1B8**

Madison Heiser

From: Greg Candy [REDACTED]
Sent: Wednesday, January 13, 2021 8:03 PM
To: Public Hearings
Subject: Zoning Regulation Bylaw, Amendment Bylaw (No. 7) No. 20-117

To Whom it May Concern,

We are the owners of #603 , 608 Broughton Street (The Sovereign).

We would like to register our objection to the above proposal.

This proposed zoning bylaw amendment is almost opposite the entrance to our building. We have a number of concerns with this application:

1. We believe too many cannabis stores will attract the wrong type of people to this area and change the tone/ambience of the area negatively.
2. Evidence has shown that a concentration of these types of businesses lead to increased crime in the area. Living next door, we do not want to increase the crime rate in the area.
3. We understand there are two other proposals for cannabis stores within 1 block of this location.
4. The size of this application takes up half a city block. This would overwhelm/discourage other small business owners and diminish the business diversity in the area. This diversity is essential for a vibrant downtown area.
5. This is a high tourist zone and we are concerned about the message/tone this will send. Tourists are very sensitive to the ambience of an area especially if it affects their security and increases harassment.
6. As Covid has shown, Victoria desperately needs tourism and we shouldn't be doing anything that might discourage tourists.

Sincerely,

Greg and Sue Candy

DOWNTOWN Victoria

Downtown Victoria Business Association
20 Centennial Square
Victoria, BC
V8W 1P7

January 13, 2021

Victoria Mayor & Council
1 Centennial Square
Victoria, BC
V8W 1P6

Re: Support for Songhees Nation

Dear Mayor & Council,


I am writing on behalf of the Downtown Victoria Business Association to support the Songhees Nation's rezoning requests regarding 901 Gordon Street and the unit they plan to rent within 1150 Douglas Street (The Bay Centre). We welcome this significant investment in downtown, particularly as the nation plans to sign stable, long-term leases.

Despite a system that has, historically, made it difficult for First Nations to experience economic growth, Songhees Nation has worked hard to establish both a commercial and a cultural presence in their traditional territory. They are valuable contributors to the economy and valuable partners to many different groups both within the downtown and throughout the broader region.

Their existing business initiatives (such as the Songhees Centre and the Songhees Food Truck) have already added a richness to downtown Victoria. This is partially through their economic contribution, but even more significantly through their cultural presence. The field of experiential Indigenous tourism is growing rapidly, and the Songhees Nation has plans to further expand their programs once it is safe to do so. They intend to offer cultural canoe tours in the Inner Harbour, walking tours which will encompass key points of interest downtown and the Signs of Lekwungen public art installations, and other cultural programming. These two cannabis businesses will play a role in that cultural presence as well as contributing to the local economy.

The DVBA is very pleased by the increased cultural and economic presence of Songhees Nation within its traditional territory, and urges the council to please allow the rezoning requests to be completed.

Sincerely,



Jeff Bray
DVBA Executive Director

Madison Heiser

From: Vafa Javanmardi [REDACTED]
Sent: Wednesday, January 13, 2021 3:09 PM
To: Public Hearings
Cc: Vafa Javanmardi
Subject: Opposing Amendment Bylaw (No.7) No. 20-117

To: Mayor & Council

Subject: Opposing Amendment Bylaw (No.7) No. 20-117 Storefront Cannabis Retailer on land 901-919 Gordon St, 617-635 Boughton St, 620-628 Courtney St

Dear Mayor & Council,

I am writing to **oppose** this amendment in the strongest way possible. I am a taxpayer living in Victoria for almost 20 years and working a block from the proposed cannabis store. Legalizing Recreational Cannabis was a BIG mistake by the Federal & Provincial governments. It was even a bigger mistake by City of Victoria to encourage and establish dozens of pot shops across this tiny town to the detriment of the younger generation and its citizens. This drug is a poison to the health of our youth and able-bodied citizens. STOP making Victoria the Pot Capital of Canada. I see every day what carnage it brings to areas where these pot shops thrive, and am sure that they sell illegal drugs from their back doors & "members only" rooms. Adding another 2 pot shops in the downtown core will further destroy our beautiful city and will attract more drug dealers, crime, theft, and make the downtown more dangerous to the local families and tourists that visit our town. This will also drive away businesses and make entire blocks of the city as "No go" areas. The surrounding businesses will also suffer dramatically. There is absolutely no justification to increase the number of pot shops in town. Improve the downtown core by bringing in family oriented businesses; health & recreation, cafes, daycares, educational institutions, and museums & galleries. A Cannabis store only destroys society and our younger generations. Medicinal Cannabis should be purchased from local Pharmacies like every other medicine.

I expect that you will make the right decision to reject this project and look after the welfare of all the citizens of Victoria, and not increase its crime rate.

Respectfully,

Vafa Javanmardi



Vafa Javanmardi (Mech. Eng)
General Manager / Managing Broker
Harbour Centre
36 – 910 Government St.
Victoria, BC, V8W 1X3
[REDACTED]

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Madison Heiser

From: Victoria Mayor and Council
Sent: Thursday, January 14, 2021 9:12 AM
To: Public Hearings
Subject: Fw: Cannabis stores

From: Kenneth Mintz [REDACTED]
Sent: January 13, 2021 7:49 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Cannabis stores

Dear Mayor and Council,

I am disappointed that, once again, Council is about to approve rezoning another two locations for cannabis sales. one of them being the Bay Centre.

Downtown Victoria is already saturated with cannabis stores - we do not need another. Allowing cannabis to be sold in our main mall is utter foolishness. I frequently smell cannabis on our downtown streets, what happened to our Clean Air Bylaw?

After the pandemic is over, the tourist industry needs to be re-established. Victoria needs to be seen as a clean, safe city, as it used to be, which would make tourists want to spend more time here. Unfortunately, Council seems to be pursuing the opposite course. With the present situation in the USA, Victoria has a golden opportunity to be an attractive destination for Americans.

You should keep in mind that many scientific studies have determined that cannabis smoke (as well as vaping) is harmful. Do you want to be known 20 years from now, when the long-term effects of cannabis become obvious to everyone, that your Council was one that essentially promoted the sale of cannabis?

Kenneth Mintz

703-399 Tyee Rd., Victoria

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Bylaw 2018 to permit a storefront cannabis retailer at 901-919 Gordon Street, 617-635 Broughton Street and 620-628 Courtney Street and add site specific regulations to the Old Town District-1 Zone (OTD-1).

The Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

Title

- 1 This Bylaw may be cited as the “ZONING BYLAW 2018, AMENDMENT BYLAW (NO. 7)”.

Definition

- 2 “**Site**” means the lands legally described as PID 004-482-875, Lot A, of Lots 229, 230, 235, 236, 237 and 525, Victoria City, Plan 14044.

Amendments

- 3 Bylaw No. 18-072, Zoning Bylaw 2018, is amended:
- (a) by revising the Zoning Map to indicate that the Site is subject to site specific regulations; and
 - (b) in Part 4.4, Section 8, by adding the following new row immediately after the last row in the table and numbering the new row accordingly:

901-919 Gordon Street, 617-635 Broughton Street and 620-628 Courtney Street Lot A, of Lots 229, 230, 235, 236, 237 and 525, Victoria City, Plan 14044	a. Storefront Cannabis Retailer is a permitted use	i. The use does not occupy more than 160m ² ; and ii. Only one Storefront Cannabis Retailer at a time is operational on the Lot .
--	---	---

Commencement

- 4 This Bylaw comes into force on adoption.

READ A FIRST TIME the **10th** day of **December** 2020

READ A SECOND TIME the **10th** day of **December** 2020

Public hearing held on the day of 2021

READ A THIRD TIME the day of 2021

ADOPTED on the

day of

2021

CITY CLERK

MAYOR

G.6 Bylaw for 1150 Douglas Street: Rezoning Application No. 00748

Moved By Mayor Helps

Seconded By Councillor Young

That the following bylaw **be given first and second readings:**

1. Zoning Bylaw 2018, Amendment Bylaw (No. 8) No. 20-125

CARRIED UNANIMOUSLY

DRAFT



Council Report

For the Meeting of December 10, 2020

To: Council **Date:** December 4, 2020
From: C. Coates, City Clerk
Subject: 1150 Douglas Street: Rezoning Application No. 00748

RECOMMENDATION

That the following bylaw be given first and second readings:
1. Zoning Bylaw 2018, Amendment Bylaw (No. 8) No. 20-125

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 20-125.

The issue came before Council on November 26, 2020 where the following resolution was approved:

1150 Douglas Street: Rezoning Application No. 00748

That Council instruct staff to prepare the necessary zoning regulation bylaw amendment that would authorize the proposed development outlined in Rezoning Application No. 00748 for 1150 Douglas Street, that first and second reading of the zoning regulation bylaw amendment be considered by Council and a public hearing date be set.

Respectfully submitted,

Chris Coates
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 20-125

D.1 Reconsideration of Council Motion on Rezoning Application for 1150 Douglas Street

The Mayor advised that she has received information from the operator of the Bay Centre advising that this application would be a welcome addition to the Bay Centre and therefore put forward a reconsideration of the motion which was heard at the November 5, 2020 Council meeting.

Council discussed:

- *When the public hearing could take place*

Moved By Mayor Helps

Seconded By Councillor Isitt

That Council instruct staff to prepare the necessary zoning regulation bylaw amendment that would authorize the proposed development outlined in Rezoning Application No. 00748 for 1150 Douglas Street, that first and second reading of the zoning regulation bylaw amendment be considered by Council and a public hearing date be set.

CARRIED UNANIMOUSLY

F.2 1150 Douglas Street - Rezoning Application No. 00748 (Downtown)

Committee received a report dated October 8, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed rezoning of the property located at 1150 Douglas Street to allow for a storefront cannabis retailer.

Committee discussed:

- *Concerns with having a cannabis location on every street*

Moved By Mayor Helps

Seconded By Councillor Alto

That Council decline Rezoning Application No. 00748 for the property location at 1150 Douglas Street.

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

OPPOSED (2): Councillor Loveday, and Councillor Young

CARRIED (5 to 2)



Committee of the Whole Report

For the Meeting of October 22, 2020

To: Committee of the Whole **Date:** October 8, 2020

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

Subject: Rezoning Application No. 00748 for 1150 Douglas Street

RECOMMENDATION

That Council decline Rezoning Application No. 00748 for the property located at 1150 Douglas Street.

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a rezoning application for the property located at 1150 Douglas Street. The proposal is to add the use of storefront cannabis retailer to the OTD-1 Zone, Old Town District-1 as a site-specific regulation for 1150 Douglas Street.

The following points were considered in assessing this application:

- the proposal is consistent with the Core Historic designation in the *Official Community Plan* and the Historic Commercial District designation in the *Downtown Core Area Plan*, both of which envision active commercial uses on the ground floor
- the proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy*, as there are three properties within 400m with storefront cannabis retailer as a permitted use and there is a school within 200m.

BACKGROUND

Description of Proposal

This rezoning application is to permit the use of storefront cannabis retailer at 1150 Douglas Street. The following differences from the current OTD-1 Zone are being proposed:

- storefront cannabis retailer would be a permitted use

- only one storefront cannabis retailer would be permitted to operate on the property at a time
- storefront cannabis retailer would be restricted to a maximum floor area of 155m².

Sustainability

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

Active Transportation

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

Public Realm

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

Accessibility

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

Land Use Context

The area is characterized primarily by retail and restaurant uses at grade, with office uses on the upper storeys.

Existing Site Development and Development Potential

The subject property is occupied by the shopping mall known as The Bay Centre, which features a variety of retail stores and restaurants. Under the current OTD-1 Zone, Old Town District-1, the property could be developed for commercial and mixed-use buildings up to a height of 15m and a density of up 3.0:1 floor space ratio.

Community Consultation

Consistent with the *Storefront Cannabis Retailer Rezoning Policy*, the requirement to arrange and participate in a Community Association Land Use Committee (CALUC) Community Meeting is waived unless the application involves construction of a new building; however, the application was referred to the Downtown Residents Association. Also consistent with the policy, the application has been referred to School District No. 61 and the Victoria Police Department (VicPD). No responses have been received at the time of writing this report.

ANALYSIS

Official Community Plan

The *Official Community Plan, 2012* (OCP) lists this property within the Core Historic urban place designation, within which retail is an envisioned use. The property is also included in Development Permit Area 1 (HC): Core Historic which among other things contains design guidelines that aim to create animated and welcoming streetscapes. Provincial regulations prohibit cannabis products from being visible from the street. While staff would encourage the applicant to maintain a positive street relationship, it should be noted that interior improvements

that restrict visibility into the storefront, such as blinds or curtains, are not subject to staff approval. However, extensive use of non-transparent glass or screening films applied to glass would be considered contrary to the design guidelines and would require Council consideration and approval.

Downtown Core Area Plan

The *Downtown Core Area Plan* designates this property as Historic Commercial District. The application is consistent with the neighbourhood plan, in which zoning accommodates a diverse range of active commercial uses.

Tree Preservation Bylaw and Urban Forest Master Plan

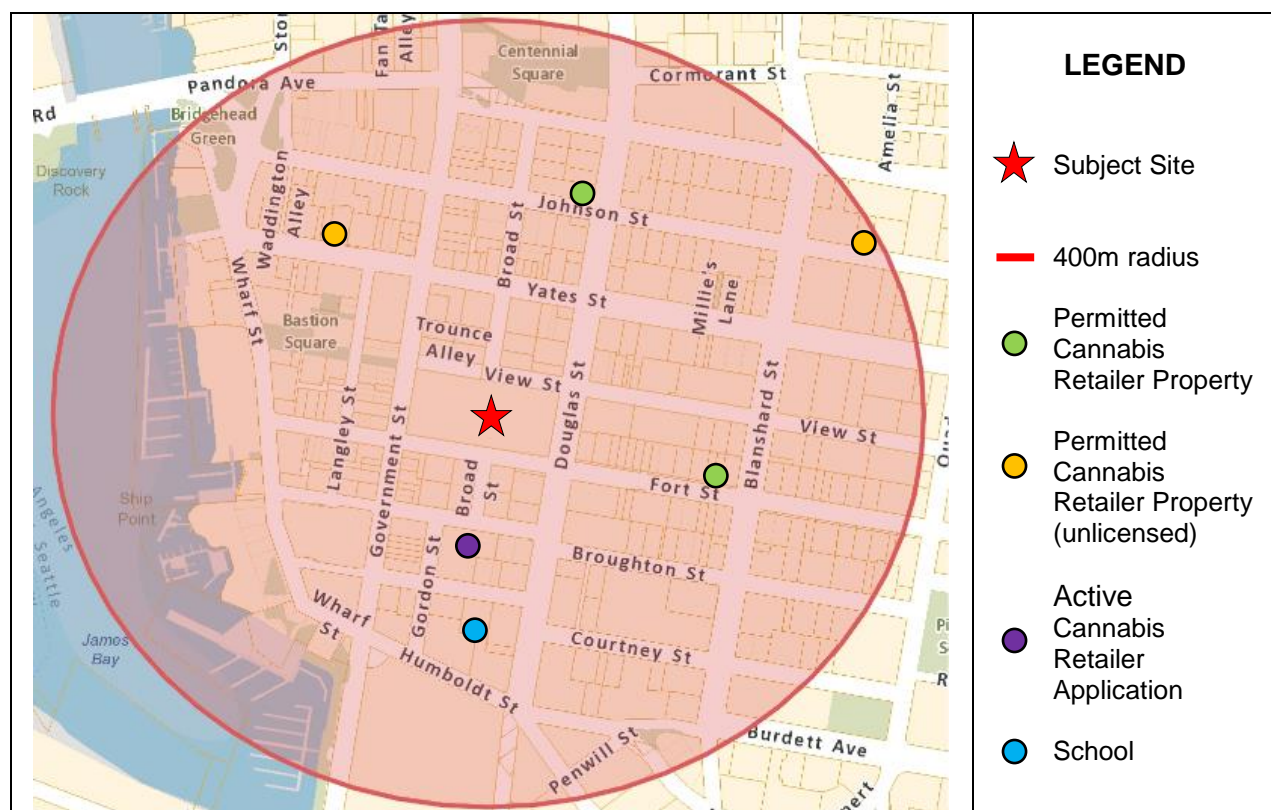
There are no Tree Preservation Bylaw impacts and no impacts to public trees with this Application.

Storefront Cannabis Retailer Rezoning Policy

The proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy* as there are four properties within 400m of the subject property that have storefront cannabis retailer as a permitted use:

- 778 Fort Street is 177m away and is provincially licensed
- 1402 Douglas Street is 216m away and is provincially licensed
- 546 Yates Street is 160m away and non-operational and not provincially licensed
- 826 Johnson Street is 370m away and is operational but is not provincially licensed.

Finally, there is one independent high school, the Pacific Institute for Innovation and Inquiry, 170m away from the subject property.



CONCLUSIONS

The proposal to permit the storefront cannabis retailer use is consistent with the *Official Community Plan* and the *Downtown Core Area Plan*. However, the proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy* as there are four other properties within 400m that permit the use of storefront cannabis retailer and there is a school within 200m of the subject property. Staff therefore recommend that Council consider declining the application. However, an alternate motion has been provided for Council's consideration.


ALTERNATE MOTION

That Council instruct staff to prepare the necessary zoning regulation bylaw amendment that would authorize the proposed development outlined in Rezoning Application No. 00748 for 1150 Douglas Street, that first and second reading of the zoning regulation bylaw amendment be considered by Council and a public hearing date be set.

Respectfully submitted,



Mike Angrove
Senior Planner
Development Services Division



Karen Hoes, Director
Sustainable Planning and Community
Development Department

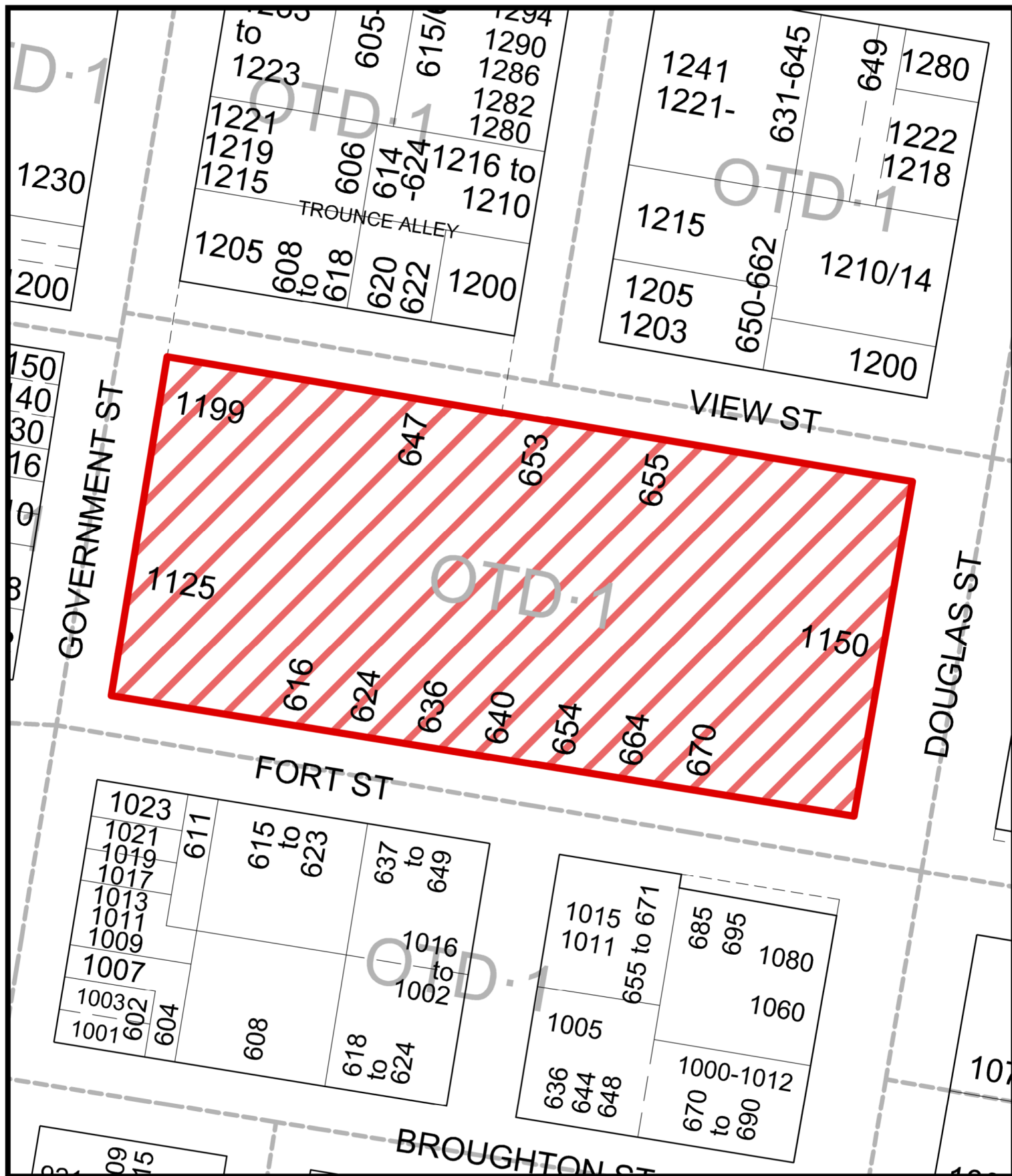
Report accepted and recommended by the City Manager:



Date: October 15, 2020

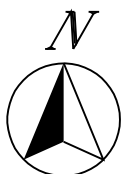
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped September 25, 2020
- Attachment D: Letter from applicant to Mayor and Council dated August 5, 2020.



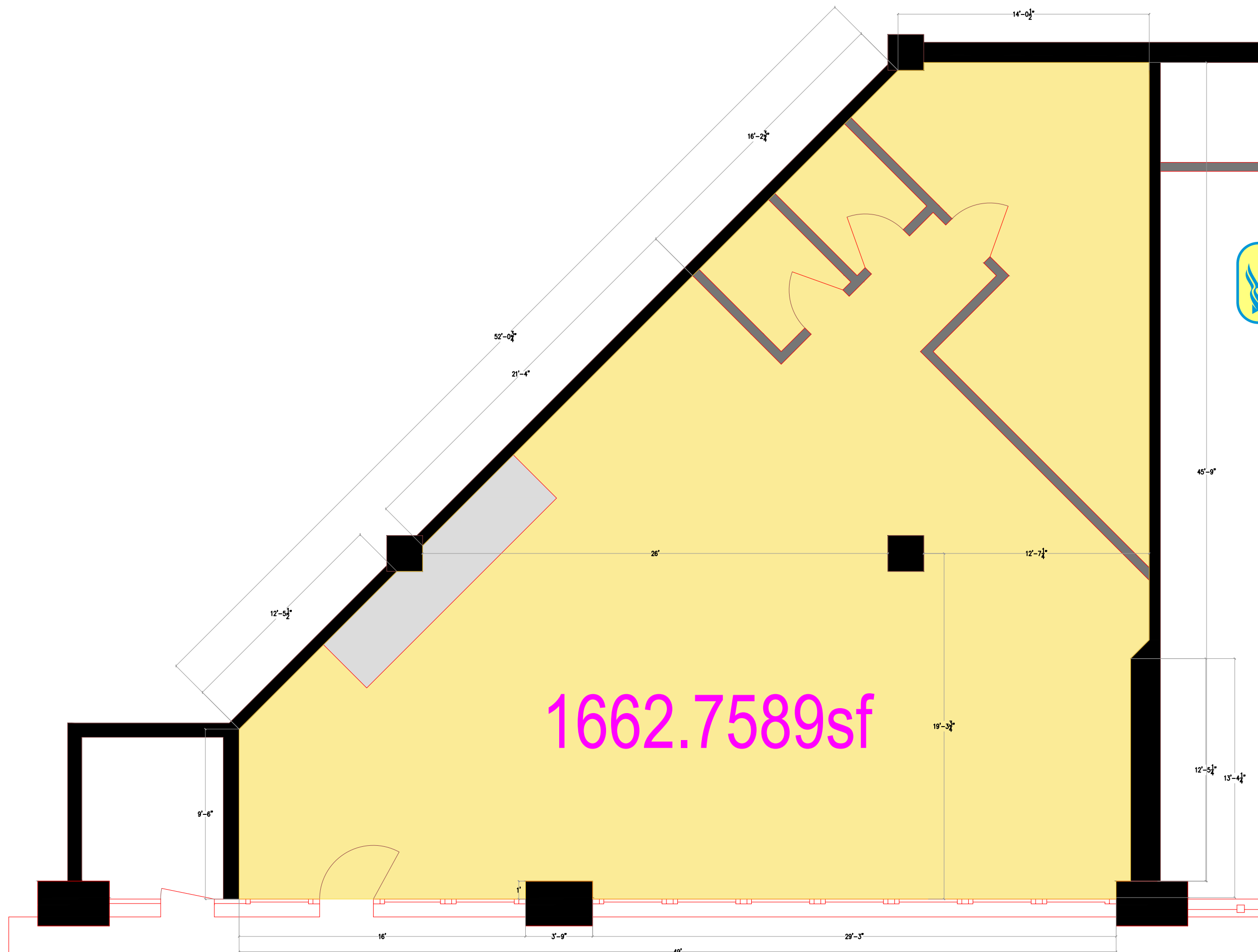
1150 Douglas Street
Rezoning No.00748






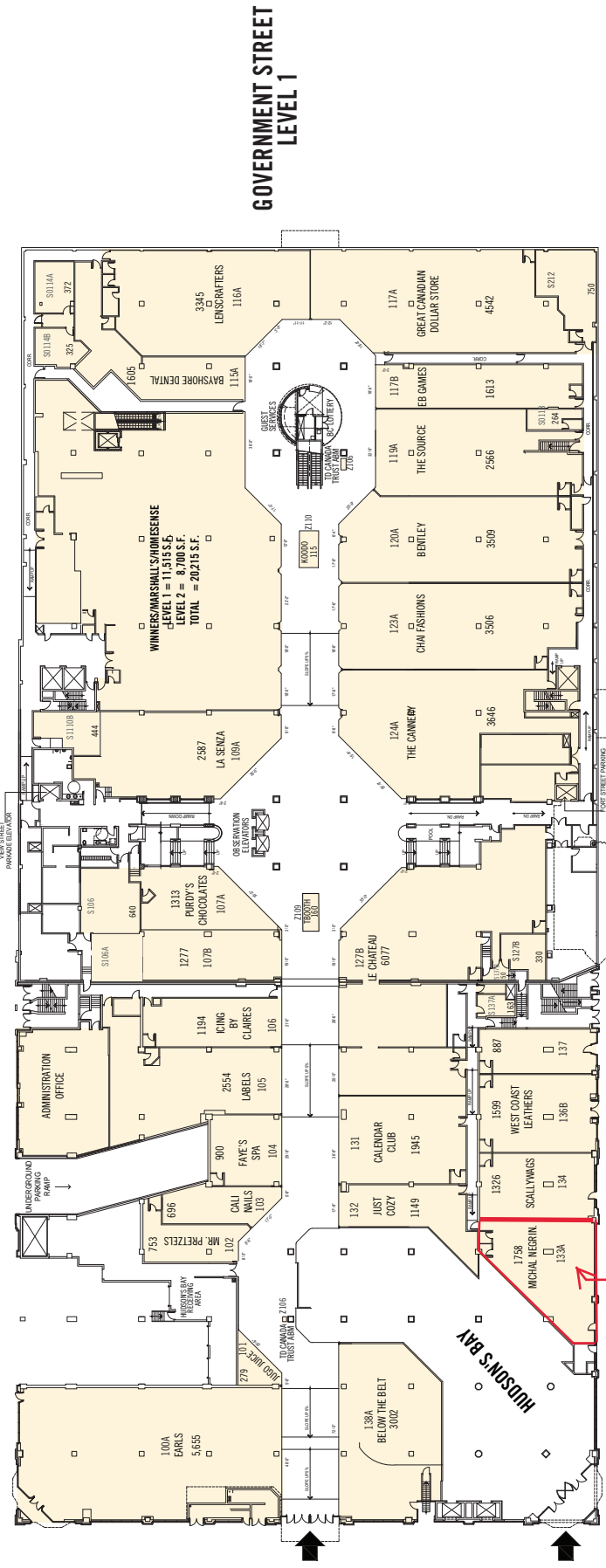
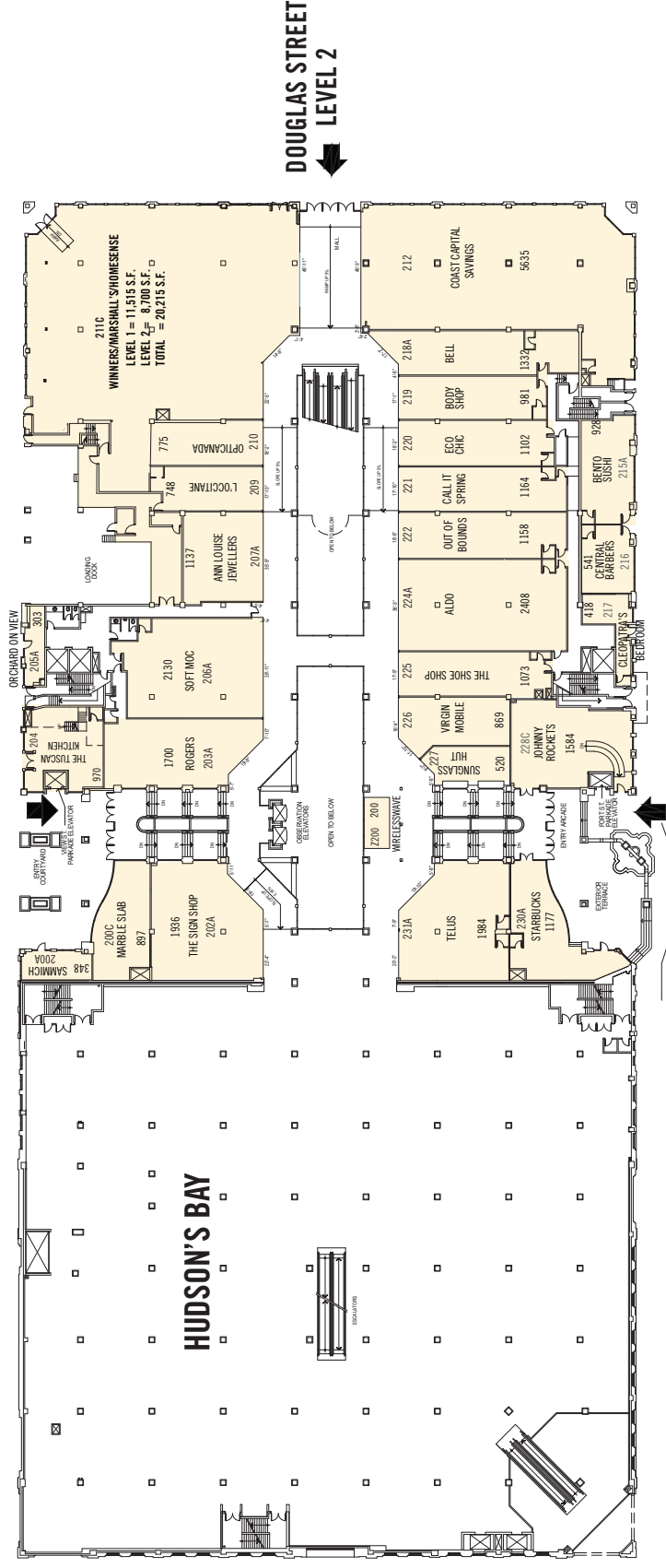
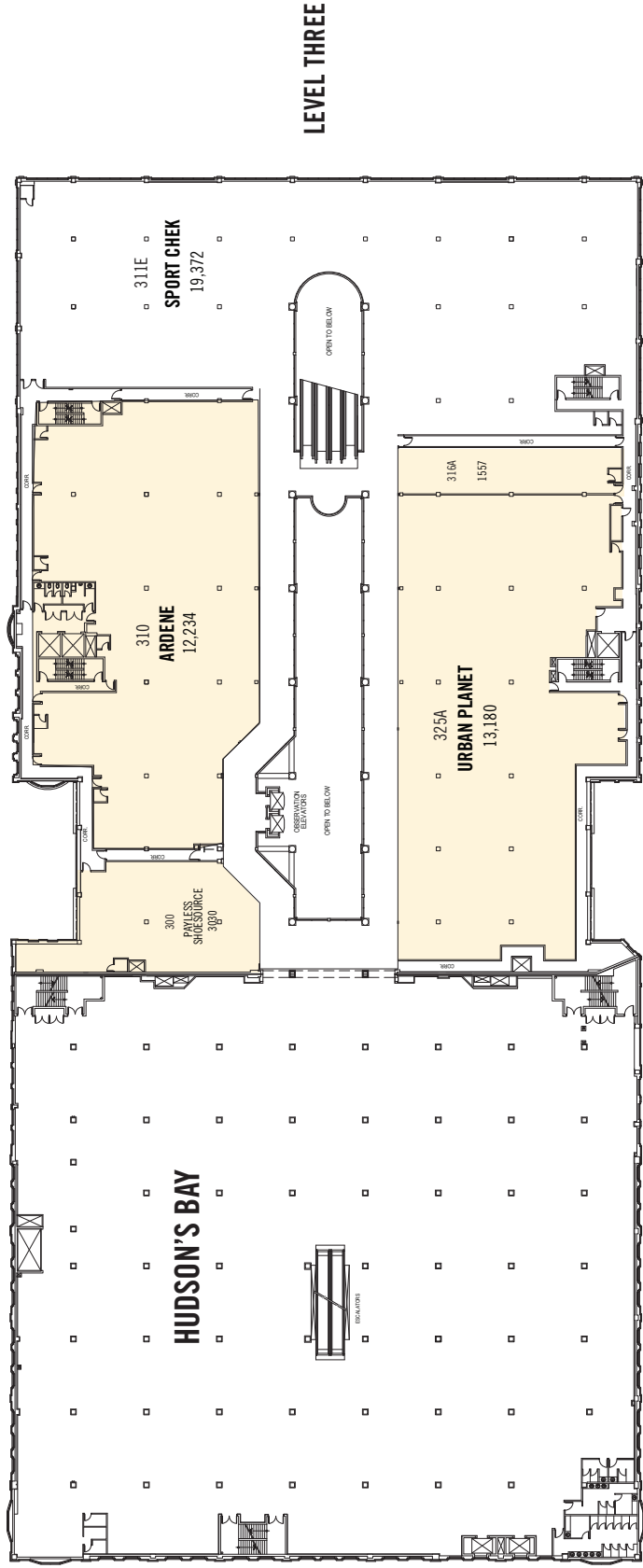
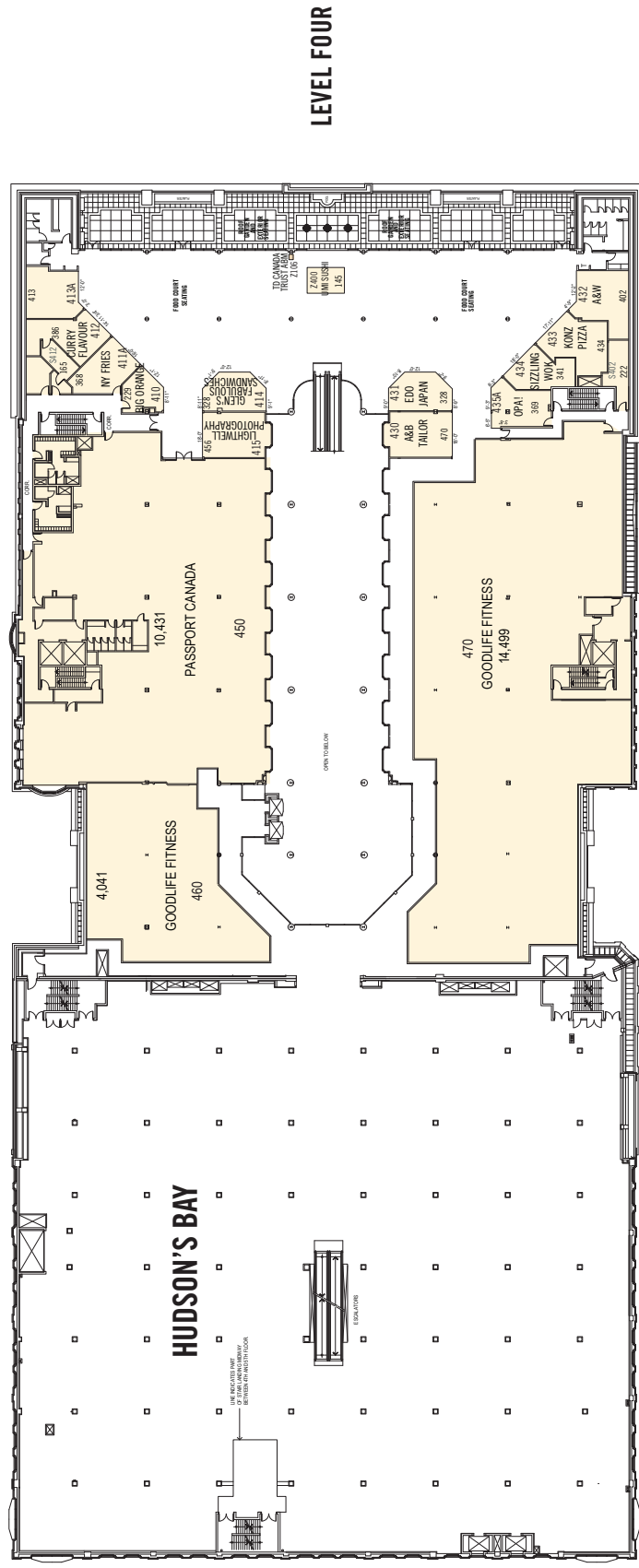
1150 Douglas Street
Rezoning No.00748





 **Revisions**
Received Date:
September 25, 2020

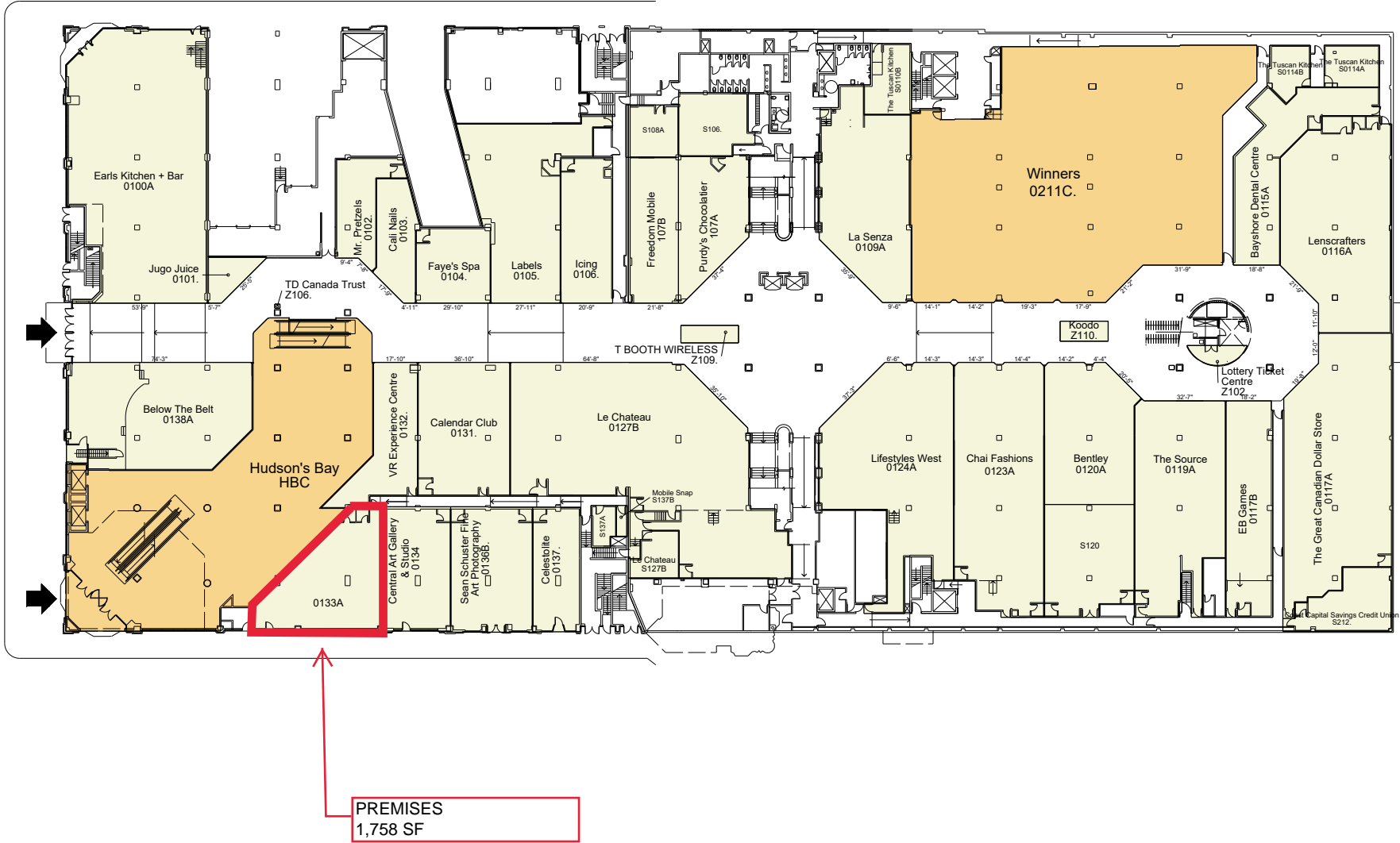
bccs - victoria bay center



1,758 SF

BAY CENTRE

Floor 1









August 5th, 2020

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

Dear City Staff, Mayor and Members of Council:

Re: Non-medical cannabis retail store application

Please accept the Liquor Distribution Branch's (LDB) application to locate a **Government operated** non-medical cannabis retail store at **The Bay Centre, located at 1150 Douglas St.** The LDB has received support from the property owner to proceed with this application (application form, fees and supporting materials attached).

About the LDB

The LDB is one of two branches of government responsible for the beverage alcohol industry in BC. The *Liquor Distribution Act* gives the LDB the sole right to purchase and distribute beverage alcohol for the province. The LDB is also the public liquor retailer in the province's mixed public-private model, operating 197 retail outlets under the brand 'BC Liquor Stores.'

Under the [*Cannabis Distribution Act*](#), the LDB is also the sole wholesale distributor of non-medical cannabis in British Columbia and operates standalone, public retail stores and provides online sales. Since legalization, the LDB has opened BC Cannabis Store retail locations in twenty communities and we are actively working to roll out more stores across the Province to cater to the BC market.

Revenue generated through the LDB's wholesale and retail operations is remitted to the Provincial Government and contributes to supporting vital public services such as health care and education.

Committed to maintaining a level playing field between private and public retailers, the LDB ensures a fair and ethical supply and distribution of non-medical cannabis by applying a common set of rules for both:

- As the wholesaler of non-medical cannabis, it applies a 15% wholesale mark-up on the landed cost of cannabis distributed throughout the province to private and public BC Cannabis Stores
- Purchasing cannabis at a common wholesale price, both private and public retailers are required to pay the cost of shipping product from the LDB warehouse to their retail outlet. E-commerce customers currently pay a flat shipping fee of \$8 on each order purchased via www.bccannabiswholesale.com.
- All private and public retail stores are required to comply with the municipal, provincial and federal regulations that govern the purchase, sale, and distribution of non-medical cannabis

- For both private and public retail stores, the minimum retail price for selling non-medical cannabis is either the wholesale price they paid to the LDB or the current LDB wholesale price, whichever is lower.

Location of proposed BC Cannabis Store

The LDB is proposing to open a BC Cannabis Store at **The Bay Centre** for a number of reasons, including that the site is:

- Located in an existing retail centre with strong anchor tenants;
- Easily accessible to customers with ample parking;
- Not expected to adversely impact traffic in the surrounding area, given its location in an already established complex, and;
- Located outside any sensitive use buffers established under the current City Policy.

The size of the proposed non-medical cannabis retail store is approximately 1,758 square feet of which we envision roughly half being dedicated to retail, with the remainder being utilized for office and administrative space for store staff.

Our commitment to community engagement and social responsibility

The LDB works closely with the Liquor and Cannabis Regulation Branch (LCRB), the Ministry of Public Safety and Solicitor General, and the Ministry of Attorney General to encourage the safe and responsible consumption of alcohol and non-medical cannabis in BC.

We are committed to working in partnership with local governments to ensure a smooth introduction of non-medical cannabis to the retail market in BC communities. While government-operated BC Cannabis Stores do not require a licence from the LCRB^[1], we are committed to following all municipal zoning processes and meeting all bylaw requirements, as well as working with local law enforcement agencies to maintain public safety.

Social responsibility is integral to the LDB and has been part of our corporate culture for decades. BC Liquor Stores have a well-established history of both undertaking initiatives encouraging the responsible use of our products and fundraising campaigns to give back to the local community.

Since 2010, we have raised nearly one hundred thousand dollars from staff and customers at our Victoria BC Liquor Stores locations, with most of the funds being allocated to programs within the District.

Our current BC *Liquor* Stores social responsibility programs will serve as examples as we move forward on developing our BC *Cannabis* Stores social responsibility endeavours. Our current efforts in the cannabis field include:

- Delivering products that meet strict safety and quality requirements. All cannabis products purchased through the LDB's wholesale channel and sold through BC Cannabis Stores are purchased from federally licensed producers.

^[1] As a branch of the Ministry of Attorney General, the LDB does not require a formal license from the LCRB to operate a retail cannabis store - written confirmation from the LCRB is attached.

- Promoting the safe and responsible use of non-medical cannabis through social responsibility campaigns aimed at keeping cannabis out of the hands of minors, preventing driving under the influence, and informing the public about potential associated health risks of consuming cannabis.
- Actively discouraging customers from engaging in high-risk behavior such as driving under the influence, consuming cannabis during pregnancy and participating in sporting activities while under the influence of cannabis;
- Increasing awareness of the dangers associated with over-consumption or risky behavior through various [in-store campaigns](#) with strategically placed messaging, and;
- Incorporating environmental sustainability into all facets of our business with a goal of reducing our environmental footprint and being a leader in sustainable retailing.

Keeping cannabis out of the hands of minors.

Unlike liquor stores, minors will not be permitted inside BC Cannabis Stores, even if they are accompanied by a parent or guardian. Our ID-check policy at store entrances prevents minors from entering our stores. All our staff receive comprehensive training in verifying ID, and will request age verification from all customers appearing under the age of 30.

Odour Mitigation

Product must be packaged and sold in accordance with Health Canada's packaging requirements, in a child-proof container. Since the product is prepackaged at the point of cultivation, there is little-to-no noticeable odor emitted from the store.

There will also be a ventilation and filtration system in order to reduce or eliminate odors. In the event that neighbouring tenants or customers have any concerns in this regard, the LDB will respond to these requests immediately. To date we have received no complaints regarding odours from any of our four stores currently in operation

Cannabis store operations

All BC Cannabis Stores employ unionized staff. This particular location will have approximately 8 employees, including a Store Manager, at least one Assistant Store Manager, and staff comprised of full and part-time Cannabis Consultants. Wages start at \$21.00 per hour with benefits and pension eligibility as Provincial employees. All prospective employees must undertake an Enhanced Security Screening (ESS) as mandated by Provincial law.

Store hours vary but locations are typically open from 10am to 9pm Monday to Saturday and 11am to 7pm on Sundays.

Our neighbourhood strategy includes:

- *Keep It Safe*, a mandatory full-day training program, for all staff. This program covers best practices for dealing with intoxicated customers, suspicious activities, and instances of violence, theft or nuisance. Additional topics covered include understanding cannabis related laws and strategies for maintaining a safe environment for employees and customers.

- Implementation of procedures on how to deal with unruly customers, store safety, loitering, and consumption outside the premises. Procedures are in place to ensure there are at least two employees in the store at all times and that stores are alarmed and locked outside business hours. For events that occur outside of the store, staff are trained to contact mall security, if applicable, or to call 911.
- Training staff on how to verify a customer's age and to identify signs of fraudulent I.D.
- Transporting expired or defective product off-premises for destruction. There will be no disposal of cannabis at any store, further reducing the risk that cannabis will fall into the hands of minors or the illicit market

Security

Customer, employee, and community safety is paramount. The LDB brings over 40 years of experience working with local government, enforcement agencies, and security experts in establishing and operating secure retail stores in BC, and nearly 100 years of retailing regulated products. The LDB utilizes Crime Prevention through Environmental Design (CPTED) principles when designing our retail stores.

BC Cannabis Stores are supported by the LDB's Corporate Loss Prevention department and privately contracted security personnel are available to work in conjunction with store staff to ensure security practices and protocols are followed.

All BC Cannabis Stores have:

- Centrally-monitored province-wide intruder and fire monitoring systems;
- Interior and exterior camera surveillance;
- Locked and tempered glass display cases for cannabis accessories;
- A secure storage room for product storage;
- Durable and reliable commercial-grade doors and locks;
- Security shutters and smash-resistant windows.

Further details regarding BC Cannabis Stores and the LDB's social responsibility efforts are included in the attached presentation. If you require additional materials or have any questions we would be very happy to provide it. We thank you in advance for your consideration of our application.

Sincerely,

Ryan McKeown,
Senior Business Analyst
BC Liquor Distribution Branch

1

Rezoning Application for 1150 Douglas Street



1

2

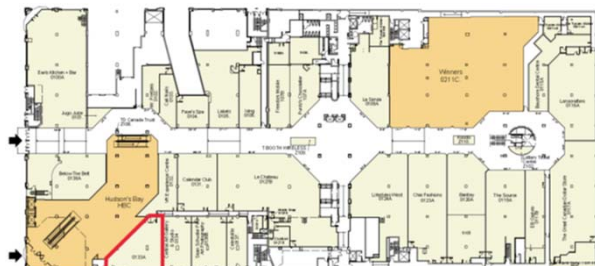
Aerial View



2

Subject Site

3



3

Neighbouring Properties

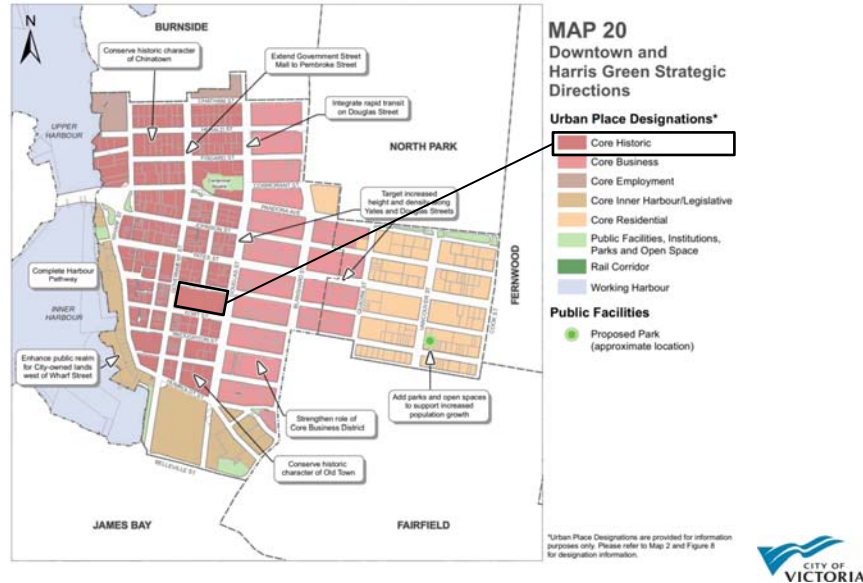
4



4

Official Community Plan

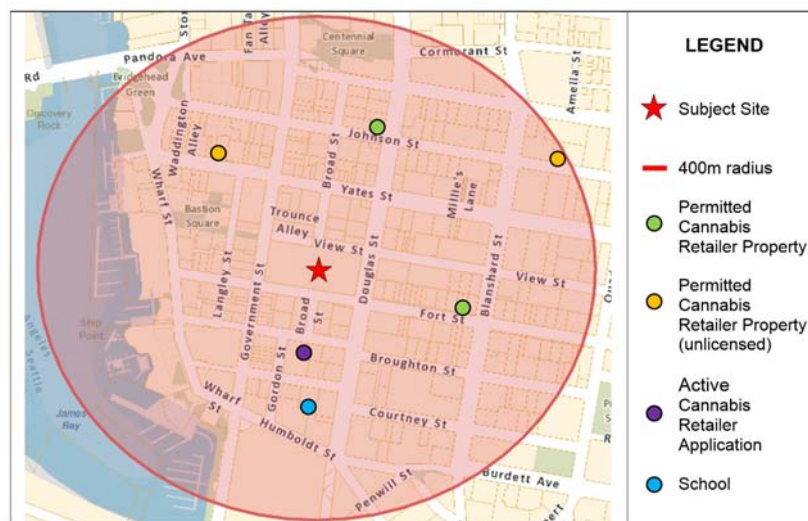
5



5

Distances from Other Retailers

6



6

Richard Elliott

From: Ian Sutherland [REDACTED]
Sent: October 19, 2020 6:17 PM
To: Victoria Mayor and Council; Lisa Helps (Mayor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor); Marianne Alto (Councillor); Ben Isitt (Councillor); Jeremy Loveday (Councillor); Sharmarke Dubow (Councillor); Sarah Potts (Councillor)
Cc: Michael Angrove
Subject: Rezoning Application No. 00748 for 1150 Douglas Street
Attachments: 1150 Douglas St - Cannabis Retail .pdf

To Mayor and Council,

Please find attached the DRA LUC letter in response to the rezoning application to permit the use of a Storefront Cannabis Retailer at 1150 Douglas Street.

Regards,

Ian Sutherland



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

October 19th, 2020

Re: Rezoning Application No. 00748 for 1150 Douglas Street

Dear Mayor Helps and Council,

The DRA LUC would like to offer support for the Staff recommendation to decline the application to permit the use of a Storefront Cannabis Retailer. As observed by Staff, “the proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy*”.

There are four properties within 400m of the subject property that have storefront cannabis retailer as a permitted use:

- 778 Fort Street is 177m away, is provincially licensed and has been operating at that location since 2014;
- 1402 Douglas Street is 216m away, is provincially licensed and has been operating at that location since 2015;
- 546 Yates Street is 160m away, non-operational and not provincially licensed; and,
- 826 Johnson Street is 370m away, has been operating as the Cannabis Compassion Club for 19 years at that location but is not provincially licensed.

Additionally, Staff point out that there is one independent high school, the Pacific Institute for Innovation and Inquiry that, at 170m away from the subject property, is within the 200m proximity.

Proximity rules were established by Council to limit the number of Cannabis retailers to the point that the public is adequately served and operators do not need to sell to minors to make ends meet. There is a strong case that indicates a direct correlation between the viability of these businesses and compliance regarding sale to minors.

There is no shortage of ground floor retail properties for lease within the City and therefore no apparent impediment for the applicant to seek a location that complies with the current proximity rules. It is important that precedence is not set in relaxing these proximity rules without a compelling rationale. We strongly encourage Council to uphold its wise decision to adopt the 400m proximity rule for Cannabis retailers and the 200m proximity rule for schools.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ian Sutherland', with a large loop at the start and a trailing flourish.

Ian Sutherland
Chair Land Use Committee, Downtown Residents Association

cc COV Planning

Madison Heiser

From: Steve W [REDACTED]
Sent: Monday, January 11, 2021 9:50 AM
To: Public Hearings
Subject: Ammendment Bylaw (No. 8) No. 20-125

Follow Up Flag: Follow up
Flag Status: Flagged

I don't think we need another cannabis retail store in Victoria...My vote is no thank you...

BAY CENTRE

VICTORIA

Bay Centre

Cushman & Wakefield Asset Services ULC
#2 1150 Douglas Street
Victoria, BC V8W 3M9

thebaycentre.ca

January 11, 2021

City of Victoria
Legislative Services Department
#1 Centennial Square
Victoria, BC V8W 1P6
Attention: Mayor Lisa Helps and City of Victoria Council

RE: Zoning Bylaw 2018, Amendment Bylaw (No.8) No. 20-125

Mayor Helps and City of Victoria Council,

Please accept this letter of support for the proposed cannabis retail shop to be located in unit 133A on the Fort Street exterior of Bay Centre. This application was initiated by the Government of British Columbia which has since assigned the application over to Seed and Stone, a company partnering with the Songhees Nation.

Downtown Victoria's economic development will be enhanced by leasing unit 133A, encouraging further tenancies in neighbouring units in an area that has been seen some long term vacancy in recent years.

The Bay Centre's exterior retail locations on Fort Street provide an ideal spot for a tenant such as Seed and Stone. Operationally, the shopping centre has 24 hour professional security service on site, 365 days a year. The property is managed by a global leader in property management and commercial real estate, Cushman & Wakefield Asset Services ULC, and the owner of the Bay Centre is a leading international real estate investor that is committed to excellence.

Yours truly,
TBC Nominee Inc.
by its agent and manager
Cushman & Wakefield Asset Services ULC



Darlene J. Hollstein
General Manager
The Bay Centre

Dear Mayor and Council,

I am writing to you today in my capacity as Executive Director of Association of Canadian Cannabis Retailers (ACCRES) on behalf of our member business located in the city of Victoria.

I would like to commend the approach Victoria has taken to this point on the cannabis file; our members have praised your governments' leadership. On their behalf I would like to bring several newer factors relevant the cannabis sector to your attention. I would like to further submit a recommendation that Mayor and Council not re-hear the application of a publicly owned BC Cannabis store located at 1150 Douglas St, Victoria.

One of the challenges that has arisen for many of our members across the province is the issue of the effect the publicly owned BC Cannabis stores are having on private cannabis retailers. While ACCRES is obviously focused on and supportive of reasonable access to cannabis, I hope to illustrate for Mayor and Council some of the challenges that the arrival of the BC Cannabis Store presents to license holders and the community. We believe the refusal of the application at 1150 Douglas St. protects existing small businesses and should be upheld.

The reasoning for this recommendation is informed by several factors. First, under normal circumstances, market competition and consumer preference would dictate which of these businesses in the community will thrive and which fail. In the case of regulated cannabis, however, the factors that contribute to the normal success and failure of small business are largely absent. Cannabis retailers are currently unable to differentiate themselves in a meaningful way from one another based on product diversity, pricing, or marketing.

This is the case due to four main factors:

- Products available to private retailers are dictated by the provincially owned distributor. Currently, the variety of products available for sale in the regulated system means that private cannabis shops are carrying a nearly, identical selection of products in their stores. The BC Cannabis Store is no exception to this
- The provincial owned stores, both in their physical and online forms, have the capacity to maintain exceptionally low margins on products. These margins are exceptionally challenging for small businesses to match. While the province has unlimited access to funding due to their status as taxpayer funded to maintain stores that are unprofitable, small businesses don't have the same resources.
- The unregulated, or "black market", cannabis stores further contribute to margin pressures.
- The marketing options available to licensed cannabis retailers is hugely restricted at a federal level. There is some contention whether private retailers can advertise that their business exists under the current federal marketing regulations, let alone provide the public with compelling advertising that would drive traffic to their location.

As a result of these conditions, cannabis retailers find it extremely difficult to distinguish themselves at present. The public store represents a race to the bottom for private retailers rather than a meaningful exercise in customer attraction and retention. Adding a public store in a region does not meaningfully improve customer experience or price, but rather divides the already small pie of recreational cannabis customers further.

Due to the strict controls, lack of a true open market driven by standard competitive factors and the potential for community backlash, a high density of these shops only serves to drive the failure of new small businesses. These factors are redoubled when the impact COVID has had on this summer's tourism season is factored in. What should be an economic boon is devolving into an economic hardship for entrepreneurs across the province.

Our members believe that the original decision made by Mayor and Council was the best decision for the current regulated cannabis market in Victoria.

Our members are not opposed to competition, this recommendation is formulated to protect the citizens of Victoria from the foibles we have seen arise in other cities and towns across BC..

Thank you for considering this recommendation.

Best regards,

Jaclynn Pehota
Executive Director
Association of Canadian Cannabis Retailers (ACCRES)



Amanda Ferguson

From: Public Hearings
Subject: FW: General - City of Victoria Feedback Form

From: webforms@victoria.ca <webforms@victoria.ca>
Sent: January 13, 2021 11:10 AM
To: Public Service Centre - Internet email <publicservice@victoria.ca>
Subject: General - City of Victoria Feedback Form

You have received an email from Ms. Jerry-Lee Cerny via the City of Victoria website feedback form

Name: Ms. Jerry-Lee Cerny
Email: [REDACTED]
Topic: General
Phone: [REDACTED]
Address: 710 Fort St., #505, Victoria, BC.

Message: Re: public hearing and storefront cannabis retailer permit

Generally, I think that it is not a good idea to have another cannabis store of any sort present in the downtown area; there are already at least 3 other cannabis outlets downtown plus The Compassion Club on Johnson St. The presence of another cannabis outlet may attract more people who are living on the street (emotionally volatile and mentally unstable). Also, it may encourage more people, who may become stoned on cannabis after their purchase of it, to hang out in the downtown area. The quality of the downtown area is, and has been deteriorating quickly. The presence of another "drug" store is not a constructive choice. Here, in downtown Victoria, there needs to be more financial support for local, small businesses offering goods and services other than marijuana and related products.

Thank you. Ms. J. Cerny.

Date: Wednesday, January 13, 2021 11:10:16 AM

Madison Heiser

From: Alex Gunderson [REDACTED]
Sent: Wednesday, January 13, 2021 4:45 PM
To: Public Hearings
Subject: 1150 Douglas Street: Rezoning Application No. 00748

Mayor, Councillors, and an exciting warm welcome to Stephen Andrew!

I am a retired Cannabis Industry innovator. There are already **more than enough** cannabis stores in the downtown core (as shown by the map made by city staff). The approval of another store within the radius will only show one more reason why so many people voted for Stephen Andrew. He stands up for small businesses. We need a business that will bring people downtown, A cannabis store will not do that as there are already enough stores to service everyone in the area already. By adding another store within the buffer of which there are already too many stores as you know, you will be directly taking food off of plates of existing cannabis shops, if you do not understand how this works I will break it down in simple math:

1000 Cannabis Customers , 10 Stores = 100 Customers per store
1000 Cannabis Customers , 11 Stores = 90 Customers per store

With the way the government has laid out high prices and low margins for retail cannabis, this could be an entire store's profit. There are already "four properties within 400m of the property that have storefront cannabis retailer as a permitted use."- City Staff

How does it logically make sense rather than asking retailers to spread out around the city?

I do not want yet another store in my neighborhood especially if it puts a damper on local entrepreneurs.

In conclusion, I am against this store application as well as any other applications within the buffer zone of other stores within the city, its time the government starts playing fair.

Respectfully,

Alex D. Gunderson

Gold Experience International Inc.
GEI Inc.

DOWNTOWN Victoria

Downtown Victoria Business Association
20 Centennial Square
Victoria, BC
V8W 1P7

January 13, 2021

Victoria Mayor & Council
1 Centennial Square
Victoria, BC
V8W 1P6

Re: Support for Songhees Nation

Dear Mayor & Council,

I am writing on behalf of the Downtown Victoria Business Association to support the Songhees Nation's rezoning requests regarding 901 Gordon Street and the unit they plan to rent within 1150 Douglas Street (The Bay Centre). We welcome this significant investment in downtown, particularly as the nation plans to sign stable, long-term leases.

Despite a system that has, historically, made it difficult for First Nations to experience economic growth, Songhees Nation has worked hard to establish both a commercial and a cultural presence in their traditional territory. They are valuable contributors to the economy and valuable partners to many different groups both within the downtown and throughout the broader region.

Their existing business initiatives (such as the Songhees Centre and the Songhees Food Truck) have already added a richness to downtown Victoria. This is partially through their economic contribution, but even more significantly through their cultural presence. The field of experiential Indigenous tourism is growing rapidly, and the Songhees Nation has plans to further expand their programs once it is safe to do so. They intend to offer cultural canoe tours in the Inner Harbour, walking tours which will encompass key points of interest downtown and the Signs of Lekwungen public art installations, and other cultural programming. These two cannabis businesses will play a role in that cultural presence as well as contributing to the local economy.

The DVBA is very pleased by the increased cultural and economic presence of Songhees Nation within its traditional territory, and urges the council to please allow the rezoning requests to be completed.

Sincerely,



Jeff Bray
DVBA Executive Director

Madison Heiser

From: Vafa Javanmardi [REDACTED]
Sent: Wednesday, January 13, 2021 3:12 PM
To: Public Hearings
Cc: Vafa Javanmardi
Subject: Opposing Amendment Bylaw (No.8) No. 20-125

To: Mayor & Council

Subject: Opposing Amendment Bylaw (No.8) No. 20-125 Storefront Cannabis Retailer on land 1150 Douglas St, 600-670 Fort St, 1125-1199 Government St

Dear Mayor & Council,

I am writing to **oppose** this amendment in the strongest way possible. I am a taxpayer living in Victoria for almost 20 years and working a block from the proposed cannabis store. Legalizing Recreational Cannabis was a BIG mistake by the Federal & Provincial governments. It was even a bigger mistake by City of Victoria to encourage and establish dozens of pot shops across this tiny town to the detriment of the younger generation and its citizens. This drug is a poison to the health of our youth and able-bodied citizens. STOP making Victoria the Pot Capital of Canada. I see every day what carnage it brings to areas where these pot shops thrive, and am sure that they sell illegal drugs from their back doors & "members only" rooms. Adding another 2 pot shops in the downtown core will further destroy our beautiful city and will attract more drug dealers, crime, theft, and make the downtown more dangerous to the local families and tourists that visit our town. This will also drive away businesses and make entire blocks of the city as "No go" areas. The surrounding businesses will also suffer dramatically. There is absolutely no justification to increase the number of pot shops in town. Improve the downtown core by bringing in family oriented businesses; health & recreation, cafes, daycares, educational institutions, and museums & galleries. A Cannabis store only destroys society and our younger generations. Medicinal Cannabis should be purchased from local Pharmacies like every other medicine.

I expect that you will make the right decision to reject this project and look after the welfare of all the citizens of Victoria, and not increase its crime rate.

Respectfully,

Vafa Javanmardi



Vafa Javanmardi (Mech. Eng)
General Manager / Managing Broker
Harbour Centre
36 – 910 Government St.
Victoria, BC, V8W 1X3
[REDACTED]

This message, including any attachments, is privileged and may contain confidential information intended only for the person(s) named above. Any other distribution, copying or disclosure is strictly prohibited. If you are not the intended recipient, please notify us immediately and permanently delete the original transmission from us, including any attachments, without reading or making a copy of it. As email can be changed electronically, Tillyard assumes no responsibility for any alteration to this email or its attachments. Tillyard has taken every reasonable precaution to ensure that any attachment to this email has been swept for viruses. However, Tillyard does not accept any liability for damage sustained as a result of such attachment being virus infected.

Madison Heiser

From: Allen Spillette [REDACTED]
Sent: Thursday, January 14, 2021 11:50 AM
To: Public Hearings
Subject: Public Hearing - 1150 Douglas Street, 600-670 Fort Street, 1125-1199 Government Street, and 647-655 View Street:

Importance: High

Hello Mayor and Council,

My name is Allen Spillette and I'm an owner of The Original Farm. I'm writing this email to strongly oppose this application. The location is too close to other cannabis retailers and clustering cannabis stores in the downtown core isn't a solution for economic recovery. Our revenue at 1402 Douglas street has been hit very hard (close to 40%) by Covid-19 and adding a BC Cannabis store within the buffer zone would be crushing. I'm a huge advocate for small business, but this can not be said for BC Cannabis stores which is essentially a provincially run monopoly. BC Cannabis stores have proven to be crushing for other small cannabis business owners in other communities and it would be very discouraging to see Victoria bend the rules to allow them to enter.

I truly understand that we need to help small business downtown. We need find creative ways to pull ourselves out of this hole Covid-19 has put small business in, but a government run cannabis store is surely not the solution.

Thanks,

Allen Spillette
Co-Founder

The Original FARM
[REDACTED]
[REDACTED]

THE ORIGINAL
FARM

Madison Heiser

From: Victoria Mayor and Council
Sent: Thursday, January 14, 2021 9:12 AM
To: Public Hearings
Subject: Fw: Cannabis stores

From: Kenneth Mintz [REDACTED]
Sent: January 13, 2021 7:49 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Cannabis stores

Dear Mayor and Council,

I am disappointed that, once again, Council is about to approve rezoning another two locations for cannabis sales. one of them being the Bay Centre.

Downtown Victoria is already saturated with cannabis stores - we do not need another. Allowing cannabis to be sold in our main mall is utter foolishness. I frequently smell cannabis on our downtown streets, what happened to our Clean Air Bylaw?

After the pandemic is over, the tourist industry needs to be re-established. Victoria needs to be seen as a clean, safe city, as it used to be, which would make tourists want to spend more time here. Unfortunately, Council seems to be pursuing the opposite course. With the present situation in the USA, Victoria has a golden opportunity to be an attractive destination for Americans.

You should keep in mind that many scientific studies have determined that cannabis smoke (as well as vaping) is harmful. Do you want to be known 20 years from now, when the long-term effects of cannabis become obvious to everyone, that your Council was one that essentially promoted the sale of cannabis?

Kenneth Mintz

703-399 Tyee Rd., Victoria

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Bylaw 2018 to permit a storefront cannabis retailer at 1150 Douglas Street, 600-670 Fort Street, 1125-1199 Government Street and 647-655 View Street and add site specific regulations to the Old Town District-1 Zone (OTD-1).

The Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

Title

- 1 This Bylaw may be cited as the “ZONING BYLAW 2018, AMENDMENT BYLAW (NO. 8)”.

Definition

- 2 “**Site**” means the lands legally described as PID: 015-073-050, Lot A (DD EC116724), of Lots 121, 169, 169A, 170, 170A, 404, 405, 406, 411, 412, 413, 414 and 415, Victoria City, Plan 48135.

Amendments

- 3 Bylaw No. 18-072, Zoning Bylaw 2018, is amended:
- (a) by revising the Zoning Map to indicate that the Site is subject to site specific regulations; and
 - (b) in Part 4.4, Section 8, by adding the following new row immediately after the last row in the table and numbering the new row accordingly:

1150 Douglas Street, 600-670 Fort Street, 1125-1199 Government Street and 647-655 View Street Lot A (DD EC116724), Of Lots 121, 169, 169A, 170, 170A, 404, 405, 406, 411, 412, 413, 414 and 415, Victoria City, Plan 48135	a. Storefront Cannabis Retailer is a permitted use	i. The use does not occupy more than 155m ² ; and ii. Only one Storefront Cannabis Retailer at a time is operational on the Lot .
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Commencement

- 4 This Bylaw comes into force on adoption.

READ A FIRST TIME the

10th day of

December

2020

READ A SECOND TIME the **10th** day of **December** 2020

Public hearing held on the day of 2021

READ A THIRD TIME the day of 2021

ADOPTED on the day of 2021

CITY CLERK

MAYOR