



REVISED AGENDA - COMMITTEE OF THE WHOLE

Thursday, October 5, 2023, 9:00 A.M. - 2:00 P.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

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

Meeting will recess for a lunch break between 12:30 p.m. and 1:30 p.m.

Pages

A. TERRITORIAL ACKNOWLEDGEMENT

B. INTRODUCTION OF LATE ITEMS

C. APPROVAL OF AGENDA

D. CONSENT AGENDA

Proposals for the Consent Agenda:

- F.1 - 919 Douglas Street: Application for a Liquor Primary Licence Structural Change (Capacity Increase) for Strathcona Hotel (Downtown)

E. UNFINISHED BUSINESS

*E.1 DEFERRED

~~*Permissive Tax Exemptions*~~

Moved to the October 12, 2023 COTW meeting

F. LAND USE MATTERS

*F.1 919 Douglas Street: Application for a Liquor Primary Licence Structural Change (Capacity Increase) for Strathcona Hotel (Downtown)

1

Addendum: Presentation

A report regarding an application for a Liquor Primary Licence Structural Change for the property located at 919 Douglas Street in order to increase the liquor primary capacity within the establishment's existing rooftop patio from 183 to 300 people, with no change to the overall occupant load and recommending that the application be supported.

G. STAFF REPORTS

G.1 2022 General Local Election - Lessons Learned

48

A report regarding lessons learned in conducting the 2022 General Local Election; identify changes anticipated for the next election in 2026; and offer Council an opportunity to provide suggestions based on their own participation and feedback from voters.

***G.2 DEFERRED**

~~Rental Housing Incentives~~

Moved to the October 12, 2023 COTW meeting

H. NOTICE OF MOTIONS

I. NEW BUSINESS

I.1 Council Member Motion: Continued Actions on Unsheltered Homelessness 73

Deferred from the September 28, 2023 COTW meeting

A Council Member Motion requesting continued actions on unsheltered homelessness.

I.2 Council Member Motion: Grant for the Gorge View Society 75

A Council Member Motion directing staff to pay a grant to the Gorge View Society for \$168,560, by reallocating a portion of the annual contribution to the Housing Reserve Fund, to help cover the costs of GVS's 2024 and 2025 annual property taxes with 50% of the grant paid in 2024 and 50% in 2025.

J. CLOSED MEETING, IF REQUIRED

K. ADJOURNMENT OF COMMITTEE OF THE WHOLE



Committee of the Whole Report

For the Meeting of October 5, 2023

To: Committee of the Whole **Date:** September 21, 2023

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

Subject: Application for a Liquor Primary Licence Structural Change (Capacity Increase) for Strathcona Hotel at 919 Douglas Street

RECOMMENDATION

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. That Council, after conducting a review with respect to noise and community impacts, does support the application of Strathcona Hotel, located at 919 Douglas Street, to increase the liquor primary capacity by 117 people, from 183 to 300, with no overall change to the occupant load through the conversion of 117 existing food primary seats.

The following comments are provided regarding the prescribed considerations:

The impact of noise on the community near the business was considered in relation to the request, and the proposed liquor primary capacity is compatible with the area.

- a. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business as a local employer.
- b. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 431 owners and occupants, the City received 15 letters of correspondence. Of these letters, 14 expressed opposition, and one expressed support for the proposed structural change. A letter from the Downtown Residents Association (DRA) indicates that they cannot endorse the application.
- c. Council recommends to the Province that the liquor primary licence be approved as recommended.

EXECUTIVE SUMMARY

The purpose of this report is to seek a Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act*, regarding an application by the Strathcona Hotel, located

at 919 Douglas Street. The application is for an increase to the liquor primary capacity within the establishment's existing rooftop patio, with no change to the overall occupant load of 300 people. The current liquor primary capacity on the rooftop patio is 183 people, and the application would increase the liquor primary capacity to 300 people by transferring 117 food primary seats to liquor primary.

Strathcona Hotel's application was evaluated against City policy, staff commentary, and feedback received through the public notification process. It has also been considered in the context of the local vicinity and the City as a whole and is consistent with the City's *Liquor Licensing Policy*. On this basis, it is recommended that the application of Strathcona Hotel at 919 Douglas Street be supported to allow an increase in the liquor primary capacity.

PURPOSE

The purpose of this report is to seek a Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act*, regarding an application by Strathcona Hotel at 919 Douglas Street. The LCRB is requesting a resolution from the City of Victoria regarding:

1. Impact of noise on nearby residents.
2. Impact on the community if the application is approved.

PROPOSAL

Strathcona Hotel is seeking approval to increase the liquor primary capacity of their existing rooftop patio, with no change to the overall occupant load. The occupant load in the rooftop patio is 300 people, with a current capacity of 183 people in liquor primary areas and 117 in food primary areas. The application seeks to increase the liquor primary capacity by 117 seats, for a total 300-person liquor primary capacity on the patio. In a separate application to the LCRB, Strathcona Hotel has applied to reduce the food primary capacity by 117 seats, so there would be no net increase in licenced capacity. The increased liquor primary capacity is sought by the applicant to provide increased operational flexibility that would better suit the business's needs.

A letter of intent has been provided in Appendix A and includes information about the business model and the rationale for the application. A map of the subject property and the immediate area is provided in Appendix B and illustrates the 100m public notification area.

ISSUES & ANALYSIS

The following sections provide Council with information, analysis and recommendations for consideration of the Council resolution to the LCRB.

LCRB Jurisdiction

The Liquor and Cannabis Regulations Branch (LCRB) issues liquor licences under the authority of the *Liquor Control and Licensing Act* and regulations. LCRB determines the category of licence appropriate or acceptable for the business based on submitted details.

Liquor primary licences are required where the primary purpose of the business is not the service of food and where liquor is being served in the service area. All liquor primary licence applications are referred to local government by LCRB.

In the case of Strathcona Hotel, the operator is seeking a capacity increase for the liquor primary licence for its rooftop patio. Liquor primary licences allow for a greater level of operational flexibility where a focus on food service is not a condition of operation. A liquor primary licence is the appropriate licence type for the proposed operation.

City Liquor Licensing Policy

The City's *Liquor Licensing Policy* (2017) (included as Appendix E) provides direction on a number of matters including: which applications the City will opt out of reviewing and commenting on; the procedures for the application process for those the City has not opted out of commenting on; and the approach to enforcement. The policy further indicates that applications for liquor licences having hours of operation later than 2 a.m. will not be considered (except New Year's Eve).

Strathcona's hours of licenced service are from 10 a.m. to 2 a.m. daily and are not proposed to change with this application.

City Referrals

An inter-departmental review of the application is conducted prior to public notification. Review of the application for a liquor primary licence at 919 Douglas Street resulted in the following feedback:

Sustainable Planning & Community Development

- The application is supportable as the establishment is zoned appropriately for use as a *food and beverage service* and as a *drinking establishment*.
- Zoning for the establishment is CBD-1, Central Business District 1. This zone permits drinking establishments, which includes facilities licenced through the Liquor Control and Licencing Act and includes entertainment venues with live or recorded music, night clubs, bars and pubs.
- The zone does not restrict the hours of operation or the occupant load of these establishments, and the zone permits residential uses within the same property.
- Compliance would be demonstrated through the building permit process and verified through the City inspection.

Engineering & Public Works

- Transportation-related noise impacts or general community impacts are not anticipated.

Community & Business Relations

- The application is supportable as there is no change in occupancy or hours of operation, therefore noise for residents and the community would not be impacted as a result of the requested change.

Bylaw Services

- Bylaw Services receives complaints against the Strathcona on a yearly basis. Strathcona's management works with Bylaw Services and ensures that the establishment is compliant with section 15 of the City's Noise Bylaw.
- Bylaw Services does not expect any change in the number of noise complaints received as a result of this structural change.

Police

- The application does not involve any increases to capacity or hours; therefore, there should not be any greater impact on the downtown core than what the current licence permits.
- Police have no objections to the application. Full police comments are available in Appendix F.

Community Consultation

In accordance with the City's *Liquor Licensing Fee Bylaw* and *Liquor Licensing Policy*, all property owners and occupiers within 100 metres of the applicant's location (a total of 431 notices) were solicited by a mailed notice to provide input regarding this application and the notice was also sent to the Downtown Residents Association. The public notification letter and poster reflected the applicant's intent to increase the liquor primary capacity, with no change to the overall occupant load or hours of operation. The comment period was open for 30 days.

In terms of community feedback, the City received 15 letters in response to the notification. Of these letters, 14 expressed opposition and one expressed support. The public letters of response are included in Appendix G. A letter from the Downtown Residents Association (DRA) indicates that they cannot endorse the application and is attached as Appendix H.

Impact Assessment

As part of the licence application review, the LCRB has referred this application to the City of Victoria to review and provide comments regarding noise impacts and the overall impact on the community if the application is approved.

Noise and other community impacts are challenging to predict and there are several variables that can contribute to the level of impact such as the business model, quality of owner/operator, context and existing density of licenced capacity in the area, hours of service, and fluctuating populations due to tourism.

Context

The Strathcona Hotel is in the Central Business District 1 zone. The six-storey mixed-use building is at the corner of Douglas and Courtney Streets and includes restaurant and hotel uses.

Across Courtney Street there is mixed-use building with commercial and residential uses. Any building that has residences is required by the BC Building Code to provide sound attenuation to limit noise transmission to and from residential units. Sound attenuation would be incorporated into residential buildings' partitions at time of construction.

Based on the City's Noise Bylaw, the Strathcona Hotel is within the Intermediate Noise District and is subject to the noise limits prescribed for this district.¹ The Noise District Map is included in Appendix D.

To understand Strathcona's potential to contribute to noise related issues, the application has been assessed against the existing licenced capacity in the vicinity which includes the block of the establishment and adjacent blocks.

The vicinity information, attached as Appendix C, illustrates the composition of licenced establishments in the area which includes a total of 7,680 licenced seats where:

- 2,868 (37%) are liquor primary seats distributed over 11 establishments
- 4,812 (63%) are food primary seats distributed over 20 establishments.

To provide perspective on the hours of operation of the 7,680 licenced seats in the area:

- 717 (9%) are closed by midnight
- 4,974 (65%) close by 1 a.m.
- 1,989 (26%) close by 2 a.m.

In Victoria there are approximately 115,000 licenced seats of which:

- 53,400 (46%) close by midnight
- 42,500 (37%) close by 1 a.m.
- 19,000 (17%) close by 2 a.m.

Operations

Strathcona Hotel is an established entertainment venue operating a variety of food and beverage venues at the south end of 919 Douglas Street. The rooftop patio, which is the subject of this application, operates primarily in the summer months when the weather is suitable for outdoor drinking and dining. The application proposes converting the existing food primary service areas and the sand-covered beach volleyball court on the rooftop into liquor primary areas. The use of the volleyball court as a liquor primary service area is currently authorized under a Temporary Expanded Service Area (TESA) authorization. The applicant has provided a letter of intent, attached as Appendix A, which outlines their business operations, reasons for licence change and strategies to manage patrons and ensure compliance, and other aspects of the business.

The LCRB Compliance and Enforcement has confirmed that the business has no record of infractions and is in good standing with respect to meeting the terms and conditions of their licence.

Based on the staff assessment and experience with the business, it is unlikely the structural change to liquor primary on the rooftop would result in impacts beyond that which currently exists.

Enforcement

¹ The Noise Bylaw sets limits for four key areas within the City: Quiet District, Intermediate District, Harbour Intermediate and Activity District. The Activity Noise District is limited to 70dBA at the point of reception until 10 p.m.; after 10 p.m., noise at the point of reception is limited to 55dBA in Quiet districts, 60dBA in Harbour Intermediate and Intermediate districts and 70dBA in the Activity district. 50dBA is comparable to rainfall, light traffic or a refrigerator and 60dBA is comparable to conversational speech or an air conditioner.

Consideration of the factors noted above can assist a municipality to predict negative aspects associated with licensed establishments; however, these factors can also change over the life of a licensed establishment. If they do change, and unanticipated issues arise, the fallback to re-establish compliance related to noise and other aspects is to use tools of enforcement. These include:

- LCRB enforcement, which ensures responsible and appropriate service as required by the terms of the licence with LCRB
- Noise Bylaw enforcement by Bylaw Officers
- where issues are more complex, the Police have additional authority to bring an establishment back into compliance.

Applicant Response

As a part of the liquor licence process, it is standard practice to provide the applicant with an opportunity to review this report and its recommendation including feedback from the public notification and other attachments so they may respond to the report prior to the report being forwarded to Council.

In response, the applicant has provided additional correspondence in support of their application. This correspondence is available in Appendix J.

IMPACTS

Accessibility Impact Statement

As the establishment is an existing building, current accessibility requirements may not be met. There is no retroactive application of accessibility requirements under the BC Building Code and the establishment is therefore conforming.

Strategic Plan 2023 – 2026

The recommendation to support the application as recommended is likely to support small business and the visitor economy, and work to strengthen and add vitality to the downtown core, consistent with the Strategic Objective for *Economic Health and Community Vitality*.

Impacts to Financial Plan

None.

Official Community Plan

The use as a *drinking establishment* is consistent with the Official Community Plan objectives for this neighbourhood.

CONCLUSIONS

Strathcona Hotel is seeking approval for an increase to the liquor primary capacity within the establishment's existing rooftop patio, with no change to the overall occupant load. The current liquor primary capacity on the rooftop patio is 183 people, and the application would, in effect, be a transfer of the 117 food primary seats to increase the liquor primary capacity to 300 people. The

site is appropriately zoned for the use and is consistent with current City *Liquor Licensing Policy*. Impacts are not anticipated based on experience with the business, and staff and LCRB input indicate that the application is considered supportable.

ALTERNATE MOTION

That Council, after conducting a review with respect to noise and community impacts regarding the application of Strathcona Hotel at 919 Douglas Street, does not support the application.

Respectfully submitted,

Katie Lauriston
Development Process Coordinator

Karen Hoesle, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Appendix A: Rationale Letter
- Appendix B: Site Map
- Appendix C: Vicinity Map
- Appendix D: Noise District Map
- Appendix E: Council Policy
- Appendix F: Police Comments
- Appendix G: Provincial Liquor Licence Types
- Appendix H: Public Notification Response
- Appendix I: Downtown Residents Association Response
- Appendix J: Applicant Response Letter.



Strathcona Hotel of Victoria Ltd. • 919 Douglas Street • Victoria • BC • V8W 2C2 • 250 383 7137

Liquor and Cannabis Licensing

Structural Change Liquor Primary License 136243: Patio1
In conjunction with Food Primary License 043919: Patio1 and Patio2

Summary

In broad terms, this application is to convert two Food Primary areas into Liquor Primary areas, plus the addition of some adjacent floor space, with no change in overall capacity.

These changes are being applied for through the '*Structural Change Application (Capacity Increase)*' channel but there is no change in the physical structure. In addition, while there is an increase in the Liquor Primary capacity it is offset by the reduction in the Food Primary capacity so there is no net increase in licensed capacity.

There should be a corresponding Food Primary Structural Change removing the Patio1 and Patio2 capacity, however this would only be applicable if this Liquor Primary change application is approved.

Details

The Strathcona Hotel is a fixture of the Victoria entertainment scene. We offer a variety of food and beverage venues at the south end of our building covered by several Liquor Primary licenses and a Food Primary license. Amongst these venues is our Roof Top Patio which operates primarily in the summer as it has no fixed roofing structures over the patron accessible areas. This area proved invaluable when Covid struck as people preferred drinking and dining al fresco. In addition to a bar and kitchen which service the food primary and liquor primary areas, the patio has a sand covered beach volleyball court.

Over the years we have experienced fewer and fewer occasions where minors are present on the patio and with our current Liquor Primary license 136243 Terms and Conditions allowing minors until 10 (accompanied by a parent or guardian) we now believe there is no longer a point to having multiple licenses covering the patio. Furthermore, after being in existence for many years, we note that the novelty of a roof top volleyball court is dwindling. We believe that a companion use of this sand covered area could be a kind of 'urban beach' where patrons could enjoy the sand and sunshine right in downtown Victoria. In fact this use of the area is already in place temporarily under a Temporary Expanded Service Area (TESA) Authorization.

We are therefore applying to have the current Food Primary areas and capacity under License 043919, Patio1 and Patio2, transferred to our Liquor Primary License 136243 at the same capacity levels as they are currently. At the same time, but with no increase in capacity, we would like to have the sand court area, already authorized as Liquor Primary under our TESA, added permanently to the Liquor Primary area. (Copy of TESA attached for convenience)

In terms of capacity, when this application is fully implemented we would go from

Liquor Primary Patio1 183



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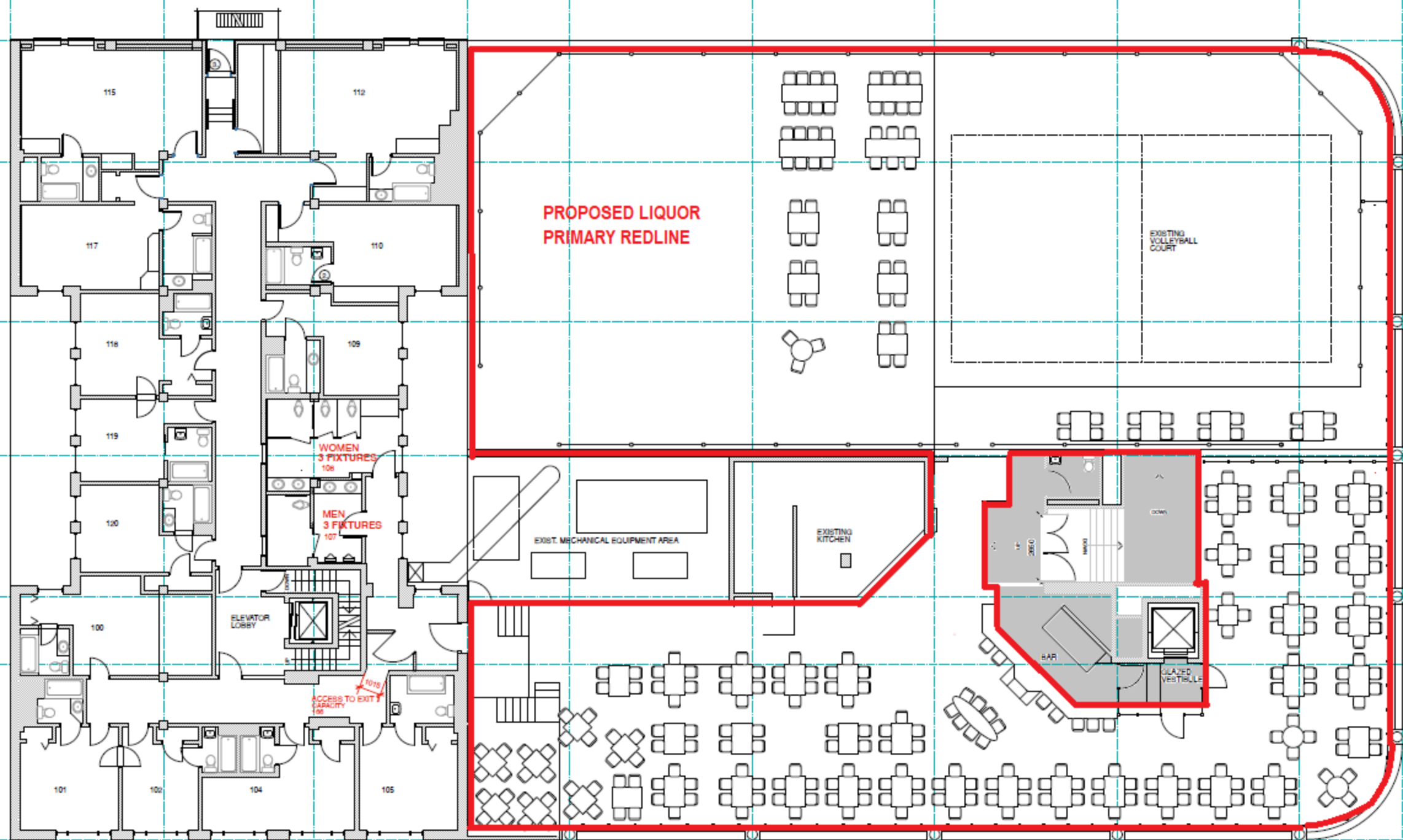
| | |
|-------------------------|-----|
| Food Primary Patio1 | 52 |
| Food Primary Patio2 | 65 |
| Total Licensed Capacity | 300 |

to simply Liquor Primary Patio1 300

Attached are a number of drawings. There is a drawing of the patio area with a current occupancy load stamp. You will note that the capacity (300) is identical to the capacity on the 'red line' plans for the patio on both our Liquor Primary and Food Primary licenses. I have attached copies of both these plans for your reference. On all of the plans you will see the area in the southeast (top right) labeled as 'existing volleyball court' which we are applying to have included in the Liquor Primary licensed area. For greater clarity I have also included a copy of the plan with what we believe the redline would be if our application is successful.

We hope that you will approve this application in time for our summer season. Please feel free to contact me any time for further information or clarification regarding this application.

Grant Olson,
Owner, Director, Officer – Strathcona Hotel



City of Victoria – Fire Department

* Occupant Load Reviewed Under Current BC Fire Code Only

Maximum Occupant Load is:

Patio 2 – 133 Persons

Patio 1 – 52 Persons


Patio 3 – 12 Persons

Patio 4 – 53 Persons

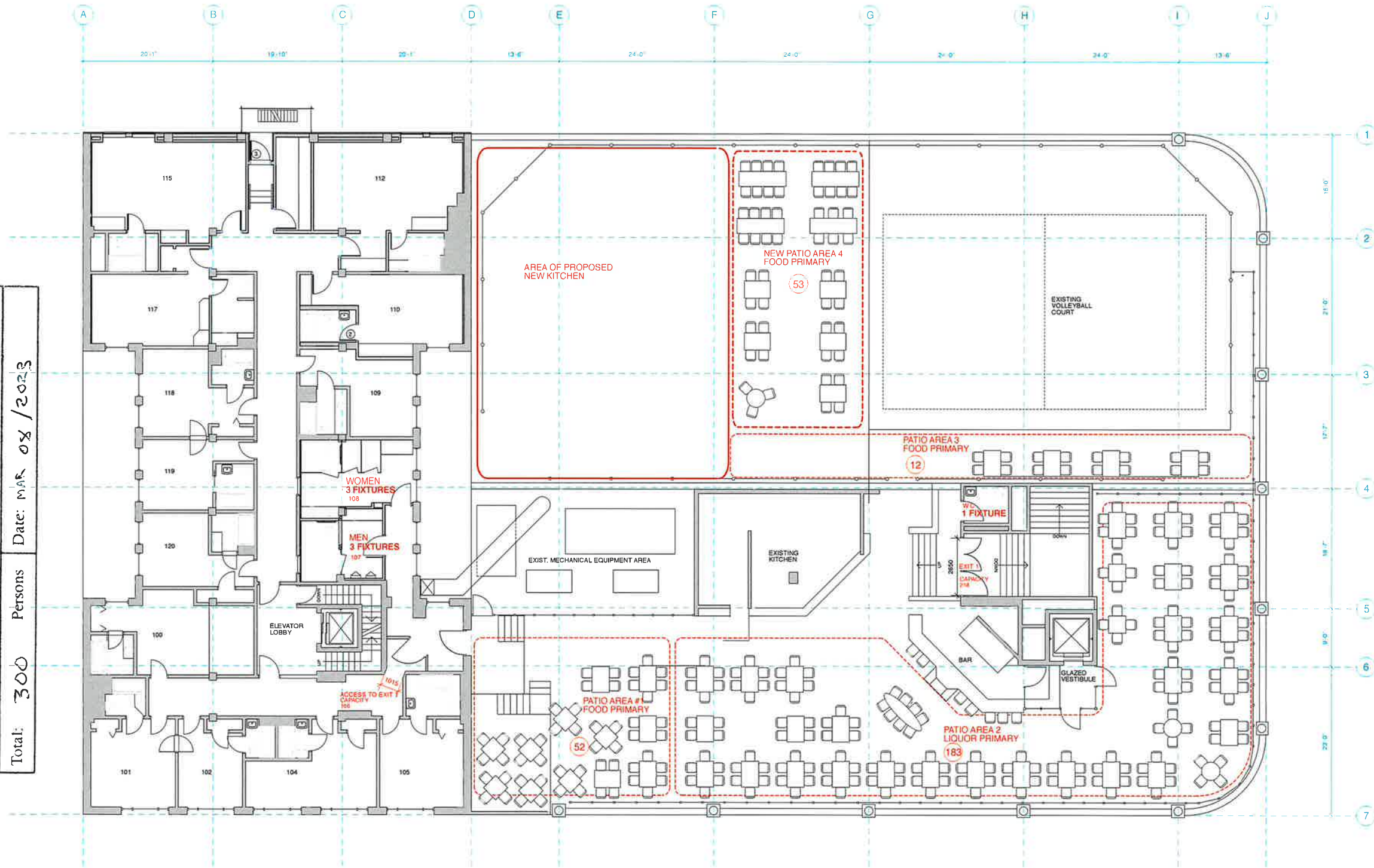
Total: 300 Persons

Fire Prevention Officer:

Name: CHRIS KELLY

Signature: 

Date: MAR 08 / 2023



| SEATING CAPACITIES | | |
|--------------------|-----------|------------------|
| AREA DESIGNATION | ROOM NAME | SEATING CAPACITY |
| AREA 1 | - | 52 |
| AREA 2 | - | 183 |
| AREA 3 | - | 12 |
| AREA 4 | - | 53 |
| TOTAL | | 300 |

| WASHROOMS | | | |
|-----------|----------|-----------------|---------------|
| SEX | LOCATION | FEMALE FIXTURES | MALE FIXTURES |
| MENS | 107 | | 3 |
| WOMENS | 109 | 3 | |
| W/C | 4-G&H | 1* | |
| WOMENS | MAIN | 2** | |
| TOTAL | | 6 | 3 |

* THE SINGLE W/C HAS BEEN ASSIGNED TO WOMEN FOR THE PURPOSES OF THESE CALCULATIONS
** TWO SPARE WOMEN FIXTURES FROM MAIN FLOOR, REFER TO ATTACHED MAIN FLOOR SEATING CAPACITY DRAWING.

| WASHROOM REQUIREMENTS | |
|---------------------------------------|--|
| 300 CAPACITY EQUALS 150 EACH SEX | |
| PER TABLE 3.7.2.2.A BC BUILDING CODE: | |
| 150 WOMEN REQUIRE 6 WCS | |
| 150 MEN REQUIRE 3 WCS | |

| EXIT WIDTHS & CAPACITIES | | |
|--------------------------|-------|-----------|
| EXIT | WIDTH | CAPACITY* |
| 1 | 2,850 | 288** |
| ACCESS TO EXITS | | |
| 1 | 1065 | 166* |

*CAPACITY CALCULATED PER 3.4.3.4.1.a) AT 6.1mm PER PERSON
** CAPACITY CALCULATED PER 3.4.3.4.1.c) AT 9.2mm PER PERSONS
NOTE: PER 3.4.2.5.3) "IF MORE THAN ONE EXIT IS REQUIRED, EVERY EXIT SHALL BE CONSIDERED AS CONTRIBUTING NOT MORE THAN ONE HALF OF THE REQUIRED EXIT WIDTH," THEREFORE CAPACITY OF EXITS = 2 X 166 = 332

| NO. | DESCRIPTION | DATE |
|-----|-------------|------|
| | | |
| | | |
| | | |

STRATHCONA HOTEL

919 DOUGLAS STREET

SEAL:

DRAWING TITLE:

ROOFTOP SEATING CAPACITY

PROJECT NUMBER 16-15
DRAWN BY: 
CHECKED BY:
SCALE:
DATE: N.T.S. APRIL 8/17



Strathcona Hotel

Food Primary License #43919

City of Victoria - Fire Department
* Occupant Load Reviewed Under Current BC Fire Code Only

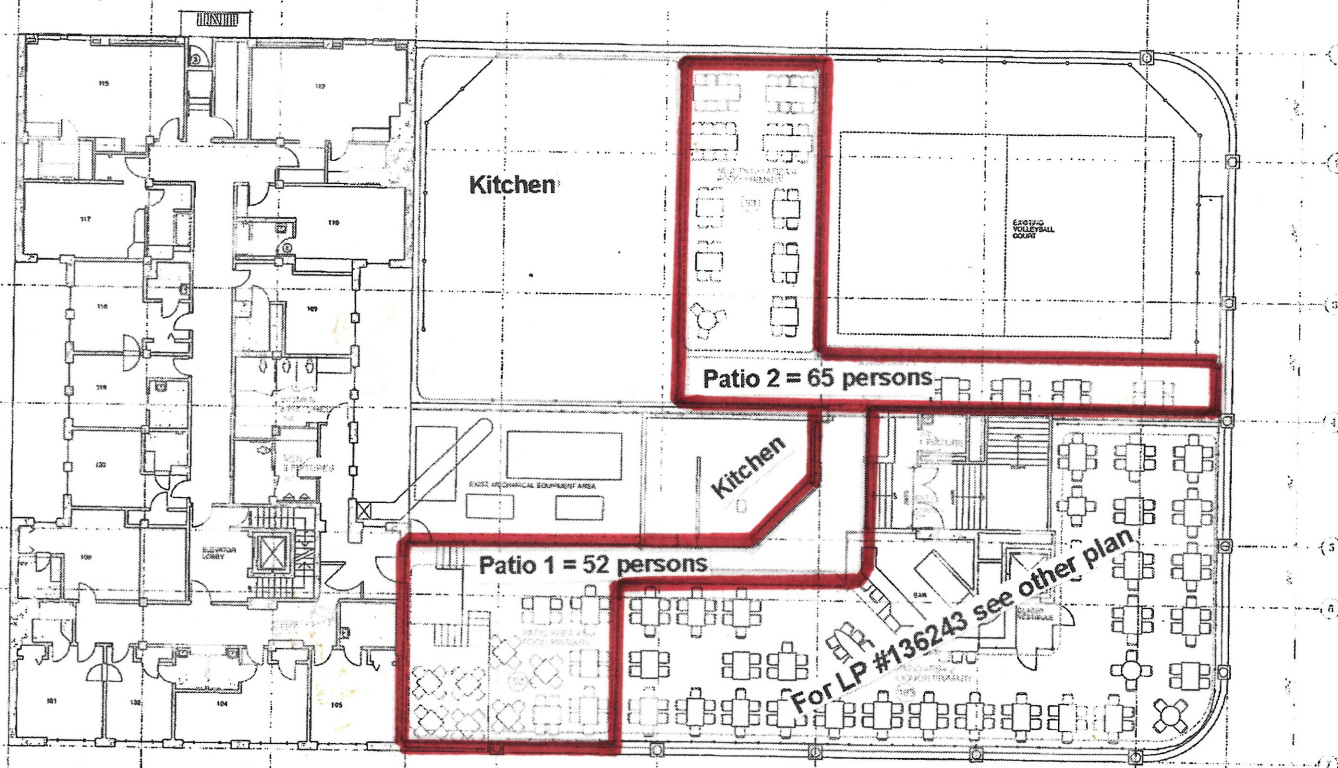
Maximum Occupant Load is: _____ Persons
Main Floor: _____ Persons
Mezzanine: _____ Persons
Patio #1, 3, 4: 117 Persons
Total: 117 Persons

Fire Prevention Officer: Name: M. Sorell
Signature: [Signature]
Date: April 25 2017

City of Victoria - Fire Department
* Occupant Load Reviewed Under Current BC Fire Code Only

Maximum Occupant Load is: _____ Persons
Main Floor: _____ Persons
Mezzanine: _____ Persons
Patio #2: 183 Persons
Total: 183 Persons

Fire Prevention Officer: Name: M. Sorell
Signature: [Signature]
Date: April 25 2017



| AREA DESIGNATION | ROOM NAME | SEATING CAPACITY |
|------------------|-----------|------------------|
| AREA 1 | - | 52 |
| AREA 2 | - | 183 |
| AREA 3 | - | 12 |
| AREA 4 | - | 57 |
| TOTAL | - | 302 |

| SEX | LOCATION | FEMALE FIXTURES | MALE FIXTURES |
|--------|----------|-----------------|---------------|
| MENS | 107 | - | 3 |
| WOMENS | 109 | 3 | - |
| W/C | 4-GH | 1* | - |
| WOMENS | MAIN | 2** | - |
| TOTAL | - | 6 | 3 |

Signage stating "No liquor beyond this point" must be in place at exits to unlicensed areas

| |
|---------------------------------------|
| 300 CAPACITY EQUALS 150 EACH SEX |
| PER TABLE 3.7.2.2-A BC BUILDING CODE: |
| 150 WOMEN REQUIRE 6 WCS |
| 150 MEN REQUIRE 3 WCS |

| EXIT | WIDTH | CAPACITY* |
|-----------------|-------|-----------|
| 1 | 2,850 | 288** |
| ACCESS TO EXITS | 1086 | 108* |

*CAPACITY CALCULATED PER 3.4.3.4.1 (a) AT 6.1mm PER PERSON
**CAPACITY CALCULATED PER 3.4.3.4.1 (c) AT 9.2mm PER PERSON
NOTE: PER 3.4.2.5.0 (1) IF MORE THAN ONE EXIT IS REQUIRED, EVERY EXIT SHALL BE CONSIDERED AS CONTRIBUTING NOT MORE THAN ONE HALF OF THE REQUIRED EXIT WIDTH. THEREFORE CAPACITY OF EXITS = 2 X 108 = 332

LIQUOR CONTROL AND LICENSING BRANCH
FLOOR PLANS - APPROVAL IN PRINCIPLE

DATE July 12, 2017
M. Sorell LICENSING ADMINISTRATOR

Maximum Capacity: **Patio 1 = 52 persons** **Patio 2 = 65 persons**

Unless otherwise approved by the General Manager, Liquor Control and Licensing, approval is subject to the terms and/or conditions specified in the approval letter(s) dated: _____

PSA [Signature] AIP

LCLB OFFICIAL PLAN
MUST BE KEPT WITH LIQUOR LICENCE
AND AVAILABLE FOR INSPECTION AT ALL TIMES
Date Issued: July 14, 2017

Licence #: 043919

General Manager

LIQUOR CONTROL & LICENSING
RECEIVED
APR 26 2017
VICTORIA BC

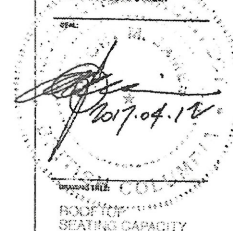
KPL James architecture

519 PANDORA AVENUE, VICTORIA, B.C.
TEL: 250-383-0001 FAX: 250-383-0001

| NO. | DESCRIPTION | DATE |
|-----|-------------|------|
| | | |
| | | |
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| | | |

STRATHCONA HOTEL

519 DOUGLAS STREET



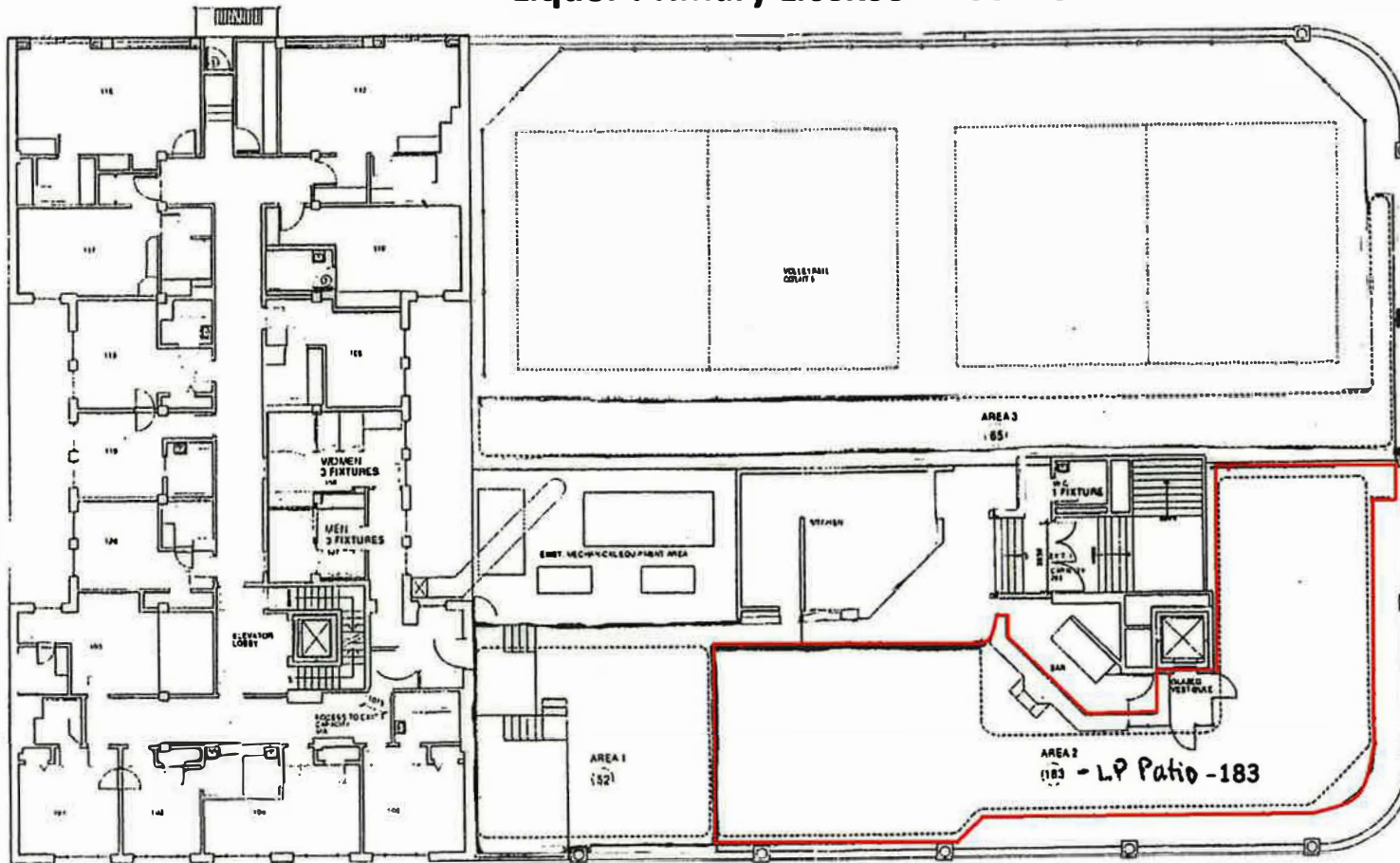
PROJECT NUMBER: _____
DRAWN BY: _____
SCALE: _____
DATE: _____
HKS: _____
APPROVED BY: _____

1

Roof Top Patio Liquor Primary License # 136243

**WARNER
JAMES
ARCHITECTS**

Professional
FAX: (604) 253-4200, (604) 253-4201
M: (604) 253-4201



JUL 27 2005

| SEATING CAPACITIES | | |
|--------------------|-----------|------------------|
| AREA DESIGNATION | ROOM NAME | SEATING CAPACITY |
| AREA 1 | | 52 |
| AREA 2 | | 183 |
| AREA 3 | | 65 |
| TOTAL | | 300 |

| WASHROOMS | | | | |
|-----------|----------|-----------------|---------------|--|
| SEX | LOCATION | FEMALE FIXTURES | MALE FIXTURES | |
| MENS | 107 | | 3 | |
| WOMENS | 109 | 3 | | |
| W/C | 4-G&H | 1* | | |
| WOMENS | MAIN | 2** | | |
| TOTAL | | 6 | 3 | |

* THE SINGLE W/C HAS BEEN ASSIGNED TO WOMEN FOR THE PURPOSES OF THESE CALCULATIONS.
** TWO SPARE WOMEN FIXTURES FROM MAIN FLOOR. REFER TO ATTACHED MAIN FLOOR SEATING CAPACITY DRAWING.

| WASHROOM REQUIREMENTS | |
|---------------------------------------|--|
| 300 CAPACITY EQUALS 150 EACH SEX | |
| PER TABLE 3.7.4.2.A BC BUILDING CODE: | |
| 150 WOMEN REQUIRE 6 W/C | |
| 150 MEN REQUIRE 3 W/C | |

| EXIT WIDTHS & CAPACITIES | | |
|--------------------------|-------|-----------|
| EXIT | WIDTH | CAPACITY* |
| 1 | 2.850 | 288** |
| ACCESS TO EXITS | | |
| 1 | 1.065 | 166* |

* CAPACITY CALCULATED PER 3.4.2.4.1 (a) AT 0.1 m/m PER PERSON
** CAPACITY CALCULATED PER 3.4.2.4.1 (c) AT 0.2 m/m PER PERSON
NOTE: PER 3.4.2.5.3) IF MORE THAN ONE EXIST IS REQUIRED, EVERY EXIST SHALL BE CONSIDERED AS CONTRIBUTING NOT MORE THAN ONE HALF OF THE REQUIRED EXIT WIDTH; THEREFORE CAPACITY OF EXITS = 2 X 166 = 332

(City of Victoria stamp)
occupant load
300.

John

| | |
|--------------|--|
| Project No. | |
| Project Name | |

| | |
|--------------|------------------|
| Project Site | STRATHCONA HOTEL |
|--------------|------------------|

| | |
|---------------|--------------------------|
| Drawing Title | ROOFTOP SEATING CAPACITY |
|---------------|--------------------------|

| | | | |
|-------|-------|-------------|--|
| Drawn | 1 | Drawn No. | |
| Check | | 100 (Total) | |
| Scale | 1:100 | 1 | |



May 03, 2022

RE: Temporary Expanded Service Area (TESA) Authorization

Dear Licensee:

You previously applied for, and were granted, a Temporary Expanded Service Area (TESA) Authorization valid until June 1, 2022. The TESA was intended to support you and your business in complying with the Provincial Health Officer's directions and recommendations related to the ongoing COVID-19 pandemic.

To continue to support the hospitality industry's economic recovery through the pandemic, amendments were made to the Liquor Control and Licensing Regulation (LCLR) to allow for the extension of all existing TESA authorizations where the local government or First Nation did not express concerns with such an extension.

This letter is to inform you that your existing TESA is hereby extended until **March 31, 2023**. There is no charge for this extension.

All other requirements relating to TESA authorizations remain the same. Please note that the local government requirements regarding your TESA may have changed or may change in the future; you are reminded that it is your responsibility to ensure compliance with all applicable provincial and local government laws, by-laws, and regulations, including those of other regulatory agencies such as local health authorities and the Agricultural Land Commission.

A copy of this letter and your existing authorization must be kept on site, along with your liquor licence and red-lined floor plans, readily available for inspection at all times.

If at any time the expanded service area is not being managed to the satisfaction of the General Manager, this authorization may be revoked.

I would also like to remind you that if you would like to make your current expanded service area permanent, you must apply for new outdoor patio permanent structural change (if your TESA is located outdoors) or a new interior service area permanent structural change (if your TESA is located indoors).

Manufacturers wishing to make TESAs associated with sampling areas permanent should consider applying for a Lounge patio or Picnic Area endorsement.

It's important to note that the approval process for a permanent structural change can take up to 10 months. Although the LCRB has amended its policies and processes to help improve application timelines, we encourage licensees to submit their permanent structural change applications as soon as possible to help reduce the risk of business disruption.

If you have any questions, please contact the Licensing Help Desk at 1-866-209-2111.

Sincerely,

Jillian Rousselle
A/Assistant Deputy Minister and General
Manager Liquor and Cannabis Regulation
Branch Ministry of Public Safety and Solicitor
General

**Liquor and Cannabis
Regulation Branch**

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8

Location:
4th floor 645 Tyee Road
Victoria BC V9A 6X5
Phone: 250 952-5787
Facsimile: 250 952-7066

Website:
www.gov.bc.ca/liquorregulationandlicensing



Liquor and Cannabis Regulation Branch
Food Primary #043919
Expires on July 31, 2024

Establishment Name: **Strathcona Hotel**
Licence Name: **Strathcona Hotel**
Location Address: 919 Douglas St
Victoria, B.C., V8W2C2
Issued to: Strathcona Hotel of Victoria
Ltd.

TERMS AND CONDITIONS

HOURS OF SALE

| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Start | 11:30 | 11:30 | 11:30 | 11:30 | 11:30 | 11:30 | 11:00 |
| End | 01:30 | 01:30 | 01:30 | 01:30 | 01:30 | 01:30 | 00:00 |

CAPACITY

| | | | | | | | |
|----------|----|--------|----|--------|----|----------|-----|
| Person01 | 55 | Patio1 | 52 | Patio2 | 65 | Person 2 | 572 |
|----------|----|--------|----|--------|----|----------|-----|

- Person 2 is also licensed as Person 1 under Liquor Primary (LP) # 016686. When Person 2 is being operated as a Food Primary, the hours of liquor service are restricted from 12 Noon to 7 PM Monday to Saturday (inclusive). When Person 2 is being operated under LP #016686, minors are not permitted in this area.
- Patio extension permitted as outlined in red on the official plan.
- The terms and conditions to which this licence is subject include the terms and conditions contained in the licensee Terms and Conditions Handbook, which is available on the Liquor and Cannabis Regulation Branch website. The Terms and Conditions Handbook is amended from time to time.
- For the sale and consumption of all types of liquor in establishments with a primary focus on the service of food.
- Liquor may only be sold, served and consumed within the service areas outlined on the official plan, unless otherwise endorsed or approved by the LCRB

YOUR CURRENT VALID LICENCE MUST BE
PROMINENTLY DISPLAYED AT ALL TIMES.
TAMPERING, ALTERING OR DEFACING THIS
LICENCE IN ANY MANNER MAY RESULT IN THE
LICENCE BEING CANCELLED.

Licence issued by the General Manager under the
authority of the Liquor Control and Licensing Act.

Licence Printed: July 20, 2023



Liquor and Cannabis Regulation Branch
Liquor Primary #136243
Expires on July 31, 2024

Establishment Name: **STRATHCONA HOTEL (136243)**
Licence Name: **STRATHCONA HOTEL (136243)**
Location Address: 919 DOUGLAS ST
VICTORIA, B.C., V8W2C2
Issued to: Strathcona Hotel of Victoria Ltd.

TERMS AND CONDITIONS

HOURS OF SALE

| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Start | 10:00 | 10:00 | 10:00 | 10:00 | 10:00 | 10:00 | 10:00 |
| End | 02:00 | 02:00 | 02:00 | 02:00 | 02:00 | 02:00 | 02:00 |

CAPACITY

| | | | | | | | |
|--------|-----|--------|---|----------|-----|----------|----|
| Patio1 | 183 | Patio2 | 8 | Person01 | 530 | Person02 | 60 |
|--------|-----|--------|---|----------|-----|----------|----|

- Patio 2 hours of service shall cease at 10:00 pm.
- Patio extension permitted as outlined in red on the official plan.
- The terms and conditions to which this licence is subject include the terms and conditions contained in the licensee Terms and Conditions Handbook, which is available on the Liquor and Cannabis Regulation Branch website. The Terms and Conditions Handbook is amended from time to time.
- Liquor may only be sold, served and consumed within the service areas outlined on the official plan, unless otherwise endorsed or approved by the LCRB.
- Subject to terms and conditions specified in the restriction or approval letter(s). Copy of restriction or approval letter(s) must be kept with current liquor licence.
- Family Foodservice term and condition permits minors accompanied by a parent or guardian in all service areas until 10 PM when meal service is available.

YOUR CURRENT VALID LICENCE MUST BE
PROMINENTLY DISPLAYED AT ALL TIMES.
TAMPERING, ALTERING OR DEFACING THIS
LICENCE IN ANY MANNER MAY RESULT IN THE
LICENCE BEING CANCELLED.

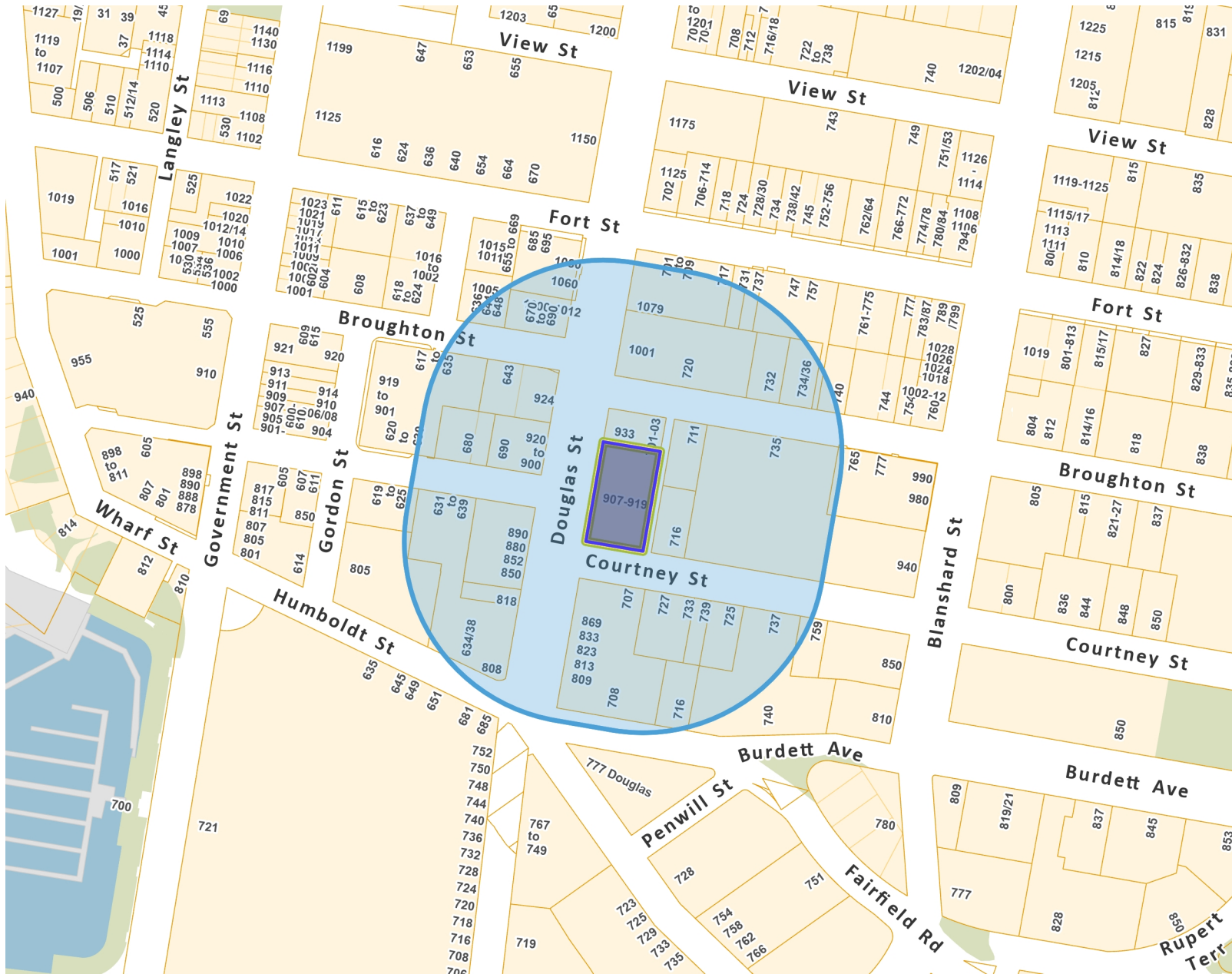
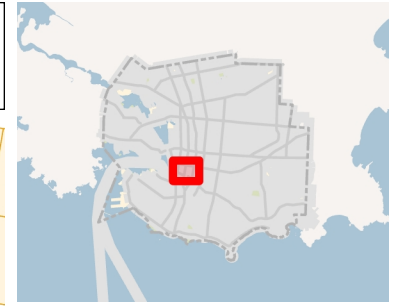
Licence issued by the General Manager under the
authority of the Liquor Control and Licensing Act.

Licence Printed: July 20, 2023



919 Douglas Street

08/29/2023



Legend

- City Boundary
- Parcels (Folio based)
- Parcels (PID based)
- Esquimalt Parcels
- Ferries
- Water
- Parks and Open Space
- Blocks

Blue area indicates
100m public notification
area.

1: 3,200



Notes

163 0 81 163 Meters

NAD_1983_CSRS_UTM_Zone_10N

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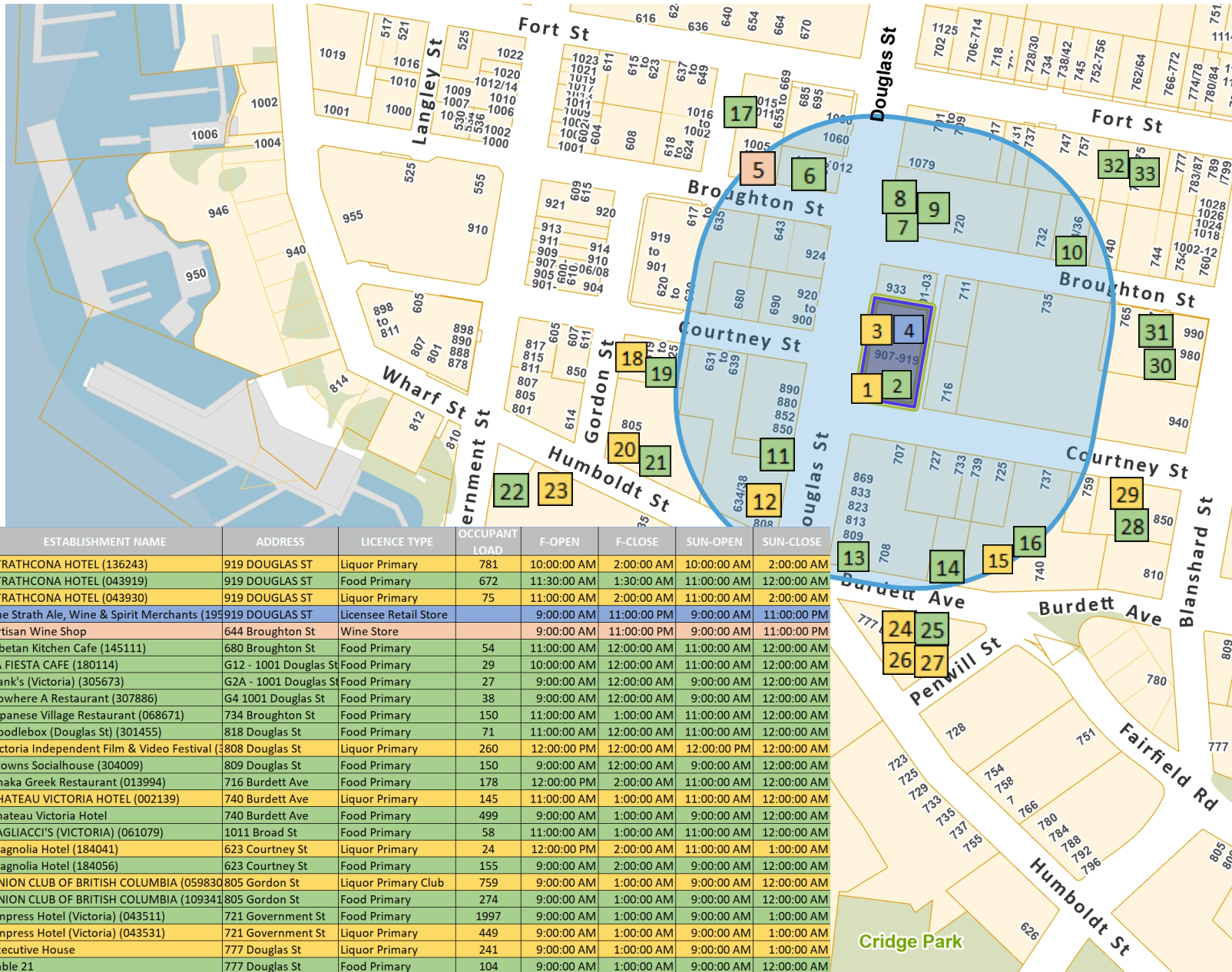
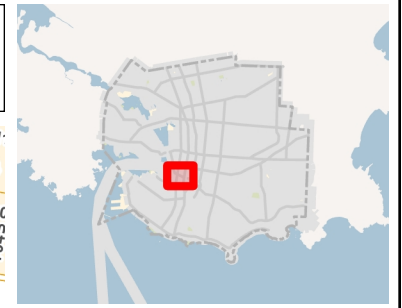
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This plan should be field confirmed by the user prior to beginning construction. BC Hydro, Fortis Gas, Telus, and Fibre Optics locations must be confirmed with the appropriate utility. For internal use only. Do not distribute.

THIS MAP IS NOT TO BE USED FOR NAVIGATION 18



919 Douglas Street

08/29/2023



Legend

- City Boundary
- Parcels (Folio based)
- Parcels (PID based)
- Esquimalt Parcels
- Ferries
- Water
- Parks and Open Space
- Blocks

Blue area indicates
100m public notification
area.

1: 3,200



Notes





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ortis Gas, Telus, and Fibre Optics locations must be confirmed
n the appropriate utility. For internal use only. Do not distribute.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

| | ESTABLISHMENT NAME | ADDRESS | LICENCE TYPE | OCCUPANT LOAD | F-OPEN | F-CLOSE | SUN-OPEN | SUN-CLOSE |
|----|---|-----------------------|-----------------------|---------------|-------------|-------------|-------------|-------------|
| 1 | STRATHCONA HOTEL (136243) | 919 DOUGLAS ST | Liquor Primary | 781 | 10:00:00 AM | 2:00:00 AM | 10:00:00 AM | 2:00:00 AM |
| 2 | STRATHCONA HOTEL (043919) | 919 DOUGLAS ST | Food Primary | 672 | 11:30:00 AM | 1:30:00 AM | 11:00:00 AM | 12:00:00 AM |
| 3 | STRATHCONA HOTEL (043930) | 919 DOUGLAS ST | Liquor Primary | 75 | 11:00:00 AM | 2:00:00 AM | 11:00:00 AM | 2:00:00 AM |
| 4 | The Strath Ale, Wine & Spirit Merchants (195 | 919 DOUGLAS ST | Licensee Retail Store | | 9:00:00 AM | 11:00:00 PM | 9:00:00 AM | 11:00:00 PM |
| 5 | Artisan Wine Shop | 644 Broughton St | Wine Store | | 9:00:00 AM | 11:00:00 PM | 9:00:00 AM | 11:00:00 PM |
| 6 | Tibetan Kitchen Cafe (145111) | 680 Broughton St | Food Primary | 54 | 11:00:00 AM | 12:00:00 AM | 11:00:00 AM | 12:00:00 AM |
| 7 | LA FIESTA CAFE (180114) | G12 - 1001 Douglas St | Food Primary | 29 | 10:00:00 AM | 12:00:00 AM | 11:00:00 AM | 12:00:00 AM |
| 8 | Hank's (Victoria) (305673) | G2A - 1001 Douglas St | Food Primary | 27 | 9:00:00 AM | 12:00:00 AM | 9:00:00 AM | 12:00:00 AM |
| 9 | Nowhere A Restaurant (307886) | G4 1001 Douglas St | Food Primary | 38 | 9:00:00 AM | 12:00:00 AM | 9:00:00 AM | 12:00:00 AM |
| 10 | Japanese Village Restaurant (068671) | 734 Broughton St | Food Primary | 150 | 11:00:00 AM | 1:00:00 AM | 11:00:00 AM | 12:00:00 AM |
| 11 | Noodlebox (Douglas St) (301455) | 818 Douglas St | Food Primary | 71 | 11:00:00 AM | 12:00:00 AM | 11:00:00 AM | 12:00:00 AM |
| 12 | Victoria Independent Film & Video Festival (3 | 808 Douglas St | Liquor Primary | 260 | 12:00:00 PM | 12:00:00 AM | 12:00:00 PM | 12:00:00 AM |
| 13 | Browns Socialhouse (304009) | 809 Douglas St | Food Primary | 150 | 9:00:00 AM | 12:00:00 AM | 9:00:00 AM | 12:00:00 AM |
| 14 | Ithaka Greek Restaurant (013994) | 716 Burdett Ave | Food Primary | 178 | 12:00:00 PM | 2:00:00 AM | 11:00:00 AM | 12:00:00 AM |
| 15 | CHATEAU VICTORIA HOTEL (002139) | 740 Burdett Ave | Liquor Primary | 145 | 11:00:00 AM | 1:00:00 AM | 11:00:00 AM | 12:00:00 AM |
| 16 | Chateau Victoria Hotel | 740 Burdett Ave | Food Primary | 499 | 9:00:00 AM | 1:00:00 AM | 9:00:00 AM | 12:00:00 AM |
| 17 | PAGLIACCI'S (VICTORIA) (061079) | 1011 Broad St | Food Primary | 58 | 11:00:00 AM | 1:00:00 AM | 11:00:00 AM | 12:00:00 AM |
| 18 | Magnolia Hotel (184041) | 623 Courtney St | Liquor Primary | 24 | 12:00:00 PM | 2:00:00 AM | 11:00:00 AM | 1:00:00 AM |
| 19 | Magnolia Hotel (184056) | 623 Courtney St | Food Primary | 155 | 9:00:00 AM | 2:00:00 AM | 9:00:00 AM | 12:00:00 AM |
| 20 | UNION CLUB OF BRITISH COLUMBIA (059830) | 805 Gordon St | Liquor Primary Club | 759 | 9:00:00 AM | 1:00:00 AM | 9:00:00 AM | 12:00:00 AM |
| 21 | UNION CLUB OF BRITISH COLUMBIA (109341) | 805 Gordon St | Food Primary | 274 | 9:00:00 AM | 1:00:00 AM | 9:00:00 AM | 12:00:00 AM |
| 22 | Empress Hotel (Victoria) (043511) | 721 Government St | Food Primary | 1997 | 9:00:00 AM | 1:00:00 AM | 9:00:00 AM | 1:00:00 AM |
| 23 | Empress Hotel (Victoria) (043531) | 721 Government St | Liquor Primary | 449 | 9:00:00 AM | 1:00:00 AM | 9:00:00 AM | 1:00:00 AM |
| 24 | Executive House | 777 Douglas St | Liquor Primary | 241 | 9:00:00 AM | 1:00:00 AM | 9:00:00 AM | 1:00:00 AM |
| 25 | Table 21 | 777 Douglas St | Food Primary | 104 | 9:00:00 AM | 1:00:00 AM | 9:00:00 AM | 12:00:00 AM |
| 26 | Table 21 (305243) | 777 Douglas St | Liquor Primary | 30 | 9:00:00 AM | 1:00:00 AM | 9:00:00 AM | 1:00:00 AM |
| 27 | The Humboldt | 777 Douglas St | Liquor Primary | | 9:00:00 AM | 1:00:00 AM | 9:00:00 AM | 1:00:00 AM |
| 28 | Quality Inn Downtown (003279) | 850 Blanshard St | Food Primary | 108 | 11:00:00 AM | 1:00:00 AM | 11:00:00 AM | 12:00:00 AM |
| 29 | Quality Inn Downtown (004162) | 850 Blanshard St | Liquor Primary | 104 | 11:00:00 AM | 2:00:00 AM | 11:00:00 AM | 1:00:00 AM |
| 30 | Curry Club Flavours of India (080395) | 980 Blanshard St | Food Primary | 100 | 11:00:00 AM | 1:00:00 AM | 11:00:00 AM | 12:00:00 AM |
| 31 | Omakase Izakaya & Sushi Bar (306782) | 990 Blanshard St | Food Primary | 53 | 9:00:00 AM | 12:00:00 AM | 9:00:00 AM | 12:00:00 AM |
| 32 | Pho Boi, A Taste of Vietnam (211420) | 765 Fort St | Food Primary | 60 | 11:00:00 AM | 1:00:00 AM | 11:00:00 AM | 12:00:00 AM |
| 33 | Beijing Bistro (306578) | 769 Fort St | Food Primary | 35 | 9:00:00 AM | 12:00:00 AM | 9:00:00 AM | 12:00:00 AM |

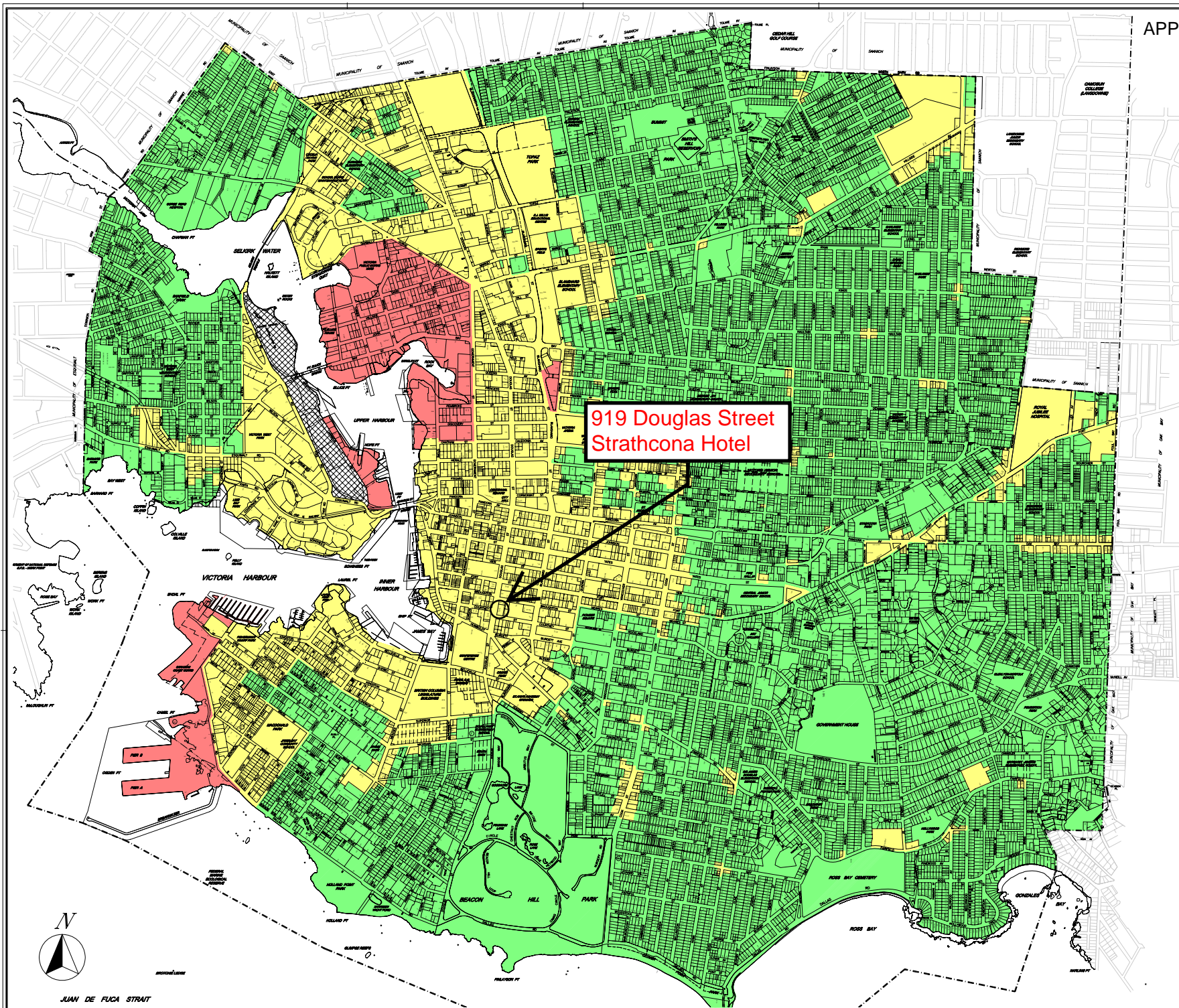
City of Victoria Noise District Map

LEGEND

-  Quiet District
-  Intermediate District
-  Harbour Intermediate District
-  Activity District

Date: February 17, 2004


Scale: Not to Scale



919 Douglas Street
Strathcona Hotel



JUAN DE FUCA STRAIT

| | |
|---|--|
|  | Liquor Licencing Policy |
| | Page 1 of 2 |
| SUBJECT: | Liquor Licencing Policy |
| PREPARED BY: | Sustainable Planning and Community Development |
| AUTHORIZED BY: | City Council |
| EFFECTIVE DATE: | October 12, 2017 |
| REVIEW FREQUENCY: | Every three years |
| | REVISION DATE: |

A. PURPOSE

The purpose of the City of Victoria's Liquor Licensing Policy is to provide direction to the following parties:

1. Liquor licence applicants on the process and fees associated with City of Victoria review of applications;
2. Liquor Control and Licencing Board (LCBC) on the types of applications that the City will opt-out of providing comment on; and
3. City staff on application review and public notification criteria for those types of liquor licence applications that require review by Council and opportunity for the public to comment.

B. POLICY STATEMENTS

1. This policy applies to liquor license applications in the City of Victoria.:
2. The city will opt out of the review and comment requirements for the following types of applications;
 - a. Liquor Primary with licensed service up to 10:00 pm and having an occupant load less than 31 persons.
 - b. Manufacturer with Lounge Endorsement, Special Event Area, or Picnic Area with licensed service up to 10:00 pm and having an occupant load less than 31 persons.
 - c. A temporary extension to hours of licensed service for all licence types up to 3:00 am on New Year's Eve.
 - d. The addition of an Entertainment Endorsement to any Food Primary with licensed service up to 12:00 am.
3. The City of Victoria generally does not approve the extension of liquor service past 2:00 am, with the exception of New Year's Eve, which allows for service up to 3:00 am. In extraordinary cases, the City may consider short term or one time provisions for allowing liquor service between 2:00 am and 9:00 am to accommodate international sporting or significant cultural events.

C. PROCEDURES

A business engaging in the manufacture, sale or service of liquor must have a City of Victoria Business License to lawfully conduct its businesses.

The provincial government, through the Liquor Control and Licencing Branch, is the first and last point of contact for businesses interested in applying for a liquor licence.

The application process and related fees will be made available to any business or member of the public through the internet or by request.

For any liquor applications where the City of Victoria has not opted out of providing comment, the following provisions apply:

1. Public notification for comment will be placed at the site for a period no less than 30 days.
2. The City will provide public notification through mailed notice to all residents and businesses within a 100 metre radius.
3. The City will provide notification to the applicable community association.
4. When providing comment on an application, the City will include comments on those aspects within the parameters set by LCLB which currently include:
 - a. Noise impacts in the immediate vicinity of the establishment;
 - b. Impact on the community if approved (including the location of the establishment and person capacity and hour of liquor service of the establishment)
 - c. Confirm that the establishment is being operated in a manner that is consistent with its primary purpose (only for food primary)

D. ENFORCEMENT POLICY

Businesses that have a history of non-compliance with local and provincial government bylaws and legislation or re-occurring nuisance issues may be subject to a Good Neighbour Agreement that will be reviewed along with the annual renewal of a business licence. Lack of adherence to this agreement may result in a business licence being revoked. This will be assessed by staff on a case by case basis.

E. REFERENCES

Business License Bylaw (89-071)
Land Use Procedures Bylaw (16-028)
Noise Bylaw (03-012)
Liquor Licensing Fee Bylaw (01-06)

F. REVISION HISTORY

None

From: Cochrane, Kari [REDACTED]
Sent: Thursday, May 4, 2023 4:18 PM
To: Katie Lauriston
Cc: Ryan Morhart
Subject: RE: New Liquor Primary Application | Strathcona Hotel | 919 Douglas Street

Hi Katie,

I've reviewed this application. The changes requested do not involve any increases to capacity or hours and therefore, should not impact the downtown core any more than what is currently taking place. The Police department does not object to the licence change.

Kari



Sgt. Kari Cochrane
Operational Planning
Victoria Police Department
850 Caledonia Avenue
Victoria, BC, V8T 5J8
[REDACTED]
[REDACTED]
[REDACTED]

From: Katie Lauriston <klauriston@victoria.ca>
Sent: Thursday, April 27, 2023 8:50 AM
Cc: Ryan Morhart <RMorhart@victoria.ca>
Subject: New Liquor Primary Application | Strathcona Hotel | 919 Douglas Street

Good morning,

The attached application to LCRB is for Strathcona Hotel to adjust a Liquor Primary licence. The establishment currently operates under a liquor primary licence and a food primary licence with a combined total occupant load of 300 people. The applicant proposes to retain the existing hours and occupant load by increasing their liquor primary capacity and proportionately reducing their food primary capacity. The letter of intent, floor plan, site plan and application are attached for review and understanding of the application.

Please review and submit your comments to me by **Thursday, May 11th**.

Review and comment by staff including Police, Bylaw, Engineering, Sustainable Planning & Community Development, and Business and Community Relations is required. The comments will support a recommendation to Council. In preparation of your comments please consider the following as requested by LCRB:

- the location of the establishment, and
- the person capacity and hours of liquor service of the establishment.

Comments should be focused to the following, also as requested by LCRB:

- The impact of noise on nearby residents; and
- The impact on the community if the application is approved.

Thank you,

Katie Lauriston

Pronouns: she, her, hers

Development Process Coordinator

Sustainable Planning and Community Development

City of Victoria

1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0498



CAUTION: This email originated from outside of the Victoria Police Department. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Types of Liquor Licences Issued in the Province of British Columbia

Last updated: October 5, 2017

The Liquor Control and Licensing Branch (LCLB) supervises over 10,200 licensed establishments and over 25,000 temporary special events per year in B.C.

The purpose of this document is to give a broad understanding of the types of liquor licences issued in B.C. Visit the LCLB's website at www.gov.bc.ca/liquorregulationandlicensing and the hyperlinks below for the most up to date information.

Licences:

[Agent](#) – for independent liquor agents who market products from liquor manufacturers outside of B.C.

[Catering](#) – for catering companies who wish to serve liquor in addition to food, with food service as the primary purpose.

[Food Primary](#) – for businesses where the primary purpose is to serve food (such as restaurants).

A Patron Participation Endorsement is an additional term and condition on a food primary licence that permits the active involvement of patrons in entertainment or results in patrons leaving their seats, such as dancing or karaoke. An application for this endorsement requires additional considerations beyond the routine assessment of an initial application. To ensure that community concerns about noise, nuisance and other impacts are considered, input from local government or First Nation authorities is required before patron participation entertainment will be approved for a food primary establishment.

[Liquor Primary](#) – for businesses where the primary purpose is to sell liquor (such as bars, pubs, and nightclubs, as well as stadiums, theatres, aircraft, etc.). Liquor primary licences are also for businesses that wish to serve liquor as an additional service to their primary business (such as spas, salons, art galleries, etc.)

Liquor Primary Club – a sub-class of the liquor primary licence for private clubs. To be eligible to apply, the club must be a society registered under the provincial Societies Act or a non-profit or veterans organization incorporated by special act of parliament. LP Clubs must have at least 50 members who pay annual fees. The service area of an LP Club is restricted to members and guests only.

[Manufacturer](#) – for businesses making wine, cider, beer (this includes brew pubs), or spirits (known as wineries, breweries, and distilleries). Manufacturers can also apply to add a lounge, special event area, and/or picnic area endorsement to their manufacturer licence.

[UBrew/UVin \(Ferment-on-Premises\)](#) – for businesses that sell ingredients, equipment and provide advice for customers to make their own beer, wine, cider or coolers.

[Licensee Retail Store*](#) – for selling liquor by the bottle at retail stores (often called private liquor stores).

[Wine Store*](#) – for wine stores including winery-operated stores, independent wine stores, VQA stores and tourist wine stores.

[Special Wine Store](#) – available to eligible grocery stores only, the special wine store licence permits the sale of 100% BC wine on grocery store shelves.

**No new licences are available at this time.*

Permits:

[Special Event Permit](#) – for individuals and groups holding special events (such as community celebrations, weddings or banquets).

[Ethyl Alcohol Purchase Permit](#) – for purchasing ethyl alcohol for commercial and industrial use.

[Charitable Auction Permit](#) – for registered charities and non-profit organizations that wish to hold liquor auctions to raise funds for a charitable purpose.

What is the difference between a food primary and a liquor primary licence?

A food primary licence is issued when the primary purpose of the business is the service of food (such as restaurants and cafes). A liquor primary licence is issued when the primary purpose of the business is the service of liquor, hospitality or entertainment (such as bars, pubs, spas, and art galleries).

The approval process is different for both types of licences, with the process for liquor primaries being more involved. Minors are generally prohibited from liquor primary establishments, unless the licence specifically allows them.

Additional Resources:

[Forms](#) – access to all LCLB forms, including application forms and licence change forms.

[Frequently Asked Questions](#) – answers to common liquor-related questions.

[Licensed Establishment Locations](#) – a list of all licensed establishments in B.C.

[Publications & Resources](#) – access to the licensee terms and conditions handbooks, public consultations, and the Local Government/First Nations Guide page and more.

City Of Victoria
Development Process Coordinator
Community Development Dept
June 27, 2023

c/o klauriston@victoria.ca

Dear Sir/Madame,

Re: Application 919 Douglas St Victoria/ Strathcona Hotel

As a concerned citizen and being a neighboring resident at 1702,707 Courtney St Victoria I write as follows:

We object to such a change in the structural change of the license at Strathcona Hotel

Alcohol with limited food consumption is a contributing factor in drunkenness.

Possibly leading to excess rowdiness, drunk driving with potentially causing harm or death to people.

This is a reason for ensuring no licensed premises can focus more on serving alcohol and reducing food offerings.

In addition, as a neighbor we have accepted the concessions provided to Strathcona Hotel for hours of operations and noise levels over the years.

The interest for them to increase an area for the sole purpose of alcohol service is not acceptable to us.

We ask that in the interest of public safety and consideration to the neighbors that we maintain the Licenses as they currently are and deny an 'structural change'.

In appreciation

[REDACTED]
Mark and Dianna Havin
Cell [REDACTED]

Development Process Coordinator
Sustainable Planning & Community Development Department
1 Centennial Square
Victoria, BC
V8W 1P6

July 3, 2023

I am writing to comment on the request I received in the mail. There is little detail on the application, so I will do my best. If the idea is to get rid of the last remaining food service and to replace it with yet another bar or lounge, I am opposed to the application. If, however, it plans to reduce the number of food service seats and replace them with a small number of seats for liquor service, I would have to see the details before giving a positive response to the application.

The applicant already has six bars and lounges as well as a liquor store on site and I don't see the advantage of creating a seventh without a food service outlet. The facility is already quite noisy late at night and on weekends and that noise would go from the applicant to surrounding restaurants and lounges in search of food if food is not available on site.

I hope the Victoria Police Department is also given the opportunity to comment on the application as this sort of business keeps them busy and uses many hours of their enforcement officers especially on weekends and throughout the tourist season.

I look forward to receiving more details, either from your department or in the newspapers.

Robert Newton
405-708 Burdett Avenue
Victoria, BC
V8W 0A8

Hi there,

I am opposed to the application to expand the liquor primary license and reduce the food primary license at 919 Douglas Street. Limiting the requirements to eat means the affect of alcohol is worse, which results in:

- Increased noise - Noise from the bar is already excessive, the patrons of the facility already do not respect their neighbours, as requested on a very tiny sign posted up high on a pole in our neighborhood. They yell at 2 and 3 am as they are walking down the street. That will just increase the more drunk people are.
- Increased opportunity for drunk drivers on the road - there is also drag racing up Courtney St after the bar closes, which I already get to see and hear regularly, the opportunity for issues increases as intoxication increases.
- Increased opportunities aggression and fighting – with visitors from all over the Island, the mainland, and other countries, increased aggression, and increased opportunities for fights increase as intoxication increases (e.g., there is enough evidence elsewhere case in point Granville St in Vancouver)
- Increased opportunity for extreme intoxication – Not all bartenders or staff pays attention, or enforce, ‘serving it right’ which is about knowing when to cut someone off. They also cannot always control it if their friends buy their drunk friends drinks. This is problematic for young people who are new at the bar scene. I have witnessed myself that 90% of the patrons after 10pm are between the age of approx. 19-25. Some look underage but that is a different story.

Thanks for the opportunity to share my concerns.

Victoria BC

July 4, 2023

Development Process Coordinator
Sustainable Planning and Community Development Department
1 Centennial Square
Victoria, BC V8W 1P6

RE: Notice of Application for a Liquor Primary Licence Structural Change: 919 Douglas Street

Thank you for seeking input from nearby neighbors regarding the Strathcona Hotel application to change their existing liquor and food primary licence balance.

We **CAN NOT** favor this requested change for multiple reasons:

- 1) The current balance between diners and liquor patrons has already resulted in a frequently unpleasant living experience for us. Please see our Noise Bylaw Call File #230300 currently being reviewed by the Bylaw Office.
- 2) The stated intent of the Licence structural change is to increase the ratio of Liquor Primary patrons and decrease the Dining Primary patrons maintaining the 300 people limit.

We fear that an increase to the number of liquor primary patrons would change the make-up of the clientele and result in the increased frequency, duration and volume of amplified noise (music) and related activity (dancing, live bands, Karaoke) emanating from the establishment (primarily the open air Rooftop Lounge) directly across the street from us. The current level of amplified noise is extremely disruptive in multiple ways, an increase would be untenable.

- 3) The Strathcona Management may provide feedback to you indicating they will manage the noise and activity impact on the Neighborhood.

Our communication with the Strathcona Hotel Management and Staff is ongoing. Staff and Management acknowledge our concerns but have not resulted in effective noise abatement adjustments.

Due to this history, we do not have trust in the Management or Staff to make the required changes to their business model that would respect the mixed downtown residential/commercial neighborhood where their business is located.

Thank you again

Toni & Frank MacDonald
#1602 707 Courtney Street
Victoria. V8W0A9

Dear Development Process Coordinator,

As the home owner of #503 - 707 Courtney St, with a short-term rental business I, Michelle Kim, already receive numerous and continuous complaints about noise related to the Strathcona Hotel. Fights and yelling are a regular occurrence from inebriated partons of the Strathcona Hotel. I am wholeheartedly against this increase of the liquor primary capacity because I believe it will only lead to more noise and disruption.

Thank you for the opportunity to voice my concerns.

Sincerely,

Michelle Kim 503 707 Courtney St

Development Process Coordinator
Sustainable Planning and Community Development Department

This email is in response to a Notice of Application for a Liquor Primary Licence Structural Change.

We feel strongly that the Strathcona Hotel should not be allowed to increase its existing liquor primary licence. We live in The Falls just across the street from the Strathcona Hotel. Every Friday and Saturday night, noise from people talking loudly, arguing or yelling obscenities floats up to our home on the 10th floor at any time but especially at 2-3am. Other people in The Falls who live on the North side of our building have told me that it is difficult to stay at home on Friday and Saturday night as the noise from the Strathcona is so high.

We were persuaded to move downtown after living in Oak Bay for many years. Alas, we have constant noise from the construction of the Telus building all day long and a different kind of noise at night from the patrons of the Strathcona. Enough is enough.

Sincerely,

Nancy and Terry Sherwood
Unit 1005
708 Burdett Ave
Victoria, BC V8W 0A8

I am writing in connection with the Strathcona Hotel application for a structural change to its liquor licence, and in my capacity as an owner of 707 Courtney Street unit 1102.

The Strachcona Hotel routinely violates City of Victoria Noise Bylaw 03-112. This is particularly so on Sunday evenings in the summer. In addition late in the evenings on weekends the business operation at the Strachcona Hotel attracts noisy crowds of people (often inebriated) and this has a negative impact on the character of the neighbourhood and can disturb local residents and visitors.

I believe Strathcona Hotel should comply with City of Victoria Noise Bylaw 03-112 and no change to their licence should be approved until they do. I also think a change to the licence should not be approved unless a reasonable plan is presented that allows for ongoing compliance with Noise Bylaw 03-112 going forward, and provides for better crowd management of their patrons when they are around the building on City property late at night.

If the Strathcona Hotel complies fully with Noise Bylaw 03-112 and improves its crowd management such that it does not degrade the character of the neighbourhood then I would have no objection to approving the structural change to its licence.

Wayne Berthin

I own 2 properties at the Falls and I am opposed to the changes the Strathcona would like to make with their liquor license capacity.

There are currently already issues with the Strathcona with the noise, rowdiness of their patrons and the debris.

I would prefer if their application was not allowed.

Thank you for listening to my opinion.

All the best, Barbara Rodwin

Website: www.condoinvictoriabc.com

408-707 Courtney and 702-708 Burdett.

George Kriarakis

707 Courtney Road, Suite #707

Victoria, BC

July 19, 2023

Without prejudice

City of Victoria

DevelopmentProcessCoordinator
SustainablePlanningandCommunityDevelopmentDepartment
1CentennialSquare
Victoria,BC,V8W1P6

By Email:

- klauriston@victoria.ca

I am writing in connection with the Strathcona Hotel application for a structural change to its liquor licence, and in my capacity as an owner of 707 Courtney Road, Suite #707, Victoria, BC.

The Strachcona Hotel routinely violates City of Victoria Noise Bylaw 03-112. This is particularly so on Sunday evenings in the summer. In addition, late in the evenings on weekends the business operation at the Strachcona Hotel attracts noisy crowds of people (often inebriated) and this has a negative impact on the character of the neighbourhood and can disturb local residents and visitors. We have had many complaints from visitor, and guests, regarding the noise levels. I have witnessed this firsthand staying in our building and even as far away as the Magnolia Hotel with windows closed this level of noise impact does not create an environment of quite enjoyment of anyone's adjacent property experiencing these events which are weekly.

I believe Strathcona Hotel should comply with City of Victoria Noise Bylaw 03-112 and no change to their licence should be approved until they do. I also think a change to the licence should not be approved unless a reasonable plan is presented that allows for ongoing compliance with Noise Bylaw 03-112 going forward and provides for better crowd management of their patrons when they are around the building on City property late at night.

If the Strathcona Hotel complies fully with Noise Bylaw 03-112 and improves its crowd management such that it does not degrade the character of the neighbourhood then I would have no objection to approving the structural change to its licence.

Thanking you in advance for your time and attention to this request.

Sincerely yours,

George T. Kriarakis

(Electronic signature pursuant to the
Electronic Commerce Act, 2000)

I am writing in connection with the Strathcona Hotel application for a structural change to its liquor licence, and in my capacity as an owner of unit 703-707 Courtney Street.

The Strachcona Hotel routinely violates City of Victoria Noise Bylaw 03-112. This is particularly so on Sunday evenings in the summer. In addition late in the evenings on weekends the business operation at the Strachcona Hotel attracts noisy crowds of people (often inebriated) and this has a negative impact on the character of the neighbourhood and can disturb local residents and visitors.

I believe Strathcona Hotel should comply with City of Victoria Noise Bylaw 03-112 and no change to their licence should be approved until they do. I also think a change to the licence should not be approved unless a reasonable plan is presented that allows for ongoing compliance with Noise Bylaw 03-112 going forward, and provides for better crowd management of their patrons when they are around the building on City property late at night.

If the Strathcona Hotel complies fully with Noise Bylaw 03-112 and improves its crowd management such that it does not degrade the character of the neighbourhood then I would have no objection to approving the structural change to its licence.



Jacob Garrett
Sales Representative

Sotheby's | Canada
INTERNATIONAL REALTY

Sotheby's International Realty Canada
752 Douglas Street, Victoria BC V8W 3M6



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Hello. I have no problem with the application being made by the Strathcona Hotel for a structural change - liquor license being discussed now. I hope they receive approval.

My name is Laura Hlady and I live at 402, 707 Courtney Street (The Falls).

Regards
Laura Hlady

Good afternoon,

I am writing in connection with the Strathcona Hotel application for a structural change to its liquor licence, and in my capacity as an owner of 706-707 Courtney Street at the Falls in downtown Victoria, the neighbouring building.

The Strachcona Hotel routinely violates City of Victoria Noise Bylaw 03-112. This is particularly so on Sunday evenings in the summer. In addition late in the evenings on weekends the business operation at the Strachcona Hotel attracts noisy crowds of people (often inebriated) and this has a negative impact on the character of the neighbourhood and can disturb local residents and visitors.

I believe Strathcona Hotel should comply with City of Victoria Noise Bylaw 03-112 and no change to their licence should be approved until they do. I also think a change to the licence should not be approved unless a reasonable plan is presented that allows for ongoing compliance with Noise Bylaw 03-112 going forward, and provides for better crowd management of their patrons when they are around the building on City property late at night.

If the Strathcona Hotel complies fully with Noise Bylaw 03-112 and improves its crowd management such that it does not degrade the character of the neighbourhood then I would have no objection to approving the structural change to its licence.

Kind regards,

Terry Harrison

Big Fish - Inclusion System

[REDACTED]

www.inclusionsystem.ca

To:
Development Process Coordinator
Sustainable Planning and Community Development
Department
1 Centennial Square
Victoria, BC, V8W 1P6

I am writing in connection with the Strathcona Hotel application for a structural change to its liquor licence, and in my capacity as an owner of **N606, 707. Courtney St., Victoria, BC V8W 0A9**

The Strathcona Hotel routinely violates City of Victoria Noise Bylaw 03-112. This is particularly so on Sunday evenings in the summer. In addition late in the evenings on weekends the business operation at the Strathcona Hotel attracts noisy crowds of people (often inebriated) and this has a negative impact on the character of the neighbourhood and can disturb local residents and visitors.

I believe Strathcona Hotel should comply with City of Victoria Noise Bylaw 03-112 and no change to their licence should be approved until they do. I also think a change to the licence should not be approved unless a reasonable plan is presented that allows for ongoing compliance with Noise Bylaw 03-112 going forward, and provides for better crowd management of their patrons when they are around the building on City property late at night.

If the Strathcona Hotel complies fully with Noise Bylaw 03-112 and improves its crowd management such that it does not degrade the character of the neighbourhood then I would have no objection to approving the structural change to its licence.

Naomi Tellerman

*I am writing in connection with the Strathcona Hotel application for a structural change to its liquor licence in my capacity as joint owner of **Unit 1702 The Falls – Strata Plan VIS 6797**
707 Courtney Street & 708 Burdett Avenue, Victoria BC.*

The Strachcona Hotel routinely violates City of Victoria Noise Bylaw 03-112. This is particularly so on Sunday evenings in the summer. In addition, late in the evenings on weekends the business operation at the Strachcona Hotel attracts noisy crowds of people (often inebriated) and this has a negative impact on the character of the neighborhood and can disturb local residents and visitors.

I believe Strathcona Hotel should comply with City of Victoria Noise Bylaw 03-112 and no change to their licence should be approved until they do. I also think a change to the licence should not be approved unless a reasonable plan is presented that allows for ongoing compliance with Noise Bylaw 03-112 going forward, and provides for better crowd management of their patrons when they are around the building on City property late at night.

If the Strathcona Hotel demonstrates for an extended period it can comply fully with Noise Bylaw 03-112 and improve its crowd management such that it does not degrade the character of the neighbourhood then I would have no objection to approving the structural change to its licence.

Yours truly,

Stephen MacDonald



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

23 August 2023

**Re: Notice of Application for a Structural Change to Liquor Service –
919 Douglas – Strathcona Hotel**

Dear Mayor Alto and Council,

We understand that the Strathcona Hotel at 919 Douglas has applied for a structural change to their existing food primary liquor license. Our understanding is that the application is to change the food primary nature of the license to liquor primary with no change to hours of operation of load.

In absence of the long-anticipated Municipal Alcohol Policy, the LUC developed and the DRA ratified the DRA Policy for Liquor Primary & Late Night Food Primary Liquor Licences on 02 Feb 2020. All relevant liquor applications are reviewed on the basis of this policy and our assessment of the application's performance is included below.

Feedback from the Committee is:

- The Strathcona is a long operating business on the busiest thoroughfare in Victoria
- It is located next to a large residential building "The Falls"
- Residents of the "The Falls" were contacted, and issues with noise were discussed
- This change could create a noisier environment, although the timing of the noise isn't expected to change
- The Strathcona hotel, and neighbouring residents, are in an area with many entertainment options, including Sticky Wicket, Distrikt, Smith's pub and Brown's Social House.

Additionally the Committee heard from the residents of the "The Falls" building and the Land Use Committee would like to reiterate their concern over this venue being a consistent noise nuisance for them, and the proposed change will likely exacerbate the noise concerns.

Considering the above the Land Use Committee cannot endorse this application.

Sincerely,

Jordan Royer
Co-Chair Land Use Committee, Downtown Residents Association

To: Committee of the Whole **Date:** September 8, 2023

From: Grant Olson, an Owner and Director of the Strathcona Hotel

Subject: **Application for a Liquor Primary Licence Structural Change (Capacity Increase) for Strathcona Hotel at 919 Douglas Street**

City of Victoria, Committee of the Whole,

Thank you for considering our Application for the awkwardly referenced “*Structural Change (Capacity Increase)*” for our Liquor Primary license.

We would quickly like to assure you that there is in fact no actual structural change to our building. This is simply a term used by the Liquor Branch which captures this sort of license change.

We would also like to highlight that the Capacity Increase mentioned in the report heading, is conditional on a corresponding *reduction* in our Food Primary license which, as you know, also permits alcohol consumption. Therefore there would be *no net increase* in drinking capacity if this application were approved.

We are pleased with the broad support we have received from the parties consulted in the preparation of the Report to the Committee of the Whole, particularly from Bylaw Services who, we believe correctly, conclude that this approval would not result in a change in the number of noise complaints.

In the report Bylaw Services also notes that we work with them to ensure compliance with section 15 of the City’s Noise Bylaw Number 03-012.

This is an important recognition because we are constantly working to ensure compliance. Our noise control measures include taking and logging decibel readings hourly in the evenings to verify compliance, purchase and implementation of equipment which limits the output of our sound system, as well as making noise bylaw compliance a priority for the management staff working on our rooftop patio.

We mention the noise issue, or more precisely, Bylaw’s opinion that there isn’t likely to be an increased noise issue, because of the Community Consultation results.

Of the 14 letters expressing opposition 13 were from a condominium called The Falls, located directly across Courtenay Street from us, and all of them mentioned noise as being a factor in their objection. Furthermore, 7 of those 14 letters contained the identical wording which included a statement that they would NOT object to our application provided we comply with noise bylaws. These copy and paste responses also referenced improved crowd management and the not degrading the character of the neighbourhood, however with no net increase in capacity these terms seem moot. Perhaps surprisingly, the one letter supporting our application was also from a resident of The Falls.

We are always sensitive to the concerns of our neighbours, particularly The Falls, being the closest residential building. In spite of their purchasing condominiums in Victoria’s entertainment district, we acknowledge the Falls residents’ concerns over noise and commit to continuing to work with Bylaw Services to ensure that we are compliant with noise bylaws.

Thank you for your consideration and support.

Grant Olson, Director, Co-Owner
Strathcona Hotel

2023

CITY OF VICTORIA | Sustainable Planning and Community Development

LCRB Application Strathcona Hotel 919 Douglas Street

Application for Liquor Primary
Structural Change (Capacity Increase)

COMMITTEE OF THE WHOLE | October 5, 2023



1

LCRB Application for Structural Change

Strathcona Hotel at 919 Douglas Street

Liquor Primary – Structural Change (Capacity Increase)

Application to increase liquor primary capacity by 117 people



2 LCRB Application – Strathcona Hotel at 919 Douglas Street | October 5, 2023



2

Liquor and Cannabis Regulation Branch (LCRB)

LCRB regulates service of liquor at:

- Restaurants
- Bars
- Pubs
- Retailers
- Manufacturers
- Special Events


3 LCRB Application – Strathcona Hotel at 919 Douglas Street | October 5, 2023



3

LCRB Approvals

Based on:

- Criminal Background Checks
 - Local Government
 - Municipal Input
 - Public Input
 - Occupant Load Approvals
- 
- Potential for noise
 - Potential for impact on the community

4 LCRB Application – Strathcona Hotel at 919 Douglas Street | October 5, 2023



4

Local Government

- Staff Review
 - Police, Bylaw, Planning, Business and Community Relations and Engineering
 - Zoning regulation, liquor policy and the Liquor Licencing Fee Bylaw
- Public Notification and Comment
 - Notice Posted at entrance to establishment
 - Mailed Notice to within 100m of establishment
 - 30 days to provide comment
- Local Government provides a resolution with comment on:
 - Potential for Noise
 - Potential for Impact on the Community

5 LCRB Application – Strathcona Hotel at 919 Douglas Street | October 5, 2023



5

LCRB Application

| LICENCE TYPE | |
|--------------------------|---|
| EXISTING | Liquor Primary Licence |
| HOURS – EXISTING | |
| EXISTING | 10 a.m. to 2 a.m. every day |
| OCCUPANT LOAD – EXISTING | |
| EXISTING | Liquor Primary: 183 people Food Primary: 117 people Total: 300 people |
| OCCUPANT LOAD – PROPOSED | |
| PROPOSED | Liquor Primary: 300 people Food Primary: 0 people Total: 300 people |

6 LCRB Application – Strathcona Hotel at 919 Douglas Street | October 5, 2023



6

Staff Review and Public Comment

- **Staff Review**
 - No impacts were identified related to the capacity increase, as there is no change in occupancy or hours of operation
 - The existing establishment works with Bylaw Services to ensure compliance with the City's Noise Bylaw
 - Staff including Police support the application and do not anticipate negative community impacts
- **Public Comment**
 - Letters were sent to 431 owners and occupants
 - In response, 15 letters were received – 14 were opposed and one was supportive
 - The Downtown Residents Association indicated in a letter to Council that they cannot endorse the application

7 LCRB Application – Strathcona Hotel at 919 Douglas Street | October 5, 2023



7

Recommendation

That Council direct staff to notify the Liquor and Cannabis Regulation Branch that Council supports the application of Strathcona Hotel, located at 919 Douglas Street, to increase the liquor primary capacity by 117 people, from 183 to 300, with no overall change to the occupant load through the conversion of 117 existing food primary seats.

8 LCRB Application – Strathcona Hotel at 919 Douglas Street | October 5, 2023



8



Committee of the Whole Report

For the Meeting of October 5, 2023

To: Committee of the Whole
From: Curt Kingsley, City Clerk
Date: August 9, 2023
Subject: 2022 General Local Election - Lessons Learned

RECOMMENDATIONS

That Council:

1. Approve the Election Policy Guidelines.
2. Direct staff to reserve the Victoria Conference Centre, or a similar facility, for the 2026 general local election for advance voting and general voting day.
3. Direct staff to report back on options to enhance privacy concerns with electronic access of candidate nomination papers.

EXECUTIVE SUMMARY

Part of the City's continuous improvement process is to provide Council with lessons learned after major projects are completed. The purpose of this report is to outline lessons learned in conducting the 2022 General Local Election; identify changes anticipated for the next election in 2026; and offer Council an opportunity to provide suggestions based on their own participation and feedback from voters.

Total voter turnout was 27,452 or 37.98% of registered voters, a decrease from 43.5% in 2018.

The City provided the following voting opportunities:

- 13 voting places on general voting day.
- 5 advanced voting opportunities, at City Hall (3), UVic (1), and Our Place Society (1).
- Mail ballot voting.
- Special voting opportunities to 13 care facilities in the city with more than 50 residents.

For individuals with accessibility needs, the City provided:

- Wheelchair accessible voting places for all general voting and advance voting.
- Designated curbside voting available upon request, with designated signed spaces in front of all polling stations, including all advance polls.
- An accessible voting machine at Central Middle School on general voting day and at City Hall for advance voting.
- Mail ballots for all electors and special voting opportunities at participating care facilities.

2,685 mail ballots were cast. This is an increase over 2018 when 197 mail ballots were cast and an increase over the 2020 by-election when 2,285 mail ballots were cast.

Five advance voting opportunities were held, three at City Hall, one at Our Place Society and one at UVic. The total advance voting ballots cast was 4,633, a decrease from 4,791 in 2018.

Most voting locations were busy, and the main public feedback was about the length of time for line ups and the size of voting places. Long waits also occurred in Saanich and Lower Mainland municipalities. In addition, staff received comments from the public expressing concern about:

- The appropriateness of advance voting locations at UVic and Our Place Society.
- City Hall as an advance voting location.
- Staffing shortages at voting locations.
- Utilizing a voter card system.
- The online availability of nomination documents.

The City used social media channels and other non-statutory promotion materials to encourage voting such as mailing voter cards, mailing the Connect Newsletter to all households, a “Victoria Votes” App and publishing a Candidate Profile Guide.

Election administration is complex given the logistics of multiple voting locations, the staffing, and the complexity of ballots with numerous candidates for numerous offices. Continuous assessment and improvements result from thoughtful analysis of lessons learned each time. Opportunities for further improvement in the next election have been examined and a summary of issues and recommendations related to each area is included in the report. These will be further reviewed, along with any directions Council may have in preparation for the next election.

PURPOSE

The purpose of this report is to review the 2022 general local election and present the lessons learned from it, and to provide Council the opportunity to bring forward issues for consideration.

BACKGROUND

The City's election process is a multi-faceted and multi-departmental undertaking with numerous components, contributors, and participants.

General voting was held October 15, 2022, and voter turnout was 37.98%. This was a decrease from 2018 when turnout was 43.5%. A total of 27,452 of 72,284 eligible voters cast ballots. Voter turnout was generally down across the Capital Region with Victoria having the third highest.

The City had 13 voting locations on general voting day, as shown in Attachment A, an increase from 12 in 2018. Five advance voting opportunities were held, three at City Hall, one at Our Place Society and one at UVic in partnership with Saanich. The total number of ballots cast during advance voting was 4,633, a decrease from 4,791 in 2018.

Special voting opportunities were held at 13 care facilities with 50 or more residents and 306 ballots were cast. This is also lower than 2018 when 403 ballots were cast at 14 facilities; however, some facilities alternatively chose to vote by mail due to ongoing concerns with COVID-19.

In 2021, changes to the *Local Government Act* permitted all eligible voters to vote by mail if permitted in an election bylaw. The City's Election Procedures Bylaw permits mail ballot voting and outlines the procedures. 2,685 mail ballots were cast. This is an increase over 2018 when 197 mail ballots were cast and an increase over the 2020 by-election when 2,285 mail ballots were cast (the Province temporarily expanded mail ballot eligibility for the 2020 by-election due to COVID-19).

Ballots cast at each of the voting locations is identified in the table below:

| Voting Location | Ballots Cast | %Turnout |
|-------------------------------------|---------------------|-----------------|
| Advance City Hall | 3,948 | 5.46% |
| Advance UVic | 376 | 0.52% |
| Advance Our Place Society | 309 | 0.43% |
| Special Voting – Care Facilities | 306 | 0.42% |
| Mail Ballots | 2,685 | 3.71% |
| Central Baptist | 1,225 | 1.69% |
| Central Middle School | 1,934 | 2.68% |
| Cook Street Village Activity Centre | 1,354 | 1.87% |
| George Jay Elementary School | 1,392 | 1.93% |
| Glenlyon Norfolk Secondary School | 1,766 | 2.44% |
| James Bay Community School | 1,682 | 2.33% |
| James Bay New Horizons Centre | 1,387 | 1.92% |
| Margaret Jenkins Elementary School | 1,624 | 2.25% |
| Oaklands Elementary School | 1,976 | 2.73% |
| Quadra Elementary School | 1,495 | 2.07% |
| SJ Burnside Education Centre | 997 | 1.38% |
| Sir James Douglas Elementary School | 1,348 | 1.86% |
| Victoria West Elementary School | 1,639 | 2.27% |
| Total | 27,452 | 37.98% |

ISSUES & ANALYSIS

Election Regulations

There are prescribed and rigid requirements governing the conduct of local elections under the *Local Government Act* and the *Local Elections Campaign Financing Act* with certain discretion to local procedures that may be established by bylaw and policy. The City's Election Procedures Bylaw is included as Attachment B.

During the May 12, 2022, Committee of the Whole Meeting, Council directed staff to develop policy guidelines to apply to all general elections to ensure there is equitable and convenient access to polling locations in each neighbourhood of the city aligned with City equity values. Policy guidelines can complement election bylaws as there are no legislated deadlines for adoption or amendment and it gives Council the ability to adjust things in future years as new technologies or circumstances arise. Staff reviewed lessons learned from recent elections, as outlined in this report, and developed election policy guidelines to be considered when conducting a local election. The proposed policy guidelines are included as Attachment C.

Recommendation:

- 1. That Council approve the Election Policy Guidelines.**

Voting Opportunities

Advance Voting

The *Local Government Act* mandates at least two advance voting opportunities. The Chief Election Officer has the discretion to establish additional advance voting opportunities and the City held five.

Advance voting at City Hall was busy and public feedback received was about long line ups and the size of City Hall as a voting place. The 2020 by-election conducted advance voting at Crystal Gardens instead of City Hall because it was available during the pandemic. The City was unable to secure this facility for the 2022 election because it is currently servicing many bookings. Large

venues like the Victoria Conference Centre can service more voters at a time because they have the space for additional registration tables and privacy screens.

Additional advance voting was also held at UVic and Our Place Society. UVic was done in partnership with Saanich. Staff received feedback from some members of the public expressing concerns about holding a voting location outside of the municipal boundaries and the safety of Our Place Society. However, these facilities were a continuation of previous election proceedings and there were no issues at either location.

Special Voting Opportunities

Special voting opportunities were held at participating care facilities over six days. Voter turnout was as expected, and the costs associated for specialized teams to attend these sites was higher than other voting.

Mail Ballot Voting

Mail ballot voting is not a requirement under the *Local Government Act* and many Capital Region municipalities either do not offer mail ballot voting or require voters to pay for return postage. The City's Election Procedures Bylaw permits mail ballot voting and outlines the application and voting processes. The City prepaid for all postage in Canada so voters only had to drop their return envelopes into a mailbox, which made mail ballot voting more accessible in Victoria.

The City's Election Procedures Bylaw outlines a method for staff to process mail ballots received before general election day, as observed by a candidate, or their official agent or scrutineer. This was the first general election using these processes and it successfully ensured mail ballots were counted in a timely manner on election night.

The *Local Government Act* requires the candidate nomination process to be concluded before ballots can be ordered, printed, packaged, and delivered to voters as the names of the candidates are required to be printed on the ballots. Due to these limitations, the first vote by mail packages were not sent out until September 26. Further, due to mail delivery schedules, the City did not send packages after October 6 and advised eligible voters not to return their packages by mail after this date. Instead, eligible voters could pick up and drop off their vote by mail packages at City Hall.

170 mail ballots were not counted because they were received after the legislated deadline of 8:00 p.m. on general voting day. The dates to send/receive mail ballots will always be tight unless the Province amends the legislated timeline for the nomination process. The City previously advocated to the Province to make the nomination period occur earlier or to make an allowance for provisional ballots, however, the Province indicated no desire to make a legislative change.

General Voting

As part of the recommendations from the 2018 Lessons Learned Report, the City secured an additional voting location for 2022. 13 voting locations geographically distributed across the City were used, an increase from 12 in 2018. All locations were accessible, and staff accommodated curbside voting for those with difficulty accessing the voting station.

Each voting location had a minimum of two voting machines, and line-ups to cast a ballot in the voting machine were minimal. Electronic voter check-in, first introduced in 2014, also continued in this election, providing several benefits including automatically updating the voter list reducing the possibility of an elector voting twice, increased confidentiality, audit functions, and access to demographic information of voters. This also facilitates a "vote anywhere" model, as opposed to designated voting locations that can be an inconvenient barrier for voters.

The main concern from the public was the length of time spent in line. 45-60 minutes was common at some locations. Based on feedback, some voting locations were too small to service voters. A large ballot for the 2022 general local election also caused some voters to take up to five minutes to complete their ballot. While 13 voting locations distributed across the City reduced travel, some neighbourhoods could only offer small facilities that resulted in long lines outside.

The City also had challenges recruiting enough experienced presiding officials for 13 voting locations. 13 voting locations may not be sustainable for future elections. Labour shortages and last-minute illnesses led to higher wait times and lower service levels. Staff observed a trade-off between the number of polling stations the City offers and the level of service that can be provided at each station. There is a limited number of experienced people who apply to work as election officials or to serve as presiding officials, particularly in a general local election where the City is in competition with neighbouring municipalities. The more polling stations, the fewer staff can be provided to each station. Scaling back the number of voting locations and selecting larger facilities would provide more flexibility for the City; more staff could be assigned to each location and the City could redeploy staff to busy locations to scale up the level of service to reduce wait times.

Securing large facilities for elections requires Council direction because they are more costly, must be reserved well in advance and in the case of City-owned properties, there is a loss of revenue opportunities when private bookings cannot be made during the election. As a downtown City property, the Victoria Conference Centre is an ideal location for future voting opportunities. It offers large rooms and alternatives like the Crystal Gardens. Staff propose that Council give them direction to work with the Conference Centre on making it a 2026 voting location.

Recommendation:

- 2. That the Victoria Conference Centre, or a similar facility, be reserved for the 2026 general local election for advance voting and general voting day.**

Election Administration

The Chief Election Officer is authorized under the Election Procedures Bylaw to provide public access to nomination documents and publish the nomination documents online. It is a common practice across B.C. and the City experienced no issues prior to the 2022 election. Concerns were brought forward by some nominators, who wanted their addresses redacted, and by some candidates who requested their residential addresses be redacted. The concerns were raised due to reported harassment on social media and at their place of residence. The reports came to staff's attention in the middle of the nomination period. Since the process is established by bylaw, it was too late to change the practice and maintain fairness and consistency between candidates. Staff recommend Council consider the practice and options to revise it to address privacy concerns.

Recommendation:

- 3. That Council direct staff to report back on options to enhance privacy concerns with electronic access of candidate nomination papers.**

Community Engagement

In addition to the prescribed advertising requirements in the *Local Government Act*, the City has been a leader in public engagement. The City used social media channels and other non-statutory promotion materials to encourage voting such as mailing voter cards to registered electors under the provincial voting list, mailing the Connect Newsletter to all households, a free Victoria Votes App and publishing a Candidate Profile Guide.

Other public information activities included:

- Advertising (statutory and non-statutory) in both print and online media.

- A “wrap” on the front of the Times Colonist.
- Signage on City-owned communication channels, including parking pay stations and digital screens.
- Voting day encouragements, including the “I Voted” stickers.
- Animated video on “Everything you Need to Vote”.
- e-Newsletters and earned media.
- Future Voter program, including “Future Voter” sticker and colouring contest.
- Live cast results on election night at the close of polls.

Voter Cards

Unlike most municipalities, the City utilized a voter card system. Each voter card contains a barcode to expediate voting. When scanned, the voter’s information appears in the digital voting book and saves some time from doing a manual search. The intent of using voter cards was to increase efficiency as they are not required to vote. However, some voters thought they were necessary and were frustrated that they did not receive one in the mail. Voter cards were mailed to registered electors under the provincial voting list, so if a resident’s information was not up to date with Elections BC, they did not receive one, or they may have received one addressed to a previous resident. The City also batched voter cards, meaning if there were three registered voters in a household, three voter cards were sent in one envelope. While this saved the City significant postage costs, many residents expressed further dissatisfaction as they were accustomed to receiving individual voter cards in provincial and federal elections.

General mailouts are more beneficial than voter cards as they can provide more election information with less voter dissatisfaction. This practice also aligns with most municipalities as they send postcards that are not personally addressed and contain information on how, where and when to vote. General mailouts also prevent return mail when information is out of date. The City has received hundreds of out-of-date voter cards in the mail since the conclusion of the election. Staff recommend for future elections that a minimum of two general mailouts be sent to each household instead of voter cards and this is outlined in the Election Policy Guidelines.

OPTIONS & IMPACTS

Option 1 – Approve staff’s recommendations in this report.

This option would establish these recommendations for the 2026 general local election:

1. That Council approve the Election Policy Guidelines.
2. That the Victoria Conference Centre, or a similar facility, be reserved for the 2026 general local election for advance voting and general voting day.
3. That Council direct staff to report back on options to enhance privacy concerns with electronic access of candidate nomination papers.

Implications:

- Streamlined processes based on the lessons learned from the 2022 general election.
- Larger voting facilities will have financial implications.
- Staff will report back to Council before the next election regarding privacy concerns.

Option 2 – That Council provide alternate direction to staff.

This option would require Council to provide direction to staff on the components they would like to see implemented and the components they would not like to see implemented.

Implications:

- Improvements based on lessons learned would not be implemented.
- Requires additional staff time to develop a new framework.

- Additional resourcing may still be necessary to fully enforce Council's desired regulations.

Accessibility Impact Statement

Provisions in legislation permit assistance to be offered to voters who may have difficulty voting without assistance or entering the voting place where curbside voting is an option. In addition, mail ballot and curbside voting is an opportunity available to anyone.

Impacts to Financial Plan

The net overall budget for election proceedings and election engagement activities in the Financial Plan was \$420,000. The budget is net the 1/3 of total cost contribution from School District No. 61 to compensate the City for conducting the School Board Trustee election in conjunction with the general local election. The overall cost of the 2022 election was \$582,742.35 and the net cost after 1/3 compensation from School District 61 is \$388,494.90.

Future elections may require additional staffing to mitigate population growth and to reduce waiting times at voting locations. Larger venues will also require bookings in advance and will likely have a higher cost than venues used in 2022. These recommendations do not have an impact on the current financial plan and would be costed, if approved, for the 2026 budget.

CONCLUSIONS

Continuous assessment and improvements for election processes result from thoughtful analysis of lessons learned each time. Opportunities for further improvement in the next election have been examined and a summary of issues and recommendations related to each area is included in the report. These will be further reviewed, along with any suggestions Council may have in preparation for the next election.

Respectfully submitted,

Barrie Nicholls
Legislation and Policy Analyst

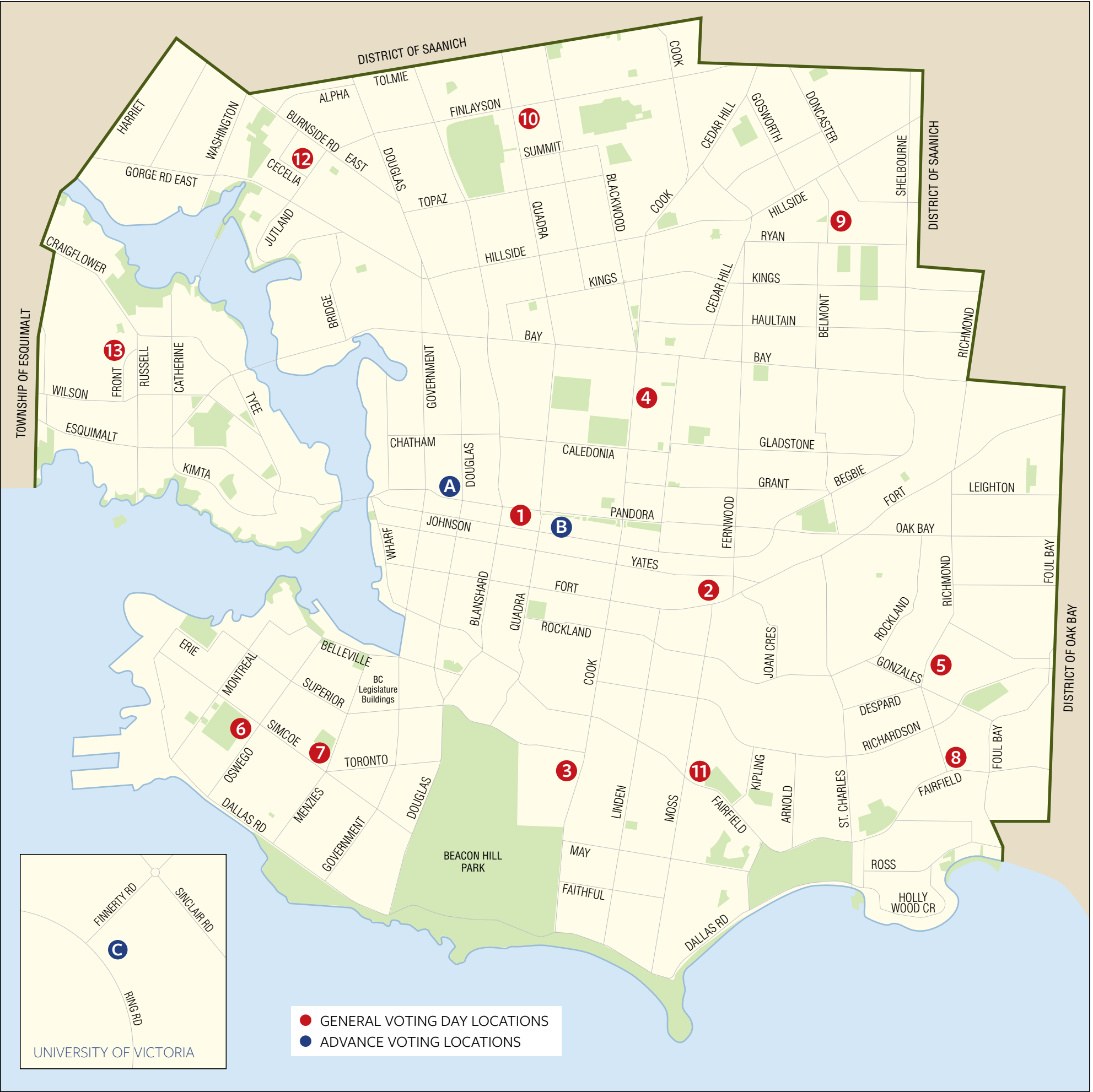
Curt Kingsley
City Clerk

Susanne Thompson
Deputy City Manager

Report accepted and recommended by the City Manager

List of Attachments

Attachment A: 2022 General Voting Locations
Attachment B: Election Procedures Bylaw
Attachment C: Election Policy Guidelines



General Voting Locations

- 1 Central Baptist Church
833 Pandora Avenue
2 Central Middle School*
1280 Fort Street
3 Cook Street Village Activity Centre
380 Cook Street
4 George Jay Elementary School
1118 Princess Avenue
5 Glenlyon Norfolk School
781 Richmond Avenue
6 James Bay Community School
140 Oswego Street
7 James Bay New Horizons Centre
234 Menzies Street
8 Margaret Jenkins Elementary School
1824 Fairfield Road
9 Oaklands Elementary School
2827 Belmont Avenue
10 Quadra Elementary School
3031 Quadra Street
11 Sir James Douglas Elementary School
401 Moss Street
12 SJ Burnside Education Centre
498 Cecelia Road
13 Victoria West Elementary School
750 Front Street

Advance Voting Locations

- A) Victoria City Hall, 1 Centennial Square
B) Our Place, 919 Pandora Avenue
C) University of Victoria, Student Union Building, 3800 Finnerty Road.

ELECTION PROCEDURES BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to regulate the conduct of City elections and other voting, including the use of automated voting machines and mail ballots.

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30 Effective date

Under its statutory powers, including sections 8(4) and 65 of the *Community Charter* and Parts 3 and 4 of the *Local Government Act*, the Council of The Corporation of the Corporation of the City of Victoria in an open meeting enacts the following provisions:

PART 1 – INTERPRETATION

Title

1 This Bylaw may be cited as the “Election Procedures Bylaw”.

Definitions & interpretation

2 (1) In this Bylaw

“acceptable mark”

means a mark that is identifiable by the vote tabulating unit, and is made by an elector in the space provided on the ballot opposite the name of any candidate or opposite either ‘yes’ or ‘no’ on a question.

“automated vote counting system”

means a system that counts and records votes, processes and stores election results, and is comprised of the following equipment having the functions indicated:

(a) a number of ballot-scanning vote tabulating units, each of which rests on a ballot box, and

(b) a number of portable ballot boxes;

“ballot”

means a single automated ballot card designed for use in an automated vote counting system, which shows

(a) the names of all of the candidates for the office of Mayor and each office of councillor, and

(b) all of the choices on all of the questions on which the opinion or assent of the electors is sought;

“ballot return override procedure”

means the use, by an election official, of a device on a vote tabulating unit, that causes the unit to accept a returned ballot;

“election headquarters”

means City Hall, located at #1 Centennial Square, Victoria, British Columbia;

“election”

means an election for the number of persons required to fill an office on the City Council;

“elector”

means a resident elector or non-resident property elector of the City;

“general local election”

means the election held in 2022 and in every 4th year after 2022 for the mayor and councillors of the City.

“general voting day”

means

- (a) for a general local election, the 3rd Saturday of October in the year of the election,
- (b) for elections other than a general local election, the date set under sections 54, 55 or 152 of the *Local Government Act*,
- (c) for other voting, the date set under section 174 of the *Local Government Act*;

“memory card”

means the storage device that stores all of the permanent results for the vote tabulating unit;

“other voting”

means voting on a matter referred to in section 170 of the *Local Government Act*;

“portable ballot box”

means a ballot box that is used as a voting place where a vote tabulating unit is not being used or is not functioning;

“question”

means the bylaw or other matter on which the assent or the opinion of the electors is sought by other voting;

“register tape”

means the printed record, generated from a vote tabulating unit at the close of voting on general voting day, that shows the number of votes

(a) for each candidate for the office of Mayor and each office of councillor, and

(b) for and against each question;

“returned ballot”

means a voted ballot, inserted into a vote tabulating unit, that is not accepted and is returned by the unit to the elector with an explanation of the marking error that caused the ballot to be unacceptable;

“secrecy sleeve”

means an open-ended folder or envelope used to cover ballots to conceal the choices made by each elector;

“vote tabulating unit”

means a device into which voted ballots are inserted, and that scans each ballot and records the number of votes for each candidate and for and against each question.

- (2) Each provision of this Bylaw is intended to be independent of all other provisions to the extent that if any provision is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.

Application

- 3 This Bylaw applies to all elections and all other voting.

PART 2 – CONDUCT OF ELECTIONS & OTHER VOTING

Nomination deposits

- 4 (1) A nomination for election to hold office as a member of Council must be accompanied by the following nomination deposits:

- (a) \$100.00 for each candidate for the office of Mayor;
 - (b) \$100.00 for each candidate for the office of councillor.
- (2) A nomination deposit must be held and dealt with by the chief election officer in accordance with section 88 of the *Local Government Act*.

Number of nominators

- 5 A nomination for election to hold office as a member of Council must be made by at least the following number of qualified nominators:
- (1) 25 for each candidate for the office of Mayor;
 - (2) 25 for each candidate for the office of councillor.

Signage

- 6 An election sign for an election or municipal referendum is permitted on property only in accordance with the specifications and requirements in Schedule A of this Bylaw.

Provincial list of voters

- 7
- (1) As authorized under section 76 of the *Local Government Act*, the most current Provincial list of voters prepared under the *Election Act*, available at the time an election or other voting is to be held, is the register of resident electors for the City.
 - (2) The Provincial list of voters becomes the register of resident electors no later than 52 days before general voting day for each election or other voting.
 - (3) A person who, on the basis of the Provincial list of voters, appears to meet the qualifications to be registered as a resident elector of the City is deemed to be registered as a resident elector of the City.

Voter identification

- 8
- (1) The chief election officer or the presiding election official is authorized to require an elector to produce identification in the form of any class of document set out in section 3 of B.C. Regulation 380/93 [*Local Government Elections Regulation*].
 - (2) The chief election officer or the presiding election official may take other reasonable precautions to ensure that an elector is qualified to vote and votes only once in an election.

Additional general voting opportunities

- 9 As authorized under sections 106 and 170 of the *Local Government Act*, the Council authorizes its chief election officer to
- (a) establish additional voting opportunities for general voting day for each election and other voting; and

- (b) designate the voting places and voting hours for the voting opportunities under subsection (a), within the notice requirements and limits set out in section 106(2)-(4) of the *Local Government Act*.

Required advance voting opportunities

- 10 As required under sections 107, 170 and 175 of the *Local Government Act*, advance voting opportunities must be held, for each election and for other voting, on the following days before general voting day:
 - (a) on the 10th day before general voting day; and
 - (b) on the Monday immediately preceding general voting day, or, if the Monday immediately preceding general voting day is a holiday, on the next day that is not a holiday.

Additional advance voting opportunities

- 11 As authorized under section 108, 170 and 175 of the *Local Government Act*, the chief election officer is authorized to establish dates for additional advance voting opportunities and to designate the voting places and set the dates and voting hours for those additional advance voting opportunities.

Special voting opportunities

- 12
 - (1) The chief election officer must establish the dates and voting hours when and the places where special voting opportunities will be conducted for each election or other voting in accordance with this section and any additional requirements under the *Local Government Act*.
 - (2) The only electors who may vote at a special voting opportunity are electors who, on the date on which the special voting opportunity is held and before the end of the voting hours for that special voting opportunity, have been admitted as patients to the hospital at which the special voting opportunity is held, or are residents at a care facility with at least 50 residents for a which a special voting opportunity is being conducted.
 - (3) The voting hours for a special voting opportunity must not be earlier than 9:00 a.m. or later than 4:00 p.m. of the day on which the special voting opportunity takes place.
 - (4) The chief election officer may limit the number of candidates' representatives who may be present at a special voting opportunity, subject to section 109(3) of the *Local Government Act*.

PART 3 – AUTOMATED VOTING

Use of voting machines

- 13 Voting may be conducted in a general local election and other voting in the City by using an automated vote counting system.

Automated voting procedures

- 14 (1) When an elector enters a voting place, and before a ballot is issued to the elector, the presiding election official must direct an election official to provide a demonstration of the method for voting by using an automated vote counting system to the elector, if requested by the elector.
- (2) After receiving a demonstration under subsection (1), if applicable, an elector must proceed to the election official responsible for issuing ballots.
- (3) The election official responsible for issuing ballots
 - (a) must ensure that the elector
 - (i) is qualified to vote in the election, and
 - (ii) completes the voting book as required by the *Local Government Act*; and
 - (b) after satisfying paragraph (a), must give to the elector a ballot, a secrecy sleeve if the elector requests it, and any further instructions requested by the elector.
- (4) After receiving a ballot, an elector
 - (a) must proceed immediately to a voting compartment;
 - (b) may vote only by making an acceptable mark on the ballot
 - (i) beside the name of each candidate of choice up to the maximum number of candidates to be elected for the office of mayor and for each office of councillor, and
 - (ii) beside either 'yes' or 'no' in the case of each question;
 - (c) must place the marked ballot into a secrecy sleeve, if applicable, proceed to the vote tabulating unit, and under the supervision of the election official in attendance, insert the ballot directly into the vote tabulating unit; and
 - (d) may request a replacement ballot from the election official in attendance if
 - (i) before inserting a ballot into the vote tabulating unit the elector decides that they made a mistake when marking the ballot, or
 - (ii) a ballot is returned by the vote tabulating unit.
- (5) The presiding election official or alternate presiding election official must carry out the following procedures if an elector requests a replacement ballot in accordance with subsection (4)(d):
 - (a) issue the replacement ballot to the elector;

- (b) mark as “spoiled” the ballot that is being replaced; and
 - (c) retain all spoiled ballots separately from all other ballots.
- (6) Spoiled ballots must not be included in the counting of votes on ballots.
- (7) For the purpose of counting acceptable marks, the presiding election official must reinsert a returned ballot into the vote tabulating unit by using the ballot return override procedure if the elector
 - (a) has not damaged the returned ballot to the extent that it cannot be reinserted; and
 - (b) does not want a replacement ballot.
- (8) A ballot counted by the vote tabulating unit is valid and all acceptable marks contained on that ballot must be counted subject to a determination made under a judicial recount.
- (9) An elector must immediately leave the voting place after the vote tabulating unit indicates that the elector’s ballot has been accepted.
- (10) The election official supervising a vote tabulating unit must insert into a portable ballot box all ballots delivered by electors during a time when the vote tabulating unit is not functioning and is not replaced.
- (11) An election official must carry out the following procedures under the supervision of the presiding election official as soon as is reasonably possible after a nonfunctioning vote tabulating unit becomes operational or is replaced with another vote tabulating unit:
 - (a) remove the ballots contained in the portable ballot box that temporarily replaced the nonfunctioning vote tabulating unit; and
 - (b) insert into the functioning vote tabulating unit the ballots removed under paragraph (a).
- (12) For the purpose of counting acceptable marks after the close of voting on general voting day, and under the supervision of the presiding election official, an election official must use the ballot return override procedure to reinsert into a vote tabulating unit ballots that were temporarily stored in a portable ballot box under subsection (10) and that are treated as returned ballots by the vote tabulating unit into which they were placed under subsection (11).

Advance voting opportunity procedures

- 15 (1) Vote tabulating units must be used to conduct the vote at all advance voting opportunities.
- (2) Voting procedures at advance voting opportunities must follow as closely as possible those described in section 14.

- (3) At the close of voting at each advance voting opportunity the presiding election official must ensure that
 - (a) no additional ballots are inserted in the vote tabulating unit;
 - (b) the portable ballot box is sealed to prevent insertion of any ballots;
 - (c) the register tapes in the vote tabulating unit are not generated; and
 - (d) the memory card of the vote tabulating unit is secured.
- (4) At the close of voting at the final advance voting opportunity the presiding election official must
 - (a) ensure that any remaining ballots in the portable ballot box are inserted into the vote tabulating unit;
 - (b) secure the vote tabulating unit so that no more ballots can be inserted; and
 - (c) deliver the vote tabulating unit together with the memory card and all other materials used in the election to the chief election officer at election headquarters.

Special voting opportunity procedures

- 16 (1) A portable ballot box must be used for all special voting opportunities unless the chief election officer determines that it is practical to use a vote tabulating unit.
- (2) The presiding election official at a special voting opportunity must proceed in accordance with
 - (a) sections 14(2), (3), and (4)(a), (b), and (c) to the extent that they are applicable when a portable ballot box is being used; and
 - (b) section 15 when a vote tabulating unit is being used.
- (3) The presiding election official at a special voting opportunity
 - (a) must ensure that a portable ballot box is secured when not in use; and
 - (b) at the close of voting at the final special voting opportunity must seal a portable ballot box and return it together with all other election materials to the chief election officer.

PART 4 – MAIL BALLOTS

Mail ballot voting and registration authorized

- 17 (1) Voting by mail ballot and elector registration by mail in conjunction with mail ballot voting are authorized.

- (2) All electors may apply to vote by mail ballot in accordance with section 18.
- (3) Once a mail ballot package has been accepted by the chief election officer, that elector may only vote by mail ballot.

Application procedure for mail ballot

- 18 (1) An elector must only apply to vote by mail ballot in the manner and form required by the chief election officer, within the time limits established by the chief election officer.
- (2) The chief election officer must make mail ballot applications available at least 21 days in advance of an election.
- (3) Upon receipt of a request for a mail ballot and as soon as practicable, the chief election officer or designated election official must:
 - (a) make available to the applicant, a mail ballot package as specified in section 110(7) of the *Local Government Act*, together with an elector registration application where required; and
 - (b) record and, upon request, make available for inspection:
 - (i) the name and address of the person to whom the mail ballot package was issued; and
 - (ii) information as to whether or not the person is registered as an elector.

Voting procedure for mail ballot

- 19 (1) In order to vote using a mail ballot, the elector must mark the ballot in accordance with the instructions contained in the mail ballot package provided by the chief election officer.
- (2) After marking the mail ballot, the elector must:
 - (a) place the mail ballot in the secrecy sleeve, and seal the secrecy sleeve;
 - (b) place the secrecy sleeve in the certification envelope, and complete and sign the certification on such envelope, and then seal the certification envelope;
 - (c) place the certification envelope, together with a completed elector registration application, if required, in the outer envelope, and then seal the outer envelope; and
 - (d) return the outer envelope and its contents to the chief election officer at the address specified so that it is received no later than the close of voting on general voting day.

Mail ballot acceptance or rejection

- 20 (1) The chief election officer or designated election official must:
- (a) record the date a mail ballot package is received;
 - (b) examine the certification envelope and elector registration application, if applicable, and make a mark on the certification envelope as “accepted” if satisfied or “rejected” if not satisfied as to:
 - (i) the identity and entitlement to vote of the elector;
 - (ii) the completeness of the certification envelope;
 - (iii) the completeness of the elector registration application, if applicable;
 - (iv) whether the mail ballot has been received before the close of general voting day; and
 - (c) retain certification envelopes to deal with a challenge of an elector under section 22.
- (2) If a certification envelope is marked as rejected under subsection 1(b), the chief election officer or designated election official must note the reasons for the rejection and the mail ballot must not be counted in the election.

Counting of mail ballots through vote tabulating unit

- 21 (1) The following procedures must be followed in counting mail ballots accepted under section 20(1):
- (a) certification envelopes must only be opened by the chief election officer or designated election official in the presence of at least one other person, including any scrutineers present;
 - (b) the chief election officer or designated election official must place all secrecy envelopes into a designated ballot box;
 - (c) under the direction of the chief election officer, after the secrecy envelopes have been placed in the designated ballot box, then:
 - (i) the ballot box containing the secrecy envelopes must be opened;
 - (ii) the secrecy envelopes must be removed and opened; and
 - (iii) the ballots contained in the secrecy envelopes must be inserted into a vote tabulating unit.

- (2) The chief election officer must initiate the process in subsection (1) at least two days before the general voting day but, in order to process a high volume of mail ballots, may carry out the process every day between 9:00 a.m. to 6:00 p.m. beginning on the Monday five days prior to general voting day until the close of general voting day.
- (3) The chief election officer or a designated election official must notify candidates of the scheduled dates and times for counting mail ballots by vote tabulating units at least 24 hours prior to the count.

Challenge of elector: mail ballots

- 22 (1) A person exercising the right to vote by mail ballot may be challenged in accordance with, and on the grounds specified in section 126 of the *Local Government Act* from the time a mail ballot package is requested up until 4 p.m. on the day the mail ballot package is received by the chief election officer or designated election official.
- (2) The provisions of section 126(2) to (5) of the *Local Government Act* apply when challenging a person's right to vote.
- (3) If a challenge has been resolved and the person is permitted to vote, the chief election officer must process the mail ballot package in accordance with section 21(1) and keep a record in accordance with section 126(5) of the *Local Government Act*.

Elector's name already used

- 23 Where, upon receiving a request for a mail ballot, the chief election officer determines that another person has voted or has already been issued a mail ballot in that elector's name, the provisions of section 127 of the *Local Government Act* apply.

Replacement of spoiled mail ballot

- 24 (1) Where an elector unintentionally spoils a mail ballot before returning it to the chief election officer, the elector may request a replacement ballot by advising the chief election officer or designated election official and returning the spoiled ballot to the chief election officer or designated election official.
- (2) Where a request has been made in accordance with subsection (1), the chief election officer or a designated election official must issue a new mail ballot package in accordance with subsection (1) until the close of general voting day.
- (3) The chief election officer must keep a record of returned spoiled mail ballot packages.

PART 5 – POST-ELECTION PROCEDURES

Procedures after close of voting on general voting day

- 25 (1) After the close of voting on general voting day, each presiding election official at a voting opportunity, other than advance and special voting opportunities in an election must
- (a) ensure that any remaining ballots in the portable ballot box are inserted into the vote tabulating unit;
 - (b) secure the vote tabulating unit so that no more ballots can be inserted;
 - (c) generate three copies of the register tape from the vote tabulating unit; and
 - (d) deliver one copy of the register tape together with the vote tabulating unit to the chief election officer at election headquarters.
- (2) After the close of voting on general voting day, each alternate presiding election official at a voting opportunity, other than advance and special voting opportunities, must
- (a) account for the unused, spoiled and voted ballots and place them, packaged and sealed separately, into the election materials transfer box along with one copy of the register tape;
 - (b) complete the ballot account and place the duplicate copy in the election materials transfer box;
 - (c) seal the election materials transfer box;
 - (d) place the voting books, the original copy of the ballot account, one copy of the register tape, completed registration cards, keys and all completed administrative forms into the chief election officer portfolio; and
 - (e) transport all equipment and materials to election headquarters.
- (3) At the close of voting on general voting day the chief election officer must direct the presiding election official for the advance voting opportunity and any special voting opportunities where vote tabulating units were used, to proceed in accordance with subsections (1) and (2).
- (4) Under the direction of the chief election officer, at the close of voting on general voting day the following procedures must be followed:
- (a) all portable ballot boxes used in the election must be opened;
 - (b) all ballots in portable ballot boxes must be removed and for counting be inserted into a vote tabulating unit;

- (c) after the procedures set out in paragraphs (a) and (b), the procedures set out in subsections (1) and (2) must be followed to the extent that they are applicable.

Recount procedure

- 26 If a recount is required, it must be conducted under the direction and supervision of the chief election officer using the automated vote counting system and in accordance with the following procedures:
- (a) the memory cards of all vote tabulating units must be cleared;
 - (b) vote tabulating units must be designated for each voting place;
 - (c) all ballots must be removed from the sealed ballot boxes; and
 - (d) all ballots, except spoiled ballots, must be reinserted in the vote tabulating units.

Tie votes after judicial recount

- 27 A tie vote that exists after a judicial recount will be resolved by conducting a lot in accordance with section 151 of the *Local Government Act*.

PART 6 – GENERAL

Electronic disclosure of nomination documents

- 28 The chief election officer is authorized to provide public access to nomination documents referred to in section 89(8) of the *Local Government Act* by electronic means and publish the nomination documents on the City's website from the time of filing until 30 days after the declaration of election results.

Repeal

- 29 Bylaw No. 02-013, the Election Procedures Bylaw, is repealed.

Effective date

- 30 This Bylaw comes into force on adoption.

| | | | | |
|------------------------|------------------------|--------|------------|------|
| READ A FIRST TIME the | 12th | day of | May | 2022 |
| READ A SECOND TIME the | 12th | day of | May | 2022 |
| READ A THIRD TIME the | 12th | day of | May | 2022 |
| ADOPTED on the | 19th | day of | May | 2022 |

“CURT KINGSLEY”
CITY CLERK

“LISA HELPS”
MAYOR

Schedule A

Election Signage

GENERAL REQUIREMENTS

- Sign permits are not required.
- Signs must not be visible from any voting place.
- Signs must not be illuminated, animated, rotating, flashing or have moving lights or other electrical features.
- Signs must meet the requirements of the *Local Election Campaign Financing Act*.
- Elections signs for municipal or school trustee elections or by-elections, or referenda are permitted only within the municipal election period, beginning with the first day of the nomination period.
- Signs must be removed within four (4) days after the election or referendum vote.

GENERAL PROHIBITIONS


- Signs are prohibited on:
 - medians and traffic islands, and in municipal planting beds;
 - boulevard trees, or within one (1) metre of a boulevard tree;
 - all City facilities or structures, parks, and playing fields, including the adjoining boulevard area.
- Signs are prohibited on public or private property that:
 - are within one (1) metre of a fire hydrant;
 - obstruct or detract from any traffic control device or signage;
 - obstruct the line of vision at an intersection; or
 - are placed in a manner that may constitute a hazard to pedestrians, cyclists or vehicles.

GENERAL ENFORCEMENT

- Signs installed in prohibited areas will be removed by City staff if not removed or relocated within 24 hours notice to the applicable candidate or campaign office.
- Where there are immediate safety concerns or damage to municipal property, City staff will immediately remove the signs and then contact the candidate or campaign office.
- The City will assume no responsibility for any damage to election signs where they are removed by city staff in prohibited locations.

ADDITIONAL CANDIDATE RESPONSIBILITIES

- Persons installing signs on municipal property must be aware of the risk of damage to underground utilities. A call must be made by the candidate or their agent to the City at least 48 hours in advance of the installation in order to confirm that the location chosen is safe.
- Any damage to underground utilities or services as a result of election signs being placed on municipal property is the responsibility of the candidates and their agents.
- Candidates and their agents are liable for any damage done to City property in placement of election signs on municipal property.
- Candidates and their agents should also reference applicable Provincial and Federal statutes and regulations for additional requirements.

| | | |
|---|----------------------------|-------------------------|
|  | | CORPORATE POLICY |
| | | Page 1 of 2 |
| SUBJECT: | ELECTION POLICY GUIDELINES | |
| SPONSOR: | CITY CLERK | |
| AUTHORIZED BY: | COUNCIL | |
| EFFECTIVE DATE: | TBD | |

POLICY STATEMENT

The Election Policy Guidelines recognize that the City's Chief Election Officer (CEO) is responsible for ensuring all elections are in accordance with legislation and the City's Election Procedures Bylaw. The CEO has a statutory responsibility to impartially manage election planning and proceedings and to protect the integrity of the election.

PURPOSE

The purpose of the Policy Guidelines is to outline key principles and considerations when conducting an election or an assent vote in Victoria. The Policy Guidelines will ensure there is equitable and convenient access to voting locations aligned with City values and policies.

APPLICATION

1. The Policy Guidelines apply to all City election and assent voting processes.

POLICY GUIDELINES

General

2. A minimum of one (1) month of planning before appointing a Chief Election Officer.
3. Appointment of at least two (2) Deputy Chief Election Officers.
4. Acquisition of at least one (1) additional administrative staff member or contractor to help coordinate all election preparations.
5. A minimum of eight (8) general voting day locations.
6. At least two (2) advance voting locations and at least four (4) advance voting days.
7. Special voting opportunities at participating care facilities as per the Election Procedures Bylaw.
8. Mail ballot voting with prepaid postage for all eligible voters.

9. Curbside voting available upon request at all voting places and all advance voting opportunities.

Voting Locations and Facilities

10. Considerations in selecting suitable voting locations include:
 - (a) Geographic proximity to electors and areas of population density.
 - (b) Multiple transportation options for accessing the location, such as arterial roads and public transportation routes.
 - (c) Locations that are familiar locations of public services such as schools, recreation, community, or convention centres.
 - (d) A minimum interior space of the average dimensions of a school gymnasium (33 metres long by 18 metres wide).
 - (e) Capacity to accommodate voters inside to reduce lineups outside.
 - (f) Available accessible parking.
 - (g) Sufficient utility services (electrical outlets, internet connectivity).
 - (h) Washrooms and accessible washrooms.

Engagement

11. An engagement plan, informed by the engagement plans from previous elections, developed by Engagement staff that goes beyond the requirements of the *Local Government Act*.
12. A minimum of two (2) election newsletters and/or election information mailed to each household for general local elections.
13. A minimum of one (1) election newsletters and/or election information mailed to each household for by-elections and assent votes.

Accessibility, Equity, Diversity, and Inclusion

14. A minimum of one (1) accessible voting machine available during advance and general voting in a central location.
15. Election planning informed by the City's Accessibility and Inclusion Policy, Accessibility Framework, and Equity Framework to increase equitable access to voting, subject to the requirements of the *Local Government Act*.
16. Accessibility of voting locations and services evaluated using Elections Canada and Elections BC guidelines and best practices, subject to the requirements of the *Local Government Act*.
17. Information mailed to electors, and all other information provided in a plain, accessible language and format containing available accessibility services.



Council Member Motion

For the Committee of the Whole Meeting September 28, 2023

To: Committee of the Whole

Date: 28 September 2023

From: Councillor Krista Loughton, Councillor Jeremy Caradonna, Councillor Susan Kim

Re: Continued Actions on Unsheltered Homelessness

BACKGROUND

Unsheltered homelessness is an untenable situation that is beyond the breaking point in Victoria, and alleviating it is a top priority for the City. The situation is multifaceted and negatively affects people and systems, and the status quo is not working for anyone. We must forge a new way forward that supports the unhoused, housed residents, community organizations, and businesses alike. A functional approach to sheltering will decrease pressure on the people and systems impacted by unsheltered homelessness.

Earlier this year, Council took decisive action on sheltering in parks by hiring a Parks Relocation Coordinator (PRC) to work with the unhoused and offer them better sheltering or housing arrangements as a precondition for closing specific parks to overnight sheltering. This motion would build on that work by adding additional parks to the list of prohibited sheltering sites, and by extending the work of the PRC. The early indications are that this work has been successful and offers a model to build upon. The idea is to avoid shuffling people around and instead to find true solutions for getting people off the street. The Parks Relocation Coordination team will then repeat this process in other City parks and locations where unsheltered homelessness is occurring.

In addition, we propose replacing Extreme Weather Response (EWR) shelters with temporary seasonal shelters. EWR Shelters are problematic to run, partly because of their on/off nature and connections to unpredictable weather. This year we propose that the number of EWR spots allocated for Victoria be converted into temporary shelters from November 1 - March 31, 2024. This predictability would make things easier on those experiencing homelessness and on those running the shelters, while potentially limiting stress and disorder as people will have a warm place to sleep all winter indoors.

RECOMMENDATION

That Council direct staff to:

- work in collaboration with Emergency Management B.C. (EMBC), B.C. Housing, other provincial partners, and relevant churches and NGOs to transform the Extreme Weather

Response (EWR) shelters into temporary shelters for the winter, which would operate annually from approximately November 1st until March 31st;

- prohibit sheltering in Vic West Park and Irving Park, conditional upon offers of better sheltering or housing, by 1 June 2024, for those sheltering in these two parks as of 21 September 2023;
- and allocate, at the discretion of the City Manager, a portion of available funds set aside for homelessness in the 2023 budget towards extending the contract of the Parks Relocation Coordinators to work on the above.

Respectfully submitted,



Councillor Krista Loughton



Councillor Jeremy Caradonna



Councillor Susan Kim



Council Member Motion

For the Committee of the Whole Meeting of October 5, 2023

To: Committee of the Whole **Date:** September 29, 2023
From: Councillor Krista Loughton and Councillor Matt Dell
Subject: Grant for Gorge View Society

BACKGROUND

Gorge View Society is a non-for-profit organization in the Burnside Gorge neighbourhood of Victoria that operates 108 units of affordable housing for low-income seniors, including supports to foster social connections, provide internet and computer services, and help navigating health systems and income supports. Gorge View Society has provided affordable housing for seniors since 1956, and recently undertook a massive expansion project that will grow their housing offerings to offer approximately 313 units of affordable housing. As part of this expansion, Gorge View Society has faced increasing expenses to cover the costs of building design and escalating construction costs.

Gorge View Society is currently assessed to pay \$84,280 in total property taxes for the 2023 calendar year.

This term, Council has made a strong commitment to supporting affordable housing across the City of Victoria. Council unanimously supported the Calls to Action put forward by the 14 non-profit housing providers who make up the Vancouver Island Housing Leadership Network (VIHLN), including one of the calls to action that is intended to help support non-profit housing providers on municipal taxes and fees.

As part of the 2023-2026 City of Victoria Strategic Plan, Victoria Council have also committed to making housing affordability a key goal of the city, including to "pursue partnerships with other governments and agencies to create more non-market housing and rental housing."

RECOMMENDATION

Direct staff to pay a grant to the Gorge View Society for \$168,560, by reallocating a portion of the annual contribution to the Housing Reserve Fund, to help cover the costs of GVS's 2024 and 2025 annual property taxes with 50% of the grant paid in 2024 and 50% in 2025.

Respectfully submitted,

Handwritten signature of Krista Loughton.

Councillor Krista Loughton

Handwritten signature of Matt Dell.

Councillor Matt Dell