



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, January 12, 2023, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

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

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

Pages

A. APPROVAL OF AGENDA

B. POETRY

Readings by John Barton, Poet Laureate, and Eli Mushumanski, Youth Poet Laureate.

C. READING OF MINUTES

D. REQUESTS TO ADDRESS COUNCIL

D.1 Heather Murphy: Support Including 24/7 Access to Bathrooms on the 900 Block Pandora and Support for People Unhoused Living There

D.2 Alison Acker: Staff Person to Liaise with Homeless Population

1

D.3 Leslie Robinson: When Densification Becomes Gentrification - Protecting Tenants and Preserving Affordable Rental Housing

D.4 WITHDRAWN

~~Sharon Hazelwood: Camping By-law Regarding Time Limits~~

D.5 WITHDRAWN

~~Raj Singh Toor: Komagata Maru Recognition Street Name or Park Name or Komagata Maru Interpretive Sign~~

D.6 Lavinia Rojas: Fireworks Ban

41

D.7 Jen Dobell: Ban Fireworks for Animals, Environment, People with PTSD

*D.8 Shon Shum: Banning of Fireworks

56

Addendum: Supporting Materials

D.9 Teri Millis: Fireworks

E. PROCLAMATIONS

F. PUBLIC AND STATUTORY HEARINGS

Participation is available by the following ways:

1. **Watch the meeting live at the following link:**
 - <https://www.victoria.ca/EN/main/city/mayor-council-committees/council-committee-meetings.html>
2. **Submit written comments:**
 - Email: publichearings@victoria.ca
 - Mail: Legislative Services, #1 Centennial Square, Victoria, BC V8W 1P6
 - Drop off: to the Ambassador in City Hall Lobby (entrance off Pandora Avenue)
 - Written submissions must be received by 2:00 p.m. the date of the meeting
3. **Submit pre-recorded video:**
 - Email submission to publichearings@victoria.ca
 - Maximum 5 minutes in length
 - Must be received by 2:00 p.m. the Tuesday before the meeting
4. **Pre-register to speak live – via telephone**
 - Email publichearings@victoria.ca
 - Maximum 5 minutes to address Council
 - Register by 2:00 p.m. the day before the meeting
 - Alternatively, you may watch the meeting live stream and call to speak during the public hearing by calling 778-698-2440: participation code 1551794#.
5. **Attend in-person**
 - Council Chambers, Victoria City Hall, 1 Centennial Square, Victoria, BC

For more information on participating in Public Hearings, go to:

<https://www.victoria.ca/EN/main/news-events/public-notice/public-hearings.html>

***F.1 700 Government Street: Rezoning Application No. 00813 and Development Permit Application No. 000616**

57

Addenda: Presentation, Additional Correspondence

Council is considering an application to rezone the Inner Harbour Ship Point South District (IHSS Zone) to permit “recreational facility” use to allow a floating sauna facility.

F.1.a Public Hearing & Consideration of Approval

271

- **Motion to give 3rd reading to:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1290) No. 22-094
- **Motion to adopt:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1290) No. 22-094
- **Motion to approve Development Permit**

***F.2 680 Montreal Street: Rezoning Application No. 00792**

274

Addendum: Presentation

Council is considering an application to allow the existing hotel use to continue once the provincially-legislated expiration of the Land Use Contract occurs on June 30, 2024. The applicant is also requesting an increase in density and site coverage over existing conditions, which would allow for a redevelopment of the north wing in the future.

F.2.a Public Hearing & Consideration of Approval:

401

- **Motion to give 3rd reading to:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1285) No. 22-077
- **Motion to adopted:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1285) No. 22-077

G. UNFINISHED BUSINESS

H. REPORTS OF COMMITTEES

I. NOTICE OF MOTIONS

J. BYLAWS

K. CORRESPONDENCE

L. NEW BUSINESS

M. CLOSED MEETING, IF REQUIRED

N. ADJOURNMENT

A HUMAN RIGHTS APPROACH



A National Protocol for Homeless Encampments in Canada

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UN Special Rapporteur on the right to adequate housing

Kaitlin Schwan

Lead Researcher for UN Special Rapporteur on the right to adequate housing

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EXECUTIVE SUMMARY

A National Protocol for Homeless Encampments in Canada: A Human Rights Approach

Homeless encampments threaten many human rights, including most directly the right to housing. People living in encampments face profound challenges with respect to their health, security, and wellbeing, and encampment conditions typically fall far below international human rights standards. Residents are frequently subject to criminalization, harassment, violence, and discriminatory treatment. Encampments are thus instances of both human rights *violations* of those who are forced to rely on them for their homes, as well as human rights *claims*, advanced in response to violations of the right to housing.

Ultimately, encampments are a reflection of Canadian governments' failure to successfully implement the right to adequate housing.

As encampments increasingly emerge across Canada, there is an urgent need for governments to interact with them in a manner that upholds human rights. This Protocol, developed by the UN Special Rapporteur on the Right to Housing and her lead researcher, Kaitlin Schwan, with the input of many experts, outlines eight Principles to guide governments and other stakeholders in adopting a rights-based response to encampments. While encampments are not a solution to homelessness, it is critical that governments uphold the basic human rights and dignity of encampment residents while they wait for adequate, affordable housing solutions that meet their needs. The Principles outlined in this Protocol are based in international human rights law, and the recognition that encampment residents are rights holders and experts in their own lives. The Protocol is intended to assist governments in realizing the right to adequate housing for this group.

PRINCIPLES

Principle 1: Recognize residents of homeless encampments as rights holders

All government action with respect to homeless encampments must be guided by a commitment to upholding the human rights and human dignity of their residents. This means a shift away from criminalizing, penalizing, or obstructing homeless encampments, to an approach rooted in rights-based participation and accountability.

Principle 2: Meaningful engagement and effective participation of homeless encampment residents

Residents are entitled to meaningful participation in the design and implementation of policies, programs, and practices that affect them. Ensuring meaningful participation is central to respecting residents' autonomy, dignity, agency, and self-determination. Engagement should begin early, be ongoing, and proceed under the principle that residents are experts in their own lives. The views expressed by residents of homeless encampments

must be afforded adequate and due consideration in all decision-making processes. The right to participate requires that all residents be provided with information, resources, and opportunities to directly influence decisions that affect them.

Principle 3: Prohibit forced evictions of homeless encampments

International human rights law does not permit governments to destroy peoples' homes, even if those homes are made of improvised materials and established without legal authority. Governments may not remove residents from encampments without meaningfully engaging with them and identifying alternative places to live that are acceptable to them. Any such removal from their homes or from the land which they occupy, without the provision of appropriate forms of legal protection, is defined as a 'forced eviction' and is considered a gross violation of human rights. The removal of residents' private property without their knowledge and consent is also strictly prohibited.

Common reasons used to justify evictions of encampments, such as 'public interest,' 'city beautification', development or re-development, or at the behest of private actors (e.g., real estate firms), do not justify forced evictions.¹

Principle 4: Explore all viable alternatives to eviction

Governments must explore all viable alternatives to eviction, ensuring the meaningful and effective participation of residents in discussions regarding the future of the encampment. Meaningful consultation should seek to maximize participation and should be supported by access to free and independent legal advice. Where personal needs differ amongst residents of encampments such that a singular best alternative is not unanimous, governments will have to develop several solutions each of which is consistent with the principles outlined in this Protocol.

Principle 5: Ensure that relocation is human rights compliant

Considerations regarding relocation must be grounded in the principle that "the right to remain in one's home and community is central to the right to housing."² Meaningful, robust, and ongoing engagement with residents is required for any decisions regarding relocation. Governments must adhere to the right to housing and other human rights standards when relocation is necessary or preferred by residents. In such cases, adequate alternative housing, with all necessary amenities, must be provided to all residents prior to any eviction. Relocation must not result in the continuation or exacerbation of homelessness, or require the fracturing of families or partnerships.

Principle 6: Ensure encampments meet basic needs of residents consistent with human rights

Canadian governments must ensure, at a minimum, that basic adequacy standards are ensured in homeless encampments while adequate housing options are negotiated and

¹ A/HRC/43/43, para 36.

² A/73/310/Rev.1, para 26.

secured. Governments' compliance with international human rights law requires: (1) access to safe and clean drinking water, (2) access to hygiene and sanitation facilities, (3) resources and support to ensure fire safety, (4) waste management systems, (4) social supports and services, and guarantee of personal safety of residents, (5) facilities and resources that support food safety, (6) resources to support harm reduction, and (7) rodent and pest prevention.

Principle 7: Ensure human rights-based goals and outcomes, and the preservation of dignity for homeless encampment residents

Governments have an obligation to bring about positive human rights outcomes in all of their activities and decisions concerning homeless encampments. This means that Canadian governments must move, on a priority basis, towards the full enjoyment of the right to housing for encampment residents. Any decision that does not lead to the furthering of inhabitants' human rights, that does not ensure their dignity, or that represents a backwards step in terms of their enjoyment of human rights, is contrary to human rights law.

Principle 8: Respect, protect, and fulfill the distinct rights of Indigenous Peoples in all engagements with homeless encampments

Governments' engagement with Indigenous Peoples in homeless encampments must be guided by the obligation to respect, protect, and fulfil their distinct rights. This begins with recognition of the distinct relationship that Indigenous Peoples have to their lands and territories, and their right to construct shelter in ways that are culturally, historically, and spiritually significant. Governments must meaningfully consult with Indigenous encampment residents concerning any decisions that affects them, recognizing their right to self-determination and self-governance. International human rights law strictly forbids the forced eviction, displacement, and relocation of Indigenous Peoples in the absence of free, prior, and informed consent.

Given the disproportionate violence faced by Indigenous women, girls, and gender diverse peoples, governments have an urgent obligation to protect these groups against all forms of violence and discrimination within homeless encampments, in a manner that is consistent with Indigenous self-determination and self-governance.

A National Protocol for Homeless Encampments in Canada: A Human Rights Approach

I. Introduction

1 In the face of escalating homelessness and housing affordability crises, many cities across Canada have seen a rise in homeless encampments. In various Canadian communities, people experiencing homelessness have turned to living in s, vehicles, or other forms of rudimentary or informal shelter as a means to survive.³ While they vary in size and structure, the term '*encampment*' is used to refer to any area wherein an individual or a group of people live in homelessness together, often in tents or other temporary structures (also referred to as *homeless camps*, *tent cities*, *homeless settlements* or *informal settlements*).

2 Homeless encampments in Canada must be understood in relation to the global housing crisis and the deepening of housing unaffordability across the country. Encampments must also be understood in the context of historical and ongoing structural racism and colonization in Canada, whereby Indigenous peoples have been systemically discriminated against and dispossessed of their lands, properties, and legal systems. Other groups have also endured systemic and historical disadvantage that has created barriers to accessing housing and shelters, including 2SLGBTQ+, Black and other racialized communities, people living with disabilities, and people who are criminalized. While encampments are often framed and discussed as matters of individual poverty or deficiency, they are the result of structural conditions and the failure of governments to implement the right to housing or to engage with reconciliation and decolonization materially and in good faith.

3 Homeless encampments threaten many human rights, including most specifically the right to housing. In international human rights law, homelessness - which includes those residing in encampments - is a prima facie violation of the right to adequate housing.⁴ This means that governments have a positive obligation to implement an urgent housing-focused response, ensuring that residents have access to adequate housing in the shortest possible time and, in the interim, that their human rights are fully respected.

4 Government responses to homeless encampments often fail to employ a rights-based approach. Residents of encampments are frequently the victims of abuse, harassment, violence, and forced evictions or 'sweeps.' In many cases, the issues

³ Encampments have arisen in cities across the country, including: Abbotsford, Vancouver, Victoria, Edmonton, Toronto, Ottawa, Gatineau, Peterborough, Winnipeg, Montreal, Nanaimo, Calgary, Saskatoon, Fredericton, Moncton, Oshawa, Halifax, and Maple Ridge.

⁴ A/HRC/31/54, para. 4.

associated with encampments are within the jurisdiction and responsibility of municipal authorities, including through bylaws specific to policing, fire and safety, sanitation, and social services. This has led to a pattern whereby municipal governments deploy bylaws, local police, and zoning policies that displace people in encampments, in turn compromising the physical and psychological health of people who have no place else to go and who rely on encampments to survive, absent accessible alternatives.⁵

5 Provincial, territorial, and federal governments have historically left engagement with encampments to city officials, who receive little (if any) guidance and support. Municipal authorities are often unaware of their legal obligations under international human rights law, including with respect to the duty to ensure the dignity and security of encampment residents.⁶ Further, accountability mechanisms with respect to the right to housing remain weak in Canada, meaning that people living in encampments have limited avenues through which to claim this right.

6 Ensuring a human rights-based response to homeless encampments should be a key concern for every Canadian city, and all governments should employ a human rights-based framework to guide their engagement with encampment residents.

II. Purpose of the National Protocol on Homeless Encampments

7 The purpose of this document is to provide all levels of government with an understanding of their human rights obligations with respect to homeless encampments, highlighting what is and is not permissible under international human rights law. This Protocol outlines 8 broad human rights-based Principles that must guide state⁷ action in response to homeless encampments of all kinds.

8 This Protocol does not attempt to foresee every possible context or challenge that may arise within encampments. Governments and relevant stakeholders must apply human rights principles as described in the Protocol to each case as it arises, endeavouring at all times to recognize and respect the inherent rights, dignity, and inclusion of encampment residents.

9 This Protocol has been developed by the UN Special Rapporteur on the right to housing in consultation with a range of experts from across Canada, including those

⁵ *Abbotsford (City) v. Shantz* (2016 BCSC 2437). Online, <https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc2437/2016bcsc2437.html?resultIndex=1>

⁶ A/HRC/43/43, para 7.

⁷ 'State' refers to all levels and branches of government and anyone exercising government authority.

with lived expertise of homelessness, urban Indigenous leaders, community advocates, researchers, lawyers, and experts in human rights law.⁸

III. Encampments in Canada in the context of the Human Right to Adequate Housing

10 Under international human rights law, everyone has the right to adequate housing as an element of the right to an adequate standard of living.⁹ This requires States to ensure that housing is accessible, affordable, habitable, in a suitable location, culturally adequate, offers security of tenure, and is proximate to essential services such as health care and education.¹⁰ The right to adequate housing includes the right to be protected from: arbitrary or unlawful interference with an individual's privacy, family, and home; any forced eviction (regardless of legal title or tenure status); and from discrimination of any kind.¹¹

11 Homelessness constitutes a prima facie violation of the right to housing. It is a profound assault on a person's dignity, security, and social inclusion. Homelessness violates not only the right to housing, but often, depending on circumstances, violates a number of other human rights, including: non-discrimination; health; water and sanitation; freedom from cruel, degrading, and inhuman treatment; and the rights to life, liberty, and security of the person.¹²

12 Encampments constitute a form of homelessness, and thus are a reflection of the violation of residents' right to adequate housing. People living in encampments typically face a range of human rights violations and profound challenges with respect to their health, security, and wellbeing. Encampment conditions typically fall far below international human rights standards on a variety of fronts, often lacking even the most

⁸ This Protocol was prepared by: Leilani Farha and Kaitlin Schwan with the assistance of Bruce Porter, Vanessa Poirier, and Sam Freeman. Reviewers include, among others: Margaret Pfoh (Aboriginal Housing Management Association), Cathy Crowe (Shelter and Housing Justice Network), Greg Cook (Sanctuary Toronto), Tim Richter (Canadian Alliance to End Homelessness), Anna Cooper (Pivot Legal Society), Caitlin Shane (Pivot Legal Society), Emily Paradis (University of Toronto), Emma Stromberg (Ontario Federation of Indigenous Friendship Centres), and Erin Dej (Wilfred Laurier University).

⁹ United Nations Committee on Economic, Social and Cultural Rights Committee's General Comments No. 4 (1991) on the right to adequate housing and No. 7 (1997) on forced evictions.

¹⁰ United Nations Committee on Economic, Social and Cultural Rights Committee's General Comment No. 4 (1991) on the right to adequate housing. At the domestic level, adequate housing and core housing need is defined in relation to three housing standards: adequacy, affordability, and suitability. The Canadian Mortgage and Housing Corporation [defines](#) these housing standards in the following ways: "(1) [Adequate](#) housing are reported by their residents as not requiring any major repairs; (2) [Affordable](#) dwellings cost less than 30% of total before-tax household income; and (3) [Suitable](#) housing has enough bedrooms for the size and make-up of resident households, according to National Occupancy Standard (NOS) requirements."

¹¹ A/HRC/43/43.

¹² A/HRC/31/54; A/HRC/40/61, para 43.

basic services like toilets.¹³ Residents of encampments are also frequently subject to criminalization, harassment, violence, and discriminatory treatment.¹⁴

13 In the face of poverty and deep marginalization, people without homes face many untenable choices. For example, they may be forced to choose between ‘sleeping rough’ on their own (putting themselves at risk of violence and criminalization), entering an emergency homeless shelter (which may be inaccessible or inappropriate for their needs, or in which their autonomy, dignity, self-reliance, and/or independence may be undermined), or residing in a homeless encampment (in which they may lack access to basic services and face threats to their health). These choices are further narrowed for those living in communities that lack any emergency shelters, or where existing shelters are at (or over) capacity.

14 For people without access to adequate housing, the availability, accessibility, appropriateness, and adequacy of shelters plays a significant role in determining whether or not a person chooses to reside in a homeless encampment. In some cities, emergency shelters operate at 95-100% capacity,¹⁵ necessitating that some individuals sleep rough or reside in an encampment. Existing shelters may also not be low-barrier, wheelchair accessible, trans-inclusive, or safe for people experiencing complex trauma or other challenges. Homeless persons with mental health challenges, drug or alcohol dependencies, or pets may find themselves barred from shelters. Under such conditions, some individuals may prefer, or feel they have little choice but to, reside in an encampment. Encampments thus may become a necessity or the best option available for some of those the most marginalized people in Canadian society.

15 For Indigenous peoples, a desire to avoid state surveillance and a mistrust of institutional settings, including shelters, may be a factor in turning to or living in an encampment. Negative or harmful interactions with colonial institutions, such as residential schools, the child welfare system, corrections, hospitals, asylums or sanatoriums, and shelters, may be intergenerational in nature and highly traumatic. For these reasons and others, Indigenous peoples are overrepresented in homeless populations across Canada, and further to this, are more likely to be part of “outdoor” or “unsheltered” populations – including homeless encampments.¹⁶

¹³ See Cooper, A. (2020). *Why People Without Housing Still Need Heat*. Pivot Legal Society. Available from: http://www.pivotlegal.org/why_people_without_housing_still_need_heat

¹⁴ A/HRC/43/43, para 31; see also *Homelessness, Victimization and Crime: Knowledge and Actionable Recommendations*. Available from: <https://www.publicsafety.gc.ca/lbrr/archives/cnmcs-plcng/cn35305-eng.pdf>

¹⁵ Employment and Social Development Canada. (2018). *Shelter Capacity Report 2018*. Ottawa. Available from <https://www.canada.ca/en/employment-social-development/programs/homelessness/publications-bulletins/shelter-capacity-2018.html>

¹⁶ See Ontario Federation of Indigenous Friendship Centres. (2020). *Indigenous Homelessness in the 20 Largest Cities in Canada*. Submission to the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities, Canada.

16 Regardless of the reasons why a person resides in a homeless encampment, homeless encampments *do not* constitute adequate housing, and do not discharge governments of their positive obligation to ensure the realization of the right to adequate housing for all people. Under international human rights law, “States have an obligation to take steps to the maximum of their available resources with a view to achieving progressively the full realization of the right to adequate housing, by all appropriate means, including particularly the adoption of legislative measures.”¹⁷ As part of these obligations, States must prioritize marginalized individuals or groups living in precarious housing conditions - including residents of homeless encampments.¹⁸

17 Governments have an urgent, positive obligation to provide or otherwise ensure access to adequate housing - for residents of encampments as they do for all people experiencing homelessness. Governments must act to immediately pursue deliberate, concrete, and targeted efforts to end homelessness by ensuring access to adequate housing. In the interim, governments must ensure the availability of sufficient shelter spaces - accessible and appropriate for diverse needs - where dignity, autonomy, and self-determination are upheld.

18 The fact that encampments violate the right to housing does not in any way absolve governments of their obligations to uphold the basic human rights and dignity of encampment residents while they wait for adequate, affordable housing solutions that meet their needs. The Principles outlined in this Protocol seek to support governments and other stakeholders to ensure that their engagements with encampments are rights-based and recognize residents as rights holders, with a view to realizing the right to adequate housing for these groups while respecting their dignity, autonomy, individual circumstances, and personal choices.

19 International human rights law does not permit government to use force to destroy peoples’ homes, even if they are made of canvas or improvised from available materials and constructed without legal authority or title. States may not remove residents from encampments without meaningfully engaging them to identify alternative places to live that are acceptable to them. Any such removal from their homes or from the land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection, consistent with international human rights law is defined as a ‘forced eviction’ and is considered a gross violation of human rights.

20 Unfortunately, such forced evictions or sweeps have become common in Canada. Evictions have contravened international law by being carried out without meaningful consultation with communities and without measures to ensure that those affected have access to alternative housing. They have been justified on the basis that the

¹⁷ International Covenant on Economic, Social and Cultural Rights, art. 2 (1).

¹⁸ A/HRC/43/4.

residents are there illegally, are at risk to themselves, are on land that is slated for development, or are obstructing the enjoyment of the community by others. Declining conditions at encampments and public health and safety concerns are also frequently the grounds on which local governments and provinces seek injunctions for removal. The impact of municipalities' failure to proactively provide resources and services to mitigate or improve those conditions and concerns is most often ignored. Some communities have engaged bylaw officers or local police to tear down encampments at first sight.¹⁹

21 None of these reasons, however, justify forced evictions under international law. Forced evictions often have harmful or disastrous consequences for encampment residents.²⁰ Victims may face life-threatening situations that compromise their health and security, or result in the loss of access to food, social supports, social and medical services, and other resources.²¹

22 Few governments have recognized encampments as a response to violations of fundamental human rights and a response to the isolation and indignity of homelessness. They have failed to treat those living in such encampments as legally entitled to the protection of their homes and their dignity.

IV. Relevant Authority

23 Canadian governments' responsibilities and relevant authority to ensure the right to adequate housing, including for people residing in encampments, is found in: (1) international human rights treaties, (2) the *National Right to Housing Act*, (3) the *Canadian Charter of Rights and Freedoms* and human rights legislation, and (4) the UN *2030 Agenda for Sustainable Development (The Sustainable Development Goals)*.

1. International Human Rights Treaties

24 Canada has ratified multiple international human rights treaties that articulate the right to adequate housing. In 1976, Canada ratified the *International Covenant on Economic, Social and Cultural Rights*, which contains the chief articulation of the right to housing under Article 11.1 "the right of everyone to an adequate standard of living for [themselves] and [their] family, including adequate food, clothing and housing, and to

¹⁹ Ball, V. (2019). *Encampment residents fear eviction*. The Expositor. Available from: <https://www.brantfordexpositor.ca/news/local-news/encampment-residents-fear-eviction>

²⁰ A/HRC/43/43, para 36.

²¹ UN Office of the High Commissioner. (2014). *Forced Evictions: Fact Sheet No. 25/Rev.1*. Available from: <https://www.ohchr.org/Documents/Publications/FS25.Rev.1.pdf>; Collinson, R. & Reed, D. (2018). *The Effects of Eviction on Low-Income Households*. Available from: https://www.law.nyu.edu/sites/default/files/upload_documents/evictions_collinson_reed.pdf

the continuous improvement of living conditions.”²² The right to housing and the prohibition against forced evictions has been interpreted in General Comments No. 4 and 7²³ by the UN Committee on Economic, Social and Cultural Rights. In addition, Canada has ratified other treaties that codify the right to adequate housing, including:

- *Convention on the Rights of Persons with Disabilities*
- *Convention on the Rights of the Child*
- *Convention on the Elimination of Racial Discrimination*
- *Convention on the Elimination of Discrimination against Women*

25 Human rights ratified by Canada “extend to all parts of federal States without any limitations or exceptions,” thus federal, provincial/territorial, and municipal governments are equally bound by these obligations.²⁴ In interpreting the right to adequate housing, the Committee on Economic, Social and Cultural Rights has emphasized that “the right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by merely having a roof over one’s head or views shelter exclusively as a commodity. Rather it should be seen as the right to live somewhere in security, peace and dignity.”²⁵

26 Canada has also formally recognized the *UN Declaration on the Rights of Indigenous Peoples*, which also codifies the right to adequate housing and affirms that Indigenous Peoples have the right to be actively involved in developing and determining housing programmes and policies that affect them.²⁶ Further, Indigenous Peoples’ right to land and self-determination is indivisible from the right to housing under international human rights law, meaning that they “shall not be forcibly removed from their lands or territories and that no relocation shall take place without their free, prior and informed consent.”²⁷ All encampments are located on the traditional territories of Indigenous nations, including in cities, towns, and rural areas. On these territories, Indigenous Peoples’ right to land and self-determination is in effect, whether or not those lands are subject to land claims or treaty.

1. Canadian Housing Policy and Legislation

27 The right to housing has also recently been recognized in Canadian legislation. In June 2019, the *National Housing Strategy Act* (the *Act*) received royal assent in Canada. The *Act* affirms Canada’s recognition of the right to housing as a fundamental human

²² ICESCR, Article 11, masculine pronouns corrected.

²³ General Comment 4 (1991), UN Doc. E/1992/23; General Comment 7 (1997), UN Doc. E/1998/22.

²⁴ A/69/274.

²⁵ General Comment 4 (1991), para 7.

²⁶ A/74/183.

²⁷ A/74/183.

right and commits to further its progressive realization as defined under the *International Covenant on Economic, Social and Cultural Rights*.

28 The Preamble and Section 4 of the *Act* underscore the interdependence of the right to housing with other fundamental rights, such as the right to life and an adequate standard of health and socio-economic wellbeing. Specifically, Section 4 states:

It is declared to be the housing policy of the Government of Canada to:

- (a) recognize that the right to adequate housing is a fundamental human right affirmed in international law;
- (b) recognize that housing is essential to the inherent dignity and well-being of the person and to building sustainable and inclusive communities;
- (c) support improved housing outcomes for the people of Canada; and
- (d) further the progressive realization of the right to adequate housing as recognized in the International Covenant on Economic, Social and Cultural Rights.

2. The Canadian Charter and Provincial/Territorial Human Rights Legislation

29 The government of Canada's international human rights obligations must be considered by courts in Canada when determining the rights of residents of encampments under domestic law,²⁸ particularly the *Canadian Charter of Rights and Freedoms*.²⁹ The Supreme Court has recognized that the right to "life, liberty and security of the person" in section 7 of the *Charter* may be interpreted to include the right to housing under international law.³⁰ Canada has told the UN that it accepts that section 7 at least ensures access to basic necessities of life and personal security.³¹

²⁸ It should be noted that a human rights-based approach under domestic law should entail mindfulness about core human rights and equality principles, such as substantive equality and non-discrimination, which recognizes that state interventions be particularly attuned to the specific needs of particular groups, including those impacted by systemic and historical disadvantage. In this regard, a 'one size fits all' approach may not fully capture the distinct needs of groups residing within encampments.

²⁹ *R. v. Hape*, [2007] 2 S.C.R. 292, 2007 SCC 26, para 56: "In interpreting the scope of application of the Charter, the courts should seek to ensure compliance with Canada's binding obligations under international law where the express words are capable of supporting such a construction."

³⁰ *Irwin Toy Ltd. v. Quebec (Attorney General)*, [1989] 1 S.C.R. 927; See Martha Jackman and Bruce Porter, "[Social and Economic Rights](#)", in Peter Oliver, Patrick Maklem & Nathalie DesRosiers, eds, *The Oxford Handbook of the Canadian Constitution* (New York: Oxford University Press, 2017), 843-861.

³¹ Canada's commitments are described in *Victoria (City) v. Adams*, 2008 BCSC 1363 (CanLII), paras 98-99. Online, <http://canlii.ca/t/215hs>

30 In Canada, courts have considered the human rights implications of encampments, and have emphasized that Section 7 life and security of the person interests are engaged where state action poses significant harm to the health and wellbeing of persons enduring homelessness and housing insecurity. For example, Canadian courts have recognized that the daily displacement of people experiencing homelessness causes physical and psychological harm. The Court accepted in the case of *Abbotsford (City) v. Shantz*, that "the result of repeated displacement often leads to the migration of homeless individuals towards more remote, isolated locations as a means to avoid detection. This not only makes supporting people more challenging, but also results in adverse health and safety risks." The court recognized that these health and safety risks include "impaired sleep and serious psychological pain and stress."³²

31 In the case of *Victoria v. Adams*,³³ residents of an encampment challenged a bylaw that prevented them from constructing temporary shelter in a park, on the basis of which city officials had secured an injunction to evict them. The British Columbia Supreme Court agreed that while the *Charter* does not explicitly recognize the right to housing, international law is a persuasive source for *Charter* interpretation and found that the bylaw violated the residents' right to security of the person. The BC Court of Appeal upheld the decision of the BC Supreme Court and other decisions in British Columbia have followed.³⁴ In *British Columbia v. Adamson* 2016,³⁵ for example, the court found that in the absence of alternative shelter or housing for all people experiencing homelessness, encampment residents must not be evicted from their encampment. In *Abbotsford v. Shantz* 2015³⁶ the Court found that denying encampment residents space to erect temporary shelters on public property was "grossly disproportionate to any benefit that the City might derive from furthering its objectives and breaches the s. 7 *Charter* rights of the City's homeless."³⁷

32 The right to equality is also protected under the Canadian Charter as well as under federal, provincial, and territorial human rights legislation. Not all levels of government interpret or administer human rights codes in the same manner, with each province and territory administering its own human rights codes.³⁸ Regardless of jurisdiction, the UN Committee on Economic, Social and Cultural Rights has stated that the right to

³² *Abbotsford (City) v. Shantz*, 2015 BCSC 1909, paras 213 and 219.

³³ *Victoria (City) v. Adams*, 2008 BCSC 1363 (CanLII), paras 85-100. Online, <http://canlii.ca/t/215hs>

³⁴ Key examples of case law includes: *Victoria v. Adams* 2008/ 2009, *Abbotsford v. Shantz* 2015, *BC v. Adamson* 2016, and *Vancouver (City) v. Wallstam* 2017.

³⁵ *British Columbia v. Adamson* (2016 BCSC 1245). Online, <https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc1245/2016bcsc1245.html?resultIndex=1>

³⁶ *Abbotsford (City) v. Shantz* (2016 BCSC 2437). Online, <https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc2437/2016bcsc2437.html?resultIndex=1>

³⁷ *Abbotsford (City) v. Shantz* (2016 BCSC 2437), para 224. Online, <https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc2437/2016bcsc2437.html?resultIndex=1>

³⁸ For an overview of provincial and territorial human rights codes, see: <https://ccdi.ca/media/1414/20171102-publications-overview-of-hr-codes-by-province-final-en.pdf>

equality should be interpreted to provide the widest possible protection of the right to housing and has urged Canadian courts and governments to adopt such interpretations.³⁹

33 While it is clear that the *Charter* provides some protection from forced evictions and sweeps of encampment residents, the extent to which it requires governments to address the crisis of homelessness that has led to reliance on encampments remains unresolved. The Supreme Court of Canada has yet to agree to hear an appeal in a case that would clarify the obligations of governments to address homelessness as a human rights violation. The Supreme Court has, however, been clear that the *Charter* should, where possible, be interpreted to provide protection of rights that are guaranteed under international human rights law ratified by Canada.

34 Governments should not use uncertainty about what courts might rule as an excuse for violating the human rights of those who are homeless. Canadian governments have an obligation, under international human rights law, to promote and adopt interpretations of domestic law consistent with the right to adequate housing. The UN Committee on Economic, Social and Cultural Rights has expressed concern that governments in Canada continue to argue in court against interpretations of the *Canadian Charter* that would protect the rights of homeless persons and residents of homeless encampments.

35 Therefore, it is critically important that, as part of a Protocol based on respect for human rights, municipal, provincial/territorial, and federal governments instruct their lawyers not to undermine international human rights or oppose reasonable interpretations of the *Charter* based on international human rights. They should never seek to undermine the equal rights of residents of homeless encampments to a dignified life, to liberty, and security of the person.

3. UN 2030 Agenda for Sustainable Development

36 In September 2015, member states of the United Nations, including Canada, adopted the *2030 Agenda for Sustainable Development (2030 Agenda)*. Target 11.1 of the SDGs specifically identifies that by 2030, all States must “ensure access for all to adequate, safe and affordable housing and basic services and to upgrade informal settlements.” This means governments must take steps to eliminate homelessness and make cities inclusive, safe, resilient and sustainable. Upgrading informal settlements

³⁹ CESCR, General Comment No. 9, para 15; E/C.12/1993/5, paras 4, 5, and 30.

includes the upgrading of homeless encampments.⁴⁰ States have affirmed that a rights-based approach to the SDG's is critical if they are to be achieved.⁴¹

V. Key Principles

37 It is critical that all levels of government in Canada employ an integrated human rights-based approach when engaging with encampments. The Principles outlined here aim to support the right to housing for all encampment residents as part of Canada's commitment to the right to housing under international human rights treaties and domestic law.

PRINCIPLE 1: Recognize residents of homeless encampments as rights holders

38 All government action with respect to homeless encampments must be guided by a commitment to upholding the human rights and human dignity of their residents. For many governments and those exercising governmental authority, this will mean a shift away from criminalizing, penalizing, or obstructing encampments, to an approach rooted in rights-based participation and accountability.⁴²

39 This will mean understanding encampments as instances of both human rights *violations* of those who are forced to rely on them for their homes, as well as human rights *claims* advanced in response to violations of the right to housing. While encampments arise as a result of governments failing to effectively implement the right to housing, they can also be an expression of individuals and communities claiming their legitimate place within cities, finding homes within communities of people without housing, asserting claims to lands and territories, and refusing to be made invisible. They are a form of grassroots human rights practice critical to a democracy such as Canada's.⁴³ For Indigenous peoples, the occupation of lands and traditional territories vis-à-vis encampments may also be an assertion of land rights, claimed in conjunction with the right to housing.

40 In recognition of encampments as rights violations and rights claims, governments must rectify the policy failures that underpin the emergence of homeless encampments, while simultaneously recognizing residents as rights holders who are advancing a legitimate human rights claim. Their efforts to claim their rights to home

⁴⁰ A/73/310/Rev.1.

⁴¹ The *National Housing Strategy* of Canada mirrors many of the commitments made in the *2030 Agenda*. However, the *Strategy* only commits Canada to reducing chronic homelessness by 50%, despite the *2030 Agenda's* imperative to eliminate homelessness and provide access to adequate housing for all.

⁴² A/73/310/Rev.1, para 15.

⁴³ A/73/310/Rev.1.

and community must be supported, not thwarted, criminalized, or dismissed as illegitimate or gratuitous protest.⁴⁴

PRINCIPLE 2: Meaningful engagement and effective participation of encampment residents

41 Ensuring encampment residents are able to participate in decisions that directly affect them is “critical to dignity, the exercise of agency, autonomy and self-determination.”⁴⁵ As rights holders, encampment residents are entitled to “participate actively, freely and meaningfully in the design and implementation of programmes and policies affecting them.”⁴⁶ Meaningful engagement must be grounded in recognition of the inherent dignity of encampment residents and their human rights, with the views expressed by residents of homeless encampments being afforded adequate and due consideration in all decision-making processes.

42 Governments and other actors must engage encampment residents in the early stages of discussion without using the threat of eviction procedures or police enforcement to coerce, intimidate, or harass.⁴⁷ Engagement should proceed under the principle that residents are experts in their own lives and what is required for a dignified life.⁴⁸ Indigenous residents of encampments should also be engaged in decision-making processes in a manner that is culturally-safe and trauma informed.

43 In the context of homeless encampments, the right to participate requires that all residents be provided with information, resources, and opportunities to directly influence decisions that affect them. All meetings with government officials or their representatives regarding the encampment should be documented and made available to encampment residents upon request.

44 Participation processes must comply with all human rights principles, including non-discrimination. Compliance with international human rights law requires:

- i. **Provision of necessary institutional, financial, and other resources to support residents’ right to participate**
In order to participate in decisions that affect them, encampment residents should be provided with financial and institutional resources (e.g., wifi/internet access, meeting spaces) that support their active participation in decision-making. Such supports should include, but are not

⁴⁴ A/73/310/Rev.1.

⁴⁵ A/HRC/43/43, para 20.

⁴⁶ Ibid. See also the Committee on the Rights of the Child’s General Comment No. 21 (2017) on children in street situations.

⁴⁷ A/HRC/40/61, para 38.

⁴⁸ A/HRC/43/43, para 21.

limited to: legal advice, social service supports, Indigenous cultural supports, literacy supports, translation, mobility supports, and transportation costs to attend consultations or meetings.⁴⁹ These resources should support democratic processes within the encampment, including community meetings, the appointment of community leaders, and the sharing of information.⁵⁰ Residents must be granted a reasonable and sufficient amount of time to consult on decisions that affect them.

ii. **Provision of relevant information about the right to housing**

Encampment residents must be provided with information about their right to housing, including information about procedures through which they can hold governments and other actors accountable, as well as specific information about the rights of Indigenous Peoples.⁵¹

iii. **Provision of relevant information concerning decisions that affect residents, ensuring sufficient time to consult**

Encampment residents must be provided with all relevant information in order to make decisions in matters that affect them.⁵²

iv. **Establishment of community engagement agreement between homeless encampment residents, government actors, and other stakeholders**

In order to facilitate respectful, cooperative, and non-coercive communication between residents, government, and other stakeholders, government may seek to collaborate with residents to create a formal community engagement agreement (when appropriate and requested by residents).⁵³ This agreement should outline when and how encampment residents will be engaged,⁵⁴ and should be ongoing and responsive to the needs of the encampment residents.⁵⁵ It should allow the residents of homeless encampments to play an active role in all aspects of relevant proposals and policy, from commencement to conclusion. Residents should be able to challenge any decision made by government or other actors, to propose alternatives, and to articulate their own demands and priorities. Third party mediators should be available to protect against power imbalances that may lead to breakdown in negotiations or create

⁴⁹ Committee on Economic, Social and Cultural Rights' General Comment No. 4, para. 12, and the basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18, annex I, para. 39).

⁵⁰ A/73/310/Rev.1.

⁵¹ A/73/310/Rev.1, para 19.

⁵² A/73/310/Rev.1.

⁵³ A/73/310/Rev.1.

⁵⁴ A/73/310/Rev.1.

⁵⁵ United Nations. *Guiding Principles on Extreme Poverty and Human Rights*, foundational principles, para 38.

unfair results.⁵⁶ Relevant government authorities and professionals should also be provided with “training in community engagement and accountability.”⁵⁷

v. **Provision of equitable opportunities for the meaningful participation of all encampment residents**

As a matter of human rights law, particular efforts must be taken to ensure equitable participation by women, persons with disabilities, Indigenous Peoples, migrants, and other groups who experience discrimination or marginalization.⁵⁸ Where possible, members of these groups should be afforded central roles in the process.⁵⁹

Principle 2 in Action – The “People’s Process” in Kabul, Afghanistan

The upgrading of informal settlements was identified as a key goal in the *2030 Agenda for Sustainable Development*, committing States to “upgrade slums” by 2030 (target 11.1). As identified by the UN Special Rapporteur on the right to adequate housing, “Participation in upgrading requires democratic processes through which the community can make collective decisions.” Under international human rights law, the democratic processes required to upgrade slums mirrors encampment residents’ right to participate in plans to resolve their housing needs. As such, democratic processes implemented to upgrade informal settlements in cities around the world can provide helpful examples for Canadian homeless encampments.

One such example is the “people’s process” in Kabul, Afghanistan. This process delineates community leadership and control over the upgrading process, and includes an organizational structure that enables the community to engage different levels of government. As part of this process, “local residents elect community development councils responsible for the selection, design, implementation and maintenance of the projects.” City staff are trained to work alongside informal settlement residents to implement and complete upgrading.

⁵⁶ A/HRC/43/4, para 42.

⁵⁷ A/73/310/Rev.1, para 20.

⁵⁸ A/HRC/43/4.

⁵⁹ Committee on Economic, Social and Cultural Rights, General Comment No. 21 (2009) on the right of everyone to take part in cultural life, in particular para 16.

PRINCIPLE 3: Prohibition of forced evictions of encampments

45 Under international human rights law, forced evictions constitute a gross violation of human rights and are prohibited in all circumstances, including in the context of encampments.⁶⁰

46 Forced evictions are defined as “the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection ... in conformity with the provisions of the International Covenants on Human Rights.”⁶¹

47 Forced evictions are impermissible irrespective of the tenure status of those affected. This means that the forced eviction of encampments is prohibited if appropriate forms of protection are not provided – including all of the requirements described in this Protocol.⁶² It may also be considered a forced eviction when governments’ and those acting on their behalf harass, intimidate, or threaten encampment residents, causing residents to vacate the property.⁶³

48 Common reasons used to justify evictions of encampments, such as ‘public interest,’ ‘city beautification,’ development or re-development, or at the behest of private actors (e.g., real estate firms), do not justify forced evictions.⁶⁴ Evictions (as opposed to “forced evictions”) may be justified in rare circumstances, but they may only be carried out after exploring all viable alternatives with residents, in accordance with law and consistent with the right to housing, as described in this Protocol.

49 Governments must repeal any laws or policies that sanction forced evictions and must refrain from adopting any such laws, including for example anti-camping laws, move-along laws, laws prohibiting tents being erected overnight, laws prohibiting personal belongings on the street, and other laws that penalize and punish people experiencing homelessness and residing in encampments.⁶⁵

⁶⁰ A/HRC/43/43, para 34; CESCR General Comment No.7.

⁶¹ CESCR General Comment No.7.

⁶² A/HRC/43/43, para 34; also see: “Security of tenure under domestic law should not, consequently, be restricted to those with formal title or contractual rights to their land or housing. The UN guiding principles on security of tenure (A/HRC/25/54, para. 5), states that security of tenure should be understood broadly as “a set of relationships with respect to housing and land, established through statutory or customary law or informal or hybrid arrangements, that enables one to live in one’s home in security, peace and dignity.”

⁶³ UN Office of the High Commissioner. (2014). *Forced Evictions: Fact Sheet No. 25/Rev.1*. Available from: <https://www.ohchr.org/Documents/Publications/FS25.Rev.1.pdf>

⁶⁴ A/HRC/43/43, para 36.

⁶⁵ See, for example, Ontario’s *Safe Street’s Act* (1999).

Principle 3 in Action: Forced Eviction & Harassment of Homeless Encampment Residents

In cities around the world, people experiencing homelessness are frequently subject to discriminatory treatment, harassment, and extreme forms of violence because of their housing status. People residing in homeless encampments are exposed to similar or worse treatment, particularly when faced with pressure to relocate or disperse.

In some cases, local laws, policies, or practices can provide the mechanisms for this harassment. For example, in British Columbia local authorities enforced a bylaw prohibiting overnight shelters in parks by using tactics that included spreading chicken manure and fish fertilizer on a homeless encampment. Residents and allies of the homeless encampment subsequently filed a human rights complaint with regard to these practices (*Abbotsford (City) v. Shantz*), and the BC Supreme Court found that certain bylaws violated encampment residents' constitutional rights to life, liberty and security of the person.

Under international human rights law, such activities are strictly prohibited and constitute instances of forced eviction, even if they align with local laws or policies. Given this, it is critical that Canadian governments review local and national policies and laws to ensure they do not violate the prohibition against the forced eviction of homeless encampments.

PRINCIPLE 4: Explore all viable alternatives to eviction

50 Government authorities must explore all viable alternatives to eviction, in consultation with encampment residents.⁶⁶ This means ensuring their meaningful and effective participation in discussions regarding the future of the encampment.

51 Free and independent legal advice should be made available to all residents to help them understand the options, processes, and their rights. Consultations should be conducted at times and locations that are appropriate and accessible for residents to ensure their participation is maximised. Financial and other support should be available to residents so that they can fully participate in all discussions regarding the future of the encampment and so that residents can retain outside consultants (e.g., environmental engineers, architects) where needed to assist them in developing alternative options to eviction.

52 Discussions regarding viable alternatives to eviction must include meaningful engagement with Indigenous Peoples and be grounded in principles of self-determination, free, prior and informed consent. In urban contexts, for example, urban Indigenous organisations should be engaged early in the planning process to establish service delivery roles and to ensure the availability of culturally appropriate services.

⁶⁶ A/HRC/43/4.

53 Where personal needs differ amongst residents of encampments such that a singular best alternative is not unanimous, governments will have to develop several solutions each of which is consistent with the principles outlined in this Protocol.

PRINCIPLE 5: Ensure that any relocation is human rights compliant

54 Homeless encampments are not a solution to homelessness, nor are they a form of adequate housing. Governments have an urgent, positive obligation to ensure encampment residents have access to long-term, adequate housing that meets their needs, accompanied by necessary supports. Rather than eviction, governments must engage with homeless encampments with a view to ensuring residents are able to access such housing.

55 Despite this obligation, many governments respond to encampments by simply moving residents from one bad site to another through the use of law enforcement, physical barriers, or other means, and without meaningfully engaging residents. This in no way addresses the underlying violations of the right to housing experienced by residents of encampments, is often costly, and can contribute to increased marginalization. If relocation is deemed necessary and/or desired by encampment residents, it is critical that it is conducted in a human rights compliant manner.

56 As a starting point, meaningful, robust, and ongoing engagement with residents (as defined in Principle 2) is required for the development of any relocation of homeless encampments or of their residents. Meaningful engagement with communities should ensure the development of plans that respect the rights of residents and can be implemented cooperatively, without police enforcement.⁶⁷ Considerations regarding relocation must be grounded in the principle that “the right to remain in one’s home and community is central to the right to housing.”⁶⁸ If relocation is consistent with the human rights of residents, it will almost always be achievable without the use of force.

57 If government authorities propose the relocation of residents of homeless encampments, and the residents desire to remain in situ, the burden of proof is on the government to demonstrate why in situ upgrading is unfeasible.⁶⁹

58 If, after meaningful engagement with those affected, relocation is deemed necessary and/or desired by encampment residents, adequate alternative housing must be provided in close proximity to the original place of residence and source of livelihood.⁷⁰ If governments have failed to provide residents with housing options that

⁶⁷ A/HRC/40/61, para 38.

⁶⁸ A/73/310/Rev.1, para 26.

⁶⁹ A/73/310/Rev.1, para 32.

⁷⁰ A/HRC/4/18, annex I, para. 60.

they find acceptable, residents must be permitted to remain or be provided with a satisfactory alternative location, while adequate permanent housing options are negotiated and put in place.

59 If, in the exceptional case there is no viable alternative to eviction by authorities, eviction must be compliant with all aspects of international human rights law.⁷¹ Compliance with international human rights law requires:

i. **Prohibition against the removal of residents' private property without their knowledge and consent**

The removal of residents' private property by governments and those acting on their behalf, including the police, without their knowledge and consent, is strictly prohibited.⁷² Such actions are contrary to the rights of residents and may contribute to the deepening of residents' marginalization, exclusion, and homelessness.⁷³ Governments and police must also seek to actively prevent the removal of homeless residents' private property by private actors or any other form of harassment.

ii. **Adherence to the right to housing and other human rights standards when relocation is necessary or preferred**

Adequate alternative housing, with all necessary amenities (particularly water, sanitation and electricity), must be in place for all residents prior to their eviction.⁷⁴ Alternative housing arrangements should be in close proximity to the original place of residence and to services, community support, and livelihood.⁷⁵ It is critical that all encampment residents be allowed to participate in decisions regarding relocation, including the timing and site of relocation.⁷⁶ A full hearing of the residents' concerns with the proposed relocation should be held, and alternatives explored.

⁷² A/HRC/4/18, *Basic Guidelines on Development Based Evictions*, see para 50: "States and their agents must take steps to ensure that no one is subject to direct or indiscriminate attacks or other acts of violence, especially against women and children, or arbitrarily deprived of property or possessions as a result of demolition, arson and other forms of deliberate destruction, negligence or any form of collective punishment. Property and possessions left behind involuntarily should be protected against destruction and arbitrary and illegal appropriation, occupation or use."

⁷³ National Law Centre on Homelessness & Poverty. (2017). *Violations of the Right to Privacy for Persons Experiencing Homelessness in the United States*. Available from: <https://nlchp.org/wp-content/uploads/2018/10/Special-Rapporteur-Right-to-Privacy.pdf>. See para 7: "For them, whatever shelter they are able to construct, whether legally or illegally, is their home, and their right to privacy should inhere to that home the same as it would for any regularly housed person. To deny them that right is to further marginalize and dehumanize this already highly marginalized and dehumanized population."

⁷⁴ A/73/310/Rev.1, para 34.

⁷⁵ Basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18, annex I, para. 60) and A/HRC/4/18, annex I, para. 60.

⁷⁶ A/73/310/Rev.1, para 31.

iii. **Relocation must not result in the continuation or exacerbation of homelessness, or require the fracturing of families or partnerships**

Relocation must not result in the continuation or deepening of homelessness for residents.⁷⁷ Relocation must not require the separation of families or partners, as defined by rights-holders themselves, including chosen family and other kinship networks.⁷⁸ Governments should engage encampments with a view to keeping the community intact, if this is desired by the residents.⁷⁹ Governments should also ensure that relevant housing policies are supportive of the ways in which rights-holders define their own families, partnerships, communities and extended Indigenous kinship structures, and accommodate these whenever possible in public or social housing.

iv. **Access to justice to ensure procedural fairness and compliance with all human rights**

Access to justice must be ensured at all stages of government engagement with encampment residents, not just when eviction is imminent.⁸⁰ Access to justice and legal protection must meet international human rights law standards,⁸¹ including the provision of due process, access to legal aid, access to fair and impartial legal advice, and the ability to file complaints in a relevant forums (including Indigenous forums) that are geographically proximate.⁸²

⁷⁷ A/73/310/Rev.1.

⁷⁸ UN Office of the High Commissioner. (2014). *Forced Evictions: Fact Sheet No. 25/Rev.1*. Available from: <https://www.ohchr.org/Documents/Publications/FS25.Rev.1.pdf>. See para 52: “States should also ensure that members of the same extended family or community are not separated as a result of evictions.”; also, UNHR Summary Conclusions on the Family Unit, Available at <https://www.unhcr.org/protection/globalconsult/3c3d556b4/summary-conclusions-family-unity.html>, see para 8: “International human rights law has not explicitly defined ‘family’ although there is an emerging body of international jurisprudence on this issue which serves as a useful guide to interpretation. The question of the existence or non-existence of a family is essentially a question of fact, which must be determined on a case-by-case basis, requiring a flexible approach which takes account of cultural variations, and economic and emotional dependency factors. For the purposes of family reunification, ‘family’ includes, at the very minimum, members of the nuclear family (spouses and minor children).”

⁷⁹ A/HRC/43/43, para 42.

⁸⁰ A/HRC/43/43.

⁸¹ Committee on Economic, Social and Cultural Rights, General Comment No. 7, para 3.

⁸² It should be noted that broad and inclusive participatory-based processes can potentially foster access to justice for equity-seeking groups, and such processes should be responsive to the unique barriers to justice these groups face.

Principle 5 in Action - *Melani v. City of Johannesburg*

Globally, there are many compelling examples of courts upholding the rights of informal settlements or homeless encampments right to remain in place (“in situ”) in their community. One such example is *Melani v. City of Johannesburg* in South Africa. In this case, the Slovo Park informal settlement challenged the City of Johannesburg’s decision to relocate the community to an alternative location 11 km away. The court held that the Government’s upgrading policy, as required by the constitutional right to housing, envisages “a holistic development approach with minimum disruption or distortion of existing fragile community networks and support structures and encourages engagement between local authorities and residents living within informal settlements.” The Court concluded that relocation must be “the exception and not the rule” and any relocation must be to a location “as close as possible to the existing settlement.” The Court ordered the City of Johannesburg to reverse the decision to relocate the community, and mandated the city to apply for funding for in situ upgrading.

The South African approach is an example of how some national courts are making the shift to adopt a human rights-based approach to encampments. This is a shift that moves in the right direction and should be applied by all courts in Canada.

PRINCIPLE 6: Ensure encampments meet basic needs of residents consistent with human rights⁸³

60 Much of the stigma attached to residents of encampments is a result of governments failing to ensure access to basic services, including access to clean water, sanitation facilities, electricity, and heat, as well as support services.⁸⁴ These conditions violate a range of human rights, including rights to housing, health, physical integrity, privacy, and water and sanitation.⁸⁵ In these conditions, residents face profound threats to dignity, safety, security, health, and wellbeing.⁸⁶ The denial of access to water and sanitation by governments constitutes cruel and inhumane treatment, and is prohibited under international human rights law.⁸⁷

⁸³ Details regarding securing basic needs consistent with human rights can be found in Schedule B.

⁸⁴ A/73/310/Rev.1.

⁸⁵ A/HRC/43/4.

⁸⁶ UN Water. *Human Rights to Water and Sanitation*. Available from: <https://www.unwater.org/water-facts/human-rights/>

⁸⁷ A/73/310/Rev.1, para 46: “Attempting to discourage residents from remaining in informal settlements or encampments by denying access to water, sanitation and health services and other basic necessities, as has been witnessed by the Special Rapporteur in San Francisco and Oakland, California, United States of

61 Canadian governments must ensure, at a minimum, that rudimentary adequacy standards are ensured in homeless encampments on an urgent and priority basis, while adequate housing options are negotiated and secured. Government's compliance with international human rights law requires:

i. **Access to safe and clean drinking water**

Water and sanitation are critical to health for all people. Through *Resolution 64/292*, the United Nations explicitly recognized the right to safe and clean drinking water and sanitation as a "human right that is essential for the full enjoyment of life and all human rights."⁸⁸ The *Resolution* calls upon States and international organizations "to provide safe, clean, accessible and affordable drinking water and sanitation for all." This obligation extends to those residing in homeless encampments.⁸⁹

ii. **Access to hygiene and sanitation facilities**

Homeless encampments must be provided with sufficient resources and supports to ensure access to hygiene and sanitation facilities – toilets, showers, hand-washing stations, for example – within the encampment, or within very close proximity. Using existing facilities that remain open to the general public will not be appropriate. Facilities should ensure the hygiene and dignity of all residents irrespective of needs or identity. Peer-led hygiene and sanitation facilities have worked well in some contexts.

iii. **Resources and support to ensure fire safety**

General safety precautions should be implemented in an encampment environment to ensure residents are safe from fire and chemical exposure. Fire Departments should assist residents in developing a harm reduction approach to fire safety.

iv. **Waste management systems**

The lack of waste management systems in encampments has serious health and safety implications. Encampments necessarily create garbage during the course of daily activities. Garbage piles can become combustible fire hazards and can increase the risk of exposure to chemical waste. Human and animal biological waste also poses a particular danger. Without sanitary facilities, accumulated fecal waste can contaminate the

America, 29 constitutes cruel and inhuman treatment and is a violation of multiple human rights, including the rights to life, housing, health and water and sanitation."

⁸⁸ A/RES/64/292, para 2. Available at: https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/64/292.

⁸⁹ A/RES/64/292, para 3. Available at: https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/64/292.

ground and transmit diseases.⁹⁰ The improper disposal of needles can also transmit diseases through puncture wounds or re-use of needles. It is the responsibility of governments to ensure that homeless encampments have sufficient resources for the establishment of waste management systems.

v. **Social Supports and Services**

Residents of homeless encampments should be ensured access to health, mental health, addiction, and broader social services in a manner equitable to other community residents and consistent with human rights. All supports should be culturally appropriate and anti-oppressive. Governments should consult encampment residents on how best to provide access to these services, including through approaches such as outreach and/or on-site service provision. The provision of social services should not be linked to data gathering of any kind.

vi. **Guarantee Personal Safety of Residents**

Although research indicates that unsheltered people in Canada are disproportionately targets of violence, rather than perpetrators,⁹¹ interpersonal violence and exploitation can occur within encampments. Interpersonal violence is often exacerbated when people do not have their basic needs met,⁹² thus the provision of meaningful resources and supports will likely help ameliorate issues of safety.

It is the State's duty to protect the safety of all residents, particularly those who may be particularly vulnerable to abuse, harm, trafficking, or exploitation. Responses to violence must be guided by principles of transformative justice, rather than reproduce punitive outcomes and must be based in community-developed safety protocols. Governments must recognize that engaging police or other state authorities as a response to violence in encampments may put people at increased risk of harm, including due to risks of being criminalized or incarcerated.

vii. **Facilities and resources that support food safety**

Consuming contaminated food or water can cause a variety of foodborne

⁹⁰ CalRecycle. *Homeless Encampment Reference Guide*. Available at: <https://www.calrecycle.ca.gov/illegalDump/homelessCamp#SolidWaste>

⁹¹ Sylvia, N., Hermer, J., Paradis, E., & Kellen, A. (2009). "More Sinned Against than Sinning? Homeless People as Victims of Crime and Harassment." In: Hulchanski, J. David; Campsie, Philippa; Chau, Shirley; Hwang, Stephen; Paradis, Emily (Eds.), *Finding Home: Policy Options for Addressing Homelessness in Canada* (e-book), Chapter 7.2. Toronto: Cities Centre, University of Toronto. www.homelesshub.ca/FindingHome

⁹² Slabbert, I. (2017). Domestic violence and poverty: Some women's experiences. *Research on social work practice*, 27(2), 223-230.

illnesses. Encampments are often more susceptible to foodborne illnesses due to a lack of storage, cooling appliances, improperly cooked foods, and limited or no access to clean water. Diseases can spread quickly in an encampment setting.

One of the best ways to prevent the spread of illness is to for governments to provide resources that enable the encampment to implement food safety measurements such as refrigeration facilities, which are also important for storing medicines.

viii. **Resources to support harm reduction**

Governments must provide encampments with the resources to implement effective harm reduction measures. Appropriate professionals should support residents to establish emergency protocols for responding to overdoses and other health emergencies.

ix. **Rodent and pest prevention**

The presence of rodents and pests can pose a significant threat to the health of residents. Appropriate prevention and treatment options should be available for pest management that are safe for use in human environments. Encampment residents should be provided with the resources to prevent and address the presence of rodents and pests.

62 In implementing these standards, it must be recognized that residents of encampments are experts with respect to their living spaces — they often know what resources are needed and how best to mobilize them. As a matter of human rights, residents must be engaged in planning and carrying out any measures developed to improve access to basic services. Practices, systems, and agreements residents have already put in place should be respected by government officials and should inform any further improvements.

PRINCIPLE 7: Ensure human rights-based goals and outcomes, and the preservation of dignity for encampment residents

63 As a matter of international human rights law, the rights and dignity of residents must be at the heart of all government engagement with homeless encampments.⁹³ Dignity is an inherent human rights value that is reflected in the *Universal Declaration of Human Rights*. As such, Canadian governments have an obligation to bring about positive human rights outcomes in all of their activities and decisions concerning homeless encampments.

⁹³ ICESCR.

64 Where Canadian governments at any level make decisions with regards to encampments, it is essential that they do so taking into account the full spectrum of human rights of residents and ensure that their enjoyment of those rights is enhanced by all decisions. Any decision that does not lead to the furthering of human rights, fails to ensure their dignity, or represents a backwards step in terms of their enjoyment of human rights, is contrary to human rights law.

65 More broadly, the Canadian government has an obligation to the progressive realization of the right to housing, alongside all other human rights.⁹⁴ A central component of that obligation is to address on an urgent basis the needs of those in the greatest need. This means that Canadian governments must move, as a matter of priority, towards the full enjoyment of the right to housing for encampment residents.⁹⁵ When governments fail to bring about positive human rights outcomes for encampment residents, they fail their obligation to progressively realize the right to housing.⁹⁶

PRINCIPLE 8: Respect, protect, and fulfill the distinct rights of Indigenous Peoples in all engagements with encampments

66 Indigenous Peoples in Canada experience some of the most severe and egregious forms of housing need, and are dramatically overrepresented in homeless populations across the country, including specifically amongst those who are sleeping rough.⁹⁷ Under these conditions, many Indigenous Peoples experience profound violations of the right to housing and the right to self-determination, as well as violations of the right to freely pursue their economic, social, and cultural development.⁹⁸

67 For Indigenous Peoples in Canada, encampments and political occupation may occur simultaneously as a means of survival and a means of asserting rights to lands and

⁹⁴ ICESCR, in General Comment No.3 on the nature of states parties' obligations under Art 2(1) of the ICESCR.

⁹⁵ ICESCR, Article 2(1).

⁹⁶ Further, if governments failed to ensure human rights outcomes were obtained for encampment residents, and residents suffered some detriment to their enjoyment of their rights (e.g., loss of dignity or ended up street homeless without any shelter at all), this might be classed as retrogression and a breach of obligations.

⁹⁷ See ESDC (Employment and Social Development Canada). (2019). *Everyone counts highlights: Preliminary results from the second nationally coordinated point-in-time count of homelessness in Canadian communities*. Retrieved from <https://www.canada.ca/en/employment-social-development/programs/homelessness/reports/highlights-2018-point-in-time-count.html#3.5>. Similarly, the [2018 Toronto Street Needs Assessment](#) documented that 16% of those enumerated were Indigenous, and 38% of those sleeping rough were Indigenous. See also Patrick, C. (2014). *Aboriginal Homelessness in Canada: A Literature Review*. Toronto: Canadian Homelessness Research Network Press. Retrieved from <https://www.homelesshub.ca/sites/default/files/AboriginalLiteratureReview.pdf>.

⁹⁸ Article 3 of the *Declaration* and article 1 of the *Covenant*.

territories within cities and elsewhere. Whatever the impetus, any government engagement with Indigenous Peoples in encampments must be guided by the obligation to respect, protect, and fulfil their distinct rights. These rights are outlined in the United Nations Declaration on the Rights of Indigenous Peoples, as well as many other international human rights treaties.

68 Under international human rights laws, the enjoyment of the right to housing for Indigenous Peoples is “deeply interconnected with their distinct relationship to their right to lands, territories and resources, their cultural integrity and their ability to determine and develop their own priorities and strategies for development.”⁹⁹ Recognition of the indivisible nature of Indigenous Peoples’ human rights, and the obligation to uphold these rights, must shape all government engagement with Indigenous encampment residents, as well as the Indigenous Peoples who own or occupy the land or territories upon which the encampment is located.

69 Compliance with international human rights law requires:

i. **Recognition of the distinct relationship that Indigenous Peoples have to their lands and territories**

In order to ensure adequate housing for Indigenous Peoples, States, Indigenous authorities, and other actors must recognize the distinct spiritual and cultural relationships that Indigenous Peoples have with their lands and territories.¹⁰⁰ This recognition includes protection for Indigenous residents of encampments, who have the right to utilize their lands and territories in line with their own economic, social, political, spiritual, cultural, and traditional practices (as defined and assessed by the Peoples themselves).¹⁰¹

Under international human rights law, governments “should respect those housing structures which an Indigenous community deems to be adequate in the light of their own culture and traditions.”¹⁰² In the context of encampments, governments must respect Indigenous Peoples’ right to construct shelter and housing in ways that incorporate their lived histories, cultures, and experiences.¹⁰³

ii. **Guarantee of self-determination, free, prior and informed consent and**

⁹⁹ A/74/183, particularly para 6: “The right to adequate housing can be enjoyed by Indigenous Peoples only if its articulation under article 11 (1) of the International Covenant on Economic, Social and Cultural Rights is understood as interdependent with and indivisible from the rights and legal principles set out in the United Nations Declaration on the Rights of Indigenous Peoples.”

¹⁰⁰ A/74/183.

¹⁰¹ A/74/183.

¹⁰² A/74/183, para 62.

¹⁰³ A/74/183.

meaningful consultation of Indigenous Peoples

Governments must ensure the participation of Indigenous Peoples in all decision-making processes that affect them.¹⁰⁴ Governments must consult with Indigenous encampment residents in order to obtain their free, prior, and informed consent before taking any action that may affect them.¹⁰⁵

Engagement with Indigenous communities should involve genuine dialogue and should be guided by “mutual respect, good faith and the sincere desire to reach agreement.”¹⁰⁶ This consultation process must engage representatives chosen by Indigenous Peoples themselves, in accordance with their own procedures and practices.¹⁰⁷ As outlined in Principle 2, governments must provide Indigenous residents with necessary institutional, financial, and other resources in order to support their right to participate.¹⁰⁸ Indigenous women and girls must be consulted on a priority basis.¹⁰⁹

iii. Prohibition against the forced eviction, displacement, and relocation of Indigenous Peoples

Indigenous Peoples’ access to and control over their lands, territories and resources constitute a fundamental element of the realization of their right to adequate housing.¹¹⁰ As such, international human rights law strictly prohibits the relocation of Indigenous Peoples in the absence of free, prior, and informed consent.¹¹¹

iv. Protection and guarantees against all forms of violence and discrimination for Indigenous women, girls, and gender diverse peoples

Indigenous women, girls, gender diverse, and Two-Spirit peoples experience particular forms of violence – including sexual violence and

¹⁰⁴ United Nations Declaration on the Rights of Indigenous Peoples.

¹⁰⁵ United Nations Declaration on the Rights of Indigenous Peoples, in particular arts. 10, 19, and 23.

¹⁰⁶ A/74/183, para 56.

¹⁰⁷ United Nations Declaration on the Rights of Indigenous Peoples, art. 18. See also Indigenous and Tribal Peoples Convention, 1989 (No. 169), art. 6(1)(b); American Declaration on the Rights of Indigenous Peoples, arts. XXI (2) and XXIII (1); and A/HRC/18/42, annex (Expert Mechanism advice No. 2 (2011)). See also Human Rights Committee, General Comment No. 23 (1994) on the rights of minorities, para 7.

¹⁰⁸ Committee on Economic, Social and Cultural Rights’ General Comment No. 4, para 12, and the basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18, annex I, para 39).

¹⁰⁹ A/74/183, para 59.

¹¹⁰ A/74/183, para 51. See also A/HRC/7/16, paras 45–48; The United Nations Declaration of the Rights of Indigenous Art. 26.2: “Indigenous Peoples have the right to own, use, develop, and control the lands, territories and resources that they possess by reason of traditional occupation or use, as well as those which they have otherwise acquired.”

¹¹¹ United Nations Declaration on the Rights of Indigenous Peoples, Art. 10: “Indigenous Peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the Indigenous Peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.”

homicide – in relation to the intersection of their indigeneity, gender identity, socioeconomic and cultural status, and their housing status.¹¹² Canadian law recognizes the concept of multiple and intersecting forms of discrimination, and under international human rights law all Indigenous women, girls, and those who are gender diverse or Two-Spirited “must enjoy full protection and guarantees against all forms of violence and discrimination, whether inside or outside their communities.”¹¹³

It is incumbent upon governments to provide Indigenous women and girls protection and guarantee against all forms of violence and discrimination within encampments, including from state authorities, in a manner that is consistent with Indigenous self-determination and self-governance.

¹¹² A/74/183, para 59.

¹¹³ A/74/183, para. 59.

SCHEDULE A: Select Case Law on Homeless Encampments in Canada

Victoria (City) v. Adams, [2009 BCCA 563](#)¹¹⁴

The City of Victoria made an application for an injunction to remove a "tent city" at Cridge Park. The City relied on its *Streets and Traffic Bylaw* and *Parks Regulation Bylaw*, which prohibits loitering and taking up an overnight temporary residence in public places. On appeal, the Court of Appeal established that the Victoria City bylaws violated section 7 of the *Canadian Charter* "in that they deprive homeless people of life, liberty and security of the person in a manner not in accordance with the principles of fundamental justice," and the provisions were not saved by section 1 of the *Charter* (para. 42). The Court of Appeal confirmed that the bylaw was overbroad "because it is in effect at all times, in all public places in the City."¹¹⁵

Abbotsford (City) v. Shantz, 2015¹¹⁶

The City of Abbotsford applied for an interim injunction requiring the defendants to remove themselves and their encampment from a city park. The Court concluded that the bylaws were "grossly disproportionate" because:

"the effect of denying the City's homeless access to public spaces without permits and not permitting them to erect temporary shelters without permits is grossly disproportionate to any benefit that the City might derive from furthering its objectives and breaches the s. 7 *Charter* rights of the City's homeless."¹¹⁷

The Court concluded that allowing the City's homeless to set up their shelters overnight and taking them down during the day would "reasonably balance the needs of the homeless and the rights of other residents of the City."¹¹⁸

¹¹⁴ *Victoria(City) v. Adams* (2009, BCCA 563). Online, <https://www.canlii.org/en/bc/bcca/doc/2009/2009bccca563/2009bccca563.html?resultIndex=1>

¹¹⁵ The Court of Appeal stated at para. 116 that: "The prohibition on shelter contained in the Bylaws is overbroad because it is in effect at all times, in all public places in the City. There are a number of less restrictive alternatives that would further the City's concerns regarding the preservation of urban parks. The City could require the overhead protection to be taken down every morning, as well as prohibit sleeping in sensitive park regions." This case is perhaps one of the most notable successes in homeless litigation in Canada.

¹¹⁶ *Abbotsford (City) v. Shantz* (2016 BCSC 2437). Online, <https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc2437/2016bcsc2437.html?resultIndex=1>

¹¹⁷ Para 224

¹¹⁸ The Court stated, "The evidence shows, however, that there is a legitimate need for people to shelter and rest during the day and no indoor shelter in which to do so. A minimally impairing response to balancing that need with the interests of other users of developed parks would be to allow overnight shelters to be erected in public spaces between 7:00 p.m. and 9:00 a.m. the following day." [para 276]

British Columbia v. Adamson, [2016 BCSC 584](#) [Adamson #1] and [2016 BCSC 1245](#) [Adamson #2]¹¹⁹

The Province of BC applied for an interlocutory injunction to restrain the defendant encampment residents from trespassing on the Victoria courthouse green space. On the first application, the court concluded that the balance of convenience did not favour the granting of the injunction, stating

“the balance of convenience is overwhelmingly in favour of the defendants, who simply have nowhere to move to, if the injunction were to issue, other than shelters that are incapable of meeting the needs of some of them, or will result in their constant disruption and a perpetuation of a relentless series of daily moves to the streets, doorways, and parks of the City of Victoria.”¹²⁰

Following this, a second injunction was filed based on new evidence of the encampment deterioration conditions, as well as supporting evidence that the Province would make housing available to encampment residents. The court made an order requiring the encampment to be cleared, but granting residents to stay until alternate housing options were made available to them.¹²¹

Vancouver (City) v. Wallstam, [2017 BCSC 937](#)¹²²

The City of Vancouver applied for an interlocutory injunction requiring encampment residents to vacate and remove all tents and other structures from a vacant city lot. The Court relied on the injunction test set out in *RJR-MacDonald*.¹²³ The court noted that:

“The test requires that the *applicant* prove it will suffer irreparable harm if the injunction is not granted...When I asked counsel what harm the *City* would suffer if the injunction was not granted, he answered that not granting the injunction would mean that a ‘vital social housing project won't go ahead’ and that interferes with the public good. He also points out the timeline for development of the project requires the injunction urgently ... While everyone can agree that more social housing is an important goal, I must balance that general concern against the position of the occupants that the tent city, as it currently exists, is now providing shelter and safe living space for the occupants.”¹²⁴

¹¹⁹ *British Columbia v. Adamson* (2016 BCSC 1245). Online, <https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc1245/2016bcsc1245.html?resultIndex=1>

¹²⁰ Para 183.

¹²¹ Paras 85-86,

¹²² *Vancouver (City) v. Wallstam* 2017 BCSC 937 at para 60. Online, <https://www.canlii.org/en/bc/bcsc/doc/2017/2017bcsc937/2017bcsc937.html?resultIndex=1>

¹²³ In *RJR-MacDonald Inc. v. Canada (Attorney General)*, [1994] 1 S.C.R. 311

¹²⁴ Para 46-47.

The court concluded that the City failed to meet the *RJR-MacDonald* test and dismissed the City's application, but without prejudice to bring it forward again on a more complete factual record.¹²⁵

¹²⁵ Para 64.

SCHEDULE B: An Elaboration on Principle 6

Ensure encampments meet basic needs of residents consistent with human rights

Canadian governments must ensure, at a minimum, that rudimentary adequacy standards are ensured in homeless encampments on an urgent and priority basis, while adequate housing options are negotiated and secured. Government's compliance with international human rights law requires:

i. **Access to safe and clean drinking water**

Water and sanitation are critical to health for all people. Through *Resolution 64/292*, the United Nations explicitly recognized the right to safe and clean drinking water and sanitation as a "human right that is essential for the full enjoyment of life and all human rights."¹²⁶ The *Resolution* calls upon States and international organizations "to provide safe, clean, accessible and affordable drinking water and sanitation for all." This obligation extends to those residing in homeless encampments.¹²⁷

To ensure access to safe and clean drinking water, governments should provide homeless encampments with resources for:

- On site/close-proximity clean and safe drinking/potable water, ensuring a sufficient number of access points for water relative to the number of residents
- Dishwashing Station(s) with clean water, sufficient in number for the number of residents

ii. **Access to hygiene and sanitation facilities**

Homeless encampments must be provided with sufficient resources and supports to ensure access to hygiene and sanitation facilities – toilets, showers, hand-washing stations, for example – within the encampment, or within very close proximity. Using existing facilities that remain open to the general public will not be appropriate. Facilities should ensure the hygiene and dignity of all residents irrespective of needs or identity. Peer-led hygiene and sanitation facilities have worked well in some contexts.

Hygiene and sanitation facilities should include:

- Washing stations, including showers with privacy and safety for women and gender diverse peoples, stocked with soap, water, paper towels

¹²⁶ A/RES/64/292, para 2. Available at:

https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/64/292.

¹²⁷ A/RES/64/292, para 3. Available at:

https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/64/292.

- Adequate numbers of toilets based on the encampment population which must be accessible for residents with disabilities. Every toilet station must also have a hand-washing station
- Access to cleaning and bathing supplies
- Access to free laundry facilities
- Free feminine hygiene products
- Access to clean bedding

iii. **Resources and support to ensure fire safety**

General safety precautions should be implemented in an encampment environment to ensure residents are safe from fire and chemical exposure. Fire Departments should assist residents in developing a harm reduction approach to fire safety. Residents should be provided with resources to support best safety practices, including:

- Fire-safety approved sources of heat (e.g., safe metal vessels for heat)
- Warming tents
- In-tent heat sources
- Fire-proof tents
- Fire evacuation plan
- Signage indicating evacuation plans
- Accessible information on fire safety tips and how to handle and store flammable materials (e.g., gasoline, butane, propane)
- Fire extinguishers appropriately spaced and training for residents on how to operate them
- Electricity/charging stations for phones and laptops
- On-site ashtrays or cigarette disposal posts

iv. **Waste management systems**

The lack of waste management systems in homeless encampments has serious health and safety implications. Encampments necessarily create garbage during the course of daily activities, including during food preparation or shelter building. Unwanted materials can pile up quickly when there is no waste system in place to remove garbage from the area. Garbage piles can become combustible fire hazards and can increase the risk of exposure to chemical waste.

Human and animal biological waste also poses a particular danger. Without sanitary facilities, accumulated fecal waste can contaminate the ground and transmit diseases.¹²⁸ The improper disposal of needles can also transmit diseases through puncture wounds or re-use of needles.

¹²⁸ CalRecycle. *Homeless Encampment Reference Guide*. Online at <https://www.calrecycle.ca.gov/illegaldump/homelesscamp#SolidWaste>

It is the responsibility of governments to ensure that homeless encampments have sufficient resources for the establishment of waste management systems, which should include:

- Weekly garbage and recycling (more frequent if needed)
- Regular service for waste water and portable toilets
- Independent waste bins for flammable/hazardous waste (e.g., fuel, motor oil, batteries, light bulbs)
- Large rodent-proof waste bins with tight fitting lids
- Garbage bags, cleaning supplies, hand soap, hand sanitizer
- Waste water holding tanks (if there are no sewers near encampment)

v. **Social Supports and Services**

Residents of homeless encampments should be ensured access to health, mental health, addiction, and broader social services in a manner equitable to other community residents and consistent with human rights. All supports should be culturally appropriate and anti-oppressive. Governments should consult encampment residents on how best to provide access to these services, including through approaches such as outreach and/or on-site service provision. The provision of social services should not be linked to data gathering of any kind.

i. **Guarantee Personal Safety of Residents**

Although research indicates that unsheltered people in Canada are disproportionately targets of violence, rather than perpetrators,¹²⁹ interpersonal violence and exploitation can occur within encampments. Interpersonal violence is often exacerbated when people do not have their basic needs met,¹³⁰ thus the provision of meaningful resources and supports will likely help ameliorate issues of safety.

It is the State's duty to protect the safety of all residents, particularly those who may be particularly vulnerable to abuse, harm, trafficking, or exploitation. Responses to violence must be guided by principles of transformative justice, rather than reproduce punitive outcomes and must be based in community-developed safety protocols. Governments must recognize that engaging police or other state authorities as a response to violence in encampments may put people at increased risk of harm, including due to risks of being criminalized or incarcerated.

¹²⁹ Sylvia, N., Hermer, J., Paradis, E., & Kellen, A. (2009). "More Sinned Against than Sinning? Homeless People as Victims of Crime and Harassment." In: Hulchanski, J. David; Campsie, Philippa; Chau, Shirley; Hwang, Stephen; Paradis, Emily (Eds.), *Finding Home: Policy Options for Addressing Homelessness in Canada* (e-book), Chapter 7.2. Toronto: Cities Centre, University of Toronto.
www.homelesshub.ca/FindingHome

¹³⁰ Slabbert, I. (2017). Domestic violence and poverty: Some women's experiences. *Research on social work practice*, 27(2), 223-230.

Any approach to addressing interpersonal safety within encampments must:

- Center on the most vulnerable members of the encampment, namely: BIPOC, women, trans-people and other LGBTQ2S+ persons, persons with disabilities, and other groups who experience discrimination or marginalization.
- Provide resources and supports to allow for Indigenous and other non-colonial approaches to conflict resolution.
- Provide safe, confidential, accessible, and non-coercive mechanisms through which individuals experiencing violence can report these experiences and receive trauma-informed supports and services, ensuring that these individuals are able to access alternative safe housing (as desired).

vi. **Facilities and resources that support food safety**

Consuming contaminated food or water can cause a variety of foodborne illnesses. Encampments are often more susceptible to foodborne illnesses due to a lack of storage, cooling appliances, improperly cooked foods, and limited or no access to clean water. Diseases can spread quickly in an encampment setting.

One of the best ways to prevent the spread of illness is to for governments to provide resources that enable the encampment to implement food safety measurements. This includes:

- Rodent-proof storage containers, with lids that can be sealed
- Shelving units to ensure food is stored off the ground
- Soap and sanitizer to clean food preparation surfaces
- Cooling appliance(s) to prevent spoilage
- Cooking appliance(s) to ensure food is thoroughly cooked

vii. **Resources to support harm reduction**

Governments must provide homeless encampments with the resources to implement effective harm reduction measures within homeless encampments. Appropriate professionals should support residents to establish emergency protocols for responding to overdoses and other health emergencies. Encampment residents should be provided with:

- Overdose prevention training (e.g., CPR training)
- Overdose prevention supplies (e.g., Naloxone)
- Overdose Prevention Sites, where possible
- Puncture-proof containers for needle disposal
- Harm reduction outreach supports
- Regular servicing of puncture-proof containers by a certified waste-management company

- Information about available emergency services in the event of overdoses or other health-related crises

viii. **Rodent and pest prevention**

The presence of rodents and pests can pose a significant threat to the health of residents. Appropriate prevention and treatment options should be available for pest management that are safe for use in human environments (e.g., diatomaceous earth). Encampment residents should be provided with the resources to prevent and address the presence of rodents and pests, including:

- Resources and information on rodent and pest prevention
- A bait-station to detract rodents from sleeping tents, regularly serviced and monitored
- Cleaning materials and gloves to dispose of rodents

In implementing these standards, it must be recognized that residents of encampments are the experts of their living spaces — they often know what resources are needed and how best to mobilize them. As a matter of human rights, encampment residents must be engaged in planning and carrying out any measures developed to improve access to basic services for the encampment. Practices, systems, and agreements residents already have in place should be recognized by government officials and should inform any further improvements.

From: L. R.S. [REDACTED]
Sent: Wednesday, December 28, 2022 9:05 PM
To: Council Secretary
Subject: Lavinia Rojas- . PLEASE READ IN IT ENTIRETY. Also attached pdf of Office of the Depute Chief Constable.
Attachments: Police copy.pdf

From ANIMAL ETHICS.

How fireworks harm nonhuman animals

Fireworks and other explosive materials, whose reactions can produce sparks, flames, and fumes, cause various harms to nonhuman animals. These often affect animals who are human companions, and whose reactions we can easily see. They also harm the other animals who are around us, both in urban environments and outside them, as well as those who are on farms or confined in other spaces.

Physical damage to the hearing organs of animals

The hearing of many animals is much more sensitive than it is in humans, so the explosions of fireworks are not only more disturbing to them, but they can damage their hearing more severely. Fireworks can emit sounds of up to 190 decibels (110 to 115 decibels above the range of 75 to 80 decibels where the damage to the human ear begins). Fireworks generate a higher noise level than firecrackers, gunshots (140 decibels), and some jet planes (100 decibels).

Noises caused by fireworks and firecrackers can lead to loss of hearing and tinnitus. Dogs are known to suffer irreversible hearing loss caused by proximity to the noise of gunfire.

Fear and stress

In addition to these harms, the noises caused by fireworks harm animals by causing fear. In fact, repeated exposure to unexpected, unpredictable loud noises can cause phobias in many animals, increasing panic reactions to loud noises in the future.^{[1](#)}

It is estimated that one-fifth of disappearances of animals who are companions to humans are due to very loud sounds, mainly fireworks and storms.[2](#)

The effects of fireworks on animals can be observed very clearly in zoos.[3](#) It has been shown that the noise of fireworks makes animals such as rhinos and cheetahs very nervous, also visibly affecting others such as elephants, while rodents continue running minutes after the noises cease.[4](#)

Harmful effects by chemical particles

In addition, firecrackers are poisonous, and their explosion releases harmful particles such as fine dust (PM10) that is toxic to inhale. It can worsen existing diseases and cause others. Therefore, fireworks represent a danger both to animals who live in areas where they explode, or in relatively distant locations when the wind transports the particles.[5](#) There is also a risk of ingestion of the residue of fireworks and firecrackers.[6](#) The proximity of the animals to the areas where the firecrackers are made often causes burns and damage to the eyes.

The chemicals are also dangerous for cats and dogs, just as they are for humans with respiratory diseases such as asthma. Careless use of fireworks can also cause mutilations and fatal accidents in animals near the event, as well as causing fires that harm animals. When accidents of this type occur that affect humans, it is common for us to talk about it, but we must remember such things often affect animals of other species even when humans aren't badly affected.

Ways different animals are affected by fireworks

Dogs

Dogs are able to hear up to 60,000hz, while humans can't hear anything above 20,000hz, which is only a third of the capacity of dogs. This auditory acuity of dogs is one of the reasons the sound of fireworks can be so harmful to them. They show signs of overwhelming anxiety as they are unable to escape from the sound.[7](#)

Dogs, like many other animals, also suffer from other phenomena that produce loud sounds, such as storms. However, in the case of storms, the noises are accompanied by previous warning signs, so that animals can perceive them in advance. This can cause them anguish in anticipation, but it does not cause them the unexpected fright caused by fireworks, which are sudden and not identifiable.[8](#) The fear of noise among older dogs is more common.[9](#)

Many urban dogs suffer negative symptoms from the explosions of firecrackers. Common reactions are freezing or paralysis, uncontrolled attempts to escape and hide, and tremors. Other more intense signs may also be present, such as salivation, tachycardia, intense vocalizations, urination or defecation, increased activity, hyper alertness and gastrointestinal disorders. All these signs are indicative of great discomfort.

It has been pointed out that the reaction of dogs to the sound of fireworks is similar to post-traumatic stress in human animals. However, this effect could be much more harmful in dogs, because they do not have the ability to rationalize their anxiety, or the possibility of an immediate cognitive response that allows them to respond to their fear. It is likely they experience a deeper and more intense form of terror. This is in addition to the noise phobia which can be greater in some dogs due to personality differences. It is important to keep in mind that in the first years of their lives, dogs are especially vulnerable to the development of phobias, and exposing them to sounds like fireworks contributes to future fear responses that they might not otherwise have had. It has been estimated that one in two dogs has significant fear reactions to fireworks.[10](#)

Cats

The effects of fireworks on cats are less obvious, but their responses are similar to those of dogs, such as trying to hide or escape.[11](#) However, regardless of the fear they have, they have a higher risk of being poisoned. Many cats who are near areas where firecrackers are made ingest them or their parts. In addition, they can go blind or be seriously injured by the explosions of firecrackers.

Horses

Horses can easily feel threatened by fireworks due to their hypervigilance since they are constantly on high alert due to possible predators.[12](#) Horses also act quite similarly to dogs and cats, showing signs of stress and fear, and trying to flee or escape. It is estimated that 79% of horses experience anxiety because of firecrackers, and 26% suffer injuries from them. Sometimes they react to fireworks by trying to jump fences and flee to dangerous areas where they can be run over by cars.[13](#)

Birds

The noise of firecrackers can cause birds tachycardia and even death by fright. The high degree of stress birds experience is indicated by the fact that birds may temporarily or permanently abandon the places where they are.[14](#)

In areas that are aircraft flyover zones, Creole ducks grow more slowly and have a lower body weight than Creole ducks who live in areas with little noise. Snow geese affected by these noises spend less time eating during the day and try to compensate during the night, which entails shortening their period of rest and sleep, gradually reducing their survival rate.¹⁵

Disorientation and panic from fireworks can cause birds to crash into buildings or fly towards the sea. The colonial species of birds who nest in high densities, such as silver gulls, are at greater risk of this during explosions of firecrackers. Many birds who flee from their nests due to the sounds do not know how to return to their nests once the noise ends, which leaves many of their young helpless.

Invertebrates and small vertebrates

The harms caused to invertebrates and small vertebrates have been evaluated much less than those caused to the animals discussed above. Presumably, these animals can do little to avoid harm if the explosions occur in areas near where they live. Keep in mind that for these animals fireworks are very large explosions, so the harms to them can be much greater than in other animals.¹⁶

Alternatives to the use of fireworks

There is a growing acceptance of alternatives to fireworks, such as laser light shows. One notable case is in the city of Collecchio (Italy), one of the first to program silent fireworks, with the message that it is possible to enjoy fireworks without causing panic among the nonhuman inhabitants of the municipality. However, there is the possibility that this type of show may affect birds negatively.

Some might think that administering a soothing drug to animals could be the solution, but this proposal isn't satisfactory for two reasons. First, the use of drugs to calm animals could cause harmful side effects. Second, we wouldn't be able to reach almost all of the animals affected by fireworks. The animals who live with human beings are not the only ones harmed. Even if we only consider domesticated animals in urban areas, there are animals who live in the street or are alone. In addition, domesticated animals are the minority of animals affected. We must take into account all animals who live outside the reach of humans, whether in the wild or in urban environments, as well as those on farms and other places where they are exploited. For this reason, the only really satisfactory solution is to reject the use of fireworks.

Further readings

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[1](#) British Small Animal Veterinary Association (2019) "[Fireworks](#)", BSAVA [accessed on 18 June 2019].

[2](#) American Society for the Prevention of Cruelty to Animals (2015) "[Independence Day can be perilous for pets](#)", ASPCA, June 25 [accessed on 27 February 2019].

[3](#) In one case, the noise caused by nearby works were a cause of stress for snow leopards kept in zoos. They withdrew to the most remote parts of their exhibition area, and spent more time sleeping than on the days when there was no noise. We can imagine the harm caused by much more thunderous sounds, such as those caused by fireworks. Sulser, E.; Steck, B. L. & Baur, B. (2008) "Effects of construction noise on behaviour of and exhibit use by snow leopards *Uncia uncia* at Basel zoo", *International Zoo Yearbook*, 42, pp. 199-205.

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[11](#) *Ibid.*

[12](#) British Horse Society (2018) "[Fireworks](#)", *Advice & Information, British Horse Society* [accessed on 30 April 2019].

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[14](#) Schiavini, A. (2015) [Efectos de los espectáculos de fuegos artificiales en la avifauna de la Reserva Natural Urbana Bahía Cerrada](#), Ushuaia: Centro Austral de Investigaciones Científicas [accessed on 26 June 2019].

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Lavinia Rojas

Victoria, BC

V8V 1S9



OFFICE OF THE DEPUTY CHIEF CONSTABLE

850 CALEDONIA AVENUE VICTORIA, BRITISH COLUMBIA, CANADA V8T 5J8 T: 250.995.7215 F: 250.384.1362

December 11, 2020

Ms. Lavinia Rojas

Via email

Ms. Rojas:

In response to your email of November 5th to Chief Manak, thank you for reaching out to the Victoria Police Department regarding your efforts to ban fireworks in British Columbia.

The municipalities within our service area have bylaws that prohibit the possession and use of fireworks without a permit. The introduction of these bylaws resulted in an improvement in the number of fireworks-related complaints received by police; however, we continue to receive complaints from the public. Between October 1 and November 5, 2020, we received at least 60 reports from the public that relate to the actual or suspected use of fireworks. In many of these cases, members of the community are concerned about the noise they create and others are concerned about dangerous use. In a few of the cases, fireworks have been confused for gunfire.

The Victoria Police Department is actively looking for ways to reduce the incidents of calls for service so that our officers can focus on the most serious public safety priorities. We support the exploration of legislative changes that result in improved community safety and well-being.

Thank you for your efforts on behalf of our communities.

Sincerely,

Colin Watson
Deputy Chief of Administration

SafariFileEditViewHistoryBookmarksWindowHelp

petitions.ourcommons.ca

Petition e-3591 - Petitions

Presented to the house of commons


Laurel Collins (Victoria)

March 23, 2022 (Petition No. 441-00242)

Government response tabled

May 6, 2022

Member of Parliament



Laurel Collins

Victoria

New Democratic Party Caucus




















British Columbia

14075 signatures

Only validated signatures are counted towards the total number of signatures.

Province / Territory	Signatures
Alberta	320
British Columbia	11629

Privacy - Terms



Not a Mac

From: L. R.S. [REDACTED]
Sent: Wednesday, December 28, 2022 9:02 PM
To: Council Secretary
Subject: Lavinia Rojas -. Please read in its entirety.

FROM ""ONTARIO NEWS"

Protecting Ontario's Lakes From Fireworks

As fireworks explode on December 31st flocks of wintering birds also explode into the air in panic. They become disoriented, bang into windows or trees, fly too high and too long wasting energy and warmth. Concern for birds and elk on the Bow River has caused Banff, Alberta [to replace fireworks](#) with low-altitude, low-noise pyrotechnic displays.

Now, as we make our New Year's resolutions, some of us are thinking about summertime and the excess of fireworks on our Ontario lakes.

On the first of July weekend the noise from fireworks is intense, the colours incessantly exploding above the lake. One year, a phoebe crashed into our window desperate to escape the unnatural noise and crazy light. It makes us think of the whip-or-wills which call close to our cottage on June and July nights. We feel so fortunate to have them.

What does this human-made extremity of noise, light and colour do to the loons, herons and osprey that live on our lake? What about the nesting phoebes, scarlet tanagers and indigo buntings, or the chipping sparrow, redstarts, sapsuckers, hummingbirds and great flycatchers? Are the chipmunks cowering underground, the nocturnal flying squirrels unable to search for food? How do mink and raccoons and beavers react? When the spent firecrackers land in the water, how does this affect sunfish, bass, trout and muskies?

Many animals have more acute hearing and smelling than humans; so the effect of fireworks is magnified for them. One year as fireworks set the dogs around howling, our son's small dog escaped out the back door heading for the city. Animals may become disoriented. Animal shelters report an increase in roadkill and injured animals after a firework event.

Dr. David Noakes, a zoologist at the University of Guelph, Ontario, points out that the combined responses to fireworks of [panic and disorientation](#) can cause birds to fly into a building or too far out to sea. According to studies conducted by the University of Guelph and the U.S. Fish and Wildlife Services, fireworks can cause [nesting birds to abandon their nest](#) in confusion. Dr. Ian Duncan, a University of Guelph ethologist, [has demonstrated](#) that laying hens show extremely low egg production the day after fireworks and the eggs are often malformed.

[Researchers at Acadia University](#), Nova Scotia, found that colonial species of birds who nest in high densities, such as the herring gull, are most at risk during a round of firecracker explosions. After

a loud bang, most birds fly away in fright, and the nesting mothers of the flock sometimes cannot find their own nest upon return, endangering the well-being of nestlings. [A study in the Netherlands](#) using radar tracked thousands of birds fleeing en masse during New Year's Eve celebrations becoming disorientated, wasting energy. According to the [National Fire Protection Association](#), 32,300 fires were started by fireworks between 2000 and 2004 on July 4th-related events.

Gunpowder that fuel the explosions and metallic compounds that colour the show rain down on land, river and lakes. These metals include cadmium, a known carcinogen, strontium for red colour, aluminum (white), copper (blue), barium (green) and rubidium (purple). We reduce emissions on diesel vehicles and emissions from factories, but fireworks emissions are unchecked. Are we violating our Clean Air Act? Does our Clean Air Act even deal with fireworks?

Sure, fireworks are fun! People come in boats to watch around the small island on our lake for the annual show. They cheer as the explosions intensify. The show gets bigger and better every year. But how much is enough? And how often is enough? Almost every summer weekend we hear fireworks somewhere on the lake.

If we decide fireworks should be restricted, how do we begin? Most lakes have a cottage association where people we can introduce the subject. Change begins with awareness. [The Township of North Kawartha](#) has drafted a bylaw to limit fireworks to five weekends a year. This is to be voted on at their next board meeting.

Kids love fireworks. Some adults too. These are hard decisions. But let's put the questions out there. Do we opt for the oohs and aahs of these explosions of noise and coloured light? Or do we opt for lakes that are safe for fish, loons, osprey, herons, nesting phoebes and the other animals we share our ecosystems with?

Lavinia Rojas

VICTORIA BC

V8V 1S9

PROVINCIAL OFFICE

1245 East 7th Avenue, Vancouver, British Columbia, V5T 1R1

spca.bc.ca

Charitable Registration # BN 11881 9036 RR0001

December 15, 2020

Lavinia Rojas
803-647 Michigan Street
Victoria, BC V8V 1S9

Dear Lavinia,

Please accept this letter of support for your petition to ban the use of fireworks in the province of British Columbia. The BC SPCA considers fireworks to be a serious animal welfare issue for pets, farm animals and wildlife in our communities:

- Fireworks can spook pets and cause them to panic, run away (including escaping out partially open or screened windows) and dart into traffic. Incidences of lost pets increase markedly during and after fireworks displays. Pets can also seriously injure themselves in their attempts to escape.
- Roughly 49 per cent of dogs are fearful of loud noises such as fireworks.¹ Dogs who are normally friendly can sometimes act out of character due to fear, placing members of the public, including children, at risk.
- Approximately 79 per cent of horses display anxious behaviour during fireworks displays.² Spooked horses can easily break through fences, receiving serious injuries including lacerations, sprains and even broken limbs as a result.
- In recent years, fireworks have been demonstrated to have a negative impact on bird and marine mammal behaviour.^{3,4} In urban areas, birds and other wild animals can be scared from

¹ Blackwell, E. J., Bradshaw, J. W. S., & Casey, R. A. (2013). Fear responses to noises in domestic dogs: Prevalence, risk factors and co-occurrence with other fear-related behaviour. *Applied Animal Behaviour Science* 145(1-2), 15-25. <https://doi.org/10.1016/j.applanim.2012.12.004>

² Gronqvist, G., Rogers, C., & Gee, E. (2016). The management of horses during fireworks in New Zealand. *Animals* 6(3), 20. <https://doi.org/10.3390/ani6030020>

dens and roosting sites, causing them to fly into buildings or run into busy streets to be injured or killed. Those that remain unharmed are still disturbed, leading to reductions in their natural feeding and breeding behaviours, as well as abandonment of their young in nests or dens.

- In addition to the above consequences, harmful smoke and garbage waste from fireworks are secondary threats to the health of local wildlife. Pets can also be poisoned from ingesting fireworks.⁵

Thank you for recognizing the needs of the animals with whom we share our communities when considering an end to fireworks provincially. Should you have any questions, I can be reached at [REDACTED]

Sincerely,



Meghann Cant
Manager, Companion Animal Welfare Science & Policy

³ Shamoun-Baranas, J., Dokter, A. M., van Gasteren, H., van Loon, E. E., Leijnse, H., & Bouten, W. (2011). Birds flee en mass from New Year's Eve fireworks. *Behavioural Ecology* 22(6), 1173-1177. <https://doi.org/10.1093/beheco/arr102>

⁴ Pedreros, E., Sepúlveda, M., Gutierrez, J., Carrasco, P., & Quiñones, R. A. (2016). Observations of the effect of a New Year's fireworks display on the behavior of the South American sea lion (*Otaria flavescens*) in a colony of central-south Chile. *Marine and Freshwater Behaviour and Physiology* 49(2), 127-131. <http://dx.doi.org/10.1080/10236244.2015.1125099>

⁵ Gahagan, P., & Wismer, T. (2018). Toxicology of explosives and fireworks in small animals. *Veterinary Clinics of North America: Small Animal Practice* 48(6), 1039-1051. <https://doi.org/10.1016/j.cvsm.2018.06.007>

[REDACTED]

From: L. R.S. [REDACTED]
Sent: Monday, January 2, 2023 3:28 PM
To: Council Secretary
Subject: From Lavinia Rojas. Please pass this email to Council. Thank you.

This is the proposed Resolution:

WHEREAS:

- Wildfires are a growing concern across Canada and fireworks have been documented to be sources of wildfire ignition;
- Consumer use of fireworks has caused significant structure fires and even human deaths both in manufacturing warehouses and on private properties;
- Fireworks are a source of pollution and toxic debris, and can adversely impact environmental and human health through water and soil contamination, and reduced air quality;
- Fire and police are stretched to respond to misuse of fireworks calls, particularly on holidays, affecting their ability to respond to other public safety concerns;
- Public Health Infobase Canada reports that the most common type of injuries related to fireworks are burns;
- Fireworks can traumatize refugees and veterans with post-traumatic stress disorder and those with sensory difficulties;
- National parks are transitioning from fireworks displays to special effect pyrotechnics to reduce the impact on wildlife;
- Animal welfare organizations across Canada consider fireworks to be a serious health and welfare risk to pets, farm animals and wildlife;
- Animal welfare organizations further explain that fireworks cause death, illness, injury, and stress to animals in our communities;

Lavinia Rojas
V8V 1S9

[REDACTED]

From: L. R.S. [REDACTED]
Sent: Tuesday, January 3, 2023 12:53 PM
To: Council Secretary
Subject: Lavinia re video

[REDACTED] [REDACTED]

Hello Madison; is it possible to show a video? If so, it is laser and other technology used instead of fireworks. This was from Seattle USA.

<https://www.youtube.com/watch?v=3Ow0ET-ob3E>

Thank you,

Lavinia Rojas

Sample Articles On Changes to Firework Legislation

Brussels:

<https://www.brussels.be/fireworks-prohibited-brussels>

Genova, Italy:

<https://justsomething.co/italian-town-becomes-the-first-city-in-the-world-to-switch-to-silent-fireworks-to-prevent-anxiety-in-pets/?fbclid=IwAR0MVYkOCn21MHoC2FiTXInK-akmNJ7yjo7uXnkoBgolGVn-PEqXWvPyJ9s>

Municipality in Finland:

https://www.xinhuanet.com/english/2018-12/29/c_137707282.htm

Norway:

<https://www.newsinenGLISH.no/2021/12/31/critics-promote-fireworks-ban/>

Germany:

<https://www.iamexpat.de/expat-info/german-expat-news/senator-lederer-calls-firework-ban-across-germany>

Peru:

Please contact: George Alexis Castelar Ulfe

Jefe de la división de Calidad del Aire y Evaluaciones Ambientales

632 1300 - Anexo: 1825

+51 999 019 309

Subgerencia de Gestión Ambiental

Evidence that Fireworks Emits Toxic Pollutants

<https://www.pbs.org/newshour/health/fireworks-bad>

Hickey, C., Gordon, C., Galdanes, K., Blaustein, M., Horton, L., Chillrud, S., ... & Gordon, T. (2020). Toxicity of particles emitted by fireworks. *Particle and fibre toxicology*, 17(1), 1-11.

G.1 Bylaw for 700 Government Street: Rezoning Application No. 00813 and Associated Development Permit Application No. 000616

Moved By Councillor Dell

Seconded By Councillor Caradonna

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1290) No. 22-094

CARRIED UNANIMOUSLY



Council Report

For the Meeting of November 24, 2022

To: Council **Date:** November 8, 2022
From: C. Kingsley, City Clerk
Subject: 700 Government Street: Rezoning Application No. 00813 and Associated Development Permit Application No. 000616

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1290) No. 22-094

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 22-094.

The issue came before Council on October 6, 2022 where the following resolution was approved:

700 Government Street: Rezoning Application No. 00813 and Associated Development Permit Application No. 000616 (Downtown)

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00813 for 700 Government Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit

That Council, after the Public Hearing for Rezoning Application No. 00813, if it is approved, consider the following motion:

1. That Council authorize the issuance of Development Permit Application No. 000616 for 700 Government Street, in accordance with:
 - a. Plans date stamped June 3, 2022
 - b. Development meeting all Zoning Regulation Bylaw requirements.
2. That the Development Permit, if issued, lapses in two years from the date of this resolution.
3. That Council request that the applicant strongly considers inclusion of people with disabilities to ensure full accessibility to the structure.

Respectfully submitted,

Curt Kingsley
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 22-094

NO. 22-094

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw for a portion of land known as 700 Government Street in the IHSS Zone, Inner Harbour Ship Point South District, to create a new zone to allow “recreational facility” uses and to remove parking requirements.

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

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1290)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended:
 - (a) by adding the words “Part 8.30 IHSR Inner Harbour Ship Point Recreation District” in the table of contents in Schedule B after Part 8.29; and
 - (b) by adding the provisions contained in Schedule 1 of this Bylaw after Part 8.29.
- 3 A portion of the land known as 700 Government Street, legally described as PID: 025-392-573 Lot A of the Bed of Victoria Harbour Victoria District Plan VIP73552 and shown hatched on the attached map, is removed from the IHSS Zone, Inner Harbour Ship Point South District, and placed in the IHSR Zone, Inner Harbour Ship Point Recreation District.

READ A FIRST TIME the	day of	2022
-----------------------	--------	------

READ A SECOND TIME the	day of	2022
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Public hearing held on the	day of	2022
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READ A THIRD TIME the	day of	2022
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ADOPTED on the	day of	2022
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CITY CLERK

MAYOR

Schedule 1
**PART 8.30 – IHSR ZONE, INNER HARBOUR SHIP POINT RECREATION
DISTRICT**

8.30.1 Permitted Uses in this Zone

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

- a. Uses permitted in the IHSS Zone, Inner Harbour Ship Point South District, subject to the regulations set out in Part 8.15 of the Zoning Regulation Bylaw except vehicle and parking regulations which are subject to this zone.
- b. Recreation Facility

8.30.2 Height

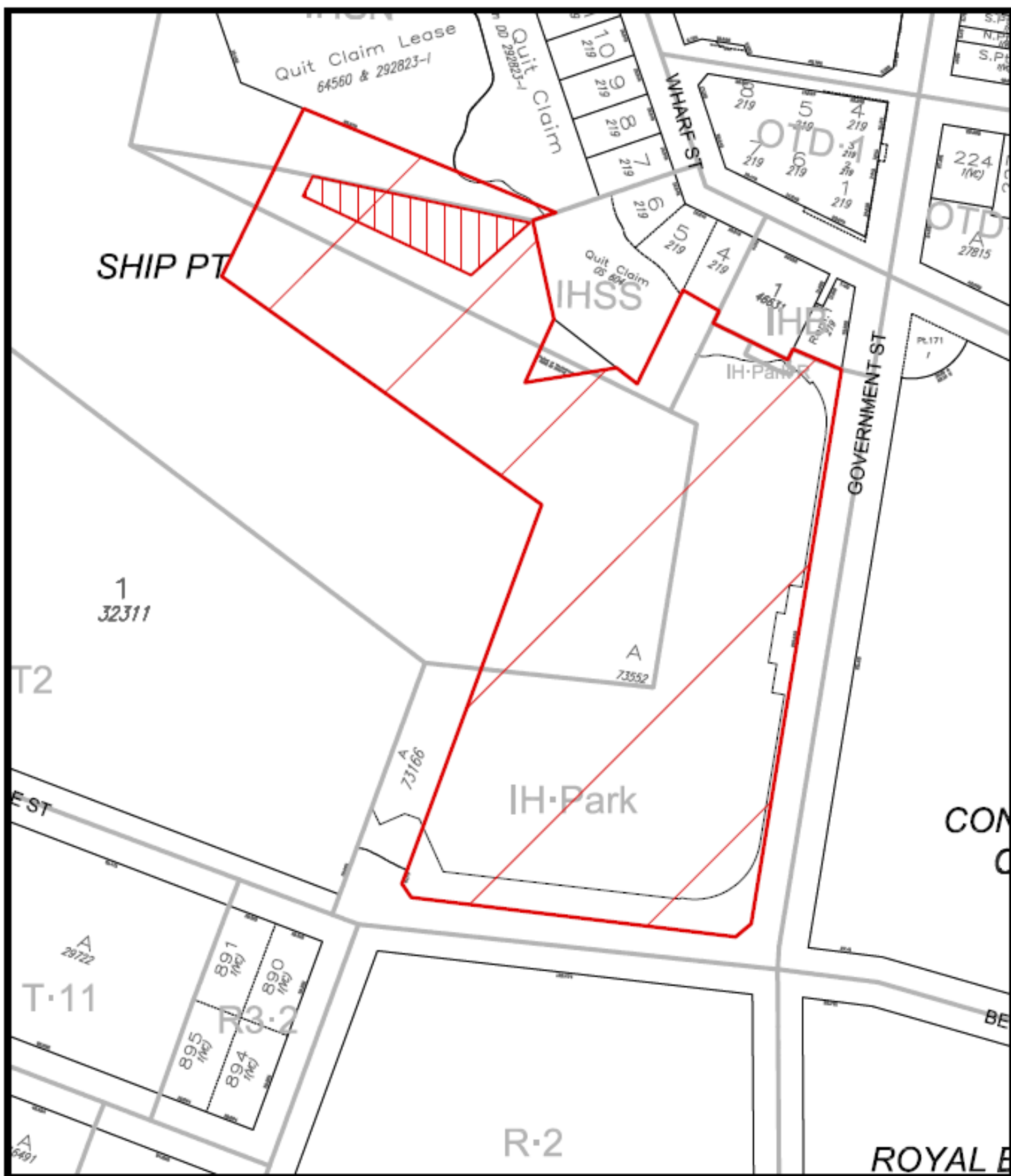
Height (maximum) (geodetic)	10m
-----------------------------	-----

8.30.3 Bicycle Parking

Minimum number of <u>Bicycle Parking, Long Term</u> spaces	4
Minimum number of <u>Bicycle Parking, Short Term</u> spaces	8
Dimensions and layout per Schedule C	

8.30.4 Vehicle Parking

- a. The provisions of Schedule C do not apply in this zone.



700 Government St. (close to 814 Wharf St.)
Rezoning No.00813



**F.1.b.c700 Government Street: Rezoning Application No. 00813 and
Associated Development Permit Application No. 000616
(Downtown)**

Moved By Councillor Alto
Seconded By Councillor Young

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00813 for 700 Government Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit

That Council, after the Public Hearing for Rezoning Application No. 00813, if it is approved, consider the following motion:

1. That Council authorize the issuance of Development Permit Application No. 000616 for 700 Government Street, in accordance with:
 - a. Plans date stamped June 3, 2022
 - b. Development meeting all Zoning Regulation Bylaw requirements.
2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

That Council request that the applicant strongly considers inclusion of people with disabilities to ensure full accessibility to the structure.

CARRIED UNANIMOUSLY

F.2 700 Government Street: Rezoning Application No. 00813 and Associated Development Permit Application No. 000616 (Downtown)

Committee received a report dated September 15, 2022 from the Director of Sustainable Planning and Community Development regarding an application to moor a converted barge at an existing pier at Ship Point in Victoria's Inner Harbour, amend the current zoning and convert the barge into a floating sauna facility.

Moved By Mayor Helps
Seconded By Councillor Loveday

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00813 for 700 Government Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit

That Council, after the Public Hearing for Rezoning Application No. 00813, if it is approved, consider the following motion:

1. That Council authorize the issuance of Development Permit Application No. 000616 for 700 Government Street, in accordance with:
 - a. Plans date stamped June 3, 2022
 - b. Development meeting all Zoning Regulation Bylaw requirements.
2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

Committee discussed:

- *Support for the revitalization of the Inner Harbour as one of Victoria's top tourist destinations*
- *The desire to support more family-friendly activities in Victoria*
- *CALUC jurisdiction regarding the property in question*

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Andrew

Rezoning Application

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That Council request that the applicant strongly considers inclusion of a lift to ensure accessibility to the upper floor for people who use wheelchairs.

Amendment to the amendment:

Moved By Councillor Andrew

Seconded By Councillor Young

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00813 for 700 Government Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

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That Council request that the applicant strongly considers inclusion of people with mobility issues ~~a lift~~ to ensure full accessibility to the structure ~~the upper floor for people who use wheelchairs.~~

CARRIED UNANIMOUSLY

On the amendment:

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00813 for 700 Government Street, that first and second

reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

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CARRIED UNANIMOUSLY

On the main motion as amended:

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00813 for 700 Government Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

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 2. Development meeting all Zoning Regulation Bylaw requirements.
2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

That Council request that the applicant strongly considers inclusion of people with mobility issues to ensure full accessibility to the structure.

CARRIED UNANIMOUSLY



Committee of the Whole Report

For the Meeting of September 29, 2022

To: Committee of the Whole **Date:** September 15, 2022

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

Subject: **Rezoning Application No. 00813 and Associated Development Permit Application No. 000616 for 700 Government Street**

RECOMMENDATION

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00813 for 700 Government Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit

That Council, after the Public Hearing for Rezoning Application No. 00813, if it is approved, consider the following motion:

1. That Council authorize the issuance of Development Permit Application No. 000616 for 700 Government Street, in accordance with:
 - a. Plans date stamped June 3, 2022
 - b. Development meeting all *Zoning Regulation Bylaw* requirements.
2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

LEGISLATIVE AUTHORITY

This report discusses a Rezoning Application and a concurrent Development Permit Application. Relevant rezoning considerations include the proposal to add "recreational facility" as a new use while the relevant Development Permit considerations relate to the mooring of a floating sauna and its consistency with design guidelines.

Enabling Legislation

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

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

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application and concurrent Development Permit Application for the property located at 700 Government Street. The proposal is to rezone the Inner Harbour Ship Point South District (IHSS Zone) to permit “recreational facility” use to allow a floating sauna facility. There is a concurrent Development Permit application pertaining to the proposed form, character, exterior design and finishes of the floating structure.

The following points were considered in assessing the Rezoning Application:

- The proposed addition of recreational facility uses to the inner harbour are consistent with the *Official Community Plan* (OCP) objectives to diversify and activate the harbour as well as the goals for a potential tourist attraction.
- As a floating and landscaped structure, the proposal helps to advance the aims of the *Downtown Core Area Plan* (DCAP) to promote vitality and diversity without detracting from the qualities that make Victoria’s harbour attractive and unique.
- Being similar in size to a large vessel, due consideration has been given to mitigate potential conflicts with the variety of uses that utilize the harbour, as required by the *Victoria Harbour Plan*.

The following points were considered in assessing the Development Permit:

- Views of the harbour and relative impacts to adjacent heritage assets are unaffected by the proposal, consistent with the DCAP.
- The proposed landscaping and active uses advance aesthetic and vitality goals within DCAP and provide a diverse asset to the harbour that operates year-round.

BACKGROUND

Description of Proposal

This proposal is to moor a converted barge at an existing pier at Ship Point in Victoria’s Inner Harbour. The barge is to be converted into a floating sauna facility. It is proposed to amend the

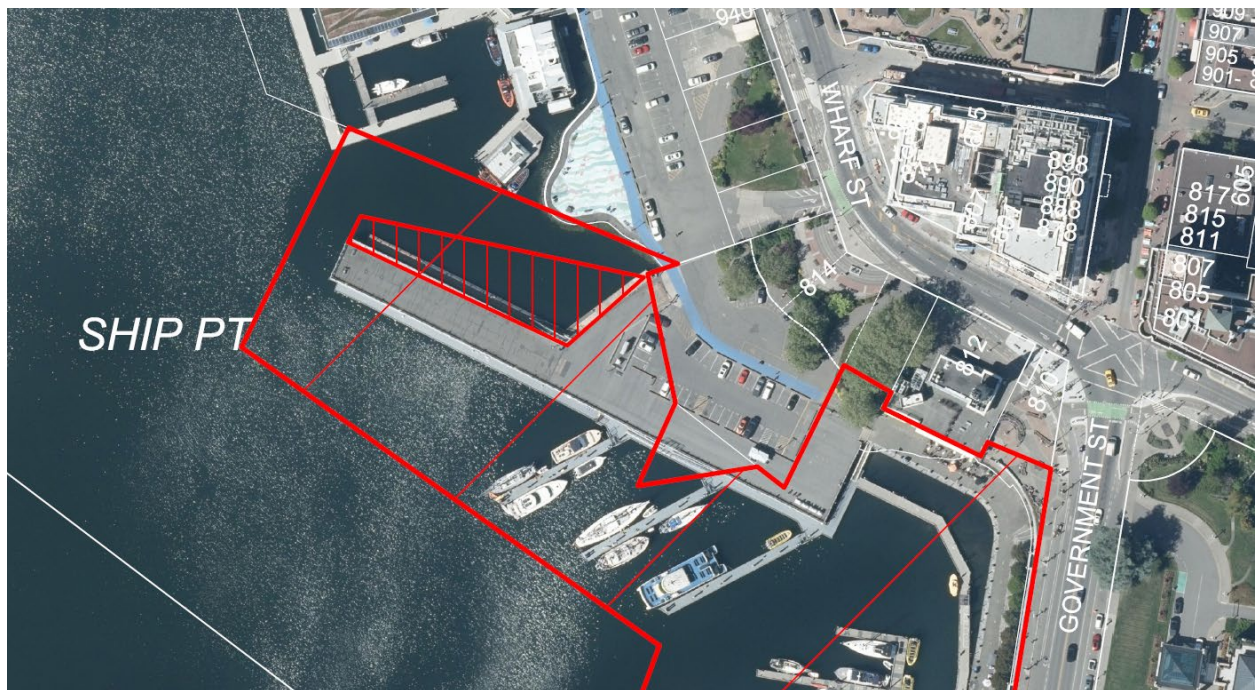
current zone to allow a “recreational facility” use and to not require vehicle parking.

The associated Development Permit is for a converted barge structure to house a floating sauna. Specific details include:

- a floating converted barge with a variety of hot and cold pools, small sauna enclosures, extensive landscaping and flex spaces for special event programming on the exterior surface deck
- interior reception space, change rooms, saltwater pool and sauna
- charcoal painted exterior with glazed and un-glazed new openings, cedar batten deck structures and guards and extensive landscaping.

Land Use Context

The area is characterized by large format piers and docks, the harbour air floating terminal and its associated small marina and float plane piers and surface parking.



Existing Site Development and Development Potential

The site is presently used as a dock for the Greater Victoria Harbour Authority.

Under the current IHSS Zone, the property could be developed for open markets, temporary exhibits, ancillary surface parking, a dock and as a park.

Data Table

The following data table compares the proposal with the existing IHSN Zone, Inner Harbour Ship Point South District. An asterisk is used to identify where the proposal is less stringent than the existing Zone.

Zoning Criteria	Proposal	IHSS Zone	OCP Policy
Density (Floor Space Ratio) – maximum	0.014	0.8	n/a
Total floor area (m ²) – maximum	464	n/a	n/a
Height (m) – maximum	9.42	n/a	15
Vehicle parking – minimum	0*	9	9
Bicycle parking stalls – minimum			
Long Term	2	2	2
Short Term	8	2	2

Active Transportation

The Application proposes six additional short term bicycle parking stalls beyond the city requirement, which supports active transportation.

Public Realm

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

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the Downtown Residents Association CALUC was notified of the application. The CALUC indicated that they believe the application is outside of their jurisdiction. Staff confirmed that this application is in fact within their jurisdiction, however, the CALUC declined to comment. Inadvertently, the notifications that typically advertise the CALUC meeting as well as invite community commentary were not circulated as a result. To address this, mailed notification was sent to owners and occupiers of property within 100m of the subject property on August 31, 2022, advising that a consultation process was taking place and that information could be obtained and feedback provided through the Development Tracker. Typically, this notification process occurs prior to the application formally being submitted to the City. A sign was also posted on site per the normal notification processes, to notify those passing by of this application.

ANALYSIS

Rezoning Application

Official Community Plan

The *Official Community Plan* (OCP) Urban Place Designation is Working Harbour. Under this designation, a mixed-use harbour environment is envisioned. This includes uses such as marine

traffic, marine industry, open water areas, moorage, and water-oriented recreation. Densities are to be determined on a site-specific basis and must be considered through a rezoning process that considers the policies of the OCP, relevant context and other plans, policies and design guidelines.

In more general terms, the OCP seeks to manage the harbour as a strategic resource by strengthening the Working Harbour, enhancing linkages between land and water uses, and improving waterfront access and vitality.

Encouraging a mix of active shoreline uses and reinforcing the role of Downtown Victoria as a vibrant, entertainment and tourism destination are relevant OCP objectives that are advanced with the proposal to add recreational facility uses to this zone. The proposed uses further diversify the types of activities within the harbour and create an opportunity to interact with the waterfront in a new way, year-round.

Other relevant OCP policies that are advanced with this application include:

- promoting strong local communities and enhancing sense of place and the uniqueness of Victoria's neighbourhoods
- encouraging and supporting businesses and organizations whose purpose is to solve a market failure or to improve social wellbeing in other ways.

Downtown Core Area Plan

Located within the Inner Harbour District in the *Downtown Core Area Plan* (DCAP), the general objectives of this area are to promote vitality and diversity without detracting from the qualities that make Victoria's harbour attractive and unique. The floating structure aspect of the proposal is consistent with uses commonly seen and envisioned for the harbour and the addition of a recreational sauna provides a diverse take on adding vitality. Aesthetic aspects of the proposal are discussed in the Development Permit section of this report.

While most policies in DCAP relate to building proposals, the view policies provide guidance to evaluate water-based applications as well. Two protected views are considered, Laurel Point and Songhees. Each protected view aims to ensure that proposals complement and enhance the area with sensitive and appropriate design solutions. Given that this proposal generally resembles a floating barge with a landscaped deck, its inclusion in the harbour does not adversely impact the protected DCAP views.

Victoria Harbour Plan 2001

The overarching purpose of the *Victoria Harbour Plan* is to provide direction and certainty to the variety of uses that utilize the harbour, to mitigate conflict between these uses and to take advantage of the potential opportunities and compatibilities between them. To this end, the Plan focuses on functions more than design, however, to maintain the tourist functions of the waterfront, the plan encourages compatible and complementary designs and additions to the harbour.

Relative to the *Harbour Plan* objectives to mitigate conflicts between uses, the applicant carried out a navigation safety review for the placement of the proposed structure/ vessel. The findings of this review (see attached Design Brief "Navigation and Aviation review" dated November 30, 2021) confirm that the safety of navigation or aviation in and around this area will not be negatively

impacted. In general terms, the proposed structure is equivalent in size to a large yacht, which would regularly utilize this same berth.

The Harbour Plan also identifies this area of the waterfront as part of Ship Point and as a festival site. Under this objective, goals for a revitalized Ship Point are expressed along with design guidelines for the area's revitalization. Part of the objectives for a revitalized Ship Point include activation, and the inclusion of a waterfront sauna facility aligns with this desire.

Like all policies dealing with the waterfront, the *Harbour Plan* speaks to the Harbour Pathway. This proposal does not conflict with the pathway, but it does sit alongside it. From a planning perspective, having active uses along pedestrian pathways is a positive aspect of this proposal. Activating the edges of public spaces helps to address Crime Prevention Through Environmental Design (CPTED) concerns and creates a destination magnet and visible activity that adds vibrancy to the area.

Development Permit Application

Official Community Plan: Design Guidelines

The *Official Community Plan* (OCP) identifies this property within DPA 9 (HC), Inner Harbour.

The relevant goals of this DP area are to:

- to sustain the Working Harbour through the revitalization of key waterfront and adjacent lands, including but not limited to Ship Point
- to conserve the heritage value, special character and significant historic buildings, features and characteristics in the Inner Harbour area
- to enhance the Inner Harbour through high-quality architecture, landscape and urban design that reflects the area's functions as a marine entry, working harbour and community amenity in scale, massing and character, while responding to its historic context.

The proposal helps to revitalize the area by providing a year-round use to an area that is generally dormant in the off-season. Heritage values are not affected as most buildings with heritage value are located well upland of the application. Similarly, the special character of the Harbour is enhanced with a well landscaped and active addition.

The key difference between this application and what would be expected of a large vessel at this location, is that the proposal will be a more permanent fixture. Its alignment with the goals of the OCP and DCAP, in terms of activating the area, help to offset this impact and the proposed landscaping adds a soft element to the area which is largely dominated by paved surfaces and concrete.

Other relevant objectives of the DCAP that the proposal is consistent with are:

- supporting the location of leisure, education, arts and cultural activities within the Downtown Core Area to successfully maintain and strengthen the Inner Harbour as the focus for tourism, government, culture, heritage, and economic development
- developing and maintaining a cohesive, well-designed and vibrant waterfront area
- developing new tourist visitor attractions
- improving public access to the waterfront.

Accessibility

Per the Application Brief (see Attachment C), it is noted that universal washrooms and changing rooms are proposed and that the lower deck of the facility will also be accessible to anyone with limited mobility.

It is noted that getting to the facility can be considered only partially accessible. Key challenges exist with the Ship Point site itself, as it is currently not considered accessible due to extremely steep sidewalk access. Other challenges exist in accessing the dock via Greater Victoria Harbour Authority (GVHA) ramp infrastructure. However, it is noted that access to the facility is similar to access to the float plane terminal and other, marine oriented activities that rely on the surrounding piers and dock infrastructure.

Regulatory Considerations

The data table notes a parking shortfall of nine vehicle parking stalls compared to the existing zone. Consistent with other applications in the downtown, as properties are rezoned, their regulations are updated to be consistent with the new *Zoning Bylaw 2018*, which does not require vehicle parking for commercial activities. The proposed new zone will follow this standard.

In addition to the above, it is proposed that the new zone will limit the location within the property where the new “recreation facility use” may be permitted. The subject property extends from the Harbour Air terminal to Belleville Street and staff would not recommend supporting the new proposed use for the entire property. As such the rezoning is intended to affect the area only where this proposed structure is to be located and this will be specified within the new zone should this proposal be approved.

Sustainability

The applicant proposes to meet or exceed current Step Code 3 energy requirements for the proposed small buildings on the vessel’s deck. High-efficiency electric heaters are proposed which also avoid the production of smoke when compared to typical wood heaters used in saunas.

In addition to the re-purposing of a vessel, the applicant has also expressed a desire to use 90% reused and recycled materials for the construction of the facility and the proposal also includes green roofs.

Advisory Design Panel Review

The application was reviewed by the Advisory Design Panel on May 25, 2022. At that meeting, the following motion was passed:

“It was moved by David Berry, seconded by Devon Skinner, that the Advisory Design Panel recommend to Council that Development Permit with Variance(s) Application No. 000616 for 700 Government Street be approved as presented.”

Tree Preservation Bylaw and Urban Forest Master Plan

There are no *Tree Preservation Bylaw* impacts with this application and there are no impacts to public trees.

CONCLUSIONS

This application proposes a novel use within the harbour that helps to advance goals for diversifying waterfront activities, providing a connection between land and water and creating vibrancy in the area. While novel to Victoria's harbour, floating sauna structures are not new and can be found in other waterfront metropolitan areas. They help to bring people to the waterfront, create a potential tourist attraction and serve a wellness function for community physical, mental, and social well-being. The design of the facility, as part of a floating barge, is consistent with the harbour aesthetic and it proposes extensive landscaping to an area generally devoid of green amenity. As such, this application is consistent with the relevant policies and design guidelines for the harbour and staff therefore recommend for council consideration that this application advance to a public hearing.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00813 and Development Permit Application No. 000616 for the property located at 700 Government Street.

Respectfully submitted,

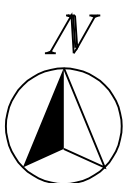
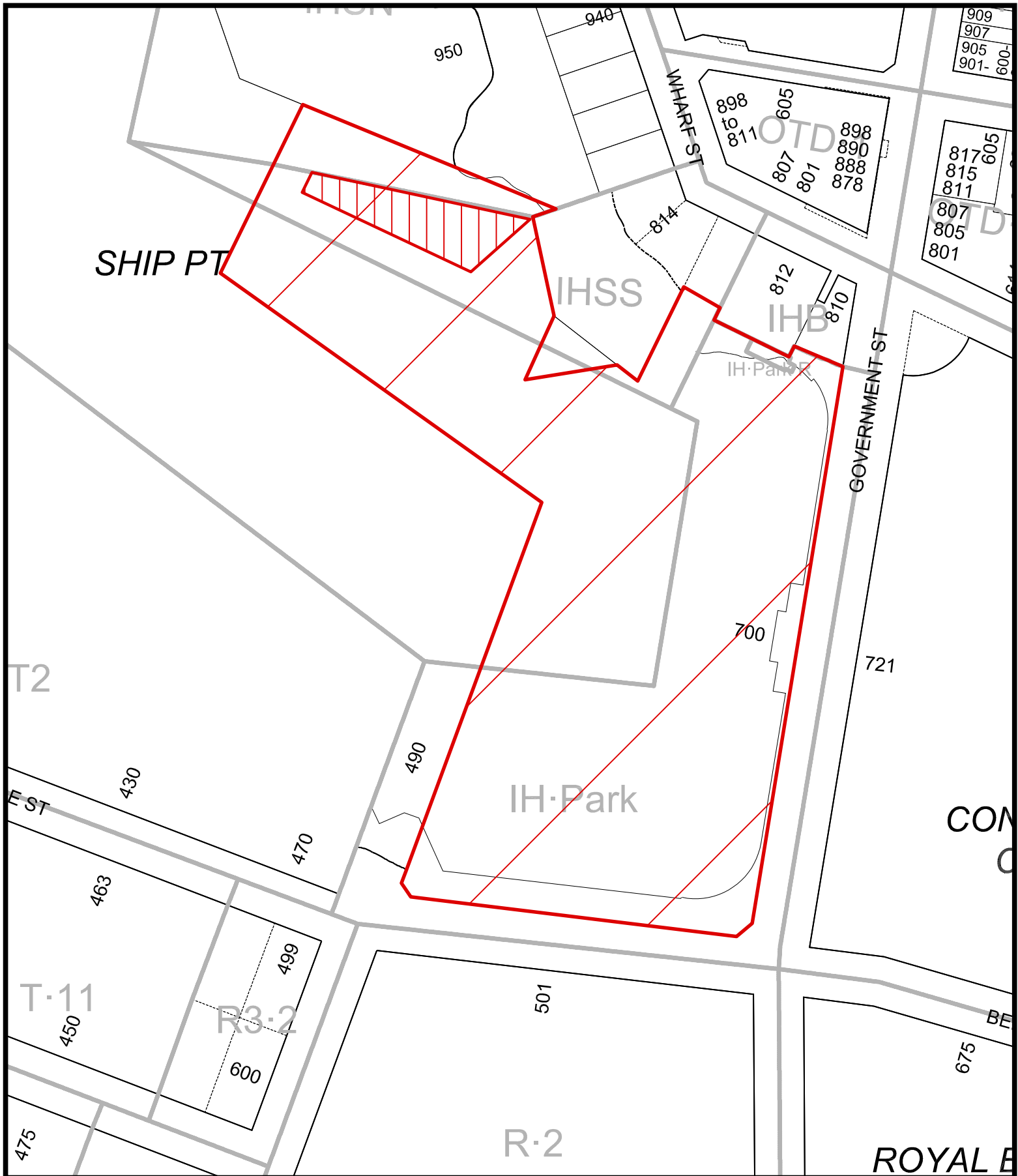
Miko Betanzo
Senior Planner, Urban Design
Development Services Division

Karen Hoesle, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Subject Map
- Attachment B: Plans date stamped June 3, 2022
- Attachment C: Application Brief, received March 9, 2022
- Attachment D: Letter from applicant to Mayor and Council dated June 2, 2022
- Attachment E: Pre-Application Consultation Comments from Online Feedback Form
- Attachment F: Correspondence (Letters received from residents).



700 Government St. (close to 814 Wharf St.)

Rezoning No.00813





PROJECT INFORMATION			
Civic Address	700 Government Street Victoria, BC V8W 1W5		
Legal Description	Lot A - Bed of Victoria Harbour District Plan VIP 73552		
Zone (Existing)	IHSS		
Site Area (m²)	33400 m²	359514 sf	
Total Floor Area (m²)	464 m²	4994 sf	
Commercial Floor Area (m²)	464 m²	4994 sf	
Floor Space Ratio	N/A		
Site Coverage %	N/A		
Open Site Space %	N/A		
Number of Storeys	2 Storey Equivalent		
Parking Stalls On Site	No On-Site Vehicle Parking Provided Per 2018 Zoning Bylaw		
Bicycle Parking	Short Term Bike Parking (Outdoor Rack): 8		
	Long Term Bike Parking (Indoor Storage): 2		
Property Setbacks			
Property Line (West)	~33.59m	~110'-0"	
Property Line (North)	~15.24m	~50'-0"	
Property Line (East)	~22.86m	~75'-0"	
Residential Use Details	N/A		

HAVN

COASTAL CULTURE

HAVN Experiences Ltd.
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Nicholas Joel Van Buren, CEO
nicholasjoelvanburen@gmail.com
845 Carrie Street Victoria, BC V9A 5R5

Revisions

Received Date:
June 3, 2022

Project

HARBOUR SAUNA

SHIP POINT, VICTORIA

SYMBOL LEGEND					
NAME	SYMBOLS		NAME	SYMBOLS	
DRAWING TITLE	<div><div>1</div><div>DRAWING TITLE</div><div>Scale</div></div>		DETAIL REFERENCE	<div><div>1/A4.01</div><div></div></div>	
SECTION MARKER	<div><div># / A# .# #</div><div></div></div>	<div><div>ELEVATION MARKER</div><div></div></div>	<div><div># / A# .# #</div><div></div></div>	GRID LINE	<div><div>1</div><div></div></div>
INTERIOR ELEVATION DETAIL REFERENCE	<div><div>1</div><div>4 A# .# # 2</div><div>3</div></div>	WINDOW SCHEDULE	<div><div># # .#</div><div></div></div>	PLAN ELEVATION MARKER	<div><div># # # #</div><div>ROOM NUMBER</div><div>00-000</div></div>
		DOOR SCHEDULE	<div><div># # .#</div><div></div></div>	REVISION NUMBER	<div><div># #</div><div>HEIGHT MARKER</div><div>375 TOC</div></div>
ELEVATION MARKER	<div><div>+/- 0.00m</div><div>ELEVATION</div></div>		WALL TYPE	<div><div>W0.0</div><div>W0.0</div><div>W0.0 F2</div><div>W0.0 F2</div></div>	
NOTES	<div><div>1</div><div>1</div></div>		BUILDING GRADE	<div><div>NEW GRADE</div><div>EXISTING GRADE</div></div>	
NORTH ARROW	<div><div></div></div>		EGRESS	<div><div>PRIMARY EXIT</div><div>SECONDARY EXIT</div></div>	

ABBREVIATIONS			
APPROX	APPROXIMATELY	PL	PROPERTY LINE
B.G.	BUILDING GRADE	REQ'D	REQUIRED
B.O.	BOTTOM OF	SS	STAINLESS STEEL
DIA	DIAMETER	THRU	THROUGH
DIM	DIMENSION	T.O.	TOP OF
DWG	DRAWING	T.O.P.	TOP OF PARAPET
E.G	EXISTING GRADE	T.O.S.	TOP OF SLAB
N.G.	NEW BUILDING GRADE	T.O.W.	TOP OF WALL
NIC	NOT IN CONTRACT	TYP	TYPICAL
NIS	NOT IN SCOPE	VIF	VERIFY IN FIELD
O.C.	ON CENTRE	W/	WITH
ASL	ABOVE SEA LEVEL		

SHEET LIST				
SHEET NO.	DRAWING TITLE	SCALE	ISSUE DATE	NOTES
0.00	COVER SHEET	NTS	FEB 25, 2022	DEVELOPMENT + REZONING PERMIT
0.01	EXISTING SURVEY	1:1000 @ ARCH D	FEB 25, 2022	DEVELOPMENT + REZONING PERMIT
0.02	CONTEXT PLANS	1:2000 @ ARCH D	FEB 25, 2022	DEVELOPMENT + REZONING PERMIT
1.00	ENLARGED SITE PLAN	1:200 @ ARCH D	FEB 25, 2022	DEVELOPMENT + REZONING PERMIT
1.01	LOWER DECK PLAN	1:64 @ ARCH D	FEB 25, 2022	DEVELOPMENT + REZONING PERMIT
1.02	UPPER DECK PLAN	1:64 @ ARCH D	FEB 25, 2022	DEVELOPMENT + REZONING PERMIT
2.01	ELEVATIONS	1:64 @ ARCH D	FEB 25, 2022	DEVELOPMENT + REZONING PERMIT
2.02	ELEVATIONS	1:64 @ ARCH D	FEB 25, 2022	DEVELOPMENT + REZONING PERMIT
3.01	CONTEXT SECTION	1:64 @ ARCH D	FEB 25, 2022	DEVELOPMENT + REZONING PERMIT
4.01	//RESERVED			
5.01	//RESERVED			
6.01	//RESERVED			
7.01	//RESERVED			

Issue / Revision

No.	Date (YMD)	Notes
DRP	2022 / 02 / 25	DEVELOPMENT + REZONING PERMIT

Sheet

0.00

COVER SHEET

Project ID 21-01

Scale -

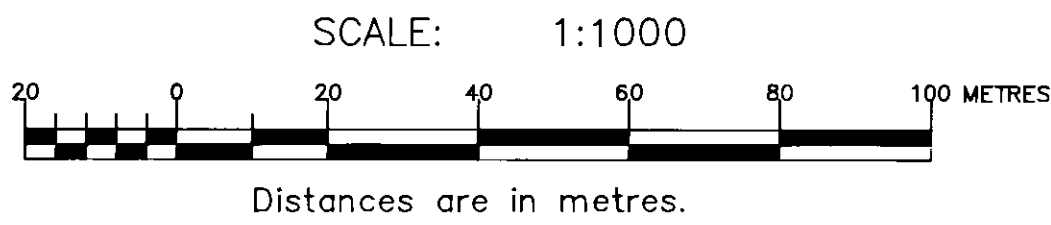
Drawn By NJVB / AM

Date 25 February 2022

Notes

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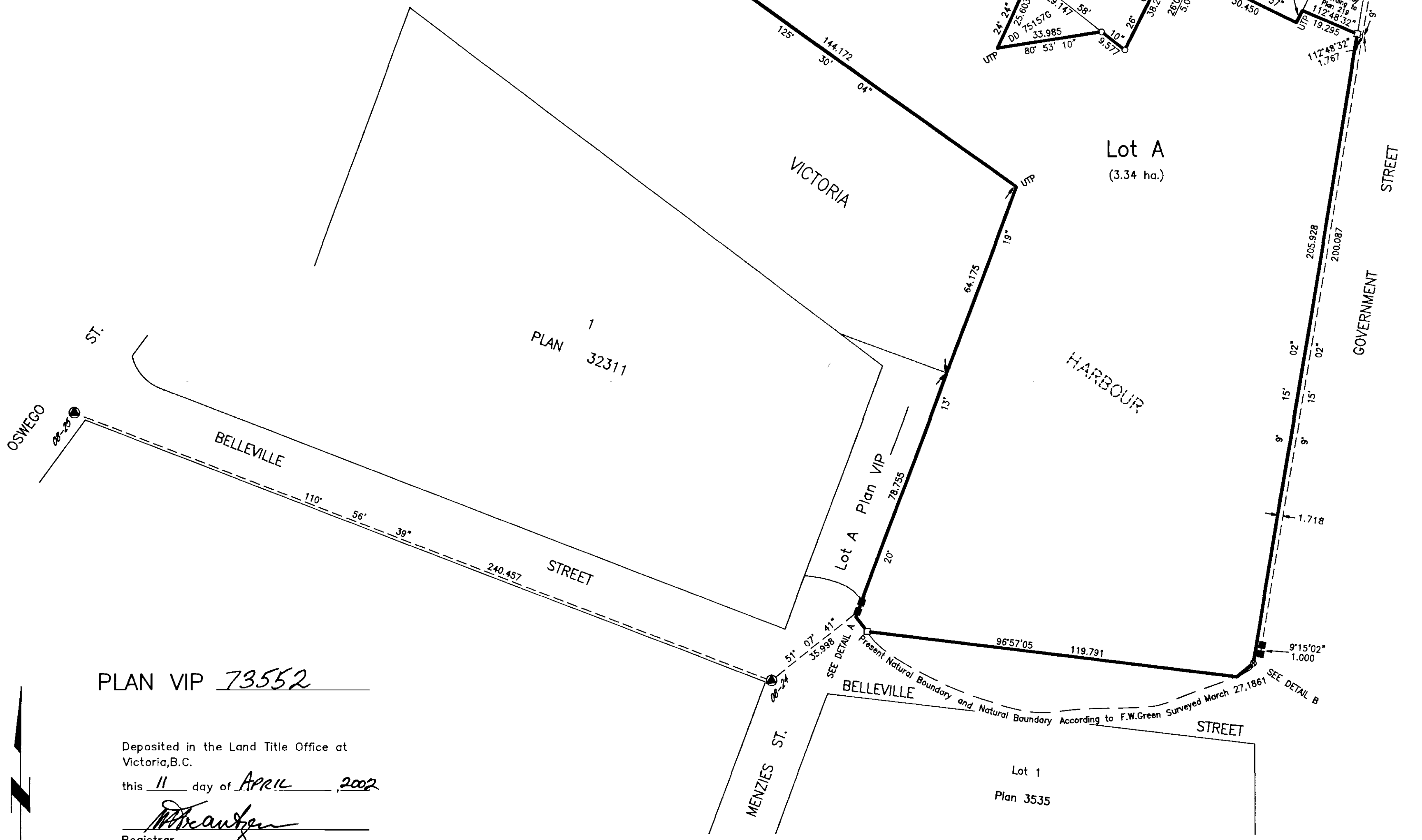
REFERENCE PLAN OF
PART OF THE BED OF VICTORIA HARBOUR
VICTORIA DISTRICT
B.C.G.S. 92 B.044.



Integrated Survey Area #17, City of Victoria, NAD83(CSRS)
Grid Bearings are derived from observations between
Control Monuments 08-24 & 08-25
This Plan Shows Ground Level Measured Distances,
Prior to Computation of U.T.M. Co-ordinates
Multiply by Combined Factor 0.9996105.

Legend

- Denotes Standard Iron Post (Type 5) Found
- Denotes Standard Iron Post (Type 5) Placed
- ⊙ Denotes Control Monument Found
- Denotes Lead Plug (Type 3) Found
- Denotes Lead Plug (Type 3) Placed
- ⊗ Denotes Parker Kalon Nail Placed
- UTP Denotes Unable To Place



PLAN VIP 73552

Deposited in the Land Title Office at
Victoria, B.C.
this 11 day of April, 2002
Nicholas Joel Van Buren
Registrar

This Plan lies within the
Capital Regional District.

John Motherwell & Associates,
B.C. Land Surveyors,
Victoria, B.C.
File: D6 - 14

Her Majesty The Queen in Right of Canada
as represented by the Minister of Transport

C Rhodes
Authorized Signatory

Witness Jane Frost

Occupation T.C. Coordinator

Address #600- 600 Burrard
Vancouver

I, John L. Motherwell, a British Columbia Land Surveyor,
of Victoria, in British Columbia, certify that I was present
at and personally superintended the survey represented by
this plan and that the survey and plan are correct.
The survey was completed on the 4th day of June, 2000.

John L. Motherwell
B.C.L.S.

HAVN
COASTAL CULTURE

HAVN Experiences Ltd.

+1 250 818-1566

Nicholas Joel Van Buren, CEO
nicholasjoelvanburen@gmail.com

845 Carrie Street Victoria, BC V9A 5R5

Project

HARBOUR SAUNA

SHIP POINT, VICTORIA

Issue / Revision

No.	Date (YMD)	Notes
DRP	2022 / 02 / 25	DEVELOPMENT + REZONING PERMIT

Sheet

0.01

EXISTING SURVEY

Project ID 21-01

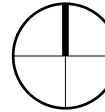
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Drawn By NJVB / AM

Date 25 February 2022

Notes Reference only.
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scale preserved.

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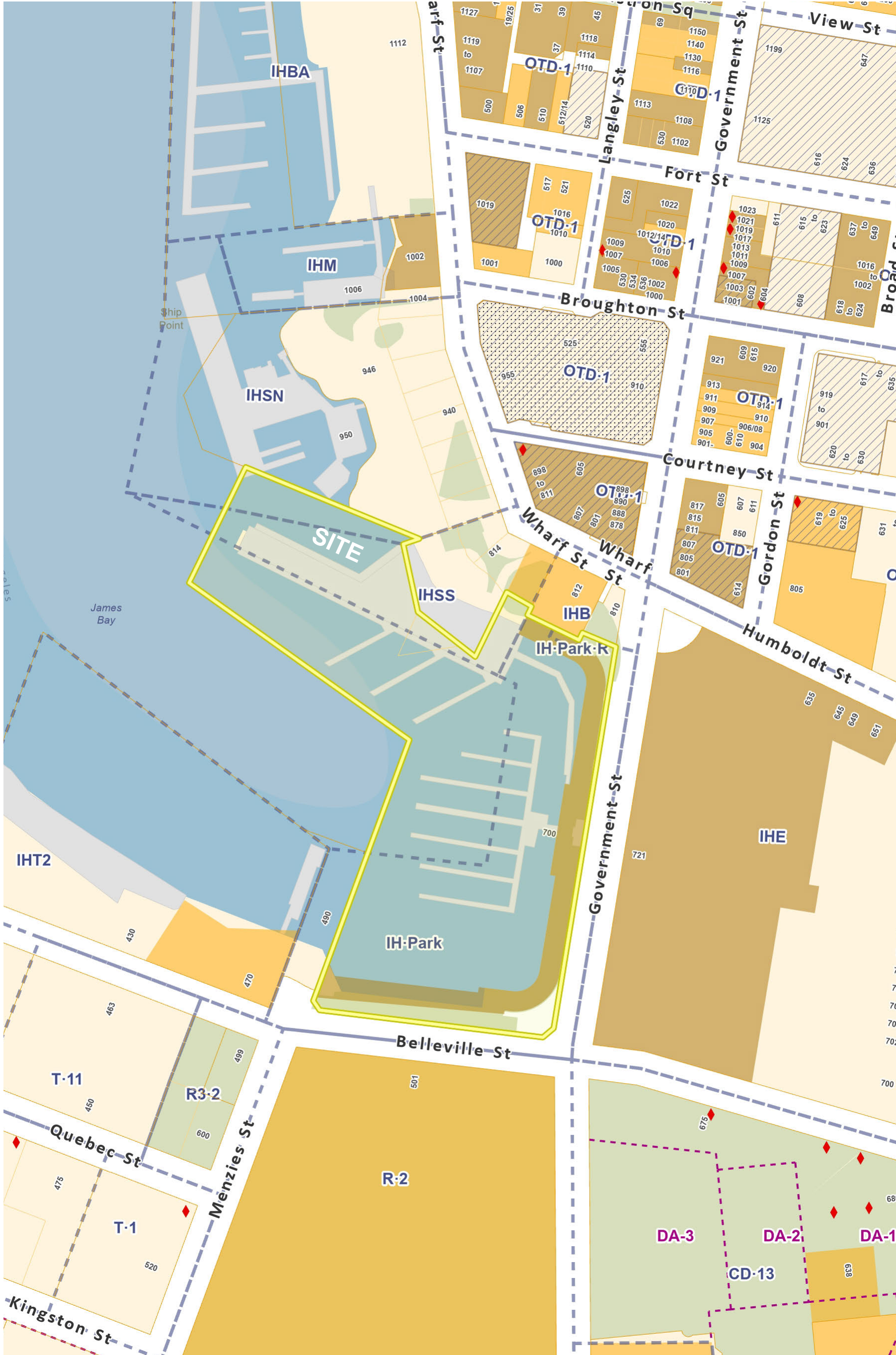




1 VICMAP CONTEXT PLAN - AERIAL
1:2000



2 VICMAP CONTEXT PLAN - PARCEL / EASEMENT OVERLAY
1:2000



3 VICMAP CONTEXT PLAN - ZONING OVERLAY
1:2000

Land	EngineeringAndPublicWorks	Zoning Boundary
City Boundary	Block Numbers	Special Polygons
Parcels (PID based)	Surveyed Trees	Zoning Polygons
City Owned Parcels	Fences and Retaining Walls (PW)	Comprehensive Development Area Boundary
CoreService	Transportation	Land Use Contract
NonCoreService	Footpaths	Heritage Properties
Remnant	Streets and Parcels Basemap	Designated
School	Ferries	Registered
Other	Water	
Buildings	Parks and Open Space	
Parks	Blocks	
Parks and Open Space		

Project

HARBOUR SAUNA

SHIP POINT, VICTORIA

Issue / Revision		
No.	Date (YMD)	Notes
DRP	2022 / 02 / 25	DEVELOPMENT + REZONING PERMIT

Sheet

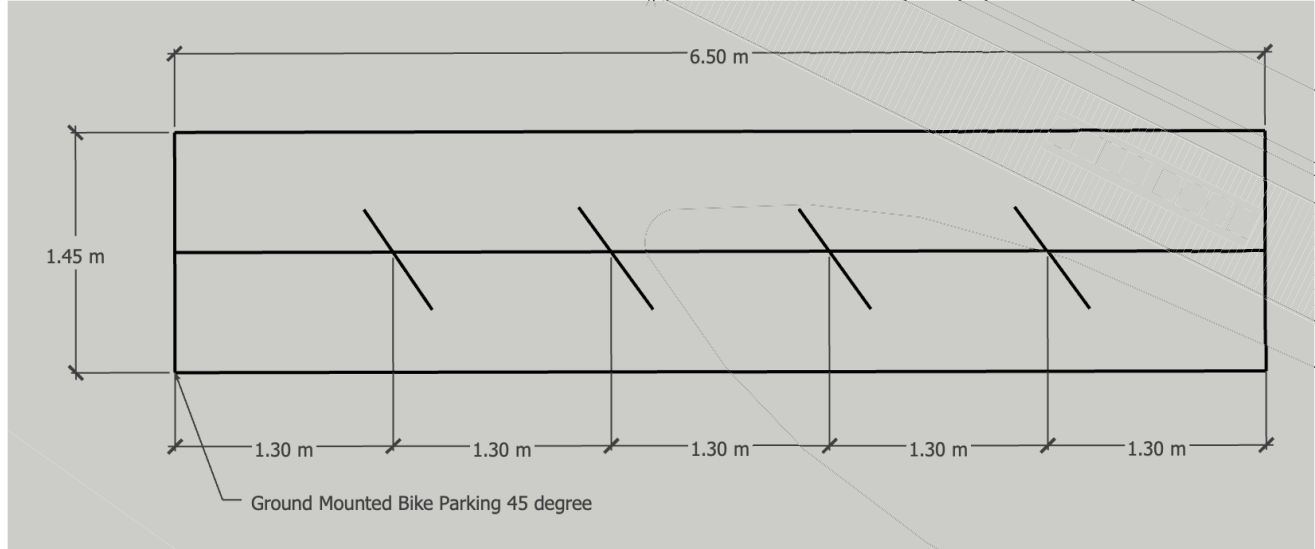
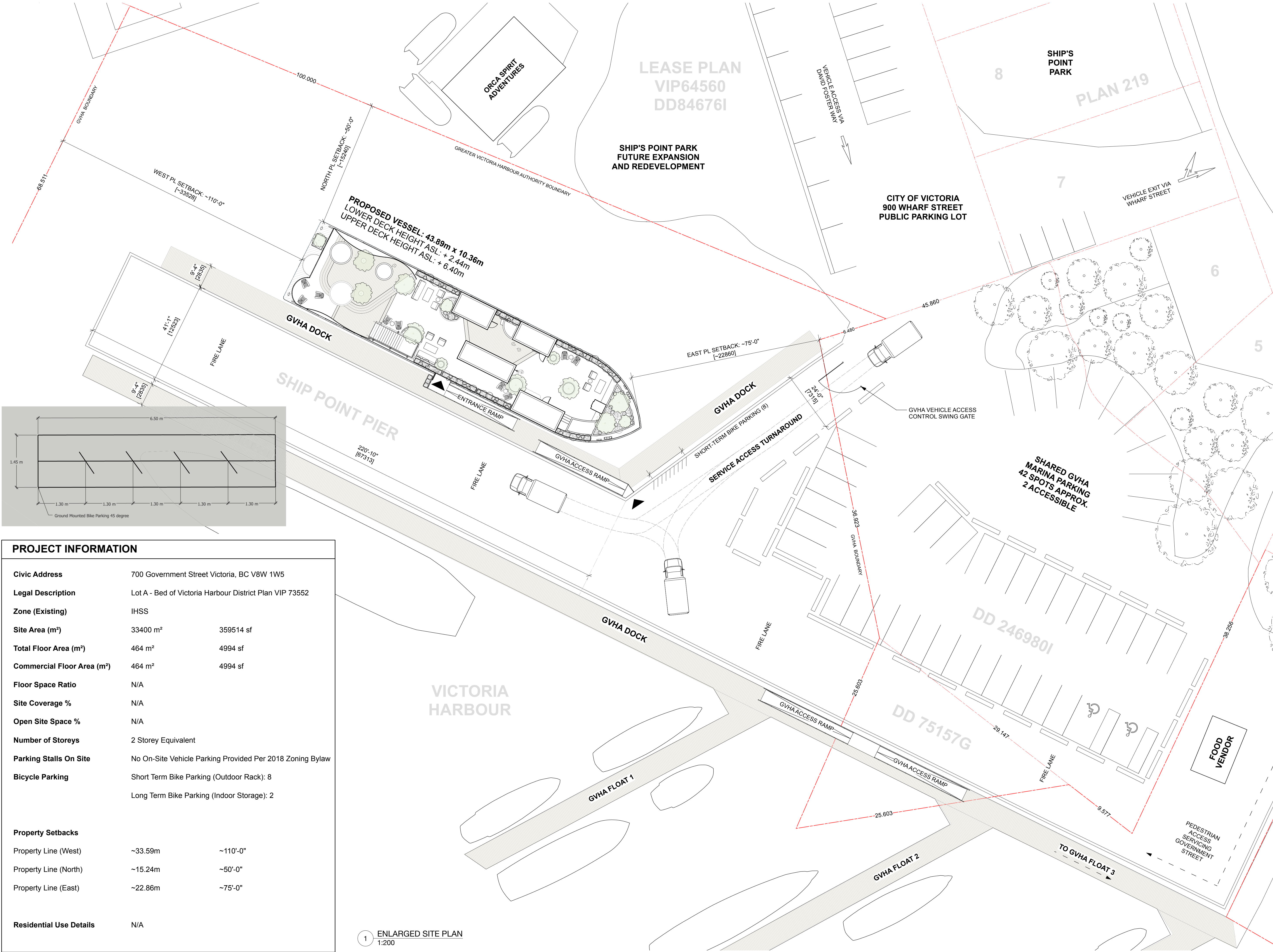
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CONTEXT PLANS

Project ID	21-01
Scale	1:2000
Drawn By	NJVB / AM
Date	25 February 2022
Notes	Reference only. Reformatted for document size. Original drawing scale preserved.



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PROJECT INFORMATION		
Civic Address	700 Government Street Victoria, BC V8W 1W5	
Legal Description	Lot A - Bed of Victoria Harbour District Plan VIP 73552	
Zone (Existing)	IHSS	
Site Area (m²)	33400 m²	359514 sf
Total Floor Area (m²)	464 m²	4994 sf
Commercial Floor Area (m²)	464 m²	4994 sf
Floor Space Ratio	N/A	
Site Coverage %	N/A	
Open Site Space %	N/A	
Number of Storeys	2 Storey Equivalent	
Parking Stalls On Site	No On-Site Vehicle Parking Provided Per 2018 Zoning Bylaw	
Bicycle Parking	Short Term Bike Parking (Outdoor Rack): 8	
	Long Term Bike Parking (Indoor Storage): 2	
Property Setbacks		
Property Line (West)	~33.59m	~110'-0"
Property Line (North)	~15.24m	~50'-0"
Property Line (East)	~22.86m	~75'-0"
Residential Use Details	N/A	

1 ENLARGED SITE PLAN
1:200

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Nicholas Joel Van Buren, CEO
nicholasjoelvanburen@gmail.com
845 Carrie Street Victoria, BC V9A 5R5

Project
HARBOUR SAUNA
SHIP POINT, VICTORIA

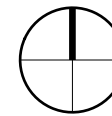
Issue / Revision		
No.	Date (YMD)	Notes
DRP	2022 / 02 / 25	DEVELOPMENT + REZONING PERMIT

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1.00
ENLARGED SITE PLAN

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Notes	

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Project

HARBOUR SAUNA
SHIP POINT, VICTORIA

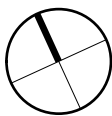
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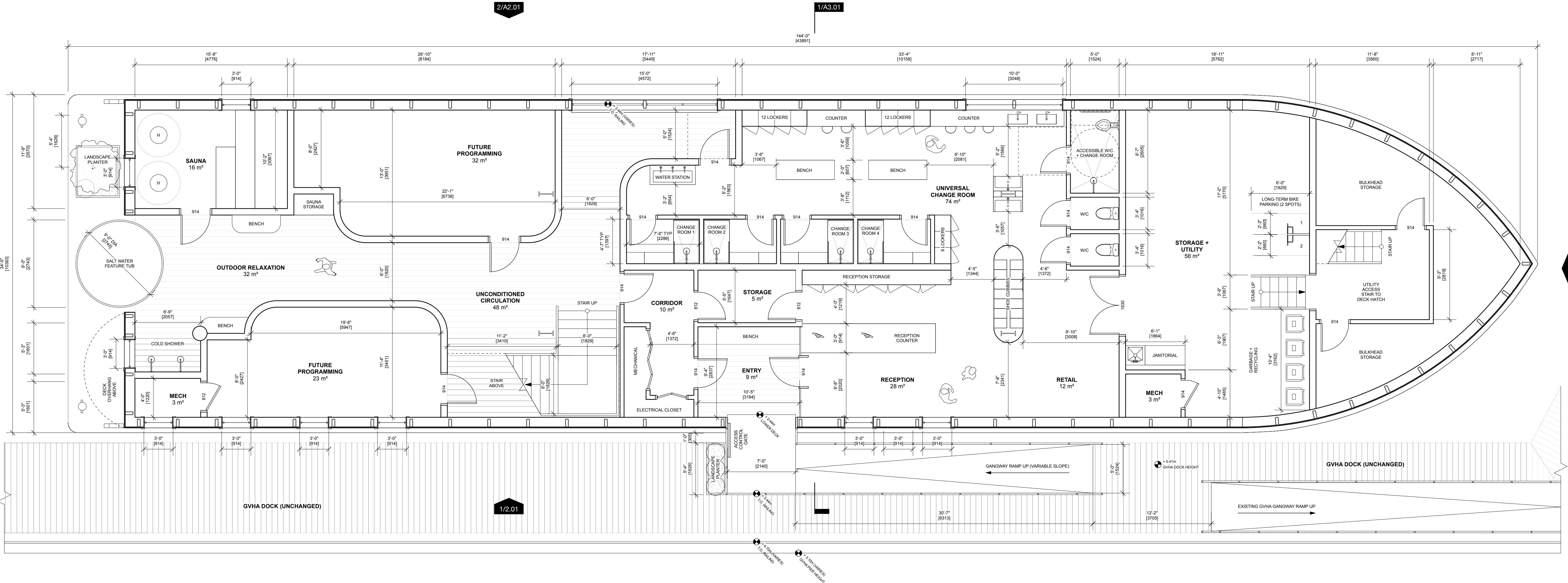
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1.01
LOWER DECK PLAN

Project ID	21-01
Scale	1:64
Drawn By	NJV/B / AM
Date	25 February 2022
Notes	



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1 LOWER DECK PLAN
1:64

Project

HARBOUR SAUNA

SHIP POINT, VICTORIA

Issue / Revision

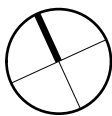
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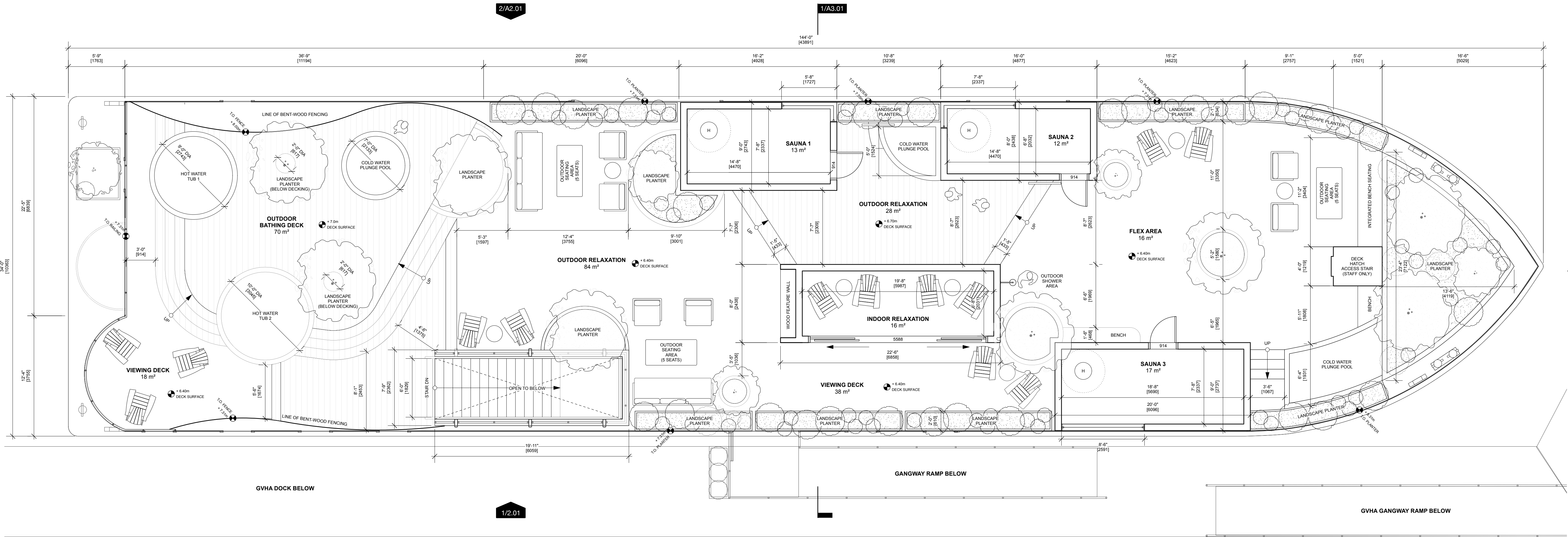
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UPPER DECK PLAN

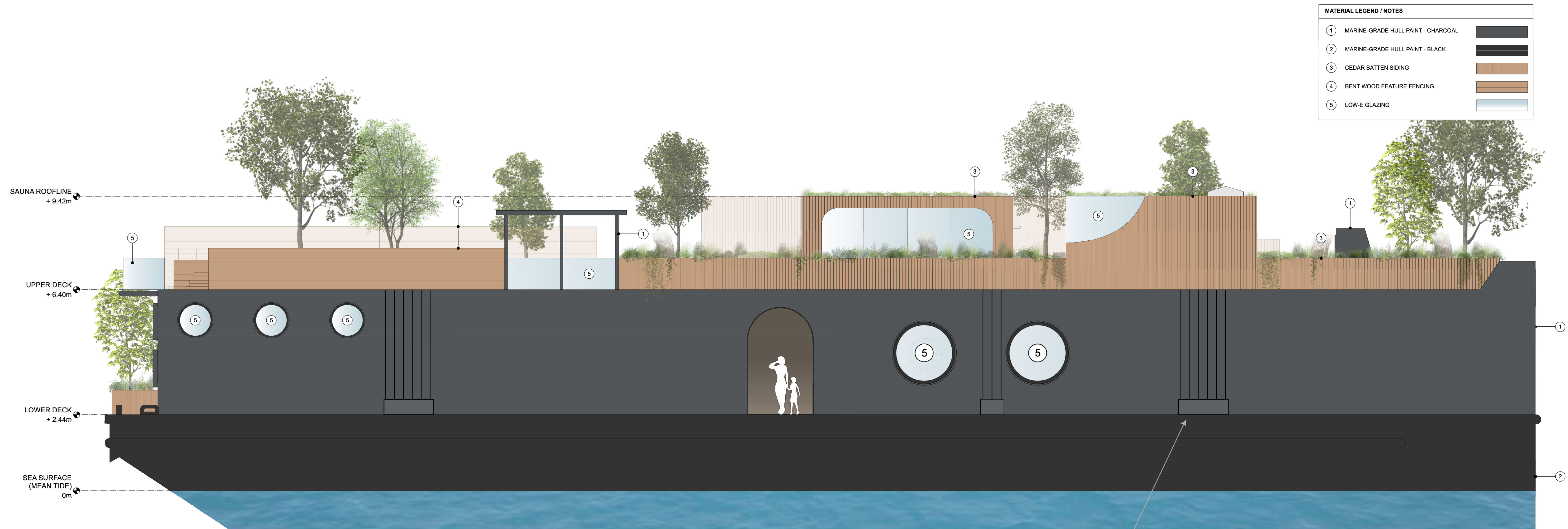
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Drawn By	NJVB / AM
Date	25 February 2022
Notes	



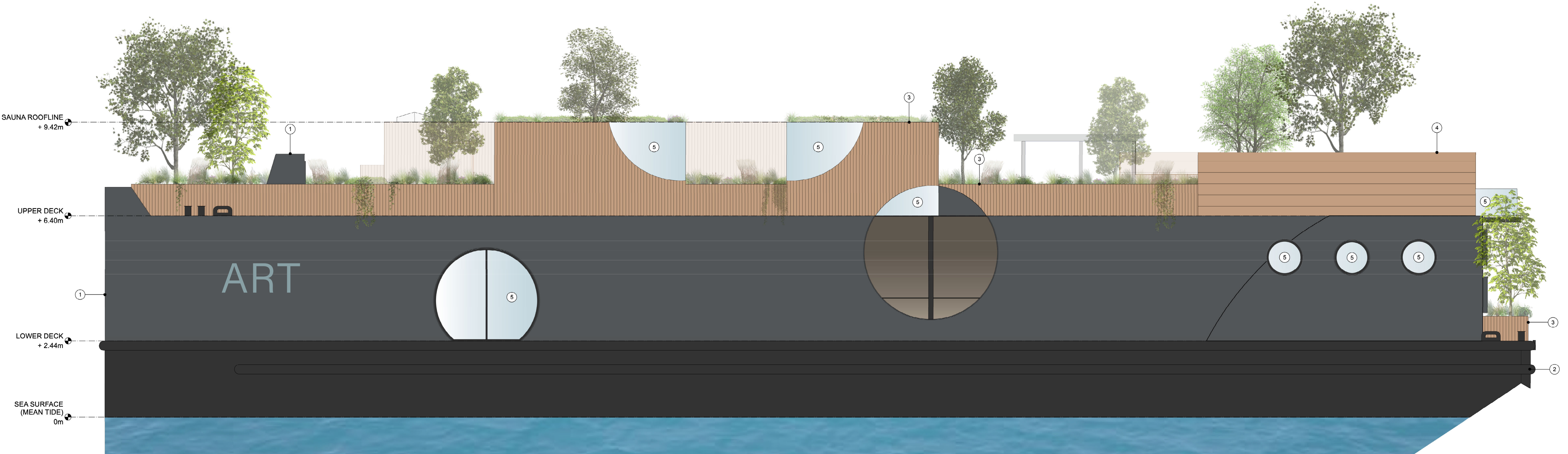
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1 UPPER DECK PLAN
1:64



1 SOUTH ELEVATION
1:64



2 NORTH ELEVATION
1:64

HAVN

COASTAL CULTURE

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Project

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SHIP POINT, VICTORIA

Issue / Revision

No.	Date (YMD)	Notes
DRP	2022 / 02 / 25	DEVELOPMENT + REZONING PERMIT

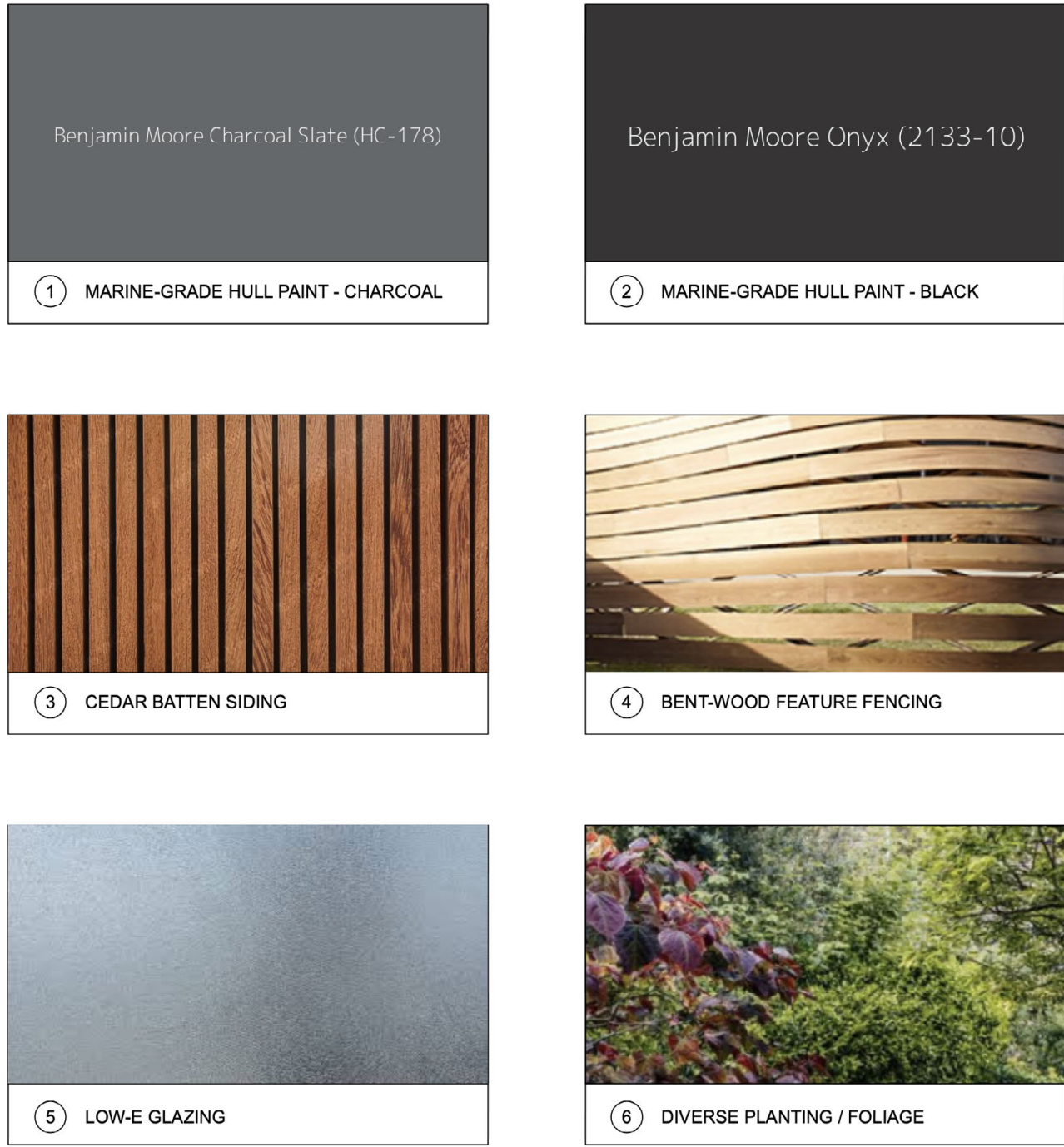
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2.01

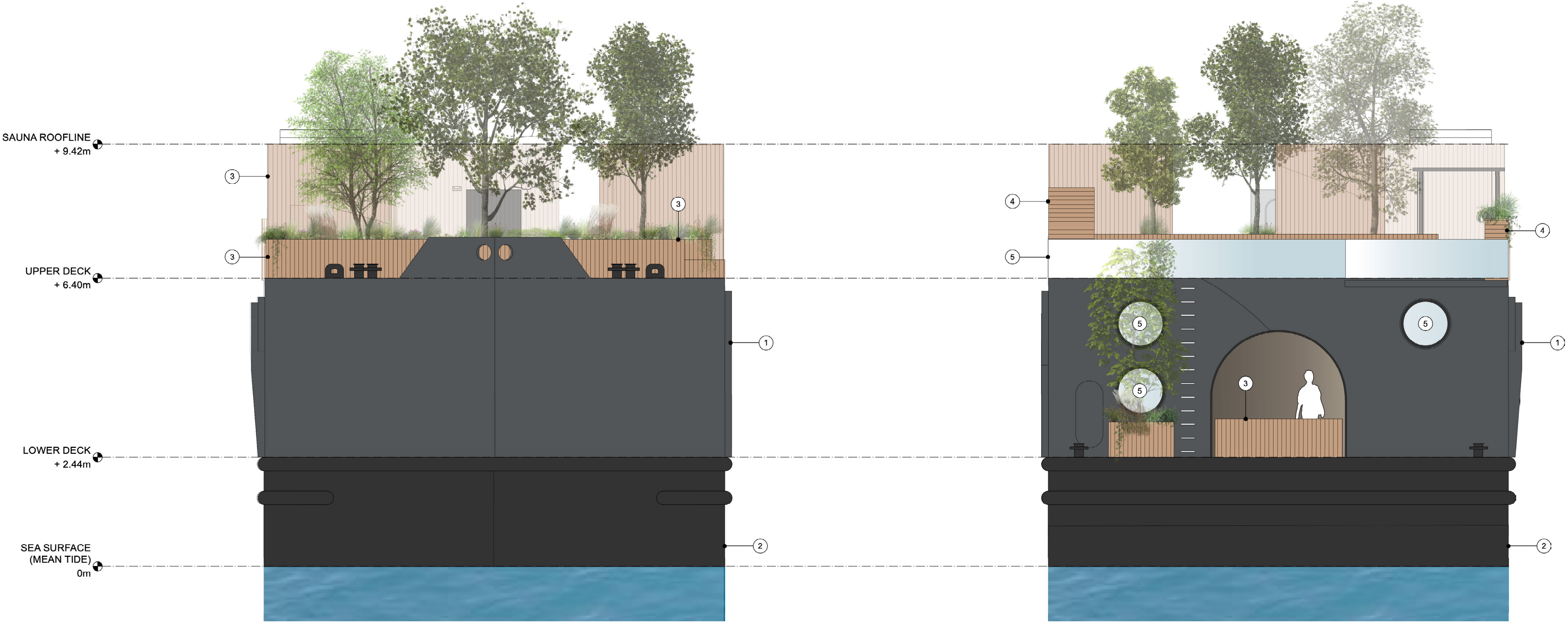
ELEVATIONS

Project ID	21-01
Scale	1:64
Drawn By	NJVB / AM
Date	25 February 2022
Notes	

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PRELIMINARY MATERIAL SAMPLES



EAST ELEVATION
1:64

WEST ELEVATION
1:64

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COASTAL CULTURE

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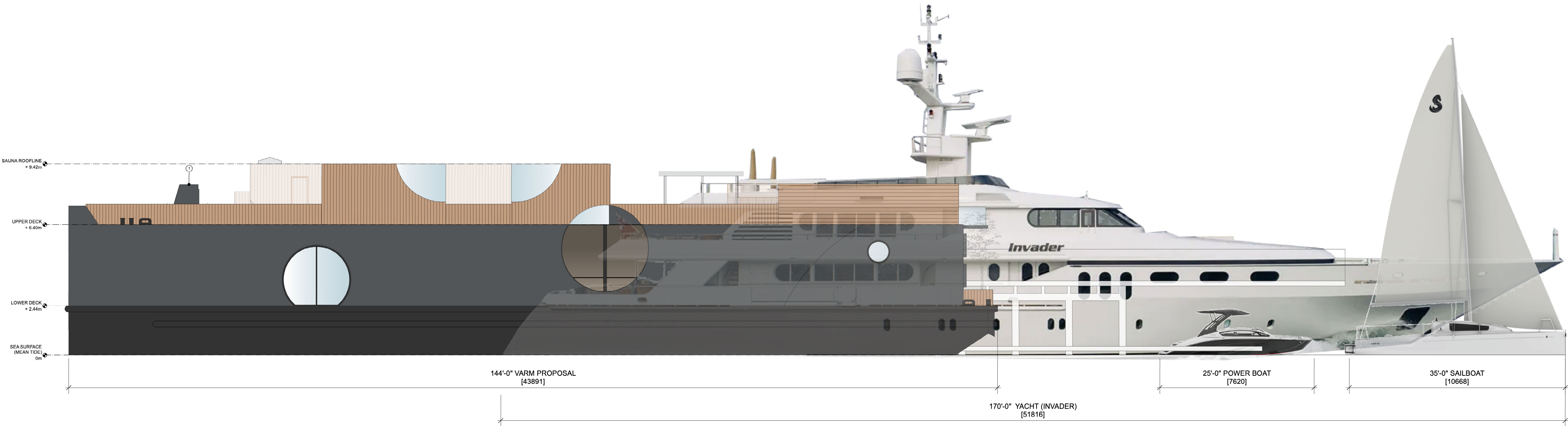
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2.02

ELEVATIONS

Project ID	21-01
Scale	3/16" = 1'-0"
Drawn By	NJVB / AM
Date	25 February 2022
Notes	

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CONTEXT ELEVATION
1:100



- GENERAL NOTES:**
- ALL UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTRACTOR TO CONFIRM UTILITY LOCATIONS PRIOR TO CONSTRUCTION.
 - ALL CONSTRUCTION AND MATERIALS TO BE IN ACCORDANCE WITH SPECIFICATIONS, AND THESE DRAWINGS, WHICHEVER IS MOST STRINGENT.
 - CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING THE VARIOUS PARTS OF THE WORK.
 - CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE OF AS-CONSTRUCTED RECORDS, WHICH ARE TO BE HANDED OVER TO ENGINEER UPON COMPLETION OF CONSTRUCTION.
 - CAREFULLY RELOCATE EXISTING LANDSCAPE FEATURES, TRAFFIC SIGNS AND SITE FEATURES TO ACCOMMODATE CONSTRUCTION WORK. ALL EXISTING WORKS AFFECTED BY CONSTRUCTION TO BE RETURNED TO AS FOUND OR BETTER CONDITION.
 - DISPOSE OF ALL EXCAVATED MATERIAL UNSUITABLE FOR REUSE AT A SUITABLE OFF-SITE DISPOSAL AREA, IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.
 - PROVIDE CLEAN SAWCUTS IN ASPHALT AND CONCRETE AT DEMOLITION LINES.
 - ANY CHANCE FIND OF ARCHEOLOGICAL MATERIAL SHALL RESULT IN AN IMMEDIATE WORK STOPPAGE TO ALLOW FOR FURTHER ANALYSIS. STOP ALL ACTIVITY AND IMMEDIATELY NOTIFY CONTRACT ADMINISTRATOR IF ANY ARCHEOLOGICAL MATERIAL IS ENCOUNTERED.
 - ALL FITTINGS TO BE COMPATIBLE WITH PIPE MATERIAL AND PRESSURE CLASS.
 - ALL CONSTRUCTION AND MATERIAL TO BE IN ACCORDANCE WITH THE LATEST VERSION OF THE CITY OF VICTORIA SPECIFICATIONS, MASTER MUNICIPAL CONSTRUCTION DOCUMENT (MMCD) PLATINUM EDITION AND THESE DRAWINGS.

GEOTECHNICAL TESTING FOR SITE WORKS:

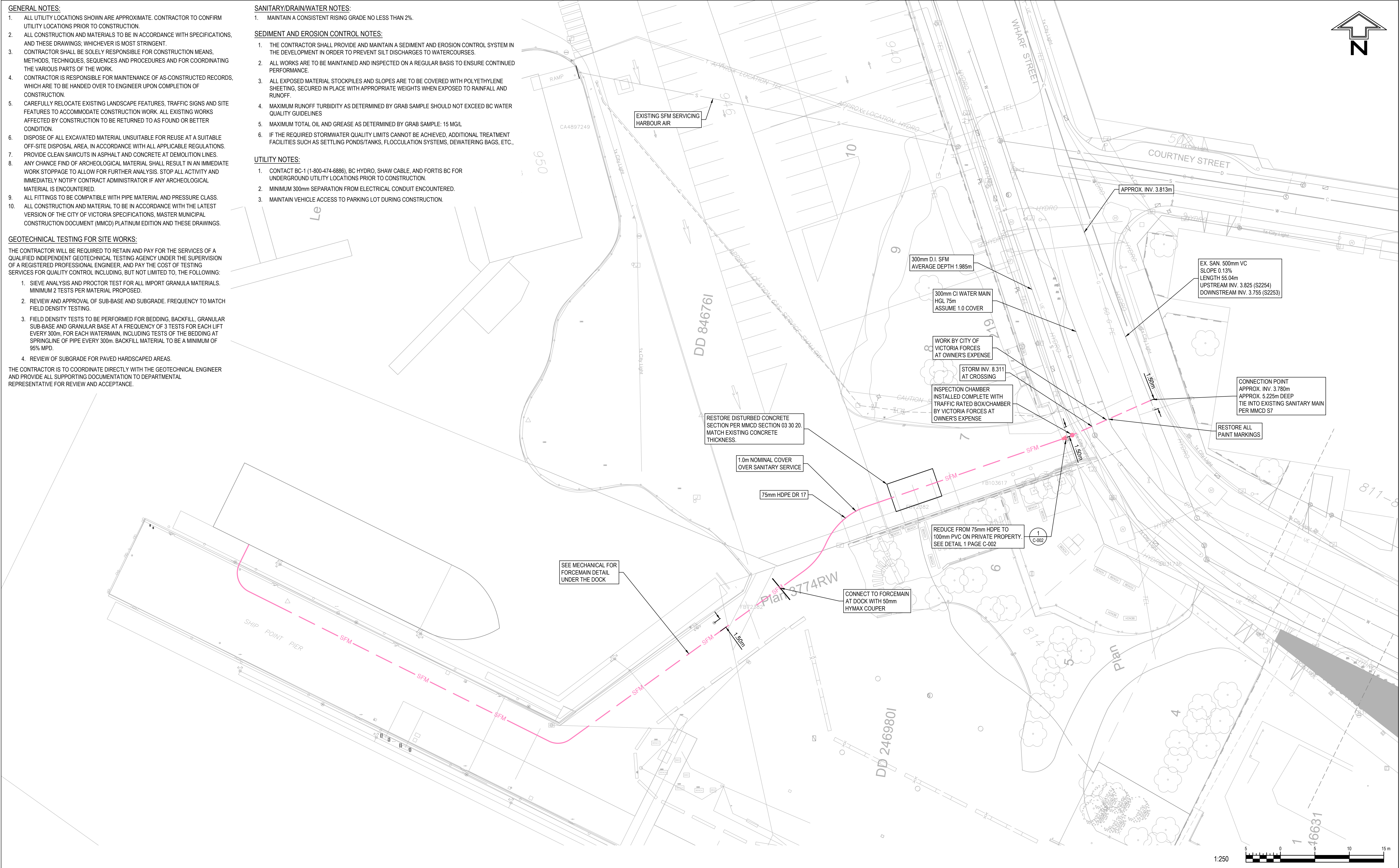
THE CONTRACTOR WILL BE REQUIRED TO RETAIN AND PAY FOR THE SERVICES OF A QUALIFIED INDEPENDENT GEOTECHNICAL TESTING AGENCY UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL ENGINEER, AND PAY THE COST OF TESTING SERVICES FOR QUALITY CONTROL INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

- SIEVE ANALYSIS AND PROCTOR TEST FOR ALL IMPORT GRANULA MATERIALS. MINIMUM 2 TESTS PER MATERIAL PROPOSED.
- REVIEW AND APPROVAL OF SUB-BASE AND SUBGRADE. FREQUENCY TO MATCH FIELD DENSITY TESTING.
- FIELD DENSITY TESTS TO BE PERFORMED FOR BEDDING, BACKFILL, GRANULAR SUB-BASE AND GRANULAR BASE AT A FREQUENCY OF 3 TESTS FOR EACH LIFT EVERY 300m. FOR EACH WATERMAIN, INCLUDING TESTS OF THE BEDDING AT SPRINGLINE OF PIPE EVERY 300m. BACKFILL MATERIAL TO BE A MINIMUM OF 95% MPD.
- REVIEW OF SUBGRADE FOR PAVED HARDSCAPED AREAS.

THE CONTRACTOR IS TO COORDINATE DIRECTLY WITH THE GEOTECHNICAL ENGINEER AND PROVIDE ALL SUPPORTING DOCUMENTATION TO DEPARTMENTAL REPRESENTATIVE FOR REVIEW AND ACCEPTANCE.

- SANITARY/DRAIN/WATER NOTES:**
- MAINTAIN A CONSISTENT RISING GRADE NO LESS THAN 2%.
- SEDIMENT AND EROSION CONTROL NOTES:**
- THE CONTRACTOR SHALL PROVIDE AND MAINTAIN A SEDIMENT AND EROSION CONTROL SYSTEM IN THE DEVELOPMENT IN ORDER TO PREVENT SILT DISCHARGES TO WATERCOURSES.
 - ALL WORKS ARE TO BE MAINTAINED AND INSPECTED ON A REGULAR BASIS TO ENSURE CONTINUED PERFORMANCE.
 - ALL EXPOSED MATERIAL STOCKPILES AND SLOPES ARE TO BE COVERED WITH POLYETHYLENE SHEETING, SECURED IN PLACE WITH APPROPRIATE WEIGHTS WHEN EXPOSED TO RAINFALL AND RUNOFF.
 - MAXIMUM RUNOFF TURBIDITY AS DETERMINED BY GRAB SAMPLE SHOULD NOT EXCEED BC WATER QUALITY GUIDELINES
 - MAXIMUM TOTAL OIL AND GREASE AS DETERMINED BY GRAB SAMPLE: 15 MG/L
 - IF THE REQUIRED STORMWATER QUALITY LIMITS CANNOT BE ACHIEVED, ADDITIONAL TREATMENT FACILITIES SUCH AS SETTLING PONDS/TANKS, FLOCCULATION SYSTEMS, DEWATERING BAGS, ETC.,

- UTILITY NOTES:**
- CONTACT BC-1 (1-800-474-6886), BC HYDRO, SHAW CABLE, AND FORTIS BC FOR UNDERGROUND UTILITY LOCATIONS PRIOR TO CONSTRUCTION.
 - MINIMUM 300mm SEPARATION FROM ELECTRICAL CONDUIT ENCOUNTERED.
 - MAINTAIN VEHICLE ACCESS TO PARKING LOT DURING CONSTRUCTION.



LEGEND

SURFACE DETAIL			
	STORM DRAIN MANHOLE		HYDRO MANHOLE
	STORM DRAIN VENT		HYDRO POLE
	CATCH BASIN		HYDRO POLE WITH DIP
	DRAIN CLEANOUT		JOINT POLE
	DRAIN LATERAL		HYDRO POLE WITH LIGHT
	SANITARY SEWER MANHOLE		HYDRO SERVICE BOXES
	SANITARY SEWER VENT		FIRE HYDRANT
	SEWER CLEANOUT		REDUCER
	SEWER LATERAL		LIGHT MANHOLE
			HYDRO VAULT
			POLE ANCHOR
			FLUSH
			WATER VALVE ON MAIN
			WATER SERVICE VALVE
			WATER METER
			BOULEVARD SERVICE
			HYDRO MANHOLE WITH LIGHT
			HYDRO SERVICE BOXES
			HYDRO/TEL POLE TO BE REMOVED
			HYDRO/TEL POLE TO BE RELOCATED
			SIGNAL PULL BOX - SIDEWALK
			LIGHT/SIGNAL PULL BOX - STREET
			LIGHT POLE (STEEL)
			SIGNAL POLE (STEEL)
			LIGHT/SIGNAL POLE (STEEL)
			CLUSTER LAMP - TYPE A
			CLUSTER LAMP - TYPE B
			RETAINING WALL
			TREE
			ROCK OUTCROP
			GAS METER
			GAS VALVE
			GAS SNIFFER
			TEST HOLE
			FENCE LINE
			RETAINING WALL
			TREE
			ROCK OUTCROP

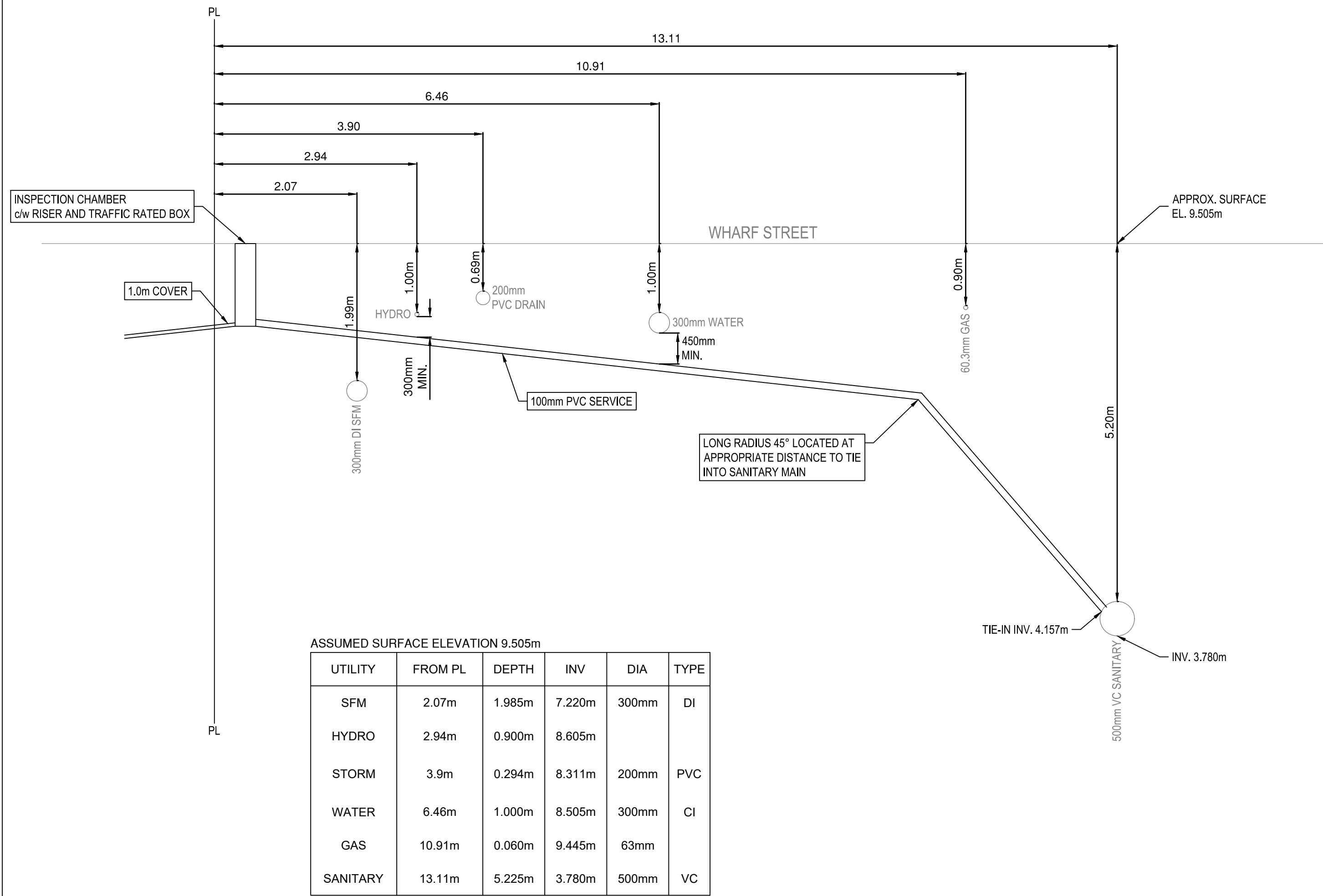
REVISIONS

NO.	REVISION DESCRIPTION	DATE

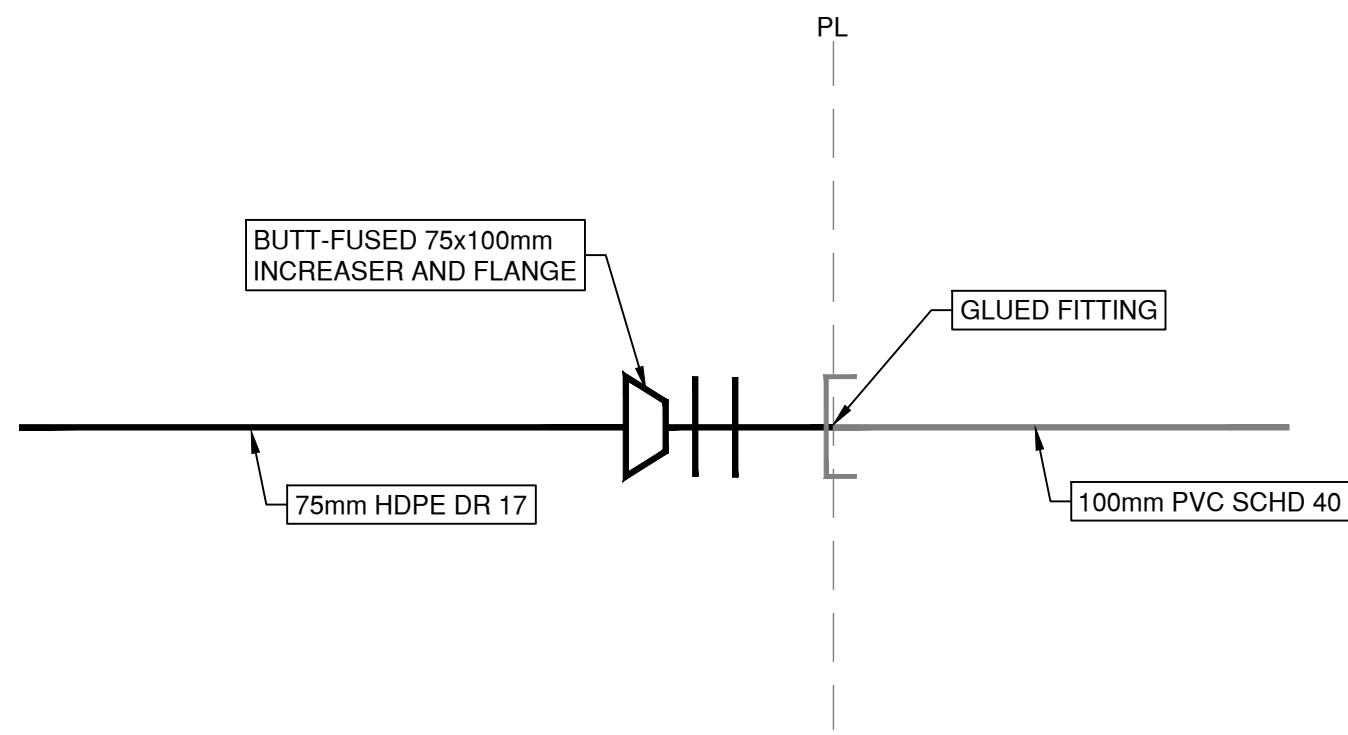
KEY NOTES

PROFESSIONAL SEAL

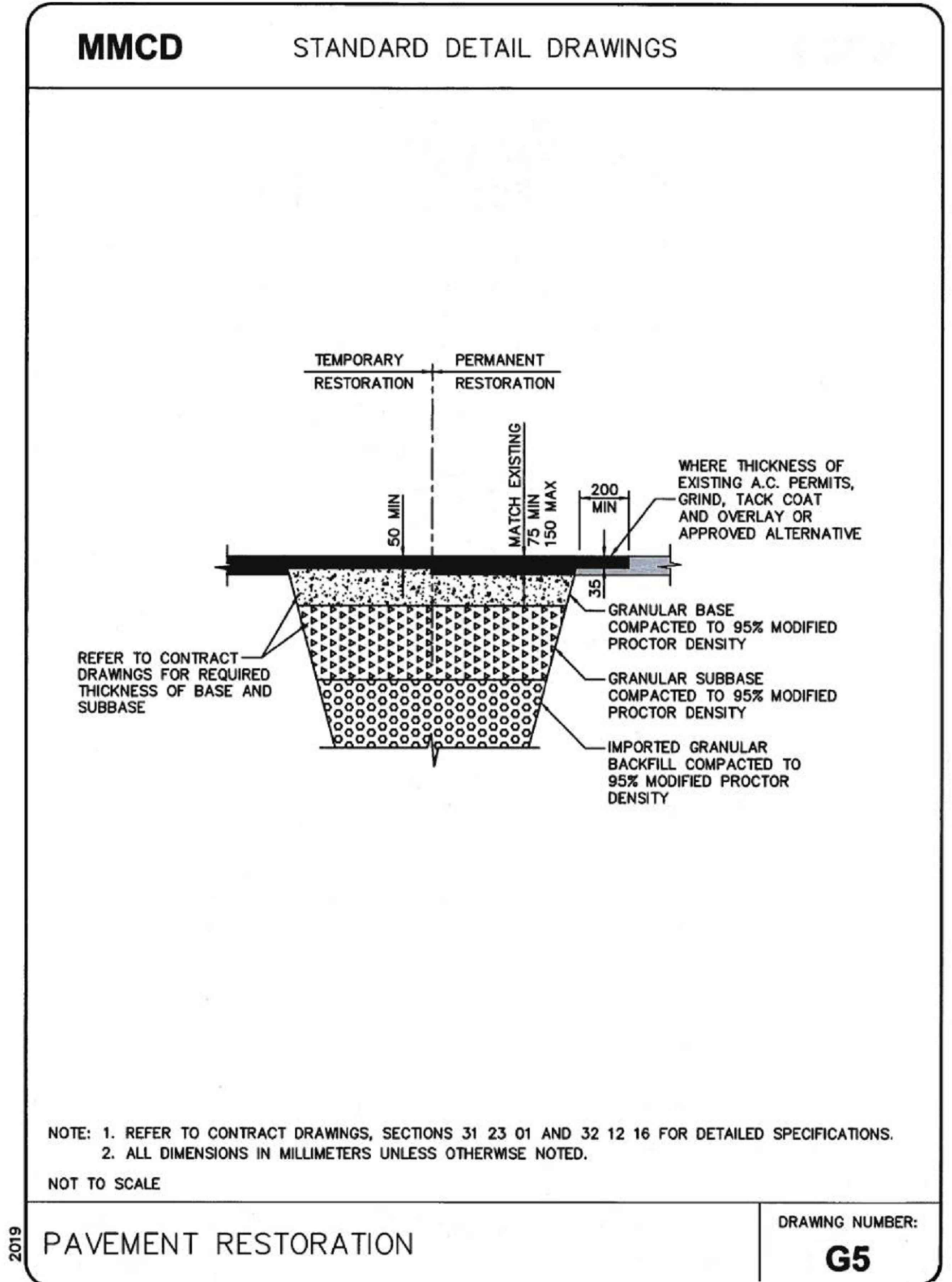
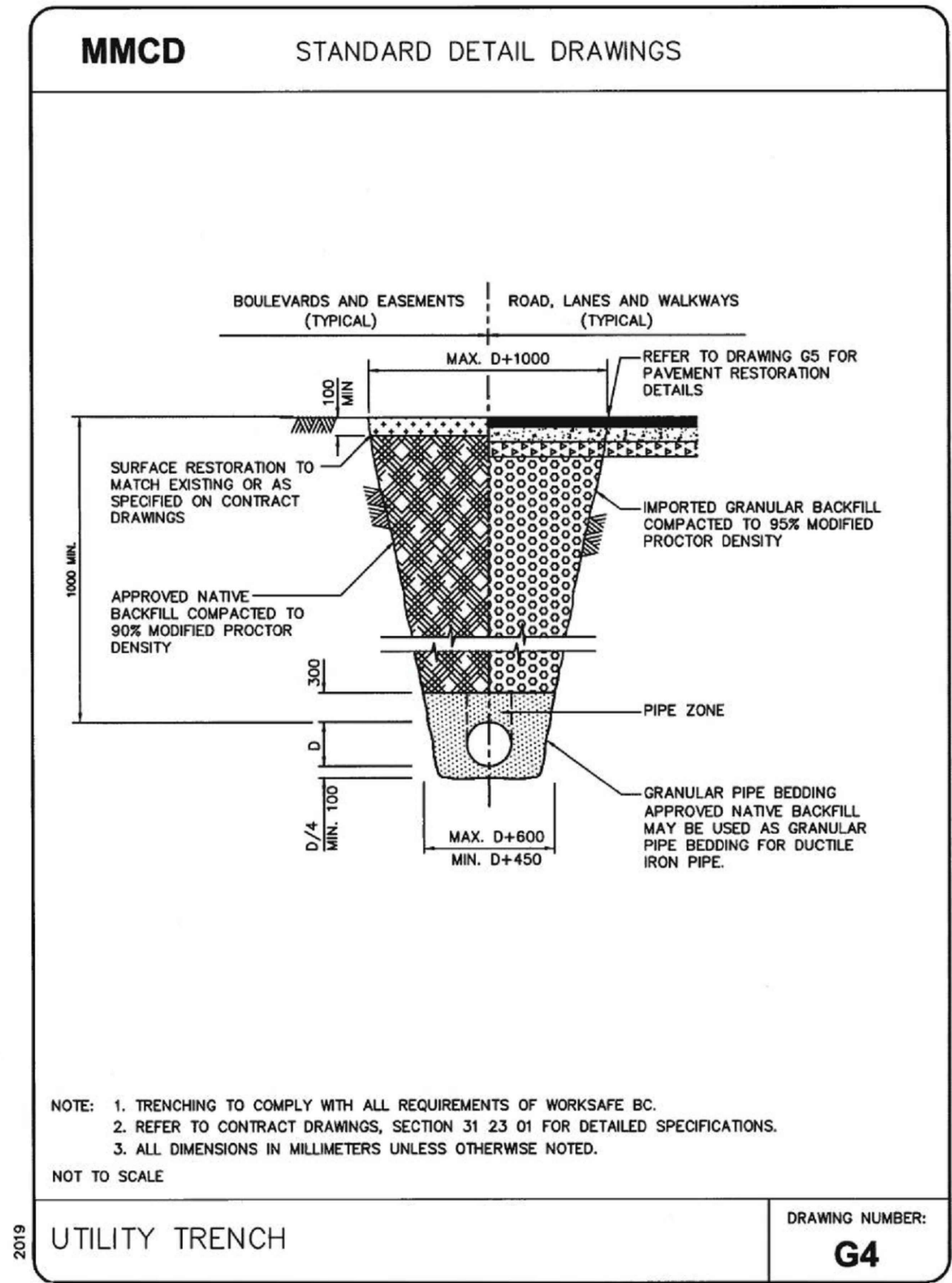
PROJECT HAVN AT POINT SHIPT/SITE PLAN - GENERAL NOTES			
CHECKED BY J. SOMERVILLE	DIRECTOR OF ENGINEERING P. BELLEFONTAINE	APPROVED BY:	SCALE 1:250 H
DRAWN BY S. GAGNON	DESIGN BY A. LAFONTAINE	SHT. No. 1 OF 2	DATE 2022.03.22
		C-001 DRAWING NUMBER	



UTILITY PROFILE
1:50



1 SERVICE CONNECTION DETAIL
C-001 NTS



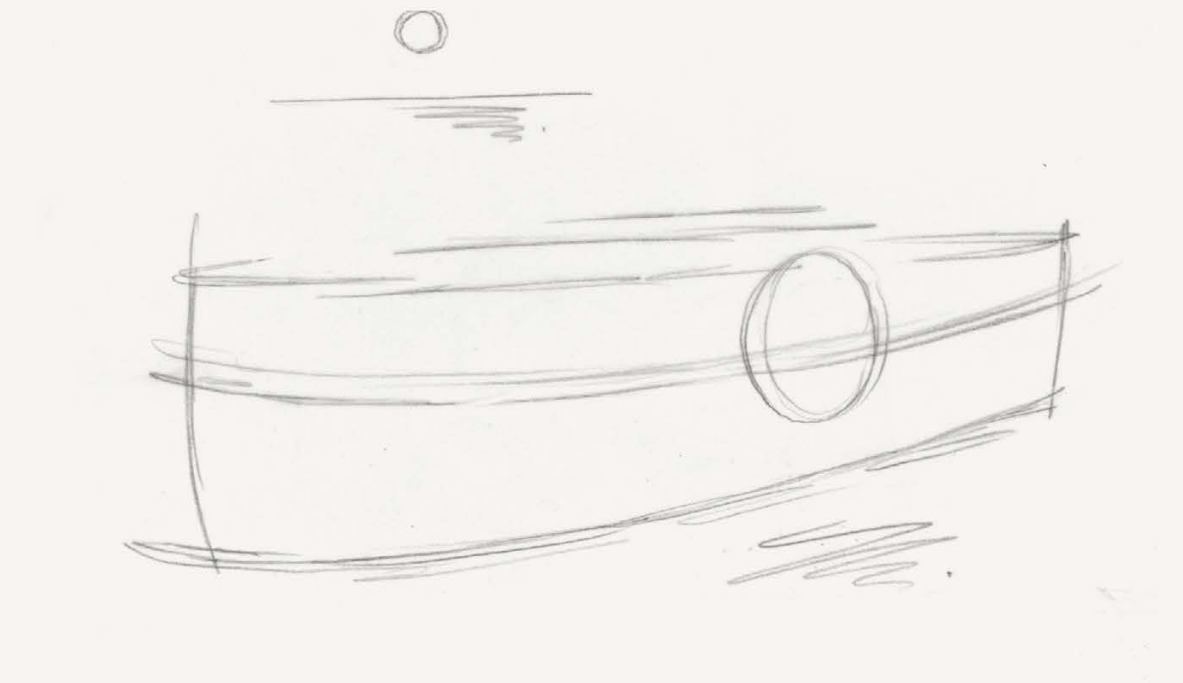
LEGEND				REVISIONS		KEY NOTES	PROFESSIONAL SEAL	PROJECT			
SURFACE DETAIL	⊙ STORM DRAIN MANHOLE	⊙ HYDRO MANHOLE	⊙ FLUSH	⊙ SIGNAL PULL BOX - SIDEWALK				HAVN AT POINT SHIPT/DETAILS			
	⊙ STORM DRAIN VENT	⊙ HYDRO POLE	⊙ WATER VALVE ON MAIN	⊙ LIGHT/SIGNAL PULL BOX - STREET				CHECKED BY	DIRECTOR OF ENGINEERING	APPROVED BY:	SCALE
⊙ CATCH BASIN	⊙ DRAIN CLEANOUT	⊙ HYDRO POLE WITH DIP	⊙ WATER SERVICE VALVE	⊙ LIGHT POLE (STEEL)	⊙ GAS METER			J. SOMERVILLE	P. BELLEFONTAINE		AS NOTED
⊙ DRAIN LATERAL	⊙ SANITARY SEWER MANHOLE	⊙ JOINT POLE	⊙ WATER METER	⊙ SIGNAL POLE (STEEL)	⊙ GAS VALVE			DRAWN BY	DESIGN BY	SHT. No.	DATE
⊙ SANITARY SEWER VENT	⊙ HYDRO POLE WITH LIGHT	⊙ HYDRO POLE WITH LIGHT	⊙ BOULEVARD SERVICE	⊙ LIGHT/SIGNAL POLE (STEEL)	⊙ TEST HOLE			S. GAGNON	A. LAFONTAINE	2 OF 2	2022.03.22
⊙ SANITARY SEWER VENT	⊙ HYDRO SERVICE BOXES	⊙ FIRE HYDRANT	⊙ REDUCER	⊙ CLUSTER LAMP - TYPE A	⊙ FENCE LINE						
⊙ SEWER CLEANOUT	⊙ HYDRO VAULT	⊙ LIGHT MANHOLE	⊙ HYDRO/TEL POLE TO BE REMOVED	⊙ CLUSTER LAMP - TYPE B	⊙ RETAINING WALL						
⊙ SEWER LATERAL	⊙ POLE ANCHOR	⊙ LIGHT PULL BOX - SIDEWALK	⊙ HYDRO/TEL POLE TO BE RELOCATED	⊙ PARKING METER	⊙ TREE						
					⊙ ROCK OUTCROP						

HAVN

APPLICATION BRIEF
FEBRUARY 2022

“The moment New York
City provided better
public space at Times
Square, it became
packed with people.”

– JAN GEHL



About

This document outlines the vision for HAVN, a proposed recreation facility moored alongside Ship Point pier. In the pages that follow you will find an overview of the proposed use, policy context, design rationale and comparable success stories from around the globe. It also includes supporting documents such as a marine navigation safety assessment.

Land acknowledgment

We acknowledge with respect and gratitude the Lekwungen peoples’ traditional territory, where we live and do business, and the Songhees and Xwsepsum (Esquimalt) Nations, whose historical relationships with the land and harbour continue today.

Application – February 2022

Prepared by: HAVN Experiences Ltd.
Project contact: Nicholas Van Buren
Nicholasjoelvanburen@gmail.com
(250) 818-1566

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Success stories30
Challenges and opportunities 32
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Renderings 36
Design details42
Sustainable design 58

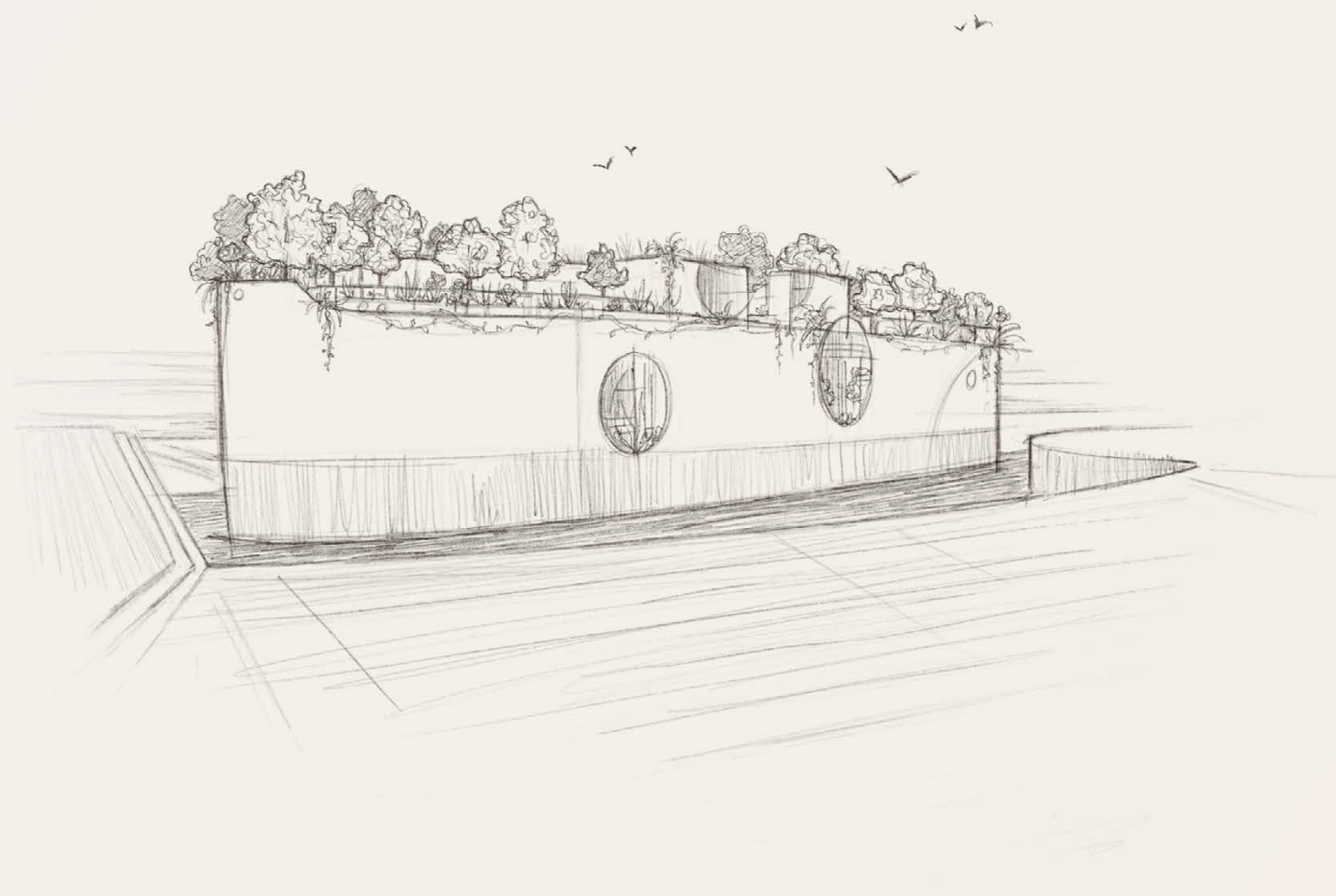
Zoning
Proposed Change60

Supporting info
Landscape Plan.....Attached file
Navigation safety assessment.....Attached file

Overview

“When celebrated, the interface between a community and its waterfront provides an exciting prospect for natural and human ecologies to overlap and create the most productive, engaging and vibrant public spaces in the world.”

- SHIP POINT MASTER PLAN



Artist concept sketch
of HAVN at Ship Point

HAVN is a community-centred waterfront destination that provides a space for recreation and wellness. This Nordic-style sauna facility is located at Ship Point and celebrates the intersection of Victoria's inner harbour and downtown.

Saunas, coldwater pools and an abundance of green space provide Victorians and visitors with an inspiring environment in which to engage with the harbour.

HAVN is in near-perfect alignment with the city's plans, as outlined in documents such as the Official Community Plan, Downtown Core Area Plan, Ship Point Master Plan, and HVP 2014.

In the wake of COVID-19, HAVN will push back and boost economic prosperity in the inner harbour by attracting new visitors to the area and bringing year-round use and activation to Ship Point.



*Mooring location,
north side of Ship Point*

HAVN captures the essence of the Ship Point plans and provides an actionable path forward.

Victoria has long envisioned Ship Point as a vibrant waterfront space with year-round programming. Many city plans have reinforced this over the last 20 years.

Public Policy

HAVN

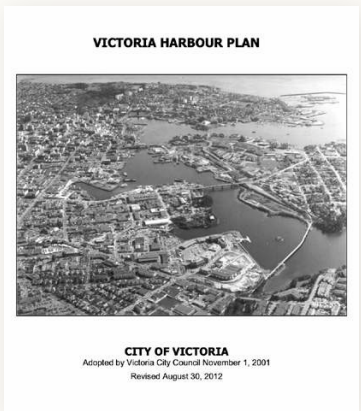
How HAVN Aligns with Victoria's Public Policy

Over the years, considerable work has been done to encourage the revitalization of Ship Point.

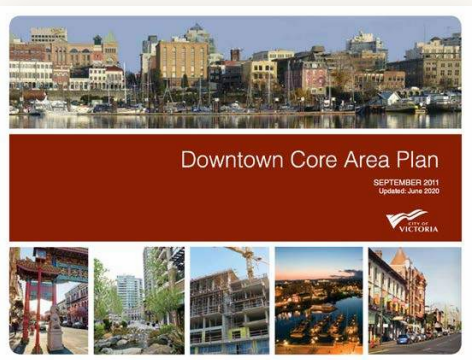
Victoria's vision is clear: make the inner harbour a more inviting, year-round space that fosters vitality and connection between the city and the harbour.

In the following pages, we present the highlights of public documents pertaining to Ship Point and provide an explanation as to how HAVN fulfills the vision that Victoria has for this area.

Important City Planning Milestones



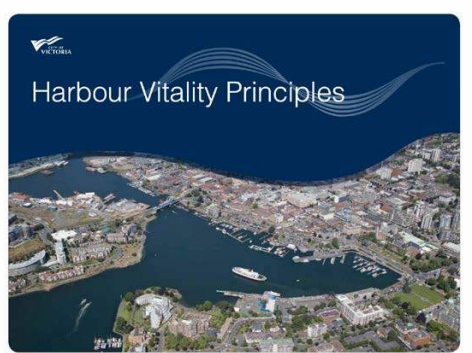
2001
Ship Point's revitalization is envisioned



2011
Long term visions of the downtown region are generated



2012
Victoria's 30-year plan, providing direction for growth and change in our community



2014
Concept plans are made and guiding principles established



2018
Ship Point Master Plan is completed



2022
Council requests that staff present ways to activate Ship Point

Ship Point Master Plan – “HAVN achieves”

HAVN achieves many of the goals of the Ship Point Master Plan (SPMP) and is in complete alignment with its overall values and the Ship Point guiding principles:

The “SPMP” presents the proposed transformation of the Ship Point site to include green space with seating areas, access to the shoreline, stage locations, and new buildings for commerce. All efforts focus on making a human-scaled space for gathering, recreation, and the arts. In 2017, the Times Colonist referred to the plan as “unpaving paradise.”

Year-round activation and programming

Year-round activation and programming are pillars of the Ship Point planning efforts but also identified as one of its greatest challenges. HAVN overcomes these challenges through programming that is accessible and desirable in all seasons.

Most economic activity in the inner harbour takes place during the summer, significantly underutilizing the economic potential of the waterfront. HAVN reimagines the way in which our working harbour adds value to the city by focusing operations on the “off season.” It is an inspiring environment that enables people to feel more connected to themselves, their community, and the ocean any time of year.

Strong connectivity and access

There is currently a blunt disconnect between the pavement at Ship Point and the water's edge. HAVN's sauna and hydrotherapy programming provide the opportunity for patrons to engage directly with the sea.

Filtered harbour water fills coldwater tubs onboard, allowing people to immerse themselves in ocean water in a safe, clean, and controlled environment. Warm sauna spaces with harbour views keep people coming back and staying connected even through the winter. Time spent at HAVN will also direct people to surrounding businesses.

HAVN therefore encourages a healthy and active blend of shoreline uses for the Inner Harbour, connecting businesses, residents, visitors, and other community members in a way that is currently not offered anywhere else in the city.



Vitality through high quality design

The programming and unique space at HAVN create a greater sense of place for people, building social vitality. Using a floating platform to develop new business and create new jobs also provides economic vitality. This is achieved by building a beautiful and immersive environment that brings saunas and cold water immersion into an urban forest-like setting. Aesthetically, the focus of the design is on a plant life and urban park-inspired space that balances natural and built forms to create a tranquil and inviting ecosystem.

Site Design that supports a range of active uses

Diversifying the uses of the inner harbour is identified as a key objective of public policy in both the SPMP and GVHA. HAVN does exactly this, with a design that supports gathering, relaxation, socialization, recreation, collaboration, and general harbour vitality. It also does not limit any other uses, as it floats next to the pier and integrates seamlessly with any future developments, activities, or plans for the Ship Point site.

Official Community Plan

HAVN is uniquely positioned to meet the goals outlined in the OCP.

The OCP points to a vision of the Inner Harbour District as a place of community and economic development, a space that encourages a mix of active shoreline uses and builds strong local communities. It also highlights the need for high-quality design that not only promotes vibrancy and vitality but also social, physical, and mental well-being.

6.24.2: Encouraging a mix of active shoreline uses including public recreation, small craft launching and moorage, marine restaurants, pubs and float homes.

HAVN is a public recreation facility. As an alternative to adding more shoreline restaurants and pubs, gathering places like HAVN are essential to diversifying and revitalizing Ship Point and the surrounding inner harbour. Patrons can socialize, relax, enjoy a sauna or cold water dip, and interact with the waterfront in a new way.

3.8: Strong Local Communities: Support and enhance the sense of place and community, and the uniqueness of Victoria's neighbourhoods.

HAVN's core mission is to bring people together in an environment that facilitates their well-being and engages them with their community. This improves the physical, mental, and social health of visitors, supports the inner harbour, and strengthens the connections between the waterfront and the downtown core, creating a unique sense of place.

3.9: Downtown Vibrancy: Reinforce the regional role of Downtown Victoria as a vibrant, engaging centre for employment, living, arts, culture, entertainment, tourism, and business.

Vibrancy is a major theme of the Official Community Plan. Particularly in the wake of the pandemic, a bustling and vibrant downtown, waterfront, and inner harbour are of critical importance to Victoria.

By offering a multi-use space that is accessible year-round, HAVN injects much-needed life into the Ship Point area, central to the entire downtown core. This revitalization promotes both economic and social vibrancy along the waterfront with a gathering place for relaxation, socialization, and recreation, encouraging direct access to other downtown programming and businesses as well.

14.9: Community and Economic Development: Encourage and support businesses and organizations whose purpose is to solve a market failure or to improve social well-being in other ways.

HAVN's value proposition is to empower year-round activity in the harbour by creating a beautiful and immersive environment that improves the physical, mental, and social well-being of Victorians and visitors to the city alike. Recreation and gathering places like HAVN provide significant throughput to surrounding areas, bolstering local businesses alongside us.



Harbour Vitality Principles

In 2014, the city engaged in planning and community consultation to establish a set of guiding principles for the Ship Point site. The message was clear: “Enhance Ship Point to become an inviting, year-round destination.”

HAVN makes Ship Point an inviting year round destination.

Key points of the HVP are highlighted below.

4.6: Promote public activity, use and enjoyment of the Inner Harbour

HAVN's primary purpose is to promote public recreation, activity, relaxation, and collaboration within the Inner Harbour. Residents, visitors, and tourists alike can come to Ship Point on a daily basis year-round to connect with themselves, each other, and the harbour at HAVN.

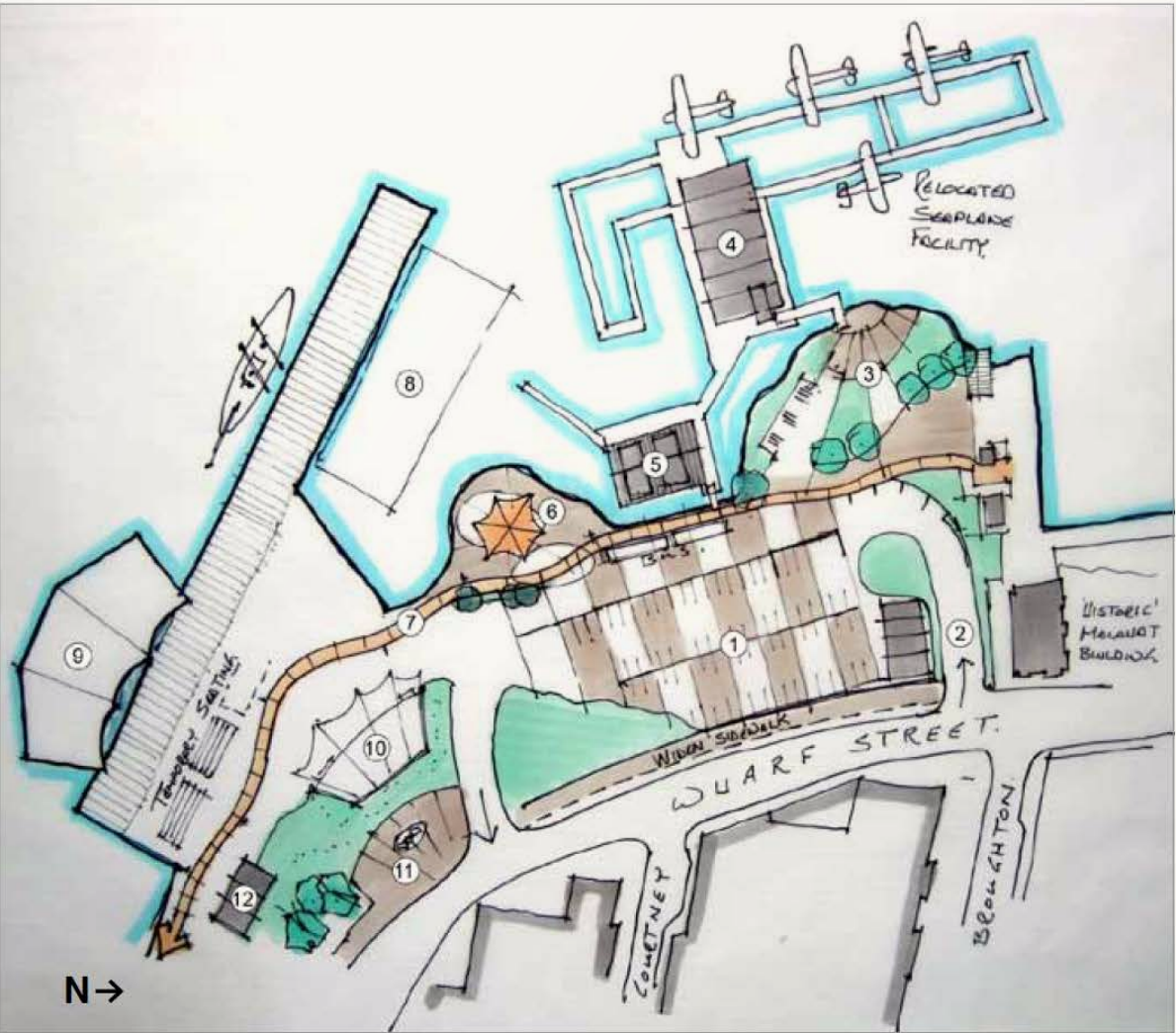
6.1 Incorporate site design that supports a range of active uses

HAVN expands the range of active uses for the Ship Point site, diversifying the working harbour and building greater economic resilience into the downtown core.

6.3 Enhance Ship Point as an inviting year-round destination.

This is a particularly important aspect of HAVN's benefit to Ship Point, boasting year-round programming and activity in an inviting facility for all seasons. HAVN enhances the site aesthetically with a natural focus and offers more than just summertime food and drink.

Team 3: Ship Point Concept – Plan



1. Flexible special event space (with sculpture and lighting in recessed arches in adjacent wall) and parking with enhanced paving
2. Viewpoint at top of access ramp with washrooms and special event storage below
3. Seaplane terminal plaza
4. Future floating seaplane terminal building
5. Marine-related businesses and restaurants
6. David Foster Way Special Place: plaza/green space for people to gather
7. Continuous Harbour Pathway (David Foster Way) along water
8. Alternate floating stage location
9. Movable floating stage for special events
10. Amphitheatre for temporary special events
11. Homecoming Plaza
12. Washrooms and special event storage

HVP 2014 community consultation – Team 3 envisions utilizing the north side of Ship Point to create additional vibrancy for the area.

Victoria Harbour plan 2001

Ship Point Objectives:

1. Create a tourist attraction that complements the harbour
2. Develop the site as a place for performances and/or festivals
3. Improve the harbour path system
4. Retain and enhance the site as a marine tourist facility



Ship Point/ocean cement site (HVP 2001)

Downtown Core Area Plan

As a central aspect of the downtown core, Ship Point and its development should be in agreement with the DCAP. HAVN aligns well with the policies as they are outlined in the plan, particularly with respect to its focus on vitality:

3.74: Ensure that new development within the IHD accommodates uses that contribute to the vitality and economic health of the area.

Vitality in an urban setting is usually defined in three ways:

1. Social vitality is a city's ability to make the people who live and work there feel like they belong to or are a part of a community or neighbourhood. This sense of belonging influences many aspects of urban life, including crime rates and community safety.
2. Economic vitality is a city's ability to attract and retain businesses and the jobs they bring with them.
3. Cultural vitality is a city's ability to provide a range of arts and cultural activities that people value and look for opportunities to become involved in, as active participants, viewers or supporters.

HAVN supports and strengthens all three forms of urban vitality for Victoria's inner harbour. By focusing on local residents as much as summer tourism, the facility and its offerings enhance the social vitality of Ship Point and the inner harbour region. HAVN also introduces a new cultural activity to the city, giving patrons a unique space in which to relax, socialize, collaborate, and engage with downtown programming.

In turn, this diversification increases the economic resilience of the inner harbour. Such economic vitality is crucially needed in the downtown core today, still reeling from the impacts of Covid-19 on local industry. HAVN will attract new visitors and locals alike to the area, whose presence will help contribute not only to the success and vibrancy of Ship Point, but also of the surrounding businesses.

Other important features of the DCAP are also represented by HAVN:

1.2: Support the location of leisure, education, arts and cultural activities within the Downtown Core Area to both encourage greater local use and increase tourism and investment.

3.89. Support the retention of existing and the development of new, tourist and visitor attractions and facilities in order to continue to support and increase the number of tourists and visitors to the IHD and surrounding area.

HAVN provides a unique, leisurely cultural activity that will generate greater local use while also attracting new tourism to Victoria. The recreational offerings at HAVN, including saunas and cold water immersion among others, are both in-demand and unavailable elsewhere in the city. The facility provides a healthy way to bring people to the inner harbour and keep them there for long enough to engage in the area's other programming, too.

3.90: Support the development or establishment of new visitor attractions that serve to enhance the prominence of the IHD as a world-class destination.

The demand for waterside saunas is outpacing the ability of most cities to offer them. HAVN will be recognized as a cutting-edge world-class space with a focus on social, mental, and physical well-being.

9.45: Work with business, community and agency partners to develop a broader range of attractions in the Downtown Core Area.

HAVN introduces a new recreational activity to the downtown core, broadening the range of programming and activities available for people in Victoria. Patrons, businesses, and the community at large stand to benefit from such an expansion, and we look forward to this collaboration.

Economic Recovery

HAVN

How HAVN contributes to economic recovery

Local business recovery following the COVID-19 pandemic is at a critical juncture. New investments in both the local business and visitor economy are essential to building back a strong and resilient Victoria.

HAVN contributes to building back in this way through financial investment in our working harbour and by generating new jobs and attracting new visitors.

Destination Greater Victoria and the Victoria 3.0 Economic Action Plan provide guidance for the “rescue and recovery” of the local business/visitor economy. HAVN uses the plans and policies from these organizations to provide an effective and impactful way to push back against the pandemic and recreate a thriving Victoria economy.



Victoria 3.0 Recovery plan

1. SUPPORT SMALL BUSINESSES

During the COVID-19 pandemic, our small business sector has been hit very hard; revenues toppled overnight and there have been significant staff layoffs.

Action to take 1.1: Accelerate the development of a vibrant and liveable downtown.



DESTINATION GREATER
VICTORIA

DGV 2022 business plan

Objectives

1. RECOVER FROM COVID-19 QUICKLY AND EFFICIENTLY

Recovering rapidly and efficiently from the impacts of the COVID-19 pandemic will directly benefit Greater Victoria’s local businesses, workers, and communities. The implications of quick, efficient recovery are extensive, including the strategic importance of large and small businesses remaining solvent, retaining local ownership of existing enterprises, returning the visitor economy’s workers to their jobs, and keeping key talent in place for the long-term competitiveness of the sector. It is critical that revenues return as soon as possible.

Goals

3. Promoting well-managed, bespoke tourism opportunities that address both time-of-day and day-of-week opportunities to improve visitors’ experiences and benefits to our community.

Destination Greater Victoria – Rescue and recovery task force

“Recovery will be severely undermined and could stall unless tourism businesses receive financial support to meet the added costs from COVID-19. Measures that help with liquidity and cash flow will be most effective, even if financial support reduces over time as recovery gains momentum.”

Design

HAVN

Success Stories

Harbourside saunas have proven to be a successful means of revitalizing waterfronts around the world. They are also often paired to prolific effect with music, art expos, restaurants, cultural activities, and rest and relaxation, providing ample opportunities for patrons to enjoy the harbours and waterfronts on which they are situated.

In Canada, saunas are seeing a surge in popularity as a health and wellness activity for physical, mental, and social well-being. In an age of increasingly digital existence, hydrotherapy is emerging across the country as a healthy way to bring people together in a uniquely non-digital space.

Featured here are three examples where underutilized sites and former industrial areas have been converted into thriving, community-focused hubs. Saunas are a key determinant in creating year-round use and enjoyment, as without them, the sites would only be seasonally activated.



SALT – Oslo, Norway

Sauna, art, music, and food converge in a harbourside site that has become an essential part of Oslo’s waterfront. SALT was a traveling expo that became so popular that the city decided to make it a permanent feature of the harbour. <https://www.salted.no>

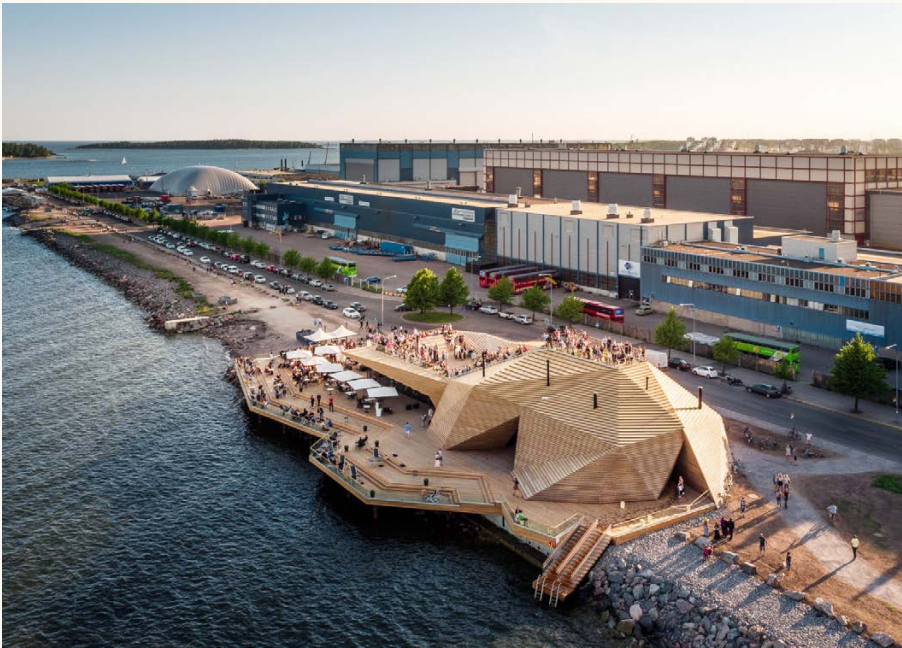


Bota Bota – Montréal, Canada

A floating “Nordic spa” brings vibrancy and a new vitality to this former industrial site along the river in Montréal. Elements of past industry set the backdrop of this modern sauna and recreation space. <https://botabota.ca/en/>

Löyly – Helsinki, Finland

Hernesaari is a former industrial area on the Helsinki seashore that is being developed into a residential area. There is also a cruise ship harbor in Hernesaari, and the city wanted to activate the surrounding region to serve visitors with new attractions. A sauna, restaurant, and vista became the answer, and the successful Löyly was born. <https://www.loylyhelsinki.fi/en/>



Opportunities & Challenges

Opportunities HAVN provides

1. “To transform this degraded and largely mono-functioning site into a thriving waterfront that supports a range of waterfront uses.” – Ship Point Master Plan
2. To develop waterfront programming that is more desirable in the winter, creating year-round vibrancy and activation of the area.
3. To celebrate the unique character of the harbour, bringing new vitality to the site.
4. To combat the effects of Covid-19 by creating a space that includes outdoor gathering areas and diversifies tourist activity to strengthen the harbour economy.
5. To create a peaceful space that builds connection between the city and the harbour, offering human-scale opportunities to engage with the sea.

Ship Point Challenges

1. Year-round vibrancy. How do you create a harbour space that people use through the winter? In the winter, the site is typically left vacant, significantly compromising and undermining the strength of our working harbour.
2. At present, the site is largely sterile and uninviting.
3. The tourism economy has been hit hard by Covid-19, compromising investments in the harbour.
4. Taking initiative. The revitalization of Ship Point is a big undertaking that has been envisioned for decades.

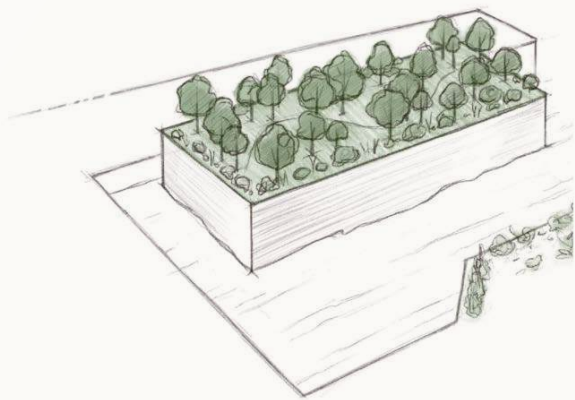


Image source: SSMP

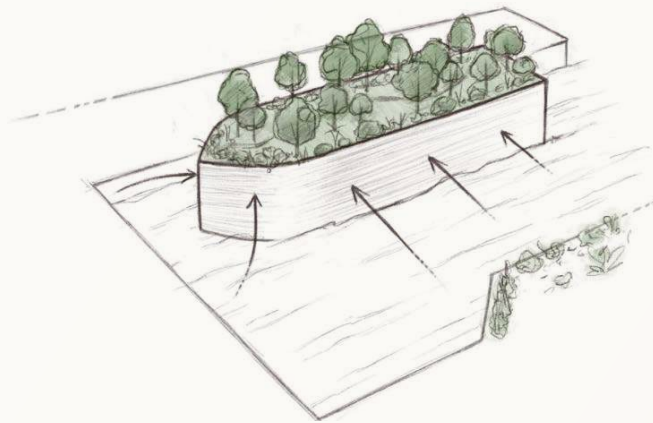
Design Rationale

HAVN Macro Design

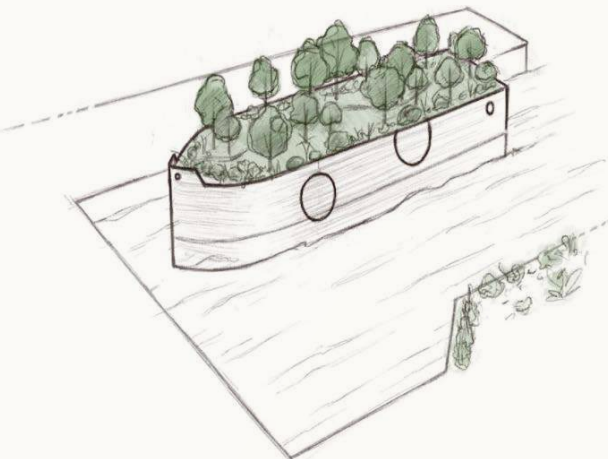
1. Greenery and urban park-inspired forms are prioritized to draw people in and create a harbour viewing platform, enhancing the aesthetic of Ship Point and creating an immersive waterfront locale.



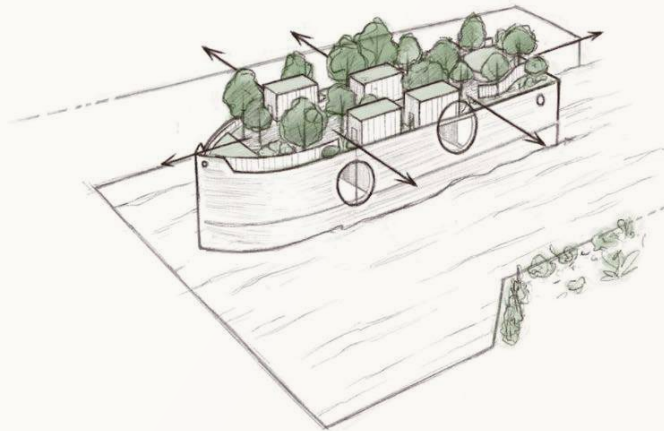
2. The flotation facility is long and narrow, with the footprint of a large ship. Does not impede navigation and enhances the working harbour.



3. Marine character, nautical aesthetic. Authentic design that is sensitive to and amplifies the unique nature of the inner harbour.

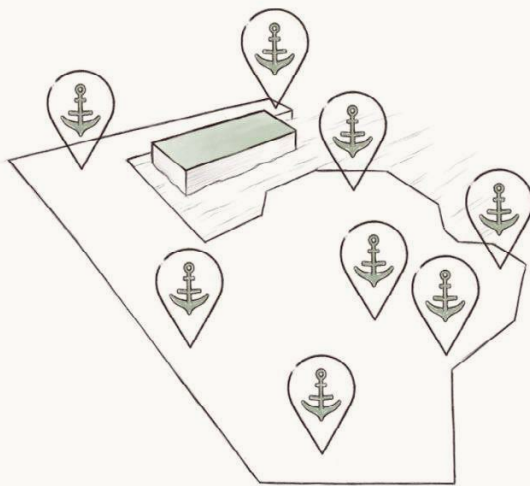


4. Deepens sense of place by framing key views of harbour landmarks such as Parliament, the Empress, and the Johnson Street bridge.

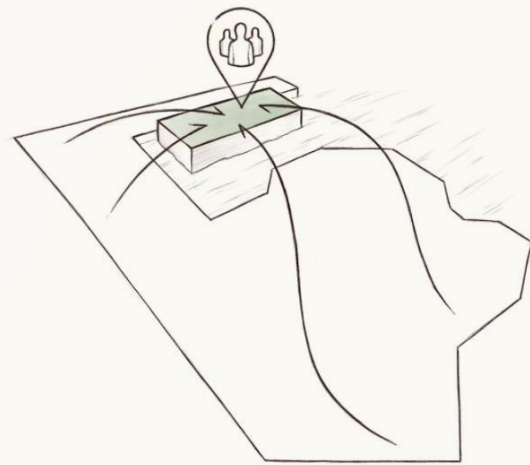


Activating the Site with Programming

1. Strengthen the working harbour economy with a range of active uses that attract locals and tourists to diversify use, interest, and investment in the working harbour.



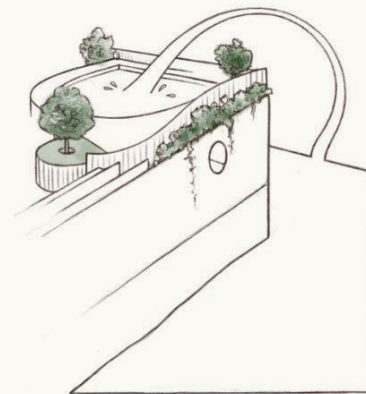
2. Create a place of gathering, designed with small social spaces that foster human connection and engagement.



3. Provide year-round activation that is attractive and inviting regardless of the season. Saunas set within a harbourside park bring year-round vibrancy and are highly desirable even in the winter.



4. Create direct engagement and connectivity between the city and the harbour. Bring filtered harbour water onboard to create a safe and immersive way to experience and connect with our waterfront.



HAVN is an urban oasis, a captivating and immersive park-like environment that captures the spirit of our working harbour through seascape-inspired design. It is a space of peace and relaxation that creates a greater sense of connection between the city and the water's edge.





HAVN provides a feeling of refuge, with seating tucked into comfortably landscaped areas. At the same time, uniquely positioned vistas of the city keep patrons engaged with their urban environment and connected to their working harbour.

Framed views of Victoria landmarks strengthen the unique character of the harbour and create a deepening sense of place.



The space offers a calm, relaxed environment in which to socialize, collaborate, or contemplate peacefully. Most indoor spaces such as saunas are silent, with recreation and outdoor spaces offering low-volume gathering areas. Running water will work to tame the sounds of the city and nearby Harbour Air terminal.

Vista views of the harbour and harbour entrance create an immersive environment that focuses attention on our unique and beautiful waterfront.

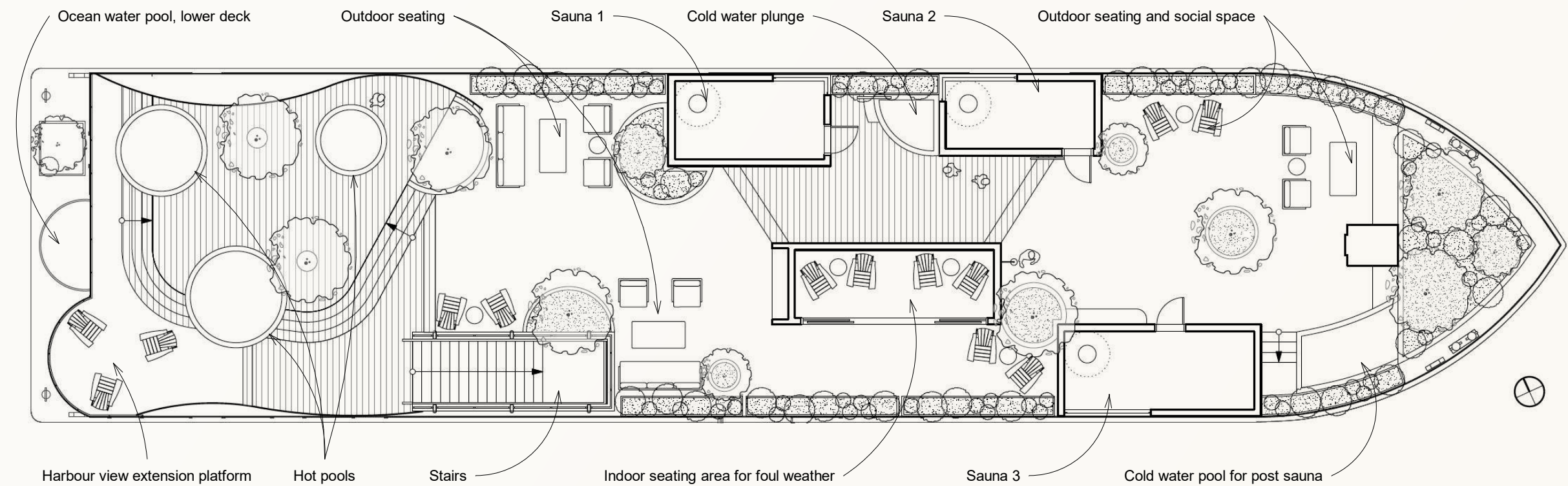


HAVN aims to connect its visitors with the sea, one of Victoria's most precious natural resources. Not only is the space itself designed to encompass sweeping views of the inner harbour's most iconic sites, but filtered and recirculated seawater features on board allow patrons to connect and engage directly with the Pacific Ocean.

Bringing seawater onboard creates a safe and immersive way to experience and connect with our waterfront.

HAVN focuses on creating immersive experiences that connect users with themselves, each other and their city. The space has been designed to be used year-round with facilities that include;

- 4 saunas
- 3 hot pools
- 2 freshwater cold pools
- 1 ocean water pool
- outdoor and indoor spaces to relax and socialize
- Flex spaces for special event programming such as music and speaker series



Elevations

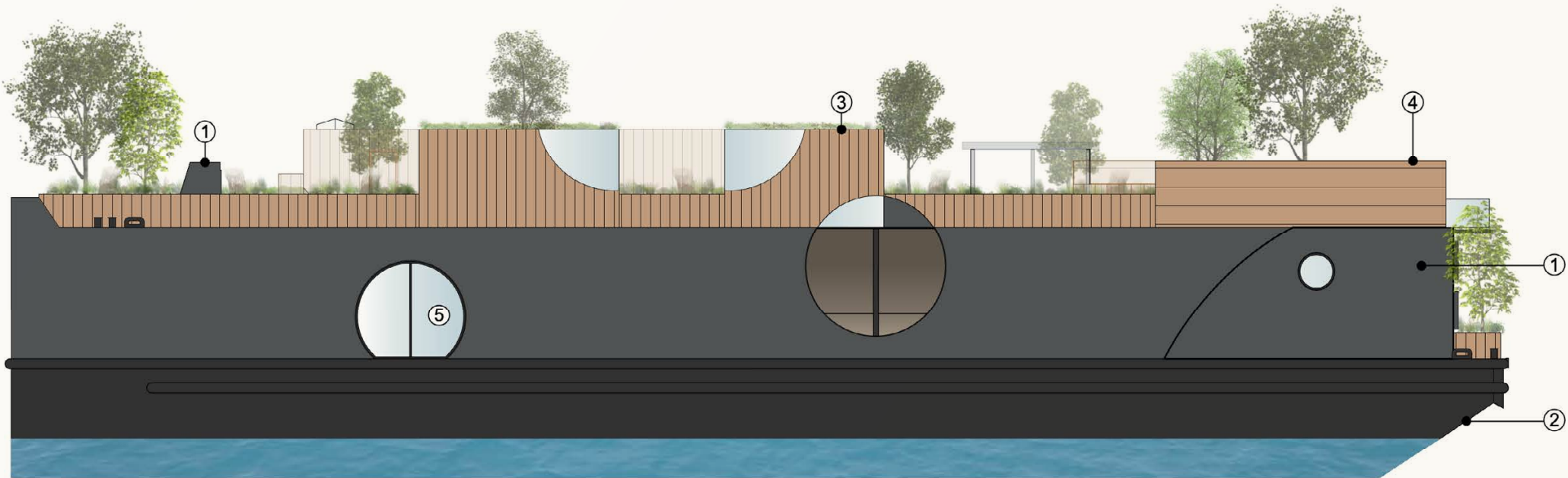
South and North



MATERIAL LEGEND / NOTES

<p>1</p> <p>Benjamin Moore Charcoal Slate (HC-178)</p> <p>MARINE-GRADE HULL PAINT</p>	<p>2</p> <p>Benjamin Moore Onyx (2133-10)</p> <p>MARINE-GRADE HULL PAINT</p>
<p>3</p> <p>CEDAR BATTEN SIDING</p>	<p>4</p> <p>BENT WOOD FEATURE FENCING</p>
<p>5</p> <p>LOW-EMISSION GLAZING</p>	<p>6</p> <p>DIVERSE PLANTING / FOLIAGE</p>

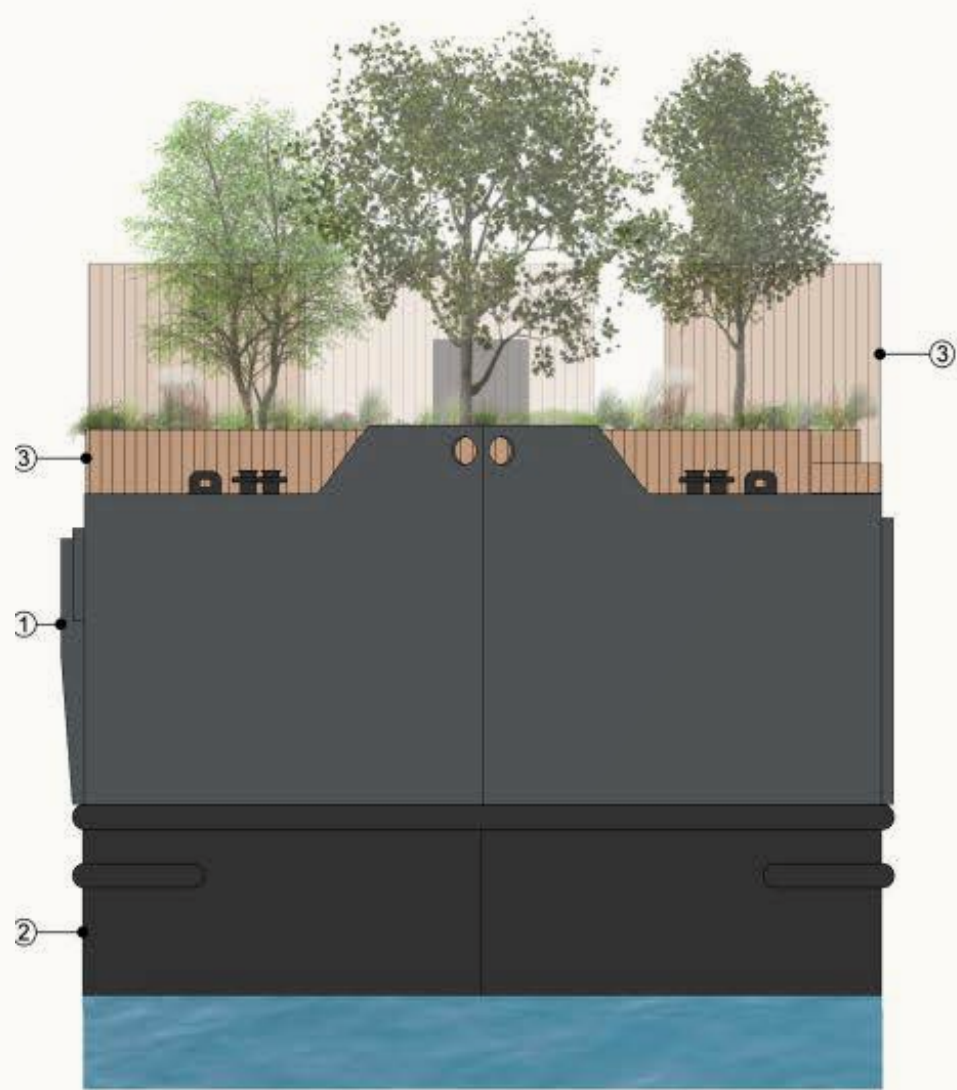
1 SOUTH ELEVATION
1:200



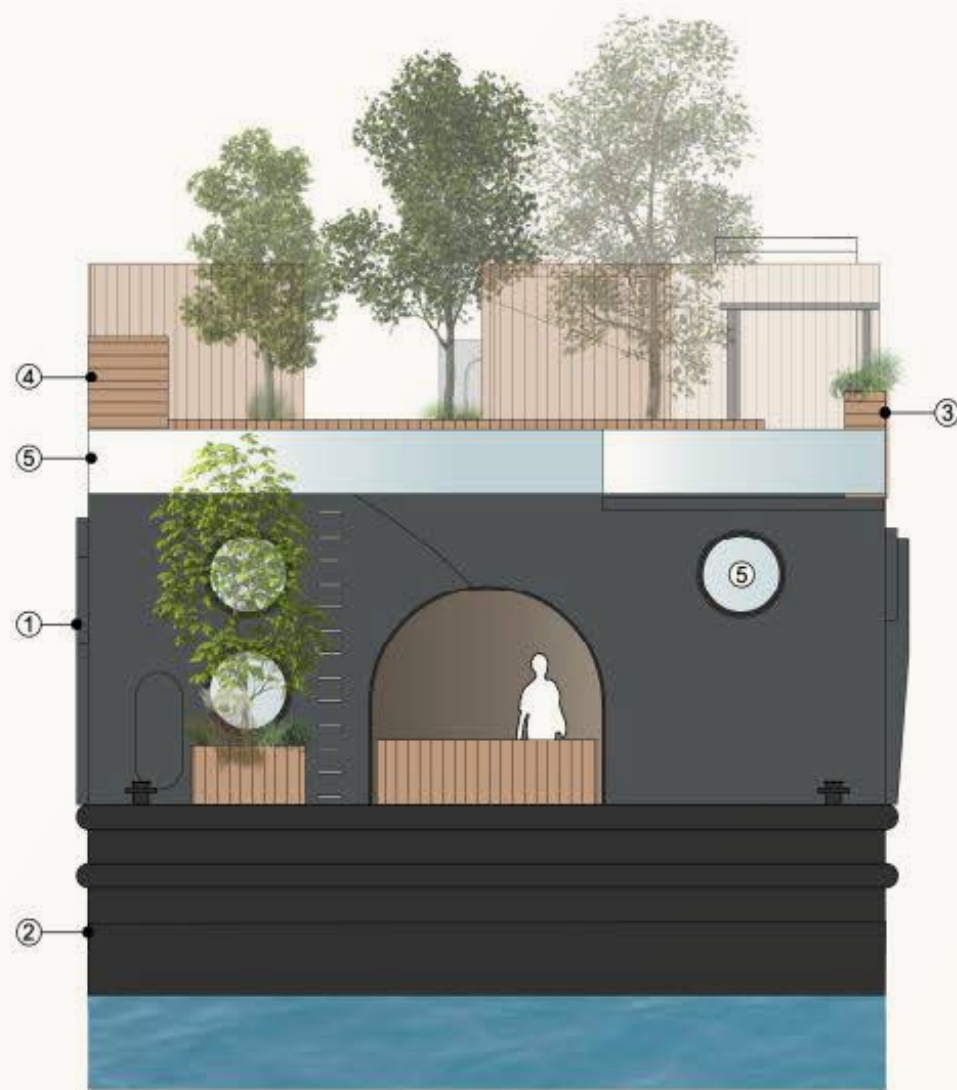
2 NORTH ELEVATION
1:200

Elevations

East and West



1 EAST ELEVATION
1:100



2 WEST ELEVATION
1:100

MATERIAL LEGEND / NOTES



Site

Located in the north water lot of the Ship Point pier, HAVN integrates seamlessly with the site.

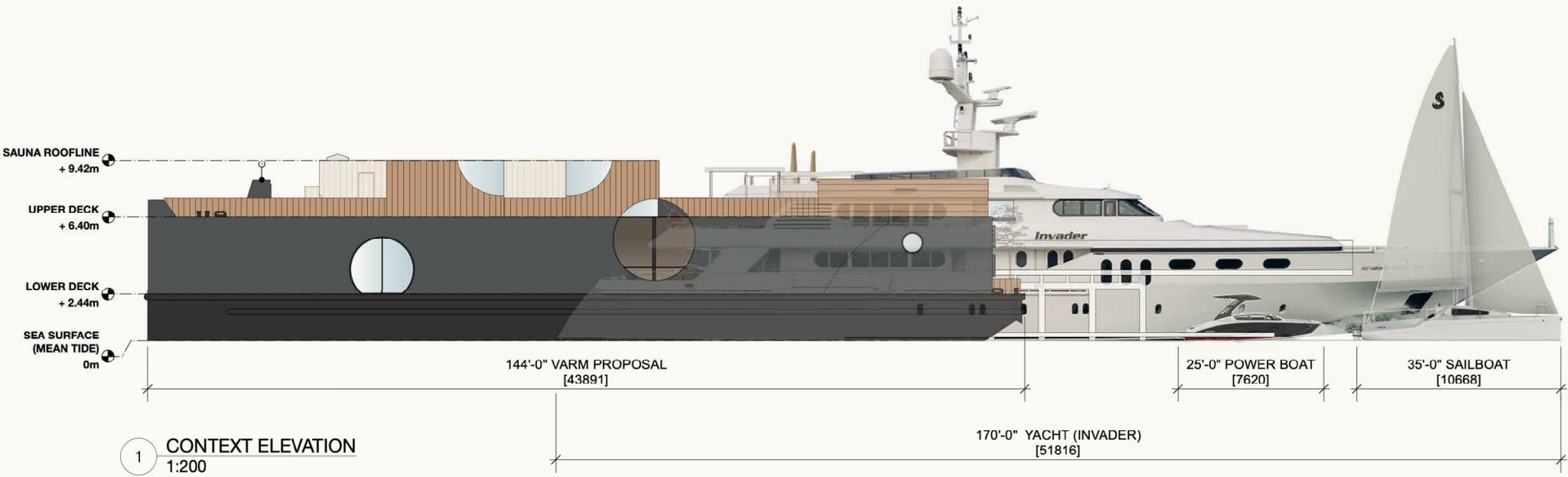
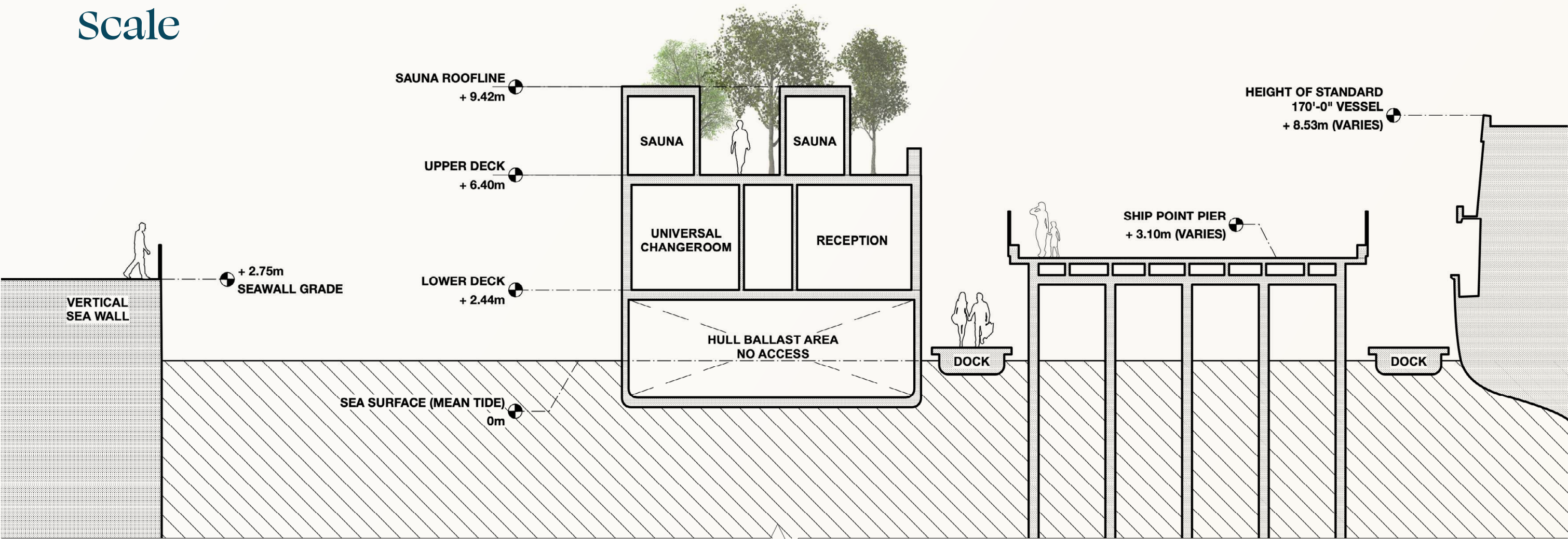


Zone

Located in zone: Inner Harbour Ships point South – IHSS



Scale



Materials

The character and materials of HAVN build upon the Ship Point master plan, recognizing and respecting the nature of the site as a working harbour , connection hub and gather place.

Timber

Wood carries the history of Ship Point, bringing a warm and natural contrast to the more industrial elements of the site.



Nature

Native trees, shrubs, bushes, and grasses all work to build a natural, unique design that that looks to the future visions of Ship Point.



Metal

HAVN has a steel hull with a nautical aesthetic that calls to mind the ships of the harbour, pairing well with its existing marine environment and materiality.



The Inner Harbour

HAVN's design respects and integrates with the unique character of the inner harbour.



Circles, arches and tones of grey are prolific in the harbour. HAVN's design deepens the unique identity in a modern way.



A safe and inclusive space

Ensuring that the space is safe and welcoming to all is integral to HAVN. Universal washrooms and changing rooms have been designed following HCMA's design guidelines. The lower deck of the facility will also be accessible to anyone with limited mobility.

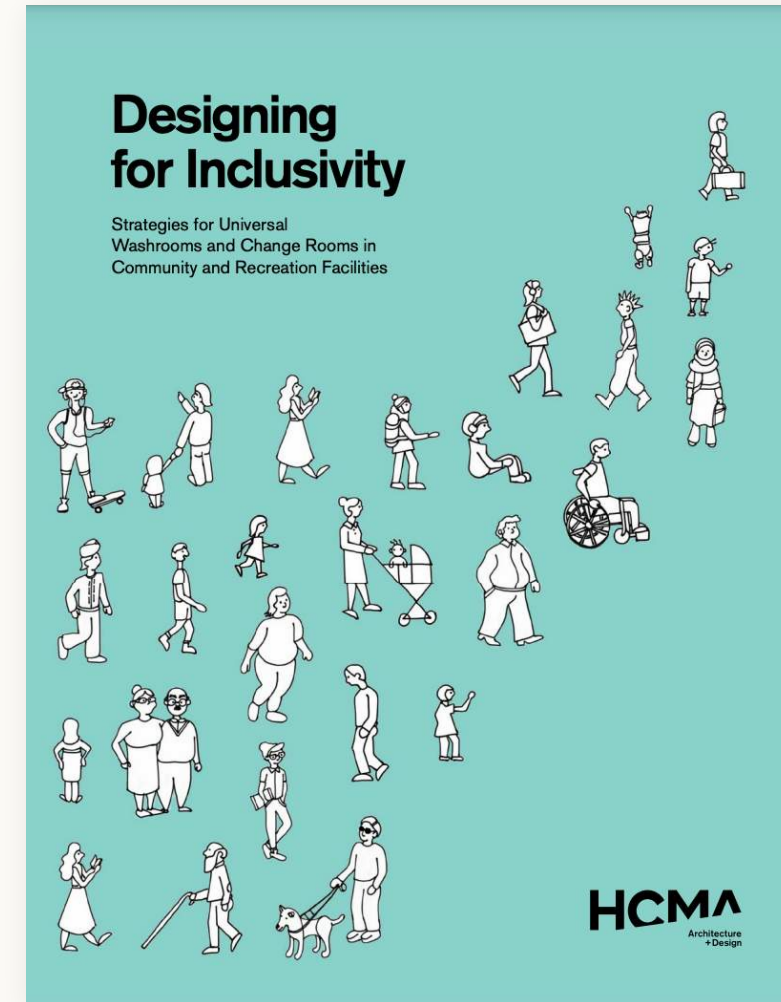
However, getting to the facility can be considered only partially accessible. Key challenges exist with the Ship Point site itself, as it is currently not considered directly accessible due to extremely steep sidewalk access. Other challenges exist accessing the dock via GVHA ramp infrastructure.

We plan to work with both the City of Victoria and the GVHA to create as accessible a facility as possible. In the meantime, we will recommend that anyone with accessibility issues come to HAVN at high tide, when the ramps are at their lowest. A link to tide charts will be posted on our website. The steep sidewalk currently connecting Ship Point to Wharf Street can also be avoided for those with need by accessing the site via car.



HAVN will offer 50% Discount to City of Victoria “LIFE” program members.

HAVN will operate in accordance with all Safety Laws. Emergency Plans will be developed in accordance with Emergency Management BC's PreparedBC public guidance, policies, and procedures. All components of the facility will comply with safety regulations set out by regulating bodies including Transport Canada, Environment Canada, DFO, Navigation Protection Program, Vancouver Island Health Authority, City of Victoria Fire Department, City of Victoria Zoning, and GVHA.



Infrastructure

The Ship Point dock currently has sufficient power and water supply to meet the needs of the HAVN Vessel. A sewer line will be installed to service the facility for daily pump outs. The new line will run from the pier to the existing line that services the Ship Point site.

CPTED

Ship Point is currently a well-lit site in the city center that adequately meets CPTED guidelines.

Access to the HAVN facility is through a private gate at the edge of the Ship Point pier. During non-operating hours, this gate is locked and well-lit. To access the facility itself, another gate will be locked at the entrance and also well-lit overnight.

Sustainability

HAVN is serious about meeting the highest sustainability standards available today, setting the bar for future development of the inner harbour. Key features of our planned construction include:

Energy Efficiency

Professional energy modelling of the saunas will ensure they meet or exceed current step code 3 energy requirements for small buildings. High-efficiency electric heaters will ensure excellent energy efficiency and avoid the production of smoke when compared to typical wood heaters.

Building Material Reuse

HAVN's most outstanding green building achievement is our aggressive and innovative approach to material sourcing.

HAVN's goal is to use 90% reused and recycled materials for the construction of the facility. For example, over the last six months, HAVN has sourced all the cedar for the saunas from salvaged ocean logs. This ensures no old-growth cedar is cut in the process of constructing the facility, and directly supports the Vancouver Island wood processing economy, keeping dollars and jobs on the island. This source of cedar also reduces energy consumption from lumber shipping.

Transportation

Short-term and long-term bicycle parking requirements as laid out in schedule C are exceeded. Facility staff will have access to the onsite showers before their shift to encourage biking.

Urban Forest

HAVN is a floating urban forest. Landscaping is a key focus of the overall design, not only for patrons, but also for the Ship Point site.

The saunas will have green roofs for consistency with the landscaping, creating an inviting green environment.

Water

10,000 litres of rainwater will be captured and stored onboard for watering landscaping through the dry months.

Drain water from three onboard showers will be captured and stored to be used for watering the landscaping when rainwater cannot be used.

All water fixtures will follow BC hydro and CRD guidelines. For example, showerheads will have a flow rate of 1.75 gallons per minute or less, and toilets will have a flush volume of 4.8 litres per flush or less.



Log salvage boom

Hard Waste

All waste will be recycled or disposed of in accordance with the Environmental Resource Management division of the CRD.

To mitigate the creation of waste by staff, we will work with organizations that supply reusable containers to help eliminate single-use cleaning supplies.

Any disposable items that are generated, such as food scraps, compost, plastic, metal, and soft plastic, will be sorted into categories and disposed of as laid out by the CRD ETC.

Categorized disposal bins will be made available on the vessel. Using the Recycle BC guidelines.

Waste and recycling will be stored onboard. Waste and recycling will be offloaded and taken off-site during the night or early-morning hours.

Zoning

Proposed Addition to Zone IHSS

Zoning Petition

Existing and Proposed

Part 8.15 of the IHSS Zone – Inner Harbour Ship Point South District states that the permitted uses of the area are as follows:

- a. Festivals and associated temporary structures.
- b. Open markets.
- c. Docks for pleasure boats.
- d. Docks for fishing boats.
- e. Exhibits of a temporary nature.
- f. Ancillary surface parking.
- g. Parks.
- h. Sale of fish from fishing boats.
- i. Docks for commercial tour boats.

Our application is petitioning the City of Victoria to consider expanding the permitted usage to include.

- j. **Docks for floating saunas and ancillary personal services.**

Based on the description of HAVN BC's business model, we are confident that our petition for an addition to zoning that will permit our floating vessel for health and wellness is in line with the Official Community Plan, the DCAP, the HVP 2014, and the Ship Point master plan.

HAVN

Application – February 2022

Prepared by: HAVN Experiences Ltd.

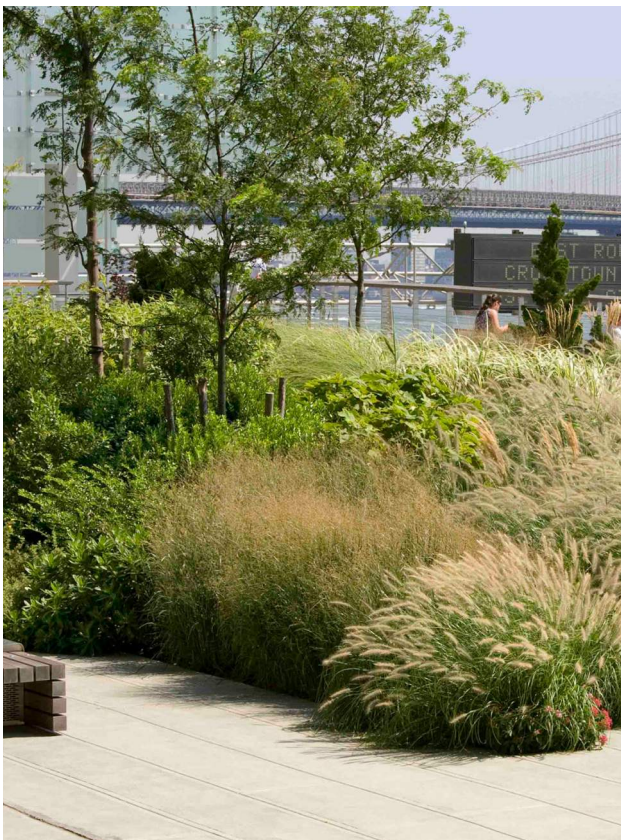
Project contact: Nicholas Van Buren

Nicholasjoelvanburen@gmail.com

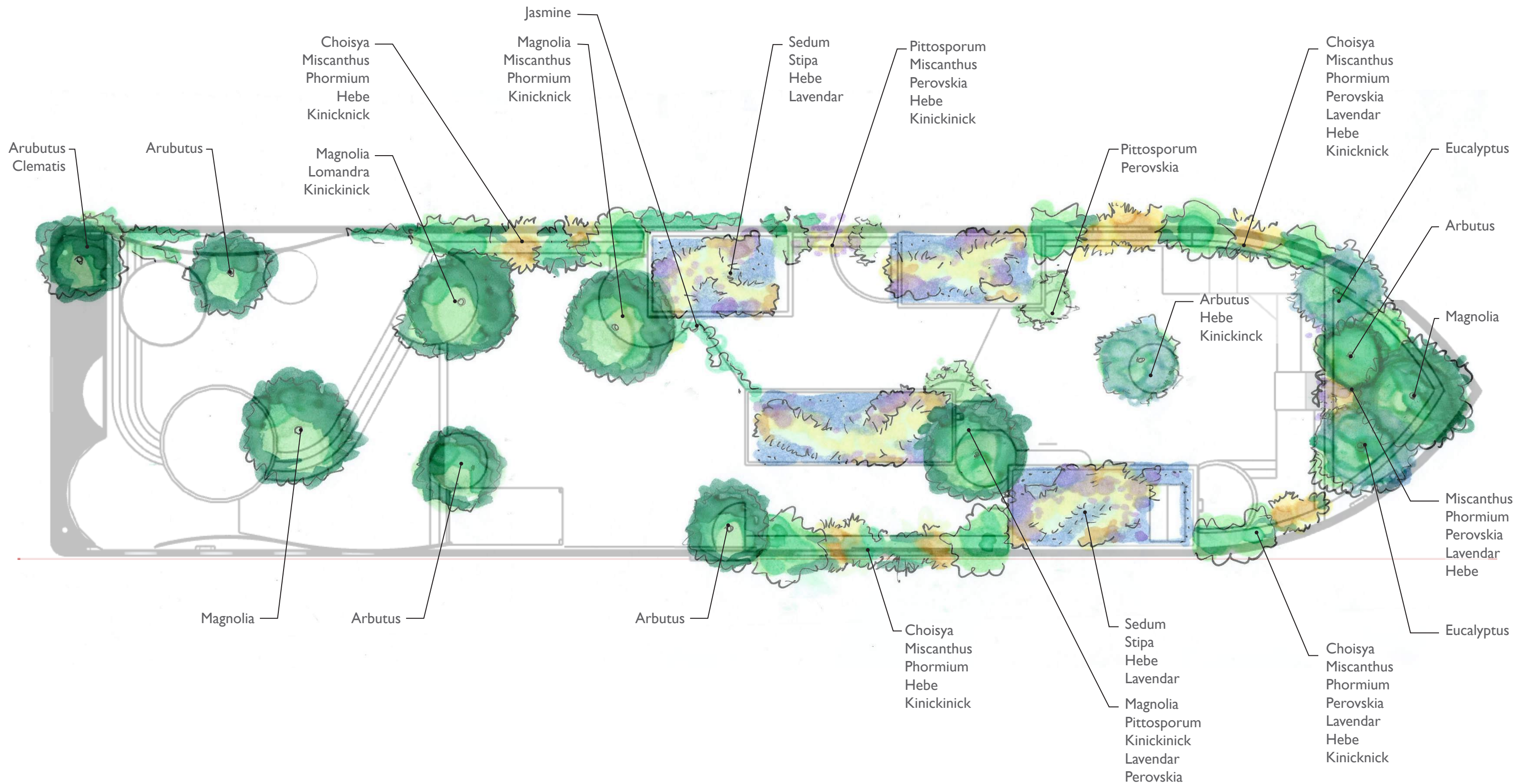
(250) 818-1566

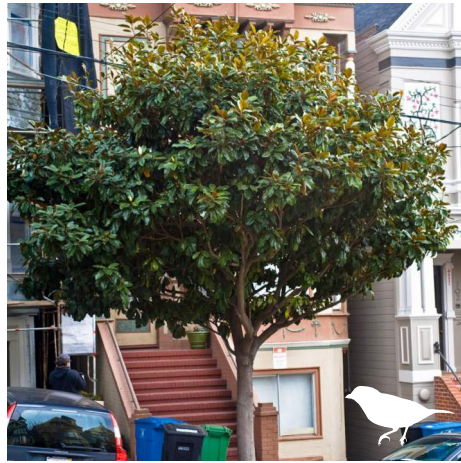
Planting Concept Package

HAVN
Victoria, BC









Southern Magnolia
Magnolia grandiflora



Gum Tree
Eucalyptus



Confederate Jasmine
Trachyllopernum jasminoides



Kinickinick (N)
Arctostaphylos uva-ursi



Broadleaf Stonecrop (N)
Sedum spathulifolium



Strawberry Tree
Arbutus unedo



Maiden Grass
Miscanthus gracilimus



James Sterling Hebe
Hebe ochracea 'James Stirling'



New Zealand Flax
Phormium tenax



Russian Sage
Perovskia atriplicifolia



Silver Sheen Pittosporum
Pittosporum tenuifolium 'Silver Sheen'



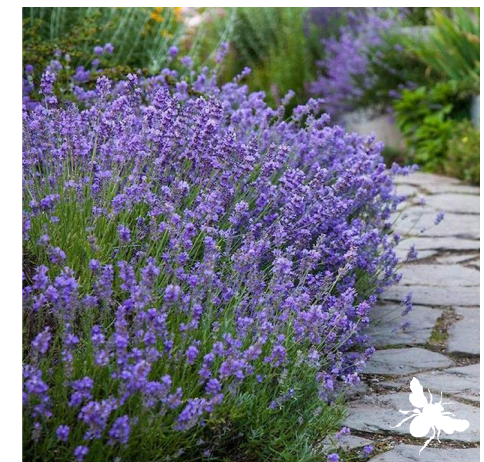
Mexican Mock Orange
Choisya ternata



Mexican Feather Grass
Stipa tenuissima



Basket Grass
Lomandra longifolia 'tanika'



Munstead Lavendar
Lavandula angustifolia 'Munstead'

KEY

food bearing



pollinator
friendly



native





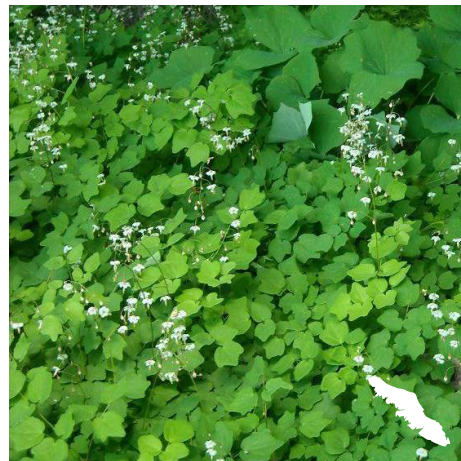
Kew Green Skimmia
Skimmia x confusa 'Kew Green'



Japanese Aralia
Fatsia Japonica



Armand Clematis
Clematis armandii



Inside-out flower (N)
Vancouveria hexandra



Crevice Alumroot (N)
Heuchera micrantha



Northern Maiden Fern (N)
Adiantum pedantum



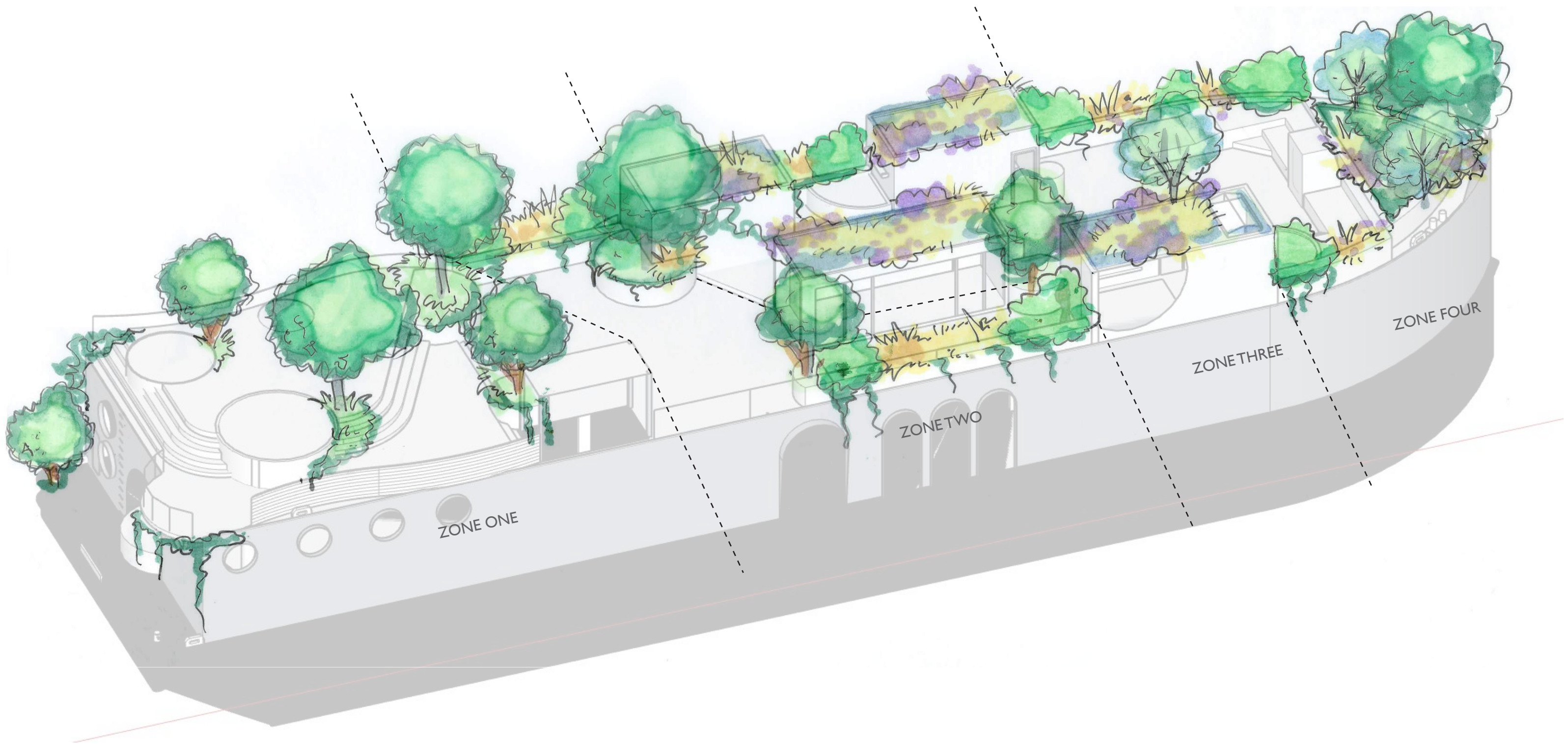
Tassel Fern
Polystichum polyblepharum



Deer Fern (N)
Blechnum spicant



Sword Fern (N)
Polystichum munitum



VICTORIA HARBOUR

NAVIGATION AND AVIATION REVIEW OF PROPOSED VESSEL PLACEMENT

VARM EXPERIENCES LTD.

TECHNICAL MEMORANDUM

To:	Varm Experiences Ltd.	From:	Russ Tyson
cc:		Date:	November 30 th , 2021
Subject:	Victoria Harbour Barge Placement at Ship Point Pier	Project No:	2020-10

Executive Summary

Varm Experiences Ltd. (VARM) retained TyPlan Planning and Management (TyPlan) to undertake an aviation and navigation safety review of the placement of a vessel with dimensions of 144 feet by 34 feet (the “Proposed Vessel”), proposed to be moored at Ship Point Pier in Victoria Harbour. The findings of this review confirm that the safety of navigation or aviation in and around this area will not be negatively impacted by such moorage of the Proposed Vessel.

Background

VARM propose the placement of a vessel in the Inner Harbour of Victoria to support a tourism oriented venture. The proposed site is currently utilized for transient moorage as identified by the Greater Victoria Harbor Authority (GVHA).

VARM requested TyPlan Consulting and Management (TyPlan) to address potential safety impacts specific to the placement of the Proposed Vessel at Ship Point Pier.

Current Use and Activities

The existing uses surrounding the site under consideration are presented on Exhibit 1 below and consist of transient moorage, water oriented tourism activities and seaplane operations. Noted on the orthophoto is a large vessel that was moored at the site at the time of the photo, with the Proposed Vessel superimposed.

Regulation of Marine Airports in Canada

The existing regulatory framework in Canada provides no operational requirements specific to marine airports.² The current regulations for the certification of aerodromes as airports (CARs Part III, Subpart 2) and the associated standards (Aerodrome Standards and Recommended Practices - TP 312) are intended for the certification of land aerodromes as land airports. On July 8, 2019, Transport Canada released a Notice of Proposed Amendment to amend the *Canadian Aviation Regulations* ("CAR") to establish regulatory requirements for the operation and certification of water airports in Canada. The amendment would establish the requirements for the certification and operation of water airports in Canada and allow a standardized application of safety requirements by Transport Canada.

US Department of Transportation Federal Aviation Administration (AC 150/5395 1B 8/31/2018)

This advisory circular (AC) from the Federal Aeronautical Association (FAA) provides guidance to assist operators in planning, designing, and constructing seaplane bases and associated facilities.

The advisory circular notes the following definitions and explanations regarding requirements for Sea Plane Bases.

Docking Area. *A defined area on a seaplane base either fixed or floating, intending to accommodate seaplanes for the purposes of loading or unloading passengers or cargo, or refueling, parking, or maintenance. (Reference: AC 150/5300-18.)*

Obstruction. *Any object, including a parked aircraft, which may hinder aircraft operations, or which may have an adverse effect upon the operation of an air navigation facility.*

Turning Basin. *A water area used for the water taxi maneuvering of seaplanes along shoreline facilities and at the ends of a narrow sea lane.*

Operating Space Between Shoreline Facilities. *The desired clearances between the various docking and pier units, barges, and ramps has a decided influence on their arrangement and location. Each of these units should be so located such that a seaplane may approach and tie up in anyone of the available berths when adjacent units are occupied.*

When seaplanes are operated between such units under their own power, the recommended minimum separation between the designated edge of the turning basin (8/31/2018 AC 150/5395-1B 4-18) and the near faces of adjacent units (fixed docks, piers, floats, ramps, or barges) is 50 feet because a water-borne aircraft can normally be taxied safely past obstructions as close as about one half of its wingspan.

Where seaplanes are moved by hand between adjacent units, the separation between the designated edge of the turning basin and these adjacent units may be less than 50 feet to facilitate the handling process.

² Canadian Aviation Regulation Advisory Council, Notice of Proposed Amendment, July 8, 2019.

Observations and Findings

1. As illustrated on Exhibit 2 of this technical memorandum the Proposed Vessel placement does not appear to affect the safety of navigation or aviation in the area.



HAVN Saunas Inc.
www.havnsaunas.com

June 2rd 2022

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

Attn: Mayor Helps And Victoria City Councillors

Dear Mayor and Council,

RE: Inner Harbour Ship Point South District - Existing Zoning Expansion for Recreational Facility.

Havn Saunas is a community-centred waterfront destination that provides a space for recreation and wellness. We propose an addition to zoning Part 8.15 of the IHSS Zone to permit recreational facilities. Havn Saunas is in near-perfect alignment with the city's Official Community Plan, the DCAP, the HVP 2014 and the Ship Point master plans. Havn intends to make the inner harbour a more inviting, year-round space that fosters vitality and connection between the city and the harbour. Key details of rezoning the project are as follows.

Community Need and Impact

- Havn Saunas adds a year-round **economic boost** to an **underutilized waterfront** space, especially during the harbour's off-season.
- This park-inspired facility fulfils SPMP and GVHA's objective to **diversify and improve year-round harbour activities** by providing an abundance of green space, coldwater pools and saunas for **Victorians and visitors to engage, relax, and socialize** with each other.
- In Canada, saunas are seeing a surge in **popularity** as a health and wellness activity for **physical, mental, and social well-being**.
- Havn Saunas **supports Vancouver Island businesses** by attracting people to the downtown core, building greater vitality for the region.
- Havn Saunas creates new jobs offers, **ongoing financial interest and investment into the harbour**.

Design and Green Building

- HAVN is focused on meeting the highest sustainability standards available today. We aim to use **90% of reused and recycled materials for construction**, including energy-efficient heaters, salvaged ocean logs, repurposed water for landscaping and more.
- The design of HAVN Saunas's will **seamlessly integrate** with the industrial character of the working harbour and the marine environment.

Safety & Infrastructure

- **Safety is at the top of Havn Saunas' priorities**. We are operating to follow all Safety Laws, Emergency Management BC's PreparedBC public guidance, policies, and procedures as well as comply with safety regulations set out by regulating bodies including Transport Canada, Environment Canada, DFO, Navigation Protection Program, Vancouver Island Health Authority, City of Victoria Fire Department, City of Victoria Zoning, and GVHA.

The revitalization of Ship Point has been envisioned for decades, we are determined to bring year-round vibrancy and activation to the area. HAVN Saunas offers a healthy and active blend of shoreline uses for the Inner Harbour, connecting businesses, residents, visitors, and other community members in a way that is currently not offered anywhere else in the city. Please see the full application brief for more details of the application.

Kind regards,

Nicholas Van Buren
CEO & Co-Founder
Havn Saunas

Survey Responses

700 Government Street

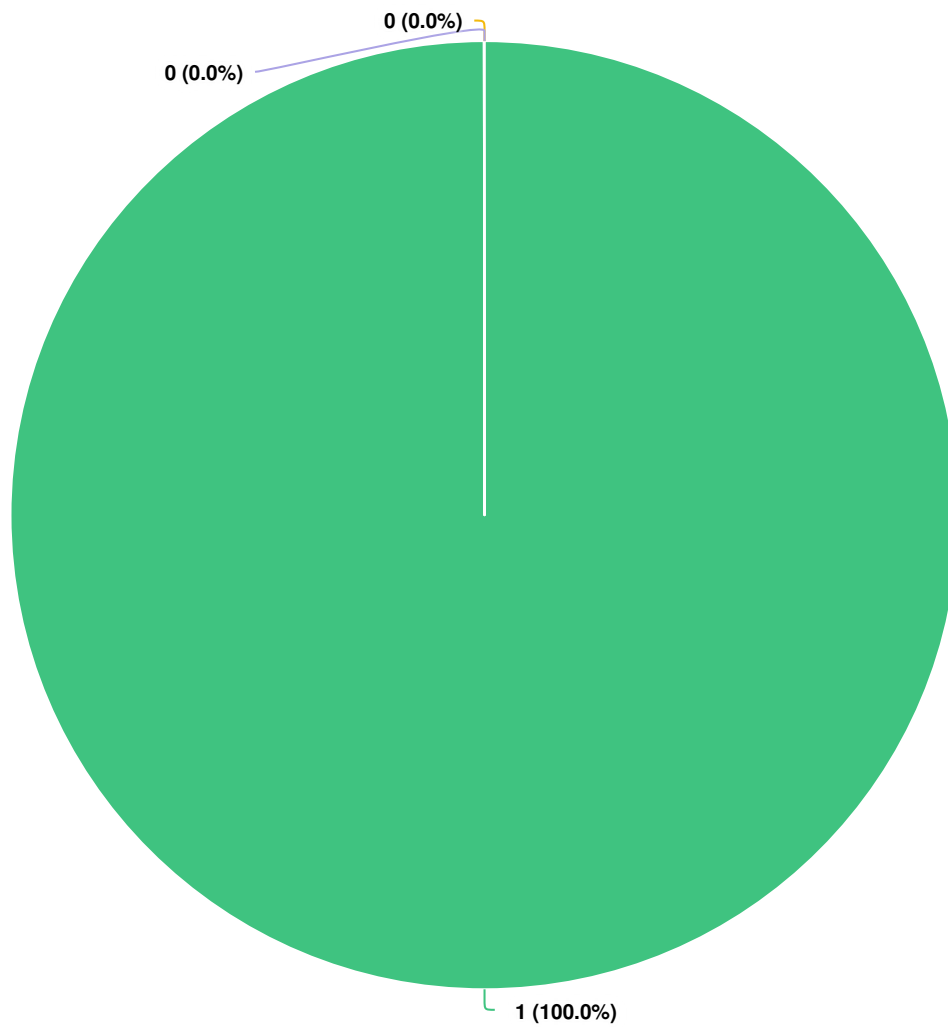
Have Your Say

Project: 700 Government Street



VISITORS					
2					
CONTRIBUTORS			RESPONSES		
1			1		
0	0	1	0	0	1
Registered	Unverified	Anonymous	Registered	Unverified	Anonymous

Q1 What is your position on this proposal?



Question options

☒ Support ☐ Oppose ☐ Other (please specify)

Mandatory Question (1 response(s))



Respondent No: 1

Login: Anonymous

Responded At: Sep 03, 2022 08:42:38 am

Last Seen: Sep 03, 2022 08:42:38 am

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

I love it. A great addition to the city. - probably the best... hahaha. But I guess I'm biased.

Q3. **Your Full Name** Nicholas Van Buren

Q4. **Your Street Address** 340 Wilson street Victoria Bc

Q5. **Your email address (optional)** not answered



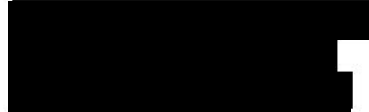
100-1019 Wharf Street, Victoria, BC V8W 2Y9

p: 250.383.8300 | tf: 1-800-883-7079

e: gvha@gvha.ca | w: gvha.ca

August 31, 2022

Sent via Email:



RE: DEVELOPMENT PERMIT WITH VARIANCE DPV00199, DP000616 AND REZONING APPLICATION REZ00813 – 700 GOVERNMENT STREET – HAVN EXPERIENCES LTD. – SEPTEMBER 22, 2022

Greater Victoria Harbour Authority (GVHA) is writing to voice our support for the above mentioned Development Permit and Rezoning Application for 700 Government Street.

GVHA owns the property and water lot at 700 Government Street, commonly known as Ship Point Pier. The parcel is also home to the Causeway Marina, which supports commercial use on the water, and along the pedestrian causeway. GVHA supports the work that the City of Victoria has undertaken to develop a revitalization plan for the area (*Ship Point Master Plan*, 2018) and it is our strong belief that the inclusion of HAVN at 700 Government Street meets several objectives of that plan. HAVN provides an exciting opportunity for natural and human ecologies to overlap in an urban setting, and crafts an enchanting commercial space for the community to enjoy either as a patron of the facility, or from afar.

We believe that the proponent has worked hard to surpass design and environmental requirements and expectations commonly held in our beautiful city. HAVN has secured a water lot license with GVHA to moor their refurbished barge on our property, and are expected to pay market rate rents to do so, which bolster GVHA's efforts toward fulfilling our mandate of financial self sustainability. Rezoning and development applications which support new kinds of business at GVHA properties enable us to plan for further capital improvements across our facilities (The Breakwater, Inner Causeway, Wharf Street Marina, etc.) and diversify our revenue portfolio. By supporting HAVN's application, the City of Victoria is also supporting GVHA and the community, commerce and environmental stewardship that our facilities foster.

GVHA maintains the position that the year round activation HAVN will bring to the site is invaluable. Historically, that area can be underutilized during the winter months, while HAVN intends to operate year round and draw foot traffic down towards the businesses at 812 Wharf Street (building owned by the City of Victoria) and draw ever more visitors to the waterfront, which can be an introductory learning to ocean systems for curious minds of all ages.

The unique experience offered by HAVN will be a welcome step towards revitalizing the Inner Harbour and enhancing Downtown vibrancy. By enhancing Ship Point as an inviting, year round destination,

HAVN will host locals and visitors alike, allowing for community connection and active enjoyment of the Inner Harbour. We believe that their design is original, contemporary and alluring, particularly the inclusion of landscaping and marine elements.

Throughout the concept development, site planning and use negotiations, HAVN Experiences Ltd. and their Principal, Nick Van Buren, have demonstrated an in depth knowledge of this kind of facility, Victoria generally, the economics of the project, environmental measures and all other aspects of the project. We look forward to their successful rezoning and development application approval, so that the city may welcome HAVN to the Inner Harbour in 2023.

Please do not hesitate to contact the undersigned if you require any further clarification on behalf of the Greater Victoria Harbour Authority.

Sincerely,

A handwritten signature in blue ink, appearing to read 'I. Robertson', with a horizontal line underneath.

Ian Robertson, CEO
Greater Victoria Harbour Authority

cc: Mark Crisp, Director, Infrastructure, GVHA – [REDACTED]
Jess Reeves, Contracts Manager, GVHA – [REDACTED]

Miko Betanzo

From: Randy Wright [REDACTED]
Sent: August 31, 2022 3:35 PM
To: Miko Betanzo
Subject: View corridors

Hi Miko,
Hope you are having a good summer,
following up on the note I sent you on the proposed floating Spa at Ships Point, here are some pictures I took to give you a reference on the height of the proposal, this yacht was in the spot of the proposal and would be the same height as the spa, as you can see, this blocks out everything, tourists etc will be looking at a wall.
Please put into the file.

Thanks Randy







Sent from my iPhone

September 15, 2022

Mayor and Council
City of Victoria
#1 Centennial Square
Victoria, BC V8W 1P6

Re. HAVN Saunas proposal for Nordic-style sauna at Ship Point

To Mayor and Council,

The Greater Victoria Chamber of Commerce supports innovation led by business, such as the proposal by HAVN Saunas Inc. to add a Nordic-style sauna facility to Ship Point.

HAVN is a member in good standing with the chamber, and we support their efforts to create a new attraction that celebrates Victoria's Inner Harbour and provides a world-class place for wellness downtown.

The project will add vibrancy to the area year-round for residents and enhance the tourism industry's ability to offer more experiences for visitors to the region.

HAVN has taken care to ensure the proposal meets the vision of the Ship Point Master Plan, the Downtown Core Area Plan and the City of Victoria's Official Community Plan. HAVN is also consulting with environmental assessment professionals to guarantee the project is sustainable and responsible.

Thank you for considering this proposal and how it will contribute to the economic resilience of our region.

Sincerely,



Bruce Williams
CEO, Greater Victoria Chamber of Commerce

DOWNTOWN Victoria

Downtown Victoria Business Association
20 Centennial Square
Victoria, BC
V8W 1P7
(250)386-2238

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

August 30, 2022

Re: Support for HAVN Harbour Sauna Project

Dear Mayor and Council,

The Downtown Victoria Business Association is happy to support the proposed recreation facility in the Inner Harbour. Victoria's working Harbour is a popular destination for tourists seeing the sights, but at present they have limited reasons to stay and enjoy the Harbour for an extended period. Likewise, while locals will enjoy the presence of the Inner Harbour as they walk past, there's limited connection and interaction with the area. A project such as HAVN's would be an excellent way to change both circumstances.

HAVN would be an entirely new type of Harbour experience, one that can be enjoyed throughout the entire year. They plan to, essentially, create a floating park with both sauna and filtered harbour-water experiences. The design sketches and project brief are exciting. They show hot tubs, cold pools, one ocean water pool, multiple saunas, and spaces to relax and socialize. This would be a new way to connect with the natural beauty of our Harbour, for tourists to view historic landmarks, and a healthy experience to enjoy.

While HAVN is nothing that we've seen before, and therefore isn't currently included in the Inner Harbour zoning options, it is a valuable and innovative idea. I hope that the City will support their proposed expansion of permitted usage to include this floating sauna experience. HAVN is a project that will help energize the Ship Point area year-round, helping to encourage growth in the neighborhood. It seems uniquely suited to be a part of Downtown Victoria.

Your Sincerely,



Jeff Bray, Downtown Victoria Business Association CEO

DESTINATION GREATER VICTORIA

March 21, 2022

Mr. Nick Van Buren
HAVN Experiences Ltd.

[REDACTED]
(250) 818-1566

Dear Mr. Van Buren,

On behalf of Destination Greater Victoria, I write in support of HAVN Experiences Ltd.'s (HAVN) proposal for a Nordic-style sauna facility located at Ship Point.

Broadly, Destination Greater Victoria supports new products, experiences, and investment in Victoria's downtown core. HAVN's proposal is exciting because wellness tourism is a growing sector in visitor economies around the world. Research has shown typical visitors patronizing wellness attractions have the highest income of any culture and entertainment activity customer. They are also frequently out-of-province travellers and spend more in destination than short-haul travellers.

As Greater Victoria rebuilds its visitor economy from the negative impacts of the COVID-19 pandemic, high-yield, out-of-province visitors will be critical for Greater Victoria's recovery. Furthermore, Destination Greater Victoria's organizational focus is not only on high-yield, year-round leisure travellers that spend the most possible per visit and maximize economic benefits for the region, but conference business as well. This new development aligns perfectly with that market segment. Our destination is also known for its welcoming and relaxing atmosphere. These characteristics are consistent with - and enhanced by - HAVN's proposal.

Destination Greater Victoria has consulted its members that are stakeholders in this project. Feedback received from these consultations was positive and supportive. One stakeholder expressed mild concerns related to shadow and viewscapes from their business. However, these concerns could be allayed as the proponent has agreed to a shadow study.

On balance, Destination Greater Victoria supports of HAVN's proposal. This project has the potential to add vitality and vibrancy to Ship Point, as well as contribute to the economic recovery of our community.

Sincerely,



Paul Nursey
CEO - Destination Greater Victoria

12 September 2022

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

HAVN Saunas

Dear Mayor and Council,

I am writing to you today to express my support for HAVN Saunas, a proposed recreation facility moored alongside Ship Point pier. I believe this proposal will bring activity and vibrancy to our harbourfront and should be sent forward to Public Hearing.

From a city-building perspective, the proposal will enhance our City's connection with the waterfront, which—as a harbour city—is something that we should promote and celebrate. From an economic lens, HAVN Saunas will support our tourism industry year round, boosting local spending in the shoulder seasons as a unique-to-Victoria destination.

What's more, the proposal is in alignment with the vision for Victoria's Official Community Plan, The Downtown Core Area Plan and the Ship Point Master Plan.

Thank you,



Luke Mari

Principal, Development
Aryze Developments
Aryze.ca

Attractions Victoria



P.O. Box 39047
James Bay Postal Outlet
Victoria BC V8V 4X4

Date: 2022-07-27 23:55:21

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

Dear Mayor and Councillors,

I'm writing to express my support for the proposed project, HAVN Saunas, in Victoria's Inner Harbour. I believe this project brings vibrancy to our waterfront and is in alignment with the vision of Victoria's Official Community Plan, The Downtown Core Area Plan and the Ship Point Master Plan. HAVN will attract tourists and locals to the inner harbour all seasons of the year and in turn boost economic prosperity in Victoria's downtown core.

This project is a great flagship project for bringing tourists to our destination in the shoulder seasons, it is very unique and we would love to see it succeed

Thank you,

VIKTORIA ALEXANDRA CSANICZ

Attractions Victoria

Date: 2022-07-22 16:14:25

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

Dear Mayor and Councillors,

I'm writing to express my support for the proposed project, HAVN Saunas, in Victoria's Inner Harbour. I believe this project brings vibrancy to our waterfront and is in alignment with the vision of Victoria's Official Community Plan, The Downtown Core Area Plan and the Ship Point Master Plan. HAVN will attract tourists and locals to the inner harbour all seasons of the year and in turn boost economic prosperity in Victoria's downtown core.

This would be a great addition to the downtown core and a wellness initiative that will also engage the harbour.

Thank you,

Tracey Drake , VP of Strategic Relations and Initiatives

Royal BC Museum



Oswego Hotel
<https://www.oswegohotelvictoria.com/>
500 Oswego St, Victoria, BC V8V 5C1

Date: 2022-07-21 22:50:13

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

Dear Mayor and Councillors,

I'm writing to express my support for the proposed project, HAVN Saunas, in Victoria's Inner Harbour. I believe this project brings vibrancy to our waterfront and is in alignment with the vision of Victoria's Official Community Plan, The Downtown Core Area Plan and the Ship Point Master Plan. HAVN will attract tourists and locals to the inner harbour all seasons of the year and in turn boost economic prosperity in Victoria's downtown core.

This is a wonderful addition for year round health and wellness tourism

Thank you,

Sarah Webb

Oswego Hotel



6 December 2021

Greater Victoria Harbour Authority

100-1019 Wharf Street

Victoria, BC

V8W 2Y9

Attn: Mark Crisp and Jessi-Anne Reeves

Re: Varm Experiences Ltd. Mooring of Proposed Vessel at Ship Point North Pier

To whom it may concern,

Orca Spirit Adventures (“Orca Spirit”) has been contacted by a representative from Varm Experiences Ltd. with regards to their proposal to operate a Nordic-style spa business on a vessel located at the north side of the Ship Point Pier, downtown Victoria.

Orca Spirit sees no conflict with and consents to the mooring of a vessel with dimensions of 144 feet x 34 feet at the north side of Ship Point Pier, as described and illustrated in the TyPlan Technical Report dated November 30th, 2021.

Sincerely,

Rachel Thompson

General Manager

Orca Spirit Adventures

KWENCH

KWENCH
2031 Store Street
Victoria BC, V8T 5L9
Canada

<https://www.clubkwench.com/en>

2022-07-14 16:50:38

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

Dear Mayor and Councillors,

I'm writing to express my support for the proposed project, HAVN Saunas, in Victoria's Inner Harbour. I believe this project brings vibrancy to our waterfront and is in alignment with the vision of Victoria's Official Community Plan, The Downtown Core Area Plan and the Ship Point Master Plan. HAVN will attract tourists and locals to the inner harbour all seasons of the year and in turn boost economic prosperity in Victoria's downtown core.

Thank you,

Tessa McLoughlin, Founder

KWENCH

Derek Lee
3677 Ash Street
Vancouver B.C.
V5Z 3E9

July 3, 2022

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

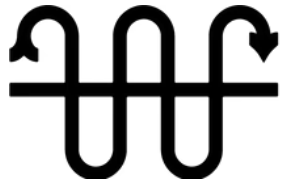
Dear Mayor and Councillors,

I'm writing to express my support for the proposed project, HAVN Saunas, in Victoria's Inner Harbour. As the principal landscape architect involved in the most recent master plan for Ship Point, and Victoria's Downtown Public Realm Plan, I believe this project brings vibrancy to our waterfront and is in alignment with the vision of Victoria's Official Community Plan, The Downtown Core, Area Plan and the Ship Point Master Plan. Havn will attract tourists and locals to the inner harbour all seasons of the year and in turn boost economic prosperity in Victoria's downtown core.

Thank you,

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of loops and a horizontal stroke at the bottom.

Derek Lee



**WHISTLE
BUOY** BREWING
COMPANY

Whistle Buoy Brewing Company
Market Square, Lower Courtyard, #63,
560 Johnson St,
Victoria, BC V8W 3C6
<https://whistlebuoybrewing.com/>

2022-07-07 02:34:24

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

Dear Mayor and Councillors,

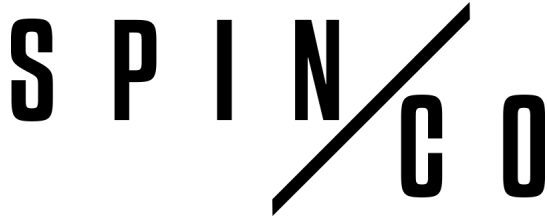
I'm writing to express my support for the proposed project, HAVN Saunas, in Victoria's Inner Harbour. I believe this project brings vibrancy to our waterfront and is in alignment with the vision of Victoria's Official Community Plan, The Downtown Core Area Plan and the Ship Point Master Plan. HAVN will attract tourists and locals to the inner harbour all seasons of the year and in turn boost economic prosperity in Victoria's downtown core.

Can't wait! I believe this will become a popular attraction in downtown Victoria

Thank you,

Matt West-Patrick, Co-owner

Whistle Buoy Brewing



SPINCO Victoria
524 Pandora Avenue Victoria,
BC V8W 1N6. (778) 440-6888
<https://spinco.ca/>

2022-07-06 16:58:35

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

Dear Mayor and Councillors,

I'm writing to express my support for the proposed project, HAVN Saunas, in Victoria's Inner Harbour. I believe this project brings vibrancy to our waterfront and is in alignment with the vision of Victoria's Official Community Plan, The Downtown Core Area Plan and the Ship Point Master Plan. HAVN will attract tourists and locals to the inner harbour all seasons of the year and in turn boost economic prosperity in Victoria's downtown core.

Really excited to see a new wellness focus space coming to the inner harbour :) We hope for revitalization downtown post Covid.

Thank you,

Alexa Lofthouse (GM)

SPINCO Vancouver Island

One Yoga Victoria

<https://www.oneyogavictoria.com/>

239 Menzies St #201,
Victoria, BC V8V 2G6

2022-07-19 00:42:01



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

Dear Mayor and Councillors,

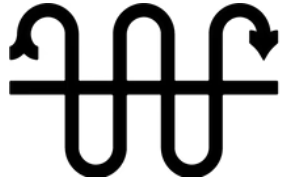
I'm writing to express my support for the proposed project, HAVN Saunas, in Victoria's Inner Harbour. I believe this project brings vibrancy to our waterfront and is in alignment with the vision of Victoria's Official Community Plan, The Downtown Core Area Plan and the Ship Point Master Plan. HAVN will attract tourists and locals to the inner harbour all seasons of the year and in turn boost economic prosperity in Victoria's downtown core.

I think this project will bring some great invigoration into the Inner Harbour especially in the winter months. For all its beauty, Victoria can look so industrial along the water and I think this would be a very welcome addition for locals and tourists alike.

Thank you,

Natalie Wright

One Yoga Victoria



**WHISTLE
BUOY** BREWING
COMPANY

Whistle Buoy Brewing Company
Market Square, Lower Courtyard, #63,
560 Johnson St,
Victoria, BC V8W 3C6
<https://whistlebuoybrewing.com/>

2022-06-29 22:46:31

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

Dear Mayor and Councillors,

I'm writing to express my support for the proposed project, HAVN Saunas, in Victoria's Inner Harbour. I believe this project brings vibrancy to our waterfront and is in alignment with the vision of Victoria's Official Community Plan, The Downtown Core Area Plan and the Ship Point Master Plan. HAVN will attract tourists and locals to the inner harbour all seasons of the year and in turn boost economic prosperity in Victoria's downtown core.

A positive attraction and activity for our beautiful downtown

Thank you,

Nina Colovic

Whistle Buoy Brewing Company

Think Local First

<https://thinklocalvictoria.com/>

794 Fort St, Victoria, BC V8W 3N2



We're better together

2022-06-28 14:23:46

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

Dear Mayor and Councillors,

I'm writing to express my support for the proposed project, HAVN Saunas, in Victoria's Inner Harbour. I believe this project brings vibrancy to our waterfront and is in alignment with the vision of Victoria's Official Community Plan, The Downtown Core Area Plan and the Ship Point Master Plan. HAVN will attract tourists and locals to the inner harbour all seasons of the year and in turn boost economic prosperity in Victoria's downtown core.

Thank you,

Stephen Pearce

Think Local First



<http://www.dejawell.com/>

1302 Gladstone Ave, Victoria, BC V8R 1S1

2022-06-17 22:59:59

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

Dear Mayor and Councillors,

I'm writing to express my support for the proposed project, HAVN Saunas, in Victoria's Inner Harbour. I believe this project brings vibrancy to our waterfront and is in alignment with the vision of Victoria's Official Community Plan, The Downtown Core Area Plan and the Ship Point Master Plan. HAVN will attract tourists and locals to the inner harbour all seasons of the year and in turn boost economic prosperity in Victoria's downtown core.

I am very much looking forward to a downtown business that highlights wellness tourism as well as acts as a hub for local wellness both socially, mentally and physically. Great that it is accessible to lower income earners through the LIFE program as well. A no brainer for Victoria.

Thank you,

Emily Deslaurier, Déjà Well

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

Dear Mayor and Councillors,

HAVN Saunas, has engaged and consulted with the community and received enormous support. Attached are the digital signatures and comments expressed in favour of this project. We believe that HAVN Saunas will bring vibrancy to our waterfront and is in alignment with the vision of Victoria's Official Community Plan, The Downtown Core Area Plan and the Ship Point Master Plan. HAVN will attract tourists and locals to the inner harbour all seasons of the year and, in turn, boost economic prosperity in Victoria's downtown core.

Monday, April 11, 2022

Kate McAnally

340 Wilson Street, Wilson, Victoria, BC V3A 3G3 Canada [REDACTED]

Tuesday, April 12, 2022

Peter Van Buren

1270 Rockcrest Ave, Esquimalt, BC V9A 4W2 Canada [REDACTED]

Thursday, April 14, 2022

Yasmeenah El-zein

208-955 Dingley Dell, Victoria, British Columbia V9A 5R6 Canada
[REDACTED]

Thursday, April 14, 2022

Michael Massoud

208-955 Dingley Dell, Victoria, British Columbia V9A 5R6 Canada
[REDACTED]

Monday, April 18, 2022

Josie Gair

811-845 Yates Street, Victoria, BC V8w4A3 Canada [REDACTED]

Tuesday, April 19, 2022

Emily Deslaurier

As a wellness professional I am so happy to see this offering in our city! It is much needed hydrotherapy for locals and visitors!

340 Wilson Street, Victoria, BC V9A3G3 [REDACTED]

Sunday, April 24, 2022

Erin Christensen

1302 Gladstone Avenue, 10, Victoria, BC V8R1S1 [REDACTED]

Monday, April 25, 2022

Kurtis Vallee

845 Carrie Street, Victoria, BC V9A 5R5 [REDACTED]

Tuesday, April 26, 2022

Paul Moquin

2841 Wyndeatt Ave, Victoria BC, BC V9A 2L7 [REDACTED]

Thursday, April 28, 2022

Jm Ogden

What a great concept, innovative and contemporary in terms of both concept and design. The minimal footprint (considering the permanence of brick and mortar) and sustainable elements are both cleverly strategic and logical and the social, economic, and community design elements are thoughtful! Best of luck with the proposal and i certainly will be paying attention as things develop!

2030 Mable Rd., Shawnigan Lake, BC V0R2W3 [REDACTED]

Thursday, April 28, 2022

Tara Toller

1830 Fern St, 234, Victoria, British Columbia V8R 4K3 [REDACTED]

Saturday, April 30, 2022

Brad Josling

This is a wonderful idea and opportunity to diversify wellness offerings in Victoria.

1692 Chandler Ave, Victoria, BC V8S1N6 [REDACTED]

Saturday, April 30, 2022

Eric Gerritsen

Great idea

2534 hampshire rd, Victoria, Bc V8r 5t5 [REDACTED]

Saturday, April 30, 2022

Shoshana Frost

Absolutely love the look of this project. What a fantastic addition to Victoria's waterfront. Brilliant.

2838 Prior, Victoria, BC V8T 3Y3 [REDACTED]

Sunday, May 1, 2022

Valerie Pike

This sounds amazing. Sign me up for a day at HAVN Harbour Sauna.

2558 Beach Drive, Victoria, BC V8R 6K4 [REDACTED]

Monday, May 2, 2022

Martin Walker

"You are cool Nick" - Claire

555 Abbott street, 507, Vancouver, BC V6B6B8 [REDACTED]

Monday, May 2, 2022

Claire O'Brien



"You're cool Nick" - Co-founder, Martin

620 east 28 avenue, Vancouver, Bc V5v2n5 [REDACTED]

Thursday, May 5, 2022

Tom Hollingworth

3400 Richmond Rd., Victoria, BC V8P 4P5 [REDACTED]

Friday, May 6, 2022

Justin Taverna

5000 Georgia Park Terrace, Victoria, British Columbia V8Y 2B9
[REDACTED]

Friday, May 6, 2022

Stephen Lindsay

Stewardson Inlet, Po Box 625, Tofino, BC V0R2Z0

Friday, May 6, 2022

John Law

That will be a nice feature downtown.

2824 Heath Dr, Victoria, Bc V9A2J5 Canada

Friday, May 6, 2022

Alan Camobell

2849 Heath Dr., Victoria, Bc V9A2J6 Canada

Friday, May 6, 2022

Karey VanBuren

Great project and development for Victoria.

143 Government St, Victoria, BC V8V 2K6 Canada

Friday, May 6, 2022

Lynn Stothers

3699 Ash Street, Vancouver, BC V5Z3E9 Canada [REDACTED]

Friday, May 6, 2022

Mary Meldrum

1903 Shotbolt Road, Victoria, BC V8S2L1 Canada [REDACTED]

Friday, May 6, 2022

kim willey

4239 cedar road, victoria, bc v8n4n7 [REDACTED]

Friday, May 6, 2022

Matt Betlamini

I better be on the VIP list.

1449 jamaica rd, Victoria, Bc V8n2c9 Canada [REDACTED]

Friday, May 6, 2022

Alejandra Amaya

5483 Old West Saanich Rd, Victoria, Bc V9e2a7 Canada [REDACTED]

Friday, May 6, 2022

matthew Rehmann

5483 Old West Saanich Rd, Victoria, Bc V9e2a7 Canada [REDACTED]

Friday, May 6, 2022

Thomas Butcher

360 Goldstream Ave, 104, Victoria, British Columbia V9B 2W3
Canada [REDACTED]

Friday, May 6, 2022

Mercy Southam

What a wonderful addition to an under utilized area of the city. This will add to Victoria's role as a world class city.

2490 Dryfe St, Victoria, BC V8R 5T2 Canada [REDACTED]

Saturday, May 7, 2022

Delaney Rayne

932 Johnson Street, Victoria, Unit 105, Victoria, British Columbia V8V 3N4
Canada [REDACTED]

Saturday, May 7, 2022

Aurora Van Buren

Super excited to see a project like this reviving this under used space! :)

2824 Heath Drive, Suite 2, Victoria, BC V9A 2J5 Canada [REDACTED]

Saturday, May 7, 2022

Justin Bland

845 Johnson Street, 407, Victoria, BC V8W 0G3 Canada [REDACTED]

Saturday, May 7, 2022

Damian Price

3037 Phillips road, Sooke, British Columbia V9z1k7 Canada [REDACTED]

Saturday, May 7, 2022

Ariana Fraser

127 Stonecutter Way, Saltspring Island, BC V8K1J3
Canada [REDACTED]

Sunday, May 8, 2022

Zackary Tucker

3004 Glennan Road, Victoria, B.C V9b4b8 Canada [REDACTED]

Sunday, May 8, 2022

Elizabeth McManus

82713A Grace Rd. South, Goderich, ON N7A3Z2 Canada [REDACTED]

Sunday, May 8, 2022

Gillian Taverna

5000 Georgia Park Terrace, Victoria, BC V8Y 2B9 CA [REDACTED]

Wednesday, May 11, 2022

Laurie Piazza

502-930 Yates Street, Victoria, BC V8V 4Z3 Canada [REDACTED]

Tuesday, May 17, 2022

Hilary Kellar-Parsons

20123 Vanneck Rd, Komoka, Ontario N0I1r0
Canada [REDACTED]

Tuesday, May 17, 2022

Claudia Wilde

2564 Adanac Street, Vancouver, BC V5K 2M5 Canada [REDACTED]

Tuesday, May 17, 2022

Amanda Madro

Beautiful concept, looking forward to this community gathering space.

1241 Union Road, Victoria, BC V8P 2J5 Canada [REDACTED]

Tuesday, May 17, 2022

Natalia Carvajal

In favour!!!

3353 Tibbitt crescent, Victoria, BC V2C2H2 Canada [REDACTED]

Tuesday, May 17, 2022

Matthew Vliet

208 615 cook st, Victoria, Bc V8v3y6 Canada [REDACTED]

Tuesday, May 17, 2022

Carmelle Lemaistre

1428 vining st, Victoria, BC V8R 1P7 Canada [REDACTED]

Tuesday, May 17, 2022

Kate Fearnall

3189 Garden Drive, Vancouver, BC V5N4Y2 Canada [REDACTED]

Tuesday, May 17, 2022

Nadia Campitelli

2729 woodland drive, Vancouver, string:BC V5N 3P7 Canada [REDACTED]

Tuesday, May 17, 2022

Brenda Burgess

I may live in sooke right now but I have been in the greater Victoria area for almost 15 years. I think this is an amazing project for the community!

6522 felderhof, Sooke, BC V9Z 0V8 Canada [REDACTED]

Tuesday, May 17, 2022

Jessie Toynbee

103-2631 Prior St., Victoria, BC V8T 3X7 Canada [REDACTED]

Tuesday, May 17, 2022

Emma Stanton

3179 Ayton Place, Victoria, BC V9B 4C3 Canada [REDACTED]

Tuesday, May 17, 2022

Kristina Tidy

1819 st andre, Montréal, QC H2L 3T9 Canada [REDACTED]

Tuesday, May 17, 2022

Alexa Tuton

1530 mount Douglas Cross Road, Victoria, BC V8N 1Z7
Canada [REDACTED]

Tuesday, May 17, 2022

Samantha Eady

This is so exciting!!

340 Wilson St, Victoria, BC V9A3G3 Canada [REDACTED]

Tuesday, May 17, 2022

Alyse Goodacre

1358 Rockland ave, Victoria, BC V8S1V7 Canada [REDACTED]

Tuesday, May 17, 2022

Jessica Ackerman

A floating green space with the healing benefits of sauna?! Yes please!

1020 view st, Victoria, Bc V8v4y4 Canada [REDACTED]

Tuesday, May 17, 2022

Earl Allen

410 505 Quadra st, Victoria, BC V8V 0G4 Canada [REDACTED]

Tuesday, May 17, 2022

Nicole Sampson

874 A Dunsmuir Road, Victoria, BC V9a5b7 Canada [REDACTED]

Tuesday, May 17, 2022

Jessika Chabot

101-785 tyee road, Victoria, BC V9a-0g2 Canada [REDACTED]

Tuesday, May 17, 2022

Kevin Sage

1232 Princess Ave, Victoria, BC V8T1L5 Canada [REDACTED]

Tuesday, May 17, 2022

Nart Barileva

4185 Metchosin Rd., Metchosin, BC V9c3z5 Canada [REDACTED]

Tuesday, May 17, 2022

Alex Nagel

806 - 1020 View St, Victoria, BC V8V4Y4 Canada [REDACTED]

Tuesday, May 17, 2022

Jane Hill

946 Riverside Drive, North Vancouver, BC V7H 1V5 Canada [REDACTED]

Tuesday, May 17, 2022

Isabella Bubic

Victoria needs this!

820 Osborn street, Montreal, Qc H4h 1x2 Canada [REDACTED]

Tuesday, May 17, 2022

Andrea Simmonds

3836 Rowland Ave, Victoria, BC V8Z 1X9 Canada [REDACTED]

Tuesday, May 17, 2022

Jennifer Mooers

12 Hickson Street, Toronto, ON M6K 1T3 CA [REDACTED]

Tuesday, May 17, 2022

Saralyn DESLAURIER

Would love to see & use this facility! I think it would be an amazing addition to the inner harbour

2285 Mountain Heights Drive, Suite, Sooke, BC V9Z 1M4
Canada [REDACTED]

Tuesday, May 17, 2022

Gabrielle Swann

1977 Fairfield Rd, Victoria, Bc V8s1h5 Canada [REDACTED]

Tuesday, May 17, 2022

Rebecca Zalmanowitz

1032 Tobermory way, Garibaldi Highlands, BC V0N 1T0
Canada [REDACTED]

Tuesday, May 17, 2022

Alejandra Amaya

5483 old west Saanich rd, Victoria, Bc V9E2A7 Canada [REDACTED]

Tuesday, May 17, 2022

Leslie Jones

36 Crusader St, Battery Hill, Qld 4551 [REDACTED]

Tuesday, May 17, 2022

Bonnie Smith

415 Hillcrest Ave, Nanaimo, BC V9R3M2 Canada [REDACTED]

Tuesday, May 17, 2022

Kate Landreth

409 Edward St, Victoria, BC V9A3E8 Canada [REDACTED]

Tuesday, May 17, 2022

Robyn Penn

657 st Patrick street, Victoria, Bc V8s4x4 Canada [REDACTED]

Tuesday, May 17, 2022

Ben Barrett-Forrest

611 Mary St., Victoria, BC V9A 3W4 Canada [REDACTED]

Tuesday, May 17, 2022

Erica Van Dyk

Victoria NEEDS HAVN!!!!

611 Mary Street, Victoria, BC V9A3W4 Canada [REDACTED]

Tuesday, May 17, 2022

Gavin Rose

203-588 Pandora Ave, Victoria, BC V8W1N7 Canada [REDACTED]

Tuesday, May 17, 2022

Lacey Dinney

24 Lewis Street, A, Victoria, BC V8V 2E8 [REDACTED]

Tuesday, May 17, 2022

Mat Murray

1871 Fernwood Rd., 4, Victoria, BC V8T2Y5 [REDACTED]

Wednesday, May 18, 2022

Jessica Jefferson

Brilliant idea! A unique experience that Victoria should be the first city to offer.

3611 Quadra st, Victoria, BC V8X1H5 [REDACTED]

Wednesday, May 18, 2022

Kayla Brazier

722 stansfield road, Kamloops, Bc V2b 6m4 [REDACTED]

Wednesday, May 18, 2022

Hannah Anderson

902 Munro dr, Arnprior, ON K7s3g8 [REDACTED]

Wednesday, May 18, 2022

Sarah Nickerson

This is incredible! Victoria needs more fun and interesting things like this!

999 Burdett Ave, 307, Victoria, BC V8V 3G7 [REDACTED]

Wednesday, May 18, 2022

Fiona Girard-Henry

1-2210 belmont ave, Victoria, BC V8R 3Z8 [REDACTED]

Wednesday, May 18, 2022

Karli Kuruz

2790 wenger terrace, Victoria, Bc V9b4h8 [REDACTED]

Wednesday, May 18, 2022

Hayley MacKenzie

390 W 16th Ave, Vancouver, BC V5Y 1Y9 [REDACTED]

Wednesday, May 18, 2022

Ali Mooers

Will be incredible for tourism in Victoria!

56 Harvie Ave, Toronto, ON M6E 4K3 [REDACTED]

Wednesday, May 18, 2022

Nikki Sequeira

966 Arden road, Victoria, Bc V9c 4g3 [REDACTED]

Wednesday, May 18, 2022

Renira Naidu

2210 Belmont Ave, Victoria, BC V8R 3Z8 [REDACTED]

Wednesday, May 18, 2022

Chelsea Kanstrup

769 Newbury St, Victoria, BC V9A 2C2 [REDACTED]

Wednesday, May 18, 2022

Ryan Day

Awesome!

738 Fort St, Victoria, BC V8W 1H2 [REDACTED]

Wednesday, May 18, 2022

Alex Carter

302-1400 Quadra Street, Victoria, BC V8W2L1
[REDACTED]

Wednesday, May 18, 2022

Nicola Anderson

What an amazing idea!

835 Dunsmuir Road, Victoria, BC V9A5B8 [REDACTED]

Wednesday, May 18, 2022

Kathryn Juricic

Go Nick !

1414 Gladstone Avenue, Unit 5, Victoria, BC V8R 1S3 [REDACTED]

Wednesday, May 18, 2022

Kay Lillico

1233 Fairfield rd, Victoria, BC V8V 3B4 [REDACTED]

Wednesday, May 18, 2022

Heather McCloy

3897 hillcrest ave, North Vancouver, BC V7R 4B7 [REDACTED]

Wednesday, May 18, 2022

Julia Christensen

What an incredible offering for Victoria 😊

#107-1025 Suttlej street, Victoria, Bc V8v2v9 [REDACTED]

Wednesday, May 18, 2022

Brett Higson

3697 Quadra st, Victoria, Bc V8x1h5 [REDACTED]

Wednesday, May 18, 2022

Jessica Udal

257 superior street, Victoria, BC V8V 1T4 [REDACTED]

Thursday, May 19, 2022

Melissa Colletet

1800 ch Du domaine Guindon, Sainte-agathe-des-monts, QC J8C 2Z8
[REDACTED]

Thursday, May 19, 2022

Ellen Trottier

What an awesome idea! I have used Nick's sauna boat in Oak Bay and it is such a magical experience. I would love to bring friends and family who visit to experience the beautiful Victoria Harbour in such a unique way :)

806 Linden Ave, Victoria, BC V8V 4G9 [REDACTED]

Thursday, May 19, 2022

Essery Waller

100% the city of Victoria needs this to happen to serve both locals and tourists alike!!

418-1029 View St, Victoria, BC V8v 0c9 [REDACTED]

Thursday, May 19, 2022

Mikaila Rhodes

1757 Richardson St., Victoria, BC V8S 1R8 [REDACTED]

Thursday, May 19, 2022

Cyrus Montazemi

117 st Lawrence st, Victoria, Bc V8v1x7 [REDACTED]

Thursday, May 19, 2022

Maryam Sheikh

117 St Lawrence St, Victoria, BC V8V 1X7 [REDACTED]

Thursday, May 19, 2022

Essery Waller

418-1029 View St, Victoria, BC V8V0C9 [REDACTED]

Thursday, May 19, 2022

Anna Zeitner

23 6200 Spencer road, Kelowna, BC V1X 7T7 [REDACTED]

Thursday, May 19, 2022

Heidi Grantner

#205-640 Michigan St, Victoria, BC V8V 0B7 [REDACTED]

Thursday, May 19, 2022

melody walford

Lets do this!

3312 aldridge st., Victoria, bc v8l 4p8 [REDACTED]

Thursday, May 19, 2022

Lena Zintl

Great project! I would love to see this design coming alive. And I am wondering if it targets mostly on adults or if kids are welcome too.

Fabrikstraße 12a, Freising, Bavaria 85354 [REDACTED]

Friday, May 20, 2022

Jonathan Thau

1120 Richardson St, Victoria, BC V8V3C8 [REDACTED]

Friday, May 20, 2022

Glenn Hill

An amazing opportunity to occupy, animate and contribute to the culture of the inner harbour!

102-5190, Dublin way, Nanaimo, BC V9T0H2 [REDACTED]

Friday, May 20, 2022

Luke Mari

Would love to see this happen!

1839 Fairfield Road, Victoria, BC v8s1g9 [REDACTED]

Friday, May 20, 2022

David Grypma

With the renovations of the BC Museum announced, and other attractions in Victoria harbour dwindling over the years, the City needs to think critically and approve ventures to attract tourists to the area. This project is one of those ventures that could allure tourists via social media, and is a nice amenity to locals too. It's a great looking project and its design fits with its surroundings. As a Victoria resident I strongly support this!

1034 Johnson Street, Unit 602, Victoria, BC V8V 3N7 [REDACTED]

Friday, May 20, 2022

Marc-Antoine Dufault

A-2103 Fernwood Road, Victoria,, BC, Canada V8T [REDACTED]

Friday, May 20, 2022

Ruby Galanida

1237 Rudlin St, Victoria, BC V8V3R8 [REDACTED]

Friday, May 20, 2022

Tara Abraham

3-303 Vancouver Street, Victoria, BC V8V3T2 [REDACTED]

Friday, May 20, 2022

Kaitlin Klimosko

3312 Aldridge Street, Victoria, BC V8P4L8 [REDACTED]

Saturday, May 21, 2022

Mackenzie Farmer

Love this idea and think it would bring much needed tourist interest to the harbour.
Reminds me of the successful Bota spa in Montreal.

2103 Fernwood Rd, Apt A, Victoria, BC V8T2Z1 [REDACTED]

Saturday, May 21, 2022

Robyn Webb

770 Fisgard Street, Suite 607, Victoria, BC V8W 0B8 [REDACTED]

Sunday, May 22, 2022

Mark Williams

Can't wait for this. Amazing idea and great for the community!!

4529 juniper place, Victoria, Bc V8v 2n4 [REDACTED]

Monday, May 23, 2022

Tobias Brandvik

301-530 Michigan Street, Victoria, BC V8V 0G2 [REDACTED]

Monday, May 23, 2022

Alex Harned

425 Simcoe, Victoria, BC V8V 4T3 [REDACTED]

Monday, May 23, 2022

Taylor Burk

5056 lochside drive, Victoria, BC V8Y 2E9 [REDACTED]

Monday, May 23, 2022

Simon Tetley

D-2001, Douglas St, Victoria, Bc V8T4K9 [REDACTED]

Monday, May 23, 2022

Simon Tetley

D-2001, Douglas St, Victoria, Bc V8T4K9 [REDACTED]

Tuesday, May 24, 2022

Amy Hall

1012 Collinson St, Unit 407, Victoria, BC V8V3C1 [REDACTED]

Thursday, May 26, 2022

Audra Csak

A very exciting proposal, especially for locals to enjoy the waterfront! Much needed!

107-536 Herald St, Victoria, BC V8W1S6 [REDACTED]

Thursday, May 26, 2022

Emma Harris

532 Herald Street, 52, Victoria, BC V8W1S6 [REDACTED]

Saturday, May 28, 2022

Jordyn Giesbrecht

1349 Pine Road, PO Box 1271, Ucluelet, BC V0R3A0
[REDACTED]

Sunday, May 29, 2022

Hailie Masters

1031 tattersall drive, Victoria, BC V8X 2X5 [REDACTED]

Sunday, May 29, 2022

Mischa Greig

Yes! I lived in montreal for many years and just looooved Bota Bota. We need one here!!

2708 thompson ave, Victoria, BC V8R3L1 [REDACTED]

Monday, May 30, 2022

Martina Salling

777 Herald St, 1305, Victoria, BC V8T 0C7 [REDACTED]

Monday, May 30, 2022

Howard Wu

3907 Stamboul St., Victoria, BC V8P 4L3 [REDACTED]

Monday, May 30, 2022

Riley Webster

1195 Kings Rd, Victoria, BC V8T 1X6 [REDACTED]

Monday, May 30, 2022

Bjorn Rieder

1138 McClure st, Unit 2, Victoria, BC V8V 3G2 [REDACTED]

Tuesday, May 31, 2022

Nagma Dhillon

3671 Quadra St, VICTORIA, BC V8X1H5 [REDACTED]

Wednesday, June 1, 2022

Alex Pym

1140 Arthur Currie, Victoria, BC V9A7H3 [REDACTED]

Friday, June 3, 2022

Vivian Cheung

777 Fort St, Victoria, BC V8W1G9 [REDACTED]

Tuesday, June 7, 2022

Kait Logue

106-787 Tyee Road, Victoria, BC V9A 7R5 [REDACTED]

Wednesday, June 8, 2022

Eric Gersbacher

Public parks and health services aboard ships will be a promising establishment for linking local main streets with internationally acclaimed mental restoration consumer experiences.

93 Fargo Ave, Buffalo, Ny 14201 [REDACTED]

Saturday, June 11, 2022

Jennifer Kennedy

100 Saghaile road, Apt 101, Victoria, BC V9A0A1 [REDACTED]

Saturday, June 11, 2022

sam chik

950 rockland ave, victoria, bc v8v3h4 [REDACTED]

Sunday, June 12, 2022

Thomas Kennedy

100 Saghalie Rd, 101, Victoria, BC V9A 0A1 [REDACTED]

Sunday, June 12, 2022

Jeff Wright

Great for the port and city to create more vibrancy

12 amber place, Victoria, Bc V9A7A2 [REDACTED]

Tuesday, June 14, 2022

Taylor Watson

9864 Spalding rd, Pender island, Bc VON2m3 [REDACTED]

Thursday, June 16, 2022

Lindsey Walker

Looks like a great spa! I can't wait to experience it

524 falconer place NW, Edmonton, AB T6R3A1 [REDACTED]

Thursday, June 16, 2022

Noah Bodinetz

This looks STUNNING and I am a BIG fan xx

201-1007 Johnson St, Victoria, BC V8V3N8 [REDACTED]

Sunday, June 19, 2022

Adele Bergeret

1302 Gladstone Ave, Victoria, BC V8R1S1 [REDACTED]

Tuesday, June 21, 2022

Stephanie Kot

I love this project:

#1 The design is sophisticated, yet accessible and highly functional. A true compliment to the beauty of the waterfront.

#2 More recreational public spaces are without a doubt needed to connect as a community post-covid.

#3 Most of all: this space is special because it is art in the everyday. Well-being-forward cities make this a priority. As they should.

Thank you. :)

#215 599 Pandora Avenue, Victoria, British Columbia Don't know

[REDACTED]

Wednesday, June 22, 2022

Douglas Peterson

2750 Quadra St 300, Victoria, BC V8X4L1

[REDACTED]

Thursday, June 23, 2022

Sage Lacerte

515 Chatham st, Victoria, BC V8T1E1

[REDACTED]

Sunday, June 26, 2022

Hanna Hatherley

1560 Morley st, Victoria, Bc V8r 2y7

[REDACTED]

Sunday, June 26, 2022

Alex Smith

9 Skebo Lane, Renfrew, ON K7V 3Z8 [REDACTED]

Sunday, June 26, 2022

Max Bakken

This would be such a nice thing to go do downtown in Victoria at night in the rainy months other than going to a restaurant or a bar!

1001 Princess ave, Victoria, BC V8T1K9 [REDACTED]

Sunday, June 26, 2022

Rose Prieto

2-2554, Prior Street, Victoria, BC V8T 3X6 [REDACTED]

Sunday, June 26, 2022

Rachel McKnight

1122 McKenzie st, Victoria, Bc V8V 2w2 [REDACTED]

Monday, June 27, 2022

Clare O'Donnell

Excited for this to be a Victoria activity!

5-1139 McClure St, Victoria, BC V8V3G3 [REDACTED]

Monday, June 27, 2022

Darryl Spreen

525 Broughton Street, Suite 303, Victoria, BC V8W 3E2
[REDACTED]

Monday, June 27, 2022

Amber McIsaac

834 Johnson St, Victoria, BC V8W1M3 [REDACTED]

Monday, June 27, 2022

Saralyn Caughey

151 Quarry Ave, Renfrew, ON K7v2w3 [REDACTED]

Monday, June 27, 2022

Simone Flynn

104-1011 burdett ave, Victoria, BC V8Z3S2 [REDACTED]

Monday, June 27, 2022

Kathryn Talsma

976 humboldt street, Victoria, Bc V8v2z8 [REDACTED]

Monday, June 27, 2022

Jody Morrison

1300 Yates Street, Suite 415, Victoria, BC V8S1Z9 [REDACTED]

Tuesday, June 28, 2022

Chelsie Longacre

1057 collinson street, Victoria, Bc V8v3b9 [REDACTED]

Tuesday, June 28, 2022

Taylor Wilson

A floating spa in the inner harbour may be the best thing to ever come to the city. Not only from a tourism standpoint but also a local standpoint knowing Nick's dedication to culture, art, community driven ventures. This project / dream would be a blessing for the city and the residents of our local communities. Looking forward to winter harbour spa rejuvenation after cold winter surfs and more importantly to see construction begin very soon.

522 quadra street, Victoria, BC v8V3s3 [REDACTED]

Tuesday, June 28, 2022

Andy Jones

This would be an amazing addition to the Victoria harbour!

2285 Mountain Heights drive, Sooke, BC V9z1m4 [REDACTED]

Wednesday, June 29, 2022

Claire Tarnawski

1235 Iyall st, Victoria, BC V9a5g8 [REDACTED]

Thursday, June 30, 2022

Celise Dupas

2490 panorama place, Victoria, Bc V9Y2N3 [REDACTED]

Thursday, June 30, 2022

Kendra Hull

71 gorge road west, Victoria, Bc V9a 1l9 [REDACTED]

Friday, July 1, 2022

Marko Curuvija

Can't wait to see this beautiful idea in our harbour!

415 Raynor Avenue, Victoria, British Columbia V9A 3A7
[REDACTED]

Saturday, July 2, 2022

Carmen Davies

1545 Pandora avenue, #313, Victoria, British Columbia V8R6R1

[REDACTED]

Sunday, July 3, 2022

Bonita Deslaurier

633 raglan st, 633 raglan st s, Renfrew, On K7v1r9

[REDACTED]

Monday, July 4, 2022

Becky Anderson

820 Victoria Avenue, Victoria, British Columbia V8S 4N3

[REDACTED]

Monday, July 4, 2022

Heather Lejeune

407-845 Johnson St., Victoria, BC V8W 0G3

[REDACTED]

Tuesday, July 5, 2022

Jayden Caramia

2500 Blackwood st, Victoria, B.C. V8T3W1 [REDACTED]

Wednesday, July 13, 2022

Carla Beaupre

I think the project looks amazing and beautiful and it's nice to see some unique businesses on our waterfront. The city could use a clean up in the area and this would add something unique and clean to the area. Always in support of growth and change to make things better.

2750 Quadra St, Victoria, BC V8T 4E8 [REDACTED]

Thursday, July 14, 2022

Kendal Wright

Fantastic proposal. Can't wait!

12, Amber, Place, BC V9A 7A2 [REDACTED]

Friday, July 15, 2022

Jamie Gerus

6587 west saanich road, Victoria, Bc V8m 1w8 [REDACTED]

Saturday, July 16, 2022

Calvin Gerus

Awesome!!

6587 West Saanich Rd, Victoria, Bc V8M1W8 [REDACTED]

Monday, July 18, 2022

Adriana Condello

2780 Lincoln rd, Victoria, Bc V8r6a7 [REDACTED]

Friday, July 22, 2022

Lillian Crowder

This looks amazing. Victoria is lacking a spa facility like this and the integration to the harbour is a stunning choice.

3824 Epsom Drive, Victoria, British Columbia V8P3S7
[REDACTED]

Sunday, July 24, 2022

Jon Miseferi

367 Fifth Avenue, Apt 1, Ottawa, ON K1s1b9 [REDACTED]

Monday, July 25, 2022

Leanne Manlapaz

2035 Mable ROAD, Shawnigan Lake, British Columbia V0R2W3
[REDACTED]

Tuesday, July 26, 2022

Malakai Button

3521 savannah ave, Victoria, BC V8X1S6 [REDACTED]

Tuesday, July 26, 2022

Andrea McKittrick

6368 Rodolph rd, Victoria, ON V8L 1J2 [REDACTED]

Thursday, July 28, 2022

Scott Bain

Would love to see this and any other cool spots in Victoria

758 Mountjoy Ave., Victoria, BC V8S4K9 [REDACTED]

Sunday, July 31, 2022

Paul Izenberg

Year round hot/cold water and sauna hubs are a cultural staple in Nordic countries for good reasons. An initiative that takes our province and or capital region in the direction of those countries is something to consider with optimism. I feel that by bringing a service such as Havn to Victoria it will help cultivate a type of cultural and economic growth that is welcomed progress for the regions development.

I am looking forward particularly to the ocean water pool! Great for a dip in the winter.

1643 Tasco Close, Victoria, BC V8N 5P2 [REDACTED]

Tuesday, August 9, 2022

Patrick Cowden

This is great!

3905 grange rd, Victoria, Bc V8z4t6 [REDACTED]

Thursday, August 11, 2022

James Anderson

Great concept by great people! Can't wait to see this come to life and brighten up the inner harbour.

3073 Millgrove St, Victoria, BC V9A 1X4 [REDACTED]

Thursday, August 11, 2022

Jamie Waters

Looks great. I am excited to try it out!

1233 Rockcrest PL, Victoria, BC V9A 4W5 [REDACTED]

Friday, August 12, 2022

Jessica Abrami

I LOVE this idea!!!! I really hope it gets approved. I would get a monthly subscription!

8-1786 Albert ave, Victoria, Bc V8R 1Z1 [REDACTED]

Monday, August 15, 2022

Maureen McAnally

62 Weston Green SW, Calgary, Alberta T3H5E9 [REDACTED]

Sunday, August 21, 2022

Bronte Freeman

2570 fifth st, Victoria, Bc V8t0E2 [REDACTED]

Sunday, August 21, 2022

Freeman Fabrication

2740 rock bay ave, Victoria, Bc V8t4r9 [REDACTED]

Sunday, August 21, 2022

Julia Folk

2570 fifth st, Victoria, Bc V8t0E2 [REDACTED]

Tuesday, August 23, 2022

Jillian Bennett

Let er rip!

204-2512 Douglas St., Victoria, Bc V8T4M1 [REDACTED]

Wednesday, August 24, 2022

Lindsay Harrison

1629 Westlake Road, West Kelowna, BC V1Z 2X9 [REDACTED]

Thursday, August 25, 2022

Jo Drayton

112 Prince Edward Drive, Victoria, Bc V8s2k4 [REDACTED]

Friday, August 26, 2022

Melanie Gagnon

2575 Cook St, Victoria, BC V8T3R8 [REDACTED]

Monday, August 29, 2022

Kyle Bouwknecht

1287 Walnut St, Victoria, BC V8T1N5 [REDACTED]

Thursday, September 8, 2022

Stephen Ennis

This would be an amazing addition to the harbour

1400 quadra st, Victoria, Bc V8w0g4 [REDACTED]

Thursday, September 8, 2022

Michael Ghazarian

4339 Vera Cruz pl, Victoria, Bc V8n 4x1 [REDACTED]

Friday, September 9, 2022

Jamie Pope

2584 graham st, Victoria, BC V8T 3Y7 [REDACTED]

Friday, September 9, 2022

Julien Sterckeman

222 garden rd, Qualicum beach, Bc V9k1r5 [REDACTED]

Friday, September 9, 2022

Stephanie Wood

Hi! I think this is a great idea for a unique and fun tourism opportunity in Victoria. Vic has so many things to offer, but nothing like this. I would definitely check this out if I were visiting Victoria! I like the idea of something different to check out and not the usual tourist options.

1326 Sowden Street, North Vancouver, BC V7P 1L8 [REDACTED]

Friday, September 9, 2022

Carly Mchenry

1152 Johnson st, Victoria, BC V8V3N8 [REDACTED]

Friday, September 9, 2022

Renee Bell

1130 Cortell st, North van, Bc V7p2a4 [REDACTED]

Friday, September 9, 2022

Fraser Murray

1221richardoan st, Victoria, Bc V0n2r0 [REDACTED]

Saturday, September 10, 2022

Jess Ackerman

1020 view st, Victoria, Bc V8v4y4 [REDACTED]

Saturday, September 10, 2022

Laura Gordon

1112 May st, Victoria, Bc V8V2S5 [REDACTED]



ATTN: Miko Betanzo

Senior Planner – Urban Design Sustainable Planning & Community Development
City of Victoria

Dear Miko,

After a thorough consideration and risk assessment, we at Orca Spirit Adventures Ltd would like to officially withdraw our support of the new proposed development by Nicholas Van Buren at 700 Government Street. Our office location at 950 Wharf Street (adjacent to proposed barge at Ship Point North) would be directly affected. We do not support the proposed development for the following reasons:

- i. Inability to pick up passengers with our larger covered vessels at our 950 Wharf Street Harbour Air office location due to insufficient water space between proposed barge and seaplanes
- ii. The distance between the proposed barge and the seaplanes docked would be too narrow for our whale watching boats to safely come and go with guests onboard
- iii. We risk interrupting not only our operation, but Harbour Air Seaplanes operation if our vessels were not the appropriate distance away from a docked seaplane
- iv. The height of the proposed barge completely blocks view of our office location and eliminates all possibilities for advertising to walk by traffic and for our guests to easily locate us. We have been tenants on this dock since 2015, and pay premium moorage and lease rates exactly for these reasons
- v. Insufficient space for dock maintenance, etc. without interrupting our operation
- vi. We would lose the ability to potentially move our larger covered vessel business downtown and to utilize the entire dock on the Northside of Ship Point

Please take our letter seriously as we are the closest business and most affected to this proposed development. If you require any additional information, please reach out to me directly at [REDACTED] or [REDACTED]

Thank you,

John Douglas

Owner/GM of Orca Spirit Adventures

ORCA SPIRIT ADVENTURES LTD.

www.orcaspirit.com | [REDACTED]

Tour Departures | 950 Wharf Street, Victoria, BC V8W 1T3

[REDACTED] | [REDACTED] | [REDACTED]


2022

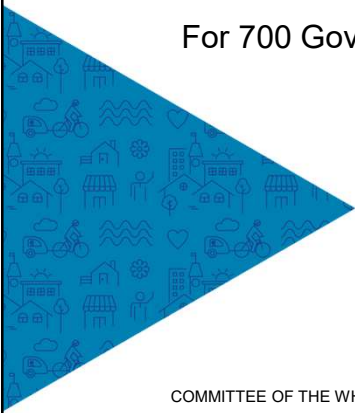
CITY OF VICTORIA | Sustainable Planning & Community Development

Rezoning & Development Permit Application

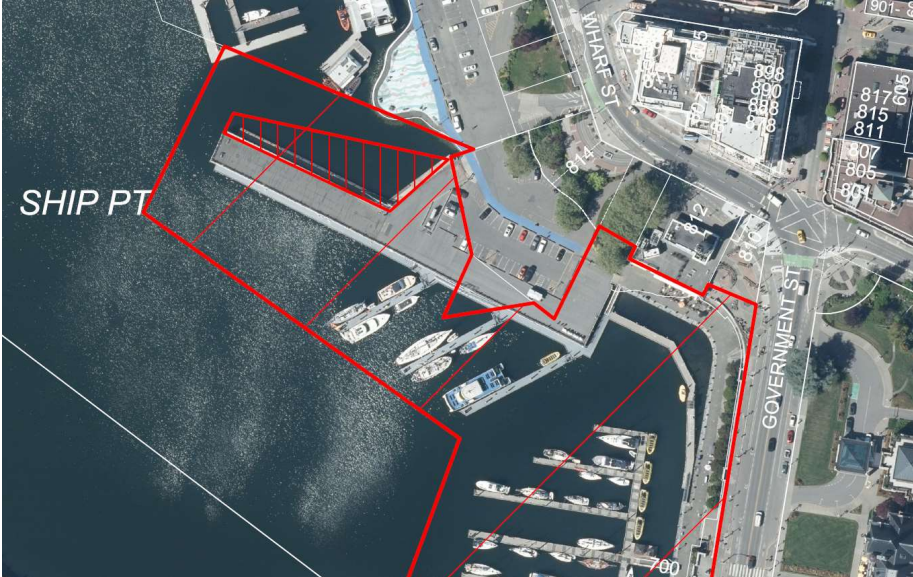
For 700 Government

COMMITTEE OF THE WHOLE | September 29, 2022






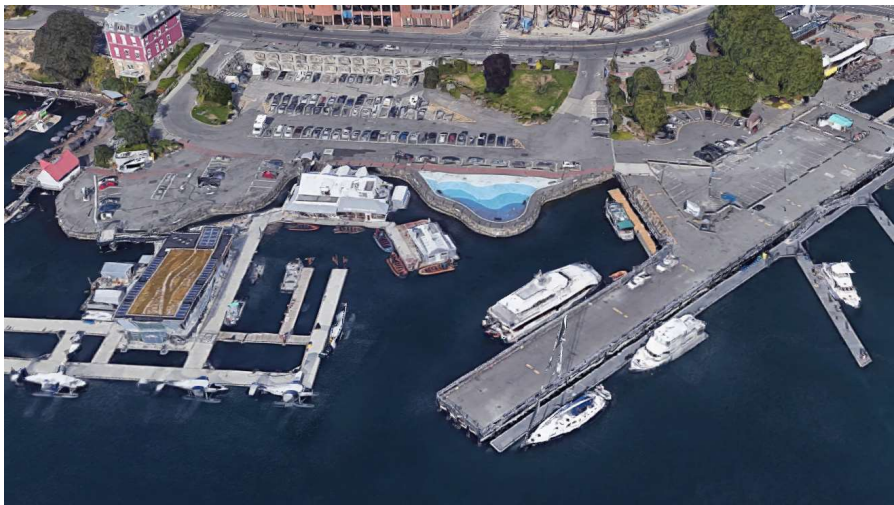
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Aerial Photo



2



**Subject
Property**



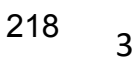
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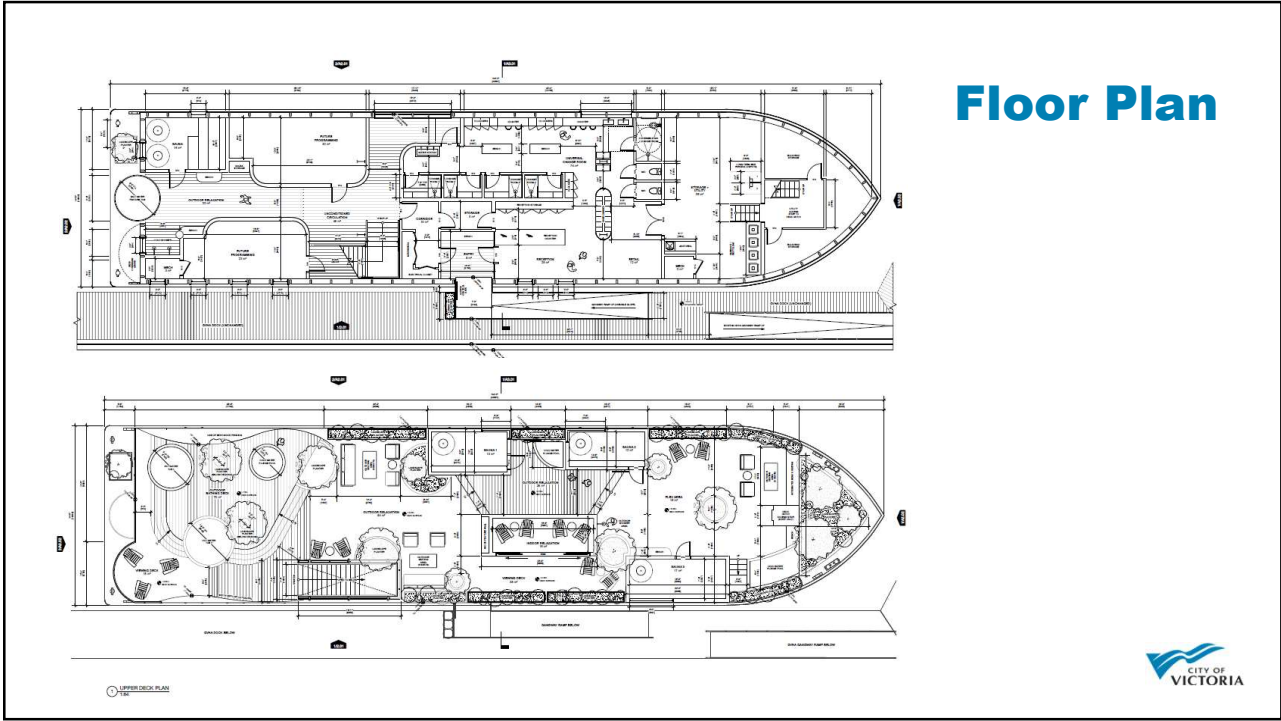


**Neighbouring
Properties**

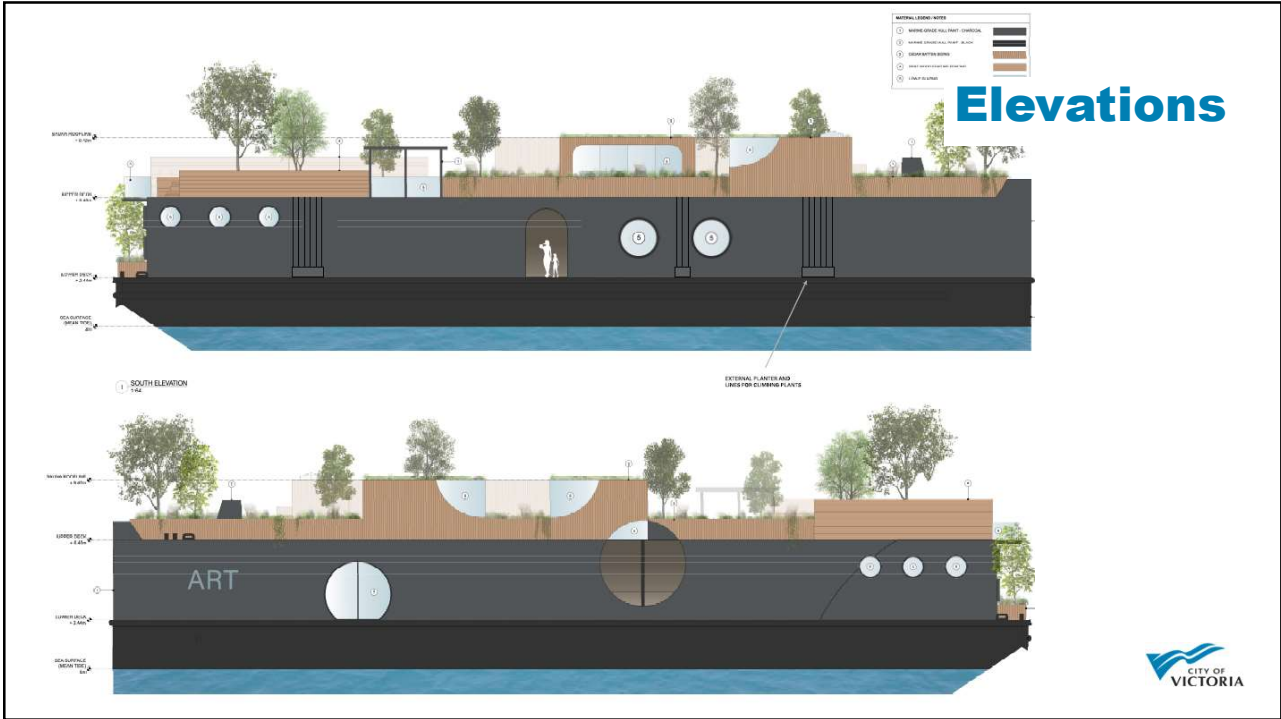


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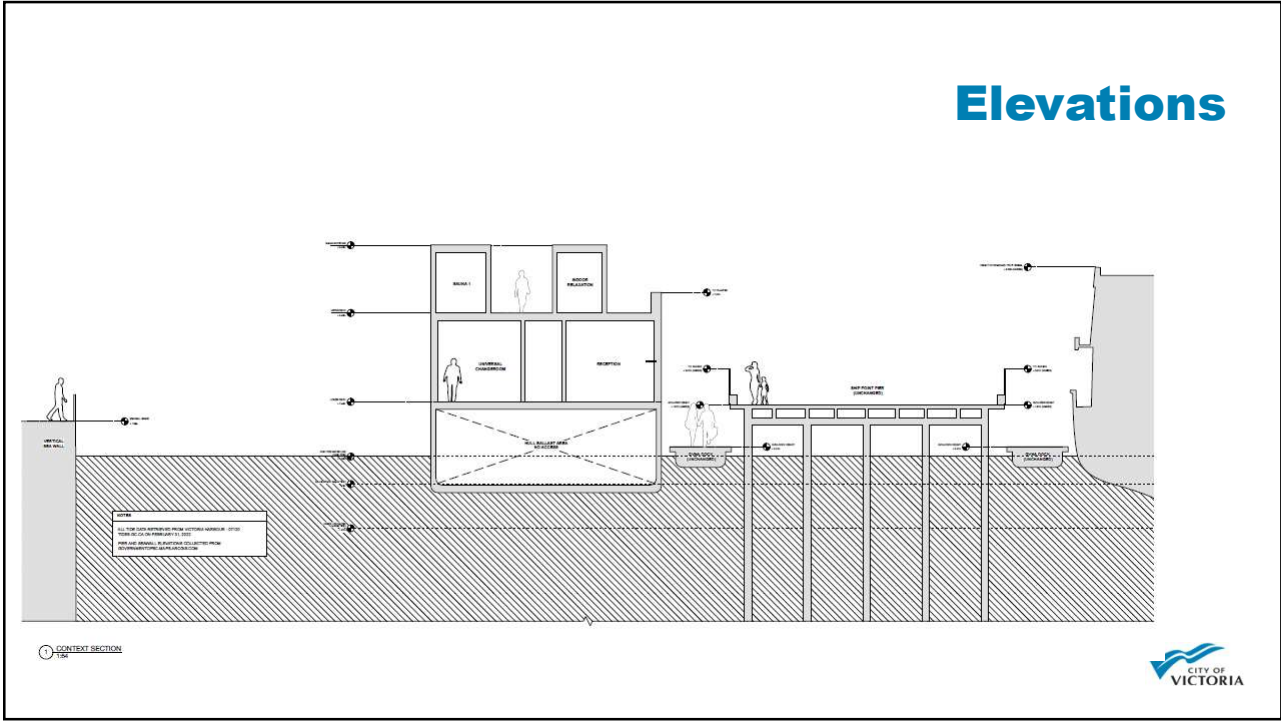




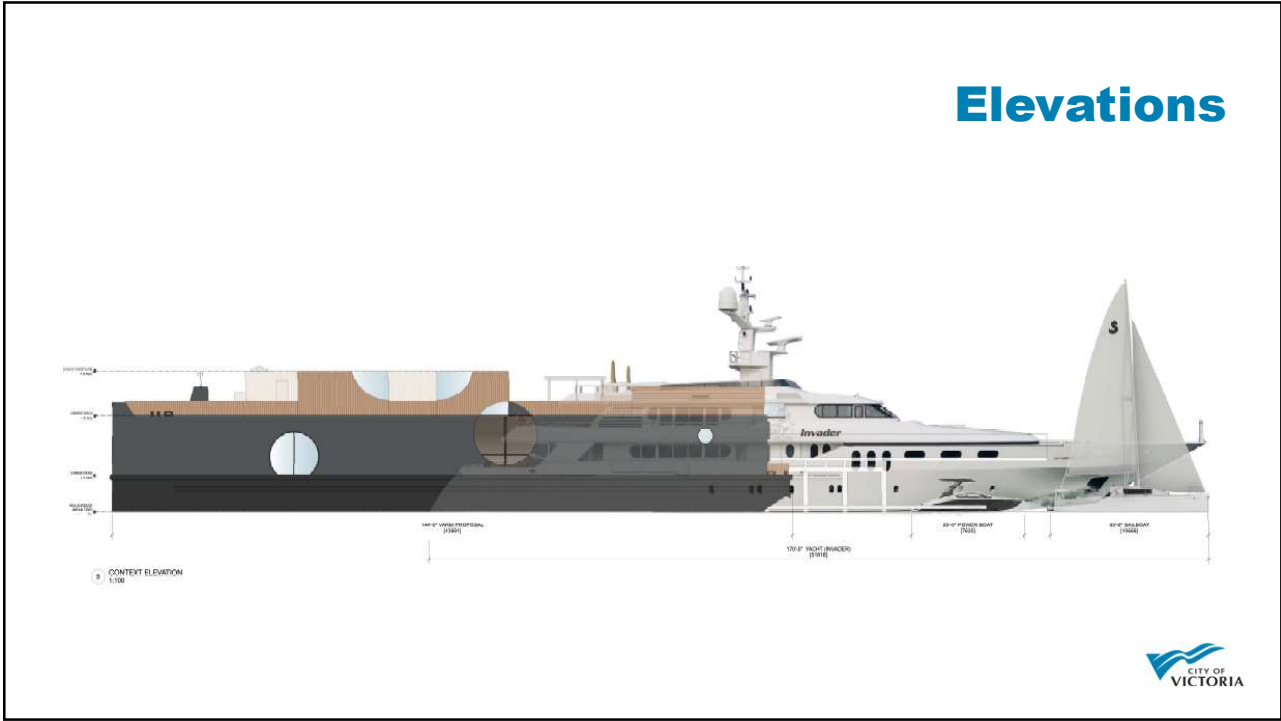
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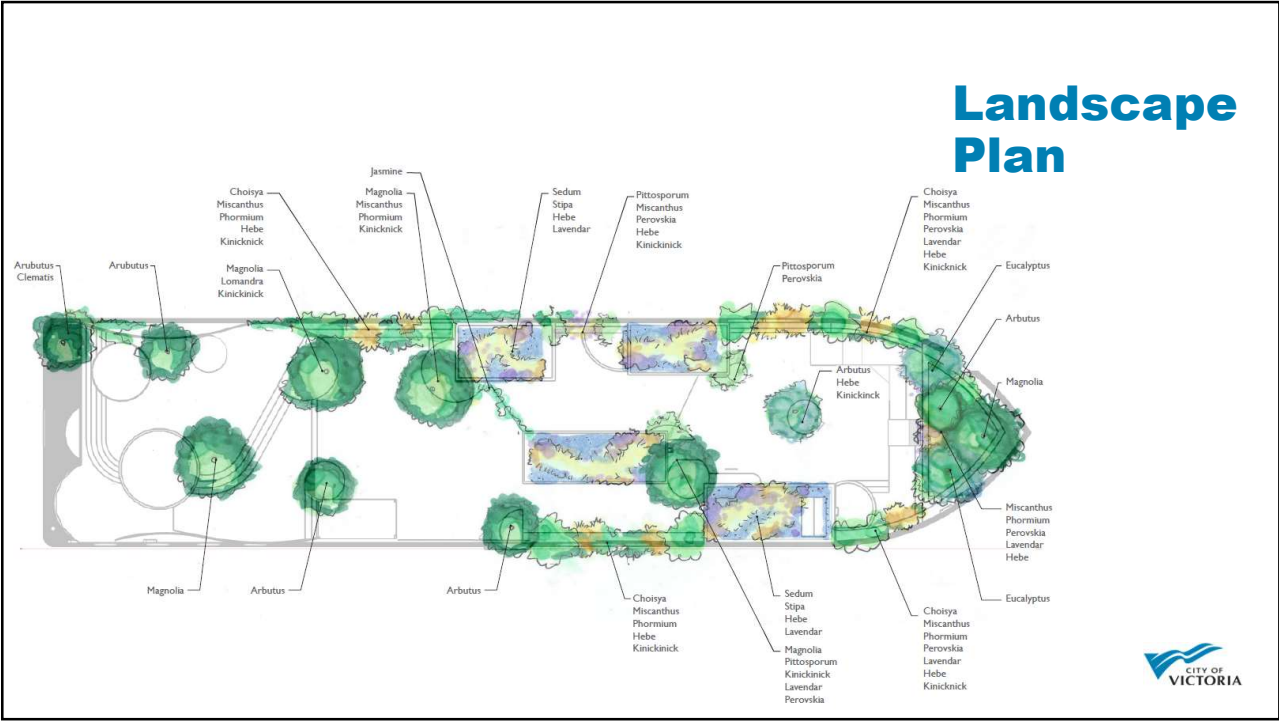
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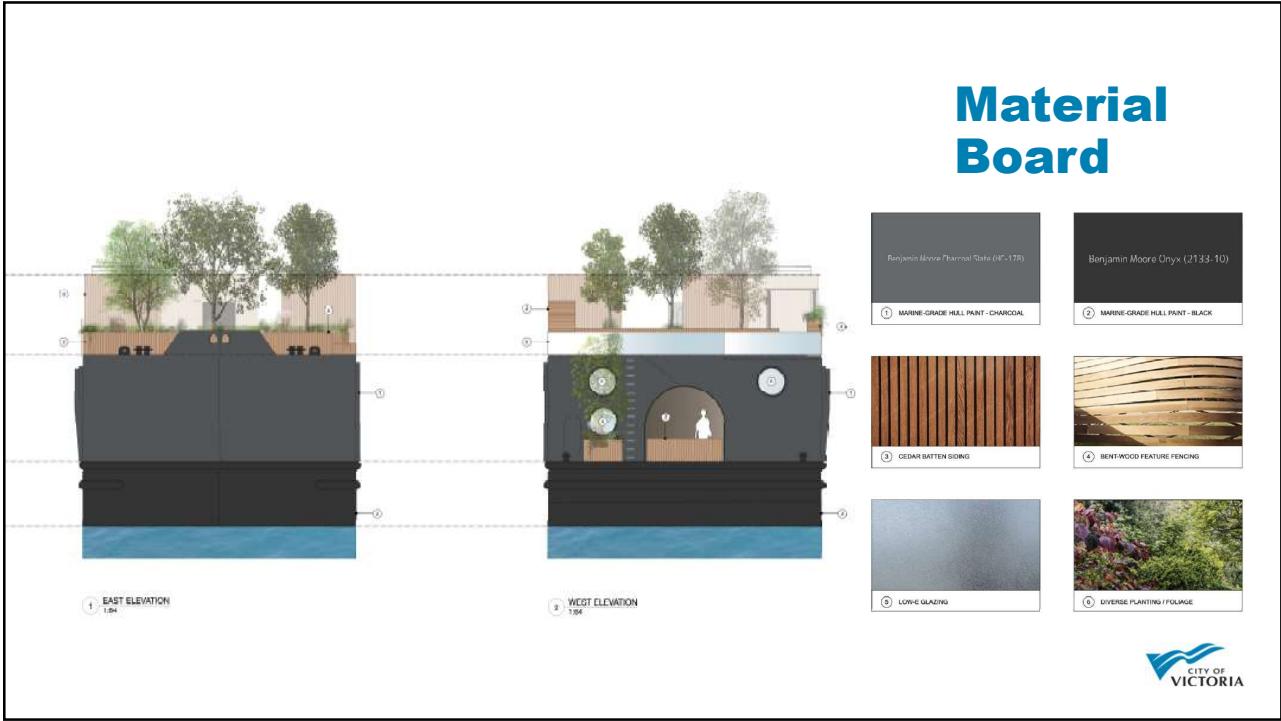
13



14



15



16

[REDACTED]

From: [REDACTED]
Sent: October 3, 2022 3:33 PM
To: [REDACTED]
Subject: FW: 700 Government Street Rezoning - DRA Clarification

From: Ian Sutherland [REDACTED]
Sent: September 29, 2022 1:21 AM
To: Geoff Young (Councillor) <gyoung@victoria.ca>; Ben Isitt (Councillor) <Blisitt@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cThornton-joe@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Marianne Alto (Councillor) <MAalto@victoria.ca>; Sharmarke Dubow (Councillor) <sdubow@victoria.ca>; Sarah Potts (Councillor) <spotts@victoria.ca>; Stephen Andrew (Councillor) <stephen.andrew@victoria.ca>; Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: 700 Government Street Rezoning - DRA Clarification

Dear Mayor and Councillors,

Regarding the CALUC jurisdiction for the application for 700 Government Street, the following statement appears in the report to Council:

The CALUC indicated that they believe the application is outside of their jurisdiction. Staff confirmed that this application is in fact within their jurisdiction, however, the CALUC declined to comment.

Staff initially stated the DRA had jurisdiction for this application. We note that while the application parcel is adjacent to the CALUC boundaries for both Downtown and James Bay, the parcel falls completely outside the boundary of the DRA. Our position is that assuming responsibility for and conducting the CALUC process for a proposal outside our boundaries is contrary to the governing bylaw and our internal policy. While Staff state that they confirmed the DRA has jurisdiction (and I would also assume James Bay has equal jurisdiction) they have not shared any evidence from the bylaw that would confirm this assumption.

It was our suggestion from the beginning of this application many months ago that as this parcel technically does not fall within an existing CALUC boundary and the DRA has no authority to conduct or to waive a public meeting for properties outside our boundaries, that either Staff need to fulfill the obligation and host the public meeting prescribed in the bylaw themselves, or take this issue to Council to authorize the waiving of the public meeting.

Best regards,
Ian Sutherland
Co-Chair DRA Land Use Committee

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Best regards,
Ian Sutherland
Co-Chair DRA Land Use Committee

[REDACTED]

From: Bruce Chambers [REDACTED]
Sent: January 9, 2023 3:01 PM
To: Public Hearings
Subject: Floating Spa at Ship Point COMMENT

Hi,

I am opposed to the proposal by Havn Experiences for a floating spa at Ship Point.

I recently had a look at the structure currently being built at Ogden Point. The hull is of such thin and wavy material, it looks like it's made of construction paper. Aside from the obvious lack of quality, the design is also ill-suited to be anchored at Ship Point. Since the spa is located atop an existing vessel platform, it sits very high above water level. Not only does this give it an ungainly, top-heavy appearance, it also creates a solid grey wall obstructing views across the Inner Harbour. If the upper deck where the spa is located were to be at the same level as the main Ship Point dock, the spa would be more welcoming and approachable, both to customers and harbour sightseers.

I'm not opposed to having a spa at Ship Point. But the water of the Inner Harbour is already heavily crowded with transportation and attractions. We'd be much better off with a spa on dry land.

Thanks for inviting my input.

Bruce Chambers
#103, 280 Douglas Street
Victoria BC V8V 2P2
[REDACTED]



100-1019 Wharf Street, Victoria, BC V8W 2Y9
p: 250.383.8300 | tf: 1-800-883-7079
e: gvha@gvha.ca | w: gvha.ca

January 9, 2023

Mayor and Council
City of Victoria
1 Centennial Square
V8W 1P6

SENT VIA EMAIL: mayorandcouncil@victoria.ca

**RE: DEVELOPMENT PERMIT WITH VARIANCE DPV00199, DP000616 AND REZONING APPLICATION
REZ00813 – 700 GOVERNMENT STREET – HAVN EXPERIENCES LTD. – JANUARY 12, 2023
(PUBLIC HEARING)**

Dear Mayor and Council,

Greater Victoria Harbour Authority (GVHA) is writing to voice its support for the above-mentioned Development Permit and Rezoning Application for 700 Government Street. We have previously submitted a letter of support during the earlier stages of this process and are pleased to voice our support once again as the rezoning goes to Public Hearing on Thursday, January 12, 2023.

GVHA owns the property and water lot at 700 Government Street, commonly known as Ship Point Pier. GVHA supports the work that the City of Victoria has undertaken to develop a revitalization plan for the area (*Ship Point Master Plan*, 2018) and it is our strong belief that the inclusion of HAVN at 700 Government Street meets several objectives of that plan. GVHA believes HAVN provides an exciting opportunity for natural and human ecologies to overlap in an urban setting.

HAVN has secured a water lot license with GVHA to moor their refurbished barge on our property, and will pay market rate rents to do so, which supports GVHA's efforts toward fulfilling our mandate of financial self-sustainability.

The unique experience offered by HAVN is a welcome step towards revitalizing the Inner Harbour and enhancing Downtown vibrancy. By enhancing Ship Point as an inviting, year-round destination, HAVN will host locals and visitors alike, allowing for community connection and active enjoyment of the Inner Harbour. This will encourage foot traffic towards downtown businesses and draw ever more visitors to the waterfront, which can be an introductory learning to ocean systems for curious minds of all ages.

Throughout the concept development, site planning and use negotiations, HAVN Experiences Ltd. and their team have demonstrated an in-depth knowledge of this type of facility, Victoria generally, the economics of their venture, environmental measures, and all other aspects of the project. GVHA is satisfied with the work which has been done to ensure that HAVN's operation will not impede other harbour users, by way of a safety study which was commissioned by HAVN early on in their design process.

We look forward to their successful public hearing and completion of the rezoning process, so that Victoria may welcome HAVN to the Inner Harbour in 2023.

Please do not hesitate to contact the undersigned if you require any further clarification on behalf of the Greater Victoria Harbour Authority.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ian Robertson', is written over a horizontal line.

Ian Robertson, CEO
Greater Victoria Harbour Authority

CC: Mark Crisp, Director, Infrastructure [REDACTED]
Jess Reeves, Contracts Manager [REDACTED]

[REDACTED]

From: Jenn Wong [REDACTED]
Sent: January 9, 2023 3:04 PM
To: Public Hearings
Subject: Support for Havrn Experience Spa

Hello,

I am writing in support of the proposed Havn Experience floating Nordic spa. It'll be a huge draw for tourism and locals alike. I've visited a similar one in Montreal and it was positively delightful! Victoria could use more cultural and wellness experiences that are suitable in the off season.

Thanks for your consideration,
Jenn Wong
[REDACTED]

[REDACTED]

From: Lindsay [REDACTED]
Sent: Monday, January 9, 2023 8:13 PM
To: Public Hearings
Subject: Support of floating spa

Hello,

I'd like to provide feedback for the Public Hearing regarding the floating spa proposed in Victorias Inner Harbor.

I am in full support of this project.

I feel like it will give the harbor another amenity that can be enjoyed by tourists and locals alike.

With kind regards,

Lindsay Hamilton
Real Estate Advisor
Macdonald Realty

Macdonald Realty Ltd.
755 Humboldt Street
Victoria, BC, V8W 1B1
[REDACTED]

This e-mail and any attachments are confidential. If you are not the intended recipient of this e-mail, please immediately delete its contents and notify us. This email was checked for virus contamination before being sent - nevertheless, it is advisable to check for any contamination occurring during transmission. We cannot accept any liability for virus contamination. The information transmitted herein is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. If you received this in error, please contact the sender at [REDACTED] and delete any electronic or hard copies. If you no longer wish to receive email messages from me, please reply to this email with 'unsubscribe' in the subject line.

[REDACTED]

From: [REDACTED]
Sent: Monday, January 9, 2023 7:59 PM
To: Public Hearings
Subject: Downtown Spa

This is an amazing idea. I'm a local who loves the downtown core. I would love to spend a couple hours on a gloomy winter day relaxing in a spa downtown followed by lunch and shopping. I'm always looking for ways to entertain out of town visitors. Bring on the enhanced year round fun and entertainment.

Deidra Macbeth
Esquimalt, BC
30+ year soon to be retired and resident

[REDACTED]

From: RG Persson [REDACTED]
Sent: Monday, January 9, 2023 9:37 PM
To: Public Hearings; Victoria Mayor and Council
Cc: CHEK NEWS
Subject: COMMENT ON SHIP'S POINT SPA APPLICATION

Mayor & Council;

I am writing to express my vehement opposition to the proposal for a barge-mounted spa in the middle of Victoria's unique and unmatched inner harbour. The very idea is abhorrent and when you see this ugly, black, overwhelming "thing" in real life, it is difficult to imagine how anyone could have the audacity to locate it in the middle of the jewel that is Victoria. The artists' conception of this installation is incredibly deceptive. The rendering almost makes the "thing" look like it belongs at Ship's Point. Nothing could be further from the truth and it should be a requirement for every person working on this file to go to Ogden Point and see what it really looks like first hand. It is huge, black and ugly and will dominate the inner harbour from every perspective. Not something to be admired, locals and tourists alike will be shocked when they see how it completely destroys what it is that makes everyone love Victoria.

The fact that the construction is well advanced at Pier A on Ogden Point raises another question that must be asked, and answered, publicly. With news stories implying that this project is some future undertaking that is awaiting council approval for re-zoning, why is it that the developer seems so confident in securing that approval that he has already invested a considerable sum of money in advancing the construction plans and the barge sits at Pier A finished to a point where it is looking very much like it is going to look downtown if the proposal is approved?

Other considerations include whether the city wants another downtown bar on the docks because as sure as night becomes day, when the developer starts running into financial difficulties, the next request will be for a liquor license. And if the business ultimately does not work as planned, what agreements and guarantees are in place to remove this "thing" and where is it going to go? My guess is into the abyss of a bureaucratic and legal battle that will go on for years while the hulk sits with its black paint peeling and becoming an even worse eye sore on Victoria's main tourist attraction with each passing day.

Surely there are more appropriate ways to satisfy the Official Community Plan's desire to make the waterfront more appealing although it is difficult to imagine what that can be since tourists flock here to see the natural harbour and its beauty, not man-made "improvements" on nature. I urge you to vote against this proposal.





Thank you for your consideration

R Gordon Persson

101-20 Douglas St
Victoria BC V8V 2N6



[REDACTED]

From: Catherine Vermette [REDACTED]
Sent: January 10, 2023 5:27 PM
To: Public Hearings
Subject: Floating spa?

With the homeless situation downtown and homeless people everywhere in Victoria, a floating spa? I am ashamed to live here.

[REDACTED]

From: Donna Craig [REDACTED]
Sent: Tuesday, January 10, 2023 6:51 AM
To: Public Hearings
Subject: Spa Barge in Inner Harbour

As a Victoria City resident and taxpayer I'm against the Spa Barge in the Inner Harbour as it is my opinion that it is quite unattractive and also will block views.

Donna Craig
Victoria
Sent from [Mail](#) for Windows

[REDACTED]

From: David Eso [REDACTED]
Sent: January 10, 2023 1:49 PM
To: Public Hearings
Subject: Havn Spa input

Greetings!

I write to lend my full support to Havn Spa's plans to enhance Victoria's inner harbour.

The structure would add a great social, health, and relaxation attraction to our downtown core. With an aquatic theme and full accessibility, the spa seems to me a perfect fit for Victoria. I hope Councilors will agree.

-David Eso, Victoria resident
[REDACTED]

[REDACTED]

From: jrencoo [REDACTED]
Sent: Tuesday, January 10, 2023 6:13 AM
To: Public Hearings
Subject: Floating Barge Spa question

Hello,

For the floating barge spa, where will the used water and toilet waste go? As it is a boat, these generally get dumped into the ocean.

As we just spent millions cleaning up our waste water, I would have for this to counter balance any of those gains.

Thank you,

Sent from my Galaxy

[REDACTED]

From: [REDACTED]
Sent: January 10, 2023 12:59 PM
To: Public Hearings
Subject: Ship point rezoning
Attachments: HAVN brage.jpg

I am very concerned about the rezoning proposal and the HAVN concept.
I read through the application brief carefully. Nowhere does an image of the actual barge/vessel appear in the literature. Only wonderfully stylized graphic concept images.
The barge is currently sitting at Ogden Point. (photo attached). An ugly old barge with sea containers for saunas on top.
It is definitely not going to make an aesthetic contribution to our beautiful harbour.

Regards,

James Webb
Victoria



240

[REDACTED]

From: Victoria Mayor and Council
Sent: January 10, 2023 10:45 AM
To: Public Hearings
Subject: Fw: floating spa
Attachments: hulk.png

From: Miesje Mesha [REDACTED]
Sent: January 10, 2023 9:27 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: re: floating spa

I just saw this marine vessel "floating spa" at Breakwater with a sign saying it's a "Floating Park". Should I assume it would cost zero to walk onboard? or is this a pay to play location? Also how will they make it more visibly pleasing? Currently it's a grey hulk blocking the water view.

That rendering shown on the news last night, is not depicting the true size of this "floating spa" - I think Mayor & council members should drive by Ogden Pt. & have a look at this marine vessel before Thur. council meeting. It may affect your decisions

--

Thank you for your attention to this matter
Miesje Taylor
James Bay Homeowner



[REDACTED]

From: Paul Beddoes [REDACTED]
Sent: January 10, 2023 10:43 AM
To: Public Hearings
Subject: In Support of Havn Floating Spa

Hello,

I am a James Bay resident, at 320 Montreal st, and I support the Havn Experiences floating nordic spa proposed to be in the inner harbour. This would be a unique attraction and local business for our city, which would be well used by tourists in the high season while remaining a relaxing destination for locals throughout the year. Allowing the floating spa would make better, more accessible and more experiential use of the space within the inner harbor, which is currently too often left empty or used for luxury yacht docking - providing little use or experience for locals or tourists.

This proposal is all upside, I cannot really understand what the downside would be compared to the current use of the space. I have seen the structure under construction at the Breakwater, it looks great and would be a nice modern addition to our waterfront.

Please approve this proposal to add a new waterfront attraction to our beautiful city.

Cheers,
Paul Beddoes

[REDACTED]

From: Victoria Mayor and Council
Sent: January 10, 2023 12:27 PM
To: Public Hearings
Subject: FW: COMMENT ON SHIP'S POINT SPA APPLICATION



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

From: RG Persson [REDACTED]
Sent: January 9, 2023 9:37 PM
To: Public Hearings <PublicHearings@victoria.ca>; Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Cc: CHEK NEWS <noreply@cheknews.ca>
Subject: COMMENT ON SHIP'S POINT SPA APPLICATION

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Thank you for your consideration

R Gordon Persson

101-20 Douglas St
Victoria BC V8V 2N6



We respectfully acknowledge the Traditional Territory of the Ləkʷəŋən speaking peoples and that the Songhees and Esquimalt Nations have a historic and ongoing relationship with the harbour. We extend our appreciation to Songhees and Esquimalt Nations as well as the W̱SÁNEĆ peoples for the opportunity to operate our business and live within this vibrant region.

1

700 Government Street

1. Overview
2. Permit Process
3. Details
4. Alignment OCP, DCAP, Ship Point

2

Permit Process - Actions to Date

1	Full council support at COTW, September 29th	➔	8 City Councillors and Mayor of Victoria vote to YES to the application
2	Victoria Advisory Design Panel (ADP)	➔	The ADP support the design with no suggested revisions.
3	GVHA support the proposal and vote YES	➔	The GVHA control of the waterlot where the boat will be located and desirer the application to be approved.
4	Community Support	➔	Support from over 300+ community members and over 20+ businesses.

5

The Boat



6

Accessibility

Harbourfront and Dock Access Considerations

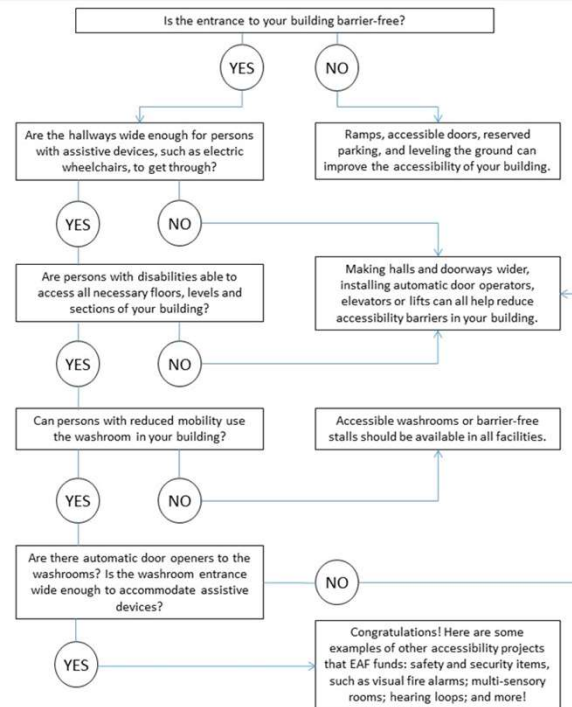
Parking Lot

Ownership & Policy

Ramps & Docks

Point of Entry Site

Source: <https://www.canada.ca/en/employment-social-development/programs/enabling-accessibility-fund/flat-rate-roadmap.html>



7

Safety



8

Alignment OCP, DCAP, Ship Point : Victoria's Vision

2001 Ship Point's revitalization is envisioned

VICTORIA HARBOUR PLAN

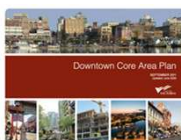


CITY OF VICTORIA
Adopted by Victoria City Council November 1, 2001
Revised August 30, 2012

2014 Concept plans and guiding principles are established



DCAP long term visions of the downtown region are generated



2018 Ship Point Master Plan is completed. **2022** Council requests Ship Point activation ideas



OCP Victoria's 30-year plan, providing direction for growth and change in our community



9

Victoria's Vision

Official Community Plan (OCP)

1. **Encouraging a mix of active shoreline uses** including public recreation, small craft launching and moorage, marine restaurants, pubs and float homes.
2. **Strong Local Communities:** Support and enhance the sense of place and community, and the uniqueness of Victoria's neighbourhoods.
1. **Downtown Vibrancy:** Reinforce the regional role of Downtown Victoria as a vibrant, engaging centre for employment, living, arts, culture, entertainment, tourism, and business.
1. **Community and Economic Development:** Encourage and support businesses and organizations whose purpose is to solve a market failure or to improve social well-being in other ways.

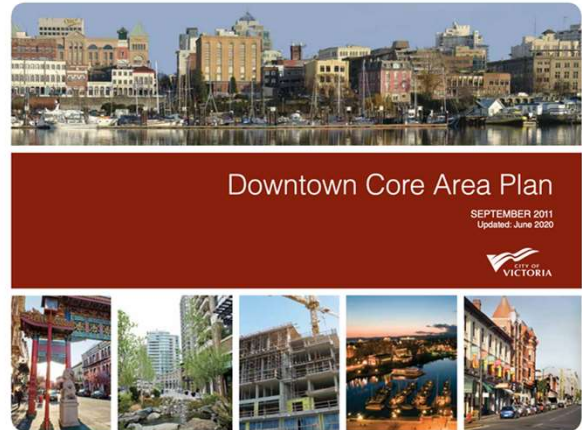


10

Victoria's Vision

Downtown Core Area Plan

1. **Support the location of leisure, education, arts and cultural activities** within the Downtown Core Area to both encourage greater local use and increase tourism and investment.
1. **Support the retention of existing and the development of new, tourist and visitor attractions and facilities** in order to continue to support and increase the number of tourists and visitors to the IHD and surrounding area.
1. **Ensure that new development within the IHD accommodates** uses that contribute to the vitality and economic health of the area.
1. **Support the development or establishment of new visitor attractions** that serve to enhance the prominence of the IHD as a world-class destination.
1. **Work with business, community and agency partners to develop** a broader range of attractions in the Downtown Core Area.



11

Victoria's Vision

Ship Point Master Plan

"When celebrated, the **interface between a community and its waterfront** provide an exciting prospect for natural and human ecologies to overlap and **create the most productive, engaging and vibrant public spaces in the world.**"



12

Community Support



15

Summary

- ✓ Supported by business organization
- ✓ Supported by local residents
- ✓ Aligned with City of Victoria's community values and visions
- ✓ Supported by all former council
- ✓ Supported by ADP
- ✓ Supported by GVHA
- ✓ Safety requirements met

16

Additional Slides

17

Social Responsibility

We are focused on meeting the highest sustainability standards available today, setting the bar for future development of the inner harbour.

- Energy Efficient
- Building Material Reuses
- Transportation
- Urban Forest
- Partnered with Synergy to meet business objectives towards sustainable construction



18

Community Benefits

1) Economic recovery and development year round

Living Wage Employer, 20+ new jobs. Reactivate and animate Victoria's downtown cores, main streets, and business districts through activities, public art, and mixed-use spaces.

1) Increase in local tourism

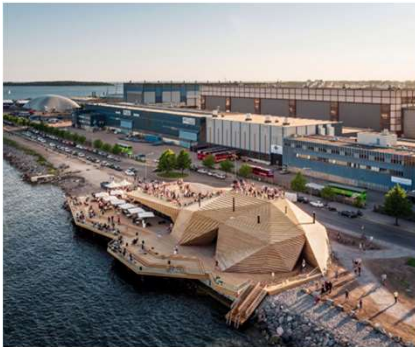
Integrate healthy and active shoreline uses into Victoria's Inner Harbour, connecting businesses, residents, visitors, and other community members in ways not currently available in Victoria.

1) Enhanced reputation as a destination

Building a recreational space like this would enhance Victoria's reputation as a destination that offers a range of high-quality amenities.

19

Global and National Examples



1. Helsinki, Loyly



2. Montreal, Canada



3. Oslo, Finland



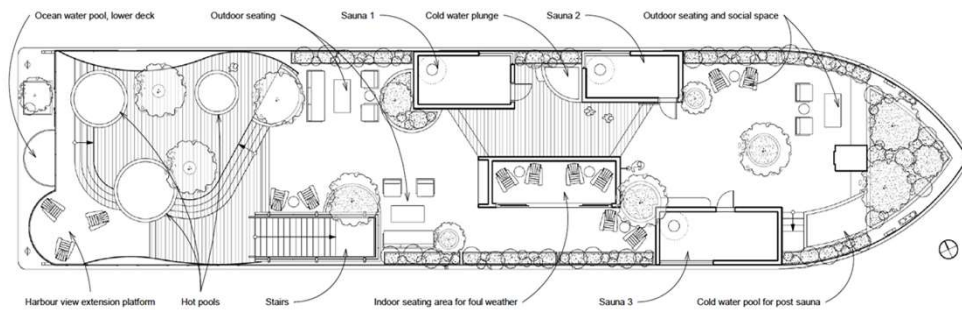
4. Gothenburg, Sweden

20

Facility Design

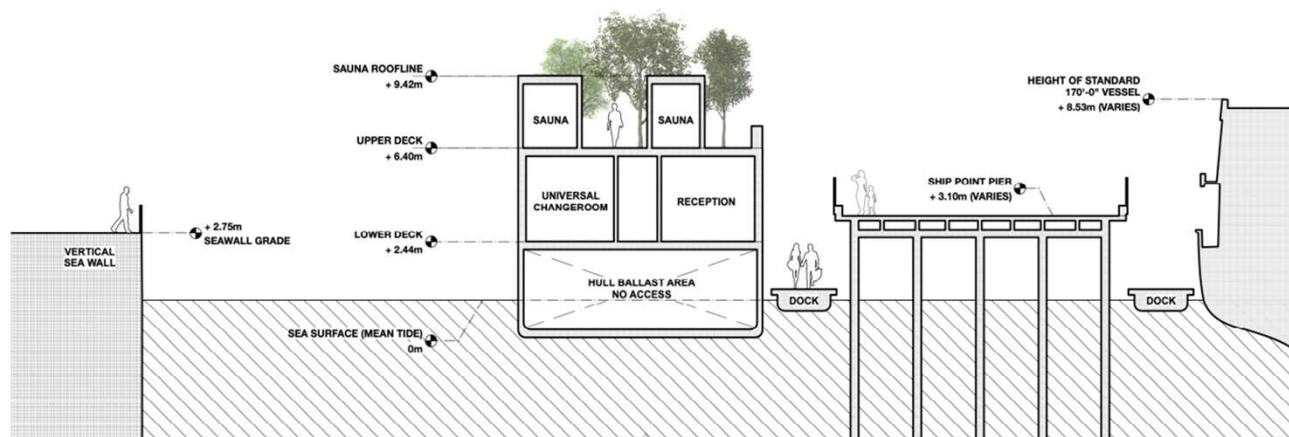
The space has been designed to be used year-round with facilities that include;

- 4 saunas
- 2 hot pools
- 2 freshwater cold pools
- Outdoor and indoor spaces to relax and socialize
- Flex spaces for special event programming such as music and speaker series



21

Facility Design



22

[REDACTED]

From: Anna Bunce [REDACTED]
Sent: January 12, 2023 9:55 AM
To: Public Hearings
Subject: Jan 12: HAVN Sauna Hearing

Dear Mayor and Council,

I would like to strongly support HAVN Sauna's proposal. I'd like to note I have no relation to anyone associated with this project, but am a citizen who has seen first hand the positive impact of a very similar business in downtown Montreal called [BotaBota](#). BotaBota (a ferry boat converted into a floating spa) opened in Montreal's Old Port which is a historic neighbourhood along the St. Laurence popular with tourists and community members alike and is quite similar to downtown Victoria. BotaBota turned an underused and honestly derelict area of the waterfront into a used and beautiful space. The spa was wonderful and priced at a point where it was affordable for me to enjoy during the 8 years I was living in Montreal as a student and young professional. I watched it grow and 13 years later it has expanded and continues to be an incredibly popular business that I visit whenever I'm able to visit Montreal.

This is a business that will be enjoyed by community members and tourists alike. It's unique to the West Coast and the floating boat will offer gorgeous views of the inner harbour. I'm excited to see this developed in our community and uses space creatively without taking up land that could be used for housing.

I am fully in support of this and hope it will be approved by Mayor and Council. If it is I'll be one of the first people on board, bathing suit and towel in hand.

Thank you for your consideration,
Anna Bunce

--

[REDACTED]

twitter: [@AnnaBunce](#)

[REDACTED]

From: Alex Nagel [REDACTED]
Sent: January 12, 2023 1:40 PM
To: Public Hearings
Subject: HAVN Sauna support

Hi there,

I'm Alex Nagel and we relocated to the City of Victoria from Toronto in 2014. I run a tight-knit industrial design firm on Fort St downtown and wholeheartedly support efforts to better utilize our waterfront.

Projects like HAVN's proposal that promote wellness and increase foot traffic in the harbour are vital attractions to support local businesses and show off what makes Victoria a unique world-class city.

This is not only the city we decided to start our design firm in 2018, but where my spouse and I have started a family. We love this city and the vibrancy of our downtown, but there are lots of untapped opportunities in the inner harbour.

As a local business owner, I am in full support of the petition to rezone bylaws to permit the use of docks for floating saunas and recreational use. The potential for increased tourism and revenue makes this a smart move for the city!

Thank you,
A

Alex Nagel
ANCORD Design Co | <https://ancorddesign.co>

[REDACTED]

From: Victoria Mayor and Council
Sent: January 12, 2023 11:42 AM
To: Public Hearings
Subject: Fw: Rezoning No. 00813 - HVAN

From: Bob June [REDACTED]
Sent: January 12, 2023 11:21 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>; Development Services email inquiries <DevelopmentServices@victoria.ca>
Subject: re: Rezoning No. 00813 - HVAN

Application Rezoning No. 00813 must be declined.

The usage does not fall within the established parameters, Part 8.15 of IHSS Zone which are primarily temporary structures or docking. This is not temporary and reduces public or commercial docking access.

The IHSS Zone is to provide public and commercial docking giving ambience and vitality to the inner harbour, activity support local business, and provide a clearly nautical ambience. Other activities are clearly defined as “temporary”.

The building will block viewscales.

If the project is not successful there is the danger of having a large derelict scow abandoned in the inner harbour with potential difficulty in finding appropriate avenue for removal.

Bob June
1310 Manor Road.

[REDACTED]

From: Chad Neufeld [REDACTED]
Sent: January 12, 2023 10:03 AM
To: Public Hearings
Subject: Public Consultation on Harbour Rezoning

To whom it may concern,

My name is Chad and I live in Calgary. I intend to travel to Victoria and would like to express my support for Havn Saunas to be in the Victoria Harbour. I strongly support the rezoning of the dock so Havn can moor the barge in the harbour. An aesthetically beautiful space that can create small business jobs and provide a new experience for locals and tourists seems significantly more positive for Victoria than utilizing the dock for the private yachts of the rich. A wellness business of this kind will be beneficial for locals as well as for tourism.

Thank you for your consideration,



Chad Neufeld | Sr. Product Marketing Manager | [Benevity, Inc.](#)

[REDACTED]
he/him | Personally situated on Treaty 7 territory | [Help Change the World](#)

[REDACTED]

From: Doris Murphy Dunlop [REDACTED]
Sent: January 12, 2023 10:04 AM
To: Public Hearings
Subject: HAVN supporter

To whom it may concern,

My name is Doris Murphy Dunlop and I live in Calgary, AB. I intend to travel to Victoria and would like to express my support for Havn Saunas to be in the Victoria Harbour. I strongly support the rezoning of the dock so Havn can moor the barge in the harbour. A wellness business of this kind will be beneficial for locals as well as for tourism.

Thank you for your consideration,

Dmd

January 11, 2023

Legislative Services,
#1, Centennial Square,
Victoria, BC V8W 1P6
publichearings@victoria.ca

RE: Public Hearing re Zoning Regulation No. 22-094 and Development Permit No. 000616

Dear Victoria City Council,

I am writing **in support** of the rezoning of the IHSS Zone to allow for “recreational use” and for the development permit of a floating sauna, called **HAVN Saunas**, at Ship Point.

I have lived in the Capital Regional District for 8 years and have been visiting Victoria for over 50 years. As a **professor of sustainability and sustainability education**, I have taught at various universities across Canada, and now am an Honorary Professor with the Institute of Sustainable Futures, University of Technology Sydney (Australia). I have been working on the citizen’s committee for Climate Action in association with the municipality of the District of Sooke for the past two years, including a focus on climate education.

In my teaching and writing, I am always looking for examples of **innovative practices and designs that achieve synchronous sustainability ends**: including community economic development with walkable and engaging public spaces; promoting the blending of social/mental/physical health and wellbeing with attention to inclusion, access, and safety; generating jobs and attracting year-round tourism that involve secondary small, local businesses on an ongoing basis; refurbishing existing or found materials to create a circular and low carbon economy; and celebrating and protecting the ecology of the beautiful CRD including adding green cover while ensuring a low impact operation. In studying the HAVN proposal in detail, **it is clear that HAVN Saunas meets all these synchronous ends**.

I am familiar with Mr. Van Buren’s **craftsmanship** and his **aesthetic design capability**. From what I see, the renderings likely do not do justice to the beauty of his design and workmanship, particularly in wood, and his commitment to energy and water efficiency and conservation as well as other aspects of sustainability. I love the location in Ship Point and only see it enhancing all current businesses and local events in the area. For these reasons, **I highly support** the changes in zoning and the development permit to enable the addition of this unique floating sauna for Victoria’s inner harbour.

Dr. Elizabeth A Lange, PhD
Honorary and Adjunct Fellow
Institute for Sustainable Futures
University of Technology Sydney
isf.uts.edu.au

<https://www.elizabethlange.ca>

[REDACTED]

From: Victoria Mayor and Council
Sent: January 12, 2023 10:35 AM
To: Public Hearings
Subject: Fw: Sauna Barge

From: Lynne Hill Ferguson [REDACTED]
Sent: January 12, 2023 10:29 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Sauna Barge

Dear Mayor Alto and City Councillors,

I am unable to attend the public hearing this evening on the proposed Sauna Barge for the inner harbour. I can see no valuable contribution to be made to the inner harbour by this structurally monolithic, narrow scope concept.

Please ask yourselves the following questions:

Will this structure enhance the inner harbour, or will it be visual pollution? No amount of greenery on its roof can alter the basic monolithic structure that it is.

Do saunas really address the larger population and its interests?

Is there perhaps not a more appropriate development possible? Perhaps a floating maritime or historical museum? Or perhaps a large permanent floating platform, that could be used for music performances?

While development of the inner harbour, by necessity, involves on going economic factors, surely the city can opt for some patience and wait for a project that is more creative and aesthetically appealing, than a floating sauna.

As a city, Victoria is blessed with one of the world's most accessible and beautiful harbours. I sincerely hope the city does not approve this Sauna Barge, which would be a bight on it.

Yours truly,

Lynne Hill
Victoria

Sent from my iPad

[REDACTED]

From: Lisa Lackmanec [REDACTED]
Sent: January 12, 2023 10:17 AM
To: Public Hearings
Subject: Victoria harbour

My name is Lisa and I live in Calgary, Alberta. I intend to travel to Victoria and would like to express my support for Havn Saunas to be in the Victoria Harbour. I strongly support the rezoning of the dock so Havn can moor the barge in the harbour. A wellness business of this kind will be beneficial for locals as well as for tourism.

Thank you for your consideration,
Lisa

Lisa Lackmanec she/her 🌻
[REDACTED]

[REDACTED]

From: Lauren Scott [REDACTED]
Sent: January 12, 2023 10:34 AM
To: Public Hearings
Subject: HAVN Saunas / dock re-zoning

To whom it may concern, My name is Lauren Scott and I live in Victoria. I would like to express my support for Havn Saunas to be in the Victoria Harbour. I strongly support the rezoning of the dock so Havn can moor the barge in the harbour. A wellness business of this kind will be beneficial for locals as well as for tourism. Thank you for your consideration!

Sincerely,
Lauren Scott
Victoria, BC
V8T0A6

[REDACTED]

From: Matthew BusbyOconnor [REDACTED]
Sent: January 12, 2023 9:32 AM
To: Public Hearings
Subject: f1 jan 12

Hi I;m just emailing in my support of F.1 for Jan 12 and the floating recreation development in the Inner Harbour. I think it will greatly benefit the city.

F.1

**700 Government Street: Rezoning Application No. 00813 and Development Permit
Application No. 000616**

THanks

Matthew Busby-O'Connor

[REDACTED]

From: Noal Balint [REDACTED]
Sent: January 11, 2023 5:54 PM
To: Public Hearings
Subject: Support for Havn Saunas

Hello,

I can not be at the session tomorrow, so I am writing to express my support for Nick and his Havn Saunas project.

I live in Victoria and have met Nick on occasion. His sauna debut in Oak Bay is an object of local lore and admiration. This next project is even more ambitious and grand and (best of all) public, and would be a huge benefit to the cultural wellbeing of Victoria (which is currently in decline, I would say)

Thank you,
- Noal

[REDACTED]

From: Nasir Chaudhry [REDACTED]
Sent: January 12, 2023 2:00 PM
To: Public Hearings
Subject: HAVN Saunas Public Hearing - Written Comments Submission

Dear Council,

My name is Nas Chaudhry and I would like to begin by stating that I support HAVN Saunas.

I think HAVN is a very unique idea for a health and wellness establishment. For someone who lives in Gordon Head and loves to spend time downtown, having an establishment like HAVN is the perfect motivator to get out when you are tired of all the alternatives. To be Frank, Victoria is severely lacking alternative things to do.

Furthermore, having a health and wellness facility situated in Victoria's inner harbour is the perfect location as the serenity of our city's waterfront will add to the therapeutic experience of HAVN. In addition, HAVN would be accessible to many people from all neighboring communities. Having a health and wellness center should not undermined as mental health issues are rising in our society.

I think HAVN will be a great for our community and the unique nature of this establishment will also be attractive to tourists.

Sincerely,

Nas Chaudhry

[REDACTED]

From: Saskia Knight [REDACTED]
Sent: January 12, 2023 12:52 PM
To: Public Hearings
Subject: Havn Saunas

Hi there,

My name is Saskia Knight and I live in Calgary. My parents live in Victoria and I visit them often. I would like to express my support for Havn Saunas to be in the Victoria Harbour. I strongly support the rezoning of the dock so Havn can moor the barge in the harbour. A wellness business of this kind will be beneficial for locals as well as for tourism. Thank you for your consideration.

Best,

Saskia

Saskia Knight
[REDACTED]

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw for a portion of land known as 700 Government Street in the IHSS Zone, Inner Harbour Ship Point South District, to create a new zone to allow “recreational facility” uses and to remove parking requirements.

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

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1290)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended:
 - (a) by adding the words “Part 8.30 IHSR Inner Harbour Ship Point Recreation District” in the table of contents in Schedule B after Part 8.29; and
 - (b) by adding the provisions contained in Schedule 1 of this Bylaw after Part 8.29.
- 3 A portion of the land known as 700 Government Street, legally described as PID: 025-392-573 Lot A of the Bed of Victoria Harbour Victoria District Plan VIP73552 and shown hatched on the attached map, is removed from the IHSS Zone, Inner Harbour Ship Point South District, and placed in the IHSR Zone, Inner Harbour Ship Point Recreation District.

READ A FIRST TIME the	24th	day of	November	2022
READ A SECOND TIME the	24th	day of	November	2022
Public hearing held on the		day of		2022
READ A THIRD TIME the		day of		2022
ADOPTED on the		day of		2022

CITY CLERK

MAYOR

PART 8.30 – IHSR ZONE, INNER HARBOUR SHIP POINT RECREATION DISTRICT

8.30.1 Permitted Uses in this Zone

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

- a. Uses permitted in the IHSS Zone, Inner Harbour Ship Point South District, subject to the regulations set out in Part 8.15 of the Zoning Regulation Bylaw except vehicle and parking regulations which are subject to this zone.
- b. Recreation Facility

8.30.2 Height

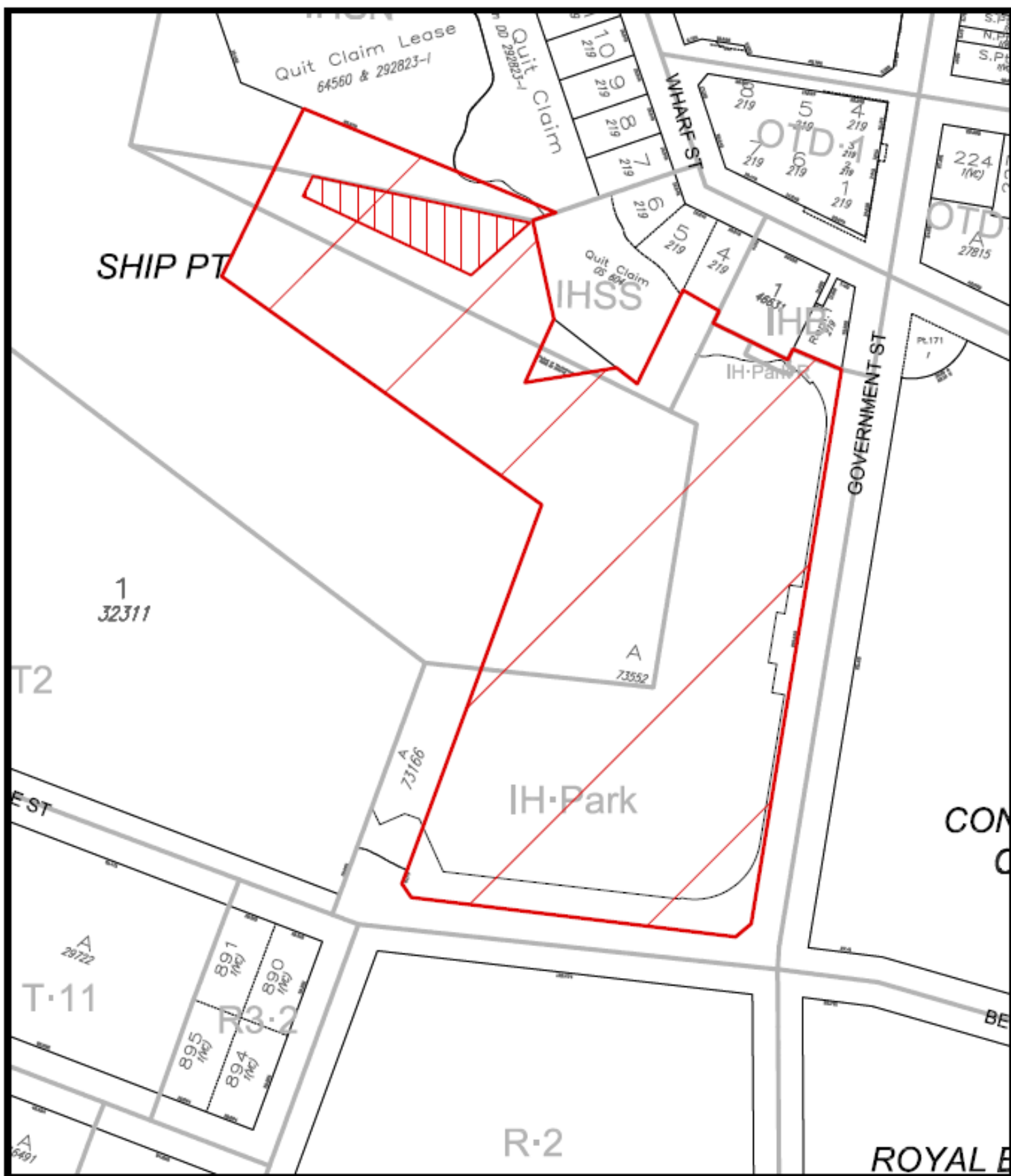
Height (maximum) (geodetic)	10m
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8.30.3 Bicycle Parking

Minimum number of <u>Bicycle Parking, Long Term</u> spaces	4
Minimum number of <u>Bicycle Parking, Short Term</u> spaces	8
Dimensions and layout per Schedule C	

8.30.4 Vehicle Parking

- a. The provisions of Schedule C do not apply in this zone.



700 Government St. (close to 814 Wharf St.)
Rezoning No.00813



F.1 Bylaw for 680 Montreal Street: Rezoning Application No. 00792

Moved By Councillor Coleman

Seconded By Councillor Dell

That second reading of the following bylaw **be rescinded**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1285) No. 22-077

CARRIED UNANIMOUSLY

Moved By Councillor Coleman

Seconded By Councillor Dell

That Bylaw No. 22-077 **be amended as follows**:

1. in the purpose statement, repeal the bullet beginning with “rezoning land known as” in its entirety and replace it with the following:
“• rezoning land known as 680 Montreal Street to the T-26 Zone, Laurel Point District, from the C-4H Zone, Harbour Activity District, the M-2 Zone, Light Industrial District, and the IH-Park Zone, Inner Harbour Parks and Causeway District.”;
2. in section 4, strike out “both”; and
3. in section 4, immediately after “C-4H Zone, Harbour Activity District,” insert “the IH-Park Zone, Inner Harbour Parks and Causeway District,”

CARRIED UNANIMOUSLY

Moved By Councillor Coleman

Seconded By Councillor Dell

That the following bylaw **be given second reading as amended**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1285) No. 22-077

CARRIED UNANIMOUSLY



Council Report

For the Meeting of December 1, 2022

To: Council **Date:** November 3, 2022

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

Subject: Update Report for Rezoning Application No. 00792 for 680 Montreal Street

RECOMMENDATION

That Council:

1. Rescind 2nd reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1285), No. 22-077 (the "Bylaw").
2. Amend the Bylaw as follows:
 - a. in the purpose statement, repeal the bullet beginning with "rezoning land known as" in its entirety and replace it with the following:

"• rezoning land known as 680 Montreal Street to the T-26 Zone, Laurel Point District, from the C-4H Zone, Harbour Activity District, the M-2 Zone, Light Industrial District, and the IH-Park Zone, Inner Harbour Parks and Causeway District.";
 - b. in section 4, strike out "both"; and
 - c. in section 4, immediately after "C-4H Zone, Harbour Activity District," insert "the IH-Park Zone, Inner Harbour Parks and Causeway District,"
3. Give 2nd reading to Bylaw, as amended.

UPDATE

On September 8, 2022, Council gave first and second readings to Rezoning Bylaw No. 22-077 to rezone the property at 680 Montreal Street from the C-4H Zone, Harbour Activity District, and the M-2 Zone, Light Industrial District, to a new zone in order to allow the existing hotel use to continue once the provincially-legislated expiration of the Land Use Contract registered against 680 Montreal occurs on June 30, 2024.

A public hearing was to be held on October 6, 2022 but was cancelled as it was discovered that there was an error in the bylaw and associated public hearing notice. A small portion of the subject property is also within the IH-Park Zone, Inner Harbour Parks & Causeway District, which was not referenced in the original bylaw and notice.

This portion of the subject property that is zoned IH-Park was transferred to the Hotel from the federal government in 2021. Until that time, it was part of the federal foreshore lands and was used by the Hotel by as part of its water garden and associated landscaping. Therefore, the rezoning of the portion of the Hotel property currently zoned IH-Park will not result in the loss of City park land, because the City has not owned nor operated it as such. Furthermore, there is a covenant on the parcel in favour of Transport Canada that requires this portion of the land to be used for purposes of hotel landscape and uses ancillary to the operation of the hotel, so there is unlikely to be a loss in landscaped area should the parcel be redeveloped in the future.

There have not been any changes made to the proposal.

Council will need to rescind second reading of the bylaw, amend the bylaw, and subsequently give second reading to the amended bylaw to proceed with the Public Hearing.

CONCLUSIONS

The recommendation provided for Council's consideration contains the appropriate language to advance this application to a Public Hearing.

Respectfully submitted,

Mike Angrove
Senior Planner – Development Agreements
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Council Report dated August, 25, 2022
- Attachment B: Committee of the Whole Report dated June 2, 2022
- Attachment C: Minutes from Committee of the Whole Meeting dated June 16, 2022
- Attachment D: Proposed Bylaw No. 22-077, as amended
- Attachment E: Blacklined version of the Bylaw



Council Report

For the Meeting of September 8, 2022

To: Council **Date:** August 25, 2022

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

Subject: Update Report for Rezoning Application No. 00792 for 680 Montreal Street

RECOMMENDATION

That Council give first and second reading to Zoning Bylaw Regulation Amendment (Bylaw No. 22-077).

BACKGROUND

The rezoning application for 680 Montreal Street (Laurel Point Inn) to allow the existing hotel use to continue and increase the density and site coverage was considered by Council at the Committee of the Whole meeting on June 16, 2022, and it came before Council on June 30, 2022, where the following resolution was approved:

"That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00792 for 680 Montreal Street, that first and second readings of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once a legal agreement is executed by the applicant to secure an easement over the neighbouring lot at 225 Belleville Street to allow access for users of 680 Montreal Street to the vehicle parking stalls, with the form and contents to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor."

Shadow Study

Committee of the Whole on June 16, 2022 discussed the provision of a shadow study by the applicant to determine the impacts of the shadows of a potential future development on the public park to the north. Although this was not made a requirement, the applicant has provided a shadow study on their own accord. The attached shadow study demonstrates there would be minimal increased impact on the adjacent park.

Parking Easement

A legal agreement has been executed over the adjacent property to allow access for the subject property to 79 vehicle parking stalls within the existing parkade.

Setbacks

Due to the irregular lot shape, the proposed zone would determine setbacks by the cardinal direction in which a yard faces. This removes the complications associated with irregular lot shapes and would not require the applicant to hire a surveyor to create a plan-specific setback map. As noted in the Committee of the Whole report, design guidelines would still regulate the acceptability of setbacks and the impact on the adjacent uses.

CONCLUSIONS

The applicant has fulfilled the conditions from the Council motion on May 6, 2021. The recommendation provided for Council's consideration contains the appropriate language to advance this application to a Public Hearing.

Respectfully submitted,

Mike Angrove
Senior Planner – Development Agreements
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Committee of the Whole Report dated June 2, 2022
- Attachment B: Minutes from Committee of the Whole Meeting dated June 16, 2022
- Attachment C: Shadow Study
- Attachment D: Correspondence
- Attachment E: Bylaw No. 22-077



Committee of the Whole Report For the Meeting of June 16, 2022

To: Committee of the Whole **Date:** June 2, 2022

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

Subject: Rezoning Application No. 00792 for 680 Montreal Street

RECOMMENDATION

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that authorize the proposed development outlined in Rezoning Application No. 00792 for 680 Montreal Street. That first and second readings of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once a legal agreement is executed by the applicant to secure an easement over the neighbouring lot at 225 Belleville Street to allow access for users of 680 Montreal Street to the vehicle parking stalls, with the form and contents to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

LEGISLATIVE AUTHORITY

This report discusses a Rezoning Application. Relevant rezoning considerations include the proposal to increase the permitted density and include a new site coverage regulation in the zoning bylaw.

Enabling Legislation

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 680 Montreal Street. The proposal is to rezone from the C-4H Zone, Harbour Activity District, and the M-2 Zone, Light Industrial District, to a new zone in order to allow the existing hotel use to continue once the provincially-legislated

expiration of the Land Use Contract occurs on June 30, 2024. The applicant is also requesting an increase in density and site coverage over existing conditions, which would allow for a redevelopment of the north wing in the future.

The following points were considered in assessing the Rezoning application:

- The proposal is generally consistent with the Core Inner Harbour/Legislative Urban Place Designation in the *Official Community Plan*, which envisions visitor accommodation as a permitted use
- The proposal is consistent with the *James Bay Neighbourhood Plan*, which identifies the property within the Tourist District and envisions the area to be zoned for hotel uses as a tourist-oriented centre in the City
- The increase in density from the existing 1.27 to 1.60 floor space ratio (FSR) and the increase in site coverage from the existing 45.4% to 60% would allow for a future expansion of the hotel without requiring another rezoning
- The proposed increase in height from 21.5m to 25.25m would be consistent with the existing maximum height of the hotel
- The irregular shaped lot makes determining standard setbacks difficult. The applicant is proposing a site-specific zone that would identify setbacks using a plan, with most setbacks at a minimum of 7.5m but some as low as 0m. A setback would be introduced for heights above 6m and would require the building to step back an additional 30 degrees from the edge of the lower building face
- A Development Permit would be required to ensure compliance with the relevant design guidelines should the applicant proceed with the redevelopment of the north wing in the future
- The vehicle parking that is located on the adjacent property would be legitimized and secured through an easement.

BACKGROUND

Description of Proposal

The subject property located at 680 Montreal Street (Laurel Point Inn) and neighbouring property located at 225 Belleville Street are currently regulated by a Land Use Contract (LUC), which permits the current buildings and uses. On June 30, 2024, all Land Use Contracts in British Columbia will automatically expire. Upon expiration, the site will be subject to two zones, the C-4H Zone, Harbour Activity District, and the M-2 Zone, Light Industrial District, and at that time the hotel building and use would become legally non-conforming. The property owner has proactively applied to rezone the property to a single site-specific zone to ensure the uses and building will continue to be permitted within the *Zoning Regulation Bylaw* upon expiration of the LUC.

As part of the application, the applicant is requesting an increase in density, height and site coverage, as well as the creation of plan-specific setbacks. If the application is forwarded to a Public Hearing, a new site-specific zone would be created that permits the existing hotel use and hotel building. The new zone would also allow for a potential redevelopment of the north wing in the future; however, a Development Permit approved by Council would still be required to ensure compliance with the relevant design guidelines.

Land Use Context

The area is primarily characterized by hotel and multi-unit residential uses. The Inner Harbour and David Foster Walkway surround the property on three sides.



Existing Site Development and Development Potential

The site is presently occupied by the Laurel Point Inn Hotel and is regulated by a Land Use Contract.

The portion of the property under the C-4H Zone, Harbour Activity District, could be developed as a mixed use building up to 11m in height and 2.0 FSR. The portion of the property under the M-2 Zone, Light Industrial District, could be developed as a light industrial building with a height up to 15m and a 3.0 FSR. This Rezoning Application would remove unwanted uses and complexities that occur with the current split zone.

Data Table

The following data table compares the proposal with the standard T-1 Zone, Limited Transient Accommodation District, and the proposed site-specific zone which would be based on the T-1 Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing T-1 Zone.

Zoning Criteria	Existing Conditions	Standard T-1 Zone	Proposed Zone based on Standard T-1 Zone
Site area (m ²) – minimum	11520	1850	11520
Density (Floor Space Ratio) – maximum	1.27*	1.2	1.60
Total floor area (m ²) – maximum	14683	N/A	18432
Height (m)	25.24	21.5	25.25
Site coverage (%) – maximum	45.4*	20	60
Open site space (%) – minimum	44.4	30	30
Setbacks (m) – minimum Lot boundary for structures constructed prior to January 1, 2022 Lot boundary for new structures	 0 N/A	 7.5 7.5	 0 0 to 7.5 (plan-specific) Additional 30° from edge of lower building face for portions of the building above 6m height
Parking – minimum	130	87 (Schedule C)	87 (Schedule C)
Parking location	Front and Side Yard / Neighbouring Property*	Not permitted on neighbouring property	Permitted on neighbouring property
Accessory Building Location	Side Yard (legal non-conforming condition)	Rear Yard	Side Yard

Active Transportation

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

Public Realm

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

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, prior to submission of the application, the proposal was posted on the Development Tracker along with an invitation to complete a comment form on May 21, 2021. Additionally, the applicant participated in a Zoom meeting with the James Bay CALUC on June 9, 2021. A letter dated June 12, 2021, is attached to this report. No feedback was received from the online 30-day comment period.

ANALYSIS

Rezoning Application

Official Community Plan

The property is designated as Core Inner Harbour/Legislative within the *Official Community Plan*, 2012 (OCP), which envisions recreation and tourism-related uses. The OCP also envisions densities of approximately 1.0 FSR, with increased densities of up to 4.0 FSR in strategic locations when accompanied with the advancement of plan objectives. The subject property provides valuable transient accommodation, is a prominent Victoria landmark and is generally consistent with the uses and densities envisioned in the OCP. Furthermore, the proposed zone would require setbacks away from the water as the building increased in height, which would prevent an overbearing building adjacent the public walkway and waterfront.

James Bay Neighbourhood Plan

The property is located within the Tourist District within the *James Bay Neighbourhood Plan*. This district recognizes the importance tourism plays in the local economy and encourages the improvement of tourist amenities in the area. Furthermore, the Plan envisions the area zoned for hotel and motel uses. Therefore, this Rezoning Application is generally consistent with the goals and objectives of the *James Bay Neighbourhood Plan*.

Regulatory Considerations

Parking

The vehicle parking for the hotel use is split between the subject property (8 stalls) and the neighbouring property at 225 Belleville Street (122 stalls). As such, an easement is required to ensure the parking stalls on the neighbouring property remain accessible to the users of the hotel. The requirement to secure an easement has been included in the recommended motion for Council's consideration.

Density and Site Coverage

The proposal is seeking an increase in density from the existing 1.27 to 1.60 floor space ratio (FSR) and an increase in site coverage from the existing 45.4% to 60%, which would allow expansions to the hotel without the requirement for a rezoning. The increased density would permit for an additional 3749m² of floor area, of which approximately 1725m² could be accommodated at-grade given site coverage limitations. 1.60 FSR is still substantially lower than that of the surrounding buildings, and allowing the extra density encourages the ongoing support of local events such as graduations, weddings and conferences, and improvement of tourist serving accommodation by expanding the applicant's ability to renovate and add more rooms and guest serving facilities. The concept images below show the minimal impact a potential

redevelopment of the north wing would have on the neighbouring park. The images are illustrative of one potential option within the proposed zone and are not meant as a specific building design, which instead would be created and presented at a future Development Permit stage.



Figure 1: Current Site Layout



Figure 2: Potential Future Site Layout

Height

The proposal is also seeking to legitimize the current height to eliminate legal non-conforming scenarios in the future and allow for a future expansion to be built to the same height. Therefore, the maximum height would be to increase from 21.5m in the T-1 Zone to 25.25m in the proposed zone, which is the existing height of the hotel. Staff support this increase in height as it is lower than many of the neighbouring buildings and the 30-degree stepback would sculpt the building height to mitigate an overbearing mass adjacent to the park. Again, if the applicant proceeds with an expansion in the future, a Development Permit approved by Council would be required to ensure compliance with the relevant design guidelines. The rendering below demonstrates the potential expansion to the same height of the existing hotel wing to the south.



Figure 3: Conceptual Rendering from the North



Figure 4: Conceptual Rendering from the East

Setbacks

The shape of the lot is irregular, which makes determining setbacks difficult. While the *Zoning Regulation Bylaw* is able to determine setbacks on irregular lots, in this instance it would be easier and clearer to insert a plan into the site-specific zone to determine setbacks. For most of the lot, the setbacks would match the T-1 Zone of 7.5m. However, there are instances where the existing building is legally non-conforming with a 0m setback. A plan-specific setback would allow the setbacks of the existing building to be legitimized while still ensuring that the public park and pathway have enough space to receive light and not be overwhelmed by a potential future expansion. To further ensure the public realm remains unharmed, a stepback would occur at 6m that would require the building to increase the setbacks at a 30° angle from vertical.

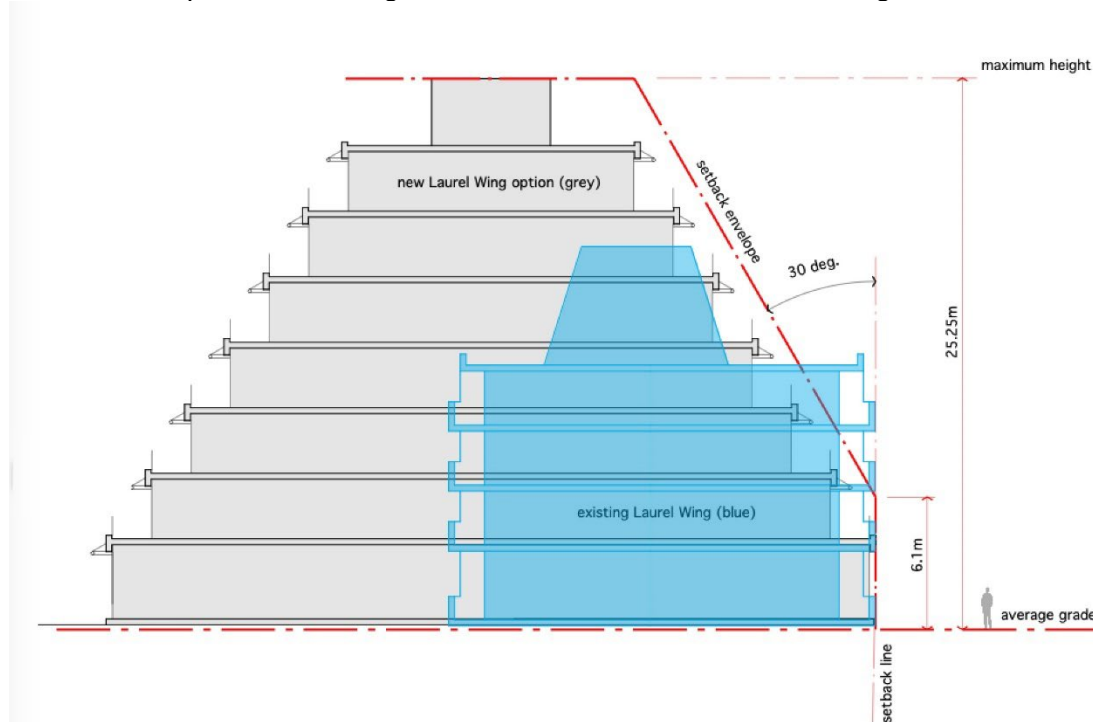


Figure 5: Demonstration of the Stepback at Upper Storeys

Sustainability

As indicated in the applicant's letter dated October 19, 2021, the existing hotel is British Columbia's first carbon neutral hotel. This has been achieved through measures such as geothermal heating and cooling, internal programs to reduce energy consumption and recycle waste, purchasing carbon offsets, and providing bicycle rentals and EV charging.

CONCLUSIONS

The proposal to rezone the property at 680 Montreal Street is consistent with the goals in the OCP and the Tourism District in the *James Bay Neighbourhood Plan*. The location of the parking is an existing condition that is proposed to be formalized as part of this application. Finally, the increase in density, height and site coverage, and changes to setbacks would permit for a redevelopment of the north wing without requiring another rezoning process in the future. Stepbacks at upper storeys would help prevent overwhelming the public park to the north. In addition, an expansion would still be the subject of a Development Permit application to ensure adherence to the design guidelines contained in Development Permit Area 9 (HC): Inner Harbour. Therefore, staff recommend that Council consider supporting the application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00792 for the property located at 680 Montreal Street.

Respectfully submitted,

Mike Angrove
Senior Planner – Development Agreements
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Subject Map
- Attachment B: Plans date stamped April 19, 2022
- Attachment C: Letter from applicant to Mayor and Council dated May 17, 2021, revised May 26, 2022
- Attachment D: Community Association Land Use Committee Comments dated June 12, 2021.

E.1 640 Montreal Street - Development Permit with Variance Application No. 00197 (James Bay)

Council received a report dated June 2, 2022 from the Director of Sustainable Planning & Community Development presenting Council with an application to enclose two patios, and to legalize three enclosed patios.

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

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

"That Council authorize the issuance of Development Permit with Variances Application No. 00197 for 640 Montreal Street, in accordance with:

1. Plans date stamped March 23, 2022.
2. Development meeting all Zoning Regulation Bylaw requirements, except the following variances to the R3-2 Zone, Multiple Dwelling District:
 - i. reduce the rear yard setback from 11.275m to 8.37m.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

NO. 22-077

A BYLAW OF THE CITY OF VICTORIA

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

- creating the T-26 Zone, Laurel Point District, and
- rezoning land known as 680 Montreal Street to the T-26 Zone, Laurel Point District from the C-4H Zone, Harbour Activity District, the M-2 Zone, Light Industrial District and the IH-PARK Zone, Inner Harbour Parks and Causeway District.

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

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1285)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 5 – TRANSIENT ACCOMMODATION ZONES by adding the following words:

“5.26 T-26 Laurel Point District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule “B” after Part 5.25 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 680 Montreal Street, legally described as PID: 031-440-487, Lot 1, District Lots 568, 569, 570, 570A, 571, 580, 581, 582 and 583, Victoria City, and Part of the Bed of Victoria Harbour, Victoria District, Plan EPP107803, and shown hatched on the attached map, is removed from the C-4H Zone, Harbour Activity District, the IH-PARK Zone, Inner Harbour Parks and Causeway District, and the M-2 Zone, Light Industrial District, and placed in the T-26 Zone, Laurel Point District.

READ A FIRST TIME the	day of	2022
READ A SECOND TIME the	day of	2022
RESCINDED SECOND READING the	day of	2022
AMENDED the	day of	2022
READ A SECOND TIME the	day of	2022
Public hearing held on the	day of	2022
READ A THIRD TIME the	day of	2022

ADOPTED on the

day of

2022

CITY CLERK

MAYOR

Schedule 1
PART 5.26 – T-26 ZONE, LAUREL POINT DISTRICT

5.26.1 Permitted Uses in this Zone

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

- a. Transient accommodation;
- b. Transient accommodation accessory uses, including but not limited to tourist or travel agencies, beauty parlours and barber shops, restaurants, and other uses commonly associated with transient accommodation
- c. Accessory Buildings subject to the regulations in Schedule “F”.

5.26.2 Lot Area

- | | |
|------------------------------|---------------------|
| a. <u>Lot area</u> (minimum) | 11520m ² |
|------------------------------|---------------------|

5.26.3 Floor Area, Floor Space Ratio

- | | |
|---------------------------------------|---------------------|
| a. <u>Total floor area</u> (maximum) | 18432m ² |
| b. <u>Floor space ratio</u> (maximum) | 1.6:1 |

5.26.4 Height

- | | |
|-------------------------------------|--------|
| a. <u>Building height</u> (maximum) | 25.25m |
|-------------------------------------|--------|

5.26.5 Setbacks, Projections

- | | |
|-------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| a. <u>Setback</u> for <u>buildings</u> constructed prior to January 1, 2022 (minimum) | 0m |
| b. Notwithstanding section 27 of the General Regulations, <u>setback</u> for all other <u>buildings</u> (minimum) | |
| • North yard | 0m |
| • Northeast yard | 0m |
| • Southeast yard | 7.5m |
| • West yard | 0m |
| • South yard | 7.5m |
| c. Notwithstanding paragraphs a. and b., <u>setback</u> above 6.1m in <u>height</u> (minimum) | An additional 30° from the <u>setback</u> of the <u>building</u> at grade, as illustrated in Schedule A |

Schedule 1
PART 5.26 – T-26 ZONE, LAUREL POINT DISTRICT

5.26.6 Site Coverage, Open Site Space

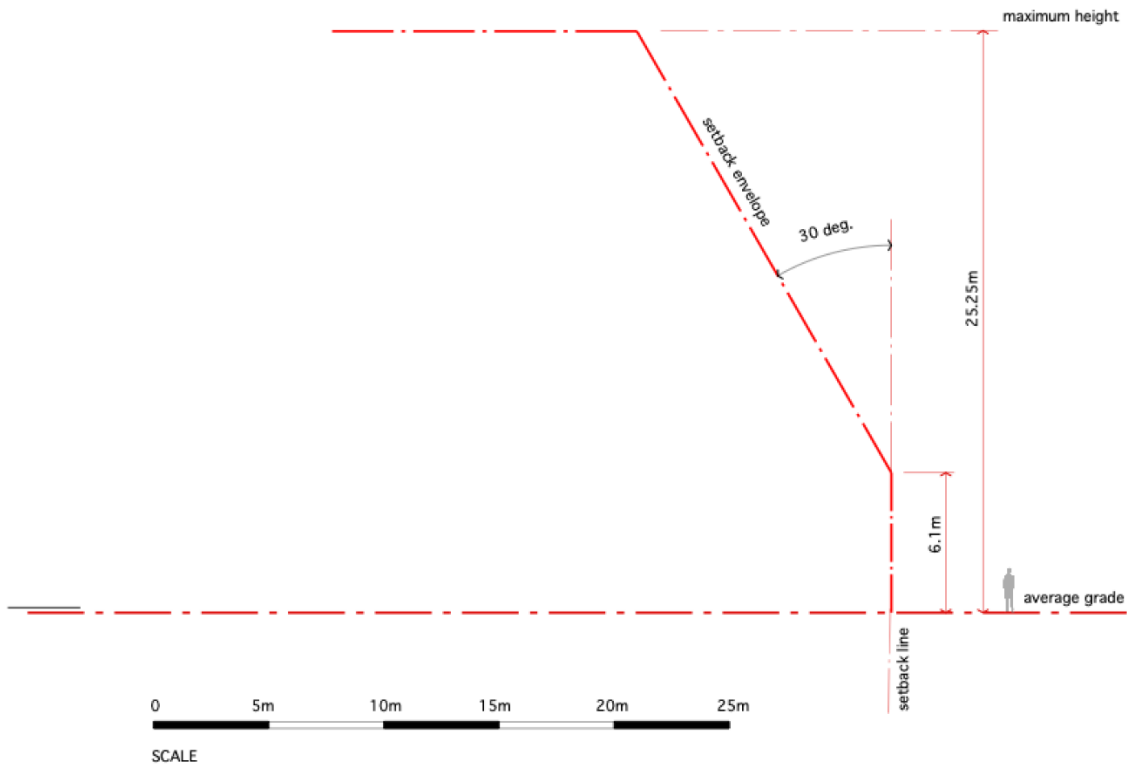
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|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 60% |
| b. <u>Open site space</u> (minimum) | 30% |

5.26.7 Vehicle and Bicycle Parking

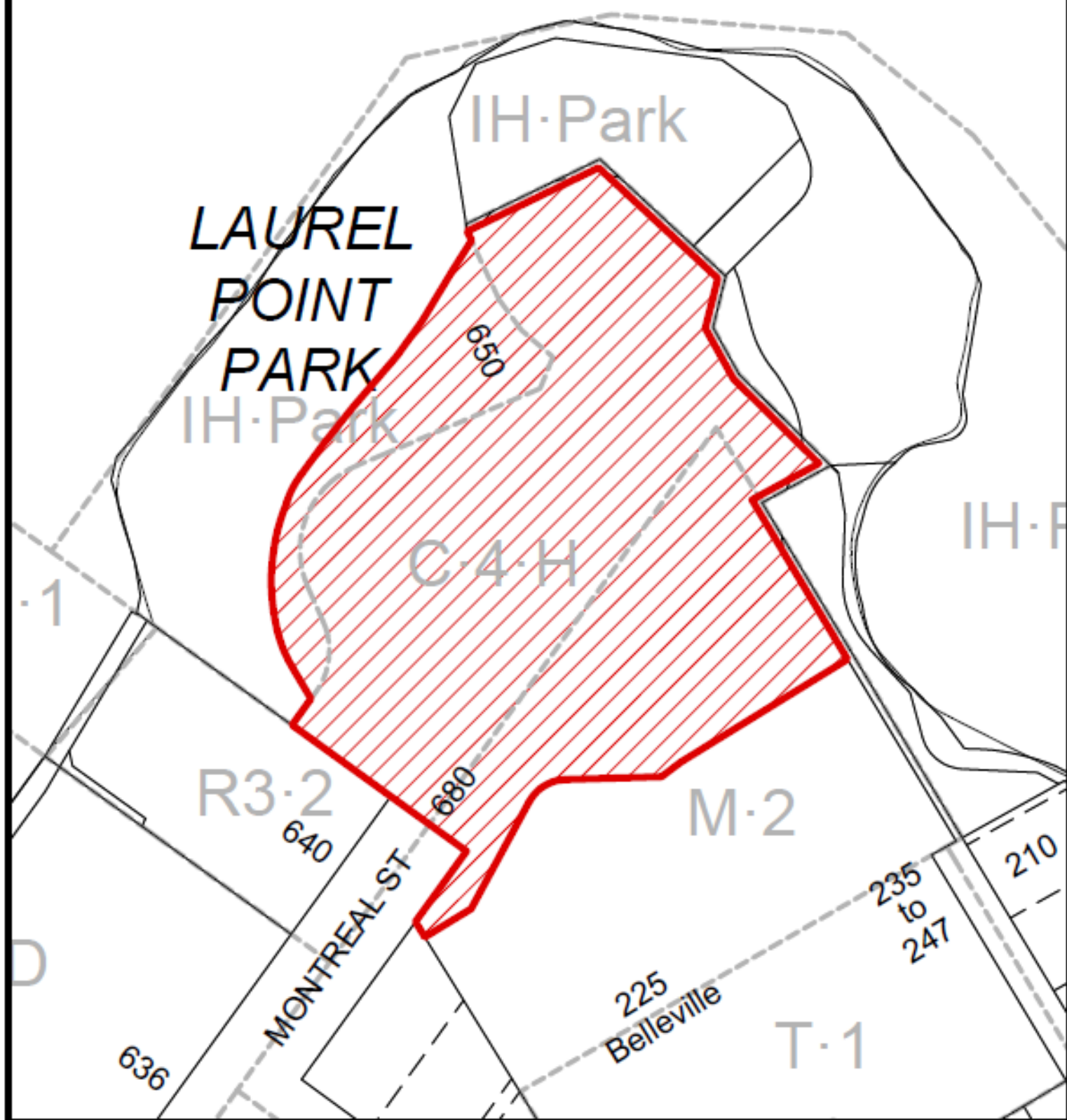
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|---------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| a. Vehicle parking (minimum) | Subject to the regulations in Schedule "C" except as otherwise specified by the regulations in this Part |
| b. Notwithstanding section 2.2.1 of Schedule "C", a maximum of 79 parking spaces may be located on an adjacent <u>lot</u> | |
| c. Bicycle parking (minimum) | Subject to the regulations in Schedule "C" |

Schedule 1
PART 5.26 – T-26 ZONE, LAUREL POINT DISTRICT

Schedule A



LAUREL PT



680 Montreal Street
Rezoning No.00792



NO. 22-077

A BYLAW OF THE CITY OF VICTORIA

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

- creating the T-26 Zone, Laurel Point District, and
- rezoning land known as 680 Montreal Street to the T-26 Zone, Laurel Point District from ~~both~~ the C-4H Zone, Harbour Activity District ~~and~~, the M-2 Zone, Light Industrial District and the IH-PARK Zone, Inner Harbour Parks and Causeway District.

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

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1285)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 5 – TRANSIENT ACCOMMODATION ZONES by adding the following words:

“5.26 T-26 Laurel Point District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule “B” after Part 5.25 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 680 Montreal Street, legally described as PID: 031-440-487, Lot 1, District Lots 568, 569, 570, 570A, 571, 580, 581, 582 and 583, Victoria City, Andand Part of the Bed of Victoria Harbour, Victoria District, Plan EPP107803, and shown hatched on the attached map, is removed from ~~both~~ the C-4H Zone, Harbour Activity District, the IH-PARK Zone, Inner Harbour Parks and Causeway District, and the M-2 Zone, Light Industrial District, and placed in the T-26 Zone, Laurel Point District.

READ A FIRST TIME the	day of	2022
READ A SECOND TIME the	day of	2022
<u>RESCINDED SECOND READING the</u>	<u>day of</u>	<u>2022</u>
<u>AMENDED the</u>	<u>day of</u>	<u>2022</u>
<u>READ A SECOND TIME the</u>	<u>day of</u>	<u>2022</u>
Public hearing held on the	day of	2022
READ A THIRD TIME the	day of	2022

ADOPTED on the

day of

2022

CITY CLERK

MAYOR

NO. 22-077

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READ A FIRST TIME the **8th** day of **September** 2022

READ A SECOND TIME the **8th** day of **September** 2022

Public hearing held on the day of 2022

READ A THIRD TIME the day of 2022

ADOPTED on the day of 2022

CITY CLERK

MAYOR

Schedule 1
PART 5.26 – T-26 ZONE, LAUREL POINT DISTRICT

5.26.1 Permitted Uses in this Zone

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- b. Transient accommodation accessory uses, including but not limited to tourist or travel agencies, beauty parlours and barber shops, restaurants, and other uses commonly associated with transient accommodation
- c. Accessory Buildings subject to the regulations in Schedule “F”.

5.26.2 Lot Area

- a. Lot area (minimum) 11520m²

5.26.3 Floor Area, Floor Space Ratio

- a. Total floor area (maximum) 18432m²
- b. Floor space ratio (maximum) 1.6:1

5.26.4 Height

- a. Building height (maximum) 25.25m

5.26.5 Setbacks, Projections

- a. Setback for buildings constructed prior to January 1, 2022 (minimum) 0m
- b. Notwithstanding section 27 of the General Regulations, setback for all other buildings (minimum)
 - North yard 0m
 - Northeast yard 0m
 - Southeast yard 7.5m
 - West yard 0m
 - South yard 7.5m
- c. Notwithstanding paragraphs a. and b., setback above 6.1m in height (minimum) An additional 30° from the setback of the building at grade, as illustrated in Schedule A

Schedule 1
PART 5.26 – T-26 ZONE, LAUREL POINT DISTRICT

5.26.6 Site Coverage, Open Site Space

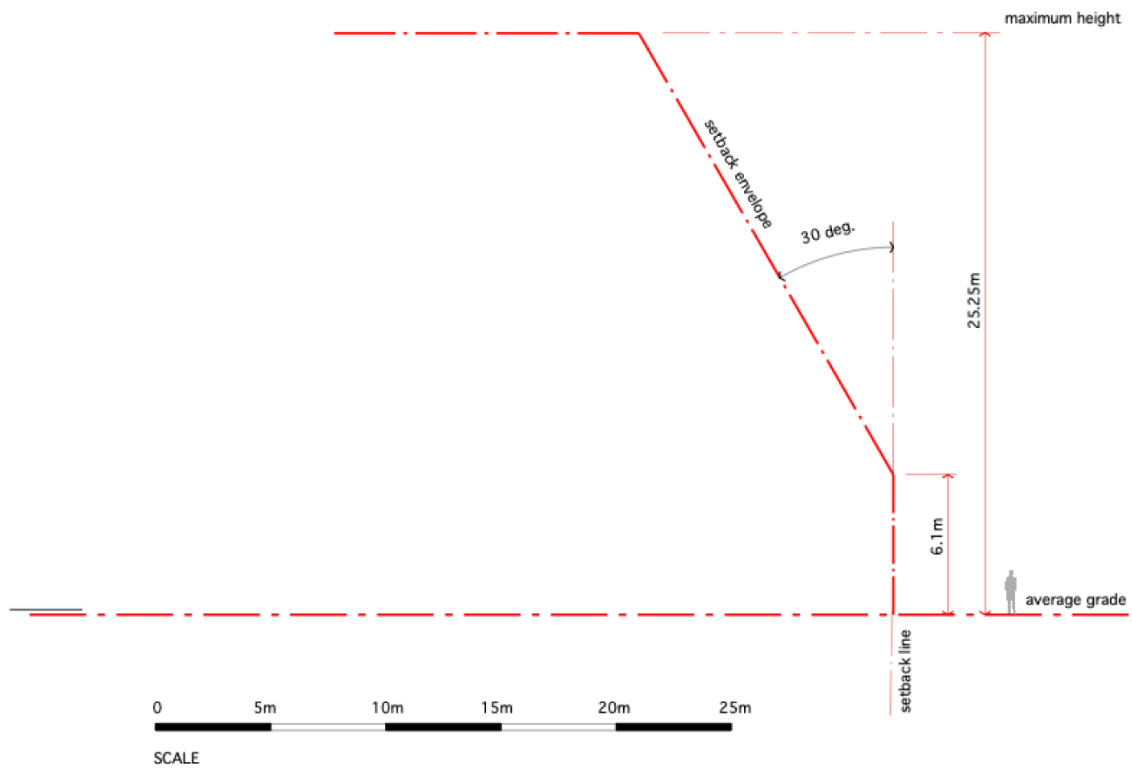
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|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 60% |
| b. <u>Open site space</u> (minimum) | 30% |

5.26.7 Vehicle and Bicycle Parking

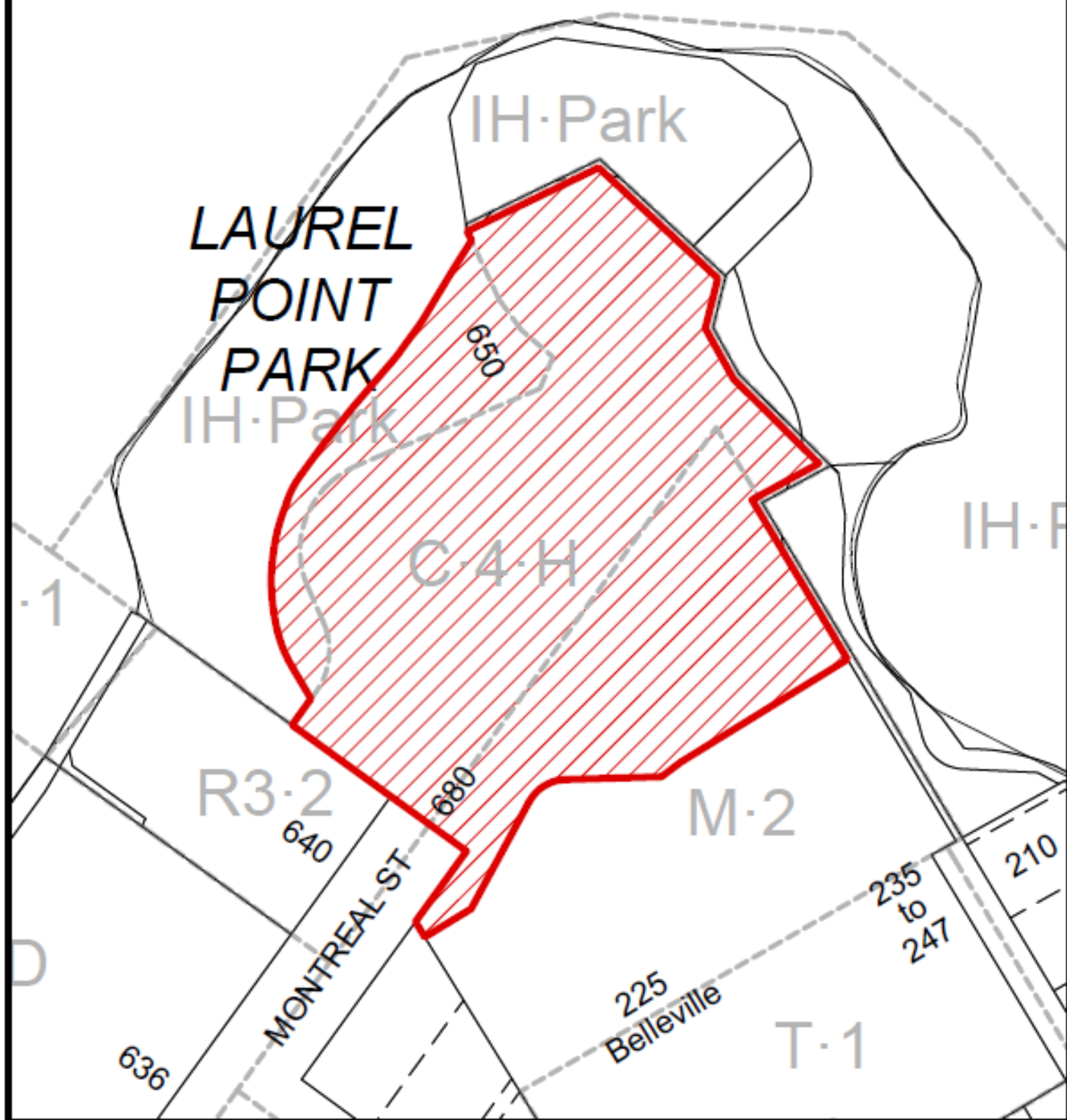
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| a. Vehicle parking (minimum) | Subject to the regulations in Schedule "C" except as otherwise specified by the regulations in this Part |
| b. Notwithstanding section 2.2.1 of Schedule "C", a maximum of 79 parking spaces may be located on an adjacent <u>lot</u> | |
| c. Bicycle parking (minimum) | Subject to the regulations in Schedule "C" |

Schedule 1
PART 5.26 – T-26 ZONE, LAUREL POINT DISTRICT

Schedule A



LAUREL PT



680 Montreal Street
Rezoning No.00792

A BYLAW OF THE CITY OF VICTORIA

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READ A FIRST TIME the	8 th	day of	September	2022
READ A SECOND TIME the	8 th	day of	September	2022
RESCINDED SECOND READING the		day of		2022
AMENDED the		day of		2022
READ A SECOND TIME the		day of		2022
Public hearing held on the		day of		2022
READ A THIRD TIME the		day of		2022
ADOPTED on the		day of		2022

CITY CLERK

MAYOR

Schedule 1
PART 5.26 – T-26 ZONE, LAUREL POINT DISTRICT

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Schedule 1
PART 5.26 – T-26 ZONE, LAUREL POINT DISTRICT

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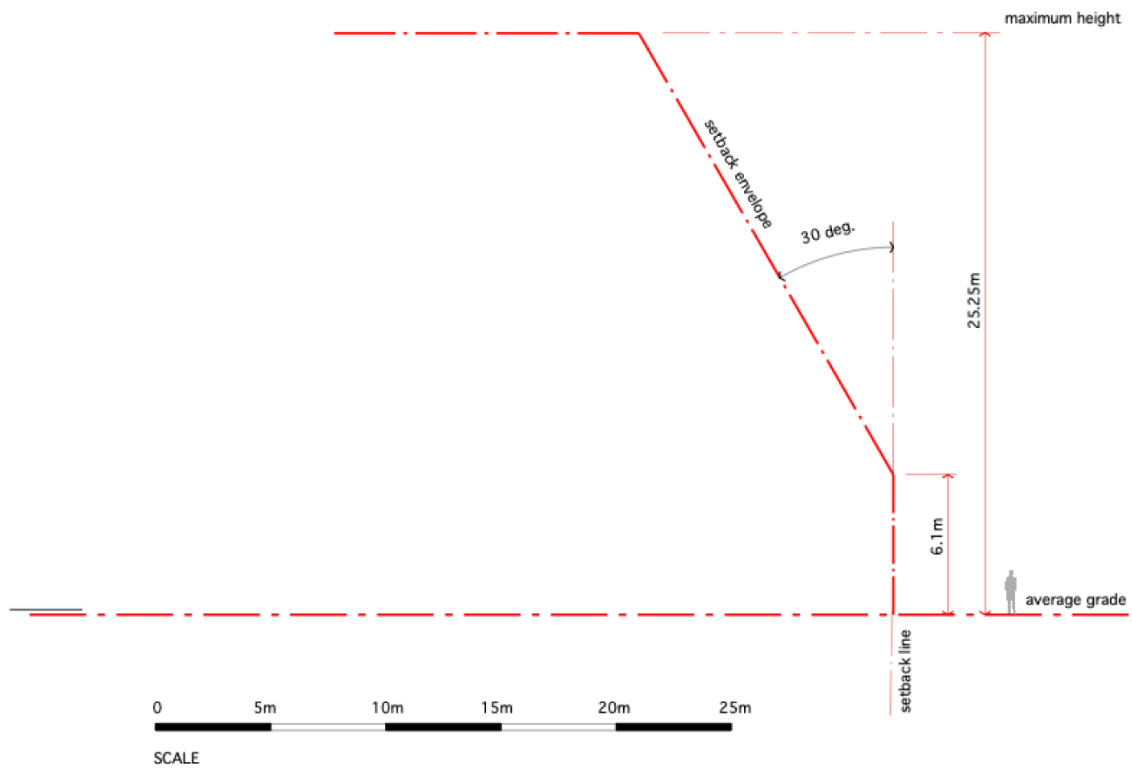
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|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 60% |
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5.26.7 Vehicle and Bicycle Parking

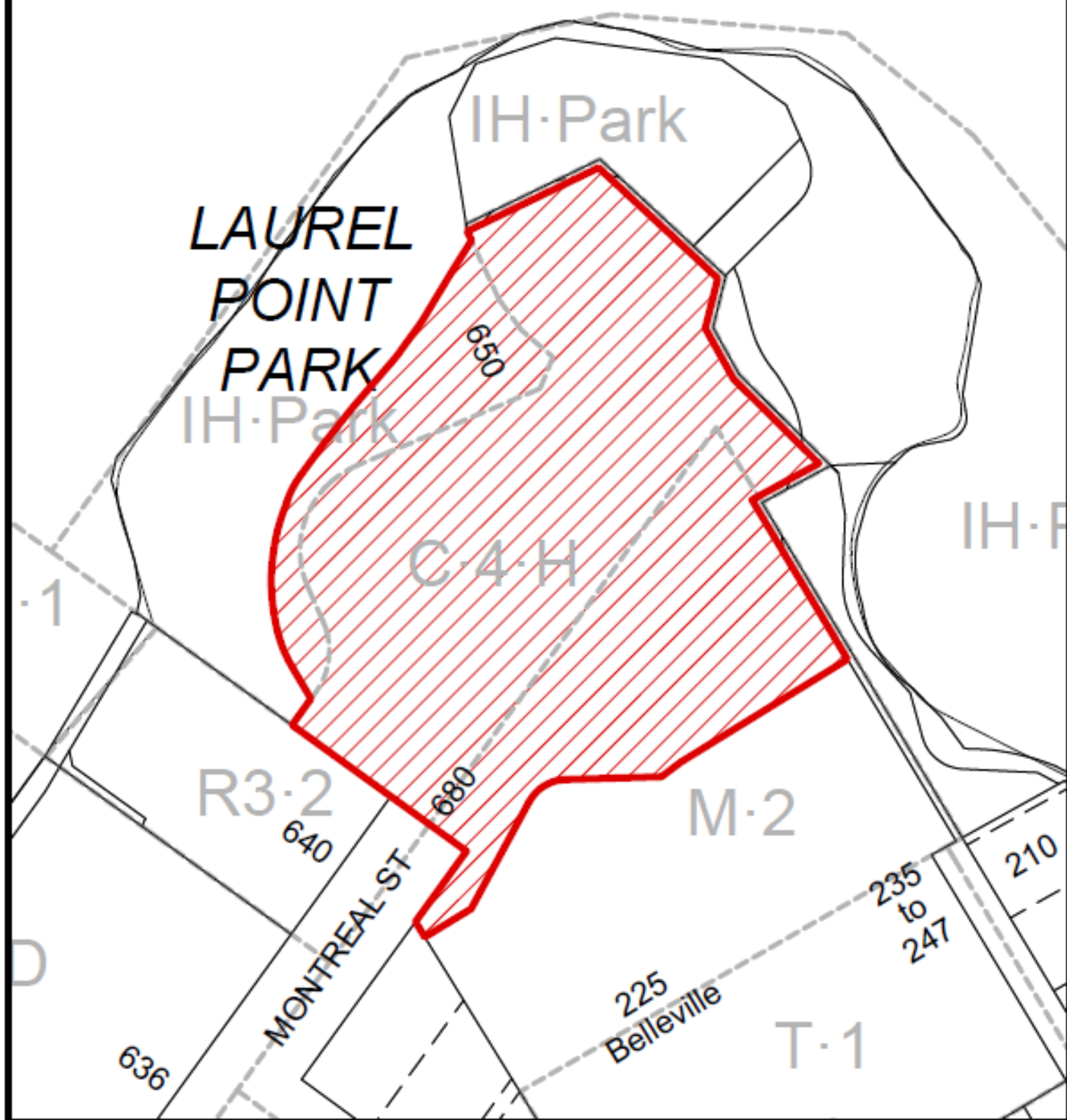
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| a. Vehicle parking (minimum) | Subject to the regulations in Schedule "C" except as otherwise specified by the regulations in this Part |
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| c. Bicycle parking (minimum) | Subject to the regulations in Schedule "C" |

Schedule 1
PART 5.26 – T-26 ZONE, LAUREL POINT DISTRICT

Schedule A



LAUREL PT



680 Montreal Street
Rezoning No.00792



F.4 HEARING CANCELLED – 680 Montreal Street: Rezoning Application No. 00792

The public hearing for the rezoning application proposed for 680 Montreal Street was cancelled at the request of the Planning Department.

H.5 Bylaw for 680 Montreal Street: Rezoning Application No. 00792

Moved By Councillor Loveday

Seconded By Councillor Alto

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1285) No. 22-077

CARRIED UNANIMOUSLY



Council Report

For the Meeting of September 8, 2022

To: Council **Date:** August 25, 2022

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

Subject: Update Report for Rezoning Application No. 00792 for 680 Montreal Street

RECOMMENDATION

That Council give first and second reading to Zoning Bylaw Regulation Amendment (Bylaw No. 22-077).

BACKGROUND

The rezoning application for 680 Montreal Street (Laurel Point Inn) to allow the existing hotel use to continue and increase the density and site coverage was considered by Council at the Committee of the Whole meeting on June 16, 2022, and it came before Council on June 30, 2022, where the following resolution was approved:

"That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00792 for 680 Montreal Street, that first and second readings of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once a legal agreement is executed by the applicant to secure an easement over the neighbouring lot at 225 Belleville Street to allow access for users of 680 Montreal Street to the vehicle parking stalls, with the form and contents to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor."

Shadow Study

Committee of the Whole on June 16, 2022 discussed the provision of a shadow study by the applicant to determine the impacts of the shadows of a potential future development on the public park to the north. Although this was not made a requirement, the applicant has provided a shadow study on their own accord. The attached shadow study demonstrates there would be minimal increased impact on the adjacent park.

Parking Easement

A legal agreement has been executed over the adjacent property to allow access for the subject property to 79 vehicle parking stalls within the existing parkade.

Setbacks

Due to the irregular lot shape, the proposed zone would determine setbacks by the cardinal direction in which a yard faces. This removes the complications associated with irregular lot shapes and would not require the applicant to hire a surveyor to create a plan-specific setback map. As noted in the Committee of the Whole report, design guidelines would still regulate the acceptability of setbacks and the impact on the adjacent uses.

CONCLUSIONS

The applicant has fulfilled the conditions from the Council motion on May 6, 2021. The recommendation provided for Council's consideration contains the appropriate language to advance this application to a Public Hearing.

Respectfully submitted,

Mike Angrove
Senior Planner – Development Agreements
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Committee of the Whole Report dated June 2, 2022
- Attachment B: Minutes from Committee of the Whole Meeting dated June 16, 2022
- Attachment C: Shadow Study
- Attachment D: Correspondence
- Attachment E: Bylaw No. 22-077



Committee of the Whole Report For the Meeting of June 16, 2022

To: Committee of the Whole **Date:** June 2, 2022

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

Subject: Rezoning Application No. 00792 for 680 Montreal Street

RECOMMENDATION

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that authorize the proposed development outlined in Rezoning Application No. 00792 for 680 Montreal Street. That first and second readings of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once a legal agreement is executed by the applicant to secure an easement over the neighbouring lot at 225 Belleville Street to allow access for users of 680 Montreal Street to the vehicle parking stalls, with the form and contents to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

LEGISLATIVE AUTHORITY

This report discusses a Rezoning Application. Relevant rezoning considerations include the proposal to increase the permitted density and include a new site coverage regulation in the zoning bylaw.

Enabling Legislation

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 680 Montreal Street. The proposal is to rezone from the C-4H Zone, Harbour Activity District, and the M-2 Zone, Light Industrial District, to a new zone in order to allow the existing hotel use to continue once the provincially-legislated

expiration of the Land Use Contract occurs on June 30, 2024. The applicant is also requesting an increase in density and site coverage over existing conditions, which would allow for a redevelopment of the north wing in the future.

The following points were considered in assessing the Rezoning application:

- The proposal is generally consistent with the Core Inner Harbour/Legislative Urban Place Designation in the *Official Community Plan*, which envisions visitor accommodation as a permitted use
- The proposal is consistent with the *James Bay Neighbourhood Plan*, which identifies the property within the Tourist District and envisions the area to be zoned for hotel uses as a tourist-oriented centre in the City
- The increase in density from the existing 1.27 to 1.60 floor space ratio (FSR) and the increase in site coverage from the existing 45.4% to 60% would allow for a future expansion of the hotel without requiring another rezoning
- The proposed increase in height from 21.5m to 25.25m would be consistent with the existing maximum height of the hotel
- The irregular shaped lot makes determining standard setbacks difficult. The applicant is proposing a site-specific zone that would identify setbacks using a plan, with most setbacks at a minimum of 7.5m but some as low as 0m. A setback would be introduced for heights above 6m and would require the building to step back an additional 30 degrees from the edge of the lower building face
- A Development Permit would be required to ensure compliance with the relevant design guidelines should the applicant proceed with the redevelopment of the north wing in the future
- The vehicle parking that is located on the adjacent property would be legitimized and secured through an easement.

BACKGROUND

Description of Proposal

The subject property located at 680 Montreal Street (Laurel Point Inn) and neighbouring property located at 225 Belleville Street are currently regulated by a Land Use Contract (LUC), which permits the current buildings and uses. On June 30, 2024, all Land Use Contracts in British Columbia will automatically expire. Upon expiration, the site will be subject to two zones, the C-4H Zone, Harbour Activity District, and the M-2 Zone, Light Industrial District, and at that time the hotel building and use would become legally non-conforming. The property owner has proactively applied to rezone the property to a single site-specific zone to ensure the uses and building will continue to be permitted within the *Zoning Regulation Bylaw* upon expiration of the LUC.

As part of the application, the applicant is requesting an increase in density, height and site coverage, as well as the creation of plan-specific setbacks. If the application is forwarded to a Public Hearing, a new site-specific zone would be created that permits the existing hotel use and hotel building. The new zone would also allow for a potential redevelopment of the north wing in the future; however, a Development Permit approved by Council would still be required to ensure compliance with the relevant design guidelines.

Land Use Context

The area is primarily characterized by hotel and multi-unit residential uses. The Inner Harbour and David Foster Walkway surround the property on three sides.



Existing Site Development and Development Potential

The site is presently occupied by the Laurel Point Inn Hotel and is regulated by a Land Use Contract.

The portion of the property under the C-4H Zone, Harbour Activity District, could be developed as a mixed use building up to 11m in height and 2.0 FSR. The portion of the property under the M-2 Zone, Light Industrial District, could be developed as a light industrial building with a height up to 15m and a 3.0 FSR. This Rezoning Application would remove unwanted uses and complexities that occur with the current split zone.

Data Table

The following data table compares the proposal with the standard T-1 Zone, Limited Transient Accommodation District, and the proposed site-specific zone which would be based on the T-1 Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing T-1 Zone.

Zoning Criteria	Existing Conditions	Standard T-1 Zone	Proposed Zone based on Standard T-1 Zone
Site area (m ²) – minimum	11520	1850	11520
Density (Floor Space Ratio) – maximum	1.27*	1.2	1.60
Total floor area (m ²) – maximum	14683	N/A	18432
Height (m)	25.24	21.5	25.25
Site coverage (%) – maximum	45.4*	20	60
Open site space (%) – minimum	44.4	30	30
Setbacks (m) – minimum Lot boundary for structures constructed prior to January 1, 2022 Lot boundary for new structures	 0 N/A	 7.5 7.5	 0 0 to 7.5 (plan-specific) Additional 30° from edge of lower building face for portions of the building above 6m height
Parking – minimum	130	87 (Schedule C)	87 (Schedule C)
Parking location	Front and Side Yard / Neighbouring Property*	Not permitted on neighbouring property	Permitted on neighbouring property
Accessory Building Location	Side Yard (legal non-conforming condition)	Rear Yard	Side Yard

Active Transportation

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

Public Realm

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

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, prior to submission of the application, the proposal was posted on the Development Tracker along with an invitation to complete a comment form on May 21, 2021. Additionally, the applicant participated in a Zoom meeting with the James Bay CALUC on June 9, 2021. A letter dated June 12, 2021, is attached to this report. No feedback was received from the online 30-day comment period.

ANALYSIS

Rezoning Application

Official Community Plan

The property is designated as Core Inner Harbour/Legislative within the *Official Community Plan*, 2012 (OCP), which envisions recreation and tourism-related uses. The OCP also envisions densities of approximately 1.0 FSR, with increased densities of up to 4.0 FSR in strategic locations when accompanied with the advancement of plan objectives. The subject property provides valuable transient accommodation, is a prominent Victoria landmark and is generally consistent with the uses and densities envisioned in the OCP. Furthermore, the proposed zone would require setbacks away from the water as the building increased in height, which would prevent an overbearing building adjacent the public walkway and waterfront.

James Bay Neighbourhood Plan

The property is located within the Tourist District within the *James Bay Neighbourhood Plan*. This district recognizes the importance tourism plays in the local economy and encourages the improvement of tourist amenities in the area. Furthermore, the Plan envisions the area zoned for hotel and motel uses. Therefore, this Rezoning Application is generally consistent with the goals and objectives of the *James Bay Neighbourhood Plan*.

Regulatory Considerations

Parking

The vehicle parking for the hotel use is split between the subject property (8 stalls) and the neighbouring property at 225 Belleville Street (122 stalls). As such, an easement is required to ensure the parking stalls on the neighbouring property remain accessible to the users of the hotel. The requirement to secure an easement has been included in the recommended motion for Council's consideration.

Density and Site Coverage

The proposal is seeking an increase in density from the existing 1.27 to 1.60 floor space ratio (FSR) and an increase in site coverage from the existing 45.4% to 60%, which would allow expansions to the hotel without the requirement for a rezoning. The increased density would permit for an additional 3749m² of floor area, of which approximately 1725m² could be accommodated at-grade given site coverage limitations. 1.60 FSR is still substantially lower than that of the surrounding buildings, and allowing the extra density encourages the ongoing support of local events such as graduations, weddings and conferences, and improvement of tourist serving accommodation by expanding the applicant's ability to renovate and add more rooms and guest serving facilities. The concept images below show the minimal impact a potential

redevelopment of the north wing would have on the neighbouring park. The images are illustrative of one potential option within the proposed zone and are not meant as a specific building design, which instead would be created and presented at a future Development Permit stage.



Figure 1: Current Site Layout



Figure 2: Potential Future Site Layout

Height

The proposal is also seeking to legitimize the current height to eliminate legal non-conforming scenarios in the future and allow for a future expansion to be built to the same height. Therefore, the maximum height would be to increase from 21.5m in the T-1 Zone to 25.25m in the proposed zone, which is the existing height of the hotel. Staff support this increase in height as it is lower than many of the neighbouring buildings and the 30-degree stepback would sculpt the building height to mitigate an overbearing mass adjacent to the park. Again, if the applicant proceeds with an expansion in the future, a Development Permit approved by Council would be required to ensure compliance with the relevant design guidelines. The rendering below demonstrates the potential expansion to the same height of the existing hotel wing to the south.



Figure 3: Conceptual Rendering from the North



Figure 4: Conceptual Rendering from the East

Setbacks

The shape of the lot is irregular, which makes determining setbacks difficult. While the *Zoning Regulation Bylaw* is able to determine setbacks on irregular lots, in this instance it would be easier and clearer to insert a plan into the site-specific zone to determine setbacks. For most of the lot, the setbacks would match the T-1 Zone of 7.5m. However, there are instances where the existing building is legally non-conforming with a 0m setback. A plan-specific setback would allow the setbacks of the existing building to be legitimized while still ensuring that the public park and pathway have enough space to receive light and not be overwhelmed by a potential future expansion. To further ensure the public realm remains unharmed, a stepback would occur at 6m that would require the building to increase the setbacks at a 30° angle from vertical.

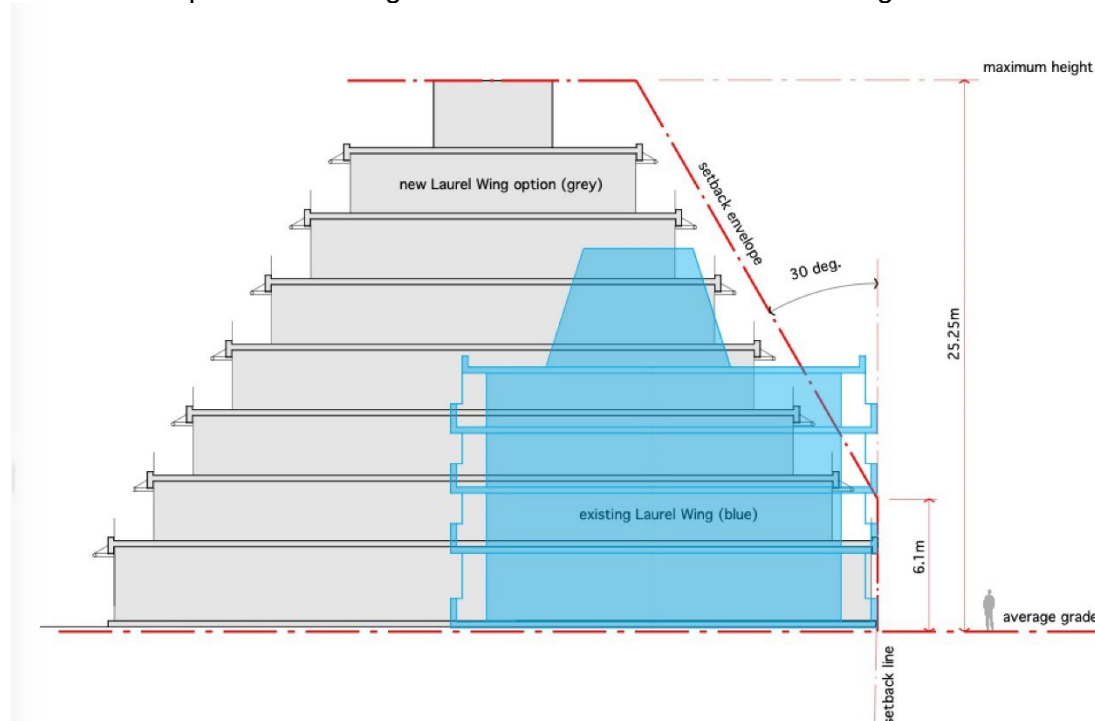


Figure 5: Demonstration of the Stepback at Upper Storeys

Sustainability

As indicated in the applicant's letter dated October 19, 2021, the existing hotel is British Columbia's first carbon neutral hotel. This has been achieved through measures such as geothermal heating and cooling, internal programs to reduce energy consumption and recycle waste, purchasing carbon offsets, and providing bicycle rentals and EV charging.

CONCLUSIONS

The proposal to rezone the property at 680 Montreal Street is consistent with the goals in the OCP and the Tourism District in the *James Bay Neighbourhood Plan*. The location of the parking is an existing condition that is proposed to be formalized as part of this application. Finally, the increase in density, height and site coverage, and changes to setbacks would permit for a redevelopment of the north wing without requiring another rezoning process in the future. Stepbacks at upper storeys would help prevent overwhelming the public park to the north. In addition, an expansion would still be the subject of a Development Permit application to ensure adherence to the design guidelines contained in Development Permit Area 9 (HC): Inner Harbour. Therefore, staff recommend that Council consider supporting the application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00792 for the property located at 680 Montreal Street.

Respectfully submitted,

Mike Angrove
Senior Planner – Development Agreements
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Subject Map
- Attachment B: Plans date stamped April 19, 2022
- Attachment C: Letter from applicant to Mayor and Council dated May 17, 2021, revised May 26, 2022
- Attachment D: Community Association Land Use Committee Comments dated June 12, 2021.

E.2 680 Montreal Street - Rezoning Application No. 00792 (James Bay)

Council received a report dated June 2, 2022 from the Director of Sustainable Planning and Community Development presenting an application to permit the ongoing use of the hotel past the expiration of a Land Use Contract, and a request to increase density and site coverage to allow for a future redevelopment of the north wing of the building.

Committee discussed the following:

- *Potential shadowing on the adjacent public park*
- *Cost and labour involved with producing a shadow study*

Moved By Councillor Young

Seconded By Councillor Potts

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that authorize the proposed development outlined in Rezoning Application No. 00792 for 680 Montreal Street. That first and second readings of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once a legal agreement is executed by the applicant to secure an easement over the neighbouring lot at 225 Belleville Street to allow access for users of 680 Montreal Street to the vehicle parking stalls, with the form and contents to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council request a shadow study from the applicant for Councils review at the time of first reading of the bylaws.

FOR (3): Councillor Isitt, Councillor Loveday, and Councillor Potts

OPPOSED (4): Mayor Helps, Councillor Andrew, Councillor Thornton-Joe, and Councillor Young

DEFEATED (3 to 4)

On the main motion:

CARRIED UNANIMOUSLY

existing

future

10 am Mar 21 / Sep 21



existing

future

Noon Mar 21 / Sep 21



existing

future

2 pm Mar 21 / Sep 21



existing

future

4 pm Mar 21 / Sep 21



existing

future

10 am Jun 21



existing

future

Noon Jun 21



existing

future

2 pm Jun 21



existing

future

4 pm Jun 21



existing

future

10 am Dec 21



existing

future

Noon Dec 21



existing

future

2 pm Dec 21



existing

future

4 pm Dec 21





James Bay Neighbourhood Association

jbna@jbna.org

Victoria, B.C., Canada

www.jbna.org

June 9th, 2022

Mayor and Council,
City of Victoria

Dear Mayor Helps and Councillors,

Re: CALUC Community Discussion – 680 Montreal – Laurel Point Inn

The 680 Montreal St rezoning proposal was considered at the June 9th, 2021, JBNA ZOOM Discussion Forum (see letter attached). In response to a request of the City, the proponent visited the JBNA for a second presentation on June 8, 2022. 39 people participated in the meeting.

John Graham, Architect, Graham Sherwin Studio, represented the Inn at Laurel Point. To demonstrate the impact of site specific zoning, with specified setbacks, he presented possible building structures of what could be done.

The concept of a remake of the “old” wing to mirror the step-backs as done in the Erickson wing showed a modern design with the reduced shadowing that could exist if the building were renovated in the years ahead.

No. concerns were raised by meeting participants.

For your consideration,

Marg Gardiner
President, JBNA

Cc: JBNA Board
Michael Angrove, CoV Planner,
John Graham, Architect, Graham Sherwin Studio



James Bay Neighbourhood Association

jbna@jbna.org

Victoria, B.C., Canada

www.jbna.org

June 12th, 2021

Mayor and Council,
City of Victoria

Dear Mayor Helps and Councillors,

Re: CALUC Community Discussion – 680 Montreal – Laurel Point Inn

The 680 Montreal St rezoning proposal was considered at the June 9th, 2021, JBNA ZOOM Discussion Forum. 29 people participated.

Due to the nature of the rezoning, Marg Gardiner spoke with John Graham on April 7. On April 8, Tim VanAlstine and Marg Gardiner met with City Planner Michael Angrove, City Planner, to discuss the rezoning initiative with the Inn and other properties with similar issues.

No changes to the property or building are proposed. The current zoning is split between two industrial zones. This proposal is to change the zoning so that it conforms to the current hotel buildings and use when the existing Land Use Contract is terminated by the Province.

Zoning (existing): C-4H Harbour Activity District and M-2 Light Industrial District.

Zoning (proposed): Site specific.

John Graham, Architect, Graham Sherwin Studio, represented the Inn at Laurel Point. No concerns were raised by meeting participants. Prior to the meeting, nearby residents had called to discuss the rezoning, but did not express any problems or concerns with this initiative.

We believe that the CALUC community consultation obligations have now been met.

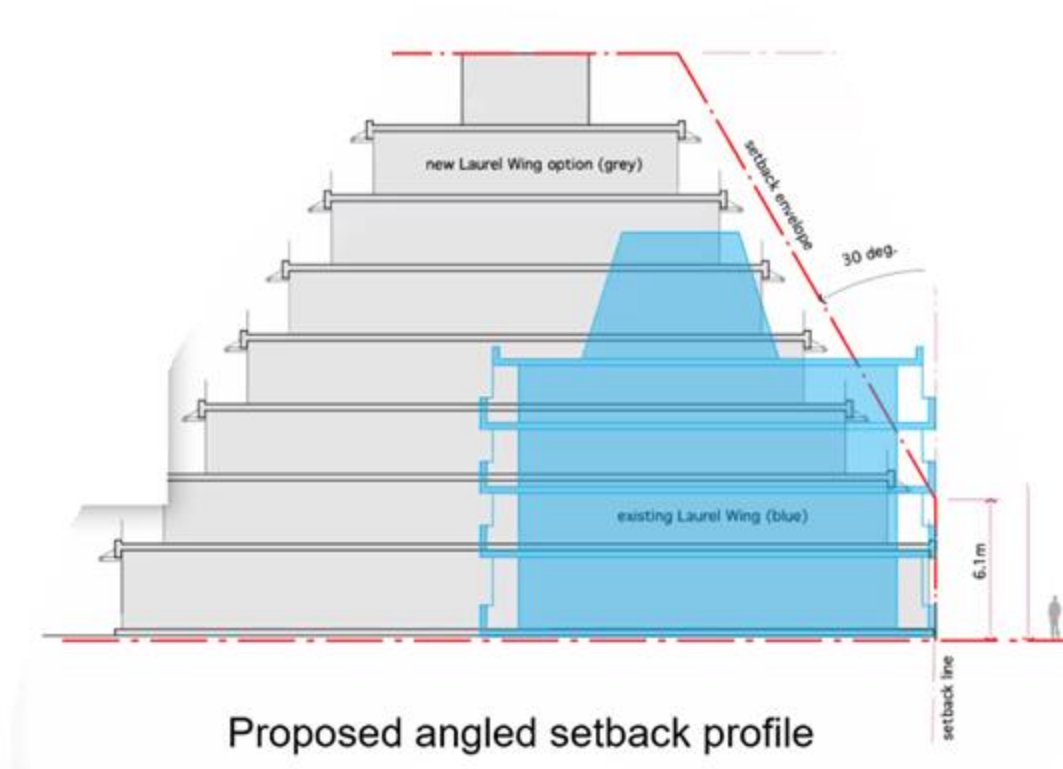
For your consideration,

Marg Gardiner
President, JBNA

Cc: JBNA Board
Michael Angrove, CoV Planner,
John Graham, Architect, Graham Sherwin Studio

To all concerned,
How unfortunate that the proposal is in the form of a concrete tower with concrete townhouses. This is a missed opportunity for something beautiful, responsive, environmentally sound and community appropriate to be built. John Graham Architect has been able to design a beautiful and fitting building at the Laurel Point Inn as follows:





Please request the proponent and its architect to **reconsider the massing and the facades of the proposal on Montreal**. Let's not miss this golden opportunity, as a developer, as a community and as city stewards to be forward thinking and to create an architectural piece that will be a gem in James Bay, for residents and tourists alike, and not a monolithic nod to designs of the past.

Edy Bradley BID
#3-508 Pendray Street
Victoria, BC V8V 0A9

NO. 22-077

A BYLAW OF THE CITY OF VICTORIA

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

- creating the T-26 Zone, Laurel Point District, and
- rezoning land known as 680 Montreal Street to the T-26 Zone, Laurel Point District from both the C-4H Zone, Harbour Activity District and the M-2 Zone, Light Industrial District.

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

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT
BYLAW (NO. 1285)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of
Schedule “B” under the caption PART 5 – TRANSIENT ACCOMMODATION ZONES by
adding the following words:

“5.26 T-26 Laurel Point District”

- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule “B” after Part 5.25 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 680 Montreal Street, legally described as PID: 031-440-487, Lot 1, District Lots 568, 569, 570, 570A, 571, 580, 581, 582 and 583, Victoria City, And Part of the Bed of Victoria Harbour, Victoria District, Plan EPP107803, and shown hatched on the attached map, is removed from both the C-4H Zone, Harbour Activity District, and the M-2 Zone, Light Industrial District, and placed in the T-26 Zone, Laurel Point District.

READ A FIRST TIME the day of 2022

READ A SECOND TIME the _____ day of _____ 2022

Public hearing held on the _____ day of _____ 2022

READ A THIRD TIME the _____ day of _____ 2022

ADOPTED on the _____ day of _____ 2022

CITY CLERK

MAYOR

Schedule 1
PART 5.26 – T-26 ZONE, LAUREL POINT DISTRICT

5.26.1 Permitted Uses in this Zone

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

- a. Transient accommodation;
- b. Transient accommodation accessory uses, including but not limited to tourist or travel agencies, beauty parlours and barber shops, restaurants, and other uses commonly associated with transient accommodation
- c. Accessory Buildings subject to the regulations in Schedule “F”.

5.26.2 Lot Area

- a. Lot area (minimum) 11520m²

5.26.3 Floor Area, Floor Space Ratio

- a. Total floor area (maximum) 18432m²
- b. Floor space ratio (maximum) 1.6:1

5.26.4 Height

- a. Building height (maximum) 25.25m

5.26.5 Setbacks, Projections

- a. Setback for buildings constructed prior to January 1, 2022 (minimum) 0m
- b. Notwithstanding section 27 of the General Regulations, setback for all other buildings (minimum)
 - North yard 0m
 - Northeast yard 0m
 - Southeast yard 7.5m
 - West yard 0m
 - South yard 7.5m
- c. Notwithstanding paragraphs a. and b., setback above 6.1m in height (minimum) An additional 30° from the setback of the building at grade, as illustrated in Schedule A

Schedule 1
PART 5.26 – T-26 ZONE, LAUREL POINT DISTRICT

5.26.6 Site Coverage, Open Site Space

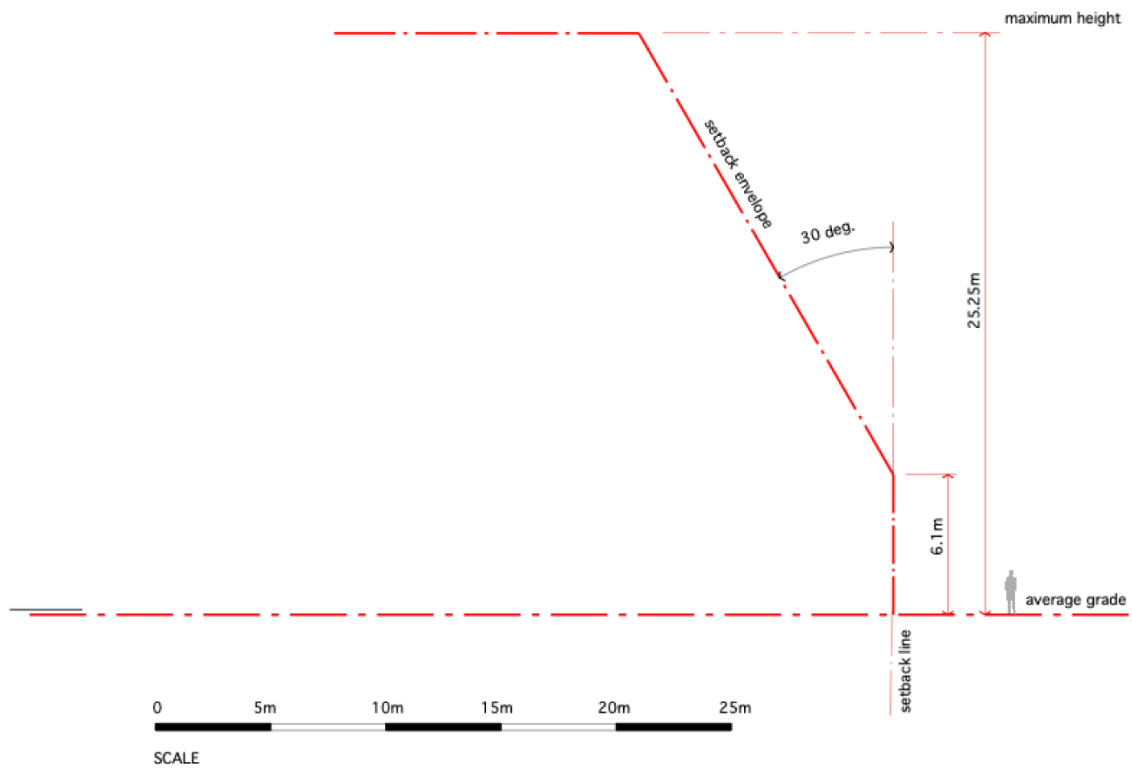
- | | |
|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 60% |
| b. <u>Open site space</u> (minimum) | 30% |

5.26.7 Vehicle and Bicycle Parking

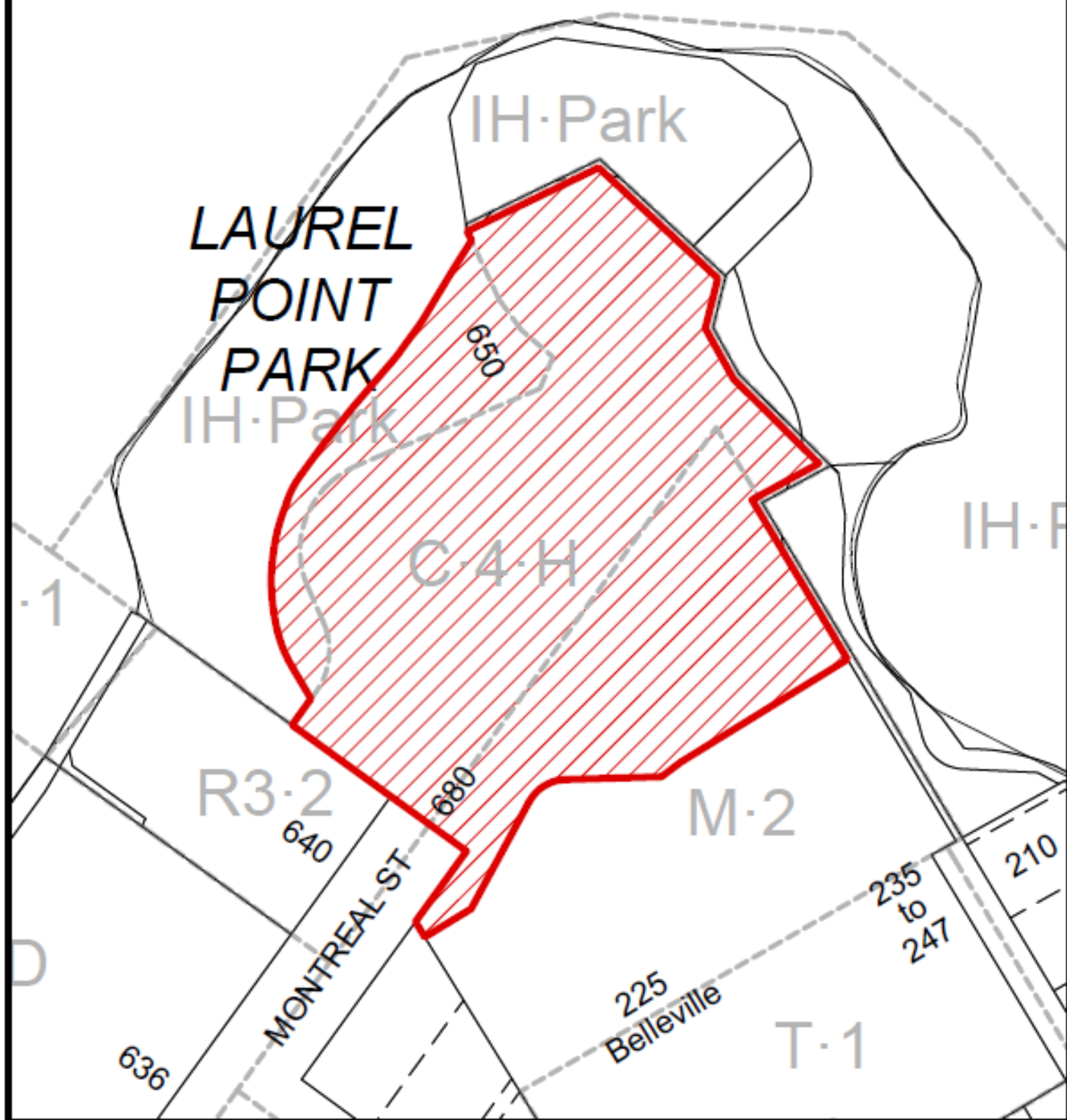
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|---------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| a. Vehicle parking (minimum) | Subject to the regulations in Schedule “C” except as otherwise specified by the regulations in this Part |
| b. Notwithstanding section 2.2.1 of Schedule “C”, a maximum of 79 parking spaces may be located on an adjacent <u>lot</u> | |
| c. Bicycle parking (minimum) | Subject to the regulations in Schedule “C” |

Schedule 1
PART 5.26 – T-26 ZONE, LAUREL POINT DISTRICT

Schedule A



LAUREL PT



680 Montreal Street
Rezoning No.00792



F.1.a.b 680 Montreal Street - Rezoning Application No. 00792 (James Bay)

Moved By Councillor Andrew
Seconded By Councillor Young

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that authorize the proposed development outlined in Rezoning Application No. 00792 for 680 Montreal Street. That first and second readings of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once a legal agreement is executed by the applicant to secure an easement over the neighbouring lot at 225 Belleville Street to allow access for users of 680 Montreal Street to the vehicle parking stalls, with the form and contents to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

CARRIED UNANIMOUSLY

E.2 680 Montreal Street - Rezoning Application No. 00792 (James Bay)

Council received a report dated June 2, 2022 from the Director of Sustainable Planning and Community Development presenting an application to permit the ongoing use of the hotel past the expiration of a Land Use Contract, and a request to increase density and site coverage to allow for a future redevelopment of the north wing of the building.

Committee discussed the following:

- *Potential shadowing on the adjacent public park*
- *Cost and labour involved with producing a shadow study*

Moved By Councillor Young

Seconded By Councillor Potts

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that authorize the proposed development outlined in Rezoning Application No. 00792 for 680 Montreal Street. That first and second readings of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once a legal agreement is executed by the applicant to secure an easement over the neighbouring lot at 225 Belleville Street to allow access for users of 680 Montreal Street to the vehicle parking stalls, with the form and contents to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council request a shadow study from the applicant for Councils review at the time of first reading of the bylaws.

FOR (3): Councillor Isitt, Councillor Loveday, and Councillor Potts

OPPOSED (4): Mayor Helps, Councillor Andrew, Councillor Thornton-Joe, and Councillor Young

DEFEATED (3 to 4)

On the main motion:

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of June 16, 2022

To: Committee of the Whole **Date:** June 2, 2022

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

Subject: Rezoning Application No. 00792 for 680 Montreal Street

RECOMMENDATION

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that authorize the proposed development outlined in Rezoning Application No. 00792 for 680 Montreal Street. That first and second readings of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once a legal agreement is executed by the applicant to secure an easement over the neighbouring lot at 225 Belleville Street to allow access for users of 680 Montreal Street to the vehicle parking stalls, with the form and contents to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

LEGISLATIVE AUTHORITY

This report discusses a Rezoning Application. Relevant rezoning considerations include the proposal to increase the permitted density and include a new site coverage regulation in the zoning bylaw.

Enabling Legislation

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 680 Montreal Street. The proposal is to rezone from the C-4H Zone, Harbour Activity District, and the M-2 Zone, Light Industrial District, to a new zone in order to allow the existing hotel use to continue once the provincially-legislated

expiration of the Land Use Contract occurs on June 30, 2024. The applicant is also requesting an increase in density and site coverage over existing conditions, which would allow for a redevelopment of the north wing in the future.

The following points were considered in assessing the Rezoning application:

- The proposal is generally consistent with the Core Inner Harbour/Legislative Urban Place Designation in the *Official Community Plan*, which envisions visitor accommodation as a permitted use
- The proposal is consistent with the *James Bay Neighbourhood Plan*, which identifies the property within the Tourist District and envisions the area to be zoned for hotel uses as a tourist-oriented centre in the City
- The increase in density from the existing 1.27 to 1.60 floor space ratio (FSR) and the increase in site coverage from the existing 45.4% to 60% would allow for a future expansion of the hotel without requiring another rezoning
- The proposed increase in height from 21.5m to 25.25m would be consistent with the existing maximum height of the hotel
- The irregular shaped lot makes determining standard setbacks difficult. The applicant is proposing a site-specific zone that would identify setbacks using a plan, with most setbacks at a minimum of 7.5m but some as low as 0m. A setback would be introduced for heights above 6m and would require the building to step back an additional 30 degrees from the edge of the lower building face
- A Development Permit would be required to ensure compliance with the relevant design guidelines should the applicant proceed with the redevelopment of the north wing in the future
- The vehicle parking that is located on the adjacent property would be legitimized and secured through an easement.

BACKGROUND

Description of Proposal

The subject property located at 680 Montreal Street (Laurel Point Inn) and neighbouring property located at 225 Belleville Street are currently regulated by a Land Use Contract (LUC), which permits the current buildings and uses. On June 30, 2024, all Land Use Contracts in British Columbia will automatically expire. Upon expiration, the site will be subject to two zones, the C-4H Zone, Harbour Activity District, and the M-2 Zone, Light Industrial District, and at that time the hotel building and use would become legally non-conforming. The property owner has proactively applied to rezone the property to a single site-specific zone to ensure the uses and building will continue to be permitted within the *Zoning Regulation Bylaw* upon expiration of the LUC.

As part of the application, the applicant is requesting an increase in density, height and site coverage, as well as the creation of plan-specific setbacks. If the application is forwarded to a Public Hearing, a new site-specific zone would be created that permits the existing hotel use and hotel building. The new zone would also allow for a potential redevelopment of the north wing in the future; however, a Development Permit approved by Council would still be required to ensure compliance with the relevant design guidelines.

Land Use Context

The area is primarily characterized by hotel and multi-unit residential uses. The Inner Harbour and David Foster Walkway surround the property on three sides.



Existing Site Development and Development Potential

The site is presently occupied by the Laurel Point Inn Hotel and is regulated by a Land Use Contract.

The portion of the property under the C-4H Zone, Harbour Activity District, could be developed as a mixed use building up to 11m in height and 2.0 FSR. The portion of the property under the M-2 Zone, Light Industrial District, could be developed as a light industrial building with a height up to 15m and a 3.0 FSR. This Rezoning Application would remove unwanted uses and complexities that occur with the current split zone.

Data Table

The following data table compares the proposal with the standard T-1 Zone, Limited Transient Accommodation District, and the proposed site-specific zone which would be based on the T-1 Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing T-1 Zone.

Zoning Criteria	Existing Conditions	Standard T-1 Zone	Proposed Zone based on Standard T-1 Zone
Site area (m ²) – minimum	11520	1850	11520
Density (Floor Space Ratio) – maximum	1.27*	1.2	1.60
Total floor area (m ²) – maximum	14683	N/A	18432
Height (m)	25.24	21.5	25.25
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Setbacks (m) – minimum Lot boundary for structures constructed prior to January 1, 2022 Lot boundary for new structures	0 N/A	7.5 7.5	0 0 to 7.5 (plan-specific) Additional 30° from edge of lower building face for portions of the building above 6m height
Parking – minimum	130	87 (Schedule C)	87 (Schedule C)
Parking location	Front and Side Yard / Neighbouring Property*	Not permitted on neighbouring property	Permitted on neighbouring property
Accessory Building Location	Side Yard (legal non-conforming condition)	Rear Yard	Side Yard

Active Transportation

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

Public Realm

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

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, prior to submission of the application, the proposal was posted on the Development Tracker along with an invitation to complete a comment form on May 21, 2021. Additionally, the applicant participated in a Zoom meeting with the James Bay CALUC on June 9, 2021. A letter dated June 12, 2021, is attached to this report. No feedback was received from the online 30-day comment period.

ANALYSIS

Rezoning Application

Official Community Plan

The property is designated as Core Inner Harbour/Legislative within the *Official Community Plan*, 2012 (OCP), which envisions recreation and tourism-related uses. The OCP also envisions densities of approximately 1.0 FSR, with increased densities of up to 4.0 FSR in strategic locations when accompanied with the advancement of plan objectives. The subject property provides valuable transient accommodation, is a prominent Victoria landmark and is generally consistent with the uses and densities envisioned in the OCP. Furthermore, the proposed zone would require setbacks away from the water as the building increased in height, which would prevent an overbearing building adjacent the public walkway and waterfront.

James Bay Neighbourhood Plan

The property is located within the Tourist District within the *James Bay Neighbourhood Plan*. This district recognizes the importance tourism plays in the local economy and encourages the improvement of tourist amenities in the area. Furthermore, the Plan envisions the area zoned for hotel and motel uses. Therefore, this Rezoning Application is generally consistent with the goals and objectives of the *James Bay Neighbourhood Plan*.

Regulatory Considerations

Parking

The vehicle parking for the hotel use is split between the subject property (8 stalls) and the neighbouring property at 225 Belleville Street (122 stalls). As such, an easement is required to ensure the parking stalls on the neighbouring property remain accessible to the users of the hotel. The requirement to secure an easement has been included in the recommended motion for Council's consideration.

Density and Site Coverage

The proposal is seeking an increase in density from the existing 1.27 to 1.60 floor space ratio (FSR) and an increase in site coverage from the existing 45.4% to 60%, which would allow expansions to the hotel without the requirement for a rezoning. The increased density would permit for an additional 3749m² of floor area, of which approximately 1725m² could be accommodated at-grade given site coverage limitations. 1.60 FSR is still substantially lower than that of the surrounding buildings, and allowing the extra density encourages the ongoing support of local events such as graduations, weddings and conferences, and improvement of tourist serving accommodation by expanding the applicant's ability to renovate and add more rooms and guest serving facilities. The concept images below show the minimal impact a potential

redevelopment of the north wing would have on the neighbouring park. The images are illustrative of one potential option within the proposed zone and are not meant as a specific building design, which instead would be created and presented at a future Development Permit stage.



Figure 1: Current Site Layout



Figure 2: Potential Future Site Layout

Height

The proposal is also seeking to legitimize the current height to eliminate legal non-conforming scenarios in the future and allow for a future expansion to be built to the same height. Therefore, the maximum height would be to increase from 21.5m in the T-1 Zone to 25.25m in the proposed zone, which is the existing height of the hotel. Staff support this increase in height as it is lower than many of the neighbouring buildings and the 30-degree stepback would sculpt the building height to mitigate an overbearing mass adjacent to the park. Again, if the applicant proceeds with an expansion in the future, a Development Permit approved by Council would be required to ensure compliance with the relevant design guidelines. The rendering below demonstrates the potential expansion to the same height of the existing hotel wing to the south.



Figure 3: Conceptual Rendering from the North



Figure 4: Conceptual Rendering from the East

Setbacks

The shape of the lot is irregular, which makes determining setbacks difficult. While the *Zoning Regulation Bylaw* is able to determine setbacks on irregular lots, in this instance it would be easier and clearer to insert a plan into the site-specific zone to determine setbacks. For most of the lot, the setbacks would match the T-1 Zone of 7.5m. However, there are instances where the existing building is legally non-conforming with a 0m setback. A plan-specific setback would allow the setbacks of the existing building to be legitimized while still ensuring that the public park and pathway have enough space to receive light and not be overwhelmed by a potential future expansion. To further ensure the public realm remains unharmed, a stepback would occur at 6m that would require the building to increase the setbacks at a 30° angle from vertical.

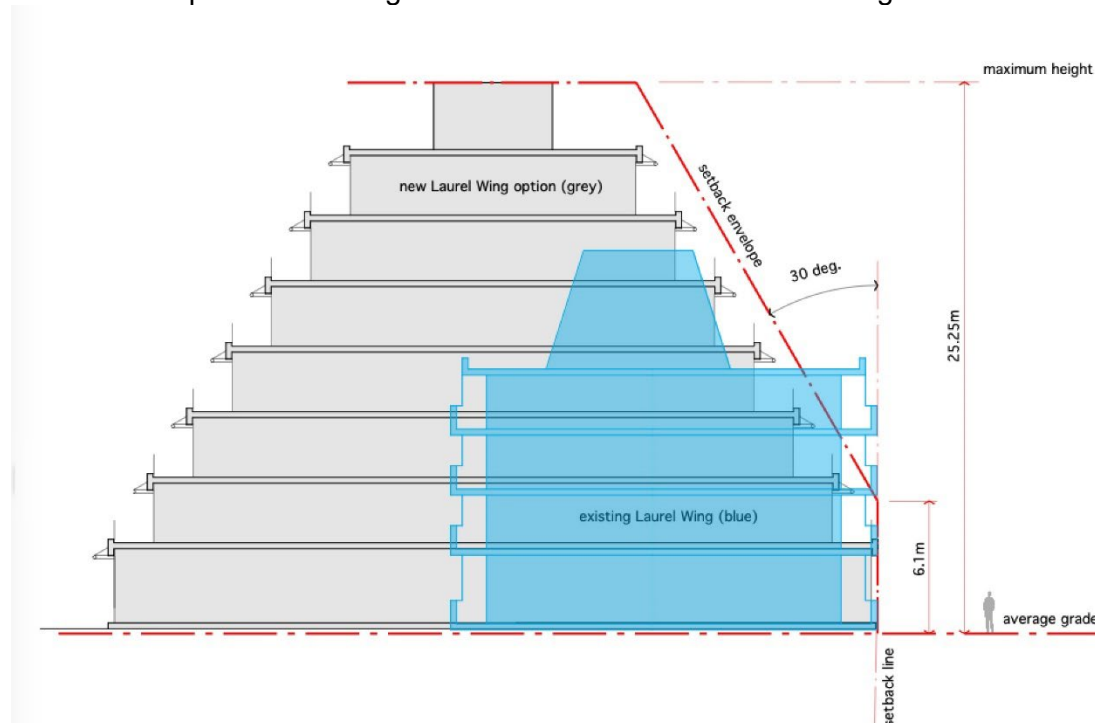


Figure 5: Demonstration of the Stepback at Upper Storeys

Sustainability

As indicated in the applicant's letter dated October 19, 2021, the existing hotel is British Columbia's first carbon neutral hotel. This has been achieved through measures such as geothermal heating and cooling, internal programs to reduce energy consumption and recycle waste, purchasing carbon offsets, and providing bicycle rentals and EV charging.

CONCLUSIONS

The proposal to rezone the property at 680 Montreal Street is consistent with the goals in the OCP and the Tourism District in the *James Bay Neighbourhood Plan*. The location of the parking is an existing condition that is proposed to be formalized as part of this application. Finally, the increase in density, height and site coverage, and changes to setbacks would permit for a redevelopment of the north wing without requiring another rezoning process in the future. Stepbacks at upper storeys would help prevent overwhelming the public park to the north. In addition, an expansion would still be the subject of a Development Permit application to ensure adherence to the design guidelines contained in Development Permit Area 9 (HC): Inner Harbour. Therefore, staff recommend that Council consider supporting the application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00792 for the property located at 680 Montreal Street.

Respectfully submitted,

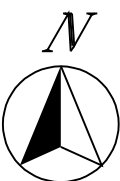
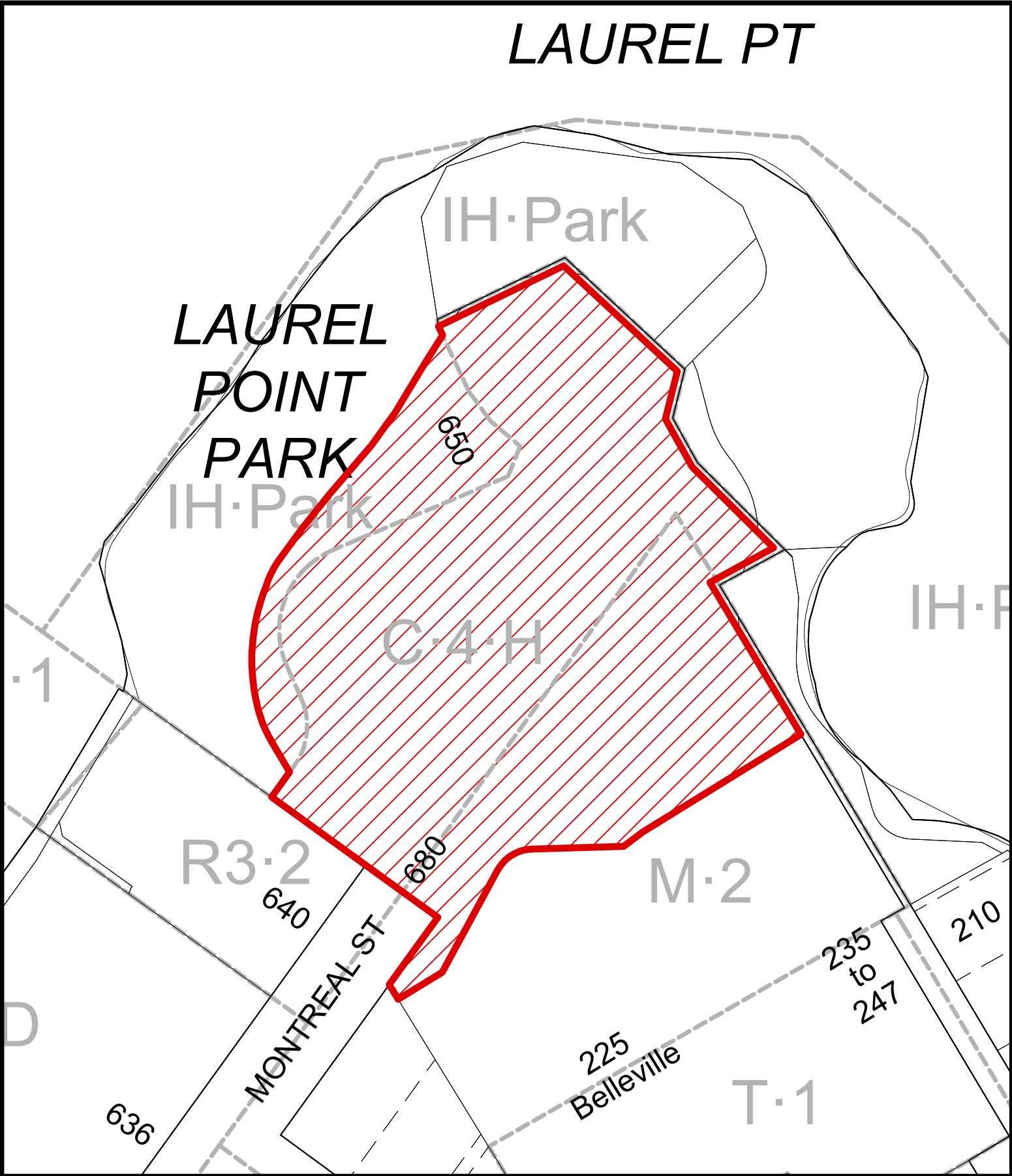
Mike Angrove
Senior Planner – Development Agreements
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

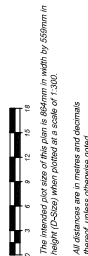
- Attachment A: Subject Map
- Attachment B: Plans date stamped April 19, 2022
- Attachment C: Letter from applicant to Mayor and Council dated May 17, 2021, revised May 26, 2022
- Attachment D: Community Association Land Use Committee Comments dated June 12, 2021.



680 Montreal Street
Rezoning No.00792



VICTORIA CITY, AND PART OF THE BED OF VICTORIA HARBOUR, VICTORIA DISTRICT, PLAN EPP/107803.



- POLARIS LEGEND**
- | | |
|--|------------------------------|
| | denotes Catch Basin |
| | denotes Inflow - Storm |
| | denotes Inflow - Sewer |
| | denotes Manhole |
| | denotes Unknow Manhole |
| | denotes Monitoring Well |
| | denotes Inflow Control Valve |
| | denotes Geothermal Box |
| | denotes Geothermal Line |
| | denotes Geothermal Well |
- WV Hazardous Legend:**
- | | |
|--|-------------------------|
| | denotes Monitoring Well |
| | denotes Catch Basin |
| | denotes Lamp Standard |
| | denotes Manhole |
| | denotes Fire Hydrant |
| | denotes Water Valve |

Victoria Harbour

NOTE: Polaris field files from July 2020 to October 14th, 2021 have been added to the Wey Mayenburg Land Surveying Inc. Site Plan dated July 10th, 2018.

Grade	Grade Calculations				Totals
	Distance (mi)	Average (mi)	Average (mi)	Average (mi)	
700 to 701	7.35	6.78	51.22		
701 to 702	15.33	7.10	106.77		
702 to 703	13.64	7.11	90.99		
703 to 704	55.67	6.36	365.36		
704 to 705	4.65	6.14	28.56		
705 to 706	12.85	6.13	78.80		
706 to 707	8.51	6.14	52.21		
707 to 708	27.40	6.54	179.24		
708 to 709	8.12	6.85	56.28		
709 to 710	16.40	6.60	108.29		
710 to 711	8.14	6.50	53.52		
711 to 712	12.88	6.55	84.03		
712 to 713	32.91	6.60	217.04		
713 to 714	12.46	6.60	82.23		
714 to 715	3.93	6.59	25.90		
715 to 716	22.61	6.55	148.04		
716 to 717	15.86	6.05	95.88		
717 to 718	19.74	5.82	114.82		
718 to 719	14.99	6.04	90.52		
719 to 720	15.32	6.06	93.18		
720 to 721	13.35	6.12	83.69		
721 to 722	14.66	5.95	87.21		
722 to 723	12.22	5.88	74.54		
723 to 724	37.37	5.84	15.83		
724 to 725	33.23	5.74	190.62		
725 to 726	33.23	5.74	190.62		
726 to 727	33.23	5.74	190.62		
727 to 728	33.23	5.74	190.62		
728 to 729	33.23	5.74	190.62		
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938 to 939	33.23	5.74	190.62		
939 to 940	33.23	5.74	190.62		
940 to 941	33.23	5.74	190.62		
941 to 942	33.23	5.74	190.62		

Height Calculation	
Highest Point (m)	31.58
Average Grade (m)	6.34

This document shows the relative location of the surveyed buildings and structures with respect to the boundaries of the parcel described herein. This document shall not be used to define property lines or property corners.

Polans Land Surveying Inc. accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.

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Toll Free: (877) 603 7398
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info@pisci.ca
www.pisci.ca

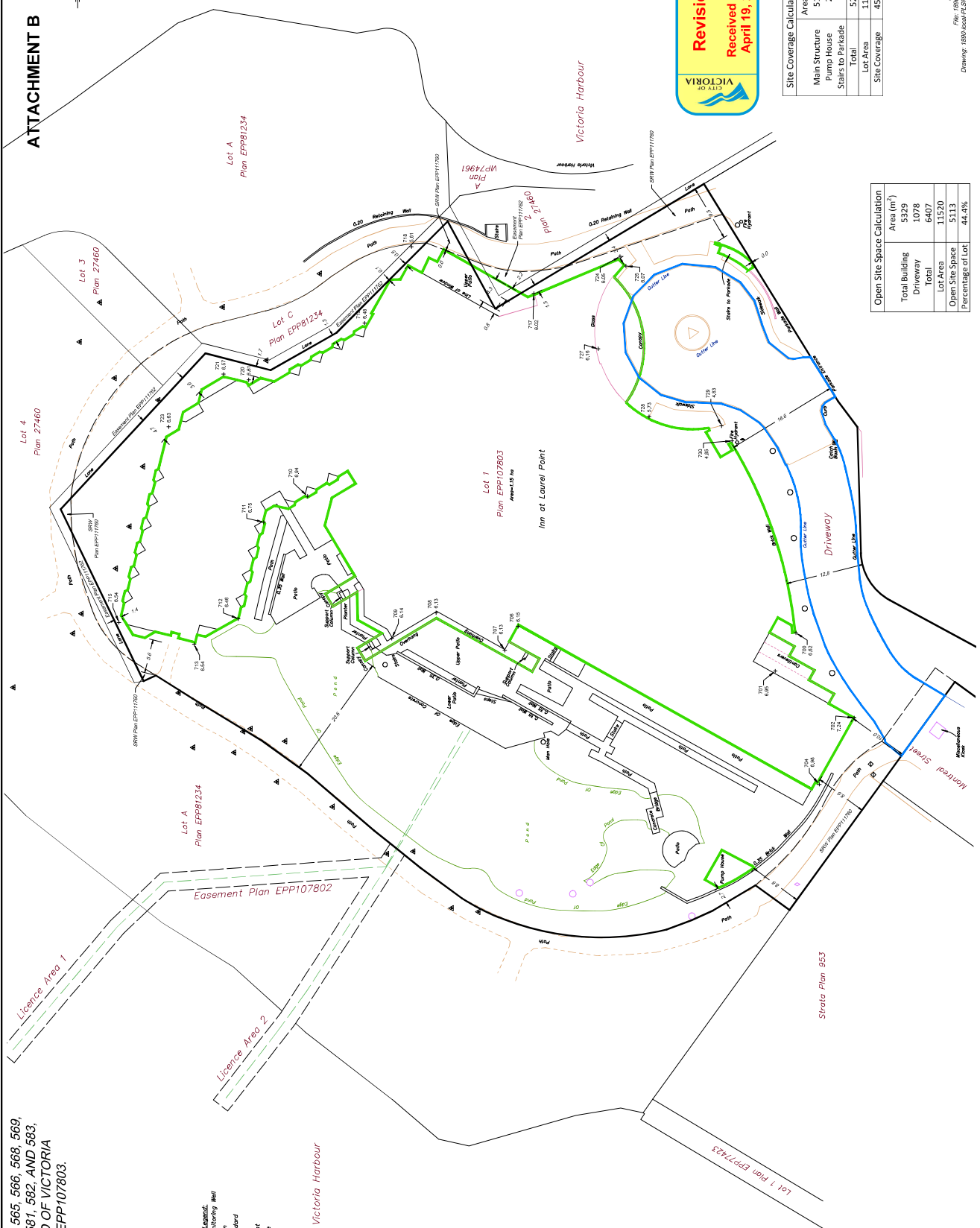
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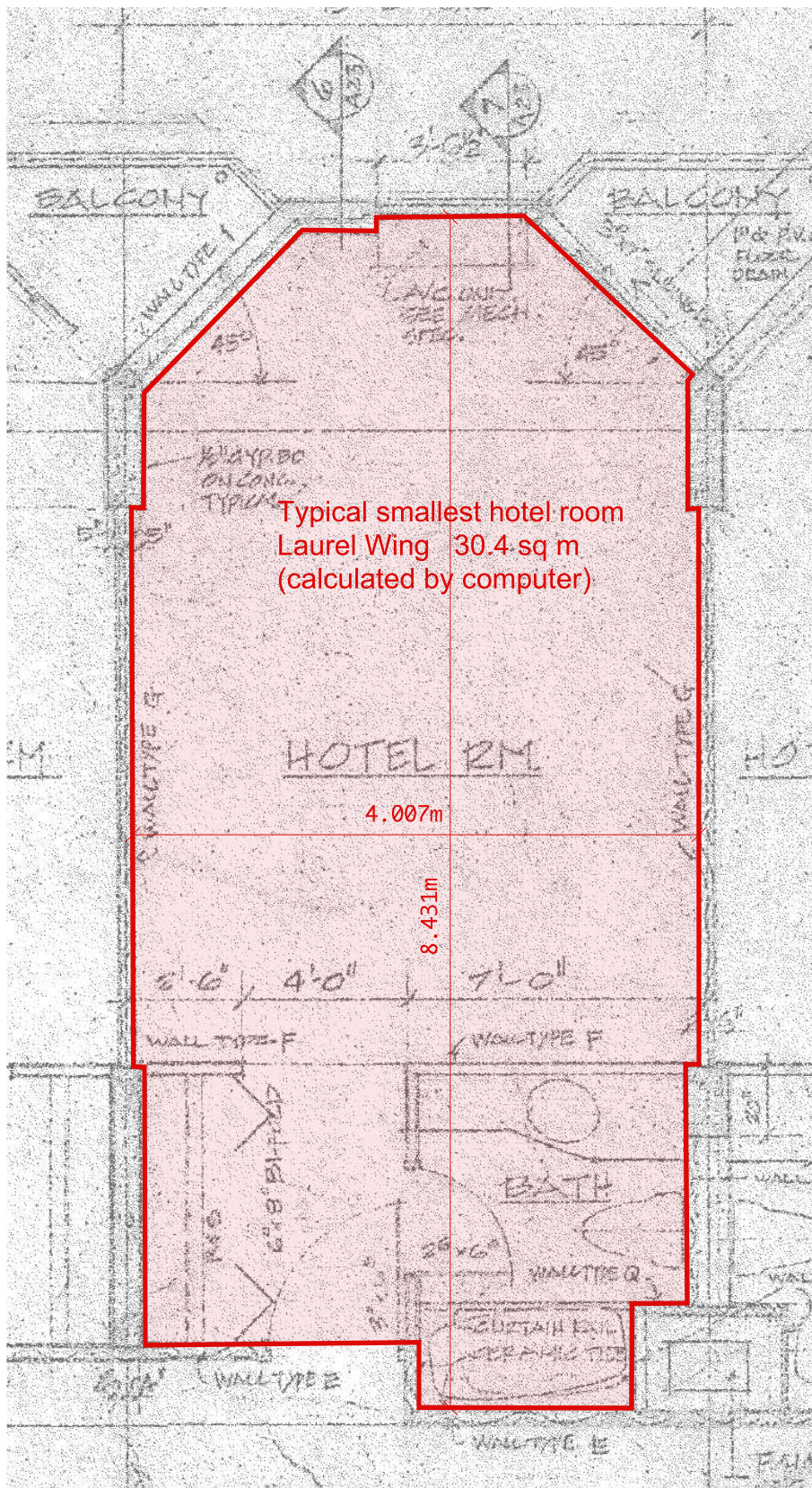
 **Revisions**
Received Date:
April 19, 2022

Site Coverage Calculation	
Main Structure	5190
Pump House	26
Stairs to Parkade	9
Total	5225
Lot Area	11520

Open Site Space Calculation	
Total Building Driveway Total	Area (m ²) 5329 1078 6407
Lot Area	11520
Open Site Space	5113
Percentage of Lot	44.4%

Date: 2021-10-19
File: 1890-Laurel Point Inn
Drawing: 1890-local-PLS-2021-01-05-C3D
Layout: Site Plan





PROJECT: INN AT LAUREL POINT REZONING

TITLE: AREA, SMALLEST GUEST RM

DATE: 1 DECEMBER 2021

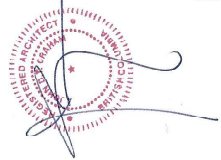
john@grahamsherwinstudio.com
www.grahamsherwinstudio.com



TITLE:
EXISTING LEGAL
NON-CONFORMING

DATE: 13 APRIL 2021

1.1



PARK

PATH

POOL MECHANICAL

LANDSCAPE POOL

COURTYARD

COURTYARD

PATIOS

STONE RM
STUDIO 150
STUDIO 152

TERRACE
BALLROOM

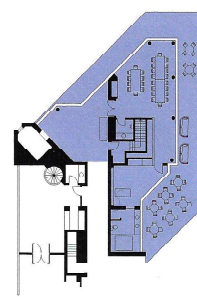
PREFUNCTION

MERINO
ROOM

PREFUNCTION

SPIRIT ROOM

ROGERS ROOM,
PREFUNCTION &
PATIO AREAS
(6TH FLOOR)



SWIM
POOL

WASH
ROOMS

AURA
RESTAURANT

PATIO

KITCHEN

LOBBY

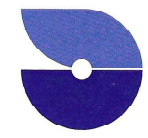
MARTIN RM
(GREEN)

HUNT, MACKENZIE
& LIVEINN RM
(ORANGE)

SITE PLAN

INN AT LAUREL POINT

SCALE
0' 10' 20' 30'



GRAHAM
SHERWIN
STUDIO

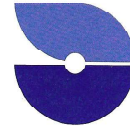
City of Victoria – Fire Department			
* Occupant Load Reviewed Under Current BC Fire Code Only			
Maximum Occupant Load is:	Fire Prevention Officer:		
Main Floor:	Persons	Name: M. SASELS	Signature: <i>[Signature]</i>
Mezzanine:	* Persons		
Patio/Deck:	Persons		
Total:	87	Persons	Date: Nov 25 2020

*DETAILS AS INDICATED ON PLANS

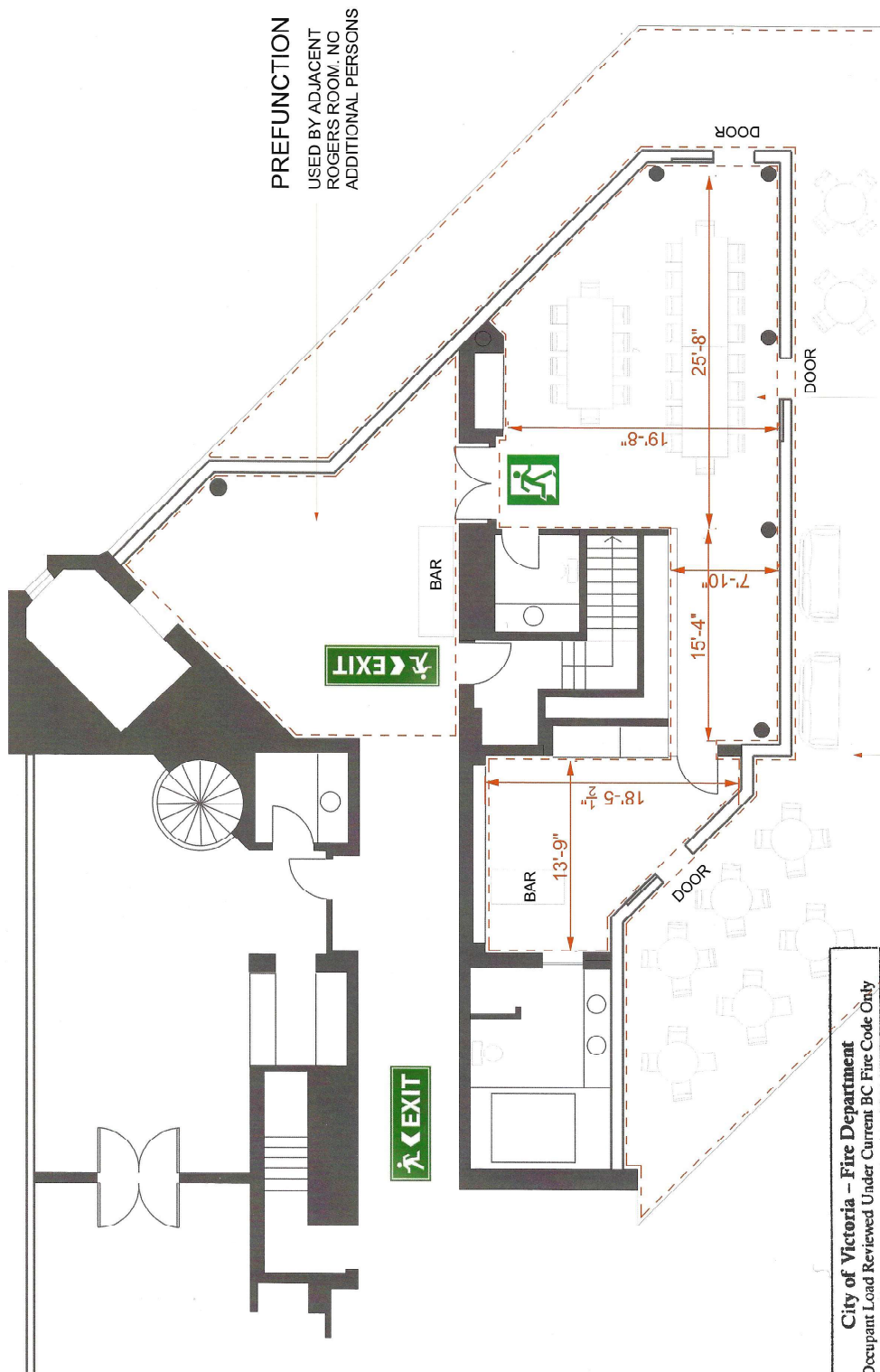
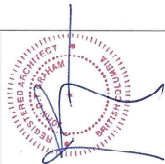


HUNT,
MACKENZIE &
LIVEINN RMS
16 APR 2020

SCALE
0' 5' 10' 15'



GRAHAM
SHERWIN
STUDIO



ROGERS ROOM
INN AT LAUREL POINT
16 APR 2020
SCALE 0 5



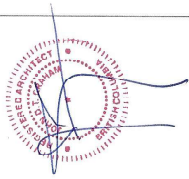
GRAHAM
SHERWIN
STUDIO

ROGERS ROOM
763 SQ FT / 12.92 SQ FT
PER PERSON = 61 PERSONS
PLANNED OCCUPANCY
61 PERSONS

ROGERS RM TERRACE
1081 SQ FT / 12.92 SQ FT
PER PERSON = 83 PERSONS
PLANNED OCCUPANCY
61 PERSONS (FROM ADJACENT ROOM)

City of Victoria - Fire Department			
* Occupant Load Reviewed Under Current BC Fire Code Only			
Maximum Occupant Load is	Persons	Fire Prevention Officer:	Name: M. SABELL
Main Floor:	Persons	Signature:	<i>M. Sabell</i>
Mezzanine:	Persons	Date:	NOV 25 2020
Patio/Deck:	Persons		
Total:	122		

* DETAILS AS INDICATED ON PLANS



PRIVATE RM

MAX OCCUPANCY
200 SQ FT / 12.92 =
15 PERSONS

PLANNED OCCUPANCY =
15 PERSONS

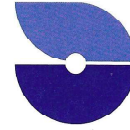
AURA RESTAURANT

MAX OCCUPANCY
1970 SQ FT / 12.92 =
152 PERSONS

PLANNED OCCUPANCY =
152 PERSONS

AURA RESTAURANT & PATIO

SCALE
0 5



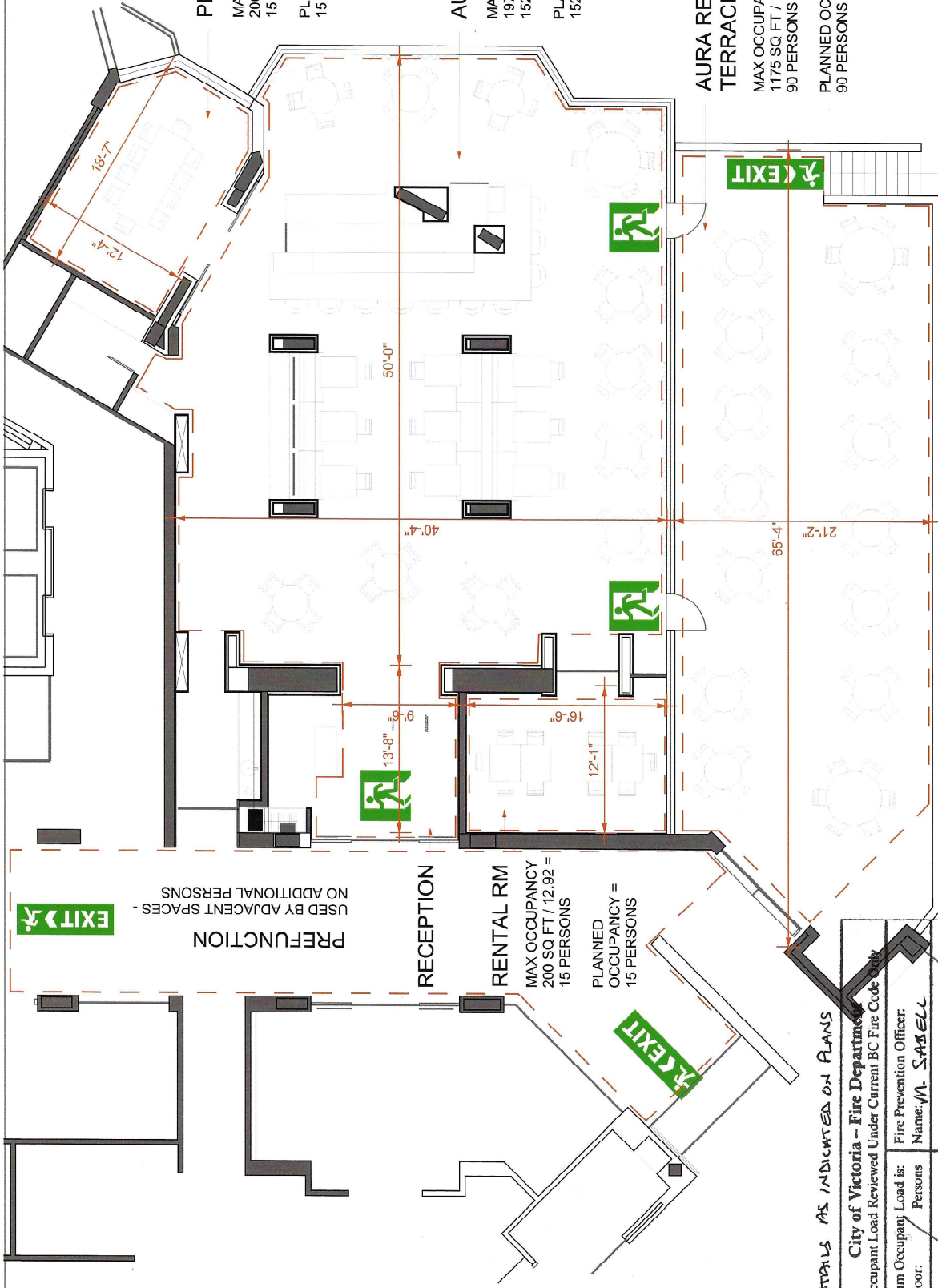
GRAHAM
SHERWIN
STUDIO

AURA RESTAURANT TERRACE

MAX OCCUPANCY
1175 SQ FT / 12.92 =
90 PERSONS

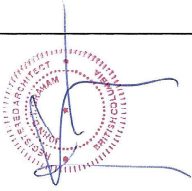
PLANNED OCCUPANCY =
90 PERSONS

EXIT TO CITY PARK



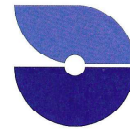
* DETAILS AS INDICATED ON PLANS

City of Victoria - Fire Department			
* Occupant Load Reviewed Under Current BC Fire Code Only			
Maximum Occupancy Load is:	Persons	Fire Prevention Officer:	Name: M. SABELL
Main Floor:	Persons	Signature:	<i>M. SABELL</i>
Mezzanine:	Persons		
Patio/Deck:	* Persons		
Total:	272 Persons	Date:	Nov 25 2020

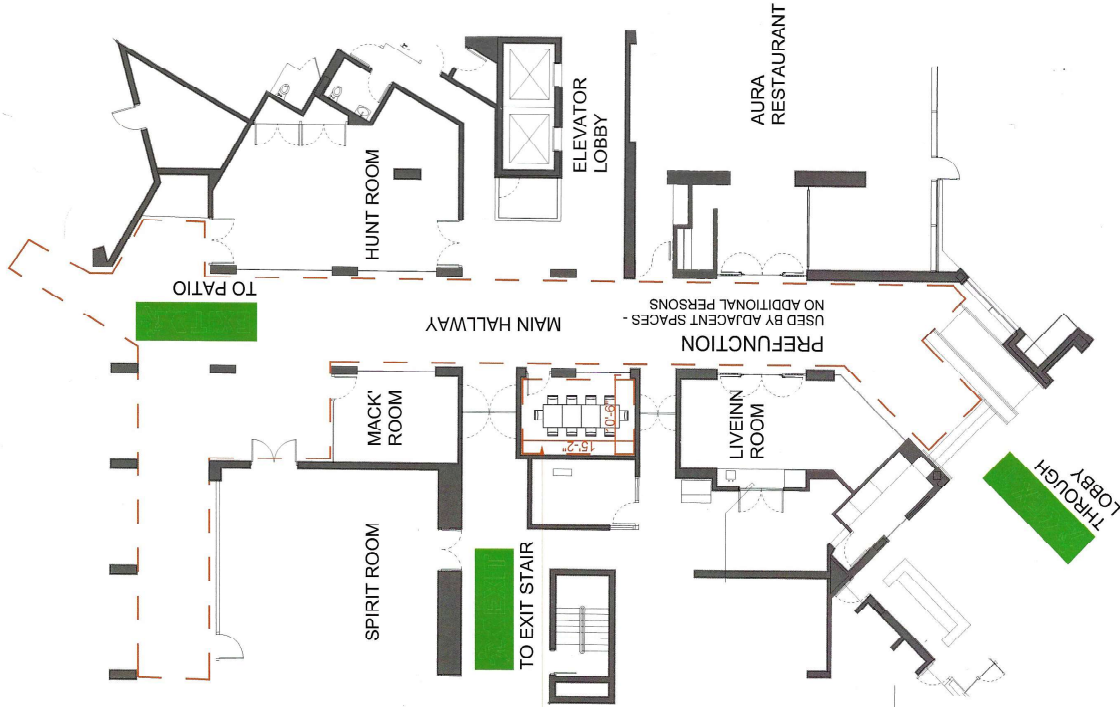


MARTIN ROOM
INN AT LAUREL POINT

SCALE
0' 5' 10' 15'



GRAHAM
SHERWIN
STUDIO



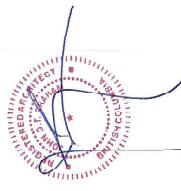
MARTIN ROOM

MAX OCCUPANCY
158 SQ FT / 12.92 =
12 PERSONS

PLANNED OCCUPANCY =
12 PERSONS

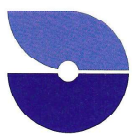
City of Victoria - Fire Department				
* Occupant Load Reviewed Under Current BC Fire Code Only				
Maximum Occupant Load is:	Fire Prevention Officer:			
Main Floor: 12 Persons	Name:	M. S. ARELL		
Mezzanine: 1 Persons	Signature:			
Patio/Deck: 1 Persons				
Total: 12 Persons	Date:	Nov 25 2020		

MARTIN ROOM



* Occupant Load Reviewed Under Current BC Fire Code Only			
City of Victoria - Fire Department			
Fire Prevention Officer:	Name: M. S. AGIC	Persons	Persons
Maximum Occupant Load is:	Persons	Mezzanine:	Persons
Patio/Deck:	* Persons	Total:	81
Date: Nov 25, 2020			

* DETAILS AS INDICATED ON PLANS



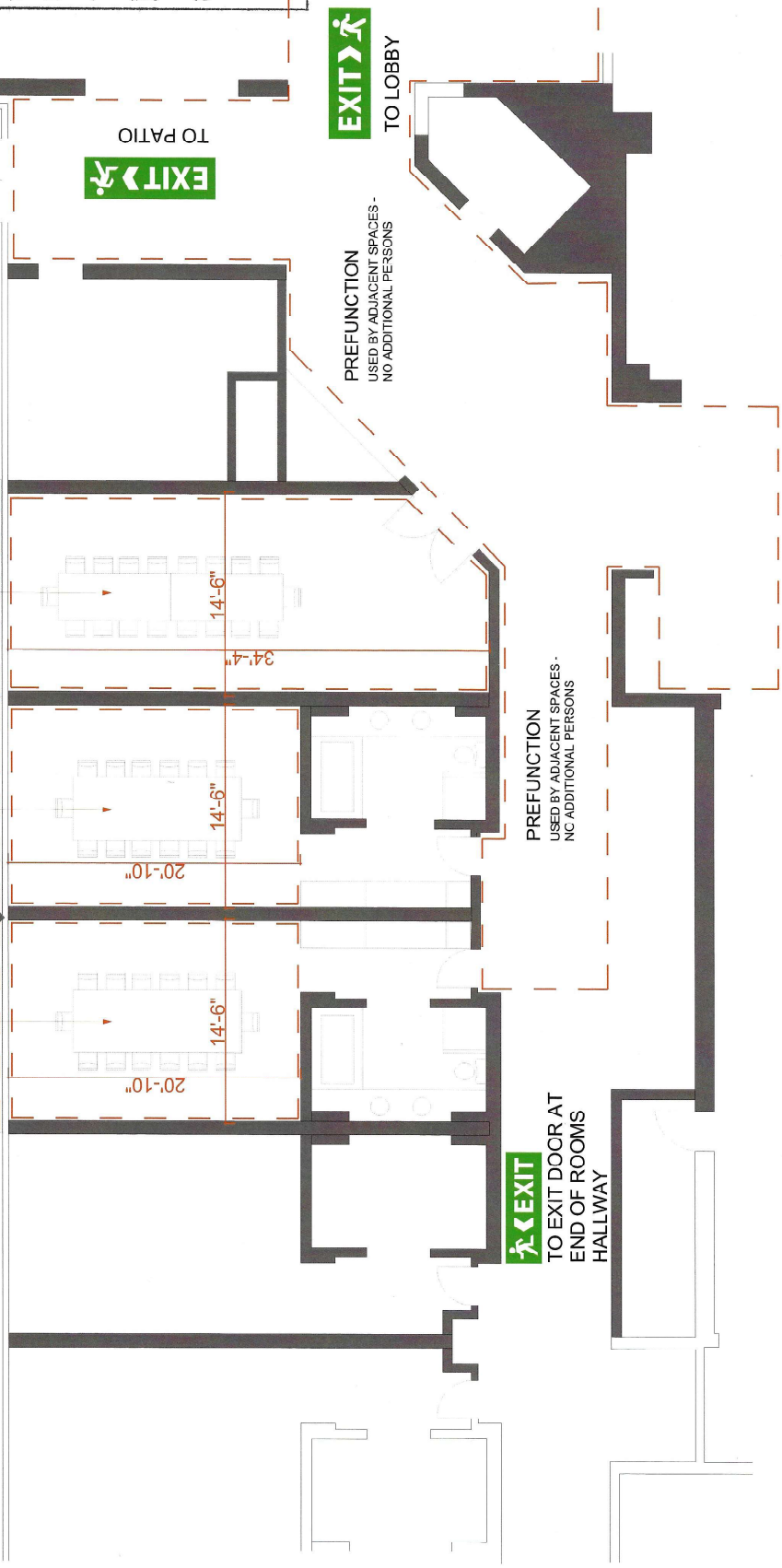
GRAHAM
SHERWIN
STUDIO

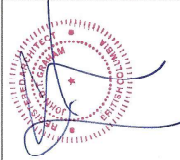
STUDIO 150,
STUDIO 152,
STONE ROOM
& PATIOS

IN AT LAUREL POINT
SCALE
0' 5'

STUDIO 152	STUDIO 150	STONE ROOM
MAX OCCUPANCY 300 SQ FT / 12.92 = 23 PERSONS	MAX OCCUPANCY 300 SQ FT / 12.92 = 23 PERSONS	MAX OCCUPANCY 457 SQ FT / 12.92 = 35 PERSONS
PLANNED OCCUPANCY = 23 PERSONS	PLANNED OCCUPANCY = 23 PERSONS	PLANNED OCCUPANCY = 35 PERSONS

PATIOS 152, 150 &
STONE ROOM
USED BY ADJACENT
ROOMS - NO ADDED
PERSONS





LANDSCAPE POOL

COURTYARD
USED BY TERRACE
BALLROOM AND
SPIRIT ROOMS - NO
ADDED PERSONS

TERRACE
BALLROOM &
COURTYARD

TERRACE BALLROOM
MAX OCCUPANCY
2786 SQ FT / 12.92 =
215 PERSONS

PLANNED OCCUPANCY =
215 PERSONS

PREFUNCTION
SPACE

USED BY ADJACENT SPACES
- NO ADDED PERSONS

SERVICE
KITCHEN

HALLWAY

SPIRIT ROOMS

TO PATIO
EXIT

THROUGH ROOMS
HALL TO EXIT DOOR
EXIT

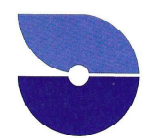
THROUGH MAIN
HALL TO LOBBY
EXIT

TO PATIO
EXIT

City of Victoria - Fire Department			
* Occupant Load Reviewed Under Current BC Fire Code Only			
Maximum Occupant Load is:	Persons	Fire Prevention Officer:	
Main Floor:		Name:	M. SABELL
Mezzanine:		Signature:	
Patio/Deck:	*	Persons	
Total:	215	Persons	Date: Nov 25 2020

* DETAILS AS INDICATED ON PLANS

INN AT LAUREL POINT
SCALE
0' 5' 10' 15'



GRAHAM
SHERWIN
STUDIO



GRAHAM
SHERWIN
STUDIO

17 May 2021 (Revised 26 May 2022)

Mayor and Council,
City of Victoria
Victoria BC

Re: Rezoning of 680 Montreal St. - the Inn at Laurel Point

Dear Mayor and Council,

1. Description of Proposal:

Unlike most rezoning applications, we are not proposing to change anything at the Inn at Laurel Point. We are applying only to have the property rezoned to its current hotel use.

The hotel was developed under a Land Use Contract on property that was split between two different industrial zones (C-4-H and M-2), neither of which related to hotel use. The Land Use Contract superseded the underlying zoning and made the hotel a “conforming use”. Under new Provincial legislation the Land Use Contract is to be terminated and the property is to revert to the underlying zoning. If that happens while the property is still zoned industrial, the hotel will become “legal non-conforming”.



(Underlying zoning split between industrial uses — additional foreshore parcel now incorporated into hotel site)

GRAHAM SHERWIN STUDIO
ARCHITECTURE + INNOVATION INC

GRAHAMSHERWINSTUDIO.COM
1738 Waterloo Street, Vancouver BC
Canada V6R 3G2 604.363.1526

If the hotel becomes “legal non-conforming”, even minor additions will require rezoning. This will not only be an unfair burden on the hotel (which will have become non-conforming through no fault of its own), this extra civic process would do nothing to protect the public; the property falls in a Development Permit area so Council already has full control of minor additions through the DP process.

The hotel proposes to avoid legal non-conforming status by having the underlying zoning changed to suit the existing building and the existing hotel use before the Land Use Contract is terminated. Again, the hotel is not proposing to change anything on the property itself, only its zoning designation.

2. Government policies:

The proposed zoning is consistent with the Official Community Plan both for James Bay and the Inner Harbour. The hotel provides high quality visitor accommodation, a connection to the Harbour Pathway, and an architecturally distinctive presence at the gateway to the Inner Harbour. The hotel not only respects the OCP vision, it helped to define that vision: when it was built 45 years ago, the hotel was the first visitor-focused property at that gateway. Up until that time Laurel Point and the Songhees lands on the opposite shore had been heavily industrial. Peter Pollen Park, which is a major link in the Harbour Pathway, was actually built by the developer and the improvements were then given to the City.



(Hotel surrounded by Peter Pollen Park and Harbour Pathway)

2. Project benefits and amenities:

The hotel provides many of the benefits and amenities called for in the OCP: access to the public park, landscaping that benefits the users of the park, high quality visitor accommodation, a venue for events for both visitors and locals alike, and enhanced security for those who use the public park and walkways.

3. Need and demand:

The hotel has a long history of meeting a high demand for visitor accommodations, graduation celebrations, weddings, conferences, and waterfront dining for both visitors and locals alike. Rezoning this property to hotel use is simply a recognition of this ongoing demand.

4. Neighbourhood:

This unique and prominent site at the entrance to the Inner Harbour is ideally suited to the current and proposed hotel use.

5. Impacts:

No changes are proposed so there will be no impact on the surrounding area.

6. Design and development permit guidelines:

No changes are proposed so there are no design or development permit issues.

7. Safety and security:

No changes are proposed so there is no impact on the safety and security of the neighbourhood.

8. Transportation:

No changes are proposed so there is no impact on transportation in the area.

9. Heritage:

The buildings on the property do not have heritage status, and no changes are proposed.

10. Green building features:

The Inn at Laurel Point was Canada's first carbon-neutral hotel. For more than thirty years the hotel has been largely heated and cooled geothermally, from seawater. The hotel has also implemented a wide range of internal programs to reduce energy consumption and recycle waste and purchase carbon offsets, in addition to providing bicycle rentals and electric vehicle charging as part of its ongoing commitment to minimize its ecological footprint.

11. Infrastructure:

No changes to public infrastructure are proposed.

A description of the details of the proposed zoning designation is appended below.

Yours truly,

A handwritten signature in blue ink, appearing to read 'John Graham', with a horizontal line extending to the right.

John Graham
Architect - AIBC

Proposed zoning details:

Zone: Existing: split between C-4H and M-2 Proposed: a single zone for hotel use

Site area: Existing - 10,150 m² (original property) + 1,350 m² (added foreshore land) = 11,500 m² (see survey)

Site coverage: Existing 5,225 m² / 11,500 m² = 0.454 (see survey) —> Proposed 0.6

Rationale: The hotel needs some flexibility to make minor additions to the main floor over time (such as the recent addition to the lobby.) This may result in a minor increase in site coverage. An increase to 0.6 adds a necessary margin of flexibility.

Open site space: Existing 5113 m² / 11,520 m² = 0.444; Zone T-1 standard 0.30; proposed 0.30

Height: Existing 31.58 m geodetic —> Proposed 31.6 m geodetic or 25.25 m above average grade (see survey)

Rationale: The highest point of the existing hotel is the top of the elevator tower in the 1988 Erickson Wing which has been surveyed at 31.58m. The hotel does not expect to need to go above that point.



Highest point: Erickson Wing elevator tower in centre above.

Setbacks:

The proposed minimum setbacks are laid out below, with the Montreal St property line as the “front”, the adjacent condominium property lines as the “sides”, and the property line around the park as the “rear”.

In addition to minimum setbacks, we propose that the setback increases as the building rises up (as in the existing Erickson Wing in the photograph below) to minimize the building’s shadow and visual impact on the surrounding garden and park. See “Height-related setback line” below.



Erickson Wing at garden

Front:

Existing 8.6 m, Proposed 7.5 m, plus additional height-related setbacks.

Rationale: the hotel does not need to come closer to the property line than the existing building does.

Side:

Existing varies, Proposed 7.5 m, plus additional height-related setbacks.

Rationale: the minimum setback is consistent with the T-1 transient accommodation zone. The additional height-related setback increases the separation to adjacent buildings.

Rear:

Existing 0.0 m, Proposed 0.0 m, plus additional height-related setbacks.

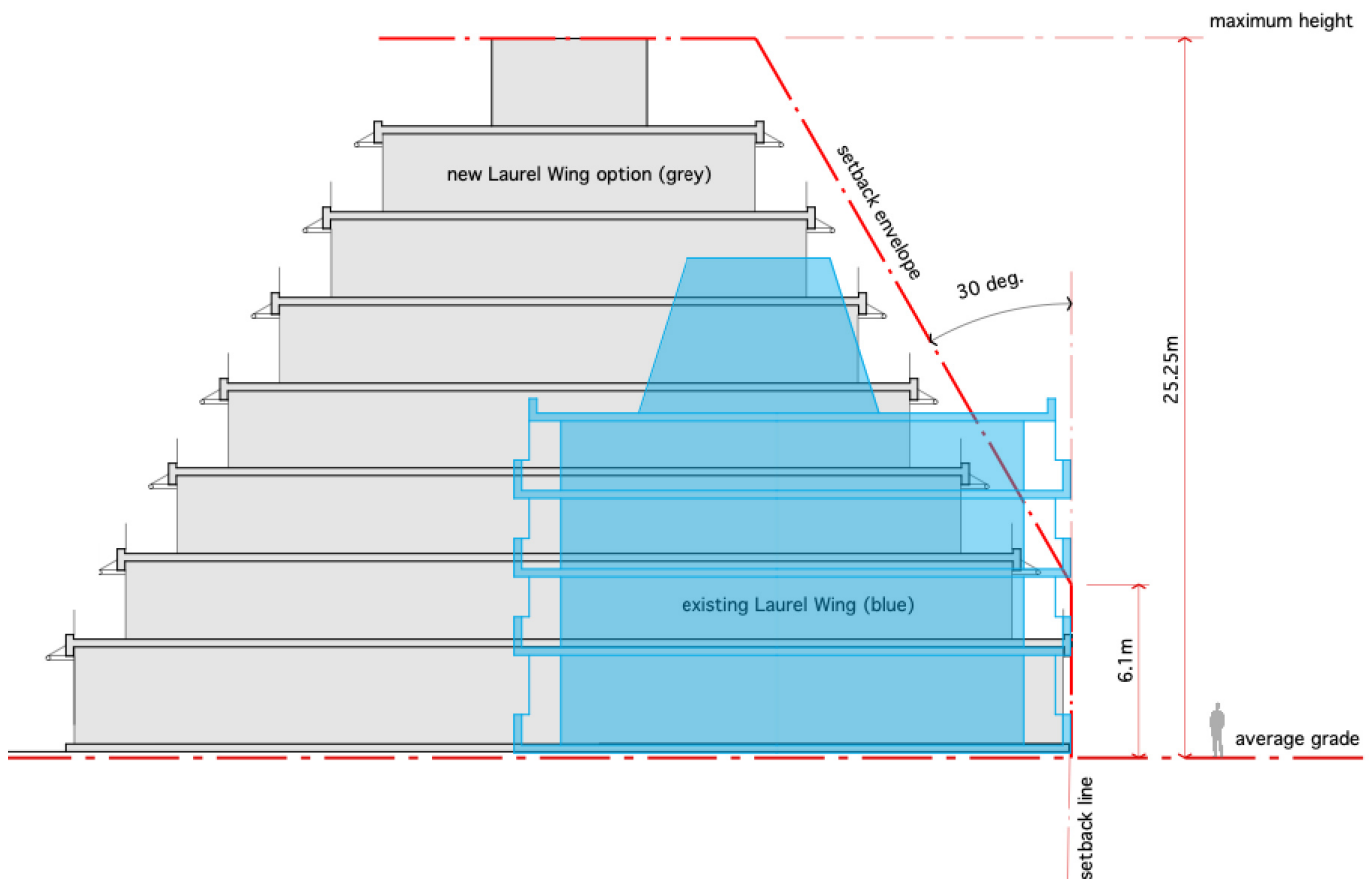
Rationale: the existing building touches the property line in several places so to remain legal and conforming, the rear setback has to be 0.0 m. The additional height-related setback, however, will minimize any future impact of construction on the park

Height-related setback line

Existing: none, Proposed: as below

A line that starts at the minimum setback distance from the property line (as stipulated above for the different sides of the property) and rises vertically to a height of 6.1m above average grade and then angles away from the property line at 30 degrees from vertical until it meets the maximum allowable height.

Rationale: the relationship between the existing building (shown in blue) and the park is less than optimal because of the vertical building face. An angled setback line will ensure that any future building will have less impact on the park than the existing building, even when the height is greater, as the Erickson Wing demonstrates.



Proposed height-related setback line

Floor area ratio: Existing 14,683 m² / 11,520 m² = 1.27 (revised to include added foreshore land)
Proposed 1.6

Rationale: In the original Land Use Contract, the FAR for the two parcels that make up what is now the Inn at Laurel Point property was 2.49. The closest current comparable hotel property, the Coast Hotel 3 doors to the south, has an FAR of 2.95. The average FAR of the 6 adjoining buildings along the waterfront is approximately 2.22. So the proposed FAR of 1.6 for the Inn at Laurel Point is not only much lower than it was allowed to be in the original LUC, it is also much lower than the other waterfront properties in the neighbourhood. The hotel is only asking for and FAR of 1.6 because it is enough to allow the hotel to function in its current form with some flexibility to make minor additions and alterations without triggering a rezoning process.

Existing Floor Area Ratio

		Bsmt (doesn't count)	1	2	3	4	5	6	7	8	Total (ft, sq ft)	Total (m, sq m)
Erickson Wing	Gross area		21,943.0	14,582.0	13,279.0	13,637.0	8,375.0	5,554.0	1,252.0	452.0	79,074.0	7,346.2
	Exterior wall length		572.0	544.0	541.2	643.0	476.0	395.0	182.0	90.0	3,443.2	
	Exterior wall area		377.5	359.0	357.2	424.4	314.2	260.7	120.1	59.4	2,272.5	211.1
	Total net area		21,565.5	14,223.0	12,921.8	13,212.6	8,060.8	5,293.3	1,131.9	392.6	76,801.5	7,135.1
Laurel Wing	Gross area		29,777.0	19,573.0	17,561.0	13,769.0	2,726.0				83,406.0	7,748.7
	Exterior wall length		940.0	814.1	764.2	636.0	106.5				3,260.8	
	Exterior wall area		620.4	537.3	504.4	419.8	70.3				2,152.1	199.9
	Total net area		29,156.6	19,035.7	17,056.6	13,349.2	2,655.7				81,253.9	7,548.7
											158,055.4	14,683.8
											sq ft	sq m
Existing floor area (sq m)	14,683.8											
Existing site area (sq m)	10,150.0											
Added site area Lot B (sq m)	1,350.0											
Total site area (sq m)	11,500.0											
Existing FAR	1.28											

See larger version of existing FAR calculation in Appendix 2.

Building name	Address	Zoning or LUC	Floor area - Laurel Wing (sq m)	Floor area - Erickson Wing (sq m)	Total floor area (sq m)	Site area (sq m)	Floor Area Ratio	Notes
Overall Laurel Point Development	235 Cross St / 680 Montreal St	1974 LUC			41,860.6	19,988.2	2.09	
Inn at Laurel Point	680 Montreal St	1974 LUC	12,518.6	12,778.8	25,297.4	10,150.0	2.49	
		1988 LUC	7,369.8	undefined	undefined	10,150.0	N/A	undefined
		1988 LUC as now built	7,548.7	7,135.1	14,683.8	10,150.0	1.45	
		1988 LUC with added Lot B	7,548.7	7,135.1	14,683.8	11,520.0	1.27	
Nearby properties								
Laurel Point Condominiums	225 / 247 Belleville St	1974 LUC			16,563.2	9,838.2	1.68	
Pier One Condominiums	640 Montreal St	R3-2			4,800.0	2,266.2	2.12	approx
Harbourside Condominiums	630 / 636 Montreal St	KM-MD			16,400.0	7,746.5	2.12	
Coast Hotel	146 / 150 Kingston St	KM-H			9,600.0	3,258.6	2.95	
Average of Floor Area Ratio of nearby properties							2.22	approx

See larger version of FAR comparison in Appendix 3

Parking:

Required under Schedule C, City of Victoria Parking bylaw, Core Area: 80 spaces (see calculations below).

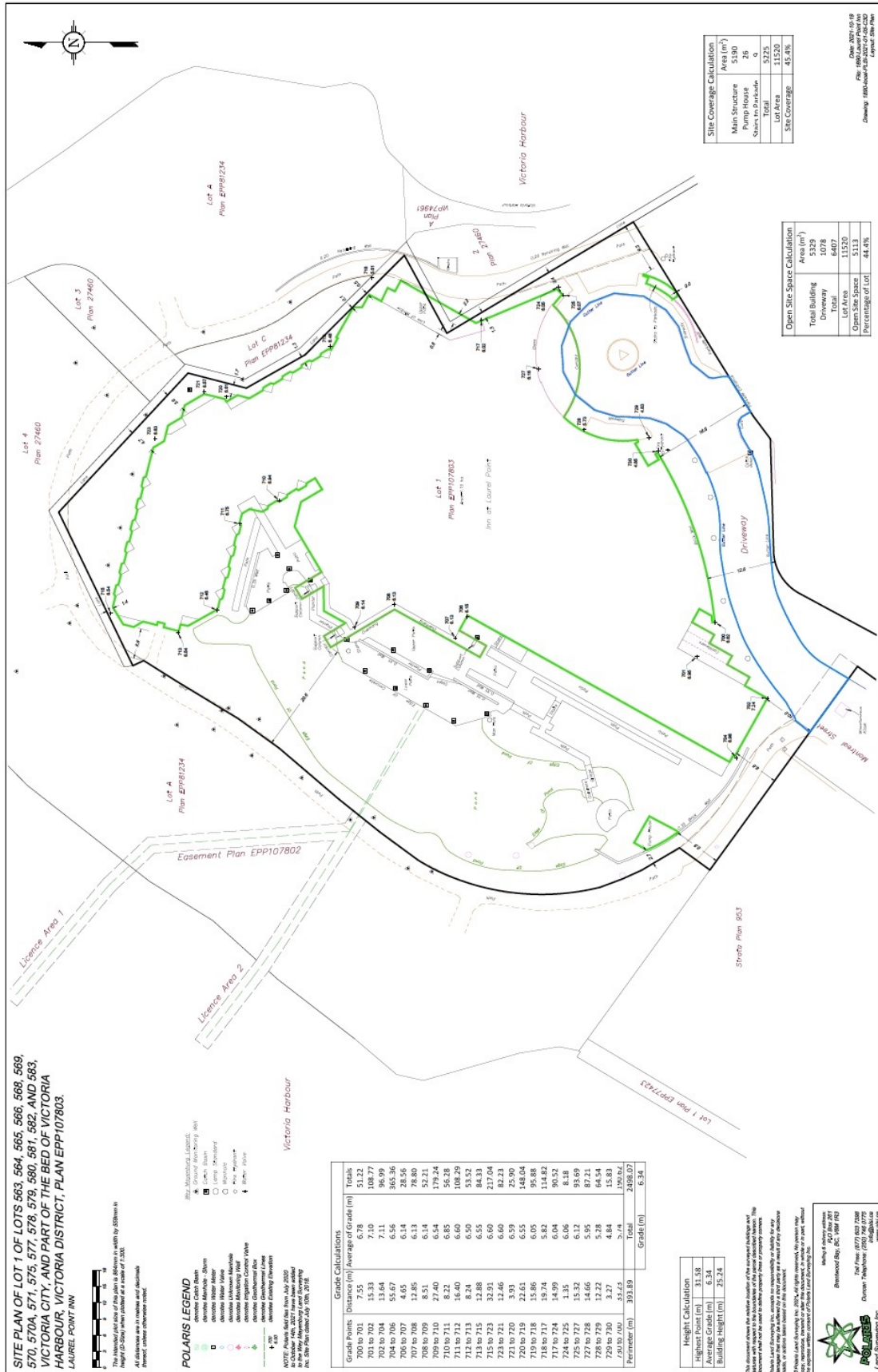
Existing: 7 surface, 29 short term and 94 overnight spaces in adjacent off-site parking structure for total of 130 spaces (complies).

Proposed: as existing

Rationale: The existing parking is 48% greater than required under the bylaw.

	Room	Floor area sq ft	Floor area sq m	Area per parking space from Schedule C	Required parking spaces
Assembly	Spirit rooms	2,335			
	Merino rooms	1,180			
	Terrace	2,786			
	Studio 152	300			
	Studio 150	300			
	Stone room	457			
	Rogers room	793			
	MacKenzie	200			
	Hunt room	592			
	Martin room	158			
			9,101	845.8	30
Restaurant	Main space	1,970			
	Private dining	200			
	Rental room	200			
	Terrace	1,175			
		3,545	329.5	40	8.2
			Number of rooms	Parking spaces per room from Schedule C	Required parking spaces
Transient accommodatio			205	0.25	51.25
Total parking spaces required for all functions					88
Total provided					130

APPENDIX 1 - SITE SURVEY (to enlarge, see attached PDF copy of survey)



APPENDIX 2 - FLOOR AREA CALCULATION (includes added Lot B resulting from Federal Government divestiture of foreshore lands)

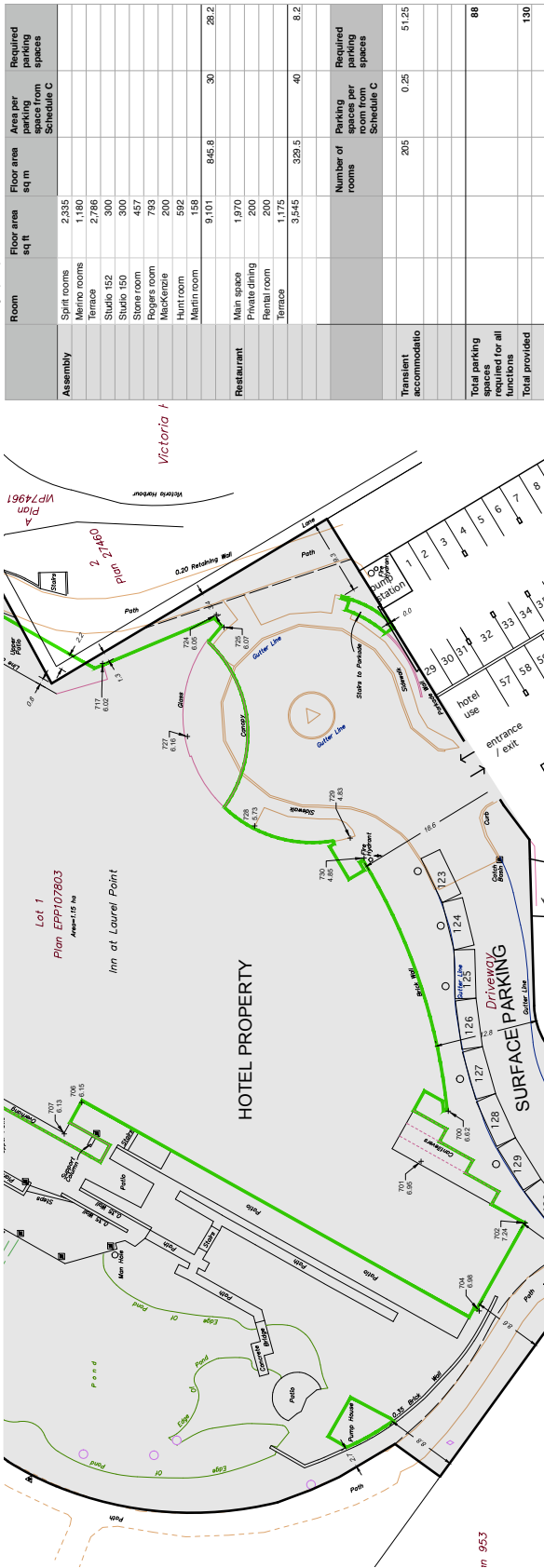
Existing Floor Area Ratio

	Bsmt (doesn't count)	1	2	3	4	5	6	7	8	Total (ft, sq ft)	Total (m, sq m)
Erickson Wing											
Gross area		21,943.0	14,582.0	13,279.0	13,637.0	8,375.0	5,554.0	1,252.0	452.0	79,074.0	7,346.2
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										158,055.4	14,683.8
										sq ft	sq m
Existing floor area (sq m)	14,683.8										
Existing site area (sq m)	10,150.0										
Added site area Lot B (sq m)	1,350.0										
Total site area (sq m)	11,500.0										
Existing FAR	1.28										

APPENDIX 3 - FAR COMPARISON

Building name	Address	Zoning or LUC	Floor area - Laurel Wing (sq m)	Floor area - Erickson Wing (sq m)	Total floor area (sq m)	Site area (sq m)	Floor Area Ratio	Notes
Overall Laurel Point Development	235 Cross St / 680 Montreal St	1974 LUC			41,860.6	19,988.2	2.09	
Inn at Laurel Point	680 Montreal St	1974 LUC	12,518.6	12,778.8	25,297.4	10,150.0	2.49	
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Nearby properties								
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Coast Hotel	146 / 150 Kingston St	KM-H			9,600.0	3,258.6	2.95	
Average of Floor Area Ratio of nearby properties							2.22	approx

APPENDIX 4 - PARKING LOCATION AND LAYOUT (to enlarge, see attached PDF copy of drawing)



PARKING CALCULATIONS PER SCHEDULE C



GRAHAM
SHERWIN
STUDIO

INN AT LAUREL POINT
REZONING

TITLE: PARKING PLAN

SCALE: 1:240

DATE: 4 DECEMBER 2021

ISSUED FOR: PLANNING DEPARTMENT REQUEST

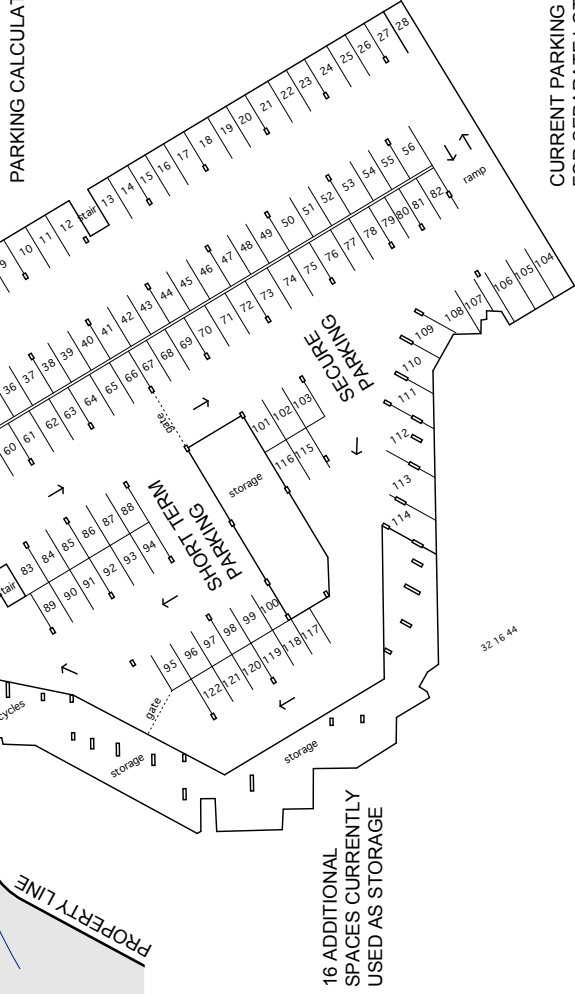
1.1

OWNER: GRAHAM SHERWIN STUDIO

ARCHITECT: JOHN GILBERT B.S. 1983

WWW.GRAHAM-SHERWIN-STUDIO.COM

CURRENT PARKING LAYOUT
FOR SEPARATE LOT 122
(OVERALL DIMENSIONS FROM SURVEY ON TITLE)





James Bay Neighbourhood Association

jbna@jbna.org

Victoria, B.C., Canada

www.jbna.org

June 12th, 2021

Mayor and Council,
City of Victoria

Dear Mayor Helps and Councillors,

Re: CALUC Community Discussion – 680 Montreal – Laurel Point Inn

The 680 Montreal St rezoning proposal was considered at the June 9th, 2021, JBNA ZOOM Discussion Forum. 29 people participated.

Due to the nature of the rezoning, Marg Gardiner spoke with John Graham on April 7. On April 8, Tim VanAlstine and Marg Gardiner met with City Planner Michael Angrove, City Planner, to discuss the rezoning initiative with the Inn and other properties with similar issues.

No changes to the property or building are proposed. The current zoning is split between two industrial zones. This proposal is to change the zoning so that it conforms to the current hotel buildings and use when the existing Land Use Contract is terminated by the Province.

Zoning (existing): C-4H Harbour Activity District and M-2 Light Industrial District.

Zoning (proposed): Site specific.

John Graham, Architect, Graham Sherwin Studio, represented the Inn at Laurel Point. No concerns were raised by meeting participants. Prior to the meeting, nearby residents had called to discuss the rezoning, but did not express any problems or concerns with this initiative.

We believe that the CALUC community consultation obligations have now been met.

For your consideration,

Marg Gardiner
President, JBNA

Cc: JBNA Board
Michael Angrove, CoV Planner,
John Graham, Architect, Graham Sherwin Studio

2022

CITY OF VICTORIA | Sustainable Planning & Community Development

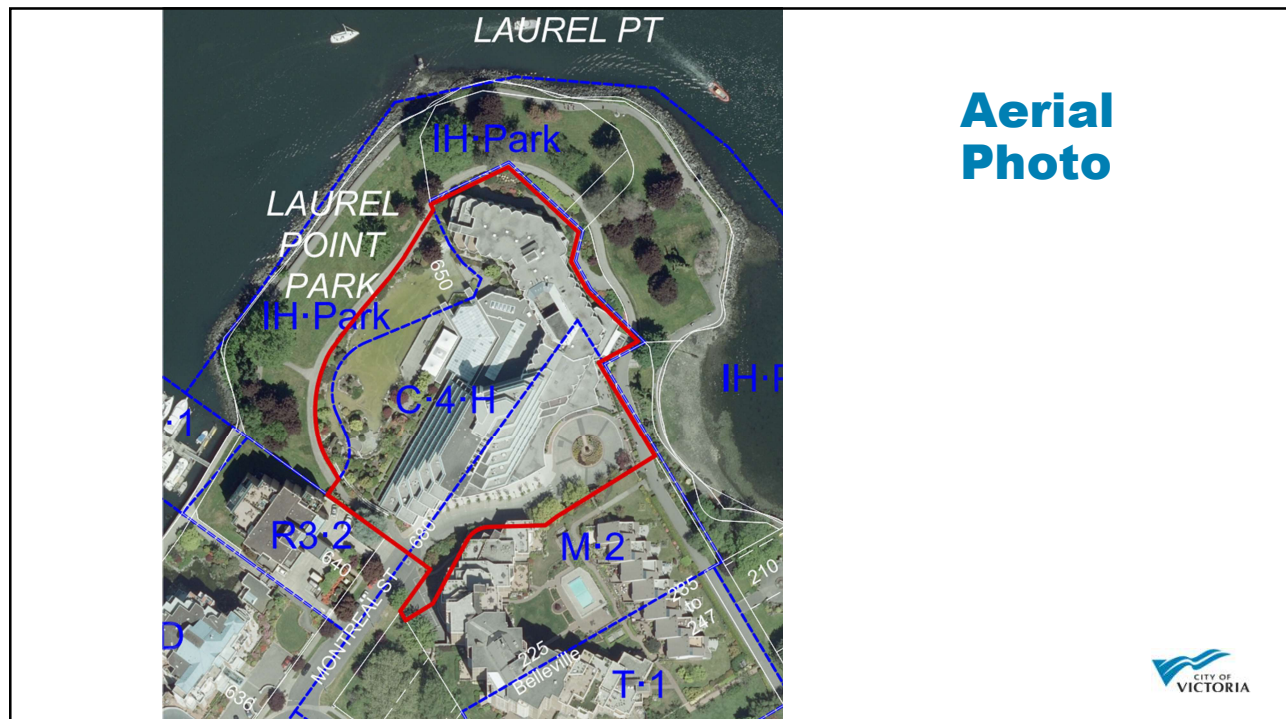
Rezoning Application No. 00792

For 680 Montreal Street (Laurel Point Inn)

COMMITTEE OF THE WHOLE | JUNE 16, 2022



1



2



Subject Property



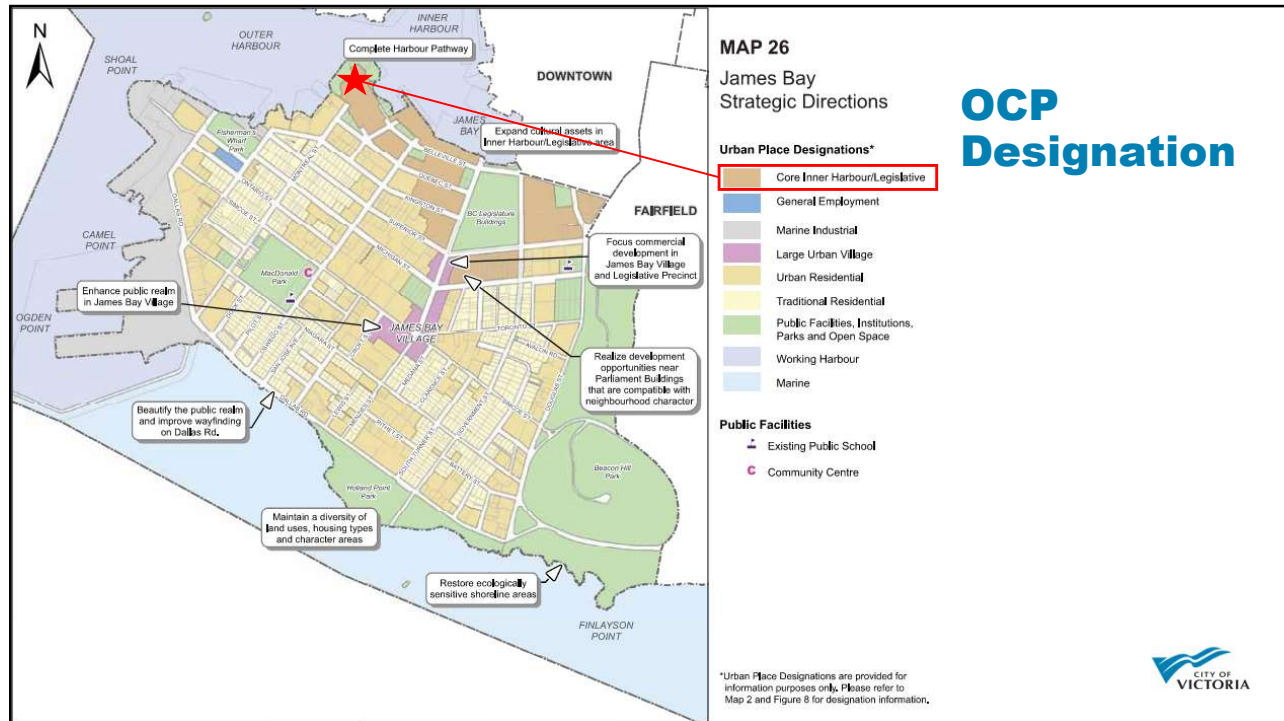
3



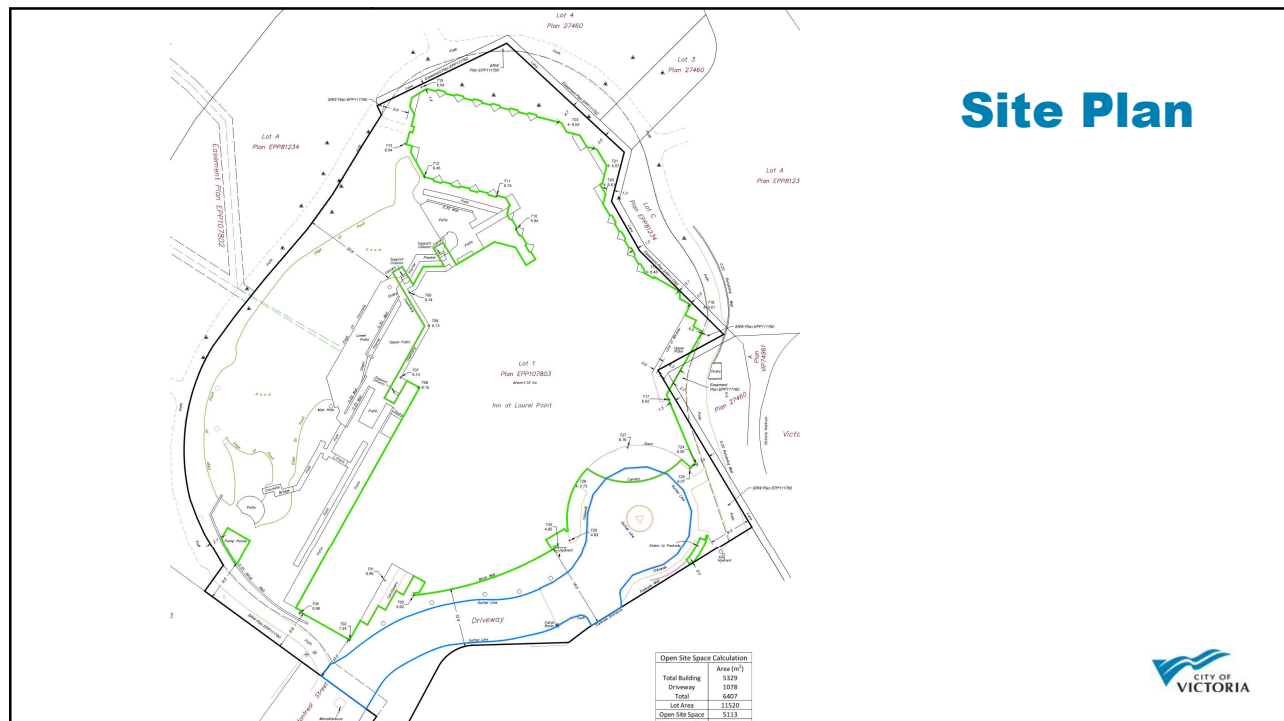
Neighbouring Properties



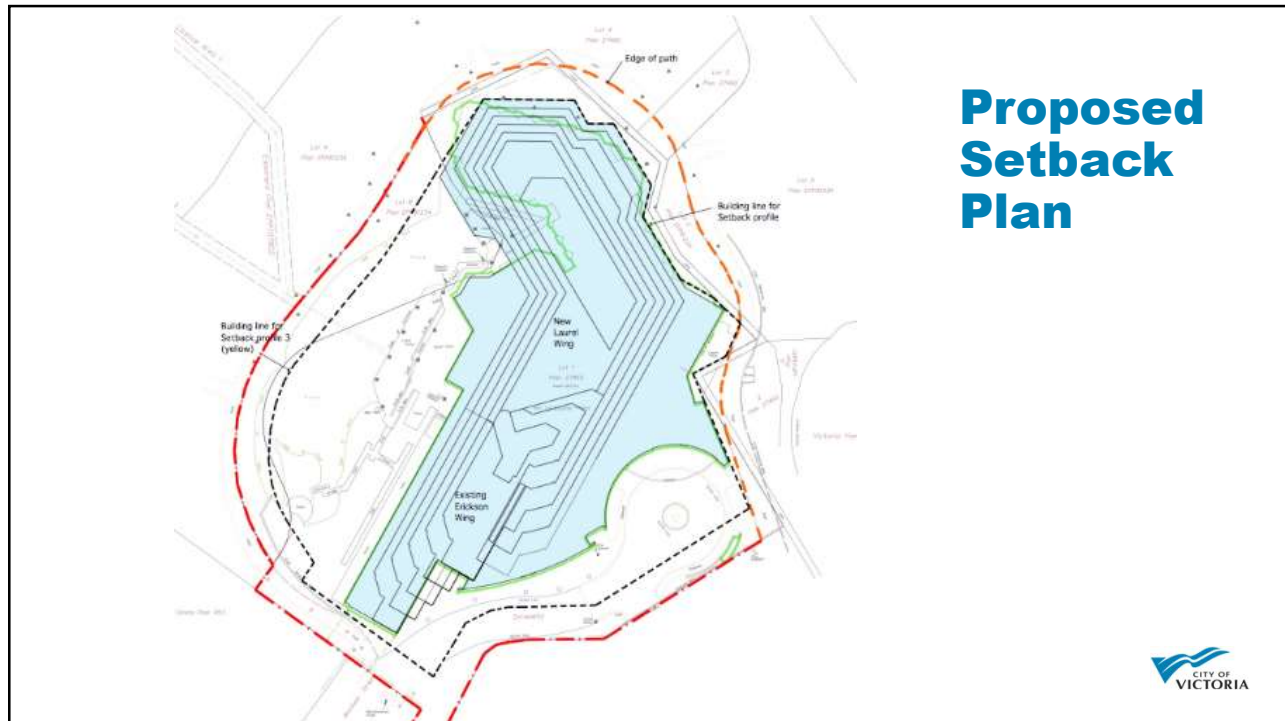
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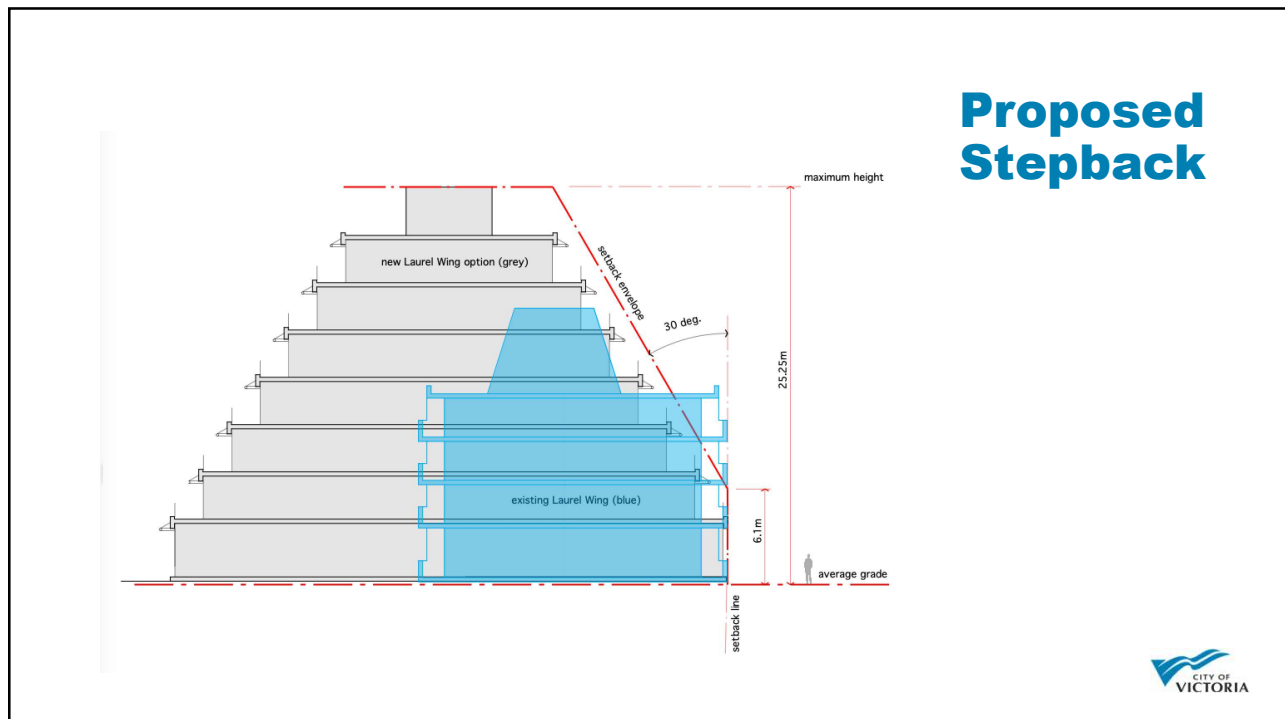
5



6



7



8

Renderings



Current Site Layout



Possible Site Layout



9

Renderings



Conceptual Bird's Eye from East



Conceptual Bird's Eye from North



10



James Bay Neighbourhood Association

jbna@jbna.org

Victoria, B.C., Canada

www.jbna.org

June 9th, 2022

Mayor and Council,
City of Victoria

Dear Mayor Helps and Councillors,

Re: CALUC Community Discussion – 680 Montreal – Laurel Point Inn

The 680 Montreal St rezoning proposal was considered at the June 9th, 2021, JBNA ZOOM Discussion Forum (see letter attached). In response to a request of the City, the proponent visited the JBNA for a second presentation on June 8, 2022. 39 people participated in the meeting.

John Graham, Architect, Graham Sherwin Studio, represented the Inn at Laurel Point. To demonstrate the impact of site specific zoning, with specified setbacks, he presented possible building structures of what could be done.

The concept of a remake of the “old” wing to mirror the step-backs as done in the Erickson wing showed a modern design with the reduced shadowing that could exist if the building were renovated in the years ahead.

No. concerns were raised by meeting participants.

For your consideration,

Marg Gardiner
President, JBNA

Cc: JBNA Board
Michael Angrove, CoV Planner,
John Graham, Architect, Graham Sherwin Studio

[REDACTED]

From: Valerie Tregillus [REDACTED]
Sent: Tuesday, September 27, 2022 1:47 PM
To: Public Hearings
Subject: T-26Zone, Laurel Point District

Thank you for advising all of us who live at 640 Montreal Street about the upcoming hearing. We do have a request. However, it does not need to be addressed prior to October 6th, 2022. We would very much appreciate being extremely clear about our boundary. The map you enclosed with the notification shows R3.2 - our lot for 640 Montreal Street and this is very helpful. However, where we are not sure is the intersection with the City's walkway by the ocean. Would it be possible to have one of your planners or whomever you think is best to visit with us and advise us on our boundary delineation and the City's public walkway. It would be greatly appreciated. Valerie Tregillus Unit 402, 640 Montreal Street. Strata Council

[REDACTED]

From: Valerie Tregillus [REDACTED]
Sent: Friday, September 30, 2022 5:28 PM
To: Public Hearings
Cc: [REDACTED]
Subject: Zoning Regulation Bylaw, Amendment Bylaw (No.1285) - No.22-077

I am writing upon the request of the Strata Council of Pier 1, 640 Montreal Street (R3.2). Thank you for giving us the opportunity to have input into this process.

The Notice states: "The proposal would also increase the density and site coverage, which would allow for a redevelopment of the north wing of the building in the future." Our question is: will there be a height restriction related to the increased density/redevelopment of the north wing?

Thank you. Valerie Tregillus, Secretary of the Pier 1 Strata Council

[REDACTED]

From: [REDACTED]
Sent: Wednesday, October 5, 2022 3:05 PM
To: Public Hearings
Subject: Zoning Regulation Bylaw, Amendment Bylaw (No.1285) - No 22 -077

Re Laurel Point Inn – 680 Montreal Street rezoning from C-4H and M-2 to site specific:

The requested changes were well explained during a CALUC review at the June 8th, James Bay Neighbourhood Association meeting.

I am in favour of this proposed change.

Thank you

Corinne MacDonald

[REDACTED]
901 – 630 Montreal Street
Victoria B C v8V 4Y2

[REDACTED]

From: K Iverson [REDACTED]
Sent: Wednesday, October 5, 2022 12:23 PM
To: Public Hearings
Subject: Amendment Bylaw (No. 1285) - No. 22-077

As 25 year-long condominium neighbours to the Inn at Laurel Point we would like to comment on the Zoning Regulation Bylaw that seeks to expand the boundaries of the hotel into the adjoining park areas. We do not have a problem with density or redesign of the building's north wing, but would not appreciate having the park area reduced. The rezoning map appears to remove the upper sidewalk on the northwest side of the park from public use. This is a heavily used pathway and its removal would create crowding on the lower pathway and a less desirable and smaller park for the public. This location is the first sight for many visitors upon arrival and was for many years a place all Victorians were proud of and used heavily. Please do not reduce the amount of park space available to the public.

Sincerely,
Kathy and Scott Iverson
640 Montreal

Sent from my iPad

[REDACTED]

From: [REDACTED]
Sent: Tuesday, January 3, 2023 4:30 PM
To: Public Hearings
Subject: Laurel Point Inn

Importance: High

Dear Mayor and Councilors,

Re: Laurel Point Inn New Zone

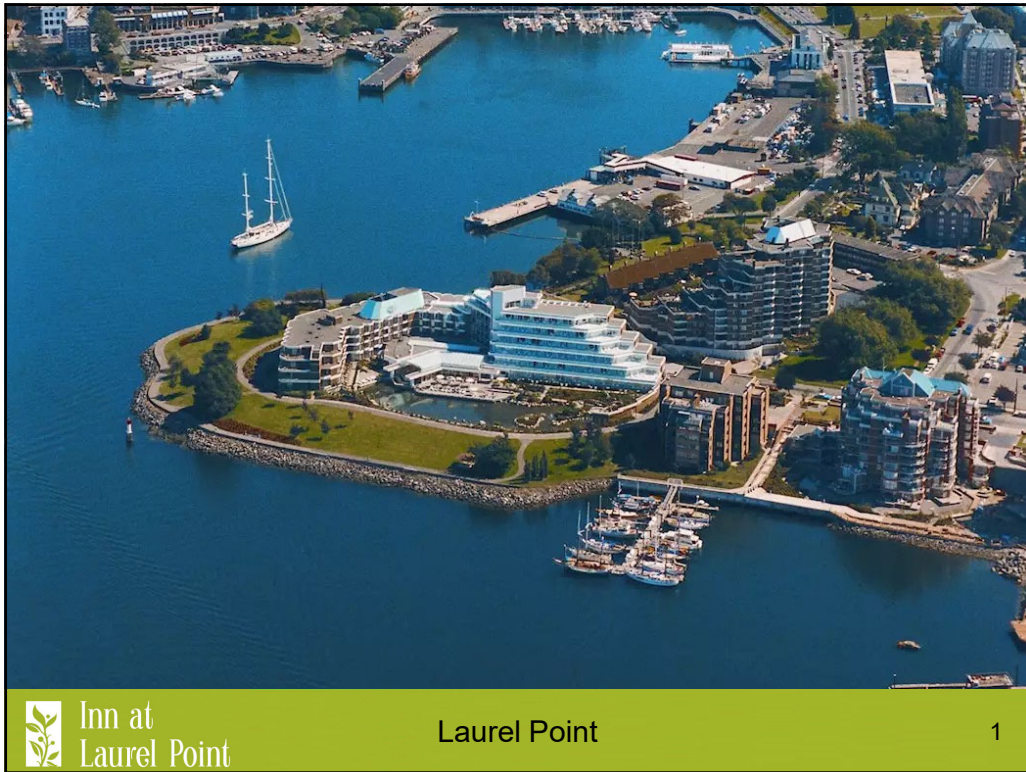
We live one building away from Laurel Point Inn and often walk near or around it. We visit the restaurant, and sometimes have friends staying at the hotel. It has been a good neighbour for the past 15 years and through the pandemic and during its latest renovation. We look forward to its new bakery.

We support its application for a New Zone, Laurel Point District.

We would appreciate being able to take a pedestrian short cut down Montreal Street and onto Peter Pollen Park.

We are very disappointed in the speed of development by the City of Victoria of Peter Pollen Park. When will it be completed?

Ben and Carla Levinson
501- 636 Montreal Street.

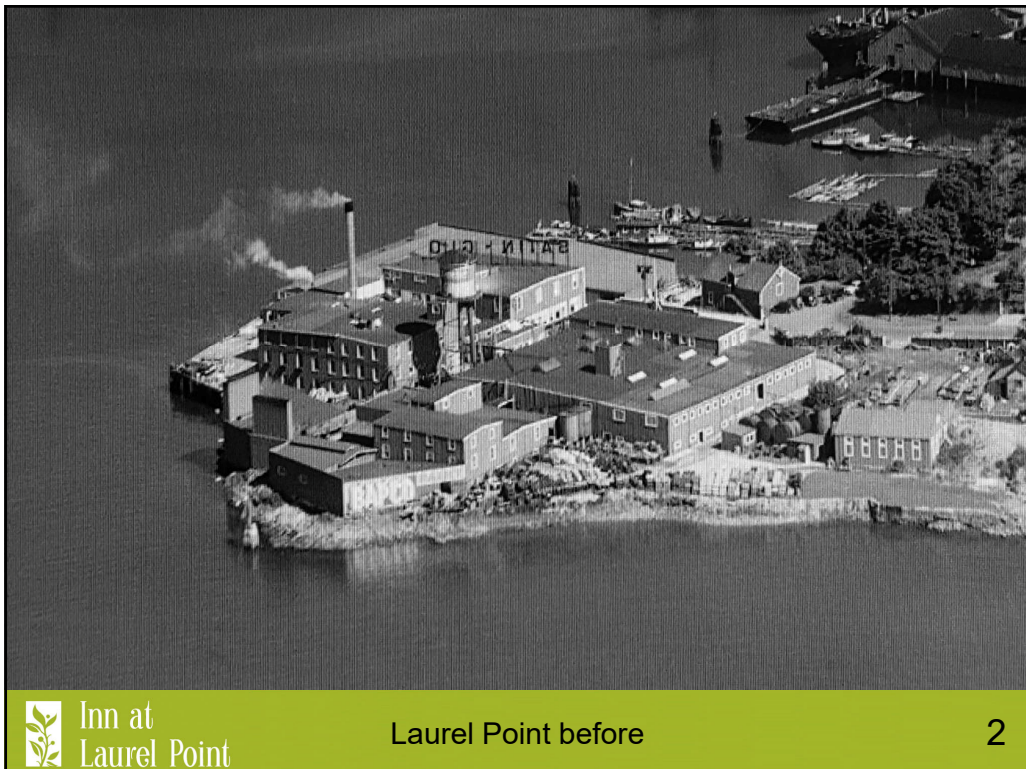


Inn at
Laurel Point

Laurel Point

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Inn at
Laurel Point

Laurel Point before

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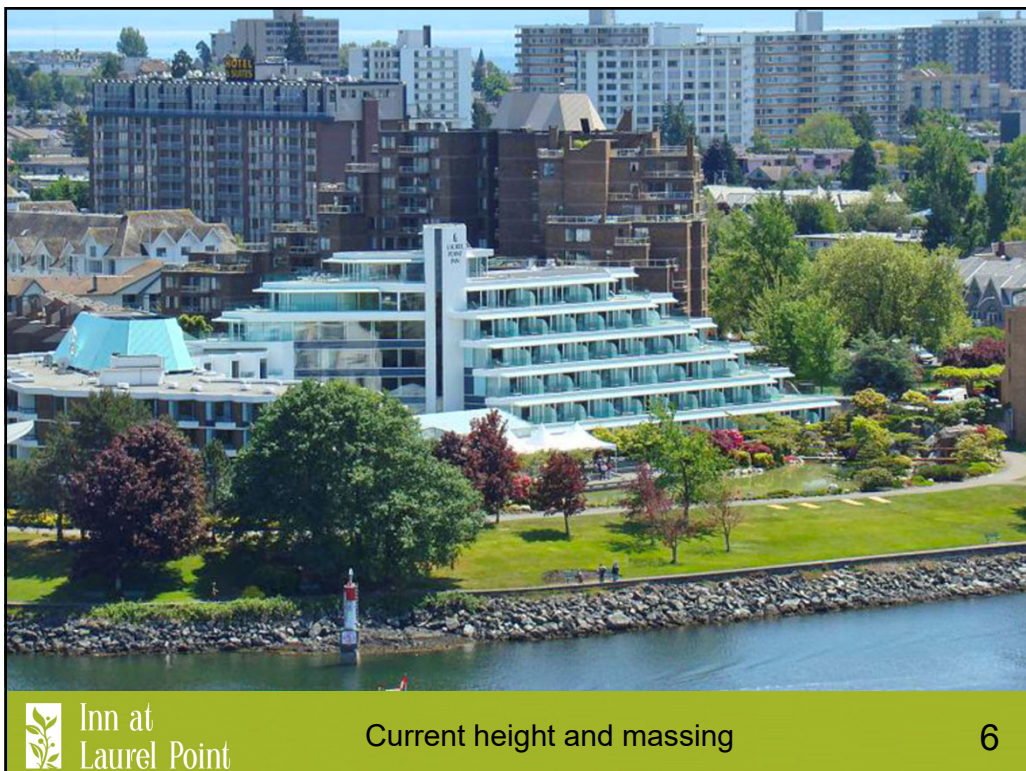


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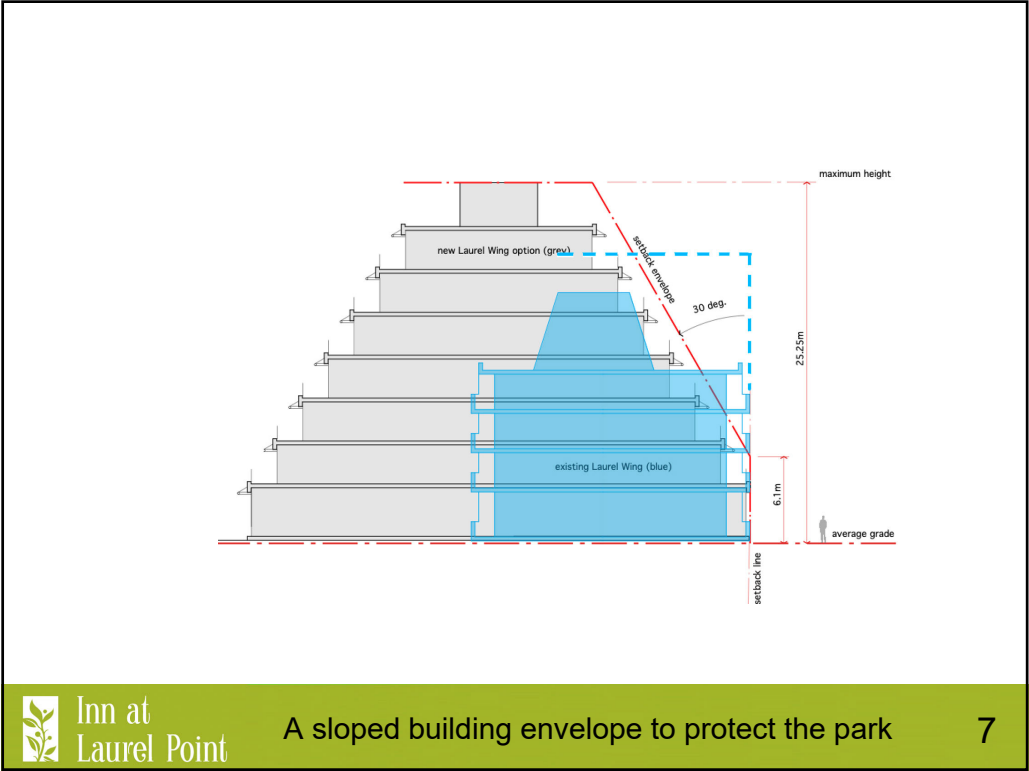
- The Provincial government is eliminating Land Use Contracts
- The Hotel will become legal non-conforming under current zoning
- New zoning is needed to facilitate upgrading of Hotel over time while protecting park and neighbours
- The Hotel has been working with the City to develop a new Zone to address these issues

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KEY ISSUES

1. Density
2. Impact on park
3. Impact on neighbours

Inn at
Laurel Point

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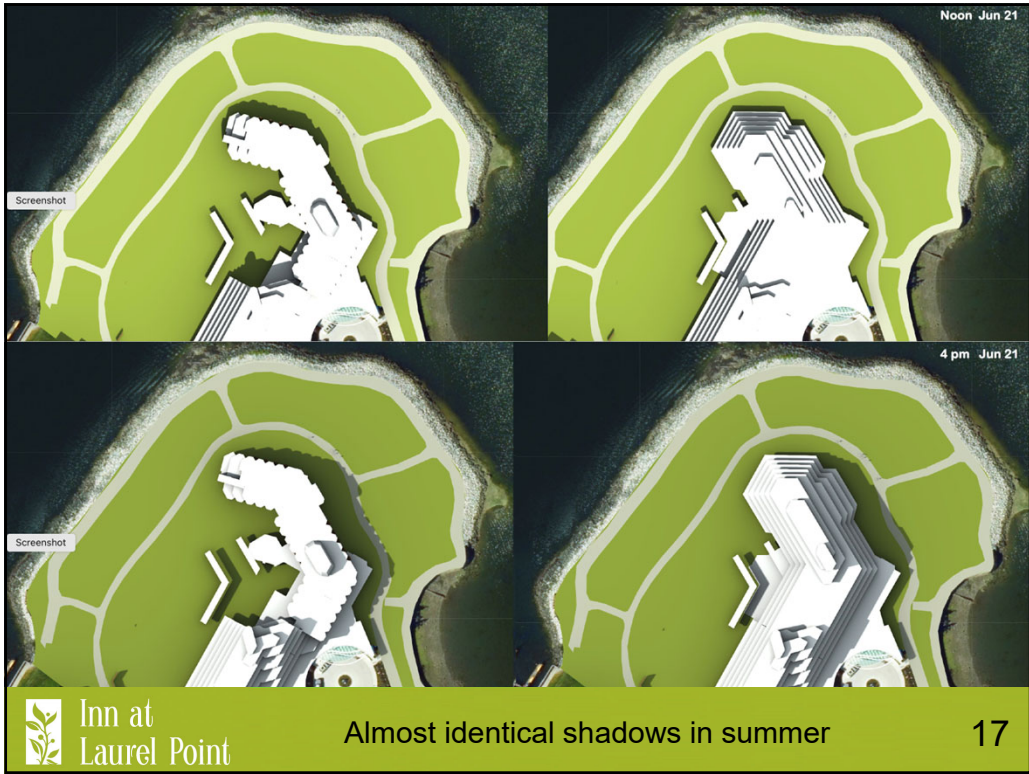
1. DENSITY

- 1.6 FSR is lower than all neighbouring buildings (average 2.2)
- lower than original Land Use contract (2.49)
- sloping setback minimizes appearance of higher density

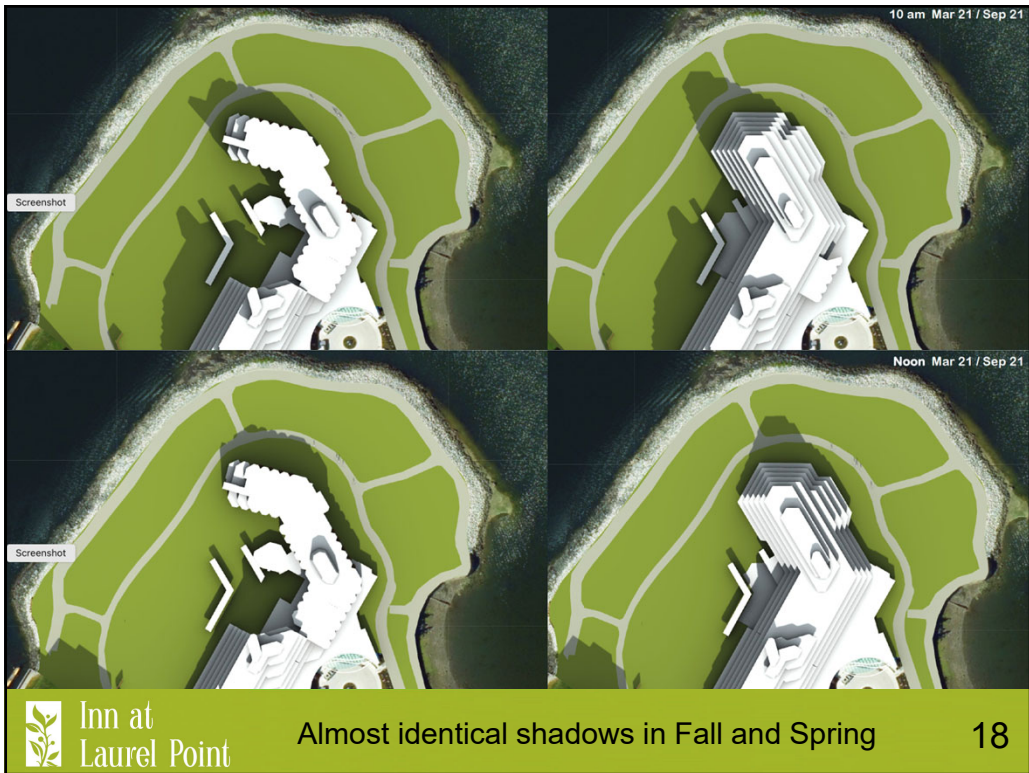


2. IMPACT ON PARK

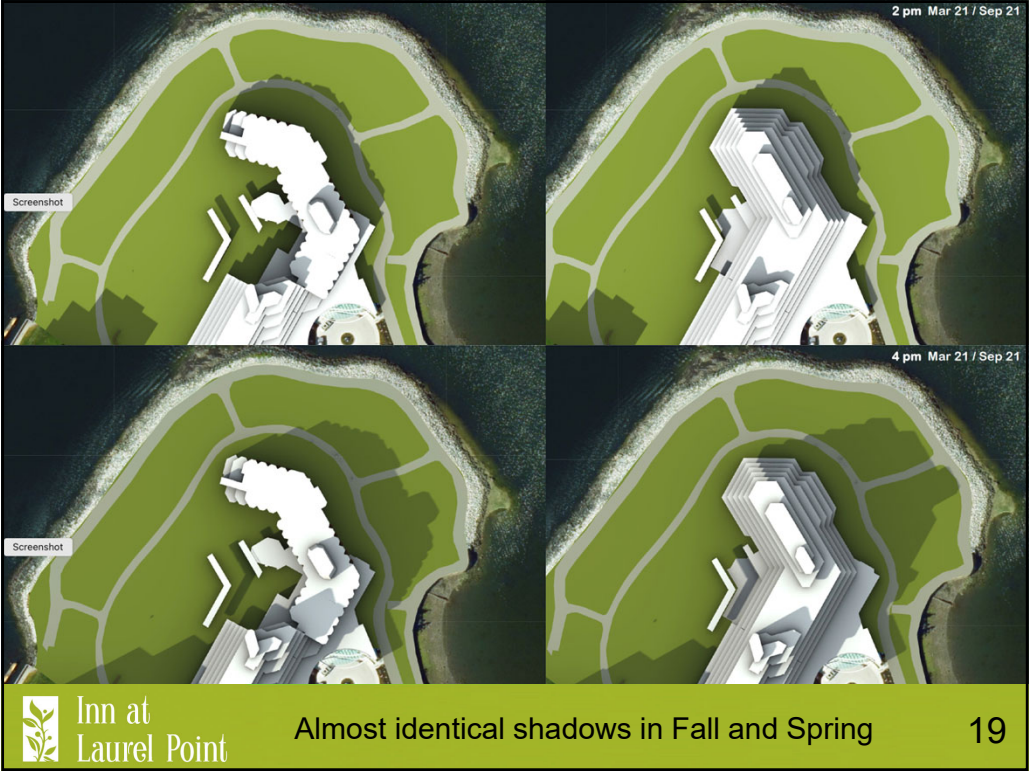
- almost identical shadow profile
- almost no change to building footprint adjacent to park
- eliminates vertical wall of existing Laurel Wing



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Presented twice to James Bay CALUC

No comments or concerns raised

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A BYLAW OF THE CITY OF VICTORIA

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

- creating the T-26 Zone, Laurel Point District, and
- rezoning land known as 680 Montreal Street to the T-26 Zone, Laurel Point District from the C-4H Zone, Harbour Activity District, the M-2 Zone, Light Industrial District and the IH-PARK Zone, Inner Harbour Parks and Causeway District.

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

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1285)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 5 – TRANSIENT ACCOMMODATION ZONES by adding the following words:

“5.26 T-26 Laurel Point District”

- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule “B” after Part 5.25 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 680 Montreal Street, legally described as PID: 031-440-487, Lot 1, District Lots 568, 569, 570, 570A, 571, 580, 581, 582 and 583, Victoria City, and Part of the Bed of Victoria Harbour, Victoria District, Plan EPP107803, and shown hatched on the attached map, is removed from the C-4H Zone, Harbour Activity District, the IH-PARK Zone, Inner Harbour Parks and Causeway District, and the M-2 Zone, Light Industrial District, and placed in the T-26 Zone, Laurel Point District.

READ A FIRST TIME the	8 th	day of	September	2022
READ A SECOND TIME the	8 th	day of	September	2022
RESCINDED SECOND READING the	1 st	day of	December	2022
AMENDED the	1 st	day of	December	2022
READ A SECOND TIME the	1 st	day of	December	2022
Public hearing held on the		day of		2022
READ A THIRD TIME the		day of		2022
ADOPTED on the		day of		2022

CITY CLERK

MAYOR

Schedule 1
PART 5.26 – T-26 ZONE, LAUREL POINT DISTRICT

5.26.1 Permitted Uses in this Zone

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

- a. Transient accommodation;
- b. Transient accommodation accessory uses, including but not limited to tourist or travel agencies, beauty parlours and barber shops, restaurants, and other uses commonly associated with transient accommodation
- c. Accessory Buildings subject to the regulations in Schedule “F”.

5.26.2 Lot Area

- | | |
|------------------------------|---------------------|
| a. <u>Lot area</u> (minimum) | 11520m ² |
|------------------------------|---------------------|

5.26.3 Floor Area, Floor Space Ratio

- | | |
|---------------------------------------|---------------------|
| a. <u>Total floor area</u> (maximum) | 18432m ² |
| b. <u>Floor space ratio</u> (maximum) | 1.6:1 |

5.26.4 Height

- | | |
|-------------------------------------|--------|
| a. <u>Building height</u> (maximum) | 25.25m |
|-------------------------------------|--------|

5.26.5 Setbacks, Projections

- | | |
|-------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| a. <u>Setback</u> for <u>buildings</u> constructed prior to January 1, 2022 (minimum) | 0m |
| b. Notwithstanding section 27 of the General Regulations, <u>setback</u> for all other <u>buildings</u> (minimum) | |
| • North yard | 0m |
| • Northeast yard | 0m |
| • Southeast yard | 7.5m |
| • West yard | 0m |
| • South yard | 7.5m |
| c. Notwithstanding paragraphs a. and b., <u>setback</u> above 6.1m in <u>height</u> (minimum) | An additional 30° from the <u>setback</u> of the <u>building</u> at grade, as illustrated in Schedule A |

Schedule 1
PART 5.26 – T-26 ZONE, LAUREL POINT DISTRICT

5.26.6 Site Coverage, Open Site Space

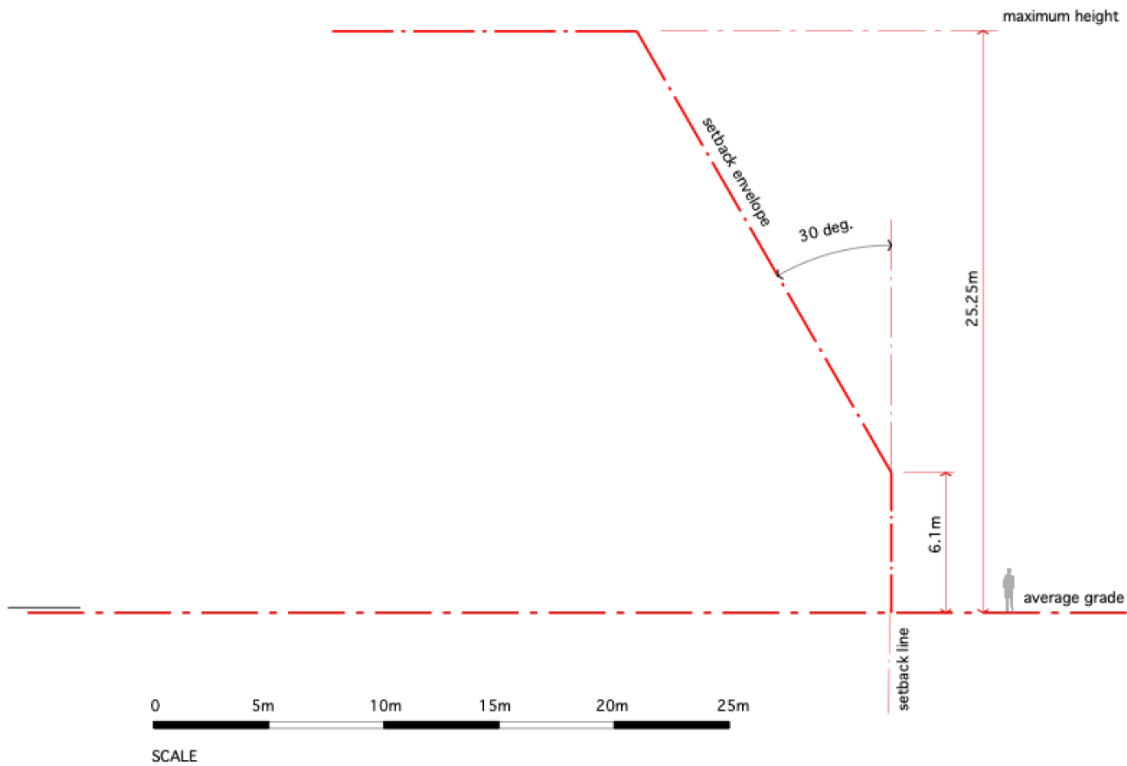
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|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 60% |
| b. <u>Open site space</u> (minimum) | 30% |

5.26.7 Vehicle and Bicycle Parking

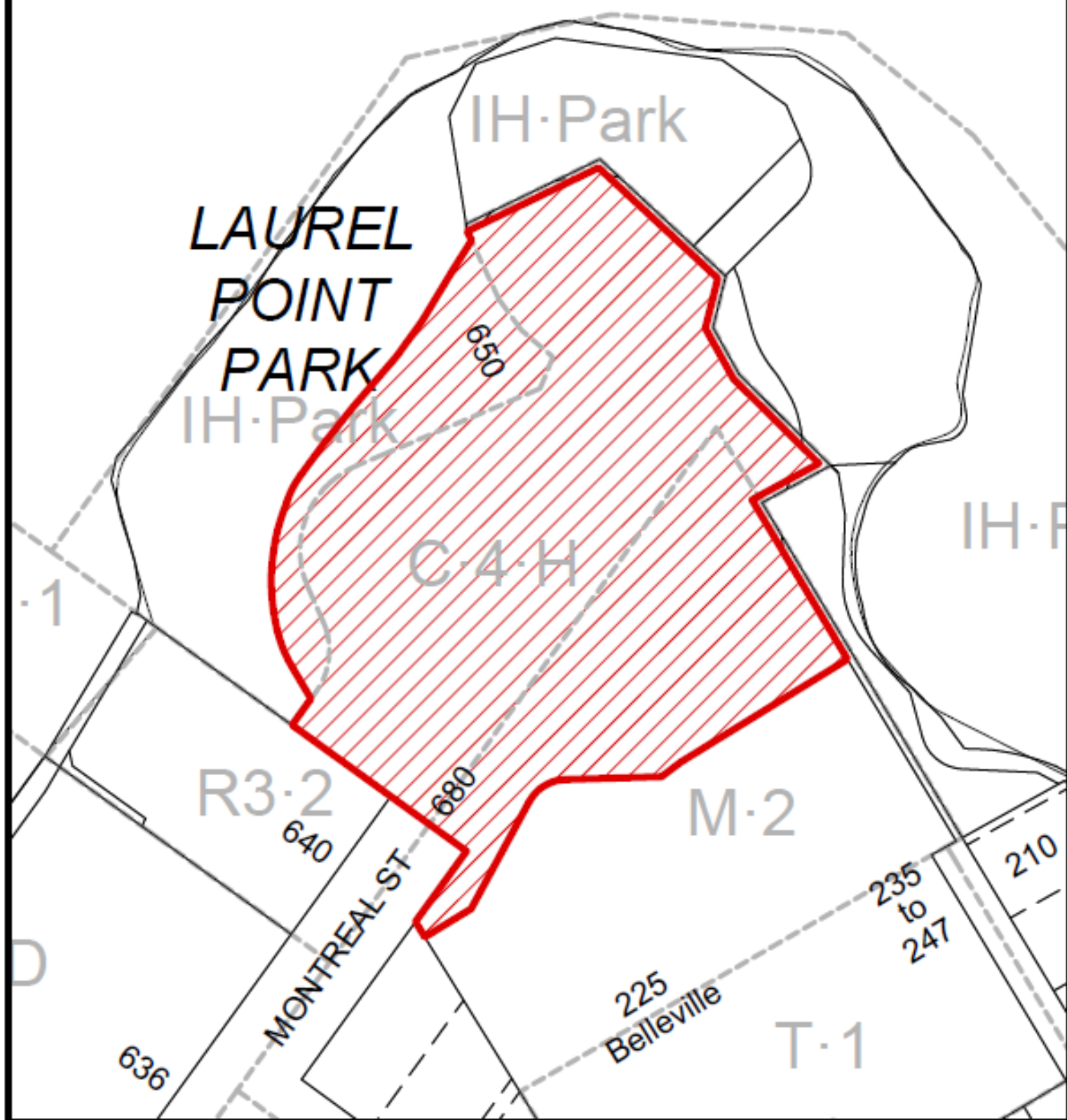
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|---------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| a. Vehicle parking (minimum) | Subject to the regulations in Schedule "C" except as otherwise specified by the regulations in this Part |
| b. Notwithstanding section 2.2.1 of Schedule "C", a maximum of 79 parking spaces may be located on an adjacent <u>lot</u> | |
| c. Bicycle parking (minimum) | Subject to the regulations in Schedule "C" |

Schedule 1
PART 5.26 – T-26 ZONE, LAUREL POINT DISTRICT

Schedule A



LAUREL PT



680 Montreal Street
Rezoning No.00792

