



UPDATED AMENDED AGENDA - VICTORIA CITY COUNCIL
MEETING OF NOVEMBER 10, 2016, AT 6:30 P.M.
Council Chambers, City Hall, 1 Centennial Square
Located on the traditional territory of the Esquimalt and Songhees People

Poetry Reading by Yvonne Blomer, Poet Laureate

A. APPROVAL OF AGENDA

B. READING OF MINUTES

1. Minutes from the meeting held June 23, 2016
2. Minutes from the meeting held July 14, 2016
3. Minutes from the meeting held October 13, 2016

C. REQUESTS TO ADDRESS COUNCIL (Maximum 6)

1. Councillor John Rogers, View Royal: Support for the Victoria Waterways Loop
2. Ted Smith: Safe Inhalation Room
3. Kristianne Stone: Pets and Protection of Owners When Pets are Stolen
4. Julia Veintrop: Onsite Consumption of Cannabis
5. Joanne Rogers: Cook and Oliphant, Five Storeys
6. Meribeth Burton: Cook and Oliphant

D. PROCLAMATIONS

1. "UNiTE to End Violence Against Women Day" - November 25, 2016

E. PUBLIC AND STATUTORY HEARINGS

1.

Rezoning Application No. 00517 for 115 Moss Street

Council is considering a rezoning application to subdivide two existing lots into three new small lots and to construct two new small lot houses.

1. Public Hearing

Addenda Rezoning Application No. 00517

To rezone the land known as 115 Moss Street from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, to permit a three lot subdivision, retain the existing dwelling unit and construct two new small lot houses.

New Zone: R1-S2, Restricted Small Lot (Two Storey) District

Legal description: Lot 11, Block A, Fairfield Farm Estate, Victoria City, Plan 340

Existing Zone: R1-B Zone, Single Family Dwelling District

Late Item: Correspondence

2. Development Permit Application No. 00517

The Council of the City of Victoria will also consider issuing a development permit for the land known as 115 Moss Street, in Development Permit Area 15A: Intensive Residential – Small Lot, for the purposes of approving the exterior design and finishes for the new small lot houses as well as landscaping and associated variances with respect to lot width, setbacks and parking.

The Development Permit will vary the following requirements of the *Zoning Regulation Bylaw*, R1-S2 Zone and Schedule C – Off-street Parking:

- Part 1.23.3: reduce the lot width of Lot A and C from 10m to 9.89m;
- Part 1.23.8(c): reduce the side yard (north) setback of Lot B from 2.40m to 1.56m to allow for a habitable room with a window;
- Part 1.23.8(c): reduce the side yard (south) setback of Lot B from 2.40m to 1.56m to allow for a habitable room with a window;
- Schedule "C" Section 3 – permit one parking space to be located in the front yard of Lot B;

Close of Hearing - Consideration of Approval

3. **Bylaw Approval:** To consider approval of the application, a motion for Third Reading of the bylaw is in order:
 1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1075) No. 16-077*
4. **Bylaw Approval:** To consider final approval of the application, a motion to Adopt the bylaw is in order:
 1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1075) No. 16-077*
5. **Development Permit Approval:** To approve the development permit with variances, the following motion is in order:

That Council authorize the issuance of Development Permit Application No. 00517 for 115 Moss Street, in accordance with:

1. Plans date stamped July 27, 2016
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 1.23.3: reduce the lot width of Lot A and C from 10m to 9.89m;
 - ii. Part 1.23.8(c): reduce the side yard (north) setback of Lot B from 2.40m to 1.56m to allow for a habitable room with a window;
 - iii. Part 1.23.8(c): reduce the side yard (south) setback of Lot B from 2.40m to 1.56m to allow for a habitable room with a window;
 - iv. Schedule "C" Section 3 - permit one parking space to be located in the front yard of Lot B;
3. The Development Permit lapsing two years from the date of this resolution.

F. REQUESTS TO ADDRESS COUNCIL

1. **Late Item:** Chris Luby: Diversity of Safe Consumption Sites
Addenda
2. **Late Item:** Molly Cameron: Cook and Oliphant, Five storeys
Addenda
3. **Late Item:** Jane Ramin: Rezoning Application for 1041 Oliphant & 212-220 Cook Street
Addenda
4. **Late Item:** Jacinthe Tremblay: Rezoning Application for 1041 Oliphant & 212-220 Cook Street
Addenda
5. **Late Item:** Jeffrey Smith: Cook Street & Oliphant Rezoning Application
Addenda
6. **Late Item:** Mary Legun: Rezoning Application for 1041 Oliphant & 212-220 Cook Street
Addenda

7. **Late Item**: Wayne Hollohan: Cook and Oliphant Development Proposal
Addenda

8. **Late Item**: Ashley Abraham: Cannabis Consumption in Related Businesses
Addenda

9. **Late Item**: Chrystal Mighty: Consumption Locations
Addenda

G. UNFINISHED BUSINESS

1. Letter from the Ministry of Families, Children and Social Development
A letter dated October 11, 2016, acknowledging receipt of the City's letter regarding a request for funding for the Regional Housing First Program.
2. Letter from the Minister of Forests, Lands and Natural Resource Operations
A letter dated October 26, 2016, in response to the City's letter regarding concerns on the future of Emily Carr House.

H. REPORTS OF COMMITTEES

1. Committee of the Whole

1. Report from the November 3, 2016 COTW Meeting
2. Report from the November 10, 2016 COTW Meeting
Addenda
Late Item: Report

I. NOTICE OF MOTIONS

J. BYLAWS

1. Waterworks, Sanitary Sewer and Stormwater Utilities, and Solid Waste Amendment Bylaws
A report recommending first, second, and third readings of Bylaws No. 16-079, No. 16-080, and No. 16-088.

1. First Reading

1. Waterworks Bylaw, Amendment Bylaw (No. 11) No. 16-079
A bylaw to increase the connection fees, special fees, and consumption charges payable under Bylaw No. 07-030.
2. Sanitary Sewer and Stormwater Utilities Bylaw, Amendment Bylaw (No. 4) No. 16-080
A bylaw to increase the stormwater user fee factor rates, CRD sewer consumption charge payable, connection fees, dye test fees, and special fees and considerations payable under Bylaw No. 14-071.
3. Solid Waste Bylaw, Amendment Bylaw (No. 5) No. 16-088
A bylaw to increase the fees for the collection of solid waste.

2. Second Reading

1. Waterworks Bylaw, Amendment Bylaw (No. 11) No. 16-079
2. Sanitary Sewer and Stormwater Utilities Bylaw, Amendment Bylaw (No. 4) No. 16-080
3. Solid Waste Bylaw, Amendment Bylaw (No. 5) No. 16-088

3. Third Reading

1. Waterworks Bylaw, Amendment Bylaw (No. 11) No. 16-079
2. Sanitary Sewer and Stormwater Utilities Bylaw, Amendment Bylaw (No. 4) No. 16-080
3. Solid Waste Bylaw, Amendment Bylaw (No. 5) No. 16-088

4. Adoption

1. Housing Agreement (1016 Southgate Street) Bylaw No. 16-081
A bylaw proposing to authorize an agreement for rental housing for the lands known as 1016 Southgate Street.

K. CORRESPONDENCE

1. Letter from the President of Union of BC Municipalities (UBCM)
A letter dated October 12, 2016, expressing appreciation for the participation that was received from the City during the 2016 UBCM Convention.

2. Letter from the Green Communities Committee

A letter dated September 21, 2016 congratulating the City on successfully achieving its goal of corporate carbon neutrality for the 2015 reporting year.

3. Letter from the Minister of Children and Family Development

A letter dated November 2, 2016 regarding raising awareness about adoption and finding loving homes for British Columbia's waiting children and youth.

L. NEW BUSINESS

M. QUESTION PERIOD

N. ADJOURNMENT



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, JUNE 23, 2016, AT 6:30 P.M.

PLACE OF MEETING: Council Chambers, City Hall

PRESENT: Mayor Helps in the Chair, Councillors Alto, Loveday, Lucas, Madoff, Thornton-Joe, and Young.

ABSENT: Councillor Coleman

ABSENT FOR A PORTION OF THE MEETING: Councillor Isitt

STAFF PRESENT: J. Johnson – City Manager; J. Jenkyns - Deputy City Manager; C. Coates - City Clerk; P. Bruce – Fire Chief; K. Hamilton – Director of Citizen Engagement & Strategic Planning; T. Soulliere - Director of Parks, Recreation & Facilities; S. Thompson – Director of Finance; J. Tinney – Director of Sustainable Planning & Community Development; A. Meyer – Assistant Director of Development Services; F. Work – Director of Engineering & Public Works; C. Havelka – Deputy City Clerk; C. Mycroft – Executive Assistant to the City Manager; P. Martin - Council Secretary.

APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that the agenda be approved as amended.

Amendment:

It was moved by Councillor Alto, seconded by Councillor Lucas, that Graeme Bristol, Bobby Arbess, and Ian Sutherland be added to Request to Address Council.

On the amendment:
Carried Unanimously

On the main motion as amended:
Carried Unanimously

Mayor Helps welcomed the Youth Engagement team to the Council meeting, who are a youth group between the ages of twelve and twenty-four, working with Council on reaching out to youth in the City of Victoria.

READING OF MINUTES

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that the minutes of the meeting held May 26, 2016, be approved.

Amendment:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that the minutes be corrected by adding that Councillor Thornton-Joe returned to the meeting on page ten.

Carried Unanimously

Councillor Thornton-Joe withdrew from the meeting at 6:35 p.m. and returned at 6:38 p.m.

REQUESTS TO ADDRESS COUNCIL

Motion:

It was moved by Councillor Alto, seconded by Councillor Isitt, that the following speakers be permitted to address Council.

Carried Unanimously

1. Jim Aalders: How to create a happy city

Read quotes from the book *Happy City* by Charles Montgomery, on ways to create a happy city.

Councillor Isitt joined the meeting at 6:41 p.m.

2. **Ryan Painter: Cody of Charmaine's Past and Present**
Outlined why Council should allow the dog Cody, of Charmaine's Past and Present, to be an exception to the City of Victoria's dog bylaws.
3. **Michael van Hemmen: Ridesharing**
Outlined information on Uber ridesharing and potential input for the provincial process.

Councillor Isitt withdrew from the meeting at 6:47 p.m. due to a potential pecuniary conflict of interest, as he resides near the subject property in the next items.

4. **Kristina Leach: Cook Street temporary land use application**
Outlined why this temporary land use application would be beneficial for the City.
5. **Susan Abells: 2582 Cook Street**
Outlined why Council should allow MicroHousing Victoria to submit an application to place one of its six-bedroom homes on this property.

Councillor Isitt returned to the meeting at 6:53 p.m.

PROCLAMATIONS

Motion:

It was moved by Councillor Alto, seconded by Councillor Isitt, that the following Proclamations be endorsed:

1. "Pride Week" – July 1 to July 10, 2016

Carried Unanimously

PUBLIC AND STATUTORY HEARINGS

1. **Rezoning Application No. 00486 for 515 Burnside Road East**

1. **Public Hearing**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1067) No. 16-051

To rezone the land known as 515 Burnside Road East from the R1-B Zone, Single Family Dwelling District, to the C1-CR-8 Zone, Burnside Jutland Commercial Residential District to permit office use with a minimum requirement of seven parking spaces.

Development Permit Application

The Council of the City of Victoria will also consider issuing a development permit for the land known as 515 Burnside Road East, in Development Permit Area 16 for the purposes of approving the form and character of the office building as well as landscaping.

Alison Meyer (Assistant Director of Development Services): Provided information regarding the application, which is to build an office and residential building.

Mayor Helps opened the public hearing at 6:59 p.m.

Kevin Klippenstein (VDA Architecture Ltd.): Provided information regarding the history of the application, and that the intention is to create leased office space with a mix of residential and commercial.

Bruce MacDanall (Burnside Road East): Advised that he is not in support of the application due the family residential buildings in the neighbourhood and the possible increase in traffic, which could negatively affect the safety of the children in the neighbourhood.

Paul Scorensen (neighbour): Advised that he is not in support of the application due to the family residential buildings in the neighbourhood, possible increases in traffic, and advised that other retail spaces that would be more suitable for the area.

Mark Mananrd (Sumas Street): Expressed concerns regarding this application due to the presence of family residential buildings in the neighbourhood and safety to the neighbourhood children.

Margulia Benwell (Sumas Street): Expressed concerns regarding the application due to the lack of green spaces in the neighbourhood and advised that new retail spaces are not supported by the community.

Dylan Hoffman (adjacent neighbour): Advised that he is not in support of this application due to the proposal for retail space and neighbourhood concerns regarding safety.

Melissa Smith (Burnside Road East): Expressed concerns regarding this application due to the prevalence of family residential buildings in the neighbourhood.

Mayor Helps closed the public hearing at 7:15 p.m.

2. **Motion**

It was moved by Mayor Helps, seconded by Councillor Isitt, that the application be received and filed.

Council discussed the following:

- The lack of neighbourhood support.
- Concerns regarding the proposed change in zoning from a single family dwelling to a commercial zone.
- How this application would impact the residential neighbourhood and their quality of life.
- The increase in traffic that would impact residential streets.

Amendment

It was moved by Mayor Helps, seconded by Councillor Isitt that the motion be amended as follows:

That the application be **declined, then** received and filed.

On the amendment:
Carried Unanimously

On the main motion as amended:
Carried Unanimously

2. **Rezoning Application No. 00301 for 605-629 Speed Avenue and 606-618 Frances Avenue**

1. **Public Hearing**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1036) No. 16-053

To rezone the land known as 605-629 Speed Avenue and 606-618 Frances Avenue from the R1-B Zone, Single Family Dwelling District, and R1-SLVH Zone, Single Family Storage Lot/Vehicle Sales District, to the R-81 Zone, Speed and Frances Multiple Dwelling District, to permit increased density and residential uses as well as commercial uses in order to permit the construction of a mixed use commercial/ residential development with 176 proposed residential units in two buildings.

2. **Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 14) No. 16-054**

To change the urban place designation for the land known as 605-629 Speed Avenue and 606-618 Frances Avenue from Urban Residential and General Employment, respectively, to Town Centre, and to include those lands in Development Permit Area 4: Town Centres to permit construction of a mixed use commercial/residential development.

3. **Development Permit Application**

The Council of the City of Victoria will also consider issuing a development permit for the land known as 605-629 Speed Avenue and 606-618 Frances Avenue, in Development Permit Area 4 – Mayfair, for the purposes of approving the exterior building design and finishes as well as landscaping.

Alison Meyer (Assistant Director of Development Services): Provided information regarding the application, which is requesting approval to permit the construction of a mixed-use commercial/ residential development with 176 proposed residential units in two buildings.

Mayor Helps opened the public hearing at 7:29 p.m.

Deane Strongitharm (Strongitharm Consulting Ltd.): Provided information regarding the history of the application, and the proposal in relation to neighbours, landscaping, economic benefits, and amenities of the building.

Heather Praxis (Owner): Provided information regarding the design of the development.

Council discussed the following:

- The pedestrian experience on both Speed and Frances Street.
- The pedestrian walkway between the two proposed buildings

Councillor Isitt withdrew from the meeting at 7:45 p.m.

Joy Kruger (Speed Avenue): Outlined the history of the various developments in the area, and advised that there are too many developments being established in the neighbourhood, which could affect the neighbourhood feel.

Marty Block (Douglas Street): Advised that he is in support of the development and the density that is proposed.

Dick Graham (Owner of properties on Finlayson Street, Frances Avenue, Delta Street, and Burnside Road East): Advised that he is interested in this area and is in support of the development as the area needs this development in order to create a liveable city.

Mr. Dodd (Douglas Street): Advised that he is in support of the development, as it will help clean up the street.

Steve Cop (Frances Avenue): Advised that he is in favor of the development as it is a good mix of residential and commercial, and will bring value to the area.

Wayne Hopkins (Douglas Street): Advised that he has invested money in this area, so would like to support the development, but would also prefer more residential property opportunities in this area.

Tim Taylor (Steele Street): Advised that this development would allow people to live and work in the same area, so is in support of this proposal.

Jesse Kleinman (Alder Street): Spoke in favor of the development, as it will be a positive addition to the neighbourhood.

Chris Kennedy (Speed Avenue): Spoke in support of the proposal, as it is a great development.

Ed Geric (Mike Geric Construction, Developer of building on Speed Avenue): Advised that he is in support of the proposed development, as the mixed commercial and residential is supportable by the neighbours, and believes in this development and densifying this area.

Harvey Kelly (Speed Avenue): Advised that he would like this property to be redeveloped, but does not support this development, as the scale is too large.

Mayor Helps closed the public hearing at 8:03 p.m.

4. **Bylaw Approval**

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that the following bylaws **be given third reading:**

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1036) No. 16-053*
2. *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 14) No. 16-054*

Council discussed the following:

- *That the current proposal has addressed many of the concerns noted in previous proposals.*
- *The future of this neighbourhood, and ensuring that this, and future developments are the best direction for the area.*

Carried

For: Mayor Helps, Councillors Alto, Loveday, Lucas, Thornton-Joe and Young
Against: Councillor Madoff

5. **Bylaw Approval**

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that the following bylaws **be adopted:**

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1036) No. 16-053*
2. *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 14) No. 16-054*

Carried

For: Mayor Helps, Councillors Alto, Loveday, Lucas, Thornton-Joe and Young
Against: Councillor Madoff

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that the following bylaw **be adopted:**

1. *Housing Agreement (605-629 Speed Avenue and 606-618 Frances Avenue) Bylaw No. 16-055*

Carried

For: Mayor Helps, Councillors Alto, Loveday, Lucas, Thornton-Joe and Young
Against: Councillor Madoff

6. **Development Permit Approval:**

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council authorize the issuance of Development Permit Application No. 000302 in accordance with:

- a. Plans stamped July 8, 2013
- b. Development meeting all Zoning Regulation Bylaw requirements
- c. The Development Permit lapsing two years from the date of this resolution.

Carried

For: Mayor Helps, Councillors Alto, Loveday, Lucas, Thornton-Joe and Young
Against: Councillor Madoff

3. **2015 Annual Report**

1. **Opportunity for Public Comment**
2015 Annual Report

The purpose of the report is to present the 2015 Annual Report.

Mayor Helps opened the public hearing at 8:23 p.m.

No members of the public spoke at this time.

Mayor Helps closed the public hearing at 8:24 p.m.

2. **Report Approval**

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council receive this report for information.

Carried Unanimously

REQUESTS TO ADDRESS COUNCIL

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that the following speakers be permitted to address Council.

Carried Unanimously

1. **Solomon Lindsay: 2582 Cook Street request to apply**

Outlined why Council should allow MicroHousing Victoria to apply to situate one of their homes on this site.

2. **Geraldine Glattstein: Access to dogs on Gonzales during June, July, and August**

Outlined why Council should re-consider postponing the decision of waiting until next year to create a pilot project for dogs allowed on Gonzales Beach.

3. **Graeme Bristol: Cook Street Property**

Outlined why Council should support the MicroHousing proposal, as it would be beneficial for the City.

4. **Bobby Arbess: Housing for those in need and microhousing**

Outlined why Council should support microhousing to assist those who have chronic issues and barriers to being housed.

5. **Ian Sutherland: Sidewalk Cafes**

Outlined concerns regarding the proposed sidewalk café bylaws, as issues such as hours should be considered to mitigate noise concerns.

UNFINISHED BUSINESS

1. **Letter dated June 3, 2016 from the Provincial Health Officer**

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday, that the correspondence dated June 3, 2016 from the Provincial Health Officer regarding safe and healthy transportation and infrastructure, be received for information.

Carried Unanimously

2. **Rise and Report from Closed Meeting for Information regarding Membership in the Greater Victoria Labour Relations Association**

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council receive the Rise and Report.

Carried Unanimously

3. **Rise and Report from Closed Meeting for Information**

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council direct staff to inform the prospective purchaser, that the City will not consider the sale of the City owned lot at 2740 Richmond Road before the Parks Master Plan has been completed.

Carried Unanimously

REPORTS OF COMMITTEES**1. Committee of the Whole – June 16, 2016****1. Canada 150 Committee****Motion:**

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe:

1. That Council establish a Canada 150 Committee and engage the Greater Victoria Spirit Committee Society to work with City staff in the development of the detailed program, grant applications and concepts for legacy projects for the 150th celebrations.
2. That Council appoint 3 Council liaisons to the Sesquicentennial Committee for planning and implementation.
3. That Council declare 2017 the Year of Reconciliation, and that this theme inspire our sesquicentennial activities throughout the year.

Carried Unanimously

2. Regional District Consent to Municipal and Regional District Tax Imposition**Motion:**

It was moved by Councillor Young, seconded by Councillor Lucas, that the Mayor, on behalf of Council, request formal consent from the Regional Board of the Capital Regional District for the imposition of a 3% Municipal and Regional District tax in the City of Victoria.

Carried Unanimously

3. Rezoning and Development Permit with Variances Application No. 00489 for 2035 Stanley Avenue**Motion:**

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council refer the application back to staff to allow the applicant an opportunity to submit a revised application addressing the pattern on the street and the size of the building.

Carried Unanimously

4. Project Plan for the Fairfield Gonzales Neighbourhood Plans**Motion:**

It was moved by Councillor Madoff, seconded by Councillor Alto, that Council approve the Project Plan for the Fairfield - Gonzales Neighbourhood Plans outlined in Attachment 1 of this report.

Carried Unanimously

5. Budget Request for a James Bay Library Branch**Motion:**

It was moved by Councillor Madoff, seconded by Councillor Lucas, that Council:

1. Approve a capital budget for the tenant improvements and furniture and fixtures of \$1.508 million for inclusion in the 2017 year in the 2017-2021 Financial Plan to be funded from the Buildings and Infrastructure Reserve to be repaid to the reserve with the new property tax revenue generated from the Capital Park development over a two- or three-year period.
2. Approve an operating budget for the ongoing lease of a James Bay Library Branch in the Capital Park Development of \$232,000 for inclusion in the 2018 and future years in the 2017-2021 Financial Plan.
3. Approve an ongoing operating budget, to be submitted through the Greater Victoria Public Library's regular budget submission process, of approximately \$110,000 for the staffing and operating costs for a James Bay Library Branch in the Capital Park Development for inclusion in the 2018 and future years in the 2017-2021 Financial Plan.

Carried Unanimously

6. Victoria Housing Strategy, 2016-2025**Motion:**

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council approve the Victoria Housing Strategy, 2016-2025 and direct staff to:

- 1) introduce without delay the fast-tracking of applications for purpose-built rental housing;
- 2) expedite actions relating to the creation of secondary suites and other new units of housing through the renovation of residential properties;
- 3) report back to Council with a progress update on implementation of the Municipal Housing Strategy by November 30, 2016.

Carried Unanimously

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe:

1. That Council approve the revised Victoria Housing Strategy, 2016-2025 with the following amendments to priority timelines:
 - a. Strategic Direction 1, Supporting Action 3: "Permit garden suites in zoning" to commence earlier in quarter 3 of 2016
 - b. Strategic Direction 1, Supporting Action 4: "Examine ways to increase the number of secondary suites while maintaining livability, safety and affordability" to commence earlier in quarter 3 of 2016
 - c. Strategic Direction 2, Action: Protect Existing Rental Stock, Supporting Actions 1, 2, and 4 (rental retention and revitalization study items) to commence later in quarter 1 of 2017.
2. That the Operational Plan 2016 be amended to accommodate the above timelines.

Carried Unanimously

7. Update on Downtown Zoning Bylaw – Proposed Change in Approach

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Council direct staff to:

1. Develop the new zones for the Downtown Core Area to reflect existing zoned densities.
2. Report back to Council with a draft Downtown Zoning Bylaw by September 2016 based on the recommended approach described in this report and a summary of next steps for consultation and implementation of the Downtown Zoning Bylaw.

Carried Unanimously

8. Municipal Housing Strategy Addendum: Preserving and Improving Housing Supply

Motion:

It was moved by Councillor Madoff, seconded by Councillor Loveday, that Council direct staff to report on a priority basis in the context of implementation of the Municipal Housing Strategy with: (1) information on the City of Victoria's legal and regulatory powers in the following areas; and (2) recommendations for actions within municipal jurisdiction and advocacy to other levels of government to preserve and improve the housing supply and housing affordability:

- a) Building demolitions, including interim and longer-term options for increased regulation and Council oversight;
- b) Zoning regulations and policies, including conversion regulations, that may be impediments to the retention, refurbishment, and/or repurposing of existing buildings, to facilitate the retention or creation of dwelling units within existing buildings and accessory buildings;
- c) Ensuring the floor space entitlement of existing buildings, including permitted additions to existing buildings, is greater than the floor space entitlement for new construction, informed by best practices in the City of Vancouver and other jurisdictions.
- d) Standards of property maintenance, including the exterior, interior and structural condition of buildings, as a mechanism for maintaining the housing supply;
- e) Utilization of vacant and/or derelict buildings, including mechanisms to encourage or mandate the improvement and/or use of buildings, informed by best practices in the City of Winnipeg and other jurisdictions;
- f) Environmental impacts of development processes, particularly regulations relating to the waste stream arising from building demolitions, informed by best practices in the City of Vancouver and other jurisdictions.

Carried Unanimously

2. Committee of the Whole – June 23, 2016

1. Application for an Amendment to a Liquor Primary Licence, Fairmont Hotel (Empress), 721 Government Street

Motion:

It was moved by Councillor Lucas, seconded by Councillor Thornton-Joe, that Council direct staff to provide the following response to the Liquor Control and Licensing Branch:

1. Council, after conducting a review with respect to noise and community impacts, does support an increase in the total liquor primary occupant capacity from 166 to 449 persons

Providing the following comments on the prescribed consideration:

- a) Council has considered the request and believes that the increased liquor-primary capacity will have an overall positive benefit and that negative impacts will be negligible. The views of residents were solicited via mailout to neighbouring property owners and occupants within 50 metres of the licensed location, and a notice posted at the property. The City received two letters in support of the application which included one from the Downtown Victoria Residents Association (DVRA) and two letters opposed to the application.

Carried Unanimously

2. UBCM Housing Motion

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday, that Council endorse the following motion and submit it to the UBCM for consideration at its 2016 Convention:

WHEREAS since 2008, UBCM has passed 13 motions with regard to affordable housing across the housing spectrum from those who are homeless with severe mental health and addictions challenges, to the young worker, to families, to retired seniors;

AND WHEREAS in response to each motion the Province has outlined all of the efforts it has made and money it has spent addressing affordable housing in British Columbia;

AND WHEREAS despite the efforts and resources invested by the Province and local governments over the past eight years, the housing crisis across British Columbia has deepened in both rural and urban areas, with Greater Victoria and the lower mainland among the most unaffordable places to rent or buy in the country;

THEREFORE BE IT RESOLVED that UBCM work with the provincial government on a priority basis to develop new policy tools and/or funding streams that will have the most effective, efficient and immediate impact on the housing affordability crisis in British Columbia, across the housing spectrum.

Carried Unanimously

Motion:

It was moved by Mayor Helps, seconded by Councillor Alto, that the above UBCM Housing Motion be forwarded to the City of Vancouver for their consideration of support.

Carried Unanimously

3. Yates Street Community Garden Start-Up Grant

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that Council approve a one-time start-up grant of \$2,000 to the Downtown Residents' Association to cover materials costs relating to the Yates Street Community Garden, with the grant to be deducted from any future grant awarded to the Downtown Residents' Association in relation to the Yates Street Community Garden.

Carried Unanimously

4. Development Permit with Variances Application No. 00003 for 944 Heywood Avenue

Motion:

It was moved by Councillor Young, seconded by Councillor Lucas, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:
"That Council authorize the issuance of Development Permit Application No. 00003 for 944 Heywood Avenue, in accordance with:

1. Plans date stamped May 18, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Proposed Lot A

- i. Part 1.23 (8)(a): Reduce the front yard setback of the from 6.00m to 3.20m;
- ii. Part 1.23 (8)(b): Reduce the rear yard setback of the from 6.00m to 1.61 m;
- iii. Schedule "C" (3): Permit parking to be located between the building and the front lot line;

Proposed Lot B

- i. Part 1.23 (8)(a): Reduce the front yard setback from 6.00m to 3.50m;
- ii. Part 1.23 (8)(b): Reduce the rear yard setback from 6.00m to 4.57m;

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

Carried

For: Mayor Helps, Councillors Alto, Loveday, Lucas, Thornton-Joe and Young

Against: Councillor Madoff

5. Work Without Permit, Illegal Use/Suite – 1238 Queens Avenue

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Council direct the City Clerk to file a notice in the Land Title Office in relation to the property located at 1238 Queens Avenue, legally described as **Lot B Spring Ridge Victoria VIP72835** indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the *Community Charter* and the provisions of the *Property Maintenance Delegation Bylaw*, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.

Carried Unanimously

6. Work without Permit, Illegal Use/Suite – 1417 Fernwood Road

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Council postpone consideration of following motion for two weeks:

1. That the Council direct the City Clerk to file a notice in the Land Title Office in relation to the property located at 1417 Fernwood Road, legally described as **Lot 29 Plan 164 Section 74 Victoria & W PT of Lot 14** indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the *Community Charter* and the provisions of the *Property Maintenance Delegation Bylaw*, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.

Carried Unanimously

7. 2582 Cook Street – Additional Information

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday:

1. That Council receive this report for information.
2. That staff examine the current volumes and speed of traffic on Cook Street between Hillside and Bay Streets, and report back in 3 months with a plan to calm traffic on Cook between Hillside and Bay - including consideration of on-street parking as a possible traffic calming measure.

Carried Unanimously

8. Request to Authorize Application for a Temporary Use Permit at 2582 Cook Street

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday:

1. That Council authorize MicroHousing Victoria to apply for a temporary use permit application for the City-owned property at 2582 Cook Street for Council's consideration.
2. That Council authorize City staff to initiate negotiations of lease terms for premises at 2582 Cook Street with MicroHousing Victoria, subject to:
 - a. such terms deemed necessary as a result of the temporary use permit application process; and
 - b. final lease terms being approved by Council following their final determination of the temporary use permit application.
3. That concurrent with applying for Temporary Use Permit a Community Association Land Use Committee Meeting be held.

Carried

For: Mayor Helps, Councillors Alto, Loveday, Lucas, Madoff, and Thornton-Joe

Opposed: Councillor Young

9. Stipends for First Nations Participants in City Committees, Working Groups, Task Forces, and Projects

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe:

Resolved that, when participating in City Committees, Working Groups, Task Forces and/or designated Projects, First Nations persons formally appointed by the Songhees and Esquimalt Nations be compensated in a manner and amount similar to those stipends received by City Councillors as a function of their external appointments;

Further resolved that this stipend be currently set at \$200 for any session less than four hours in duration, or \$400 for a session exceeding four hours.

Further resolved that the funding source for such stipends arise from any budget allocated for each committee or designated project.

Further resolved that, every three years, the amount of such First Nation stipends be reviewed and adjusted to reflect inflationary increases and to keep pace with increases to stipends received by City Councillors for their external appointments.

That Council direct staff to develop a policy based on the motion.

Carried

For: Mayor Helps, Councillors Alto, Loveday, Lucas, Madoff, and Thornton-Joe

Opposed: Councillor Young

10. **Commemorating Lebanese Immigration to Canada Donation Request**

Motion:

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council direct staff to facilitate a discussion between the Province of British Columbia and the The World Lebanese Cultural Union- BC Council's (WLCU-BC) to site the statue "The Lebanese Emigrant" on The Province of British Columbia land based on the advice and recommendation of the Art in Public Places Committee and report back to Council by September 2016.

Carried Unanimously

BYLAWS

1. **FIRST READING**

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that the following bylaws **be given first reading:**

1. *Housing Agreement (1310 Gladstone Avenue) Bylaw No. 16-003*
2. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1069) No. 16-056*
3. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1068) No. 16-052*
4. *Vehicles for Hire Bylaw, Amendment Bylaw (No. 16) No. 16-057*

Carried Unanimously

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that the following bylaws **be given first reading:**

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1048) No. 16-001*
2. *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 18) No. 16-002*

Carried

For: Mayor Helps, Councillors Alto, Loveday, Lucas, Madoff, and Thornton-Joe
Opposed: Councillor Young

2. **SECOND READING**

Motion:

It was moved by Councillor Madoff, seconded by Councillor Lucas, that the following bylaws **be given second reading:**

1. *Housing Agreement (1310 Gladstone Avenue) Bylaw No. 16-003*
2. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1069) No. 16-056*
3. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1068) No. 16-052*

Carried Unanimously

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1048) No. 16-001*
2. *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 18) No. 16-002*

Carried

For: Mayor Helps, Councillors Alto, Loveday, Lucas, Madoff, and Thornton-Joe
Opposed: Councillor Young

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that the following bylaw **be given second reading:**

1. *Vehicles for Hire Bylaw, Amendment Bylaw (No. 16) No. 16-057*

Council discussed the following:

- *The increase in the number of licences.*

Carried

For: Mayor Helps, Councillors Alto, Loveday, Lucas, Madoff, and Thornton-Joe
Opposed: Councillor Young

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council direct staff to invite feedback from current and potential pedicab operators in the City on the regulations contained within the proposed Bylaw.

Carried

For: Mayor Helps, Councillors Alto, Loveday, Lucas, Madoff, and Thornton-Joe
Opposed: Councillor Young

3. **THIRD READING**

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the following bylaw **be given third reading**:

1. *Housing Agreement (1310 Gladstone Avenue) Bylaw No. 16-003*

Carried

For: Mayor Helps, Councillors Alto, Loveday, Lucas, Madoff, and Thornton-Joe

Opposed: Councillor Young

4. **ADOPTION**

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that the following bylaw **be Adopted**:

1. *Sidewalk Cafes Regulation Bylaw No. 16-038*

Amendment:

It was moved by Councillor Thornton-Joe, seconded by Councillor Young, that Council postpone adoption and send the bylaw back to staff requesting that further regulations be included in the bylaw that would place limits on hours that sidewalk cafes can operate.

Council discussed the following:

- *That amendments regarding time constraints could be added at a future date.*

On the amendment:
Defeated

For: Councillors Madoff, Thornton-Joe, and Young

Opposed: Mayor Helps, Councillors Alto, Loveday, and Lucas

On the main motion:
Carried

For: Mayor Helps, Councillors Alto, Loveday, and Lucas

Opposed: Councillors Madoff, Thornton-Joe, and Young

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Young, that Council direct staff to review the bylaws and bring back to Council possible amendments that may address hours of operation in relation to noise concerns with sidewalk cafes.

Carried

For: Councillors Alto, Madoff, Thornton-Joe, and Young

Opposed: Mayor Helps, Councillors Loveday and Lucas

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday, that the following bylaw **be Adopted**:

1. *Ticket Bylaw, Amendment Bylaw (No. 9) No. 16-043*

Carried Unanimously

CORRESPONDENCE

1. **Letter dated April 28, 2016 from MLA Lana Popham**

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that the correspondence dated April 28, 2016 from MLA Lana Popham regarding a request for city staff to provide a response to questions from the community regarding the housing facility at Mount Edwards, be replied to by staff and then received for information.

Carried Unanimously

2. **Letter dated April 29, 2016 from MP Murray Rankin**

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday, that the correspondence dated April 29, 2016 from MP Murray Rankin to Minister JeanYves Duclos and Minister Amarjeet Sohl, regarding the need for federal housing investments in the Greater Victoria region, be received for information.

Carried Unanimously

3. **Letter dated April 29, 2016 from MLA Carole James and MLA Rob Fleming**

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that the correspondence dated April 29, 2016 from MLA Carole James and MLA Rob Fleming to Premier Christy Clark and Minister Rich Coleman, urging the government to make immediate, long-term investments in affordable housing in Greater Victoria, be received for information.

Carried Unanimously

4. **Letter dated May 16, 2016 from the President of CUPE Local 50**

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that the correspondence dated May 16, 2016 from the President of CUPE Local 50, requesting Council's support for a future wastewater treatment facility, be received for information.

Carried Unanimously

NEW BUSINESS

To Set Public Hearings for the Meeting of Thursday, July 14, 2016:

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that the following Public Hearings be held in Council Chambers, City Hall, on **THURSDAY, JULY 14, 2016, at 6:30 p.m.:**

1. Rezoning No. 00435 for 1310 Gladstone Avenue
2. Rezoning No. 00506 for 406 and 408 Wilson Street
3. Rezoning No. 00507 for 155 Linden Avenue

Carried Unanimously

QUESTION PERIOD

A question period was held.

ADJOURNMENT

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that the Council meeting adjourn.
Time: 9:35 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, JULY 14, 2016, AT 6:30 P.M.

<u>PLACE OF MEETING:</u>	Council Chambers, City Hall
<u>PRESENT:</u>	Mayor Helps in the Chair, Councillors Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe, and Young.
<u>ABSENT:</u>	Councillor Alto
<u>STAFF PRESENT:</u>	J. Johnson – City Manager; J. Jenkyns - Deputy City Manager; C. Havelka – Deputy City Clerk; P. Bruce – Fire Chief; K. Hamilton – Director of Citizen Engagement & Strategic Planning; T. Soulliere - Director of Parks, Recreation & Facilities; S. Thompson – Director of Finance; J. Tinney – Director of Sustainable Planning & Community Development; F. Work – Director of Engineering & Public Works; C. Mycroft – Executive Assistant to the City Manager; L. Taylor – Senior Planner; P. Martin - Council Secretary.

APPROVAL OF AGENDA

The Deputy City Clerk outlined amendments to the agenda.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the agenda be approved as amended.

Carried Unanimously

Amendment:

It was moved by Mayor Helps, seconded by Councillor Isitt, that Penny Goldrick, Jane Raymond, and Mary Doody Jones be added to the Request to Address Council section of the meeting.

On the amendment:
Carried Unanimously

On the main motion as amended:
Carried Unanimously

POETRY READING

The Youth Poet Laureate, Ann-Bernice Thomas, read a poem titled “Wild Woman”.

READING OF MINUTES

Motion:

It was moved by Councillor Isitt, seconded by Councillor Lucas, that the minutes of the Special meeting held May 26, 2016, be approved.

Carried Unanimously

REQUESTS TO ADDRESS COUNCIL

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the following speakers be permitted to address Council.

Carried Unanimously

1. **Dr. Al Anderson: Casinos – The very real downside**
Outlined concerns regarding the possible downside of casinos in the City of Victoria.
2. **Crin Roth: Cook St./Oliphant Ave. development proposal**
Outlined concerns regarding the rezoning application in Cook Street Village, and requested that Council reject the development.
3. **Sid Tafler: Cook Street Village**
Outlined concerns regarding the current Cook and Oliphant application and advised why it should not go forward to public hearing.
4. **Anne Russo: Rezoning Application No. 00472 for Oliphant Avenue and Cook Street**
Outlined concerns regarding the rezoning application for Oliphant Avenue and Cook Street and asked that Council reject the proposal to change the existing residential zoning.

5. **Noreen Begoray: Dallas Road off leash fence proposal**
 Outlined why Council should not install a fence along the walking path on Dallas Road.

PUBLIC AND STATUTORY HEARINGS

1. Rezoning Application No. 00435 for 1310 Gladstone Avenue

1. **Public Hearing**
Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 18) No. 16-002
 To include all of the land known as 1310 Gladstone Avenue in the Small Urban Village Urban Place Designation.
2. **Zoning Regulation Bylaw, Amendment Bylaw (No. 1048) No. 16-001**
 To rezone the land known as 1310 Gladstone Avenue from the R1-B Zone, Single Family Dwelling District, to the CR-6 Zone, Commercial Residential Fernwood Village District, to permit a three-storey, mixed-use building consisting of commercial uses at street level and commercial or residential uses on the upper storey.

New Zone: CR-6 Zone, Commercial Residential Fernwood Village District

Legal description: The West ½ of Lot 7, Section 75, Victoria District, Plan 277

Existing Zone: R1-B Zone, Single Family Dwelling District

3. **Development Permit Application**
 The Council of the City of Victoria will also consider issuing a development permit for the land known as 1310 Gladstone Avenue, in Development Permit Area and Heritage Conservation Area 6B Small Urban Village Heritage, DPA 6B(HC) for the purposes of approving the exterior design and finishes for the mixed-use building as well as landscaping.

Leanne Taylor (Senior Planner): Provided information regarding the application, which is to allow for a three-storey, mixed-use, building, consisting of commercial and residential uses.

Mayor Helps opened the public hearing at 7:02 p.m.

Kelsey Singbeil (Applicant from Fernwood Energy): Provided information regarding the organization and the application, which has an emphasis on environmental and social sustainability. Also outlined was the neighbourhood support that has been received in regards to this proposal.

Christine Lintott (Christine Lintott Architect): Provided detailed information regarding the application's elevation, the site and landscape plan, parking and bicycle plans, and the relative massing of the proposal.

Council discussed the following:

- *The flexibility of mixed-use residential and commercial in the proposed building.*
- *The handicapped accessibility of the building.*
- *Whether it would be pertinent to have a housing covenant to ensure rental housing for a set number of years.*
- *Transportation demand management and mitigation measures as it relates to parking.*

Riahana Nagel (Yukon Street): Spoke in support of the development as she lives in another affordable housing unit created by Fernwood Energy.

Mike Hall (Partner of the Fernwood Inn): Spoke in support of the development and the work the organization has done for the community

Dean O'Kelly (Partner of the Fernwood Inn): Spoke in support of the development and the organization.

Eric Swanson (Swan Road): Spoke in support of the densification and affordable housing in the neighbourhood, the possibility of housing, the flexibility of mixed-use commercial and residential, and advised that there are no concerns regarding transportation issues.

Michael Demers (Fernwood Avenue): Spoke in support of the development and advised that he is supportive of the direction Fernwood Energy is taking in the neighbourhood.

Michael Dubell (Director of the Belfry Theatre): Spoke in support of the development and the organization, and the positive changes to the neighbourhood, done in part by Fernwood Energy.

Jesse (Gladstone Avenue): Spoke in support of the development and the neighbourhood support for this proposal.

Brian Zuckers (Swan Street): Spoke in support of the development and thanked Fernwood Energy for their respectful approach to the positive changes in the community. Also spoke in support of the flexibility of mixed-use commercial and residential.

Rubin Anderson (Balmoral Road): Spoke in support of the organization's work in the neighbourhood and in regards to parking in the Fernwood Village and noted that it should be a walkable village.

Andrew Bolton (Fernwood Road): Spoke in support of the development having a mixed-used commercial and residential building, and the fit the development would have with the community.

Carolyn Smuggley (Fernwood Road): Spoke in support of the development and the fit it would have within the community.

Rachel Subla (Swan Street): Spoke in support of the organization as a landlord and the benefits small businesses would have in this neighbourhood.

Harriet Bennet (Yukon Street): Spoke in support of the development, the organization and other properties developed by Fernwood Energy.

Marcel Hanson (Gladstone Avenue): Spoke in support of the organization and the development, which will be a positive addition to the neighbourhood.

Jeff Cross (Fernwood Road): Spoke in support of the development and the organization as a developer.

Mayor Helps closed the public hearing at 7:50 p.m.

4. Bylaw Approval

Motion:

It was moved by Councillor Loveday, seconded by Councillor Isitt, that the following bylaw **be given third reading:**

1. *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 18) No. 16-002*
2. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1048) No. 16-001*

Council discussed the following:

- *Support of the application, as it is expanding and enhancing the neighbourhood.*
- *The applicants' positive community consultation, which has led to neighbourhood support.*
- *The thoughtful design of the application, which is a beneficial fit for the community.*
- *Whether the number of storeys is appropriate, as it relates to the Official Community Plan.*

Motion to postpone:

It was moved by Councillor Thornton-Joe, seconded by Councillor Young that Council postpone adoption of the bylaws and add to the motion that the housing agreement, to the satisfaction of the solicitor, be amended to ensure that the upper floor be used for rental housing for 20 years.

On the motion to postpone:
Defeated

For: Councillors Coleman, Isitt, Thornton-Joe, and Young
Opposed: Mayor Helps, Councillors Loveday, Lucas, and Madoff

Council discussed the following:

- *Concerns regarding the flexibility of the multi-use commercial and residential aspects of the development.*

Councillor Loveday withdrew from the meeting at 8:11 p.m. and returned at 8:12 p.m.

On the main motion:
Carried Unanimously

5. Bylaw Approval

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Isitt, that the following bylaw **be adopted:**

1. *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 18) No. 16-002*
2. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1048) No. 16-001*
3. *Housing Agreement (1310 Gladstone Avenue) Bylaw No. 16-003*

Carried Unanimously

6. Development Permit Approval

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that Council authorize the issuance of Development Permit Application No. 00354 for 1310 Gladstone Avenue, in accordance with:

1. Final registration of the priority agreement for an easement through the driveway of the property located at 2009 Fernwood Road.
2. Plans date stamped October 20, 2015.
3. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
4. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

Council recessed from 8:15 p.m. until 8:20 p.m.

2. Rezoning Application No. 00506 for 406 and 408 Wilson Street

1. Public Hearing

Zoning Regulation Bylaw, Amendment Bylaw (No. 1069) No. 16-056

To rezone the land known as 406 and 408 Wilson Street from the R-2, Two Family Dwelling District, to the R2-53, Wilson Attached Dwelling, to permit a duplex.

New Zone: R2-53, Wilson Attached Dwelling

Legal description: The South ½ of Lot 93, Block J, Section 31, Esquimalt District

Existing Zone: R-2 Zone, Two Family Dwelling District

2. Development Permit with Variances Application

The Council of the City of Victoria will also consider issuing a development permit for the land known as 406 and 408 Wilson Street, in Development Permit Area 15D: Intensive Residential- Duplex for the purposes of approving the exterior design and finishes for the duplex as well as landscaping, and associated variances with respect to setbacks of the new duplex.

Leanne Taylor (Senior Planner): Provided information regarding the application, which is to permit the development of a duplex.

Mayor Helps opened the public hearing at 8:21 p.m.

Rob Bernhardt (Bernhardt Developments): Provided information regarding the application and the energy standards that the development would be built to as it will be a passive house design.

Adam Fox (HCMA Architect): Advised of the changes that have been made to make the development more supportable, such as the increase of separation from its immediate neighbour, the reduction of street parking, and the revised changes to the west and north elevation.

Chantal Gabriel (Wilson Street): Spoke in regards to the loss of greenery on Wilson Street and asked that Bernhardt Developments and the City work to maintain greenery in the City.

Council discussed the following:

- *That importance to have vegetation replaced during the development process.*

Mayor Helps closed the public hearing at 8:40 p.m.

3. Bylaw Approval

Motion:

It was moved by Councillor Loveday, seconded by Councillor Isitt, that the following bylaw **be given third reading:**

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1069) No. 16-056*

Council discussed the following:

- *Support of the proposal and the energy efficiency building style.*

Carried Unanimously

4. Bylaw Approval

Motion:

It was moved by Councillor Loveday, seconded by Councillor Lucas, that the following bylaw **be adopted:**

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1069) No. 16-056*

Carried Unanimously

5. Development Permit with Variances Approval

Motion:

It was moved by Councillor Loveday, seconded by Councillor Lucas, that Council authorize the issuance of Development Permit with Variances Application No. 00506 for 406 and 408 Wilson Street in accordance with:

1. Plans date stamped July 8, 2016
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. reduce the rear yard setback from 10.70m to 9.45m
 - b. reduce the side (east) yard setback from 3.50m to 2.45m
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

3. Rezoning Application No. 00507 for 155 Linden Avenue

1. Public Hearing

Zoning Regulation Bylaw, Amendment Bylaw (No. 1068) No. 16-052

To rezone the land known as 155 Linden Avenue from the R1-B Zone, Single Family Dwelling District to the R1-B-GS Zone, Single Family Dwelling with Garden Suite District, to permit a garden suite.

New Zone: R1-B-GS Zone, Single Family Dwelling with Garden Suite District

Legal description: Lot 26, Fairfield Farm Estate, Victoria City, Plan 958

Existing Zone: R1-B Zone, Single Family Dwelling District

2. Development Permit Application

The Council of the City of Victoria will also consider issuing a development permit for the land known as 155 Linden Avenue, in Development Permit Area 15E: Intensive Residential – Garden Suites for the purposes of approving the exterior design and finishes for the garden suite as well as landscaping.

Leanne Taylor (Senior Planner): Provided information regarding the application, which is to permit a garden suite.

Mayor Helps opened the public hearing at 8:44 p.m.

Nigel Banks (Banks Design): Provided information regarding the application, which is to construct a small garden suite that would take the place of a small garage that does not currently fit a vehicle. Also discussed was the community consultation and steps taken to alleviate those concerns.

Kevin Carson (Neighbour): Spoke in regards to the parking concerns and whether the suite would be used as temporary vacation rental, which would not be supportable.

Council discussed the following:

- *That transient accommodation would not be allowed in a garden suite.*

Mayor Helps closed the public hearing at 8:57 p.m.

3. Bylaw Approval

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the following bylaw **be given third reading**:

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1068) No. 16-052*

Carried Unanimously

4. Bylaw Approval

Motion:

It was moved by Councillor Loveday, seconded by Councillor Lucas, that the following bylaw **be adopted**:

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1068) No. 16-052*

Carried Unanimously

5. Development Permit Approval

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council authorize the issuance of Development Permit Application No. 00507 for 155 Linden Avenue, in accordance with:

1. Plans date stamped April 15, 2016.
2. Development meeting all Zoning Regulation Bylaw requirements.

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

Carried Unanimously

REQUESTS TO ADDRESS COUNCIL

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the following speakers be permitted to address Council.

Carried Unanimously

1. **Jane Ramin: Cook & Oliphant Proposal**
Outlined why the proposal is not supportable due to the commercial aspects, but residential units would be acceptable.
2. **Penny Goldrick: Dog fencing on Dallas Road**
Outlined objections to the split rail fence for dogs on Dallas Road, and her experience walking dogs in this area.
3. **Mary Doody Jones: Cook & Oliphant Proposal and update on process of geological base**
Outlined the history of the area and concerns regarding the process of rezoning applications. Also outlined the need for a process of geological bases prior to the approval of development permits.

UNFINISHED BUSINESS

1. **Appointment to the Social Enterprise and Social Procurement Task Force**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council appoint Wendy Townsend to the Mayor's Task Force on Social Enterprise and Social Procurement, for its duration September through December, 2016.

Carried Unanimously

2. **Letter dated May 3, 2016 from the Minister of Canadian Heritage**
A letter of response to the City's letter dated November 18, 2015, congratulating the minister appointment and providing documentation on the City Council's goals and initiatives.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated May 3, 2016 from the Minister of Canadian Heritage be received for information.

Carried Unanimously

3. **Letter dated May 12, 2016 from Premier Christy Clark**
A letter of response to the City's letter on establishing a basic income guarantee for Canadians.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated May 12, 2016 from Premier Christy Clark be received for information.

Carried Unanimously

4. **Letter dated May 30, 2016 from the Ministry of Health**
A letter of response to the City's letter dated April 27, 2016, regarding the City's support for a national conversation on a Basic Income Guarantee for all Canadians.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated May 30, 2016 from the Ministry of Health be received for information.

Carried Unanimously

5. **Letter dated June 13, 2016 from the Minister of Environment and Climate Change:**
A letter of response to the City's letter dated February 10, 2016, regarding the designation of the Union Club of British Columbia as a national historic site.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated June 13, 2016 from the Minister of Environment and Climate Change be received for information.

Carried Unanimously

6. **Letter dated June 16, 2016 from the President of Union of BC Municipalities:**
A letter regarding the City's 2015 resolution on Proposed Site C Hydroelectric Dam and the provincial response.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated June 16, 2016 from the President of Union of BC Municipalities be received for information.

Carried Unanimously

7. **Letter dated June 17, 2016 from the Minister of Health:**

A letter of response to the City's February 29, 2016 letter regarding the plan to establish supervised consumption services.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated June 17, 2016 from the Minister of Health be received for information.

Carried Unanimously

8. **Letter dated June 21, 2016 from the Minister of Technology, Innovation, and Citizens' Services:**

A letter of response to the City's letter dated May 18, 2016, regarding concern over the condition of two houses located at 506 and 514 Government Street.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated June 21, 2016 from the Minister of Technology, Innovation, and Citizens' Services be received for information.

Carried Unanimously

9. **Letter dated June 21, 2016 from the Director of Parliamentary Affairs:**

A letter of response to the City's letter dated May 18, 2016, regarding concern over the condition of two houses located at 506 and 514 Government Street.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated June 21, 2016 from the Director of Parliamentary Affairs be received for information.

Carried Unanimously

10. **Letter dated June 29, 2016 from the City Clerk for the City of Vancouver:**

A letter advising that the Vancouver City Council has endorsed the UBCM Housing Affordability resolution from the City of Victoria.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated June 29, 2016 from the City Clerk for the City of Vancouver be received for information.

Carried Unanimously

11. **Letter dated July 8, 2016 from British Columbia Lottery Corporation:**

A letter advising that the City of Victoria has been selected as the preferred host local government for a potential new gaming facility.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated July 8, 2016 from the British Columbia Lottery Corporation be received for information.

Carried Unanimously

12. **Letter dated May 25, 2016 from the Office of the Mayor of the Municipality of Jasper:**

A letter of response to the City's letter dated January 14, 2016, regarding the FCM resolution concerning a Federal Bill of Environmental Rights, which the Municipality of Jasper has supported.

Motion:

It was moved by Councillor Lucas, seconded by Councillor Loveday, that the correspondence dated May 25, 2016 from the Office of the Mayor of the Municipality of Jasper be received for information.

Council discussed the following:

- *That the motion had failed at the Federation of Canadian Municipalities (FCM) due to a constitutional basis that had been received by Saanich, as opposed to Victoria's motion that had removed that item.*

Carried Unanimously

13. **Letter dated June 6, 2016 from the Minister of Environment:**

A letter in response to the City's letter dated May 3, 2016 regarding the creation of a British Columbia Natural Lands Acquisition Fund.

Motion:

It was moved by Councillor Young, seconded by Councillor Lucas, that the correspondence dated June 6, 2016 from the Minister of Environment be received for information.

Carried

For: Mayor Helps, Councillors Coleman, Loveday, Lucas, Madoff, Thornton-Joe, and Young
Opposed: Councillor Isitt

14. **Letter dated June 17, 2016 from the President of Union of BC Municipalities:**

A letter regarding the City's community sponsored resolution on the Environmental Bill of Rights and the provincial response.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that the correspondence dated June 17, 2016 from the President of Union of BC Municipalities be received for information.

Carried Unanimously

REPORTS OF COMMITTEES

1. **Committee of the Whole – July 7, 2016**

1. **Heritage Designation Application No. 000160 for 564-572 Fisgard Street and 1706-1708 Government Street**

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that Council instruct staff to prepare the necessary Heritage Designation Bylaw to designate the property located at 564-572 Fisgard Street and 1706-1708 Government Street pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site and that first and second reading of the Heritage Designation Bylaw be considered by Council and a public hearing date be set.

Carried Unanimously

2. **Conference Attendance Request: Canadian Capital Cities Organization Annual Conference**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Isitt, that Council authorizes the attendance and associated costs for Councillors Thornton-Joe and Alto to the Canadian Capital Cities Organization Conference to be held in Quebec City, September 6 to 9, 2016.

Carried Unanimously

3. **Attendance at Federation of Canadian Municipalities Annual Conference**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council authorize the attendance and associated costs for Councillor Isitt to the FCM conference to be held in Winnipeg, June 3 to 5, 2016.

Carried Unanimously

4. **Development Permit with Variances Application No. 00010 for 980 Pandora Avenue**

Motion:

It was moved by Councillor Isitt, seconded by Councillor Madoff, that Council decline Development Permit with Variances Application No. 00010 for 980 Pandora Avenue.

Carried Unanimously

5. **Heritage Alteration Permit Application with Variance No. 00222 for 1737 Rockland Avenue**

Motion:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application No. 000222 for 1737 Rockland Avenue, in accordance with:

1. Plans, date stamped May 18, 2016
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. Section 1.1.5(a) - relaxation of the minimum front yard setback from 10.5m to 4.75m

3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development
4. Heritage Alteration Permit lapsing two years from the date of this resolution."

Carried Unanimously

6. Request to Add an Existing House at 2536 Richmond Road to the Heritage Register

Motion:

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council approve the request for the addition of the property at 2536 Richmond Road to the Heritage Register.

Carried Unanimously

7. Heritage Designation Application No. 000159 for 539-545 ½ Fisgard Street and 16-20 Fan Tan Alley

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that Council instruct staff to prepare the necessary Heritage Designation Bylaw to designate the property located at 539-545 ½ Fisgard Street and 16-20 Fan Tan Alley pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site and that first and second reading of the Heritage Designation Bylaw be considered by Council and a public hearing date be set.

Carried Unanimously

8. Pilot Project for Dallas Road Leash-Optional Area

Motion:

It was moved by Councillor Thornton-Joe, seconded by Mayor Helps, that Council direct staff:

1. To implement option 1 and that option 1 be implemented within the Council budget allocation for this project,
2. That the location give consideration of accommodating a right of way for potential waste water treatment infrastructure and a future cycling pathway,
3. That new signage and first steps to enforcement be implemented immediately,
4. To report back in 6 months, and;
5. To give consideration to minimizing the impact on the pedestrian experience.

Council discussed the following:

- Which option presented in the July 7, 2016 Committee of the Whole report is the most supportable, in order to provide safety for all users.
- Whether any action is pertinent at this time, as further work should be done to provide clarity on regulations.
- The budget allocation to implement this project.
- The various styles of fences that could be implemented, and which would be the most effective.
- That the report was brought forward to help alleviate concerns on Dallas Road, and that the pilot project's purpose is to provide education to users as opposed to strict enforcement.
- That implementation of signage to provide education on regulations would be beneficial at this time.
- The current regulations regarding dogs off leash on Dallas Road.

Defeated

For: Mayor Helps, Councillors Lucas and Thornton-Joe

Opposed: Councillors Coleman, Isitt, Loveday, Madoff, and Young

9. Centennial Square Public Washrooms

Motion:

It was moved by Councillor Lucas, seconded by Councillor Thornton-Joe, that Council direct staff to develop a project plan, including a cost estimate for a new stand-alone public washroom in Centennial Square and report back with any other options to provide bathrooms on existing facilities in the square.

Council discussed the following:

- Concerns regarding where a public washroom would be located, and whether the existing facilities could be fixed in the interim.
- The importance of moving forward with this item, and the future of the parkade.

Amendment:

It was moved by Councillor Loveday, seconded by Mayor Helps, that the motion be amended as follows:

That Council direct staff to develop a project plan, including a cost estimate for a new stand-alone public washroom in Centennial Square **or CRD square** and report back with any other options to provide bathrooms on existing facilities in the square.

On the amendment:
Carried Unanimously

Main motion as amended:

That Council direct staff to develop a project plan, including a cost estimate for a new stand-alone public washroom in Centennial Square or CRD square and report back with any other options to provide bathrooms on existing facilities in the square.

On the main motion as amended:
Carried

For: Mayor Helps, Councillors Coleman, Loveday, Lucas, Madoff, and Thornton-Joe
Opposed: Councillors Isitt and Young

10. Water Charges for Community Gardens

Motion:

It was moved by Councillor Isitt, seconded by Councillor Thornton-Joe, that Council receive this report for information and that the fees be waived as outlined in the report.

Carried Unanimously

11. District of North Saanich Request for Financial Support for Nav Canada Legal Action

Council received a report from the Director of Finance on the reason why the District of North Saanich is taking legal action against Nav Canada.

Motion:

It was moved by Councillor Isitt, seconded by Councillor Coleman, that Council direct staff to contribute \$2,500 to support the District of North Saanich for Nav Canada Legal Action.

Carried Unanimously

12. 2016 Union of BC Municipalities Convention – Meetings with Cabinet

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council receive this report for information.

Carried Unanimously

13. Presentation: Building Resilience in Canada Proposal

Motion:

It was moved by Councillor Coleman, seconded by Councillor Madoff, that Council direct staff to engage with Building Resilience in Canada to explore opportunities for a demonstration project as well as impacts on future changes to City of Victoria policy and incentives related to seismic upgrades.

Carried Unanimously

14. Conference and Travel Budget for Council

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council direct staff to transfer \$10,000 from Council's miscellaneous account to Council's conferences/travel account to cover conference and travel expenses for the remainder of 2016.

Carried Unanimously

Councillor Thornton-Joe withdrew from the meeting at 10:22 p.m. and returned at 10:24 p.m.

2. Committee of the Whole – July 14, 2016

1. Development Permit with Variance Application No. 00004 for 1421 Fairfield Road

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 00004 for Fairfield Road, in accordance with:

1. Plans date stamped April 29, 2016.

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

Proposed Lot D

- i. Schedule H (3)(a): Increase the height from 5.0m to 6.8m;
- ii. Schedule H (3)(a): Increase the number of storeys from 1 to 2.

Proposed Lot E

- i. Schedule H (3)(a): Increase the height from 5.0m to 7.5m;
- ii. Schedule H (3)(a): Increase the number of storeys from 1 to 2;
- iii. Schedule H (5)(a): Increase the site coverage from 25% to 27.4%.

3. The Development Permit lapsing two years from the date of this resolution.”

Carried Unanimously

2. Development Variance Permit Application No. 00004 for 1421 Fairfield Road

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Variance Permit Application No. 00004 for 1421 Fairfield Road, in accordance with:

1. Plans date stamped April 29, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Proposed Lot F

- a. Part 12.5 (a): Reduce the front setback from 7.5m to 6.25m;
- b. Part 12.5 (b): Reduce the rear setback from 7.5m to 3.5m.

3. The Development Permit lapsing two years from the date of this resolution.”

Carried Unanimously

3. Wastewater Treatment Update

Motion:

It was moved by Councillor Young, seconded by Councillor Lucas, that Council direct staff to:

1. Forward the summary of public input to the Capital Regional District in order to inform analysis being undertaken by the new wastewater Project Board
2. Work with the Project Board to determine policy considerations for siting of wastewater treatment facilities within the City of Victoria
3. Share the summary of public input and feedback with the public

Carried Unanimously

4. Local Service Area – Cyril Close

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council consider first, second and third reading to Cyril Close Local Area Service Bylaw 16-045 at the July 14, 2016 Council meeting.

Carried Unanimously

5. Attendance Request: Urban Development Institute Tour of Los Angeles

Motion:

It was moved by Councillor Coleman, seconded by Councillor Young, that Council approves the attendance of Councillor Margaret Lucas at the UDI Tour of Los Angeles, Santa Monica and Beverly Hills.

Carried Unanimously

6. Submission of Input for National Housing Strategy

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council direct staff to prepare a response to the questions posed by the federal government on the “Let’s Talk Housing” website and provide a draft response to Council for Council’s consideration by Thursday, October 6th, 2016.

Carried Unanimously

7. Project Plan for the Vic West Neighbourhood Plan**Motion:**

It was moved by Councillor Loveday, seconded by Councillor Lucas, that Council approve the Project Plan for the Vic West Neighbourhood Plan outlined in Attachment one of the report dated June 30, 2016.

Carried Unanimously

8. Update on Rezoning Application No. 00472 and Development Permit Application No. 000402 for 1041 Oliphant and 212-220 Cook Street**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00472 for 1041 Oliphant Avenue and 212-220 Cook Street, and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following documents, signed and executed by the applicant to the satisfaction of City Staff:
 - a. Housing Agreement to secure the rental of nine units for a minimum of 20 years at a minimum rental rate of at least 10% below market rate, if not more, and to secure the rental of nine units for a minimum of 10 years at market rate, and that future strata bylaws cannot prohibit strata owners from renting residential strata units.
 - b. Statutory Right-of-Way of 3m for the rear lane access off Oliphant Avenue to the satisfaction of City staff;
 - c. Section 219 Covenant for sewage attenuation to mitigate the impact of increased density, as required, to the satisfaction of City staff;
 - d. Section 219 Covenant for the public realm improvements associated with the sidewalk widening along Cook Street and the paving/widening of the rear lane, to the satisfaction of City staff.

Development Permit Application No. 000402 (updated to reflect revised plans):

That Council authorize the issuance of Development Permit Application with Variance No. 00402 for 1041 Oliphant Avenue and 212-220 Cook Street, in accordance with:

1. Plans date stamped May 20, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Schedule C, 16A.12(c) – Required residential parking is reduced from 1.4 spaces per dwelling unit to 0.9 spaces per dwelling unit.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.
4. That Council authorize staff to execute an Encroachment Agreement for a fee of \$750, plus \$25 per m² of exposed shored face during construction in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure at the property line.
5. The Development Permit lapsing two years from the date of this resolution.

Council discussed the following:

- *Whether this application should be sent back to staff for further work.*
- *Whether the application would be supportable if it was designated as residential use only.*
- *Whether changes to the application would affect the affordable housing requirements.*

Motion to refer:

It was moved by Councillor Young, seconded by Councillor Madoff, that the application be referred back to staff to work with the applicant.

Amendment:

It was moved by Mayor Helps, seconded by Councillor Loveday, that the motion be amended as follows:

That the application be referred back to staff to work with the applicant, **to address some of the concerns expressed by the neighbourhood.**

Amendment to the amendment:

It was moved by Councillor Madoff, seconded by Mayor Helps, that the amendment be amended as follows:

That the application be referred back to staff to work with the applicant, **to address ~~some of the~~ concerns expressed by the neighbourhood.**

On the amendment to the amendment:
Carried Unanimously

Amendment to the amendment:

It was moved by Councillor Isitt, seconded by Councillor Young, that the amendment be amended as follows:

That the application be referred back to staff to work with the applicant, **to address the concerns expressed by the neighbourhood, including height and integration of the building into the village.**

On the amendment to the amendment:
Carried

For: Mayor Helps, Councillors Isitt, Loveday, Madoff, Thornton-Joe, and Young
Opposed: Councillors Coleman and Lucas

On the amendment:
Carried Unanimously

Main motion to refer as amended:

That the application be referred back to staff to work with the applicant, to address the concerns expressed by the neighbourhood, including height and integration of the building into the village.

On the main motion to refer as amended:
Carried Unanimously

9. New Development Service Connection Fees Review

Motion:

It was moved by Councillor Coleman, seconded by Councillor Young, that Council direct staff to amend the Waterworks Bylaw 07-030, and the *Sanitary Sewer and Stormwater Utilities Bylaw* 14-071 to update fees as per Table 2 (option 2 Hybrid New Fee Structure) attached to the report dated July 8, 2016 and report back in 6 months.

Carried

For: Mayor Helps, Councillors Coleman, Loveday, Lucas, Madoff, Thornton-Joe, and Young
Opposed: Councillor Isitt

10. Replacement of Street Lights to LED Technology

Motion:

It was moved by Mayor Helps, seconded by Councillor Loveday, that Council direct staff to:

1. Install warm white (3,000K) LED fixtures throughout the City, with the exception of cool white (4,000K) LED streetlight fixtures in all signalized intersections and marked crosswalks;
2. Develop a "smart" LED streetlight control pilot program, to demonstrate suitable applications of controllable LED technology to further improve energy savings potential, public safety and security and report back to Council with recommendations for the City's streetlight network in early 2017;
3. Introduce an LED communication plan to provide the public with pertinent information and opportunity for feedback concerning LED streetlight installations; and
4. Report back to Council regarding outcomes of the BC Hydro streetlight funding application and connection-fee decisions, with associated financial implications and recommendations.

Carried Unanimously

11. Irving Park – Commons Garden Licence of Occupation

Motion:

It was moved by Councillor Coleman, seconded by Councillor Isitt, that Council approve the proposal for a commons garden at Irving Park, and authorize the Mayor and Corporate Administrator to execute a new License of Occupation with the James Bay New Horizons Society, for a period of three years, at an annual consideration of \$1.00, in a form satisfactory to staff, subject to the publication of the statutory notices required by the *Community Charter*.

Carried Unanimously

Motion:

It was moved by Councillor Coleman, seconded by Councillor Isitt, that Council direct staff to report back on the provision of leaf mulch to community gardens covered by license of occupation on city-owned land and provide information on the cost estimates for common gardens and allotment gardens.

Carried Unanimously

For: Mayor Helps, Councillors Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe
Opposed: Councillor Young

Motion to extend past 11:00 p.m.:

It was moved by Mayor Helps, seconded by Councillor Madoff, that Council extend the meeting until 11:15 p.m.

Carried Unanimously

1. Taxation of Vacant Residential Properties

Motion:

It was moved by Councillor Loveday, seconded by Councillor Isitt:
WHEREAS The City of Victoria is facing a housing crisis with a vacancy rate of roughly 0.6 percent.

AND WHEREAS An unknown number of units currently sit empty and are held as investments rather than as housing.

AND WHEREAS The Provincial Government has recently indicated that they are preparing to introduce legislation to allow Vancouver to tax vacant units through an amendment to the Vancouver Charter.

THEREFORE BE IT RESOLVED that Council ask the Mayor to write the Premier and the Ministers of Housing, Finance, and Community Sport and Cultural-Development to request that the Provincial Government amend the Community Charter to enable municipalities across BC to implement a tax on vacant properties.

AND BE IT FURTHER RESOLVED that Council forward the following motion to the next quarterly Strategic Plan update:

BE IT RESOLVED That Council direct staff to begin collecting data on the number of empty units in the City of Victoria to allow Council to make an informed decision on whether or not to implement a tax on vacant properties if the Province makes the requested changes to the Community Charter.

Carried

For: Mayor Helps, Councillors Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe
Opposed: Councillor Young

BYLAWS

1. FIRST READING

Motion:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that the following bylaw **be given first reading:**

1. *Cyril Close Local Area Service Bylaw, 2016 No. 16-045*

Carried Unanimously

2. SECOND READING

Motion:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that the following bylaw **be given second reading:**

1. *Cyril Close Local Area Service Bylaw, 2016 No. 16-045*

Carried Unanimously

3. THIRD READING

Motion:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that the following bylaw **be given third reading:**

1. *Cyril Close Local Area Service Bylaw, 2016 No. 16-045*

Carried Unanimously

CORRESPONDENCE

1. Letter dated June 14, 2016 from the District 3 Director of United Steelworkers:

A letter requesting Council's consideration of the perspective of forest workers, when discussing the end to old growth logging.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Young, that the correspondence dated June 14, 2016 from the District 3 Director of United Steelworkers be received for information.

Carried

For: Mayor Helps, Councillors Coleman, Lucas, Madoff, Thornton-Joe, and Young
Opposed: Councillors Isitt and Loveday

2. Letter dated June 24, 2016 from the Mayor of New Westminster:

A letter requesting Council's support of a resolution submitted to UBCM regarding tenant evictions through renovations.

Motion:

It was moved by Councillor Loveday, seconded by Councillor Isitt, that the correspondence dated June 24, 2016 from the Mayor of New Westminster be referred to a Committee of the Whole meeting.

Carried Unanimously

3. Letter dated June 28, 2016 from Gordon Pollard:

A letter suggesting that the Victoria City Council officially proclaim Saturday, November 19, 2016, as Mifflin Wistar Gibbs Day in Victoria, to honour that in 1866 Mr. Gibbs was the first black politician to get elected to any public office in Canada.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Young, that the correspondence dated June 28, 2016 from Gordon Pollard be received for information.

Carried Unanimously

NEW BUSINESS

To Set Public Hearings for the Meeting of Thursday, July 28, 2016:

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the following Public Hearings be held in Council Chambers, City Hall, on **THURSDAY, JULY 28, 2016, at 6:30 p.m.:**

1. Development Permit with Variances No. 00003 for 944 Heywood Avenue

Carried Unanimously

QUESTION PERIOD

A question period was held.

ADJOURNMENT

Motion:

It was moved by Councillor Coleman, seconded by Councillor Madoff, that the Council meeting adjourn.
Time: 11:03 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, OCTOBER 13, 2016, AT 6:30 P.M.

PLACE OF MEETING: Council Chambers, City Hall

PRESENT: Mayor Helps in the Chair, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe, and Young

STAFF PRESENT: J. Johnson – City Manager; J. Jenkyns - Deputy City Manager; C. Coates - City Clerk; P. Bruce – Fire Chief; J. Potter – Manager of Citizen Engagement; S. Thompson – Director of Finance; J. Tinney – Director of Sustainable Planning & Community Development; F. Work – Director of Engineering & Public Works; T. Soulliere – Director of Parks, Recreation, & Facilities; C. Havelka – Deputy City Clerk; C. Mycroft – Executive Assistant to the City Manager; L. Taylor – Senior Planner; P. Martin - Council Secretary.

APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that the agenda be approved as amended.

Carried Unanimously

POETRY READING

The Youth Poet Laureate, Ann-Bernice Thomas, read a poem titled “Strings”.

REQUESTS TO ADDRESS COUNCIL

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following speakers be permitted to address Council.

Carried Unanimously

1. **Larry Hannant: Motion Regarding Leonard Peltier**
Outlined why Council should support the motion regarding advocacy for clemency for Leonard Peltier.
2. **Marion Cumming: Leonard Peltier**
Outlined why Council should support the motion regarding advocacy for clemency for Leonard Peltier.
3. **Judith Riggs: Proposed Casino for Humboldt Valley**
Outlined why Council should vote against the proposed casino in Humboldt Valley.
4. **James Younger: Food for Fines**
Outlined why Council should start a program called “Food for Fines”, where food donations for the food bank are accepted in lieu of payment for parking fines.
5. **Larry Wartels: Leonard Peltier Advocacy Motion**
Outlined why Council should pass the motion and send letters to Honourable Justice Minister Jody Wilson-Raybould, Prime Minister Trudeau, and President Obama, advocating for Leonard Peltier.

PROCLAMATIONS

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the following Proclamations be endorsed:

1. “World Mental Health Day” – October 10, 2016
2. “National Teen Driver Safety Week” – October 16 to October 22, 2016
3. “Waste Reduction Week” – October 17 to 23, 2016

Carried Unanimously

PUBLIC AND STATUTORY HEARINGS**1. Temporary Use Permit Application No. 00001 for 1400 Vancouver Street and 952 Johnson Street****1. Hearing****Temporary Use Permit Application No. 00001**

The Council of the City of Victoria will consider issuing a Temporary Use Permit for the land known as 1400 Vancouver Street and 952 Johnson Street, in Development Permit Area 3 (HC) Core Mixed-Use Residential, for the purpose of allowing commercial use associated with a marketing suite.

Leanne Taylor (Senior Planner): Provided information regarding the application, which is to allow temporary retail and office uses for three years.

Mayor Helps opened the public hearing at 7:05 p.m.

Daniel Cox (Applicant): Provided information regarding the application, advising that they would like to take the next three years to explore options regarding use.

Council discussed the following:

- *That the exterior of the building would not be altered.*

Olivia Graham (2018 Meadow Place): Asked that the history of the chapel be looked into, prior to any work being undertaken.

Council discussed the following:

- *That the chapel may be used by the Victoria Conservatory of Music during the three year period.*

Mayor Helps closed the public hearing at 7:09 p.m.

2. Temporary Use Permit Approval:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council authorize the issuance of Temporary Use Permit Application No. 00001 for 1400 Vancouver Street and 952 Johnson Street in accordance with:

1. Plans date stamped July 21, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Temporary Use Permit lapsing three years from the date of this resolution.

Carried Unanimously

2. Development Permit with Variances Application No. 00014 for 715 Princess Avenue**1. Hearing****Development Permit with Variances Permit Application No. 00014**

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 715 Princess Avenue, in Development Permit Area 7A Corridors – Douglas Street and Blanshard Street, for the purpose of approving the exterior design and finishes for a two-storey storage garage with upper floor office space, as well as, landscaping and a variance to eliminate a dedicated on-site loading space.

The Development Permit will vary the following requirements of the *Zoning Regulation Bylaw*, M-1 Zone, Limited Light Industrial District:

- Part 7.2.9: Remove loading space requirement from one space to nil.

Leanne Taylor (Senior Planner): Provided information regarding the application, which is to construct a two-storey garage with upper floor office space.

Mayor Helps opened the public hearing at 7:11 p.m.

Karen Hillel (Hillel Architect): Provided information regarding the application, and the history of the property.

Mayor Helps closed the public hearing at 7:15 p.m.

2. Development Permit with Variances Approval

It was moved by Councillor Young, seconded by Councillor Thornton-Joe, that Council authorize the issuance of Development Permit Application No. 00014 for 715 Princess Avenue, in accordance with:

1. Plans date stamped July 25, 2016.

2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. Part 7.2.9: remove loading space requirement from one space to nil.
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

3. Development Permit with Variances Application No. 00015 for 202 Edward Street

1. Hearing

Development Permit with Variances Application No. 00015

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 202 Edward Street, in Development Permit Area 15A: Intensive Residential – Small Lot, for the purposes of approving the exterior design and finishes for the new small lot house as well as landscaping and associated variances with respect to setbacks.

The Development Permit will vary the following requirements of the *Zoning Regulation Bylaw*, R1-S2 Zone, Restricted Small Lot (Two Storey) Dwelling District:

- Part 1.23(8)(a): Reduce the front yard setback from 6.00m to 5.76m;
- Part 1.23(8)(b): Reduce the rear yard setback from 6.00m to 5.16m for building only and from 6.00m to 3.00m to allow a retaining wall;
- Part 1.23(8)(c): Reduce the side yard (north) setback from 2.40m to 1.50m to allow for a habitable room with a window and to 1.04m to allow a projection for a fireplace.

Development Variance Permit Application No. 00015

The Council of the City of Victoria will consider issuing a Development Variance Permit for the land known as 202 Edward Street for the existing dwelling by varying the following requirements of the *Zoning Regulation Bylaw*, R1-B, Single Family Dwelling District:

- Part 1.2.5(b): Reduce the rear yard setback from 7.50m to 4.30m.

Leanne Taylor (Senior Planner): Provided information regarding the application, which is to construct a new small lot house.

Mayor Helps opened the public hearing at 7:16 p.m.

Giuseppe Martino (Applicant): Provided information regarding the application, advising that a similar application had previously been approved by Council and no negative feedback had been received.

Councillor Isitt withdrew from the meeting at 7:17 p.m. and returned at 7:19 p.m.

Olivia Graham (2018 Meadow Place): Questioned the size of the rear yard setback.

Council discussed the following:

- *That there is adequate space for the rear yard setback.*

Mayor Helps closed the public hearing at 7:22 p.m.

2. Development Permit with Variances Approval

It was moved by Councillor Alto, seconded by Councillor Loveday, that Council authorize the issuance of Development Permit with Variances Application No. 00015 for 202 Edward Street, in accordance with:

1. Plans date stamped August 10, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Existing Dwelling (Proposed Lot A)

- i. reduce the rear yard setback from 7.50m to 4.30m.

Small Lot House (Proposed Lot B)

- i. reduce the front yard setback from 6.00m to 5.76m;
- ii. reduce the rear yard setback from 6.00m to 5.16m for building only and from 6.00m to 3.00m to allow a retaining wall;
- iii. reduce the side yard (north) setback from 2.40m to 1.50m to allow for a habitable room with a window and to 1.04m to allow a projection for a fireplace;

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

Carried Unanimously

4. Development Variance Permit Application No. 00175 for 56 Gorge Road East

1. Hearing

Development Variance Permit Application No. 00175

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 56 Gorge Road East for the purpose of varying certain requirements of the *Zoning Regulation Bylaw* namely:

- Relaxation of the maximum enclosed floor area added to a building within five years of installing a secondary suite from 20m² to 206.64m².

Leanne Taylor (Senior Planner): Provided information regarding the application, which is to allow a secondary suite.

Councillor Thornton-Joe withdrew from the meeting at 7:23 p.m. and returned at 7:24 p.m.

Mayor Helps opened the public hearing at 7:24 p.m.

Manju Nehara (Applicant): Provided information regarding the application and advised that the secondary suite is to accommodate their extended family.

Mayor Helps closed the public hearing at 7:25 p.m.

2. Development Permit with Variances Approval

It was moved by Councillor Lucas, seconded by Councillor Young, that Council authorize the issuance of Development Variance Permit Application No. 00175 for 56 Gorge Road East, in accordance with:

1. Plans date stamped August 22, 2016
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule J, Secondary Suite Regulations, Exterior Changes, increase the maximum enclosed floor area added within 5 years of installing a secondary suite from 20m² to 206.64m²
3. A 4.92m statutory right-of-way registered on title as per the plans date stamped August 22, 2016
4. The Development Permit lapsing two years from the date of this resolution.

Council discussed the following:

- *Whether the application should be considered as a secondary suite or as a duplex, due to concerns expressed by the community association.*

Carried Unanimously

UNFINISHED BUSINESS

1. Update Report for Rezoning Application No. 00493 and Development Permit with Variances Application No. 000441 for 1016 Southgate Street

It was moved by Councillor Coleman, seconded by Councillor Madoff, that Council replace the previous motion from the Committee of the Whole meeting of July 21, 2016 with the following motion (variances updated to reflect the new zone):

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00493, if it is approved, consider the following motion:

"That Council authorize the issuance of a Development Permit for Application No. 000441 for 1016 Southgate Street, in accordance with:

1. Plans date stamped June 21, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the site coverage from 33% to 38.70%;
 - ii. reduce the minimum site area from 920m² to 668.50m²;
 - iii. reduce the minimum required front yard setback from 7.50m to 5.67m;
 - iv. reduce the east side yard setback from 3m to 1.09m for the bike storage locker;
 - v. reduce the west side yard setback from 3m to 1.09m for the bike storage locker;
 - vi. reduce the front yard projection setback for the steps from 3m to 2.34m;
 - vii. required residential parking reduced from 1.2 spaces per dwelling unit to 1 space per dwelling unit;
 - viii. Schedule C, Section 7.2(b) - reduce the distance of an off-street parking space from the street boundary (rear lane) from 1.0m to 0.64m;
 - ix. Schedule C, Section 7.2(h) - reduce the landscape strip along the side yard from 0.60m to 0.50m;

- x. Schedule F, Section 4(d) - reduce the separation space between an accessory building and the principal building from 2.40m to 1.37m.
- 3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff;
- 4. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

2. Letter from the Minister of Justice and Attorney General of Canada regarding a Basic Income Guarantee for All Canadians

It was moved by Councillor Alto, seconded by Councillor Lucas, that the correspondence dated September 14, 2016, from the Minister of Justice and Attorney General of Canada be received for information.

Carried Unanimously

3. Letter from the Canadian Union of Postal Workers regarding the phase 2 review of Canada Post

It was moved by Councillor Isitt, seconded by Councillor Alto, that Council direct staff to complete the survey on behalf of Council prior to October 21st, 2016, providing responses consistent with Council's previously adopted resolutions relating to door-to-door delivery and postal banking.

Carried Unanimously

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday, that the correspondence dated September 7, 2016, from the Canadian Union of Postal Workers be received for information.

Carried Unanimously

4. Letter from the Vancouver Island South Film & Media Commission thanking Council for the Strategic Plan Grant Contribution

It was moved by Councillor Coleman, seconded by Councillor Madoff, that the correspondence dated September 20, 2016, from the Vancouver Island South Film & Media Commission be received for information.

Carried Unanimously

REPORTS OF COMMITTEES

1. Committee of the Whole – October 6, 2016

1. Cyril Close Local Service Area Parcel Tax Imposition

It was moved by Councillor Madoff, seconded by Councillor Alto, that Council establish the Parcel Tax Review Panel to be comprised of all members of Council, and that any complaints on the Parcel Tax Roll be heard at the November 3, 2016 Committee of the Whole meeting.

Carried Unanimously

2. a. Rezoning Application No. 00517 for 115 Moss Street

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00517 for 115 Moss Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe
Opposed: Councillors Isitt, Madoff, and Young

2. b. Development Permit with Variances Application No. 00517 for 115 Moss Street

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No.00517 if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00517 for 115 Moss Street, in accordance with:

- 1. Plans date stamped July 27, 2016
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 1.23.3: reduce the lot width of Lot A and C from 10m to 9.89m;
 - ii. Part 1.23.8(c): reduce the side yard (north) setback of Lot B from 2.40m to 1.56m to allow for a habitable room with a window;
 - iii. Part 1.23.8(c): reduce the side yard (south) setback of Lot B from 2.40m to 1.56m to allow for a habitable room with a window;
 - iv. Schedule "C" Section 3 - permit one parking space to be located in the front yard of Lot B;
- 3. The Development Permit lapsing two years from the date of this resolution."

Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe
Opposed: Councillors Isitt, Madoff, and Young

3. Submission of Input to National Housing Strategy

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council direct staff to submit the Victoria Housing Strategy, 2016-2025, along with a covering document detailing recommendations for federal government involvement as outlined in this report, including the following recommendations, as the City's formal submission to the National Housing Strategy by the October 21, 2016 deadline:

- increase the share of non-market housing as a proportion of the total housing supply, and
- encourage the federal government to develop strategies for first time home buyers and affordable home ownership.

And that the cover letter include the following information:

- include funding for the National Housing Strategy in Budget 2017,
- create a National Housing Strategy that is flexible and funds locally developed solutions, and
- that the National Housing Strategy take into account the specific needs of First Nations individuals.

Carried Unanimously

4. Letter from the Greater Victoria Harbour Authority

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council direct staff to undertake a feasibility assessment leading to a possible financial partnership arrangement for the provision of the new public washroom facilities with the Greater Victoria Harbour Authority.

Amendment:

It was moved by Councillor Lucas, seconded by Councillor Isitt, that the James Bay Neighbourhood Association be included in any future discussions.

On the amendment:
Carried Unanimously

Main motion as amended:

That Council direct staff to undertake a feasibility assessment leading to a possible financial partnership arrangement for the provision of the new public washroom facilities with the Greater Victoria Harbour Authority, and that the James Bay Neighbourhood Association be included in any future discussions.

Council discussed the following:

- *The implication this may have on past agreements.*
- *Whether the facilities should be built on private or public property.*

On the main motion as amended:
Carried Unanimously

5. Update on City Skateboarding Regulations

It was moved by Councillor Alto, seconded by Councillor Isitt, that Council direct staff to:

1. Complete an additional focused engagement campaign throughout October 2016 to reinforce awareness against skateboarding on sidewalks;
2. Commence enforcement using both VicPD and Bylaw staff, on November 1, 2016;
3. Complete an additional dedicated engagement session regarding skateboarding regulations in the early spring 2017, to coincide with the opening of the new fully-protected bike facility on Pandora Avenue.

Carried Unanimously

6. Reduced Speed Zones - Post-installation Monitoring

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council direct staff to:

1. Retain, monitor and increase enforcement of the 40 km/h and 30 km/h speed zones;
2. Install speed-reader boards in strategic locations along the reduced speed zones, and implement a public awareness campaign to promote reduced speeds and provide cost estimates to Council during the 2017 Financial Planning process on the cost of acquiring a dedicated speed-reader board for each neighbourhood;
3. Provide an annual report to Council on collision statistics in December 2016;
5. Continue to introduce speed control elements in future street designs for these and other required corridors; and
6. Provide Council with another annual update on the reduced speed zone performance, in October 2017.

Councillor Thornton-Joe withdrew from the meeting at 7:41 p.m. due to a potential pecuniary conflict of interest, as her husband works for BC Transit.

It was moved by Councillor Loveday, seconded by Councillor Isitt:

4. Continue to work alongside BC Transit to maximize transit performance throughout the reduced speed zones;

Carried Unanimously

Councillor Thornton-Joe returned to the meeting at 7:42 p.m.

7. Reserve Fund Target Balances

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council direct staff to bring forward options to increase capital funding for Council's consideration during the 2017 financial planning process.

Carried Unanimously

8. External Grant Review Committee - Evaluation Matrix

It was moved by Councillor Lucas, seconded by Councillor Alto, that Council approve the interim methodology for developing the matrix for the Strategic Plan Grants for 2017 as outlined in this report and direct staff to proceed with recruiting Committee members and implementing the Committee and Process for the 2017 pilot project.

Carried Unanimously

9. Rosalie Village

It was moved by Councillor Thornton-Joe, seconded by Mayor Helps:

Whereas creating affordable housing is one of Council's priorities,

And whereas, Rosalie Village have been able to show how the additional funds would assist this project and the issues of homelessness that affect our City and Region,

And whereas, Council previously reduced the amount provided because there was a belief that we would be contributing more than Saanich. Saanich has reduced DCC costs, given easement rights and will be giving annual tax exemptions.

And whereas as our Housing Trust Fund currently has \$1.2 million and no proposals currently coming forward,

Therefore, it is moved that we increase our contribution to the amount originally recommended by staff which translates to \$125,000.00 being given to the Rosalie Village project.

Council discussed the following:

- *Whether using funds for housing outside the City of Victoria is appropriate.*

Carried

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe
Opposed: Councillor Young

10. Amendment to Cannabis-Related Business Regulation Bylaw to Enable Third Party ATM's

It was moved by Councillor Lucas, seconded by Councillor Thornton-Joe, that Council direct staff to create an amendment to the Business Licence Regulation Bylaw to enable third party ATMs to operate in storefront cannabis retailers.

Carried Unanimously

2. Committee of the Whole – October 13, 2016

Councillor Isitt withdrew from the meeting at 7:47 p.m. due to a potential conflict of interest, as he has family that resides near the subject property.

1. Work without Permit – 1142 Caledonia Ave. / Bylaw File #42266

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council direct the City Clerk to file a notice in the Land Title Office in relation to the property located at 1142 Caledonia Avenue, legally described as Lot 10 Suburban Lot 17 Victoria Plan 153 indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the *Community Charter* and the provisions of the *Property Maintenance Delegation Bylaw*, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall, and indicate that this notice is in regard to the owner's fifth suite.

Carried Unanimously

Councillor Isitt returned to the meeting at 7:47 p.m.

2. Work without Permit – 1349 Grant Street / Bylaw File #48824

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council direct the City Clerk to file a notice in the Land Title Office in relation to the property located at 1349 Grant Street, legally described as Lot 8 Plan 317A Section 75 Victoria indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the *Community Charter* and the

provisions of the *Property Maintenance Delegation Bylaw*, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.

Carried Unanimously

3. 2016 Regional Growth Strategy – Request for Feedback

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council consider the proposed 2016 Regional Growth Strategy (CRD Bylaw 4017) and provide comments to the CRD confirming that the proposed 2016 Regional Growth Strategy (RGS) is consistent with the City of Victoria *Official Community Plan* objectives related to growth, environment, housing, transportation and economic development for consideration at the RGS public hearing scheduled for October 19, 2016.

That Council express its concern over incremental urban sprawl and loss of green space in the region particularly in the Juan de Fuca electoral area and that the CRD take action to strengthen urban containment.

Carried Unanimously

4. Report Back to Council – City Provision of Mulch to Community Garden Operators

It was moved by Councillor Thornton-Joe, seconded by Councillor Isitt, that Council consider a policy to authorize the distribution of mulch to the 15 existing gardens which includes the allocation of funds to cover labour, at the budget meetings in late October.

Carried

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe
Opposed: Councillor Young

5. Follow-up Actions – Naming Initiative for Begbie Green

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council receive this updated report for information and confirm the name of the green space located at Begbie and Pembroke streets as *Begbie Green*.

Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Madoff, Thornton-Joe, and Young
Opposed: Councillor Isitt

6. Actions related to the E & N Rail Trail and Commuter Train Service

It was moved by Councillor Isitt, seconded by Councillor Loveday:

1. That Council direct staff to cooperate with the Capital Regional District to engage owners of the private lands designated at "Railway Corridor" in Victoria West to complete the installation of the E & N Rail Trail from Esquimalt Road to Victoria Harbour as soon as practicable.
2. That Council direct staff to co-operate with the CRD in completing detailed design of the trail on the City owned land between Bayview property and the Galloping Goose Trail/Johnson Street Bridge and report back to Council.
3. That Council express its interest in further exploring the viability of commuter train service on the E & N corridor between Langford and Victoria as an inter-municipal service, or under Victoria Regional Transit Commission as a commuter train sub commission.

Carried Unanimously

7. Updating the Street Vendors Bylaw to Permit Bicycle Street Vending

It was moved by Councillor Loveday, seconded by Councillor Isitt, that Council refer the following resolution to the next Quarterly Strategic Plan Update and direct staff to report to Council at that update on the resource implications of the following action:

- (1) That Council approve the addition of the following 2017 Action to the Strategic Plan:
"Consolidate and update the Street Vendors Bylaw to permit the licensing, operations and regulation of responsible bicycle street vending in the City of Victoria."

Carried Unanimously

8. Emergency Program Overview

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council direct the City Manager to include an emergency management workshop at the beginning of each Council term.

That Council receive this report for information.

Amendment:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the motion be amended as follows:

That Council direct the City Manager to include an emergency management **training** workshop for Council **in the orientation sessions** at the beginning of each Council term.

On the amendment:
Carried Unanimously

Amendment:

It was moved by Councillor Isitt, that the motion be amended by changing **workshop** to **table top exercise**.

On the amendment:
Defeated due to no seconder

Amendment:

It was moved by Mayor Helps, seconded by Councillor Isitt, that the motion be amended as follows:

That Council direct the City Manager to include an emergency management training workshop for Council in the orientation sessions at the beginning of each Council term, **and a tabletop exercise within the first quarter of the new Council term.**

On the amendment:
Carried Unanimously

Main motion as amended:

That Council direct the City Manager to include an emergency management training workshop for Council in the orientation sessions at the beginning of each Council term, and a tabletop exercise within the first quarter of the new Council term.

On the main motion as amended:
Carried Unanimously

BYLAWS

1. FIRST READING

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following bylaws **be given first reading:**

- a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1073) No. 16-073*

Carried Unanimously

2. SECOND READING

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following bylaws **be given second reading:**

- a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1073) No. 16-073*

Carried Unanimously

3. THIRD READING

Motion:

It was moved by Councillor Coleman, seconded by Councillor Isitt, that Council rescind adoption of the Archives Use Bylaw, Amendment Bylaw (No. 2) No. 16-060.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council rescind third reading of the Archives Use Bylaw, Amendment Bylaw (No. 2) No. 16-060.

Motion:

It was moved by Councillor Isitt, seconded by Councillor Coleman, that the following bylaw **be given third reading:**

- a. *Archives Use Bylaw, Amendment Bylaw (No. 2) No. 16-060*

Carried Unanimously

3. Adoption

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the following bylaw **be adopted:**

- a. *Tax Exemption (Permissive) Bylaw, 2017-2019 No. 16-074*

Carried Unanimously

Councillor Coleman withdrew from the meeting at 7:57 p.m. due to a potential pecuniary conflict of interest, as his wife works for the Anglican Synod of the Diocese of BC.

Motion:

It was moved by Councillor Young, seconded by Councillor Lucas, that the following bylaw **be adopted:**

- a. *Tax Exemption (Permissive) Bylaw, 2017-2019 No. 16-075*

Carried Unanimously

Councillor Coleman returned to the meeting at 7:57 p.m.

CORRESPONDENCE

1. Letter from the Minister of Community, Sport and Cultural Development and Minister Responsible for Translink regarding a Stakeholder Engagement Summary On the Passenger Transportation Sector

It was moved by Councillor Alto, seconded by Councillor Lucas, that the correspondence dated September 23, 2016, from the Minister of Community, Sport and Cultural Development and Minister Responsible for Translink be received for information.

Carried Unanimously

2. Letter from the District of Oak Bay regarding the Pemberton Trail Network

It was moved by Councillor Isitt, seconded by Mayor Helps, that the correspondence dated September 29, 2016, from the District of Oak Bay be referred to the October 27, 2016 Committee of the Whole Meeting.

Carried Unanimously

NEW BUSINESS

1. Advocacy for Clemency for Leonard Peltier

It was moved by Councillor Isitt, seconded by Councillor Loveday:

WHEREAS Leonard Peltier, an indigenous activist from Chippewa and Dakota Sioux territory in the present-day United States, and an honorary member of the Kwakwaka'wakw Nation of northern Vancouver Island, has been detained within the American prison system since his extradition from Vancouver, Canada in 1976; and

WHEREAS Since that date, a growing movement has emerged in Canada and around the world demanding freedom for Leonard Peltier; and

WHEREAS This advocacy extends from Bishop Desmond Tutu in South Africa, to the Anglican Bishop of the Diocese of British Columbia, the Right Reverend Dr. Logan McMenamie, to the Catholic Bishop of Victoria, the Most Reverend Gary Gordon, who appealed to United States President Barack Obama to free Leonard Peltier by granting Executive Clemency prior to the conclusion of his term of office in January 2017; and

WHEREAS The appeal for clemency has also been endorsed by leaders and organizations including: the Dalai Lama, the European Parliament, Nelson Mandela, Amnesty International, and Warren Allmand, Solicitor General of Canada and Minister of Indian Affairs and Northern Development in the Government of Prime Minister Pierre Elliott Trudeau at the time Peltier was extradited from Vancouver; and

WHEREAS This advocacy is imbued with a personal connection to the current Government of Canada, with the Honourable Justice Minister Jody Wilson-Raybould's grandmother Ethel Pearson, an elder of the Musgamakw Tsawataineuk Nation, offering Leonard Peltier asylum here on Vancouver Island in the 1970s to prevent his extradition from British Columbia; and

WHEREAS Leonard Peltier was adopted as an honorary member of the Kwakwaka'wakw Nation at the time, in accordance with protocols that included consent by dozens of hereditary chiefs; and

WHEREAS Victoria City Council has recognized 2017 as a Year of Reconciliation;

THEREFORE BE IT RESOLVED THAT Victoria City Council endorse Bishop Desmond Tutu's appeal for clemency for Leonard Peltier and request that the Mayor, on behalf of Council, forward this resolution to the Federal Minister of Justice and Prime Minister of Canada, urging them to write and advocate to the President of the United States in support of Executive Clemency for Leonard Peltier, as an act of

reconciliation with the indigenous peoples of North America prior to the conclusion of President Obama’s term of office in January 2017.

Council discussed the following:

- *Whether the proposed motion is an appropriate consideration for the City of Victoria Council.*

Carried

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe
Opposed: Councillor Young

QUESTION PERIOD

A question period was held.

ADJOURNMENT

It was moved by Councillor Alto, seconded by Councillor Loveday, that the Council meeting adjourn.
Time: 8:19 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR

WILDLIFE

The Loop passes through sensitive migratory bird and animal sanctuaries as well as important salmon and herring marine ecosystems. Precautions must be taken to avoid their disturbance.

- Be aware of all animals on the water, below the surface and on the shoreline.
- Observe from a distance – do not approach wildlife or disturb their natural behaviour.
- Avoid approaches that cause a panic reaction among animals – talk softly or tap lightly on the side of your boat to gently warn of your presence.
- Avoid stream estuaries and small inlets during spawning or nesting times.
- Avoid shallows where sensitive mud feeding areas can be disturbed.
- Constantly assess wildlife. If you see signs of disturbance move away quietly.

BEFORE YOU GO

The Victoria Waterways Loop covers a distance of 15.5 kms (8.4 nautical miles) with a 950 m (1000 yards) portage. Winds, currents, and your paddling ability strongly influence how long it will take to paddle the complete loop.

The Victoria Waterways Loop offers recreational opportunities for those seeking either the challenge of exposed water or a smooth paddling experience through sheltered inlets and protected bays. But before you embark on your choice of saltwater adventure be sure you're prepared.

- Check ahead for weather and tides.
- Dress appropriately and always consider the possibility of capsizing or getting wet.
- Let someone know where you are going and what time you plan to return.
- Review *Transport Canada Safe Boating Guide*: www.tc.gc.ca/boating/safety.

Note: Esquimalt Harbour is a controlled military access zone open to the public. All vessels entering or departing are required to contact the Queen's Harbour Master (QHM) Operations on VHF Channel 10 or by cell phone at 250 363-2160.

Visit our website www.vicwaterloop.ca

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THE VICTORIA WATERWAYS LOOP

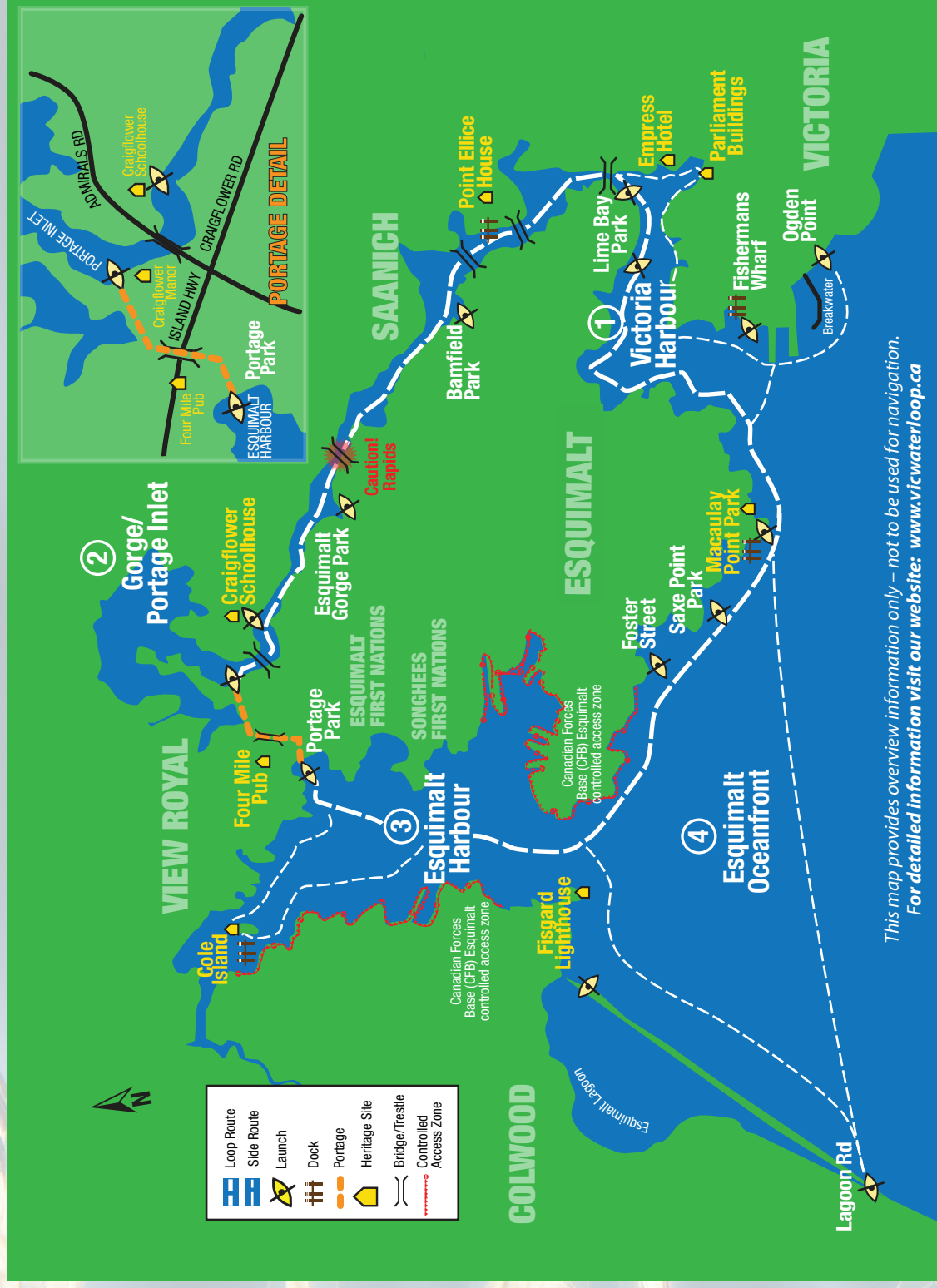
A whole new paddle and portage experience!

The Victoria Waterways Loop is a beautiful inland and open water passage that winds its way through some of the most spectacular and varied scenery on the south coast.

With numerous access points you can choose to paddle just a section of the loop or the entire loop in only a few hours.

Stop to explore a heritage site, have lunch in a local eatery or just enjoy the variety of wildlife that you'll see along the way.

Whether you're a seasoned paddler or novice there's a stretch of blue for you!



1. VICTORIA HARBOUR	2. GORGE/PORTAGE INLET	3. ESQUIMALT HARBOUR	4. ESQUIMALT OCEANFRONT
<ul style="list-style-type: none"> Heritage Sites: <ul style="list-style-type: none"> * The Empress Hotel * Parliament Buildings * Places to eat * Views of downtown * Working harbour * Accommodation * Boat rentals 	<ul style="list-style-type: none"> Migratory Bird sanctuary Heritage sites: <ul style="list-style-type: none"> * Point Ellice House * Craigflower Schoolhouse * First Nations midden Places to eat Sheltered waters Low traffic area Portage route 	<ul style="list-style-type: none"> Migratory Bird sanctuary Heritage sites: <ul style="list-style-type: none"> * Four Mile Pub * Cole Island * Six Mile Pub * Figsdard Lighthouse Portage route Calm areas 	<ul style="list-style-type: none"> Migratory Bird sanctuary Heritage site: <ul style="list-style-type: none"> * Fort Rodd Hill Breakwater
Cautions <ul style="list-style-type: none"> High traffic area Float plane activity Large sea going vessels 	Cautions <ul style="list-style-type: none"> Mud flats Tidal rapids Active racing lanes Stream estuaries – avoid 	Cautions <ul style="list-style-type: none"> CFB Esquimalt Large sea going vessels Controlled access zone First Nations areas Sailing race traffic 	Cautions <ul style="list-style-type: none"> Exposed water Large sea going vessels Fishing boat activity Harbour traffic area



September 1, 2016

RE: Proposed Victoria Waterways Loop

Tourism Victoria is happy to lend its support to the proposed Victoria Waterways Loop.

This inland and open-water passage winds its way through spectacular scenery. By providing numerous points of access, the Waterways Loop will encourage people to engage with many of our region's historic locations and commercial attractions.

An analysis of markets with potential travellers to Greater Victoria shows that 16 per cent cite opportunities for kayaking or canoeing as a travel motivator.

The Victoria Waterways Loop fits with our strategy of supporting opportunities for visitors to disperse throughout Greater Victoria. This is our future. We need customers to discover the abundance of experiences available as they deeply engage with our community.

The loop creates a new reason for people to experience a lesser travelled side of our destination, leading to more customers for retailers, restaurants and cafes along the loop, and another reason for visitors to extend their stay at accommodation properties

The Waterways Loop would be a "soft adventure," accessible to a wide range of abilities, and allow more people the chance to see beautiful scenery from the water — always a different perspective than on land.

Tourism Victoria has agreed to support the development of the Victoria Waterways Loop by helping create a professional marketing brief, and by providing a small but symbolic financial contribution.

Today's traveller looks to experience a wide variety of activities while on vacation. A kayaking and canoeing adventure would be a great addition to the experiences currently available.

Well executed, the Victoria Waterways Loop will offer an authentic, meaningful experience that engages people with the environment around them.

Sincerely,

Paul Nursey,
President and CEO, Tourism Victoria

“UNiTE to End Violence Against Women Day”

WHEREAS *the United Nations has again called for an international campaign – 16 days of activism against gender-based violence – running from Nov. 25 (International Day for the Elimination of Violence Against Women) – Dec. 10 (Human Rights Day); and*

WHEREAS *violence against women is pervasive around the world, including Canada; and*

WHEREAS *violence against women takes many forms, including physical, emotional, and sexual violence; deprivation; bullying; discrimination and harassment; neglect of older women; child marriage; female genital mutilation; and sexual violence against women in conflict zones; and*

WHEREAS *in Canada, violence against women is disproportionally experienced by Indigenous women; and*

WHEREAS *by creating worldwide awareness and calling on governments to match and adequate, sustained resources to their political commitments, we will find solutions to end gender-based violence.*

NOW, THEREFORE *I do hereby proclaim the day of November 25, 2016 as “UNiTE to End Violence Against Women Day” in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA, the TRADITIONAL TERRITORIES of the ESQUIMALT AND SONGHEES FIRST NATIONS”, , and urge all residents of Victoria, BC to participate in the United Nations campaign “Orange The World”, using orange to symbolize a brighter future.*

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

**LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA**

**Sponsored by:
Anne Young
Victoria Grandmothers
Advocacy Network**

4. LAND USE MATTERS

4.1 a. Rezoning Application No. 00517 for 115 Moss Street

Committee received a report dated September 22, 2016, from the Director of Sustainable Planning and Community Development regarding an application to subdivide and create three small lots, retain the existing house and construct two new small lot houses.

Committee discussed:

- The proposed variances and options for mitigating these.

Motion: It was moved by Councillor Lucas, seconded by Councillor Coleman, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00517 for 115 Moss Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED 16/COTW

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe
Against: Councillor Isitt, Madoff, and Young

1. Committee of the Whole – October 6, 2016

2. a. Rezoning Application No. 00517 for 115 Moss Street

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00517 for 115 Moss Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe
Opposed: Councillors Isitt, Madoff, and Young



Committee of the Whole Report For the Meeting of October 6, 2016

To: Committee of the Whole **Date:** September 22, 2016
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Rezoning Application No. 00517 for 115 Moss Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00517 for 115 Moss Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 115 Moss Street. The proposal is to rezone from the current R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storeys) in order to subdivide and create three small lots.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential Urban Place Designation and objectives for sensitive infill in the *Official Community Plan, 2012* (OCP);
- the proposal is generally consistent with the policies and design guidelines specified in the *Small Lot House Rezoning Policy, 2002*;
- the proposal is consistent with the policies specified in *Suburban Neighbourhoods, 1984*.

BACKGROUND

Description of Proposal

This Rezoning Application is to subdivide and create three small lots, retain the existing house and construct two new small lot houses. Variances would be required to facilitate this development and will be discussed in relation to the concurrent Development Permit with Variances Application.

Affordable Housing Impacts

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

Sustainability Features

The applicant has identified a number of sustainability features which will be reviewed in association with the concurrent Development Permit with Variances Application for this property.

Active Transportation Impacts

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

Public Realm Improvements

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

Land Use Context

The area is characterized by a mix of single-family dwellings and duplexes.

Existing Site Development and Development Potential

The site presently contains a single-family dwelling. Under the current R1-B Zone, the property could be developed as a single-family dwelling with a secondary suite. Should the subject property be rezoned to the R1-S2 Zone and subdivided then two new small lot houses would be permitted in accordance with the *Small Lot House Rezoning Policy*. The existing single-family dwelling would be retained on one of the small lots. Secondary suites are not permitted on small lots.

Data Table

The following data table compares the proposal with the existing R1-S2 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposed Lot A	Proposed Lot B (existing house)	Proposed Lot C	Zone Standard R1-S2 Zone
Site area (m ²) - minimum	352.70	372.44	352.73	260.00

Zoning Criteria	Proposed Lot A	Proposed Lot B (existing house)	Proposed Lot C	Zone Standard R1-S2 Zone
Density (Floor Space Ratio) - maximum	0.53:1	0.45:1	0.53:1	0.60:1
Total floor area (m ²) - maximum	189.59	166.19	189.59	190.00
Lot width (m) - minimum	9.89*	10.44	9.89*	10.00
Height (m) - maximum	7.42	7.17	7.27	7.50
Storeys - maximum	2	2	2	2
Basement	No	Yes	No	Permitted
Site coverage % - maximum	38.75	28.71	38.74	40.00
Setbacks (m) - minimum				
Front (Moss St)	6.64	11.24	6.64	6.00
Rear (East)	7.59	7.96	7.60	6.00
Side (North)	1.50/2.40	1.56* (habitable)	1.50	1.50 (non-habitable)/2.40 (habitable)
Side (South)	1.50	1.56* (habitable)	1.50/2.40	1.50 (non-habitable)/2.40 (habitable)
Parking - minimum	1	1	1	1
Parking location	internal	front yard*	internal	rear or side yard

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Fairfield Gonzales CALUC at a Community Meeting held on March 21, 2016. A letter dated April 20, 2016 is attached to this report.

In accordance with the City's *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours and reports that 83.3% support the application. Under this policy, "satisfactory support" is considered to be support in writing for the project by 75% of the neighbours. The required Small Lot House Rezoning Petitions, Summary and illustrative map provided by the applicant are attached to this report.

ANALYSIS

Official Community Plan

The OCP Urban Place Designation for the subject property is Traditional Residential. In accordance with the OCP, small lots are subject to DPA 15A: Intensive Residential – Small Lot. The proposal is consistent with the objectives of DPA 15A to achieve new infill development that respects the established character in residential areas.

Small Lot House Rezoning Policy (2002)

The *Small Lot House Rezoning Policy* encourages sensitive infill development with an emphasis on ground-oriented housing that fits in with the existing character of a neighbourhood. The policy refers to a "Small Lot House" with a minimum lot size of 260m² and a minimum lot width of 10m. All three proposed small lots exceed the minimum lot size by over a 100m². The lot areas would be even larger if road dedication was not a requirement of subdivision.

The existing lot width of the subject property is approximately 30.22m, which is technically wide enough to meet the minimum lot width of 10m for each small lot. However, the applicant is proposing to retain the existing dwelling unit, which requires a slightly larger lot size and lot width to accommodate the house on the small lot and maintain adequate setbacks.

Local Area Plan

The *Suburban Neighbourhoods* (1984) Plan contains policies that focus on the importance of conserving traditional residential streetscapes (architecture and landscaping), encourage improvement in the quality and lifespan of existing housing stock, and consider infill development where it is appropriate, including small lot single-family dwellings. Creating three small lots and constructing two new small lot houses would fit in with the existing form and character of the neighbourhood and the established density for the area.

Regulatory Considerations

Road Dedication

Moss Street is identified as a collector road and a People Priority Greenway in the *Greenways Plan* (2003), and as a result, the applicant would be required to provide 0.86m of road dedication at the time of subdivision.

Tree Preservation

The Arborist report prepared by Talbot Mackenzie and Associates has identified four bylaw protected trees on the subject property. One Lawson Cypress tree located in the front garden of proposed Lot B and a Western Red Cedar located in the side yard setback of proposed Lot C are recommended to be removed. A second Lawson Cypress tree located in the front yard of proposed Lot C would become a boulevard tree as a result of road dedication and will be retained. A Douglas fir tree in the rear yard of proposed Lot C will also be retained. The Arborist report outlines impact mitigation measures to successfully retain the trees during the construction phase (attached).

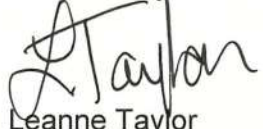
CONCLUSIONS

This proposal to rezone the subject property to the R1-S2 Zone, retain the existing single-family dwelling and construct two new small lot houses is consistent with the objectives in the OCP and the *Small Lot House Rezoning Policy* for sensitive infill development. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00517 for the property located at 115 Moss Street.

Respectfully submitted,



Leanne Taylor
Senior Planner
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: September 26, 2016

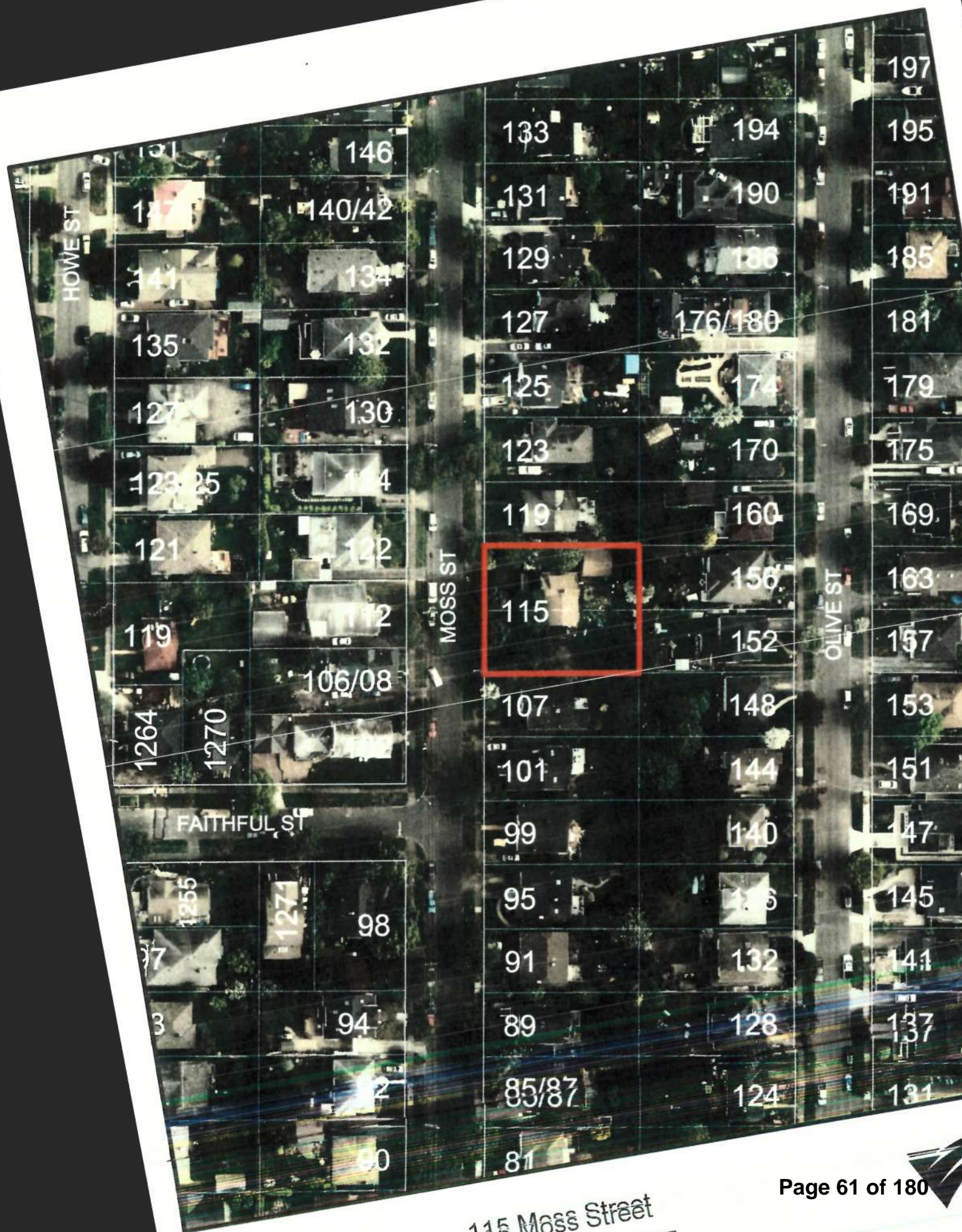
List of Attachments

- Zoning map
- Aerial map
- Applicant's letter to Mayor and Council dated April 14, 2016
- Applicant's letter to Mayor and Council dated July 27, 2016
- Arborist report dated August 11, 2016
- Small Lot Housing Rezoning Petition
- Letter from the Fairfield-Gonzales CALUC dated April 20, 2016
- Neighbourhood Correspondence
- Plans dated July 26, 2016.

HOWE ST	131	146	MOSS ST	133	194	OLIVE ST	197
	147	140/42		131	190		195
	141	134		129	186		191
	135	132		127	176/180		185
	127	130		125	174		181
	123/25	124		123	170		179
	121	122		119	160		175
	119	112		115	156		169
	1264	106/08			152		163
	1270	102		107	148		157
FAITHFUL ST				101	144		153
	1255	1271		99	140		151
97		98		95	136		147-GS
3		94		91	132		145
		92		89	128		141
		90		85/87	124		137
				81			131

115 Moss Street
Rezoning No.00517







RM2 Developments Ltd
1998 Fairfield Road
Victoria, BC V8S 1H6

April 14, 2016

The City of Victoria
1 Centennial Square
Victoria, BC V8W1P6

Attention: **Mayor and Council of the City of Victoria**

Re: **Rezoning and Subdivision Application**
115 Moss Street, Victoria BC

Enclosed is our rezoning and subdivision application for the above noted property. Currently the property consists of two legal 50' x120' lots, with an older home straddling the two lots. We are proposing to rezone the property to the R1-S2 zone, and subdivide into three lots. The existing home is to be relocated to the middle lot, restored, and renovated to current building code standards. Two new character homes will be located on the other lots. The three homes will be complimentary to the surrounding homes on the street, and allows us to retain, and give new life to the existing house on the property.

The retention and restoration of the existing home is consistent with the Small Lot Rezoning Policy. The home currently has a number of different roof lines, and is interesting and attractive from all angles. It can be renewed and reused to create a viable home as part of this development proposal. There would be no viability in retaining the existing house as part of any new development utilizing the existing two R1B lots.

In our initial consultations with the immediate neighbors, there was a strong desire for the continuation of the form and character of the existing streetscape. We have endeavored to accomplish this by using sensitive design, and traditional materials. In addition, all homes will have front doors facing the street, and garage doors have been inset to minimize their impact. The houses will be set back from the street the same distance as the neighboring homes, while the restored home will be set slightly further back to accommodate required parking. At the rear, the houses step down to one story to reduce their massing in the rear yards. We have also incorporated a number of other suggestions from neighbors in our final design.

At the CALUC meeting we presented our full proposal to the committee and public attendees. We were able to explain in detail our plans, and to answer any questions that arose. The greatest concern revolved around the removal of several trees that fall within the proposed building envelopes. We have presented a comprehensive landscape plan


that will replace many of the trees that need to be removed, and we will plant in such a way that the new landscaping will flourish for many years to come.

Our proposal includes three variances. Firstly, in order to retain the existing home we require a relaxation of lot width on lots A and C from 10m to 9.89m (4 inches). This means lot B will have a width of 10.43m, which is .43 m (16 inches) wider than the minimum. All three lots are well over the minimum size required. Secondly, we are also requesting a variance to permit a front yard parking space on lot B. Due to minimum grade requirements, it was impossible to have the required off street parking spot within the existing building, and we felt that a rear yard garage would take away from the appeal and enjoyment of the yard. In order to minimize the impact of the parking space, the house has been set back further so that the parking spot is largely setback behind the fronts of the two neighboring homes. The parking spot will be constructed with permeable interlocking brick, and will have landscape screening to match the R1B standards. These variances are minor, and, we believe supportable.

All of the homes will be constructed to high standards. This includes a variety of energy, water, and other resource saving construction features. Sustainable, durable materials will be used whenever possible, and high indoor air quality will be maintained. All driveways will have permeable surfaces, and the landscaping will incorporate planting materials that are drought tolerant.

We hope that you are able to support our application. If you require further information, or have any questions, please contact either Rob Mickelberry at 250-216-3126, or Rob McAulay at 250-727-8411.

Sincerely,



Rob Mickelberry
RM2 Developments Ltd

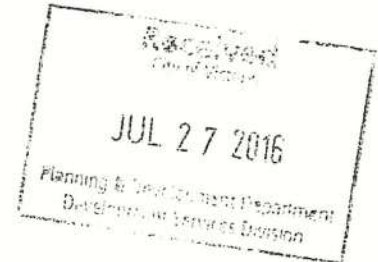




RM2 Developments Ltd
1998 Fairfield Road
Victoria, BC V8S 1H6

July 27, 2016

The City of Victoria
1 Centennial Square
Victoria, BC V8W1P6



Attention: **Mayor and Council of the City of Victoria**

Re: **Rezoning and Subdivision Application**
115 Moss Street, Victoria BC

Further to the *APPLICATION REVIEW SUMMARY* for the above-noted application that we received on May 17, 2016, we offer the following comments and additional information:

1. We have made several small changes to correct discrepancies in the plan check. These changes are noted in the attached list of changes from Zebra Design.
2. The existing house is to be completely renovated, including a new foundation. We believe that a heritage designation for the home is somewhat redundant, as the home will be revitalized, without the designation, under a development permit. The life of the home will be extended to that of the new homes we plan to build. We are also repositioning the home, and modifying the exterior to accommodate the relocation.
3. We have been asked to consider making the front entries more prominent for the two new houses. The garages currently are set back from the covered front porch over the entries. The locations of the entries are further defined with sidewalks and planting. Moving the garage too far back would severely compromise the main floor plan of the homes. Moving a garage to the rear yard would compromise the function and enjoyment of the rear yards.
4. We have removed the accessory buildings in the rear yard.
5. We have changed the windows on the upper floors of both new homes to obscured glass where they overlook neighboring homes. We have also added privacy hedges adjacent to the main floor side yard patios of the new homes.
6. We have noted an additional variance for windows in the side yard of the existing relocated home (lot B). These windows are existing windows. We have not added any new windows.
7. We will forward an arborist report shortly.

We trust that this information meets your requirements to be able to approve this project. It is important to note that the total floor area of these three new homes is substantially less than what could be built as two new R1-B homes. This application will

allow the retention and revitalization of the existing home, while also accommodating two new, reasonably sized and proportioned homes.

If you require further information or have any questions, please contact either Rob Mickelberry at 250-216-3126 or Rob McAulay at 250-727-8411.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Mickelberry', with a stylized, cursive script.

Rob Mickelberry
RM2 Developments Ltd



Talbot Mackenzie & Associates

Consulting Arborists

August 11, 2016

Prodigy Development Services Ltd.
1992 Fairfield Road
Victoria, BC V8S 1H6

Attention Rob Mickelberry

Re: Lot subdivision of the property at 115 Moss Street

During our July 26, 2016 site visit we reviewed the proposal to subdivide the property at 115 Moss Street into three separate lots. During this same site visit we visually examined and documented the by-law protected trees that are located within the boundaries of this property and the single tree that is located on the municipal frontage.

We documented four trees that are of bylaw-protected size and are located on this property and one tree located on the municipal frontage. The information that was compiled regarding each of these trees was entered into our Tree Resource spreadsheet that is attached to this report and summarised below.

- Lawson cypress tree (tag #008) is a poorly structured multiple stemmed declining tree that is located in the front garden of Lot B and within the proposed driveway footprint for this lot. It is a tree whose health is declining and one that cannot be retained in the landscape long term therefore we recommend that it be removed.
- Lawson cypress tree (tag #009) is a multi stemmed tree that is reasonably healthy and located in the front garden of Lot C. In our opinion this tree is located where there is a reasonable expectation that it can be protected and retained.
- 84 cm d.b.h. Douglas-fir (tag #007) is located in the rear yard setback of proposed lot C and where it can be isolated and protected from the construction impacts. The trunk of the tree is covered with the English Ivy vine that we recommend be removed from the trunk. It appears that the canopy has been over-thinned by pruning at sometime in previous years resulting in limbs whose growth is overextended and heavily weighted at their terminal ends, increasing the risk and incidence of limb failure. The risk of such failure cannot be eliminated but its incidence can be reduced by pruning to reduce the length of the overextended limbs in the lower canopy that grow over the neighbouring properties.
- 66 cm d.b.h. Western Red cedar (not tagged) that is located in the side yard setback of proposed Lot C appears to be a cultivar of this protected species. Its health and structure appear to be reasonably good. This tree is located where it will be heavily impacted by the construction and where in our opinion it cannot be retained.

....12

Box 48153 RPO Uptown
Victoria, BC V8Z 7H6
Ph: (250) 479-8733 ~ Fax: (250) 479-7050
Email: treehelp@telus.net

August 11, 2016

Lot subdivision of the property at 115 Moss Street

Page 2

- 37 cm d.b.h. Flowering cherry tree that is located on the municipal frontage of Lot A. This tree has been heavily impacted by disease infection and by insect infestations that have severely impacted the health and structure of this tree. It is also located where the roots will be heavily impacted by the driveway construction for Lot A. We recommend that this tree be removed and replaced with a younger healthy specimen.

We recommend the following procedures be implemented, to reduce the impacts on Lawson cypress #009 and Douglas-fir #007 that are suitable for and are proposed to be retained on this site.

Barrier fencing: The areas, surrounding the trees to be retained, Douglas-fir #007 and Lawson cypress #008 must be isolated from the construction activity by erecting protective barrier fencing. This fencing should be erected at the edge of the critical root zones as defined or in locations identified by the project arborist, in areas where the footprints encroach within these critical root zones. The barrier fencing to be erected must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing (see attached diagram). The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation and construction), and remain in place through completion of the project. Signs must be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.

Building footprint: The building footprints are located adjacent to cypress #008 but where they fall outside the root zone radius (RZR), the portion of a trees root system where typically most of the structural supporting roots will be located. In our opinion the excavation in this location will not have a detrimental impact on the stability of this tree. The Project arborist should monitor the excavation for the building footprints and properly prune any roots that are encountered..

Driveway footprint: The driveway for Lot C is located outside the root zone radius but where root structures could be encountered. The project arborist must supervise the excavation for the driveway footprint for this lot and prune the non critical root structures. If larger root structures are encountered it may be necessary to raise the driveway grade slightly to permit it to float over these critical roots.

Servicing: It is our understanding that at present the underground services for lots B and C are proposed to be located between the driveway location and the trunk of cypress #008. It is our opinion that the installation of these services could have a detrimental impact on the health and stability of this tree. we recommend relocating the services for these two lots to a location that is within or on the south side of the driveway footprint for Lot C and within or on the north side of the driveway footprint for Lot B. The Project arboist should monitor or supervise the excavation to install these services.

..../3

Box 48153 RPO Uptown
 Victoria, BC V8Z 7H6
 Ph: (250) 479-8733 ~ Fax: (250) 479-7050
 Email: trechelp@telus.net

August 11, 2016

Lot subdivision of the property at 115 Moss Street

Page 3

Work area and material storage: It is important that the issue of storage of excavated soil, construction material, and site parking be reviewed prior to the start of construction. All construction related activity and the storage of soil and other construction materials must be located outside of the critical root zones of the protected, municipal and other trees that are to be retained.

Client's responsibility: It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:

- Locating the barrier fencing
- Reviewing the arborist reports and retention plans with the project foreman or site supervisor
- Locating work zones, where required
- Supervising excavation, blasting and other construction activities where they encroach within critical root zones of the bylaw-protected, municipal and other trees that are to be retained.

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

Yours truly,
Talbot Mackenzie & Associates



Tom Talbot & Graham Mackenzie
ISA Certified, & Consulting Arborists

Enclosure: Tree Resource Spreadsheet, Barrier Fencing Specifications, Key to Headings in Resource Table, Floating Driveway Specifications.

Disclosure Statement

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

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an Arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk.

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

Box 48153 RPO Uptown
Victoria, BC V8Z 7H6
Ph: (250) 479-8733 ~ Fax: (250) 479-7050
Email: treehelp@telus.net

Key to Headings in Resource Table

d.b.h. – **diameter at breast height** - diameter of trunk, measured in centimetres at 1.4 metres above ground level

PRZ – **protected root zone** - the area of land surrounding a bylaw-protected tree that contains the bulk of the critical roots of the tree. Indicates the radius of a circle of protected land, measured in metres, calculated by multiplying the diameter of the tree by 18.

CRZ – **critical root zone** - estimated optimal size of tree protection zone based on tree species, condition and age of specimen and the species tolerance to root disturbance. Indicates the radial distance from the trunk, measured in metres

Crown spread – indicates the diameter of the crown spread measured in metres to the dripline of the longest limbs.

Condition health/structure –

- Good – no visible or minor health or structural flaw
- Fair – health or structural flaw present that can be corrected through normal arboricultural or horticultural care.
- Poor – significant health or structural defects that compromise the long-term survival or retention of the specimen.

Relative Tolerance – relative tolerance of the selected species to development impacts.

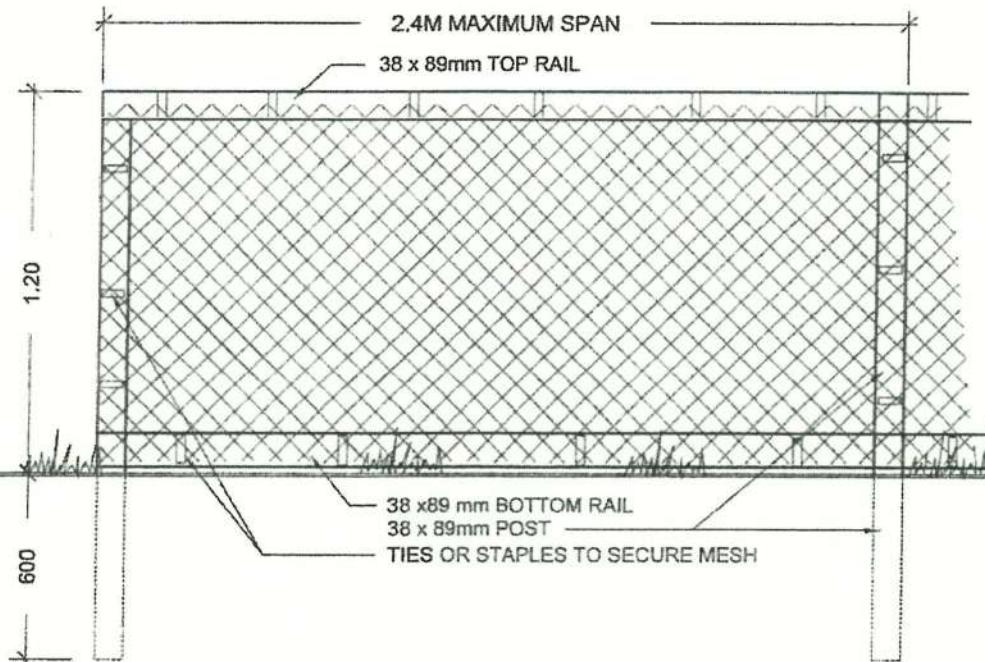
August 11, 2016

TREE RESOURCE
for
115 Moss Street

1

Tree #	d.b.h. (cm)	CRZ	Species	Crown Spread(m)	Condition Health	Condition Structure	Relative Tolerance	Remarks / Recommendations
007	84	8.0	Douglas-fir	20.0	good	fair	poor	Ivy covering trunk Canopy appears to have been over thinned historically resulting in increased limb failure.
008	67/47	9.0	Lawson cypress	7.0	poor	fair	good	Indicators of health stress and advanced decline. Pitch flow from trunk. One stem dead. Unlikely to survive long term. Removal recommended
009	35/87	9.0	Lawson cypress	8.0	fair	fair	good	
not tagged	66	7.0	Western Red cedar	10.0	good	good	poor	Cultivar of protected species
not tagged	37	4.0	Flowering cherry	9.0	poor	poor	moderate	Located on municipal frontage. Poor health and structure. Indicators of insect and disease infestations. Unlikely to survive long term. Removal recommended

Prepared by:
Talbot Mackenzie & Associates
ISA Certified, and Consulting Arborists
Phone: (250) 479-8733
Fax: (250) 479-7050
email: Treehelp@telus.net



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

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

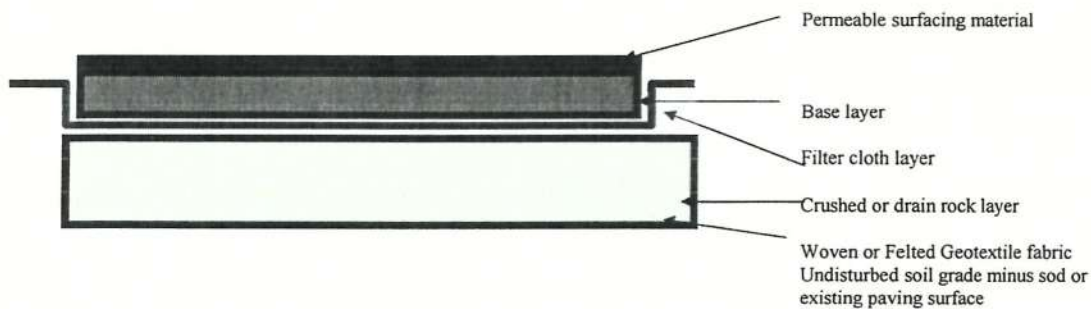
DETAIL NAME:

TREE PROTECTION FENCING

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

E105
 DRAWING

Diagram – Site Specific Floating Sidewalk Areas



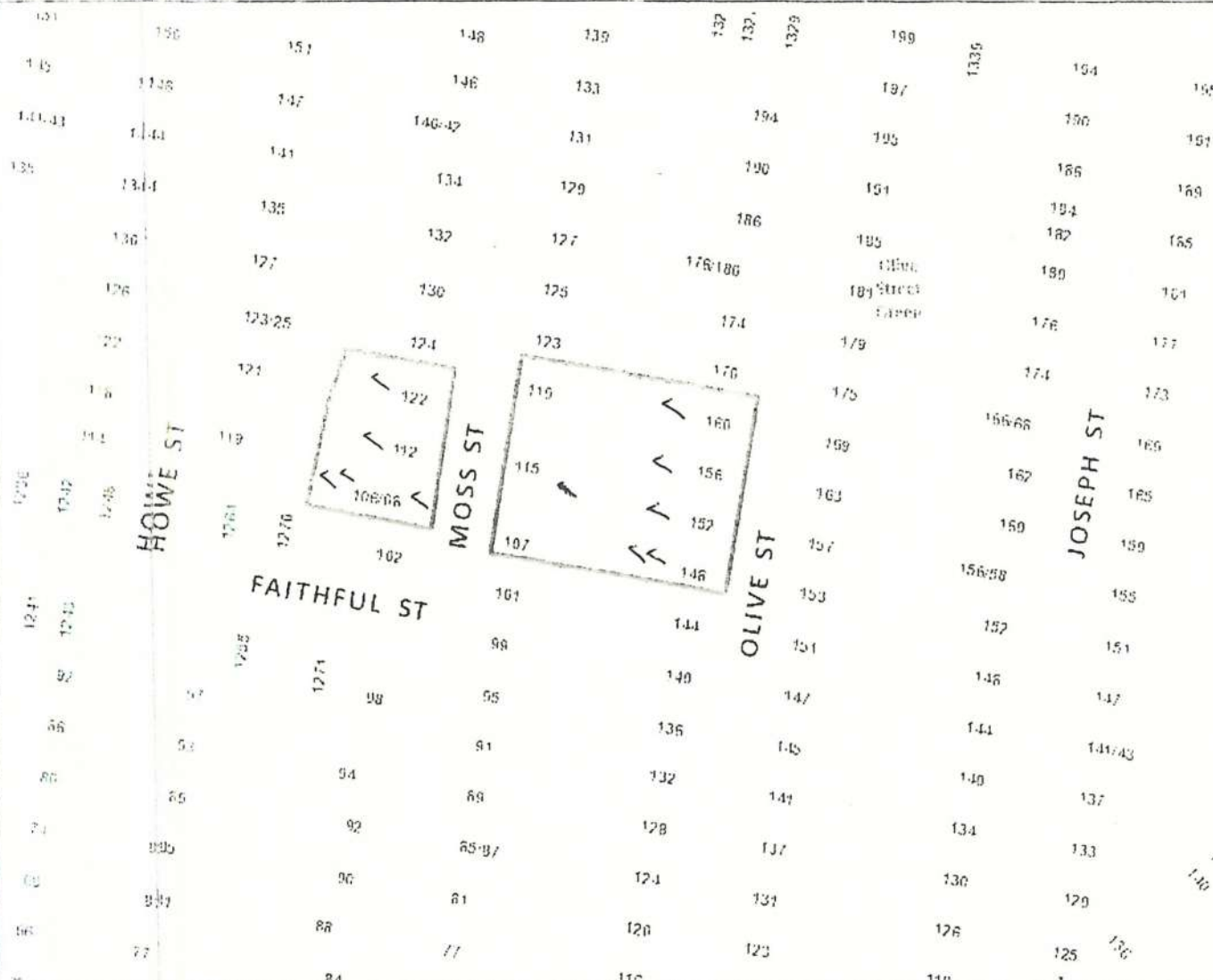
Specifications for Floating Driveway and Parking Areas

1. Excavation for sidewalk construction must remove the sod layer only, where they encroach on the root zones of the protected trees
2. A layer of medium weight felted or woven Geotextile fabric is to be installed over the entire area of the critical root zone that is to be covered by the sidewalk. Each piece of fabric must overlap the adjoining piece by approximately 30-cm.
3. A 10cm layer of torpedo rock, or 20-mm clean crushed drain rock, is to be used to cover the Geotextile fabric.
4. A layer of felted filter fabric is to be installed over the crushed rock layer to prevent fine particles of sand and soil from infiltrating this layer.
5. The bedding or base layer and permeable surfacing can be installed directly on top of the Geotextile fabric.



Printed from VicMap (Internal Version)

09/30/2015



Legend

Victoria Parcels

1: 1,705



Notes

115 Moss Street and Adjacent Neighbours

87 0 43 87 Meters

NAD_1983_CSRS_UTM_Zone_10N

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

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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

SUMMARY SMALL LOT HOUSE REZONING PETITION

I, BMZ Developments, have petitioned the adjacent neighbours* in compliance with
(applicant)

the *Small Lot House Rezoning Policies* for a small lot house to be located at 115 Moss St
(location of proposed house)

and the petitions submitted are those collected by Jan - Feb 2016 **
(date)

Address	In Favour ✓	Opposed ✓	Neutral (30-day time expired) ✓
122 Moss St. / ✓	✓		
117 Moss St ✓	✓		
106-108 Moss B. McLintock Owner ✓	✓		
108 Moss St ✓	✓		
106 Moss St ✓	✓		
148 Olive St ✓	✓		
148 Olive St ✓	✓		
152 Olive St ✓	✓		
156 Olive St ✓	✓		
160 Olive St. ✓	✓		
119 Moss St		✓	
107 Moss St		✓	

SUMMARY	Number	%
IN FAVOUR	10	83.3
OPPOSED	2	16.7
TOTAL RESPONSES	12	100%

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

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

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I, Rob McAulay
 (for RM2 Developments Ltd) _____, am conducting the petition requirements for the
 (print name)

property located at 115 Moss Street, Victoria, BC

to the following Small Lot Zone: R1S2

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

Please review the plans and indicate the following:

NAME: (please print) Barbara McLintock (see note above)

ADDRESS: 7-118 Michigan St., Victoria V8V 1R1

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

This looks as though it will fit nicely into the
neighbourhood and is of an appropriate scale.

Feb. 18, 2016
 Date

Barbara McLintock
 Signature

owner 106/108 Moss Street

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I, Rob Mickelberry
(for RM2 Developments Ltd) _____, am conducting the petition requirements for the
(print name)

property located at 115 Moss Street, Victoria, BC

to the following Small Lot Zone: R1S2

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

Please review the plans and indicate the following:

NAME: (please print) CYNTHIA DUNN (see note above)

ADDRESS: 148 ELIVE ST VICTORIA

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

is a new owner. I am interested in the home you
will build and price you set to sell
them for. Please keep me posted
Thank

Date

Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I, Rob Mickelberry
 (for RM2 Developments Ltd) _____, am conducting the petition requirements for the
 (print name)

property located at 115 Moss Street, Victoria, BC _____

to the following Small Lot Zone: R1S2 _____

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Please review the plans and indicate the following:

NAME: (please print) Teresa Maylan (see note above)

ADDRESS: 156 Olive Street

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

As long as the setback from my property is maintained as per drawings Feb 9/15, a new higher fence is put in - and new foliage does not exceed 15' mature height

Feb 9/16
Date

[Signature]
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I, Rob Mickelberry
 (for RM2 Developments Ltd) _____, am conducting the petition requirements for the
(print name)

property located at 115 Moss Street, Victoria, BC _____

to the following Small Lot Zone: R1S2 _____

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

Please review the plans and indicate the following:

NAME: (please print) Susan Griffin (see note above)

ADDRESS: 122 Moss Street _____

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Jan 27/16
Date

Susan M. Griffin
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I, Rob Mickelberry
(for RM2 Developments Ltd) _____, am conducting the petition requirements for the
(print name)

property located at 115 Moss Street, Victoria, BC _____

to the following Small Lot Zone: R1S2 _____

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

Please review the plans and indicate the following:

NAME: (please print) _____ (see note above)

ADDRESS: 112 Moss Street _____

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Date

Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I, Rob McAulay
 (for RM2 Developments Ltd) _____, am conducting the petition requirements for the
 (print name)

property located at 115 Moss Street, Victoria, BC

to the following Small Lot Zone: R1S2

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Please review the plans and indicate the following:

NAME: (please print) Savva Johnson (see note above)

ADDRESS: 108 Moss St.

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Feb 1 2016
Date

x Savva Johnson
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I, Rob McAulay
 (for RM2 Developments Ltd) _____, am conducting the petition requirements for the
 (print name)

property located at 115 Moss Street, Victoria, BC

to the following Small Lot Zone: R1S2

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

Please review the plans and indicate the following:

NAME: (please print) Leo Croft (see note above)

ADDRESS: ~~115~~ 106 Moss St

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Date

Leo Croft
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I, Rob Mickelberry
(for RM2 Developments Ltd) _____, am conducting the petition requirements for the
(print name)

property located at 115 Moss Street, Victoria, BC _____

to the following Small Lot Zone: R1S2 _____

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

Please review the plans and indicate the following:

NAME: (please print) Jasmine Binter (see note above)

ADDRESS: 148 Olive Street

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Jan 27/16
Date

Jasmine Binter
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I, Rob Mickelberry
 (for RM2 Developments Ltd) _____, am conducting the petition requirements for the
(print name)

property located at 115 Moss Street, Victoria, BC _____

to the following Small Lot Zone: R1S2 _____

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

Please review the plans and indicate the following:

NAME: (please print) Daniel Davies _____ (see note above)

ADDRESS: 152 Olive Street _____

Are you the registered owner? Yes ☒ No ☐


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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Jan 30, 2016
Date


Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I, Rob McAulay
 (for RM2 Developments Ltd) _____, am conducting the petition requirements for the
(print name)

property located at 115 Moss Street, Victoria, BC

to the following Small Lot Zone: R1S2

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

Please review the plans and indicate the following:

NAME: (please print) ARTHUR WARREN (see note above)

ADDRESS: 160 OLIVE ST

Are you the registered owner? Yes ☒ No ☐

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

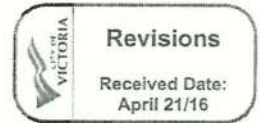
☒ I support the application.

☐ I am opposed to the application.

Comments:

FEB 1/16
Date/


Signature



20/04/2016

Mayor and Council
City of Victoria

Subject; March 21st FG-CALUC meeting

115 Moss Street – Dividing a single R1-B zoned address into three R1-S2 lots.

Description;

115 Moss Street has a single house on a double size R1-B property. The proponent wishes to create three R1-S2 lots out of the property. They are proposing to move and rotate the existing house to the center of the property and retain its basement with no separate exterior access. Then divide the remaining property into two more R1-S2 lots, building two new older style character homes having only crawl spaces on each.

There was and is an ongoing controversy relating to this development around the required 75% signed petition approval of the city selected specified neighbours. The concern does not relate to anything the proponents did or didn't do, but the interpretation of the city's requirements, which states:

Note that both the owners and occupiers must be polled. If a property is rental, it is required that all the owners and renters of voting age also be polled.

*The proponent presented to the CALUC partitions showing 75% approval from the city selected neighbouring properties/addresses. The challenge brought forth by a few neighbours was that **a single address could have more than one owner. A single address could have several rental units. If the owner occupied one unit with their family of five all over 18, only the owner could sign a petition. Yet if each of the rental units at the same street address had four names on the individual rental agreement over 18, under the interpretation of the regulations each renter could qualify or be required to be polled and sign a petition.** The proponent's honest efforts to obtain 75% approval could easily be later distorted under the current interpretation and **how would the proponent and the city legally verify who's who?** There is a lot of money and time on the table that could be at risk. There needs to be simple clarification around this topic in the policy.*

In response to the Community Meeting Notification (CMN) the proponents for the above address met with Fairfield Gonzales Planning and Zoning Committee and members of the community to make a presentation to all and to answer any questions and receive comments from those present.

Members of the CALUC Committee present: Wayne Hollohan (Chair), Maureen Connolly, Clair Jackson, Jim Masterton, Ken Roueche, Robin Jones.

Wayne Hollohan opened the meeting by explaining the CALUC process, the procedures of the meeting, and ways in which community members would be able to have further input at meetings of the Planning and Land Use Committee of the City.

The questions & comments from the members of CALUC

1. The proponent expressed they could take a different approach and make a single division of the property and build more imposing modern style homes, but opted for this project instead.
2. There are a few significant trees on the property and other screening vegetation that provides privacy, what will be retained and what will be removed and what will be added?
3. What is the size of the existing house and the proposed houses and will they have basements and of so, will they have exterior access?
4. Parking arrangement for each house? Answer; each unit has a garage and paved apron except for middle home which has no garage and requires front yard parking

PUBLIC INPUT

1. 1044 Oliphant asked about size of proposed homes.
2. 124 Moss. Sorry to hear that only one tree will be saved?
3. 124 Moss. Questioned regarding the claimed petition support for this proposal from the immediate neighbours. It is believed at least four immediate residents opposed the project.
4. 119 Moss. Has proponent achieved 75% approval from immediate neighbours? Seems unlikely. Also new streetscape not in accord with traditional Fairfield streetscapes
5. 1243 Oscar. Are any variances needed (Answer. Only for width of lots).New homes are "heritage style" not heritage homes. Asked about use of passive energy (solar)
6. 1336 George. What are setbacks from road?
7. 107 Moss. Would lose green buffer and longer house would intrude into my backyard.
8. 234 Moss. Would prefer middle home having a gable end view from road to increase light.
9. 131 Moss. Concerned about street parking on Moss St.
10. 125 Moss. Wants residential parking only on Moss.
11. 91 Moss. Discussion about character home design
12. 121 Howe. Concerned that by re- orienting current home that its character is lost.
13. 180 Olive. Question on re-orienting current home. Would have a "sideways" look from street.
14. 125 Moss. Question about height of basement (Answer. Normal height of 8ft)

Wayne Hollohan
Chair FG-CALUC

Charlotte Wain

From: A. Taylor <amt@uvic.ca>
Sent: Friday, May 13, 2016 10:23 AM
To: Charlotte Wain
Subject: 115 Moss rezoning proposal
Attachments: 115 Moss Street rezoning.docx; 115 Moss petition.jpg

Dear Charlotte Wain,

I am the owner of 107 Moss Street, next door to 115 Moss. In March I wrote a letter (see attached copy) to the City stating my objection to the 3-house proposal and my preference for two houses at that address. I was notified that my letter was received.

In March I also filled out a rezoning petition. (See attached photo of that petition.) I gave it to a neighbour to be passed on, but I'm not sure the City actually received it. (?) Several days ago Rob McAulay knocked on my door, saying they (the developers) had not got my petition yet; I said I thought it had been forwarded directed to the City. I also told him that I am opposed to the 3-house proposal (so they certainly know where I stand).

I am also writing because I have heard (from Joanne Rebner of 119 Moss Street) that Rob Mickelberry says he had Susan Griffin of 122 Moss Street sign a petition in support of the application. This is very odd, because in March Joanne and I canvassed neighbours regarding the rezoning application. When we visited Susan Griffin, she was adamant that she opposed the petition. I remember very clearly that Susan said this without being prompted or asked any leading questions. (I remember at the time being impressed by how neutral Joanne was when talking to Susan.) Susan even wrote on a petition that she was very much opposed to the application. So to hear that Rob Mickelberry may have submitted a petition from her in favour of the rezoning is, as I said, odd indeed.

The tally by Joanne Rebner and myself indicates that the 3-house rezoning proposal does not meet the 75%-support criterion set by the City.

Best regards,
Angus Taylor
107 Moss Street
(250) 383-8313
amt@uvic.ca

107 Moss Street
Victoria, B.C. V8V 4M2
March 14, 2016

Dear Mayor Helps and City Councillors,

I live at, and am the owner of, 107 Moss Street. This is next door to 115 Moss Street. The double-sized lot at 115 Moss Street was recently bought by Rob Mickelberry (Prodigy Development Services/RM2 Developments), who wishes to apply for a Small Lot House Rezoning with the intention of building three houses on the site, which presently has only one house on it.

When I bought my house here at 107 Moss Street some fifteen years ago, I was attracted by the sense of greenery and privacy on the side adjoining 115 Moss Street. This is particularly important because most of the bedrooms in my house are on that side, as is a large living-room window. The proposed three-house development would remove much of the greenery and bring a new house wall very close to the property line. (The existing house at 115 Moss is set much farther from the property line.) It would also mean that the long, narrow new houses would extend much farther into the back yard than is currently the case, resulting in an additional loss of privacy for me in my own back yard. Both inside and outside, then, there would be a significant aesthetic loss and loss of a sense of privacy.

The proposed narrow-lot, three-house design is not in keeping with the traditional look of Moss Street.

The immediate neighbours to 115 Moss Street, on the same side of Moss street, as well as some neighbours across the street, are not happy with the three-house proposal.

The initial proposal circulated to nearby residents by Mr. Mickelberry included an option for two houses, each on a standard 50-foot lot. This is the option I favour. Unlike the Small Lot three-house proposal, a two-house plan would be more in keeping with the traditional look of Moss Street and it would avoid too much reduction of privacy for neighbours. It would also still increase neighbourhood density. A two-house plan is what I definitely prefer.

Yours sincerely,
Angus Taylor

amt@uvic.ca
(250) 383-8313



SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I, Rob Mickelberry
(for RM2 Developments Ltd) _____, am conducting the petition requirements for the
(print name)

property located at 115 Moss Street, Victoria, BC

to the following Small Lot Zone: R1S2

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

Please review the plans and indicate the following:

NAME: (please print) Angus Taylor (see note above)

ADDRESS: 107 Moss Street

Are you the registered owner? Yes ☒ No ☐

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

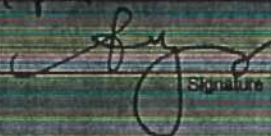
☐ I support the application.

☒ I am opposed to the application.

Comments:

The proposed three-house, small-lot development would result in a significant loss for me in terms of both privacy and aesthetics - from both the perspective inside my house and outside in my back yard. The proposal is also not in keeping with the traditional look of the neighbourhood. I would prefer to see two houses, each on standard 50 ft. lot.

18 March 2016
Date


Signature

Laura Wilson

From: Sally Ross [REDACTED]
Sent: Saturday, May 7, 2016 7:30 AM
To: Community Planning email inquiries
Subject: Development Permit Application at 115 Moss St.

Begin forwarded message:

Date: May 6, 2016 at 3:10:49 PM PDT

Dear Mayor & Council,

I live next door to 115 Moss Street at 107, a tenant of six years in this home. I would like to express my support for the lots purchased by Prodigy Developments to remain as two lots and not be rezoned as Small Lots for the construction of three homes.

My primary concern pertains to the amount of greenspace that will be consumed on the property by building three houses. I do not feel the density proposed is in keeping with the neighbourhood's character or sense of place. Contrary to Prodigy's claim that those of us neighbours polled were in support of retaining the existing building, I am not concerned about this as Prodigy has designed many beautiful homes that are in keeping with neighbourhood aesthetics.

Attending the Community Meeting held at Fairfield Community Place, in which a partner of Rob Mickleberry represented the project, I felt that Prodigy deliberately skewed the results from their initial polling of the 11 residents they were required to consult with. They indicated that 9 of 11 polled were in support of the rezoning, however at least six of these residents were represented at the meeting and clearly did not reflect Prodigy's findings.

Thank you for your time,

Sally Ross
107 Moss Street
[REDACTED]
[REDACTED]

107 Moss Street
Victoria, B.C. V8V 4M2
March 14, 2016

Dear Mayor Helps and City Councillors,

I live at, and am the owner of, 107 Moss Street. This is next door to 115 Moss Street. The double-sized lot at 115 Moss Street was recently bought by Rob Mickelberry (Prodigy Development Services/RM2 Developments), who wishes to apply for a Small Lot House Rezoning with the intention of building three houses on the site, which presently has only one house on it.

When I bought my house here at 107 Moss Street some fifteen years ago, I was attracted by the sense of greenery and privacy on the side adjoining 115 Moss Street. This is particularly important because most of the bedrooms in my house are on that side, as is a large living-room window. The proposed three-house development would remove much of the greenery and bring a new house wall very close to the property line. (The existing house at 115 Moss is set much farther from the property line.) It would also mean that the long, narrow new houses would extend much farther into the back yard than is currently the case, resulting in an additional loss of privacy for me in my own back yard. Both inside and outside, then, there would be a significant aesthetic loss and loss of a sense of privacy.

The proposed narrow-lot, three-house design is not in keeping with the traditional look of Moss Street.

The immediate neighbours to 115 Moss Street, on the same side of Moss street, as well as some neighbours across the street, are not happy with the three-house proposal.

The initial proposal circulated to nearby residents by Mr. Mickelberry included an option for two houses, each on a standard 50-foot lot. This is the option I favour. Unlike the Small Lot three-house proposal, a two-house plan would be more in keeping with the traditional look of Moss Street and it would avoid too much reduction of privacy for neighbours. It would also still increase neighbourhood density. A two-house plan is what I definitely prefer.

Yours sincerely,
Angus Taylor

[REDACTED]
[REDACTED]

Laura Wilson

From: David Gartrell [REDACTED]
Sent: Wednesday, Mar 16, 2016 10:45 AM
To: Lisa Helps (Mayor)
Cc: [REDACTED] Jeremy Loveday (Councillor); Geoff Young (Councillor); Marianne Alto (Councillor); Chris Coleman (Councillor); Jonathan Tinney; Ben Isitt (Councillor); Margaret Lucas (Councillor); Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Jason Johnson; Karl Rebner; [REDACTED]
Subject: Proposed rezoning of 115 Moss St.

Dear Mayor and Council Members,

I am writing to voice our opposition to the proposal by Rob Mickelberry (Prodigy Development Services/RM2 Developments) to rezone 115 Moss to small lots and build three houses on the site.

My wife, Penelope Hocking, and I have owned and lived at 124 Moss since 1988. We are directly across from 119 Moss which is adjacent to the double-sized lot at 115 Moss. We share the concerns expressed by our neighbours, Joanne and Karl Rebner (119 Moss) and Angus Taylor (107 Moss) about the proposed rezoning. Specifically,

- massing of three houses on a site now occupied by one house will disrupt the traditional look of Moss St. — the "streetscape"
- homes on Moss St are 15m wide, most with driveways on the side;
- there is a mature canopy of trees;
- the privacy of adjacent neighbours will be threatened;
- the initial proposal by Rob Mickelberry included the option of two houses, each on a 15m wide lot. This is more in keeping with the traditional look of Moss St and would permit greater density at the same time.

The City's "Small Lot Rezoning Policy" has as a goal "revitalizing neighbourhoods" (A2.1). South Fairfield is not an area that needs revitalizing. On the contrary, it is one of the most vital, desirable, alive areas of Victoria.

The Policy also states that older houses should be preserved wherever possible (B1.1). We agree with our neighbour, Joanne Rebner, that the current house at 115 Moss is a gem. In his original proposal, Rob Mickelberry included as an option keeping and restoring the existing house, turning it sideways on the lot. Serious consideration should be given to preserving and restoring this gem, but without small lot rezoning.

The Policy addresses the need to be "Sensitive to Neighbours' Values" (A4.2), including respecting privacy, landscaping, sunlight, views, and parking. Yet we know of a case in our neighbourhood where houses have been massed on an existing lot and these values have not been respected: the overshadowing and loss of views and privacy to the house at 29 Bushby by the development at 25 Bushby.

Finally, we wish to voice a procedural objection. The Community Meeting is the first step in the process of changing current land use and is required by the City of Victoria. Yet the applicant and Land Use Committee Chair set the meeting date, time and location of this important meeting without consulting the neighbours affected by the proposal. In the current case, the Community Meeting has been set for the middle of the March Spring Break when both neighbours adjacent to 115 Moss will be unable to attend.

The process should be revised to require the Committee Chair to consult with neighbours about the date and time of the meeting.

Thank you for your consideration.

~~Sincerely,~~
Sincerely,

David Gartrell
124 Moss St.

Laura Wilson

From: Joanne Rebner [REDACTED]
Sent: Tuesday, Mar 15, 2016 3:15 PM
To: Jeremy Loveday (Councillor); Geoff Young (Councillor); [REDACTED] Marianne Alto (Councillor); Chris Coleman (Councillor); Jonathan Tinney; Ben Isitt (Councillor); Jeremy Loveday (Councillor); Margaret Lucas (Councillor); Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Jason Johnson; tomayorandcouncil@victoria.ca
Cc: Karl Rebner
Subject: Opposed to development at 115 Moss Street due to Massing

Dear Mayor and Councillors,

My husband and I are owners at 119 Moss Street in Victoria BC. We were drawn to Fairfield 8 years ago when we relocated from Toronto. The neighbourhood has a reputation for heritage homes in a wonderful family community. It is also considered the highest valued real estate within the City of Victoria limits.

We have witnessed some small lot rezoning projects and do not feel that this is in keeping with the appeal of the neighbourhood of Fairfield. The lots have a considerable amount of massing.

The house currently residing at 115 Moss Street is a real gem which people have come to know as being a very desirable lot. Very few lots of that size exist within Fairfield today.

When Rob Mickelberry (Prodigy Development Services/RM2 Developments) provided his first proposal to the neighbours regarding the development he provided an alternative to the small lot zoning. He suggested he would destroy the original house and let the new lot buyers build two homes as they desired.

This appeals to us far more than massing 3 homes into that lot. Our neighbourhood real estate values could easily support the existing home with upgrades or provide 2 beautiful new homes to the street without rezoning the lot.

To name a few Moss street is well known for arts and crafts style, the Moss Street Market, Clover Point, The Cherry Blossoms, and of course the annual Paint In hosted by the Art Museum.

Houses along our street have;

- parking along the side of their homes (not in front of the building structure)
- 50 Wide lots
- Street parking (which can be difficult to find as is)
- A beautiful canopy of mature trees
- Character

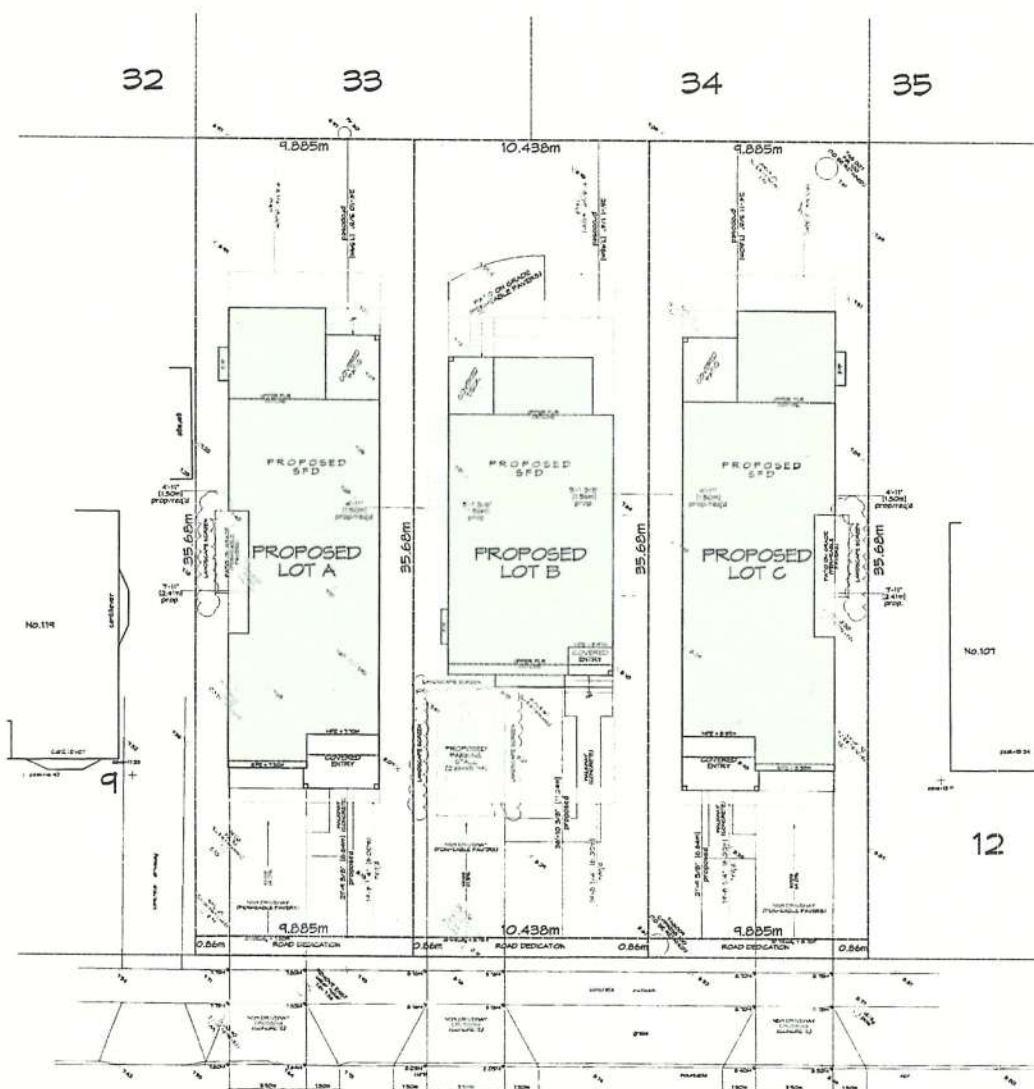
My husband and I are opposed to the small lot rezoning of 115 Moss Street and the variances related to same. We appreciate the side yard set back's we have today and cannot

imaging the feel of our house with the significant massing that has been proposed by the developer.

The upcoming community meeting has been scheduled over March break. The owners on either side of this development 107 Moss Street (Angus Taylor), and ourselves at 119 Moss Street will be out of town and will therefore not be able to attend this meeting.

Sorry for the long email but I hope you can take all I have written into consideration when looking at this re-development proposal.

Thank you,
Joanne and Karl Rebner
119 Moss Street
[REDACTED]



Proposed Site Plan
Scale: 1:100

Moss Street

CITY OF VICTORIA

RECEIVED

SEP 01 2016

DEEMED

JUL 27 2016

SITE DATA: Proposed Lot A, B & C - 115 Moss Street

LEGAL DESCRIPTION - LOTS 10 & 11, BLOCK A, FARFIELD FARM ESTATE, VICTORIA CITY, PLAN 24610

PROPOSED ZONING - R1-B2

CURRENT ZONING - R1-B

LOT AREA	REQUIRED	PROPOSED - LOT A	PROPOSED - LOT B	PROPOSED - LOT C
352.70 M ² (3746.40 FT ²)	260.00 M ²	352.70 M ² (3746.40 FT ²)	312.44 M ² (3364.45 FT ²)	352.70 M ² (3746.40 FT ²)
LOT WIDTH	10.00 M	9.84 M (32.45 FT)	12.44 M (40.81 FT)	9.84 M (32.45 FT)
LOT DEPTH		35.60 M (117.09 FT)	35.60 M (117.09 FT)	35.60 M (117.09 FT)
SETBACKS				
FRONT	6.00 M	6.64 M (21.78 FT)	1.24 M (4.07 FT)	6.64 M (21.78 FT)
REAR	6.00 M	7.54 M (24.75 FT)	7.46 M (24.47 FT)	7.54 M (24.75 FT)
SIDE (NORTH)	1.50 M	1.50 M (4.92 FT)	1.56 M (5.12 FT)	1.50 M (4.92 FT)
SIDE (SOUTH)	1.50 M	1.50 M (4.92 FT)	1.56 M (5.12 FT)	1.50 M (4.92 FT)
AVG. GRADE		7.30 M (23.95 FT)	7.54 M (24.75 FT)	7.30 M (23.95 FT)
BUILDING HEIGHT	7.50 M	7.42 M (24.34 FT)	7.11 M (23.33 FT)	7.27 M (23.85 FT)
STOREYS	2 STOREYS	2 STOREYS	2 STOREYS	2 STOREYS
FLOOR AREA				
UPPER FLOOR	16.65 M ² (180.35 FT ²)	16.65 M ² (180.35 FT ²)	16.65 M ² (180.35 FT ²)	16.65 M ² (180.35 FT ²)
MAIN FLOOR	111.52 M ² (1200.35 FT ²)	111.52 M ² (1200.35 FT ²)	111.52 M ² (1200.35 FT ²)	111.52 M ² (1200.35 FT ²)
GARAGE ALLOTTMENT	10.55 M ² (1136.00 FT ²)	10.55 M ² (1136.00 FT ²)	N/A	10.55 M ² (1136.00 FT ²)
BASEMENT	N/A	N/A	60.65 M ² (658.26 FT ²)	N/A
1ST/2ND STOREYS, TOTAL		184.54 M ² (2040.70 FT ²)	166.11 M ² (1785.65 FT ²)	184.54 M ² (2040.70 FT ²)
ALL FLOORS, TOTAL		184.54 M ² (2040.70 FT ²)	246.76 M ² (2654.41 FT ²)	184.54 M ² (2040.70 FT ²)
TOTAL FLOOR AREA		184.54 M ² (2040.70 FT ²)	166.11 M ² (1785.65 FT ²)	184.54 M ² (2040.70 FT ²)
FLOOR AREA RATIO	0.60	0.52	0.44	0.52
SITE COVERAGE	40.00 %	30.75 %	23.71 %	30.74 %
PARKING	1 SPACE	1 SPACE	1 SPACE	1 SPACE

PROPOSED VARIANCES	REQUIRED	PROPOSED	VARIANCE
LOT WIDTH - LOT A	10.00 M	9.84 M	0.11 M
LOT WIDTH - LOT C	10.00 M	9.84 M	0.11 M
PARKING LOCATION - LOT B	NOT IN FRONT YARD	FRONT YARD	-
SETBACK TO FRONT YARD - LOT B NORTH	2.40M	1.56M	0.84M
SETBACK TO FRONT YARD - LOT B SOUTH	2.40M	1.56M	0.84M

DRAWING LIST:
DPO.1 SITE PLAN & DATA
DPO.2 LANDSCAPE PLAN
DP1.1 LOT (A) PLANS
& ELEVATIONS
DP2.1 LOT (B) PLANS
& ELEVATIONS
DP3.1 LOT (C) PLANS
& ELEVATIONS
DP4.1 STREETSCAPE

RE-ISSUED FOR
REZONING 1 DP
AUGUST 31, 2016

ZEBBRADESIGN

1161 NEWPORT AVE
VICTORIA, B.C. V8S 5E5
Phone: (250) 360-2144
Fax: (250) 360-2115

Drawn By: K. KOSHMAN

Date: Feb 24, 2016

Scale: AS SHOWN

Project: PROPOSED SUBDIVISION 4

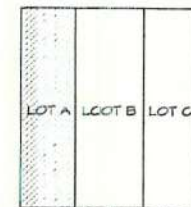
3 SPOTS

Title: SITE PLAN & DATA

Rev: 0.1

Proj No: 100

REV NO	DESCRIPTION	DATE
A	REVISION: 1.0 - TO ADD LOT B AND LOT C TO THE SITE PLAN AND DATA. ALSO TO ADD LOT B AND LOT C TO THE LANDSCAPE PLAN AND ELEVATIONS. ALSO TO ADD LOT B AND LOT C TO THE STREETSCAPE PLAN AND DATA.	24 FEB 2016
B	REVISION: 2.0 - TO ADD LOT B AND LOT C TO THE SITE PLAN AND DATA. ALSO TO ADD LOT B AND LOT C TO THE LANDSCAPE PLAN AND ELEVATIONS. ALSO TO ADD LOT B AND LOT C TO THE STREETSCAPE PLAN AND DATA.	24 FEB 2016



SITE KEY PLAN



Crawlspace
Scale: 1/8" = 1'-0"



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



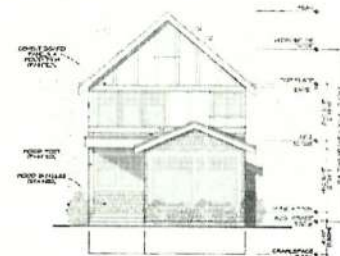
Upper Floor
Scale: 1/8" = 1'-0"



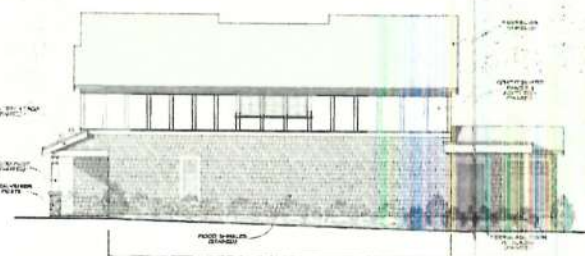
FRONT



NORTH SIDE

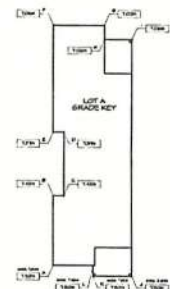


REAR



SOUTH SIDE

Elevations
Scale: 1/8" = 1'-0"



Lot A - Average Grade Calculation

SECTION	Start	Finish	Average	Distance	Factor	Total Elevation	Perimeter	Average grade (total elevation / perimeter)
AB	750	743	746.5	6.58	41.33	41.33	41.33	746.5
BC	743	744	743.5	0.91	6.78	6.78	6.78	743.5
CD	743	733	738	6.44	47.45	47.45	47.45	738
DE	733	722	727.5	9.91	67.2	67.2	67.2	727.5
EF	722	705	713.5	17.0	121.3	121.3	121.3	713.5
FG	705	703	704	4.42	31.14	31.14	31.14	704
GH	703	700	701.5	12.2	85.8	85.8	85.8	701.5
HI	700	700	700	2.44	17.23	17.23	17.23	700
IJ	700	700	700	20.22	141.2	141.2	141.2	700
JK	700	700	700	9.44	68.1	68.1	68.1	700
KL	700	700	700	0.91	6.78	6.78	6.78	700
LA	700	700	700	0.91	6.78	6.78	6.78	700
TOTAL				59.41	428.0			700

RE-ISSUED FOR
REZONING & DFP
JUNE 10, 2016

ZEEBRADESIGN

11611 NEWPORT AVE
Victoria, B.C. V8S 5E6
Phone: (250) 360-2144
Fax: (250) 360-2115

Drawn By: K. KOSHMAN

Date: Feb. 24, 2016

Scale: AS NOTED

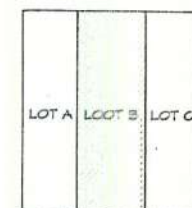
Project:
PROPOSED
SUBDIVISION &
B SFP'S

Title:
LOT A
FLOOR PLANS &
ELEVATIONS

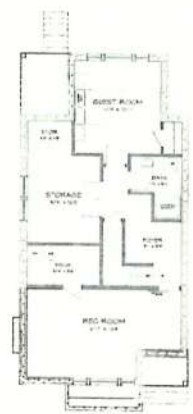
Received
City of Victoria
JUL 27 2016
Planning & Development Department
Development Services Division

REV. NO.	DESCRIPTION	DATE
1	ISSUED - WORKS ON NORTH SIDE ELEVATIONS	JUL 2016

Revision Sheet
DP
1.1
Proj No. TB30



SITE KEY PLAN



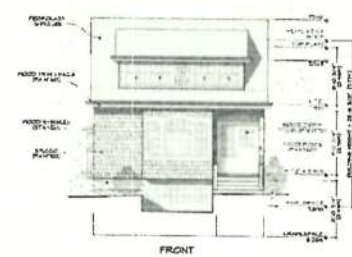
Lower Floor Plan - Reno
Scale: 1/8" = 1'-0"



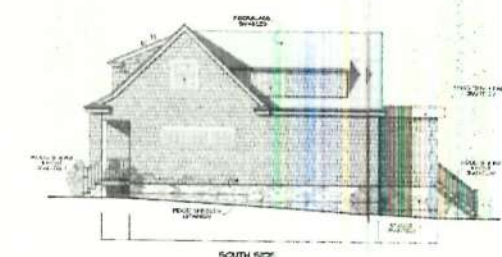
Main Floor Plan - Reno
Scale: 1/8" = 1'-0"



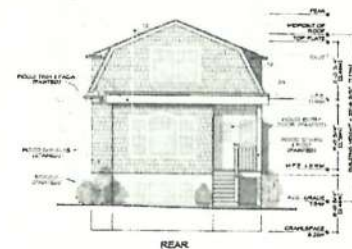
Upper Floor Plan - Reno
Scale: 1/8" = 1'-0"



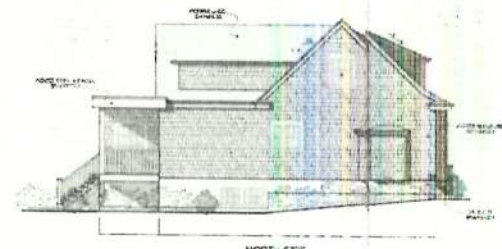
FRONT



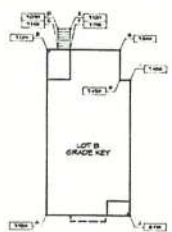
SOUTH SIDE



REAR



NORTH SIDE



LOT B - Average Grade Calculation

POINT	Spot	Elev	Average	Distance	Factor	Total Elevation	Distance	Average
AD	7.00	7.12	7.53	14.17	10.63	80.22	6.14	7.500
BD	7.12	7.14	7.53	0.87	0.82			
CD	7.14	7.00	7.12	7.53	12.08			
DE	7.00	7.12	7.11	1.27	7.80			
DF	7.12	7.16	7.18	1.78	12.14			
FG	7.16	7.54	7.37	4.37	31.75			
GH	7.54	7.40	7.47	0.98	0.79			
HI	7.40	7.11	7.53	11.55	85.27			
JI	7.11	7.00	7.05	7.53	5.28			
TOTAL				48.54	353.22			7.29

Elevations
Scale: 1/8" = 1'-0"

RE-ISSUED FOR
REZONING 4 DEEP
JUNE 10, 2016

ZEEBRADESIGN

11611 NEWPORT AVE
Victoria, B.C. V8S 5E5
Phone: (250) 360-2144
Fax: (250) 360-2155

Drawn By: K. KOSMAN
Date: Feb. 24, 2016

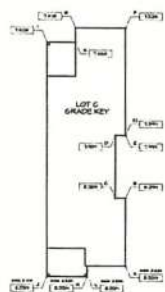
Scale: AS NOTED
Project:
PROPOSED
SUBDIVISION &
3 SE/FPS

Title:
LOT B
FLOOR PLANS &
ELEVATIONS

Revision: 1
Date: 11/10/16
Project No. 11611
DP 2.1

Received
City of Victoria
JUL 27 2016
Planning & Development Department
Development Services Division

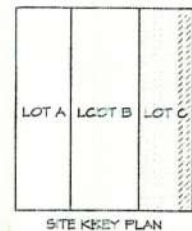
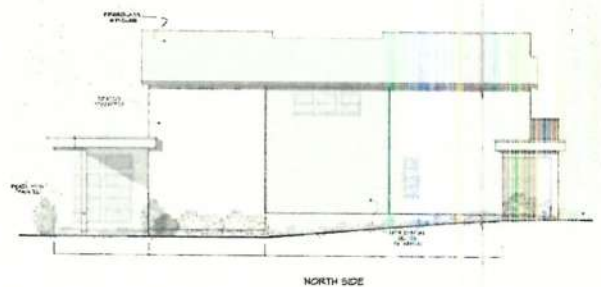
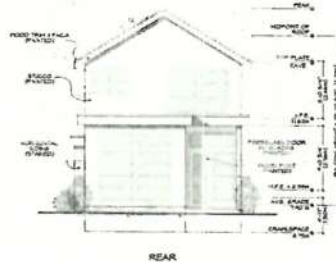
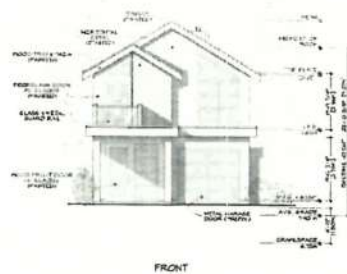
REV	NO	DESCRIPTION	DATE
A	1	NO CHANGES	11/10/16



Lot C - Average Grade Calculation

Segment	Start	End	Average	Distance	Factor	Total Factor	Sum of Elevations	Average Grade
AD	8.25	8.29	8.27	1.04	4.42	37.19	8.27	8.27
DE	8.29	8.28	8.28	0.51	7.53			
EF	8.28	7.98	8.13	1.83	28.71			
FG	7.98	7.59	7.78	0.94	7.20			
GH	7.59	7.52	7.55	0.14	0.93			
HI	7.52	7.41	7.46	4.42	33.00			
IJ	7.41	7.40	7.40	1.70	12.67			
JK	7.40	7.40	7.40	2.44	18.16			
KL	7.40	8.35	7.87	20.22	159.29			
LM	8.35	8.35	8.35	1.84	25.72			
LN	8.35	8.35	8.35	0.91	7.62			
LO	8.35	8.21	8.28	1.47	12.11			
TOTAL				50.41	489.60			9.71

AVERAGE GRADE: 9.71



Elevations
Scale: 1/8" = 1'-0"

City of Victoria
JUL 27 2016
Planning & Development Department
Development Services Division

REV. NO.	DESCRIPTION	DATE
1	ISSUED FOR REZONING & DPP	2016-06-10

RE-ISSUED FOR REZONING & DPP
JUNE 10, 2016

ZEEBRADESIGN

11611 NEWPORT AVENUE
Victoria, B.C. V8N 5E6
Phone: (250) 360-3144
Fax: (250) 360-2115
Drawn By: K. KOSHMAN H.
Date: Feb 24, 2016

Scale: AS NOTED

Project:
PROPOSED
SUBDIVISION 4
B SFP'S

Title:
LOT C
FLOOR PLANS &
ELEVATIONS

Revision
Sheet
DP
3.1
Project: 11611



Streetscape
Scale: 1/8" = 1'-0"

Received
City of Victoria

JUL 27 2016

Planning & Development Department
Development Services Division

REV. NO.	DESCRIPTION	DATE
A	NO CHANGE	10/10/16

RE-ISSUED FOR
REZONING & DPP
JUNE 10, 2016

ZEEBRADESIGN

11611 NEWPORT AVE
Victoria, B.C. V8S 5E6
Phone: (250) 360-2144
Fax: (250) 360-2155

Drawn By: K. KOSMAN
Date: Feb. 24, 2016
Scale: AS NOTED

Project:
PROPOSED
SUBDIVISION &
3 SEED'S

Title:
STREETSCAPE

Revision: STREETSCAPE REV. A DATE: 10/10/16	Sheet: DP 4.1 PRO. 1.3, TBIB
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Victoria City Council - 10 Nov 2016

107 Moss Street
Victoria, B.C. V8V 4M2
March 14, 2016

Dear Mayor Helps and City Councillors,

I live at, and am the owner of, 107 Moss Street. This is next door to 115 Moss Street. The double-sized lot at 115 Moss Street was recently bought by Rob Mickelberry (Prodigy Development Services/RM2 Developments), who wishes to apply for a Small Lot House Rezoning with the intention of building three houses on the site, which presently has only one house on it.

When I bought my house here at 107 Moss Street some fifteen years ago, I was attracted by the sense of greenery and privacy on the side adjoining 115 Moss Street. This is particularly important because most of the bedrooms in my house are on that side, as is a large living-room window. The proposed three-house development would remove much of the greenery and bring a new house wall very close to the property line. (The existing house at 115 Moss is set much farther from the property line.) It would also mean that the long, narrow new houses would extend much farther into the back yard than is currently the case, resulting in an additional loss of privacy for me in my own back yard. Both inside and outside, then, there would be a significant aesthetic loss and loss of a sense of privacy.

The proposed narrow-lot, three-house design is not in keeping with the traditional look of Moss Street.

The immediate neighbours to 115 Moss Street, on the same side of Moss street, as well as some neighbours across the street, are not happy with the three-house proposal.

The initial proposal circulated to nearby residents by Mr. Mickelberry included an option for two houses, each on a standard 50-foot lot. This is the option I favour. Unlike the Small Lot three-house proposal, a two-house plan would be more in keeping with the traditional look of Moss Street and it would avoid too much reduction of privacy for neighbours. It would also still increase neighbourhood density. A two-house plan is what I definitely prefer.

Yours sincerely,
Angus Taylor

██████████
██████████

Pamela Martin

Subject: FW: Development Proposal at 115 Moss Street - RM2 Developments Ltd.

From: Joe Sisson [REDACTED]
Sent: Sunday, May 01, 2016 11:28 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Development Proposal at 115 Moss Street - RM2 Developments Ltd.

Hello Mayor and Council Members,

I live at 101 Moss Street and writing to you to express that I am not in favour of the Developers proposal to divide the property into three lots with a frontage of 33 feet per lot. All the lots on Moss Street are 50 foot frontage and strongly feel 115 Moss Street should not be allowed to rezone in an effort to divide the lot into three. The Developer said he would save the existing house and position it on one of the three lots and the other two new homes built to the character of the original house and neighborhood if three lots supported. He went on to say that if he does not get the support from the neighbors he will build what he wants which is modern structures on two lots or he will sell the lot to someone else and forget developing the property. If the Developer is offering to retain the home on the current lot why not on one 50 foot footage and on the other 50 foot lot a home of equal character. Personally I have seen what he develops and it is not in the character of the Fairfield neighborhood or Victoria. Other Developers have no issues in building to the character of homes in the area and proud to do so. It is a shame that the City does not have a plan or building guidelines to ensure the charming character of Victoria is maintained. Look at the Fairfield Heritage Walking Tour brochure which is supported by the Victoria Heritage Foundation and it outlines the character and charm we are all proud of. Tourists do not come to Victoria to see modern structure with no character, charm or warmth. Some may like the modern straight lined, cold, no character cheap boxes but I would say the majority of the market do not like the style and sticks out like a sore thumb.

Based on my conversations with my neighbors majority are not in favour of the Developers proposal.

Thank you and I look forward to hearing about the next steps in the development process.

Regards,

Joe Sisson

Pamela Martin

Subject: FW: Email to Mayor and Council re: Opposed to development at 115 Moss Street due to Massing

From: Joanne Rebner [REDACTED]
Sent: Tuesday, March 15, 2016 3:15 PM
To: Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; victoriabc@shaw.ca; Marianne Alto (Councillor) <MAalto@victoria.ca>; Chris Coleman (Councillor) <ccoleman@victoria.ca>; Jonathan Tinney <JTinney@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Margaret Lucas (Councillor) <mlucas@victoria.ca>; Pam Madoff (Councillor) <pmadoff@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cth Thornton-joe@victoria.ca>; Jason Johnson <jjohnson@victoria.ca>; tomayorandcouncil@victoria.ca
Cc: Karl Rebner [REDACTED]
Subject: Opposed to development at 115 Moss Street due to Massing

Dear Mayor and Councillors,

My husband and I are owners at 119 Moss Street in Victoria BC. We were drawn to Fairfield 8 years ago when we relocated from Toronto. The neighbourhood has a reputation for heritage homes in a wonderful family community. It is also considered the highest valued real estate within the City of Victoria limits.

We have witnessed some small lot rezoning projects and do not feel that this is in keeping with the appeal of the neighbourhood of Fairfield. The lots have a considerable amount of massing.

The house currently residing at 115 Moss Street is a real gem which people have come to know as being a very desirable lot. Very few lots of that size exist within Fairfield today.

When Rob Mickelberry (Prodigy Development Services/RM2 Developments) provided his first proposal to the neighbours regarding the development he provided an alternative to the small lot zoning. He suggested he would destroy the original house and let the new lot buyers build two homes as they desired.

This appeals to us far more than massing 3 homes into that lot. Our neighbourhood real estate values could easily support the existing home with upgrades or provide 2 beautiful new homes to the street without rezoning the lot.

To name a few Moss street is well known for arts and crafts style, the Moss Street Market, Clover Point, The Cherry Blossoms, and of course the annual Paint In hosted by the Art Museum.


Houses along our street have;

- parking along the side of their homes (not in front of the building structure)
- 50 Wide lots
- Street parking (which can be difficult to find as is)
- A beautiful canopy of mature trees
- Character

My husband and I are opposed to the small lot rezoning of 115 Moss Street and the variances related to same. We appreciate the side yard set back's we have today and cannot imaging the feel of our house with the significant massing that has been proposed by the developer.

The upcoming community meeting has been scheduled over March break. The owners on either side of this development 107 Moss Street (Angus Taylor), and ourselves at 119 Moss Street will be out of town and will therefore not be able to attend this meeting.

Sorry for the long email but I hope you can take all I have written into consideration when looking at this re-development proposal.

Thank you,
Joanne and Karl Rebner
119 Moss Street


Pamela Martin

Subject: FW: Mayor and Council email re: Proposed rezoning of 115 Moss St.

-----Original Message-----

From: David Gartrell [REDACTED]
Sent: Wednesday, March 16, 2016 10:45 AM
To: Lisa Helps (Mayor) <mayor@victoria.ca>
Cc: [REDACTED]; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Marianne Alto (Councillor) <MAalto@victoria.ca>; Chris Coleman (Councillor) <ccoleman@victoria.ca>; Jonathan Tinney <JTinney@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Margaret Lucas (Councillor) <mlucas@victoria.ca>; Pam Madoff (Councillor) <pmadoff@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cth Thornton-joe@victoria.ca>; Jason Johnson <jjohnson@victoria.ca>; Karl Rebner [REDACTED]
Subject: Proposed rezoning of 115 Moss St.

Dear Mayor and Council Members,

I am writing to voice our opposition to the proposal by Rob Mickelberry (Prodigy Development Services/RM2 Developments) to rezone 115 Moss to small lots and build three houses on the site.

My wife, Penelope Hocking, and I have owned and lived at 124 Moss since 1988. We are directly across from 119 Moss which is adjacent to the double-sized lot at 115 Moss. We share the concerns expressed by our neighbours, Joanne and Karl Rebner (119 Moss) and Angus Taylor (107 Moss) about the proposed rezoning. Specifically,

- massing of three houses on a site now occupied by one house will disrupt the traditional look of Moss St. — the “streetscape”
- homes on Moss St are 15m wide, most with driveways on the side;
- there is a mature canopy of trees;
- the privacy of adjacent neighbours will be threatened;
- the initial proposal by Rob Mickelberry included the option of two houses, each on a 15m wide lot. This is more in keeping with the traditional look of Moss St and would permit greater density at the same time.

The City’s “Small Lot Rezoning Policy” has as a goal “revitalizing neighbourhoods” (A2.1). South Fairfield is not an area that needs revitalizing. On the contrary, it is one of the most vital, desirable, alive areas of Victoria.

The Policy also states that older houses should be preserved wherever possible (B1.1). We agree with our neighbour, Joanne Rebner, that the current house at 115 Moss is a gem. In his original proposal, Rob Mickelberry included as an option keeping and restoring the existing house, turning it sideways on the lot. Serious consideration should be given to preserving and restoring this gem, but without small lot rezoning.

The Policy addresses the need to be “Sensitive to Neighbours’ Values” (A4.2), including respecting privacy, landscaping, sunlight, views, and parking. Yet we know of a case in our neighbourhood where houses have been massed on an existing lot and these values have not been respected: the overshadowing and loss of views and privacy to the house at 29 Bushby by the development at 25 Bushby.

Finally, we wish to voice a procedural objection. The Community Meeting is the first step in the process of changing current land use and is required by the City of Victoria. Yet the applicant and Land Use Committee Chair set the meeting date, time and location of this important meeting without consulting the neighbours affected by the proposal. In the current case, the Community Meeting has been set for the middle of the March Spring Break when both neighbours adjacent to 115 Moss will be unable to attend.

The process should be revised to require the Committee Chair to consult with neighbours about the date and time of the meeting.

Thank you for your consideration.

Sincerely,

David Gartrell
124 Moss St.

Pamela Martin

From: Esther [REDACTED]
Sent: Monday, October 31, 2016 2:46 PM
To: Victoria Mayor and Council
Cc: Margaret Lucas (Councillor); Marianne Alto (Councillor); Chris Coleman (Councillor); itinney@victoria.ca; Jeremy Loveday (Councillor); Jason Johnson; Blsitt@victoria.ca; Pam Madoff (Councillor); Geoff Young (Councillor)
Subject: Small Lot Development at 115 Moss St.

Dear Victoria Mayor and Councillors,

As the owners of 124 Moss St., we are very concerned about the proposed small lot development across the street at 115 Moss St. for the following reasons:

1. This development purports to have a goal of 'revitalizing neighbourhoods', but Fairfield is not in need of this.
2. From what we have seen of the plans, 'restoration' of the 115 Moss St.'s structure will in actuality, be an overhaul and will not possess the character it once had nor will it resemble the original home.
3. It does not provide affordable housing which Victoria is in dire need of: Rob McAuley indicated the houses would list for \$1.3MM each- hardly "affordable" prices to most people in the city.
4. It will disrupt the look, feel, and flow of the neighbourhood, including the natural canopy of trees that exist at present.
5. Will significantly decrease the amount of green space and arable land on the property.
6. Will create a loss of over 40 trees on the property. Prodigy plans on saving only 2 of the 4 protected trees on the property and all others will be cut down- Plan shown to us provides misleading architectural drawings with large green trees enveloping the development.

As we constitute a significant group of concerned neighbours, we have collectively come up with the following that meet the City's goals of densification and affordable housing:

Consensus to Pro Development Alternatives

A. Moving to a two lot single-family home development: this would allow for secondary suites and/or garden suites. These two options are in keeping with what is naturally expected on Moss Street as approximately 80% of the houses have suites. The two single-family home development was provided as an alternative in Prodigy's initial writing to the neighbours.

- Secondary suites provide affordable housing while also making the single family home more affordable for the owner. This approach is what the neighbours feel creates long-term sustainability.

B. The developers reconsider their proposal to a larger single stratified structure that provides first time homebuyers with options to live in Fairfield. See the many examples of these developments along Moss Street where the buildings have maintained a character look and feel- they blend right in and add to the neighbourhood.

Esther Kane, MSW, RSW, RCC



Pamela Martin

Subject: FW: Email to Mayor and Council re: Rezoning Application for 115 Moss St., Prodigy Development Services

From: Sally Ross [REDACTED]
Sent: Friday, May 06, 2016 3:01 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Cc: communityplanning@victoria.ca; Development Services email inquiries <DevelopmentServices@victoria.ca>
Subject: Rezoning Application for 115 Moss St., Prodigy Development Services

Dear Mayor & Council,

I live next door to 115 Moss Street at 107, a tenant of six years in this home. I would like to express my support for the lots purchased by Prodigy Developments to remain as two lots and not be rezoned as Small Lots for the construction of three homes.

My primary concern pertains to the amount of greenspace that will be consumed on the property by building three houses. I do not feel the density proposed is in keeping with the neighbourhood's character or sense of place. Contrary to Prodigy's claim that those of us neighbours polled were in support of retaining the existing building, I am not concerned about this as Prodigy has designed many beautiful homes that are in keeping with neighbourhood aesthetics.

Attending the Community Meeting held at Fairfield Community Place, in which a partner of Rob Mickleberry represented the project, I felt that Prodigy deliberately skewed the results from their initial polling of the 11 residents they were required to consult with. They indicated that 9 of 11 polled were in support of the rezoning, however at least six of these residents were represented at the meeting and clearly did not reflect Prodigy's findings.

Thank you for your time,

Sally Ross

107 Moss Street

Tel: [REDACTED]

Email: [REDACTED]

Pamela Martin

Subject: FW: Email to Mayor and Council re: 115 Moss Street. 2 new builds would house 4 families with secondary suites
Attachments: image002.emz

From: Joanne Rebner [REDACTED]
Sent: Monday, October 24, 2016 12:58 PM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: Fw: Email to Mayor and Council re: 115 Moss Street. 2 new builds would house 4 families with secondary suites

Dear Leanne,

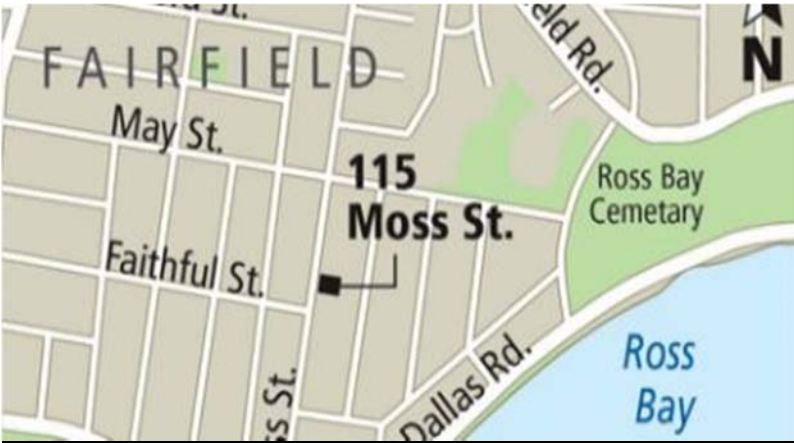
I am curious why this development is considered favourable to the City. I understood small lot zoning was put in place to revitalize neighbourhoods. Fairfield doesn't need revitalization. Further, if affordable housing is a focus, secondary suites or garden suites on a two lot development would provide this. The secondary suites would make the single family homes more affordable for the owner. This is just my view. I feel that it is a longer term approach to the needs of the City while maintaining the flow of the street. A two lot development is still densifying given there is only a single family home on two lots at the moment. Once you rezone to small lot, there is no going back.

I would love to hear the rationale for moving forward with three small lots priced at \$1.3MM?

Joanne Rebner
119 Moss Street
[REDACTED]

From: Joanne Rebner [REDACTED]
Sent: Saturday, October 08, 2016 9:01 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: 115 Moss Street. 2 new builds would house 4 families with secondary suites

[In Fairfield, plans for small lot face political scrutiny](#)



In Fairfield, plans for small lot face political scrutiny

By Bill Cleverley

A proposed small-lot subdivision in south Fairfield will go to public hearing despite concerns that rather than ...

2 Single family homes on this 2 title lot would allow for secondary suites. Secondary suites provides more affordable housing for both the house owner and the renter. You accomplish living space for 4 families instead of three. Not to mention:

- Maintaining the natural flow of the street scape
- less massing/more greenspace
- saving some trees

The proposed small lot zoning doesn't have the width to accommodate the three small houses - and therefore needs variances. Its asking for an exception on an exception.

Joanne Rebner
119 Moss Street

November 6, 2016

Mayor and Councillors, City of Victoria
1 Centennial Square
Victoria City Hall
Victoria, B.C.

BY EMAIL

RE: Small lot re-zoning proposal for 115 Moss Street

Dear Mayor Helps and City Councillors:

We live at 129 Moss Street, just five houses away from the proposed small lot re-zoning and development project targeted for 115 Moss Street.

We have reviewed the City Small Lot House Rezoning Policy to try to understand what would be accomplished for the good of our neighborhood and City by granting the re-zoning request and related variances. Frankly, we don't see a single stated objective of that policy which is served by this proposal.

Our neighborhood, and particularly Moss Street, is an already uniquely vibrant and friendly place. Overbuilding lots by downsizing them, clear-cutting nearly all of the existing vegetation, placing homes sideways to fit them onto the resulting too-small lots, and then setting those houses back behind driveways and at least one garage is completely out of character with every other property on our street. It will project disengagement rather than engagement with the neighborhood.

Perhaps even more important, this project also seems to foreclose the possibility of more affordable dwellings on Moss Street. Our neighborhood's existing combination of suites and some excellent conversions to multiple occupancy properties is a testament to the possibility of achieving both a livable neighborhood and higher density. We respectfully point to properties at 66, 76, and 80 Moss Street as beautiful examples of strata conversions consistent with the look of character homes. There is also the property directly across the street from us at 134 Moss. We understand it provides nine micro-apartments while still being completely in step with the architecture and feeling of our street.

We respectfully ask that the City carefully evaluate what this proposed re-zoning and variance-laden project would accomplish for the greater good before deciding to grant the request. In our opinion as residents of this great neighborhood, it will only detract.

Thank you for considering our point of view.

Respectfully,



Pamela Nicholls



Terence Colyer

Pamela Martin

From: Public Hearings
Subject: FW: 115 Moss Street rezoning proposal

-----Original Message-----

From: A. Taylor [REDACTED]
Sent: Saturday, November 05, 2016 12:26 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Cc: Leanne Taylor <ltaylor@victoria.ca>
Subject: 115 Moss Street rezoning proposal

Dear Mayor Helps and City Councillors,

On Thursday, November 10 there will be a Public Hearing regarding the proposal to rezone the property at 115 Moss Street.

The developers propose to build three houses on small lots. My understanding is that the original purpose of the City's small-lot option was to help stabilize neighbourhoods that were under threat. No such threat currently exists in this part of Fairfield -- except, ironically, for the threat to the neighbourhood's traditional character posed by the unnecessary imposition of small-lot houses.

If the City desires to promote greater population density, this would be achieved by replacing the current single house (on a double lot) with two standard-sized houses -- especially if each had a secondary suite built into it. Secondary suites could also make the new houses more affordable for buyers over the long run.

(As for preserving the existing old house, the three-lot proposal would preserve it in little more than name only; a more meaningful option for preserving the existing house would be to leave it just where it is on its double lot, but to renovate it to include a substantial secondary suite or else a "carriage house" suite on the property.)

Yours sincerely,
Angus Taylor

107 Moss Street
Victoria, B.C.
[REDACTED]

Pamela Martin

From: Public Hearings
Subject: FW: Support of Construction at 115 Moss Street

From: Katherine Davies [REDACTED]
Sent: Monday, November 7, 2016 10:53 AM
To: Lisa Helps (Mayor) <mayor@victoria.ca>; Marianne Alto (Councillor) <MAalto@victoria.ca>; Chris Coleman (Councillor) <ccoleman@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Margaret Lucas (Councillor) <mlucas@victoria.ca>; Pam Madoff (Councillor) <pmadoff@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cth Thornton-joe@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>
Subject: Support of Construction at 115 Moss Street

To Whom it May Concern,

My name is Katherine Davies. My husband and I live at 152 Olive Street. Our property backs onto 115 Moss Street.

Although I have previously signed a letter of support for this project, I wanted to re-iterate before your meeting Thursday that we have, and continue, to support this project. Rob has been very good at keeping us informed of the plans, issues, and any updates surrounding the project, and I personally believe that what they are proposing will add value to the neighborhood.

Although we will now have 2 neighbors where we once had 1, I think the proposal design is in keeping with the look of the neighborhood and the design team has done an excellent job minimizing the impact to us.

Thank you for your time,
Katherine

November 7, 2016

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

RE: PROPOSED REZONING, 115 MOSS STREET

Dear Mayor Helps and Council Members,

I am the owner and resident of a small lot house at 1446 Dallas Road. My home is one of four small lot houses constructed on the site by Prodigy Developments to replace two older homes that were in need of significant repair.

I have found my small lot home to be an ideal size (the interior space is approximately 2,400 sq.ft.). I can accommodate family and friends and yet the exterior footprint and associated property upkeep costs are modest. I also appreciate the modern design, bright interior and energy efficiency of my new home. I think it's also wonderful that four families are now able to enjoy the ocean frontage and close proximity to the city core whereas previously only two families benefitted.

I have noted that the many tour buses which transit Dallas Road pause as they pass so that their tourist passengers can appreciate the modern design elements of these four houses.

I would also add that in my dealings with Prodigy, I have found them to be a professional and conscientious developer and respectful of the neighbourhood. (For the record I have no personal or financial connection to Prodigy).

I am supportive of their proposed small lot house development on Moss Street and would like to see more such affordable infill construction take place as older housing stock is replaced.

Yours truly,



I. David Bird
1446 Dallas Road
Victoria, V8S 1A2
[REDACTED]

November 4, 2016

Janice Wong
112 Moss Street
Victoria, BC V8W 4M3

Dear Mayor Lisa Helps and Councillors,

Re: 115 Moss Street – Rezone from R1-B Zone to R1-S2 Zone

I am a home owner at 112 Moss Street and along with fellow neighbours am concerned with this development going forward.

The following are reasons for opposition to rezoning to the small lot development:

1. Loss of privacy to adjacent neighbours due to removal of 40 existing trees.
2. Does not provide affordable housing which is greatly needed in Victoria.
3. The development purports to have goal of “revitalizing neighbourhoods” which Fairfield does not require.
4. Will significantly decrease the amount of green space and arable land on the property.
5. “Restoration” of the 115 Moss St. structure will actually be an overhaul from review of plans therefore losing characteristic of original home.

The initial documents provided to me by Rob Mickelberry (Prodigy Development Services Ltd.) showed accommodation for two homes which would not require zoning change. This is the option I would favour as it would retain the characteristic of the neighbourhood.

I would ask that developers reconsider moving to a two lot single-family home development which would allow for secondary suites and/or garden suites. These two options would be the appropriate expectations for the street where suites currently exist. Secondary suites also make housing affordable and the single family home attractive to first time home buyers. This approach is what the neighbours feel creates long-term sustainability.

My signature on vote for this development was a “Yes.” I realized the impact of this development following the community meeting at 1330 Fairfield Road on March 21, 2016 and recent consultation with neighbours.

Regards,


Janice Wong

Nov 4, 2016

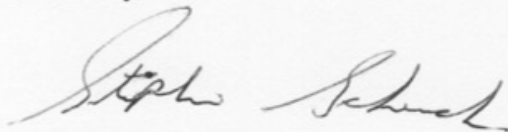
City of Victoria
Mayor and Council
Re: 115 Moss St.

My name is Stephen Schenck and I have lived on Dallas Rd in Fairfield for 45 years. Over this time I have witnessed many changes to the makeup of the community. In the past Fairfield was made up of larger families who needed large homes on large lots. Today, people are having fewer children and the residents are aging. Homes have become too expensive for the average family as the price of land has increased over the years.

I like the idea of smaller homes, in fact I live in a home that is on a small lot. I think there should be more innovative housing, including laneway homes and garden suites in our neighbourhoods to help with affordability and to keep our neighbourhoods vibrant.

This proposal adds two smaller character homes and maintains and restores an existing home in need of renewal. I believe this is a modest incremental change that should be supported by council.

Sincerely,

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

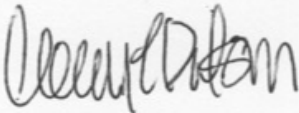
Stephen Schenck

To Mayor and Council:
With regards to proposal at 115 Moss St.

My name is Mary Dalsin, and I live at 25 Bushby St. in Fairfield. The home I live in was recently built by RM2 Developments, and I am very happy with it. It is on a small lot which still offers the opportunity for a private garden but not the same upkeep of a regular size lot. I originally thought I would downsize to a townhouse but was turned off by the idea of being part of a strata with the fees and restrictions. I believe that as our population ages, we need more options in housing, not less.

This proposal seems to offer the best of both worlds, freehold ownership but smaller properties with lower maintenance. The design fits in well with the neighbourhood and the builder has committed to maintaining and restoring the original character home. I would like to think that this type of neighbourhood renewal would be supported by the City of Victoria.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Mary Dalsin', written in a cursive style.

Mary Dalsin

November 9, 2016

Re: Proposed re-development of 115 Moss Street

We are writing to express our concerns for the public record regarding:

1. the proposed rezoning of 115 Moss Street from R1-B to R1-S2 to permit a three lot subdivision, and
2. the issuance of a development permit for the above property with variances reducing lot widths, side yard setbacks and parking space location.

There is a reason that zoning is in place in urban areas. Essentially, zoning is a mechanism to manage development to ensure compatibility between land uses. In established residential areas, zoning helps to ensure the use, form, and massing of any new development is compatible with the existing neighbourhood.

In short, we would support the owner retaining the two standard lots and building on each of the lots, which would be compatible with neighbouring Moss Street properties. We are in opposition to the subdivision of the two lots into three smaller lots to allow for three houses. Unfortunately, this is not the first such subdivision to have occurred in the Fairfield neighbourhood. We fear the precedent has been set and now this move to smaller lots is gaining in popularity as developers see that there is great potential for big profits in Fairfield. Over time, this will doubtlessly result in the loss of existing housing stock and ultimately the erosion of the character of the neighbourhood, ironically, the very character that makes Fairfield such a unique place, part of this great city of Victoria and its Official Community Plan which supposedly recognizes "the unique neighbourhood character and sense of place of different parts of the city."

Thank-you for your time and consideration in this matter.

Sincerely yours,

Cheryl Easton &
Jim Kostyniuk *MEDes, Urban & Regional Planning*
92 Moss Street
Victoria BC

Pamela Martin

Subject: FW: Proposed small lot re-zoning for 115 Moss Street

From: Andrea Minter [REDACTED]

Sent: Thursday, November 10, 2016 4:43 PM

To: Joanne Rebner [REDACTED]

Cc: Victoria Mayor and Council <mayorandcouncil@victoria.ca>; Public Hearings <PublicHearings@victoria.ca>; Margaret Lucas (Councillor) <mlucas@victoria.ca>; Marianne Alto (Councillor) <MAalto@victoria.ca>; Chris Coleman (Councillor) <ccoleman@victoria.ca>; itinney@victoria.ca; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Jason Johnson <jjohnson@victoria.ca>; Blsitt@victoria.ca; Pam Madoff (Councillor) <pmadoff@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>

Subject: Re: Proposed small lot re-zoning for 115 Moss Street

Hello to everyone concerned

Our family has had a medical emergency and I will not be able to attend tonight's public hearing. I apologize for having to put in my two cents via cell phone from the hospital!

I have been paying close attention to the other letters and speaking with many concerned neighbors and must add myself and family to the growing list of Fairfield residents who do not see the need or benefit to the community that this proposed development will provide.

I have one 3500 square foot home in Fairfield that has enough space for our family of six, a basement suite that easily suits a young couple or even a new family. And there is still allowance to have a garden suite which would be perfect for an ageing relative. By my math, one lot in Fairfield can easily and affordably accommodate 10 people and three different demographics (middle class family, twentysomethings, and the elderly)

From what I understand, this proposed development will have three small expensive houses squeezed together. Accommodating perhaps three wealthy couples or at best three very small families. I do not see the reason to disrupt the feel, flow and beauty of Moss street by allowing this development to proceed when two nice homes similar to what we see in this vibrant and diverse neighbourhood could potentially accomplish more livable and affordable square footage.

If this type of development is allowed to proceed in Fairfield I fear that we will lose what makes this neighbourhood an enjoyable community to raise our families, start our independence and allow the elderly to "age in place".

I wish I could have had the opportunity to voice my concerns at the hearing tonight or at least crafted a more professional letter, but I trust the right decision for affordable housing and vibrant communities will be made.

Thank you so much for you time,

Sincerely
Jordan Minter and family

Sent from my iPhone

4.1 b. Development Permit with Variances Application No. 00517 for 115 Moss Street

Committee received a report dated September 22, 2016, from the Director of Sustainable Planning and Community Development regarding an application to construct two small lot houses and retain the existing dwelling unit.

- Motion:** It was moved by Councillor Lucas, seconded by Councillor Coleman, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No.00517 if it is approved, consider the following motion:
- "That Council authorize the issuance of Development Permit Application No. 00517 for 115 Moss Street, in accordance with:
1. Plans date stamped July 27, 2016
 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 1.23.3: reduce the lot width of Lot A and C from 10m to 9.89m;
 - ii. Part 1.23.8(c): reduce the side yard (north) setback of Lot B from 2.40m to 1.56m to allow for a habitable room with a window;
 - iii. Part 1.23.8(c): reduce the side yard (south) setback of Lot B from 2.40m to 1.56m to allow for a habitable room with a window;
 - iv. Schedule "C" Section 3 - permit one parking space to be located in the front yard of Lot B;
 3. The Development Permit lapsing two years from the date of this resolution."

Committee discussed:

- Concerns about the inconsistency with sensitive infill guidelines and potential of destabilizing the neighbourhood.
- Affects to the neighbouring properties and the lack of demonstrated need for variances.
- The intent of small lot zones and concerns about allowing these sites to be rezoned.

Councillor Loveday withdrew from the meeting at 9:28 a.m. and returned at 9:29 a.m.

CARRIED 16/COTW

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe
Against: Councillor Isitt, Madoff, and Young

1. Committee of the Whole – October 6, 2016

2. b. Development Permit with Variances Application No. 00517 for 115 Moss Street

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No.00517 if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00517 for 115 Moss Street, in accordance with:

1. Plans date stamped July 27, 2016
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 1.23.3: reduce the lot width of Lot A and C from 10m to 9.89m;
 - ii. Part 1.23.8(c): reduce the side yard (north) setback of Lot B from 2.40m to 1.56m to allow for a habitable room with a window;
 - iii. Part 1.23.8(c): reduce the side yard (south) setback of Lot B from 2.40m to 1.56m to allow for a habitable room with a window;
 - iv. Schedule "C" Section 3 - permit one parking space to be located in the front yard of Lot B;
3. The Development Permit lapsing two years from the date of this resolution."

Carried

For:

Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe

Opposed:

Councillors Isitt, Madoff, and Young



Committee of the Whole Report

For the Meeting of October 6, 2016

To: Committee of the Whole **Date:** September 22, 2016

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Development Permit with Variances Application No. 00517 for 115 Moss Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No.00517 if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00517 for 115 Moss Street, in accordance with:

1. Plans date stamped July 27, 2016
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 1.23.3: reduce the lot width of Lot A and C from 10m to 9.89m;
 - ii. Part 1.23.8(c): reduce the side yard (north) setback of Lot B from 2.40m to 1.56m to allow for a habitable room with a window;
 - iii. Part 1.23.8(c): reduce the side yard (south) setback of Lot B from 2.40m to 1.56m to allow for a habitable room with a window;
 - iv. Schedule "C" Section 3 – permit one parking space to be located in the front yard of Lot B;
3. The Development Permit lapsing two years from the date of this resolution.

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 115 Moss Street. The proposal is to construct two small lot houses and retain the existing dwelling unit. The variances are related to lot width, setbacks and parking location.

The following points were considered in assessing these applications:

- the proposal is consistent with the objectives and guidelines for sensitive infill contained in Development Permit Area 15A: Intensive Residential - Small Lot, of the *Official Community Plan 2012* (OCP);
- the proposal is generally consistent with the design guidelines contained in the *Small Lot House Rezoning Policy*;
- the requested variance associated with slightly reducing the lot widths of Lots A and C is supportable, and is a result of retaining the existing house, which requires a slightly larger lot size and lot width to accommodate the house and maintain adequate setbacks;
- the requested side yard setback variances associated with the existing single-family dwelling on Lot B (middle lot) is supportable and would have minimal impact on privacy and overlook onto neighbouring properties. A new fence would be installed around the perimeter of the site;
- the existing dwelling unit on proposed Lot B does not contain a garage. The requested variance to locate the parking space in the front yard is supportable as the applicant is proposing to install permeable pavers and substantial landscaping to reduce the visual impact of the proposed parking space.

BACKGROUND

Description of Proposal

The proposal is for two small lot houses. Specific details include:

- each new small lot house would be two-storeys with a crawlspace
- design elements of the small lot house on Lot A include a slightly pitched roofline, traditional style windows, covered entryway and a single car garage; and the exterior materials include cement board panels and wood trim, wood shingles, rock veneer posts, fiberglass shingles and wood garage door
- design elements of the existing dwelling unit on Lot B include a roof with a dormer on the front and a gambrel roofline on the rear; and the exterior materials include wood trim and fascia, wood shingles and stucco
- design elements of the small lot house on Lot C include a slightly pitched roofline, contemporary style windows, flat roof elements above the entryways and a single car garage; and the exterior materials include painted stucco, horizontal siding, wood trim and fascia, upper-storey fiberglass door with glazing, wood front door with glazing and a prefinished metal garage door
- parking for the existing dwelling unit would be located in the front yard (variance required)
- all hard surface materials on site are permeable
- new hard and soft landscaping would be introduced.

The proposed variances are related to:

- reducing the lot width of Lot A and C
- reducing the side yard setbacks of Lot B
- allowing the parking space for Lot B to be located in the front yard.

Sustainability Features

As indicated in the applicant's letter dated April 14, 2016, the small lot houses would be constructed with sustainable and durable materials and incorporate energy and resource efficient features.

Active Transportation Impacts

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

Public Realm Improvements

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

Existing Site Development and Development Potential

The site is presently a single-family dwelling.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on April 20, 2016 the application was referred for a 30-day comment period to the Fairfield Gonzales CALUC. A letter dated April 16, 2016 is attached to this report.

ANALYSIS

Development Permit Area and Design Guidelines

The OCP identifies this property within Development Permit Area 15A: Intensive Residential – Small Lot. The proposed design of the two new small lot houses are generally consistent with the *Design Guidelines for Small Lot House (2002)*.

The proposed two-storey small lot houses have a similar pitched roofline that is complementary to adjacent single family dwellings and the overall neighbourhood character. The proposed small lot house on Lot A also incorporates traditional design features such as traditional style windows and materials, and covered entryway. Whereas, the proposed small lot house on Lot C incorporates design elements, such as contemporary style glazing and materials, and flat roof projections above the entryways to enhance the contemporary look of the building. All the houses have windows that are maximized on the front and rear elevations, and the windows on the side elevations are smaller and carefully located to respect the privacy of adjacent neighbours.

The only concern regarding the design of the new small lot houses is the prominence of the single car garages. Each garage projects beyond the front door. To soften the appearance of the single-car garages, roof projections above the front entryways and posts extending slightly beyond the garage doors have been added to reduce the visual impact on the streetscape.

The applicant is proposing to retain and restore the existing dwelling unit to ensure it is consistent with the design guidelines for small lot houses. The building has a distinctive rooflines that gives it a unique character on the street. The applicant is proposing to restore the exterior finishes by introducing wood shingles and adding stucco along the lower level.

The applicant is proposing a mix of hard and soft landscaping in the front and rear yards of all three lots and is also proposing to plant additional trees on site.

Regulatory Considerations

Lot width variances

The applicant is proposing to reduce the lot widths of Lots A and C from 10m to 9.89m. A small reduction in lot width is a result of requiring a slightly larger lot size and lot width to accommodate the existing single family dwelling and to maintain adequate setbacks. The proposed lot widths would not change the overall character of the streetscape, and staff recommend that Council consider supporting this variance.

Setback variances for Lot B

The applicant is proposing to reduce the side yard setbacks of Lot B from 2.40m to 1.56m to allow for a habitable room with a window. There are existing windows on both side elevations; however, they are small and would not create privacy concerns. A new 6m high privacy fence would be installed along the side property lines. Staff recommend that Council consider supporting this variance.

Parking variance for Lot B

The existing dwelling unit does not contain a garage and there is no space to locate a vehicle behind the front face of the building. As a result, the applicant is proposing to locate a parking space in the front yard. A privacy hedge is being proposed in between the neighbouring property and the parking pad, and the driveway would be finished with permeable pavers. Staff recommend that Council consider supporting this variance.

CONCLUSIONS

The proposal to construct two new small lot houses and the associated variances is consistent with Development Permit Area 15A: Intensive Residential – Small Lot. The small lot houses are a form of sensitive infill development and fits in with the existing neighbourhood. Staff recommend that Council consider supporting this Application.

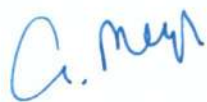
ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00517 for the property located at 115 Moss Street.

Respectfully submitted,



Leanne Taylor
Senior Planner
Development Services Division




Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: September 27, 2016

List of Attachments

- Zoning map
- Aerial map
- Applicant's letter to Mayor and Council dated April 14, 2016
- Applicant's letter to Mayor and Council dated July 27, 2016
- Arborist report dated August 11, 2016
- Small Lot Housing Rezoning Petition
- Letter from Fairfield-Gonzales CALUC dated April 20, 2016
- Neighbourhood Correspondence
- Plans dated July 26, 2016.

NO. 16-077

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to rezone the land known as 115 Moss Street from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District.

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

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1075)”.
- 2 The land known as 115 Moss Street, legally described as Lot 11, Block A, Fairfield Farm Estate, Victoria City, Plan 340 and shown hatched on the map attached to and forming part of this Bylaw as Appendix 1, is removed from the R1-B Zone, Single Family Dwelling District, and placed in the R1-S2 Zone, Restricted Small Lot (Two Storey) District.

READ A FIRST TIME the **27th** day of **October** 2016

READ A SECOND TIME the **27th** day of **October** 2016

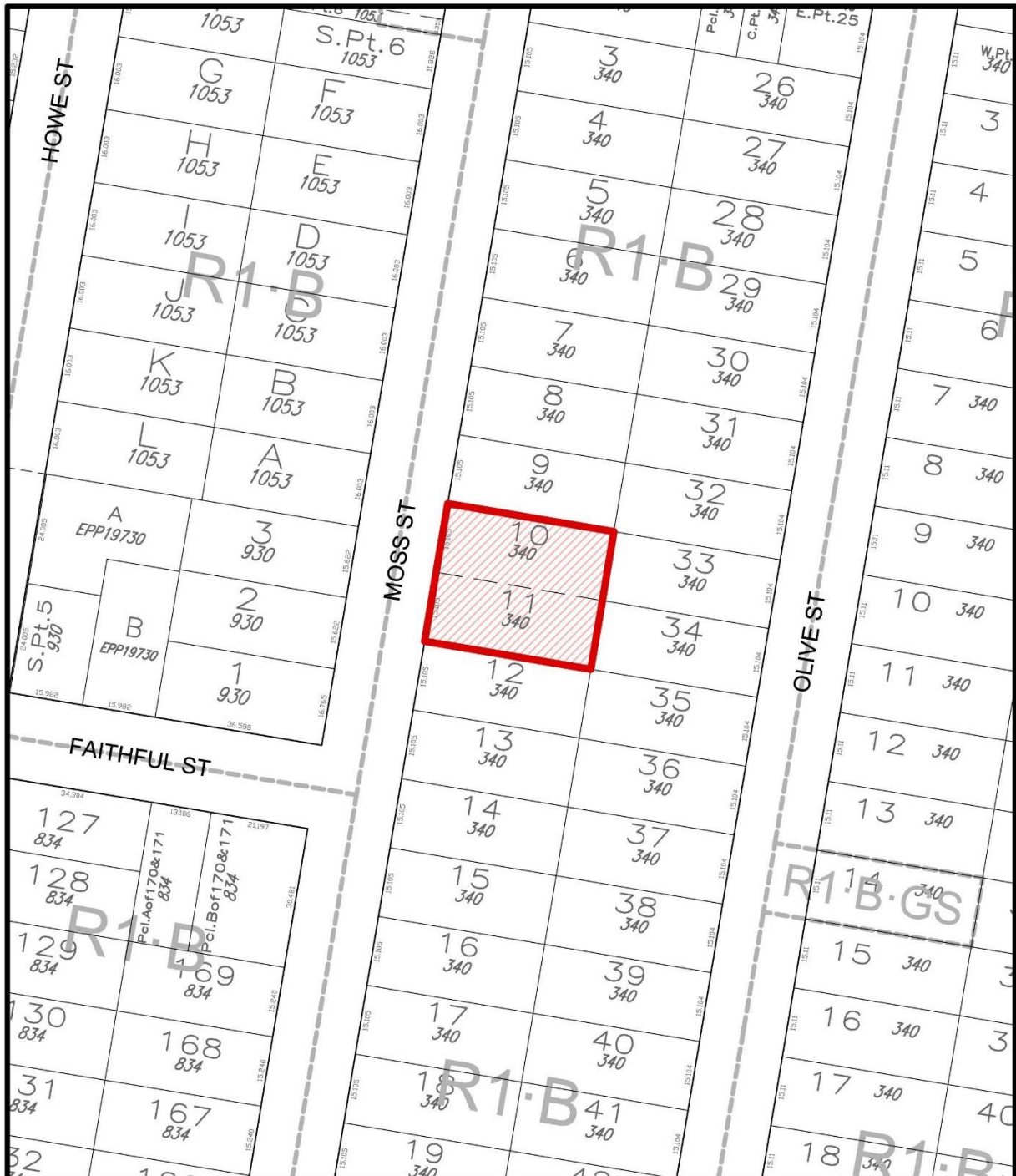
Public hearing held on the day of 2016

READ A THIRD TIME the day of 2016

ADOPTED on the day of 2016

CITY CLERK

MAYOR



115 Moss Street
Rezoning No.00517



Office of the Minister of
Families, Children and
Social Development



Cabinet du ministre de
la Famille, des Enfants et
du Développement social

Ottawa, Canada K1A 0J9

MAYOR'S OFFICE

OCT 1 8 2016

VICTORIA, B.C.

OCT 11 2016

Her Worship Lisa Helps
Mayor of Victoria
1 Centennial Square
Victoria BC V8W 1P6

Dear Madam Mayor:

On behalf of the Honourable Jean-Yves Duclos, Minister of Families, Children and Social Development, I acknowledge receipt of your letter of September 23, 2016, concerning your request for funding for the Regional Housing First Program.

Please be assured that your correspondence will be given due consideration.

Yours sincerely,

Daniel Boudria
Director
Parliamentary Affairs



Reference: 224748/223869

October 26, 2016

Her Worship Mayor Lisa Helps
City of Victoria
1 Centennial Square
Victoria, British Columbia
V8W 1P6

Dear Mayor Helps:

Thank you for your letter of September 6, 2016, regarding Emily Carr House. It was also a pleasure meeting with you and Councillor Margaret Lucas on Friday, September 30, 2016, to discuss recent public concerns regarding the future of Emily Carr House.

As we discussed, the site operator (Jan Ross–Clio Arts Associates Ltd.) has a contract with the Province of British Columbia's Heritage Branch, to operate Emily Carr House until March 2018. Approximately six months prior to this date, a Request for Proposals (RFP) will be issued to allow all interested individuals/groups an opportunity to submit bids for tenure. Issuing an RFP at the end of a contract is normal practice and does not suggest dissatisfaction with the site operator.

The province will be seeking creative proposals for a non-commercial tenure that will move the property toward financial sustainability while continuing to provide a public access component. Provincial support for major maintenance items will be maintained, as has been the case with other recent tenures of provincially-owned heritage property.

I hope our meeting, in conjunction with this follow-up letter, provides a level of comfort to you and others that Emily Carr House remains a valued asset within the provincial portfolio of historic sites.

Thank you again for writing.

Sincerely,

Steve Thomson
Minister

pc: Honourable Christy Clark, Premier of British Columbia

COMMITTEE OF THE WHOLE MOTIONS
FROM THE MEETING HELD NOVEMBER 3, 2016

For the Council Meeting of November 10, 2016, the Committee recommends the following:

1. Proposed Amendment to Cannabis-Related Business Regulation Bylaw to Enable Third-party ATMs

That Council give three readings to the proposed Cannabis-Related Business Regulation Bylaw, Amendment Bylaw No. 1 (16-078).

2. Protect Children from Pornography Exposure – Motion M47

Whereas the last major study on sexually explicit material, completed in 1985 by the Special Committee on Pornography and Prostitution (the Fraser Committee), was completed before the invention of World Wide Web;

And Whereas the majority of sexually explicit material features violence toward, and the domination, degradation and humiliation of women and girls;

And Whereas the effects of the accessibility of violent and degrading sexually explicit material is matter of public health;

And Whereas a child's exposure to violent sexually explicit material is a form of child abuse;

And Whereas Article 17 of the UN Convention on the Rights of the Child, requires Canada to develop the means to protect children from forms of media that are 'injurious to his or her wellbeing...';

Therefore, Council ask that the Mayor write to the House of Commons asking them to adopt Motion M-47;

And that the motion be sent to other municipalities in the Region for their information and support.

3. Street Vendor Bylaw Amendment

That Council direct staff to report back at the next Quarterly Update on the implications of amending the Street Vendors Bylaw to accommodate downtown merchants to sell wares directly in front of their stores.

4. Council Discussion – The Centennial Square Fountain

THAT the Committee refer the item to staff to report back in the context of other pending action items relating to Centennial Square, including:

- permanent washroom facilities;
- children's play feature / work of art;
- consideration of naming as Lekwungen Square.

5. Application for a Permanent Change of Hours of Sale for a liquor primary licence (305494), New Asian Village, 1245 Wharf Street - Downtown

That Council consider directing staff to provide the following response to the Liquor Control and Licensing Branch:

1. Council, after conducting a review with respect to noise and community impacts, does support the application of New Asian Village, located at 1245 Wharf Street to amend its existing food primary licence hours of 11:30 am - 12:00 am (Monday - Sunday) to 11:30 am - 12 am (Sunday - Thursday) and 11:30 am - 1 am (Fridays and Saturdays).

Providing the following comments on the prescribed considerations:

- a) Council has considered the request and believes that the proposal to change the hours of operation will have an overall positive benefit and that negative impacts will be negligible.
- b) The views of residents were solicited via mailout to neighbouring property owners and occupants within 50 metres of the licensed location, and a notice posted at the property. The City received three letters of support for the application, one of which was from the Downtown Victoria Residents Association (DVRA). Two letters were submitted declaring opposition to the application.

6. Request to Waive Portion of Clean-hands Policy: Rezoning Application No. 00508 for 121 Menzies – James Bay

That Council waive the following two portions of the Clean-hands Policy for Planning Approvals for the building located at 121 Menzies Street (Rezoning Applications No. 00508):

- a) The requirement for the covenant to state that the illegal occupancy is vacated.
- b) The requirement for the covenant to have priority agreement.

7. 2017 Committee and Council Meeting Schedule

That Council approve the 2017 Committee of the Whole and Council meeting schedule and make available to the public as required under the section 127 of the *Community Charter*.

8. ConnectVictoria App

That Council receive this report for information.

9. Establishment of a Regional Transportation Service

That the City of Victoria support the establishment of a regional transportation service through the Capital Regional District subject to development of a service establishment bylaw that is satisfactory to the City of Victoria.

10. Cannabis Regulation Exemption Policy

That the City of Victoria's Cannabis - related Business Regulation Bylaw be amended to provide an exemption from section 6(c) for existing non-profit cannabis operations that were established prior to 2009 and that have continuously operated since 2009, while remaining subject to all other clauses of the regulations.

COMMITTEE OF THE WHOLE MOTIONS
FROM THE MEETING HELD NOVEMBER 10, 2016

For the Council Meeting of November 10, 2016, the Committee recommends the following:

1. Parcel Tax Review Panel - Cyril Close Local Service Area

That the Cyril Close Local Services Area Parcel Tax Roll be authenticated.

2. Core Area Wastewater Treatment Project Board Update

That Council receive the report for information and direct staff to work with the CRD and report back to Council on:

1. public amenities including washrooms facilities and improved greenspace and pathway connections on the area covered by the License of Occupation for the CRD Pump Station at Clover Point;
2. the proposed alignment, conceptual design, costs, and anticipated timeline for a multi-use trail along the Dallas Road forcemain from Memorial Crescent to Ogden Point;
3. Engage the Fairfield and James Bay residents and the Fairfield-Gonzales Community Association and James Bay Neighbourhood Association, as well as the Active Transportation Advisory Committee on the alignment and design of the trail.

3. Rezoning Application No. 00473 for the Easterly 300 Block of Tyee Road and the Westerly 300 Block of Harbour Road (Undeveloped Lands at Dockside Green) - Victoria West

1. That Council give first and second reading and direct staff to set the public hearing for attached Official Community Plan Amendment Bylaw No. 16-085 and Zoning Regulation Bylaw Amendment Bylaw No. 16-086 for the Easterly 300 Block of Tyee Road and the Westerly 300 Block of Harbour Road, subject to:
 - a. the provision of a satisfactory Phasing Plan, identifying which public amenities, on-site services, off-site services, vehicular driveways and access points would be provided with each phase of development all to the satisfaction of the Director of Sustainable Planning and Community Development;
 - b. receipt of accurate, updated plans that ensure consistency between the proposed Zoning Regulation Bylaw, Master Development Agreement and design guidelines to the satisfaction of Director of Sustainable Planning and Community Development and direct staff to develop policies specific to articulating building heights along Tyee Road.
 - c. a copy of the new Dockside Green Master Development Agreement executed by the applicant to the satisfaction of Director of Sustainable Planning and Community Development;
 - d. a legal agreement, in a form satisfactory to the City Solicitor, executed by the applicant that requires Dockside Green Ltd. to be responsible for all site remediation and completion and fulfilment of all conditions outlined in the Certificates of Compliance issued by the Ministry of Environment.

2. That Council require the following prior to the adoption of Official Community Plan Amendment Bylaw No. 16-085 and Zoning Regulation Bylaw Amendment Bylaw No. 16-086 for the Easterly 300 Block of Tyee Road and the Westerly 300 Block of Harbour Road:
 - a. the new Dockside Green Master Development Agreement being registered on title of the lands to the satisfaction of Director of Sustainable Planning and Community Development;
 - b. a legal agreement, in a form satisfactory to the City Solicitor, being registered on title of the lands that requires Dockside Green Ltd. to be responsible for all site remediation and completion and fulfilment of all conditions outlined in the Certificates of Compliance issued by the Ministry of Environment.
3. That concurrent with first and second reading for Official Community Plan Amendment Bylaw No. 16-085 and Zoning Regulation Bylaw Amendment Bylaw No. 16-086 that Council give the necessary readings to Land Use Procedures Bylaw Amendment Bylaw No. 16-087 and that Council consider enacting the Land Use Procedures Bylaw Amendment Bylaw No. 16-087 if Official Community Plan Amendment Bylaw No. 16-085 and Zoning Regulation Bylaw Amendment Bylaw No. 16-086 are approved.
4. Direct staff to discuss the potential for improvements along Harbour Road using the funds earmarked for the Galloping Goose Trail improvements.
5. That staff bring forward that the bylaws to reflect a revised definition of transient accommodation to prevent short term vacation rentals.

4. Rezoning Application No. 00489 for 2035 Stanley Avenue (Fernwood)

That Committee forward this report to Council and that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00489 for 2035 Stanley Avenue, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set.

5. Development Permit with Variances Application No. 00489 for 2035 Stanley Avenue

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00489, if it is approved, consider the following motion:

1. "That Council authorize the issuance of Development Permit Application No. 00489 for 2035 Stanley Avenue in accordance with:

Existing Duplex (Proposed Lot 1)

 - a. Part 2.1.4 (a): Increase the height from 7.6m to 7.7m;
 - b. Part 2.1.4 (a): Increase the number of storeys from 1.5 with a basement to 2 with a basement;
 - c. Part 2.1.5 (a): Reduce the front setback from 7.5m to 6.64m;
 - d. Part 2.1.5 (a): Increase the maximum projection for bay windows into the front setback from 0.6m to 1.65m;

- e. Part 2.1.5 (a): Increase the maximum projection for steps into the front setback from 3.5m to 4.5m;
- f. Part 2.1.5 (b): Reduce the rear setback from 10.7m to 1.5m;
- g. Part 2.1.5 (c): Reduce the side setback (south) from 1.52m to 0.30m;
- h. Part 2.1.5 (c): Reduce the side setback (north) from 3m to 1.53m;
- i. Part 2.1.5 (d): Reduce the combined side yard setback from 4.5m to 3m;
- j. Schedule "C" (4): Reduce the number of parking stalls from 2 to 1.

New Small Lot House (Proposed Lot 2)

- a. Part 1.23 (8)(a): Reduce the front setback from 6m to 3.72m;
- b. Part 1.23 (8)(b): Reduce the rear setback from 6m to 3.98m (to steps) and 5.08 (to building);
- c. Part 1.23 (8)(c): Reduce the side setback (east) from 2.4m to 1.5m;
- d. Schedule "C" (4): Permit parking in the front yard.

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

6. Development Variance Permit No. 00180 for 1707 Haultain Street - North Jubilee

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

"That Council authorize the issuance of Development Permit Application No. 00180 for 1707 Haultain Street in accordance with:

- 1. Plans date stamped October 7, 2016.
- 2. Development meeting all Zoning Regulation Bylaw requirements and previously approved variances, except for the following additional variance:
 - i. reduce the front yard setback from 5.0m to 4.68m;
- 3. The Development Permit lapsing two years from the date of this resolution."

7. Update on Rezoning Application No. 00472 and Development Permit Application with Variance No. 00402 for 1041 Oliphant Avenue and 212 - 220 Cook Street – Fairfield

Rezoning Application No. 000472 (updated to reflect revised legal agreements):

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00472 for 1041 Oliphant Avenue and 212-220 Cook Street, and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and that staff set a Public Hearing date be set once the following conditions are met:

- 1. Design revisions to orient the ground floor exterior door towards Oliphant Avenue and to expand the metal siding above the commercial unit to the satisfaction of staff.
- 2. Preparation of the following documents, executed by the applicant to the satisfaction of City Staff:
 - a. Housing Agreement to secure the following:
 - i. rental of nine units for a minimum of 20 years at a rental rate of at least 10% below market rate, if not more;

- ii. rental of eight units for a minimum of 10 years at market rental rate; and
- iii. that future strata bylaws cannot prohibit strata owners from renting residential strata units.
- b. Statutory Right-of-Way of 3m for the rear lane access off Oliphant Avenue to the satisfaction of City staff;
- c. Section 219 Covenant for the paving/widening of the rear lane, to the satisfaction of City staff.

Development Permit Application No. 000402 (updated to reflect revised plans):

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00472, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application with Variance No. 00402 for 1041 Oliphant Avenue and 212-220 Cook Street, in accordance with:

- 1. Plans date stamped October 21, 2016.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - a. Schedule C, 16.A. 12(c) - Required residential parking is reduced from 1.4 spaces per dwelling unit to 0.9 spaces per dwelling unit.
- 3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
- 4. That Council authorize staff to execute an Encroachment Agreement for a fee of \$750, plus \$25 per m² of exposed shored face during construction in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure at the property line.
- 5. The Development Permit lapsing two years from the date of this resolution.
- 6. That council direct staff to engage the applicant on the provision of on-street cycling amenities within the roadway on the Cook Street frontage and report back to Council at Second Reading of the bylaw.

8. Proposed Amendments to the Heritage Property Protection Bylaw No. 95-62 and the Land Use Procedures Bylaw No. 16-028

That Council enact the attached proposed amendments to Heritage Property Protection Bylaw No. 95-62 and Land Use Procedures Bylaw No. 16-028 in order to clarify the regulatory framework applied to Heritage Registered and Designated properties and to Heritage Conservation Areas, to:

- i. address discrepancies between the 2016 Land Use Procedures Bylaw and the 1995 Heritage Property Protection Bylaw
- ii. align regulations with longstanding processing practices
- iii. continue to ensure that applications to demolish Heritage Registered and Designated buildings or any buildings within Heritage Conservation Areas are withheld until all necessary approvals are in place.

9. Community and Seniors Centres Annual Report for 2015

That Council receive this report on the operation of the community and seniors centres for information and that Council direct staff to provide an annual report on City facilities that are operated by non-profit organizations, and include financial inputs.

10. Motion to Support for the Victoria Waterways Loop

BE IT RESOLVED THAT:

1. Council endorses the idea of the Victoria Waterways Loop;
2. That staff be directed to report back at the December 1st Quarterly Update on the implications of adding to the strategic plan working with partners to identify potential upgrades in the City of Victoria to help complete the City of Victoria portion of the route;
3. Council commits to creating signage for the City of Victoria portion of Victoria Waterways Loop in 2017;
4. Refers to the 2018 budget process the potential infrastructure upgrades and additional signage as part of the 2018.
5. Council requests that the Mayor send a letter outlining the City of Victoria's support for the Victoria Waterways Loop to the CRD board and the CRD Parks Committee.

11. Victoria Community Association Network (VCAN) 2017 Funding

THAT Council direct staff to include an expenditure of \$1,200 in the 2017 Financial Plan out of the previous year's surplus to cover expenses for meetings of the Victoria Community Association Network (VCAN), consisting of 6 meetings convened annually between representatives from neighbourhood associations.



Council Report For the Meeting of November 10, 2016

To: Council **Date:** November 4, 2016
From: Susanne Thompson, Director of Finance
Subject: Waterworks, Sanitary Sewer and Stormwater Utilities, and Solid Waste Amendment Bylaws

RECOMMENDATION

That Council consider first, second, and third readings of the following bylaws:

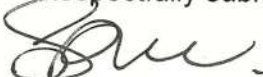
- Waterworks Bylaw, Amendment Bylaw (No. 11) No. 16-079
- Sanitary Sewer and Stormwater Utilities Bylaw, Amendment Bylaw (No. 4) No. 16-080
- Solid Waste Bylaw, Amendment Bylaw (No. 5) No. 16-088

EXECUTIVE SUMMARY

At the Special Council meeting of November 3, 2016, Council directed staff to bring forward bylaws outlining solid waste, water utility, and stormwater utility rate increases to Council on November 10, 2016 for consideration of first three readings.

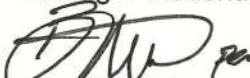
At the Committee of the Whole meeting on July 14, 2016 staff was directed by Council to bring forward bylaws amending new development service connection fees for consideration of first three readings.

Respectfully submitted,


Steven Vella
Manager-Revenue



Nina Sutic-Bata, P.Eng.
Manager of Underground Utilities


Susanne Thompson
Director of Finance


Fraser Work
Director of Engineering

Report accepted and recommended by the City Manager:

Date:


November 4, 2016

List of Attachments

- Waterworks Bylaw, Amendment Bylaw (No. 11) No. 16-079
- Sanitary Sewer and Stormwater Utilities Bylaw, Amendment Bylaw (No. 4) No. 16-080
- Solid Waste Bylaw, Amendment Bylaw (No. 5) No. 16-088

Schedule A**Fees**1. Connection fee for any water service, other than a fire line:

<u>Size of Connection or Meter</u>	<u>Connection Charge</u>
18 mm	\$ 6,300.00
25 mm	6,500.00
40 mm	at cost
50 mm	at cost
75 mm	at cost
100 mm	at cost
150 mm	at cost
200 mm and greater	at cost
For duplexes only, 2-18mm (in the same trench)	at cost
For duplexes only, 2-25 mm (in the same trench)	at cost
Cap water service, 12mm to 25 mm	at cost
Cap water service, 40mm and greater	at cost

Special fees:

- (a) To upgrade a meter, outlet pipe, and accessories under s. 8(4) of the Waterworks Bylaw: \$500.00
- (b) Service pipe installations on Arterial Roads or within the Downtown Area: an additional at cost per trench.
- (c) Service Pipe that is requested to be installed outside normal working hours, where approved by the Director: at cost.
- (d) Temporary water connection: \$400.00.
- (e) Fire hydrant connection fee: \$100.00 per fire hydrant per day.
- (f) New fire hydrants that are installed at the request of an applicant: at cost.

2. Connection fee for a fire line:

<u>Size of Connection or Meter</u>	<u>Connection Charge</u>
100 mm	at cost
150 mm	at cost
200 mm and greater	at cost

3. Consumption charge

Consumption charge for each unit of water used: \$3.81.

4. Service charge(a) 4-month service charge:

<u>Size of Connection</u>	<u>Service Charge</u>
12 mm	\$34.57
18 mm	\$39.23
25 mm	\$57.50
40 mm	\$71.88
50 mm	\$114.60
75 mm	\$215.52
100 mm	\$344.43
150 mm	\$644.18
200 mm	\$1,431.05

5. Fire Hydrant charge

(a) Esquimalt: \$4.00 monthly for each hydrant

(b) Non-municipal purposes: \$4.00 monthly for each hydrant.

6. Administrative Charges

Where work is performed "at cost" an administrative charge of 18% must be calculated and added to the "at cost" total.

7. Water Meter Activation/Deactivation Fee

To have an authorized person attend at a water meter pursuant to section 7A(5): \$40.

27A. CRD Sewer Consumption Charge

- (1) Pursuant to the powers of the City under the Additional Powers Regulation, B.C. Reg. 236/2002, a rate of \$2.72 for the months of June through September and a rate of \$3.88 for all other months multiplied by the number of units of water used at the owner's premises must be paid by each owner in respect of a portion of the annual operating costs and debt costs of the Capital Regional District Liquid Waste Management Core Area and Western Communities Service that are payable by the City.

SCHEDULE "A"**FEES AND CHARGES****1. Sanitary Sewer Use Charge**

1 The sanitary sewer use charge for each unit of water used for the months of June through September is \$1.52 and for all other months is \$2.17.

2. Sanitary Sewer Service and Stormwater Service Connection Fees

1 – 100 mm	\$8800
2 – 100 mm (in same trench)	\$11800
1 – 150 mm	at cost
2 – 150 mm (in same trench)	at cost
1 – 200 mm	at cost
1 – 150 / 1 - 200 mm (in same trench)	at cost
1 – 150 / 1 – 100 mm (in same trench)	at cost
1 – 250 mm	at cost
2 – 200 mm	at cost

3. Hub Connection Fees

\$1000 / hub connection

4. Dye Tests

\$200 for one visit to a single location or site, to a maximum of one hour

5. Sewer Service Connection Test for Reuse or Abandonment

4 service connections or fewer	\$250/visit/site
Each additional service connection	\$100/visit/site

6. Sewer Service Connection Rehabilitation

1 – 100 mm	\$ 3500
1 – 150 mm	\$ 4000

7. Sealing a Discontinued Sewer Service Connection

\$1000 per service

8. Special Fees and Considerations

All connection fees are for an application for a service connection to a single property unless otherwise stated. Service connection configurations not covered in this Schedule are subject to the Director's approval, and will be charged for "at cost".

Service connection fees under section 3 of this Schedule A include rock removal up to a depth of 1.0 m. All additional rock removal costs shall be paid by the applicant at cost.

At cost service connections must pay for all rock removal on an at cost basis. The estimated cost of rock removal shall be determined at the time rock is encountered.

These costs must be paid by the applicant prior to the City continuing the installation.

All service connections larger than 100 mm, and all connections installed on Arterial Roads or within the Downtown Core: at cost

All service connections that are requested to be installed outside normal working hours, where approved by the Director will be billed for at cost.

If the applicant is performing their own restoration on their property frontage in the area of a new service installation, at their cost, the Director will allow a rebate of \$200 per service trench.

9. Contaminated Soil

Where the removal of contaminated soil is required it shall be done at cost.

10. Archaeological Site

Costs associated with working in vicinity of an archaeological site shall be done at cost.

11. Administrative Charges

Where work is performed at cost an administrative charge of 18% must be calculated and added to the "at cost" total.

12. Stormwater User Fees

The stormwater user fee payable by an owner shall be determined by applying and totalling the four factors in the Stormwater User Fee Calculation Table below.

Stormwater User Fee Calculation Table**STORMWATER USER FEE CALCULATION TABLE****1.A IMPERVIOUS SURFACES FACTOR**

	Fee (per sq meter)
	\$0.6042

2.A STREET/SIDEWALK CLEANING FACTOR

	Fee (per meter)
Local	\$1.67
Collector	\$3.76
Arterial	\$4.09
Downtown	\$40.25

2.B INTENSITY CODE FACTOR

	Fee (per property)
Low Density Residential	\$0.00
Multi Family Residential	\$85.29
Civic/Institutional	\$87.58
Commercial/Industrial	\$143.36

2.C CODES OF PRACTICE FACTOR

	Fee (per property)
Required to register under Stormwater Code of Practice Schedule E	\$158.55

11. Rainwater Management Credit Program

(a) Educational Programs

Except for a property that is used as a school, in order to qualify for a rainwater management credit an educational program for a Civic/Institutional or Commercial/Industrial property must relate to, describe and inform either the owner's employees or members of the public about a stormwater management facility that has been approved under the Rainwater Management Credit Program, that is located on the property, and that is functional and in good working condition. A qualifying educational program may include or consist of signs, brochures, or other graphic or printed information that is located in a prominent location on the property.

For a property that is used as a school, in order to qualify for a rainwater management credit an educational program must be included in the regular curriculum and form part of the regular teaching program for the school.

(b) Calculation of Credits

Where the owner of premises applies for participation in the rainwater management credit program, and the application is approved by the Director, a percentage credit for each approved credit type will be applied to the stormwater user fee in the amount(s) set out in the following tables.

Rainwater Management Credit Table – Low Density Residential Properties

Rainwater Best Management Practice (BMP)	Minimum Size	Min. Roof Area (m ²) directed to BMP	Ongoing Credit
Cistern	1200L	25	10%
Infiltration Chamber		25	10%
Rain Garden		25	10%
Bioswale		25	10%
Permeable paving - no infiltration trench/piping	10 m ²		10%
Permeable paving - infiltration trench/piping		25	10%

Rainwater Management Credit Table – Multi-Family Residential, Civic/Institutional and Commercial/Industrial Properties

	Minimum Impervious Area Treated (%)	Credit (%)
Infiltration Chamber / Rain Garden / Bioswale/ Permeable Pavement / Cisterns Plumbed for Indoors / Intensive Green Roofs	10	4
	15	7
	20	9
	25	11
	30	13
	35	16
	40	18
	45	20
	50	22
	55	24
	60	27
	65	29
	70	31
	75	33
	80	36
	85	38
	90	40
	Minimum Impervious Area Treated (%)	Credit (%)
Cisterns- Hand Use	10	2
	15	3
	20	4
	25	6
	30	7
	35	8
	40	9
	45	10
	50	11
	55	12
	60	13
	65	14
	70	16
	75	17
	80	18
	85	19
	90	20

	Minimum Impervious Area	Credit (%)
--	------------------------------------	-------------------

	Treated (%)	
Cisterns - Irrigation System/ Extensive Green Roof	10	3
	15	5
	20	7
	25	8
	30	10
	35	12
	40	13
	45	15
	50	17
	55	18
	60	20
	65	22
	70	23
	75	25
	80	27
	85	28
	90	30

(c) **BMP (Design and Construction Requirements) Table**

The following table sets out additional requirements for the design and construction of stormwater retention and water quality facilities.

BMP	DIY Build	Tier A Contractor Build	Tier B, C & D Contractor Build
Rain Barrel	1	1	N/A
Cisterns - at grade	1	1	2
Cisterns - below grade	3	3	3
Cisterns - above grade	3	3	3
Rain Gardens	1	1	2
Bio Swales	1	1	2
Green Roof	N/A	3	3
Permeable Paving without Infiltration Trench/piping	1	1	2
Permeable Paving with Infiltration Trench/piping	2	1	3
Infiltration Chamber	3	3	3

1 Design and construction must follow City standards and specifications.

2 Design and construction must follow City standards and specifications.
Must be designed and installed under the supervision of a Qualified Designer.

3 Design and construction must follow City standards and specifications.
Must be designed and installed under the supervision of a Qualified Professional.
Green Roofs must be designed by and installed under the supervision of a Qualified Professional who is a professional architect or structural engineer

Inspections as required at specified intervals.

DIY Build - Owner is responsible for construction methods and adhering to design.
Failure to do so may result in rejection at owner's expense. City assumes no responsibility for rejection or liability for damages.

In the table above:

- (a) "Tier A", "Tier B", "Tier C" and "Tier D" mean, respectively, properties that are classified under section 28(4) of this bylaw as Low Density Residential, Multi-Family Residential, Civic/Industrial and Commercial/Industrial.
- (b) "DIY Build" means that the owner of Low Density Residential property constructs or installs the stormwater retention and water quality facility themselves, without the assistance of a contractor.

Schedule 1**Schedule "A"****Solid Waste Bylaw**

The fees for the collection of solid waste from each residential unit by size of bin under Section 16 are:

Size	Annual Fee
80 Litre Bin	\$184.02
120 Litre Bin	\$211.02
180 Litre Bin	\$235.02

NO. 16-081

HOUSING AGREEMENT (1016 SOUTHGATE STREET) BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to authorize an agreement for rental housing for the lands known as 1016 Southgate Street, Victoria, BC.

Under its statutory powers, including section 483 of the *Local Government Act*, the Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "HOUSING AGREEMENT (1016 SOUTHGATE STREET) BYLAW (2016)".

Agreement authorized

- 2 The Mayor and the City Clerk are authorized to execute the Housing Agreement
 - (a) substantially in the form attached to this Bylaw as Schedule A;
 - (b) between the City and Stacey McNee Dewhurst, or other registered owners from time to time, of the lands described in subsection (c); and,
 - (c) that applies to the lands known as 1016 Southgate Street, Victoria, BC, legally described as:

PID #008-138-052
Lot F, Fairfield Farm Estate, Victoria City, Plan 966

Repeal

- 3 Bylaw No. 10-005, the Housing Agreement (1016 Southgate Street) Bylaw is repealed and the agreement authorized by that bylaw is terminated.

READ A FIRST TIME the 3rd day of **November** 2016

READ A SECOND TIME the 3rd day of **November** 2016

READ A THIRD TIME the 3rd day of **November** 2016

ADOPTED on the day of 2016

CITY CLERK

MAYOR

HOUSING AGREEMENT
(Pursuant to Section 483 of the *Local Government Act*)

BETWEEN:

THE CORPORATION OF THE CITY OF VICTORIA

#1 Centennial Square
Victoria, B.C. V8W 1P6
(the "City")

OF THE FIRST
PART

AND:

STACEY MCNEE DEWHURST

1016 Southgate Street
Victoria, B.C. V8V 2Z2

(the "Owner")

OF THE SECOND
PART

AND:

**COMPUTERSHARE TRUST COMPANY OF CANADA
(INCORP. NO. A-52313)**

c/o First national Financial LP
Suite 700, North Tower, 100 University Avenue
Toronto, O.N. M5J 2Y1

(as to priority)

OF THE THIRD
PART

WHEREAS

- A. Under section 483 of the *Local Government Act* the City may, by bylaw, enter into a Housing Agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*;

-2-

- B. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with a civic address of 1016 Southgate Street and legally described as:
PID: 008-138-052
LOT F, FAIRFIELD FARM ESTATE, VICTORIA CITY, PLAN 966
(the "Lands").
- C. The Owner is applying to rezone the Lands and the Owner intends to subdivide the Lands by Strata Plan.
- D. The Dwelling Units are intended to be stratified and therefore will be subject to the *Strata Property Act* (British Columbia) and the bylaws of the Strata Corporation, but the intent of this Housing Agreement is to ensure the perpetual availability of rental units (in addition to owner-occupied units);
- E. The City and the Owner wish to enter into this Agreement, as a Housing Agreement pursuant to section 483 of the *Local Government Act*, to establish the terms and conditions regarding the occupancy of the residential units identified in this Housing Agreement.

NOW THIS AGREEMENT WITNESSES that, pursuant to section 483 of the *Local Government Act*, and in consideration of the premises and covenants contained in this Agreement, the parties agree each with the other as follows:

1.0 Definitions

1.1 In this Agreement:

"Development" means the proposed strata development on the Lands to include six (6) Dwelling Units.

"Dwelling Unit" means a self-contained residential dwelling unit within the building that *is/will be* located on the Lands, and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise, and "Dwelling Units" means collectively all of such residential dwelling units located on the Lands.

"Immediate family" includes a person's husband, wife, child, mother, father, brother, sister, mother-in-law, father-in-law, grandparent, brother-in-law, sister-in-law, niece and nephew.

"Non-owner" means a person who occupies a Dwelling Unit for residential purposes, other than the Owner of that Dwelling Unit, and other than a member of the Owner's Immediate family.

"Owner" includes a person who acquires an interest in the Lands or any part of the Lands and is thereby bound by this Agreement, as referred to in section 5.1.

"Tenancy Agreement" has the same meaning as under the *Residential Tenancy Act*.

"Strata Corporation" means, for the portions of the Lands or any building on the Lands that is subdivided under the *Strata Property Act*, a strata corporation as defined in that Act, including the Owner while in control of the strata corporation and subsequently the individual strata lot owners collectively acting as the strata corporation.

1.2 In this Agreement:

- (a) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment; and
- (b) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.

2.0 No Restrictions on Rentals

- 2.1 The Owner covenants and agrees that the Owner shall not take any steps, or enter into any agreements, or impose any rules or regulations whatsoever, the effect of which would be to prevent or restrict the Owner of a Dwelling Unit from renting that Dwelling Unit for residential purposes to a Non-owner.
- 2.2 Without limiting the generality of section 2.1, the Owner covenants and agrees that it will not make application to deposit a strata plan for or in respect of the Lands or a building on the Lands unless the strata bylaws in no way restrict rental of the Dwelling Units to Non-owners.
- 2.3 For certainty, if the Lands or the Development on the Lands are subdivided under the *Strata Property Act*, the Dwelling Units within the Development may be occupied by the Owners of the strata lots.

3.0 Reporting

- 3.1 The Owner covenants and agrees to provide to the City, upon written request from the City's Director of Sustainability Planning and Community Development, a report in writing confirming:
- (a) the number, type and location by suite or strata lot number, of Dwelling Units that are being rented to Non-owners; and
 - (b) any changes or proposed changes to the Strata Corporation's bylaws that may affect the terms of this Agreement.
- 3.2 The Owner covenants and agrees:
- (a) to exercise its voting rights in the Strata Corporation against the passage of any bylaws that would restrict the availability for rental of any Dwelling Unit unless this Agreement is amended; and
 - (b) to notify the City of any proposed amendments to its strata bylaws.
- 3.3 The Owner acknowledges that it is within the City's sole discretion to consent or not to consent to modifications to this Agreement and that such consent may be withheld for any reason.

4.0 Notice to be Registered in Land Title Office

- 4.1 Notice of this Agreement ("**Notice**") will be registered in the Land Title Office by the City at the cost of the Owner in accordance with section 483(5) of the *Local Government Act*, and this Agreement is binding on the parties to this Agreement as well as all persons who acquire an interest in the Lands after registration of the Notice.

5.0 Liability

- 5.1 The Owner agrees to indemnify and saves harmless the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reason of or arising out of failure of the Owner to comply with the terms and conditions of this Agreement.
- 5.2 The Owner hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which

-5-

the Owner now has or hereafter may have with respect to or by reason of or arising out of the fact that the Lands are encumbered by and affected by this Agreement.

6.0 Priority Agreement

- 6.1** Computershare Trust Company of Canada (Incorporation Number A-52313), the registered holder of a charge by way of Mortgage against the Lands registered in the Land Title Office at Victoria, British Columbia under number CA3933470, for and in consideration of the sum of One Dollar (\$1.00) paid by the City (the receipt whereof is hereby acknowledged), agrees with the City that upon filing of a Notice with the Land Title Office that the Lands are subject to the Housing Agreement, pursuant to section 483 of the *Local Government Act*, and the Housing Agreement shall be an encumbrance upon the Lands in priority to the said charge in the same manner and to the same effect as if Notice had been filed prior to the said charge.

7.0 General Provisions

Notice

- 7.1** If sent as follows, notice under this Agreement is considered to be received

- (a) seventy-two (72) hours after the time of its mailing (by registered mail) or faxing, and
- (b) on the date of delivery if hand-delivered,

to the City:

City of Victoria
 #1 Centennial Square
 Victoria, BC V8W 1P6
 Attention: Director of Sustainability Planning and
 Community Development
 Fax: 250-361-0386

to the Owner:

1250 Beach Drive, Victoria, BC V8F 2N3

or upon registration of a strata plan for the Lands, to the Strata Corporation, and to the Owner of any Dwelling Unit that is subject to the restrictions under section 2.1.

If a party identifies alternate contact information in writing to another party, notice is to be given to that alternate address.

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If normal mail service or facsimile service is interrupted by strike, work slow-down, force majeure, or other cause,

- (a) notice sent by the impaired service is considered to be received on the date of delivery, and
- (b) the sending party must use its best efforts to ensure prompt receipt of a notice by using other uninterrupted services, or by hand-delivering the notice.

Time

7.2 Time is to be the essence of this Agreement.

Binding Effect

7.3 This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees.

Waiver

7.4 The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

Headings

7.5 The headings in this Agreement are inserted for convenience and reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.

Language

7.6 Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.

Equitable Remedies

7.7 The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.

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Cumulative Remedies

- 7.8 No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.

Entire Agreement

- 7.9 This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.

Further Assurances

- 7.10 Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.

Amendment

- 7.11 This Agreement may be amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.

Law Applicable

- 7.12 This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

No Derogation from Statutory Authority

- 7.13 Nothing in this Agreement shall:
- (a) limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or issued thereunder, or pursuant to statute, by the City shall estop, limit or impair the City from relying upon and enforcing this Agreement; or
 - (b) relieve the Owner from complying with any enactment, including the City's bylaws, or any obligation of the Owner under any other agreement with the City.

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Joint and Several

7.14 The Owner, if more than one, are jointly and severally obligated to perform and observe each and every of the covenants, warranties and agreements herein contained by the Owner to be observed and performed.

Counterpart

7.15 This Agreement may be executed in counterparts and delivered by facsimile or emailed PDF file, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.

Effective Date

7.16 This Agreement is effective as of the date of the signature of the last party to sign.

IN WITNESS WHEREOF the parties have hereunto set their hands as of the dates inscribed at a place within British Columbia:

**THE CORPORATION OF THE CITY OF
VICTORIA** by its authorized signatories:
On the ___ day of _____, 2016.

Mayor Lisa Helps

City Clerk

Signed, Sealed and Delivered
In the presence of
On the 26 day of August, 2016.

Witness

Address **JOHN D. MULLIN**
BARRISTER & SOLICITOR
1626 GARNET ROAD
VICTORIA, BC V8P 3C8
Occupation

STACEY MCNEE DEWHURST

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COMPUTERSHARE TRUST COMPANY
OF CANADA (Incorp. No. A-52313)

by its authorized signatory(ies):

On the 6th day of ~~August~~ ^{September}, 2016

Witness

Yana Nedyalkova
Notary Public in and for
The Province of Ontario
100 University Ave., 11th Flr.
Toronto, ONTARIO M5J 2Y1
416-263-9559

Occupation

Aaron Cao
Professional, MBS

Warren A. Chang
Administrator, MBS



October 12, 2016

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

MAYOR'S OFFICE

OCT 17 2016

VICTORIA, B.C.

Dear Mayor Helps,

On behalf of the UBCM Executive and membership, I would like to express our appreciation for the participation that we received from you during the 2016 UBCM Convention.

We were pleased that you were able to address the delegates during our annual meeting on Wednesday, September 28th. The presence and participation of you and your Council throughout the week of Convention was very much appreciated.

Victoria was a wonderful host community, and our delegates really enjoyed the experience of attending the 2016 UBCM Convention in such a scenic city.

Once again, thank you and we look forward to seeing you at our next Convention in the beautiful city of Victoria.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Krause", is written over a light blue horizontal line.

Councillor Murry Krause
UBCM President



September 21, 2016

Ref: 168782

Her Worship Mayor Lisa Helps
and Councillors
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

Dear Mayor Lisa Helps and Councillors:

On behalf of the joint Provincial-Union of British Columbia Municipalities (UBCM) Green Communities Committee (GCC), we would like to extend our congratulations for successfully achieving your goal of corporate carbon neutrality for the 2015 reporting year.

As a signatory to the Climate Action Charter, you have demonstrated your commitment to work with the Province of British Columbia and UBCM to take action on climate change and to reduce greenhouse gas emissions in your community and corporate operations.

The work that local governments are undertaking to reduce their corporate emissions demonstrates significant climate leadership and sets the stage for broader climate action in the community. With the recent release of the B.C. Climate Leadership Plan, your leadership and commitment continues to be essential to building on progress already made and ensuring the achievement of our collective climate action goals. For more information about B.C.'s Climate Leadership Plan, please go to:

<https://news.gov.bc.ca/releases/2016PREM0089-001501>.

The GCC was established under the Charter to support local governments in achieving their climate goals. In acknowledgement of the efforts of local leaders, the GCC is again recognizing the progress and achievements of local governments such as yours through the multi-level Climate Action Recognition Program. A description of this program is enclosed for your reference.

As a Charter signatory who has achieved Level 1 and Level 2 recognition, and additionally met the goal of corporate carbon neutrality for the 2015 reporting year, you have been awarded Level 3 recognition – 'Achievement of Carbon Neutrality'.

In recognition of your significant achievements, the GCC is very pleased to provide you with carbon neutral branding for use on websites and letterheads. An electronic file with the 2015 logo will be provided to your Chief Administrative Officer. Also enclosed is a 2015 Climate Action Community Carbon Neutral window decal, for use on public buildings.

.../2

Her Worship Mayor Lisa Helps and Councillors

Page 2

Congratulations again on your achievement. We applaud your leadership and wish you continued success in your ongoing commitment to the goal of corporate carbon neutrality, and your efforts to reduce emissions in the broader community.

Sincerely,

Tara Faganello
Assistant Deputy Minister
Local Government Division

Enclosures



Gary MacIsaac
Executive Director
Union of British Columbia Municipalities



GCC Communiqué on the Climate Action Recognition Program

B.C. local governments continue to play a critical role in reducing GHG emissions across the province. In acknowledgment of the ongoing efforts of local leaders, the joint Provincial-UBCM Green Communities Committee (GCC) is pleased to be continuing the Climate Action Recognition Program for B.C. local governments for the 2015 reporting year. This is a multi-level program that provides the GCC with an opportunity to review and publicly recognize the progress and achievements of each Climate Action Charter (*Charter*) signatory.

Recognition is provided on an annual basis to local governments who demonstrate progress on their *Charter* commitments, according to the following:

Level 1: Progress on Charter Commitments

All local governments who demonstrate progress on fulfilling one or more of their *Charter* commitments will receive a letter from the GCC acknowledging their accomplishments.

Level 2: Measurement

Local governments who achieve Level 1 recognition, have completed a corporate carbon inventory for the reporting year, and demonstrate that they are familiar with the Community Energy and Emissions Inventory (CEEI) will receive a 'Climate Action Community 2015' logo, for use on websites, letter head and similar.

Level 3: Achievement of Carbon Neutrality

Local governments who achieve Level 1 and Level 2 recognition and achieve carbon neutrality in the reporting year will receive a 'Climate Action Community – Carbon Neutral 2015' logo, for use on websites, letter head and similar.

To be eligible for this program, local governments will need to complete a Climate Action Revenue Incentive Program (CARIP) Climate Action/Carbon Neutral Progress Survey and submit it online to the Province in accordance with the program guidelines. Determination of the level of recognition that each community will receive will be based on the information included in each local government's annual CARIP report. Additional information on CARIP reporting is available online at: www.cscd.gov.bc.ca/lgd/greencommunities/carip.htm.

Pamela Martin

Subject: FW: Letter from the Honourable Stephanie Cadieux

From: MCF Info MCF:EX [<mailto:MCF.Info@gov.bc.ca>]
Sent: Wednesday, Nov 2, 2016 11:14 AM
To: Public Service Centre - Internet email
Subject: Letter from the Honourable Stephanie Cadieux

VIA E-MAIL

Ref: 229940

Her Worship Mayor Lisa Helps and Council
City of Victoria
E-mail: publicsrv@victoria.ca

Dear Mayor Helps and Council:

November is Adoption Awareness Month, and British Columbia is making history as the first province in Canada to design and launch an online tool that will streamline the adoptions process for waiting families and help ensure kids find the loving homes that they deserve, sooner.

Created with input from the Adoptive Families Association of British Columbia (AFABC), 'Adopt BC Kids' provides a personalized and user-friendly platform for adoptive families to view their application process, track what documents have been received and better understand next steps. A built-in matching service ensures that matching criteria between a prospective parent and adoptee is automatically flagged, connecting waiting children and teens with forever homes, faster. Anyone interested in becoming an adoptive parent can begin their journey online at: www.gov.bc.ca/adoptbckids.

In your community and across the province, there are young people right now hoping for a family to call their own. Over the past 10 years, an annual average of approximately 270 children have been adopted in British Columbia, but there are still approximately 1,000 children and youth in government care who are waiting for a forever home. Some are part of a sibling group, some have special needs, and some are teens. Regardless of personal circumstances, each and every child deserves a family to belong to, a place to grow up, help with preparing for the challenges of adulthood, and someone to rely on for support, encouragement and love.

Together with the AFABC, we are working to find those 1,000 families. The 1000familiesbc campaign is our joint effort to connect waiting children with caring families. Please help us raise awareness on Facebook and Twitter by using the hashtag #1000familiesbc or by directing members of your community to 1000familiesbc.com.

There are many other ways you can celebrate adoptive families and help raise awareness of adoption, for example by creating an adoption display in your office or helping to promote the celebration events for adoptive families in your community throughout the month of November.

The AFABC's representative for your area can provide you with more information on these events, or about adoption in general. Their contact information, as well as contact information for the four licensed adoption agencies in British Columbia, can be accessed at: <http://gov.bc.ca/howtoadopt>.

On behalf of the Ministry of Children and Family Development, thank you for helping us raise awareness about adoption and find loving homes for British Columbia's waiting children and youth.

Sincerely,

ORIGINAL SIGNED BY

Stephanie Cadieux
Minister of Children and Family Development