



UPDATED AMENDED AGENDA - VICTORIA CITY COUNCIL

MEETING OF JUNE 9, 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 from Yvonne Blomer, Poet Laureate

A. APPROVAL OF AGENDA

B. READING OF MINUTES

1. Minutes from the Regular Meeting held May 12, 2016

C. REQUESTS TO ADDRESS COUNCIL (Maximum 6)

1. Andrew Beckerman: Housing Initiatives
2. Stephen Portman: Homelessness and Tent Cities
3. David Maxwell: Small lot subdivision, garden suites, and affordability
4. Kira Kelly: Appropriate housing for people who are disabled and high functioning/funding
5. France Cormier: My neighbourhood
6. ~~Blair Desjardins: Victoria crime~~
 **Speaker unable to attend.**

D. PROCLAMATIONS

1. "Sri Chinmoy Oneness - Home Peace Run" - June 24, 2016
2. "Men's Mental Health Awareness Day" - June 14, 2016
3. "World Refugee Day" - June 20, 2016
4. "Access Awareness Day" - June 4, 2016

E. PUBLIC AND STATUTORY HEARINGS

1. Development Variance Permit No. 00168 for 360 Bay Street

Council is considering a development permit with variances to permit an addition of 15 seats to an existing bakery/restaurant.

- a. **Hearing**
Development Variance Permit No. 00168

The Council of the City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 360 Bay Street for the purpose of adding 15 seats to a bakery/restaurant and varying the following requirement of the *Zoning Regulation Bylaw* namely:

- Reducing the parking requirement from 10 to 7 parking stalls to accommodate an additional 15 seats in a bakery/restaurant to a total of 25 seats.

Close of Hearing - Consideration of Approval

b. **Development Variance Permit Approval:**

To approve the development variance permit, the following motion is in order:

That Council authorize the issuance of Development Permit Application No. 00168 for 360 Bay Street, in accordance with:

1. Plans date stamped January 7, 2016.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Schedule "C", Section 16.C.12 reduce parking requirement from 10 to 7 parking stalls to accommodate an additional 15 seats in a bakery/restaurant to a total of 25 seats
3. The provision of bicycle parking to meet Schedule "C" requirements.
4. The Development Permit lapsing two years from the date of this resolution.

2. Development Permit with Variances Application No. 00008 for 943 Collinson Street

Council is considering authorizing a Development Permit with Variances for the purposes of constructing a three-unit multi-residential building with two units facing Collinson Street and one unit to the rear.

a. **Hearing**



Development Permit with Variances Application No. 00008

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 943 Collinson Street, in Development Permit Area 16, for purposes of allowing a three unit multiple residential building.

The Development Permit will vary the following requirements of the *Zoning Regulation Bylaw*:

- Part 3.10.2 (a) - Reduce the minimum site area from 920m² to 496m²
- Part 3.10.4 - Increase the site coverage from 30% to 40%
- Part 3.10.11 - Reduce the minimum required front yard setback from 9.00m to 7.10m
- Part 3.10.12 - Reduce the minimum required internal rear yard setback (SW) from 5.33m to 4.27m
- Part 3.10.12 - Reduce the internal side yard setback (NW) from 5.33m

- to 3.68m
- Part 3.10.12 - Reduce the minimum required internal side yard setback (SE) from 5.33m to 1.52m
- Part 3.10.17 (1) - Reduce the minimum required number of off-street parking spaces from 1.2 stalls per unit to 1 stall per unit.

Late Item: Correspondence

Close of Hearing - Consideration of Approval

b. **Development Permit with Variances Approval:**

To approve the development permit with variances, the following motion is in order:

That Council authorize the issuance of Development Permit Application No. 00008 for 943 Collinson Street in accordance with:

1. Plans date stamped May 4, 2016.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Part 3.10.2 (a) - Reduce the minimum site area from 920m² to 496m²;
 - ii. Part 3.10.4 - Increase the site coverage from 30% to 40%.
 - iii. Part 3.10.11 - Reduce the minimum required front yard setback from 9.00m to 7.10m;
 - iv. Part 3.10.12 - Reduce the minimum required internal rear yard setback (SW) from 5.33m to 4.27m;
 - v. Part 3.10.12 - Reduce the internal side yard setback (NW) from 5.33m to 3.68m;
 - vi. Part 3.10.12 - Reduce the minimum required internal side yard setback (SE) from 5.33m to 1.52m;
 - vii. Part 3.10.17 (1) - Reduce the minimum required number of off-street parking spaces from 1.2 stalls per unit to 1 stall per unit.
3. The Development Permit lapsing two years from the date of this resolution.

3. Development Variance Permit Application No. 00174 for 1535 Davie Street

Council is considering authorizing a Development Variance Permit for the purpose of converting an existing triplex to a single family dwelling with a secondary suite.

a. **Hearing**



Development Variance Permit Application No. 00174

The Council of the City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 1535 Davie Street for the purpose of constructing an addition to the existing triplex and converting the building into a single family dwelling with a secondary suite and varying certain requirements of the *Zoning Regulation Bylaw* namely:

- Relaxation for the maximum area of the first and second storeys combined from 280 m² to 284.40 m²
- Relaxation for the maximum enclosed floor area added to a building when installing a secondary suite from 20 m² to 115.10 m².

Late Item: Correspondence

Close of Hearing - Consideration of Approval





b. **Development Variance Permit Approval:**

To approve the development variance permit, the following motion is in order:

That Council authorize the issuance of Development Variance Permit Application No. 00174 for 1535 Davie Street, in accordance with:

1. Plans date stamped April 5, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. R1-B Zone, Single Family Dwelling District, the floor area of the first and second storeys combined increased from 280m² to 284.4m²
 - ii. Schedule J, Secondary Suite Regulations, Exterior Changes, increase the maximum enclosed floor area added to a building when installing a secondary suite from 20m² to 115.1m²
3. Final plans to generally be in accordance with the plans identified above, subject to final approval of the suite entrance features (landscaping and lighting) to the satisfaction of staff.
4. The Permit will lapse two years from the date of the Council resolution.

F. REQUESTS TO ADDRESS COUNCIL

1. Bob Lisevich: Removal of Tent City
2. Alison Acker: Tent City
3. Kirsten Andersson: Tent City
4. Kim A. Hines: Tent City
5. Russell Kjell Coffield: Tent City and inner city homelessness
6. Susan Abells: Cook Street- approval to apply for a temporary land use permit
7. ~~Matt Loewen: Tent City~~
 **Speaker unable to attend.**
8. David Stefanson: Tent City
9. Graeme Verhulst: 2582 Cook Street
10. Bill Stewart: Dispensary Regulations
11. Donald Smith: Tent City and housing
12. **Late Item**: Nathan Moss: Tent City

13. **Late Item**: Jim Yorgan: NIMBYs

14. **Late Item**: Douglas Curran: Accurate reporting of community feedback on proposed developments

15. **Late Item**: Sue Mackenzie: Tent City



16. **Late Item:** Jordan Reichert: Pet rental restrictions



17. **Late Item:** Christopher Schmidt: Mount Edwards Court



18. **Late Item:** Bernice Kamano: Tent City



19. **Late Item:** Tammy M. Doyle: The umbrellas of mental health and addictions



20. **Late Item:** Teejay Keepence: Print affordable housing



G. UNFINISHED BUSINESS

1. Letter dated May 16, 2016 from Minister Stilwell

A response to the City's letter dated April 6, 2016 regarding income assistance rates in British Columbia.

H. REPORTS OF COMMITTEES

1. Committee of the Whole

1. Report from the June 2, 2016 COTW Meeting

2. Report from the June 9, 2016 COTW Meeting



Late Item: Report & Correspondence

I. NOTICE OF MOTIONS

J. BYLAWS

1. First Reading

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

1. A report recommending first and second reading of Bylaw No. 16-051

2. A bylaw proposing to rezone 515 Burnside Road East

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



1. A bylaw proposing to rezone 605-629 Speed Avenue and 606-618 Frances Avenue

Late Item: Bylaw

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



1. A bylaw proposing a change the urban place designation for 605-629 Speed Avenue and 606-618 Frances Avenue

Late Item: Bylaw

4. Housing Agreement (605-629 Speed Avenue and 606-618 Frances Avenue)



Bylaw No. 16-055

1. *A bylaw proposing to authorize a housing agreement for 605-629 Speed Avenue & 606-618 Frances Avenue*

Late Item: Bylaw

2. Second Reading

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1067) No. 16-051
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1036) No. 16-053
3. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 14) No. 16-054
4. Housing Agreement (605-629 Speed Avenue and 606-618 Frances Avenue) Bylaw No. 16-055

3. Third Reading

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

4. Adoption

1. Sidewalk Cafes Regulation Bylaw No. 16-038
An amended bylaw proposing to update the Sidewalk Cafe Regulation Bylaw so that the City may authorize the placement of movable and fixed structures on sidewalks within the City of Victoria.
2. Ticket Bylaw, Amendment Bylaw (No. 9) No. 16-043
A bylaw proposing to amend the Ticket Bylaw to reflect changes to offences under the Sidewalk Cafes Regulation Bylaw.

K. CORRESPONDENCE

1. Letter dated May 11, 2016 from the Deputy City Clerk for the City of Port Alberni
A letter regarding a declaration of the Right to a Healthy Environment recently endorsed by the City of Port Alberni, and requesting the City of Victoria's supporting resolution.
2. Letter dated May 24, 2016 from the Saanich Fire Department's Fire Chief
A letter extending thanks and appreciation to the Victoria Fire Department for their assistance and response to a fire on Cedar Hill Road on May 22, 2016.
3. Letter dated June 1, 2016 from Minister Fassbender
A letter providing an update on the progress of the Capital Integrated Services and Governance Initiative.

L. NEW BUSINESS

1. **To Set a Public Hearing for the Meeting of June 23, 2016**
 1. Rezoning No. 00486 for 515 Burnside Road East
 2. Rezoning No. 00301 for 605-629 Speed Avenue & 606-618 Frances Avenue
2. **Late Item**: City of Victoria Input on Review of Canada Post



--Councillor Isitt

--Councillor Loveday

A Council member motion requesting that staff provide input to the Government of Canada as part of the Review of Canada Post.

M. QUESTION PERIOD

N. ADJOURNMENT



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, MAY 12, 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. Jenkyns – Deputy City Manager; P. Bruce – Fire Chief; C. Coates - City Clerk; K. Hamilton – Director of Citizen Engagement & Strategic Planning; T. Soulliere - Director of Parks, Recreation & Facilities; J. Tinney – Director of Sustainable Planning & Community Development; F. Work – Director of Engineering & Public Works; R. Bateman – Senior Planner; L. Westinghouse – Manager of Accounting; C. Mycroft – Executive Assistant to the City Manager; C. Havelka - Council Secretary.

APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Motion:
It was moved by Councillor Coleman, seconded by Councillor Alto, that the agenda be approved as amended.
Carried Unanimously

Amendment:
It was moved by Councillor Alto, seconded by Councillor Isitt, that Susan Abells, Steve Craik and Graeme Verhulst be added to Request to Address Council.
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 entitled “Pi”.

READING OF MINUTES

Motion:
It was moved by Councillor Alto, seconded by Councillor Loveday, that the Regular Council meeting minutes of April 28, 2016, be adopted.
Carried Unanimously

Motion:
It was moved by Councillor Alto, seconded by Councillor Loveday, that the Special Council meeting minutes of April 28, 2016, be adopted.
Carried Unanimously

Motion:
It was moved by Councillor Alto, seconded by Councillor Loveday, that the Special Council meeting minutes of January 21, 2016, be adopted.
Carried Unanimously

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. **JC Scott: Sidewalk Cafés Bylaw**
Outlined issues and provided information related to the proposed amendments to the Sidewalk Cafes Bylaw.
2. **Francesca Tisot and Michael Wheatley: Animal Control Bylaw**
Provided information to support their request to amend the *Animal Control Bylaw* to permit dogs on Gonzales Bay Beach during summer hours.
3. **Geraldine Glattstein: Dog Access to Gonzales Beach Summer Hours**
Spoke in support of changing the hours of access for dogs on Gonzales Bay Beach.
4. **Henry Awmack: Summer Hours for Dogs on Gonzales Beach**
Provided information regarding public use of Gonzales Bay Beach and expressed support for permitting dogs on the beach during the summer hours.

5. Hilary Marks: Micro-Housing and Land Use

Spoke in support of the proposed micro-housing on Cook Street and provided information on this program.

PROCLAMATIONS**Motion:**

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

1. "Parachute Safe Kids Week" – May 30 to June 5, 2016
2. "Public Works Week" – May 15 to 21, 2016
3. "Kids Help Phone – Walk So Kids Can Talk Day" – May 1, 2016

Carried Unanimously

PUBLIC AND STATUTORY HEARINGS**1. Rezoning Application No. 00498 and Development Permit with Variances Application No. 00498 for 1705 Haultain Street****1. Public Hearing****A. Zoning Regulation Bylaw, Amendment Bylaw (No. 1065) No. 16-048**

To rezone a portion of the land known as 1705 Haultain Street from the R1-B Zone, Single Family Dwelling District to the standard small lot zone (R1-S2 Zone, Restricted Small Lot (Two Storey) District), and to rezone the remaining portion of land known as 1705 Haultain Street from the R1-B Zone, Single Family Dwelling District to a new zone based on the standard small lot zone except with a smaller minimum lot size (R1-S26 Zone, Restricted Small Lot (Haultain Street) District).

B. Development Permit with Variances Application

The Council of the City of Victoria will also consider issuing a Development Permit with Variances for the land known as 1705 Haultain Street, in Development Permit Area 15A: Intensive Residential – Small Lot for the purposes of approving the exterior design and finishes for the three small lot houses as well as landscaping.

The Development Permit will vary the following requirements of the *Zoning Regulation Bylaw*:

Proposed Lot A

- Reduce the front yard (west) setback from 6.00m to 2.03m
- Reduce the rear yard (east) setback from 6.00m to 1.50m

Proposed Lot B

- Reduce the front yard (north) setback from 6.00m to 5.00m
- Reduce the rear yard (south) setback from 6.00m to 4.73m
- Reduce the side yard (east) setback from 2.40m to 1.83m
- Permit parking to be located between the building and the front lot line

Proposed Lot C

- Reduce the side yard (south) setback from 2.40m to 1.50m

Rob Bateman (Senior Planner): Provided details regarding the application to rezone 1705 Haultain Street, and advised that Council is to consider the supportability of rezoning the property and permitting a development permit with variances.

Mayor Helps opened the public hearing at 7:01 p.m.

Kim Colpman (Large and Co.): Provided details regarding the design, density, landscaping and parking with respect to the proposal.

Council discussed with staff the types and size of trees that will replace the ones to be removed.

Mike Wardell (Haultain Street): Expressed concerns regarding the project, specifically regarding three houses fitting on the lot, traffic and parking issues, and the removal of the trees.

Heather Weir (Haultain Street): Expressed concerns with the three houses proposed to fit on one lot and parking issues associated with the proposal and the size of the backyard setbacks.

Janet Drew (Haultain Street): Expressed concerns with the three houses proposed to fit on one lot, parking and traffic issues.

Soren Henrich 1739 (Haultain Street): Spoke in support of the proposal and outlined details on how the proposal fits in the community.

Caroline Harris-Duncan (Ryan Street): Spoke in support of the proposal and outlined her experience with a house and property designed by the proponent.

Kent Saxby (Ryan Street): Spoke in support of the proposal and how it will fit in the community.

Resident (Forbes Street): Spoke in support of the proposal and outlined details related to the proposal.

Council discussed with staff:

- *How the proposal fits within the small lot housing policy with respect to three houses fitting on the lot;*
 - *Details regarding small lot regulations were outlined noting that Lot B doesn't meet the requirements.*
- *Noting that the telephone pole will be removed but the fire hydrant will remain.*
- *Noting that the Official Community Plan envisions small lot houses in this area.*

Councillor Isitt withdrew from the meeting at 7:42 p.m.

Mayor Helps closed the public hearing at 7:43 p.m.

C. Bylaw Approval

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 1065) 16-048

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

Council commented on the following:

- *The concerns regarding parking noting parking variances are not a part of this application.*
- *The proposal fits the scale and is consistent with the types of housing in the community.*
- *The concerns regarding the trees and how they are replaced.*

Carried Unanimously

E. Bylaw Approval

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 1065) 16-048

F. Development Permit with Variances Approval:

It was moved by Councillor Lucas, seconded by Councillor Alto, that Council authorize the issuance of Development Permit Application No. 00498 for 1705 Haultain Street, in accordance with:

1. Plans date stamped March 15, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - Proposed Lot A
 - i. Reduce the front yard (west) setback from 6.00m to 2.03m;
 - ii. Reduce the rear yard (east) setback from 6.00m to 1.50m;
 - Proposed Lot B
 - iii. Reduce the front yard (north) setback from 6.00m to 5.00m;
 - iv. Reduce the rear yard (south) setback from 6.00m to 4.73m;
 - v. Reduce the side yard (east) setback from 2.40m to 1.83m;
 - vi. Permit parking to be located between the building and the front lot line;
 - Proposed Lot C
 - vii. Reduce the side yard (south) setback from 2.40m to 1.50m;
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

2. Development Permit with Variances Permit No. 00007 for 1407 and 1409 May Street

Hearing

1. Development Permit with Variances Permit Application

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 1407 and 1409 May Street, in Development Permit Area 15D: Intensive Residential - Duplex, for the purpose of constructing a new deck.

The Development Permit will vary the following requirements of the *Zoning Regulation Bylaw*:

- Reduce the rear yard setback from 21.17m to 17.52m

Rob Bateman (Senior Planner): Provided an overview of the application and advised that Council is to consider the supportability of issuing the development permit with variances to facilitate the construction of a new deck.

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

Rob Nicklebury (Prodigy Development Services): Provided information about the deck proposed for this property and the variances that are requested.

Mayor Helps closed the public hearing at 8:06 p.m.

2. Development Permit Variance Approval

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council authorize the issuance of Development Permit with Variance Application No. 00007 for 1407 and 1409 May Street, in accordance with:

1. Plans date stamped March 16, 2016.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Part 2.1.5 (b): Reduce the rear yard setback from 21.17m to 17.52m.
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 Alto, that the following speakers be permitted to address Council.

Carried Unanimously

1. Susan Abells: MicroHousing Project on Cook Street

Provided information about the MicroHousing group and outlined the benefits the program brings to the community.

2. Steve Craik: Pedicabs

Provided information about the pedicab industry and provided suggestions about how to improve regulations for this industry.

3. Graeme Verhulst: MicroHousing on Cook Street

Spoke in support of the MicroHousing project on Cook Street and outlined how it benefits people in the community.

UNFINISHED BUSINESS

REPORTS OF THE COMMITTEES

1. Committee of the Whole – May 5, 2016**1. Federation of Canadian Municipalities Convention to be held in Winnipeg, MB on June 3-5, 2016**

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council approves the attendance of Councillor Jeremy Loveday at the 2016 FCM AGM and Convention.

Carried Unanimously

2. Federation of Canadian Municipalities – Election to the National Board of Directors 2016-2017

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council adopt the following resolution:

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction; and,

WHEREAS FCM's National Board of Directors is comprised of elected officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government; and,

WHEREAS FCM's Annual Conference and Trade Show will take place from June 3 to 5, 2016, during which time the Annual General Meeting will be held and followed by the election of FCM's Board of Directors; and,

BE IT RESOLVED that Council of the City of Victoria, British Columbia endorse Councillor Chris Coleman to stand for election as on FCM's Board of Directors; and,

BE IT FURTHER RESOLVED that Council assume all costs associated with Councillor Chris Coleman attending FCM's National Board of Directors meetings.

Carried Unanimously

3. Heritage Alteration Permit Application No. 00216 for 721 Government Street

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council authorize the issuance of Heritage Alteration Permit Application No. 00216 for 721 Government Street in accordance with:

1. Plans date stamped April 5, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Heritage Alteration Permit lapsing two years from the date of this resolution.

Carried Unanimously

4. City of Victoria Youth Council Presentation

It was moved by Councillor Coleman, seconded by Councillor Isitt, that Council receive the presentation from the City of Victoria Youth Council for information.

Carried Unanimously

5. Enhanced Bike Network and Proposed Implementation

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

1. Approve the recommended bike network as outlined in this report, subject to further refinement of the Government/Gorge and Harbour corridors (Figure 13).
2. Direct staff to proceed with developing detailed designs and the associated consultation and work plans for constructing All Ages and Abilities protected bike lanes on the following corridors and neighbourhood connections by the end of 2018:
 - 1) Fort Street (Wharf Street to Cook Street)
 - 2) Government Street (Pandora Avenue to Humboldt Street) or Wharf Street (Pandora Avenue to Government Street), and Humboldt/Pakington (Government Street to Cook Street), based on targeted engagement with the Downtown, James Bay and Burnside-Gorge neighbourhood associations, and Government Street and Wharf merchants and property owners;
 - 3) Cook Street (Pandora Avenue to Pakington Street)
 - 4) Pedestrian and cyclist-controlled signalized crossings at the intersections of Haultain Street/Cook Street, Hillside Avenue/Graham Street and Blanshard Street/Kings Road, to provide near-term safety improvements pending completion of these Phase 2 corridors (Haultain/Kings and Vancouver/Graham).
3. Direct staff to undertake value-engineering on the identified corridors and identify resourcing strategies and timelines for completion of detailed design, associated consultation, and construction of remaining identified corridors in the bike network by the end of 2018, and report back to Council on a priority basis with options, recommendations and next steps and direct staff to undertake further consultation with stakeholders on network segments requiring further consideration identified in the staff report including Oak Bay Avenue Village, or an alternative route, Cook Street Village, North Park Village, and corridor identification in James Bay.

Carried Unanimously

6. Regulations for Medical Marijuana-Related Businesses

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

1. Direct staff to bring forward for Council consideration amendments to the *Zoning Regulation Bylaw* that will prohibit the following uses in any zone of the City unless expressly permitted:
 - a) storefront marijuana retailers, and
 - b) businesses that allow consumption of marijuana on site.
2. Direct staff to bring forward for Council consideration a proposed new Medical Marijuana-Related Business Regulation Bylaw that includes the following regulations:
 - a) Medical marijuana-related businesses must not allow individuals under the age of 19 on the premises.
 - b) Medical marijuana-related businesses must not advertise or promote the use of marijuana to a minor, including through product displays, names, logos or other signage.
 - c) Storefront medical marijuana retailers must post health and safety warning signs on the premises.
 - d) Medical marijuana-related businesses must not allow consumption of marijuana on the premises.
 - e) Any business that keeps marijuana on the premises must install and maintain an air filtration system to ensure odour impacts on neighbouring properties are minimized.
 - f) Storefront medical marijuana retailers must not be open for business between 8 p.m. and 7 a.m.
 - g) The premises of a storefront medical marijuana retailer can only be used for the sale of medical marijuana and accessory uses.
 - h) Any business that keeps marijuana on the premises must submit the following information as part of their initial business licence application and on each renewal:
 - a security plan
 - police information checks for the applicant and every on-site manager
 - proof of a security alarm contract, and
 - proof of ownership or legal possession of the premises, including the written consent of the landlord if the premises are leased.
 - i) Storefront medical marijuana retailers must implement the following measures to deter criminal activity while the business is open to the public:
 - at least two employees must be on duty, and
 - windows must not be blocked.
 - j) Any business that keeps marijuana on the premises must implement the following security measures:
 - video surveillance cameras must be installed and monitored
 - a security and fire alarm system must be installed and monitored at all times, and
 - valuables must be removed from the business premises or locked in a safe on the business premises at all times when the business is not in operation.
 - k) The payment of business licence fees that reflect the costs required to administer the Council-approved regulations and compliance and enforcement strategy.
3. Direct staff to bring forward for Council consideration proposed amendments to the Ticket Bylaw that will establish penalties for contravention of the proposed new Medical Marijuana-Related Business Regulation Bylaw that are in keeping with the Council approved policy on the establishment of municipal ticket fines.
4. Direct staff to provide further details on additional staff resources in the Sustainable Planning and Community Development Department and Bylaw and Licensing Services once Council policy decisions have been confirmed in connection with the suite of regulations under consideration.
5. That Staff provide an amendment to prohibit advertising, except for minimal store front signage.
6. That staff provide an amendment to include licenced child-care facilities in the list of those places requiring a 200 meter buffer zone.

Amendment:

It was moved by Councillor Loveday, seconded by Councillor Madoff, that the motion be amended:

Direct staff to report back with a list of licenced child care facilities in the City and implications of the amendment to include licenced child cares requiring a 200 meter buffer zone.

Amendment to amendment:

It was moved by Councillor Isitt, seconded by Councillor Madoff, that the amendment be amended:

That staff provide a list and map of licenced child care facilities in the City of Victoria when the Bylaw comes forward as well as suggested language relating to a 200 meter buffer zone around child care facilities.

Council discussed with staff the process for the bylaw and report coming to Committee of the Whole before the bylaw receives readings at Council.

On the amendment to the amendment:
Carried Unanimously

On the amendment:
Carried Unanimously

Council discussed issues related to edible marijuana products.

On the main motion as amended:

That Council:

1. Direct staff to bring forward for Council consideration amendments to the Zoning Regulation Bylaw that will prohibit the following uses in any zone of the City unless expressly permitted:
 - a) storefront marijuana retailers, and
 - b) businesses that allow consumption of marijuana on site.
2. Direct staff to bring forward for Council consideration a proposed new Medical Marijuana-Related Business Regulation Bylaw that includes the following regulations:
 - a) Medical marijuana-related businesses must not allow individuals under the age of 19 on the premises.
 - b) Medical marijuana-related businesses must not advertise or promote the use of marijuana to a minor, including through product displays, names, logos or other signage.
 - c) Storefront medical marijuana retailers must post health and safety warning signs on the premises.
 - d) Medical marijuana-related businesses must not allow consumption of marijuana on the premises.
 - e) Any business that keeps marijuana on the premises must install and maintain an air filtration system to ensure odour impacts on neighbouring properties are minimized.
 - f) Storefront medical marijuana retailers must not be open for business between 8 p.m. and 7 a.m.
 - g) The premises of a storefront medical marijuana retailer can only be used for the sale of medical marijuana and accessory uses.
 - h) Any business that keeps marijuana on the premises must submit the following information as part of their initial business licence application and on each renewal:
 - a security plan
 - police information checks for the applicant and every on-site manager
 - proof of a security alarm contract, and
 - proof of ownership or legal possession of the premises, including the written consent of the landlord if the premises are leased.
 - i) Storefront medical marijuana retailers must implement the following measures to deter criminal activity while the business is open to the public:
 - at least two employees must be on duty, and
 - windows must not be blocked.
 - j) Any business that keeps marijuana on the premises must implement the following security measures:
 - video surveillance cameras must be installed and monitored
 - a security and fire alarm system must be installed and monitored at all times, and
 - valuables must be removed from the business premises or locked in a safe on the business premises at all times when the business is not in operation.
 - k) The payment of business licence fees that reflect the costs required to administer the Council-approved regulations and compliance and enforcement strategy.
3. Direct staff to bring forward for Council consideration proposed amendments to the Ticket Bylaw that will establish penalties for contravention of the proposed new Medical Marijuana-Related Business Regulation Bylaw that are in keeping with the Council approved policy on the establishment of municipal ticket fines.
4. Direct staff to provide further details on additional staff resources in the Sustainable Planning and Community Development Department and Bylaw and Licensing Services once Council policy decisions have been confirmed in connection with the suite of regulations under consideration.
5. That Staff provide an amendment to prohibit advertising, except for minimal store front signage.
6. That staff provide an amendment to include licenced child-care facilities in the list of those places requiring a 200 meter buffer zone.
7. That staff provide a list and map of licenced child care facilities in the City of Victoria when the Bylaw comes forward as well as suggested language relating to a 200 meter buffer zone around child care facilities.

On main motion as amended:
Carried Unanimously

7. Regulations for Medical Marijuana-Related Businesses

It was moved by Councillor Young, seconded by Councillor Coleman, that Council direct the Mayor to write to the Chief Medical Officer to request that Island Health ensure that food safe requirements and medical concerns are met for the sale of edible marijuana products.

Carried Unanimously

8. Regulations for Medical Marijuana-Related Businesses

It was moved by Councillor Young, seconded by Councillor Coleman, that Council direct the Mayor to write the Prime Minister and other appropriate Federal Ministers to request an update regarding the progress towards the legalization of marijuana in Canada and to request an ongoing intergovernmental dialogue on this issue to allow the City of Victoria to make decisions regarding the regulation of medical marijuana dispensaries.

Carried Unanimously

9. Review of Pedicab Regulations

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

1. Direct staff to bring forward amendments to the *Vehicles for Hire Bylaw* that would:
 - a) increase the total number of pedicab licences to 35,
 - b) limit the total number of pedicabs that a person can operate to 28,
 - c) require an applicant for a pedicab licence to demonstrate to the satisfaction of the Licence Inspector that the person has procedures in place to ensure that persons operating the pedicab will do so in a safe manner,
 - d) that the name of the company be clearly displayed on the pedicab, and
 - e) that the current licence holders can hold 28 pedicab licences, but the cap for any individual licence holder to hold or operate in the future would be 15 pedicabs licences.
2. Direct staff to invite comments from pedicab operators in the City on the proposed bylaw amendments as outlined in the November 12, 2015 Council motion.

Council discussed the option of removing a cap on the number of licences permitted.

Amendment:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the motion be amended:

That subsection 1(a) be amended to read: “remove the restriction on the total number of pedicab licenses” and

That sub-section 1 (b) be deleted and sub-sections 1(c), 1(d) and 1 (e) be renumbered to 1(b), 1(c) and 1(d).

Council discussed the following:

- *The possibility that an absence of a cap on licences would result in poor behaviour and if licences could then be revoked.*
- *Noting that there is a cap on motorized taxicabs in the region.*
- *Concerns that this amendment brings an entirely different proposal for Council and the public to consider.*

Motion to Refer:

It was moved by Councillor Young, seconded by Councillor Isitt, that the matter be referred back to staff for a further report on the implications of removing the cap on pedicab licences.

Carried Unanimously

10. My Great Neighbourhood Grant Policy

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council approve the My Great Neighbourhood grant policy and outlined program approach.

Council discussed with staff the timeframe to complete the projects.

Amendment:

It was moved by Councillor Loveday, seconded by Councillor Isitt, that the motion be amended:

That the timeframe to complete projects be amended to one year from six months.

On the amendment:
Carried Unanimously

Council discussed with staff the timeline for the intake period for applications.

Amendment:

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that the motion be amended:

That the intake period be extended from one month to two months.

On the amendment:
Carried Unanimously

Main motion as amended:

1. That Council approve the My Great Neighbourhood grant policy and outlined program approach,
2. That the timeframe to complete projects be amended to one year from six months.
3. That the intake period be extended from one month to two months.

On main motion as amended:**Carried Unanimously****11. David Foster Harbour Pathway Design Decisions**

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

1. That Council endorse the David Foster Harbour Pathway as pedestrian-only, and approve a three metre wide, box-girder bridge design, incorporating a mid-span pier;
2. And that Council direct staff to proceed with detailed engineering and resource analysis, design and land-management strategies and report to Council quarterly, or sooner if required, on overall progress, project issues, key project milestones and risks.

Amendment:

It was moved by Councillor Isitt that the motion be amended as follows:

1. That Council endorse the David Foster Harbour Pathway as pedestrian-only, and approve a ~~three metre wide~~, box-girder bridge design, incorporating a mid-span pier

Motion failed due to no seconder.

On the main motion:**Carried**

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

2. Committee of the Whole – May 12, 2016**1. Rezoning Application No. 00509 for 345 St. James Street**

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00509 for 345 St. James Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council, a Public Hearing date be set, and that the final consideration of the Zoning Regulation Bylaw Amendments be subject to registration of a Statutory Right- of-Way of 1.52m on St. James Street for future pedestrian improvements.

Council discussed the issue of rental suites used as Airbnb rentals, and staff advised that a report with information on this matter will be coming to Council soon.

Carried Unanimously**2. Development Permit with Variances Application No. 00509 for 345 St. James Street**

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. 00509, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00509 for 345 St. James Street, in accordance with:

1. Plans date stamped April 7, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Increase the site coverage maximum from 40.00% to 44.40%.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously**3. Gorge Waterway Zoning Bylaw Amendment**

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

1. That Council consider giving first and second reading to the Zoning Regulation Bylaw, Amendment Bylaw (No. 1066).
2. That Council consider referring Zoning Regulation Bylaw, Amendment Bylaw (No. 1066) for consideration at a Public Hearing.

Carried Unanimously**4. Draft 2016 Regional Growth Strategy - Request for Feedback**

It was moved by Councillor Isitt, seconded by Councillor Alto, that Council consider the draft 2016 Regional Growth Strategy and:

1. Provide comments to the Capital Regional District regarding the policy consistency and alignment with the City of Victoria *Official Community Plan*:
 - a. that the City of Victoria express concern to the CRD regarding the potential implications of the extension of water services from the stand point of urban sprawl;
 - b. that the City of Victoria encourages the CRD to review and update the *Capital Green/Blue Space Strategy*;
 - c. that the City of Victoria encourages the CRD to optimize the ecological, social and economic potential of rural resource lands.

2. Direct staff to provide the Capital Regional District with the proposed Community Profile text described in this report as the basis for replacing the Community Profile text contained in Appendix A of the 2003 *Regional Growth Strategy*; and
3. Provide any additional comments or identify any existing issues with the draft 2016 Regional Growth Strategy for the Capital Regional District's consideration.

Carried Unanimously

Councillor Isitt withdrew from the meeting at 9:20 p.m. due to a pecuniary conflict of interest as he lives near the property under consideration in the next item.

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

It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that Council direct an Investigation by staff on any agreements or discussions made in the past by the City of Victoria with immediate neighbours in relation to this property.

Carried

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

Councillor Isitt returned to the meeting at 9:24 p.m.

6. Follow-up Actions from Review of City Governance

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council:

1. Approve the draft policy for Speaking at Public Hearings attached to this report as Appendix B, and
2. Approve the draft policy for Requests to Address Council attached to this report as Appendix C with an amendment to Section 6(c) as follows:
 "the City's Respectful Workplace Policy, including information that is intended to insult, bully, intimidate or otherwise diminish a person's self-esteem, subject to the freedom of speech provision of the Canadian Charter of Rights and Freedoms."
3. Direct staff to amend the *Council Procedures Bylaw* to reflect that all requests address to council are allotted 5 minutes and amend the *Request to Address Council Policy* accordingly.
4. Direct staff to include current practices relating to delegations in the policy.

Carried Unanimously

7. Archives Digitization Report

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

1. That Council authorize the expenditure of up to \$50,000 from the Archives Equipment Reserve to support the digitization of archival material and direct staff to bring forward amendments to the Archives Use Bylaw for Council's consideration.
2. That Council direct staff to examine the archive hours and examine opportunities to extend hours as part of the 2017 budget considerations.

Carried Unanimously

BYLAWS

1. FIRST READING

Mayor Helps withdrew from the meeting at 9:26 p.m. due to a pecuniary conflict of interest as she lives adjacent to one of the parks listed in the Parks Regulation Bylaw. Councillor Alto assumed the Chair.

Motion:

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

1. *Parks Regulation Bylaw, Amendment Bylaw (No. 7) No. 16-049*

Council discussed the following:

- *The inclusion of Arbutus Park in this bylaw amendment and the amount of correspondence received related to campers in this park.*
- *Residents adjacent to Arbutus Park were in favour of this bylaw amendment.*
- *The procedure for amending the bylaw.*
- *Concerns about delaying the adoption of the bylaw.*

Carried Unanimously

2. SECOND READING

Motion:

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

- Parks Regulation Bylaw, Amendment Bylaw (No. 7) No. 16-049*

Carried Unanimously

3. THIRD READING

Motion:

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

Parks Regulation Bylaw, Amendment Bylaw (No. 7) No. 16-049

Carried Unanimously

Mayor Helps returned to the meeting at 9:34 p.m. and assumed the Chair.

4. FIRST READING

Motion:

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

1. *Heritage Designation (1802 – 1826 Government Street) Bylaw, No. 16-047*
2. *Zoning Regulation Bylaw, Amendment Bylaw (1066) No. 16-050 (Gorge Waterway)*

Carried Unanimously

5. SECOND READING

Motion:

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

1. *Heritage Designation (1802 – 1826 Government Street) Bylaw, No. 16-047*
2. *Zoning Regulation Bylaw, Amendment Bylaw (1066) No. 16-050 (Gorge Waterway)*

Carried Unanimously

6. ADOPTION

Motion:

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

1. *Administrative Fees Bylaw, Amendment Bylaw (No. 4) No. 16-046*

Carried Unanimously

CORRESPONDENCE

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe that the correspondence dated April 8, 2016, from Minister Fassbender regarding public consultation on the availability and provision of transportation and accommodation services, be received for information.

Amendment:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that the motion be amended by adding the following:

and that it be referred to staff for their consideration.

Amendment to the Amendment:

It was moved by Councillor Alto, seconded by Councillor Lucas, that the amendment be amended as follows:

and that it be referred to the City Manager for ~~to~~ staff to provide comments for Council's ~~their~~ consideration.

Council discussed options for moving forward with the consultation as outlined in the Minister's letter.

Motion to Refer:

It was moved by Councillor Isitt, seconded by Councillor Madoff, that the correspondence be referred to Committee of the Whole.

Carried

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

NEW BUSINESS

To Set Public Hearings for the Meeting of Thursday, May 26, 2016:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that the following Public Hearings be held in Council Chambers, City Hall, on **THURSDAY, MAY 26, 2016, at 6:30 p.m.:**

1. *Heritage Designation Application No. 000158 for 1802 – 1826 Government Street*
2. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1066) No. 16-050 (Selkirk Waterway and the Gorge Waterway)*

Carried Unanimously

QUESTION PERIOD

A question period was held.

CLOSED MEETING

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council convene a closed meeting that excludes the public under Sections 90(1) and/or (2) of the Community Charter; namely:

- *Section 90 (1)(k): negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;*
- *Section 90(1)(e): the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
- *Section 90 (2)(b): the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.*

Carried Unanimously

PRESENT:

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

ABSENT FOR A PORTION OF THE MEETING:

Councillors Alto and Isitt.

STAFF PRESENT:

J. Jenkyns – Deputy City Manager; P. Bruce – Fire Chief; C. Coates - City Clerk; T. Soulliere - Director of Parks, Recreation & Facilities; J. Tinney – Director of Sustainable Planning & Community Development; F. Work – Director of Engineering & Public Works; T. Zworski – City Solicitor; P. Rantucci – Manager of Strategic Real Estate; C. Mycroft – Executive Assistant to the City Manager; C. Havelka - Council Secretary.

APPROVAL OF CLOSED AGENDA

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council adopt the special closed agenda.

Amendment:

It was moved by Mayor Helps, seconded by Councillor Coleman, that the agenda be amended by adding the following:

1. Land Disposition
2. Intergovernmental Negotiations

On the amendment:
Carried Unanimously

On the main motion as amended:
Carried Unanimously

READING OF CLOSED MINUTES

1. Minutes from the Special Closed Meeting held April 28, 2016

It was moved by Councillor Loveday, seconded by Councillor Thornton-Joe, that the Minutes from the closed meeting held April 28, 2016, be adopted.

Councillor Isitt joined the meeting at 10:05 p.m.

Carried Unanimously

UNFINISHED BUSINESS

2. Intergovernmental Relations

Council received an update from the Director of Sustainable Planning and Community Development regarding an intergovernmental relations matter.

Councillor Alto joined the meeting at 10:10 p.m.

The discussion was recorded and kept confidential.

NEW BUSINESS

3. Proposed Municipal Service

Council received a closed report dated May 10, 2016 regarding a proposed municipal service.

The discussion and motion were recorded and kept confidential.

Councillor Alto left the meeting at 10:50 p.m. due to a pecuniary conflict of interest as she lives near the property under consideration in the next item.

4. **Land Disposition**

The Manager of Strategic Real Estate provided Council with information regarding a land disposition matter.

The discussion was recorded and kept confidential.

5. **Intergovernmental Negotiations**

Mayor Helps provided an update on a matter regarding intergovernmental negotiations.

The discussion was recorded and kept confidential.

ADJOURNMENT

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the special Council meeting adjourn.

Time: 11:14 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR

'SRI CHINMOY ONENESS-HOME PEACE RUN'

- WHEREAS** *peace and harmony have always been the desired longing and goal of humanity, ever more so in our present age; and*
- WHEREAS** *Canada and the United States share, in peace and friendship, the world's longest land border; and*
- WHEREAS** *this proclamation is being jointly signed by Mayors from cities across the United States and Canada in a display of friendship, mutual concern, and goodwill; and*
- WHEREAS** *the Sri Chinmoy Oneness-Home Peace Run (the Peace Run) exemplifies and promotes this ideal by carrying and sharing the light of the Peace Torch on its journey with individuals and communities globally and in friendship between the brother nations of Canada and the United States in the highest goal of oneness and peace; and*
- WHEREAS** *the Peace Run was founded by Sri Chinmoy, a peace visionary whose spirit of love and oneness is preserved and perpetuated in the Peace Torch; and*
- WHEREAS** *the Peace Run, visiting countless cities and towns on its 50,000 mile journey through more than 140 nations around the globe in its quest to promote universal peace, will inspire our citizens; and*
- WHEREAS** *we, the people of Canada and the United States, view this auspicious undertaking as a renewed dedication to humanity's loftiest goal of oneness and peace, both within our own communities and throughout the world at large; and*
- WHEREAS** *the City of Victoria was declared a Sri Chinmoy Peace Capital in 1992 to light a beacon inspiring others to make our community and its neighbours deeply aware of the immeasurable value of peace.*

NOW, THEREFORE I do hereby proclaim the run of June 24, 2016 as "**SRI CHINMOY ONENESS-HOME PEACE RUN**" in the **CITY OF VICTORIA, BRITISH COLUMBIA, the TRADITIONAL TERRITORIES of the ESQUIMALT AND SONGHEES FIRST NATIONS**, and encourage the people of Victoria to embrace the message of goodwill, benevolence and compassion that the Peace Run promotes and urge our citizens to strive for harmony at home, in our schools, in our communities, and in our nations.

IN WITNESS WHEREOF, I hereunto set my hand this 9th day of June, Two Thousand and Sixteen.

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

**Sponsored by:
Narmada Trusz
Coordinator
Vancouver Island Peace Run**

“MEN’S MENTAL HEALTH AWARENESS DAY”

WHEREAS *International Men’s Health Week is celebrated annually the week leading up to, and including, Fathers’ Day; and*

WHEREAS *an estimated one in five men will experience a mental health issue this year, and men are up to four times more likely than women to die by suicide as a result of mental health issues; and*

WHEREAS *raising awareness of signs, symptoms and prevalence of mental health conditions helps to reduce the social stigma that prevents many men from seeking the treatment they need; and*

WHEREAS *all citizens are encouraged to engage in and promote activities supporting the overall health and well-being of our city’s residents.*

NOW, THEREFORE *I do hereby proclaim the day June 14th, 2016 as “MEN’S MENTAL HEALTH AWARENESS DAY” in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA, the TRADITIONAL TERRITORIES of the ESQUIMALT AND SONGHEES FIRST NATIONS.*

IN WITNESS WHEREOF, *I hereunto set my hand this 9th day of June, Two Thousand and Sixteen.*

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

**Sponsored by:
David Lea Johnston
The Men’s Depression
Education Network
The MensDEN@Bell.net**

“WORLD REFUGEE DAY”

WHEREAS *World Refugee Day, 20 June every year, is dedicated to bringing attention to the plight of the world’s refugees; and the Municipality of Victoria is extremely proud of our long successful history of welcoming refugees, settling, retaining and continuing to welcome refugees to our community.*

WHEREAS *Canada is signatory to the 1951 Convention and its 1967 Protocol; and*

WHEREAS *In 2000, the United Nations General Assembly established June 20th as World Refugee Day; Since 2001, people around the world have celebrated the day with events that honor the world’s more than 20 million refugees and raise awareness around refugee issues.*

WHEREAS *on 20 June 2016, the city of Victoria and its people joins the rest of the world as they commemorates the strength, courage, and resilience of millions of refugees.*

NOW, THEREFORE *I do hereby proclaim the day June 20th, 2016 as*
“WORLD REFUGEE DAY” in the CITY OF VICTORIA,
CAPITAL CITY of the PROVINCE of BRITISH
COLUMBIA, the TRADITIONAL TERRITORIES of the
ESQUIMALT AND SONGHEES FIRST NATIONS.

IN WITNESS WHEREOF, *I hereunto set my hand this 9th day of June, Two Thousand and Sixteen.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Sharmarke Mohamed
Victoria Immigration
& Refugee Centre Society

“ACCESS AWARENESS DAY”

WHEREAS *accessibility and inclusion is essential for ensuring that all community members have equity in opportunities, and the ability to fully participate in community life; and*

WHEREAS *accessibility affects all aspects of community life – physical, social and economic including employment, transportation, recreation, housing, and other opportunities; and*

WHEREAS *we all have a role to play in ensuring that our communities are accessible and inclusive as possible; and*

WHEREAS *the citizens of this community recognize the rights of all individuals with disabilities and the importance of ensuring that they have equal access to the opportunities that are important to them and that give their lives meaning.*

NOW, THEREFORE *I do hereby proclaim the day June 4th, 2016 as “ACCESS AWARENESS DAY” in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA, the TRADITIONAL TERRITORIES of the ESQUIMALT AND SONGHEES FIRST NATIONS.*

IN WITNESS WHEREOF, *I hereunto set my hand this 9th day of June, Two Thousand and Sixteen.*

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

**Sponsored by:
Lorraine Copas
Executive Director
SPARC BC**

3.4 Development Variance Permit Application No. 00168 for 360 Bay Street

Committee received a report dated February 26th, 2016 from the Sustainable Planning and Community Development Department regarding an application to authorize a parking variance to allow for an addition 15 seats in a bakery.

- Action:** It was moved by Councillor Alto, seconded by Councillor Isitt, 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. 00168 for 360 Bay Street, in accordance with:
1. Plans date stamped January 7, 2016.
 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule "C", Section 16.C.12 reduce parking requirement from 10 to 7 parking stalls to accommodate an additional 15 seats in a bakery/restaurant to a total of 25 seats
 3. The provision of bicycle parking to meet Schedule "C" requirements.
 4. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 16/COTW

REPORTS OF THE COMMITTEES

1. Committee of the Whole – March 3, 2016

4. Development Variance Permit Application No. 00168 for 360 Bay Street

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, 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. 00168 for 360 Bay Street, in accordance with:

1. Plans date stamped January 7, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule "C", Section 16.C.12 reduce parking requirement from 10 to 7 parking stalls to accommodate an additional 15 seats in a bakery/restaurant to a total of 25 seats
3. The provision of bicycle parking to meet Schedule "C" requirements.
4. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously



Committee of the Whole Report For the Meeting of March 3, 2016

To: Planning and Land Use Committee **Date:** February 26, 2016
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Development Variance Permit No. 00168 for 360 Bay Street

RECOMMENDATION

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. 00168 for 360 Bay Street, in accordance with:

1. Plans date stamped January 7, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule "C", Section 16.C.12 reduce parking requirement from 10 to 7 parking stalls to accommodate an additional 15 seats in a bakery/restaurant to a total of 25 seats
3. The provision of bicycle parking to meet Schedule "C" requirements.
4. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 360 Bay Street. The proposal is to add 15 seats to an existing bakery/restaurant. The additional seats would require three additional parking spaces under the City's parking regulations. The requested variance is to reduce the parking required by three stalls.

The following points were considered in assessing this application:

- the site is well served by public transit
- walk-in customers, employed at nearby businesses are expected
- a bicycle parking rack is proposed
- any increased parking demand would have to be accommodated on the nearby streets or parking lots.

BACKGROUND

Description of Proposal

The proposal is to add 15 seats to an existing bakery/restaurant. The added seats require three additional parking spaces under the City's parking regulations. The requested variance is to reduce the parking required by three stalls.

Specific details include:

- the building is served by seven parking spaces accessed from Bay Street
- the building has non-conforming rights to have three fewer parking spaces than the ten spaces required for the existing uses in the building under the existing heavy industrial zoning (M-3 Zone, Heavy Industrial District)
- the building is currently occupied by a kitchen cabinet manufacturer (603m²), the bakery/restaurant (168.8m²) and vacant warehouse space (150m²)
- the restaurant is accessory to the bakery
- with the proposal to add 15 restaurant seats in the bakery an additional three parking stalls are required to serve the building under the City's Schedule "C" parking regulations

Sustainability Features

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

Active Transportation Impacts

The application proposes a bike rack which supports active transportation.

Public Realm Improvements

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

Existing Site Development and Development Potential

The 1338m² site at the Northwest corner of Bay Street and Turner Street is currently occupied by a one-storey building built in 1947 with an addition constructed in 1972.

Under the current M-3 Zone, Heavy Industrial District the property could be developed at a density of 3:1 Floor Space Ratio (FSR) with limited commercial uses (e.g. bakery, restaurant, bank) and a wide range of manufacturing, warehouse, and other industrial uses.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on February 1, 2016 the application was referred for a 30-day comment period to the Burnside Gorge CALUC. The applicant consulted with the Burnside Gorge CALUC before submitting the application and a letter dated October 29, 2015 is attached to this report.

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

ANALYSIS

The site is well served by public transit. There is adjacent on-street parking on Turner Street. As the applicant indicates, this part of Rock Bay does not currently have a large number of restaurants and food establishments that serve day time workers. Those nearby would likely walk rather than drive to the bakery/restaurant. The addition of a bike rack as proposed would accommodate and also encourage bicyclists. The increased seating, nevertheless, may increase parking demand and this would have to be accommodated on nearby streets or parking lots.

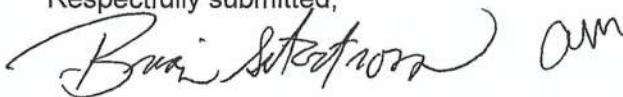
CONCLUSIONS

Due to the relatively small increase in restaurant seats and additional required parking, staff recommend for Council's consideration that the application is supportable subject to the bicycle rack being provided as a condition of the issuance of the Development Variance Permit.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00168 for the property located at 360 Bay Street.

Respectfully submitted,

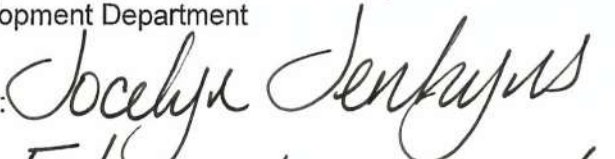


Brian Sikstrom
Senior Planner
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

February 26, 2016

List of Attachments

- Zoning map
- Aerial map
- Letter from the applicant to Council dated
- Letter from the Burnside Gorge Community Association dated October 29, 2016
- Plans dated January 7, 2016

PT. ELLICE
HOUSE

ELLICE PT

360 Bay Street
Development Variance Permit #00168



360 Bay Street
Development Variance





To Whom It May Concern

This letter is written to support the application of a Variance to the Parking Requirements for Saltchuck Pie Company Ltd, located at 360 Bay St, Victoria BC,

My name is Nick Crooks, and my partner Jodi Mann and I are opening a new business in Rock Bay, Victoria. We are building a Bakery that will focus on producing a variety of savoury pastry products, inspired by the ubiquitous meat pies from my homeland New Zealand. Our bakery will produce pies, and other pastry products, primarily for wholesale distribution to other affiliated retail locations. As well as this, we will have our mobile 'Pie Truck' in operation year round. We are also building a small retail presence at our location on Bay St. This cafe takes up less than 25% of our total leased space, and is the reason for this application. Under current calculations of the property to which we are a tenant, our off street parking allotment allows for 10 seats in our cafe. This is a very small number that will not allow us to provide enough seating for our busy working community, especially during peak operation times such as weekday lunches. We are only seeking a 3 stall variance that will enable us to increase our seating capacity by 15 seats, bringing the total to 25. Having the ability to seat and serve these extra customers is critical to the economic viability of our business, both directly through their purchases, and indirectly, through the ability for the cafe experience to drive demand for our product in our wholesale division.

We believe that this variance should be approved for the following reasons.

- premises are adjacent to bus stops going both ways on the busy #14 route.
- proximity to the galloping goose regional trail.
- surrounded by a variety of off street parking, from 2 hour through to general and commercial loading zones.
- an expectation that our cafe space will serve mostly people from our immediate surrounds, who will not be driving to the cafe. (Rock Bay is densely populated during business hours, but underserved by food businesses in the immediate vicinity causing many employees to drive to adjacent retail areas thereby increasing traffic congestion.)
- business is primarily focused on wholesale growth.

- If this application is successful, we will construct an off street bike rack to encourage both staff and customers to use alternate methods of transportation.

There are many benefits to the neighbourhood that our successful business will provide.

- Food service option in an under-served part of Victoria.
- Diversification and improvement of the Rock Bay neighbourhood.
- Revitalized of a space that had previously been run down and vacant for many years.
- Employment opportunities, especially for young adults.
- Economic growth of our community, through efforts to source resources and ingredients as locally as possible.

We are values driven businesspeople who believe in environmental stewardship, inclusive, empowering workspaces, and support for our community. We previously founded The Noodle Box Restaurants, and have a proven track record of successfully living our values.

We have spoken to the Burnside/Gorge Community Association, as well as neighbouring businesses, and have received unanimous support for our business, and this variance.

We believe that the approval of this variance will allow us to be successful and positive business citizens in Rock Bay for many years to come. We welcome any feedback and/or questions.

Thank you for your consideration.

A handwritten signature in black ink, appearing to be 'Nick Crooks and Jodi Mann', with a long horizontal line extending to the right.

Nick Crooks and Jodi Mann
saltchuckpies@gmail.com

October 29, 2015

Dear Mayor and Council,

Re: Parking Variance for 360 Bay Street

The Burnside-Gorge Land Use Committee (BGLUC) wishes to express our support for the new business opening at 360 Bay Street. They are seeking a 3-stall parking variance for their small cafe.

The BGLUC supports active transportation as a fundamental element of land use planning and recognizes that the area around 360 Bay Street is easily accessible by bus, on foot, and by bicycle as it is closely situated to the Galloping Goose trail. Additionally, we appreciate that the business owners approached our committee to work in good faith, recognizing that they were not required to contact us for a parking variance.

We appreciate the opportunity to comment.

Respectfully,

Carolyn Gisborne
Chair, Burnside-Gorge Land Use Committee

cc: Sustainable Planning and Community Development Department
Nick Crooks and Jodi Mann, Saltchuck Pie Co

[illegible]

Received
City of Victoria

Planning & Development Department
Development Services Division

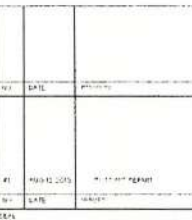
MECHANICAL
AYALON MECHANICAL

300-1245 ESCURIAULT RD
VICTORIA, BC
TEL: 250-384-4123
FAX: 250-384-4134

M1	PLUMBING MAIN FLOOR
M2	HVAC MAIN FLOOR

[illegible]

Received
City of Victoria
JAN 07 2016
Planning & Development Department
Development Services Division



360 BAY STREET
VICTORIA, B.C.

SITE PLAN AND EXISTING UNDERGROUND SERVICES

Author	Editor	Reviewer
A. S. (201)	EF	60.1
Date	Page(s)	Page
Aug-12-2005	35-608	60



- DEMOLITION NOTES:

1. \mathbb{R}^n 上のベクトル空間 V 上の線形変換 $T: V \rightarrow V$ が $T^2 = I$ を満たすとき、 T は対称変換である。
2. \mathbb{R}^n 上のベクトル空間 V 上の線形変換 $T: V \rightarrow V$ が $T^2 = I$ を満たすとき、 T は対称変換である。
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7. \mathbb{R}^n 上のベクトル空間 V 上の線形変換 $T: V \rightarrow V$ が $T^2 = I$ を満たすとき、 T は対称変換である。
8. \mathbb{R}^n 上のベクトル空間 V 上の線形変換 $T: V \rightarrow V$ が $T^2 = I$ を満たすとき、 T は対称変換である。
9. \mathbb{R}^n 上のベクトル空間 V 上の線形変換 $T: V \rightarrow V$ が $T^2 = I$ を満たすとき、 T は対称変換である。

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1. LAY OUT THE ROOF LINE
2. MARK THE ROOF LINE
3. MARK THE ROOF LINE
4. MARK THE ROOF LINE
5. MARK THE ROOF LINE
6. MARK THE ROOF LINE
7. MARK THE ROOF LINE
8. MARK THE ROOF LINE

	NO. 501	NO. 502
	DATE	DATE
NO. 503	NO. 504	NO. 505
DATE	DATE	DATE

Received
City of Victoria

JAN 07 2016

Planning & Development Department
Development Services Division



CONCLUSIONS

2000年12月15日



Figure 1. Relationship between the number of days of rain per month and the mean monthly temperature at the study sites.

SALTCHUCK BIE CO.

SALICHAUCK FIE CO

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360 DAY STREET

VICTORIA, B.C.

— 44 —

EXISTING / DEVELOP

EXISTING/DEMOLITION
FLOOR PLAN

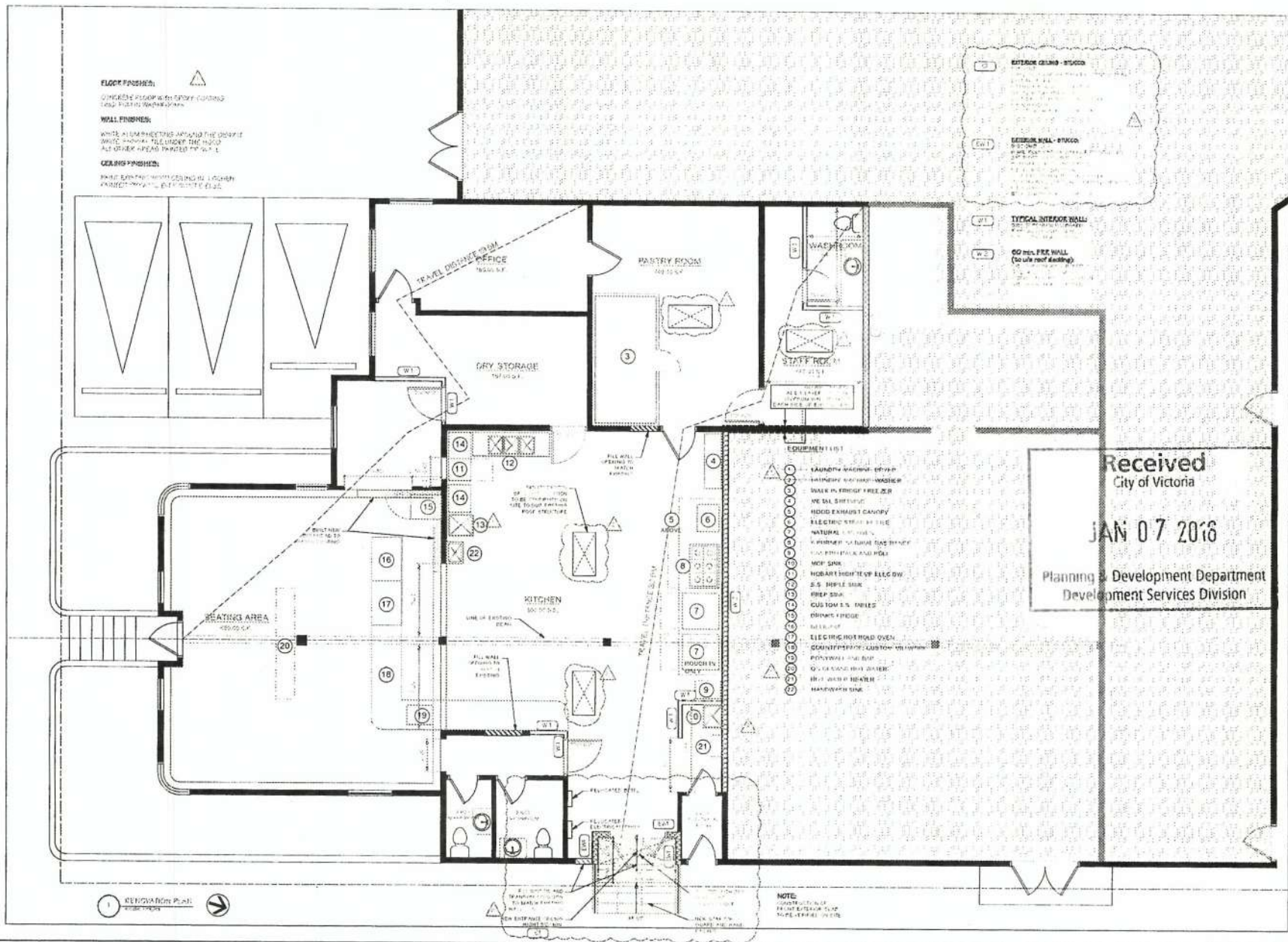
FLOOR PLAN

SCALE	CRACK	SW
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2000	1	
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DATE	PROJECT NO.	REV.
08/21/2008	15-004	

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Received
 City of Victoria
 JAN 07 2016
 Planning & Development Department
 Development Services Division

PRAXIS
 360 BAY STREET
 VICTORIA, B.C.
 SALTCHUCK PIE COMPANY
 360 BAY STREET
 VICTORIA, B.C.
 RENOVATION
 FLOOR PLAN
 SHEET NO. 12
 DATE: 10/10/2015
 BY: [Signature]
 CHECKED: [Signature]
 APPROVED: [Signature]

4.2 Development Permit with Variances Application No. 00008 for 943 Collinson Street (Fairfield Neighbourhood)

Committee received a report dated May 4, 2016, regarding an application to construct a new three unit, multiple family dwelling.

Committee discussed:

- Concerns on the demolition of homes in Victoria.

Motion: It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council after giving notice and allowing an opportunity for public comment at the next available meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00008 for 943 Collinson Street in accordance with:

1. Plans date stamped May 4, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 3.10.2 (a) - Reduce the minimum site area from 920m² to 496m²;
 - ii. Part 3.10.4 - Increase the site coverage from 30% to 40%.
 - iii. Part 3.10.11 - Reduce the minimum required front yard setback from 9.00m to 7.10m;
 - iv. Part 3.10.12 - Reduce the minimum required internal rear yard setback (SW) from 5.33m to 4.27m;
 - v. Part 3.10.12 - Reduce the internal side yard setback (NW) from 5.33m to 3.68m;
 - vi. Part 3.10.12 - Reduce the minimum required internal side yard setback (SE) from 5.33m to 1.52m;
 - vii. Part 3.10.17 (1) - Reduce the minimum required number of off-street parking spaces from 1.2 stalls per unit to 1 stall per unit.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 16/COTW

6. Development Permit with Variances Application No. 00008 for 943 Collinson Street

Motion:

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

"That Council authorize the issuance of Development Permit Application No. 00008 for 943 Collinson Street in accordance with:

1. Plans date stamped May 4, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 3.10.2 (a) - Reduce the minimum site area from 920m² to 496m²;
 - ii. Part 3.10.4 - Increase the site coverage from 30% to 40%.
 - iii. Part 3.10.11 - Reduce the minimum required front yard setback from 9.00m to 7.10m;
 - iv. Part 3.10.12 - Reduce the minimum required internal rear yard setback (SW) from 5.33m to 4.27m;
 - v. Part 3.10.12 - Reduce the internal side yard setback (NW) from 5.33m to 3.68m;
 - vi. Part 3.10.12 - Reduce the minimum required internal side yard setback (SE) from 5.33m to 1.52m;
 - vii. Part 3.10.17 (1) - Reduce the minimum required number of off-street parking spaces from 1.2 stalls per unit to 1 stall per unit.
3. The Development Permit lapsing two years from the date of this resolution."

Councillors advised support of sending forward to public consultation.

Carried Unanimously



Committee of the Whole Report

For the Meeting of May 19, 2016

To: Committee of the Whole **Date:** May 4, 2016

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Development Permit with Variances Application No. 00008 for 943 Collinson Street

RECOMMENDATION

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

"That Council authorize the issuance of Development Permit Application No. 00008 for 943 Collinson Street in accordance with:

1. Plans date stamped May 4, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 3.10.2 (a) – Reduce the minimum site area from 920m² to 496m²;
 - ii. Part 3.10.4 – Increase the site coverage from 30% to 40%.
 - iii. Part 3.10.11 – Reduce the minimum required front yard setback from 9.00m to 7.10m;
 - iv. Part 3.10.12 – Reduce the minimum required internal rear yard setback (SW) from 5.33m to 4.27m;
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 - vi. Part 3.10.12 – Reduce the minimum required internal side yard setback (SE) from 5.33m to 1.52m;
 - vii. Part 3.10.17 (1) – Reduce the minimum required number of off-street parking spaces from 1.2 stalls per unit to 1 stall per unit.
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 943 Collinson Street. The proposal is to construct a three-unit multi-residential building with two units facing Collinson Street and one unit to the rear. The variances are related to setbacks and parking.

The following points were considered in assessing these applications:

- the proposal is generally consistent with Design Guidelines
- the proposal is generally consistent with *Humboldt Valley Precinct Plan*
- the proposed reduction of one parking stall will likely have a minimal impact on the surrounding neighbourhood
- the potential impact of the proposed setback and siting variances have been mitigated with architectural and design interventions that respond to the siting and context of the surrounding buildings.

BACKGROUND

Description of Proposal

The proposal is to construct a three-unit multi-residential building with two units facing Collinson Street and one unit to the rear. Specific details include:

- a three-storey multiple dwelling incorporating contemporary design elements such as a flat roofline, decks and front entryway
- secure bicycle parking (Class 1) would be provided in each of the units, accessed via the garage or an exterior door
- publicly accessible bicycle parking (Class 2) would be provided in a rack in the front yard
- two vehicle parking spaces would be provided in the front drive garages, with one surface parking stall located at the rear of the property accessed via the driveway
- permeable paving materials would be integrated throughout the site
- new landscaping would be provided in the front yard and around the perimeter of the building, including planter boxes on the upper decks at the rear of the building.

The proposed variances are related to:

- reducing the required standard for site area
- increasing the site coverage
- reducing the front, rear and side yard setbacks
- reducing the amount of off-street surface parking.

Sustainability Features

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

Active Transportation Impacts

The application proposes the following features which support active transportation:

- secure bicycle storage in each of the units
- a publicly accessible bicycle rack at the front of the building.

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.

Under the current R3-AM-1 Zone, Mid-Rise Multiple Dwelling District, the property could be developed at a density of 1.2:1 Floor Space Ratio (FSR), at a maximum of four storeys and with the uses proposed, or as a duplex or single family dwelling with a secondary suite. In the current Zone, FSR is determined based on number of storeys, and since the proposal includes a three storey building, the maximum density is 0.9:1 FSR. Additional density is permitted up to 1.6:1 FSR and four storeys, but only when enclosed parking is provided and at least 50% of a lot is open site space.

Data Table

The following data table compares the proposal with the existing R3-AM-1 Zone, Mid-Rise Multiple Dwelling District. An asterisk (*) is used to identify where the proposal is less stringent than the existing Zone.

Zoning Criteria	Proposal	Zone Standard R3-AM-1
Site area (m ²) - minimum	496.00*	920.00
Density (Floor Space Ratio) - maximum	0.9:1	0.9:1
Total floor area (m ²) - maximum	444.10	446.40
Unit size - minimum (m ²)	94.50	33.00
Lot width (m) - minimum	16.76	N/A
Height (m) - maximum	10.66	12.00
Storeys - maximum	3	3
Site coverage % - maximum	40*	30
Open site space % - minimum	31.50	30.00
Setbacks (m) - minimum		
Front (Collinson Street)	7.35*	9.00
Rear	4.27*	5.33
Side (northwest)	3.68*	5.33
Side (southeast)	1.52*	5.33
Parking - minimum	3*	4
Visitor parking (minimum) included in the overall units	0	0
Bicycle parking stalls (minimum)	6	6

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on April 26, 2016 the Application was referred for a 30-day comment period to the Fairfield Gonzales Community Association CALUC. At the time of writing this report, a letter from the CALUC had not been received.

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

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP)* identifies this property within Development Permit Area 16 (DPA 16): General Form and Character. The *Multi-Unit Residential, Commercial and Industrial Guidelines* apply to any building of three or more units within DPA 16. The Guidelines encourage new development to be integrated in a manner that is complementary to the established place character in a neighbourhood, including its heritage character, high quality architecture, landscaping and urban design.

The area is characterized by a mix of single family dwellings along the northwest side of Collinson Street and multi-residential buildings up to five storeys along the southeast side of Collinson Street. The area is characterized by flat roofs, balconies and large windows. The applicant has incorporated these elements into the design to ensure an appropriate fit with the existing streetscape. The proposed exterior finishes, including cement panels in white and grey, provide a contemporary interpretation of the surrounding residential buildings.

The Guidelines encourage a high standard of accessibility in site, building and landscape design to address the needs of all users. The proposal includes a level entrance to each unit and elevators for all three units that provide access to each floor for those with varying levels of ability and mobility.

Humboldt Valley Precinct Plan

The Application is supported by the policies in the *Humboldt Valley Precinct Plan* which, designate the subject property for residential use up to four storeys. Although the proposal exceeds the 0.6:1 FSR density envisioned in the Plan, the current zoning does allow for greater densities as described earlier in this report.

Advisory Design Guidelines for Buildings, Signs and Awnings (1981)

These Guidelines state that an acceptable application will include consideration of an attractive streetscape and that the architecture and landscaping of the immediate area be identified and acknowledged. The proposal is in keeping with the surrounding context in terms of massing and scale and contains similar architectural elements such as a flat roof and projecting eaves. In evaluating the proposal, staff recommend for Council's consideration that overall the Application is in keeping with the Guidelines and provides an appropriate response to the immediate context.

Guidelines for Fences, Gates and Shutters (2010)

The aim of these Guidelines is to ensure that where fences, gates and shutters are required, they are designed well and complement their surroundings. The Application is consistent with these Guidelines and proposes appropriate fencing along the property lines with landscaping as shown on the landscape plan.

Regulatory Considerations

Proposed Site Area Variance

A variance is being requested to reduce the required lots size from 960 m² to 496m². Normally, a larger lot would be preferable and could accommodate a development of this type with fewer siting variances, however, in this case all the adjacent lots have been developed and there is limited opportunity for lot consolidation.

Proposed Site Coverage Variance

The site coverage for the proposal is 40%, while the Zone standard is 30%. The additional site coverage does create a larger building mass, which results in the request to reduce the minimum setback requirements on all sides. However, since the minimum open site space has been met, and the building has been positioned appropriately on the lot (maintaining similar front yard setbacks as adjacent buildings) staff recommend that Council consider supporting this variance.

Proposed Setback Variances

The proposal requests the following setback variances:

- reducing the minimum front yard setback from 9m to 7.10m
- reducing the minimum rear yard setback from 5.33m to 4.27m
- reducing the minimum side yard (north west) setback from 5.33m to 3.68m
- reducing the minimum side yard (south east) setback from 5.33m to 1.52m.

The minimum required setbacks within the current Zone are dependent on number of storeys and building height. For a three storey building, the minimum front yard setback is 9m, and the proposal requests to reduce this to 7.10m.

This projection would not interrupt the rhythm of the streetscape and the proposed building would be positioned centrally between the adjacent buildings, which are setback approximately 5m (936 Collinson Street to the west) and 9m (967 Collinson Street to the east) from the front property line.

The side and rear yard setbacks are required to be half the height of the building, which is 5.33m. In the event that the proposal was for a lower height building, this in turn would result in reduced setback requirements. However, as noted in the applicant's letter, the intent was to design a building that fit with the scale of the surrounding context. In addition, the applicant has incorporated additional design measures to help mitigate any privacy impacts on adjacent buildings. This includes retention of existing mature landscaping at the rear, as well as stepping back the building from the rear property line on the upper storeys by approximately 5m on the second floor and 7m on the third floor. The proposal also includes opaque glass on the balcony railings to enhance privacy for the three storey, eight unit multi-unit residential building to the rear. In terms of side yard setback interventions, the proposal includes smaller windows for

habitable rooms on these elevations. Larger windows are included only for circulation space. The drive aisle provides a buffer between the proposed building and the adjacent residences at 936 Collinson Street, and a cedar leylandii hedge is included along this boundary. The impact of a reduced setback on the south-east property line is minimal since this boundary includes a parking lot and carport for the adjacent building at 967 Collinson Street. For the reasons outlined above, staff recommend Council consider supporting these setback variances.

Proposed Parking Variance

Under the current Zone, 1.2 stalls are required per unit (four stalls) and the requested variance is to reduce this to one stall per unit (three stalls). The requested one stall parking variance is considered supportable as it would have minimal impacts on the neighbourhood and the proposal includes bicycle parking which meets the requirements of Schedule C in the Zoning Regulation Bylaw. A publicly accessible bicycle rack is provided in the front yard and would serve to meet the needs of visitors who arrive by bicycle, although it should be noted that no visitor parking stalls are required under the current Zone.

CONCLUSIONS

The Application to permit a ground-oriented multiple dwelling consisting of three dwelling units is consistent with the design guidelines outlined in DPA 16. The proposed building design, exterior finishes and landscaping are in keeping with the established character of the neighbourhood. The proposed variances for setbacks, site coverage and parking are supportable as they would not alter the character of the streetscape or adversely impact the adjacent residential properties. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Permit Application No. 00008 for the property located at 943 Collinson Street.

Respectfully submitted,



Charlotte Wain
Senior Planner – Urban Design
Development Services Division




Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

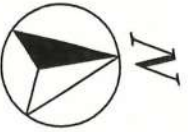
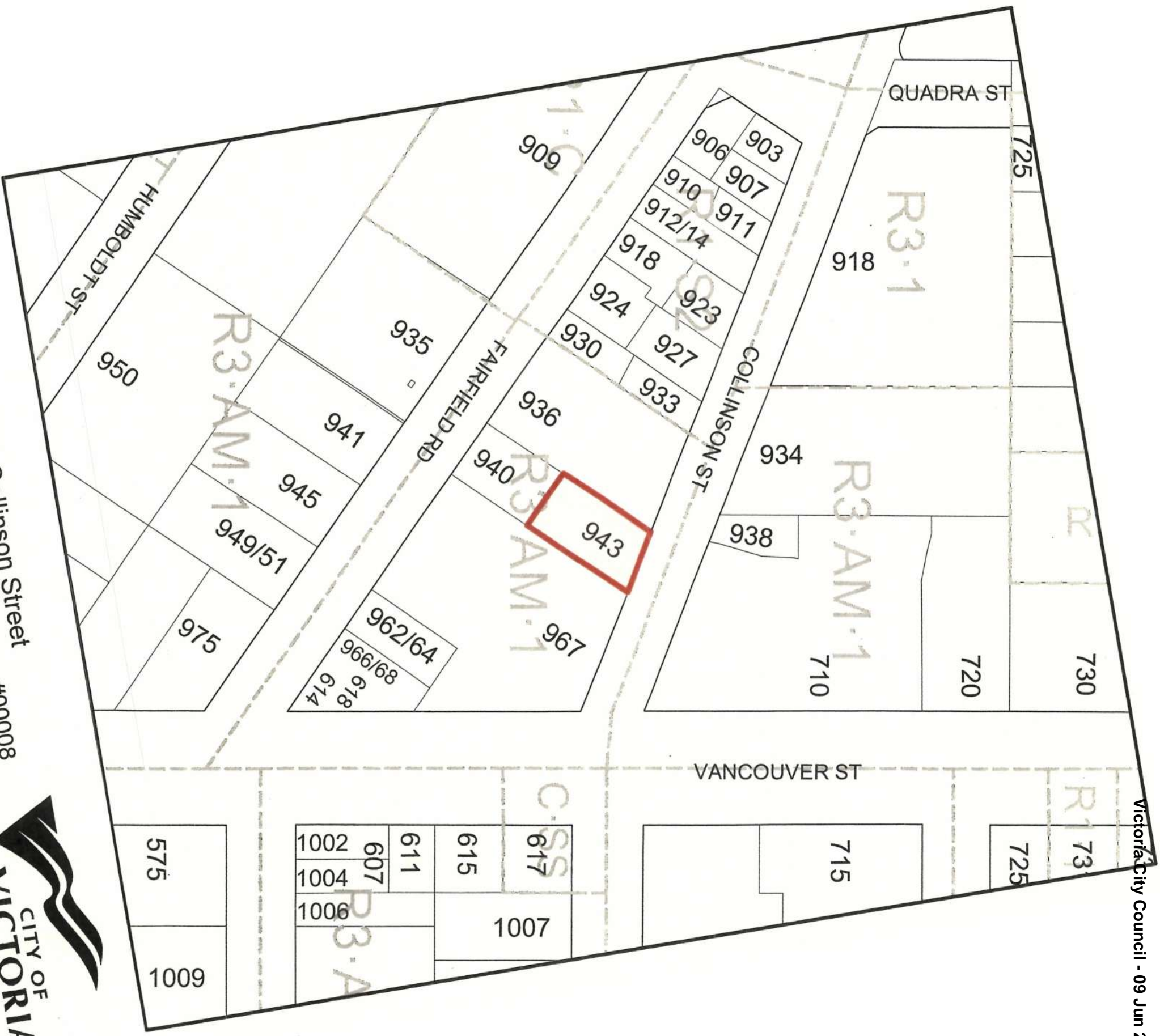


Date: May 12, 2016

List of Attachments

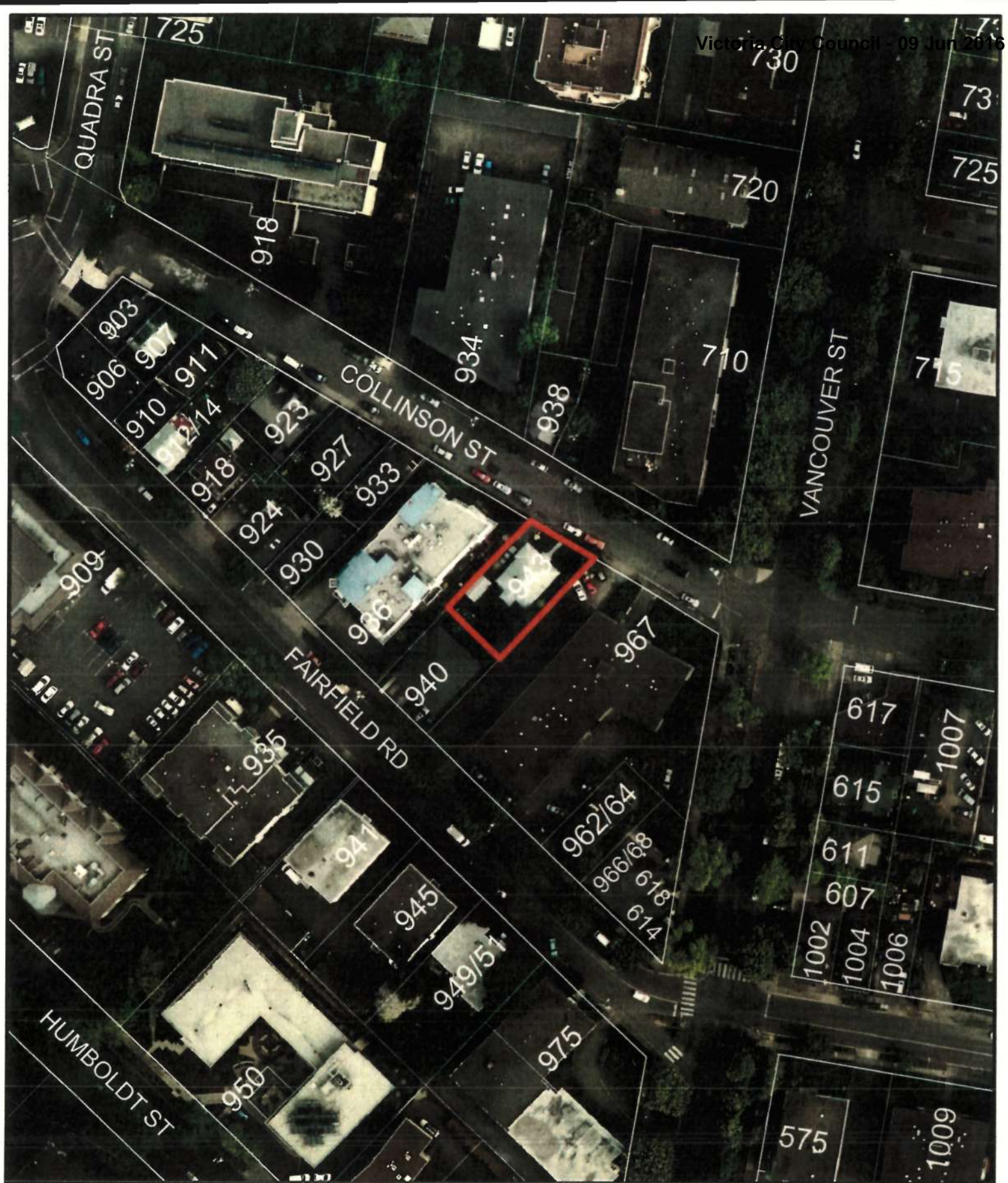
- Zoning map
- Aerial map
- Applicant letter to Mayor and Council date stamped May 4, 2016
- Letter from neighbours located at 936 Collinson Street date stamped March 16, 2016
- Plans date stamped May 4, 2016.

S:\Tempest_Attachments\Prospero\eform_defs\Planning\DP DVP PLUC Report Template1.doc



943 Collinson Street
Development Permit with Variance #00008





943 Collinson Street
Development Permit with Variance #00008



936 Fairfield Road
Victoria BC V8V 3A4
March 15, 2016

Charlotte Wain, Senior Planner for Fairfield
Chris Coleman, Neighbourhood Liaison for Fairfield/Gonzales Community
Association

Re: Development Permit request 0008 for 943 Collinson Street

I write on behalf of the 20 owners of Strata Plan VIS3275 to express our concerns about the proposed triplex which would be immediately to our east.

The 900 block Collinson has a variety of residences: Campbell Lodge; 3 rental apartment buildings; our condominium and several private homes, 3 of which have heritage designations. We are, as the Humboldt Valley Precinct Plan which covers our area states, a mix of old and new with a sense of continuity and shared history. We agree and comply with Planning Principle 6 that The mature street trees and public and private green space are highly valued as community amenities and contributors to the liveability of the precinct. Most of the existing properties on our block have setbacks with grass and attractive landscaping features, including mature trees.

The developer is requesting several variances within the existing R3AM1 zoning. We do not see how the plan he is presenting adheres to Design Guideline 2 which states Where new buildings with minimal setbacks are proposed, consideration should be given to the relationship of the new building to its immediate neighbours particularly with regards to shade and shadowing; visual privacy; balcony locations; window alignments; and overlook.

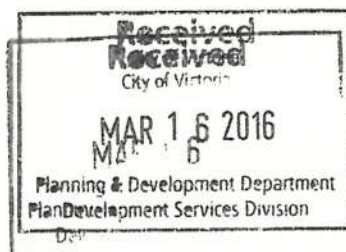
Our specific concerns are:

- * The minimum lot size for R3AM1 is 920 m². The lot in question is only 496 m².
- * The proposed structure would cover 40% of this small lot rather than the prescribed 30%.
- * Most of the area not covered by the building will be occupied by driveway, leaving little space for green or landscaping.
- * The requested setback of 1.52 m instead of the required 5.33 m on the SE boundary will mean the destruction of 3 mature evergreens which provide privacy to and from the 4 storey apartment building on that side.

- * Reducing the rear setback to 3.19 m instead of the required 5.33m and the front setback to 7.35 m instead of the required 9 m means that nearly an additional 4 m of our building will be blocked by this structure.
- * The extended length from front to back and the proximity to our property line will accentuate the blockage of light to the eastern side of our building. 4 units in our building rely totally on their eastern exposure for light and have patios or balconies facing east. Another 8 units receive most of their light from the east. In total, 12 of our homes will be darker and colder.
- * While we maintain a minimum 4.64 m of garden on the SW boundary, this plan asks for a variance to 3.68 m instead of the required 5.33 m. Most of this width will be taken up by the driveway to the rear garage and guest parking. As a result, the majority of the buffer from the sound and exhaust of the driveway and the visual interest of a garden for both properties will be provided at our expense.
- * Only 3 parking spaces for residents are provided instead of the required 4. It is hard to imagine that owners of units as large as the front 2 will have only one car. This will add to the existing parking congestion on Collinson Street.
- * The selling prices expected by the developer for the 3 units are far above the affordable housing range.

The Humboldt Valley plan states that our precinct remains attractive to tourists and many are heard to comment on the mature boulevard trees and innovative gardens in front of apartment buildings and townhouses.

In our view, a building of this magnitude, maximizes profit for the property owner and developer, but sacrifices green space and the mature trees valued by residents and praised by visitors to our neighbourhood. It also decreases the liveability, resaleability and property values of our 20 homes. For these reasons, we hope you will reject this proposal in its current form.



Martin Young
Strata Council President

May 3, 2016

TO: Mayor and Council

RE: 943 Collinson St.
Proposed 3 unit townhouse development
Development Permit with Variances

FROM: Dan Hagel
250-889-2221



DETAILS OF PROPOSAL

This property is zoned R3-AM-1.

This proposal is for a 3 unit strata townhouse development with a total floor area of 446.3 m² and is sited on a 496 sq. m. lot with a density of 0.889:1

Unit A - 168.5 m / 1813.7sq ft
Unit B - 183.3 m / 1973.0 sq ft
Unit C - 94.5 m / 1017.2 sq ft

Unit A & B – These are three storey units which include elevators. The main entry doors and garage doors front Collinson St. giving it the appearance of a large duplex.

Unit C - This is a ground level unit at the rear of the building. The main entry door is on the west side of the building towards the back.

The requested variances are as follows:

Lot area -
Site coverage
Parking
Front yard
Rear yard
West side
East side

RATIONALE FOR REQUESTED VARIANCES
943 Collinson Street

FRONT YARD NORTH -

Allowable - 9 m / Requested variance - 7.10 m

Currently there is a single family dwelling on the property with a front setback of 5.25 m. We are asking for a relaxation of the allowable setback in order to accommodate the required turning radius at the front west corner of the proposed building. The driveway apron is centered on the front lot line, but there is a secondary drive isle for the unit at the rear. We are asking for relaxation on the basis of being able to comfortably make the transition around the front corner of the building to allow for parking at the rear for unit "C". To be clear, our proposed building would be 1.85 m further back on the property than the home that currently occupies the property now.

SIDE YARD WEST -

Allowable 3 meters or half the height of the building The building is 10.66 m. tall, half of which is 5.33 m. We are requesting relaxation to 3.66 m in order to accommodate the functionality of the site and dwellings. If both side setbacks were met we would have a 6.61 m building. The building would be, in our opinion, too narrow, lose functionality and look out of place. We feel that with the reduction in proposed density, combined with the generous front yard setback that the requested side yard setback variance would be the best overall compromise for the neighbourhood. We have made multiple revisions to this proposal and met with the residents to the west and have another meeting set for May 11th. We believe that this proposal is the correct fit for this particular property. Note: the driveway and 10' tall garage have existed on this side of the property since 1930 +/- . Bedroom and living room windows have been reduced in size and placed high up for further privacy. We have removed the western garage door as there were concerns regarding car headlights and sound of a garage door opening and closing. We've reduced the size of the master bedroom on the 2nd floor by 0.91 m, put solid walls on the sides of both upper and lower rear decks and have kept our height lower than the surrounding buildings at the same time retaining a certain continuity with the buildings to the east and west.

SIDE YARD EAST -

Allowable 3 meters or half height of the building. Half the height of our proposed building would be 5.28 m. We are requesting relaxation of this setback to 1.52 m. The reason for our request is that we feel that the overall placement of the building on the site maximizes the potential usability of the site for the new owners and allows for greater separation from the west property line. We also felt that there would be less impact on the residents to the east, mainly because there is a parking lot and carport running most of the length of the property. There is also a retaining wall with a fence on top of it for privacy between buildings. There are also larger trees and shrubs at the front of the property to be retained for further privacy. All of the windows on the east side of the proposed building have been reduced in size and placed higher up to further increase privacy concerns. Our elevations show that most of the ground floor of our proposed building would be hidden below the neighbouring carport, cars and fence. The balance of the windows on the 2nd and 3rd floor are modest in size, example: piano windows over fireplace and frosted glass in the two bathrooms. The few remaining larger windows occupy the stairwell and elevator shaft.

REAR YARD SOUTH -

Allowable 3 meter or half the height of the building. We are asking for relaxation for the rear property line for the following reasons: Half the height of the building would be 5.29 m. We are requesting relaxation to 4,267 m. the main reason for this is that we require the building to be back from the front property line in order to bring the driveway around the front west corner of the proposed building to allow for parking at the rear for unit "C". Although we are formerly requesting a 4.27 m. setback, it should be noted that the 2nd and 3rd floors tier away from the rear property line. The 2nd floor is 5.71 m from the property line to the face of the building and the 3rd floor is 7.88 m from the property line to the face of the building.

There are significant large shrubs and trees on the south property line which will be retained for privacy and protected during construction. There will also be a 1.83 m solid cedar fence. Note: the glass on the 2nd and 3rd floor decks is charcoal and opaque for further privacy. There will also be the addition of planters, pots and shrubs on the upper decks for further privacy.

PARKING -

Allowable 1.4 stalls / unit = 4.2

We are requesting relaxation from 4.2 parking stall to 3 parking stalls. We feel that with a reduction in the sought density and number of dwellings, the proximity to town and the encouragement of bikes and walking that 3 cars for 3 units would be appropriate. We can not predict the number of cars or guests that people will have, but our feeling is that with 3 larger units, the impact would be minimum.

SITE COVERAGE -

Allowable 30% maximum, we are requesting 40% site coverage because we are surrounded by large multi family buildings on 3 sides and want to build a structure that will fit in context with the surrounding buildings.

MINIMUM SITE AREA -

Allowable 920.0 m², we are requesting relaxation on lot size based on the fact that the property is currently zoned R3-AM-1 for multi family, surrounded on 3 sides by larger and taller buildings and we want to create a well proportioned and attractive building that will fit in with the adjoining buildings as well as enhance the overall street scape.

DESIGN HISTORY

Over a year ago, this project was originally conceived as a 4 storey, 6 unit building. After meeting with the Fairfield Community Association and meeting with numerous neighbours we decided to not pursue a rezoning application. After careful consideration regarding green space and vehicles, (this being a dead-end street) and given the modest size of the lot, we decided in the end that it would be wiser in our opinion to pursue a development permit with variances.

After making numerous revisions and consulting with the neighbours, we felt that we could more appropriately address their concerns by reconfiguring the project into the three unit scheme you see today.

This current proposal addresses all the previously voiced concerns and although we don't believe we could ever make everyone happy, it certainly addresses the number of vehicles and the lack of green space at the front.

We believe the current proposal fits in well with the neighbourhood context and hope that council agrees.

We have enclosed the official community plan map #2 (Urban place designation) showing this property as urban residential and further included the guide lines.

943 Collinson St.

Neighbourhood Support

Attached are names and address of neighbours that support the project. The general consensus in my opinion from the single family residences is that the parking won't be an issue but there was concern regarding the trade's vehicles during construction and the hours of work in relation to noise.

I did find it difficult to access the larger rental buildings, although, I did receive the support from those I could find.

Regarding 910 and 930 Fairfield Rd., they were reluctant to lend support based on the fact that they were just renters. Although I did try to encourage them, that their opinion was every bit as important and mattered just as much as owner, but to no avail.

918 Fairfield Rd. seemed very positive when I spoke to her the last time but she is presently away until the end of the month. I will be in contact with her again.

I am scheduled to meet for a second time with the residents of 936 Fairfield Rd. on May 11th, 2016 to review further revisions to the plans.

943 COLLINSON ST
Proposed 3 unit townhouse development

I support the project ☒

Name: FRANCE CORMIER

Address: 927 Collinson St

Comments:

I support the project ☒

Name: LORRAINE & WES SHAFOLSKY

Address: 923 COLLINSON ST

Comments:

I support the project ☒

Name: AbdulKader Hamdoun

Address: 967 collinson st

Comments:

I support the project ☒

Name: SARA ROBB

Address: 907 Collinson St

Comments:

943 COLLINSON ST
Proposed 3 unit townhouse development

I support the project ☒

Name: Wendy Hawke

Address: 903 Collinson St

Comments: Be mindful of our scarce 'Resident Parking'.

I support the project ☒

Name: Glen Campbell

Address: (918) Collinson St

Comments: I support this project

I support the project ☒

Name: John Zelenak

Address: 918 Collinson St

Comments: _____

I support the project ☐

Name: Annale FRANSON

Address: 306-934 Collinson St

Comments: _____

943 COLLINSON ST
Proposed 3 unit townhouse development

I support the project ☒

Name: Enrique Luis Gonzalez

Address: 967 Collinson - Unit 309

Comments:

I like it. It'll make the neighbourhood nicer

I support the project ☒

Name: Richard

Address: 710 VANCOUVER

Comments:

I support the project ☒

Name: Robert Nathan

Address: 710 Van couver

Comments:

I support the project ☒

Name: Dolma Nathan

Address: 710 Vancouver st

Comments:

943 COLLINSON ST
Proposed 3 unit townhouse development

I support the project ☒

Name: ERIC HAFENRICHTEA

Address: 617 VANCOUVER ST

Comments:

I support the project ☒

Name: Katrin Gustav

Address: 940 Fairfield

Comments:

Please keep noise to working hours

I support the project ☒

Name: Tina Robson

Address: 906 Fairfield

Comments:

I support the project ☒

Name: Scott Goffard

Address: 967 Collinson St

Comments:

Plumber

943 COLLINSON ST
Proposed 3 unit townhouse development

I support the project ☒

Name: EVA ROBERTS

Address: 924 FAIRFIELD RD

Comments:

I support the project ☒

Name: Catherine Sweeney

Address: 912 Fairfield Rd

Comments:

Better project this time -

I support the project ☐

Name: Laurie Edmondson

Address: 911 Collinson

Comments:

I support the project ☒

Name: Mikal Williams

Address: 901 Collinson

Comments:

943 COLLINSON ST
Proposed 3 unit townhouse development

Upon review of the original and then the revised development:—

I support the project ☒

I do not support the project ☐

Name: NEIL BAKKEN

Address: 302-967-5 COLLINSON ST

Comments:

Upon review of the original and then the revised development:—

I support the project ☒

I do not support the project ☐

Name: Myrna Buckley

Address: 933 Collins - Apt H

Comments:

I see no problem with this property developing

Upon review of the original and then the revised development:—

I support the project ☒

I do not support the project ☐

Name: Jennifer Hainsworth

Address: 933 B Collinson Street
V8V-3B7

Comments:

943 COLLINSON ST
Proposed 3 unit townhouse development

I support the project ☒

Name: Marcel Kreyer

Address: 967 Collinson

Comments:

I support the project ☒

Name: [Signature]

Address: 203 - 967 Collinson st

Comments:

I support the project ☐

Name: _____

Address: _____

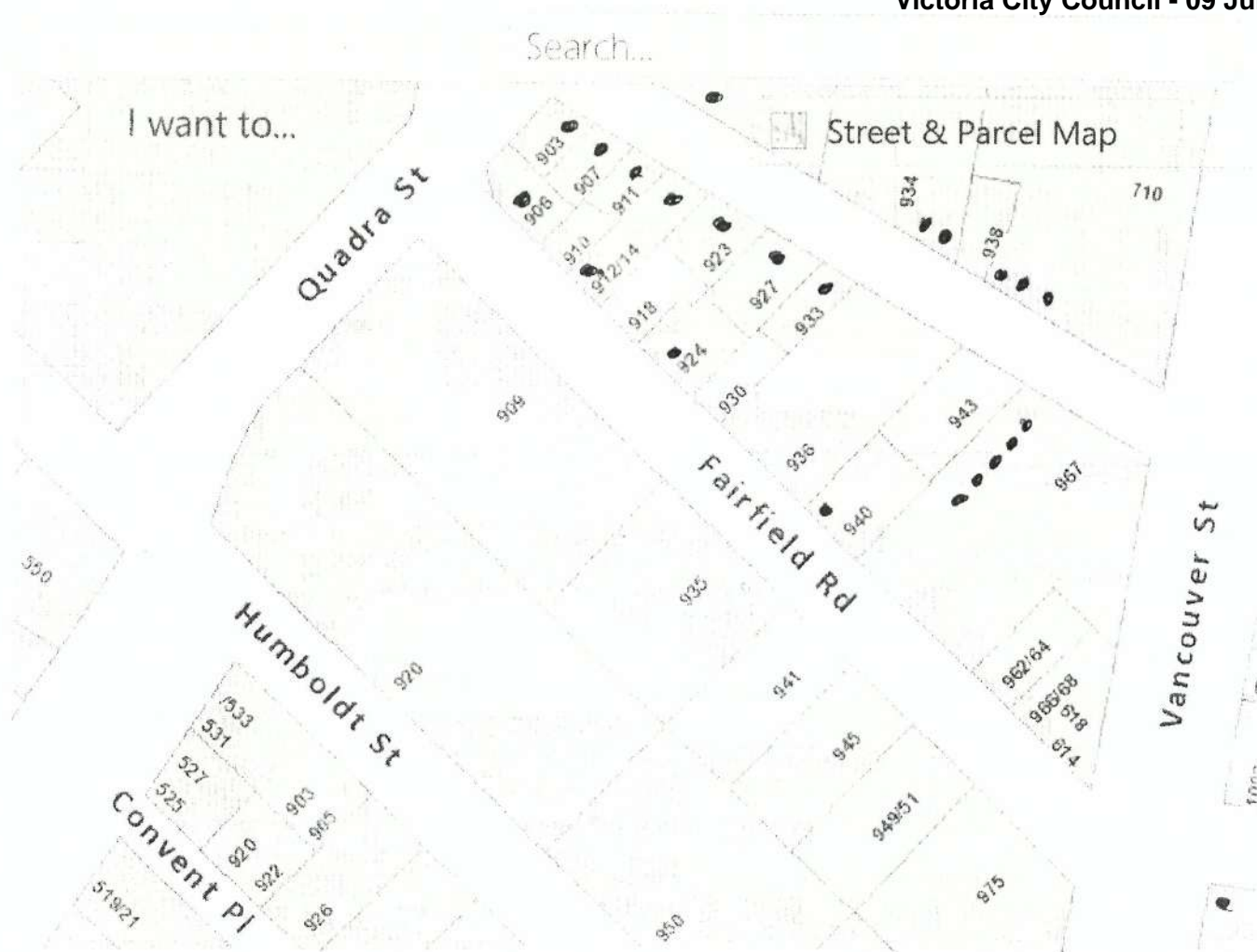
Comments: _____

I support the project ☐

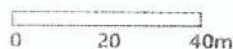
Name: _____

Address: _____

Comments:



THE DOTS INDICATE SUPPORTING NEIGHBOURS



Proposed 3 Unit Townhouse Development

943 Collinson Ave., Victoria, B.C.



Project Location:



1 Location Plan
A1 Scale - 1:600

[illegible]


 Survey
 Scale 1:100

Received
City of Victoria

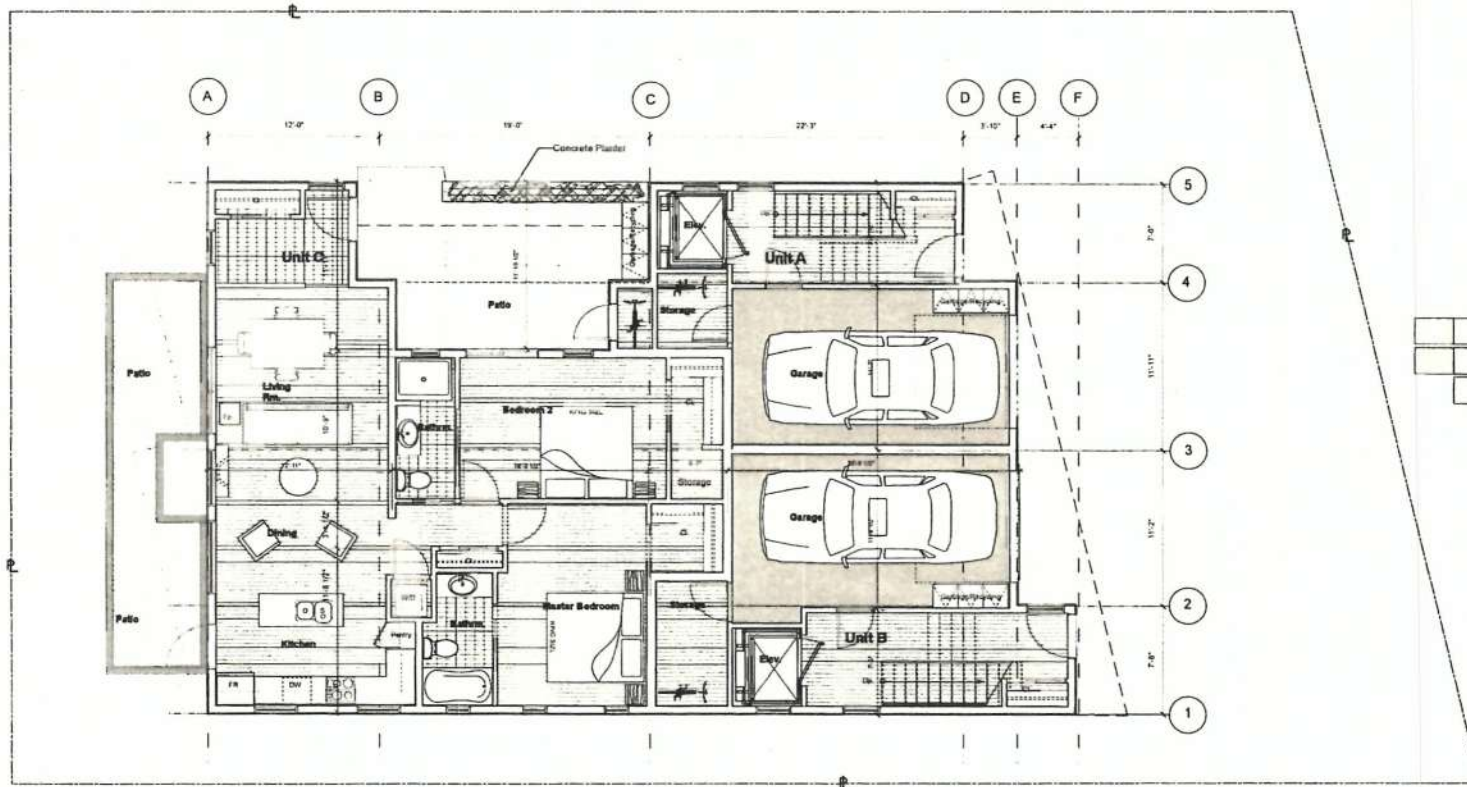
~~MAY 04 2016~~

Planning & Development Department
Development Services Division

Town house Development,
9414 144th Ave., Victoria, B.C.
Issued For Development Permit With variances
Site Plan/Data Location Plan
Scale - As Noted
May 3rd, 2016

A1

Victoria City Council - 09 Jun 2016



	Unit A FSR = 34.9m ²
	Unit B FSR = 33.3m ²
	Unit C FSR = 94.5m ²
	Main Floor FSR = 160.9m ²

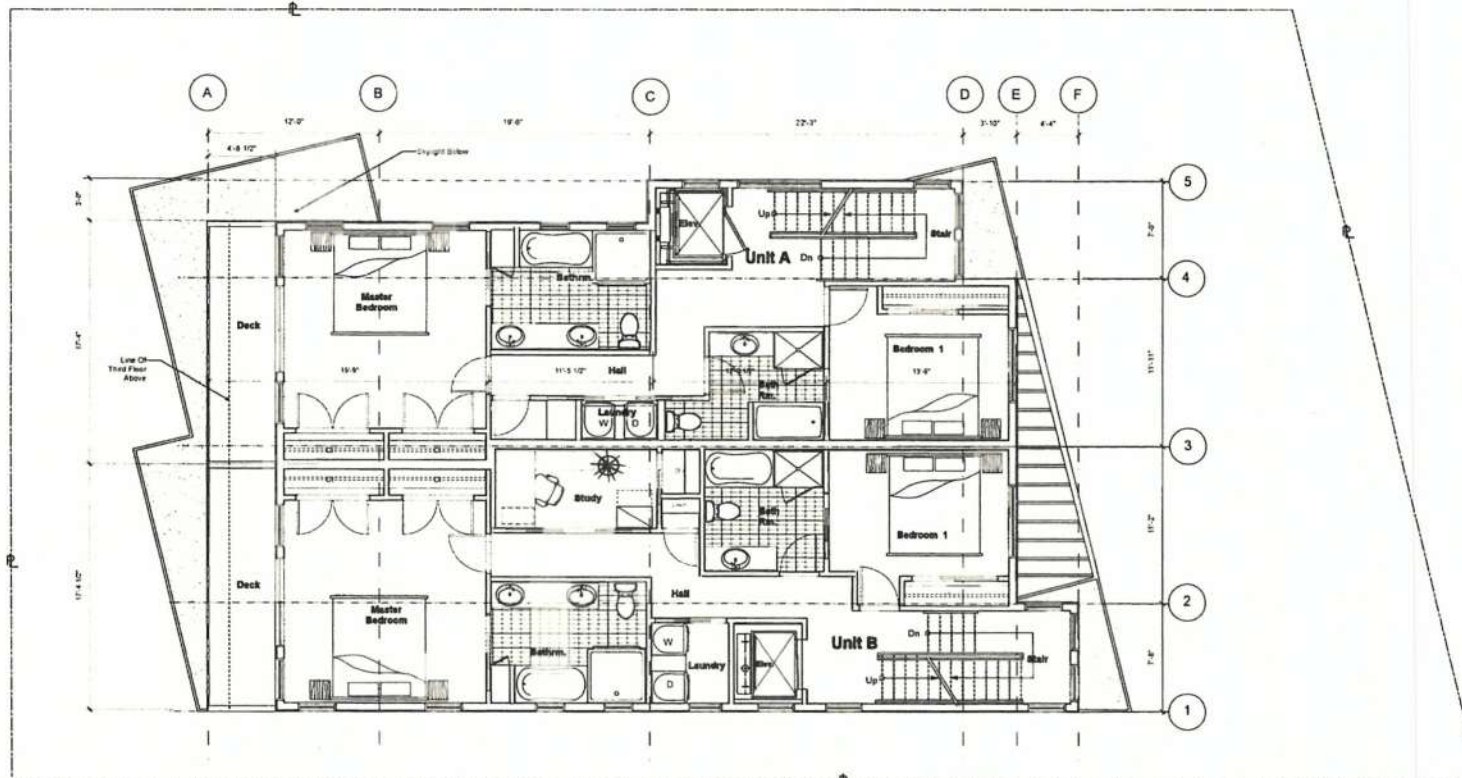
1 Main Floor Plan
Scale: 1/4" = 1'-0"

Received
City of Victoria

MAY 04 2016
Planning & Development Department
Development Services Division

Townhouse Development,
4411 Ladouceur Ave., Victoria, B.C.
Main Floor Plan
Scale - As Noted
May 3rd, 2016

A2



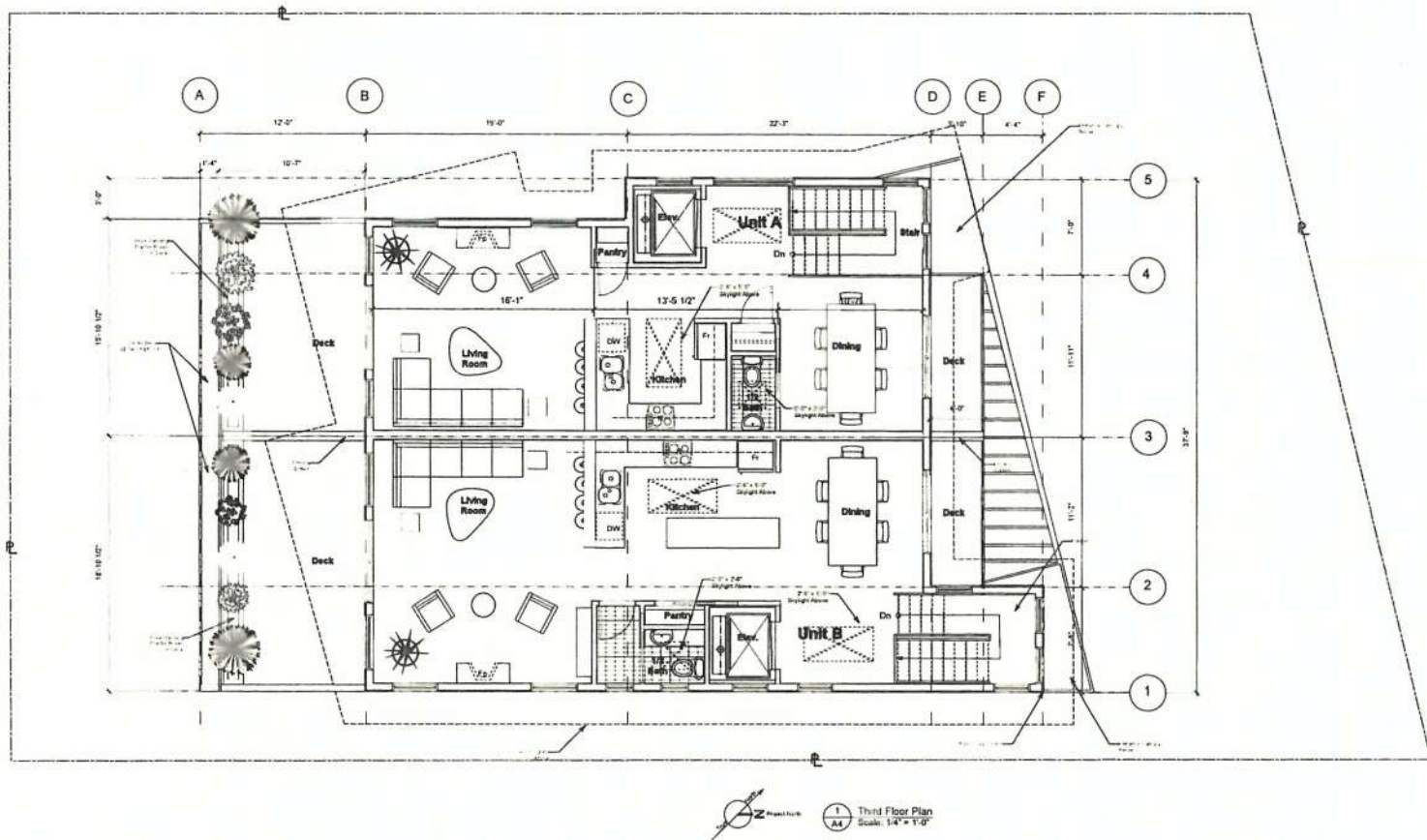
Unit A FSR = 76.6m²
 Unit B FSR = 85.4m²
 Second Floor FSR = 162.0m²



1 Second Floor Plan
 Scale: 1/4" = 1'-0"

Received
 City of Victoria
 MAY 04 2016
 Planning & Development Department
 Development Services Division

Townhouse Development,
 441 Colliemore Ave., Victoria, B.C.
 Second Floor Plan
 Scale: As Noted
 May 3rd, 2016
 A3



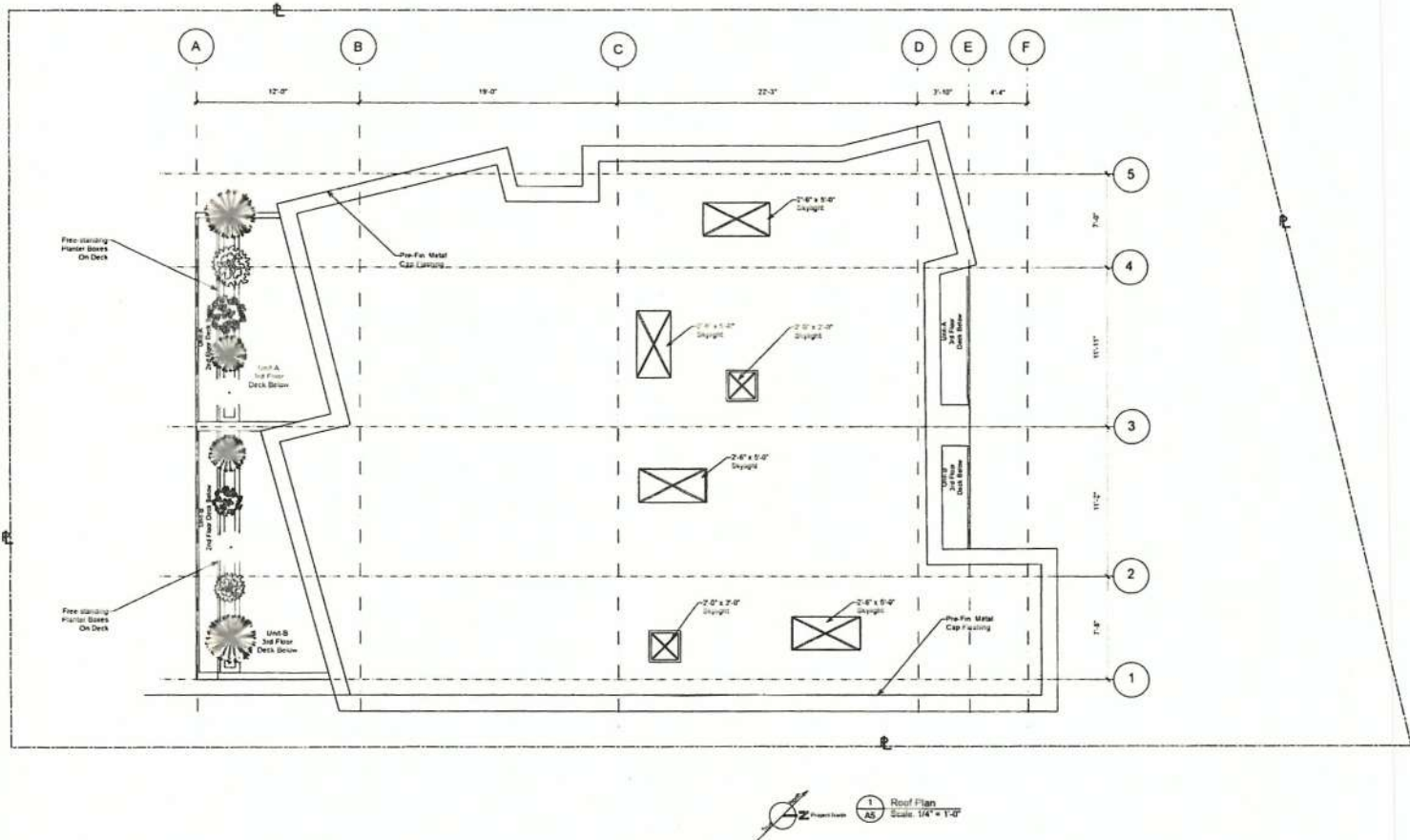
Unit A FSR = 57.0m²
 Unit B FSR = 64.6m²
 Third Floor FSR = 121.6m²

1
A4 Third Floor Plan
 Scale: 1/4" = 1'-0"

Received
 City of Victoria

 MAY 04 2016
 Planning & Development Department
 Development Services Division

Townhouse Development,
 4811 Victoria Ave., Victoria, B.C.
 Third Floor Plan
 Scale - As Noted
 May 3rd, 2016
 A4



Received
City of Victoria
MAY 04 2016
Planning & Development Department
Development Services Division

Townhouse Development,
1411 Columbia Ave., Victoria, B.C.
Roof Plan
Scale - As Noted
May 3rd 2016
A5



Received
 City of Victoria
 MAY 04 2016
 Planning & Development Department
 Development Services Division

Townhouse Development,
 4511-15th Ave., Victoria, B.C.
 Issued for Rezoning Purposes
 Sections
 Scale - As Noted
 May 3rd, 2016

A6





Received
City of Victoria

MAY 04 2016

Planning & Development Department
Development Services Division

Townhouse Development,
944 Lakeside Ave., Victoria, B.C.
Issued for Rezoning Purposes
Streetscape
Scale: As Noted
May 3rd, 2016

A8



5 View From N.W.
A9 Not To Scale



2 Not To Scale
A9 View From N.E.



3 Sign Detail, Unit C
A1 Scale Alone



4 View Down Lane Towards Unit 'C'
A9 Not To Scale



1 View From S.W.
A9 Not To Scale

Received
City of Victoria
MAY 04 2016
Planning & Development Department
Development Services Division

Townhouse Development,
943 Columbia Ave., Victoria, B.C.
Renderings
Scale - As Noted
May 3rd, 2016

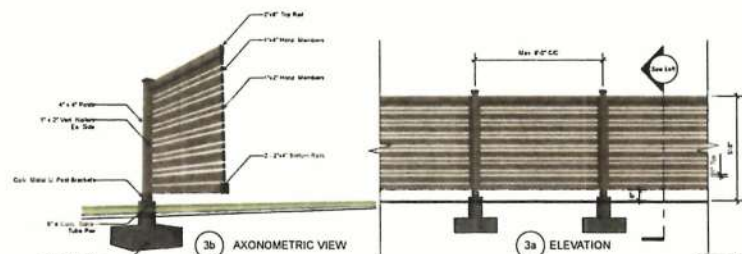
A9



Plant List			
It is the intent of the owner to retain as much of the existing vegetation as the the house along the southern property line as possible. There is an old tree approximately 12 to 15 ft high, as well as a few other large plants. These existing mature plants and trees offer a sense of privacy and have been a pleasant buffer between the house and the property directly to the south on Fairford for many years.			
Symbol	Plant Name	Quantity	Notes
	Exist. Tree To Remain	1	
	Exist. Large Lilac Bush To Be Retained & Pruned Back	1	
	Exist. Large Cedar Tree To Remain	1	
	Planting Bed Along South Property Line Features Flowering Ornamental Shrubs, (Deer Ferns, Pines, Ground Fern)	1	
	Hydro-pressed Salix W/ Shade Tolerant Groundcover Between (Pachysandra)	1	
	Exist. Bush To Remain	1	
	Low Planting Along East Retaining Wall Features Shade Tolerant Native Shrubs and Ferns (Deer Fern, Oregon Grape, Salal)	1	
	Hydro-pressed Salix W/ Shade Tolerant Groundcover Between (Pachysandra)	1	
	Exist. Cypress Cluster To Remain	1	

Note: Refer to Site Plan, Dwg. A1, For Driveway Slopes And Hard Surface Treatment

1 Landscape Plan
Scale: 1/50



2 Typ. Fence Details
Scale: 3/8" = 1'-0"

Received
City of Victoria
MAY 04 2016
Planning & Development Department
Development Services Division

Townhouse Development,
1411 Johnson Ave., Victoria, B.C.
Renderings
Scale: As Noted
May 3rd, 2016
A10

Charlotte Wain

From: Ted Relph [REDACTED]
Sent: Tuesday, May 17, 2016 2:09 PM
To: Charlotte Wain
Cc: Wayne Hollohan; pzc Ken Roueche
Subject: Comments re 943 Collinson



Hello Charlotte,

The Fairfield Gonzales CALUC examined the proposed development for 943 Collinson May 5 2016 revisions at our meeting last night.

It is our opinion that this proposal should be considered a rezoning application rather than a variance.

This proposal is not a case of requesting a variance for hardship but for a completely new development that requires substantial exceptions from R3 AM-1 in terms of the minimum lot size (required 920m², actual 496m²) and rear and side yard setbacks (required is half the height of the building or 5.33m; actual rear yard is 4.26, side yard west is 3.6m; side yard east is 1.5m).

In other words actual lot size is 54% of required, and side yard east is 30% of required.

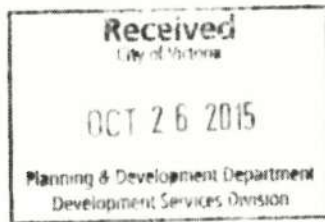
We also note that the Site Data Table on the top page of the submission seems to indicate some doubt about whether this application is a variance or a rezoning because it identifies considerations in terms of both of them.

The R3 AM-1 zoning is presumably intended to apply to larger scale apartment buildings, hence the 920m² minimum lot size. In this case a rezoning application rather than a variance would allow for a more thorough discussion of the implications of redeveloping single lots with detached houses in the R3 AM-1 zone into multi-residence units

Sincerely

Ted Relph

(I am writing this because I was the person taking notes of the meeting and because 943 Collinson is coming to COTW on Thursday 19 May, so there is some urgency to conveying our comments)



SHARON KEEN
HERITAGE RESOURCE
CONSULTANT

#105-975 FAIRFIELD ROAD
VICTORIA, B.C.
V8V 3A3

PH 250-383-4933

Monday, October 26, 2015

Anita Walper
Administrative Assistant
Sustainable Planning &
Community Development
Development Services Section
City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P6

— Re' 943 Collinson Development Proposal by Dan Hagel,
October 19, to Fairfield Gonzales Community Association:
further comments.

~ If Vancouver Heritage Foundation can promote &
protect existing older homes via laneway houses,
Isn't it time the City of Victoria does too, via
Victoria Heritage Foundation? See attached.

~ And, see "Lida Homes" fantastic 4 plex conversion
on the corner of Collinson & Cook Street: 620 Cook.

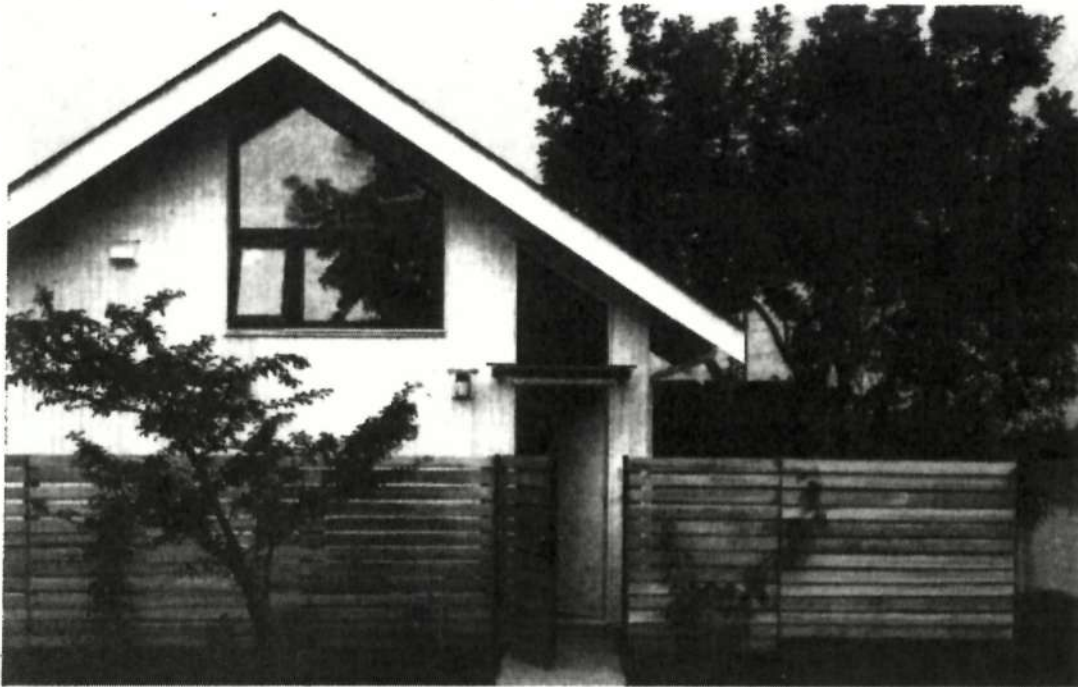
— Re' 1010 Southgate Development Proposal by Stacey
Dewhurst, September 21, to Fairfield Gonzales
Community Association: add the above comments/
suggestions to it also.

— It seems to be that in Fairfield, zoning policies
re' "Large Urban Villages" vs "Small Urban Villages"
& SSR (Site Specific Rezoning) are destroying both
heritage houses & streetscapes!! STOP: MORATORIUM!!
eg. Shaughnessy.

Sincerely
Sharon Keen

S2 • BRITISH COLUMBIA

Weekend Planner



Houses on the Laneway House Tour range from tiny modernist creations to heritage-themed charmers. JHON PONA

Hot Ticket: Laneway House Tour

For such tiny houses, they're causing an enormous stir.

In 2009, the City of Vancouver opened the door for homeowners to build laneway houses on residential lots, and ever since, the compact building style has taken off.

Hundreds have been built across the city, most of them to create extra space for adult kids, aging parents or extended family, or to offset mammoth mortgages by generating much-needed rental revenue.

But according to Vancouver Heritage Foundation executive director Judith Mosley, the new generation of laneway houses is doing far more than filling an economic or spatial need; they are also saving older houses from the wrecking ball.

Now five prime new examples, as well as one that's been around for a quarter-century, are going on show for this year's annual

Laneway House Tour.

"The city wants to add density and different accommodation options, and we are interested in exploring ways that can be done without demolishing existing older homes," Ms. Mosley says, adding that coach houses date back to Vancouver's earliest days. "So fitting them into the neighbourhood in a sympathetic way and retaining older homes is definitely a priority."

The houses on the tour range from a compact, one-level 620-square-foot house to a relatively spacious three-bedroom, and from tiny modernist creations to more heritage-themed charmers. One was designed with a separate garage so a mature magnolia could stay; another was created for a divorced couple who wanted to co-parent their children, but live in separate houses.

The older house on the tour is part of architect Robert Lemon's heritage revitalization of West Point Grey's Barber Residence, a 1936 Art Moderne masterpiece that was under threat because it straddled two lots and had no heritage protection. Instead of

building an addition, which would have harmed the home's architectural integrity, Mr. Lemon designed a laneway house that would complement the original design without trying to mimic it.

The one thing all of the homes on the tour have in common is that they were built behind older houses.

"They're a way to meet different needs in the neighbourhood, and to add something without losing the character of the older homes or the streetscape. And it can bring more life onto the lanes, which for many people is a real positive," says Ms. Mosley, who also recognizes that laneway houses aren't without their downsides and detractors. "But it's a really great opportunity for growth in the neighbourhood without demolishing what we have."

Vancouver Heritage Foundation's self-guided Laneway House Tour is 1-5 p.m., Saturday (vancouverheritagefoundation.org).

Jennifer Van Evra,
Special to The Globe and Mail

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Proposed Development for Cook and OliphantCOOK STREET
VILLAGE VOICE

For eight years I sat on the (CALUC) Community Association Land Use Committee for this area, back then we facilitate, inform and advocate for our community. Today we have to advocate for ourselves. The responsibility for the issues relating to this proposed development do not rest with the proponent, members of the community or city staff. They rest solely on the shoulders of Mayor and Council. Despite lobbying for over twenty years, we have been deliberately denied a community plan, so council can continue to force on us their vision and decisions, of what is best for our village and community.

→ Mayor and Council spent years creating an Official Community Plan whose brood strokes and cookie cutter approach leave the communities of Victoria far more vulnerable than they were prior to its creation. Without any direct consultation with the individual communities, our villages were designated as Large Urban Villages that permit the construction of six-story buildings to line both road-sides right up to the property line, where zero setbacks are acceptable.

Why is it acceptable?

Mayor and Council created a zoning policy, which is used by almost all large rezoning involving residual and commercial, called a (SSR) Sight Specific Rezoning. This allows developers to build whatever height, size, use and appearance they desire. Policies be dammed and Mayor and Council alone decides if it's acceptable. Recently other property owners, accounting for 25% of the village have been approach to buy and teardown and build a (SSR) under the Large Urban Village designation.

Should we just be a community by name only? What can you do? The answer is: **do something.**

Email mayorandcouncil@victoria.ca requesting another community mail out and meeting, so everybody has an opportunity to voice their thoughts on this and future developments for the Village.

→ Request designation change to; "Small Urban Village," allowing up to four stories and three meter setbacks. Don't let the City steal our village sunshine and friendly atmosphere.

→ Please, tell them why preserving the character of the village (is) so important?

For further information or supporting documents, email me at VictoriaBC@shaw.ca

Your voice will make all the difference.

Wayne Hollohan Community Member ←

[Site Specific
Rezoning]

Donald Luxton and Heritage Conservation Area - Google Search

Page 1 of 2

Google+ Search Images Maps Play YouTube News Gmail More

Go gle Donald Luxton and Heritage Conservation Area

* Fairfield needs
to be a
HCA too:

(19 pp) (Printed all)

(1)



[PDF] Report - Heritage Action Plan & First Shaughnessy
www.shpoa.ca/pdf/150529FHCAProposal.pdf
May 29, 2015 - THAT the Heritage Conservation Area Development Plan attached
as ... consultant Donald Luxton & Associates (see the appendices of ...

(2)



[PDF] Heritage Action Plan Feb 2015 open house information ...
vancouver.ca/.../heritage-action-plan-feb-2015-open-house-information-...
Donald Luxton & Associates (principal) | CitySpaces Consulting | Corolis ... Heritage
Conservation Areas are not currently utilized in Vancouver, but are being ...

(26 pp) - City of Vancouver
- Victoria has 13 HCAs.
- eg Old Town
(p5) Victoria & Toronto
(p6) SF & Melbourne.

[PDF] Heritage Strategic Review, 2010 - City of Surrey
www.surrey.ca/files/City_of_Surrey_HSR_Report_FINAL.pdf
CITY OF SURREY HERITAGE STRATEGIC REVIEW: DONALD LUXTON
Potential Heritage Conservation Areas, sought to examine the feasibility of ...



SHARON KEEN
HERITAGE RESOURCE
CONSULTANT

#105-975 FAIRFIELD ROAD
VICTORIA, B.C.
V8V 3A3
PH 250-383-4933

Monday, October 19, 2015

George Zador, Chair
Land Use Committee
Fairfield Gonzales Community Assoc
1330 Fairfield Road
Victoria, B.C.

George Zador,

- * - The Dan Hagel development proposal for 943 Collinson St. to change zoning, & destroy the existing house, & yard is totally unacceptable.
- * - Also, Victor Smith, of Sutton has this house listed for sale - push zoning through, & then ask a higher price? Change a single-family dwelling to a 6 unit townhouse! See listing report attached.
- * - Heritage streetscape aspects of Collinson between Quadra to Trutch have been totally ignored - greatly affected! About 18 heritage houses still exist in this block, listed or not, & several are designated.
- The "Edelweiss" apartment at 940 Fairfield shares the backyard of 943 Collinson, & this green space is to be torn out in development proposal. See attached 1981 map for streetscapes, & note Vancouver buildings / Fairfield buildings to Cork St.
- * Do not let another heritage house be torn down for a SSR in Fairfield, & instead implement a "Heritage Conservation Area" where all pre-1940 houses are protected, No to new zone proposed. And, instead,

(1/2)

- Keep the extant house & its footprint, & gardens.
 Instead "convert" into a duplex: 1/2 of basement
 & main floor of house. And, enlarge/convert
 garage to affordable rental suite.
- Parking: absolutely ridiculous suggestion of
 variance for 6 parking spaces, most being
 underground!! These Tollinson houses were
 mostly built 1901-1921, pre-car days, &
 we in Fairfield want to keep it that way.
No additional cars in Fairfield, & especially
 not onto Vancouver Street, which is being
 proposed as a biking, walking street.
 Keep one parking spot in existing driveway.
 - * - No to all variances requested for setbacks and
 parking.
 - "Affordability" & increase of rental spaces,
 is not even being addressed by either the
 developers or city, when 60% of us in
 Fairfield rent & have gross incomes in
 the \$15,000 to \$30,000 range. Wake-up &
 start serving the people who live here!!!

Sharon Keer

P.S. See Graham Ross letter re' Oak Bay, & rights
 of existing residents versus rights of developers,
 vis à vis single family & multi-family dwellings.
 (2/2)

SUTTON: VICTOR SMITH "FOR SALE" (250-479-3333) www.sutton.com

Monday, October 19, 2015



Detailed Listing
Report

Prepared By Ole Schmidt

Duttons & Co. Real Estate Ltd

Email: ole@duttons.com

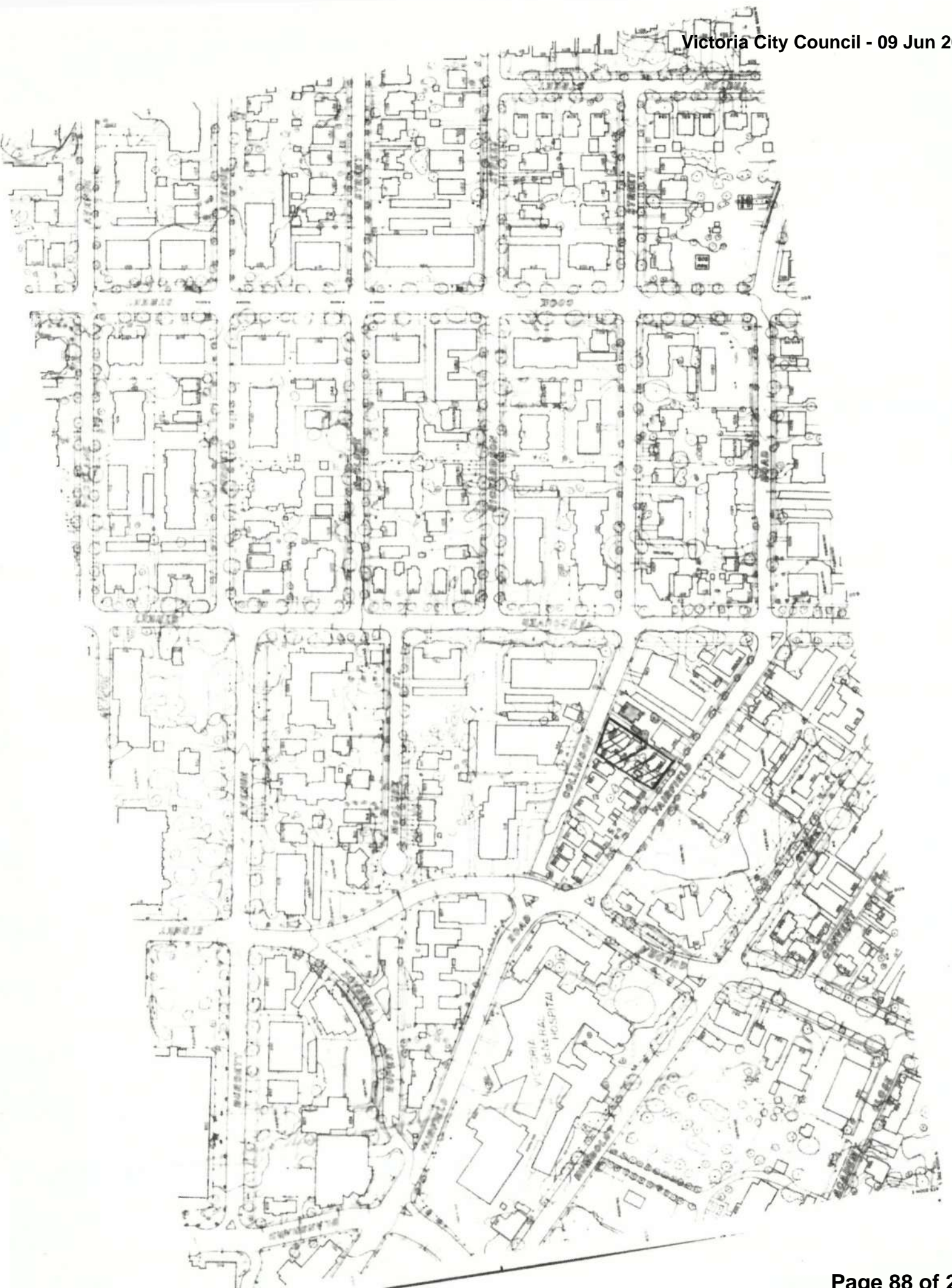
Phone: (250) 383-7100 Fax: (250) 383-2006

 <p>943 Collinson St VI Fairfield West ~ V8V 3B7</p>	Finished Rooms				Listing Summary		
	Rooms / Lvl	Lvl 1	Lvl 2	Lvl 3	Lvl 4	MLSP: 343161	List Price: \$649,900
	Finished SqFt	961	1,012			Status: Current	Orig Price: \$689,900
	Entrance		5x4			SubClass: SF Det	Sold Price:
			18x12			DOM: 381	Pend Date:
			12x10			Taxes: \$4,177	MLH Asmt:
			14x10			Remarks	
			13x11			Unique 1930's home bright, cozy and walking distances to downtown and a few blocks from the Cook St village. Quiet street no through traffic, recent new roof and paint inside and out, separate single car garage, newly refinished hardwood floors, heat pump with electric baseboard backup. Attention: Builders and developers the present zoning is R3-AM 1 and R3-AM 2, mid rise multiple dwelling district.	
			4				
			11x10				
			7x6				
Interior Details		Unfinished Rooms				Legal Information	
Layout: Main Level Entry with Lower Level(s) Bedrooms: 2 Kitchens: 1 Baths Tot: 1 Fireplaces: 1 Bth 2Pce: Main Lev: Other Bth 3Pce: Fin SqFt: 1,012 Bth 4Pce: 1 Unfin SqFt: 0 Bth 5Pce: Bed & Brk: Ens 2Pce: Admt Acc: Ens 3Pce: Basement: 6' / Finished - Not Ens 4Pce: FP Feat: Living Rm App Incl: Int Feat: Firs/Wood		Elementary Middle Senior 61 Sir James 161 Central 61 Vic High				City of Victoria Roll: 3199010 PID/MHR: 000-053-031 Title: Freehold Legal Desc: Lot 1356; Dist Lot 1356; Land Dist 57; Freeform EXCEPT THE SOUTHERLY 80 FEET Zn Cls/Tp: R3-AM 1&2/Residential 2014 Asmt: \$574,300 2014 Taxes: \$4,177	
Building Information		Frnt Faces: N Bldg Sch: Bldg Style: West Coast Rear Faces: Bldg Warr: EnerGuide Rtg/Dt:		Fuel: Electric Heat: Heat Pump Roof: Asphalt Shingle Fdn: Concrete Poured Access: Master Bedroom on Main			
Lot/Strata Information		Lot Size: 5,400sqft / 0.12ac (est) Dims (w/d): 60 ft x 90 ft Shape: Rect. ALR?: Prk Type: Garage Single Water: City/Munic. Lot Feat: Private Complex: SqFt Balc: SqFt Prk: SqFt Pat: SqFt Strg: Gnd/Top?: Shrd Am:		Mgd By: Prk Cn Prp: Prk LCP: Prk Str Lot: Str Lot Incl: Com Str Itm: Rent Alld?: Yng Ag Alld: Pets Alld?: BBQs Alld?: Assmt Incl:			
Photos and Map				Brokerage Fee: 3%100K&1.5%B			

Monday, October 19, 2015

Residential Client Detail NH

Information given is from sources believed reliable but should not be relied upon without verification. Where shown, all measurements are approximate and school enrollment is subject to confirmation. Buyers must satisfy themselves as to the applicability of GST. Data © VIREB. Software © Taresoft Corporation.







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Search Request: Keyword = VICTORIA AND ATLAS
Search Results: Displaying 39 of 59 entries

←PREVIOUS NEXT→
 BRIEF LONG MARC

City of Victoria general atlas / [compiled by Western Photogrammetry Ltd.].

Other Author(s): Western Photogrammetry Ltd.
Victoria (B.C.) Engineering Dept.
Title: City of *Victoria* general *atlas* / [compiled by Western Photogrammetry Ltd.].
Subject(s): Real property--British Columbia--*Victoria*--Maps.
Victoria (B.C.)--Maps.
Publisher: [Victoria, B.C.] : Corporation of the City of *Victoria*, Engineering Dept., [1981?]
Description: Scale: 1:2,000.
 1 *atlas* ([57] leaves) : maps : 39 x 54 cm.
Notes: Maps based on aerial photographs taken March 1977, revised up to Dec. 31, 1980.

Database: University of Victoria Libraries
Location: Map Library
Call Number: G1174 V5C5 1981 <oversize>
Number of Items: 1
Status: Not Charged

Database: University of Victoria Libraries
Location: Reference/Atlas Cases
Call Number: G1174 V5C5 1981
Number of Items: 1
Status: Not Charged
Notes: Case D3

←PREVIOUS NEXT→

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Real Estate

HERITAGE HOMES

Where conservation and speculation clash

Vancouver moves one step closer toward demolition ban for First Shaughnessy



KERRY GOLD
kgold@globeandmail.com

Vancouver is one hearing closer to making First Shaughnessy the city's first Heritage Conservation Area, which will make it extremely difficult for a homeowner to demolish their house.

After listening to dozens of speakers, including an exhausting total of 69 people Tuesday night, city council will finally make a decision on whether to designate the oldest area of Shaughnessy on Sept. 29. If the proposal passes, it will help protect one of Canada's most historically important neighbourhoods from the wrecking ball. It's a bold move for the city, and a much-lauded one by heritage experts, because Vancouver's old house stock — in this case a collection of 317 pre-1940 houses — is quickly becoming an endangered species. In response to the decline, the city put a one-year moratorium on demolitions in First Shaughnessy in June, 2014. At the time, there were inquiries to demolish 19 of the remaining 317 houses there.

Real estate agent Joanne Giesbrecht spoke at the hearing and told city council she was in favour of the Heritage Conservation Area (HCA). She said since 2006, a new market was driving prices in Shaughnessy because of its big, central lots. As a result, Shaughnessy properties were in big demand, but for their lot size, not the houses.

Ausie Gao said she'd been advised by her real estate agent that she'd be allowed to tear her First Shaughnessy house down, which is why she bought it. And then the city banned demolitions, interfering with her plan.

"This proposal will lower the value on the whole area," said Ms. Gao, echoing a common theme among the "no" side.

"My house smells because it's over 100 years old," she said, explaining why the house had to go.

If the homeowners had done their due diligence prior to buying into First Shaughnessy, they would have discovered there already were land-use guidelines, established years ago, to preserve the pre-1940 homes. First Shaughnessy has been protected by an official development plan since 1980, when specific guidelines were drawn up for the area. Only in recent years have architects and builders found loopholes to bypass those requirements in order to construct houses that are much larger and out of context compared to the rest of the streetscape. The provincially legislated HCA will have teeth.

"My sense is that the city is on pretty firm footing," city historian and author Michael Kluckner, who worked on the Shaughnessy design panel, said. "The official development plan has outlived its usefulness because it was being gamed by people."

The flow of incredible wealth



Vancouver's heritage properties are in big demand for their lot size, not the houses. But some buyers have been surprised to find they cannot tear down the structures because of existing land-use guidelines. JEFF JONES FOR THE GLOBE AND MAIL

into Vancouver in recent years is to blame for the failure of the old Shaughnessy plan to preserve the neighbourhood. It couldn't stand up to the changing demographic and the demand for newer and bigger houses.

"I think the scale of wealth is unprecedented in Vancouver, and I think the values associated with that wealth are also unprecedented in the city," Mr. Kluckner said. "Clearly to me, the people who have bought in there did not receive really good advice from lawyers, from realtors and in some cases from architects, because they were completely ignoring what the goals were of First Shaughnessy's [original design plan]."

Now that the city might soon acquire the authority to ban demolitions outright — and effectively hold up the original intention of those guidelines — some homeowners are suddenly claiming that their homes aren't worth saving.

At the hearings, the anti-heritage-conservation camp is generally divided into two groups — those who feel the older houses are in disrepair and should be torn down to make way for a new house, and seniors who fear losing equity in their homes if the former group is not allowed to tear the houses down. They sat as a group to one side of the room. Among them sat Loy Leyland, the architect who's done well by the Shaughnessy property boom, as builder of many of the big new houses.

At the beginning of Tuesday night's hearing, city staff responded to a query they'd received from a resident who wanted to know whether HCAs had caused house value declines in other cities. It was an excellent question, especially since the potential of lost property values appears to be top of mind for the

"no" side. A group that organized the "no" side sent a letter around to the 317 affected homeowners in First Shaughnessy, and it cited a real estate agent's claim that property values would drop by 30 per cent if the HCA designation passed. That kind of drop in an area as desirable as Shaughnessy is inconceivable.

As well, no one can find evidence of any drop at all where an HCA has been applied.

In fact, where heritage conservation is concerned, Vancouver is an oddball. Other cities see HCA designations as a blessing — not grounds for legal action.

In Victoria, senior heritage planner Murray Miller said HCA designations are considered a source of pride, and a driver of property values.

"We do have current interest from certain communities asking for their neighbourhoods to be designated heritage conservation areas," Mr. Miller said.

Mr. Miller has 29 years experience as a heritage planner, having worked in Victoria, Edmonton, Regina, Winnipeg, Manchester, London, Nova Scotia, Phoenix, Southern California and Christchurch, New Zealand. He has yet to see a heritage designation negatively affect property value.

"I haven't in my experience seen a devaluation of heritage property values as a direct result of designation," Mr. Miller said.

Instead, he's seen the opposite. He compares Vancouver with Phoenix, which is similar in size and age. Like Vancouver, Phoenix is experiencing unprecedented growth and development. But for a city not known for its heritage, it's remarkably invested. Since 2000, Phoenix has created 11 heritage districts and they already had 24. Some of the districts have 600 homes, Mr. Murray said. "The reality on the ground is

that neighbourhoods wanted to have their areas designated so much that it caused a resourcing problem for the city. In trying to cope," he said. "They desire the stability it offers. They know their neighbourhoods are unique, they like the character. And there is value in that reflected in the real estate prices. And they get access to incentives."

First Shaughnessy residents are also being offered incentives, by way of infill, such as coach houses and suites. But residents who oppose the HCA designation say they want privacy instead of rental units. They say it's not an incentive.

Toronto's comprehensive heritage program has 30 HCAs that are considered a boost to property values. "They acknowledge that HCAs are valued and desired," said a Vancouver city staff report.

The city of Los Angeles has 32 historic districts, according to Mr. Miller. The city is currently undergoing a major battle against rampant development of monster homes that threatens its historic stock of houses. Last year, L.A. council member Paul Koretz told me city council had voted unanimously to put an emergency moratorium on demolitions in crisis areas, similar to the one that Vancouver put on First Shaughnessy last year. An ordinance is in the works to tighten up rules to prevent further mansinization.

"It really has become an emergency situation," Mr. Koretz, who found the rampant demolitions of perfectly good houses appalling, said.

"They continue to limit the proliferation of McMansions," Mr. Miller said.

Mr. Miller also worked in Manchester, which, he said, has similarities to Vancouver. That English city has 34 conservation areas, and it is also undergoing

extensive development pressure. In Victoria, Mr. Miller looked up 10 sites that were designated as heritage properties in 2008. He compared their property assessments from 2007, when they had no status, to their values in 2009, a year after they were designated. He found the average increase in values of those 10 properties to be 12.1 per cent.

"It's a very small sample, but does lend some data to this discussion," he said.

He has more. In Victoria's Battery Street Heritage Conservation Area, he looked at seven properties and discovered an increase in property values of 129 per cent between 2002 and 2005.

There's no evidence that the moratorium on demolitions in the last year significantly affected the market. People still purchased the big old mansions in First Shaughnessy and paid handsomely for them. Perhaps the problem isn't that the houses are old, or beyond their best before date. Maybe the problem is that when a real estate market is driven by speculation, things such as history, culture and architectural merit get crushed in the mad scramble to make a profit. A man named John Lee said he owned two houses in First Shaughnessy and he purchased the pre-1940 house as an investment 30 years ago, with the intention of tearing it down. He complained that rent alone is not going to give him the proper return on his investment. He needs to be able to redevelop the heritage house for his bottom line.

"It will be financially horrific for me," he said.

If the HCA designation does knock down the speculative bubble, it's a moot point, Mr. Kluckner said. "Because you can't make public policy on the basis of speculation."

Turn focus on Oak Bay ¹³ ¹⁴ ¹⁵ ¹⁶ ¹⁷ ¹⁸ ¹⁹ ²⁰ ²¹ ²² ²³ ²⁴ ²⁵ ²⁶ ²⁷ ²⁸ ²⁹ ³⁰ ³¹ ³² ³³ ³⁴ ³⁵ ³⁶ ³⁷ ³⁸ ³⁹ ⁴⁰ ⁴¹ ⁴² ⁴³ ⁴⁴ ⁴⁵ ⁴⁶ ⁴⁷ ⁴⁸ ⁴⁹ ⁵⁰ ⁵¹ ⁵² ⁵³ ⁵⁴ ⁵⁵ ⁵⁶ ⁵⁷ ⁵⁸ ⁵⁹ ⁶⁰ ⁶¹ ⁶² ⁶³ ⁶⁴ ⁶⁵ ⁶⁶ ⁶⁷ ⁶⁸ ⁶⁹ ⁷⁰ ⁷¹ ⁷² ⁷³ ⁷⁴ ⁷⁵ ⁷⁶ ⁷⁷ ⁷⁸ ⁷⁹ ⁸⁰ ⁸¹ ⁸² ⁸³ ⁸⁴ ⁸⁵ ⁸⁶ ⁸⁷ ⁸⁸ ⁸⁹ ⁹⁰ ⁹¹ ⁹² ⁹³ ⁹⁴ ⁹⁵ ⁹⁶ ⁹⁷ ⁹⁸ ⁹⁹ ¹⁰⁰ ¹⁰¹ ¹⁰² ¹⁰³ ¹⁰⁴ ¹⁰⁵ ¹⁰⁶ ¹⁰⁷ ¹⁰⁸ ¹⁰⁹ ¹¹⁰ ¹¹¹ ¹¹² ¹¹³ ¹¹⁴ ¹¹⁵ ¹¹⁶ ¹¹⁷ ¹¹⁸ ¹¹⁹ ¹²⁰ ¹²¹ ¹²² ¹²³ ¹²⁴ ¹²⁵ ¹²⁶ ¹²⁷ ¹²⁸ ¹²⁹ ¹³⁰ ¹³¹ ¹³² ¹³³ ¹³⁴ ¹³⁵ ¹³⁶ ¹³⁷ ¹³⁸ ¹³⁹ ¹⁴⁰ ¹⁴¹ ¹⁴² ¹⁴³ ¹⁴⁴ ¹⁴⁵ ¹⁴⁶ ¹⁴⁷ ¹⁴⁸ ¹⁴⁹ ¹⁵⁰ ¹⁵¹ ¹⁵² ¹⁵³ ¹⁵⁴ ¹⁵⁵ ¹⁵⁶ ¹⁵⁷ ¹⁵⁸ ¹⁵⁹ ¹⁶⁰ ¹⁶¹ ¹⁶² ¹⁶³ ¹⁶⁴ ¹⁶⁵ ¹⁶⁶ ¹⁶⁷ ¹⁶⁸ ¹⁶⁹ ¹⁷⁰ ¹⁷¹ ¹⁷² ¹⁷³ ¹⁷⁴ ¹⁷⁵ ¹⁷⁶ ¹⁷⁷ ¹⁷⁸ ¹⁷⁹ ¹⁸⁰ ¹⁸¹ ¹⁸² ¹⁸³ ¹⁸⁴ ¹⁸⁵ ¹⁸⁶ ¹⁸⁷ ¹⁸⁸ ¹⁸⁹ ¹⁹⁰ ¹⁹¹ ¹⁹² ¹⁹³ ¹⁹⁴ ¹⁹⁵ ¹⁹⁶ ¹⁹⁷ ¹⁹⁸ ¹⁹⁹ ²⁰⁰ ²⁰¹ ²⁰² ²⁰³ ²⁰⁴ ²⁰⁵ ²⁰⁶ ²⁰⁷ ²⁰⁸ ²⁰⁹ ²¹⁰ ²¹¹ ²¹² ²¹³ ²¹⁴ ²¹⁵ ²¹⁶ ²¹⁷ ²¹⁸ ²¹⁹ ²²⁰ ²²¹ ²²² ²²³ ²²⁴ ²²⁵ ²²⁶ ²²⁷ ²²⁸ ²²⁹ ²³⁰ ²³¹ ²³² ²³³ ²³⁴ ²³⁵ ²³⁶ ²³⁷ ²³⁸ ²³⁹ ²⁴⁰ ²⁴¹ ²⁴² ²⁴³ ²⁴⁴ ²⁴⁵ ²⁴⁶ ²⁴⁷ ²⁴⁸ ²⁴⁹ ²⁵⁰ ²⁵¹ ²⁵² ²⁵³ ²⁵⁴ ²⁵⁵ ²⁵⁶ ²⁵⁷ ²⁵⁸ ²⁵⁹ ²⁶⁰ ²⁶¹ ²⁶² ²⁶³ ²⁶⁴ ²⁶⁵ ²⁶⁶ ²⁶⁷ ²⁶⁸ ²⁶⁹ ²⁷⁰ ²⁷¹ ²⁷² ²⁷³ ²⁷⁴ ²⁷⁵ ²⁷⁶ ²⁷⁷ ²⁷⁸ 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Charlotte Wain

From: Steve Barrie [REDACTED]
Sent: Thursday, Nov 12, 2015 12:29 PM
To: Charlotte Wain
Cc: Chris Coleman (Councillor)
Subject: development at 943 Collinson st

I am just sending this email in regards to the proposed townhouse development at 943 Collinson st.
I live in a registered heritage home at 907 Collinson and am opposed to this development mostly on the grounds this poor street has reached it's full capacity to house any more people. There already is Campbell lodge with near 100 suites as well as numerous apartments and condos. Parking is ALWAYS a serious problem on this street, most homes being non conforming older homes have no driveways. The size , scale , setback and look of this development does not fit with the current neighbourhood and i feel it will only draw away from the charm the street is trying to hold on to desperately. This home was placed on the market ridiculous overpriced obviously with no intention to sell, no real attempts to sell it as the beautiful one owner 40's home that it is. It would be nice if a street like this and being a dead end so close to town could remain intact, we already are bursting with cars etc.

Thank you
Steve Barrie
Construction Coordinator for Film and Television
907 Collinson street

Charlotte Wain

From: Mary Lloyd [REDACTED]
Sent: Wednesday, Nov 18, 2015 7:52 AM
To: Charlotte Wain, Chris Coleman (Councillor); [REDACTED]
Cc: Garth Lenz
Subject: 943 Collinson St

Hello,

I am opposed to the proposed development on my 900 block of Collinson. Mainly because we have a big parking problem here and more pressure on it will undoubtedly cause tension, friction, and many hassles here. We are JUST managing to fit everybody in at night. The proposed condos have only enough parking for one spot per condo and one total guest parking. That is ridiculous! Many families have two vehicles and lots of visitors. There are few viable options if we can't find a spot.

We also have downtown workers and partiers parking on our street to walk from here. If we end up having no space we have to park on Vancouver St and move our vehicles by 7am. With no where to move them to. And kids to get to school etc.

I also see it not matching the character of the street. There is NO green easement. Virtually a sliver of plants in front. It juts right against the sidewalk. Insane to approve that. Surrounding buildings are architecturally pleasant, with lovely landscaping.

Please stop this building. A character duplex or triplex would be more in keeping with the culture of our street.

Mary Lloyd
Garth Lenz

Charlotte Wain

From: Mary Lloyd [REDACTED]
Sent: Wednesday, Nov 18, 2015 10:46 PM
To: Lisa Helps (Mayor)
Cc: Charlotte Wain; Chris Coleman (Councillor); [REDACTED]; Garth Lenz; Mary Lloyd
Subject: 943 Collinson St.

Hello,

I am opposed to the proposed development on the 900 block of Collinson, because we have a big parking problem here already and more pressure on it will undoubtedly cause tension, friction, and many hassles. We are JUST managing to fit everybody in at night. The proposed condos have only enough parking for one spot per condo and a total of one guest parking spot for the entire complex. That is ridiculous! Many families have two vehicles and lots of visitors. There are few viable options if we can't find a spot.

We also have downtown workers and partiers parking on our street to walk from here. If we end up having no space, we have to park on Vancouver St and move our vehicles by 7am...with no where to move them toand kids to get to school etc.

I also see this monstrosity not matching the character our the street. We are a mix of well-conserved heritage and character homes, architecturally tasteful condominiums with lovely landscaping, and a federally funded subsidized housing complex with lots of green space. The proposed building has NO green easement-- virtually a sliver of plants proposed in front. It juts right against the sidewalk. It would be insane to approve that when surrounding buildings are architecturally pleasant, with lovely landscaping.

Please stop this building. A character duplex or triplex with much more parking would be more in keeping with the culture of our street. We are aware that non-developer offers were made to buy the home and it is unfortunate for the rest of us on the block that the owners went with the developer's offer.

Please consider all the values and culture of our special 900 block of Collinson when you look at this proposal..

Sincerely,

Mary Lloyd
Garth Lenz

Charlotte Wain

From: Charlotte Wain
Sent: Tuesday, Nov 24, 2015 8:30 AM
To: Charlotte Wain
Subject: FW: development at 943 Collinson st

From: Steve Barrie [mailto:]
Sent: Thursday, Nov 12, 2015 12:29 PM
To: Charlotte Wain
Cc: Chris Coleman (Councillor)
Subject: development at 943 Collinson st

I am just sending this email in regards to the proposed townhouse development at 943 Collinson st.
I live in a registered heritage home at 907 Collinson and am opposed to this development mostly on the grounds this poor street has reached it's full capacity to house any more people. There already is Campbell lodge with near 100 suites as well as numerous apartments and condos. Parking is ALWAYS a serious problem on this street, most homes being non conforming older homes have no driveways. The size , scale , setback and look of this development does not fit with the current neighbourhood and i feel it will only draw away from the charm the street is trying to hold on to desperately. This home was placed on the market ridiculous overpriced obviously with no intention to sell, no real attempts to sell it as the beautiful one owner 40's home that it is. It would be nice if a street like this and being a dead end so close to town could remain intact, we already are bursting with cars etc.

Thank you
Steve Barrie
Construction Coordinator for Film and Television
907 Collinson street

Charlotte Wain

From: Charlotte Wain
Sent: Tuesday, Nov 24, 2015 8:31 AM
To: Charlotte Wain
Subject: FW: Proposed redevelopment of 943 Collinson street

From: France Cormier [mailto: [REDACTED]]
Sent: Thursday, Nov 12, 2015 4:14 PM
To: Charlotte Wain; Chris Coleman (Councillor); [REDACTED]
Subject: Proposed redevelopment of 943 Collinson street

Hello,

We are writing to you to formally object to the proposed redevelopment at 943 Collinson street in its current form.

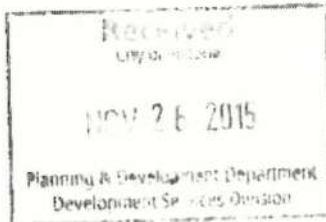
While we do not object to densification, we believe that any such plan should respect and preserve the street's livability. Green space is essential for a liveable environment and this project, in its current form, plans to remove a substantial amount of existing trees, shrubs and green space and replace it with concrete. This is not compatible with the rest of Collinson street and would seriously degrade the overall street's appeal and livability.

We would appreciate your support on this issue.

Regards,

France Cormier and Jim Yorgan
927 Collinson street
[REDACTED]

Sent from Samsung Mobile



936 Fairfield Road
Victoria BC V8V 3A4
November 20, 2015

Charlotte Wain, Senior Planner for Fairfield
Chris Coleman, Neighbourhood Liaison for Fairfield/Gonzales Community
Association
Planning and Zoning Committee, Fairfield/Gonzales Community Association

Re Proposal for 943 Collinson Street presented October 19 to the Planning and
Zoning Committee for the Fairfield/Gonzales Community Association.

I write on behalf of the 20 owners of Strata Plan VIS3275 to express our
concerns about the proposed 6 town home development which is immediately
to our east.

The 900 block Collinson has a variety of residences: Campbell Lodge; 3
rental apartment buildings; our condominium and several private homes, 3 of
which have heritage designations. We are, as the Humboldt Valley Precinct Plan
which covers our area states, a mix of old and new with a sense of continuity
and shared history. We agree and comply with Planning Principle 6 that The
mature street trees and public and private green space are highly valued as
community amenities and contributors to the liveability of the precinct. All
the existing properties on our block are set back from the sidewalk and have
grass and other landscaping features.

While the subsequent Official Community Plan of 2012 guides the
expected population growth over the next 30 years, it acknowledges that local
area plans are a key tool in the implementation of this plan, exploring local
context and providing detailed direction for how to achieve the objectives
outlined in this plan at a local level.

The developer is requesting a change from the current R3AM1 zoning and
variances on all boundaries as well as height. We do not see how the plan he is
presenting adheres to the Urban Design objective to Encourage high quality
design that relates to the character, scale and height of existing buildings in the
area or Design Guideline 2 which states Where new buildings with minimal
setbacks are proposed, consideration should be given to the relationship of the
new building to its immediate neighbours particularly with regards to shade and
shadowing; visual privacy; balcony locations; window alignments; and overlook.

Our specific concerns are:

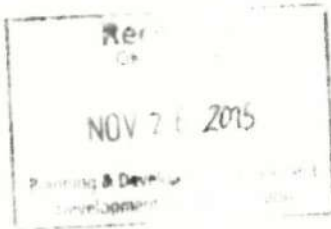
- * The floor space ratio for Urban Residential in the Official community Plan allows a density of 1.2:1 or 594 sq.m on a lot of 495 sq. m. This plan far exceeds that. It does not merit increased density on the basis of being within 200 m. of the urban core or an urban village. Nor does provide an amenity or affordable or special needs housing. In fact, the front 2 units will be hard to access for anyone with mobility issues.
- * The proposal seeks a 10 foot setback from the street when the current allowable is 25 feet. Its proximity to the sidewalk will block views west to Quadra and east to Vancouver, interfering with the "streethead" vistas valued in the plan for other areas of Fairfield.
- * Urban design policy in the precinct states, New residential development should maintain a strong relationship to the street with individual entrances at ground level. The stone street level facade and its second storey front entrances will loom 11 feet over pedestrians and drivers with little green to soften its appearance or maintain visual interest.
- * The architectural style, especially the ground level stone facade, is reminiscent of a ski resort and not in keeping with the heritage and residential style of other buildings on the block.
- * The roof line, even without projections, is over the height limit for 4 storey buildings by 1 to 2 feet.
- * On the already fenced eastern property line, the requested 5 foot instead of 20 foot setback will create a dark, narrow passage to the entry of 4 units. There is minimal landscaping to soften this.
- * An 11 foot setback instead of 20 feet is requested on the western property line. This will accentuate the blockage of light to the eastern side of our building. 4 units in our building rely totally on their eastern exposure for light. Another 8 units receive most of their light from the east. In total, 12 of our homes will be darker and colder.
- * The driveway, within the 11 foot setback on our eastern property line, means that the same 12 units will be subject to the noise of the garage entry system and the lights, sound and exhaust of 7 cars at any time of the day or night. The ground level units will have the headlights of cars exiting the garage shining directly into their homes. Waste Management vehicles will also use this driveway. The suggested ornamental grasses will do nothing to mitigate the noise, light and fumes. A substantial fence should be a minimum requirement.
- * The required ratio for parking is 1.4 or 8+ spaces for 6 units. Only 6 resident and one guest space is supplied. This will mean additional cars parking on an

already congested, dead end street.

- * The balconies on the western side of this building will overlook the patio or balcony of 4 units and face the windows of all 12 eastern units. Their use will create noise and invade privacy. The reduced setback and lack of fencing or landscaping of any height increases this effect.
- * The Humboldt Valley plan states that our precinct remains attractive to tourists and many are heard to comment on the mature boulevard trees and innovative gardens in front of apartment buildings and townhouses. Most of the minimal landscaping is at the rear of this building where it does nothing to enhance the street for other residents or passersby. Even this shared recreational space is reduced and brings the building closer than allowed to its neighbour at the rear.
- * None of the existing mature trees and shrubs on the property will be retained.
- * Bicycle parking is open to the sidewalk and does not provide the "property security" valued in the precinct plan.

This proposed development is not of a scale and does not provide sufficient landscaping to fit with the character of the 900 block Collinson Street. Nor does it adhere to the principles of the Humboldt Valley Precinct Plan. On behalf of the 20 homeowners immediately adjacent to it, we request that it not be accepted.

Martin Young
Strata Council President



102 & 103 936 Fairfield Road
Victoria BC V8V 3A4
November 12, 2015

Charlotte Wain, Senior Planner for Fairfield
Chris Coleman, Neighbourhood Liaison for Fairfield/Gonzales Community
Association
Planning and Zoning Committee, Fairfield/Gonzales Community Association

We are writing to express our opposition to the proposed development at 943 Collinson Street as it was presented on October 19 to the Planning and Zoning Committee of the Fairfield/Gonzales Community Association. We live in the 20 unit strata building immediately to the west of the property for which rezoning and several variances were requested.

Like many of our neighbours, we are concerned by the massiveness of the proposed structure in relation to the lot size, the lack of green space when all other buildings on the block are set back from the sidewalk with significant grass and plantings around them and insufficient parking which will leave more vehicles parked on an already crowded dead end street.

However our main concerns are:

1. The height of the building and its proximity to our property line.
We have garden or ground floor units bounded on the east and north by pleasant landscaping on generous setbacks. Unit 102 has a dining room window and patio door which face Collinson. But the main source of light is from the east: a single window in the main bedroom, a single living room window and a second dining room window. All of the windows and the patio of Unit 103 face east. It has no other natural source of light or warmth. Most of our light will be blocked by the proposed building, over height and looming with reduced variance to our east. It will leave our homes shaded and colder.
2. The ground level parking side rather than street entry and a driveway with fencing and minimal setback from our property line.
We can only assume that residents will be accessing the garage

adjacent to our bedroom and living area windows at any hour of the day or night. The security gate will be opening and closing. Lights from exiting cars will shine directly into our windows and those going up or down the drive way will cast light along the side of our homes. A privacy screen at the end of the driveway will be provided to shield the townhomes' rear garden from headlights, but the proposed ornamental grasses along the driveway will do little to shield us from the light, engine noise and exhaust of 7 cars. City of Victoria bylaws prohibit smoking within 7 metres of doors, windows and air intakes. We will have all the odour and chemicals from car exhaust closer than 7 metres.

The Humboldt Valley Precinct Plan which covers this block stipulates **that:** Rezoning applications for Artist Studio Space may be considered in an accessory building subject to addressing issues of dust, noise, odour and impact on adjacent properties. Surely a town home development should have to address the same issues. At the least, a fence should be required or the drive way could be moved to the eastern side of the development where there is an existing fence and cars are already being driven and parked.

If this proposal is approved as presented, it will cause similar disruptions to the 10 other units on the east side of our building. All our properties will be devalued and our enjoyment of our homes compromised. Please help us maintain the quality of our neighbourhood and our life in it by rejecting this proposal.

Sincerely,
Lynn Thomson, Unit 102
Helen Reid, Unit 103



943 Collinson St.

Neighbourhood Support

Attached are names and address of neighbours that support the project. The general consensus in my opinion from the single family residences is that the parking won't be an issue but there was concern regarding the trade's vehicles during construction and the hours of work in relation to noise.

I did find it difficult to access the larger rental buildings, although, I did receive the support from those I could find.

Regarding 910 and 930 Fairfield Rd., they were reluctant to lend support based on the fact that they were just renters. Although I did try to encourage them, that their opinion was every bit as important and mattered just as much as owner, but to no avail.

918 Fairfield Rd. seemed very positive when I spoke to her the last time but she is presently away until the end of the month. I will be in contact with her again.

I am scheduled to meet for a second time with the residents of 936 Fairfield Rd. on May 11th, 2016 to review further revisions to the plans.

943 COLLINSON ST
Proposed 3 unit townhouse development

I support the project ☒

Name: FRANCE CORMIER

Address: 927 Collinson St.

Comments:

I support the project ☒

Name: LORRAINE YVES SHAFER-SKY

Address: 923 COLLINSON ST

Comments:

I support the project ☒

Name: AbdulKader Hamdoun

Address: 967 collinson st

Comments:

I support the project ☒

Name: SARA ROBB

Address: 907 Collinson St

Comments:

943 COLLINSON ST
Proposed 3 unit townhouse developmentI support the project ☒Name: Wendy HaukeAddress: 9103 Collinson StComments: be mindful of our source 'Kendall Parking'I support the project ☒Name: Glen CampbellAddress: (918) Collinson StComments: I support this projectI support the project ☒Name: John ZelenakAddress: 918 Collinson St

Comments: _____

I support the project ☒Name: Anaok FRANKSONAddress: 306-934 Collinson St

Comments: _____

943 COLLINSON ST
Proposed 3 unit townhouse developmentI support the project ☒Name: Enrique Luis Gonzalez Address: 967 Collinson Unit 309Comments: I like it. It'll make the neighborhood nicerI support the project ☒Name: Beckon Address: 710 VANCOUVER

Comments:

I support the project ☒Name: Robert Nathan Address: 710 Vancouver

Comments:

I support the project ☒Name: Dolma Nathan Address: 710 Vancouver St

Comments:

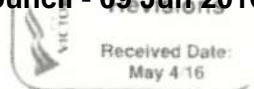
943 COLLINSON ST
Proposed 3 unit townhouse development

I support the project ☒Name: ERIC HAFENRICHSENAddress: 617 VANCOUVER ST.Comments:

I support the project ☒Name: Katrin GustafsonAddress: 940 FairfieldComments:
Please keep noise to working hours

I support the project ☒Name: Tina HolmanAddress: 906 FairfieldComments:

I support the project ☒Name: Scott CottardAddress: 967 Collinson St.Comments: Plumber 



943 COLLINSON ST
Proposed 3 unit townhouse development

I support the project ☒

Name: EVA ROBERTS Address: 924 FAIRFIELD RD

Comments:

I support the project ☒

Name: Catherine Sweeney Address: 912 Fairfield Rd

Comments:

Better project this time -

I support the project ☒

Name: Laure Edmondson Address: 911 Collinson

Comments:

I support the project ☒

Name: Mikal Williams Address: 911 Collinson

Comments:



943 COLLINSON ST
Proposed 3 unit townhouse development

Upon review of the original and then the revised development:

I support the project ☒

I do not support the project ☐

Name: NEIL BARKER

Address: 2302-967-8 COLLINSON ST

Comments:

Upon review of the original and then the revised development:

I support the project ☒

I do not support the project ☐

Name: Myron Buckley

Address: 933 Collins - Apt H

Comments:

I see no problem with this property develop

Upon review of the original and then the revised development:

I support the project ☒

I do not support the project ☐

Name: Jennifer Hainsworth

Address: 933 B Collinson Street
V8V-3B7

Comments:



943 COLLINSON ST
Proposed 3 unit townhouse development

I support the project ☒

Name: Marcus Kneys Address: 967 Collinson

Comments:

I support the project ☒

Name: [Signature] Address: 203 - 967 Collinson st

Comments:

I support the project ☐

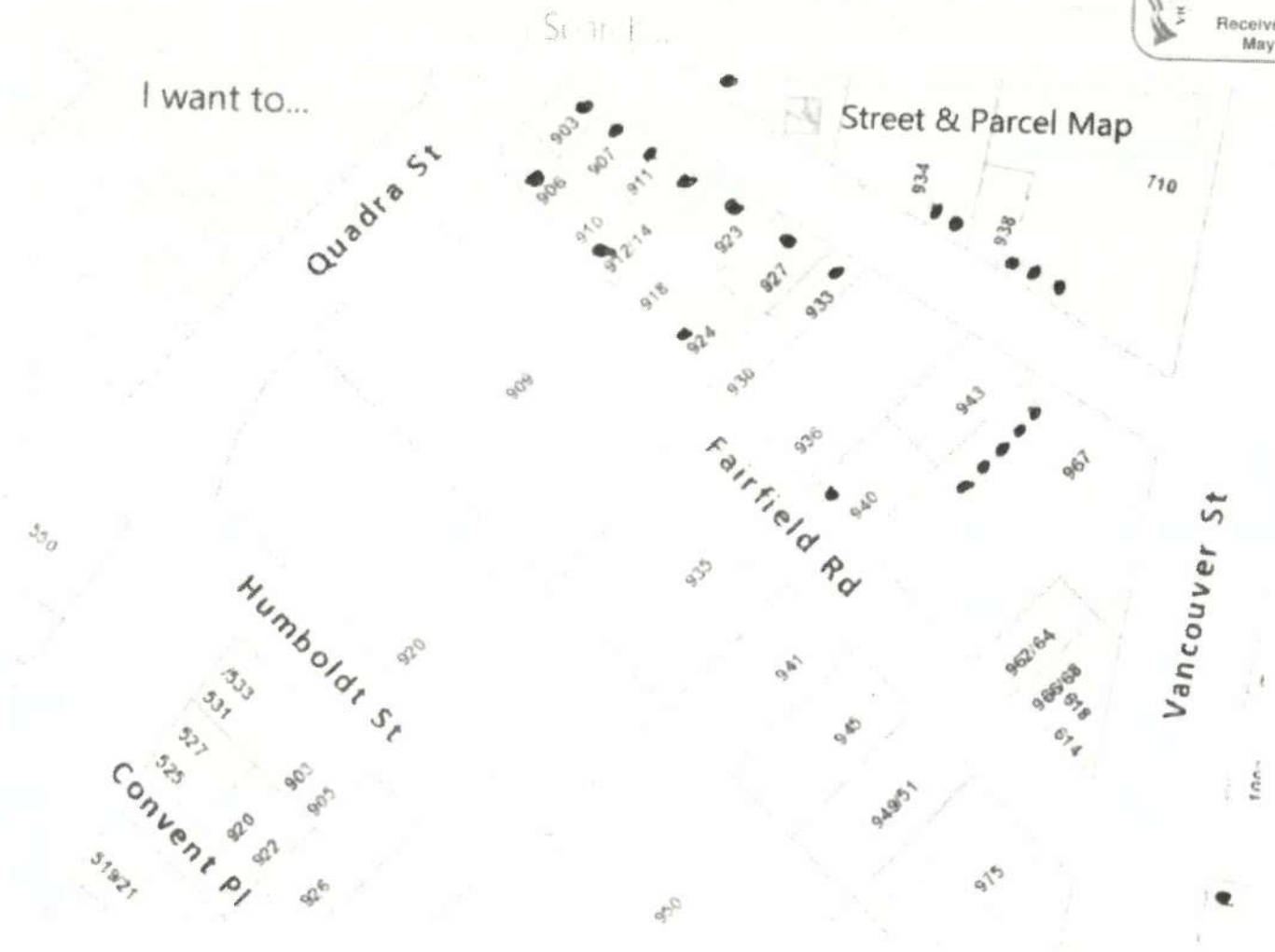
Name: _____ Address: _____

Comments: _____

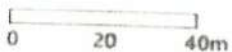
I support the project ☐

Name: _____ Address: _____

Comments:



THE DOTS INDICATE SUPPORTING NEIGHBOURS



Alicia Ferguson

From: Public Hearings
To: Victoria Mayor and Council
Subject: RE: Email to Mayor and Council re: 943 COLLINSON STREET.

From: John Carleton
Sent: Friday, May 20, 2016 4:57 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Fw: VARIANCES APPLICATION No 00008 FOR 943 COLLINSON STREET.

I am a Homeowner and Resident of Lot 1, Plan VIP57309 since the "Occupancy Permit", City of Victoria, was signed for and approved occupancy of the newly constructed 20 Unit Strata Condominium (936 Fairfield Road) dated 15 day of July 1994. Authority of Building Permit was 52983. Three properties were demolished to provide space for the building of this new condominium.

943 Collinson Street would have been part of the proposed structure (936 Fairfield Road) but the owners would not sell. As time passed the owners, an elderly couple moved on and their son took over looking after the property. The son painted the house, inside and out, sanded the floors and in general got the property ready for sale. From all appearances the house and property should be saleable at market value. A developer now enters the picture.

The developer, proposing the variances, would have to demolish the house or move the house off the property before building a replacement structure (3 story Condominium). I do not agree with his variation proposals as note below.

Zoning requires:

Minimum lot size of 920 sq meters.

943 Collinson is only 496 sq m. !!

Site coverage should be maximum 30%

Proposal is for 40% !!

On site parking for 3 units should be 4.2 (4)

Proposal is for only 3.0

Front set back should be 9.0 meters.

Proposal is for only 7.347 meters

West side set back should be 5.33 meters.

Proposal is for only 3.683 meters

East side set back should be 5.33 meters

Proposal is for only 1.525 meters

Rear set back should be 5.33 meters

Proposal is for only 3.962

I also must protest the **cutting down** of three mature trees along the east/south wall of the property for the new proposed structure. The 40-50 (?) year old trees are a major part of the greenery of the property.

Parking is a never ending major problem on the dead end Collinson Street. Adding an additional 2 living spaces on the street would add to this problem for visiting guests and commercial service vehicles.

Without limiting the discretion of the Board, it is the established policy of the Victoria Board of Variance to grant variances only where the Board is persuaded that the present zoning creates a hardship unique to the property in question.

I see no hardship unique to this property – only a developer planning to exploit an opportunity to make money at the expense of homeowners wishes in a family neighbourhood. Adjacent homeowners do have legalistic complaints – those further removed only have opinions.

For your consideration.

Thank you

WJ Carleton

404-936 Fairfield Road

Victoria BC V8V 3A4

Pamela Martin

From: Teri Picard [REDACTED]
Sent: Wednesday, June 01, 2016 4:47 PM
To: Victoria Mayor and Council
Subject: Re: 943 Collinson St.

Dear Mayor and Council,

I am writing about the re-zoning of 943 Collinson St. I am against it. Please do not allow this. The lot is so small as it is and it is ridiculous to put a three unit complex there. There is not enough street parking now. What will happen when there are three new vehicles looking for a place to park?
Sounds like a little too much greed happening here.

Do not allow this re-zoning.

Thank you,

Theresa Picard
934 Collinson St. #309

Pamela Martin

From: michael paul [REDACTED]
Sent: Wednesday, June 01, 2016 6:16 PM
To: Victoria Mayor and Council
Subject: I oppose the redevelopment of 943 Collinson Street

Dear Mayor and Council:

As a long-time renter at 934 Collinson Street, I oppose the redevelopment of 943 Collinson Street from a single family dwelling into a large triplex (development cash-grab). Collinson is already a congested street, with little or no park available on the street at present. Putting in another large structure, with insufficient parking for the 3 large suites proposed, will mean another 3 or 4 cars will likely have to park on the street regularly.

The developers are requesting many variances to allow this building to go ahead - so many because the neighbourhood/ property is not zoned for this type of oversized structure....

Also having a large number of construction vehicles parked on an already difficult/ congested street for many months will also be a hazard and produce much additional noise pollution.

Please vote to cancel this project, or scale it back considerably (duplex, with sufficient parking - 4 stalls onsite). Thank you.

Regards,

Michael Paul
#311 - 934 Collinson Street, Victoria, V8V 3B8
[REDACTED]

Pamela Martin

From: [REDACTED]
Sent: Thursday, June 02, 2016 1:26 PM
To: Victoria Mayor and Council
Subject: Proposed Construction 943 Collinson

Madam/Sir:

Re: Proposed Construction @ 943 Collinson.

This proposed construction, while ignoring zoning restrictions will only produce for residents lots of noise, dust, traffic problems.

The only benefit will be to the “developer” if that word can indeed be properly used here.

Do the right thing and make sure this site is not approved for this type of disruptive construction.

Steve Konarzewski
214 Vancouver St.

June 2, 2016

Alicia Ferguson

To: Victoria Mayor and Council
Subject: RE: Email to Mayor and Council re: 943 Collinson development application

From: B Hobson
Sent: Wednesday, May 18, 2016 4:08 PM
To: 'ccoleman@victoria.ca'; 'mayor@victoria.ca'; 'CWain@victoria.ca'
Cc: 'malto@victoria.ca'; 'bisitt@victoria.ca'; 'jloveday@victoria.ca'; 'mlucas@victoria.ca'; 'pmadoff@victoria.ca'; 'cth Thornton-joe@victoria.ca'; 'gyoung@victoria.ca'
Subject: 943 Collinson development application - request for feedback from Council

Re: 943 Collinson development application - request for feedback from Council

Good afternoon Mayor and Council,

My wife and I are very recent residents of Victoria, (after immigrating from Gordon Head in Saanich).
To date we have been enjoying our new life at 936 Fairfield Rd, with our home overlooking Collinson St.

We attended a presentation a few days ago from the developer of 943 Collinson St.
In this presentation the developer indicated that Council “wants” consistently high buildings along Collinson St, as his rationale for Council supporting the massive variances requested for this “orphan lot”, bringing the new building to the same height as the buildings on either side of it.
Are not variances meant to be rather minor in nature?

We are looking at across Collinson to a Heritage Home nestled between two much higher multi-family buildings, and we submit the variances in height, especially with several trees and much green space is quite appealing.

We would respectfully request feedback from Mayor and Council to confirm if this is really what our City Council wants (all similar height buildings), and if so, please explain the purpose of the constraints of zoning on this property, and the contradiction to the guidelines from the Humboldt Valley Plan.
We are concerned that the developer may have been misleading us, and our other neighbors to garner the support he seems to have obtained.

Thank you very much.

Regards,

Brian Hobson
401-936 Fairfield Rd.

Alicia Ferguson

From: Public Hearings
To: Victoria Mayor and Council
Subject: RE: 943 Collison development application

From: margaret feige
Sent: Tuesday, May 24, 2016 11:16 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>; Valerie MacDevitt; Heather Baxter; Martin Young; Lynn Thomson
Subject: 943 Collison development application

Dear Mayor and Council

My husband and I are very happy owners of suite 302 on the east side of our beautiful condo building at 936 Fairfield Road.
We enjoy living here very much and a big part of this enjoyment is the natural beauty of the landscaping on the east side of our building, the garden around the single family house to the east which is the site of the proposed development at 943 Collinson Street, and the three beautiful large trees which separate this property from the apartment building further east.

To our dismay we have learned that if this proposed development is approved, all of the windows on the east side of our suite will look directly upon this massive structure which will fill 40% of the site coverage when the current zoning requirements only allow for a maximum of 30% coverage.

The current zoning requirements require that the size of this proposed structure requires a lot size of 920 square meters but it is proposed to be built on a lot that is 496 square meters which is 46% smaller than the zoning requirement. This seems to us to be an unbelievable and unjustified percentage variance from what is currently required. We have zoning requirements for a very good reason and we ourselves would never expect to receive approval for such a massive variance. It definitely begs the question: Should the developer not be required to purchase a lot of at least 920 square meters to build what he is proposing?

Now, please understand that we are not against development and we do understand that variances serve a useful purpose when they are clearly in the best interest of all parties concerned. The main point we want to get across is that these major variances only serve the developer and are so far off the zoning requirements one has to wonder why we have zoning requirements at all.

Approval of these massive variances for this development and the loss of this amount of beautiful green space, sets a

dangerous precedent which will reduce the quality of life for all of the residents in our beautiful neighborhood.

As I sit here in my living room looking east at this lovely single family home and enjoying the landscaping and these three beautiful trees,

I leave you with this image and I thank you very much for your consideration of this letter.

Sincerely,

Margaret Feige
302-936 Fairfield Road

Pamela Martin

From: Public Hearings
Subject: FW: Email to Mayor and Council re: Redevelopment of 943 Collinson St.

From: M BUCKLEY [REDACTED]
Sent: Monday, June 06, 2016 10:49 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Redevelopment of 943 Collinson St.

Dear Mayor Lisa Helps and Council.

My name is Myrna Buckley and I am a resident at 934 Collinson St. I am writing to you to say how much I disagree with the proposal for redevelopment of the property(943 Collinson) across the street from us. The plan for this massive building does not meet the zoning requirements of the city and will ruin our small street. I do NOT support this inappropriate proposal for our street.

Thank you so much, Myrna Buckley
Apt. A 934 Collinson St
Victoria, V8V 3B8

Pamela Martin

From: Public Hearings
Subject: FW: Email to Mayor and Council re: Letter of Support for 943 Collinson

From: Lorraine Shafonsky [REDACTED]
Sent: Saturday, June 04, 2016 2:37 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Letter of Support

Mayor Helps and City of Victoria Council,

I would like to tender my support of the proposed development at 943 Collinson Street by Mr Dan Hagel.

This gentleman has been very open with his plans from the very start...sharing his ideas and asking for input from all the neighbours on Collinson St between Vancouver and Quadra.

He changed his plans completely to comply with negative feedback and his latest presentation was shown to us a few weeks ago and looks like a much better 'fit' in this neighbourhood!

Your sincerely,

Wesley and Lorraine Shafonsky

923 Collinson St.
Victoria, B.C., V8V 3B7

[REDACTED]

Pamela Martin

From: Public Hearings
Subject: FW: Reject the Proposal for Redevelopment of 943 Collinson St.

From: Megan Hawker [REDACTED]
Sent: Monday, June 06, 2016 5:07 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Reject the Proposal for Redevelopment of 943 Collinson St.

To whom it may concern,

I am a resident of 967 Collinson Street and I am writing to tell you that I DO NOT support the proposal for the redevelopment of 943 Collinson Street as it is not appropriate for the site and the loss of green space, mature trees and all ready very limited street parking will not benefit anyone living on this street.

Please reject the application for redevelopment of 943 Collinson Street.

Regards,

Megan Hawker

943 COLLINSON ST
Proposed 3 unit townhouse development

I support the project ☒

Name: Keyla Perry

Address: 967 Collinson

Comments:

I live in the apartments next door and have
no problem with the proposed plan

I support the project ☒

Name: Abel Haberia

Address: 967 Collinson Street

Comments:

I support the project ☒

Name: Raphaël Louis

Address: 910 Fairfield Rd.

Comments:

I think it is a
good project for the community

I support the project ☐

Name: Elizabeth Dichmont

Address: 205-967 Collinson

Comments:

No problem - nice looking building

943 COLLINSON ST
Proposed 3 unit townhouse development

I support the project ☒

Name: Stephanie Rothwell

Address: 61 Fairfield Rd

Comments:

I support the project ☒

Name: Anna Brisio

Address: 918 Fairfield Rd

Comments: (None Resident.)

I support the project ☐

Name: _____

Address: _____

Comments: _____

I support the project ☐

Name: _____

Address: _____

Comments:

943 Collinson

From : Scott Mitchell [REDACTED]
Subject : 943 Collinson
To : [REDACTED]

Fri, Jun 03, 2016 09:40 AM

Dan

Scotty tree has examined your proposed 943 Collinson development. Two approximately 40cm dbh spruce and one 50 cm Douglas fir (located to the south of the lot and abutting the eastern property line) will not survive the development. Large lateral surface roots are predominate in the areas required for development.

Fir had co-dominant union with included bark. High hazard defect in Douglas Fir.

Regardless of development, previous topping events have made them poor candidates for retention.

Take care
Scott
Scotty Tree Service
Isa arborist 6831-a
Certified tree assessor Ctra 309

Shaw Webmail

expression of interest

From : Jim Connelly [REDACTED]

Mon, Jun 06, 2016 10:32 PM

Subject : expression of interest**To :** [REDACTED]

To whom it may concern,

My name is Jim Connelly , and I represent Nickel Brothers House Moving here on the South Island. I have been asked by Dan Hagel to reiterate , for the knowledge of Council and Mayor, our efforts thus far in regards to the possible relocation of the Building located at 943, Collingson.

For your information, I was made aware of the building some 15 months ago, and have been working diligently to ensure that the it will be removed rather than demolished. Our initial communication, I believe , was from the present owner, who was proposing to have us take the building to a potential lot in the Cowichan Valley. Initial discussions with both Ron Nickel, and later, with myself , and at least two site meetings, have hopefully provided the owner with all necessary information and a solid orientation as to how the House moving process works; included in this were some preliminary estimates as well.

Also, and concurrently, Mr Hagel has also made himself available to us to further the project should the present owner decide that the project was unworkable.

Much time has passed, and it now appears that the building is to be brought to us for removal.

Let it be known therefore, that we are actively working on a removal, and have an interested party. It remains to be seen if all the moving parts can come together, but I will say for the record that the prospects are good, and that its been a pleasure to work with mr Hagel, who seems intent to get a positive result here, and has been extremely forthcoming from the start.

Should any of you have any specific questions or concerns, I would happily make myself available to answer all questions.

My cell number is [REDACTED]

best regards,

Jim Connelly

Nickelbrothers House Moving

Pamela Martin

From: Public Hearings
Subject: FW: Development Permit with Variance Application - 943 Collinson St.

From: B Hobson [REDACTED]
Sent: Tuesday, June 07, 2016 11:11 AM
To: Public Hearings <PublicHearings@victoria.ca>
Cc: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Development Permit with Variance Application - 943 Collinson St.

To Mayor and Council and Staff,

Re: 943 Collinson St.

I am writing this letter in opposition of this development application.

1) I submit that the application is in conflict with the following sections of the Humboldt Valley Precinct Plan:

HUMBOLDT VALLEY PRECINCT PLAN

Pg 3. PLANNING PRINCIPLES:

4 The elements which define neighbourhood character and human scale development such as street trees and building massing are also valued.

6 The mature street trees and public and private green space are highly valued as community amenities and contributors to the liveability of the precinct.

PLAN SUMMARY MAP #2:

***This map seems to indicate the property at 943 Collinson St. as General Residential with FSR up to 0.6:1*

Pg. 8 TRANSPORTATION – POLICIES:

2 Parking variances may be considered subject to the provision of a parking study to the satisfaction of Staff and subject to Council approval.

Pg. 10 URBAN DESIGN – POLICIES:

4 Surface parking should be located to the rear of buildings or enclosed and should be adequately screened by landscaping.

Pg. 11 HUMBOLDT VALLEY DESIGN GUIDELINES:

2 Where new buildings with minimal setbacks are proposed, consideration should be given to the relationship of the new building to its immediate neighbours particularly with regards to shade and shadowing; visual privacy; balcony locations; window alignments; and overlook.

8 Mature street trees are identified by the community as an important neighbourhood characteristic. Retention of these mature trees is strongly supported. The impact of new buildings and in particular, reduced setbacks, on street trees will be assessed as part of a development application.

A) The proposed building height and massing, in addition to the removal of trees and shrubbery will detract from the current appealing variety of the streetscape along Collinson St.

B) Review of the PLAN SUMMARY MAP #2 within the Humboldt Valley Plan appears to indicate the site as 'General Residential' with FSR up to .06:1. This proposal is for .09:1.

C) The Proposal has negligible screening of the surface and enclosed parking.

D) The parking variance requested should require a parking study, as the very limited street parking along Collinson will be negatively impacted.

E) The east side of our building at 936 Fairfield Rd. will be severely impacted by shade/shadowing and visual privacy. I believe a shadow study would be appropriate.

2) The requested major variances to required site size and coverage (impacting required setbacks) are in conflict with the zoning. I submit that the intent of Variances is that they should be minor in nature.

Correspondence from City Staff indicates:

"In terms of the variances, these are largely as a result of the lot size. Normally, a larger lot would be preferable and could accommodate a development of this type with fewer siting variances, however, in this case all the adjacent lots have been developed and there is limited opportunity for lot consolidation"

I submit that it is actually preferable the the proposal does not proceed as the lot does not accommodate the development of this type. Should the Developer wish to develop the site, he has the option to purchase the land and building to the rear of

943 Collinson. This would be a more normal and appropriate process for a development.

The development may be more appealing as a much smaller duplex and would likely still be economically beneficial to the developer.

Another option would be for Council to reduce the zoning of the site.

Thank you for your consideration in rejecting this proposal.

Cordially,

Brian Hobson

401-936 Fairfield Rd.

Victoria

Pamela Martin

From: Public Hearings
Subject: FW: email to Mayor and Council re: 943 Collinson

From: Elizabeth Dichmont [REDACTED]
Sent: Tuesday, June 07, 2016 3:53 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: 943 Collinson

I understand that you are considering a development proposal at the following address.

I have seen the plans and want you to know I endorse them. The building is attractive and in my opinion will fit in terms of height and design with the surroundings.

E. Dichmont
205-967 Collinson

Pamela Martin

From: Public Hearings
Subject: FW: 943 Collinson Street

From: Brady Taylor [REDACTED]
Sent: Tuesday, June 07, 2016 4:09 PM
To: Council Secretary <councilsecretary@victoria.ca>; Public Hearings <PublicHearings@victoria.ca>
Cc: [REDACTED]
Subject: 943 Collinson Street

Good Afternoon Council,

I am writing to you in regards to the proposed development at 943 Collinson Street. I currently reside at 933 Collinson Street, in a single family dwelling.

I am writing in support of the development application made by Mr. Dan Hagel. I feel that in these times of low vacancy rates and high housing costs, that we need to flexible with relaxations to the Zoning Regulation Bylaws that propose to increase density and provide more homes in the downtown area.

I understand from that Mr. Hagel that most of the local residents are in favour of replacing the current single family dwelling with three townhouses, with the only concerns being raised by select occupants of the large multi-unit condominium building next door to the site. I would caution council to consider these concerns as 'NIMBY-ish' and from a place of self-interest, not what would be most practical for the neighbourhood.

As a single father of two young children, I am hopeful that increases in density and homes provided will allow access to the area for other young families, without having to choose to live in an apartment or condominium.

Please do no hesitate to contact me as outlined below if there are any questions or comments.

Best Regards,

Brady Taylor

Brady Taylor, P.Eng.



Herold Engineering Limited

1051 Vancouver St.
Victoria, BC V8V 4T6
Canada

Tel: 250-590-4875

Fax: 250-590-4392

Cell: [REDACTED]

Email: BTaylor@Heroldengineering.com

Web: <http://heroldengineering.com>

CONFIDENTIALITY NOTICE: The information contained in this email is intended only for the addressee. Its contents (including attachments) are confidential and may contain privileged information. If you are not the intended recipient, you must not use,

Pamela Martin

Subject: FW: 943 Collinson development application - request for feedback from Council

From: B Hobson [REDACTED]

Date: May 18, 2016 at 4:07:59 PM PDT

To: <ccoleman@victoria.ca>, <mayor@victoria.ca>, <CWain@victoria.ca>

Cc: <malto@victoria.ca>, <bisitt@victoria.ca>, <jloveday@victoria.ca>, <mlucas@victoria.ca>, <pmadoff@victoria.ca>, <cth Thornton-joe@victoria.ca>, <gyoung@victoria.ca>

Subject: 943 Collinson development application - request for feedback from Council

Re: 943 Collinson development application - request for feedback from Council

Good afternoon Mayor and Council,

My wife and I are very recent residents of Victoria, (after immigrating from Gordon Head in Saanich). To date we have been enjoying our new life at 936 Fairfield Rd, with our home overlooking Collinson St.

We attended a presentation a few days ago from the developer of 943 Collinson St. In this presentation the developer indicated that Council "wants" consistently high buildings along Collinson St, as his rationale for Council supporting the massive variances requested for this "orphan lot", bringing the new building to the same height as the buildings on either side of it. Are not variances meant to be rather minor in nature?

We are looking at across Collinson to a Heritage Home nestled between two much higher multi-family buildings, and we submit the variances in height, especially with several trees and much green space is quite appealing.

We would respectfully request feedback from Mayor and Council to confirm if this is really what our City Council wants (all similar height buildings), and if so, please explain the purpose of the constraints of zoning on this property, and the contradiction to the guidelines from the Humboldt Valley Plan. We are concerned that the developer may have been misleading us, and our other neighbors to garner the support he seems to have obtained.

Thank you very much.

Regards,

Brian Hobson
401-936 Fairfield Rd.
[REDACTED]

Pamela Martin

Subject: FW: 943 Collison development application

From: Mike Nizker [REDACTED]
Sent: Wednesday, June 08, 2016 11:54 AM
To: 'Victoria Mayor and Council'; 'ccoleman@victoria.ca'; 'mayor@victoria.ca'; 'CWain@victoria.ca'
Cc: 'malto@victoria.ca'; 'bisitt@victoria.ca'; 'jloveday@victoria.ca'; 'mlucas@victoria.ca'; 'pmadoff@victoria.ca'; 'cth Thornton-joe@victoria.ca'; 'gyoung@victoria.ca'
Subject: 943 Collison development application

Dear Mayor and Council,

We were quite disturbed to learn about the details of the proposal in question (Development Permit request 0008 for 943 Collinson Street). We were dismayed by the fact that this proposal even came so close to being approved. We are certain you are aware about fragrant violations by this proposal of the code for R3AM1. Therefore, in our letter would like to discuss not these violations, but rather public and legal aspects of the matter.

1. **Public aspect.** Accepting the proposal in discussion would set a very dangerous precedent. This would significantly devalue the validity of the decisions made by the **City** and bring serious damage to the reputation of the acts made by the **Council**. Indeed, what is the value of a rule that can be easily broken under the pressure from the same group of people this rule was designed to regulate?
2. **Legal aspect.** It is clear that accepting the proposal in question infringes the rights of the same very citizens whose rights **City Council** is called to defend. This would render the decision making body legally vulnerable and open it for the legal actions that would have rather solid grounds.

Based on the above we express our hope that the proposal that violates existing rules and infringes our intrinsic rights will be turned down. If required, we are ready to offer our help in the process because we are determined to defend our rights with all means that our society offers.

Several citizens have already sent their objection letters to Victoria Major and Council. They shared the replies they received. Unfortunately, these replies were carbon copies of one another. Concrete objections of the citizens are not even discussed. Were citizens' letters read?

The irony is that these responses have been sent by someone working in Citizen Engagement department. Should City of Victoria patent a new way to engage citizens by not addressing and not even listening their concerns? Do those responsible for enforcing the rules set by the city expect that the citizens whose rights are infringed will somehow stop objecting? Well, this is not going to happen.

Truly,

Dr. Eugene Nizker
 Dr. Mike Nizker
 403-936 Fairfield Rd.

Pamela Martin

From: Public Hearings
Subject: FW: Email to Mayor and Council re: Proposed Development 943 Collinson Street

From: HEATHER BAXTER [REDACTED]
Sent: Wednesday, June 08, 2016 3:33 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Proposed Development 943 Collinson Street

Dear Mayor and Council,

I am a happy owner on the east side of our beautiful condo building at 936 Fairfield Road. I enjoy living here very much and a big part of this enjoyment is the natural beauty of the landscaping on the east side of our building, the garden around the single family house to the east which is the site of the proposed development at 943 Collinson Street, and the three beautiful large trees which separate this property from the apartment building further east.

To my dismay, I have learned of this proposed development. If approved, the windows on the east side of all suites will look directly upon this massive structure which will fill 40% of the site coverage when the current zoning requirements only allow for a maximum of 30% coverage.

The current zoning requirements require that the size of this proposed structure requires a lot size of 920 square meters but it is proposed to be built on a lot that is 496 square meters which is 46% smaller than the zoning requirement. This seems to me to be an unbelievable and unjustified percentage variance from what is currently required. We have zoning requirements for a very good reason. It definitely begs the question: Should the developer not be required to purchase a lot of at least 920 square meters to build what he is proposing?

I am not against development in general and do understand that variances serve a useful purpose when they are clearly in the best interest of all parties concerned. These major variances only serve the developer and are so far off the zoning requirements one has to wonder why we have zoning requirements at all.

Approval of these massive variances for this development and the loss of this amount of beautiful green space, sets a dangerous precedent which will reduce the quality of life for all of the residents in our beautiful neighborhood.

I ask that you take the time to consider this proposal and the effect it will have.

Sincerely,

Heather Baxter
204-936 Fairfield Road
Victoria, B.C.
V8V 3A4

Pamela Martin

From: Public Hearings
Subject: FW: Development Permit with Variance Application -- 943 Collinson St.

From: patricia morris [REDACTED]
Sent: Wednesday, June 08, 2016 1:50 PM
To: Public Hearings <PublicHearings@victoria.ca>
Cc: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Development Permit with Variance Application -- 943 Collinson St.

To Mayor and Council and Staff,

Re: 943 Collinson St.

I am writing this letter to oppose this development application.

1) I submit that the application is in conflict with the following sections of the Humboldt Valley Precinct Plan:

HUMBOLDT VALLEY PRECINCT PLAN

Pg 3. PLANNING PRINCIPLES:

4 The elements which define neighbourhood character and human scale development such as street trees and building massing are also valued.

6 The mature street trees and public and private green space are highly valued as community amenities and contributors to the liveability of the precinct.

PLAN SUMMARY MAP #2:

***This map seems to indicate the property at 943 Collinson St. as General Residential with FSR up to 0.6:1*

Pg. 8 TRANSPORTATION – POLICIES:

2 Parking variances may be considered subject to the provision of a parking study to the satisfaction of Staff and subject to Council approval.

Pg. 10 URBAN DESIGN – POLICIES:

4 Surface parking should be located to the rear of buildings or enclosed and should be adequately screened by landscaping.

Pg. 11 HUMBOLDT VALLEY DESIGN GUIDELINES:

2 Where new buildings with minimal setbacks are proposed, consideration should be given to the relationship of the new building to its immediate neighbours particularly with regards to shade and shadowing; visual privacy; balcony locations; window alignments; and overlook.

8 Mature street trees are identified by the community as an important neighbourhood characteristic. Retention of these mature trees is strongly supported. The impact of new buildings and in particular, reduced setbacks, on street trees will be assessed as part of a development application.

A) The proposed building height and massing, in addition to the removal of trees and shrubbery will detract from the current appealing variety of the streetscape along Collinson St.

B) Review of the PLAN SUMMARY MAP #2 within the Humboldt Valley Plan appears to indicate the site as 'General Residential' with FSR up to .06:1. This proposal is for .09:1.

C) The Proposal has negligible screening of the surface and enclosed parking.

D) The parking variance requested should require a parking study, as the very limited street parking along Collinson will be negatively impacted.

E) The east side of our building at 936 Fairfield Rd. will be severely impacted by shade/shadowing and visual privacy. I believe a shadow study would be appropriate.

2) I also submit that the requested major variances to required site size and coverage (impacting required setbacks) are in conflict with the zoning. I submit that the intent of Variances is that they should be minor in nature.

Correspondence from City Staff indicates:

"In terms of the variances, these are largely as a result of the lot size. Normally, a larger lot would be preferable and could accommodate a development of this type with fewer siting variances, however, in this case all the adjacent lots have been developed and there is limited opportunity for lot consolidation"

I submit that it is preferable that the proposal does not proceed, as the lot does not accommodate a development of this type. Should the Developer wish to develop the site, he has the option to purchase the land and building to the rear of 943 Collinson. This would be a more normal and appropriate process for a development.

The development may be more appealing as a much smaller duplex, and would likely still be economically beneficial to the developer.

Another option would be for Council to reduce the zoning of the site.

I request that Councillors consider these objections, and reject this proposal.

I would like an opportunity to speak briefly at the meeting.

Sincerely,

Patricia Morris

936 Fairfield Rd.

Victoria

3.2 Development Variance Permit No. 00174 for 1535 Davie Street (South Jubilee Neighbourhood)

Committee received a report dated May 3, 2016, regarding an application to construct an addition to the existing triplex and convert into a single family dwelling secondary suite.

Motion: It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council and that after giving notice and after allowing opportunity for public comment that Council consider Development Variance Permit No. 00174 for 1535 Davie Street and that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00174 for 1535 Davie Street, in accordance with:

1. Plans date stamped April 5, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. R1-B Zone, Single Family Dwelling District, the floor area of the first and second storeys combined increased from 280m² to 284.4m²
 - ii. Schedule J, Secondary Suite Regulations, Exterior Changes, increase the maximum enclosed floor area added to a building when installing a secondary suite from 20m² to 115.1m²
3. Final plans to generally be in accordance with the plans identified above, subject to final approval of the suite entrance features (landscaping and lighting) to the satisfaction of staff.
4. The Permit will lapse two years from the date of the Council resolution."

CARRIED UNANIMOUSLY 16/COTW

REPORTS OF THE COMMITTEES

1. Committee of the Whole – May 19, 2016

1. Development Variance Permit No. 00174 for 1535 Davie Street

Motion:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Council and that after giving notice and after allowing opportunity for public comment that Council consider Development Variance Permit No. 00174 for 1535 Davie Street and that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00174 for 1535 Davie Street, in accordance with:

1. Plans date stamped April 5, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. R1-B Zone, Single Family Dwelling District, the floor area of the first and second storeys combined increased from 280m² to 284.4m²
 - ii. Schedule J, Secondary Suite Regulations, Exterior Changes, increase the maximum enclosed floor area added to a building when installing a secondary suite from 20m² to 115.1m²
3. Final plans to generally be in accordance with the plans identified above, subject to final approval of the suite entrance features (landscaping and lighting) to the satisfaction of staff.
4. The Permit will lapse two years from the date of the Council resolution."

Carried Unanimously



Committee of the Whole Report

For the Meeting of May 19, 2016

To: Committee of the Whole **Date:** May 3, 2016

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Development Variance Permit No. 00174 for 1535 Davie Street

RECOMMENDATION

That Council and that after giving notice and after allowing opportunity for public comment that Council consider Development Variance Permit No. 00174 for 1535 Davie Street and that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00174 for 1535 Davie Street, in accordance with:

1. Plans date stamped April 5, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. R1-B Zone, Single Family Dwelling District, the floor area of the first and second storeys combined increased from 280m² to 284.4m²
 - ii. Schedule J, Secondary Suite Regulations, Exterior Changes, increase the maximum enclosed floor area added to a building when installing a secondary suite from 20m² to 115.1m²
3. Final plans to generally be in accordance with the plans identified above, subject to final approval of the suite entrance features (landscaping and lighting) to the satisfaction of staff.
4. The Permit will lapse two years from the date of the Council resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 1535 Davie Street.

The proposal is to convert an existing triplex to a single family dwelling with a secondary suite. Two variances are required, which would:

- increase the maximum floor area for the first and second storeys combined from 280m² to 284.4m²
- increase the maximum amount of added floor area from 20m² to 115.1m² to allow installation of a suite.

The following points were considered in assessing this Application:

- The proposed addition to the existing building is 115.1m² floor area, and a portion of this area will be allocated to the suite. The proposed suite does not exceed the maximum permitted size of a suite (maximum 90m²). The combined floor area for the first and second storeys is marginally exceeded with the additional floor area.
- The proposal is generally consistent with the *Secondary Suite Design Guidelines*. Minor refinements may be incorporated which will serve to define the suite entrance.
- The proposed variance to Schedule J, Secondary Suite Regulations, to increase the allowable new floor area to an existing building will facilitate the creation of a family home with a secondary suite without compromising the functionality of the rear-yard or creating a visual impact on Davie Street.

BACKGROUND

Description of Proposal

The proposal is to change the existing triplex into a single family dwelling with a suite. Specific details include:

- changes to the exterior of the dwelling include a two-storey addition to the rear of the building
- changes to the front façade include elimination of one door and façade improvements to the siding and refurbishment of the existing bay windows
- the main entrance of the suite is on the north elevation, which is accessed from the front-yard by a new path
- off-street parking requirements are satisfied for this parcel, with one surface stall located in the south side-yard.

Details of the proposed variances:

- R1-B Zone, Single Family Dwelling District, restricts the maximum floor area for the first and second storeys combined to 280m². Currently this floor area is 169m². As the proposed new floor area is being added to the first and second storey, the total floor area of the first and second storey will be 284.4m², which exceeds the maximum allowance by approximately 4m². It is noted that the combined total floor area of all storeys is within the allowable maximum (refer to data table).
- The Secondary Suite Regulations (Schedule J), restrict an extension to an existing building to 20m² of enclosed floor area to allow for the installation of a secondary suite. The request is for an addition of 115.1m²; however, as noted above, because the existing floor area is 169m² with the additional floor area, the building is exceeding the maximum total floor area for the combined first and second storey.

Sustainability Features

As indicated in the applicant's letter dated April 5th, 2016, the following sustainability features are anticipated as a result of the general renovations:

- improved insulation
- restoration of original wood bay windows
- upgrades to hot water tank and appliances
- rain water collection for garden use
- removal of asphalt and replaced with lawn and garden area
- landscaping to include drought tolerant plants
- salvage of existing materials where possible.

Existing Site Development and Development Potential

The subject property is within the R1-B Zone, Single Family Dwelling District. As the lot exceeds 669m², the allowable total floor area of all floor areas combined is 420m². A secondary suite is a permitted use.

Data Table

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

Zoning Criteria	Proposal	R1-B Zone
Site area (m ²) - minimum	741	460
Total floor area (m ²) - maximum	363.58 (increased from 248.4m ²)	420
Added floor area	115.1*	20
Combined 1 st and 2 nd floor area (m ²) - maximum	284.4*	280
Suite floor area (m ²) - maximum	89.93	90
Suite to total floor area ratio (%) - maximum	24.67	40
Height (m) - maximum	6.51	7.6
Storeys - maximum	3 (legal non-conforming)	2
Site coverage % - maximum	26.62	40
Setbacks (m) - minimum		
Front (Davie Street)	7.61	7.5
Rear (east)	10.7	10.3
Side (north)	1.84	1.8
Side (south)	4.61	3.0
Parking - minimum	1	1

Relevant History

The house was constructed in 1908. In 1942, the dwelling was converted into a duplex and then in 1998 the existing duplex was converted into a triplex under the conversion guidelines.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on May 4th, 2016 the Application was referred for a 30-day comment period to the South Jubilee Neighbourhood Association. Should a response be provided, it will be made available to Council.

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

ANALYSIS

Regulatory Considerations

Schedule J, Regulations for Secondary Suites, is intended to regulate the timing and extent of changes to an existing dwelling to allow for a secondary suite to ensure changes to a dwelling represent gradual infill within the neighbourhood. With respect to exterior changes, the extension to a building to allow a secondary suite is limited to an additional 20m² of enclosed floor area.

In this instance, the applicant wishes to undertake a substantial renovation to this house, to make the main living area more functional and at the same time accommodate the installation of a secondary suite. The renovation will create more functional living space for the main dwelling and a two-storey addition that will (in part) accommodate the secondary suite with living area on the first storey and a bedroom on the second storey. While it is encouraged to have the secondary suite created within the existing floor plan or within a modest addition, the proposed addition is not visible from the street. The existing dwelling is three-storeys, and the proposed suite is a lower profile than the existing building, with the entrance at grade. Due to the placement of the adjacent dwellings, additional privacy concerns are minimal, and the proposed addition will generally overlook the rear and side-yards area of the adjacent properties. The setback from the north property line represents the closest placement of the existing building and the proposed addition to the neighbouring property (1539 Davie). On this elevation one new second storey window is proposed for the suite. A new 1.8m high fence is planned to provide screening.

As the lot size is large, the addition in the rear-yard still provides adequate private rear-yard space for the principal dwelling and the suite. Further, as the parking for the triplex will be removed, the rear-yard will be converted to more garden space.

Design Guidelines

The proposal generally meets the Secondary Suite Design Guidelines. The front façade of the dwelling will be improved as a door will be eliminated and changes to windows and siding will be undertaken. The siding materials (which will be replaced) will extend to the addition, providing a seamless transition. The walkways to the suite will be enhanced to provide access to the suite.

In order to provide better visual identity for the suite entrance, staff recommend that Council request further details of the lighting and landscaping adjacent to the suite entrance. This landscaping may include soft and hard landscaping features, such as planters or pathway details defined by colour or materials. Details can be provided prior to the issuance of the building permit.

CONCLUSIONS

The renovation of the existing building provides an opportunity to enhance the character of the building and to modify the floor plan to reflect current living requirements for a single family home. As extensive renovations are planned, the applicants are viewing this as an opportunity to install a secondary suite. The suite will provide functional living area with an opportunity for private outdoor space. Other changes to the existing structure will provide upgrades and the overall landscaping will be improved.


As the addition is in the rear-yard, the visual impact on Davie Street will be minimal. The additional overlook and privacy impacts on adjacent properties will be mitigated by building and window placement and privacy fencing.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00174 for the property located at 1535 Davie Street.

Respectfully submitted,


Lucina Baryluk
Senior Process Planner
Development Services Division


Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

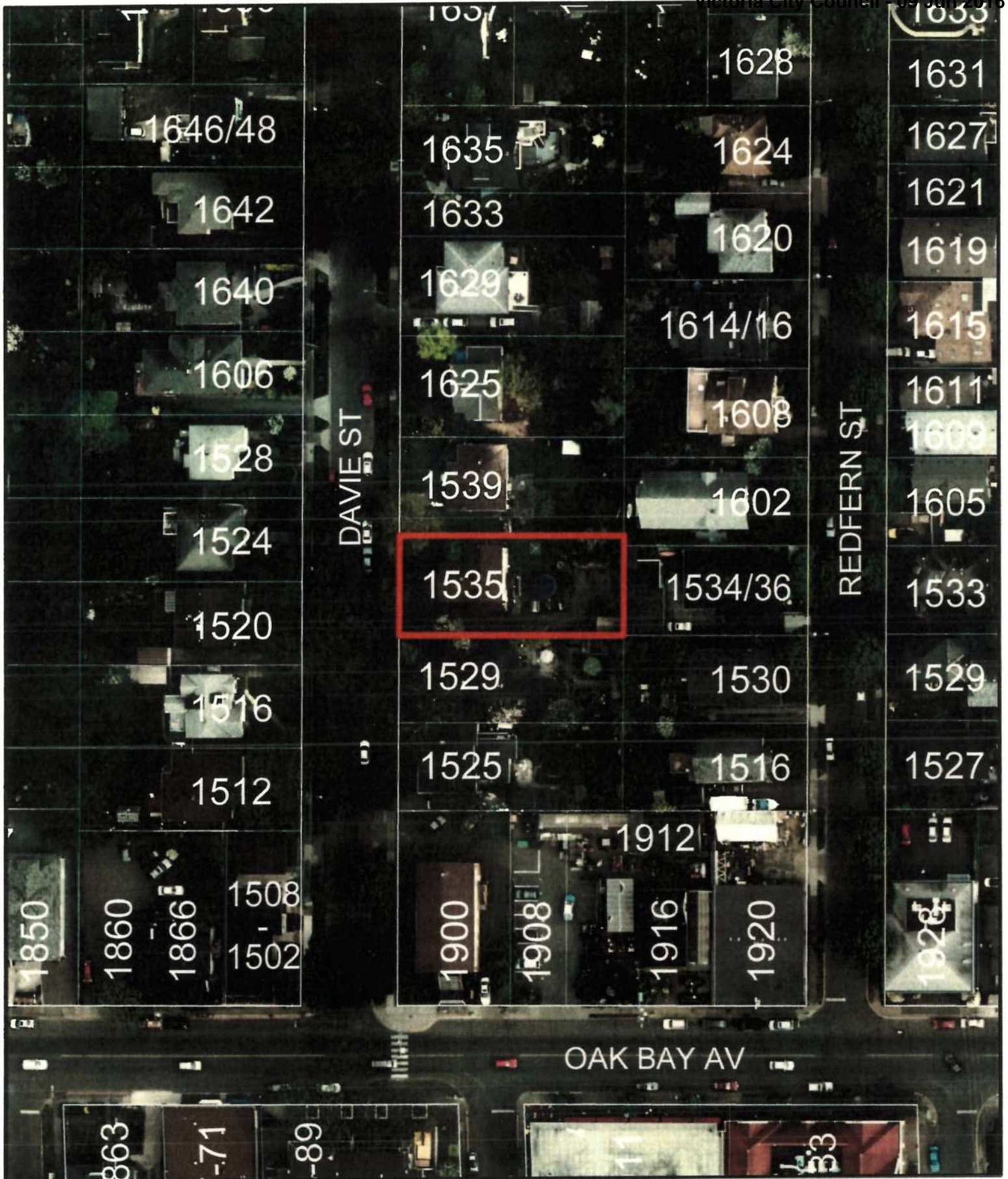
Report accepted and recommended by the City Manager:



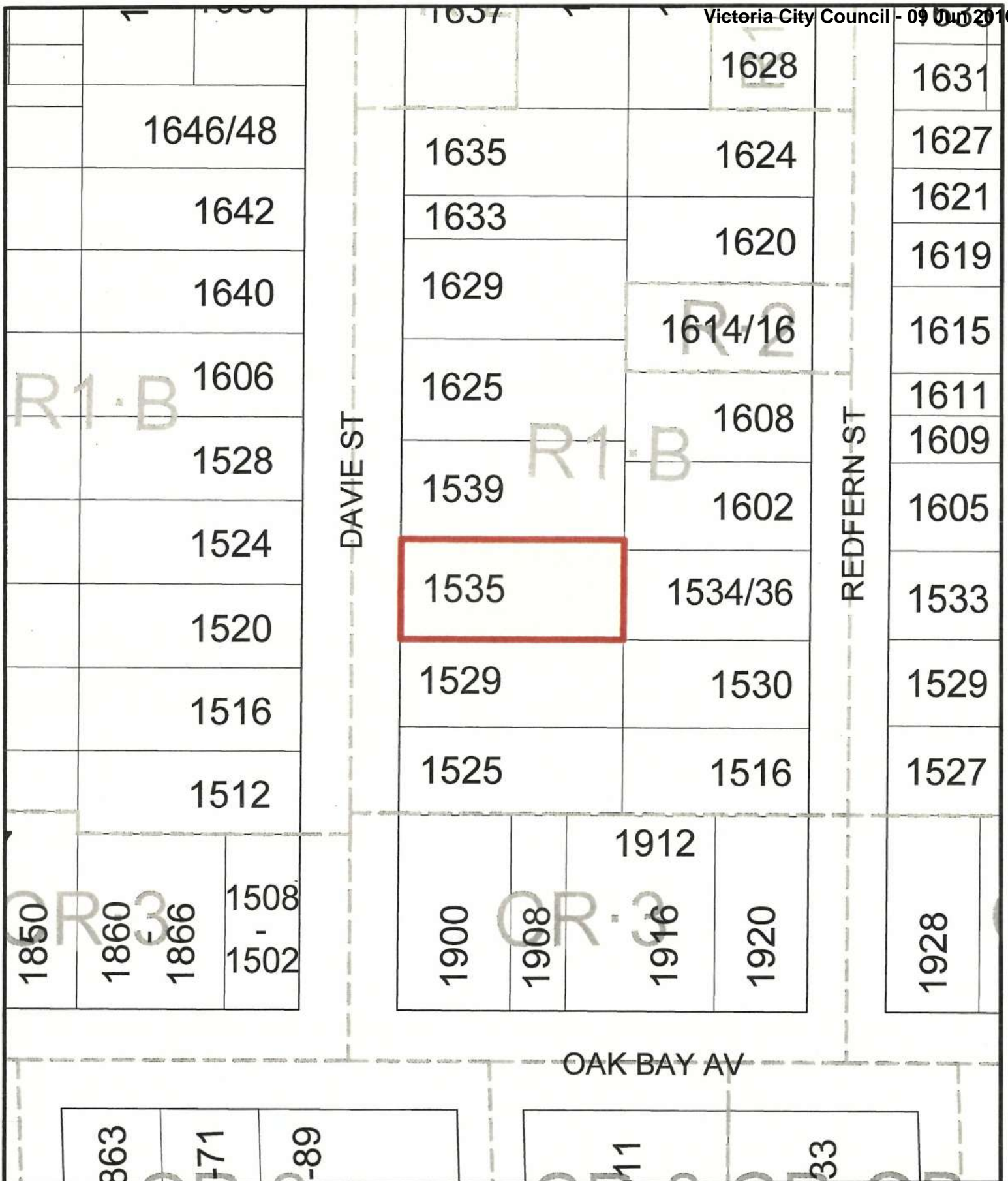
Date: May 12, 2016

List of Attachments

- Aerial map
- Zoning map
- Submission drawings
- Letter from applicant dated April 5, 2016



1535 Davie Street
Development Variance Permit #00174



1535 Davie Street
Development Variance Permit #00174



VIEW OF SUBJECT PROPERTY FROM DAVIE STREET



VIEW OF SUBJECT PROPERTY FROM DAVIE STREET



REAR VIEW OF SUBJECT PROPERTY



Proposed Addition - 1535 Davie Street

Date - April 4, 2016

Sheet 1 of 5

Gerry Troesch
Residential Design
3719 Ridge Pond Drive, Victoria BC V8C 4M8
Phone - 250-606-6402 Email - gtroesch@telus.net Website

BC LAND SURVEYORS SITE PLAN OF:

Civic: 1535 Davie Street

Legal Lot 17 & the Southerly 6 Feet of Lot 18,
Block 3, Section 76, Victoria District, Plan 273

Parcel Identifiers: 009-192-954 & 009-193-031
In the City of Victoria

LEGEND

Elevations are to geodetic datum.

st + - denotes - existing elevation

Tree diameters are in centimetres.

Setbacks are derived from field survey.

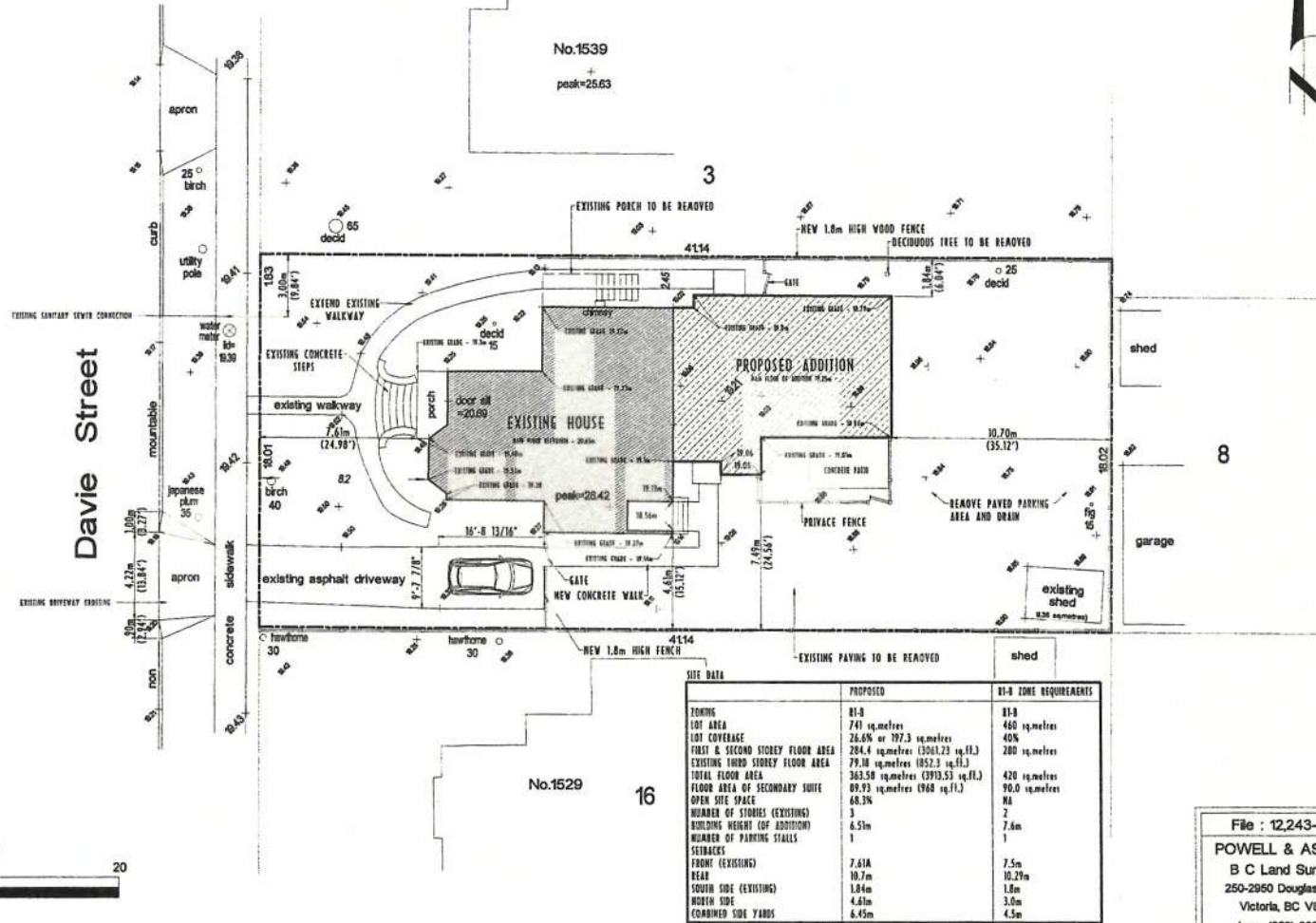
Parcel dimensions shown hereon are
derived from Land Title Office records.

This document shows the relative location
of the surveyed features and shall not be
used to define property boundaries.

Total Site Area = 741 m²

Average Grade Calculation									
Front (West)									
19.22	19.23	2	3.1	58.5973					
19.23	19.3	2	6.05	116.5531					
19.3	19.48	2	3.28	63.5952					
19.48	19.43	2	0.6	11.588					
19.48	19.32	2	2	39.3					
19.32	19.28	2	1.1	21.23					
19.28	19.28	2	0.31	5.9768					
South Side									
19.28	19.27	2	4.72	99.078					
19.27	19.27	2	1.52	29.2004					
19.27	19.14	2	6.14	127.9157					
19.14	19.14	2	0.15	2.871					
19.15	18.56	2	1.4	25.984					
19.13	19.1	2	1.94	37.0331					
19.1	19.06	2	3.31	64.0746					
19.06	19.06	2	0.61	11.6266					
19.06	19.05	2	1.06	37.3478					
19.05	19.01	2	1.63	34.4249					
19.01	18.96	2	6.25	128.3436					
Rear (East)									
18.86	18.79	2	6.05	129.1395					
North Side									
18.79	19	2	9.51	178.6913					
19	19	2	0.61	11.39					
19	19.22	2	7.22	137.9742					
				55.67	1326.183				
Average Grade				19.03					

Scale - 1:100 Distances are in metres.



EXISTING	PROPOSED	R1-B ZONE REQUIREMENTS
LOT AREA	741 sq.metres	81.8
LOT COVERAGE	26.6% or 197.3 sq.metres	460 sq.metres
FIRST & SECOND STOREY FLOOR AREA	284.4 sq.metres (3061.23 sq.ft.)	40%
EXISTING THIRD STOREY FLOOR AREA	79.18 sq.metres (852.3 sq.ft.)	280 sq.metres
TOTAL FLOOR AREA	363.58 sq.metres (3913.53 sq.ft.)	420 sq.metres
FLOOR AREA OF SECONDARY SUITE	89.73 sq.metres (968 sq.ft.)	90.0 sq.metres
OPEN SITE SPACE	68.3%	N/A
NUMBER OF STOREYS (EXISTING)	3	2
BUILDING HEIGHT (OF ADDITION)	6.51m	7.6m
NUMBER OF PARKING SPACES	1	1
SETBACKS		
FRONT (EXISTING)	7.61m	7.5m
REAR	10.7m	10.2m
SOUTH SIDE (EXISTING)	1.84m	1.8m
NORTH SIDE	4.81m	3.0m
COMBINED SIDE YARDS	6.45m	4.5m

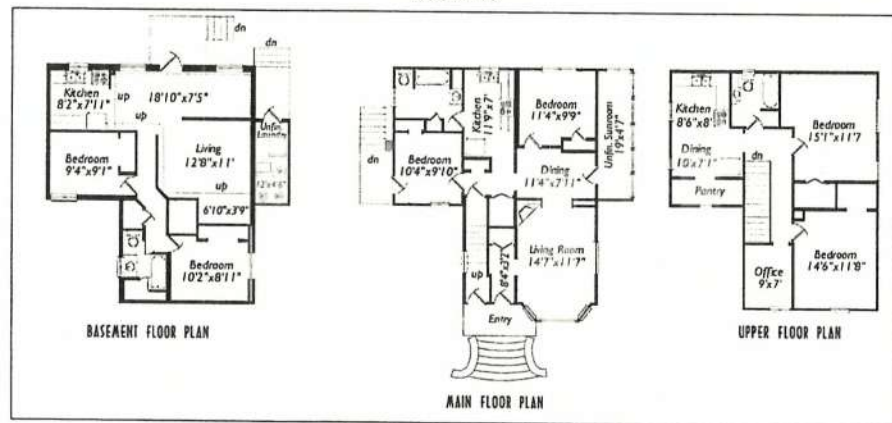
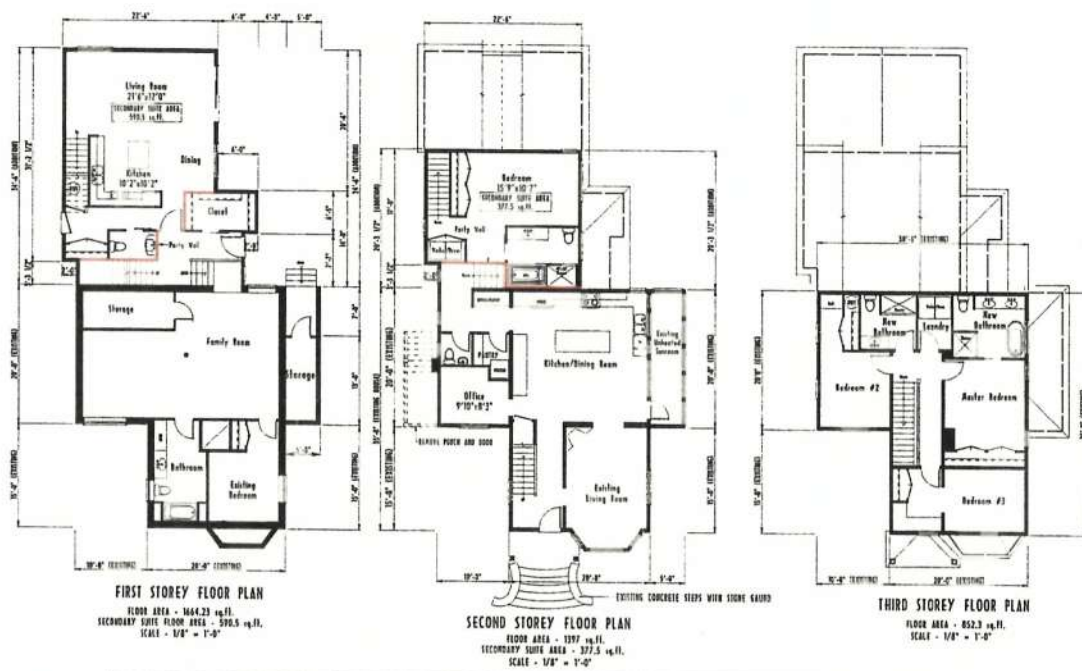
File : 12,243-15
POWELL & ASSOCIATES
B C Land Surveyors
250-2950 Douglas Street
Victoria, BC V8T 4N4
phone (250) 362-8855

Proposed Addition - 1535 Davie Street

Date - April 4, 2016

Sheet 2 of 5

Gerry Troesch
Residential Design
3719 Ridge Road Drive, Victoria BC V8C 4M6
Phone - 250-995-8402 Email - gtroesch@shawnet.ca Website



EXISTING HOUSE FLOOR PLANS

Proposed Addition - 1535 Davie Street

Date - April 4, 2016
 Sheet 3 of 5

Gerry Troesch
 Residential Design
 3719 Ridge Pond Drive, Victoria BC V8C 4M6
 Phone - 250-955-8402 Email - gtroesch@telusnet Website



TO: Mayor Helps and Council
City of Victoria
1 Centennial Square
Victoria, BC, V8R 1P6

FROM: Danu and Nick Stinson, Owners
1732 Carnegie Crescent, Victoria BC V8N 1P3
Gail Anthony, Owner
#305-240 Simcoe St., Victoria BC V8V 1K8

DATE: April 5, 2016

RE: Development Variance Permit Application
PID: 009-192-964
Lot 17, Block 3, Section 76, Victoria District, Plan 273
PID: 009-193-031
The Southerly 6 Feet of Lot 18, Block 3, Section 76, Victoria District
(Application has been made to Land Title to amalgamate the two lots)
1535 Davie St., Victoria, BC, V8R 3E2
Zone: R1-B
DPA 16



Dear Mayor and Council:

Description of Proposal:

We are requesting a variance permit allowing us to construct a 90 sq. meter addition to an existing house. The requested variance meets all regulations regarding set-backs, size of entire home, lot coverage and any other City by-laws regarding dwellings in the R1-B zone.

The house currently is a legal non-conforming triplex and will be converted to a single family dwelling with a secondary suite, which meets all code and by-law regulations. The house and suite will be occupied by our multi-generational family.

Project benefits and amenities:

We are applying for a Development Variance Permit allowing our family to restore a legal non-conforming triplex to its original single-family use. We would also like to renovate the property to better accommodate our multi-generational family by building a secondary suite extension, which will be occupied by the senior member of our family, allowing her to comfortably age-in-place while living with her daughter, son-in-law, and grandchildren.

Our family is excited to have found a suitable house in the family-friendly neighbourhood of South Jubilee that will allow us to fulfill our goals of creating a home to accommodate our three-generation family, so we can support each other throughout

the coming decades. This house is ideally located for the working members of our family, which will simplify their daily commutes to work. The construction of the addition will allow the senior member of our family to age-in-place in a light-filled home that is designed to meet her needs for many years to come. The grandchildren are especially excited to share their home with grandma. We have designed the proposed addition to maximize the garden and play areas of the lot, and we are looking forward to many happy years of shared enjoyment of the green space.

Design and Development Permit guidelines:

This proposal will not increase the density or number of dwelling units. The house is presently a legal non-conforming triplex, so our proposed renovation will bring the house back into conformity with the R1-B zoning.

The scale of the proposed building is well within allowable codes and will be of similar or even smaller size to most of the houses in the neighbourhood. Allowable lot coverage is 40% and the proposed lot coverage is only 26.4%. The allowable dwelling size is 420 sq. meters and the proposed house total is only 354.56 sq. meters.

The landscaping visible from the street will not be altered other than the continuation of the existing walkways to the rear of the house. The rear and side yard will have the majority of the asphalt that is now in place removed and converted to vegetable and flower gardens and lawn. Any walkways will be made of 'stepping stone' and gravel to increase permeability of the landscape.

The elimination of the decrepit porch on the north side of the house, the addition of a privacy fence along the north property line, the removal of most of the asphalt parking area in the rear yard, and the upgrading of the landscaping front and back will substantially improve the overall appearance of the property.

The house will be re-sided with a period-consistent material and the extension will be sided to match. The windows on the existing house are a mixture of vinyl and aluminum except the front bay window and the unheated sunporch windows, which are the original wood. These original wood windows will be restored and left in place. The other windows are all in failed condition and will be replaced. The new windows installed on the house and the addition will match, which will add to the appearance of continuity of structure.

All work will be done with the appropriate permits and to code.

Parking:

The proposed design meets code requirements for parking.

Status:

This dwelling is not Heritage or registered status.

Green Features

We will be upgrading the heating system (currently very old electric baseboards), improving the insulation, and upgrading the hot water tanks and appliances to Energy Star. Any planned interior renovation demolition will be done in compliance with the highest standard available and salvageable materials will be re-used where possible.

There will be a new storm drainage system put in place for the entire dwelling. The current system drains into the sanitary system, but the new storm drains will be properly directed into the storm sewers. A rain-barrel collection system will be installed for roof run-off to provide water for the planned vegetable gardens.

Non-edible landscaping will be developed to maximize indigenous plants and xeriscaping low-water principles. Only one tree will be removed, and that is a small, old, non-productive plum tree that is in very neglected condition and impinges on the neighbours' yard. We plan to replace this with an apple variety in a more appropriate location on the property.

Neighbourhood:

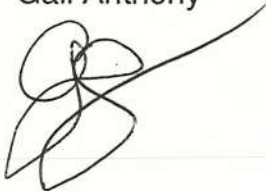
Our proposed plans for the house are in keeping with the appearance and size of the houses in the neighbourhood. Even with the addition, the size of the dwelling will be comparable or smaller than other homes in the area, especially regarding lot coverage. The proposed use as a single family dwelling with a secondary suite is in accordance with the neighbourhood zoning and in keeping with the use of other houses in the area.

The adjacent neighbours have been given copies of our plans and we have offered them the opportunity to provide feedback to us by email, phone, and when possible, in person. We have notified the South Jubilee Neighbourhood Association of our plans and a copy of our proposal will be given to them at their April 05 meeting.

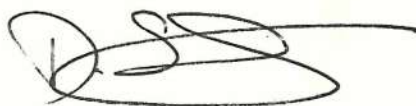
Thank you for considering our proposal, and please let us know if you have any questions,

Sincerely,

Gail Anthony



Danu Stinson



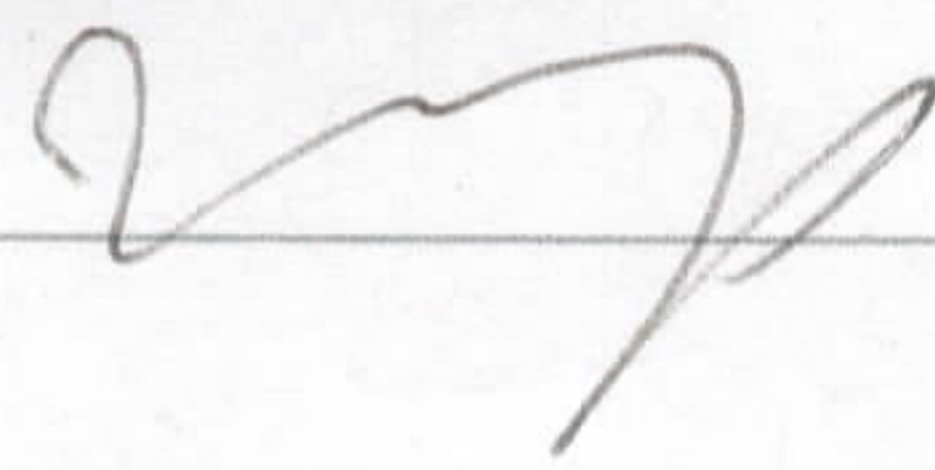
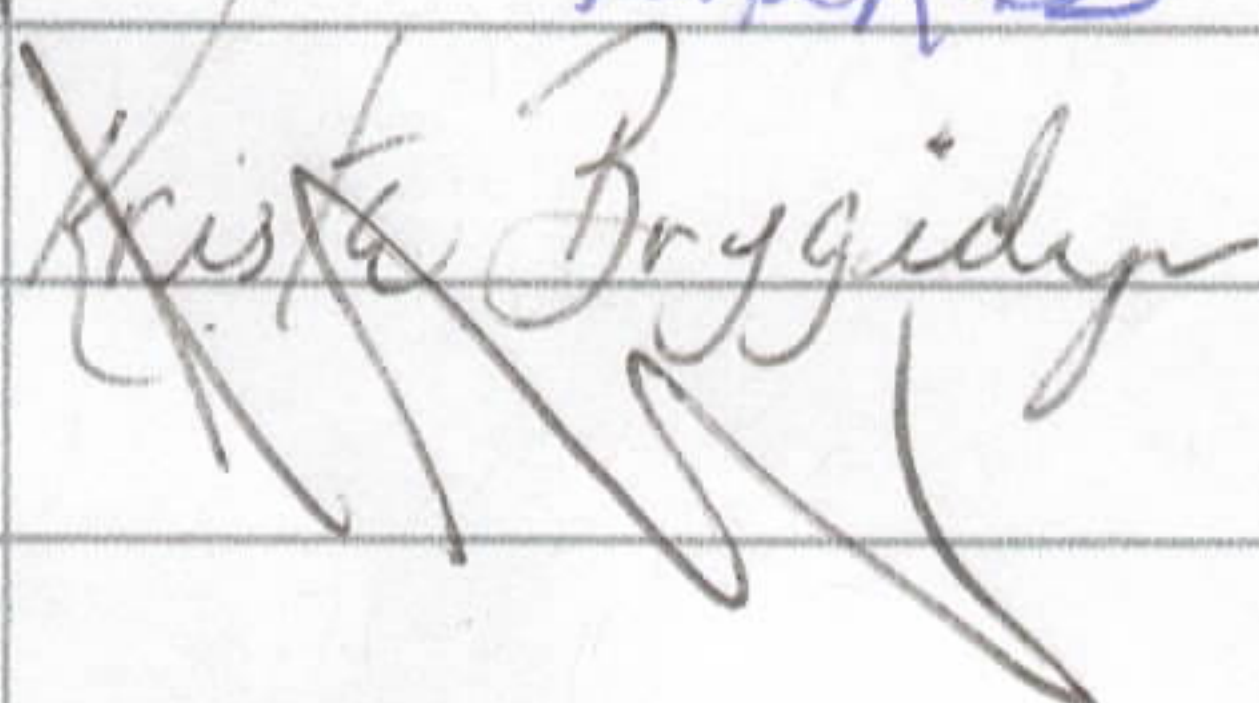
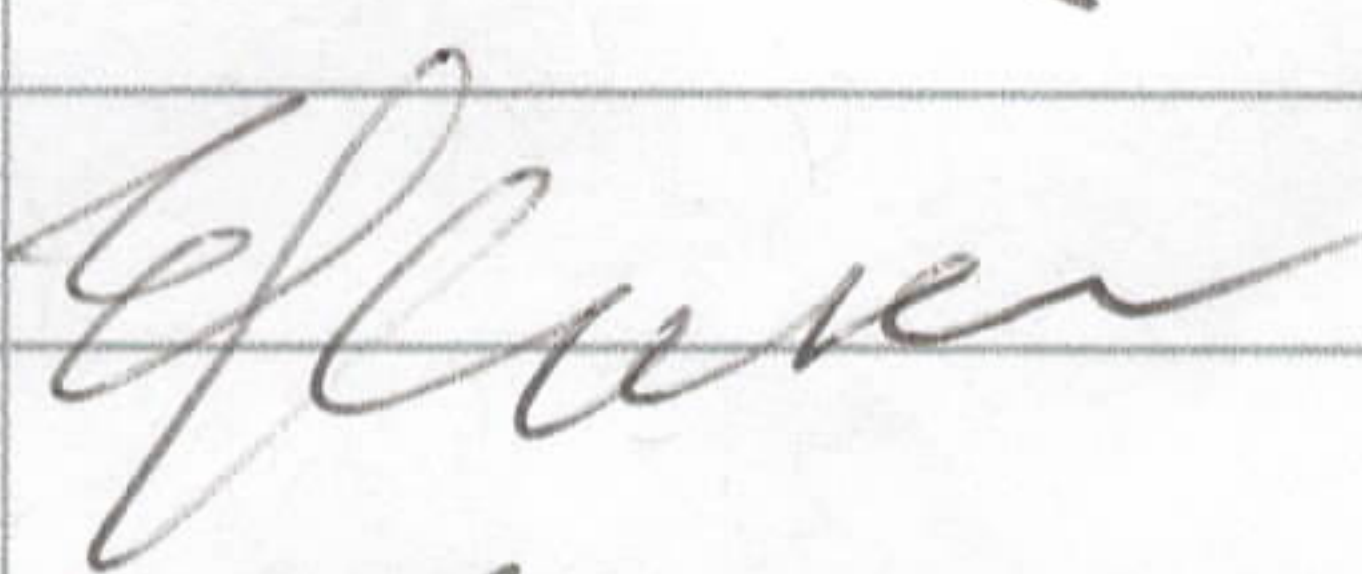
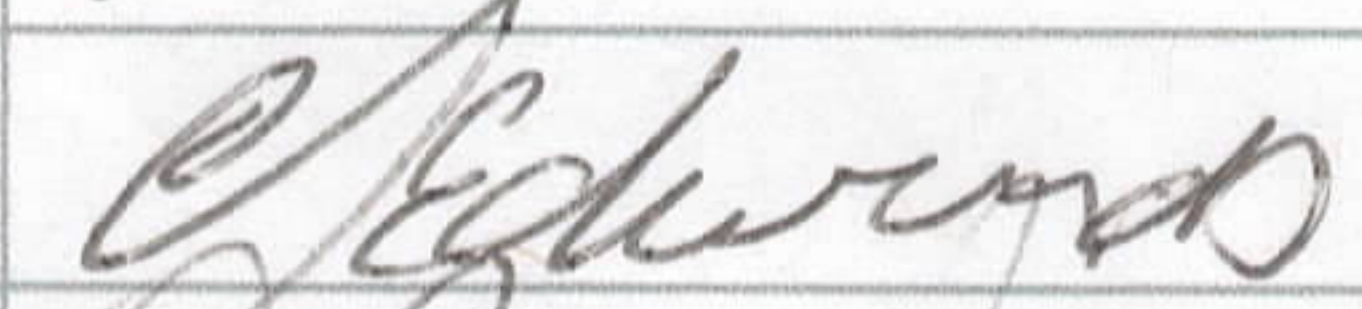
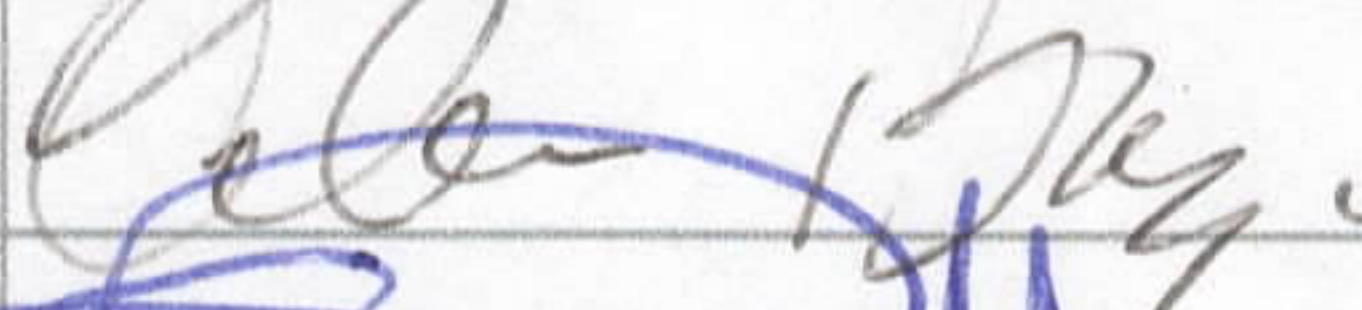

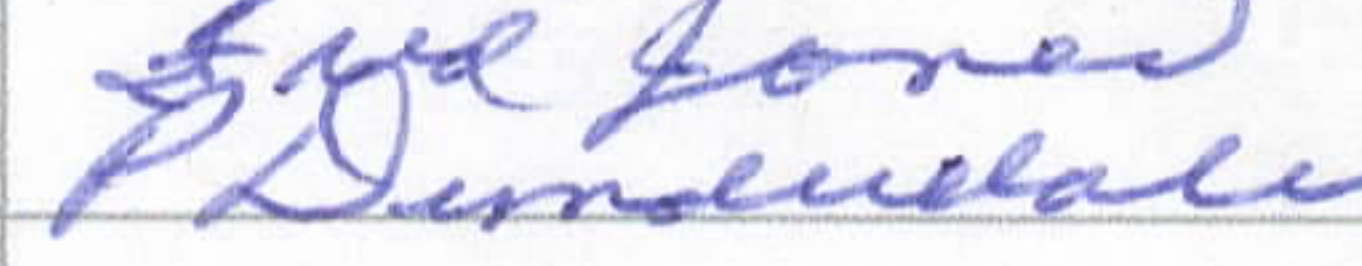
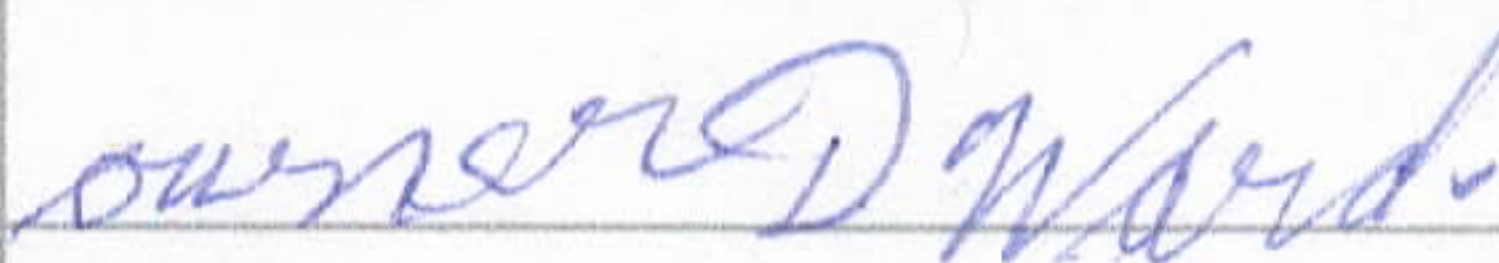
& Nick Stinson



May 24, 2016

Re: DVPA 1535 Davie St.

We the undersigned neighbours of 1535 Davie St have had the opportunity to view the plans for the proposed renovation to 1535 Davie St and to ask any questions that we may have about those plans. We have no objections to the proposal.

Name (Please print)	Address (Street No. & Name)	Signature
J. Bump	1525 Davie	
see pg. 2.	1529 Davie jumps to 2	
	1539 Davie	
	1625 Davie - rented	renter.
	1629 Davie	
	1633/635 Davie empty renovation	House not tenanted.
KRISTA BRIGIDYR	1637 A Davie.	
Karen Fishwick	1650 Davie.	
	1648 Davie	
Elain Jensen	1646 Davie. - rented.	
	1642 Davie.	
CHRIS EDWARDS	1640 DAVIE	
ALAN BAZZLEY	1606 Davie.	
Shamus McDougall	1512 Davie.	
FRED JONES	1516 Davie	
PAT DUNDERDALE	1520 Davie	
	1524 Davie.	renter
	1528 Davie	renter.
Doris Ward	1642 Davie.	
	1637 B Davie.	

not home.
not home.

not home.
not home.
not home.

not home
not home.

not home
not home.

not home.

not home
not home.

June 05
4-6

Pamela Martin

From: Public Hearings
Subject: FW: Variance Permit Application, 00174, 1535 Davie Street

From: [REDACTED]
Sent: Wednesday, June 08, 2016 2:12 PM
To: Public Hearings <PublicHearings@victoria.ca>
Subject: Variance Permit Application, 00174, 1535 Davie Street

Hi City

I am the neighbour to the immediate north of 1535, at 1539 Davie.

I have told the new owners that I am not happy about the addition as it mostly impacts my view and enjoyment of my property. The office I work in all day looks directly out onto their back yard where the additional suite will be put. In addition, the construction phase will be very noisy for me for many months.

I have also told them that while I am unhappy, I understand that an owner has the right to do what he/she has the legal right to do.

DC (Dennis) Reid

Mr. Karl Robertson
President,
Empressa Properties

May 17, 2016

Via email: [REDACTED]

Re: Proposed Condominium Project at 1120, 1124 and 1128 Burdett Ave, Victoria BC

Dear Mr. Robertson,

Thank you for taking the time to meet with myself and a small group of neighbors on Saturday March 19, 2016 regarding the above noted proposed development. We appreciate you taking the time to provide more details and background on your project for those of us that live on Burdett and in the surrounding neighborhood.

Many of us, like my wife and I who have lived on Burdett for 24 years, are pleased to see the interest in our street and your stated desire to enhance the community. The three houses at 1120-28 Burdett form the entrance to our neighborhood. We believe that improvements to those properties can be made that will be both beneficial to the neighborhood and profitable to you as a developer.

However, after meeting with us to show us your plans and to hear our comments and concerns, it appears that you intend to ignore the opinion of the community and force your vision for the neighborhood on to those of us who have lived and paid taxes in this neighborhood for many decades. As stated during our meeting, the community believes that contrary to your statements, the size and massing, density, height, building setbacks (front, rear and sides), and off-street parking of your proposed development are not in keeping with the desires of the community or the Official Community Plan (OCP).

During our meeting you repeatedly stated that a 4 story building is already allowed under the current zoning and that the OCP calls for 4 to 6 story multi-unit residential buildings on this site. We believe that you have misinterpreted and or selectively taken sections of the zoning requirements and OCP out of context to convince the community that this is a fait accompli and that there is no point in opposing your plans for the site.

This is further reinforced by your statements that you have been working with the city to develop your plans for the site and this is what the city wants and is directing you to build. This is completely contrary to the current zoning and OCP and is not what the community wants or needs.

It is also noteworthy that until our meeting of March 19, 2016 you had not spoken to a single resident of Burdett Ave with regard to your development to obtain any community feedback or suggestions.

The current zoning of 1120, 1124 and half of 1128 is R1-B single family zoning and the remaining half of 1128 is zoned R3-AM-1. The OCP designates the three lots as Urban Residential. These lots are directly across the street from lots that are zoned R1-B Single family

and designated as Traditional Residential in the OCP. It should also be noted that aside from the apartment building located at 825 Cook Street and the rear parking lot for that building, the entire south side of the 1100 block of Burdett Ave is zoned R1-B single family and designated Traditional Residential by the OCP.

As such the 3 lots located at 1120-28 Burdett Ave function as a transition from the Urban Residential designation to the Traditional Residential Area and the size, height, mass, setbacks etc should reflect this transition. This can only be accomplished by increasing the setbacks and stepping down in size from the max envisioned for an urban residential area to approximate that of the Traditional Residential area. Your proposed development provides no transition between the two land designations, nor does it recognize the traditional single family homes and designated heritage homes directly opposite.

The R1-B zoning currently present on 2.5 of the 3 lots allows for a maximum of 2 story residential buildings not 4. The R3-AM-1 zoning present on 0.5 of one of the 3 lots does allow for buildings up to 4 stories, however, the max permissible height is 12m and this zoning also requires a minimum front set back of 10.5 m for this height.

As noted in your Development Proposal Community Meeting Notice, you are asking for variance relaxation on height as well as front, sides and rear set back but no details including measurements were provided in the notice. Although I do not recall the exact proposed side and rear set back I believe the renderings quickly flashed up on a screen at the community meeting show a proposed height of approx. 15 m and a front set back of only 7.5 m. The current R3-AM-1 zone, which is applicable to the eastern most half of 1128 Burdett, restricts buildings to 1 or 2 storeys where the front set back is only 7.5M as you have proposed. For a 4 story building with a maximum height of 12 m, the current zoning requires a minimum front set back of 10.5 m. As such although you claim your building is only 4 stories, at 15 m tall it is actually the height of a 5 story building and you are only proposing to provide the required setback for a 1 to 2 story building.

As for the OCP, Section 6: Land Management and Development, Figure 8: Urban Place Guidelines, states that the built form for Urban Residential designated property shall be:

“Attached and detached buildings up to Three Storeys.

Low-rise and mid-rise multi-unit buildings up to approximately six storeys.”

It also lists the Uses as:

“Ground-oriented multi-unit residential.

House conversions.

Low to mid rise multi-unit residential.

Low to mid-rise mixed-use along arterial and secondary arterial roads.

Home occupations.

Visitor accommodations along Gorge Road and in pre-existing locations.”

As such, a mid-rise multi-unit residential building is only one of the potential built form and uses envisioned for a property designated as Urban Residential in the OCP. This built form and use is a broad-based vision for Urban Residential in general across the city as a whole and does not take any specific factors about the site and its location/orientation within the Urban Residential designation area into account. In fact Section 6.3 clearly states:

“While the designations described in policy 6.1 and Figure 8 establish the general pattern of land use, it is the Zoning Bylaw that regulates the specific uses and density of development that are permitted to occur on the land. Within each designation, there will be a range of uses, densities and built forms. Decisions about the use, density and scale of building for an individual site will be based on site-specific evaluations of proposed developments in relation to the site, block and local area context and will include, but not be limited to consideration of:

6.3.1 Consistency of proposal with all relevant policies within the OCP;

6.3.2 City policies; and

6.3.3 Local area plans.”

As such section 6.3.1 and 6.3.3 would indicate that Section 21: Neighborhood Directions of the OCP must be taken into consideration when determining decisions about use, density and scale of building for an individual site. This is contrary to your opinion that, because a 4 to 5 story building is one of many possible built forms that may be permitted on your site, that it should automatically be approved.

The Vision for Fairfield in the citywide context, as stated in the OCP indicates that the majority of the multi-family housing stock be located in the western portion of the neighborhood. Fairfield is bound by Douglas Street to the West and St Charles to the east with Cook Street forming the natural boundary between East and West. 1120-28 Burdett is located on the East side of Cook Street and is therefore not in the area envisioned for any significant portion of multi-family housing stock in the community and therefore does not justify approval of a 4 to 5 story building.

The Neighborhood Directions section of the OCP also indicates the vision for Fairfield is as a transition from the Downtown Core Area to established Traditional Residential areas. As noted earlier above, the property directly across the street from 1128 Burdett is designated as traditional residential as are the rest of the properties that front on to Burdett street east of that. A transition from the urban Core Area to Traditional Residential Area would suggest a gradual stepping down in height, density, and mass as well as improved setbacks as you move across the Urban Residential Area from Core to Traditional Land Use Area.

Your proposed development provides none of this required transition and in fact proposes to place a building with the greatest density, height, and massing as well as the smallest setback contemplated in the Urban Residential land designation at the extreme edge of that designation, directly abutting a traditional residential area with much lower density, height, and massing.

Section 6.3.3 local area plans would also indicate that the City of Victoria’s Suburban Neighborhood, Excerpts Relating to Fairfield Report also needs to be considered and complied with during any rezoning or change in land use.

The three lots at 1120, 1124 and 1128 are identified in that report as being in the Conservation and General Residential Area. The policy developed in that report states:

“CONSERVATION AND GENERAL RESIDENTIAL AREAS

- (1) Conserve heritage buildings and traditional residential streetscapes (architecture and landscaping).*
- (2) Maintain viable population levels within the capacity of established public services (schools, parks, utilities and bus routes).*
- (3) Encourage improvement in the quality and lifespan of existing housing stock.*
- (4) Adapt existing housing stock to meet the varied social and economic needs of residents (duplex, apartment, boarding, rooming, housekeeping apartments, rest homes and child care).*
- (5) Consider rezoning in instances of deteriorated housing and undeveloped land, where infill development or redevelopment is appropriate, e.g. small lot single family dwellings, duplexes and small scale townhouses.”*

Based on this policy, the existing traditional residential streetscape should be maintained by conversion of the existing housing stock to meet the needs of the residents, or possibly redeveloped with duplexes or small scale townhouses. This policy does not appear to support or allow the demolition of existing traditional residential buildings or the redevelopment of the site with a condominium building that requires new site specific zoning or variances for height, front, rear and side setbacks, parking, and traffic volumes as identified on your community meeting notice.

The vision as stated in section 21.5.4 of the OCP would suggest that the site is more suited for a smaller development such as ground-oriented Multi-unit residential uses based on house conversions and/or attached or detached buildings of two or three stories with a TFSR of 1.2 or less - not the TFSR1.8 you are proposing.

It should be noted that even where a property in an Urban Residential Area is not abutting or close to a Traditional Residential Area, the city has not always allowed the developer to construct the max size building allowed in an Urban Residential Area.

Where such a property is located next to designated heritage or older single family homes a more reasonable approach is to step the max size and massing down to act as a transition and buffer for these remaining heritage buildings. This also provides a more varied interesting street scape and livability factor than what would be present if all the buildings besides the historic homes were constructed to the max allowable size and built form for a given land designation.

For example, 1020 Richardson Street is in the western portion of Fairfield where the neighborhood vision is for a significant portion of Fairfield’s multi-family housing stock to be located. Although the site is in an Urban Residential Area and the majority of the other properties in that block had 4 story multi-residential buildings on them there were two properties

on the street with older historic single-family homes. The city therefore approved a two-storey town house development on the property which is a better fit for the street. Other similar examples include 451 Chester Street, 1011&1017 Pakington and 1137 Meares.

The vision for the Fairfield neighborhood as stated in section 21.5.5 of the OCP includes: *“Residential Character with mature streetscapes, historic homes and landscapes, continuous shoreline”* In addition the strategic directions outlined in section 21.6.1 of the OCP is to *“maintain and enhance established character areas.”* Your proposal includes the demolition of 3 older homes built in 1926, 1928 and 1930 and the removal of several large trees that contribute significantly to the residential character, mature streetscape, historic homes and landscape fabric of our street.

The proposed replacement building is a modern condo finished in white stucco with cedar accents which clashes with the turn of the century houses that line the south side of the street including two Designated Heritage homes. As such your proposal does not meet the vision or strategic direction for the area outlined in the OCP. Preservation of the existing homes via a House Conversion such as recent developments at 710 and 720 Linden Ave, 1120 and 1145 McClure street and 523 Trutch street or incorporation of the buildings in an attached low rise development of 2 to 3 stories would be more in keeping with the stated vision of the OCP.

Alternately, a sensitive row house development such as that found at 451 Chester street, which is also designated as Urban residential and surrounded by a mix of multi-unit residential buildings and traditional single family homes, would also blend in well with the streetscapes, and historic homes located on Burdett Ave.

On several occasions you have stated that the OCP calls for and the City wants increased density in the urban residual area. However, the strategic direction for the neighborhood outlined in section 21.6.6 of the OCP actually states: *“Maintain neighborhood population to ensure to support the viability of community and commercial services and schools.”* At present there are 3 single family dwellings at 1120-28 Burdett Ave and one of these appears to have been converted to a triplex for a total of 5 residences. Your proposal to add 37 condo units would overpower the entrance to the neighborhood, and increase the number of residential units on the subject site by over 700%. We are not out rightly opposed to any increased density, and in fact are supportive of a modest well-planned increase in density on Burdett and the surrounding streets. However, while a modest increase in density may be desirable what you are proposing for this block of Burdett Ave is not modest and does not conform to 21.6.6 of the OCP.

In addition to non-conformance with the existing zoning and land use designation in the OCP, we have concerns with several other factors of your development.

The triplex and 2 single-family residences on the subject site are currently part of the Neighborhood's much needed rental stock. During our meeting you claimed that 37 units were needed to insure the affordability of the neighborhood. However, we understand that all of the units proposed will be sold at full market value with no retention of any of the rental units. Rental units are often the only way many families or individuals can afford to live in the Fairfield area and removing 5 units of rental stock from the area will not improve but actually decrease the affordability.

Two rental buildings (915 and 955 Cook Street) and two strata condominium buildings (1115 and 1149 Rockland) directly abut the subject 3 lots on Burdett Ave. 915 and 955 Cook Street have approx. 24 units with eastern exposures that currently enjoy morning light and views of the residential area to the east. Although these buildings are 4 floors like your proposed development they are only approx. 11 m in height and have a rear set back of 10.5 m compared to your proposed 15 m in height and (TBC) m rear set back. 1115 Rockland has 6 units with direct southern exposure and 1149 Rockland has 8 units with direct Western exposure that have significant views, light and passive solar heating in winter months. Again, like the buildings on Cook Street, although these buildings are 4 floors they are only approx. 11.2 m and 11.9 m in height respectively compared to your proposed 15 m.

If built as proposed, your building will completely block or impact the views, light, solar heat gain and privacy of 38 residential units in these 4 buildings. The rental buildings on Cook and the individual strata units on Rockland were purchased for their location, views, light and privacy and blocking or compromising these features will negatively impact the rental and or resale value of these 38 units. For most people, the purchase of a home is the largest most important investment of their life and to allow the profit of one developer to take precedent over the individual investment of 14 home owners and two Multi-unit residential rental building owners would reflect extremely poorly on our society.

Based on the above we hope that you will reconsider your approach to the redevelopment of 1120, 1124 and 1128 Burdett to reflect the needs and desires of the community. There are numerous examples of redevelopment in the Fairfield neighborhood mentioned above that provide transition from higher density to traditional residential densities and that have been financially successful for the developer.

Many of these developments such as, 710 and 720 Linden, 1120 and 1145 McClure, 523 Trutch, 451 Chester and 1020 Richardson were supported by the community at rezoning and development meetings. We believe that a similar development proposal for 1120 -28 Burdett would also be supported by the community and would be a win – win for all parties.

Sincerely,

Tim Stemp
1153 and 1143/1145 Burdett Ave

cc. Mayor, **Lisa Helps**, Councillor, **Marianne Alto**, Councillor, **Chris Coleman**
Councillor, **Ben Isitt**, Councillor **Jeremy Loveday**, Councillor **Margaret Lucas**
Councillor **Pamela Madoff**, Councillor **Charlayne Thornton-Joe**, Councillor **Geoff Young**

Charlotte Wain, Senior Planner, Development Services

The **109 signatures** on the attached **11 pages** are from residents of Burdett Ave., Rockland Ave., Linden Avenue and McClure Ave. who agree with the above opinion and urge Mayor and Council to reject the proposed development at 1120, 1124 & 1128 in its current form.

Explanatory Note: This Act amends the *Residential Tenancy Act*, the *Manufactured Home Park Tenancy Act*, and the *Strata Property Act* to eliminate “no pets” policies in tenancy agreements and similar prohibitions on the number and type of allowable pets in residences that are regulated by Strata Corporations. The Act also affirms the statutory jurisdiction of animal control authorities in removing animals from a person's residence for any reason(s) (i.e., the well being of the animal(s)).

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

1 Sections 18 (1) (2) and (3) of the *Residential Tenancy Act*, S.B.C. 2002, c. 78, are repealed and replaced with the following:

18 (1) A provision in a tenancy agreement prohibiting the presence of animals in or about the residential complex is void.

2 Sections 18 (1) and (2) of the *Manufactured Home Park Tenancy Act*, S.B.C. 2002, c. 77, are repealed and replaced with the following:

18 (1) A provision in a tenancy agreement prohibiting the presence of animals in or about the residential complex is void.

3 Section 123 (1) of the *Strata Property Act*, S.B.C. 1998, c. 43, is repealed and replaced with the following:

123 (1) A provision in a Strata Corporation's bylaws prohibiting the presence of animals in or about the residential complex is void.

4 Section 3(4) of the Schedule of Standard Bylaws in the *Strata Property Act*, S.B.C. 1998, c. 43, is repealed.



Ref: 189605

MAY 16 2016

Her Worship Mayor Lisa Helps
and Councillors
City of Victoria
1 Centennial Square
Victoria BC V8W 1P6

Dear Mayor Helps and Council:

Thank you for your letter of April 6, 2016, regarding income assistance rates in British Columbia. I appreciate receiving your comments and commend you for your advocacy on behalf of vulnerable citizens in British Columbia. As Minister, I am pleased to respond.

I appreciate receiving your comments and commend you for your advocacy on behalf of vulnerable citizens in British Columbia.

As you are aware, the BC Employment and Assistance (or Income Assistance) program is an income- and asset-tested program of last resort, intended to help eligible British Columbians temporarily while they look for work, and those who are not able to work due to a disability.

It is important to note, however, that our government carefully considers the services delivered under the BCEA program every year along with the competing demands on the budget. The rate structure takes into account all provincial and federal tax credits, child benefits, and other available programs and supports for low-income families and families on income and disability assistance.

.../2

- 2 -

Our government's goal is also for individuals to have the supports they need to assist them in becoming more independent. Over the last few years, the Province has made a number of significant changes to the BCEA programs to provide supports that are helping people improve their financial picture get them back into the workforce and improve outcomes, including:

- Increasing the earnings exemption for families from \$200 to \$400 and to \$500 for families with a child with a severe disability.
- Implementing the Single Parent Employment Initiative which helps eligible single parents receiving income and disability assistance to secure employment.
- Fully exempting child support payments.
- Implementing Transitional Health Services, which provides continued access to certain health supplements for up to one year to families with children who leave income or disability assistance for employment.

While our government monitors the costs of rental housing in British Columbia when setting income assistance rates, I recognize that in many areas of the province, shelter costs can be high. We continue to explore new ways to collaborate with community agencies, cities and developers to promote safe and affordable housing.

Thank you again for writing and for your continued dedication and advocacy.

Sincerely,

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

Michelle Stilwell
Minister

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD JUNE 2, 2016

For the Council Meeting of June 9, 2016, the Committee recommends the following:

1. Update on Downtown Late Night Program

That Council receive this report for information and direct staff to reconvene the original task force to receive their input on the progress made.

2. 2016 First Quarter Report and 2016 Operational Work Plan

That Council receive this report for information and thank staff for the great work.

3. Trans Mountain Pipeline Expansion Project

THAT Council request that the Mayor, on behalf of Council, write to the Prime Minister of Canada, re-iterating the City of Victoria's opposition to the Trans Mountain Pipeline Expansion Project and requesting that the Federal Government decline the application.

AND THAT the City forward a copy of the letter to the Premier of British Columbia and member local governments of the Union of BC Municipalities, encouraging similar advocacy to the Federal Government to ensure the Trans-Mountain Pipeline Expansion Project does not proceed.

4. Transgender Human Rights Protection

BE IT RESOLVED THAT Council commits to working with transgender Victoria residents to develop a transgender inclusion policy for the City, and urges other municipalities in the Capital Region to develop and implement transgender inclusion policies in order that transgender and gender variant citizens can be better included in all our communities.

BE IT FURTHER RESOLVED THAT Council submit the following motion to be considered at UBCM and copy UBCM member municipalities requesting their favourable consideration:

WHEREAS transgender and gender variant members of our communities face shocking rates of harassment, discrimination, and social exclusion which interfere with threaten their lives and reduce their ability to participate fully in civil life;

AND WHEREAS the wording of provincial human rights legislation is not always explicit about the protection afforded to transgender people on the basis of gender identity and gender expression;

AND WHEREAS the majority of Canadian provinces have made amendments to their human rights legislation to explicitly protect transgender and gender variant people;

AND WHEREAS the government of British Columbia has failed to introduce explicit protection for transgender and gender variant people on the basis of gender identity and gender expression, despite having suitable draft legislation before it since 2011;

THEREFORE BE IT RESOLVED that UBCM urge the province of British Columbia, through the Premier and the Attorney General, to adopt explicit protection for transgender and gender variant British Columbians by including gender identity and gender expression in the BC *Human Rights Code*, and that UBCM urges other municipalities in BC to develop and implement transgender inclusion policies in order that transgender and gender variant citizens can be better included in all our communities.

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD JUNE 9, 2016

For the Council Meeting of June 9, 2016, the Committee recommends the following:

1. Proposed Minor Amendments to the Zoning Regulation Bylaw

That Council instruct staff to prepare the proposed Zoning Regulation Bylaw amendment to correct and clarify the following:

1. Amend the R1-G Zone, Gonzales Single Family District, by amending the wording relating to building setbacks from the waterfront to address minor drafting errors.
2. Amend the R1-B-GS4-C1 Zone, Single Family Dwelling with Garden Suite and Limited Commercial Moss Street District, by deleting the "m" after maximum number of storeys.
3. Amend the CA-72 Zone, Fort Street Commercial - Residential District, replacing the word "minimum" with "maximum" as it applies to height.
4. Amend the R-76 Zone, Oak Bay Avenue Multiple Dwelling District, underlining the defined term "lot lines".
5. Amend the R1-S1 Zone, Restricted Small Lot (One Storey) District and R1-S2 Zone, Restricted Small Lot (Two Storey) District, to address minor drafting errors relating to underlining and the unit of measurement for rear setback requirements.
6. Amend the M2-I Zone, Douglas-Blanshard Industrial District, to remove reference to "worklive".
7. Delete the following redundant zones:
 - i. C-3H Zone, Harbour Commercial District
 - ii. C-4H Zone, Harbour Activity District.
8. Amend the R-2 Zone, Two Family Dwelling District, to include the new regulations for lowdensity residential zones relating to outdoor features.
9. Define the term "Street".
10. Amend the definition of "Half Storey" to reference "first storey area" instead of "ground floor area".
11. Amend the definition of "Site Coverage" by replacing the word "structure" with the word "building" and by clarifying that accessory garden structures, balconies and roof projections are excluded from site coverage calculations.

2. Tax Incentive Program Application No. 00026 for 533-537 Fisgard Street/ 534 Pandora Avenue

That Council instruct the City Solicitor to prepare a Tax Exemption Bylaw for 533-537 Fisgard and 534 Pandora Avenue Street for 10 years, pursuant to Section 392 of the *Local Government Act*, with the following conditions:

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

3. Rezoning Application No. 00507 for 155 Linden Avenue

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00507 for 155 Linden Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

4. **Development Permit Application No. 00507 for 155 Linden Avenue**
That Council consider the following motion after the Public Hearing for Rezoning Application No. 00507, if it is approved:
"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."
5. **Update on Rezoning Application #00301 and Concurrent Official Community Plan Amendment Application for 605-629 Speed Avenue and 606-618 Frances Avenue**
 1. That Council consider giving first and second reading to the Zoning Regulation Bylaw, Amendment Bylaw (No. 1036) and Official Community Plan, Amendment Bylaw (No. 14) at the June 9, 2016, Council Meeting.
 2. That Council consider giving first, second and third reading to the Housing Agreement (605-629 Speed Avenue & 606-618 Frances Avenue) Bylaw at the June 9, 2016, Council Meeting.
 3. That Council consider referring Zoning Regulation Bylaw, Amendment Bylaw (No. 1036) and Official Community Plan, Amendment Bylaw (No. 14) for consideration at a Public Hearing.
 4. Following the Public Hearing and subject to adoption of the OCP and Zoning Regulation Bylaw Amendments for 605-629 Speed Avenue and 606-618 Frances Avenue, that Council consider the following motions:
"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."
 - "That Council consider the adoption of Housing Agreement (605-629 Speed Avenue & 606-618 Frances Avenue) Bylaw"
 5. That Council endorse the recommendations in the community amenity contribution analysis dated September 13, 2013, and that the monetary contribution be split equally between the Victoria Housing Fund and neighbourhood amenities with the Burnside-Gorge neighbourhood.
6. **Heritage Alteration Permit Application No. 00220 for 537 Johnson Street**
That Council authorize the issuance of a Heritage Alteration Permit for Application No. 00220 for 537 Johnson Street in accordance with:
 1. Plans date stamped April 26, 2016.
 2. Development meeting all Zoning Regulation Bylaw requirements.
 3. The Heritage Alteration Permit lapsing two years from the date of this resolution.
 4. A Section 219 covenant be registered on title requiring the removal of the trailer after two years.
 5. A Section 219 covenant be registered on title to ensure the truck operates as an auxiliary kitchen in association with Willie's Bakery.
7. **Financial Impacts of Management of Outdoor Sheltering**
That Council receive this report for information.

8. Ride Sharing Services

That the Mayor on behalf of Council provide a letter to the Minister of Community, Sport and Cultural Development that Council supports the regulation of Ride Share services in a manner consistent with taxis in British Columbia, and request that the Province modernize the regulatory framework of the taxi industry.

9. Short Term Vacation Rentals

1. That Council:

Direct staff to develop options for policy guidelines and regulation of short term vacation rentals along with associated resource considerations and report to Council with recommendations by September 2016 to prohibit the use of units of property zoned as residential for the primary purpose of providing commercial accommodation.

2. That Council:

Advise the Minister of Community Sport and Cultural Development that Provincial policies for Short Term Vacation Rentals should be consistent with other industry accommodation options in connection with Hotel Taxes and with designations of property class by BC Assessment Authority to reflect the commercial nature of the accommodation being provided based upon the extent of rental use.

10. Gonzales Beach Dog Prohibition

That the following proposed motion be referred back to staff to provide a report on the implications of adding the work to the Strategic Plan:

WHEREAS, the Dogs In Parks Committee recommendations came forward in 2005;

AND WHEREAS, part of the recommendation was to prohibit dogs from Gonzales Beach from June to September;

AND WHEREAS, there have been several members of the neighbourhood asking for consideration to have dogs permitted in the morning before 9am and after 7pm;

THEREFORE; Council direct staff to review the Gonzales Beach prohibition, seek input from neighbours and other interested parties and bring forward a report with recommendations, with a possible recommendation being a pilot program for this summer.

RECEIVED**JUN 9 - 2016****LEGISLATIVE SERVICES**

June 6, 2016

To: Victoria City Council

RE: Waddington Alley - Food Trailer

This letter is on behalf of a number of concerned owners of the Morley Soda Factory located at 1315 Waddington Alley. Our building is one of the many heritage restoration projects that have been undertaken over the past few years in the Old Town area of Victoria. Our owners have invested in their units, not only financially but also have invested in the preservation, renewal and future of this historical part of the city. We are proud of our building and have worked closely with near-by residences, businesses, the City of Victoria and other stakeholders in the alley to clean-up and discourage undesirable activities, improve safety and security and promote a positive image of this special area, all in keeping with its heritage designation.

The City has developed stringent guidelines and standards for the preservation and restoration of heritage buildings and sites and based on our past experience, reviews and enforces these rigorously. It is difficult to understand how the food trailer that is currently parked in Waddington Alley, next to Willie's Bakery, meets any heritage criteria or promotes the cultural and historical character of Old Town. This shouldn't be viewed simply as a "not in my back yard" reaction and we respectfully request that Council give serious and thoughtful consideration to our concerns and the negative impact this inappropriate structure has on an area that we have all worked so hard to preserve. Specific concerns and comments with respect to the trailer that have been raised by owners include:

- Not in harmony with historic surroundings;
- Does not protect or promote the historic integrity of Waddington Alley;
- Physical presence erodes the profound cultural importance of Old Town;
- Food truck building material and colour do not adhere to heritage character;
- Food truck is not contextual, visually interesting or uplifting to the historic value of the alley;
- Disproportionate size to any structure in the alley;
- The exposed and unsecured propane tanks on the back of the truck present a safety and fire risk (a number of individuals have been observed sitting on the rear bumper smoking cigarettes);
- Obstructs view of Morley heritage brick and architecture;
- Negatively impacts neighboring properties;
- Alley is residential as well as commercial - the rights of residents must be respected;
- Does not conform with the restored historic buildings and alley;

While it is recognized that the zoning may support the operation of a food trailer as a permitted use and being parked in its current location in a non-functioning state does not constitute a violation, we are opposed to both its presence and its potential operation as either a food outlet or an auxiliary kitchen to Willie's Bakery. The owner has erected fixed structures around the trailer, none of which are consistent with the surrounding historic buildings, and appears to be running electric cables, drain lines, etc. (without permits) in preparation for operation. In fact, it appears to be currently in use. In addition to the negative visual and heritage impacts, we are concerned about smells and odours (the exhaust vents are immediately adjacent to our building), safety, the hours of operation, noise, garbage and general nuisance caused by loitering, etc.

We understand that Bylaw & Licensing Services is aware of the trailer and is monitoring the situation. We also understand that the owner and their architect have been advised by the City's Heritage Planner that the trailer does not comply with the City's regulatory framework and that a Heritage Alteration Permit is required. This also applies to other recent alterations that have been made to the Willie's Bakery building.

We may not be in full possession of all the facts surrounding this issue but to our knowledge, there has been no consultation or notification with respect to the application for operational approval, change of use or heritage alteration as has been the case with other commercial establishments in close proximity to our building.

In order to become better informed, we have been in contact with the owner's architect, Alan Lowe, who has provided some background information on the application for the Heritage Alteration Permit along with a copy of the Heritage Advisory Panel Report dated April 29, 2016. Although the background information on Mr Hou as an economic immigrant is interesting and compelling, it really has no bearing on the Heritage Alteration Permit. It is noted that the application encompasses both the alterations that were done without permit to enclose the patio area and the trailer to be utilized as an auxiliary kitchen to the bakery. These are two separate issues. The report from the heritage planner indicates that the wood windows and trim in the patio need to be painted to be compatible with the historic building but no reference is made to the bright red trailer that is not even remotely compatible with anything in the area and certainly has no heritage characteristics. To quote the report:

“Development Permit Area

The property is located within Development Permit Area 1 (Core Historic), which is identified in the OCP and whose objectives include:

4. (a) To conserve the heritage value, special character and the significant historic buildings, features and characteristics of this area.

Downtown Core Area Plan

The proposed development is consistent with the goals and objectives of the *Downtown Core Area Plan* in relation to Heritage which states:

7.3 Conserve heritage values of the Downtown Core Area and its character-defining elements such as individual buildings, collections of buildings, streetscapes, structures and features.

7.18 Support new development that conserves and enhances the form, character and features of heritage property and areas, where controlled and regulated in the *Downtown Core Area Plan*.

Standards and Guidelines for the Conservation of Historic Places in Canada

The *Standards and Guidelines for the Conservation of Historic Places in Canada* includes the following standards applicable to this application:

11. Conserve the *heritage value* and *character-defining elements* when creating any new additions to an *historic place* or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.”

The report also states “*care will need to be exercised to minimize any negative impacts of the kitchen operation on neighbouring properties*” without any specific recommendations or requirements. In addition, Alan Lowe’s letter does not outline any specific measures other than some non-committal references to a possible brick wall, the flower pots that have already been installed and the potential relocation of the exposed propane tanks.

In summary, we are not in agreement with the analysis and conclusions of the HAPL report and are requesting that Council take the following action:

1. Approve Heritage Alteration Permit Application No.00220 with the following amendments:
 - (a) authorize the alterations which were carried out without the required permits to enclose the covered patio located on the adjacent lot to 537 Johnson Street subject to the wood trim, doors and windows being painted to be compatible with the historic building;
 - (b) Deny the issuance of a Heritage Alteration Permit and/or a permit for the operation of the trailer (as either a standalone food outlet or an auxiliary kitchen to the bakery). And

- (i) Issue an order for removal of the trailer along with any associated fixtures and structures based on its non-compliance with the City's regulatory framework; and
- (ii) Restore the area currently occupied by the trailer to a condition that is consistent and/or compliant with the heritage standards and requirements that apply to all other structures and buildings in Waddington Alley.

Or

- (c) Deny the issuance of a Heritage Alteration Permit and/or a permit for the operation of the trailer (as either a standalone food outlet or an auxiliary kitchen to the bakery) until such time as appropriate consultation has taken place along with development and presentation of a comprehensive plan to incorporate the trailer into the heritage area and ensure that all code and safety concerns are fully addressed.

It is our understanding that this issue was discussed by Council at a closed meeting on June 2nd and will be on the agenda at the public Council meeting scheduled for June 9th. We request that this letter be provided as part of the agenda. We will be submitting a Request to Address Council for a representative (Christian Barnard) to attend and speak on our behalf.

Thank you for your consideration.

Respectfully,

Patty Koniczek

Rudi Koniczek

Bruce Kerr,

Christian Barnard

Kiran Basi



Council Report
For the Meeting of June 9, 2016

To: Council **Date:** June 3, 2016
From: C. Coates, City Clerk
Subject: Zoning Regulation Bylaw, Amendment Bylaw (No. 1067) No. 16-051

RECOMMENDATION

That Council consider first and second readings of Bylaw No. 16-051

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed of *Zoning Regulation Bylaw, Amendment Bylaw (No. 1067) No. 16-051*.

The rezoning application came before Council on April 28, 2016, where the following resolution was approved:

Rezoning Application No. 00486 for 515 Burnside Road East

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00486 for 515 Burnside Road East, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set, and that Council consider giving final reading to the Bylaw once the following conditions have been met:

1. Registration of Statutory Rights-of-Way on the Burnside Road and laneway frontages of 3.66m and 1.172m, respectively, to the satisfaction of City staff.
2. Submission of a sanitary sewer impact study showing measures to be required to the satisfaction of City staff.

Respectfully submitted,

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

Chris Coates
City Clerk

A handwritten signature in black ink, appearing to read 'Jocelyn Jenkyns'.

Jocelyn Jenkyns
Deputy City Manager

Report accepted and recommended by the City Manager:

A handwritten signature in black ink, appearing to be the signature of the City Manager.

Date: June 3, 2016

NO. 16-051

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Zoning Regulation Bylaw by creating the C1-CR-8 Zone, Burnside Jutland Commercial Residential District, and to rezone land known as 515 Burnside Road from the R1-B Zone, Single Family Dwelling District to the C1-CR-8 Zone, Burnside Jutland Commercial Residential 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.1067)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 4 – General Commercial Zones by adding the following words:

“4.81 C1-CR-8 Burnside Jutland Commercial Residential”

- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 4.80 the provisions contained in Schedule 1 of this Bylaw.

The land known as 515 Burnside Road East, legally described as Lot 2, Block 1, Section 4, Victoria District, Plan 1134 and shown hatched on the attached map, is removed from the R1-B Zone, Single Family Dwelling District, and placed in the C1-CR-8 Zone, Burnside Jutland Commercial Residential District.

READ A FIRST TIME the	day of	2016
READ A SECOND TIME the	day of	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

Schedule 1

PART 4.81 – C1-CR-8 ZONE, BURNSIDE JUTLAND COMMERCIAL RESIDENTIAL DISTRICT

4.81.1 Permitted Uses in this Zone

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

- a. Uses and regulations permitted in the R1-B Zone, Single Family Dwelling District
- b. Offices

4.81.2 General

If a lot does not have an office use, pursuant to section 4.81.1(b),

- a. that lot is subject to the regulations in the R1-B Zone, Single Family Dwelling District;
- b. that lot is not subject to the regulations set out sections 1.81.3 – 1.81.8

4.81.3 Lot Area

- a. Lot area (minimum) 500.00m²
- b. Lot width (minimum) 15.00m average lot width

4.81.4 Floor Area, Floor Space Ratio

- a. Floor space ratio (maximum) 0.58:1

4.81.5 Height, Storeys

- a. Principal building height (maximum) 7.60m

4.81.6 Setbacks, Projections

- a. Front yard setback (minimum) 7.40m
Except for the following maximum projections into the setback:
- b. Rear yard setback (minimum) 5.40m
- c. Side yard setback - East (minimum) 1.40m
- d. Side yard setback – West (minimum) 1.70m

Schedule 1

PART 4.81 – C1-CR-8 ZONE, BURNSIDE JUTLAND COMMERCIAL RESIDENTIAL DISTRICT

4.81.7 Site Coverage, Open Site Space

- | | |
|-------------------------------------|--------|
| a. <u>Site Coverage</u> (maximum) | 45.50% |
| b. <u>Open site space</u> (minimum) | 38.00% |

4.81.8 Vehicle and Bicycle Parking

- | | |
|--------------------------------------|--|
| a. Vehicle parking (minimum) | 7 spaces |
| b. Bicycle parking (minimum) | Subject to the regulations in
Schedule "C" |
| c. <u>Landscape screen</u> (minimum) | 0.3m east side/Nil west side
with 1.8m high fence |



PART 3.104 – R-81 ZONE, SPEED AND FRANCES MULTIPLE DWELLING DISTRICT**3.104.1 Permitted Uses in this Zone**

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

- a. The uses permitted in the R1-B Zone, Single Family Dwelling District, subject to the regulations set out in Part 1.2 of the Zoning Regulation Bylaw
- b. Multiple dwelling
- c. Bakeries used predominantly for the retail sale of bakery products sold from the premises
- d. Office
- e. Financial service,
- f. Retail
- g. Restaurant
- h. Personal services including but not limited to barbering, hairdressing, tailoring, shoemaking and shoe repair, optical, watch and jewelry repair and small animal services
- i. Cultural facility
- j. Gymnasia
- k. Launderettes and dry-cleaning establishments used or intended to be used for the purpose of dealing with the public served thereby
- l. Studios
- m. High tech
- n. Storage lots for undamaged vehicles intended for sale
- o. Vehicle sales and rentals

3.104.2 Location of Permitted Uses

- a. The uses identified in Part 3.99.1 q. and r. are only permitted on the following lots:
 - Lot 16, Section 4, Victoria District, Plan 358
 - Lot 17, Section 4, Victoria District, Plan 358
 - Lot 18, Section 4, Victoria District, Plan 358
- b. All of the uses described in Part 3.99.1 c–m must be located on the ground floor of a multiple dwelling.

PART 3.104 – R-81 ZONE, SPEED AND FRANCES MULTIPLE DWELLING DISTRICT**3.104.3 Community Amenities**

As a condition of additional density pursuant to Part 3.104.5 a monetary contribution to Victoria Housing Fund in the amount of \$ 975,000, as adjusted pursuant to this Part 3.104.3 must be provided as a community amenity.

The amenity contribution in the amount of \$975,000 (the “Base Contribution”) shall be adjusted annually on January 1 commencing the second calendar year following the year Bylaw #15-031 is adopted and each year thereafter, by adding to the Base Contribution an amount calculated by multiplying the Base Contribution as of the previous January 1 by the annual percentage increase in the CPI for the most recently published 12 month period.

For the purposes of this Part 3.104.3 “CPI” means the all-items Consumer Price Index for Victoria published by Statistics Canada or its successor in function.

3.104.4 Lot Area, Lot Width

- a. A multiple dwelling may not be erected, used or maintained on a lot have an area less than 5340m²
- b. Lot area (minimum) 460m²
- c. Lot width (minimum average) 24m
- d. Panhandle lot Subject to the regulations in Schedule “H”

3.104.5 Floor Space Ratio, Number of Buildings

- | | |
|---|--------------------|
| a. <u>Floor space ratio</u> (maximum) where the community amenity has not been provided pursuant to Part 3.104.3 | 1.0:1 |
| b. <u>Floor space ratio</u> (maximum) where the community amenity has been provided pursuant to Part 3.104.3 | 3.08:1 |
| c. Floor area (maximum) for all of the uses described in Part 3.99.1 c–m where the community amenity has been provided pursuant to Part 3.104.3 | 2440m ² |
| d. Number of principal buildings (maximum) | 2 |

3.104.6 Height, Storeys

Principal <u>building height</u> (maximum)	37m
--	-----

PART 3.104 – R-81 ZONE, SPEED AND FRANCES MULTIPLE DWELLING DISTRICT**3.104.7 Setbacks, Projections**

- | | |
|--|------|
| a. <u>Front yard setback</u> – Speed Avenue (minimum) | 6.0m |
| b. <u>Rear yard setback</u> – Frances Avenue (minimum) | Nil |
| c. <u>Side yard setback</u> - East (minimum) | 5.9m |
| d. <u>Side yard setback</u> - West (minimum) | Nil |

3.104.8 Site Coverage, Open Site Space

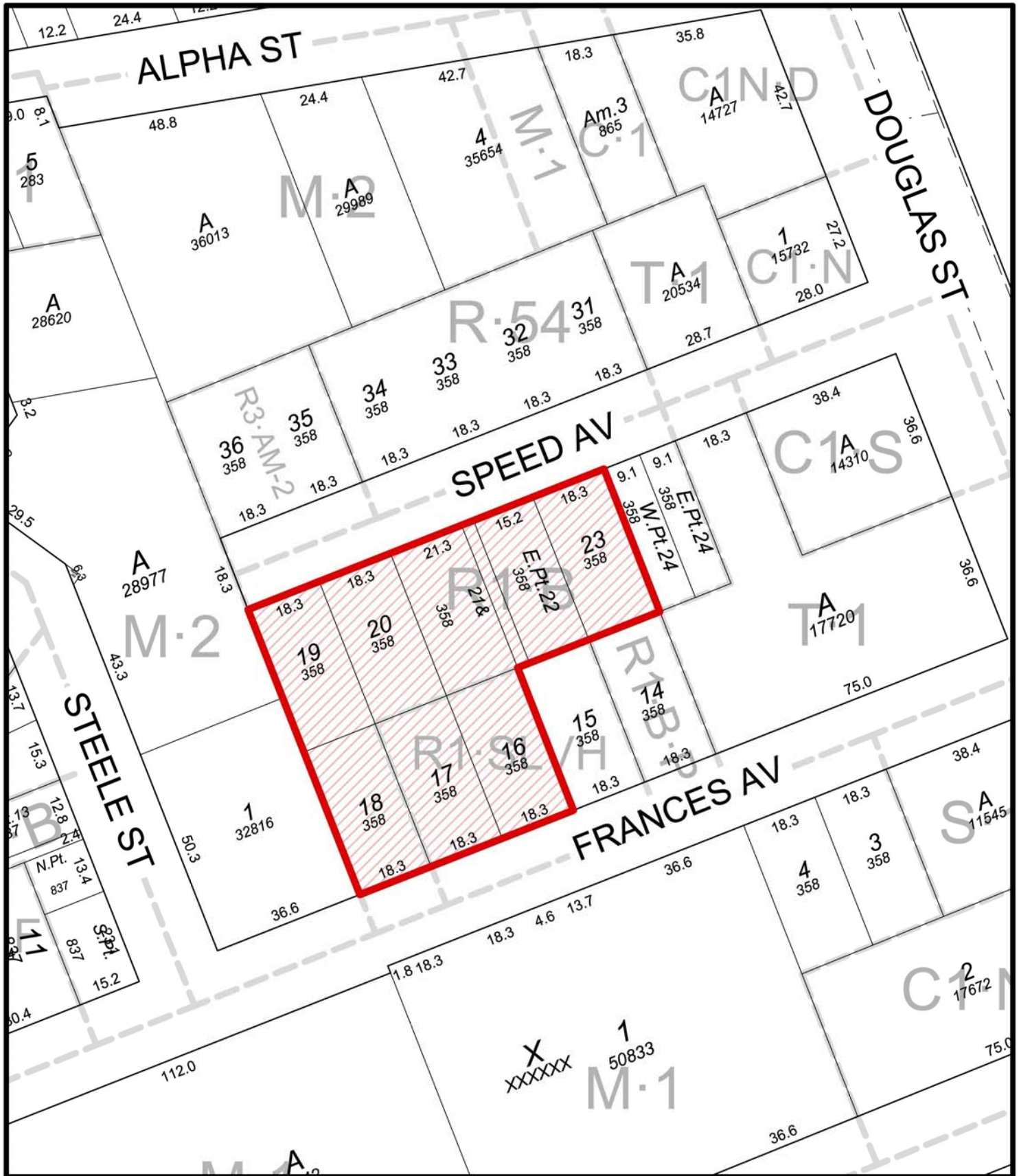
- | | |
|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 66% |
| b. <u>Open site space</u> (minimum) | 14% |

3.104.9 Vehicle and Bicycle Parking

- | | |
|---|---------------------------------------|
| a. Residential (minimum) | 0.96 vehicle spaces per dwelling unit |
| b. Except as otherwise provide this part, vehicle and bicycle parking is to be In accordance with the regulations in Schedule" C" | |

3.104.10 Regulations for Undamaged Vehicles and Vehicle Sales and Rentals

- | | |
|---|--|
| a. Where any land is used as permitted pursuant to Part 3.104.1 n. and o., a landscaped strip of not less than 0.6m in width and 1.5m in height shall be maintained along the west, north and east <u>lot lines</u> . | |
| b. Except as provided in this Part 3.104.10, the provisions of Schedule C apply to land used as permitted pursuant to Part 3.104.1 n. and o. | |



605 to 629 Speed Av. & 606 to 618 Frances Av.

Rezoning #00301

Bylaw #16-053

Blueback Map



NO. 16-054

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Official Community Plan to change the urban place designation for the land known as 605-629 Speed Avenue and 606-618 Frances Avenue from Urban Residential (Speed Avenue) and the General Employment Land (Frances Avenue) to Town Centre and to include the land in Development Permit Area 4: Town Centres.

Under its statutory powers, including sections 471 to 474, and 488 to 491 of the *Local Government Act*, the Council of the Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “OFFICIAL COMMUNITY PLAN BYLAW, 2012, AMENDMENT BYLAW (NO.14)”.
- 2 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended as follows:
 - (a) in connection with the land known as 605-629 Speed Avenue and 606-618 Frances Avenue by changing its urban place designation from Urban Residential and General Employment to Town Centre;
 - (b) by repealing Map 2: Urban Place Designations and replacing it with the map attached to this bylaw as Schedule 1;
 - (c) by repealing Map 19: Burnside Strategic Directions and replacing it with the map attached to this bylaw as Schedule 2; and
 - (d) by repealing Map 37: DPA 4: Town Centre - Mayfair and by replacing that map with the Map 37 attached to this bylaw as Schedule 3 in order to include 605-629 Speed Avenue and 606-618 Frances Avenue in Development Permit Area 4: Town Centres.

READ A FIRST TIME the	day of	2016
-----------------------	--------	------

READ A SECOND TIME the	day of	2016
------------------------	--------	------

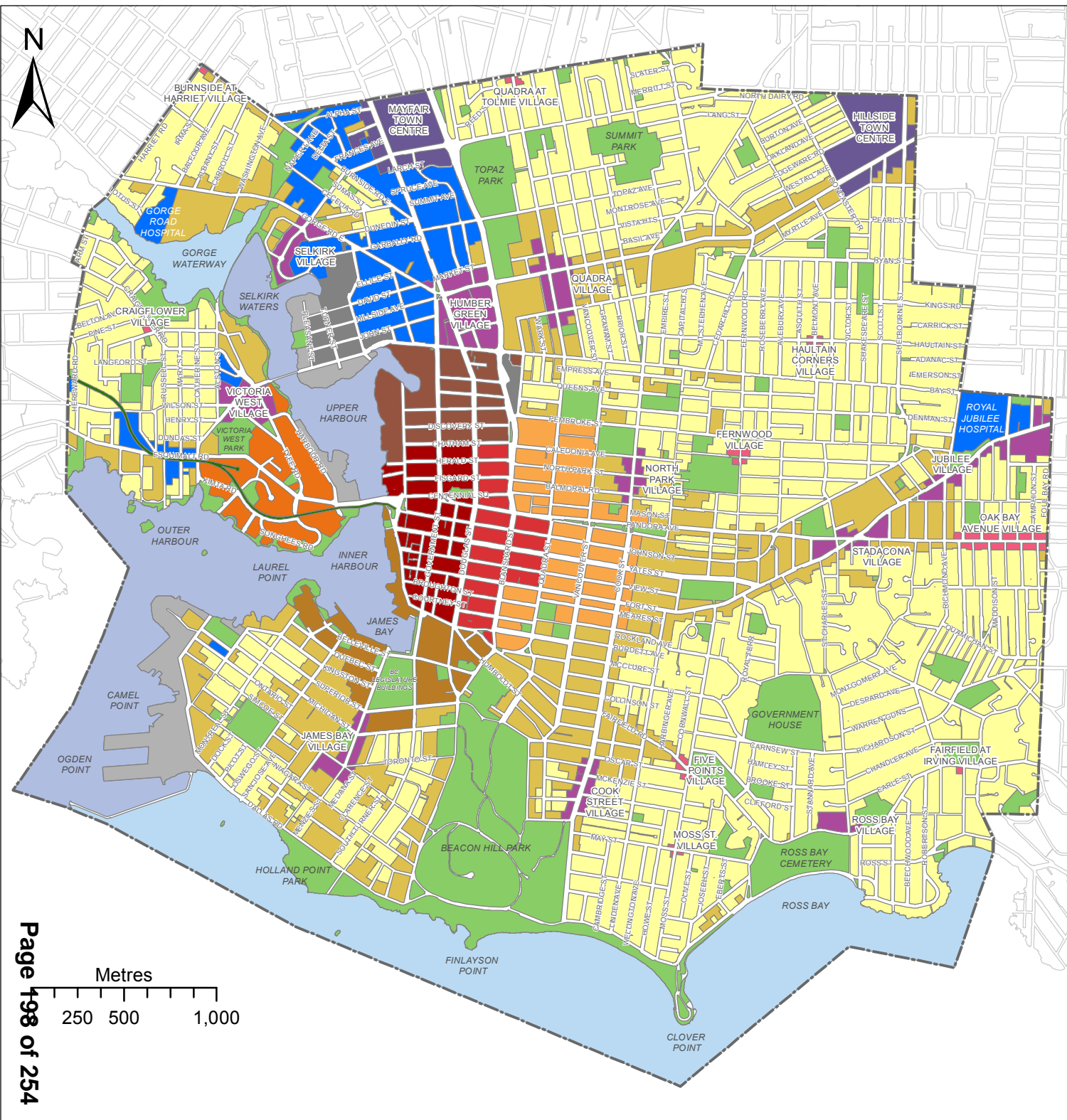
Public hearing held on the	day of	2016
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READ A THIRD TIME the	day of	2016
-----------------------	--------	------

ADOPTED on the	day of	2016
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CITY CLERK

MAYOR



Schedule 1

MAP 2

Urban Place Designations

- Core Historic
- Core Business
- Core Employment
- Core Inner Harbour/Legislative
- Core Songhees
- Core Residential
- General Employment
- Industrial
- Marine Industrial
- Town Centre
- Large Urban Village
- Small Urban Village
- Urban Residential
- Traditional Residential
- Public Facilities, Institutions, Parks and Open Space
- Rail Corridor
- Working Harbour
- Marine

Page 198 of 254

Metres

250 500 1,000

Urban Place Designations extend to the centerline of adjacent streets.

MAP 19



Burnside

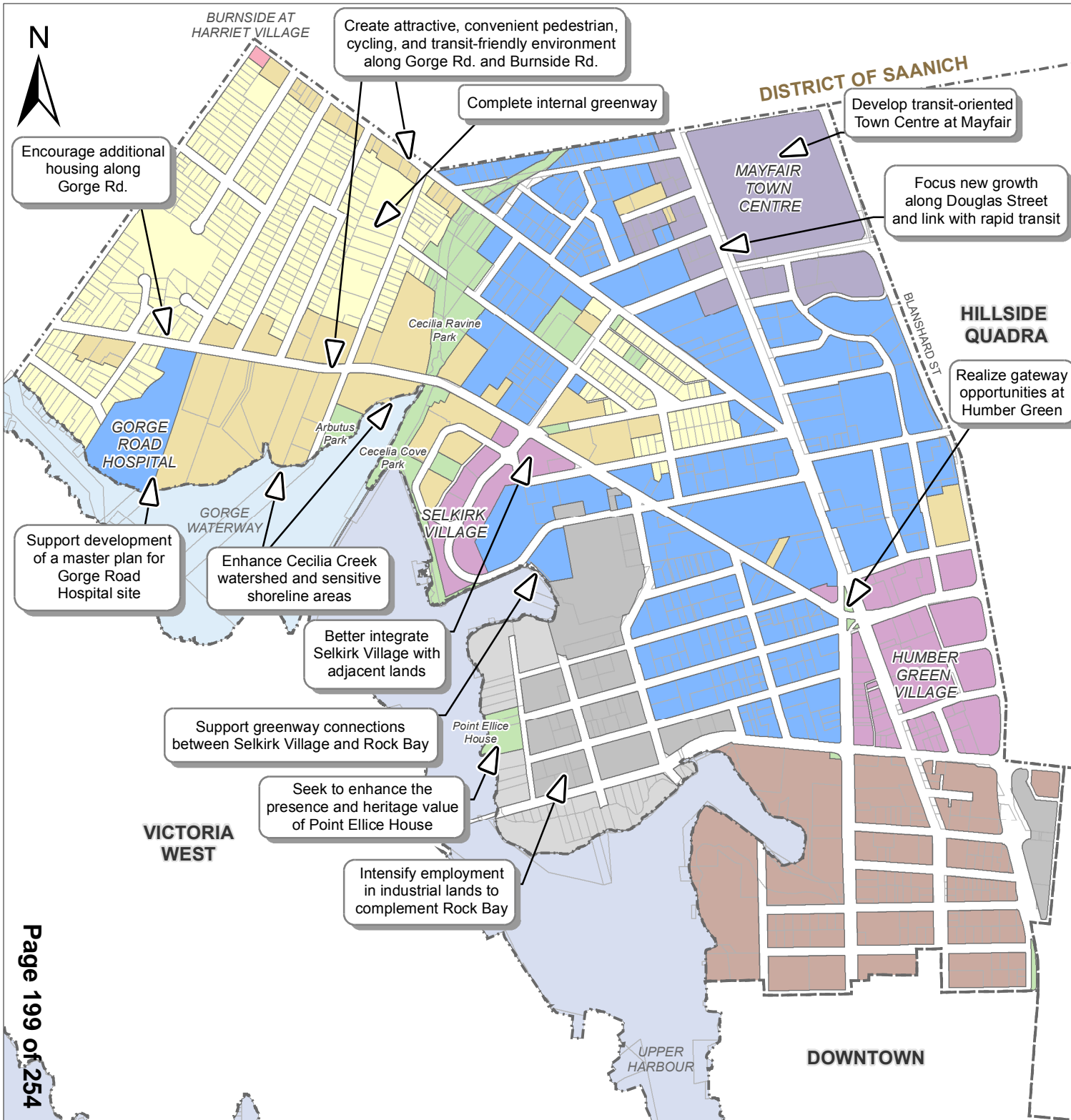
Strategic Directions

Urban Place Designations*

-  Core Employment
-  General Employment
-  Industrial
-  Marine Industrial
-  Town Centre
-  Large Urban Village
-  Small Urban Village
-  Urban Residential
-  Traditional Residential
-  Public Facilities, Institutions, Parks and Open Space
-  Working Harbour
-  Marine

Public Facilities

-  Proposed Park (approximate location)
-  Community Centre

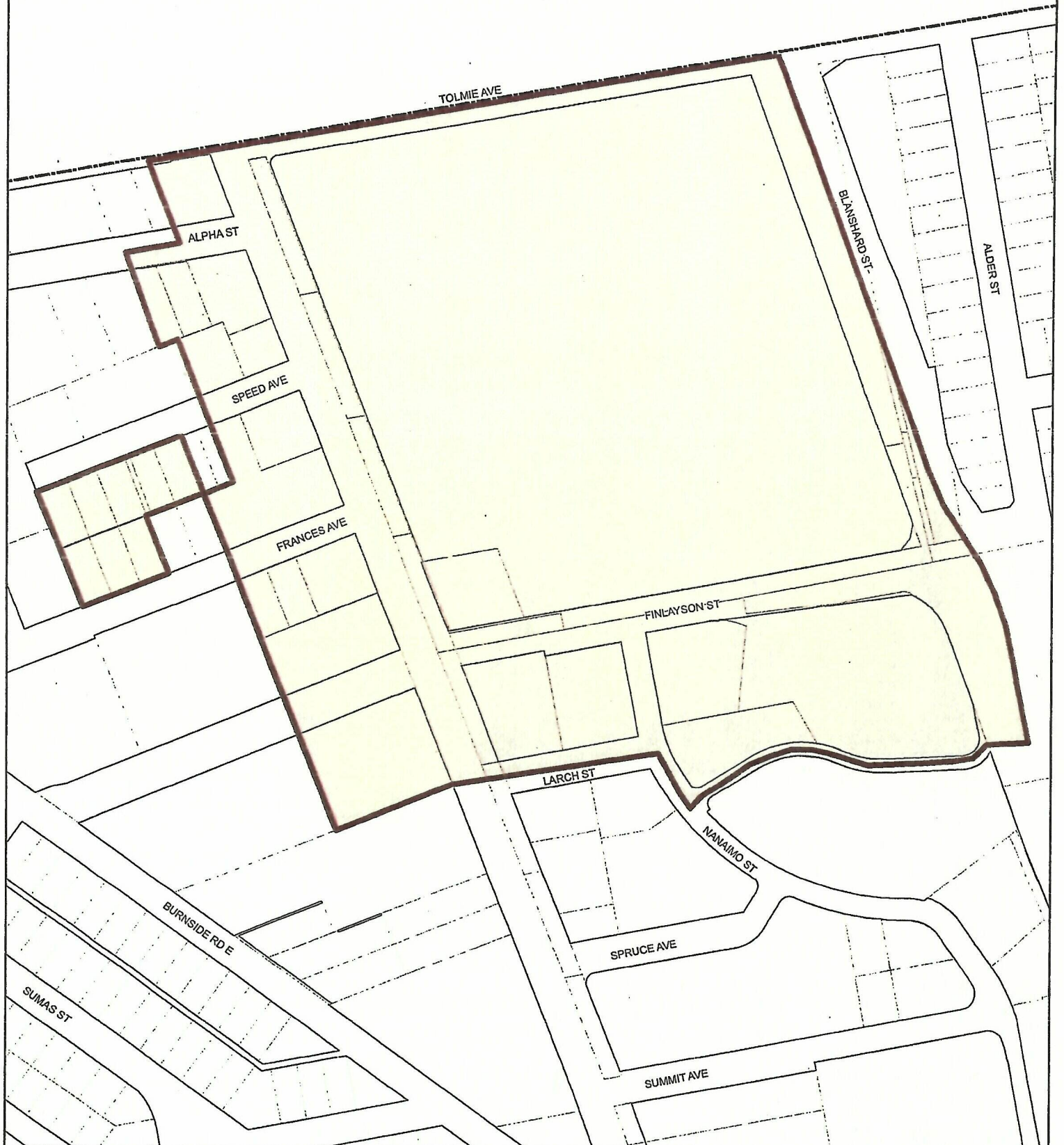


*Urban Place Designations are provided for information purposes only. Please refer to Map 2 and Figure 8 for designation information.



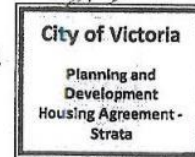
Schedule 3

Map 37: DPA 4: Town Centre - Mayfair



HOUSING AGREEMENT
(Pursuant to Section 905 of the *Local Government Act*)

THIS AGREEMENT is made the ____ day of _____, 2014.



BETWEEN:

THE CORPORATION OF THE CITY OF VICTORIA

#1 Centennial Square
Victoria, B.C.
V8W 1P6
(the "City")

OF THE FIRST PART

AND: **OAKWOOD PARK ESTATES LTD.** (Inc. No. BC 0713191)
7th Floor – 1175 Douglas Street, Victoria, BC V8W 2E1
(the "Owner")

OF THE SECOND PART

AND: **CANTEC RESOURCES CORP., HSBC BANK CANADA AND
LONDON LIFE INSURANCE COMPANY,**
(all, as to priority)

OF THE THIRD PART

WHEREAS

- A. Under section 905 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 905(2) of the *Local Government Act*;

- B. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with civic addresses on Frances Avenue and Speed Avenue, and legally described as:

PID:	Legal Description:
000-202-720	Lot 16, Section 4, Victoria District, Plan 358
009-152-181	Lot 17, Section 4, Victoria District, Plan 358
009-152-211	Lot 18, Section 4, Victoria District, Plan 358
009-152-245	Lot 19, Section 4, Victoria District, Plan 358
009-152-261	Lot 20, Section 4, Victoria District, Plan 358
009-152-288	Lot 21, Section 4, Victoria District, Plan 358
009-152-326	Lot 22, Section 4, Victoria District, Plan 358, Except the Westerly 10 Feet
009-152-482	The Westerly 10 Feet of Lot 22, Section 4, Victoria District, Plan 358
009-152-369	Lot 23, Section 4, Victoria District, Plan 358

(the "Lands").

- C. The owner has applied to the City to rezone the Lands to permit a mixed-use development to include 176 Dwelling Units;
- 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 905 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 905 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 two tower residential development on the Lands to include 176 Dwelling Units.

"Dwelling Unit" means a self-contained residential dwelling unit within the buildings that 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 Priority Agreements

4.1 Cantec Resources Corp., the registered holder of a charge by way of Mortgage registered against the Lands, which said charge is registered in the Land Title Office at Victoria, British Columbia, under number CA3351569, for and in consideration of the sum of Ten (\$10.00) Dollars paid by the Transferee to the said Chargeholder (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 this Agreement, pursuant to section 905(5) of the *Local Government Act*, this 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.

- 4.2 HSBC Bank Canada, the registered holder of a charge by way of Mortgage and Assignment of Rents registered against the Lands, which said charges are respectively registered in the Land Title Office at Victoria, British Columbia, under number EX3580, as modified by CA2340907 and extended by CA2341024 as to the Mortgage and EX3581 as extended by CA2341025, as to the Assignment of Rents, for and in consideration of the sum of Ten (\$10.00) Dollars paid by the Transferee to the said Chargeholder (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 this Agreement, pursuant to section 905(5) of the *Local Government Act*, this 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..
- 4.3 London Life Insurance Company, the registered holder of a charge by way of Mortgage and Assignment of Rents registered against the Lands, which said charges are respectively registered in the Land Title Office at Victoria, British Columbia, under number EF83041 and EF83042, for and in consideration of the sum of Ten (\$10.00) Dollars paid by the Transferee to the said Chargeholder (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 this Agreement, pursuant to section 905(5) of the *Local Government Act*, this 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..
- 5.0 Notice to be Registered in Land Title Office**
- 5.1 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 905(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.
- 6.0 Liability**
- 6.1 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.

- 6.2 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 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.

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:

c/o Cook Roberts LLP
7th Floor – 1175 Douglas Street
Victoria, BC V8W 2E1

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, at the address on file in the Land Title Office.

If a party identifies alternate contact information in writing to another party, notice is to be given to that alternate address.

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.

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.

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, 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.

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




THE CORPORATION OF THE CITY OF VICTORIA by its authorized signatories:)
)
)
)
_____)
Mayor Dean Fortin)
)
_____)
Corporate Administrator Robert Woodland)
)

EXECUTED BY OAKWOOD PARK ESTATES LTD. in the presence of its duly authorized signatory:)
)
)
_____)
Authorized signatory)

EXECUTED BY CANTEC RESOURCES CORP in the presence of its duly authorized signatory)
)
)
_____)
Authorized signatory)

10

EXECUTED BY HSBC BANK CANADA in)
the presence of its duly authorized)
signatories:)


Authorized signatory ADAM SLATER)

Authorized signatory)

EXECUTED BY LONDON LIFE INSURANCE)
COMPANY in the presence of its duly)
authorized signatories:)

Authorized signatory)

Authorized signatory)

10

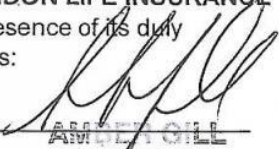
EXECUTED BY HSBC BANK CANADA in)
the presence of its duly authorized)
signatories:)

Authorized signatory)

Authorized signatory)

EXECUTED BY LONDON LIFE INSURANCE)
COMPANY in the presence of its duly)
authorized signatories:)

Authorized signatory)


AMBER GILL
TEAM LEADER

Authorized signatory)


ANGELA VALERI
Documentation Coordinator

NO. 16-038

SIDEWALK CAFÉS REGULATION BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to replace the Sidewalk Cafes Regulation Bylaw No. 02-075 with an updated bylaw under which the City may authorize the placement of movable and fixed structures on sidewalks within the City of Victoria.

Under its statutory powers, including section 14 of the *Victoria City Act, 1919* and sections 8, 35 and 194 of the *Community Charter*, the Municipal Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

Contents

PART 1 – INTRODUCTION

- 1 Title
- 2 Definitions

PART 2 – LICENCE REQUIREMENTS

- 3 Licence Required
- 4 Sidewalk Cafés
- 5 Heaters

PART 3 – LICENCE APPLICATION

- 6 Application

PART 4 – CONDITIONS OF LICENCE

- 7 Conditions
- 8 No Assignment of Licence
- 9 Sidewalk Café Fixtures
- 10 Enclosed Sidewalk Café

PART 5 – REFUSAL AND CANCELLATION OF LICENCE

- 11 Refusal
- 12 Cancellation

PART 6 – APPLICATION FEES AND ANNUAL FEES

- 13 Fees

PART 7 – RELATIONSHIP TO OTHER BYLAWS

- 14 Parks Regulation Bylaw
- 15 Streets and Traffic Bylaw

PART 8 – GENERAL

- 16 Signs
- 17 Removal, Detention and Impounding
- 18 Offences

PART 9 – REPEAL

- 19 Repeal

PART 10 – COMMENCEMENT

- 20 Commencement

PART 1 - INTRODUCTION**Title**

- 1 This Bylaw may be cited for all purposes as the "Sidewalk Cafés Regulation Bylaw".

Definitions

- 2 For the purposes of this Bylaw:

"**Applicant**" means an applicant for a Licence, and also means the holder of a Licence, once issued;

"**Application**" means an application for a Licence;

"**Director**" means the Director of Sustainable Planning and Community Development for the City of Victoria;

"**Enclosed Sidewalk Café**" means a licensed Sidewalk Café which has fixtures erected within the licensed Sidewalk Café area consisting of both roof and walls;

"**Licence**" means a licence for a Sidewalk Café issued under this Bylaw;

"**Roadside**" means that portion of Street which abuts a Sidewalk or a property line, and is used for motor vehicle parking or loading purposes when not designated as a café area;

"**Roadside Café**" means a Roadside area wherein structures are constructed, placed or fixed for seating and serving customers as an extension of an existing food vending establishment;

"**Sidewalk**" includes

- (a) a Sidewalk, as defined in the Streets and Traffic Bylaw,
- (b) Centennial Square,
- (c) Bastion Square,
- (d) Gladstone Mall, and
- (e) Millie's Lane;

"Sidewalk Café" includes

- (a) an area of a Sidewalk wherein structures are constructed, placed or fixed for seating and serving customers as an extension of an existing food vending establishment, and
- (b) a Roadside Café;

"Street" has the same meaning as in the Streets and Traffic Bylaw.

PART 2 - LICENCE REQUIREMENTS

Licence Required

- 3 A person may not place, construct or keep a Sidewalk Café except as provided in this Bylaw.

Sidewalk Cafés

- 4
 - (1) An owner in possession or an occupant of property may establish, operate and maintain a Sidewalk Café on a designated portion of the Sidewalk or Roadside if
 - (a) that owner or occupant is using the property abutting
 - (i) that portion of Sidewalk,
 - (ii) that portion of Roadside, or
 - (ii) the Sidewalk which abuts that portion of Roadside,
 for the commercial purpose of operating a food vending establishment,
 - (b) that owner or occupant possesses a valid Licence, and
 - (c) that owner or occupant places, constructs and maintains the Sidewalk Café in strict accordance with the terms of the Licence.
 - (2) The designated portion of Sidewalk for which a Licence is issued
 - (a) must leave at least 1.5 meters of unobstructed Sidewalk space along the entire Sidewalk Café area, and
 - (b) where a Sidewalk Café consists of only Sidewalk, must leave at least 1 meter of unobstructed Sidewalk space between the Sidewalk Café area and the edge of the curb separating the Sidewalk from the roadway.
 - (3) The unobstructed space set out in subsection 2(a) may overlap the unobstructed space set out in subsection 2(b).

Heaters

- 5 (1) An Applicant for a Licence may place heaters within the designated portion of the Sidewalk or Roadside for which the Licence is issued provided the following conditions are satisfied:
- (a) the number and location of any proposed heaters is indicated on the Application;
 - (b) the installation and operation of any heater
 - (i) conforms to the standards established by the Canadian Standards Association and certified to the standards of Underwriters Laboratories of Canada,
 - (ii) is done in strict accordance with all Provincial safety regulations and the manufacturer's instructions, and
 - (iii) does not present a risk of harm to the health or safety of the public.
- (2) The Director may require as a condition of the issuance of a Sidewalk Café Licence that
- (a) heaters not be permitted within the designated portion of the Sidewalk or Roadside for which the Licence is issued,
 - (b) that the number and type of heaters be limited, or
 - (c) that the location of heaters be confined to certain areas prescribed by the Director
- where in the opinion of the Director the number, type or location of the heaters proposed in the Application would present a risk of harm to the health or safety of the public.

PART 3 - LICENCE APPLICATION**Application**

- 6 (1) To obtain a Licence, an Applicant must apply to the Director in the form prescribed by the Director, and must provide the plans and details of the proposed Sidewalk Café showing
- (a) the area of the Sidewalk or Roadside to be occupied, and
 - (b) the location and type of all fixtures or other objects which shall be placed within any area of the Sidewalk or Roadside to be occupied.
- (2) The Director may grant a Licence if the Director is satisfied that
- (a) the Applicant
 - (i) has paid the Application fee pursuant to section 13(a),

- (ii) has fully completed the Application form and provided all information required pursuant to subsection (1),
 - (iii) holds a valid business licence issued by the City, and
 - (iv) has obtained all additional applicable federal, provincial and municipal permits or licences, and
- (b) the Sidewalk Café will not
 - (i) unreasonably obstruct or interfere with vehicle, bicycle or pedestrian traffic or vehicle, bicycle or pedestrian safety,
 - (ii) unreasonably obstruct or interfere with the ability of the City or any permitted third party utility company to construct, install, repair or maintain a municipal work, service, utility or other improvement,
 - (iii) unreasonably interfere with the public's use and enjoyment of the Sidewalk, Roadside or adjoining roadway,
 - (iv) unreasonably interrupt the sightlines along the Sidewalk, Roadside or roadway,
 - (v) present a risk of harm to the health or safety of the public,
 - (vi) contain fixtures which cannot be easily removed,
 - (vii) cause damage to the Sidewalk or Roadside, or
 - (viii) contravene the provisions of this Bylaw.
- (3) In addition to the provisions set out in subsection (2), the Director may only grant a licence to a Roadside Café if the City's Director of Engineering and Public Work is satisfied that
 - (a) the Roadside Café will not result in insufficient parking or loading space within the street block,
 - (b) the Roadside Café does not exceed 2.5 meters from the curb into the Street,

- (c) there will be 1 meter of unobstructed Street space located between the Roadside Café and the adjacent motor vehicle travel lane,
- (d) on all sides where the Roadside Café is exposed to the Street, there will be railings of at least 1.07 meters in height from curb elevation which contain reflectors visible to traffic, and
- (e) the designated Roadside Café area will not be located on a portion of Street exceeding a 5% slope.

PART 4 - CONDITIONS OF LICENCE

Conditions

- 7 (1) Every Licence is subject to the following conditions:
- (a) for the purpose of constructing, installing, repairing or maintaining any municipal work, service, utility or other improvement owned by the City or a permitted third party utility company, the Applicant must
 - (i) allow the Director and the employees or agents of the City and of any permitted third party utility company to enter the portion of the Sidewalk or Roadside designated in the Licence, and
 - (ii) when requested by the Director, remove part of the Sidewalk Café within 48 hours, or immediately in the event of an emergency, for regularly scheduled utility or service installation, maintenance or repair;
 - (b) where an Applicant neglects, refuses or fails to remove part of a Sidewalk Café under subsection (1)(a), or fails to do so within the time specified under that subsection, the Director may cause any part of the Sidewalk Café to be removed for the purposes in that clause and may charge the costs of the removal to the Applicant;
 - (c) at all times and at the Applicant's own expense, the Applicant must keep and maintain the Sidewalk Café in a clean, sanitary, attractive condition satisfactory to the Director and must keep the Sidewalk surrounding or adjacent to the Sidewalk Café free from papers, rubbish and debris of any kind;
 - (d) the Applicant must not open, retract, remove, lower or affix any part of the Sidewalk Café structure if by doing so the area for which a Licence has been issued is enlarged;
 - (e) the Applicant must not use the Licence area for any purpose other than seating and serving customers;
 - (f) where an Applicant is required to remove any fixtures, furnishings and personal property pursuant to this Bylaw, the Applicant must not make any claim against the City on account of such removal and must replace and restore the Sidewalk or Roadside to a safe and proper condition to the satisfaction of the Director;

- (g) where an Applicant neglects, refuses or fails to cease occupation of the Sidewalk or Roadside as required pursuant to this Bylaw, or fails to do so within the time specified, the Director may cause any fixtures, furnishings or personal property located on the Sidewalk to be removed and may cause the Sidewalk to be restored to a safe and proper condition and may charge the costs of such removal and restoration to the Applicant;
- (h) where the City has incurred costs as specified in paragraph (g), a certificate of the Director setting out those costs shall be final and the City may recover such costs from the Applicant in any Court of competent jurisdiction as a debt owing by the Applicant to the City;
- (i) a Licence is valid for a period of 12 months and may be renewed for additional periods of 12 months upon payment of the prescribed Licence fees, subject to the terms of this Bylaw;
- (j) in consideration for the issuance of the Licence, the Applicant agrees to indemnify the City in accordance with the agreement included in the Application Form;
- (k) during the term of the Licence
 - (i) the Applicant must obtain and maintain in force commercial general liability insurance, in the minimum amount of \$2 million per occurrence, and
 - (ii) the City must be added as an additional insured, together with a cross liability clause, to every policy of insurance required to be maintained under subparagraph (i) and the City must be provided with proof of such coverage prior to the issuance of a Licence, and at any subsequent time upon request of the Director or Director's designate.

No Assignment of Licence

- 8 (1) An Applicant must not assign or transfer the permission for the use of the portion of the Sidewalk or Roadside as authorized in the Licence without the prior written consent of the Director.
- (2) Where the Director refuses to consent to assignment or transfer under subsection (1), the person who requested the assignment or transfer may appeal the Director's decision to Council, in which case the procedures outlined in section 12(4) apply with the necessary changes.

Sidewalk Café Fixtures

- 9 (1) An Applicant who holds a Licence for a Sidewalk Café which contains fixtures must ensure that all fixtures are affixed in a manner which allows them to be completely removed, and the Sidewalk restored, with minimal reasonable effort.
- (2) The Applicant must, at its own cost and expense, remove all fixtures, furnishings and personal property from the Sidewalk

- (a) immediately upon Licence expiration, if the Licence is not renewed, or
- (b) upon 30 days' notice of Licence cancellation in writing from the Director and must cease occupation of the licensed area within that time.

Enclosed Sidewalk Café

- 10
- (1) Subject to subsection (2), a person may not place, construct or keep an Enclosed Sidewalk Café.
 - (2) An Enclosed Sidewalk Café which validly existed on March 1, 2016 may be kept, provided
 - (a) there is no additional construction or improvements added to the Sidewalk Café, except for basic repair,
 - (b) repair to the Sidewalk Café is limited to replacing or maintaining the Enclosed Sidewalk Café's shape and design as it existed on March 1, 2016,
 - (c) the Applicant continuously holds a valid Licence, and
 - (d) the Applicant continuously holds a valid business licence.
 - (3) If an Enclosed Sidewalk Café is damaged to the extent that 40% or more of the Enclosed Sidewalk Café must be replaced or repaired, the Enclosed Sidewalk Café must be removed and may not be rebuilt.

PART 5 - REFUSAL AND CANCELLATION OF LICENCE

Refusal

- 11
- (1) The Director may refuse to issue a Licence to an Applicant if the Director is satisfied that either of the following circumstances apply:
 - (a) the Applicant has not met the conditions to approve the Application pursuant to sections 6(2) or 6(3);
 - (b) the Application contains false or misleading information.
 - (2) The Director may refuse to renew a Licence if any of the circumstances described in section 12(1) apply.

Cancellation

- 12 (1) The Director may cancel a Licence if the Director is satisfied that any of the following circumstances have occurred:
 - (a) the Sidewalk Café does not strictly adhere to the plans, design, or other information provided by the Applicant in the Application;
 - (b) the Applicant fails to comply with a term or condition of the Licence;
 - (c) the Applicant is convicted of an offence under an Act or municipal bylaw in respect of the Sidewalk Café for which the Licence was issued;
 - (d) the Applicant is deemed, under the *Local Government Act*, or the *Offence Act* to have pleaded guilty to an offence referred to in paragraph (c);
 - (e) the Applicant has ceased to comply with a bylaw or has otherwise ceased to meet the lawful requirements to operate the Sidewalk Café for which the Licence is issued;
 - (f) the continued operation of the Sidewalk Café would
 - (i) present a risk of harm to the health or safety of the public,
 - (ii) constitute a nuisance,
 - (iii) unreasonably obstruct or interfere with vehicle, pedestrian or bicycle traffic,
 - (iv) unreasonably interfere with the ability of the City or any permitted third party utility company to construct, install, repair or maintain a municipal work, service, utility or other improvement,
 - (v) unreasonably interfere with the public's use or enjoyment of the Sidewalk or the Roadside or adjoining roadway,
 - (vi) unreasonably interfere with the sightlines along the Sidewalk, Roadside or roadway, or
 - (vii) cause damage to the Sidewalk, Roadside or roadway;
 - (g) the Licence area is required for the construction, installation, repair or maintenance of a municipal work, service, utility or other improvement.
- (2) Before cancelling a Licence, the Director must notify the Applicant of the proposed cancellation and provide the Applicant with an opportunity to be heard by the Director.
- (3) If the Director cancels a Licence pursuant to subsection (1)
 - (a) the Applicant may apply to Council for reconsideration of the cancellation, and
 - (b) the Director must notify the Applicant of the right for Council

reconsideration pursuant to paragraph (a).

- (4) When permitted pursuant to the provisions of this Bylaw, an Applicant applying for reconsideration, by Council, of a decision of the Director must comply with the following procedures:
 - (a) the Applicant must deliver written notice of the request for reconsideration to the City Clerk within 30 days of the decision, together with a written summary of the Applicant's reasons for requesting the reconsideration;
 - (b) the City Clerk must place the request for reconsideration on the agenda of a meeting of City Council at which the matter can be dealt with conveniently, to be heard within 45 days after the request for reconsideration is received;
 - (c) the Council may adjourn the hearing of the reconsideration request from time to time;
 - (d) the Applicant may attend the meeting of City Council at which the matter is to be considered, and at that meeting, may present oral and written submissions to the Council in support of the request for reconsideration;
 - (e) after hearing from the Applicant, and from the Director whose decision is the subject of the reconsideration request, the Council may
 - (i) confirm the decision of the Director, or
 - (ii) rescind that decision and substitute in its place any other decision that the Council determines is appropriate.
- (5) By resolution of its Council, the City may at any time cancel a Licence issued under this Bylaw.
- (6) Before cancelling a Licence pursuant to subsection (5), Council for the City must provide the Applicant with an opportunity to be heard by Council, and for that purpose must follow the hearing procedures outlined in subsection (4).

PART 6 - APPLICATION FEES AND ANNUAL FEES

Fees

- 13 An Applicant for a Sidewalk Café Licence must pay to the City
 - (a) an Application fee of \$50.00 for any Application which is not a renewal of a Licence, and
 - (b) the annual Licence fees prescribed in Schedule A.

PART 7 – RELATIONSHIP TO OTHER BYLAWS

Parks Regulation Bylaw

- 14 If, with respect to any matter relating to a Sidewalk or Street in a park, there is a conflict between this Bylaw and the Parks Regulation Bylaw, this Bylaw prevails.

Streets and Traffic Bylaw

- 15 If, with respect to any matter relating to a Sidewalk or Street, there is a conflict between this Bylaw and the Streets and Traffic Bylaw, this Bylaw prevails.

PART 8 - GENERAL

Signs

- 16 The holder of a Licence must ensure that there are no signs which promote a third party
- (a) in the area of the Sidewalk Café, or
 - (b) on fences, railings or other means of separating the Sidewalk Café from other areas of a Sidewalk or Street.

Removal, Detention and Impounding

- 17 The provisions of the Streets and Traffic Bylaw for the removal, detention and impounding of objects unlawfully occupying a Sidewalk or Street apply with necessary changes as applicable to objects on a Sidewalk or Street in contravention of the provisions of this Bylaw or the terms of a Licence.

Offences

- 18 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act* if that person
- (a) contravenes a provision of this Bylaw,
 - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
 - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each day that a contravention of a provision of this Bylaw occurs or continues constitutes a separate offence.

PART 9 - REPEAL

Repeal

19 The Sidewalk Cafes Regulation Bylaw No. 02-75 is repealed.

PART 10 – COMMENCEMENT

Commencement

20 This Bylaw comes into force on May 16, 2016.

READ A FIRST TIME the **26th** day of **May** 2016

READ A SECOND TIME the **26th** day of **May** 2016

READ A THIRD TIME the **26th** day of **May** 2016

ADOPTED on the _____ day of _____ 2016

CITY CLERK

MAYOR

SCHEDULE A**SIDEWALK CAFÉ ANNUAL LICENCE FEES**

1. The annual Licence fees constitute:
 - (a) an administrative fee of \$50.00; and
 - (b) an occupation fee, as set in section 2 of this schedule.
2. The occupation fee for a Sidewalk Café shall be the sum of the following:
 - (a) for any portion of Sidewalk used by the Sidewalk Café:
 - (i) \$6.20 per square foot in Area 1, as set out in Appendix 1,
 - (ii) \$3.80 per square foot in Area 2, as set out in Appendix 1; and
 - (b) for any portion of Roadside used by the Sidewalk Café, the fees set out in s. 106(3)(b)(ii) of the Streets and Traffic Bylaw.

Sidewalk Café Area Map



Area 2 Consists of the Remainder of the City

NO. 16-043

TICKET BYLAW, AMENDMENT BYLAW**A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to amend the Ticket Bylaw to reflect changes to offences under the Sidewalk Cafés Regulation Bylaw.

Under its statutory powers, including sections 260 and 264 to 273 of the *Community Charter*, and B.C. Regulation 425/2003, the Council of the Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “TICKET BYLAW, AMENDMENT BYLAW (NO.9)”.
- 2 Bylaw No. 10-071, the Ticket Bylaw, is amended by repealing Schedule EE and replacing it with the Schedule EE attached to this bylaw.

READ A FIRST TIME the	26th	day of	May	2016
READ A SECOND TIME the	26th	day of	May	2016
READ A THIRD TIME the	26th	day of	May	2016
ADOPTED on the		day of		2016

CITY CLERK

MAYOR

Schedule EE**Sidewalk Cafés Regulation Bylaw
Offences and Fines**

Column 1 – Offence	Column 2 – Section	Column 3 – Set Fine	Column 4 – Fine if paid within 30 days
Operate Sidewalk Café w/o licence	3	\$250	\$200
Improperly place propane heater	5(1)	\$250	\$200
Fail to keep café area clean	7(1)(c)	\$250	\$200
Modify structure other than allowed	7(1)(d)	\$250	\$200
Operate an Enclosed Sidewalk Café	10(1)	\$250	\$200
Allow signs other than as prescribed	16	\$250	\$200



COPY

CITY OF PORT ALBERNI

City Hall
4850 Argyle Street,
Port Alberni, B.C. V9Y 1V8
Telephone: 250-723-2146 Fax: 250-723-1003
www.portalberni.ca

MAYOR'S OFFICE

MAY 16 2016

VICTORIA, B.C.

May 11, 2016

David Suzuki Foundation
Vancouver Office
219 – 2211 West 4th Avenue
Vancouver BC V6K 4S2

To Whom It May Concern:

RE: Declaration of the Right to a Healthy Environment

At the Regular Council Meeting of May 9, 2016, Council for the City of Port Alberni endorsed the attached declaration of The Right to a Healthy Environment. This declaration is rooted in the City's longstanding commitment to a healthy environment and supported by Council's Strategic Plan and a number of other long-term plans, actions and strategies.

The City of Port Alberni looks forward to supporting the City of Victoria's resolution calling for a Federal Bill of Environmental Rights at the upcoming Federation of Canadian Municipalities Convention. It is our sincere hope that this resolution is endorsed and serves as yet another call to action for senior governments to establish and strengthen environmental rights legislation.

Thank you for advancing this initiative that has so clearly demonstrated the widespread public support for protecting our country's environmental well-being.

Yours truly
CITY OF PORT ALBERNI

Jake Martens
Deputy City Clerk/Communications Coordinator

c: Mayor Lisa Helps, City of Victoria



Declaration

The Right to a Healthy Environment

At a Regular Council meeting held May 9, 2016 Council for the City of Port Alberni declared:

WHEREAS the City of Port Alberni understands that people are part of the environment, and that a healthy environment is inextricably linked to the well-being of our community;

AND WHEREAS the David Suzuki Foundation Blue Dot Tour has inspired many Canadians to request that the right to a healthy environment be enshrined in the Canadian Charter of Rights and Freedoms;

THEREFORE BE IT RESOLVED THAT the City of Port Alberni declares that:

All residents of the City of Port Alberni have the right to live in a healthy environment, including:

- The right to breathe clean air;
- The right to drink clean water;
- The right to consume safe food;
- The right to access nature;
- The right to know about pollutants and contaminants released into the local environment; and
- The right to participate in government decision-making that will affect the environment.

The City of Port Alberni recognizes its responsibility, within its jurisdiction, to respect, protect, and promote these rights and in so doing will continue to implement and improve its Corporate Plans, Strategies and By-laws to protect the local environment and support its residents' right to a healthy environment by undertaking actions such as, but not limited, to the following:

- consideration of the precautionary principle, with cost-effective measures, where threats of serious or irreversible damage to human health or the environment exist;

- *Taking into consideration full cost accounting which includes costs to human health and environment, when evaluating reasonably foreseeable costs of proposed actions and alternatives;*
- *Ensuring infrastructure and development projects protect the environment, including water quality;*
- *Addressing climate change by investigating further reductions in corporate greenhouse gas emissions and implementing adaptation measures;*
- *Promoting appropriate and responsible development, including responsibly increasing density, in accordance with the Official Community Plan;*
- *Promoting walking, cycling and public transit as modes of transportation in accordance with the City's Active Transportation Plan;*
- *Promoting access to food that is locally and sustainably sourced;*
- *Working with Alberni-Clayoquot Regional District to improve waste diversion, including recycling and composting, and waste reduction; and*
- *Establishing and maintaining accessible green spaces by providing high quality active and wilderness parks*

The City of Port Alberni shall review these objectives, targets, timelines and actions regularly, and evaluate progress towards fulfilling this declaration.

The City of Port Alberni shall consult with residents as part of this process.

AND BE IT FURTHER RESOLVED THAT *the City of Port Alberni support the City of Victoria motion to the Federation of Canadian Municipalities calling for a Federal Bill of Environmental Rights.*



SAANICH FIRE DEPARTMENT

760 Vernon Avenue, Victoria, British Columbia V8X 2W6
THE CORPORATION OF THE DISTRICT OF SAANICH

Michael Burgess
Fire Chief

May 24, 2016

Fire Chief Paul Bruce
Victoria Fire Department
1234 Yates Street
Victoria, BC V8V 3M8

Dear Chief Bruce:

Re: Mutual Aid Fire Response at Fire Incident on Cedar Hill Road – May 22, 2016

On behalf of our Department, I am writing to thank Victoria Fire Department members for their assistance and response to a fire on Cedar Hill Road on May 22, 2016.

This was a very significant fire and crews were faced with explosion conditions and multiple exposure concerns. The extent and magnitude of this fire incident were mitigated by the actions of all those attending. The professionalism demonstrated by members at this incident and the compassion shown to residents of our community who were impacted and suffered property loss is a testament to their commitment to service and community.

It's comforting to know that resources are available to assist one another when required, and that cooperation and coordination is working well within the region.

Again, please extend my thanks and appreciation to your members for their hard work and dedication to our profession.

Yours truly,

Michael Burgess
Fire Chief

MB/mr

cc: Mayor and Council, City of Victoria
Jason Johnson, Victoria City Manager
Paul Thorkelsson, Saanich Chief Administrative Officer



June 1, 2016

Ref: 167375

Her Worship Mayor Lisa Helps
and Members of Council
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

Dear Mayor Helps and Councillors:

I am very pleased to be writing to update you on the progress of the Capital Integrated Services and Governance Initiative.

As you may recall, the Ministry of Community, Sport and Cultural Development posted a request for proposal (RFP) to BC bid to retain a consultant on behalf of the region, which closed April 15, 2016. The Framework for Discussion document, which was the outcome of our shared understanding about service delivery best practices and exploring further the opportunities to better integrate service and governance in the Capital region, informed the RFP. The successful proposal (reviewed by a panel of Ministry and local government staff from the town of View Royal and the District of Saanich) was a combined submission from Urban Systems and Circle Square Solutions. Mr. Dale Wall will lead the project team. As some of you may know, Mr. Wall is a former provincial Deputy Minister. Team members will include Mr. Dan Huang, Mr. Shaun Heffernan and Mr. James Klukas of Urban Systems and Mr. George Abbott, Mr. Bob de Faye and Mr. Chris Trumpy of Circle Square Solutions.

The project team is very interested to begin the process of hearing from you and your councils. They would like to meet with councils between now and the end of June to receive your perspective on this important initiative. To this end, I am advised that Mr. Wall will be reaching out to Chief Administrative Officers (CAO) in the near future. If you or your CAO wants to contact Mr. Wall, he can be reached at: Dale@circlesquaresolutions.com.

The team has developed an engagement strategy that is flexible and customized to the requirements of individual local governments. They hope to be able to meet with each local government for at least one hour between now and the end of June in order to introduce their work and more importantly to hear the perspectives of you and your council. The team will also be preparing a description of how services are currently delivered in the Capital Region, best practices from other local governments (and other public bodies), as well as presenting the challenges and opportunities associated with various approaches to governance and service integration. Once this is completed, they plan to schedule a second round of meetings this fall with councils or groups of councils to discuss the tentative results with you and provide you with the opportunity to further inform their work.

.../2

Ministry of Community,
Sport and Cultural Development and
Minister Responsible for TransLink

Office of the Minister

Mailing Address:
PO Box 9056 Stn Prov Govt
Victoria BC V8W 9E2
Phone: 250 387-2283
Fax: 250 387-4312

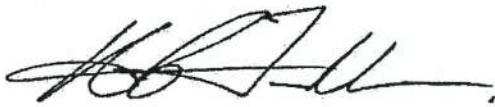
Location:
Room 310
Parliament Buildings
Victoria BC

www.gov.bc.ca/cscd

Her Worship Mayor Lisa Helps
and Members of Council
Page 2

This is a complex and challenging project. The Urban Systems/Circle Square Solutions team brings a great deal of experience in working with local governance matters to the project. I am hopeful that you will engage with them in this dialogue, and that your work together will form the foundation for local government's future choices about governance and service integration opportunities in the Capital Region. I anticipate being able to provide local governments a status update on the project progress in the late summer. I also expect that once the project team has provided preliminary findings (in the fall) we will be in a position to discuss further our next steps toward implementation of those findings.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Fassbender', with a stylized flourish at the end.

Peter Fassbender
Minister

pc: Her Worship Mayor Barbara Desjardins, Chair
and Members of the Board
Capital Regional District



Council Report
For the Council Meeting of June 9, 2016

To: Council

Date: June 8, 2016

From: Councillors Isitt and Loveday

Subject: City of Victoria Input on Review of Canada Post

Background:

The Government of Canada is currently inviting input from local governments and members of the public as part of the Review of Canada Post. The deadline for receiving formal submissions is June 23, 2016.

The City of Victoria has approved several resolutions in recent years relating to postal services in Canada, including a resolution in January 2014 supporting the retention of door-to-door postal delivery, and a resolution in January 2016 supporting an expansion of access to financial services through the postal system.

The City of Victoria's Strategic Plan clearly identifies facilitating social inclusion and increasing affordability as priorities.

It is therefore recommended that Council approve the following resolution, reiterating its support for door-to-door delivery and an expansion of access to financial services through the postal system, to inform the Government of Canada's current Review of Canada Post.

Recommendation:

That Council direct staff to provide input to the Government of Canada on behalf of the City of Victoria by June 23, 2016 as part of the Review of Canada Post, reiterating the City's support for door-to-door postal delivery and increased access to financial services through postal banking, and appending copies of the previously approved resolutions on these issues.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Ben Isitt".

Councillor Ben Isitt

A handwritten signature in blue ink, appearing to read "Jeremy Loveday".

Councillor Jeremy Loveday

Attachments:

- Appendix 1 – Backgrounder on Review of the Future of Canada Post
- Appendix 2 – Statement from the Minister on Review of Canada Post
- Appendix 3 – Task Force on Canada Post Review
- Appendix 4 – City of Victoria Council Motion of January 16, 2014
- Appendix 5 – City of Victoria Council Motion of January 28, 2016



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Backgrounder



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Review on the Future of Canada Post

For immediate release

OTTAWA, Ontario, May 5, 2016 – Mandate of the Review: To ensure Canadians receive quality service from Canada Post at a reasonable price.

Timeline: The Review is being carried out in two phases. It begins May 2016 and is expected to be completed by the end of 2016.

Review Phases:

Public Engagement (throughout)

Canadians can submit their views and comments through multiple channels including:

- Online: Canada.ca/canadapostreview
- Email: TPSGC.ExamendeSPC-CPCReview.PWGSC@tpsgc-pwgsc.gc.ca
- [Twitter](#) or [Instagram](#) (using the #CPRReview2016 hashtag)
- [Facebook](#)
- Fax: 1-844-836-8138
- Mail:
Canada Post Review
CP 2200
Matane, QC G4W 0K8

Task Force (Phase I):

During the first phase, a Task Force is collecting information through the following activities:

- conducting research and gathering relevant facts;
- studying the cost and need for current Canada Post activities;
- assessing and validating Canada Post's current financial situation and projections;
- identifying viable options for Canada Post to develop new business lines; and
- examining international best practices.

The Task Force is using this information to prepare a discussion paper that presents viable options, costs, and associated implications for the future of Canada Post.

The discussion paper will be used as the basis for an informed discussion with the Canadian public, which will be led by a parliamentary committee.

Françoise Bertrand (Quebec) has been named Chair of the Task Force. She is supported by Task Force members Marena McLaughlin (New Brunswick), Krystyna T. Hoeg (Ontario) and Jim Hopson (Saskatchewan).

Parliamentary Committee (Phase II):

During the fall of 2016, a parliamentary committee, comprised of members of Parliament, will:

- examine the options presented by the Task Force;
- conduct consultations with Canadians from coast to coast to coast; and
- make final recommendations to the Government on the future of Canada Post.

Canadians can keep informed and get involved throughout the Canada Post Review by visiting Canada.ca/canadapostreview.

Statement from Minister of Public Services and Procurement Judy M. Foote on the Review of Canada Post

- 30 -

Ce texte est également disponible en français.

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Hon. Judy M. Foote

Government of Canada

Processes

Date modified:

2016-05-05

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Alberta Wildfires – Get the latest



Learn what you can do to help those in need, and keep up-to-date about the Government of Canada's response to wildfires in Alberta.

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→ Statement from Minister of Public Services and Procurement Judy M. Foote on the Review of Canada Post

Statement



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Statement from Minister of Public Services and Procurement Judy M. Foote on the Review of Canada Post

For immediate release

OTTAWA, Ontario, May 5, 2016 – The Government of Canada promised Canadians they would receive quality service from Canada Post at a reasonable price. In keeping with this commitment, today I am announcing an independent review of Canada Post.

This review supports an informed discussion around Canada Post—a discussion with the public that clearly lays out the facts and viable options for the future of Canada Post.

Canadians will be at the centre of the decisions we make. This review will provide the information and evidence Canadians and the Government require to make informed choices about the future of Canada Post.

The Review is being carried out in two phases.

In the first phase, a four-person Task Force collects information and prepares a discussion paper that presents viable options, costs and associated implications for Canada Post services. Françoise Bertrand (Quebec) has been named Chair of the Task Force. She is supported by Task Force members Marena McLaughlin (New Brunswick), Krystyna T. Hoeg (Ontario) and Jim Hopson (Saskatchewan).

The Task Force's discussion paper forms the basis for the second phase—an informed public dialogue led by a parliamentary committee. This process allows members of Parliament from all political parties to engage with Canadians and their colleagues on this important topic.

Having benefitted from studying the Task Force's options and hearing the views of the public and other stakeholders, the committee is expected to submit its recommendations to the Government by the end of 2016.

Public input is being sought throughout the Review through a variety of channels including email, mail and social media. I encourage all Canadians to take part in this important discussion.

Canadians can keep informed and get involved throughout the Canada Post Review by visiting Canada.ca/canadapostreview.

[Review on the Future of Canada Post](#)

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Ce texte est également disponible en français.

INFORMATION:

Media Relations
Public Services and Procurement Canada
Gatineau, QC
819-420-5501

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Hon. Judy M. Foote

Government of Canada

Processes

Date modified:

2016-05-05

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Alberta Wildfires – Get the latest



Learn what you can do to help those in need, and keep up-to-date about the Government of Canada's response to wildfires in Alberta.



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→ [Consulting with Canadians \(http://www1.canada.ca/consultingcanadians/\)](http://www1.canada.ca/consultingcanadians/)

→ [Canada Post review \(/examendepostescanada-canadapostreview/index-eng.html\)](/examendepostescanada-canadapostreview/index-eng.html)

Task Force

The Task Force is gathering information on Canada Post services to identify viable options for the delivery of quality and affordable postal services for Canadians. These options will guide the national conversation on the future of Canada Post.

- [Task Force timelines](#)
- [Member biographies](#)
- [Terms of reference](#)

Task Force timelines

May-June

The Task Force conducts research by engaging with various stakeholders to get information, opinions and formal detailed submissions until June 23. It will also [gather Canadians' views \(http://www.tpsgc-pwgsc.gc.ca/examendepostescanada-canadapostreview/exprimer-share-eng.html\)](http://www.tpsgc-pwgsc.gc.ca/examendepostescanada-canadapostreview/exprimer-share-eng.html) until the end of July. All of this input will be taken into consideration for their discussion paper.

July

The Task Force will analyze the information gathered and the views of Canadians in preparation for the drafting of the discussion paper.

August

The Task Force will draft the discussion paper.

Member biographies

Task Force members were selected based on a range of factors, including their specific experience, expertise and skill sets. They come from various geographic locations across the country, and bring unique perspectives to the work they are conducting.



Françoise Bertrand, Task Force Chair

Ms. Bertrand is a distinguished business leader with over 30 years of experience in private and public sector organizations. She has held senior management positions at the Université du Québec, Télé-Québec and major consulting firms.

A recipient of the Order of Canada, Ms. Bertrand was the first woman to chair the Canadian Radio-television and Telecommunications Commission (1996–2001) and the first woman chief executive officer (CEO) of Télé-Québec. She made notable contributions in both of these roles.

Ms. Bertrand most recently served as the president and CEO of the Fédération des chambres de commerce du Québec, an organization that includes 150 chambers of commerce, representing 60,000 businesses operating in all sectors of the Quebec economy. She is a member of several boards, including the Commission de la santé et de la sécurité du travail, Redevances Aurifères Osisko Ltée, Desjardins Securities and Concordia University. For eleven years, she served on the board of Quebecor and later as its chair from 2011–14.

Ms. Bertrand holds a bachelor's degree in sociology from the Université de Montréal and a master's degree in environmental studies from York University in Toronto. She is also a graduate of the Rotman School of Management Directors' Education Program. She resides in Montréal, Quebec.



Krystyna T. Hoeg, Task Force member

Ms. Hoeg is a corporate director and the former President and Chief Executive Officer of Corby Distilleries Limited. She has held senior leadership roles in various sectors, including health care, entertainment, manufacturing and resource development.

Ms. Hoeg currently serves on the board of directors of several Canadian companies and organizations, including New Flyer Industries and Imperial Oil. She is also Chair of the Toronto East General Hospital.

Ms. Hoeg is a chartered accountant and holds a bachelor of commerce and master of science from the University of Windsor and a bachelor of science from McMaster University. She holds both a chartered professional accountant and a chartered accountant designation and currently resides in **Page 246 of 254**

Ontario.



Jim Hopson, Task Force member

Following a distinguished career as an educator and principal, Mr. Hopson retired as Director of Education for the Qu'Appelle Valley School Division at the end of 2004. Mr. Hopson was raised in North Annex, a small town on the outskirts of Regina. Before his retirement, in addition to being an educator, he was a professional football player. Mr. Hopson began his professional football career in 1973, joining the Saskatchewan Roughrider Football Club.

In 2005, Mr. Hopson became the president and chief executive officer for the Saskatchewan Roughriders. He served in this role until retiring in 2015. Under his guidance, the Roughriders made four Grey Cup appearances and captured both the 2007 and 2013 Grey Cups.

Today, Mr. Hopson is a popular keynote speaker for both small and large groups in a variety of sectors, including small communities, presenting on topics such as leadership, team building, managing change and building excellence. Mr. Hopson is also a board member of SaskPower.

Mr. Hopson graduated from the University of Regina with a degree in education and a master's degree from the University of Oregon.



Marena McLaughlin, Task Force member

During her impressive 31 year career in the federal public service, Ms. McLaughlin has held increasingly senior positions, including Deputy Commissioner of the Atlantic Region for Correctional Service Canada.

More recently, Ms. McLaughlin has provided consulting services to various organizations. She performed organizational reviews for Correctional Service Canada, managed federal/provincial cooperative ventures and led a change management initiative for the Government of Canada Pension Centre.

Ms. McLaughlin resides in Dieppe, New Brunswick.

Task Force terms of reference

1. Mandate

The Minister of Public Services and Procurement has established this Task Force to undertake an independent review of Canada Post Corporation (CPC) with the objective of ensuring that CPC (Canada Post Corporation) provides quality service to Canadians at a reasonable price.

The mandate of the Task Force is to deliver a discussion paper to the Minister. The objective of this paper is to outline viable options for the future of CPC (Canada Post Corporation). This paper will serve as the basis for an informed public dialogue led by a Parliamentary Committee.

The Task Force, supported by a dedicated Secretariat within Public Services and Procurement Canada, will collect information and prepare a discussion paper that presents viable options, costs and associated implications for the delivery of quality, affordable and sustainable Canada Post services.

The work of the Task Force will be informed and guided by an examination of Canada Post's financial and business position, views of Canadians and key stakeholders, as well as previous studies.

2. Scope and purpose of the discussion paper

The Task Force will provide the Minister with a discussion paper to inform Canadians, parliamentarians and the Government on:

- Canada Post's financial situation today and its financial projections into the future based on an objective third-party assessment;
- the views of Canadians and stakeholders regarding how Canada Post serves them today and how they wish to be served into the future; and
- viable options and the associated implications for ensuring that Canada Post provides quality service to Canadians at a reasonable price and in a sustainable fashion.

This discussion paper will be made public by the Minister and form the basis of an informed public dialogue led by a Parliamentary Committee, which is targeted for fall 2016.

3. How the Task Force will carry out its work

- **Stakeholder engagement:** The Task Force will take into consideration the perspectives of key stakeholders in its work. This includes the views of Canadians, major mail system users, Canada Post, its bargaining agents and all other relevant stakeholders. To this end, it will conduct public opinion research on how CPC (Canada Post Corporation) currently provides its full range of services and how these services should be provided in the future, including views on door-to-door delivery.
- **Financial assessment:** The Task Force will assess and validate CPC (Canada Post

Corporation)'s current financial situation, as well as its future financial projections.

- **Comparative analysis:** The Task Force will assess, within a Canadian context, solutions found by comparable organizations, including, but not limited to, other national post systems, that address similar challenges to those faced by CPC (Canada Post Corporation).
- In carrying out this review, the Task Force will be guided by the following principles:
 - **Evidence-based:** The Task Force's work will be guided by the best evidence regarding what works—both here in Canada and in lessons drawn from the experiences of other national postal systems.
 - **Representativeness:** Beyond having the expertise to understand Canada Post's financials, the Task Force will bring both urban and rural perspectives to its work.
 - **Avoiding duplication of effort:** The Task Force will not duplicate past reviews but will be informed by them.
 - **Fiscal responsibility:** The Task Force's options will not imply the introduction of operating subsidies to Canada Post—it has a mandate to be self-sustaining and this does not change through this review.
- The Minister, supported by the Task Force and Secretariat, is fully committed to an open and transparent review process. The primary goal of the Task Force's work is to conduct an in-depth review of Canada Post and provide the Minister with viable options for postal services. These options will inform a national discussion on the future of Canada Post, led by a Parliamentary Committee. The Minister will make public the Task Force's work, as well as the analysis of viable options where possible.

4. Other requirements

In consultation with other Task Force members, the chair will issue any contracts that may be required to complete the work (e.g. financial analysis, writer). The chair is also expected to ensure that the Task Force conducts the timely execution of all required activities for the completion of a discussion paper by September 2016, including providing regular progress updates to the Minister.

The Task Force may be asked to participate (e.g. as witnesses) during the Parliamentary Committee consultation phase.

5. Canada Post Corporation Review Secretariat

The Secretariat will support the Task Force by providing policy and legislative guidance, contextual information on CPC (Canada Post Corporation), including foundational work (e.g. previous reviews, backgrounder on postal services and international comparators), as well as logistics and administrative support.

Date modified:

2016-06-07

2. **Wayne Shillington, JBNA, re: Capital Park (Victoria Accord) Survey**

The next slide is on build-out and the question was intended to get a handle on the general attitude towards the heritage houses. Some people said the houses should be on Menzies Street, others said they should be on Michigan Street. The consistent comment was that they should not be placed on Q-lot. When asked about amenities and what people wanted, the thing that most people valued was common outdoor areas. The rating of other amenities was also described and survey respondent comments were shown and should be considered as representative but not inclusive of all expressed sentiments. Overall, respondents supported the integration of provincial employees and believed that integration would be encouraged through additional housing, amenities and retail. Some comments came from public servants who thought housing was important while a smaller segment of respondents did not see public servants integrating into the community as a benefit. Respondents identified commercial activities and the need for a hardware store shone through. Many suggested different types of restaurants and some competition to the sole grocery store in James Bay. The need for more medical, dental and specialist health related services was also expressed.

3. **Brian Scarfe, Assisting JBNA, re: Build-out of South Block**

This is a good news story and they are excited about what will happen in James Bay to glue the government sector down in the City of Victoria. A review of general comments found many contradictory statements, some want buildings really low, while others want higher buildings that may permit more outdoor venue space. Specific comments were made about heritage houses and allotment gardens and market space. Although there were few comments about senior's housing, there was recognition that James Bay has more seniors and affordable housing. Traffic, parking and the loss of the allotment garden were also identified as issues to be resolved. Most comments were positive of the build-out of South Block but some objected to the build-out or the privatization of land and there were concerns about the future of Q-lot. It is now known that Jawl Properties Ltd and Concert Properties Ltd entered into an agreement with the Province to purchase and develop South Block and part of Q-lot. There is an expectation of consultation with the James Bay community and there is confidence in Jawl Properties Ltd due to their track record in Victoria. There will be challenges but the JBNA Board will work towards the resolution of those challenges and keep residents apprised of meetings so all residents have an opportunity to participate in the public process.

4. **Janet Birney, re: Canadian Union of Postal Workers:**

She is in favour of Council's resolution regarding Canada Post's decision to eliminate door-to-door delivery. This is not a well thought-out decision and she noted that Canada Post is not mandated to make a profit but they have made a profit in the last 17 of 18 years. She found out how successful they were this last year and they should be expanding their parcel business. There are other lines of revenue they should go after such as postal banking. It is not run as a business but in a sense it should be as it is a public service which could help home based businesses, seniors and people who cannot afford a computer, or who don't have computer access. The younger generation is using Canada Post online and a lot of housebound people shop online and this is very successful for them. She is in favour of Council's resolution to oppose getting rid of door-to-door postal delivery which provides stable jobs for the community. She doesn't feel that the Federal Government should be downloading the cost onto the City and the citizens who pay taxes.

REPORTS OF THE COMMITTEE

1. **Governance and Priorities Committee – January 16, 2014**

1. **Door-to-Door Postal Delivery in Canada**

It was moved by Councillor Isitt, seconded by Councillor Alto, that Council approve the following motion:

BE IT RESOLVED THAT Council approve forwarding the following resolution for consideration to the board of the Federation of Canadian Municipalities and the annual conference:

WHEREAS local governments in Canada have a direct financial interest in the security and stability of Canada's postal system, to ensure reliable communications with rate-payers and certainty in the timely payment of taxes and other fees;

AND WHEREAS Canada Post, a consistently profitable Crown Corporation, has announced its intention to eliminate residential door-to-door mail delivery in Canada, calling into question the stability of Canada's postal system, the certainty of communications and payments, the reliability of business transactions and the availability of municipal land for postal infrastructure;

AND WHEREAS this fundamental change to Canada's communications system is unprecedented in the G7 countries and has been announced in the absence of any meaningful consultation with local governments, Canada Post customers or postal workers;

THEREFORE BE IT RESOLVED THAT the Federation of Canadian Municipalities request that the Federal Government direct Canada Post to maintain the current system of residential door-to-door postal delivery in Canada.

BE IT FURTHER RESOLVED THAT Council direct staff to forward this resolution to other local governments in Canada for whom contact information is readily available, requesting favourable consideration of this resolution to FCM.

Amendment:

It was moved by Councillor Isitt, seconded by Councillor Alto, that Council amend the motion as follows:

BE IT RESOLVED THAT **Victoria City** Council approve ~~forwarding~~ the following resolution for consideration ~~to the board by~~ of the Federation of Canadian **Municipalities Board** and **at** the annual conference **of the Federation of Canadian Municipalities**:

WHEREAS local governments in Canada have a direct financial interest in the security and stability of Canada's postal system, to ensure reliable communications with rate-payers and certainty in the timely payment of taxes and other fees;

AND WHEREAS Canada Post, a consistently profitable Crown Corporation, has announced its intention to eliminate residential door-to-door mail delivery in Canada, calling into question the stability of Canada's postal system, the certainty of communications and payments, **and** the reliability of business transactions ~~and the availability of municipal land for postal infrastructure~~;

AND WHEREAS this proposed change would entail the downloading of responsibilities, costs, and liabilities to local governments, including requirements for municipal land and rights-of-way, infrastructure such as paving and lighting, and policy related to vandalism, graffiti and mail theft;

AND WHEREAS this fundamental change to Canada's communications system is unprecedented in the G7 countries and has been announced in the absence of any meaningful consultation with local governments, Canada Post customers or postal workers;

THEREFORE BE IT RESOLVED THAT the Federation of Canadian Municipalities request that the Federal Government direct Canada Post to maintain the current system of residential door-to-door postal delivery in Canada.

BE IT FURTHER RESOLVED THAT Council direct staff to forward this resolution to other local governments in Canada for whom contact information is readily available, requesting favourable consideration of this resolution to FCM.

Councillor Isitt outlined the reasons for the amendment, noting that the absence of consultation on this decision to end door-to-door postal service is not sound policy and the downloading to local governments is one of many issues that need to be addressed. Carried Unanimously

On the main motion as amended: Carried Unanimously

2. Planning and Land Use Standing Committee – January 09, 2014

1. Rezoning Application # 00403 for 542 Langford Street:

It was moved by Councillor Alto, seconded by Councillor Helps, that Council authorize staff to prepare the necessary *Zoning Regulation Bylaw* amendments for Rezoning Application # 00403 and advance the application for consideration at a Public Hearing. Carried Unanimously

2. Development Permit # 000331 for 769 Pandora Avenue:

It was moved by Councillor Alto, seconded by Councillor Helps, that Council authorize the issuance of Development Permit # 000331. Carried Unanimously

3. Heritage Designation # 000132 for 804 Foul Bay Road:

It was moved by Councillor Alto, seconded by Councillor Helps, that Council authorize that Heritage Designation Application # 000132 for 804 Foul Bay Road proceed for consideration at a Public Hearing in conjunction with Rezoning Application # 00414 and Heritage Alteration Permit Application # 00177 and that City staff prepare the *Heritage Designation Bylaw* to designate the property as a Municipal Heritage Site. Carried Unanimously

4. Heritage Alteration Permit # 00177 for 804 Foul Bay Road:

It was moved by Councillor Alto, seconded by Councillor Helps, that Council authorize that Heritage Alteration Permit Application # 00177 for 804 Foul Bay Road proceed for consideration at a Public Hearing in conjunction with Rezoning Application # 00414 and Heritage Designation Application # 000132. Carried Unanimously

5. Amendment to Master Development Agreement for 1701 Douglas Street (The Hudson):

It was moved by Councillor Alto, seconded by Councillor Helps, that Council authorize an amendment to the Master Development Agreement for 1701 Douglas Street, in a form satisfactory to the City Solicitor and the Director of Sustainable Planning and Community Development, requiring that the Developer submit plans describing full details of the required public art installations, prior to the issuance of a Building Permit for any building to be constructed in Phase IV of the development. Carried Unanimously

Carried Unanimously

FIRST READING

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 1061) - 16-016

To amend the Zoning Regulation Bylaw to rezone the land known as 59 Cook Street to permit a two-lot subdivision and allow construction of one new small lot house.

Carried Unanimously

3. **Heritage Designation (59 Cook Street) Bylaw – 16-015:**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council consider first and second readings of Heritage Designation (59 Cook Street) Bylaw – 16-015.

Carried Unanimously

FIRST READING

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

Heritage Designation (59 Cook Street) Bylaw – 16-015.

To designate the exterior of the building located at 59 Cook Street to be protected heritage property.

Carried Unanimously

4. **FIRST READING**

Heritage Designation (727 Yates Street) Bylaw – 16-005

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

Heritage Designation (727 Yates Street) Bylaw – 16-005

To designate the exterior of the building located at 727 Yates Street to be protected heritage property.

Carried Unanimously

2. **SECOND READING**

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1059) No. 16-006
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1061) - 16-016
3. Heritage Designation (59 Cook Street) Bylaw – 16-015.
4. Heritage Designation (727 Yates Street) Bylaw – 16-005

Carried Unanimously

3. **ADOPTION**

It was moved by Councillor Loveday, seconded by Councillor Isitt, that the following bylaws be adopted:

1. Temporary Borrowing Bylaw, 2016 – 16-008
2. Council Procedures Bylaw, - 16-011
3. Parks Regulation (Skateboarding) Amendment Bylaw, - 16-012
4. Streets and Traffic (Skateboarding) Amendment Bylaw, - 16-013
5. Ticket Bylaw, Amendment Bylaw, - 16-014

Carried Unanimously

QUESTION PERIOD

A question period was held.

NEW BUSINESS

1. **Access to Financial Services through Postal Banking**

Council received a report from Councillors Isitt and Loveday who provided information regarding access to financial services through postal banking.

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council direct staff to forward the following resolution to the Federation of Canadian Municipalities for consideration at the 2016 Annual Conference in Winnipeg, and that copies be sent to FCM member local governments requesting favourable consideration and resolutions of support, and that the resolution be forwarded to the Prime Minister of Canada:

Access to Financial Services through Postal Banking

WHEREAS many remote, indigenous and rural communities in Canada are not served by financial institutions;
AND WHEREAS nearly two million Canadians rely on payday lenders and would benefit from access to fair and affordable financial services;
AND WHEREAS jurisdictions around the world have introduced financial services in conjunction with postal services in order to expand access to financial services and promote social inclusion;

AND WHEREAS the federal government's review of Canada Post provides an opportunity to expand access to financial services for Canadians while modernizing the postal system.
AND THEREFORE BE IT RESOLVED THAT the City of Victoria supports the expansion of financial services for Canadians through the postal service, with a mandate of promoting social inclusion;
AND BE IT FURTHER RESOLVED THAT the City of Victoria calls on the federal government to include in its review of Canada Post an examination of how financial and banking services can be delivered in conjunction with the postal service.

Councillor Coleman advised that the process is for the resolution to go through the Board.

Amendment:

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

That Council direct staff to forward the following resolution to the **Board of the** Federation of Canadian Municipalities **requesting** ~~for~~ consideration at the 2016 Annual Conference in Winnipeg, and that copies be sent to FCM member local governments requesting favourable consideration and resolutions of support, and that the resolution be forwarded to the Prime Minister of Canada:

On the Amendment:
Carried Unanimously

On the Main Motion as Amended:
Carried Unanimously

CLOSED MEETING at 8:49 p.m.

It was moved by Councillor Isitt, seconded by Councillor Madoff, that Council convene a closed meeting that excludes the public under Section 12(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Sections 12(3) and/or (4) of the Council Bylaw; namely:

Section 12(3)(e) *The acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure might reasonably be expected to harm the interests of the City.*

Section 12(3)(i) *The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

Section 12(4)(b) *The consideration of information received and held in confidence relating to negotiations between the City and a Provincial government or the Federal government or both, or between a Provincial government or the Federal government or both and a third party.*

Carried Unanimously

ADJOURNMENT

It was moved by Councillor Alto, seconded by Councillor Loveday, that the Council meeting adjourn.
Time: 9:42 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR OF THE CITY OF VICTORIA