



UPDATED AMENDED AGENDA - VICTORIA CITY COUNCIL
MEETING OF MAY 26, 2016, AT 6:30 P.M.
Council Chambers, City Hall, 1 Centennial Square
Located on the traditional territory of the Esquimalt and Songhees People


Victoria Conservatory of Music - Violin Performance by Kevin Chen

A. APPROVAL OF AGENDA


B. READING OF MINUTES

1. Minutes from the Special Meeting held April 21, 2016

C. REQUESTS TO ADDRESS COUNCIL (Maximum 6)

1. Gary Parker: Proposed "micro housing" within the vacant lot on the 2500 block of Cook St. for the residents of the tent city encampment
2. Chris Grieve: Protect Victoria's character homes - our character homes don't belong in the landfill.



Late Item: Presentation

3. Lara Hurrell: Protect Victoria's character homes - our character homes don't belong in the landfill.


Late Item: Presentation

4. **Late Item:** Carolyn Whittaker: Banning plastic checkout bags in Victoria.


5. **Late Item:** Margaret McCullough: Plastic Bag ban.


6. **Late Item:** Trudy Norman: Information update.


D. PROCLAMATIONS

1. "Orca Awareness Month" - June 2016
2. "Intergenerational Day Canada" - June 1, 2016
3. "ALS Awareness Month" (Lou Gehrig's Disease) - June 2016
4. "National Animal Rights Day" - June 4, 2016
5. "National Tourism Week" - May 29 to June 4, 2016
6. "World Oceans Week" - June 1 to June 8, 2016
7. "World Oceans Day and Rivers to Oceans Week" - June 8, 2016 and June 8 to June

14, 2016

8. "Medical Marijuana Day" - June 11, 2016
9. **Late Item:** "Brain Injury Awareness Month" - June 2016



10. **Late Item:** "Built Green Day" - June 8, 2016



E. PUBLIC AND STATUTORY HEARINGS

1. APPLICATION FOR REZONING OF PROPERTY KNOWN AS THE SELKIRK WATERWAY AND THE GORGE WATERWAY

Council is considering a zoning amendment to allow overnight anchoring and mooring of vessels on a limited basis on the Gorge Waterway

a. Public Hearing



Zoning Regulation Bylaw, Amendment Bylaw (1066) No. 16-050

The purpose of this bylaw is to amend the regulations in the GWP Zone, Gorge Waterway Park District in the Zoning Regulation Bylaw to allow overnight anchoring and mooring of vessels on a limited basis.

Late Item: *Correspondence*

Close of Hearing - Consideration of Approval

- b. **Bylaw Approval:** To consider approval of the application, a motion for Third Reading of the bylaw is in order:

Zoning Regulation Bylaw, Amendment Bylaw (No. 1066) No. 16-050

- c. **Bylaw Approval:** To consider final approval of the application, a motion to Adopt the bylaw is in order:

Zoning Regulation Bylaw, Amendment Bylaw (No. 1066) No. 16-050

2. HERITAGE DESIGNATION APPLICATION No. 00158 FOR 1802 - 1826 GOVERNMENT STREET

Council is considering designating as protected heritage the property located at 1802-1826 Government Street

a. Public Hearing

Heritage Designation (1802 - 1826 Government Street) Bylaw No. 16-047

Under the provisions of the Local Government Act, the City of Victoria intends to designate the exterior of the building located at 1802-1826 Government Street, legally described as Lot 477 and Lot 478, Victoria City, as protected heritage property, under Heritage Designation (1802-1826 Government Street) Bylaw No. 16-047.

Close of Hearing - Consideration of Approval




- b. **Bylaw Approval:** To consider approval of the application, a motion for Third Reading of the bylaw is in order:

Heritage Designation (1802 - 1826 Government Street) Bylaw No. 16-047


- c. **Bylaw Approval:** To consider approval of the application, a motion to Adopt the bylaw is in order:

Heritage Designation (1802 - 1826 Government Street) Bylaw No. 16-047

F. REQUESTS TO ADDRESS COUNCIL


1. **Late Item:** Rachael Montgomery: Banning single-use plastic checkout bags in Victoria.

2. **Late Item:** Solomon Lindsay: MicroHousing Victoria on the Cook St. Site.

3. **Late Item:** Diane McNally: Attorney General proclamation June is Orca Month BC.


G. UNFINISHED BUSINESS

1. Letter dated May 9, 2016 from the Department of Finance Canada
A letter advising that correspondence from the City regarding a request that the Government of Canada take action to support the refurbishment and retention of affordable housing, has been forwarded to another Minister for response.
2. Letter dated May 12, 2016 from the Minister of Families, Children and Social Development
A response to the City's letter dated February 9, 2016, regarding concerns over the availability of affordable housing for seniors.
3. Letter dated May 13, 2016 from the Office of the Prime Minister
A letter advising that correspondence from the City has been received in support for a guaranteed minimum income for Canadians and forwarded to another Minister.
4. Letter dated May 18, 2016 from MLA Oak Bay- Gordon Head
A letter providing information regarding the Environmental Bill of Rights Act, 2016.
5. **Late Item:** Victoria Housing Reserve Fund Application: The Sahota, 1032 North Park Street, Request for Additional Information

--J. Tinney, Director of Sustainable Planning and Community Development

A report providing additional information on whether an increase in the grant would result in further reduction of rents within the affordable housing project.

H. REPORTS OF COMMITTEES

1. **Committee of the Whole**
 1. Report from the Meeting held May 19, 2016
 2. Report from the Meeting held May 26, 2016

Late Item: Report

I. NOTICE OF MOTIONS

J. BYLAWS

1. First Reading

1. Sidewalk Cafes Regulation Bylaw No. 16-038
A report providing details on noise mitigation measures for the proposed amended Sidewalk Cafes Regulation Bylaw.

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.

2. Second Reading

1. Sidewalk Cafes Regulation Bylaw No. 16-038
2. Ticket Bylaw, Amendment Bylaw (No. 9) No. 16-043

3. Third Reading

1. Sidewalk Cafes Regulation Bylaw No. 16-038
2. Ticket Bylaw, Amendment Bylaw (No. 9) No. 16-043

4. Adoption

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

K. CORRESPONDENCE

1. Letter dated April 13, 2016 from the Victoria Dragon Boat Festival Society Chair re: Nomination for Honorary Life Member
A letter advising that the City of Victoria has been selected to receive the Honorary Life Member award for 2016.
2. Letter dated April 28, 2016 from the Mayor of the District of North Saanich
A letter providing an update on legal action with NavCanada and a request that the City consider support for this action.
3. Letter dated May 9, 2016 from the BC Transit Vice President
A letter providing information regarding impacts of the change to 40km/h within the City.

L. NEW BUSINESS

1. **To Set Public Hearings for the Meeting of June 9, 2016**
 1. Development Variance Permit No. 00168 for 360 Bay Street
 2. Development Permit with Variances Application No. 00008 for 943 Collinson Street
 3. Development Variance Permit Application No. 00174 for 1535 Davie Street

M. QUESTION PERIOD

N. ADJOURNMENT



MINUTES – VICTORIA CITY COUNCIL

SPECIAL MEETING OF THURSDAY, APRIL 21, 2016, AT 1:31 P.M.

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

APPROVAL OF AGENDA

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council approve the agenda.

Amendment:

It was moved by Councillor Coleman, seconded by Councillor Alto, that the agenda be amended by adding an item to the closed portion of the agenda under New Business, as follows:

New Item:

Item #6 – Councillor Sharing on Legal Regulatory Issue

**On the amendment:
Carried Unanimously**

**On the main motion as amended:
Carried Unanimously**

NEW BUSINESS

1. Summary of Public Feedback Regarding Proposed Lease Extension for My Place Transitional Housing at 1240 Yates Street

Council received a report dated April 19, 2016, regarding public input received from a community meeting held on April 11, 2016, and email correspondence received, regarding the proposed lease extension with BC Housing at 1240 Yates Street.

Motion:

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

Council discussed:

- That homeless youth also need to be a priority.
- Whether further consultation with the neighbourhood is required.
- Possible future uses of the site.

Carried Unanimously

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) (e): The acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
- *Section 90(1) (i): The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

Carried Unanimously

APPROVAL OF CLOSED AGENDA

Motion:

It was moved by Councillor Alto, seconded by Councillor Isitt, that Council approve the special closed agenda.

READING OF CLOSED MINUTES

2. Special Closed Victoria City Council Meeting Minutes of March 3, 2016

It was moved by Councillor Alto, seconded by Councillor Lucas, that the special closed Victoria City Council meeting minutes of March 3, 2016 be adopted.

Carried Unanimously

3. Special Closed Victoria City Council Meeting Minutes of April 7, 2016

It was moved by Councillor Alto, seconded by Councillor Lucas, that the special closed Victoria City Council meeting minutes of April 7, 2016 be adopted.

Carried Unanimously

NEW BUSINESS

4. New Lease

Council received a report dated April 18, 2016, regarding a potential new lease.

The discussion and motion were recorded and kept confidential.

5. Legal Advice

Council received a Councillor Motion dated April 20, 2016, requesting legal advice.

The discussion and motion were recorded and kept confidential.

6. Councillor Sharing – Legal Regulatory Issue

Council was advised of a legal regulatory issue.

The discussion was recorded and kept confidential.

ADJOURNMENT

It was moved by Councillor Coleman, seconded by Councillor Young, that the Special Closed Council meeting adjourn.

Time: 2:04 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR OF THE CITY OF VICTORIA

Alicia Ferguson

From: Council Secretary
Subject: RE: Thank you for your submission - City of Victoria - Address Council Form

Name: Gary Parker
Date: May 16, 2016

Address: 2544 Blackwood Street

I wish to appear at the following Council meeting: May 26, 2016

I represent: myself & residents of the
Blackwood/Kings/Cook St neighbourhood

Topic: proposed "micro housing" within the vacant lot on the 2500
block of Cook St. for the residents of the tent city encampment.

Action you wish Council to take:

I request that city of Victoria council reject this initiative on the basis that the neighbourhood already has a history of unpleasant drug houses, vagrancy related criminal activity and addiction issues, and we as a community have had enough. I will be expanding on this theme when I speak.

Pamela Martin

From: Council Secretary
Subject: FW: Thank you for your submission - City of Victoria - Address Council Form

Name: Chris Grieve **Date:** May 17, 2016

Address: 2024 Stanley Ave

I wish to appear at the following Council meeting: May 26, 2016

I represent: Character Homes Matter - Victoria (a citizen's initiative)

Topic: Protect Victoria's Character Homes - Our Character Homes Don't Belong in the Landfill

Action you wish Council to take:

To bring forward a motion to task Council & City Staff with: 1) reviewing and considering the attached citizen's proposal, entitled "Protect Victoria's Character Homes" and 2) engaging with residents and stakeholders to identify and enact solutions to discourage and reduce the needless demolition and/or intentional neglect of character homes within our neighbourhoods.”

Protect Victoria's Neighbourhoods

Character Homes Don't Belong In The Landfill

Solutions to reduce the loss of character homes in our heritage neighbourhoods.



Background

As B.C. real estate builds a reputation internationally as being a safe harbour for sheltering finances, our historical housing stock is at risk. On average, three houses per day are being torn down in Vancouver. They are being replaced with single family homes worth well beyond what most locals can afford.

Now Vancouverites and some international investors are looking to Victoria as a Vancouver alternative: **Victoria has what Vancouver is now missing: houses that are affordable to the middle-class buyer, minimal traffic, and a supply of tasteful housing stock, including some of the best heritage housing in the country. – Globe and Mail**

Victoria has built a reputation as the “San Francisco of Canada” due to its historical neighbourhoods which are similar to what’s seen in that Californian city. This contributes to the character of our city, attracts tourism and provides affordable rental stock as many old homes are often divided into apartments.

Unless a home in Victoria is heritage designated, the City is limited in its ability to protect it should a homeowner wish to demolish it. 2018 Stanley Avenue in Fernwood is one such example.

This Craftsman house was designed by renowned Victoria architect Jesse M. Warren in 1912. It was sold last year and the new owner plans to build a much larger house. Rather than allow the home to be relocated or salvaged, he removed the roof leaving the interior featuring original period details exposed to the weather.

This concerned a number of Victoria residents and led to the creation of a [Save2018StanleyAvenue](#) Facebook campaign. Seventy-five neighbours showed their support for saving this house from ‘demolition by neglect’ and organizers reached out to the homeowner, media and the City in an effort to remedy the situation. Sadly, the City wasn’t able to require the homeowner to protect the house due to what they cited as a lack of authority. It is now ruined and has become a neighbourhood eyesore with a long-standing construction fence surrounding it and graffiti plastered across its exterior. The City has since approved a demolition permit and the house sits vacant awaiting its fate.

And this home is not alone. The City of Victoria issued over 140% more demolition permits for single-family homes and duplexes in 2015 than in 2014, and there is a risk that this trend may continue in 2016 and beyond.

Petition to City Council

Unlike Vancouver, Victoria still retains much of its heritage homes and neighbourhoods. These homes are built to last, featuring quality materials such as old growth wood and historic stained glass that aren’t featured in newly built homes. However, this housing stock is a non-renewable resource! Unravelling the fabric of character neighbourhoods by demolishing one home at a time has reached a critical point in the Lower Mainland, as evidenced by websites like [Vancouver Vanishes](#). As land values increase here in Victoria, our city is not immune to similar market forces and Victoria is beginning to see its valuable homes disappear.

Preserving character homes not only protects the desirability, liveability, and uniqueness of established neighbourhoods for residents and visitors, it also ensures affordable housing stock in Victoria, which is quickly becoming one of the most expensive places to live in Canada. Newer homes built where character homes once stood are typically much larger and more expensive than the homes that were demolished. In addition, keeping character homes out of our landfills should be a mandate of a city that is serious about building its reputation as being an environmental steward, especially given

that a major goal of its Official Community Plan (OCP) is to reduce “the waste stream to regional landfill... to a minimum.”

After losing the battle to save the home at 2018 Stanley Avenue in Fernwood, concerned Victoria residents, together with the support of heritage advocates, Land Use Committees, and others, wish to work together with City Council to create and implement by-law updates that would prevent or discourage unnecessary demolition of character homes not protected by heritage designation.

In order to ensure Victoria’s historic housing is protected, we feel current by-laws should be amended with these two over-arching goals in mind:

- 1. Requiring a minimum standard of upkeep to protect a home from weather and to eliminate instances of intentional neglect from occurring.**
- 2. Deterring property owners from demolishing well-built character homes and sending high-value/non-renewable building materials (including old growth lumber) to the landfill.**

Recommendation 1: Minimum Standard of Upkeep

“Demolition by neglect” is a tactic that is often used to justify the demolition of once liveable, restorable, expandable, or moveable character homes. By accelerating the demise of a property, resistance to demolishing it can be slowly overcome. Eventually a property becomes too far gone to save. In the case of 2018 Stanley Ave, the act of removing the roof from the home and leaving it exposed to the elements for almost a year means that the only option for this once-proud home is the landfill. The landfill is no place for a character home like this.

The City has by-law authority to require a homeowner to remove graffiti or clean up yard debris, yet cannot require a property owner to tarp a roof to prevent intentional and purposeful neglect. That is flawed governance.

- ❖ We propose that a minimum standard for weather tightness be created and applied to homes where neglect is occurring, with a particular focus on roof and exterior integrity. The City should have enforcement authority over such a standard when instances are brought to staff’s attention.**

Property owners who fail to comply with these standards could be levied financial or permit-related penalties. Where work required is of a time-sensitive nature and is not being performed by an owner, the City (with appropriate notice) could perform the work and charge the property owner for incurred costs.

Benefits to Residents:

- Maintains neighbourhood integrity by preventing homes from becoming derelict, unsafe, and problematic. Minimum upkeep requirements mean less unwanted attention.
- Ensures buildings are maintained such that options for renovation, salvage, or relocation are available should a future development be proposed for a property.
- Empowers residents to become stewards of their neighbourhoods by alerting the City of potential neglect.

Benefits to City of Victoria:

- City Hall will have authority to affect positive change within our neighbourhoods when dealing with derelict properties, thereby strengthening their relationship with frustrated residents.
- The instances of demolition by neglect should decrease over time, translating into well-kept neighbourhoods. This ensures our neighbourhoods are seen as a preferred, desirable place to call home and as a destination for tourists to explore and admire.
- Reduced safety service costs, as maintained homes attract less unwanted attention, vandals, or arsonists.
- The City can publicize that older homes are being maintained such that they can be kept, moved or salvaged rather than demolished, thereby increasing Council's reputation as proactive environmental leaders.

Recommendation 2: Deter Demolition of Character Homes

Far too often, when a property is to be redeveloped, a demolition permit is approved and the existing home is simply bull-dozed and sent to the landfill. In the case of homes built before 1955 that means the loss of not just neighbourhood integrity but also valuable old-growth lumber and other high-value building materials. This is an incredibly wasteful practise and one that seems counter intuitive for a city that prides itself on its environmental attitudes. The goal should be to preserve, salvage, or re-purpose wherever possible.

Currently, a demolition permit is neither a difficult nor a costly item to obtain and this provides little incentive for a property owner to explore renovating, relocating, or salvaging a character home. As well, the City's application process does not require any formal and meaningful consideration be given to alternate options that might otherwise keep a home out of the landfill.

Preserving a character home produces 30 times less waste than demolition and thus is inherently more environmentally-friendly than building a new home, no matter how energy efficient it may be built. The City's goal should be preventing useable buildings from simply being scrapped. It should not be a quick and easy process to send useable housing stock to the landfill.

- ❖ **We propose that for homes built before 1955, a formal, multi-step process be implemented that requires the property owner to study meaningful consideration of a) preserving a home in-situ or b) making a home available for relocation to a different site prior to a demolition permit being considered.**
- ❖ **If a demolition permit is requested, then**
 - **a) demolition permit fees should be significantly increased,**
 - **b) a requirement for 'deconstruction', whereby 75-90% of building materials, including appliances, structural components, and high-value items (as identified by a City assessment) are salvaged be adopted,**
 - **c) the permitted Floor-Space Ratio of a new building be restricted,**
 - **d) subdivision of the site should not be permitted, unless original house is retained in-situ, and**
 - **e) a public hearing be required for each application.**

As part of the strategy outlined above, the following tools are suggested for consideration:

- Require an on-site assessment conducted by the City to classify overall character value, site options, eligibility for moving, and suitability for material salvage.

- Require property owners to adequately investigate and advertise their property's availability for relocation, with minimum time frame (two months?) to find new owner.
- Require owners to dismantle and salvage 75-90% of building materials, including appliances, structural components, and high-value items as identified in a City assessment.

It should be noted that the City of Vancouver's "Heritage Action Plan" has implemented similar initiatives and provides an excellent example for Victoria to follow and improve upon.

Benefits to Residents:

- Deterring the demolition of character homes will maintain the fabric of heritage neighbourhoods.
- Retained character homes provide more affordable housing options for young families who want to live in the city.
- Salvageable materials provide affordable stock for upgrades, renovations, manufacturing, or charities, etc.
- Pride in knowing that our city takes waste-reduction seriously.

Benefits to City of Victoria:

- Saving existing housing stock, which is typically more affordable than new builds, addresses a directive of Victoria's OCP to provide "access to appropriate, secure, affordable housing".
- Substantial reduction in waste, especially valuable, non-renewable old-growth wood. Victoria can demonstrate that it is actively extending the life of the Capital Regional District's Hartland Facility and reducing associated costs by preventing or diverting this waste, thereby achieving another goal of the OCP.
- Increasing demolition fees should off-set service costs associated with proposed changes.
- Generates local, spin-off "green" business opportunities as the need for material salvage, home relocation, and other services will increase over time.
- Positive media attention around the City's progressive and environmentally-conscious approach to its historical housing stock, further enhancing the City's national and world-wide reputation.
- The City can provide incentives to encourage retention of existing homes (i.e. increased FSR, sub-division possibilities) and other creative solutions when deciding the fate of character homes.
- Increases available stock of quality buildings available for relocation, some of which could be well-suited for use in small-lot developments.

Conclusion

The narrative of our city is contained within its character buildings and is diminished each time one vanishes into a landfill. Of all the character homes within Victoria, only a small fraction is protected by Heritage Designation. Yet, the majority of these homes are worthy of our attention and efforts to ensure they are preserved, repurposed, or re-located. Residential renewal and development is not in itself a bad thing but we must be aware of the consequences. The rampant loss of heritage homes in the City of Vancouver is the 'canary in the coal mine' of what may happen here if we are not proactive in protecting our neighbourhoods from a similar fate.

When Fernwood residents looked to the City for action on 2018 Stanley Avenue last year, the authority to prevent "demolition by neglect" was simply not there. It is the intent of the two suggested proposals we bring forward for your consideration, to provide the by-law authority to ensure character homes are not intentionally neglected, and to deter and reduce the demolition of pre-1955 homes. As outlined, the benefits of preventing unnecessary demolition are numerous and serve not only to strengthen the City's reputation as a desirable, environmentally-friendly place to reside

or visit, but also to realize the values of the OCP with regard to the environment, affordable housing, place making, and heritage.

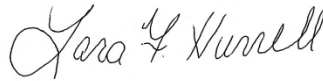
We look forward to working with City Council and staff on refining and implementing these proposed changes this year. We thank you in advance for your support in preserving an important part Victoria's history and ensuring that our neighbourhoods will not find themselves in the same predicament as Vancouver neighbourhoods are in today.

Respectfully,



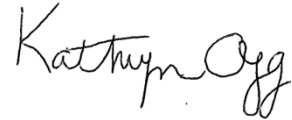
Chris Grieve

Organizer/Fernwood Resident



Lara Hurrell

Organizer/James Bay Resident



Kathryn Ogg

Organizer/Fernwood Resident

With the expressed support of this proposal from the following individuals and organizations (as of May 17, 2016):

- Citizen's Petition, 545+ signatures (see Appendix B & C for names and comments)
- Fernwood Community Association
- Hillside-Quadra Neighbourhood Action Group
- North Jubilee Neighbourhood Association
- more to be confirmed at a later date...

Appendix A – Media Coverage & Websites

Recent Campaign Media Coverage:

- [Global News Hour @ 6 TV coverage](#) – Global TV, May 13, 2016
- [CBC “On the Island” Radio Interview](#) + News segments – CBC Radio, May 13, 2016
- [Concern Victoria character homes disappearing as land values rise](#) – CBC News BC, May 13, 2016
- [CFAX Radio Interview](#) – CFX 1070, May 10, 2016 (interview starts at 32:40)
- [Residents propose changes to prevent demolition of character homes](#) – Victoria News, May 6, 2016
- [Fernwood home with heritage value facing wrecking ball](#) – Victoria News, Nov 30, 2015
- [Derelict house troublesome for Fernwood Residents](#) – Victoria News, Nov 6, 2015

Recent Relevant Housing and Market News Articles:

- [Venerable BC homes shipped by barge to U.S. and offered as cheap housing](#) – National Post, Apr 7, 2016
- [The Highest Bidder](#) – The Walrus.ca, Mar 30, 2016
- [Oak Bay, B.C. heritage houses finding new life in American community](#) – Globe & Mail, Mar 25, 2016
- [Buying wave sparks bidding battles for Victoria Real Estate](#) – Times Colonist, Mar 2, 2016
- [Demolishing a home in Richmond could soon cost you more](#) – Global News BC, Feb 24, 2016
- [Historic Oak Bay home to set sail for Campbell River](#) – Times Colonist, Feb 19, 2016
- [Heritage advocate urges Victoria to protect its older houses](#) – Times Colonist, Feb 9, 2016
- [Vancouver bylaw meant to slow demolitions sends old homes to the chipper](#) – Globe & Mail, Feb 5, 2016
- [New Westminster heritage homes need protecting from demolition](#) – CBC News BC, Nov 20, 2015

Websites:

- [Protect Victoria's Character Homes On-Line Citizens Petition](#)
- [Save 2018 Stanley Ave](#)
- [Vancouver Vanishes](#)
- [Vancouver Heritage Action Plan website](#)

Appendix B – Citizen’s Petition List of Names (as of May 17, 2016)

Name	City	Signed On
Lara Hurrell	Victoria	April 28, 2016
Chris Grieve	Victoria	May 4, 2016
Nicole Curnow	Victoria	May 4, 2016
Catherine Dooner	Victoria	May 4, 2016
Deborah Robinson	Victoria	May 4, 2016
Kathryn Ogg	Victoria	May 4, 2016
Anthea Gaunt	Victoria	May 4, 2016
Janice Scott	Heriot Bay	May 4, 2016
June Barker	Sidney	May 4, 2016
Paul Price	Bloomington	May 4, 2016
Ocean Inglin	Victoria	May 5, 2016
Laura Taylor	Victoria	May 5, 2016
Janet Simpson	Victoria	May 5, 2016
Marnie Olchowecki	Victoria	May 5, 2016
Jazmyn Sharp	Victoria	May 5, 2016
SALLY GREEN	Duncan	May 5, 2016
Michael Rusen	Victoria	May 5, 2016
Donald Kreye	Victoria	May 5, 2016
Ethelyn Rankin	Victoria	May 5, 2016
Lawrence Bortoluzzi	Victoria	May 5, 2016
Shellie Gudgeon	Victoria	May 5, 2016
Lindsay Lewis	Victoria	May 5, 2016
Johannes Klein	Victoria	May 5, 2016
Hamilton Jean	Victoria	May 5, 2016
H.Aitken	Victoria	May 5, 2016
SYLVIE ARGOUARCH Aitken	Victoria	May 5, 2016
kathy moser	victoria	May 5, 2016
afra rigollet	Victoria	May 5, 2016
Jim Pine	Victoria	May 5, 2016
Terry Loepky	Victoria	May 5, 2016
Ross Crockford	Victoria	May 5, 2016
Eileen Nurmi	Victoria	May 5, 2016
Ian Grant	Salmon Arm	May 5, 2016
William Scott	Victoria	May 5, 2016
Deborah de Boer	Victoria	May 5, 2016
Sue Gentry	Victoria	May 5, 2016
Donaleen Saul	Victoria	May 5, 2016
Vanessa Dingley	Victoria	May 5, 2016
Bill Birney	Victoria	May 5, 2016
Anne Boldt	Victoria	May 5, 2016
Joan O’Ryan	Victoria	May 5, 2016
Cara Segger	Edmonton	May 5, 2016

Name	City	Signed On
Aryana Rayne	Victoria	May 5, 2016
Tamacinn Stacey	Victoria	May 5, 2016
Doreen Mueller	Victoria	May 5, 2016
Oliver Schneider	Vancouver	May 5, 2016
Jennifer Wise	Victoria	May 5, 2016
Summer Hay	Victoria	May 5, 2016
Jenny Whittall	Kapaa	May 5, 2016
Kelby MacNayr	Victoria	May 5, 2016
jerry etzkorn	Victoria	May 5, 2016
Jan Stirling	Victoria	May 5, 2016
Whayne Chappell	Victoria	May 5, 2016
Barbara Chambers	Victoria	May 5, 2016
Anne Moon	Victoria	May 6, 2016
Pat Preston	Victoria	May 6, 2016
Sybil Harrison	Victoria	May 6, 2016
Mary Jackson	Victoria	May 6, 2016
Lotus Johnson	Victoria	May 6, 2016
Susie Jones	Victoria	May 6, 2016
Catherine Latour	Bremerton	May 6, 2016
Jan Mears	Oak Bay,	May 6, 2016
Bruce Elkin	Bellingham	May 6, 2016
Pieta VanDyke	Victoria BC	May 6, 2016
Carolyn Creswick	Saltspring Isl	May 6, 2016
Barbara Pedrick	Victoria	May 6, 2016
jean thorne	Victoria	May 6, 2016
Harrison Lansing	Victoria	May 6, 2016
Anke van Leeuwen	Victoria	May 6, 2016
David Cubberley	Victoria	May 6, 2016
Rob McCallum	Victoria	May 6, 2016
Annie Sylvan	Victoria	May 6, 2016
Lindsay Graham	Vancouver	May 6, 2016
Carl Johnson	Victoria	May 6, 2016
Robert Remington	Victoria	May 6, 2016
Peggy McCann	Victoria	May 6, 2016
Helen Kalahiki	Kaneohe	May 6, 2016
Lesley Palmer	Victoria, BC	May 6, 2016
Angelina Keighley	Kailua	May 6, 2016
Susanna Solecki	Victoria	May 6, 2016
Leslie Davis	Victoria	May 6, 2016
Arlene Carson	Victoria	May 6, 2016
Rhiannon Bray	Victoria	May 6, 2016
Nicole Stead	Victoria	May 6, 2016
Scott Ward	Canmore	May 6, 2016

Name	City	Signed On
ellen box	Victoria	May 6, 2016
William Humby	Victoria	May 6, 2016
Sharon Smith	Victoria	May 6, 2016
ann VAVASOUR	victoria bc	May 6, 2016
Kris Milne Munoz	Victoria	May 6, 2016
Danielle MacKenzie	Victoria	May 6, 2016
Sheila Hanna	Victoria	May 6, 2016
Deb Poirier	Saanich	May 6, 2016
Cait Irwin	Victoria, BC	May 6, 2016
Jaqueline van Voorst	Victoria	May 6, 2016
Fernand Magnin	Victoria	May 6, 2016
Jeanne Nielsen	Victoria. BC	May 6, 2016
adrian chamberlain	Victoria	May 6, 2016
Shereen Legault	Vancouver	May 6, 2016
Leonora Arnaut	Victoria	May 6, 2016
Lisa Troy	Victoria	May 6, 2016
Beth Collins	Victoria	May 6, 2016
Michael Heiden	Creston	May 6, 2016
shelley baart-gaylor	Victoria	May 6, 2016
Pamela Speight	Nanaimo	May 6, 2016
Shelagh Guild	Victoria	May 6, 2016
Skye Ladell	Victoria	May 6, 2016
Chris Ash	Oak Bay	May 6, 2016
david blackman	Victoria	May 6, 2016
Laura Feeleus	Victoria, BC	May 6, 2016
Van Buchanan	Victoria, B.C.	May 6, 2016
Margaret Laxton	Victoria	May 6, 2016
Karina Zobolotny	Victoria	May 6, 2016
wendy Ehlers	Victoria	May 6, 2016
Jodie McGill	Calgary	May 6, 2016
john tylee	Victoria	May 6, 2016
Pippa Blake	Victoria	May 6, 2016
Georgina Montgomery	Victoria	May 6, 2016
Amanda Malone	Victoria	May 6, 2016
Marjorie van Orden	Victoria	May 6, 2016
Katherine Farris	Victoria, BC	May 6, 2016
Sheena Bellingham	Victoria	May 6, 2016
Gabriela Marshall	Victoria	May 6, 2016
Shauneen Cousineau	Sooke	May 6, 2016
Heather Fox	Victoria	May 6, 2016
Tannis McMinn	Victoria	May 6, 2016
Janice Holdersahw	Queen Charlotte	May 6, 2016
Jennifer Noble	Quesnel	May 6, 2016
Mary Babineau	Victoria	May 6, 2016

Name	City	Signed On
Joanna Pettit	Victoria	May 7, 2016
Scott Osborne	Victoria	May 7, 2016
Serena Ableson	Victoria	May 7, 2016
Marion Siegel	Victoria	May 7, 2016
John Phillips	Victoria, BC	May 7, 2016
Erin Bowers	Victoria	May 7, 2016
Jordan DeMill	Victoria	May 7, 2016
Susan Moore	Victoria	May 7, 2016
David Berry	Victoria	May 7, 2016
Joyce Kline	Victoria	May 7, 2016
Aimée Botje	Victoria	May 7, 2016
Betty wiggins	Victoria	May 7, 2016
Sarah Falls	Port Alberni	May 7, 2016
Arleigh Trail	Victoria	May 7, 2016
ines hanl	Victoria	May 7, 2016
Claire Karch	Victoria	May 7, 2016
Lynda Robson	Victoria, B.C.	May 7, 2016
Bob June	Victoria	May 7, 2016
Sheri Walker	Victoria	May 7, 2016
Katherine Buchanan	Victoria	May 7, 2016
Deb Thiessen	Metchosin	May 7, 2016
Diane Styles	Vancouver	May 7, 2016
Derek Hawksley	Victoria, BC	May 7, 2016
Denis Farling	Victoria	May 7, 2016
Lisa Dufresne	Guelph	May 7, 2016
Nancy D'anjou	Montreal	May 7, 2016
Ashlynn Smith	Victoria	May 7, 2016
val speidel	vancouver	May 8, 2016
Chris Haun	Niagara Falls	May 8, 2016
M. Milloy	Victoria	May 8, 2016
Mara Buck	Jasper	May 8, 2016
anne popperwell	Saturna	May 8, 2016
Donald Hutton	Victoria	May 8, 2016
Donald Hamilton	Victoria	May 8, 2016
Moragh MacKenzie	Nanaimo	May 8, 2016
Wendy Klassen	Abbotsford	May 8, 2016
MaryLynne Rimer	Victoria	May 8, 2016
Patricia Morris	Victoria	May 8, 2016
penn penev	Toronto	May 8, 2016
Nancy Gow	Victoria	May 8, 2016
Fran Howard	Sechelt	May 8, 2016
Jean Siemens	Victoria	May 8, 2016
Tabitha O'Connell	Victoria	May 9, 2016
James Grieve	Union Bay	May 9, 2016
barbara stead	Victoria	May 9, 2016

Victoria City Council - 26 May 2016

Name	City	Signed On
Tony Sprackett	Beverly Hills	May 9, 2016
Cindy Forest	Victoria, BC	May 9, 2016
Robert Hutton	Peace River	May 9, 2016
Claire Skillen	Victoria	May 9, 2016
Anita jessop	victoria	May 9, 2016
Richard Olafson	Victoria	May 9, 2016
Diane McNally	Victoria	May 9, 2016
Robert Lornie	Beaverlodge, AB	May 9, 2016
Laurie Rubin	Victoria, BC	May 9, 2016
Rebecca Singer	Victoria	May 9, 2016
Irene Tremblay	Longueuil	May 9, 2016
Barbara Pelman	Victoria	May 9, 2016
Kathleen Martin	Victoria	May 9, 2016
Sandi Krenbrink	Qualicum Beach	May 9, 2016
Bruce Laing	Richmond	May 9, 2016
Arleta Keppler	Victoria	May 9, 2016
Mary Jane Crawley	Victoria, BC	May 9, 2016
Linda Davidson	Kamloops, BC	May 9, 2016
Sue Powell	Parksville, B.C.	May 9, 2016
Dorothy Field	Victoria	May 9, 2016
Susan Dempsey	Victoria	May 9, 2016
Sue Hara	Victoria	May 9, 2016
Merrie-Ellen Wilcox	Victoria	May 9, 2016
Barbara van'tSlot	PEI	May 9, 2016
Linda Doctoroff	Victoria	May 9, 2016
Jackie Bennett	Victoria	May 9, 2016
Marcia Williams	Victoria	May 9, 2016
Dan Rowe	Sidney	May 9, 2016
Laura Doyle	Brentwood Bay	May 9, 2016
Karen Whyte	Saanichton	May 9, 2016
Craig Dales	victoria	May 9, 2016
Melody Cornell	Victoria	May 9, 2016
Michael Yoder	Victoria	May 9, 2016
Dorothy Elias	Victoria	May 9, 2016
Freda Knott	Victoria	May 9, 2016
Elizabeth Fisher	Toronto	May 9, 2016
Kerri Treichel	Victoria	May 9, 2016
Meredith Boldon	Victoria	May 9, 2016
Vicky Husband	Victoria	May 9, 2016
Charles Hilton	Victoria, B.C.	May 9, 2016
Jelena Putnik	Victoria	May 9, 2016
David Hillman	Victoria BC	May 9, 2016
Prudence Emery	Victoria	May 9, 2016
Heather Keenan	Victoria	May 9, 2016
Donald Harrison	Victoria	May 9, 2016

Name	City	Signed On
Donald Innes	victoria	May 9, 2016
Court Fooks	Victoria	May 9, 2016
javier molina	Victoria	May 9, 2016
Jara Rank	Victoria	May 9, 2016
Darleene Horricks	Victoria	May 9, 2016
Helen Durie	Victoria	May 9, 2016
Viv Phillips	Victoria	May 9, 2016
Felicity Smith	Victoria	May 9, 2016
Marion Tustanoff	Victoria	May 9, 2016
Shirley kay	victoria	May 9, 2016
Pam Terry	Victoria	May 10, 2016
Anne Grieve	Victoria	May 10, 2016
Andrew Millen	Victoria	May 10, 2016
Elaine Hays	Victoria	May 10, 2016
Kelly McLaren	Victoria	May 10, 2016
Caroline Adderson	Vancouver	May 10, 2016
Sue Fast	Victoria	May 10, 2016
Michelle McEwan	Victoria	May 10, 2016
Leslie Hurtig	Vancouver	May 10, 2016
Erica Fowles	Victoria	May 10, 2016
Olivia Edwards	Vancouver	May 10, 2016
Deborah Neher	Vancouver	May 10, 2016
Elisa Fowles	Victoria	May 10, 2016
Dee Oh	VANCOUVER	May 10, 2016
Judy Knight	Victoria	May 10, 2016
Alison Collins	Victoria	May 10, 2016
Amy Smith	Victoria	May 10, 2016
Ella Sokolosky	Pender Island	May 10, 2016
C Simon	Victoria	May 10, 2016
Regina MacEachern	Burk's Falls	May 10, 2016
Christine Ross	Victoria	May 10, 2016
Dale Horricks	Victoria B.C.	May 10, 2016
Correna Grieve	Victoria	May 10, 2016
Brenda Erven	Victoria	May 10, 2016
Brenda Craig	Victoria	May 10, 2016
Brian Shaughnessy	Victoria	May 10, 2016
Rebecca Kool	Surrey	May 10, 2016
Rachael Preston	Saturna	May 10, 2016
Betty Polsky	Victoria, BC	May 10, 2016
Kerri Ward	Victoria	May 10, 2016
MEL BURKHOLDER	Victoria	May 10, 2016
Jean Johnson	Victoria	May 10, 2016
Suzanne Creighton	Victoria	May 10, 2016
Catherine Luke	Victoria	May 10, 2016
Robert Weeks	Victoria	May 10, 2016

Victoria City Council - 26 May 2016

Name	City	Signed On
Sarah Meredith-Jones	Victoria	May 10, 2016
Soren Henrich	Victoria	May 10, 2016
Janney Claire Alexi	Victoria, BC	May 10, 2016
Sophie Wood	Victoria	May 10, 2016
Elizabeth Hughes	Victoria	May 10, 2016
Doyle Janice	Vancouver	May 10, 2016
MATT MAUZA	Vancouver	May 10, 2016
Johanna Nicholson	Vancouver	May 10, 2016
Sally Hodgson	Victoria	May 10, 2016
Lindsay Paterson	Vancouver	May 10, 2016
A Henderson	Victoria	May 10, 2016
Nora Maxwell	Vancouver	May 10, 2016
Helen Warn	Vancouver	May 10, 2016
freya perraton	squamish	May 10, 2016
Joy Munt	Vancouver	May 10, 2016
Carolyn Laws	Vancouver BC	May 10, 2016
Gaya Murthy	Vancouver	May 10, 2016
Sandra Scow	Vancouver	May 10, 2016
Robert Edwards	vancouver	May 10, 2016
Laura McLeod	Burnaby	May 10, 2016
Colleen O'Dowd	Victoria	May 10, 2016
Kalinda Link	Vancouver	May 10, 2016
Katherine De Visser	Delta	May 10, 2016
Jebediah Chamberland	Langley	May 10, 2016
Moira Langley	Richmond	May 10, 2016
Catherine Simard	Courtenay, BC	May 10, 2016
George MacLeod	Vernon	May 10, 2016
Nancy Cockburn	Victoria BC	May 10, 2016
pat innes	Vancouver	May 10, 2016
Alicia Schuurmans	Burnaby	May 10, 2016
Catherine Hill	Denman Island	May 10, 2016
Michael Reed	Victoria	May 10, 2016
Ric Arboit	Vancouver	May 10, 2016
Barb Shutiak	Delta	May 10, 2016
Darcy Jansen	Vancouver	May 10, 2016
Carlo Baroccio	Maple Ridge	May 10, 2016
Kristeen Chamberlain	Victoria	May 10, 2016
LINDA NOBREGA	VICTORIA	May 10, 2016
Maureen Marshall	Cobble Hill BC	May 10, 2016
Patricia Marland	Rochester	May 10, 2016
Marc Gelmon	New Westminster	May 10, 2016
Steve Downing	Vancouver	May 10, 2016
Barbara Lambert	Penticton	May 10, 2016

Name	City	Signed On
Colin Coulter	Burnaby	May 10, 2016
Andre Beck	Vancouver	May 11, 2016
Angela Macleod	Chilliwack	May 11, 2016
Lesley Johnson	Surrey	May 11, 2016
James Fralic	Vancouver	May 11, 2016
Adriana Acconci	Vancouver	May 11, 2016
Alvenh Channe	Port Moody	May 11, 2016
Anna Migaj	Edmonton	May 11, 2016
Sheila Dowling	Regina	May 11, 2016
Griogair Stewart	Victoria	May 11, 2016
Pam Hayer	New Westminster	May 11, 2016
Pat Dobie	Vancouver	May 11, 2016
Cathrine Holderness	Victoria	May 11, 2016
Molly Lawlor	North Vancouver	May 11, 2016
Lori Miles	Ajax	May 11, 2016
Sarah Johnson	La Verne	May 11, 2016
Lucie Lalumiere	Nanaimo	May 11, 2016
Cathy Byrnell	Victoria	May 11, 2016
Edith Hayes	Richmond	May 11, 2016
Elissa Sampson	Victoria	May 11, 2016
Audrey Soroka	New Westminster	May 11, 2016
Ann Dow	Vancouver	May 11, 2016
Cheryl Stephenson	New Westminster	May 11, 2016
Juliana Hiller	Prince George	May 11, 2016
Shawn Anderson	Vancouver	May 11, 2016
Elizabeth Glazier	Chilanko Forks	May 11, 2016
margaret rea	Prince George	May 11, 2016
Cathy Johnstone	New Westminster	May 11, 2016
Nancy Bickel	Surrey	May 11, 2016
Louise Watson	Victoria	May 11, 2016
E S	Vancouver	May 11, 2016
Evelyn Wilson	Maple Ridge	May 11, 2016
Helena Wishnicki	Langley	May 11, 2016
Kaj Knudsen	Port Alberni	May 11, 2016
Megan Harvey	Vancouver	May 11, 2016
Elaine Klein	Vancouver	May 11, 2016
Kirsty Sewell	Victoria	May 11, 2016
Lisa Host	Vancouver	May 11, 2016
Kerry Holderness	Qualicum Beach	May 11, 2016
Leigh Wallbridge	Victoria	May 11, 2016
Kathryn Bissett	Victoria	May 11, 2016
Trina Mckinlay	Vancouver	May 11, 2016
Dorina Bowers	Victoria	May 11, 2016

Victoria City Council - 26 May 2016

Name	City	Signed On
Doug Gradecki	Sooke	May 11, 2016
Kelly Roque	Surrey	May 11, 2016
C Wickham	Nanaimo	May 11, 2016
Annie Rousseau	Mansons Landing	May 11, 2016
Sawyer Sewell	Victoria	May 11, 2016
Mary O'Donovan	Vancouver	May 11, 2016
monica nelson	Victoria	May 11, 2016
Alexandra Ross	Victoria	May 11, 2016
Nuri M	Vancouver	May 11, 2016
Jackie Smit	North Saanich	May 11, 2016
Marianne Fedori	Edmonton	May 11, 2016
Madelaine MacLock	Victoria	May 11, 2016
Shelley Holderness	Victoria	May 11, 2016
Barbara Silver	Vancouver	May 11, 2016
Jenny Nelson	Victoria	May 11, 2016
Glenn Smith	Victoria	May 11, 2016
Rosemary Alder	Vancouver	May 11, 2016
Susie Kilshaw	Combe	May 11, 2016
sharon grattan	Ladysmith	May 11, 2016
Shona Harrison	Kelowna	May 11, 2016
Jane Burkinshaw	Exeter	May 11, 2016
barb reid	etobicoke	May 11, 2016
Robin Jane	Nanaimo	May 11, 2016
Margaret Scott-Peters	Vancouver	May 11, 2016
Alessandra Ringstad	Victoria	May 11, 2016
Cole A	Kingston	May 11, 2016
Kate Martin	Waterloo	May 11, 2016
Adrienne Buck	Vancouver	May 11, 2016
Tracy Ford	Victoria	May 11, 2016
Heidi Carlson	Portland	May 11, 2016
Justine Semmens	Victoria	May 11, 2016
Deb Rhodes	Vancouver	May 11, 2016
Milena Novotny	Vancouver	May 11, 2016
Anne Skipsey	Qualicum Beach	May 11, 2016
Sheila Olson	Saanich	May 11, 2016
Hannah Johnson	Vancouver	May 11, 2016
Christine Renaud	Prince George	May 11, 2016
Emily Lycopulus	Victoria	May 11, 2016
Patricia McMullan	Victoria	May 11, 2016
kirstin jarosiewicz	vancouver	May 11, 2016
karen peckham	Hartland	May 11, 2016
Casey Jordan	Victoria	May 11, 2016
Andrew Mitchell	Victoria	May 11, 2016
francis yutrigo	palno	May 11, 2016

Name	City	Signed On
Cody Kapcsos	Stirling	May 11, 2016
Brigitte Clark	Victoria	May 11, 2016
Leona Rothney	Vancouver	May 11, 2016
Steve Mitchell	Duncan	May 11, 2016
Gerald Harris	Victoria	May 11, 2016
James Marshall	Victoria	May 11, 2016
Eric duffy	Victoria	May 11, 2016
Allison King	Vernon	May 11, 2016
Jenn Barrett	Surrey	May 11, 2016
Daisy Voaden	Victoria	May 11, 2016
Diana Matrick	Vancouver	May 11, 2016
Eileen Crowe	Cincinnati	May 11, 2016
Ryan Schuck	Kamloops	May 11, 2016
Inie Graham	Shawnigan Lake	May 11, 2016
Marion Anderson	Victoria	May 12, 2016
Theresa Gillespie	Vancouver, BC	May 12, 2016
Marie Cadorette	Duncan	May 12, 2016
Margot Hieftje	Lady Lake	May 12, 2016
Valerie Black	Victoria	May 12, 2016
Jullianne Bisette	Victoria	May 12, 2016
Marni Fedoruk	Victoria	May 12, 2016
Valerie Yule	Delta	May 12, 2016
Joe Fraser	Duncan	May 12, 2016
Marjorie Parent	Victoria	May 12, 2016
Jennifer Keenan	Fanny Bay	May 12, 2016
Nicola Krohman	west vancouver	May 12, 2016
Lynn Crane	Denbury	May 12, 2016
Tracy Friesen	Chase	May 12, 2016
Kim Orlando	Montreal	May 12, 2016
Linda Edmond	Victoria	May 12, 2016
Dianne Searle	Victoria	May 12, 2016
Theodora Borissov	Victoria	May 12, 2016
Ann Thomson	Victoria	May 12, 2016
Glenn Parfitt	Victoria	May 12, 2016
barbara Hallberg	Victoria	May 12, 2016
Stephen Januszkiewicz	Sarnia	May 12, 2016
Thom Sedun	Victoria	May 13, 2016
Alexandra Lane	Victoria	May 13, 2016
Cindy Trytten	Victoria	May 13, 2016
MJ Turner	Victoria	May 13, 2016
Robin Miller	Victoria	May 13, 2016
Paul Chytyk	Victoria	May 13, 2016
Joan Hendrick	Victoria	May 13, 2016
John Perry	Victoria	May 13, 2016

Victoria City Council - 26 May 2016

Name	City	Signed On
Peggy Cunningham	Halifax	May 13, 2016
Glen Bromley	Victoria	May 13, 2016
Kelly Pearson	Victoria	May 13, 2016
m vk	victoria	May 13, 2016
Selina Tang	Victoria	May 13, 2016
Cheryl Wright	Victoria	May 13, 2016
Matt Lockhart	Victoria	May 13, 2016
Mark Hiebert	Victoria	May 13, 2016
Lynne Phillips	Victoria	May 13, 2016
Carissa Hiebert	Victoria	May 13, 2016
Kat Bee	Victoria	May 13, 2016
Belinda Tang	Victoria	May 13, 2016
Megan Barnes	Vancouver	May 13, 2016
jacqueline howard	North Saanich	May 13, 2016
G. White	Toronto	May 13, 2016
Sharon Lum	Victoria	May 13, 2016
Patricia M Sloan	Victoria, BC	May 13, 2016
Alannah Haynes	Vancouver	May 13, 2016
Sierra Brown	Victoria	May 13, 2016
Nina Barton	Victoria BC	May 13, 2016
Anna Handford	Richmond	May 13, 2016
Amy Cole	Sidney, BC	May 13, 2016
Elly Jacquot	Saanichton	May 13, 2016
Hans YodZis	Victoria	May 13, 2016
Rowena Locklin	Victoria	May 13, 2016
M Genton	Victoria	May 13, 2016
Jim Ryerson	Victoria	May 13, 2016
Shane Byzitter	Victoria	May 14, 2016
Nikki Sobchak	Victoria	May 14, 2016
Rachel Cormack	Delta	May 14, 2016
Rob Ireland	Victoria	May 14, 2016
Denise Adams	Brentwood Bay	May 14, 2016
Jim PARKER	Victoria	May 14, 2016
Sharon Manason	Mill Bay	May 14, 2016
Lirrairie Conn	Victoria	May 14, 2016
Ruthy Boehm	Sechelt	May 14, 2016
Nicole Yaremus	Sidney	May 14, 2016
John Greaves	Midway	May 14, 2016
Shelly Sigvardsen	New Westminster	May 14, 2016
judith bellis	victoria	May 14, 2016
carol fabri	victoria	May 14, 2016
melody anderson	prince rupert	May 14, 2016
Harry Brown	Victoria	May 14, 2016
shelagh rosenthal	Duncan	May 14, 2016

Name	City	Signed On
jean macgregor	Victoria	May 14, 2016
Luminita Cristina Spantulescu	Port Moody	May 14, 2016
Donna Blyth	Victoria	May 14, 2016
Jennifer Hall	Bowen Island	May 14, 2016
Debe Simpson	Surrey BC	May 14, 2016
Sharon Anderson	Surrey B.C.	May 14, 2016
Charla Qualie	Lillooet	May 14, 2016
sandy mcnamee	white rocl	May 14, 2016
Tracey Ayton	Vancouver	May 14, 2016
Christine Lacree	Victoria	May 14, 2016
Fiona David	surrey	May 14, 2016
Colleen Stusek	Victoria	May 14, 2016
Debbie Carruthers	Port Moody	May 14, 2016
Jason Edge	Victoria	May 14, 2016
Joanna Fox	Victoria	May 14, 2016
Scott Clare	Victoria	May 14, 2016
sandra fabri	Victoria	May 14, 2016
Mary Dupuis	Victoria	May 14, 2016
melissa bandura	Vancouver	May 14, 2016
tina mcphoe	Ottawa, CANADA	May 14, 2016
Darren Hill	Victoria	May 14, 2016
David Siba	Victoria	May 14, 2016
milan kamberger	Maribor	May 14, 2016
Heather Richards	Victoria	May 14, 2016
Ellen Grant	Victoria	May 14, 2016
Michael Newton	Victoria	May 14, 2016
Barbara Quelch	West Vancouver	May 14, 2016
Nerina Black	North Vancouver	May 14, 2016
Dave Skilling	Victoria	May 14, 2016
Hannah Lawrie	Victoria	May 14, 2016
Leith Leslie	Victoria	May 15, 2016
Susan Yosef	yehud	May 15, 2016
Paul Cunningham	Nelson	May 15, 2016
joan Bennett	Victoria	May 15, 2016
Mary Janack	Victoria	May 15, 2016
Kristina Stewart	Victoria	May 15, 2016
Noel Cavanaugh	Victoria	May 15, 2016
Randall Stewart	Victoria	May 15, 2016
Gillian Ley	Victoria	May 15, 2016
Georgina Kuebler	Victoria	May 15, 2016
Jennifer Brooks	Victoria	May 15, 2016
Tracy Sinclair-Wong	Victoria	May 15, 2016
Valerie Dupuis	Victoria	May 15, 2016
Heather Howey	Delta	May 15, 2016

Name	City	Signed On
Matt Dupuis	Victoria	May 15, 2016
Stephen Robinson	Toronto	May 15, 2016
Adaire Gibb	Victoria	May 15, 2016
Brian Dodge	Victoria	May 15, 2016
Tahira Mohammed	Toronto	May 15, 2016
Kristine Kelly	Victoria	May 16, 2016
Kieran McMullan	Victoria	May 16, 2016

Name	City	Signed On
Grace Dupuis	Montréal	May 16, 2016
William King	Victoria	May 17, 2016
Tracy Byrne	Victoria	May 17, 2016
Clare Gomez Edington	Victoria	May 17, 2016
Jenny Mcleish	Benderloch	May 17, 2016
D McLean	Victoria	May 17, 2016
Alicia Parker	Victoria	May 17, 2016

Appendix C - Citizen's Petition Comments Received (as of May 17, 2016)

Name	Location	Date	Comment
Chris Grieve	Victoria, Canada	2016-05-04	Character Homes Matter! This petition is important and timely. The trend in Victoria is quickly following Vancouver, but it's not too late!
Deborah Robinson	Victoria, Canada	2016-05-04	Protecting character homes is beneficial to everyone in Victoria, bringing tourists and liveliness to our beautiful city!
Kathryn Ogg	Victoria, Canada	2016-05-04	Victoria is home to some of the most beautiful character houses in Canada. We have a chance to protect them if we act now.
lara hurrell	Victoria, Canada	2016-05-04	I have been noticing more and more Victoria homes being demolished. I don't want to see our city lose it's character.
Janice Scott	Heriot Bay, Canada	2016-05-04	I think it is very sad to see these wonderful heritage homes torn down to be replaced by modern higher density housing. These homes are part of our history and can't be replaced once they are gone.
June Barker	Sidney, Canada	2016-05-04	Hate to think that Victoria may go the same route as other municipalities (Sidney) by destroying the existing charm and character of a wonderful city.
Kathryn Ogg	Victoria, Canada	2016-05-04	Victoria has some of the most beautiful character houses in Canada. I want to walk past them in my neighbourhood; I don't want them to go to the landfill.
Ocean Inglin	Victoria, Canada	2016-05-05	Let's at least have some sober second thought when it comes to the future of Victoria's classic architecture
Janet Simpson	Victoria, Canada	2016-05-05	We need bylaws with teeth - not neighbourhoods with unaffordable, cookie-cutter McMansions. Share this with everyone you know!
Ethelyn Rankin	Victoria, Canada	2016-05-05	Concern about demolition of heritage houses. No strong City bylaws to protect them
Lawrence Bortoluzzi	Victoria, Canada	2016-05-05	I want the neighbourhood built form to continue as it is - a human and very natural scale
afra rigollet	Victoria, Canada	2016-05-05	Of its beauty
Terry Loeppky	Victoria, Canada	2016-05-05	Recently, 3 older homes within a block of my home in James Bay have been sold. One has been demolished. A second, bought by a developer awaits a similar fate. The 3rd is a question mark. Just 2 days ago a 4th character home has gone on the market. Enough!
Ross Crockford	Victoria, Canada	2016-05-05	Old character homes provide regular work for skilled trades in Victoria, instead of the short-term jobs that come from a new build. We have to learn to fix what we have, instead of (repeatedly) replacing it.
Sue Gentry	Victoria, Canada	2016-05-05	Our current Mayor and Council have sold out to developers. You only have to look at all the development and especially the aesthetic nightmares that they are building to know this is not the way to build a beautiful city.
Vanessa Dingley	Victoria, Canada	2016-05-05	Not only is the preservation of character homes important to the residents of Victoria, but the City depends on the tourist industry so maintaining its attractiveness is vital.
Joan O'Ryan	Victoria, Canada	2016-05-05	I love Victoria's old houses, they are what makes our city have the character it has always been known for!
Cara Segger	Edmonton, Canada	2016-05-05	Victoria's heritage is so fragile. With current real estate pressures it would be so easy to lose it. We have to stay vigilant.
Aryana Rayne	Victoria, Canada	2016-05-05	Character is what Victoria is all about. Save our heritage homes and the lovely gardens that frame them.

Name	Location	Date	Comment
Doreen Mueller	Victoria, Canada	2016-05-05	I am signing the petition because Rockland is a heritage neighbourhood and needs to be protected. Although I do not consider every house heritage, I believe there are a number not just in Rockland but in the City of Victoria that deserve that designation. I also agree with the remainder of the petition. However if the City of Victoria is not willing to enforce whatever bylaw etc. is developed, I suggest we save the staff time and keep our property taxes in check. Developing guidelines in the last 25 years only has been a waste of volunteer and staff time and has only resulted in increased staff and their salaries and added to property taxes without benefits to the taxpayer.
Oliver Schneider	Vancouver, Canada	2016-05-05	Living in Vancouver, I see the result of inadequate heritage protection every day. I have family in Victoria and I plan to move there eventually for this reason among other related issues.
summer hay	Victoria, Canada	2016-05-05	It's an important issue and we don't want what is happening in Vancouver to happen here!!
Jenny Whittall	Kapaa, Canada	2016-05-05	I love my neighbourhood!
Anne Moon	Victoria, Canada	2016-05-06	Why should our lovely homes float off to the San Juans?
Jan Mears	Oak Bay,, Canada	2016-05-06	I care about older established neighborhoods, homes that tell a story and are well built - built "green" and meant to last.
Pieta VanDyke	Victoria BC, Canada	2016-05-06	Tourists come to Victoria for its character. These houses will be replaced by much larger houses, that will add a lot more density to the neighbourhood!
Barbara Pedrick	Victoria, MI	2016-05-06	I own a character house and I live on a street with many character houses. They are a reminder of our past.
Annie Sylvan	Victoria, Canada	2016-05-06	I love character homes and am always saddened to see them disappear. Money is not the only thing of value.
Carl Johnson	Victoria, Canada	2016-05-06	As a carpenter I value the old growth timbers in Victoria's heritage homes. I know most new homes are poorly made (building code is the minimum standard) and don't reflect the neighbourhood character at all.
Susanna Solecki	Victoria, Canada	2016-05-06	Victoria is a beautiful city with a rich heritage. Please don't allow all of our lovely neighbourhoods to change to blocks of lot filling giant houses.
Leslie Davis	Victoria, Canada	2016-05-06	I'm signing because Victoria needs to maintain it's heritage character and green environment.
Kris Milne Munoz	Victoria, Canada	2016-05-06	I believe in preserving the character of our community.
Danielle MacKenzie	Victoria, Canada	2016-05-06	The character of our neighbourhoods is so closely linked to our quality of life in Victoria. And preservation of existing housing stock reduces the enormous environmental impact of sending perfectly good homes to the landfill and replacing them with cheap new construction.
Cait Irwin	Victoria, BC, Canada	2016-05-06	2.2 million dollar tear downs can't be allowed to happen in Victoria too.
Shelley Baart-Gaylor	Victoria, Canada	2016-05-06	I love in a Victoria neighbourhood with diminishing character homes and want to see more thoughtful planning than teardown.
Shelagh Guild	Victoria, Canada	2016-05-06	Because I am appalled at the lack of sensitivity in allowing developers to devastate our heritage for the sake of their own greed - and the Municipalities are allowing them to do so.
Skye Ladell	Victoria, Canada	2016-05-06	The City of Victoria's true value is not in the greatness of our houses or our net worth, but in the greatness of our community and the humanity we share. Save our neighbourhoods and the richness that is the foundation of what has made Victoria so special for so very long.

Name	Location	Date	Comment
Chris Ash	Oak Bay, Canada	2016-05-06	I don't want to see beautiful homes in Victoria and the surrounding area lost to tacky modern homes that don't fit the neighbourhoods or are too pricey and out of reach for most families.
Margaret Laxton	Victoria, Canada	2016-05-06	The character of Victoria should be preserved.
wendy Ehlers	Victoria, Canada	2016-05-06	Victoria has one of the highest concentrations of Arts and Crafts Homes in the world. It must be protected before it is spoiled forever.
Jodie McGill	Calgary, Canada	2016-05-06	The history of Victoria is visible and a great deal of tourism is garnered by the beauty of the historic neighborhoods. The historic houses often mean a building to land ratio that allows for lush gardens and oxygen generating trees. No one is going to visit Victoria to enjoy strolls along streets lined with massive stucco boxes. Don't ruin what makes Victoria a unique city that has made it an award winning destination and a wonderful place to live.
Amanda Malone	Victoria, Canada	2016-05-06	It is so important to get out in front of this problem before all the big money comes rolling in and the people who actually are living in these neighborhoods gets left behind
Pippa Blake	Victoria, Canada	2016-05-06	Once this part of Victoria's history is destroyed it can never be brought back. It is up to us to take action to protect these beautiful character homes on our watch
Sheena Bellingham	Victoria, Canada	2016-05-06	an excavator is parked in front of a house on Haultain this morning...
gabriela marshal	surrey, Canada	2016-05-06	I want to own one of these beautiful homes one day. I don't want Victoria to be littered with ugly box shaped apartment buildings or McMansions like has happen in Vancouver and Surrey
Janice Holdersahw	Queen Charlotte, Canada	2016-05-06	as a tradeswoman/carpenter I see that in modern times we are losing our ability to build homes that last. Most of the buildings now go up quickly and are pre-fabricated using materials that no longer reflect the local wood or regional talents. These older homes are of great beauty and represent a time when it wasn't all about making a buck.
Joanna Pettit	Victoria, Canada	2016-05-07	The character of our city is one of its finest treasures. We can't let it erode.
Scott Osborne	Victoria, Canada	2016-05-07	I read the article in The Victoria News and completely agree.
Anne Boldt	Victoria, Canada	2016-05-07	We had an old house on Niagara St that we had designated Heritage in the early 1990's. Thank goodness we did as it will now be saved for posterity! Annie B.
Erin Bowers	Victoria, Canada	2016-05-07	I appreciate the craftsmanship of the buildings, the beauty, the history and the need to pass these building's along to the next generations.
Jordan DeMill	Victoria, Canada	2016-05-07	Victoria has so many unique and special neighborhoods. We would hate to see them disappear!
Sarah Falls	Port Alberni, Canada	2016-05-07	This is my hometown and I don't want to see it ruined!
Lynda Robson	Victoria, B.C., Canada	2016-05-07	Character is what makes Victoria such a lovely place to live and to visit. We don't want or need cookie cutter vanilla housing. I live in a 107 year old house on a hidden gem of a street of mostly similar homes. Keep Victoria heritage. It is what we are famous for.
Bob June	Victoria, Canada	2016-05-07	We have already lost too much of our history, character and green space. In addition it is a incredibly wasteful, anti green carbon intensive process to destroy the imbedded carbons and deliver the demolition debris to landfill.
Diane Styles	Vancouver, Canada	2016-05-07	Because I live in Vancouver where there are next to nil older homes left - if my city had better protection of older homes maybe we could have controlled some of the crazy speculating. Check out the story of the UBC Friedman House for proof

Name	Location	Date	Comment
Derek Hawksley	Victoria, BC, Canada	2016-05-07	I'm tired of watching the distraction of the character and history of my city for the profit of a few wealthy developers. Once it is gone it's too late and it is going fast.
Lisa Dufresne	Guelph, Canada	2016-05-07	IMPORTANT!
M. Milloy	Victoria, Canada	2016-05-08	I'm signing this because I love my city and I love all the history and character that is Victoria...please don't allow the loss of so much of what makes it Victoria, of what makes it unique...especially by newcomers that have no connection to our special home!!!
Anne Popperwell	Saturna, Canada	2016-05-08	Victoria's character homes are important to the quality of life in Victoria. I really don't want to see Victoria "become" Vancouver by allowing character homes to be torn down.
Nancy Gow	Victoria, Canada	2016-05-08	I want to preserve the unique character of Victoria
Fran Howard	Sechelt, Canada	2016-05-08	We need to protect Victoria's heritage and character homes. This is an important petition. I am worried that they will disappear like in Vancouver. Victoria City Council needs to do something about to stop the increasing number of demolitions taking place.
Tony Sprackett	Beverly Hills, CA	2016-05-09	Too many functional and beautiful homes are being destroyed. Bad for heritage, bad for the environment, good for the irresponsible developer.
Cindy Forest	Victoria, BC, Canada	2016-05-09	We have to protect the heritage of Victoria and stop destroying these homes that developers are tearing down. Don't let what Vancouver is going through happen in Victoria.
Anita Jessop	Victoria, CA	2016-05-09	So sad to see our heritage list
Robert Lornie	Beaverlodge, Alberta, Canada	2016-05-09	It's like life, once it's gone, it's gone!
Barbara Pelman	Victoria, Canada	2016-05-09	The city's beauty includes its heritage and character homes are part of that beauty and heritage. To tear down a home for the sake of a bigger home is crass, greedy, and Philistine.
Kathleen Martin	Victoria, Canada	2016-05-09	I'm signing because I love this city, my home. Already much has been given over to development. Do they have to have it all? Let's save our remaining neighbourhoods
Arlita Keppler	Victoria, Canada	2016-05-09	It's important that Victoria retains the character and integrity of neighbourhoods with the heritage housing stock.
Mary Jane Crawley	Victoria, BC, Canada	2016-05-09	Let's keep Victoria's character affordable.
Susan Dempsey	Victoria, Canada	2016-05-09	While I understand that sometimes homes are demolished to make way for more housing density, needed for environmental and housing reasons, I want to see great care taken in these decisions. These homes can not be replaced - their history and character are important to our community, and their demolition and replacement by new homes unnecessarily taxes our landfills. This is a time of great urgency to think about the greater good of communities and ecosystems.
Barbara van'tSlot	Prince Edward Island, Canada	2016-05-09	It is important to preserve as much of our built heritage as possible.
Karen Whyte	Saanichton, Canada	2016-05-09	Preserving Victoria's unique mix of architecture is important to the community and the environment.
Dorothy Elias	Vancouver, Canada	2016-05-09	As a former resident of Vancouver, I have witnessed a city lose its character and history. Please protect Victoria's lovely older houses!

Name	Location	Date	Comment
vicky husband	Victoria, BC, Canada	2016-05-09	I am very upset by the increasing loss of heritage homes in the older neighbourhoods of Victoria and the Capital Region. As a person born in Victoria the loss of our historic character homes is a loss of our cultural and living history. That means all older homes they create a feeling of a deeply rooted community one we are rapidly losing. The time to take action is now to stop this loss. The City of Victoria can be a leader on this for the whole region. Vicky husband
Charles Hilton	Victoria, B.C., Canada	2016-05-09	Heritage grant money should be made available for heritage housing maintenance/up keep, especially at today's cost of materials, taxes, etc... also especially for seniors on fixed incomes, young people trying to get into the housing market, then facing huge costs of fixing/maintaining these heritage houses. "Big Is Not Better" which seems to be happening.
David Hillman	Victoria BC, Canada	2016-05-09	I live in a designated heritage home. It adds to the character and integrity of an established neighbourhood as well speaking to its history.
Prudence Emery	Victoria, Canada	2016-05-09	Oak Bay architecture is unique and gives the municipality it's original character.
Heather Keenan	Victoria, Canada	2016-05-09	Too many of our old stock houses are being torn down. People live and visit Victoria because of the beautiful trees and old neighbourhoods. It's a waste of materials and the newer homes being put in are usually huge and the treed and green landscape removed.
Donald Harrison	Victoria, Canada	2016-05-09	We moved recently from Vancouver after a lifetime spent in that city and have seen the destruction that greed, lack of residency of property owners and uninterested politicians can bring to any neighbourhood. Only changes in city/municipal bylaws can prevent the Victoria area from becoming just another piece of land to be strip-mined for money by those who could care less about the people and animals with which they share the planet. Act now before Victoria becomes like Vancouver -- ruined.
Helen Durie	Victoria, Canada	2016-05-09	We need to protect Victoria's precious heritage while also planning for the future.
Viv Phillips	Victoria, Canada	2016-05-09	I am signing this petition because I live on a road that has had a number of unique character homes demolished. It has changed the uniqueness of our road as modern flat roofed boxes take their place.
Felicity Smith	Victoria, Canada	2016-05-09	I'm signing because I value Victoria's diverse and charming neighbourhoods and I would hate to see them go the way of Vancouver.
Anne Grieve	Victoria, Canada	2016-05-10	Hate to lose the beautiful character homes Victoria has.
Elaine Hays	Victoria, Canada	2016-05-10	Nothing compares to the workmanship and beauty of a character home. Valuing character homes is valuing history and tradition.
Kelly McLaren	Victoria, Canada	2016-05-10	I moved here because of the beautiful character homes. This is what makes Victoria special.
Caroline Adderson	Vancouver, Canada	2016-05-10	Victoria is a treasure because of its concentration of character and heritage homes. Take action now.
Luigi La	Toronto, Canada	2016-05-10	I care about heritage and character in neighbourhoods and not demolishing perfectly good homes.
Deborah Neher	Vancouver, Canada	2016-05-10	Please don't go the way of Vancouver. You'll be sorry if you do (I speak as one who has lived in Vancouver 30+ years)
Ella Sokolosky	Capital, Canada	2016-05-10	Existing heritage houses need to be maintained and kept out of our landfills to protect the environment and our beautiful city of Victoria.

Name	Location	Date	Comment
C Simon	Victoria, Canada	2016-05-10	Vancouver has allowed so many heritage homes to be destroyed it is unrecognizable and has lost its' charm. Please don't let that happen in Victoria. Not all change is progress.
Regina MacEachern	Burk's Falls, Canada	2016-05-10	I believe in preserving the past. Newer and bigger is not better! I was on Heritage Elora, the Local Architectural Conservation Advisory Council, in Elora, Ontario for 8 years. I visited many other communities and saw their heritage buildings and they definitely add character to their communities. Many are great tributes to the wonderful design and craftsmanship of previous eras. We have lost enough of our heritage buildings to so called progress. We need to value the past and celebrate it!
Brenda Craig	Victoria, Canada	2016-05-10	Want to save neighbourhoods from vulture developers
Brian Shaughnessy	Victoria, Canada	2016-05-10	I believe these character homes should be saved, not torn down for new development.
Rebecca Kool	Surrey, Canada	2016-05-10	I now live in Victoria and love the mix of old and new.
Mel Burkholder	Victoria, Canada	2016-05-10	I WILL NOT BE VOTING FOR THE PRESENT ELECTED COUNCIL IN VICTORIA, EXCEPT PAM MADOFF
Soren Henrich	Victoria, Canada	2016-05-10	Consider maintaining old character homes for unmatched material quality, design and historic value.
Janney Claire Alexi	Victoria, BC, Canada	2016-05-10	Victoria's heritage homes - character homes are integral to the uniqueness of our city. Stop - be careful - demolishing cannot be reversed.
Sophie Wood	Victoria, Canada	2016-05-10	Let's not ruin Victoria the way Vancouver has been. This type of destructive practice is already being exported over here. We need to stop this before we lose the unique character of our city that residents and tourists alike invest in.
Doyle Janice	Vancouver, Canada	2016-05-10	I'm signing because I have seen and am still seeing the devasatating effect on affordability and neighbourhood and environment caused by such destruction in my Point Grey, Vancouver, area.
Matt Mauza	Vancouver, Canada	2016-05-10	It wont stop until we stop it. Dont make Vancouvers mistakes.
Laura McLeod	Burnaby, Canada	2016-05-10	Victoria's heritage homes are stunning. Please do not allow the character of this wonderful city to be destroyed.
Colleen O'Dowd	Victoria, Canada	2016-05-10	I fully endorse this petition. The creative aspects of our heritage homes need to be preserved. I had the good fortune of touring many heritage homes in lovely neighbourhoods this past weekend during the Fairfield Studio Art Tour. I can't image the essence of Victoria without these heritage homes.
Kalinda Link	Vancouver, Canada	2016-05-10	Everyday when I drive home in Vancouver, all I see are permits looking to tear down existing beautiful character homes and replace them with ugly new homes or condos. It's heartbreaking and horrible to watch. Please don't let this happen in Victoria. It's depressing and unnecessary.
Katherine de Visser	Delta, Canada	2016-05-10	I don't want Victoria to end up like Vancouver, it's a sad place to be, to realize in real time the destruction taking place.
Moira Langley	Richmond, Canada	2016-05-10	I'm horrified by the demolition of character homes in Vancouver. It has dramatically changed the city for the worse.
George MacLeod	Vernon, Canada	2016-05-10	Our cities are in danger of losing there heritage and character.
pat innes	Vancouver, Canada	2016-05-10	...because I have the misfortune of living in Vancouver. Don't do it Victoria!
pat innes	Vancouver, Canada	2016-05-10	This is important because I live in Vancouver. Don't do it Victoria; it's an ugly slope to slide down.
Ric Arboit	Vancouver, Canada	2016-05-10	We have lost our soul in Vancouver don't let it happen to Victoria.
Patricia Marland	Rochester, NY	2016-05-10	saving these homes is important!

Name	Location	Date	Comment
Marc Gelmon	New Westminster, Canada	2016-05-10	This is absolutely abysmal! There are amazing homes, that have been built with creativity, craftsmanship and integrity and all we do is knock them down and put up junk! This has to STOP!
Steve Downing	Vancouver, Canada	2016-05-10	Stop selling out our affordable homes to foreigners that is only looking for a quick buck!
Angie Macleod	Chilliwack, Canada	2016-05-11	I'm tired of seeing the destruction of beautiful well built heritage homes. It's shameful
James Fralic	Vancouver, Canada	2016-05-11	The laws need to be changed in order to protect people (and their heritage) from themselves.
Adriana Acconci	Vancouver, Canada	2016-05-11	Just don't want to see such a huge loss of beautiful character homes. It's part of Victoria and as a Vancouverite I just don't want to see what's happened in Vancouver to happen in beautiful Victoria
Anna Migaj	Edmonton, Canada	2016-05-11	Unless municipal governments are willing to take action, there will be little history and character left in any of Western Canada. Vancouver, Edmonton, Calgary - all teardown cities, filled with monstrous cookie cutter McMansions and vacuous condos. Unbelievably sad. Don't let this happen to Victoria!
Molly Lawlor	North Vancouver, Canada	2016-05-11	Character home are the history of the city. Victoria's charm will be lost if it's character and heritage homes are destroyed.
Lucie Lalumiere	Nanaimo, Canada	2016-05-11	(1)it's terrible for the environment. (2) affect the life of neighbourhood negatively (3) generally rebuilt leaves no green space, its either a huge home or surrendered by asphalt.
Ann Dow	Vancouver, Canada	2016-05-11	Heritage should be preserved. Vancouver lacks any distinction. One of Victoria's appeals is it's heritage buildings.
margaret rea	Prince George, Canada	2016-05-11	I am a frequent visitor to Victoria and one attraction for me are the lovely family neighbourhoods and their distinctive character homes.
Louise Watson	Victoria, Canada	2016-05-11	I own a 1910 character home can't imagine demolishing for no good reason.
Evelyn Wilson	Coquitlam, Canada	2016-05-11	This is a disgrace
Megan Harvey	Vancouver, Canada	2016-05-11	I was born and raised in Vancouver and lived in Victoria for almost 5 years, and I was always struck by the beauty of its beautifully maintained (and even the not so beautifully maintained) older houses. Victoria, DO NOT let what has happened in Vancouver for decades now happen in your fair city.
Kirsty Sewell	Victoria, Canada	2016-05-11	Much of Victoria's charm comes from the gorgeous heritage homes we have here
kerry holderness	qualicum beach, Canada	2016-05-11	Tearing down a character home is akin to warehousing seniors and ingnoring there lives, their contributions to society and our great country. Like our forefathers these character homes are our communities roots, they remind us of what once was, they are our landmarks , our history.
Doug Gradecki	Sooke, Canada	2016-05-11	We can't let happen in Victoria what is happening in Vancouver!
Annie Rousseau	Mansons Landing, Canada	2016-05-11	I love Victoria's character homes, it is what makes Victoria Victoria. Please save them, there is plenty of room out in the communities for new modern construction.
Sawyer Sewell	Victoria, Canada	2016-05-11	I'm a young scholar with hopes of someday establishing political roots in victoria, I hope I don't endure the practices possibly created by possible Vancouver owners
Mary O'Donovan	Vancouver, Canada	2016-05-11	Save some affordable houses. 5 demolitions going on right now within 1 block in Mt Pleasant, Vancouver

Name	Location	Date	Comment
monica nelson	Victoria, Canada	2016-05-11	Victoria is quickly loosing its essence and the loss of so many of these old homes, only adds to the malaise of 'Florida North.'
Jackie Smit	North Saanich, Canada	2016-05-11	Don't let Victoria turn into another Vancouver!
Madelaine MacLock	Victoria, Canada	2016-05-11	I have lived in a character home for 21 years. Heritage has been a deep love of mine for my entire life. It has provided a great sense of appreciation for history in my everyday life. The roots of Victoria city exist in heritage.
Barbara Silver	Vancouver, Canada	2016-05-11	We are loosing our heritage, history and ultimately our sovereignty in BC to greed and destruction.
Jenny Nelson	Victoria, Canada	2016-05-11	I passionately care about the protection of Victoria's heritage residences.
Susie Kilshaw	Combe, United Kingdom	2016-05-11	I am from Victoria and spent the first 20 years there. My family still live in Victoria and we visit once or twice a year. I now live in the UK where there are many more restrictions in place to protect homes and buildings of local, national and historical interest. I am always surprised and saddened when I return to Victoria to see that character homes are largely left unprotected. This is particularly worrying in the present real estate market. Victoria has some of the most beautiful character homes in the country. I live in a 18th Century cottage in England - I am all too aware that if protections were not in place my home may not have survived and its historical features would not be preserved for generations to come.
Robin Jane	Nanaimo, Canada	2016-05-11	Yes! Someone should stop this madness!!!! Our heritage is vanishing right before our very eyes. Stop it!!
Margaret Scott-Peters	Vancouver, Canada	2016-05-11	Protecting Heritage is a value I live amidst precious antiques inherited from family in Esquimalt 1901 Home.
Alessandra Ringstad	Victoria, Canada	2016-05-11	We all travel the world in awe of old places but we are destroying our heritage. How about we adapt to the homes that are there so that in another 100 years someone will want to visit us for our heritage!
Cole A	Kingston, Canada	2016-05-11	I grew up in Victoria/Vancouver and don't want to see the city make the same mistake Vancouver has. Victoria has character, this will kill it.
Adrienne Buck	Vancouver, Canada	2016-05-11	Save these pieces of history and beauty....
Tracy Ford	Victoria, Canada	2016-05-11	Victoria is ugly enough already with these hideous 60's apartment blocks. Character homes are the only beautiful buildings in this city. Why destroy the only character Victoria has???
Deb Rhodes	Vancouver, Canada	2016-05-11	I believe we should respect our cultural heritage, including our homes, and ensure there is affordable housing for Canadians
Sheila Olson	Saanich, Canada	2016-05-11	I live in a 1915 home which I would hate to see destroyed after all the love we have put into it and have it replaced with some Mimi mansion with no character. Victoria will loose its character.
Hannah Johnson	Vancouver, Canada	2016-05-11	I'm from Vancouver, and it's heartbreaking what's happened here. It shouldn't have ever gotten to this point but no other city deserves this fate.
Emily Lycopulus	Victoria, Canada	2016-05-11	Victorias character homes are beautiful and make the city unique. So much of Victoria's history would be lost if these homes were destroyed!
Patricia McMullan	Victoria, Canada	2016-05-11	I love Victoria and would hate to see it loose it's character and affordability.
Karen Peckham	Hartland, Canada	2016-05-11	I have special friends in Victoria and hear often of the beauty and charm of the place... let's keep it that way!
Steve Mitchell	Duncan, Canada	2016-05-11	I'm signing because character homes are part of the history of a region.
James Marshall	Victoria, Canada	2016-05-11	Victoria's history needs to preserved, not sent to landfill

Name	Location	Date	Comment
Daisy Voaden	Victoria, Canada	2016-05-11	I love the character architecture in Victoria and it gives the city a beautiful and unique flavour!
Joe Fraser	Duncan, Canada	2016-05-12	I read in the paper just last month that Americans were buying them, then bargeing them to San Juan Islands. Not good. They a beautiful and part of our history.
Dianne Searle	Victoria, Canada	2016-05-12	The trend of character houses being demolished and replaced by often oversized generic homes is a significant problem in Victoria. The character of Victoria is special and unique, and deserves to be protected.
Ann Thomson	Victoria, Canada	2016-05-12	Our architectural heritage is being torn down quickly- and without thought to the future. These houses are better built than anything built today. They need to be SAVED.
Stephen Januszkiewicz	Sarnia, Canada	2016-05-12	I am an architecture lover so I love visiting others and seeing homes of beauty. I have seen great homes all over and seeing them in Victoria would also be nice.
Thom Sedun	Victoria, Canada	2016-05-13	The character homes of Victoria are part of Victoria's great character as a city
Alexandra Lane	Victoria, Canada	2016-05-13	I grew up in Vancouver in the mid-'60s and witnessed how much heritage and unique character it lost.
Joan Hendrick	Victoria, Canada	2016-05-13	Vancouver has stood by and watched the character of neighbourhoods being destroyed. Lets' not see the same happen in Victoria.
John Perry	Victoria, Canada	2016-05-13	Loss of heritage homes is becoming an urgent concern. I am glad someone is attempting to address the issue.
Peggy Cunningham	Halifax, Canada	2016-05-13	I am working with a group in Halifax dealing with the same issue (SaveYoungAvenue). Perhaps we can connect and share strategies.
Kelly Pearson	Victoria, Canada	2016-05-13	I think our city's character homes are an important and beautiful documentation of Victoria's history. It's hard to imagine certain neighbourhoods without the whimsy and color they provide. Not to mention, our tourism industry benefits from the architectural interest. Many of these homes are built with carpentry skills and materials that don't even exist anymore, and for that reason alone deserve some form of preservation, not merely to be recycled into sawdust, or "up-cycled" to exist out of context as a trendy features in new homes (perhaps in Montana for instance)...
Belinda Tang	Victoria, Canada	2016-05-13	I don't want to see Victoria becoming another Vancouver. I love the character home I live in. They are what make our city and neighbourhood unique and beautiful. Plus unnecessary demolition create too much garbage for our landfill. It is a waste of resources.
jacqueline howard	North Saanich, Canada	2016-05-13	I love character homes
Gregory White	Toronto, Canada	2016-05-13	I reside in Toronto but am originally from Victoria; it is very sad to see what is demolished due to greed.
Anna Handford	Richmond, Canada	2016-05-13	We don't need another Vancouver.
Amy Cole	Sidney, BC, Canada	2016-05-13	I strongly agree with this protection for our heritage and keeping our city's character and what little affordability there is left.
Elly Jacquot	Saanichton, Canada	2016-05-13	It breaks my heart this was allowed to happen. It was a beautiful home with most things still original. My family owned it for almost 50 years. Needless destruction..
Hans YodZis	Victoria, Canada	2016-05-13	The character of a place is important.
Rowena Locklin	Victoria, Canada	2016-05-13	We will lose many more character homes. Number 2 should apply to absentee owners so not to penalize people who legitimately cannot afford upkeep.

Name	Location	Date	Comment
M Genton	Victoria, Canada	2016-05-13	I moved from Vancouver to Victoria a few years ago. Please do everything you can to stop the Vancouverization of Victoria. Think it won't happen here? It's happening already. Soon you won't recognize your neighbourhood.
James PARKER	Victoria, BC, Canada	2016-05-14	Victoria needs to protect its character and heritage homes, in order to keep Victoria's unique character . . .
Sharon Manason	Mill Bay, Canada	2016-05-14	I'm signing this because I lived in Victoria for 20 years & I still enjoy going there often. The character homes are part of what make Victoria beautiful & prevent it from looking like a big box store community.
Lorraine Conn	North Vancouver, CT	2016-05-14	I agree because the heritage homes add a unique flavour to Victoria. So many of these homes can be updated and last for years to come. It's just such a shame to see them go.
John Greaves	Midway, Canada	2016-05-14	Moved to James Bay recently because of the ambiance provided by the variety of character homes in the neighbourhood. Cookie cutter subdivisions and monster houses just don't have the same homey feel. It would be a shame to use it.
carol fabri	victoria, Canada	2016-05-14	We have watched Vancouver fall prey to unneeded demolition. Many of the beautiful homes have been bulldozed in favour of monster homes. Why would we want Victoria to follow the same path. Victoria's charm in part is our heritage homes. We need to preserve them.
B.C. Melody anderson	prince rupert, Canada	2016-05-14	Hope that they are saved to enjoy !
Harry Brown	Victoria, Canada	2016-05-14	We need to keep the character of our city alive.
B.C. Melody anderson	prince rupert, Canada	2016-05-14	Are history can be seen and or lived ,through preserving our heritage buildings. We and the children should have that option in future too if we choose. Visiting Victoria is always special with the promise of being able to see and or visit the heritage buildings there !!! A lot cheaper then day or weekend to Europe but always have a good time visiting. I'm sure there are heaps of tourists that enjoy seeing those buildings too! Please save the heritage buildings !!! melody
Donna Blyth	Victoria, Canada	2016-05-14	We are losing what little history we have by demolishing our older homes.
Debe Simpson	Surrey BC, Canada	2016-05-14	Victoria is an oasis of our history I live in greater Vancouver and you do not want to look like this!
Sharon Anderson	Surrey, Canada	2016-05-14	Hate to see these homes get torn down. They have history.
Joanna Fox	Victoria, Canada	2016-05-14	People love Victoria in part because of its heritage houses; we need to protect them from becoming something we only remember in photos; they are viable options for housing
Scott Clare	Victoria, Canada	2016-05-14	Heritage in many respects defines Victoria, the ongoing loss of architectural heritage throughout Greater Victoria threatens the character of our great city. More needs to be done to protect these masterpieces.
Sandra Fabri	Victoria, Canada	2016-05-14	I'm signing because I want the character and diversity of Victoria's neighbourhoods preserved. This makes for affordable housing compared to a new build which is environmentally costly and leaves a huge footprint.
melissa bandura	Vancouver, Canada	2016-05-14	I just moved from vancouver : a city being demolished one character home at a time. Victoria is unique to BC with its huge character home stock. Walking james bay and fernwood and seeing the beauty in architecture is a treat and cannot disappear like with our sister city. I moved here for the history. Don't let it disappear.
tina mcphree	Ottawa, CANADA, CA	2016-05-14	Victoria wouldn't be Victoria without it's beautiful character homes!

Name	Location	Date	Comment
Barbara Quelch	West Vancouver, Canada	2016-05-14	Neighbourhood character is important and there is no sense in sending building materials to the landfill. I've seen West Van neighbourhood's obliterated and I don't want to see it happen here.
Susan Yosef	yehud, Israel	2016-05-15	As a former B.C. resident (born and bred) this is an important issue to me. Character Homes in Victoria make Victoria what it is - City Council must consider and be mindful of the fact that these actions will have impact on future tourism, and general look and feel of the community. It would be a real shame to see these character homes destroyed... just so wrong.
Paul Cunningham	Nelson, Canada	2016-05-15	I am signing because I love that a city can have so much character. If you want a new house, build it in a new subdivision. Don't destroy Victoria
joan Bennett	Victoria, Canada	2016-05-15	I live in Victoria and I am being tortured with the look of the newest houses being built here: lacking taste and look like boxes with no yards. Did you know that green spaces help keep us sane?
Mary Janack	Victoria, Canada	2016-05-15	As predicted the spillover from Vancouver is now occurring in Victoria. It's not just the demolition of heritage houses but the destruction of once affordable communities. In just months, houses in my community are going for 50k to 100K over asking. Who will be able to afford to live and work here, to make it a vibrant community? I didn't expect and don't want my house to suddenly be worth 4 times what I paid for it if it means cutting out the next generation who want to live in and make this city a community.
Kristina Stewart	Victoria, Canada	2016-05-15	I think Victoria loses something special, part of the reason people want to live here, with each heritage home that is removed.
Noel Cavanaugh	Victoria, Canada	2016-05-15	This is a big part of why I moved here -- it would be so sad to see the history disappear.
Randall Stewart	Victoria, Canada	2016-05-15	I am tired of seeing houses destroyed and replaced by developers who build without regard for our heritage. Victoria has a unique quality tourists and locals alike appreciate.
Georgina Kuebler	Victoria, Canada	2016-05-15	Victoria is known for its beautiful character. We don't want that stripped away.
Jennifer Brooks	Victoria, Canada	2016-05-15	I believe in preservation. It creates a beautiful community, rich with heritage and character.
Tracy Wong	Victoria, Canada	2016-05-15	Victoria is known for its quaint, 'olde' appeal. The more it is destroyed, the faster we are losing the "raison d'être" for living here. If we wanted Toronto, Vancouver, big city cookie cutter housing, we would move there. We want character, history, beauty in workmanship. Save our city!
Kieran McMullan	Victoria, Canada	2016-05-16	There is a very nice character home across the road that is sitting neglected waiting to be demolished when it was in fine shape for a good renovation.
Tracy Byrne	Victoria, Canada	2016-05-17	If we keep allowing properties to be demolished then we lose our the built history of our city forever.

PROTECT VICTORIA'S CHARACTER HOMES

Character Homes Don't Belong in the Landfill



Solutions to reduce the loss of character homes in our heritage neighbourhoods.

Presented to City Council by:
Chris Grieve & Lara Hurrell

Thursday, May 26th

HOW IT ALL STARTED...

- 1912 Arts & Crafts home left to rot after new owners removed roof in June 2015.
- Neighbours' attempts to save/salvage this home met with frustration and disappointment.
- Obvious lack of protection afforded to character homes. The City's "hands were tied."
- Led to the creation of a citizen's campaign to protect usable pre-1955 homes from intentional neglect and needless demolition.

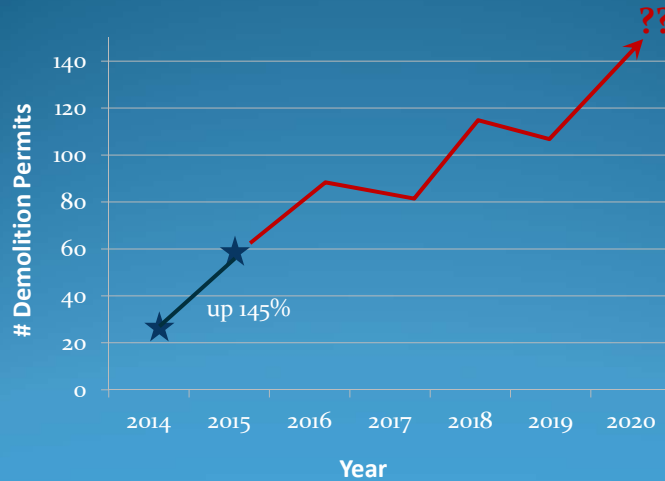


THE THREAT FACING CHARACTER HOMES

- Current real estate market forces are threatening our character home stock.
- We should be alarmed by what is taking place in Vancouver – the Lower Mainland is Victoria’s “canary in the coal mine.”
- Victoria is not immune to similar market forces.
- With the majority of property value “in the dirt”, this un-balanced scenario favours demolition over retention.
- We need incentives and controls in place to slow the growing trend of character home demolition and to restore balance.



THE START OF A DANGEROUS TREND?



WHAT CAN WE DO?

Our proposal has two primary objectives:

- #1 - Prevent intentional neglect of character homes.**
- #2 - Change process around demolition permits to emphasize retention over demolition. Incentives and/or requirements to retain, relocate and salvage.**

It's important to point out, we are not outlawing demolition.
But we must be proactive! We are fortunate it's not too late to act,
like it is in Vancouver.

BENEFITS OF RETENTION

- Retaining character homes meets a number of the environmental and social objectives outlined in the City's Official Community Plan.
- It is simply the greenest environmental choice. Ten to fifty tonnes of landfill waste are generated by one demolished home! Renovating typically involves thirty times less material being wasted.
- Retaining character homes also means saving gardens, mature trees and plantings. This is good for our planet and results in vibrant, inviting neighbourhoods... not bland, stale landscapes.



BENEFITS OF RETENTION con't

- Character homes are the most affordable home stock. The affordable housing crisis in our city should not be ignored.
- Our character homes and neighbourhoods are the backbone of our tourism industry - a major driver in the economic engine of our region.



IN THE SPOTLIGHT

“Victoria has what Vancouver is now missing: houses that are affordable to the middle-class buyer... and a lot of tasteful housing stock, including some of the best heritage housing in the country.”

THE GLOBE AND MAIL

The loss of character homes in Vancouver is generating a large degree of local, provincial and even international news coverage. And there is growing concern among island residents that what is happening in Vancouver is starting to happen here.

RECENT MEDIA COVERAGE

The collage features several media outlets and articles:

- C-FAX 1070:** Logo with the tagline "Victoria's News Authority".
- Global News:** Logo with "BC Change" and "World Canada Local Politics". Below it is a photo of two news anchors and the text "Global News Hour at 6".
- VICTORIANEWS:** Article titled "Residents propose changes to prevent demolition of character homes".
- CBC Radio:** A large, stylized "Radio" logo with the CBC globe.
- CBC News:** Article titled "Concern Victoria character homes disappearing as land values rise".
- Another CBC News article:** "Campaign says demolitions in Vancouver a 'tarnish on the coast mirror' for Victoria".
- Photo:** A photograph of a two-story character home with a porch.

SUPPORT FOR OUR PROPOSAL

- Citizen's Petition = 580 signatures & growing!
- Hallmark Heritage Society
- Fernwood Community Association
- North Jubilee Neighbourhood Association
- Hillside-Quadra Neighbourhood Action Group
- Victoria West Land Use Committee
- and more signing on...

The screenshot shows a petition on change.org with the following details:

- Title:** Protect Victoria's Character Homes!
- Target:** Petitioning City of Victoria's Mayor and Council
- Category:** Character Homes, Heritage, Victoria
- Support:** 578 supporters, 422 needed to reach 1,000.
- Share Options:** Share on Facebook, Add a personal message (optional), Post to Facebook.
- Image:** A photograph of a character home.

WHAT ARE PEOPLE SAYING?

"Soon you won't recognize your neighbourhood!" M.G. - Victoria

"We are in danger of blindly destroying the essence of this place." Davyd M. - Victoria

"STOP - be careful. Demolishing cannot be reversed!" Janney A. - Victoria

"Character homes are a big part of why I moved here." Noel C. - Victoria

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IT IS TIME TO ACT

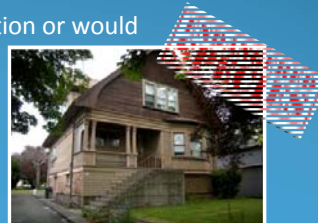
"Character homes are endangered species. Once they are gone, they are gone forever!"

We look forward to engaging with the City and creating effective tools to protect character homes from needless neglect and demolition. We have the opportunity to make a difference in our city's future, if we act now!

If you have any questions, need additional information or would like to discuss this issue further, please contact us.

Thank you!

Chris Grieve, Lara Hurrell & Kathryn Ogg



Pamela Martin

From: Council Secretary
Subject: FW: Thank you for your submission - City of Victoria - Address Council Form

Name: Lara Hurrell **Date:** May 17, 2016

Address:

I wish to appear at the following Council meeting: May 26, 2016

I represent: Character Homes Matter - Victoria (a citizen's initiative)

Topic: Protect Victoria's Character Homes - Character Homes Don't Belong in the Landfill

Action you wish Council to take:

To bring forward a motion to task Council & City Staff with: 1) reviewing and considering the attached citizen's proposal, entitled "Protect Victoria's Character Homes" and 2) engaging with residents and stakeholders to identify and enact solutions to discourage and reduce the needless demolition and/or intentional neglect of character homes within our neighbourhoods.”

PROTECT VICTORIA'S CHARACTER HOMES

Character Homes Don't Belong in the Landfill



Solutions to reduce the loss of character homes in our heritage neighbourhoods.

Presented to City Council by:
Chris Grieve & Lara Hurrell

Thursday, May 26th

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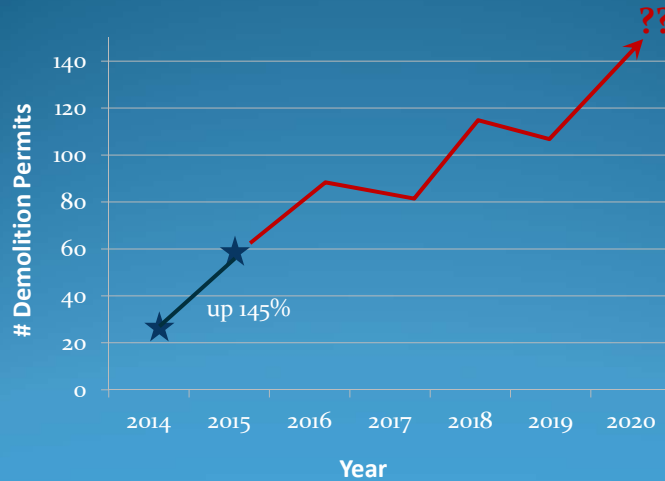


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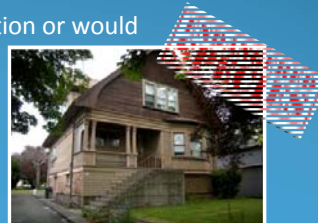
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Thank you!

Chris Grieve, Lara Hurrell & Kathryn Ogg



Pamela Martin

From: Council Secretary
Subject: FW: Thank you for your submission - City of Victoria - Address Council Form

Name: Carolyn Whittaker **Date:** May 21, 2016

Address: 15-791 Central Spur

I wish to appear at the following Council meeting: May 26, 2016

I represent: Surfrider Foundation Vancouver Island

Topic: Banning Plastic Checkout Bags In Victoria

Action you wish Council to take:

Do not support the recommendations in the report that was tabled as adequate to inform your decision. We would like Council to support banning single-use plastic bags in Victoria.

Pamela Martin

From: Council Secretary
Subject: FW: Thank you for your submission - City of Victoria - Address Council Form

Name: Margaret McCullough for the 3 students **Date:** May 21, 2016

Address: 159 Joseph St Victoria BC V8S 3H6

I wish to appear at the following Council meeting: May 26, 2016

I represent: GNS students

Topic: plastic bag ban

Action you wish Council to take:

to enact a ban on single use plastic bags and a fee for paper bags

Pamela Martin

From: Council Secretary
Subject: FW: Thank you for your submission - City of Victoria - Address Council Form

Name: Trudy Norman **Date:** May 22, 2016

Address: 110-1619 Morrison Street, Victoria, BC

I wish to appear at the following Council meeting: May 26, 2016

I represent: Microhousing Victoria Society

Topic: information update

Action you wish Council to take:
none at this meeting

“ORCA AWARENESS MONTH”

WHEREAS *British Columbia’s resident Killer Whales (orcas) are listed as endangered (southern population) and threatened (northern population) under the Species at Risk Act 2003; and*

WHEREAS *the existence of orcas in our waters brings much pleasure and interest to residents of, and visitors to, British Columbia; and*

WHEREAS *the Province of British Columbia supports the efforts to help this endangered population through improving public understanding of the species and its needs; and*

WHEREAS *various conservations groups in the Pacific Northwest come together in the month of June to focus on educating the public and taking action to enhance the survival of orcas.*

NOW, THEREFORE *I do hereby proclaim the month of June 2016 as “ORCA AWARENESS MONTH” 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 26th day of May, Two Thousand and Sixteen.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Diane McNally
Victoria Orca Festival Society

“INTERGENERATIONAL DAY CANADA”

WHEREAS *Intergenerational Day Canada, June 1st, is meant to raise awareness about the power of making simple, respectful intergenerational connections; and*

WHEREAS *Intergenerational Day Canada, June 1st, is a day to focus on the profound positive influence intergenerational connecting has in creating healthy, all-age friendly communities; and*

WHEREAS *Intergenerational Day Canada, June 1st, is a day to celebrate all of the good things presently taking place between generations in local community; and*

WHEREAS *Intergenerational Day Canada, June 1st, does not require funding, excessive time or extensive planning, but rather comes from the people for the people; and*

WHEREAS *Intergenerational Day Canada, June 1st, will be an official reminder, a yearly invitation for every citizen to take one small respectful step to bridge generations within his or her local community. (How much effort and time does it take to smile at someone from a different generation?)*

NOW, THEREFORE *I do hereby proclaim the day June 1st, 2016 as*
“INTERGENERATIONAL DAY CANADA” *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 26th day of May, Two Thousand and Sixteen.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Sharon MacKenzie
Executive Director
i2i Intergenerational Society of Canada

“ALS AWARENESS MONTH”

(Lou Gehrig's Disease)

WHEREAS *ALS (Amyotrophic Lateral Sclerosis) is a deadly, degenerative disease of the central nervous system with unknown cause and no cure, which took the lives of Lou Gehrig, David Niven and many others; and*

WHEREAS *this disease can strike anyone in the age group 20-80 years with devastating destruction of the motor neurons and the skeletal muscles to render the victim physically, completely helpless, but without touching the intellect, as he or she watches himself or herself slowly die; and*

WHEREAS *ALS is as common in occurrence as Multiple Sclerosis, it is still relatively unheard of due to its short prognosis of 2 - 4 years from date of diagnosis; and the short life span is the principal reason for the lack of public awareness which in turn results in a lack of financial support for research to find the cause and cure for this disease; and*

WHEREAS *development of a high level of public awareness concerning this disease seems to be the key to successful fund raising in aid of research, patient services and education; and Flower Day is one of the major, yearly, fund raising events for ALS.*

NOW, THEREFORE *I do hereby proclaim the month of June 2016 as “ALS AWARENESS MONTH” 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 26th day of May, Two Thousand and Sixteen.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Joyanne Plewes
President, Victoria Chapter
ALS Society of BC

“NATIONAL ANIMAL RIGHTS DAY”

WHEREAS *there are estimated to be between 2 million and 50 million species of animals on our planet who together comprise many trillions of individuals; and*

WHEREAS *humans are but one species of animal who together comprise about 7 billion individuals; and*

WHEREAS *most, if not all, animals are considered by humans to be sentient; that is, they experience a range of emotions and sensations, including pain, fear, joy, and happiness; and*

WHEREAS *no individual or species exists in isolation; all animals, indeed all living things, are inter-dependent and together make our world the extraordinary and wonderful place that it is; and*

WHEREAS *the world’s animals are in and of themselves extraordinary and wonderful; and*

WHEREAS *humans nevertheless kill about 100 billion animals each year; and Canadian humans alone kill about 1 billion animals each year - for food, entertainment, clothing, research; and*

WHEREAS *humans around the world annually commemorate **Human Rights Day**, established by the United Nations in 1950, in an effort to draw attention to and minimize the oppression of humans by other humans and to recognize human rights as the “foundation of freedom, justice and peace in the world”; and*

WHEREAS *the oppression of humans and the oppression of the other animals share the same logic; and*

WHEREAS *we are all animals; and*

WHEREAS *the establishment, in 2011, and annual commemoration of **National Animal Rights Day** in major cities across North America are an effort to draw attention to and minimize the oppression of all animals and to recognize animals rights as the logical extension of human rights as the foundation of freedom, justice and peace in the world; and*

WHEREAS *the City of Victoria supports the values and ideals of the founders and proponents of Human Rights Day and supports efforts and initiatives to abolish oppression in all of its forms.*

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

IN WITNESS WHEREOF, I hereunto set my hand this 26th day of May, Two Thousand and Sixteen.

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

**Sponsored by:
Mark Reed
VIVA
Vancouver Island Vegan Association**

“NATIONAL TOURISM WEEK”

- WHEREAS** *Greater Victoria’s tourism industry employs more than 22,000 people in the region; and*
- WHEREAS** *tourism is an important source of economic diversification, especially in small and medium-sized businesses at the local level; and*
- WHEREAS** *tourism generates an estimated \$2 billion annually in Greater Victoria through direct, indirect and induced spending; and*
- WHEREAS** *tourism marketing and promotion are critical to realizing the industry’s growth opportunities and potential, as seen in Tourism Victoria’s third-party review of the Victoria Beyond Words campaign that showed a 78:1 return on investment when industry standards are between 12:1 and 20:1; and*
- NOW, THEREFORE** *I do hereby proclaim May 29th to June 4th, 2016 as “NATIONAL TOURISM WEEK” in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA, the TRADITIONAL TERRITORIES of the ESQUIMALT AND SONGHEES FIRST NATIONS and express our support for the recent tourism initiatives of Tourism Victoria, The Victoria Conference Centre and the tourism industry that work together to grow economic prosperity in our region and our community.*
- IN WITNESS WHEREOF**, *I hereunto set my hand this 26th day of May, Two Thousand and Sixteen.*

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

**Sponsored by:
Paul Nursey
President & CEO,
Tourism Victoria**

“WORLD OCEANS WEEK”

WHEREAS *in 2009 the United Nations proclaimed June 8 to be World Oceans Day each year around the world; and*

WHEREAS *since 1992 Canada played a key role in the United Nations recognizing World Oceans Day; and*

WHEREAS *World Oceans Week Canada was founded to encourage all Canadians to honour, celebrate, protect and preserve our waterways and oceans as well as the habitat along and in our waterways and oceans where 80% of the oxygen we breathe is generated; and*

WHEREAS *World Oceans Week Canada has designated June 1 to June 8 as World Oceans Week in Canada; and*

WHEREAS *World Oceans Week Canada urges all Canadians to take action to conserve water, preserve waterways and shorelines, reduce emissions, reduce their carbon footprint and protect the habitat along and in our waterways; and*

WHEREAS *World Oceans Week Canada urges all Canadians to help our marine life recover by avoiding sea foods on the endangered list.*

NOW, THEREFORE *I do hereby proclaim June 1st to June 8th, 2016 as “**WORLD OCEANS WEEK**” in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE of BRITISH COLUMBIA**, the **TRADITIONAL TERRITORIES** of the **ESQUIMALT AND SONGHEES FIRST NATIONS** and encourage the residents of Victoria to actively conserve, preserve and to protect our waterways, oceans and habitat.*

IN WITNESS WHEREOF, *I hereunto set my hand this 26th day of May, Two Thousand and Sixteen.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Debbie White
Founding Board Member
World Oceans Day Canada

“WORLD OCEANS DAY, & RIVERS TO OCEANS WEEK”

- WHEREAS** *World Oceans Day (June 8th) offers an invitation to remember the very beginnings of life on earth, along with the many benefits we presently enjoy and the ongoing critical role of oceans worldwide; and*
- WHEREAS** *the Government of Canada proposed the concept of World Ocean Day in 1992 at the Earth Summit in Rio de Janeiro, and the day has been celebrated internationally ever since, being officially declared in 2009 by the United Nations as “World Oceans Day”; and*
- WHEREAS** *this international celebration has grown from a ripple into a tidal wave of awareness, connecting the importance of our oceans to the lands we live on – leading to Rivers to Oceans Week (June 8 – 14th) also being recognized by Environment Canada as an opportunity to better understand the role of Canada’s watersheds, our connection to fresh-and salt-water environments, and what we all can do to protect and keep waterways and marine environments healthy and productive; and*
- WHEREAS** *our coastal regions and communities have benefited greatly from a historic, cultural and natural relationship with our lakes, creeks, streams and rivers; and*
- WHEREAS** *estuaries offer some of “the greatest natural assets...and it is important to ensure that this resource is protected to yield the best social and economic returns” (Nanaimo Estuary Management Plan, 2006); and*
- WHEREAS** *First Nations heritage, values and customs, culture and way of life have traditionally drawn upon and and given thanks for the abundance and wealth of our oceans and waterways; and*
- WHEREAS** *the waters of the Salish Sea between Vancouver Island and southern British Columbia create a unique partnership, linking our coastal rivers with the Pacific Ocean to provide a flourishing, clean, self-sustaining and bio-diverse habitat that supports a wide variety of fish and marine life, and provides many direct and indirect benefits that meet our long-term needs and that of healthier coastal communities; and*
- WHEREAS** *the recognition and proclamation of World Oceans Day and Rivers to Oceans Week will help to encourage many interests and sectors to work together, advancing practical and proven marine restoration and protection that contributes to sustainability and coastal conservation efforts at home and around the world.*

NOW, THEREFORE I do hereby proclaim June 8th, 2016 as **“WORLD OCEANS DAY”** and June 8th to 14th 2016 as **“RIVERS TO OCEANS WEEK”** 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 26th day of May, Two Thousand and Sixteen.

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

**Sponsored by:
Laurie Gourlay
President, VICCS
Vancouver Island and Coast Conservation Society**

“MEDICAL MARIJUANA DAY”

WHEREAS *cannabis has been used as a medicine since the beginning of recorded history; and*

WHEREAS *science is proving that cannabis is an anti-inflammatory, muscle relaxant, anti-biotic, anti-septic, anti-fungal, anti-emetic, and pain reliever, amongst other medical benefits; and*

WHEREAS *courts have recognized basic human rights include the right to access to cannabis for people suffering from incurable diseases and chronic pain; and*

WHEREAS *governments and community groups around the world are growing, distributing and researching cannabis for medical purposes.*

NOW, THEREFORE *I do hereby proclaim the day June 11th, 2016 as “MEDICAL MARIJUANA DAY” in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA, the TRADITIONAL TERRITORIES of the ESQUIMALT AND SONGHEES FIRST NATIONS.*

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**Sponsored by:
Ted Smith
President
International Hempology 101
Society**

“BRAIN INJURY AWARENESS MONTH”

- WHEREAS** *acquired brain injury occurs at the approximate rate of 60 new cases per day, or 22,000 per year in British Columbia; and*
- WHEREAS** *these new cases will be added to the approximate 180,000 British Columbians living with an acquired brain injury; and*
- WHEREAS** *studies have shown that more than 50% of those who are homeless live with an acquired brain injury and of those, 70% became homeless after acquiring their first brain injury; and*
- WHEREAS** *acquired brain injury remains underfunded although it is the leading cause of death and injury in adults under the age of 40, yet nearly 90% are preventable with education and awareness; and*
- WHEREAS** *June has been designated as National Brain Injury Awareness Month to promote education and awareness on the causes, consequences, prevention, and rehabilitation needs of acquired brain injury.*

NOW, THEREFORE I do hereby proclaim the month of June 2016 as “BRAIN INJURY AWARENESS MONTH” 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 26th day of May, Two Thousand and Sixteen.

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

**Sponsored by:
Cridge Centre for the Family
and Councillor Marianne Alto**

“BUILT GREEN DAY”

WHEREAS *the City of Victoria is committed to sustainable growth and responsible stewardship of our natural environment; and*

WHEREAS *Built Green Canada is a national organization that advocates for sustainable environmental practices in the residential building sector; and*

WHEREAS *Built Green Canada delivers programs to assist builders in building more sustainably using the latest technologies to create healthier, more efficient, and durable homes; and*

WHEREAS *the City of Victoria is focused on environmental protection and climate action that includes a set of actions to facilitate and create incentives for green building practices in our city; and*

NOW, THEREFORE *I do hereby proclaim the day June 8th, 2016 as “BUILT GREEN 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 26th day of May, Two Thousand and Sixteen.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Jenifer Christenson
Executive Director
Built Green Canada

REPORTS OF THE COMMITTEES

2. Committee of the Whole – May 12, 2016

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

DRAFT

4.1 Gorge Waterway Zoning Bylaw Amendment

Committee received a report dated May 11, 2016, from the Director of Sustainable Planning and Community Development regarding feedback received on the proposed Gorge Waterway Zoning Amendment to allow overnight anchoring and mooring of vessels on a limited basis.

Motion:

It was moved by Councillor Young, 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 16/COTW

DRAFT



Committee of the Whole Report For the Meeting of May 12, 2016

To: Committee of the Whole **Date:** May 11, 2016
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Gorge Waterway Zoning Bylaw Amendment

RECOMMENDATION

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 to be held on May 26, 2016.

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

At its meeting on February 25, 2016 Council passed the following motion:

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

1. That Council direct staff to work with community partners to reach out to people currently residing on live-aboard vessels in the Selkirk water with a view toward assisting them in developing individualized strategies for relocating to alternate accommodations, including alternate moorage options and/or land-based housing options.
2. That Council direct staff to:
 1. proceed with a city initiated zoning process to amend the Gorge Waterway Park Zone to allow anchoring for a period of up to 48 consecutive hours, but not exceeding 72 total hours in a 30-day period.
 2. Hold a community meeting to receive comments on proposed changes to the zoning regulations for the Gorge Waterway Park District Zone.
 3. Prepare a bylaw to implement the changes after the community meeting has been held to bring forward for Council's consideration.
 4. Investigate and report back to Council on options for the installation of moorage buoys to prevent the potential negative impacts of short-term anchoring, including interference with navigation channels and damage to the ecological health of flora and fauna on the seabed of the water lot.

3. That staff report back to council on methods to provide environmental protection and the potential removal of hazardous boats in the immediate term while working towards the bylaw changes as laid out in today's staff report.”

Residents within 200m of the Gorge Waterway and stakeholders were notified of the proposing zoning amendment. In addition to the mailed letter, we invited the public by way of stakeholder emails, paid print advertisements, posted notices around wharves to notify boaters, and released media and social media announcements.

Feedback was received through email responses, comments, and comment forms received at the community meeting held at the Victoria West Community Centre gym on May 5, 2016. The feedback received is summarized as follows:

- The proposed Zoning Bylaw amendment are generally supported. However, some feedback was opposed with either a preference for the current bylaw which does not permit overnight anchoring/mooring or a desire for the removal of all restrictions on anchoring/mooring in the Gorge Waterway.
- The future management of the Gorge Waterway is of strong interest with monitoring of vessels, bylaw enforcement and protection of the environment being the major aspects that need to be addressed through further City regulation of the waterway.

The feedback received in initiating this Zoning Bylaw amendment will inform the further steps the City will be taking to manage and better regulate the Gorge Waterway for the benefit of the Gorge Waterway users, nearby residents and the marine environment.

A Public Hearing on the proposed amendment to the Gorge Park Waterway Zone is scheduled for May 26, 2016.

PURPOSE

The purpose of this report is to provide information to Council on feedback received by email and at a community meeting on the proposed Gorge Waterway Zoning Amendment (Draft bylaw attached).

BACKGROUND

At its meeting on February 25, 2016, Council passed a motion (relevant minutes and report attached) directing staff to proceed with a City-initiated zoning process to amend the Gorge Waterway Park Zone to allow anchoring and mooring for a period of up to 48 hours, but not exceeding 72 total hours in a 30-day period. Council also directed staff to hold a community meeting to receive comments on the zoning regulations for the Gorge Waterway Park District Zone.

The community meeting on the Gorge Waterway Park Zone was held on May 5, 2016 at the Victoria West Community Centre. Notice of the meeting (attached) was mailed to property owners and residents within 200 metres as well as other stakeholders.

An information meeting was held on February 12, 2016 at the Vic West Community Centre to inform the public of this City initiative.

SUMMARY OF FEEDBACK

The City received 17 email responses to the April 18th notification letter. The responses are attached. The large majority of the responses are in support of the proposed Zoning Amendment. The associated comments and questions of those supporting the proposed amendment are focused on:

- the problems associated with derelict boats and their removal;
- the future management of the Gorge Waterway, including monitoring and enforcement of mooring/anchoring time limits and the number of boats permitted; and
- the alternative locations and affordable housing options for those currently living on boats in the Gorge Waterway.

The associated comments of those expressing concerns or opposition to the proposed amendment include:

- support for a right to anchorage in federal jurisdiction;
- support for the current Zoning regulations prohibiting anchoring/mooring;
- concern for the lack of facilities and the environmental impacts of permitting overnight anchorage/mooring, and
- concern for current occupants of boats in the Gorge Waterway.

The community meeting was attended by 60 people. A summary of the questions and answers after the staff presentation is attached. No direct opposition to the Zoning Bylaw amendment was expressed. The majority of questions and answers focused on the future management of the Gorge Waterway with monitoring of vessels, bylaw enforcement and protection of the environment.

The following topics were covered in the questions and answers shared at the meeting:

- environmental study – the need for it, its timing and for information on its scope and its terms of reference, the effect of anchorage on the marine environment
- future management of the waterway – the timing of implementation of rules, the terms of the Licence of Occupation, its powers and its publication, the possibility of registering vessels and limiting their numbers
- the West Kelowna court decision – its applicability and the water area it covered
- bylaw enforcement – the nature of monitoring and enforcement, the likelihood of the granting of an injunction
- possible relocation of vessels – federal regulations south of the Selkirk Trestle preventing mooring/ anchoring

A total of 39 comment sheets (attached) were received following the community meeting with the following neighbourhood breakdown:

15 Burnside-Gorge	1 Brentwood Bay	1 Fairfield
19 Victoria West	1 Tsehum Harbour	
1 Central Saanich	1 unknown.	

On the majority of comment sheets (25) support is expressed for the Gorge Waterway Zoning Bylaw amendment with a minority (10) having expressions of opposition. Some of those expressing opposition are against allowing any moorage and others are against having any restrictions on moorage. On four comment sheets no opinion is expressed. Almost all comments

in favour of the Zoning Amendment include conditions and ideas for regulation of vessels with the frequent mention of requiring holding tanks on any vessels moored or anchored in the waterway. Comments are also frequently made on the need to monitor vessels to ensure regulations are respected and enforced.

CONCLUSIONS

The feedback received through email responses, comments and comment forms received at the community meeting is generally supportive of the proposed amendments to the Gorge Waterway Park Zone. The feedback focuses on the future management of the Gorge Waterway with monitoring of vessels, bylaw enforcement and protection of the environment being the major topics of interest. The feedback received in initiating this Zoning Bylaw amendment will help inform the further steps necessary to manage and better regulate the Gorge Waterway for the benefit of the Gorge Waterway users, nearby residents and the marine environment.

Respectfully submitted,



Brian Sikstrom, Senior Planner
Development Services



Jonathan Timney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: May 11/16

List of Attachments

- Draft Gorge Waterway Zoning Amendment Bylaw and Notice of Public Hearing
- Council motion of February 25, 2016
- Notification letter dated April 18, 2016
- Committee of the Whole Minutes of February 18, 2016
- Staff report dated February 9, 2016
- Gorge Waterway Zoning Amendment: E-mail Responses
- Gorge Waterway Zoning Amendment: Community Meeting Feedback

NO. 16-050

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Zoning Regulation Bylaw regulations for the GWP Zone, Gorge Waterway Park District, to allow overnight anchoring and mooring of vessels on a limited basis.

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.1066)".
- 2 The Zoning Regulation Bylaw is amended in Schedule B, Part 9.3 [*GWP Zone, Gorge Waterway Park District*]
 - (a) by repealing section 9.3.1.b.i. and substituting the following paragraphs:
 - "i. The anchoring or mooring of vessels for a continuous period exceeding 48 hours
 - ii. The anchoring or mooring of vessels for more than 72 hours within a 30-day period"
 - (b) by renumbering in section 9.3.1.b. paragraphs ii and iii as paragraphs iii and iv respectively.

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

PART 9.3 – GWP ZONE, GORGE WATERWAY PARK DISTRICT

9.3.1 Permitted Uses in this Zone

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

- a. Parks and uses accessory to parks
- b. Water related recreational activities

Without limiting the generality of any Section or Part of the Zoning Regulation Bylaw, including Section 17 of the Introduction and General Regulations, the following uses are not permitted in this Zone:

- i. The anchoring or mooring of vessels between the hours of 11 p.m. and 6 a.m.
- ii. Live-aboard or float home as defined in Part 7.54.1 in the FWM zone, Fisherman's Wharf Marine District
- iii. Docks, wharfs and piers

Bylaw 14-059 adopted August 28, 2014

Words that are underlined see definitions in Schedule "A" of the Zoning Regulation Bylaw

NOTICE OF PUBLIC HEARING

APPLICATION FOR REZONING OF PROPERTY KNOWN AS THE SELKIRK WATERWAY AND THE GORGE WATERWAY:

ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1066) - No.16-050:

The purpose of this bylaw is to amend the regulations in the GWP Zone, Gorge Waterway Park District in the Zoning Regulation Bylaw to allow overnight anchoring and mooring of vessels on a limited basis.

Existing Zone: Part 9.3 – GWP Zone, Gorge Waterway Park District

Property description: Part of the land and land covered by water known as the Selkirk Waterway and Gorge Waterway

Members of the public interested in this matter will be given an opportunity to be heard by City Council at a Public Hearing to be held in the Council Chamber, City Hall, #1 Centennial Square, Victoria, B.C., on Thursday, _____, 2016, at 7:00 p.m.

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

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

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

REPORTS OF THE COMMITTEE

2. Committee of the Whole – February 18, 2016

4. Gorge Waterway Park Zone

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

1. That Council direct staff to work with community partners to reach out to people currently residing on live-aboard vessels in the Selkirk water with a view toward assisting them in developing individualized strategies for relocating to alternate accommodations, including alternate moorage options and/or land-based housing options.
2. That Council direct staff to:
 1. Proceed with a city initiated zoning process to amend the Gorge Waterway Park Zone to allow anchoring for a period of up to 48 consecutive hours, but not exceeding 72 total hours in a 30-day period.
 2. Hold a community meeting to receive comments on proposed changes to the zoning regulations for the Gorge Waterway Park District Zone.
 3. Prepare a bylaw to implement the changes after the community meeting has been held to bring forward for Council's consideration.
 4. Investigate and report back to Council on options for the installation of moorage buoys to prevent the potential negative impacts of short-term anchoring, including interference with navigation channels and damage to the ecological health of flora and fauna on the seabed of the water lot.
3. That staff report back to council on methods to provide environmental protection and the potential removal of hazardous boats in the immediate term while working towards the bylaw changes as laid out in today's staff report.

Carried Unanimously

**Department of
Sustainable
Planning &
Community
Development**

April 19, 2016

Re: Gorge Waterway Zoning Amendment Community Meeting

Dear Resident,

You are invited to attend a community meeting to learn more and provide feedback on a City-initiated proposal to amend the current Gorge Waterway zoning regulations.

The City of Victoria is proposing changes to the management of the Gorge Waterway to enhance the use of the Selkirk Water for recreation and to prohibit residential use and the storage of vessels. The City and members of the community are concerned about the negative impacts that unregulated marine activities are having on the marine environment and Victoria residents.

The proposed zoning amendment would allow anchoring for a period of up to 48 hours, but not exceeding 72 total hours in a 30-day period. The existing Gorge Waterway zoning does not permit the anchoring of vessels.

The proposed approach for short-term anchoring minimizes the current impacts to the environment and residents, while respecting a BC Court of Appeal decision regarding anchoring which suggests that not permitting some anchoring may be viewed as interfering with federal jurisdiction over navigation and shipping.


Join us to view displays, share your thoughts with City staff, and attend a presentation at the:

**Gorge Waterway Zoning Amendment Community Meeting
Thursday, May 5, 2016
6 p.m. – 8 p.m., Presentation at 7 p.m.
Victoria West Community Centre
Gymnasium
521 Craigflower Road**

If you are unable to attend the meeting, you can email your feedback to bsikstrom@victoria.ca by Friday, May 6, 2016.

Input from the community will inform the preparation of the Gorge Waterway zoning bylaw amendment that will be presented to City Council for consideration. The community will have a further opportunity to provide feedback on the proposed zoning amendment at a public hearing on May 26, 2016. For more information, visit: www.victoria.ca.

Sincerely,



Brian Sikstrom, Senior Planner
250.361.0285
bsikstrom@victoria.ca

Community
Planning Division

#1 Centennial Square

Victoria

British Columbia

V8W 1P6

Tel (250) 361-0212

Fax (250) 361-0386

www.victoria.ca

4.2 Gorge Waterway Park Zone

Committee received a report dated February 9, 2016, from the City Clerk providing recommendations on proposed amendments to Gorge Waterway Park Zone Regulations.

The City Clerk provided Committee with a presentation.

Committee discussed:

- Concerns about the slow response times to polluting vessels due to the various authorities involved with the Gorge Waterway.
- Anchoring permanent moorage buoys to reduce environmental impacts, control locations and clear navigation channels.
- Concerns about the effect polluting vessels may have on the sea bed below.
- Ensuring services are available to assist the live-aboards with finding homes on land.
- Allowing all the effected Community Associations an opportunity to speak at the public hearing.

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

1. Proceed with a city initiated zoning process to amend the Gorge Waterway Park Zone to allow anchoring for a period of up to 48 consecutive hours, but not exceeding 72 total hours in a 30-day period.
2. Hold a community meeting to receive comments on proposed changes to the zoning regulations for the Gorge Waterway Park District Zone.
3. Prepare a bylaw to implement the changes after the community meeting has been held to bring forward for Council's consideration.

Amendment: It was moved by Councillor Isitt, seconded by Councillor Loveday, that the motion be amended to include the following point:

4. **Investigate and report back to Council on options for the installation of moorage buoys to prevent the potential negative impacts of short-term anchoring, including interference with navigation channels and damage to the ecological health of flora and fauna on the seabed of the water lot.**

On the amendment:
CARRIED UNANIMOUSLY 16/COTW

Amendment: It was moved by Councillor Isitt, that the motion be amended to include the following point:

5. **THAT staff be directed to reach out to people currently residing on live-aboard vessels in the Selkirk water with a view toward assisting them in developing individualized strategies for relocating to alternate accommodations, including alternate moorage options and/or land-based housing options.**

Mayor Helps ruled the amendment out of order and asked that the item be dealt with as a separate motion.

Committee discussed:

- Concerns about penalizing the responsible live-aboards.
- Taking immediate action on the unoccupied derelict vessels.
- Engaging the CALUCs prior to planning the community meeting.

Postpone: It was moved by Mayor Helps, seconded by Councillor Alto, that the following motion be postponed:

That Council approve the following motion:

1. Proceed with a city initiated zoning process to amend the Gorge Waterway Park Zone to allow anchoring for a period of up to 48 consecutive hours, but not exceeding 72 total hours in a 30-day period.
2. Hold a community meeting to receive comments on proposed changes to the zoning regulations for the Gorge Waterway Park District Zone.
3. Prepare a bylaw to implement the changes after the community meeting has been held to bring forward for Council's consideration.
4. Investigate and report back to Council on options for the installation of moorage buoys to prevent the potential negative impacts of short-term anchoring, including interference with navigation channels and damage to the ecological health of flora and fauna on the seabed of the water lot.

CARRIED UNANIMOUSLY 16/COTW

Motion: It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council approves the following motion:
THAT staff be directed to reach out to people currently residing on live-aboard vessels in the Selkirk water with a view toward assisting them in developing individualized strategies for relocating to alternate accommodations, including alternate moorage options and/or land-based housing options.

Amendment: It was moved by Mayor Helps, seconded by Councillor Thornton-Joe, that the motion be amended as follows:
That Council: ~~approves the following motion~~
~~THAT staff be directed~~ **That Council direct staff to work with community partners** to reach out to people currently residing on live-aboard vessels in the Selkirk water with a view toward assisting them in developing individualized strategies for relocating to alternate accommodations, including alternate moorage options and/or land-based housing options.

Committee discussed:

- Having further discussions on the extent of assistance that will be offered to the live-aboards.

On the amendment:
CARRIED UNANIMOUSLY 16/COTW

Main motion as amended:

That Council direct staff to work with community partners to reach out to people currently residing on live-aboard vessels in the Selkirk water with a view toward assisting them in developing individualized strategies for relocating to alternate accommodations, including alternate moorage options and/or land-based housing options.

On the main motion as amended:
CARRIED UNANIMOUSLY 16/COTW

- Motion:** It was moved by Mayor Helps, seconded by Councillor Alto, that the postponed motion be lifted from the table as follows:
That Council direct staff to:
1. Proceed with a city initiated zoning process to amend the Gorge Waterway Park Zone to allow anchoring for a period of up to 48 consecutive hours, but not exceeding 72 total hours in a 30-day period.
 2. Hold a community meeting to receive comments on proposed changes to the zoning regulations for the Gorge Waterway Park District Zone.
 3. Prepare a bylaw to implement the changes after the community meeting has been held to bring forward for Council's consideration.
 4. Investigate and report back to Council on options for the installation of moorage buoys to prevent the potential negative impacts of short-term anchoring, including interference with navigation channels and damage to the ecological health of flora and fauna on the seabed of the water lot.

CARRIED UNANIMOUSLY 16/COTW

Motion: It was moved by Mayor Helps, seconded by Councillor Loveday, that Council direct staff to report back on methods to provide environmental protection and the potential removal of hazardous boats in the immediate term while working towards the bylaw changes as laid out in today's staff report.

Committee discussed:

- Ensuring there are no legal impacts prior to removing the derelict boats.
- Working with experts to ensure the boats are moved and/or disposed of in a humane and cost effective way.

Councillor Coleman joined the meeting at 9:50 a.m.

CARRIED UNANIMOUSLY 16/COTW



Committee of the Whole Report

For the meeting of February 18, 2016

To: Committee of the Whole
From: Chris Coates, City Clerk
Subject: Gorge Waterway Park Zone

Date: February 9, 2016

RECOMMENDATION

That Council direct staff to:

1. Proceed with a city initiated zoning process to amend the Gorge Waterway Park Zone to allow anchoring for a period of up to 48 consecutive hours, but not exceeding 72 total hours in a 30-day period.
2. Hold a community meeting to receive comments on proposed changes to the zoning regulations for the Gorge Waterway Park District Zone.
3. Prepare a bylaw to implement the changes after the community meeting has been held to bring forward for Council's consideration.

EXECUTIVE SUMMARY

In August 2014, Council rezoned the Gorge Waterway as the Gorge Waterway Park District ("GWP Zone") to better regulate the area in response to concerns from the public in connection with the use of the waterway for recreational purposes; environmental issues in the waterway; abandonment of vessels; nuisance and noise issues from live aboard vessels; impacts on Park users, and damage to shoreline and riparian areas where access to anchored vessels occurs. The GWP Zone limits the use of the Gorge Waterway to recreational activities more compatible with surrounding land uses. It specifically prohibits live-aboard use or overnight anchoring or mooring of vessels. Enforcement of the new regulations was delayed while the City sought a Licence of Occupation from the Province. This was received in October of 2015 and allows the City to manage the licence area for community use, recreation and the public interest.

Municipal authority over zoning includes the power to regulate land covered by water. However, the regulation of navigation and shipping falls within exclusive federal jurisdiction. This sets up an inevitable conflict when municipalities regulate land covered by navigable waters. Court decisions have confirmed that municipalities may regulate, through zoning, use of land covered navigable waters and recognized that some incidental interference with navigation and shipping has to be allowed.

A 2015 BC Court of Appeal judgment confirmed that municipal bylaws may regulate use of land covered by water but must allow for some short-term anchoring to avoid intruding on federal jurisdiction over navigation. The current GWP Zone makes no allowance for short-term anchoring and it may not be consistent with the Court of Appeal judgment. Therefore, an amendment to the

GWP Zone is recommended for council's consideration in order to be able to successfully enforce the provisions for moorage in the GWP Zone.

This matter is of high interest to the immediate neighbours and community as a whole. There is growing community interest in this matter and specific interest from harbour interest groups. There are over thirty vessels currently anchored in the City's Zoned area of the Gorge Waterway. Several vessels are being used for living aboard.

The process to move the recommended amendments forward would involve the City initiating a rezoning application; consulting with the public a community meeting to receive input on proposed changes and bringing forward proposed Zoning Bylaw for council's consideration. Following this such a process, changes to the Zoning Bylaw, if approved could be in place by the summer of 2016.

PURPOSE

The purpose of this report is to seek Council's direction to move forward with the previous direction to enforce the regulations in the GWP Zone by initiating amendments to the GWP Zone regulations to make them consistent with the BC Court of Appeal judgement.

BACKGROUND

The Gorge Waterway is a sheltered waterway that has become a popular area for vessel anchoring by adjacent onshore residents and residents who live-aboard their vessels. Long term vessel anchoring in the Gorge Waterway is not compatible with the neighbouring land uses in the area or the recreational nature of the waterway near Banfield Park and presents the following additional concerns:

- interference with recreational activities of the general public
- discharge of sewage effluent and garbage from live-aboard vessels
- discharge of fuel and lubricants from unseaworthy vessels
- noise and nuisance activities from live-aboard vessel residents
- abandonment of unseaworthy vessels and vessel debris,
- obstruction of the waterway that affects recreational use by the public
- erosion of shoreline and riparian areas from occupant access routes.

Responding to these concerns City Council enacted zoning regulations to better regulate more appropriate use of this area, in a manner consistent with the neighbouring land uses and the Official Community Plan.. The City also proceeded to obtain a License of Occupation over the area to establish further management authority over the waterway. During these processes the City consulted with Esquimalt and Songhees First Nations and area residents. The Zoning was completed in August of 2014, the Licence of Occupation received in October 2015. Appendix A shows the area of the Zoning and License of Occupation within the white line superimposed on the aerial photo. The GWP Zoning regulations currently in place are attached as Appendix B.

The District of Saanich, Township of Esquimalt and Township of View Royal also border the Gorge Waterway. In late 2015, Saanich Council approved amendments to the regulations for the P-1 Assembly Zone that covers the portion of the Gorge waterway within Saanich's municipal boundary. These regulations prohibit floating homes or the use of other floating vessels as residences in that zone. Saanich's bylaw amendments also prohibit the anchoring or moorage of any vessel in the P-1 zone for a continuous period exceeding 72 hours.

The portion of the Gorge Waterway that lies within the boundaries of the Township of Esquimalt is zoned Marine Navigation [M-4]. This zone prohibits "Boat Moorage". Staff understand Esquimalt is reviewing their zoning regulations in light of the BC Court of Appeal judgement.

ISSUES & ANALYSIS

It is well established that municipal authority over zoning includes the power to regulate land covered by water. However, the regulation of navigation and shipping falls within exclusive federal jurisdiction. This sets up an inevitable conflict when municipalities regulate land covered by navigable waters. Court decisions have confirmed that municipalities may regulate, through zoning, use of land covered navigable waters and recognized that some incidental interference with navigation and shipping has to be allowed. The exact balance between legitimate exercise of municipal zoning power and exclusive federal jurisdiction can be difficult to achieve in practice and there are numerous court decisions dealing with this issue in BC and across Canada. The most recent BC judgment, a 2015 Court of Appeal decision in *West Kelowna (District) v. Newcomb* confirms the municipal authority to regulate use of land covered by water even if such regulations interfere with rights of navigation. However, this case also confirms that a blanket prohibition on all anchoring, including short-term anchoring, would exceed municipal competence by interfering with navigational rights to impermissible degree. Therefore, the City Solicitor recommends amending the GWP Zone to expressly allow for some short-term anchoring before any attempt to enforce the GWP Zone regulations against any of the vessels anchored in the area.

There are currently four anchored wharves, 22 vessels and 12 small vessels (e.g., dinghies) anchored in the Gorge Waterway. There are also two sunken vessels and one partially submerged vessel located in the waterway. It is estimated that between five to eight vessels are used for living aboard.

In late December 2015 a large sunken vessel began releasing diesel fuel into the water and was removed by the Canadian Coast Guard Service with support from the Victoria Fire and Police Departments. Coast Guard has sole jurisdiction when it comes to polluting vessels. Otherwise the removal of polluting vessels is not undertaken by any other agency. The City could assume the responsibility for the removal of floating and sunken (non-polluting) vessels. Given the cost associated with the removal of sunken vessels, addressing the removal of vessels while still afloat is significantly more cost effective.

There are ongoing concerns from neighbours and environmental groups due to pollution related issues that have occurred and may occur. City staff are undertaking a preliminary analysis of potential contaminant risks to environmental and human health.

To enable the original intention of removing anchored vessels in the waterway, for Council's consideration, staff recommend Council consider undertaking the following process:

- City to initiate a rezoning process;
- consult with the public at a community meeting to obtain feedback on the proposed new zoning regulations;
- bring forward Zoning Bylaw amendments to initiate the changes;
- After holding a public hearing, Council may consider approving the adoption of the Zoning Amendment Bylaw.

From an enforcement perspective, if the regulations are implemented by Council, the City would follow its standard practice of education, notification and legal action if necessary, to ultimately remove any vessels that remain anchored in contravention of the regulations. A copy of a notice to boaters to move anchored vessels is attached as Appendix C. Timelines for the process could be as follows:

Phase 1

Media relations and advertising, website materials, signage and direct outreach to boat owners (May 2016).

Phase 2

Notices posted on vessels and floating wharves requesting owners to remove.(June/July 2016)

Phase 3

Legal Action - Injunctions to remove remaining vessels (August/September 2016)

Additionally, compliance monitoring on an ongoing basis will require regular inspections to ensure that compliance is maintained.

2015-2018 Strategic Plan

Better management of the Gorge Waterway is included in the 2015 Operational Plan and will be recommended to carry forward to 2016 when Council considers the 2106 Operational Plan.

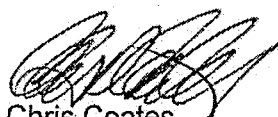
Impacts to 2016-2019 Financial Plan


Estimated costs related to enforcement are not clear and will depend on the degree of success with voluntary compliance. Legal costs as well as cost to remove could exceed \$100,000.00. There is funding set aside in the current Financial Plan for this enforcement if it becomes necessary.

CONCLUSION

The City had awaited taking the enforcement steps until such time as the Licence of Occupation was received. The BC Court of Appeal judgement was reached and has impacted the City's ability to effectively carry out enforcement of the Zoning Regulations. The proposed changes to the zoning regulations to allow for limited, short term anchoring are recommended to be considered to enable the City to move forward on achieving compliance aiding in the continued health of the Waterway.

Respectfully submitted.


Chris Coates
City Clerk


Jocelyn Jenkyns
Deputy City Manager

Report accepted and recommended by the City Manager: _____

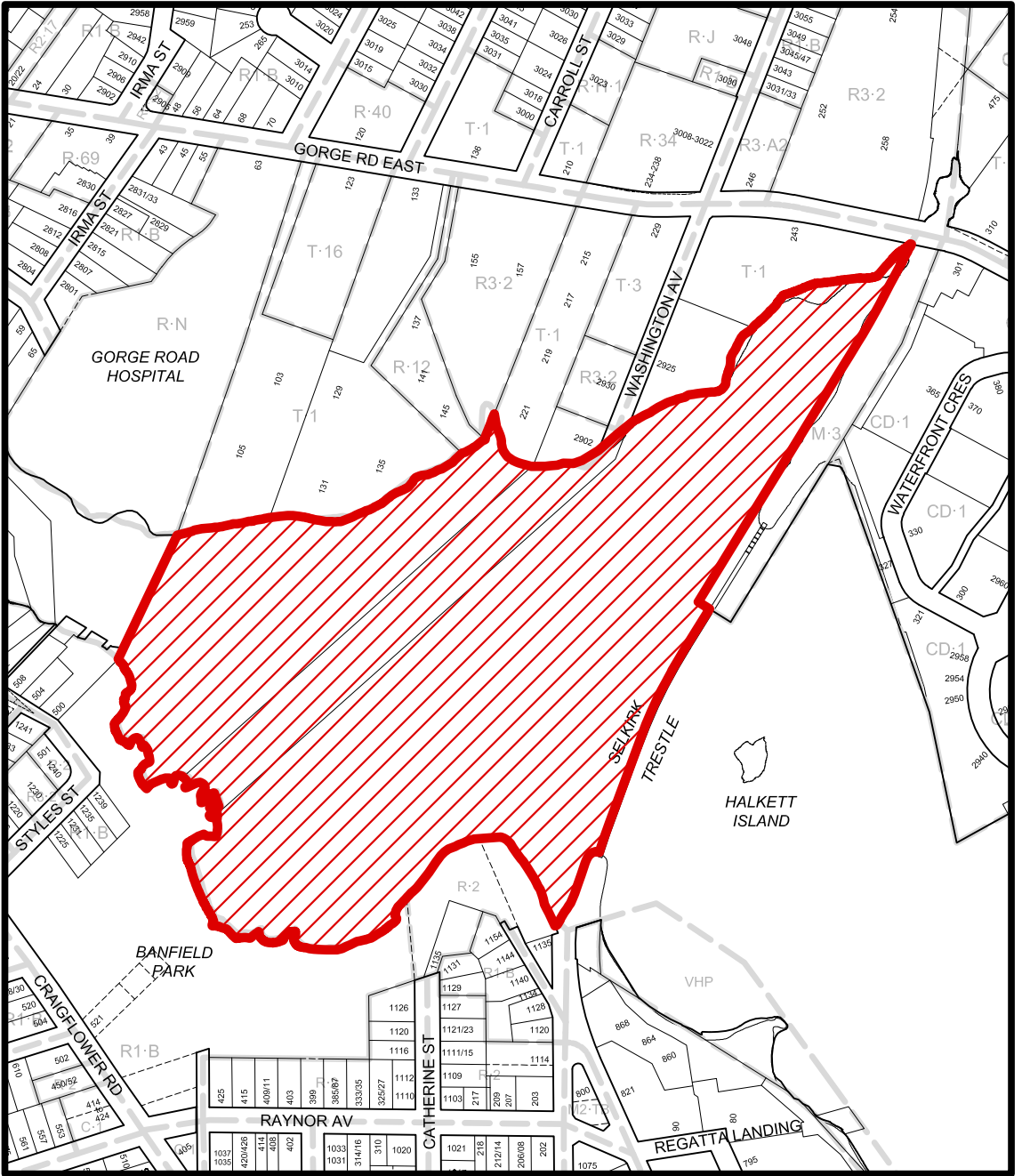
Date: Feb. 11, 2016

List of Attachments

Appendix A – Area of City Management for Waterway

Appendix B – Existing Gorge Waterway Zoning Regulations

Appendix C – Notice to Boaters



Gorge Waterway
Rezoning #00515



Appendix B – Zoning Regulation Bylaw Excerpt for GWP Zone (Existing Zone)

PART 9.3 – GWP ZONE, GORGE WATERWAY PARK DISTRICT

9.3.1 Permitted Uses in this Zone

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

- a. Parks and uses accessory to parks
- b. Water related recreational activities

Without limiting the generality of any Section or Part of the Zoning Regulation Bylaw, including Section 17 of the Introduction and General Regulations, the following uses are not permitted in this Zone:

- i. The anchoring or mooring of vessels between the hours of 11 p.m. and 6 a.m.
- ii. Live-aboard or float home as defined in Part 7.54.1 in the FWM zone, Fisherman's Wharf Marine District
- iii. Docks, wharfs and piers

Appendix C – Sample Notice to Boaters



NOTICE OF BYLAW CONTRAVENTION

To the owner(s) of the vessel occupying the Selkirk Waterway and Gorge Waterway, and may be moored to a floating dock that has been placed contrary to the *Zoning Regulation Bylaw*, please be advised that your vessel is occupying an area of the Selkirk Waterway and Gorge Waterway contrary to the City of Victoria's *Zoning Regulation Bylaw*.

Zoning Regulation Bylaw, Amendment Bylaw No. _____ created the Gorge Waterway Park District prescribing the following uses for this Zone:

1. Parks and uses accessory to parks; and
2. Water related recreational activities.

The following uses are not permitted in this Zone:

- i. The anchoring or mooring of vessels between the hours of 11 p.m. and 6 a.m.
- ii. Live-aboard or float home as defined in Part 7.54.1 in the FWM zone, Fisherman's Wharf Marine District
- iii. Docks, wharfs and piers

Your vessel is occupying the waterway contrary to City's *Zoning Regulation Bylaw*. By service of this Notice you are requested to remove your vessel from the waterway by _____, 2016.

Failure to remove your vessel by this date may result in further enforcement action by the City of Victoria.

Further information respecting this Notice may be obtained from Bylaw & Licensing Services by contacting their office at 250.361.0215

City Clerk

2016

GORGE WATERWAY ZONING AMENDMENT

EMAIL REPSONSES

APRIL – MAY 2016

Brian Sikstrom

From: Rolf Dolling [personal information](#)
Sent: Tuesday, April 26, 2016 9:32 AM
To: Brian Sikstrom
Subject: RE: Gorge Waterway Zoning Amendment.

Thank you Brian,
Will do our best to attend.
Regards,
Rolf & Lenke

From: Brian Sikstrom [mailto:bsikstrom@victoria.ca]
Sent: April 26, 2016 8:50 AM
To: Rolf Dolling [personal information](#)
Subject: RE: Gorge Waterway Zoning Amendment.

Hi, Rolf:

Thank you for this email. It will be compiled with others for Council's information. There will be an opportunity to speak at a Public Hearing on the proposed Zoning amendment on May 26th at Council Chambers in City Hall.

Cheers,

From: Rolf Dolling [personal information](#)
Sent: Monday, April 25, 2016 5:42 PM
To: Brian Sikstrom <bsikstrom@victoria.ca>
Subject: Gorge Waterway Zoning Amendment.

Dear Mr. Brian Sikstrom,
Thank you for your letter dated April 19 2016.
In the sad event that we are unable to attend the Community Meeting.
We would like to make it known that both my wife and I wholeheartedly support "The proposed zoning amendment" as outlined for the Gorge Waterway.
We will do our utmost to attend but....
Is it possible to vote on this important issue although we are unable to attend?
Thanks for your consideration.
Regards,
Rolf & Lenke Dolling
90 Regatta Landing.

2.

Brian Sikstrom

From: randy van eyk · **Personal information**
Sent: Friday, April 29, 2016 10:58 AM
To: Brian Sikstrom
Subject: Gorge boatdweller eradication
Attachments: 20160429_104708.jpg; 20160429_104747.jpg; 20160429_104812.jpg; 20160429_104941.jpg

Section 91 #10 of the constitution act 1876 clearly states that navigation and shipping are "the exclusive Legislative Authority of the Parliament".

Im currently promoting "anchor for your rights canada day false creek" because us boatdwellers needlessly die at sea in storm when we are stripped of our legal right of safe harbour. Keep this up and I will promote "occupy gorge harbour " in september.

Please google my name and check out this issue more thouroughly.

Sincerely Randy van Eyk Master of the vessel

Tuesday Sunrise

Sent from Samsung Mobile

Brian Sikstrom

From: Niki - Accounts Administrator **personal**
Sent: Friday, April 22, 2016 10:56 AM
To: Brian Sikstrom
Subject: Gorge Waterway

Good Morning,

We received your letter yesterday regarding the rezoning of the Gorge and the unregulated boats. We live on the Gorge, and we are pleased to hear that the City of Victoria will be removing these derelict boats. My concerns of these boats, besides the obvious of being an eye sore, is for the past several years people have spent their personal time trying to clean up the Gorge to bring it back to the popular swimming hole that it was. Now with these boats they are destroying that. The majority of them probably don't even run, they are just used to live on and party on. More than once we have been woken up from party's. And where do they dump their sewage??? Quite often, garbage floats up on our side and you know it is from them. Generators and wood stoves are running or burning.

The majority of the boats are falling apart and oil and boat parts are found in the water. This can't be good for the environment!

The Gorge is also used for the skulls, kayaks and Dragon Boats. Some of the derelict boaters call out abusive language to these people. And of course, the people that are enjoying boating have to stay clear of these boats and watch for the boats that have sunk!

So to say I am happy they are being removed is an understatement. I just hope that the City holds true to removing them, unlike tent city.

Thanks

Nicole Blais

Brian Sikstrom

From: mike van der wal **personal**
Sent: Sunday, May 01, 2016 5:57 PM
To: Brian Sikstrom
Subject: Gorge waterway zoning.

Hi,

Thanks for reviewing this zoning. I am a boater but also live in direct view of the permanent live-aboard boats that occupy the gorge waterway. I can almost guarantee that they never go out to sea to empty their "holding tanks", if they even have these. The boats are derelict and in no way geared/seaworthy for sailing/travelling.. in other words they serve as makeshift permanent housing for their occupants. This is unacceptable as the bay is not able to accommodate the needs of such an arrangement.

I would suggest that 8 -10 permanent mooring boys are placed with reasonable separation and that boaters can tie up to these on a first come first serve basis for no longer than 5 days. Permits for these could be sold at the Victoria public dock office on the inner harbour, who can also monitor the occupancy by this means. This works well in many provincial park mooring sites across the pacific west coast.

Respectfully

Mike

Brian Sikstrom

From: Mary Coward <[personal information]>
Sent: Tuesday, April 26, 2016 9:15 AM
To: Brian Sikstrom
Subject: Gorge Waterway Zoning proposal

Hello. I'm not able to go to the meeting next week, but would like to comment on this proposal.

I strongly support the current zoning to prohibit the anchoring of vessels. The city worked hard in the past, with community groups, to enact this policy and regulation. Any effort to open it up to short-term anchoring would have negative impacts on the environment, require significant city resources to monitor and enforce, and take us back down the slippery slope to the situation we have today. I would suggest we go further – to ban all vessels with gas/petrol engines in the Gorge waterway, keeping it for human and electric powered vessels.

I understand that this proposal for short term mooring is in response to federal regulations that are intended to allow boats to shelter from storms or in emergencies. With mooring available in the outer and inner harbours, it seems reasonable that the city could enforce a ban on mooring in the Gorge due to environmental concerns. The city could make the case to the federal government that they need to manage this urban waterway to protect the environment.

The public meetings held on the Gorge emphasized the value of maintaining the ecosystem in the Gorge - the fish, birds, the eelgrass. The city and community groups have worked hard for many years to “rescue” the Gorge from pollution and restore the ecosystem to one that supports marine and bird life. However, the waterway is still fragile and requires continual efforts to keep pollutants from damaging it further.

Allowing short term mooring would require significant city resources to implement and monitor. It would be necessary to establish and implement policies to track the number of days each boat is moored, tell people when to move on and ensure they do so, manage garbage and sewage, and enable access to the shore. In my view it is most likely that lax enforcement would lead to the situation we have now, with long term usage, derelict boats, and problems with sewage, garbage, and shore degradation.

The Gorge waterway, and the Banfield Park basin, are being increasing popular for recreational uses - swimming, paddleboards, canoes and kayakers. Any moored boats interfere with the recreational day use of the waterway.

There have been suggestions that we need a Gorge Waterway Management group that would include other municipalities, and have the ability to establish and enforce policies. It would be useful to have a public discussion on other aspects of Gorge management. For example, perhaps all gas/petrol engines should be banned above the trestle bridge. In the meantime, I hope that you will hold firm on the current zoning for the Gorge Waterway, which is to ban moorage of any vessels.

Thank you for allowing me to make these comments.

Mary Coward

Brian Sikstrom

From: MacFarlane, Jo-Ann I personal information
Sent: Wednesday, April 27, 2016 3:29 PM
To: Brian Sikstrom
Subject: Gorge Waterway Zoning Amendment

Dear Sir – I received your letter dated April 19 and as I am not able to attend the meeting on May 5, I have the following comments:

1. If the existing Gorge Waterway zoning does not permit the anchoring of vessels – why do we need an amendment? Is this not clear? NO anchoring of vessels.
2. If we are going to allow 48 hours, why say 48 hours but not exceeding 72 hours? Is it 48 hours or is it not?
3. There are no facilities available nearby to service any of these vessels – the vessels currently there dump their waste directly into the Gorge. I, as a taxpayer, contribute towards these facilities but they do not and yet we want to encourage that sort of behaviour?

Thanks for your time,

Jo-Ann MacFarlane

personal information

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Brian Sikstrom

From: Karyn Warner · [personal information](#)
Sent: Saturday, April 23, 2016 9:10 AM
To: Brian Sikstrom
Subject: Gorge Waterway Zoning Amendment

Hello,

My name is Karyn Warner and I have lived at 1 - 1236 Sunnyside Rd [personal information](#) I walk to work through Bamfield park every day and I've [personal information](#) here. While I enjoy seeing the Gorge being used I am also very concerned with the derelict boats that have anchored there. Several which have sunk and remain half in and half out of the water. Are steps being taken by anyone to clean that up? What about the gas leakage?

Having said this it comes down to the bigger issue of AFFORDABLE HOUSING for us Victorians. Where are the folks on the boats going to go? Tent city? I often wonder where would I go if my landlord decided to sell or do major renovations? As a [personal information](#) with an income [personal information](#) am one of the lucky ones but if I would need to move I may be faced with homelessness given the current circumstances of the city's housing crisis.

I'm all for rezoning but I would like to see the city take more steps to increase affordable housing opportunities.

I write this as I am unable to attend the May 5 meeting. Thank you for your time.

Cheers,

Karyn Warner

Brian Sikstrom

From: Karen Jawl <karen.jawl@jawlproperties.com>
Sent: Monday, April 25, 2016 12:36 PM
To: Brian Sikstrom
Subject: Gorge Waterway Zoning Amendment

Follow Up Flag: Follow up
Flag Status: Completed

Hi Brian,

We received the notice about the Gorge Waterway Zoning Amendment. I won't be able to attend the meeting, but we appreciate the efforts the City is making to clean up this section of the Gorge.

The only concern we have is if this will potentially have the impact of displacing the current stored boats further up the Gorge by Selkirk which I believe isn't covered by this zoning change, or are there conditions there that would prevent that from happening?

Thanks!

Karen Jawl
Jawl Properties Ltd.
3350 Douglas St. - Suite 100
Victoria, BC, V8Z 3L1
Tel: (250) 414-4172
www.jawlproperties.com

This email was scanned by Bitdefender

Brian Sikstrom

From: Fern S · **personal**
Sent: Sunday, May 01, 2016 3:47 PM
To: Brian Sikstrom
Subject: Gorge Waterway zoning bylaw amendment

Living on the Esquimalt portion of the waterway we have followed and participated in the many approaches to solving the boat issue with interest. To Victoria's proposed zoning amendment we would offer the following:

1. It should not be overly complicated and must be easily enforceable.
2. There has to be a coordinated and unified approach to this problem by all municipalities bordering the Gorge otherwise the impact of live-aboards and derelict boats will simply be moved from one area to another. We have seen vessels seeming to scout out potential sites close to the Gorge Bridge.
3. If a form of anchoring must be allowed don't confuse the issue with too many numbers (e.g. 48, 72). In its present form the amendment is simply inviting boat owners right back. It should be stronger "boats may be allowed to anchor for a continuing period not exceeding 72 hours after which they must not anchor elsewhere in the Gorge Waterway".

Obviously the by-law officer will have to maintain an updated inventory and pursue violators but this will be a small price to pay to resolve this long-standing problem.
 Submitted for your consideration.
 Fern & John Spring

Brian Sikstrom

From: Eugene **personal**
Sent: Wednesday, May 04, 2016 7:59 PM
To: Brian Sikstrom
Subject: Gorge Waterway Zoning Amendment

Hello I hope the zoning amendment will happen . I live on gorge rd east for the last **personal information** I have lived here **personal information** I love it here . I feel this is boat city re- tent city .it is a eye sore and a pollution problem. when I have a boat I have to pay moorage per foot not cheap where do they get thinking they can moore age free on pristine waterway and dump there garbage ,and when it is all over they let thier boat sink to the bottom.

w

Brian Sikstrom

From: Darius Millar personal
Sent: Tuesday, May 03, 2016 9:31 AM
To: Brian Sikstrom
Subject: Gorge Waterway Zoning Amendment

To whom it concerns,

I appreciate the opportunity to provide my feedback on the proposed amendment regarding the rezoning of the Gorge Waterway.

I fully support the restriction and enforcement to prohibit residential use and the storage of vessels in the Gorge waterway. I reside on Selkirk Avenue near Banfield Park, and I see the negative impacts that the stored/abandoned vessels have on our community and waterway.

I have observed these vessels and related activities over the past 7 years, and the problems are numerous - environmental, social and economic. Most of these vessels are not well maintained or are derelict. They are leaking oils, solvents, and other garbage is blown or washed into the Gorge. There is also evidence of human waste and bilge water being deposited into the waterway. The shoreline, dock and other parts of Banfield Park have become the dumping ground and storage spaces for the garbage, and unwanted or extra belongings related to these vessels.

A number - three that I have seen - of these vessels have sunk in Banfield bay, spilling not only fuel, oil, solvents, and the like, but also the garbage and other contents of those vessels. This has a very negative effect on the environment, and is extremely costly to clean-up.

Please support and pass the restriction - and enforcement - of the unregulated marine activities which are impacting the marine environment and Victoria residents. I support the proposed zoning amendment would allow anchoring for a period of up to 48 hours, but not exceeding 72 total hours in a 30-day period. I encourage the city to support this with a plan for regular enforcement.

Thank you.

Darius

Brian Sikstrom

From: Collins Brian < [personal information](#) >
Sent: Thursday, May 05, 2016 9:58 AM
To: Brian Sikstrom
Subject: Selkirk Waterway abandoned boats

We would support the City's plan to attempt to control the time in which these boats are allowed to stay in this waterway. We think it is a pity that any boats are allowed to park here without the provision of a floating dock and facilities and an easy monitoring system to ensure they comply with health and environmental standards. Absent this at the moment, this seems to be an acceptable albeit indirect, way of controlling some of the nuisance issues that end up being a cost to the City - human and other waste, litter, derelict boats, sunken boats, hazards, drug deals, etc. - you are aware of these issues.

I hope the City continues to press the Federal Government to live up to their responsibilities with a view to continually improving the Gorge Waterway to become the hidden gem it potentially is. This is not just about these boats and these issues but it is a test of the municipal imagination as to what the Gorge could become, for instance zoning the edge of the Gorge exclusively for residential, for example, as part of a wider imaginative plan for this waterway. You might look at how Brisbane, Australia has used the banks of the less populated upper river for low rise condos.

In the meantime, you have our support and for your information we overlook this section of the Gorge and see these boats every day and use the water for dragon boating and other water pursuits.

Sincerely,
Brian and Ann Collins
[personal information](#)

Brian Sikstrom

From: personal information
Sent: Thursday, May 05, 2016 6:56 PM
To: Brian Sikstrom
Subject: Zoning

Follow Up Flag: Follow up
Flag Status: Flagged

Hey Brian

I am a Railyards resident and couldn't make the meeting today. New job at the province as a personal information which is keeping me hopping so too tired to attend, unfortunately.

I would love to get more Intel on the proposed zoning changes.

We def. Support something as the derelict vesales, live aboards (though some could argue provide aff hsg) causes a number of issues which I know this is trying to address (there have been deaths, noise, refuse, blocking the water way etc). What I am wondering is how will the city or other agency enforce the up to 48 hrs buy not exceeding 72 hrs in a 30 day period?

The truth is that we have seen some "bleeding" underway that is hard to enforce now and has taken up a lot of residents time (eg mooring at the public dock in adjacent areas for 2 to 5/days at a time). What is the ongoing enforcement plan essentially.

Also the opinion that there may be legal challenges is also a bit curious for us. Has this been tested, if so where? Or is it just a legal opinion?

Any other info (eg city report on the subject) and response to the above gratefully received. I would just like to see what the other options were that were proposed.

Glad to see something is happening though!

And on another note, hope life is treating you well.
you can believe it.

personal information

if

Ciao,

Karen Ramsay Cline

Brian Sikstrom

From: MAUREEN WILLIAMS personal information
Sent: Friday, May 06, 2016 3:09 PM
To: Brian Sikstrom
Subject: comment on Gorge bylaw amendment

hello,

I was at the meeting last night (Thursday) at Vic West CC and wanted to follow up with a suggestion.

Here is my suggestion:

While you are in the process of amending the Gorge waterway bylaw, please consider including an amendment to exempt current residents of the relevant waters from the new moorage restrictions. It is abundantly clear that the city and other levels of government do not have solutions for homeless people and the thought of intentionally creating more homelessness seems, well, not smart. If any people currently living on boats in the Gorge do not have another reasonable place to live, they should be grandfathered in to any new regulation of the water, and assisted in complying with new environmental, safety, and other rules as they are created.

Unless the city has another acceptable place in mind for this handful of residents to anchor -- but I think they/you don't.

So, Please, Stop wasting money on this mean-spirited bylaw and get on with doing something positive.

sincerely,

Maureen (Vic West)

Maureen Williams ND * 239 Menzies Street, suite 202 *

personal information

1

Brian Sikstrom

From: John Westover personal information
Sent: Friday, May 06, 2016 7:08 AM
To: Brian Sikstrom
Subject: re boats in Gorge/Selkirk

Dear Sir:

I am appreciative and supportive of the city's efforts to deal with the boats anchored in the Gorge north of the trestle. It is my impression that the present bylaw amendments while a good and necessary step should be seen as a mere beginning. In effect it seems that the bylaw will legitimize anchoring in that water albeit with limitations of length of stay. Conspicuously there is no stated maximum on the number of boats that can anchor there. This generates a very real risk of turning that area into a destination for many boats in the summer season.

Furthermore, as there is no mention of the requirement for holding tanks the risk of pollution from the boats is not necessarily reduced.

I suggest that the placing of mooring buoys would further legitimize and institutionalize anchoring in this area and would politically be very difficult to remove.

While beyond the scope of this bylaw change perhaps the city could exert influence in order to make live-aboards more acceptable and more reasonably priced at marinas around the southern island so that people who want that lifestyle could be better accommodated.

Thank you.

John Westover
#13 - 791 Central Spur Rd.
Victoria, B.C.
V9A 7R3

Brian Sikstrom

From: Frances Westover · **personal information**
Sent: Friday, May 06, 2016 4:58 PM
To: Brian Sikstrom
Subject: Fwd: re boats in Gorge/Selkirk

Dear Sir,

I want to "second" the opinion of John Westover re. boats anchored in the Gorge. I live in Vic West and I object to a lot of boats moored there. I swim there in the summer and am concerned about pollution. This is a park for those of us living here and boats mooring here is like RVs camping in Beacon Hill Park.

Thank you.

Frances Westover

----- Forwarded message -----

From: **John Westover** · **personal information**
Date: Fri, May 6, 2016 at 7:08 AM
Subject: re boats in Gorge/Selkirk
To: bsikstrom@victoria.ca

Dear Sir:

I am appreciative and supportive of the city's efforts to deal with the boats anchored in the Gorge north of the trestle. It is my impression that the present bylaw amendments while a good and necessary step should be seen as a mere beginning. In effect it seems that the bylaw will legitimize anchoring in that water albeit with limitations of length of stay. Conspicuously there is no stated maximum on the number of boats that can anchor there. This generates a very real risk of turning that area into a destination for many boats in the summer season. Furthermore, as there is no mention of the requirement for holding tanks the risk of pollution from the boats is not necessarily reduced.

I suggest that the placing of mooring buoys would further legitimize and institutionalize anchoring in this area and would politically be very difficult to remove.

While beyond the scope of this bylaw change perhaps the city could exert influence in order to make live-aboards more acceptable and more reasonably priced at marinas around the southern island so that people who want that lifestyle could be better accommodated.

Thank you.

John Westover
 #13 - 791 Central Spur Rd.
 Victoria, B.C.
 V9A 7R3

Brian Sikstrom

From: xoxopi3: [personal information](#)
Sent: Friday, May 06, 2016 7:02 PM
To: Brian Sikstrom
Subject: Gorge Waterway Amendment

I agree with the proposed zoning amendment for limited anchorage and to stop the daily build up of human excrement.

**GORGE WATERWAY ZONING AMENDMENT
COMMUNITY MEETING FEEDBACK**

APRIL – MAY 2016



**GORGE WATERWAY PROPOSED REZONING AMENDMENT
COMMUNITY MEETING, THURSDAY, MAY 5, 2016
VICTORIA WEST COMMUNITY CENTRE**

Q&A MEETING NOTES

Presenter: City Clerk Chris Coates

Panel: City Clerk Chris Coates, City Solicitor Tom Zworski, Senior Planner Brian Sikstrom

Below are the comments, questions and answers that were shared at the Gorge Waterway Proposed Rezoning Amendment Community Meeting on Thursday, May 5, 2016 at the Victoria West Community Centre.

Comment: Some anchoring is allowed for “transient moorage” but these people aren’t transient.

Response: City anticipates removal of vessels in area of authority that don’t comply.

Q. Is there a plan to have a registration process for these transient boats?

A. This would be part of an exercise to plan the management of the amended bylaw. We will be monitoring any anchoring so that we can enforce the 48-hour restraint.

Q. I feel the proposed amendment will work. Is the Licence of Occupation on the website?

A. The Licence of Occupation gives us a level of authority that we would not otherwise have had. We will commit to having the Licence of Occupation available on the website.

Comments: There is a very low vacancy rate, feels like you’re pushing the homeless out. I suggest amiable option to both sides is small housing units on the waterfront. The report didn’t go back far enough for the legal precedent – there’s a long history of “maritime gentrification”. The City is putting a lot of dollars into policing this. Reports of boaters eroding the soil, but this is due to commercial. Baseline data elsewhere shows recreational boats polluting the water. In Amsterdam, people can live on the waterfront. Here it’s not always pretty but some (boats) have a lot of maritime history and I feel connected to them. Regarding navigation, as a dragon boat rower I have not had a problem. Mega-yachts will push rowers into the sea plane area.

Q. How will sewage from 30 transient boats be different than sewage from 30 residential boats?

A. The next step is to determine who is eligible to be there. The Licence of Occupation triggers the ability to manage which vessels can be on the waterway. The Licence of Occupation can enable the City to require vessels to have appropriate holding tanks to not dump into the waterway.

Q. What is the focus of the environmental study? It should be less about the six people living aboard vessels and more about the high fecal coliform count that is being dumped from stormwater/sewage pipe into Banfield. 200 parts + is not appropriate for swimming. Coliform counts are 100,000 – 180,000 parts due to this dumping of sewage from pipes. Will the study focus on fecal count?

A. The environmental assessment is being led by the Engineering and Public Works Department. My expectation is that it will encompass this.

Comment: It hasn’t been the City’s concern to date.

Comment: Thank you for moving and unloading/emptying the three derelict boats.

Comment: Veins of Life Society – during the previous serious clean-up of the Gorge we took out 15 boats. This is an area that we can do some good science.

Comment: How to deal with these vessels? Some are from Esquimalt and Victoria Harbour. They must have holding tanks to moor here.

Comment: The boats that were cleaned were not occupied, correct? (Yes) There were three, then two, and now back to three again. I'm concerned that some of these people will end up at Tent City. I want to see these people living there now grandfathered – the City could provide them with holding tanks – it would be more cost effective than trying to find them housing that doesn't exist.

Q. West Kelowna case dealt with a similar bylaw?

A. They enacted zoning bylaw limiting boats to be moored on Okanagan Lake. By allowing some short-term anchoring the bylaw can be valid. This way it could withstand a constitutional challenge.

Q. Can the City put a limit to the number of moored boats?

A. The Licence of Occupation exercise can help with the management of the waterway after the rezoning step. The management could cover: holding tanks, number of boats to be moored, the location of the mooring. Limiting the number of boats could be one of the rules.

Comment: The environmental review should come first so that it would drive the rezoning amendment and management of the waterway. This is a bureaucratic process. Too many City people here tonight costing dollars. Just send someone there to fix it. Hire a regulatory person to help deal with this problem. Absurd bureaucratic issue re: levels of government involved. Stop and go back to deal with the real problem.

Q. Was it the entire Okanagan Lake? Is there a parallel process based on the environmental assessment that this area should be exempt from anchorage (due to environmental issues)?

A. It would be the Federal government who could do this. The City can't do this. The environmental study will inform the management of the rezoned area.

Q. Could this sensitive area be exempted so anchorage is not allowed?

A. There is a lack of confidence to move forward on a full ban on mooring due to the West Kelowna BC Court of Appeal decision.

Q. When will the results of the environmental study be made public?

A. Work is starting now and results will be available in June.

Q. Will there be a process in place to address the infractions?

A. The ultimate objective is compliance, penalty is second. Fining is not the objective. Removal is. We are looking for absolute compliance.

Q. The environmental review is only happening now. You didn't care earlier or else you would have done the review before.

A. Not sure of the historical environmental analysis of the area but the environmental review will inform the management of the waterway

Q. I don't feel this process was initiated based on the City's concern for the environment.

A. Regarding environmental concerns moving forward – the City is certainly concerned about establishing the science. It is an important issue that is coming forward now.

Q. Would the City consider not allowing mooring? Can the environmental study impact the management of the rezoning moving forward?

A. The "softening" of the bylaw is beneficial to the enforcement of the regulations.

Q. Could Council decide not to pass this rezoning until after the environmental study was completed?

A. It's possible.

Q. Is there an opportunity for the public to comment on the management rules?

A. Yes. There will be opportunities for public consultation on specifics as part of the Parks Master Planning process.

Q. Is there a timeline to have the rules in place by?

A. There is no timeline yet to have the rules in place. Mooring buoy discussions can be part of the Parks Master Planning process.

Q. Would boats just move to the other side of the trestle?

A. Federal jurisdiction becomes much more stringent. Transport Canada will not allow mooring on the other side.

Q. Enforcement should not be complaint-based. Should be like the Parking Ambassadors.

A. Regular monitoring of the waterway will be done by Bylaw Officers. The public's eyes and ears are greatly appreciated. Primary responsibility of monitoring and enforcement will be by Bylaw Officers.

Comment: I support no moorage there and I'm a live-aboard but I would never live on the Gorge. Live-aboards are penalized by cost of moorage and power. The BC Nautical Association believes in respecting the community that you are living in. Transport Canada has a responsibility to ensure that these boats on the Gorge are safe.

Response: The City is jumping in to work out this issue.

Q. Regarding bylaw enforcement plans – Phase 3 – what is the likelihood that an injunction will be granted for the removal of a vessel?

A. If there isn't voluntary compliance, the City will seek an injunction. Once a breach of the bylaw is demonstrated, the Courts will grant an injunction. There are very few defences available to those who oppose a municipal bylaw. A boat owner could try to constitutionally challenge the bylaw, but a bylaw that provides some short-term anchoring is better able to withstand a challenge.

Q. Is the Terms of Reference for the environmental study available?

A. We will make it available on the website.

Q. Regarding anchoring, how does Transport Canada defend one side of the trestle is not anchoring and the other side is okay.

A. The rules end at the trestle because it's the boundary of the ports.

Q. I understand that anchoring is allowed for emergencies but what about for pleasure?

A. In an emergency, a boat can tie up to a private dock. There is a lot of case law that says the right to navigate includes the right to anchor. What we are trying to do is address this in the proposed regulations.

Q. I'm pleased the City is doing something after years of inaction. But it's a knee-jerk reaction. Have you consulted with other municipalities such as Esquimalt?

A. Yes, we are speaking with other municipalities such as Saanich and Esquimalt on their anchoring regulations.

Q. Were the boaters on the Gorge Waterway notified of this meeting?

A. Yes, meeting notices were posted around Banfield wharves.

Comment: You're in muddy water to tell people they can't anchor.



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- Harris Green
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- North and South Jubilee
- North Park
- Oaklands
- Rockland
- Victoria West
- Outside the City of Victoria, where?

Q2. How old are you?

- Under 18
- 18-24
- 25-39
- 40-59
- Over 60

Q4. Do you own property in the City of Victoria – Yes No

Q5. Do you rent property in the City of Victoria – Yes No

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Q7. Please share your thoughts below on the proposed rezoning amendment to allow anchoring for a period of up to 48 hours, but not exceeding 72 total hours in a 30-day period.

Totally in support.

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Central Saanich (Brentwood Bay)

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- I like Q 7 and the timing.

- What is to stop people from moving outside your management area?

- Remove all mooring booms if any.

- We share the same problems so

Thank you for leading the way!

GR

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This seems to me to be like the scene in Captain Courageous where the cabin boy goes to toss the slop bucket on the windward side of the boat.

Maritime law has been shown - over and over - in other cases - as mentioned in the report - that permit anchoring in navigatable waters.

While I am not involved in maritime activities, nor do I have any acquaintances that are - I am strongly in favour of allowing vessels unrestricted access to anchoring in the way that law supports. To be using tax payers funds to chase people off is just the type of NIMBY type thinking that really picks on the poor, such as the 'Mad as Hell' group that promotes hatred toward the disadvantaged.

On the other hand, a huge mega yacht marina is closing off navigatable waters. There is no law against caretakers living on board, nor should there be. However there is no law that prohibits unfiltered bilge water to be pumped overboard, with the PAH that damage the marine environment. Also ~~the~~ judging from the amount of foam that is produced below the tidal rapids, large amounts of pollutants are entering the

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water from the fore shore residents. This is much harder on 'soil erosion' than is sighted in the report. The sewage issue sighted is also ABSURD considering the present state of sewage treatment.



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London, Amsterdam, Venice all have marine waterways that house vessels and provide habitat as well as alternate transportation. Considering the low vacancy rate the notion of moving boats ~~out~~ out of the area is irrational. There could be a plan to work within what is generally dictated by the law, in the Navigable Waters Act, that anchoring is permitted under law. To see tax payers money to uphold a bylaw that would not stand up to the Federal Law is again, absurd. The region has the NIMBY attitude where other people could not really prioritize this as prudent spending.

There are other options, I believe, ~~and~~ but making a place for boaters to use as alternatives would be a place to start. Given the low vacancy rate, and the need for housing the homeless other ways of looking at this problem should be considered. Building self contained floating homes - small units that are aesthetically appreciated - with sewage treatment on board - avoids the problem of costly land for a development that is sorely needed. The City would gain favourable world wide attention for solving

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homelessness issue.

The ~~is~~ has been a lot of heritage vessels but people do not understand the value of maritime history. which is a shame.



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BRENTWOOD BAY

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AT SOME POINT THERE NEEDS TO BE
 LAWS IN EFFECT THAT PROHIBIT LIVE ANCHOR
 VESSELS IN AND AROUND PUBLIC RECREATIONAL
 AREAS. VERY FEW, IF ANY, OF THE VESSELS HAVE
 HOLDING TANKS, SO IT IS FAIR TO CONCLUDE, THAT
 THEIR RAW SEWAGE IS BEING RELEASED INTO AREAS,
 OFTEN USED FOR SWIMMING AND OTHER RECREATIONAL
 PURPOSES. THE SMALL AND POSSIBLE HEALTH HAZARDS
 ARE LIKELY. THE VIEW OF SUCH VESSELS IS LESS
 THAN LOVELY IN A PRIMITIVE SETTING, USUALLY
 RESERVED FOR THE ENJOYMENT OF ALL! IF WE DON'T
 TAKE CONTROL NOW, I BELIEVE IT WILL LEAD TO

Thank you for taking time to complete this feedback form.

ACCELERATED DIFFICULTIES
LITTER

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ISEHUM HARBOR

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I AM A LIVE ABOARD SAILOR. I AM A MEMBER OF THE

BC NAUTICAL RESIDENCE ASSOCIATION (est. 2010)

OUR MANDATE IS;

1. PRESERVE AND SUPPORT THE TRADITIONS OF LIVING ABOARD
ONES OWN VESSEL

2. PROMOTE ENVIRONMENTAL AWARENESS AMONGST THE
LIVEABOARD COMMUNITIES

3. ESTABLISH EFFECTIVE COMMUNICATIONS, RESOLVE
ISSUES AND CONCERNS TO LIVEABOARDS

4. SERVE AS A VOICE FOR LIVE ABOARDS REGARDING
ACTIVITY THAT AFFECTS BC. WATERWAYS.
AND WAIVE WITH LOCAL GOV'T AND COMMUNITY.

• WE ADVOCATE RESPONSIBLE LIVING ON THE WATER.

• IF LOCAL GOV'T DEEMS AN AREA ECOLOGICALLY
SENSITIVE, BOATERS SHOULD BE RESPECTFUL
OF THOSE ENVIRONMENTAL DECISIONS.

• DERILICT/ABANDONED VESSELS (HAZARDOUS MATERIAL,
VESSELS INCAPABLE OF MOVING UNDER THEIR OWN
POWER < SAIL OR MOTOR > SHOULD BE HELD ACCOUNTABLE.

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Like the city of Vancouver did to address the issue of vessels anchoring in False Creek, if Victoria wishes to regulate vessel anchorage in the George Waterway the following matters must be included:

- ① All transient vessels wishing to moor or anchor must register (no fee - at a location convenient to the anchorage)
- ② Mooring buoys must be provided* and clear boundaries to the navigable channel be in place. * to prevent damage to eel grass, + sediment disturbance
- ③ All vessels must be equipped with holding tanks, and a shore-based pump out station be established nearby.
- ④ A dinghy dock and proper ramps/steps to shore be in place to control access and prevent shore erosion

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⑤ Increase anchoring time limits to match those set for False Creek ^{Urban Stream anchorage}



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I personally have witnessed boats sinking & damaging
oil spilling in the Gorge what so ever.

One morning I was concerned about a man in the
water trying to bail out his boat. He was able
to scramble up the muddy bank & I did not feel
his rescue required police or fire help.

Moose has been very bothersome to me.

I am against any moorage being allowed going forward.
As a "Marine Park" in tidal waters any moorage should
not be allowed.

As a avid kayaker I find it difficult & dangerous to
essentially "dodge" the boats in the Selkirk area.

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48 HRS OK, IF THE 72 HRS HOLDING TIME.

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I AGREE WITH THE PROPOSAL PROVIDING
THE VESSELS USING THIS ANCHORAGE
HAVE A CERTIFIED HOLDING TANK ON
BOARD

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- Outside the City of Victoria, where?

Q2. How old are you?

- | | |
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| <input type="checkbox"/> Under 18 | <input type="checkbox"/> 40-59 |
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- How will this be enforced/monitored?

- What will be the penalty? - fine? boat removal.

Note: we think it's worth attempting the original plan which was "No mooring!"

- Implement fee at boat registration to assist/covers items such as removal of abandoned vessels. (as in Wash.)

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- way past time!

- I believe removal of boats will encourage residents & tourists to make more recreational use of this area.

- Create moorage: boats must have holding tanks onboard.

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- Agree with the proposal

*- Sewage, garbage + sunken boats
are my main concern.*

*- responsible liveaboards for short
duration O.K.*

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48 HOURS IS A LITTLE SHORT IN THE BOATING WORLD
72 HOUR WOULD BE BETTER

THERE NEEDS TO BE MORE QUALIFYING REGULATIONS
SO AS TO KEEP BOATS AWAY FROM THE DEEPER
NAVIGATIONAL CHANNEL. THE CHANNEL IS NOT
STRAIGHT BUT TAKES A ROUTE PARALLELING
THE BANFIELD SHORE.

SO — EITHER USE FIXED BUOYS OR
MARK THE BOUNDARIES WITH FLOATS, AS TO
WHERE ANCHORING IS PERMITTED

WHO WILL ADMINISTER THESE TRANSIENT
VISITORS? BOATING IS A 24/7 THING.

CITY WORKING HOURS WOULD NOT WORK.

R RUCR

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THE CITY REZONING HAS GOT IT
JUST RIGHT.
I SUPPORT THE PROPOSED RE-ZONING

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Very concerned that the boat problem will be
escalating out of control if something's not done!
I have just discovered the wonderful Gorge Inlet
as a good swimming place and am concerned
about the pollution of the water + beaches
(noise, too) from the boats. Effluent, too. in there's a
lot of residential growth around these
waters and they (and families) would like to
enjoy these waters as well.

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Proposal looks good.

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Impose a fee on those wanting to anchor more than
72 hrs. . . perhaps the environmental (marine) might decrease,
if boats were to have facilities to use during their stay
any time & perhaps for a fee!!

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*As long as the vessels are seaworthy and not anchored
in right-of-way, I don't feel they should be
limited in their use of the waterway.*

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If the City feels it cannot push back legally for no moorage at all, I suppose the 48/72 period will have to do. Has thought been given to possible unintended consequences such as vacationing boaters using the moorage for free in place of using downtown docks for a fee?

Some source of funding might be considered to provide to evicted boaters to pay for disposal of their vessel. I know from experience it is not a simple thing to decommission dismantled or otherwise free yourself from a boat!

The proposed wording says, "anchoring". This disturbs me as the seafloor here needs to be as undisturbed as possible. Two reasons - eel grass habitat restoration and leaving keeping toxic sediments from circulating back into the water column. Is "mooring" not an exclusive option? Put out a fixed number of buoys?

How will it be monitored?

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I don't think any anchoring should be permitted.
 A single buoy should take care of any requirements under the DOT legislation. Anchoring destroys the crucial bed grass beds. Sealed heads or buckets should be mandatory, as they are in the rest of the harbour. Boats should keep well clear of the narrow navigation channel.
 My understanding is that the relevant legislation mandates emergency anchoring only — not anchoring for pleasure.
 Please investigate further.

Boats should be prohibited from landing on

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The vulnerable shore -

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There is a public dock already.



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Seems like a tremendous ^{nistruction} Adm~~ission~~

+ Regulation

Why have any anchoring?

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SEEMS REASONABLE TO ME HOWEVER THE FOLLOWING MUST BE ADDRESSED FIRST:

① MY CONCERN IS SINCE HOW THE CITY

IS GOING TO HANDLE/REGULATE/MONITOR

SEWAGE DISPOSAL FROM THE VISITING

BOATS.

② THE DOCK SPACE/USAGE ON THE DOCK AT

~~BELOW~~ THE BOTTOM OF STYCES STREET. WHEN

WE MOVED TO THE NEIGHBOURHOOD THAT DOCK WAS

BARRELY USED, BUT SINCE A DRAGON BOAT BUSINESS

WAS ESTABLISH THERE (WITHOUT NEIGHBOURHOOD CONSULTATION

AND THE BOATS ANCHORED THAT DOCK HAS BECOME

SO OVERUSED/CROWDED. - AS HAS THE STREET PARKING. SO IF PEOPLE ARE COMING AND GOING PERHAPS THERE COULD BE SOME

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RESTRICTION ON THE DOCK USAGE?

2) WHO & HOW OFTEN WILL MONITOR TO MAKE SURE BOATS ARE NOT STAYING MORE THAN 72 HRS.



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- Outside the City of Victoria, where?

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- 18-24
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Q7. Please share your thoughts below on the proposed rezoning amendment to allow anchoring for a period of up to 48 hours, but not exceeding 72 total hours in a 30-day period.

Get rid of the Goats! This should be a day-use recreation area only

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This is good. Allowing live aboard boats in the Gorge Waterway is environmentally unsound and dangerous.

Boats are not being maintained; are an eyesore and are a hazard to other boaters who safely use the water way.

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- Victoria West *→ Rail yards*
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I think the 48 hour anchoring would be difficult to police & monitor, given the lack of attendance now for bylaw infractions at the docks and in the waterway. Boats coming and going with the trestle going up and down seems undoable. Hundreds of bicycles go over the trestle every day. They should have the priority.

But It's better than the current situation, which must be addressed. Remove the boats from the waterway!!

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① Enforcement. who?
- how often?

② What about the waterway below
the Siskin trestle

③ Who will remove the sunken
boat currently in the waterway

④ I accept the by-law

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I SUGGEST -

"ALLOW ANCHORING FOR A PERIOD OF UP

TO 36 HOURS - BUT NOT EXCEEDING

48 HOURS IN A 60-DAY PERIOD).

BASICALLY - GET THE BOATS (LIVE A

BOARDS, DERELICT, SINKING, AND)

DANGEROUS BOATS) OUT OF THIS

AREA OF THE GORGE. IT IS

HARD TO SWALLOW POLITICAL SERMONS

ON THE "GREENING" OR "CLEAN-UP OF

THE GORGE" WITH FLOATING CRAP

AND DERELICT BOATS POLLUTING

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THE WATERWAY.



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How will this be enforced?

Will it be complaint driven

or actually monitored?

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I think it is good EXCEPT there needs to
be some consideration for the people who
LIVE in the gorge on their boats. Consider
a vigilant oversight of the environmental
impact of their boats, help them with upkeep
& maintenance. I'm sure you'll find a management
agreement will be less expensive than finding
them alternative housing. Know who is out there,
don't allow new long-term anchorages, and
all will be WELL.

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- 1) No anchoring. (first choice!)
- 2) IF ANCHORING PROCEEDS - NEED PROOF THAT THE ANCHORING BOAT WILL LEAVE WITHIN REQUIRED PERIOD, OR THERE WILL BE FINES (?) REMOVAL (?)
- 3) HOW CAN THE CITY EITHER (A) ENFORCE THE ZONING AND/OR TAKE ACTION.
- 4) WE NEED IN VIC WEST ASSURANCE THAT THE GORGE WILL NOT CONTINUE TO BE A WATER VERSION OF A HOMELESS TENT (FLOATING) CITY !!

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I would prefer not to see boats anchor at all, but this is an acceptable compromise.

As long as it is enforced consistently.

I have observed folks living aboard these boats dumping sleeping bags, jerry cans and other garbage into the Gorge, and using their paddle to try to push it down to sink. With the resurgence of promoting the Gorge as clean enough for swimming, I find this an unfortunate irony.

Would love to swim in the Gorge at this location, but will not until the ~~delect~~ liveaboard boats are gone.

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I believe this is a mistake. You are displacing marginal people, contributing to the homeless problem.

What are the real problems with the existing boats?

① pollution – fecal or oil or trash – deal with these problems directly.

② eel grass beds – what is the plan to protect them? There are many docks in the Gorge that are a much bigger problem. Are there eel grass beds where the boats are anchored?

③ The boats are ugly. True, but we don't prevent "ugly" in neighbourhoods. Any "ugly" is in the eye of the beholder.

④ The people involved are poor. People love to hate and fear the poor.

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- Sounds like a great Idea. (who will monitor the time?)

- Glad to hear that there will be safe harbor.

- It will be nice to not have garbage / excrement in the water!!

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I generally support this amendment.

I do believe that, were it possible, a full prohibition on anchoring in the proposed area would be better but I do understand the complexities.

I strongly believe that holding tanks and should be mandatory and discharge should be monitored

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- I would rather see a prohibition of anchoring in the Gorge. With the new City proposal there must ~~needs~~ to be:
- 1) mooring buoys only (max of 3) + no other anchoring beyond that. First their needs to be a determination to see if anyone uses them before wasting taxpayer \$ on both the infrastructure + enforcement
 - 2) a proper access point identified where they can come ashore to stop the degradation of habitat
 - 3) Appropriate fees levied to cover the needed enforcement so taxpayers do not have to bear the costs for the sake of a few boaters (do they even pay taxes?)
 - 4) ~~STRICT~~ STRICT enforcement of the max 48 hrs STRICT
 - 5) Underwater Studies done to determine the least ecologically sensitive place for the mooring buoy that does not restrict ^{or impede} waterway navigation ^{park use / one way}
 - 6) Fees could also be used towards the 2 ^{com} ^{mit} ^{ment} centers, ecological restoration in Gorge or ^{head} ^{park} ^s
 - 7) Absolutely no discharge of materials from boats into Gorge – maybe mandatory pumpout at GVHA dock before they can even use the Gorge. Must prove they have holding tanks as well.

Thank you for taking time to complete this feedback form.

To stay informed, please visit: www.victoria.ca

If you have any questions, please email: bsikstrom@victoria.ca



**GORGE WATERWAY PROPOSED REZONING AMENDMENT
FEEDBACK FORM**

The City of Victoria is proposing changes to the management of the Gorge Waterway to enhance the use of the Selkirk Water for recreation and to prohibit residential use and the storage of vessels. The proposed zoning amendment would allow anchoring for a period of up to 48 hours, but not exceeding 72 total hours in a 30-day period.

Privacy statement: This feedback form is voluntary and we encourage you to respond. Your personal information that identifies you as an individual is not required. Your feedback on this topic is what we are interested in. Therefore, please do not provide personally-identifying information. If you do provide personal information, it will be disclosed to the Mayor and Council, staff and the public.

A few details about you... We would like to hear from a diverse representation of Victoria citizens and businesses and this information will help us better understand who we are hearing from.

Q1. Which neighbourhood do you live in?

- Burnside
- Downtown
- Fairfield
- Fernwood
- Gonzales
- Harris Green
- Hillside/Quadra
- James Bay
- North and South Jubilee
- North Park
- Oaklands
- Rockland
- Victoria West
- Outside the City of Victoria, where?

Q2. How old are you?

- Under 18
- 18-24
- 25-39
- 40-59
- Over 60

Q4. Do you own property in the City of Victoria – Yes No

Q5. Do you rent property in the City of Victoria – Yes No

Q6. Do you own or run a business in the City of Victoria – Yes No

Q7. Please share your thoughts below on the proposed rezoning amendment to allow anchoring for a period of up to 48 hours, but not exceeding 72 total hours in a 30-day period.

- GOOD IDEA. TO LIMIT TIME
- ~~NO~~ ANCHORY BOOYS ONLY!
- HOLDING TANKS.
- FEE

Thank you for taking time to complete this feedback form.

To stay informed, please visit: www.victoria.ca

If you have any questions, please email: bsikstrom@victoria.ca

Alicia Ferguson

From: Public Hearings
Subject: RE: Derelict boats

-----Original Message-----

From: NADINE DANYLUCK
Sent: Friday, May 20, 2016 4:37 PM
To: Public Hearings <PublicHearings@victoria.ca>
Subject: Derelict boats

This is my second email or letter to you regarding this issue. I have attended two meetings also. I will be away next week so here we go again.

I have lived on Styles St most of life. I was born here. The environmental damage those boats and the 5 sunk out in the bay are doing to the environment is unbelievable. This has been going on for over 10 years and we are still talking about it. For the fourth time they need to be removed. Why should I pay outrageous taxes when they pay nothing. Must be nice. I am in agreement with allowing overnight anchoring on a limited basis but would like it to be monitored and the neighbors given a number to call when the bylaw is broken which we know will happen. Who will be monitoring the bay us? Please provide me with correspondence from this meeting.

Thank you

N.Danyluck
1231 Styles St
Victoria, BC
V9A3Z6

NO. 16-050

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Zoning Regulation Bylaw regulations for the GWP Zone, Gorge Waterway Park District, to allow overnight anchoring and mooring of vessels on a limited basis.

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.1066)”.
- 2 The Zoning Regulation Bylaw is amended in Schedule B, Part 9.3 [*GWP Zone, Gorge Waterway Park District*]
 - (a) by repealing section 9.3.1.b.i. and substituting the following paragraphs:
 - “i. The anchoring or mooring of vessels for a continuous period exceeding 48 hours
 - ii. The anchoring or mooring of vessels for more than 72 hours within a 30-day period”
 - (b) by renumbering in section 9.3.1.b. paragraphs ii and iii as paragraphs iii and iv respectively.

READ A FIRST TIME the	12th	day of	May	2016
READ A SECOND TIME the	12th	day of	May	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

PART 9.3 – GWP ZONE, GORGE WATERWAY PARK DISTRICT

9.3.1 Permitted Uses in this Zone

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

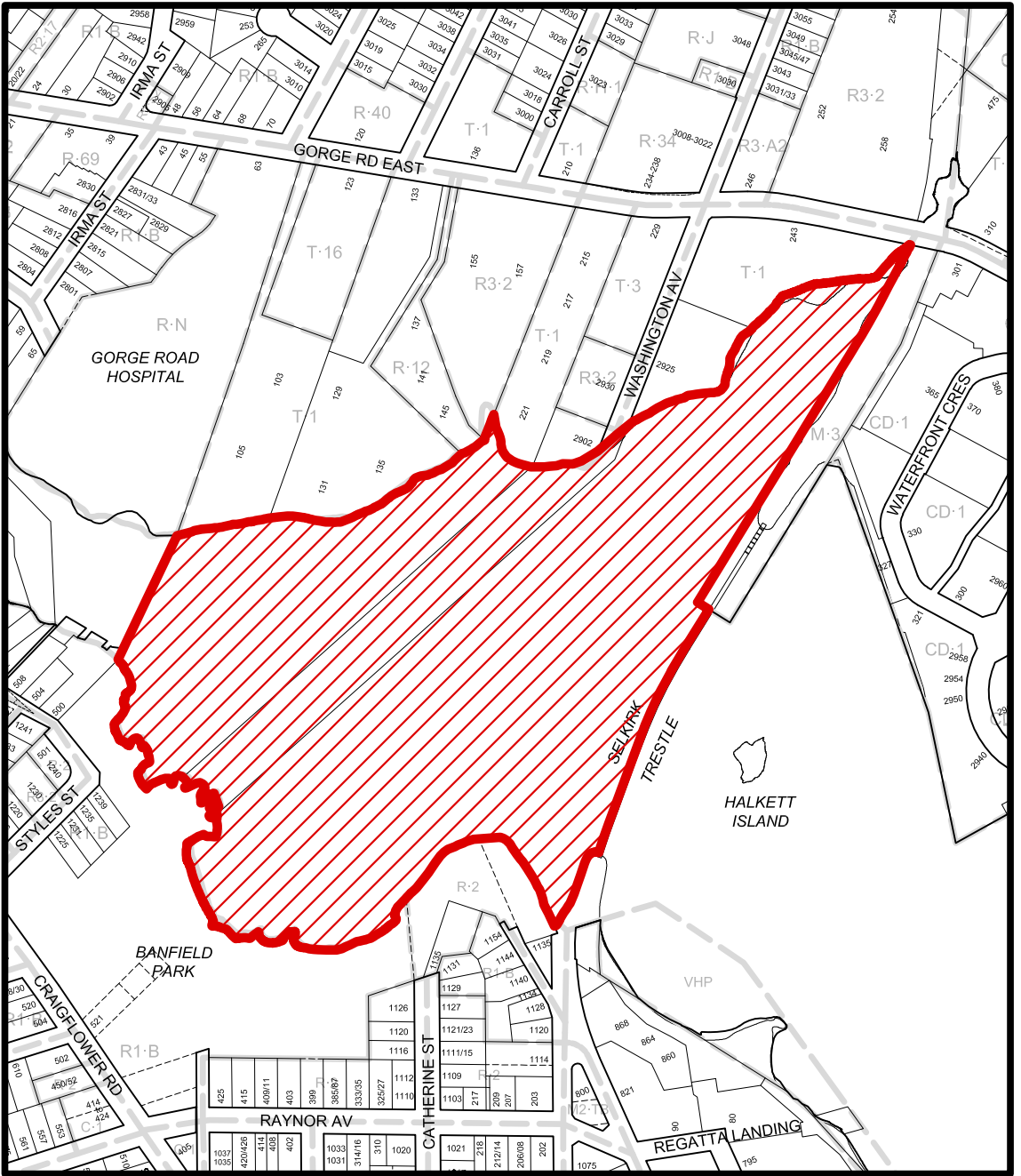
- a. Parks and uses accessory to parks
- b. Water related recreational activities

Without limiting the generality of any Section or Part of the Zoning Regulation Bylaw, including Section 17 of the Introduction and General Regulations, the following uses are not permitted in this Zone:

- i. The anchoring or mooring of vessels between the hours of 11 p.m. and 6 a.m.
- ii. Live-aboard or float home as defined in Part 7.54.1 in the FWM zone, Fisherman's Wharf Marine District
- iii. Docks, wharfs and piers

Bylaw 14-059 adopted August 28, 2014

Words that are underlined see definitions in Schedule "A" of the Zoning Regulation Bylaw



Gorge Waterway
Rezoning #00515



REPORTS OF THE COMMITTEES

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

7. **Heritage Designation Application No. 000158 for 1802-1826 Government Street**

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Council instruct staff to prepare the necessary Heritage Designation Bylaw to designate the property located at 1802-1826 Government Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a public hearing date be set.

Carried Unanimously

3.1 Heritage Designation Application No. 000158 for 1802-1826 Government Street

Committee received a report dated March 24, 2016, regarding an application to designate the exterior of the heritage-designated property.

Motion: It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council instruct staff to prepare the necessary Heritage Designation Bylaw to designate the property located at 1802-1826 Government Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a public hearing date be set.

CARRIED UNANIMOUSLY 16/COTW



Committee of the Whole Report For the Meeting of April 7, 2016

To: Committee of the Whole **Date:** March 24, 2016
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Heritage Designation Application No. 000158 for 1802-1826 Government Street

RECOMMENDATION

That Council consider the following motion:

"That Council instruct staff to prepare the necessary Heritage Designation Bylaw to designate the property located at 1802-1826 Government Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a public hearing date be set."

LEGISLATIVE AUTHORITY

In accordance with Section 611 of the *Local Government Act*, Council may designate real property, in whole or in part, as protected property.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding an owner request to designate the exterior of the heritage-registered property located at 1802-1826 Government Street.

The following points were considered in assessing this Application:

- general consistency with the *Official Community Plan (OCP)*
- Statement of Significance.

The application was reviewed by the Heritage Advisory Panel at its March 8, 2016 meeting and was recommended for approval.

BACKGROUND

Description of Proposal

1802-1826 Government Street, also referred to as the 'Lim Dat Building' is a three-storey Edwardian style brick building built in 1910. An Application to designate the exterior of 1802-

1826 Government Street as a Municipal Heritage Site was received from the property owner on February 11, 2016.

Zoning/Land Use

The proposed designation is consistent with the CA-3C, Old Town District zoning and surrounding land uses.

Condition/Economic Viability

The exterior fabric appears to be in sound condition. The viability of the property will be strengthened by the owner's intention to restore and seismically upgrade the building's original cornices and to repoint the exterior brickwork of the building. The owner will be applying for two funding grants from the Victoria Civic Heritage Trust for this work.

ANALYSIS

The following sections provide a summary of the Application's consistency with the relevant City policies and guidelines.

Official Community Plan

This Application is consistent with the OCP because it contributes to the identification of the heritage value of districts and individual properties; it contributes to the goal of protecting and celebrating Victoria's cultural and natural heritage resources; and in accordance with a key strategic direction of the Downtown, aims to conserve the historic character of Old Town and Chinatown.

The OCP encourages the consideration of tools available under legislation to protect heritage property such as heritage designation. The Application is consistent with the OCP where it considers the heritage value of individual properties.

The application relates to and is supported by several core themes and sub-themes of the heritage thematic framework identified in the OCP, including Theme 1.2: Multicultural Origins and Theme 5.1: Architectural Expression.

Local Area Plans

The Application is consistent with the *Downtown Core Area Plan* (DCAP) as it contributes positively to the Historic Commercial District's (HCD) identity and the plan's placemaking objectives related to supporting development sensitive to the area's heritage context.

Statement of Significance

A Statement of Significance describing the historic place, its heritage value, and its character-defining elements is attached to this report.

Resource Impacts

Heritage designation will have no direct impact on the City's financial or staff resources. It should be noted, however, that the owner will be applying for substantial grants from the Victoria Civic Heritage Trust for both the Parapet Improvement Program and the Building Incentive Program.

Heritage Advisory Panel

The Application was reviewed by the Heritage Advisory Panel at its March 8, 2016 meeting and was recommended for approval.

CONCLUSIONS

This Application for the heritage designation of the property located at 1802-1826 Government Street as a Municipal Heritage Site is for a building that is a good example of the type of commercial buildings erected by members of the Chinese-Canadian community in Victoria between the 1880's and the 1910's. The building's size and location illustrate a period of robust growth for Victoria's Chinatown at the turn of the twentieth century when the Chinese community expanded to approximately 3,000 residents and Chinatown itself consisted of about six city blocks. The building is also notable for its association with Lim Dat, a famous Chinese entrepreneur who owned or operated approximately 155 businesses within Chinatown in the early 1900's. The building exemplifies the character of Chinatown at the turn of the twentieth century, making it a significant contributor to the integrity of the historic streetscape in this area.

ALTERNATE MOTION

That Council decline Heritage Designation Application No. 000157 for the property located at 1802-1826 Government Street.

Respectfully submitted,



Adrian Brett
Heritage Planner
Community Planning Division

Att.



Jonathan Tinney
Director
Sustainable Planning and Community
Development Department

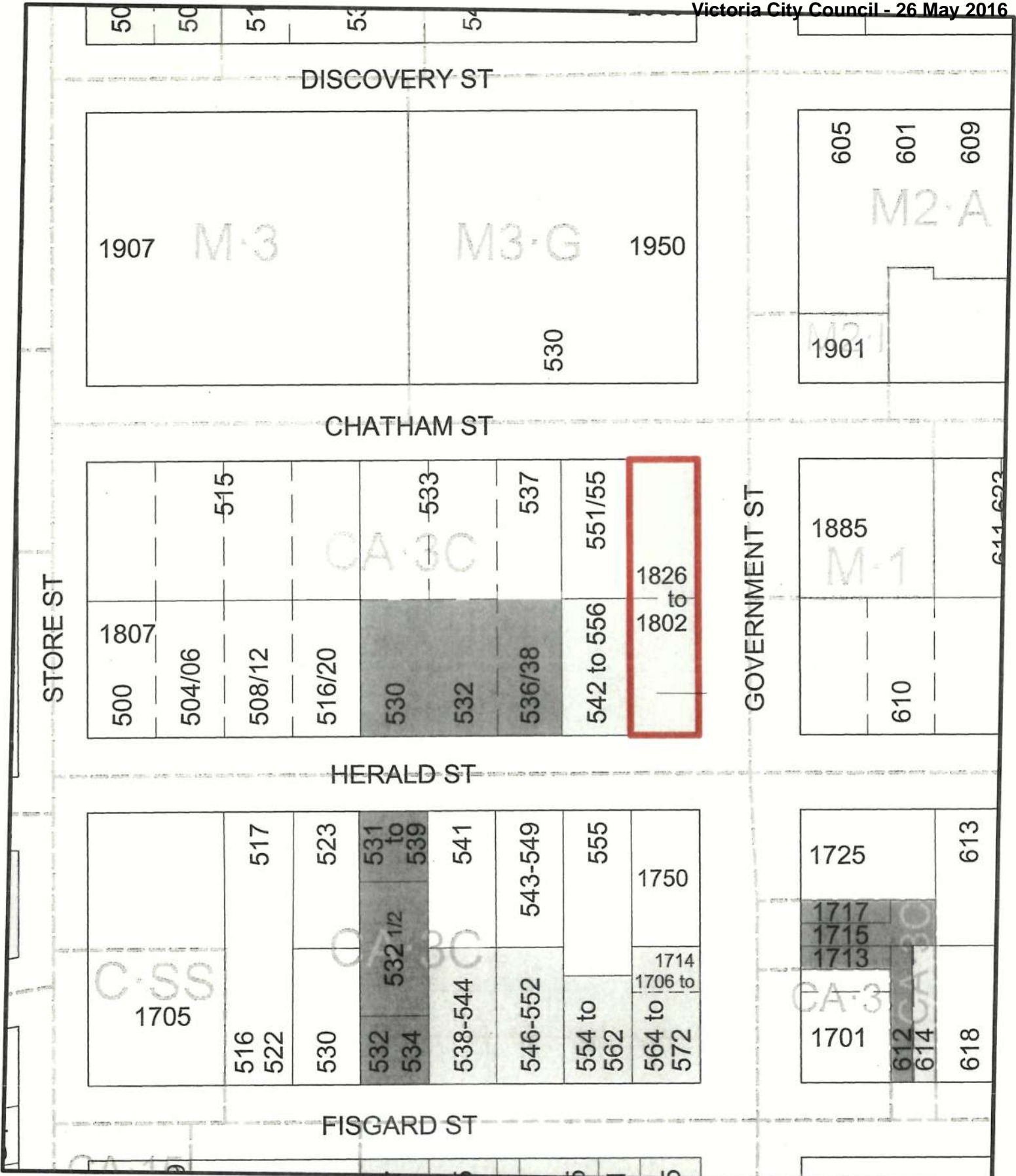
Report accepted and recommended by the City Manager:



Date: March 30, 2016

List of Attachments

- Subject map
- Aerial map
- Photographs
- Statement of Significance
- Letter from the applicant, date stamped February 16, 2016.



1802 Government Street

Heritage Designation #00158



Designated



Registered





1802 Government Street
Heritage Designation #00158



**Lim Dat Building – Existing Condition Photographs
1802-1826 Government Street**



Herald Street Elevation

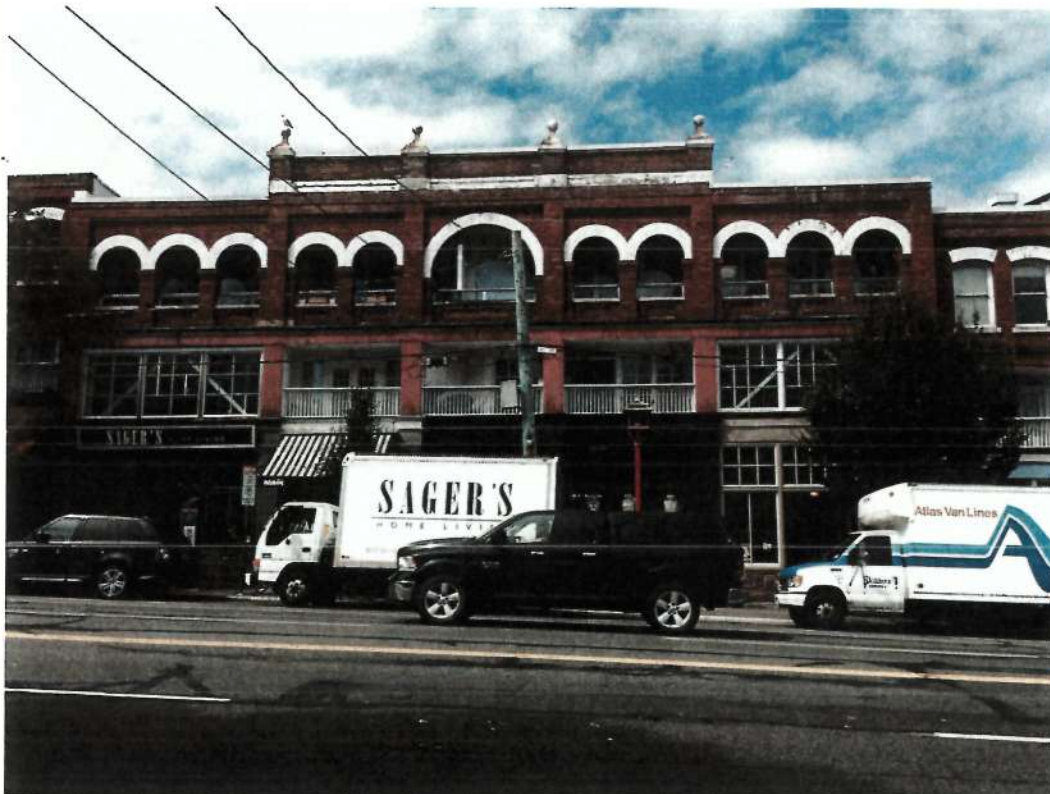


Herald and Government Street Corner

**Lim Dat Building – Existing Condition Photographs
1802-1826 Government Street**



View down Government Street from Herald



Government Street – Centre Block

**Lim Dat Building – Existing Condition Photographs
1802-1826 Government Street**



Government Street at the corner of Chatham Street



Chatham Street Elevation

City of Victoria, Statement of Significance

December 2010



Address: 1802–1826 Government Street
Community: Chinatown
Names: Lim Dat Building
Cadastral ID: PID No. 009370731; 009370749
Theme(s): CANADA
 Peopling the Land: immigration
 Developing Economies: commerce
 Intellectual & Cultural Life: architecture
 expression

Date(s): 1909–1910 (construction)
Architect: Hooper & Watkins
Builder: Luny Brothers

VICTORIA
 Coastal Settlement: multi-cultural origins
 Gateway Economy: resource base
 Architectural Expression: architect.

Description

The Lim Dat Building is a three-story red brick Edwardian Commercial style building occupying the block bounded by Herald, Government, and Chatham streets in the Chinatown area of Victoria. The building has three distinct sections, each with a different arrangement of arched windows and recessed balconies on the upper stories. This historic place includes the building on its legal lot.

Heritage Value

The Lim Dat Building possesses heritage value because it illustrates several themes in the history of Chinatown and the City of Victoria. The government of Canada designated Victoria's Chinatown, the first and oldest surviving Chinatown in Canada, a National Heritage Site, for its cohesive grouping of old buildings with high heritage value. The block-long Lim Dat Building is valued as a notable representation of the robust growth of Victoria's Chinatown between the 1880s and the 1910s, when this vibrant cultural and economic community expanded to the north beyond Herald Street and to the east, occupying about six city blocks and serving the needs of the city's 3,000 Chinese residents. The building opened in the fall of 1909 with twelve shop spaces on the ground floor; the two upper floors, intended to be rooming quarters, were not completed until the building owners obtained additional money.

The Lim Dat Building is also notable for its association with Lim Dat, one of Chinatown's emerging class of small businessmen who operated around 155 Chinese businesses in the early twentieth century. In 1909, Lim Dat and several other Chinese businessmen owned nearly half the properties in Chinatown. Chinese property ownership helped perpetuate Chinese design characteristics and the distinctive streetscape that has existed over many decades.

The Lim Dat Building illustrates design features commonly found in buildings constructed by and for Chinese property owners. The Lim Dat Building features recessed wooden balconies on front facades, as well as decorative finials, crests, and other details. In the early 1900s, these features were often incorporated with Western decorative elements, such as segmental and semi-circular arched openings, and projecting cornices—features displayed on the Lim Dat Building. The narrow alley extending behind the entire length of the building is another streetscape feature often found in Victoria's and other Chinatowns. The Lim Dat Building and its adjoining alley are valued for their contribution to the Chinatown streetscape.

Finally, the Lim Dat Building possesses heritage value as an example of the work of Victoria-based architects Thomas Hooper and Charles Elwood Watkins. Hooper and Watkins were the most prolific architects in British Columbia during the Edwardian boom years of the late nineteenth and early twentieth centuries. They produced designs for a large number of the province's landmark buildings, such as the Victoria Public Library, additions to St. Anne's Academy, Metropolitan Methodist Church, Centennial Church, and University Schools Ltd. in Saanich. The Lim Dat Building was among the last designed by the firm before Watkins left it in 1909.

Character-Defining Elements

The character of this historic building is defined by:

- A sense of place attributable to diverse Chinese-Canadian activities, such as general merchandise, specialty retail and repair shops, and residential tenements.
- Continuing commercial use and residential occupancy.
- Scale and massing (two to five stories) typical of the pre-World War I era.
- Brick construction, angled corner entrances, open balconies on the third- and some second-floor sections, along with the central crest and four finials above the cornice.
- Round (Romanesque Revival style) and segmental arched openings on the second and third floors.
- Large display windows with transom lights.
- Juxtaposition of Western and Chinese architectural styles and design features.
- Intimate scale of the alley along the entire rear (west) side.

Documentation Location

City of Victoria Heritage Planning file for 1802-1826 Government Street.

Con, Harry, et al. *A History of Canada's Peoples: From China to Canada, A History of the Chinese Communities in Canada* (1982): 24-29, 77-79.

"Fine Business Blocks Go Up." *Colonist*, 4 July 1909: p. 7.

Goad, Charles E. *Insurance Plan of Victoria, British Columbia, Vol. I* (1911).

Henderson's British Columbia Gazetteer and Directory (1910).

Lai, David Chuenyan. *Chinatowns: Towns within Cities in Canada* (1988): 198-230.

_____. *The Forbidden City within Victoria* (1991): 1-11, 17-23, 154-55.

Luxton, Donald, compiler and editor. *Building the West: The Early Architects of British Columbia* (2003): 139-45, 188-89.

Mills, G. E. "Architectural Trends in Victoria, British Columbia, 1850-1914, Vol. I (1976): 17-23, 26. Typescript.

Segger, Martin. *Exploring Victoria's Architecture*. (1996): 116, 297-98.

**1802 - 1826 Government Street Properties Ltd.
6150 Carnarvon Street, Vancouver, B.C. V6N 1K3**

February 11, 2016

City of Victoria
1 Centennial Square,
Victoria, B.C.
V8W 1P6

Attention: Mayor Lisa Helps & Council

**Re: The Lim Dat Building
1802 - 1826 Government Street,
Heritage Designation**

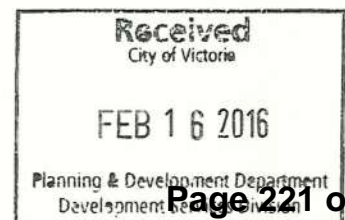
Dear Mayor & Council;

My husband and I have recently purchased the Lim Dat Building at 1802 - 1826 Government Street and wish to upgrade the exterior brick work and reinstall the cornices that were removed previously. The building was seismically upgraded with steel seismic bracing in the 1990s when the second and third floors were converted to residential. The building is in satisfactory condition but the brick work needs to be repointed.

We wish to apply for Heritage Designation to have access to the generous grants which are available from the Victoria Civic Heritage Trust. Our intentions for the building are to own it for many years and therefore we would like to have the exterior fabric upgraded now. The current pricing we have had for the proposed work is approximately \$ 400,000.00. The building is habitable as is but we would like to refurbish and enhance not only the building but the surrounding neighbourhood by upgrading the fabric of the building.

The Lim Dat Building is noted as an important part of Victoria's Chinatown, not only for its association with local businessman Lim Bang who at one time owned half of Chinatown, but also for the fine Edwardian architecture of Hooper & Watkins Architects. It is a three storey structure that consists of first floor commercial and two storeys of residential. The building fills the whole block between Herald and Chatham Streets with a four foot alley in the rear. It is the longest building in Chinatown. I have attached the Statement of Significance and a history of Lim Bang and his influence on Chinatown and Victoria for your reference.

Along with our application for Heritage Designation we are applying for a Heritage Alteration Permit to reinstall the cornices and are also applying for the following grants from the Victoria Civic Heritage Trust.



1. Parapet Incentive Program – \$50,000 to replace the cornices as they were originally constructed and seismically upgrade the existing parapets where necessary.
2. Building Incentive Program - \$50,000 for repointing the existing brick façade.

We appreciate the supportive programs that your council has implemented to protect heritage in Victoria. Please contact me if you require any additional information regarding our application at 604-266-6476 or andre@andrerowlandarchitect.com .

Yours truly,

A handwritten signature in blue ink, appearing to read 'AER', with a long horizontal flourish extending to the right.

Andre Ellen Rowland, AIBC
Andre Rowland Architect,

Brock Rowland,
Rowland and Company

NO. 16-047

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to designate the exterior of the building located at 1802-1826 Government Street to be protected heritage property.

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

1. This Bylaw may be cited as the "HERITAGE DESIGNATION (1802-1826 GOVERNMENT STREET) BYLAW".
2. The exterior of the building located at 1802-1826 Government Street, legally described as Lot 477 and Lot 478, Victoria City, is designated to be protected heritage property.

READ A FIRST TIME the **12th** day of **May** 2016.

READ A SECOND TIME the **12th** day of **May** 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

Pamela Martin

From: Council Secretary
Subject: FW: Thank you for your submission - City of Victoria - Address Council Form

Name: Rachael Montgomery **Date:** May 22, 2016

Address: 15-791 Central Spur

I wish to appear at the following Council meeting: May 26, 2016

I represent: Surfrider Foundation Vancouver Island

Topic: Banning Single-use Plastic Checkout Bags in Victoria

Action you wish Council to take:

To take action and support banning single-use plastic checkout bags in Victoria.

Pamela Martin

From: Council Secretary
Subject: FW: Thank you for your submission - City of Victoria - Address Council Form

Name: Solomon Lindsay
Date: May 23, 2016

Address: To support the application of MicroHousing Victoria for the Cook St. Site

I wish to appear at the following Council meeting: May 26, 2016

I represent: MicroHousing Victoria Society

Topic: MicroHousing Victoria on the Cook St. Site

Action you wish Council to take:

To consider MicroHousing Victoria's utilization of the Cook St. Site

Pamela Martin

From: Council Secretary
Subject: FW: Thank you for your submission - City of Victoria - Address Council Form

From: webforms@victoria.ca [mailto:webforms@victoria.ca]
Sent: Friday, April 22, 2016 8:17 AM
To: Council Secretary <councilsecretary@victoria.ca>
Subject: Thank you for your submission - City of Victoria - Address Council Form

Name: Diane McNally **Date:** April 22, 2016

Address: 353 A Linden Avenue

I wish to appear at the following Council meeting: May 26, 2016

I represent: Victoria Orca Festival Society

Topic: Attorney General Proclamation June is Orca Month BC

Action you wish Council to take:

Read the Proclamation, and recognize this as the first Orca Month in British Columbia, note that the Southern Resident orcas in J, K and L pod are endangered, and that Washington State 's 10th Orca Month is this June.



MAYOR'S OFFICE

MAY - 9 2016

VICTORIA, B.C.

MAY 03 2016

2016FIN434297

Her Worship Lisa Helps
Mayor
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

Dear Mayor Helps:

Thank you for your correspondence of February 9, 2016, which was referred by the Office of the Prime Minister, the Right Honourable Justin Trudeau, to the Minister of Finance, the Honourable Bill Morneau.

The matter you raise falls more directly within the jurisdiction of the Minister of Families, Children and Social Development, the Honourable Jean-Yves Duclos. Therefore, we have forwarded a copy of your correspondence to his office.

Thank you for writing.

Sincerely,

CDS

for / N. Gauthier
Chief
Departmental Correspondence Unit

c. The Office of the Honourable Jean-Yves Duclos, P.C., M.P.

Minister of
Families, Children and
Social Development



Ministre de
la Famille, des Enfants et
du Développement social

Ottawa, Canada K1A 0J9

MAYOR'S OFFICE
MAY 12 2016
VICTORIA, B.C.

Her Worship Lisa Helps
Mayor
City of Victoria
1 Centennial Square
Victoria BC V8W 1P6

MAY 03 2016

Dear Mayor Helps:

Thank you for your February 9, 2016, letter to the Prime Minister, the Right Honourable Justin Trudeau, in which you raise concern over the availability of affordable housing for seniors and request that the federal government identify mechanisms to support the refurbishment and retention of affordable rental housing. I am pleased to respond to the matters you raised in your letter.

I commend the City of Victoria for its commitment to taking a leadership role in finding innovative and creative ways to support affordable housing, such as through inclusionary zoning and incentives for secondary and garden suites.

Helping vulnerable Canadians find sound, suitable and sustainable housing is a priority for the federal government. As a demonstration of this, the recent federal budget contained over \$2.3 billion in new housing investments over the next two years. This will include \$200 million over two years to build new and renovate existing affordable housing for seniors.

In addition, the federal government is more than doubling investments under the Investment in Affordable Housing (IAH) program by providing an additional \$502 million over the next two years, bringing the total federal investment through the IAH close to \$1 billion. More than 100,000 households could benefit from new construction and repair of existing affordable housing, or rental assistance to improve affordability.

The Budget also announced two new initiatives to help increase the supply of affordable rental housing units. The Affordable Rental Housing Innovation Fund will provide \$208 million over five years to assist municipalities and rental housing proponents in developing, testing and launching new funding and operating models, and partnerships with the private sector to help leverage new sources of capital to develop more affordable units that do not require ongoing government subsidy.

.../2

-2-

In addition, the federal government will provide low-cost financing to municipalities, non-profit and for-profit developers for the construction of affordable rental housing through a new Canada Mortgage and Housing Corporation \$2.5 billion lending initiative. Loans through this initiative will cover the most risky and therefore costly phases of development, which will in turn lower the costs and risks associated with the development of rental housing and attract investment from private sector developers, operators and lenders.

These measures will address the pressing needs of low-income and vulnerable Canadians in the short-term. Over the coming year, the federal government will also undertake consultations on a new approach through the development of a national housing strategy. We will work closely with provinces, territories and municipalities, Indigenous and other communities, and key stakeholders to develop a strategy that meets the housing needs of Canadians.

There is a role for all levels of government in the provision of housing. Finding the right approach will be part of discussions with municipalities and others. I encourage you to take part in this very important process and look forward to working with you to improve housing outcomes for your community and all Canadians.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Jean-Yves Duclos".

The Honourable Jean-Yves Duclos, P.C., M.P.
Minister of Families, Children and Social Development

Office of the
Prime Minister



Cabinet du
Premier ministre

Ottawa, Canada K1A 0A2

May 5, 2016

MAYOR'S OFFICE
MAY 13 2016
VICTORIA, B.C.

Her Worship Lisa Helps
Office of the Mayor
The City of Victoria
1 Centennial Square
Victoria, British Columbia
V8W 1P6

Dear Mayor Helps:

On behalf of the Right Honourable Justin Trudeau, I would like to acknowledge receipt of your correspondence of April 27, in which you expressed your support for a guaranteed minimum income for Canadians.

Please be assured that your comments, offered on behalf of Victoria City Council, have been carefully reviewed. Given his interest in the matter you have raised, I have taken the liberty of forwarding a copy of your correspondence to the Honourable Jean-Yves Duclos, Minister of Families, Children and Social Development. I am certain that the Minister will appreciate being made aware of your interest in this matter and will wish to give your views every consideration.

Thank you for writing to the Prime Minister.

Yours sincerely,

A. Opalick
Executive Correspondence Officer

Andrew Weaver, M.L.A.
Oak Bay-Gordon Head

Constituency Office:
219 - 3930 Shelbourne Street
Victoria, BC V8P 5P6
Phone: 250 472-8528
Fax: 250 472-6123
e-mail: Andrew.Weaver.MLA@leg.bc.ca



**Province of
British Columbia
Legislative Assembly**

Legislative Office:
Room 027
Parliament Buildings
Victoria, BC V8V 1X4

May 18th, 2016

Dear Mayor and Council,

I am writing you to inform you and your colleagues about a Bill I introduced in the BC Legislature: *The Environmental Bill of Rights Act, 2016*.

You are receiving this letter because you are one of the 47 municipalities across our province that signed on to the David Suzuki Foundation's Blue Dot Tour, and have made a declaration about the right our citizens have to a healthy environment.

I was at the back of the room in Vancouver last September when the Union of BC Municipalities endorsed resolution A5, which called on the Province of British Columbia to enact a provincial environmental Bill of rights.

Yesterday in the Legislature I introduced a bill intituled Environmental Bill of Rights Act, 2016.

This Bill specifically states that British Columbians' have a right to a healthy environment and that it is the government's responsibility to protect it for this generation as well as those to come. There are five key components to this Bill. The Bill:

1. outlines the Rights and Responsibilities of the BC Government and its residents when it comes to environmental decision making;
2. creates a publicly accessible one-stop-shop for environmental information;
3. ensures that all ministries consider the environmental impacts their operations may be responsible for;
4. creates an environmental commissioner responsible for investigating violations, providing the public an opportunity to participate in and access the decision making process, and providing regular reports about the state of the B.C. environment.
5. protects whistle blowers who act to prevent or mitigate environmental damage.

I am no longer confident that the next generation of British Columbians will enjoy the same opportunities that we have today. The problem is that governments are frequently pitting the environment against industry and it doesn't have to be that way.

The rhetoric that we hear in this province — 'the forces of no,' 'get to yes' no matter what the question is — is not helpful to anybody, despite the fact that it's a great sound bite. The intention of my bill is to create the rules in which industry can operate. Industry has crying out for this; the last thing industry

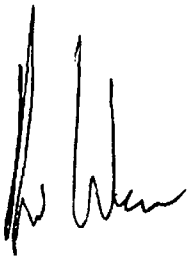
wants is uncertainty. They want to know what the rules are. They want to know what the penalties are. They want to know how they can do business in British Columbia.

It's also important to note that this conversation is taking place across the country. A number of jurisdictions across Canada already have some form of an Environmental Bill of Rights in place including Ontario, Quebec, Yukon, NWT and Nunavut. In addition, Manitoba and Nova Scotia have now had Bills introduced to their respective legislatures.

It's time that we moved on from the outdated thinking that every environmental law brought forward is somehow an attack on industry. I have visited projects across British Columbia and the most successful businesses, which also create the greatest benefits for their local economy, are those that account for their impacts on the environment. This should become the norm for anyone who wants to do business in B.C.

I want to thank you for raising your voice on this issue and I hope the Bill I have introduced will help you to continue to have this conversation in your communities.

Yours sincerely,

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

Andrew Weaver
MLA Oak Bay – Gordon Head
Leader, BC Green Party



Council Report
For the Meeting of May 26, 2016

To: Council **Date:** May 24, 2016
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Victoria Housing Reserve Fund Application: The Sahota, 1032 North Park Street
 Request for Additional Information

RECOMMENDATION

That Council receive this report for information along with the report dated May 2, 2016 as part of consideration of a grant application from the Pacifica Housing Advisory Association to assist in the creation of 11 units for affordable rental housing at 1032 North Park Street.

EXECUTIVE SUMMARY

At the Committee of the Whole meeting of May 19, 2016, Committee requested additional information to determine whether an increase in grant from \$110,000 to \$220,000 would result in the further reduction of rents within an affordable housing project at 1032 North Park Street.

The applicant submitted a letter (attached) confirming that the additional grant would result in a further reduction of household rents ranging from \$360 to \$1080 per year (or \$30 to \$90 per month). An increased grant in the amount of \$220,000 would translate to \$20,000 per unit or \$11,000 per bedroom as there will be 20 bedrooms in this building (three one-bedroom units, seven two-bedroom units and one three-bedroom unit).

The Victoria Housing Reserve Fund has \$1,422,844 available for new projects, so the increased grant could be accommodated. Should Council approve the grant increase, the new balance would be \$1,202,844.

Respectfully submitted,

Andrea Hudson
 Assistant Director, Community Planning

Jonathan Tinney, Director
 Sustainable Planning and Community Development

Report accepted and recommended by the City Manager: _____

Date: _____

May 25, 2016

List of Attachments

- Letter from Pacifica Housing received May 20, 2016



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

Dear Mayor and Council,

On May 19, 2016 council requested further information on the difference in impact that an Affordable Housing Grant of \$20,000 per unit, opposed to our current request of \$10,000, would have for future families living in the Sahota.

Pacifica's current request of \$110,000 allows us to offer new, affordable one, two and three bedroom homes in the North Park neighbourhood at 2015 Household Income Limit (**HIL**) rates. The new potential grant of a further \$110,000 for this affordable housing project was allocated on a **per bedroom basis** so that the outcome would equitably benefit families with children as well as individuals.

Unit Type	Market Rent	City grant at \$10000 per unit (HIL)	Additional Funding allocated per bedroom
1 Bedroom	\$1,050-1,125	\$865	\$835
2 Bedroom	\$1,350-1,375	\$1075	\$1015
3 Bedroom	\$1,700	\$1500	\$1410

Based on the above amounts, annual savings for each household will range from \$360 to \$1080 annually. Affordable housing is a necessary component to achieving stability, and the affordability of housing is a major determining factor in quality of life.

At Pacifica our priority is affordable housing for the people in our community who need it most. As our city faces a local and regional homelessness crisis combined with a 00.6% vacancy rate, we thank the City of Victoria for looking at creative solutions resulting in long term affordable housing investments.

This 11 unit housing development will be complete in the next 6 to 8 weeks and will be ready to house approximately 30 people, whose annual household income falls between \$34,500 and \$60,000. Our commitment is to provide housing at HIL rates or lower – with your support of our application, at either the \$10,000 a unit or \$20,000 a unit, we can accomplish this!

Thank you for your time and consideration.

Warmest Regards,

Dean Fortin, Executive Director

The SAHOTA PRO FORMA

Suite	Type	Size (SF)	Monthly Rents Mkt	Monthly Rents Low end of Mkt	Monthly Rents HIL	Monthly Rents CoV Special
1	Townhouse	854	1700	1675	1500	1410
2	2 Bed	590	1375	1240	1075	1015
3	2 Bed	530	1350	1240	1075	1015
4	2 Bed	517	1350	1240	1075	1015
5	2 Bed	590	1375	1240	1075	1015
6	2 Bed	530	1350	1240	1075	1015
7	2 Bed	517	1350	1240	1075	1015
8	2 Bed	586	1375	1240	1075	1015
9	1 Bed	429	1125	950	865	835
10	1 Bed	374	1050	950	865	835
11	1 Bed	368	1050	950	865	835
Total	11 Suites	5,882	14,450	13205	11620	11020

Operating Costs

Rent	12 Months	173,400	158460	139440	132240
Parking	\$50 x 5 stalls x 12 Months included	3,000	3000		3000
Gross Income		176,400	161460	142440	135240
Less Vacancy	2%	-3,528	3229	2849	2705
Effective Gross		\$172,872	\$ 158,231	\$ 139,591	\$ 132,535
Less Expenses		40,200	40,200	40,200	40,200
Net Operating Income		132,672	118,031	99,391	\$ 92,335

Expenses

Insurance	4000		Grant	NET
Property Taxes	10,000	Purchase Price	\$	2,700,000
Garbage	2400	BCH/CRD grant	600,000	\$ 2,100,000
Water/Sewer	6800	CoV grant	110,000	\$ 1,990,000

Main/Admin/audit	17000	CoV grant*2	110000	\$	1,880,000
Total	40200				

Mortgage

amount	interest	term	yr total	DCR - LEM	DCR - HIL	DCR
2,700,000	2.75	35	124380	0.95	0.80	
2,100,000	2.75	35	93290	1.27	1.07	
1,990,000	2.75	35	89000	1.33	1.12	
1,880,000	2.75	35	83515	1.41	1.19	\$ 1.11

Note: BC Housing requires a DCR of 1.10 or better to approve mortgage

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD MAY 19, 2016

For the Council Meeting of May 26, 2016, the Committee recommends the following:

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

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."

2. Change to Victoria Housing Reserve Fund Grant: 3211-3223 Quadra Street (District of Saanich) Cottage Grove

That Council approve a change to the recipient of an approved Victoria Housing Reserve Fund (VHRF) grant for the development of a 45 unit supportive housing project at 3211-3223 Quadra Street, from Victoria Cool Aid Society to the BC Housing Management Commission (BCHMC), and transferring all grant obligations, due to a change in ownership of the project.

3. Canada 150 Fund – Major Events Stream

That Council:

1. Endorse the application to the Canada 150 Fund - Major Events Stream for a December 31, 2016 event
2. Allocate \$80,000 for in-kind City services from already approved 2016 budget and direct staff to seek sponsorships to offset the City's costs. Should sponsorship funding not be sufficient to cover the City's in-kind services, contributions to other events will be reduced proportionately.

4. Rezoning Application No. 00502 for 727 Johnson Street (Downtown Neighbourhood)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00502 for 727 Johnson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Registration of a legal agreement to prohibit the demolition of the existing building and secure the proposed restoration of the existing building.
2. Preparation of a Housing Agreement Bylaw that would prevent subdivision of the building by strata plan and ensure the building is occupied by non-owners for the life of the building.

5. **Development Permit Application No. 00453 for 727 Johnson Street (Downtown Neighbourhood)**

That Council consider the following motion after Development Permit Application No. 00453 for 727 Johnson Street is referred to the Heritage Advisory Panel for review and after the Public Hearing for Rezoning Application No. 00502, if it is approved:

"That Council authorize the issuance of Development Permit Application No.00453 for 727 Johnson Street in accordance with:

1. Plans date stamped April 12, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution."

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

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."

7. **Victoria Housing Reserve Fund Application: The Sahota, 1032 North Park Street (North Park Neighbourhood)**

As the CRD Housing Trust Fund for 2016 has been exhausted, that Council approve a grant from the Victoria Housing Reserve Fund in the amount of \$20,000 per door, to the

Pacifica Housing Advisory Association to assist in the creation of 11 units for affordable rental housing at 1032 North Park Street, subject to the following conditions:

1. The grant will be eligible for payment to the Pacifica Housing Advisory Association once a Housing Reserve Fund Grant Agreement has been executed and once a Housing Agreement has been registered on title.
2. The grant is to be repaid by the Pacifica Housing Advisory Association if the project does not proceed as proposed.
3. The Pacifica Housing Advisory Association enters into a Housing Agreement securing the housing units as rental in perpetuity at rent levels and to households with incomes consistent with the Victoria Housing Reserve Fund Guidelines in a form satisfactory to City staff.
4. The Pacifica Housing Advisory Association will ensure that the City of Victoria receives public recognition for its role as a financial contributor to this housing project by identifying the City of Victoria as a contributor on publications and documents related to the project and at public events related to the development, completion and operation of the project.
5. Upon the transfer of the property to Pacifica Housing Advisory Association, the applicant submits a final report to the Sustainable Planning and Community Development Department.
6. That Pacifica Housing provide information to Council on the amount of rent reduction that would result from a \$20,000 per door Housing Fund Grant.

8. Letter from Minister Fassbender

That staff be directed to provide overview comments for Council's consideration, regarding Uber Services in the City of Victoria.

9. External Grant Review

1. That Council approve in principle the proposed development of Option 1 for the 2017 grant process, for a one year pilot project. The detailed framework and implementation of the Terms of Reference would be brought back to Council for further discussion.
2. Direct staff to report back to Council by September on a proposed process for 2017.
3. That the staff report include consideration of options for the composition of the evaluation committee, including eliminating Council members on the Committee as one of the options, and options of the Committee consisting of members of Council.

10. Wildfire Evacuation of the City of Fort McMurray, Alberta

WHEREAS, on Sunday, May 1, a forest fire of about 1,250 hectares menaced the southwest entrance to Fort McMurray, located about 435 kilometres northwest of Edmonton, putting pockets of the city on evacuation alert. By Tuesday, May 3, the entire population of Fort McMurray was ordered to evacuate as the wildfire threatened the whole community, creating the largest fire evacuation in Alberta's history; and

AND WHEREAS many families across the Province of British Columbia have relocated to Fort McMurray over the years to pursue employment opportunities and are now seeking refuge in their home communities and elsewhere until the crisis is over; and

WHEREAS the devastation caused by the wildfire in Fort McMurray has a far-reaching effect on many Victoria citizens and people throughout the Province of British Columbia, who have loved ones in Fort McMurray;

THEREFORE BE IT RESOLVED, that Council approve a donation from Council Contingency to the City of Fort McMurray in the amount of \$1,000 to be used at the City's discretion to benefit its residents in the aftermath of this disaster; and further, that staff be directed to forward a copy of this resolution to all Capital Regional District members and encourage province-wide support for Fort McMurray residents.

11. Wildfire Evacuation of the City of Fort McMurray, Alberta

That the City provide in kind support to the Fort McMurray benefit concert in Centennial Square, taking place Friday, June 17, 2016.

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD MAY 26, 2016

For the Council Meeting of May 26, 2016, the Committee recommends the following:

1. Rezoning Application No. 00506 for 406 & 408 Wilson Street (Victoria West Neighbourhood)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00506 for 406 and 408 Wilson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

2. Development Permit with Variances Application No. 00506 for 406 & 408 Wilson Street (Victoria West Neighbourhood)

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. 00506, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00506 for 406 and 408 Wilson Street in accordance with:

1. Plans date stamped May 6, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the rear yard setback from 10.70m to 9.45m
 - ii. reduce the side (east) yard setback from 3.50m to 2.45m
3. The Development Permit lapsing two years from the date of this resolution."

3. Single-Use Plastic Retail Bags – Waste Management Review

That Council direct staff to:

1. Convene initial discussions / meetings with key business and waste management stakeholders, before the end of June 2016, to better understand perspectives and issues related to a ban or voluntary or required retail bag fee, at a cost of no less than 10 cents per bag, to incentivise the adoption of sustainable reusable bags, with the City's recommendation to re-invest those funds to improve business packaging and sustainability programs and future packaging reduction initiatives;
2. Develop and report on a preliminary work-plan and resource assessment, by July 2016, for the future analysis, engagement, and communications of any related initiatives to reduce single-use packaging;
3. Based on those findings, continue development of a more detailed, longer term, work-plan and the associated resource implications, needed to:
 - a. Work with local businesses and retailers in order to implement waste reduction strategies arising from item 1 and 3.
 - b. To convene or promote a working group with local and regional stakeholders (CRD, MMBC, Province, neighbouring municipalities, waste managers, local retailers and other key stakeholders) to collaboratively develop strategies

and initiatives to reduce single-use retail bags, single-use beverage containers, food packaging, and plastic film products, towards an overall goal of zerowaste, and sustainable, circular-economy model.

4. Review of Pedicab Regulations

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 46, to be distributed within a distribution of three blocks, of six licenses each, with opportunities for applicants requesting fewer than six licenses if the licenses remain available.
 - 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 this motion.

5. Centennial Square Washrooms

That Council direct staff to report back on the potential to provide public washrooms in the single retail unit in the CRD building.

6. Community Gardens - New Licences of Occupation

That Council authorize the Mayor and City Clerk to execute new Licenses of Occupation for the following community gardens, subject to the publication of notices as required by the Community Charter:

1. Banfield Commons Garden (Banfield Park, Victoria West) - from June 1, 2016
2. Banfield Park Orchard (Banfield Park, Victoria West) - from June 1, 2016
3. Earthbound Community Garden (2507 Garden Street, Hillside-Quadra) - from June 1, 2016
4. Fairfield Community Garden (Robert Porter Park, Fairfield Gonzales) - from June 1, 2016
5. Fernwood Community Orchard (William Stevenson Memorial Park, Fernwood) - from June 1, 2016
6. Spirit Garden (1769 Newton Street and 1782 Kings Road, North Jubilee) - from September 1, 2016.
7. Wark Street Park Garden (Wark Street Park, Hillside-Quadra) - from June 1, 2016

7. **Liquor Licence Application for 538 Yates Street (Downtown Neighbourhood)**

That Council consider directing staff to provide the following response to the Liquor Licensing Agency:

1. Council, after conducting a review with respect to noise and community impacts, does not support the application of Famous Original, located at 538 Yates Street to amend its existing food-primary liquor licence hours of 9:00 am -12:00 am, seven days a week to 9:00 am to 4:00 am seven days a week.
2. Council does support the application of Famous Original to amend its food-primary liquor licence to allow an increase in operating hours and liquor sales from 9:00 am to 1:00 am on Fridays and Saturdays only.

Providing the following comments on the prescribed considerations:

- a. While the original request by the Applicant represents a maximum 4 hour nightly increase to the allowed hours for liquor sales, Council has previously considered this issue and believes a 1:00 am closing on Friday and Saturday evenings represents a reasonable compromise between the business interests of food-primary licensees and concerns for additional noise and nuisance in the community. Furthermore, the proposed amendment to the hours does not give cause to believe that the establishment would be operated in a manner contrary to the primary purpose as a food-primary licensee.
- b. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the licensed location and a notice posted at the property. The City received 21 letters in support of the application and 12 letters opposed to the application including one from the Downtown Victoria Residents Association (DVRA).

8. **Johnson Street Bridge Replacement Project Quarterly Update**

That Council receive this report for information.



Council Report

For the Meeting of May 26, 2016

To: Council **Date:** May 17, 2016
From: Jonathan Tinney, Sustainable Planning and Community Development
Subject: Sidewalk Café Bylaw Update – Potential Noise and Safety Issues

RECOMMENDATION

1. That Council consider giving first, second and third readings to the Sidewalk Cafés Regulation Bylaw (No 16-038) attached to this report, with final adoption to follow on June 9, 2016.
2. That Council give first, second and third readings to the Ticket Bylaw, Amendment Bylaw (No. 9) attached to this report, with final adoption to follow on June 9, 2016.
3. That Council approve the Sidewalk Café Guidelines which have been updated with noise mitigation guidelines and are attached to this report.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with clarification on potential safety and noise issues that may occur in the public right-of-way as a result of sidewalk café licences. Sidewalk cafés play an important role in creating street vibrancy and supporting economic vitality, however, a balance must be struck with protecting other functions of the public right-of-way and ensuring nearby residents, businesses, and visitors are not negatively impacted.

Potential safety and noise issues that may be caused by sidewalk cafés are currently mitigated through the Sidewalk Café Bylaw and Noise Bylaw. To further mitigate potential late night noise, staff recommend that more information be required at the application stage so staff may assess potential noise issues. This would allow staff to make a more thorough assessment before it becomes a concern. Sidewalk café licences would only be issued if the application complies with the Sidewalk Café Bylaw, and other City bylaws, including the Noise Bylaw. While the City could refuse or cancel a licence on this basis, staff would work with applicants to consider design revisions that could mitigate noise levels as part of licence applications, or work with licence holders to achieve voluntary compliance in addressing noise concerns. The Sidewalk Café Guidelines have also been updated to communicate this objective to future applicants.

PURPOSE

The purpose of this report is to present Council with clarification on potential safety and noise issues that may occur in the public right-of-way as a result of sidewalk café licences, and recommend an approach to strengthen the application process to assist staff in assessing noise concerns before a licence is issued.

BACKGROUND

At the Council meeting of April 28, 2016, a motion was passed directing staff to consider revisions to the Sidewalk Café Bylaw update to mitigate potential late night noise concerns and to provide Council with clarification on potential safety issues in the public right-of-way.

ISSUES & ANALYSIS

Sidewalk cafés are important to the City because they bring street vibrancy and economic vitality, however, it is important that they do not negatively impact public use of the right-of-way or nearby residents, businesses, and visitors. The purpose of the Sidewalk Café Bylaw is to regulate the construction, placement, use and maintenance of objects and fixtures on public sidewalks that support sidewalk cafés to ensure access, safety, mobility, and to protect public property.

The Sidewalk Café Bylaw and Noise Bylaw currently regulate noise and safety issues. To further mitigate potential noise concerns, staff recommend that the process be adjusted as described below to better anticipate potential noise issues at the application stage.

Potential Late Night Noise Issues

Noise levels and types are currently regulated by the Noise Bylaw throughout the city for both private and public property. The bylaw divides the city into districts with different requirements for different areas of the city and also differentiates between day time and night time requirements. All sidewalk cafes must meet these requirements.

The Sidewalk Café Bylaw in its current form does not prescribe limited hours of operation. Introducing this as a new regulation in the updated bylaw would require considerations for how hours of operation should be treated in different areas of the city, given that street blocks and adjacent land uses within each context vary greatly. The City did not consult with stakeholders and the public on hours of operation as a potential bylaw amendment, so the potential impacts to current and future licence holders and feedback by the general public are not known at this time. Further, the Sidewalk Café Bylaw only applies to sidewalk cafés in the public right-of-way and does not apply to outdoor commercial patios on private property which would be regulated by the Noise Bylaw.

Given these factors, staff recommend that Council consider noise mitigation be addressed through the Sidewalk Café Guidelines and application requirements to provide a more flexible and proactive approach to potential noise issues. The recommended approach would also provide equity among public and private cafés in how late night noise issues are regulated in the City.

To that end, the proposed Sidewalk Café Bylaw has been amended to include a clause that would allow staff to request a noise assessment report for new sidewalk café applications (the new clause is 6(b) on page 5 of the attached Bylaw). Sidewalk café applications with potential noise concerns would need to be revised or would be refused at the application stage. Existing sidewalk cafés with demonstrated noise concerns could be cancelled during operation if appropriate. However, before refusing or cancelling a licence, staff would work with applicants and licence holders to consider how noise impacts may be mitigated through changes to the sidewalk café.

Clarification of Railing Requirements

Safety is one of the primary concerns of the Sidewalk Café Bylaw regulations and is ensured with a number of requirements, including prescribed clearances from curbs and widths for clear pedestrian passageway. Railings are required for sidewalk cafés that are located in the adjacent parking stall to separate moving vehicles from people for safety, but are not mandatory for sidewalk cafés on the sidewalk itself. This approach is intended to provide flexibility and the ability to determine appropriate design solutions based on each location and surrounding context.

In certain circumstances, a railing may not be necessary or desirable, for example, in a public square or plaza.

It is recommended that the regulations remain in their current form, and that applications be assessed case-by-case to ensure public access and safety are maintained. All sidewalk cafés must conform to the approved plans on file and no parts may overhang or encroach outside of the sidewalk café area. If a sidewalk café licence holder wishes to make a change to their sidewalk café, they must submit a new application to the City for assessment.

OPTIONS & IMPACTS

Option 1 – Move the updated Sidewalk Café Bylaw forward for adoption (Recommended)

Council may consider first, second and third readings of Bylaw No. 16-038 which includes an additional regulation to permit staff to request a noise assessment at the time of application. This would permit the updated Bylaw to be in place for the upcoming summer season.

Option 2 – Direct staff to explore limited hours of Sidewalk Café operations

Council may direct staff to explore limiting hours of Sidewalk Cafes, however, this would delay the Sidewalk Café Bylaw updates, and would require additional staff work and stakeholder engagement. Staff do not recommend this approach at this time. However, if noise issues arise in future and additional noise regulations are deemed necessary, bylaw amendments and further engagement could be considered at that time.

CONCLUSIONS

Potential safety and late night noise issues that may be caused by sidewalk café licences are currently addressed through specific regulations in the proposed Sidewalk Café Bylaw and existing Noise Bylaw. As directed by Council, staff have considered strengthening noise mitigation in the Sidewalk Café Bylaw, guidelines and application process. This will allow staff to require additional information regarding increased noise to help assess the potential impacts. A Sidewalk Café licence will not be issued for an application that will be unsafe or will be in contravention of the Noise Bylaw. If an existing Sidewalk Café causes issues around safety or noise, staff will work with licence holders to address the issues or cancel the licence.

Respectfully submitted,




Rob Bateman
Planner
Development Services Division

Alt.



Jonathan Tinney
Director
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:



 Date: May 20, 2016

List of Attachments

- Appendix A - Sidewalk Café Bylaw No. 16-038
- Appendix B - Ticket Bylaw, Amendment Bylaw (No.9)
- Appendix C - Sidewalk Café Guidelines

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
 - (a) provide the plans and details of the proposed Sidewalk Café showing:

- (i) the area of the Sidewalk or Roadside to be occupied, and
 - (ii) 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; and
 - (b) submit a noise assessment if requested by the Director.
- (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,
 - (viii) contravene the provisions of this or any other 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, there will be 1 meter of unobstructed Street space located between the Roadside Café and the adjacent motor vehicle travel lane,
- (c) 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
- (d) 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 day of 2016

READ A SECOND TIME the day of 2016

READ A THIRD TIME the day of 2016

ADOPTED on the day of 2016

CITY CLERK

MAYOR

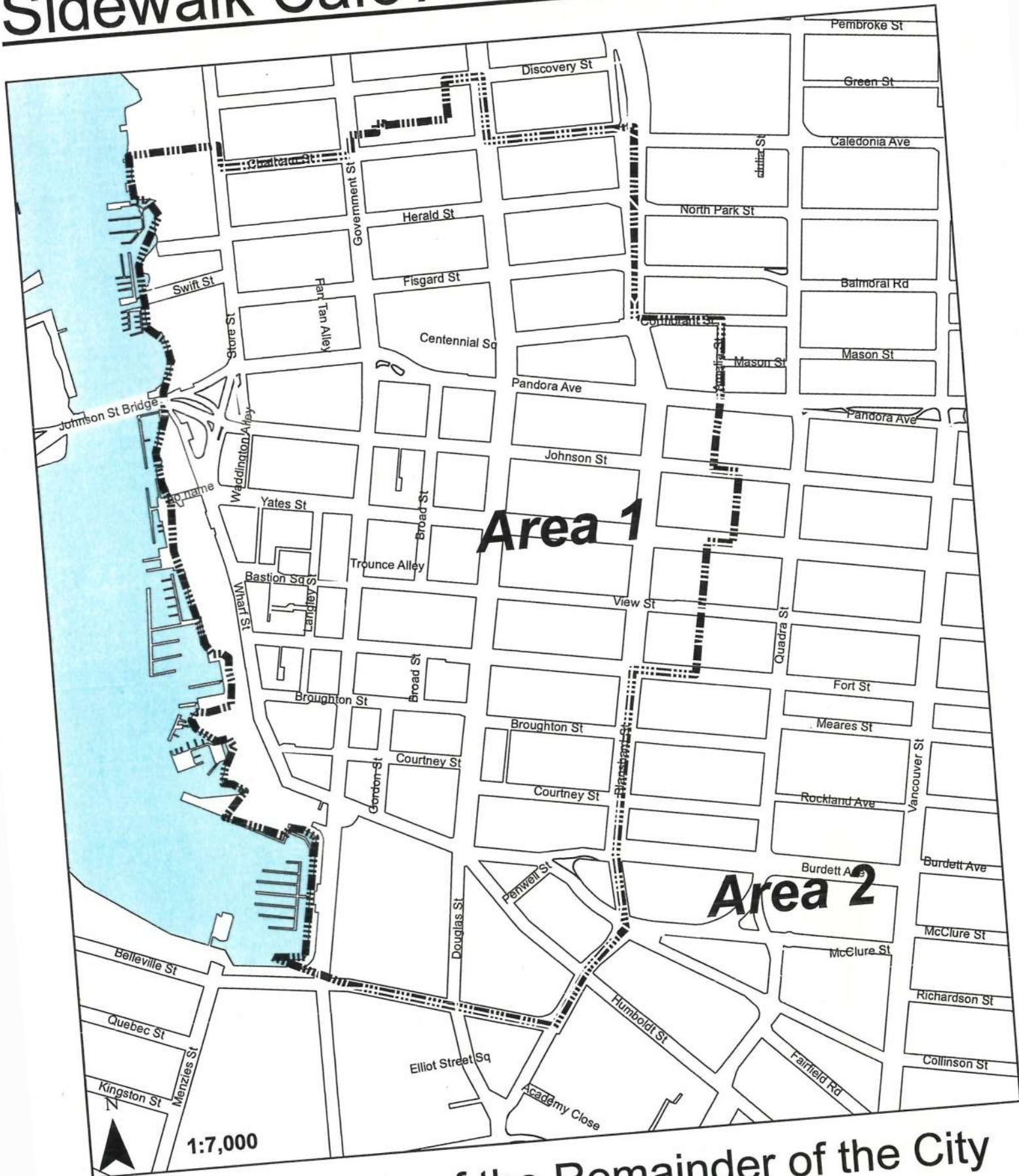
SCHEDULE A**SIDEWALK CAFÉ ANNUAL LICENCE FEES**

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
 Page 267 of 296

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	day of	2016
READ A SECOND TIME the	day of	2016
READ A THIRD TIME the	day of	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



Sidewalk Café Guidelines

Sidewalk cafes add vibrancy to our community and provide a welcoming place for people to meet, relax and dine. They can transform our streets by creating energy and drawing people into the area.

In the City of Victoria, sidewalk café licenses allow businesses to expand their restaurant or café to provide outdoor seating in some public spaces including sidewalks. The sidewalk café guidelines are intended to clarify and provide standards for sidewalk cafes in order to enhance the quality and safety of the pedestrian experience and to encourage economic vitality and street activity.

General

The main function of sidewalks is to support the movement of people throughout the city.

- Locations and design of sidewalk cafés should enhance the pedestrian experience along sidewalks and not negatively impact the movement of people or vehicles in the area.
- A sidewalk café can be allowed only if its location and construction will maintain a safe, secure and comfortable environment for pedestrians using the public right-of-way.
- A sidewalk café should reinforce the character of the area. The design and materials should respect the setting of the surrounding streetscape, buildings and neighbourhood.
- Sidewalk cafes should not negatively impact key public view corridors noted in other City policies.

Open Appearance

Sidewalk cafes should have an open appearance and contribute to a feeling of vibrancy and activity on the street. Sidewalk cafes cannot be fully enclosed. While it is important that Sidewalk Cafes contribute to street vitality, it is equally important that they do not cause noise issues, particularly at

night. To ensure that Sidewalk Cafes comply with the Noise Bylaw, applicants may be required to provide more information, such as a noise assessment report, and/or make design changes to mitigate potential noise issues.

Maintain Accessibility

Sidewalk cafes should be designed to be accessible both inside the café and in the surrounding areas.

- A minimum horizontal clearance of 1.5 m from the sidewalk café to the nearest sidewalk obstruction, such as a tree, bike rack, sign post, utility pole, bench, portable sign or bus shelter, is required to allow pedestrian passageway. A clearance greater than 1.5 m may be required in high pedestrian flow areas. The clearances for pedestrian passageway should remain as straight and clear as possible.
- Access and passageway for pedestrians must only be on sidewalks or hardscaped surfaces for pedestrian safety and to avoid damage to grass, trees, and other vegetation. Access and passageway must not include tree grate surfaces or other tree well areas covered by pavers or other material.
- Unless the sidewalk café has permission

to occupy the adjacent parking stall, a minimum clearance of 1.0 m from the nearest curb is required to separate the sidewalk café from traffic and parked cars. A distance greater than 1.0 m may be required in high traffic areas to ensure public safety.

Maintenance and Operations

The business with the sidewalk café licence is responsible for its maintenance.

- The business holding the license is responsible for the proper maintenance of the sidewalk café at all times, including repairs, painting, cleaning, and hazards.
- No cooking is allowed in the sidewalk café area.
- Trash receptacles are not permitted within the sidewalk café area.
- All objects associated with a sidewalk café such as furnishings, awnings, umbrellas, signage, lighting, and planters should be located within the sidewalk café area at all times with no parts overhanging outside of the area.
- Sidewalk cafés may be built only in locations where they do not obstruct access to public utilities, service connections, access for emergency vehicles and exits from buildings.

CONTINUED >

FOR MORE INFORMATION:

City of Victoria

E developmentservices@victoria.ca

Maintenance and Operations, continued

- A sidewalk café must not obstruct delivery access to buildings.
- Sidewalk cafes must not obstruct access to hanging basket lamp poles.
- The design must promote visibility to passing traffic and maintain clear sightlines at intersections and crossings.
- The design, location, and area of the sidewalk café must not adversely affect boulevard vegetation such as grass and trees or prevent City access and maintenance.
- Trees which have tree grates or other tree well areas covered by pavers and other materials should not be included in a sidewalk café area without additional fencing to keep patrons and site furniture away from these areas.
- Roadway and curb drainage must be maintained.
- All objects fixed in place, such as fences and railings, must be of significant strength yet allow easy removal within two working days.
- A removable deck may be approved if there is a need to level a steep incline (more than 5%) or to harmonize indoor and outdoor seating levels.

Impacts to Neighbouring Trees and Boulevards

Consideration for neighbouring trees and boulevards should be taken into account with the design of sidewalk cafes.

- A sidewalk café must not cause damage to a street tree.
- No items including, but not limited to, signage, banners and lighting may be hung, attached, draped or affixed to a street tree.
- No liquids or cleaning products shall be dumped, allowed to flow or to drain in to a tree well or City drains.

- No pesticide or fertilizer applications shall be applied to street trees.

Furnishings

- Furnishings such as tables, chairs, and accessories should be moveable and of a solid weight for stability.
- Furnishings should be commercial grade, safe, sturdy, durable material and manufactured for outdoor use.
- All furnishings and accessories must be contained within the perimeter of the sidewalk café area.
- Furnishings must be limited to dining purposes only (e.g. tables, chairs, and accessories) and not obstruct the entrance to the café.

Weather Protection

- Awnings should be mounted on a removable wall bracket and be retractable.
- Weather protection, such as awnings, umbrellas or other similar solutions should be constructed of flame-resistant and fade-resistant canvas.

Heating

- Heaters must not be placed within the dripline and/or closer than 2 metres from any part of adjacent street trees.
- The visual impact of heating devices/systems should be considered and arranged to be as unobtrusive as possible.
- All outdoor heating devices should be appropriate for use in a sidewalk café and complement the character of the business to which it is associated.
- All outdoor heating devices must conform to safety standards established by the Canadian Standards Association (CSA) and certified by Underwriters' Laboratories of Canada (ULC), where necessary.

Lighting and Signage

Lighting fixtures should complement the character of the business.

- Lighting levels should be low and directed into the café rather than out towards the street.
- Light fixtures should complement the character of the business to which it is associated.
- No signage or third party advertising, other than for the business operating the café, is permitted.

Use of Adjacent Parking Stall

Cafés or restaurants may apply to the City to use an adjacent parking stall for a sidewalk café. In these cases, the following guidelines apply in addition to the guidelines above.

A sidewalk café must:

- Provide a one metre buffer between the outer edge of the sidewalk café and adjacent travel lane and should not extend more than 2.5 m from the curb into the street.
- Have railings that are a minimum of 1.07 m in height from curb elevation on all sides that are exposed to the street with reflectors for visibility to traffic.
- Only be located where permanent parking or loading is permitted. It must not occupy a lane used by moving traffic at any time.
- Provide adequate space to allow vehicle access to adjacent parking stalls.
- Not be located on a street exceeding a running slope of 5%.

These guidelines provide guidance to applicants and City staff when reviewing applications.

For further detail, please refer to the Sidewalk Café Bylaw (No. 16-038). Additional City Permits may be required.

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
 - (a) provide the plans and details of the proposed Sidewalk Café showing:

- (i) the area of the Sidewalk or Roadside to be occupied, and
 - (ii) 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; and
 - (b) submit a noise assessment if requested by the Director.
- (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,
 - (viii) contravene the provisions of this or any other 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, there will be 1 meter of unobstructed Street space located between the Roadside Café and the adjacent motor vehicle travel lane,
- (c) 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
- (d) 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 day of 2016

READ A SECOND TIME the day of 2016

READ A THIRD TIME the day of 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	day of	2016
READ A SECOND TIME the	day of	2016
READ A THIRD TIME the	day of	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

NO. 16-049

PARKS REGULATION BYLAW, AMENDMENT BYLAW (NO. 7)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to amend the Parks Regulation Bylaw to prohibit overnight sheltering in the following parks: Haegert Park, Kings Park, Cridge Park, and Arbutus Park.

Under its statutory powers, including sections 8(3)(b), 62, and 64 of the *Community Charter*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

Title

1 This bylaw may be cited as the “Parks Regulation Bylaw, Amendment Bylaw (No. 7)”.

Amendment

2 The Parks Regulation Bylaw No. 07-059 is amended by repealing section 16A(2)(b) and replacing it with the following:

- “(b) at any time, in
 - (i) a playground, sports field, footpath or road within a park,
 - (ii) Bastion Square,
 - (iii) Haegert Park,
 - (iv) Cridge Park,
 - (v) Kings Park,
 - (vi) Arbutus Park,
 - (vii) an environmentally sensitive area, or
 - (viii) any area within a park that has been designated for an event or activity under a valid and subsisting permit issued under the authority of this Bylaw.”

READ A FIRST TIME the **12th** day of **May** 2016

READ A SECOND TIME the **12th** day of **May** 2016

READ A THIRD TIME the **12th** day of **May** 2016

ADOPTED on the day of 2016

CITY CLERK

MAYOR



PO Box 123,4 | 621 Discovery Street | Victoria | BC | V8W 2T6 — T 250 • 704 • 2500 | F 250 • 472 • 0680 | www.victoriadragonboat.com

May 13, 2016

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

Attention: Mayor Lisa Helps

Dear Madam,

Re: Nomination for Honorary Life Member

We are pleased to inform you that the City of Victoria was one of the nominees for recognition as an Honorary Life Member of the Victoria Dragon Boat Festival Society. This will be our third year recognizing individuals or organizations that have been instrumental to growing the Victoria Dragon Boat Festival. After much consideration of the nominations the committee selected the City of Victoria to receive this award for 2016.

We hope to present the award at our Community Feast fundraiser at Don Mee Restaurant in Chinatown on June 9, 2016. Doors will open at 5:30 pm with dinner at approximately 6:30.

In this respect we would like to invite the City of Victoria to attend our Community Feast to receive the award. We will of course ask that as Mayor, you will please consider attending as our guest and as a representative of the City of Victoria. Please confirm your attendance or that of a representative of the city at your earliest convenience.

Please RSVP to Sinclair Mar at marlaw@telus.net.

Yours truly,

A blue ink signature of Sinclair Mar.

Sinclair Mar
Chair, Victoria Dragon Boat Festival Society
Teresa Lin
Director and Cultural Committee Chair



Office of the Mayor

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

April 28, 2016

Mayor Helps and Council;

I am writing to update you on our legal action with NavCanada and to request your consideration of support in this action. As you are aware, North Saanich joined with BC Assessment in the action brought before the BC Court of Appeal. We were very successful in that action and received a unanimous decision from the five judge panel. The court reversed previous cases that resulted in single use properties like those owned by NavCanada and BC Ferries being valued at essentially zero. However, NavCanada has filed for leave to take this case to the Supreme Court of Canada. If our strong ruling is upheld, the position of municipalities with respect to the assessment of such properties will be protected.

I can advise that while we have received some support from the UBCM, Kamloops, and Powell River, our costs to date of approximately \$180,000.00 have far exceeded contributions. We expect the costs of going to the Supreme Court to defend our favorable ruling will be in the order of an additional \$100,000.00. As the outcome of the next proceedings are significant for municipalities with NavCanada and BC Ferry facilities, we are requesting your consideration of further financial support in this effort. We are very optimistic as to the outcome of the Supreme Court's ruling especially given the unanimous decision we recently received.

Yours truly,

A handwritten signature in blue ink, appearing to read "Alice Finall".

Mayor Alice Finall



May 9, 2016

Mayor & Councillors
City of Victoria
#1 Centennial Square
Victoria, BC V8W 1P6

Re: Impacts of changes to 40km/h within the City of Victoria

Dear Council,

Approximately 15 months ago, the City of Victoria reduced the posted speed limit to 40 km/hr on several corridors relied upon by transit. In response to observed deterioration of system performance, the Victoria Regional Transit Commission directed BC Transit staff to write a letter on their behalf to document their concerns.

While lower posted speed limits may be perceived as helping active modes of transportation they can also act to negatively impact transit services. Changes to the posted limit have the potential to reduce on-time performance and increase transit travel times. Since there is no such thing as "free" time in a transit system, increases to transit travel times often mean that the number of trips would need to be reduced (to stay within existing system resources) or that additional resources would be needed to maintain existing service frequency.

As part of the regular transit service planning cycle, BC Transit monitors transit system and route performance. In the first half of 2015, BC Transit Operations reported increasing issues with on-time performance with routes that operate frequent transit service on arterial roads where the posted speed limit changed. Reports of on time performance on these routes is of concern because of the high levels of transit ridership and service.

Transit travel time data was reviewed for this time period and corrective action was taken in the Fall of 2015 and schedules were updated to reflect more realistic travels times. This realignment of existing resources unfortunately resulted in the effective cancellation of approximately 30 weekday trips or 1 percent of weekday trips.

In the case of Local Transit corridors like Bay, Cook and Richardson Street —where lower ridership service operates less frequently--no changes to service have been required. In the case of the Frequent Transit corridors noted above, changes to the posted speed limit were likely a contributing factor to issues with on-time performance along with general changes to traffic levels.

The Victoria Regional Transit Commission is supportive of initiatives that improve or encourage active modes of transportation such as cycling, walking and transit because all of these modes are symbiotic and enhance each other. Residents may choose to cycle for some trips and take transit for others. The more diversity and quality of transportation choice, the easier it is for people to choose a lifestyle that relies less on automobiles.

However, the Commission is not supportive of reductions to posted speed limits on arterial corridors or other road design changes that increase transit travel times and reduce transit service levels. The existing transit service levels are required to meet the existing high level of ridership on these corridors. Reductions in service lead to passenger overcrowding and increased passenger pass ups making transit a less attractive transportation choice. Further changes to transit travel times will require a reduction of service to the City and other parts of the region, effectively adding costs while losing ridership.

There are a number of transit investments identified across the region to meet existing transit customer needs and implement the Transit Future Plan Vision. At the same time there is finite funding available to implement and deliver on these existing priorities, which makes it more important that municipal plans support making effective use of the existing resources.

Transit travel times are important to provide transit customers with reliable, frequent, direct service that is comfortable and safe. BC Transit looks forward to continuing to work with municipalities to make transit viable and attractive transportation choice for transit customers in Victoria and the region as a whole. BC Transit on behalf of the Commission requests that the City:

- Consults with BC Transit staff when changes are being considered to roads that transit operates on
- Maintain the speed limit at 50km/hr on arterial roads identified as Frequent or Rapid Transit Corridors in the Official Community Plan
- Consider the inclusion of transit priority measures as part of transportation improvement projects on arterial roads identified as Frequent or Rapid Transit Corridors in the Official Community Plan to improve the effectiveness of transit.

Yours sincerely,



Brian Anderson

Vice President, Operations & Chief Operating Officer

cc: Commission Members