



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, April 25, 2024

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

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

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Placeholder for time-sensitive items pending approval at the April 25, 2024 COTW meeting

- E.1.b.a 621, 627, 629 Princess Avenue and 624 Pembroke Street: Development Permit with Variances Application No. 00235 (Burnside)

F. BYLAWS

- *F.1 Bylaw for 480 and 492 Esquimalt Road: Rezoning Application No. 00794 and Development Permit with Variances Application No. 00183

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Addendum: Additional Correspondence

A report recommending:

- 1st, 2nd and 3rd readings of:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1326) No. 24-012

This application proposes to rezone the lands known as 480 & 492 Esquimalt Road to permit a mixed-use building with commercial, industrial and work-live uses on the ground floor and rental residential on the upper storeys.

- *F.2 Bylaw for 854-880 Pandora Avenue: Rezoning Application No. 00849 and Development Permit with Variances Application No. 00239

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Addendum: Additional Correspondence

A report recommending:

- 1st, 2nd and 3rd readings of:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1329) No. 24-010

This application proposes to rezone land known as 854/858 and 880 Pandora Avenue from the CA-1 Zone, Pandora Avenue Special Commercial District to the R-116 Zone, 880 Pandora Avenue District, to permit a twenty-storey mixed use residential rental building.

- F.3 Bylaw for 1314 and 1318 Wharf Street: Request to Discharge a Housing Agreement

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- Adoption of:
 - Housing Agreement (1314 and 1318 Wharf Street) Repeal Bylaw No. 24-022

The purpose of this Bylaw is to authorize the repeal of Housing Agreement (1314 and 1318 Wharf Street) Bylaw (2021) No. 21-062.

F.4 Amendment Bylaw for Market Rental Building Revitalization Tax Exemption Bylaw

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- **Adoption of:**
 - Market Rental Building Revitalization Tax Exemption Bylaw, Amendment Bylaw (No. 1) No. 24-028

The purpose of this Bylaw is to amend the *Market Rental Building Revitalization Tax Exemption Bylaw* to expand the options under the greenhouse gas emissions stream for the necessary documentation required for applications and for demonstrating the revitalization work is complete.

G. NOTICE OF MOTIONS

H. CLOSED MEETING

MOTION TO CLOSE THE APRIL 25, 2024 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; and

Section 90(2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:

Section 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

I. APPROVAL OF CLOSED AGENDA

J. CONSIDERATION OF CLOSED MINUTES

K. NEW BUSINESS

K.1 Legal Advice - Community Charter Section 90(1)(i)

K.2 Legal Advice - Community Charter Section 90(1)(i)

K.3 Land / Service at Preliminary Stages / Intergovernmental - Community Charter Sections 90(1)(e), 90(1)(k), 90(2)(b)

L. CONSIDERATION TO RISE & REPORT

M. ADJOURNMENT



MINUTES - SPECIAL VICTORIA CITY COUNCIL

January 15, 2024, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

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

PRESENT: Mayor Alto in the Chair, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Kim, Councillor Loughton, Councillor Thompson

STAFF PRESENT: J. Jenkyns - City Manager, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, S. Johnson - Director of Communications and Engagement, T. Zworski - City Solicitor, K. Hoese - Director of Sustainable Planning and Community Development, D. Newman - Acting Director, Parks, Recreation and Facilities, P. Rantucci - Director of Strategic Real Estate, S. Johnson - Director, Communications and Engagement, W. Doyle - Acting Director, Engineering and Public Works, M. Angrove - Planner, K. Stevenot - Senior Planner, Heritage, G. Diamond - Senior Legislative Coordinator, B. Roder - Senior Legislative Coordinator

A. TERRITORIAL ACKNOWLEDGEMENT

Council acknowledged that the City of Victoria is located on the homelands of the Songhees First Nation and Esquimalt First Nation communities, and recognized the amazing stewardship they have undertaken over millennia to create the incredible environment in which we all have the opportunity to live our lives and do our work.

B. APPROVAL OF AGENDA

Moved By Councillor Dell

Seconded By Councillor Thompson

That the agenda be approved.

CARRIED UNANIMOUSLY

C. PUBLIC AND STATUTORY HEARINGS

C.1 251 Esquimalt Road, 355 Catherine Street and 210 Kimta Road: Rezoning Application No. 00729 and associated Official Community Plan Amendment

C.1.a Public Hearing & Consideration of Approval

Mayor Alto reconvened the Public Hearing at 6:33 p.m for the purpose of viewing the pre-recorded video submissions.

Carol Bremner (203 Kimta Rd): Expressed concerns about the application due to the increase in density in this application, and the sight lines, shadows, the impact on services by the new residents that will live there, and the high water table.

Janet Medd (846-205 Kimta Rd): Expressed concerns about the application due to the potential for more congestion in the area, the impact on the skyline, the length of construction time, and the impact of more traffic on the shoreline

Eric Gelling and Ian Macpherson (305-216 Kimta Rd): Expressed concerns about the application due to the impact of the development on new infrastructure in the area such as the new bridge and bike lane, the density proposed, and the delays in completion of the project and the changes in the proposal over this time.

Lorraine Womenchuk (848-203 Kimta Rd): Expressed concerns about the application due to the number of buildings proposed and size of the proposal compared to existing buildings on the site.

Lisa Climek (1104 Promontory): Expressed concerns about the application due to the changes in the proposal including the lack of the Granville Island style market, and asked Council to revisit the original plan.

Carolyn Watters (165 Kimta Rd): Expressed concerns about the application due to its deviations from the Official Community Plan and the impact of large towers on community.

Randy Waldy (633-203 Kimta Rd): Expressed concerns about the application due to the increase in the proposed density from the original proposal

Arlene Phillips (738-205-Kimta Rd): Expressed concerns about the application due to the proposed increase in density and the impacts this would have on infrastructure in Vic West, and that it is not in-line with the Vic West community plan.

Lloyd Phillips (205 Kimta Rd): Expressed concerns about the application due to fire safety concerns of tall buildings, and concerns about increased traffic on Kimta.

Joanne Nicholson (102-205 Kimta Rd): Expressed concerns about the application due to the increase in the number of proposed buildings from 5 to 9, the impacts of many new people on Kimta Road, and impacts on service infrastructure.

Erie Pentland (203 Kimta Road): Expressed concerns about the application due to the increase in density from what is allowed in the Official Community Plan, the changes in the proposal from what was proposed 15 years ago, a lack of clarity in what the buildings will look like in Phase 2, and how existing infrastructure will accommodate this number of new people.

Ben Salvator (83-Saghalie Rd): Expressed concerns about the application due to changes from what was originally proposed, and that a glut of buildings will lead to congestion in the area.

Linda Saffon (603-83-Saghalie Rd): Expressed concerns about the application due to the density and height of the proposal, the impacts on the heritage buildings such as the Roundhouse, and the ability of infrastructure to support this many new residents.

Norman Saffon (83-Saghalie Rd): Expressed concerns about the application due to the increase in the number of buildings proposed compared to the previous proposal, the increase in density over what is proposed in the Official Community Plan, impacts on the heritage of the property, and the lack of models to provide context.

Lorna Allen (60 Saghalie Rd): Expressed concerns about the application as it is overbuilt for the size of the site, and the lack of a community centre and greenspace for the community.

Scott Mitchell (Owner of Trek Bicycle): Expressed support for the application due to the community that it will create and the people it will attract.

Richard Larkin (Resident of Encore): Expressed support for the application.

Paul Hanson (29-30 Washington Ave): Expressed support for the application due to the amenities that it will provide to people, and that it will allow more people to live in such a desirable neighbourhood.

Troy Woodburn (Trek Bike Store): Expressed support for the application as they have been waiting for 15 years for it to be built.

Tony Joe (Oak Bay Resident): Expressed support for the application due to the need for more housing in Victoria and the community that the proposal offers.

Mike Hartshorne (231 Anya Lane): Expressed support for the application.

Amit Khatkar (1920 Westpark Lane): Expressed support for the application.

Johnny Olarte (68 Songhees Rd): Expressed support for the application.

Ryan Fauch (1473 Hillside Avenue): Expressed support for the application due to the housing crisis.

Fergus Kyne (1473 Hillside Avenue): Expressed support for the application due to the affordable housing aspect of the proposal.

Vincent Baart (160 Wilson St): Expressed support for the application due to the housing shortage.

Daniel Houston (Houston Signs owner): Expressed support for the application as it has been an empty site for years.

David Josephson (Perma Construction): Expressed support for the application.

Richard Caulfield (Encore Resident): Expressed support for the application due to the reputation of the applicant and their previous projects in the neighbourhood.

Bryson Hill (Langford Resident): Expressed support for the application due to the need for housing and hopes more housing will allow his children to have an opportunity to remain in Victoria.

Greg Duerkson (20-2319 Chilco): Expressed support for the application due to the need for more housing starts and the need for more affordable housing.

Evelyn Gold (100 Saghalie Road): Expressed support for the application to bring more services to the neighbourhood such as a market and grocery store.

Chris Fitzpatrick (5122 Cordova Bay Road): Expressed support for the application and noted that it is long overdue.

Peter Gold (100 Saghalie Road): Expressed support for the application as more people are needed in the area, and it would be a good area for older people.

Council recessed at 7:31 p.m. and reconvened at 7:43 p.m.

Nic Medgyesi (Esquimalt Pharmacist): Expressed support for the application as he currently commutes from Langford, this would allow opportunities for young people to move closer to town, and the park space proposed on the site.

Marko Juras (603-60 Saghalie Rd): Expressed support for the application as the density would help foster a more walkable neighbourhood, and that the location is well suited for more density.

Stephanie Page (Fairfield Resident): Expressed support for the application as it would provide sustainable growth for the community, and that it would foster community.

Aiden Henry (Langford Resident): Expressed support for the application due to the calibre of previous developments completed by the applicant and the potential for development on the historic site. He suggested this site would support a vibrant market and the need for more housing units.

Carole Forster (Saghalie Rd Resident): Expressed concerns for the application due to the density and height that is proposed, and that the buildings would overshadow the roundhouse building. She also expressed concerns due to the impact on traffic, the changes in the proposal from the original proposal, and the impacts of contaminated soil.

Jaroslav Wyshnowsky (455 Sitka Rd): Expressed concerns for the application as the proposal is overbuilt, and that the developer has expressed financial trouble. He suggested that the City purchase the land and build a public gathering place like the Forks in Winnipeg or Granville Island.

Colin Birge (100 Saghalie Rd): Expressed support for the application as it would help with diversity in the neighbourhood and add services and housing to the site.

Mary-Ann McCallum (100 Saghalie Rd): Expressed support for the application as it is a thoughtful project and it goes a long way in meeting the housing needs in the community, and it could contribute to below market ownership and rental and would be inclusive. She also suggested it would support family run businesses in Victoria.

Christine Baugh (528-205 Kimta Rd): Expressed concerns about the application as it deviates from the original proposal which proposed a more modest development with a Granville Island market, and that the density is too high. She also expressed concerns about the ability of existing infrastructure to support this density of residents.

Erkan Ersan (203 Kimta Rd): Expressed concerns about the application due to the high rise buildings obscuring the sky and altering the balance between nature and balance in the community. He was also concerned about the lack of a community centre, and the impact of the towers on the historic Roundhouse building, and associated steam engine infrastructure.

Leslie Papp (528-205 Kimta Rd): Expressed concerns about the application as it does not resemble the original proposal which included a Granville Island-style market, that the large towers would negatively impact the charm of Victoria, and that infrastructure may not support the proposed density.

Judy Jabusch (75 Songhees Rd): Expressed support for the application as the Bayview people have been good stewards of the land so far.

Terry Jabusch (75 Songhees Rd): Expressed support for the application as it is time for some housing and a market to be in that area.

Kenny Toews (80 Saghalie Rd): Expressed support for the application due to the need for housing in the city, that the developer is a responsible developer whose projects balance parks and living places, that there is a good plan to support the historical buildings on the site, and that the site already supports condominium development.

Matti Lott (Esquimalt Resident): Expressed support for the application as it will bring new residents to Vic West.

Gary Byer (Owner, Tesseract Computers): Expressed support for the application as it will bring rentals, lower income rentals, condos when housing is needed, and that it will bring amenities to the neighbourhood.

Wayne Empie (Owner, Etc Imports): Expressed support for the application as it would bring more working people to the city.

Chelsea Truong (Victoria Resident): Expressed support for the application as it will contribute to affordable options in Victoria.

Chris Johnstone (Fairfield Resident): Expressed support for the application due to the need for housing in Victoria.

Stuart Camden (Unknown): Expressed support for the application as it the affordable housing options could provide an opportunity for his kids to purchase housing in the future.

Tyler McLoughlin (Sooke): Expressed support for the application as it would support more businesses in the area and would contribute to affordability and provide an opportunity for people to move closer to town.

Ryan Wilson (Esquimalt Resident): Expressed support for the application due to the affordable housing it would bring, and that it would connect the city better.

Myra Laurence (Fairfield Resident): Expressed support for the application as development would provide people to purchase their first homes like she did, and that the applicant has provided for the community.

Alex Burns (Remax Generation): Expressed support for the application as the city needs more housing and there is an affordable housing component.

Gary Lindsay (Esquimalt Resident): Expressed support for the application as the community needs more density.

Brendan Somers (Engle and Volkens): Expressed support for the application as it will bring the density that would allow young people to purchase housing.

Marguerite Rowe (100 Saghalie Rd): Expressed support for the application due to the need for housing in the city and shared stories of people she knows who are experiencing eviction or increasing rents. She expressed that the population increase would help local businesses and that the bike land network and transit network would allow people to not need cars. She noted that the historical features of the site can be incorporated into the development.

Christy Hennessy (Director of local tech firm): Expressed support for the application as it brings necessary housing to the downtown area, much needed greenspace, and the ability for her colleagues to live locally.

Arlene Gibson (1003 – 60 Saghalie Rd): Expressed concerns for the application due to the wind tunnel effect on the surrounding area and the dangerous conditions this could cause for pedestrians and cyclists. She shared a study on the interference effects that one tall building can have on adjacent buildings.

Reuben Rose-Redwood (Professor of Geography and Chair Urban Studies, UVic): Expressed concerns about the application as the density is too intensive for the site and is more than double the currently approved Floor Space Ratio, that the Heritage Advisory Panel voted against the proposal, that the current design will overshadow the heritage buildings, and that the proposal needs more affordable housing. He suggested one more round of revisions to address these concerns.

Lynne Hill (505 Quadra St): Expressed concerns about the application as the original proposal seemed reasonable, but that information was difficult to find when the Rezoning Application was made and at the Committee of the Whole meeting, more cons were listed on a pros and cons list.

Tom Norris (James Bay Resident): Expressed support for the application as he is excited about what has been proposed.

Holly Olsen (Kimta Rd): Expressed concerns about the application due to the change in the application and short notice provided when the new density was proposed. She also expressed concerns about the lack of public amenities being proposed in the current proposal, and that there were 1200 signatures on a petition done in the neighbourhood.

Brian Smith (Rockland Resident): Expressed support for the application due to the quality of developments built by the applicant, and community initiatives that have been led by the applicant.

Brock Nordman (962 Haliburton Rd): Expressed support for the application as it would bring more tourism downtown and provide mixed-use development.

Chris Loran (1360 Esquimalt Rd): Expressed support for the application as the applicant is very community and arts-based, and the proposal could bring more events to the neighbourhood.

Council recessed at 8:49 p.m. and reconvened at 9:00 p.m.

Derek Pinto (Vic West Resident): Expressed support for the application and suggested that community space, including a health care coop, daycare spaces, and the tool library, would be an asset to the community, and suggested that Bayview provide this space to the Victoria West Community Association.

Max Durando (Vic West Resident): Expressed support for the application and that the vacant land needs to be built on, and it would support a wine bar, bistro, and daycare.

Owen Stacey (Victoria Resident): Expressed support for the application due to the need for housing density in the city and the job opportunities it would provide.

Robyn Williams (Langford Resident): Expressed support for the application as it would bring park space to Victoria.

Roxanne Rees (Vic West Resident): Expressed support for the application as she moved to Vic West with her family due to the proposal, and that the project has taken too long.

Vicky Kuhl (Belmont Ave): Expressed support for the application.

John Espley (Connections Skills Consulting): Expressed support for the application due to the public amenity contributions, the tourism offerings and economic benefits, the housing contribution that it would provide, the environmental remediation proposed, and childcare facilities.

April McLean (Downtown Business Operator): Expressed support for the application due to the market and community space it will bring.

Bridget Ryan (Rockland Resident): Expressed support for the application due to the amenities it would provide, and the climate and financial resiliency it would provide to the region. She outlined that the project would help resurrect the history of the site and that it would convert underutilized land into a place to live.

Bruce Williams (Chamber of Commerce): Expressed support for the application due to the need for housing in the region and the adjacency to downtown and residents will have immediate access which is what downtown needs right now, and that it will enhance the heritage buildings, and complete the neighbourhood.

Connie McConnell (Victoria Resident): Expressed support for the application as it would help rejuvenate the area and could make it a destination akin to Granville Island and would amplify the city's appeal.

David Berry (Fairfield Resident): Expressed support for the application as it provides a mix of housing from below market rental to condominiums, and that this would be a crucial step to alleviating the housing shortage. He noted his support for the proposed amenities and suggested it would fit within the city's transportation network well.

Dena Brown (455 Sitkum Rd): Expressed support for the application due to the severe housing crisis and has watched friends leave due to the lack of housing. She noted she welcomes the greenspaces proposed and non-profit housing component.

Don Ruggles (203 Kimta Rd): Expressed concerns for the application as there are underdeveloped properties in existing neighbourhoods, and that there is no basis for excessive development. He also expressed concerns as the proposed density is above that envisioned in the Official Community Plan, and that the proposal overshadows the historic buildings on the site. He also shared concerns about increased traffic in the neighbourhood and potential conflicts between vehicles, pedestrians, and bicycles.

Donna Melnyk (60 Saghalie Rd): Expressed support for the application and suggested it is a thoughtful well-planned project, and that it would address housing needs which are critical right now.

George Skelton (525-205 Kimta Rd): Expressed concerns about the application due to the proposed increase in density and supports the current zoning that is permitted on the property. He suggested that the proposal would not address affordable housing needs and that current guidelines should be encouraged. He suggested that the City seek financial assistance from other levels of government and First Nations, to purchase the site and that this should be the site of a new Royal BC Museum.

Gordie Dodd (Owner, Dodd's Furniture): Expressed support for the application as it would allow people to retire at Bayview and enjoy their life and it would provide jobs to the area.

Harry Franklin (Victoria Resident): Expressed support for the application as it would be a great addition to the City of Victoria and would impact families and businesses positively.

Jay Smith (Manager, Rosewood Inn): Expressed support for the application as it would benefit the Esquimalt community by adding to the Esquimalt Corridor.

John Wilson (President and CEO Wilson's Group): Expressed support for the application as Bayview is a strong community supporter, and that 1800 new homes are essential to the growth and vibrancy of the city.

Lindsay Wilson (Owner/Operator Moxies): Expressed support for the application due to the addition of 1870 new homes which would benefit young families.

Lyall Melnyk (Encore Resident): Expressed support for the application as he currently lives in the Encore building and has been looking forward to development in the neighbourhood.

Michelle Lefevre (881 Short St): Expressed support for the application as it would help entrepreneurs and would help build community at a time when we need a sense of community given the last few years.

Natalie Green (Fairfield Resident): Expressed support for the application as a renter and hopes to join the housing market in the next few years, and that this project would provide new housing opportunities.

Ray Brougham (Rainhouse): Expressed support for the application and outlined the carshop at the Roundhouse and current constraints at the venue. He noted that this would become a hub for innovation, education, and community engagement.

Ron Miller (Unknown): Expressed support for the application and recalled a music festival that took place at the Railyard and Roundhouse and supports the number of housing units proposed and the plans for a market and the vibrancy it would bring.

Paramjit Singh (83 Saghalie Rd): Expressed support for the application due to the housing crisis, health crisis, and climate crisis, and suggested the proposal addresses all three of these challenges. He noted it would be a vibrant community and would be a welcoming gateway to Vic West.

Stephen Hughes (Victoria Resident): Expressed support for the application as it would provide housing density that is needed in Vic West.

Torben Werner (Victoria Resident): Expressed support for the application as it would approve lots of housing that are needed in Victoria.

Heidi Lopez (83 Saghalie Rd): Expressed concerns for the application due to the impact of shadows on the surrounding neighbourhood, the need to protect the Roundhouse and other historical structures, and that preserving this heritage should be a priority. She also shared concerns that the development could exacerbate the urban heat island effect in the neighbourhood and that the drawbacks outweigh any perceived benefit.

Mayor Alto closed the public hearing at 10:00 p.m.

F. **ADJOURNMENT**

Moved By Councillor Loughton
Seconded By Councillor Gardiner

That the Council meeting be adjourned at 10:01 p.m. until Thursday, January 25, 2024, at 6:30 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

March 14, 2024, 4:47 P.M.

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

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

PRESENT: Mayor Alto in the Chair, Councillor Caradonna, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Loughton, Councillor Thompson

PRESENT ELECTRONICALLY: Councillor Kim

ABSENT: Councillor Coleman

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, T. Soulliere - Deputy City Manager, T. Zworski - City Solicitor, K. Hoese - Director of Sustainable Planning and Community Development, C. Kingsley - City Clerk, P. Rantucci - Director of Strategic Real Estate, C. Anderson - Deputy City Clerk, A. Johnston - Assistant Director of Development Services, S. Johnson - Director of Communications and Engagement, S. Maichen - Committee Secretary

A. TERRITORIAL ACKNOWLEDGEMENT

Council acknowledged that the City of Victoria is located on the homelands of the Songhees First Nation and Esquimalt First Nation communities and urged us to take a moment to pause and reflect on the remarkable opportunities we have had on the lands and grounds of the Lekwungen people, and revel in everything that is around us.

C. APPROVAL OF AGENDA

Moved and Seconded:

That the agenda be approved.

CARRIED UNANIMOUSLY

D. CONSIDERATION OF MINUTES

Moved and Seconded:

That the following minutes be approved:

D.1 Minutes from the Evening Council meeting held November 9, 2023

That the minutes from the Evening Council meeting held November 9, 2023 be approved.

D.2 Minutes from the Evening Council meeting held November 23, 2023

That the minutes from the Evening Council meeting held November 23, 2023 be approved.

D.3 Minutes from the Daytime Council meeting held February 22, 2024

That the minutes from the Daytime Council meeting held February 22, 2024 be approved.

D.4 Minutes from the Evening Council meeting held February 22, 2024

That the minutes from the Evening Council meeting held February 22, 2024 be approved.

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the March 7, 2024 COTW Meeting

Moved and Seconded:

That the following recommendations from the March 7, 2024 Committee of the Whole meeting be approved:

E.1.a.a Provincial Electric Kick Scooter Pilot Project

That Council:

1. Instruct the Director of Engineering and Public Works to notify the Province that the City wishes to participate in the Electric Kick Scooter Pilot Project, starting on April 5, 2024, and ending on April 5, 2028; and;
2. Direct staff to report back in 2026 on the interim findings of the Pilot Project.

E.1.a.b Council Member Motion: Association of Vancouver Island and Coastal Communities (AVICC) 2024 Conference

That Council authorize Councillor Jeremy Caradonna to be reimbursed for the costs associated with attending the AVICC conference:

- Group field trip to Metchosin \$70
 - Delegate banquet \$125
 - Taxes \$29.75
-
- Total: \$224.75

E.1.a.c Council Member Motion: Association of Vancouver Island and Coastal Communities (AVICC) 2024 Conference

That Council authorize the attendance and associated costs for Councillor Thompson to attend the AVICC AGM and Convention in Victoria in April 2024.

The approximate cost for attending is \$582.75 including early bird registration, the workshop on housing, and the delegates' banquet.

E.1.a.d Council Member Motion: Advocacy for Local Natural Areas Protection Fund

That Council request that the Mayor write to the Premier, copying the Minister of Municipal Affairs, Minister of Environment and Climate Change Strategy and the Minister of Water, Land and Resource Stewardship, as well as Members of the Legislative Assembly representing Victoria:

Stating Council's support for establishment of a Local Natural Areas Protection Fund consistent with Resolution EB32 adopted at the 2023 UBCM convention.

CARRIED UNANIMOUSLY

E.1.b Report from the March 14, 2024 COTW Meeting

E.1.b.a Review of Council Remuneration

Moved and Seconded:

That Council receive the Review of Council Remuneration report for information.

1.

That Council direct staff to prepare the necessary bylaws by 11 April 2024 to achieve the following:

- A. Confirm that City Council is a full-time job;
- B. Set base remuneration rate for City Councillors at 50% that of the Mayor's salary so that Councillor remuneration better aligns with: 1) the median percentile for salary in Victoria's comparator cities, and 2) the remuneration practices of numerous other mid-sized cities across the country;

- C. Maintain the yearly remuneration cost of living adjustments pegged to the previous year's inflation rate, as per current practice;
- 2.
 - A. That Council direct staff to provide options on improved Councillor benefits, and report back on those options within three months;
- 3.
 - A. That all of the provisions in 1 (above) become effective on 1 May 2024 or upon final adoption of the bylaw, whichever comes first;
 - B. That this item be brought to the daytime Council meeting today, on 14 March 2024, in alignment with the completion of the budgeting process and the timelines laid out in this motion.

OPPOSED (3): Mayor Alto, Councillor Gardiner, and Councillor Hammond

CARRIED (5 TO 3)

E.1.b.c 664 Admirals Road (Township of Esquimalt) - Statutory Right of Way Agreement Acquisition

Moved and Seconded:

- 1. That Council authorize that the City of Victoria enter into a Statutory Right of Way agreement for the lands at 664 Admirals Road in the Township of Esquimalt (the "**Agreement**") on the terms satisfactory to the Director of Engineering and Public Works, and in the form satisfactory to the City Solicitor, for an area of approximately 10.4m² (2.87m * 3.62m) at 664 Admirals Road, Esquimalt for the purpose of the City's installation, maintenance and operation of a water meter and associated vault on the lands legally described as LOT 1, PLAN EPP76107, SUBURBAN LOT 43, ESQUIMALT LAND DISTRICT, & SUBURBAN LOT 44, Plan EPP76107 (PID 030-431-026).
- 2. That no legal right or obligation will be created, and none shall arise until the Agreement is fully executed by the City.

CARRIED UNANIMOUSLY

E.1.b.g Council Member Motion: City of Victoria Alternate Municipal Directors to the Capital Regional District Regional Water Supply Commission

Moved and Seconded:

- 1. That Council confirm the following Victoria City councillors as Alternate Municipal Directors to the Capital Regional District

Regional Water Supply Commission for the balance of the electoral term 2022 – 2026:

- Matt Dell
- Krista Loughton
- Marg Gardiner

CARRIED UNANIMOUSLY

E.1.b.i Council Member Motion: AVICC 2024 Conference: April 12-14, 2024

Moved and Seconded:

That Council authorise the attendance and associated additional AVICC Conference costs for Councillor Gardiner to be reimbursed. Costs to include the housing workshop, the delegates banquet, and any taxes.

The approximate costs additional to the early registration is approximately \$185.

CARRIED UNANIMOUSLY

E.1.b.k Council Member Motion: Council Authorization for Reimbursement of Association of Vancouver Island and Coastal Communities (AVICC) Conference (April 12-14, 2024) Dues

Moved and Seconded:

That Council authorize Councillor Stephen Hammond to be reimbursed for the costs associated with attending the AVICC conference held in Victoria April 12-14, 2024:

Delegate Banquet	125.00
Taxes on \$525	\$26.25

Total: \$151.25

CARRIED UNANIMOUSLY

E.1.b.l Council Member Motion: Council Authorization for Reimbursement of Federation of Canadian Municipalities (FCM) Conference in Calgary (June 6-9, 2024) Expenses

Moved and Seconded:

That Council authorize Councillor Stephen Hammond to be reimbursed for the costs associated with attending the FCM annual conference held in Calgary June 6-9, 2024:

Conference registration fee	\$1,160.25
Flights to/from Calgary	\$493.76
Taxis to/from Vic & Calgary airports	\$250.00
Accommodations 3 nights	\$670.26
Meals & incidentals	\$200.00
Estimated total cost	\$2,774.27

Estimated Total cost: \$2,774.27

CARRIED UNANIMOUSLY

F. BYLAWS

F.1 Bylaw for 1702 Quadra Street: Rezoning Application No. 00806 and associated Development Permit with Variances Application No. 00913

Moved and Seconded:

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1322) No. 24-005

OPPOSED (2): Councillor Gardiner, Councillor Hammond

CARRIED (6 TO 2)

I. CLOSED MEETING

Moved and Seconded:

MOTION TO CLOSE THE March 14, 2024 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

Section 90(1)(d) the security of the property of the municipality;

Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and

Section 90(2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:

Section 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED UNANIMOUSLY

The Daytime Council meeting closed to the public at 5:08 p.m.

J. APPROVAL OF CLOSED AGENDA

Moved and Seconded:

That the closed agenda be approved.

CARRIED UNANIMOUSLY

L. NEW BUSINESS

L.3 Intergovernmental/Security of the Property - Community Charter Section 90(1)(d) and 90(2)(b)

Council discussed an intergovernmental/security of property matter. The discussion was recorded and kept confidential.

N. ADJOURNMENT

Moved and Seconded:

That the Council Meeting be adjourned at 7:24 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

April 4, 2024, 1:37 P.M.

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

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

PRESENT: Mayor Alto in the Chair, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Kim, Councillor Loughton, Councillor Thompson

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, T Soulliere - Deputy City Manager, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, T. Zworski - City Solicitor, K. Hoese - Director of Sustainable Planning and Community Development, S. Johnson – Director, Communications and Engagement, A. Johnston - Acting Director of Development Services, K. Stevenot – Senior Planner, C. Mycroft – Manager, Intergovernmental and Media Relations, B. Nicholls – Legislation and Policy Analyst, W. Doyle - Acting Director, Engineering & Public Works, J. Putnik – Planner, Tenant Assistance, A. Heimbürger - Legislative Coordinator

A. TERRITORIAL ACKNOWLEDGEMENT

Council acknowledged that the City of Victoria is located on the homelands of the Songhees First Nation and Esquimalt First Nation communities and thanked both Nations for the remarkable work through their family histories over thousands of years and continued today in collaboration with us to ensure that the care they took continues to be how we situate the work that we do today. Council thanked the Nations for allowing us to live, work and play on their lands.

C. APPROVAL OF AGENDA

Moved and Seconded:

That the agenda be approved.

CARRIED UNANIMOUSLY

D. REPORTS OF COMMITTEE

D.1 Committee of the Whole

D.1.a Report from the March 14, 2024 COTW Meeting

D.1.a.a Parking Stands for Horse Drawn Vehicles

Council discussed the following:

- *Ability of staff to regulate health & safety of horses through Vehicles for Hire Bylaw*

Moved and Seconded:

That Council direct staff to:

1. Renew the horse drawn vehicle parking stand agreements until December 31, 2030 to:
 - a. Capital City Tally-Ho and Sightseeing Company
 - b. Victoria Single Horse Drawn Carriage Tours
 - c. Black Beauty Line
2. Set the monthly fee payable for each parking stand at \$1,340.24, and delegate to staff the authority to modify the monthly fee.
3. Bring forward bylaw amendments to:
 - a. Delegate to staff all authority for parking stands in Schedule C of the *Vehicles for Hire Bylaw*.

Amendment:

Moved and Seconded:

That Council direct staff to:

1. Renew the horse drawn vehicle parking stand agreements until December 31, ~~2030~~ **2028** to:
 - a. Capital City Tally-Ho and Sightseeing Company
 - b. Victoria Single Horse Drawn Carriage Tours
 - c. Black Beauty Line
2. Set the monthly fee payable for each parking stand at \$1,340.24, and delegate to staff the authority to modify the monthly fee.
3. Bring forward bylaw amendments to:
 - a. Delegate to staff all authority for parking stands in Schedule C of the *Vehicles for Hire Bylaw*.

OPPOSED (5): Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Hammond and Councillor Loughton

DEFEATED (4 to 5)

On the main motion:

That Council direct staff to:

1. Renew the horse drawn vehicle parking stand agreements until December 31, 2030 to:
 - a. Capital City Tally-Ho and Sightseeing Company
 - b. Victoria Single Horse Drawn Carriage Tours
 - c. Black Beauty Line
2. Set the monthly fee payable for each parking stand at \$1,340.24, and delegate to staff the authority to modify the monthly fee.
3. Bring forward bylaw amendments to:
 - a. Delegate to staff all authority for parking stands in Schedule C of the *Vehicles for Hire Bylaw*.

OPPOSED (1): Councillor Kim

CARRIED (8 to 1)

D.1.a.b

Council Member Motion: Expanding Supports for Community Centres and Community Arts Spaces in Victoria

Councillor Kim recused herself from the meeting at 2:00 p.m. due to a potential pecuniary conflict of interest due to her employer.

Moved and Seconded:

That Council direct staff to use \$55k from 2024 contingency funds for the following:

1. A \$35,000 grant to the new Neighbourhood Arts Society and Collective (NASC), subject to the creation of an operating agreement and renewed lease between the organization and the City, to authorize the City Manager to execute all agreements where non-profit operators are providing services on the City's behalf, in a form satisfactory to the City Solicitor.
2. A \$20,000 grant to the Victoria Multicultural Society (VMS) to operate the Victoria Events Centre as a non-profit arts centre
3. And that staff recommend to Council, as part of the Budget 2025 process, where operating funds might come from in the future for the NASC to receive ongoing funding, and where grant funds might come from for VMS to receive funding in 2025 and 2026.

OPPOSED (2): Councillor Gardiner, and Councillor Hammond

CONFLICT (1): Councillor Kim

CARRIED (6 to 2)

Councillor Kim rejoined the meeting at 2:04 p.m.

D.1.a.c Council Member Motion: Motor Vehicle Act (MVA) Advocacy

Moved and Seconded:

That Council direct the Mayor to send an advocacy letter to the Province by the end of March requesting the following:
That the Province:

1. As a priority, permit the use of electric wheelchairs and mobility devices on local streets and in the bike and roll lane network via the Motor Vehicle Act and associated regulations;
2. include new micro-mobility devices, including electric skateboards and mopeds and other difficult-to-categorize devices, into the update of the Motor Vehicle Act and associated regulations;
3. ensure that the MVA and associated regulations support active transportation, multi-user road safety, and accessibility.

OPPOSED (2): Councillor Gardiner, and Councillor Hammond

CARRIED (7 to 2)

D.1.a.d Council Member Motion: Our Place – Operating Hours and Storage Grant for 2024

Moved and Seconded:

That Council directs staff to:

1. add a one-time grant of \$100,000 from the funds anticipated to be part of the Social Policy, Accessibility, and Equity Pilot Grant to fund OPS operating hours and the storage program for one year;
2. report back with a summary list of funding that the City provides to organizations to serve the unhoused population so that Council can consider whether to allocate such funds differently for this year; and,
3. work with the Provincial Government, BC Housing and Island Health to support the Provincial Government taking

over funding the above or equivalent or better services in future years as part of the Heart and Hearth program under the MOU and Belonging in BC.

OPPOSED (2): Councillor Gardiner, and Councillor Hammond

CARRIED (7 to 2)

D.1.a.e Council Member Motion: Community Safety and Connection for Caledonia Place

Moved and Seconded:

That Council directs staff to:

1. Request that OPS do regular safety checks and block watch in the vicinity of Caledonia Place and ensure there is strong collaboration between OPS, bylaw, and police to mitigate any potential community safety issues;
2. Reach out to OPS and the NPNA to encourage the creation of a pilot project(s) to provide work opportunities for interested Caledonia Place residents and people experiencing homelessness in the neighbourhood, potentially via Work BC;
3. Request that OPS set up a Residents' Advisory Committee (RAC) at Caledonia Place;
4. Request that OPS, the NPNA, and Caledonia Place's RAC sets up a Community Working Group to brainstorm and implement solutions to improve community safety and well-being for the neighbourhood, including the establishment of a conflict resolution strategy;
5. Allocate up to \$50,000 as a grant to OPS by reallocating from the Social Policy, Accessibility, and Equity Pilot Grant 2024 budget for the above work and request that OPS provide a summary of expenses and report on the performance of each pilot project established by December 31, 2024,

OPPOSED (1): Councillor Gardiner

CARRIED (8 to 1)

E. BYLAWS

Moved and Seconded:

That the following bylaws be given first and second readings:

E.1 Bylaw for 557-561 Fisgard Street: Heritage Designation Application No. 00205

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

1. Heritage Designation (557-561 Fisgard Street) Bylaw No. 24-006

E.2 Bylaw for 565 Fisgard Street: Heritage Designation Application No. 00207

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

1. Heritage Designation (565 Fisgard Street) Bylaw No. 24-007

CARRIED UNANIMOUSLY

E.3 Amendment Bylaw for Council Remuneration Bylaw

Council discussed the following:

- *Use of the Union of BC Municipalities' council remuneration guide to inform a decision on Council remuneration*

Motion to postpone:

Moved and Seconded:

That consideration of Bylaw 24-027 be postponed until July 25th, and that the city manager be directed to strike an independent task force comprised of diverse community, non-profit, government, and business leaders, using the UBCM councillor remuneration guide and its terms of reference, a report to be completed by July 1st and the work remunerated with a stipend for task force members, to:

1. Review council's decision on pay and benefits in light of the recommendations of the MNP Governance Review and the information in the remuneration consultant's report;
2. Conduct interviews with councillors to determine accurate time commitments for city-related work;
3. Make a recommendation to council on any salary adjustments, benefits adjustments, and per diems for committee appointments and conferences;
4. Task force to be overseen and facilitated by a senior member of City staff, as per recommendations of UBCM guidebook.

Amendment:

Moved and Seconded:

That consideration of Bylaw 24-027 be postponed until July 25th, and that the city manager be directed to strike an independent task force comprised of diverse community, non-profit, **labour**, government, and business leaders, using the UBCM councillor remuneration guide and its terms of reference, a report to

be completed by July 1st and **the work** remunerated with a stipend for task force members, to:

1. Review council's decision on pay and benefits in light of the recommendations of the MNP Governance Review and the information in the remuneration consultant's report;
2. Conduct interviews with councillors to determine accurate time commitments for city-related work;
3. Make a recommendation to council on any salary adjustments, benefits adjustments, and per diems for committee appointments and conferences;
4. Task force to be overseen and facilitated by a senior member of City staff, as per recommendations of UBCM guidebook.

CARRIED UNANIMOUSLY

Amendment:

Moved and Seconded:

That consideration of Bylaw 24-027 be postponed until July 25th, and that the city manager be directed to strike an independent task force comprised of diverse community, non-profit, labour, government, and business leaders, using the UBCM councillor remuneration guide and its terms of reference, a report to be completed by July 1st and the work remunerated with a stipend for task force members, to:

1. Review council's decision on pay and benefits in light of the recommendations of the MNP Governance Review and the information in the remuneration consultant's report;
2. Conduct interviews with councillors to determine accurate time commitments for city-related work;
3. Make a recommendation to council on any salary adjustments, benefits adjustments, ~~and per diems for committee appointments and conferences;~~ **and the effective date of any such adjustments;**
4. Task force to be overseen and facilitated by a senior member of City staff, as per recommendations of UBCM guidebook.

CARRIED UNANIMOUSLY

Council discussed the following:

- *Value of establishing a process to review Council remuneration at the end of each Council term*
- *Professionalism of using a consultant versus a citizen task force*

Amendment:

Moved and Seconded:

That consideration of Bylaw 24-027 be postponed until July 25th, and that the city manager be directed to strike an independent task force comprised of diverse community, non-profit, labour, government, and business leaders, using the UBCM councillor remuneration guide and its terms of reference, a report to be completed by July 1st and the work remunerated with a stipend for task force members, to:

1. Review council's decision on pay and benefits in light of the recommendations of the MNP Governance Review and the information in the remuneration consultant's report;
2. Conduct interviews with councillors to determine accurate time commitments for city-related work;
3. Make a recommendation to council on any salary adjustments, benefits adjustments, per diems for committee appointments and conferences, **and other compensatory options**, and the effective date of any such adjustments;
4. Task force to be overseen and facilitated by a senior member of City staff, as per recommendations of UBCM guidebook.

OPPOSED (2): Councillor Gardiner, and Councillor Hammond

CARRIED (7 to 2)

On the motion to postpone as amended:

That consideration of Bylaw 24-027 be postponed until July 25th, and that the city manager be directed to strike an independent task force comprised of diverse community, non-profit, labour, government, and business leaders, using the UBCM councillor remuneration guide and its terms of reference, a report to be completed by July 1st and the work remunerated with a stipend for task force members, to:

1. Review council's decision on pay and benefits in light of the recommendations of the MNP Governance Review and the information in the remuneration consultant's report;
2. Conduct interviews with councillors to determine accurate time commitments for city-related work;
3. Make a recommendation to council on any salary adjustments, benefits adjustments, per diems for committee appointments and conferences, and other compensatory options, and the effective date of any such adjustments;
4. Task force to be overseen and facilitated by a senior member of City staff, as per recommendations of UBCM guidebook.

CARRIED UNANIMOUSLY

E.4 Amendment Bylaw for Delegation Bylaw

Moved and seconded;

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

1. Delegation Bylaw, Amendment Bylaw (No. 1) No. 24-025

CARRIED UNANIMOUSLY

E.5 Bylaw for 2816 Irma Street: Rezoning Application No. 00829 and Development Permit with Variance Application No. 00217

Council discussed the following:

- Support for the relocation of displaced tenants

Moved and Seconded:

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1333) No. 24-011

CARRIED UNANIMOUSLY

E.6 Bylaw for 1514 and 1520 Foul Bay Road: Rezoning Application No. 00762 and Development Permit Application No. 000590

Moved and Seconded:

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1318) No. 23-084

CARRIED UNANIMOUSLY

Moved and Seconded:

Development Permit with Variances Application

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit No. 000590 for 1514 and 1520 Foul Bay Road, in accordance with plans submitted to the Planning department and date stamped by Planning on May 11, 2023, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - a. increase the maximum height from 10.50m to 11.50m
 - b. reduce the minimum front setback from 6.00m to 4.48m
 - c. reduce the minimum rear setback from 4.00m to 2.04m
 - d. reduce the minimum side (north) setback from 4.00m to 2.64m
 - e. reduce the minimum side (south) setback from 4.00m to 2.64m

- f. reduce the minimum number of visitor vehicle parking spaces from 1 to 0
- g. reduce the minimum short term bicycle parking spaces from 2 six-racks to 1 six-rack
- b. The property being consolidated into one lot.
- 2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

CARRIED UNANIMOUSLY

F. NEW BUSINESS

F.1 854-880 Pandora Avenue: Rezoning Application No. 00849 and associated Development Permit with Variances Application No. 00239

Moved and Seconded:

Rezoning Application (updates in bold text)

- 1. That Council give first, second, and third readings to Zoning Regulation Bylaw, Amendment Bylaw (No. 1329) after publication of notification in accordance with section 467 of the *Local Government Act*.
- 2. That the applicant provides clearance from the Ministry of Environment and Climate Change Strategy in accordance with section 557 (2) of the *Local Government Act* prior to final adoption of Zoning Regulation Bylaw, Amendment Bylaw (No. 1329).

Development Permit with Variances Application (updates in bold text)

That Council, after giving notice, consider the following motion:

- 1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00239 for 854/858 and 880 Pandora Avenue, in accordance with plans submitted to the Planning department and date stamped by Planning on December 4, 2023, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce vehicle parking from 113 stalls to 103 stalls
 - ii. reduce the visitor vehicle parking from 20 stalls to 10 stalls
 - iii. reduce the commercial parking from 13 stalls to 11 stalls
 - iv. reduce rear (north) setback for portion of building between 5m and 18m in height from 8.0m to 2.20m
 - v. reduce rear (north) setback for portion of building greater than 18m in height from 10.0m to 5.50m
 - vi. reduce east side setback for portion of building greater than 18m in height from 10.0m to 6.25m

- vii. reduce west side setback for portion of building less than 18m in height from 3.0m to 0.30m
 - viii. reduce east side setback for portion of building less than 18m in height from 3.0m to 0.60m
 - ix. permit long term bike parking to be located more than one level below finished grade.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

CARRIED UNANIMOUSLY

G. CLOSED MEETING

Moved and Seconded:

MOTION TO CLOSE THE APRIL 4, 2024 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

Section 90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

Section 90(1)(g) litigation of potential litigation affecting the municipality;

Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and

Section 90(2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:

Section 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party

CARRIED UNANIMOUSLY

H. APPROVAL OF CLOSED AGENDA

Moved and Seconded:

That the closed agenda be approved.

CARRIED UNANIMOUSLY

J. NEW BUSINESS

J.1 Law Enforcement - Community Charter Section 90(1)(f)

Council discussed a matter involving law enforcement. The discussion was recorded and kept confidential.

J.4 Litigation/Legal Advice - Community Charter Sections 90(1)(g) and 90(1)(i)

Council discussed a matter involving litigation and legal advice. The discussion was recorded and kept confidential.

K. ADJOURNMENT

Moved and Seconded:

That the Council Meeting be adjourned at 4:27 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

**COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD APRIL 11, 2024**

For the Council meeting of April 25, 2024, the Committee recommends the following:

E.1 1005 Chamberlain: Rezoning Application No. 00834 and Development Permit with Variances Application No. 00236 (Gonzales)

Rezoning Application

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated March 28, 2024, for 1005 Chamberlain Street.
2. That, pursuant to section 30 of the *Land Use Procedures Bylaw*, Council waives the requirement for the holding of a public hearing.
3. That, after publication of notification in accordance with section 467 of the *Local Government Act*, first, second, and third reading of the zoning bylaw amendment be considered by Council once the following conditions are met:
 - a. preparation and execution of a Housing Agreement for a term of five years to secure the two-family dwelling (duplex) building as rental, on terms to the satisfaction of the Director of Sustainable Planning and Community Development.
4. That following third reading of the Zoning Regulation Bylaw amendment, the applicant prepare and execute a legal agreement to secure a 3.0m wide right-of-way for pipes and access for sanitary sewer purposes, with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor prior to adoption of the bylaw.
5. That adoption of the Zoning Regulation Bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.
6. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

Development Permit with Variance Application

That Council, after giving notice, consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment Council authorizes the issuance of Development Permit with Variances No. 00236 for 1005 Chamberlain Street, in accordance with plans submitted to the Planning department and date stamped by Planning on February 22, 2024, subject to:
 - a. securing the provision of **four** car share memberships including car share credits for each membership with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor.
 - b. proposed development meeting all City zoning bylaw requirements, except for the following variances:

- i. reduce the minimum front yard setback from 7.50m to 7.43m
 - ii. reduce the minimum rear yard setback from 10.47m to 6.70m
 - iii. reduce the minimum side yard setback (south) from 3.00m to 2.23m
 - iv. reduce the minimum side yard setback (north) from 1.50m to 0.75m
 - v. reduce the minimum number of residential parking spaces from 2 space to 0 spaces
 - vi. increase the maximum projection for stairs into the front yard setback from 2.50m to 4.46m
 - vii. increase the maximum projection for porches and ramps into the front yard setback from 2.50m to 2.78m
 - viii. increase the maximum number of storeys from two storeys to three storeys
 - ix. increase the maximum height of a building from 7.60m to 8.02m
 - x. allow for roof decks.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

F.1 Future of Victoria’s Employment Lands – Key Considerations

That Council receive the findings outlined in this report for information.

F.3 Climate Leadership Program Update

That Council direct staff to update Victoria’s 2050 community greenhouse gas emissions reduction targets to align with province’s commitment to net zero by 2050.

H.1 Council Member Motion: Commemorating a Local Hero – Hudlin memorial Way

1. That Council direct staff to create and install three commemorative street signs, on existing poles below existing street signs along Higgins Street between Hillside Avenue and Cook Street, to recognize Doug Hudlin’s contributions to the city and community, and,
2. That such action is undertaken within the existing budget of the Parks department or from the Parks Capital Infrastructure Program which is used to make repairs and minor upgrades to sport facilities, to a maximum of \$1,000, the design, fabrication, and installation undertaken to the satisfaction of the Director of Parks, Recreation and Facilities.



Council Report

For the Meeting of April 25, 2024

To: Council
From: C. Kingsley, City Clerk
Date: April 16, 2024
Subject: Bylaw for 480 and 492 Esquimalt Road: Rezoning Application No. 00794 and Development Permit with Variances Application No. 00183

RECOMMENDATION

That the following bylaw be given first, second, and third readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1326) No. 24-012

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-012.

The issue came before Council on July 13, 2023 where the following resolution was approved:

480 and 492 Esquimalt Road: Update Report on Rezoning Application No. 00794 and Development Permit with Variances Application No. 00183 (Victoria West)

Rezoning and Official Community Plan Amendment Application No. 00794

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00794 for 480 and 492 Esquimalt Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. *That the Zoning Regulation Bylaw Amendment limit the form of tenure to residential rental tenure within the entire zone.*
2. *Preparation of legal agreements executed by the applicant to secure the following with the form and contents to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor:*
 - i. *Secure a minimum of 29 two-bedroom units and five three-bedroom units.*
 - ii. *Secure a Statutory Right of Way over the courtyard for public use.*
3. *Preparation of legal agreements executed by the applicant to secure the following with the form and contents to the satisfaction of the Director of Engineering and Public Works and the City Solicitor:*

- i. *Secure the provision of car share memberships and usage credits for all residential units, two car share vehicles, two dedicated car share vehicle stalls and public access to these stalls, a minimum of 20 long term bicycle stalls above the minimum requirements of Schedule C of the Zoning Regulation Bylaw, 10% of which are cargo bicycle stalls, a bicycle wash and repair station, electrical outlets for 50% of the bicycle parking stalls, enrollment in the BC Transit EcoPass program for five years for each of the commercial units and 10% of the residential units, and end of trip facilities for the commercial tenants.*
- ii. *Secure a sidewalk to City standards on Russell Street north of the development site connecting to Dundas Street.*
- iii. *Secure a Statutory Right-of-Way of between 0.95m and 1.75m along the Esquimalt Road frontage to accommodate a sidewalk and boulevard to City standard widths.*
- iv. *Secure a Statutory Right-of-Way of 1.63m along the Russell Street frontage.*
- v. *Secure a Statutory Right-of-way of no greater than 4.0m by 4.0m along Esquimalt Road for the purpose of water meter vault.*
- vi. *Release of the existing triangular-shaped Statutory Right-of-Way at 492 Esquimalt Road, numbered 175468-G.*
- 4. *Revised Arborist Report and Landscape Plans to the satisfaction of the Director of Parks, Recreation and Facilities to address outstanding Parks comments provided June 13, 2023.*

Development Permit with Variances Application No. 00183

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00794 if it is approved, consider the following motion:

- 1. *That Council authorize the issuance of Development Permit with Variances Application No. 00183 for 480 and 492 Esquimalt Road, in accordance with:*
 - a. *Plans date stamped June 6, 2023.*
 - b. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - i. *increase the height from six storeys to seven storeys to accommodate the rooftop amenity access and mechanical room*
 - ii. *decrease the rear yard setback from 3.0m to 0.12m;*
 - iii. *decrease the residential vehicle parking from 95 stalls to 25 stalls;*
 - iv. *decrease the visitor vehicle parking from 10 stalls to 4 stalls;*
 - v. *decrease the commercial vehicle parking from 11 stalls to 5 stalls;*
 - vi. *permit long-term bicycle parking to be in a stacked format.*

2. *That the Development Permit, if issued, lapses in two years from the date of this resolution.*

Respectfully submitted,

Curt Kingsley
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 24-012

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the M2-E Zone, Employment-Residential District, and to rezone land known as 480 & 492 Esquimalt Road from the M-1 Zone, Limited Light Industrial District to the M2-E Zone, Employment-Residential District.

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

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW
(NO. 1326)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of
Schedule “B” under the caption PART 7 – Industrial and Service Zones by adding the
following words:
- “7.68 M2-E, Employment-Residential District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 7.67 the
provisions contained in Schedule 1 of this Bylaw.
- 4 The following lands, shown hatched on the attached map, are removed from the M-1 Zone,
Limited Light Industrial District, and placed in the M2-E Zone, Employment-Residential
District:
- PID: 032-087-861
Lot A, Section 31, Esquimalt District, Plan EPP132813
- 5 The Zoning Regulation Bylaw is further amended by adding to Schedule N – Residential
Rental Tenure Properties, the lands described in section 4.

READ A FIRST TIME the day of 2024

READ A SECOND TIME the _____ day of _____ 2024

READ A THIRD TIME the _____ day of _____ 2024

ADOPTED on the _____ day of _____ 2024

CITY CLERK

MAYOR

PART 7.68 – M2-E ZONE, EMPLOYMENT-RESIDENTIAL DISTRICT**7.68.1 Definition**

In this Zone, “live-work unit” means a self-contained dwelling unit that is combined with a commercial space which is limited to one of the following commercial uses:

- a. Bakery
- b. Limited light industry, including testing, servicing and repair, but excluding manufacturing, processing, or assembly
- c. Medical office
- d. Office
- e. Personal services
- f. Professional services
- g. Restaurant
- h. Retail
- i. School
- j. Studio

7.68.2 Permitted Uses in this Zone

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

- a. Bakery
- b. Club
- c. Dry cleaner
- d. High tech
- e. Home occupation subject to the regulations in Schedule “D”
- f. Limited light industries, including testing, servicing and repair, but excluding manufacturing, processing, or assembly
- g. Live-work unit
- h. Mail order business
- i. Medical office
- j. Multiple dwelling
- k. Office
- l. Personal service
- m. Printing and publishing
- n. Professional service
- o. Restaurant
- p. Retail
- q. School
- r. Studio
- s. Veterinary hospital, provided that all runs are totally enclosed within a building

PART 7.68 – M2-E ZONE, EMPLOYMENT-RESIDENTIAL DISTRICT**7.68.3 Siting of Uses**

- a. Commercial uses, including commercial uses located within a live-work unit, must not be located above the first storey
- b. Residential uses or home occupation must not be located at or below the first storey

7.68.4 Lot Area

- a. Lot area (minimum) 2000m²
- b. Lot width (minimum) 40m

7.68.5 Floor Area, Floor Space Ratio

- a. Total floor area (maximum) 6590m²
- b. Floor space ratio (maximum) 3.0:1

7.68.6 Height, Storeys

- a. Principal building height (maximum) 23.20m
- b. Storeys (maximum) 6

7.68.7 Setbacks, Projections

- a. Front yard setback (minimum) 2.8m
- b. Rear yard setback (minimum) 3.0m
- c. Side yard setback from interior lot lines (minimum) 4.0m
- d. Side yard setback on a flanking street for a corner lot (minimum) 3.8m

7.68.8 Site Coverage, Open Site Space

- a. Site Coverage (maximum) 65%
- b. Open site space (minimum) 35%

PART 7.68 – M2-E ZONE, EMPLOYMENT-RESIDENTIAL DISTRICT

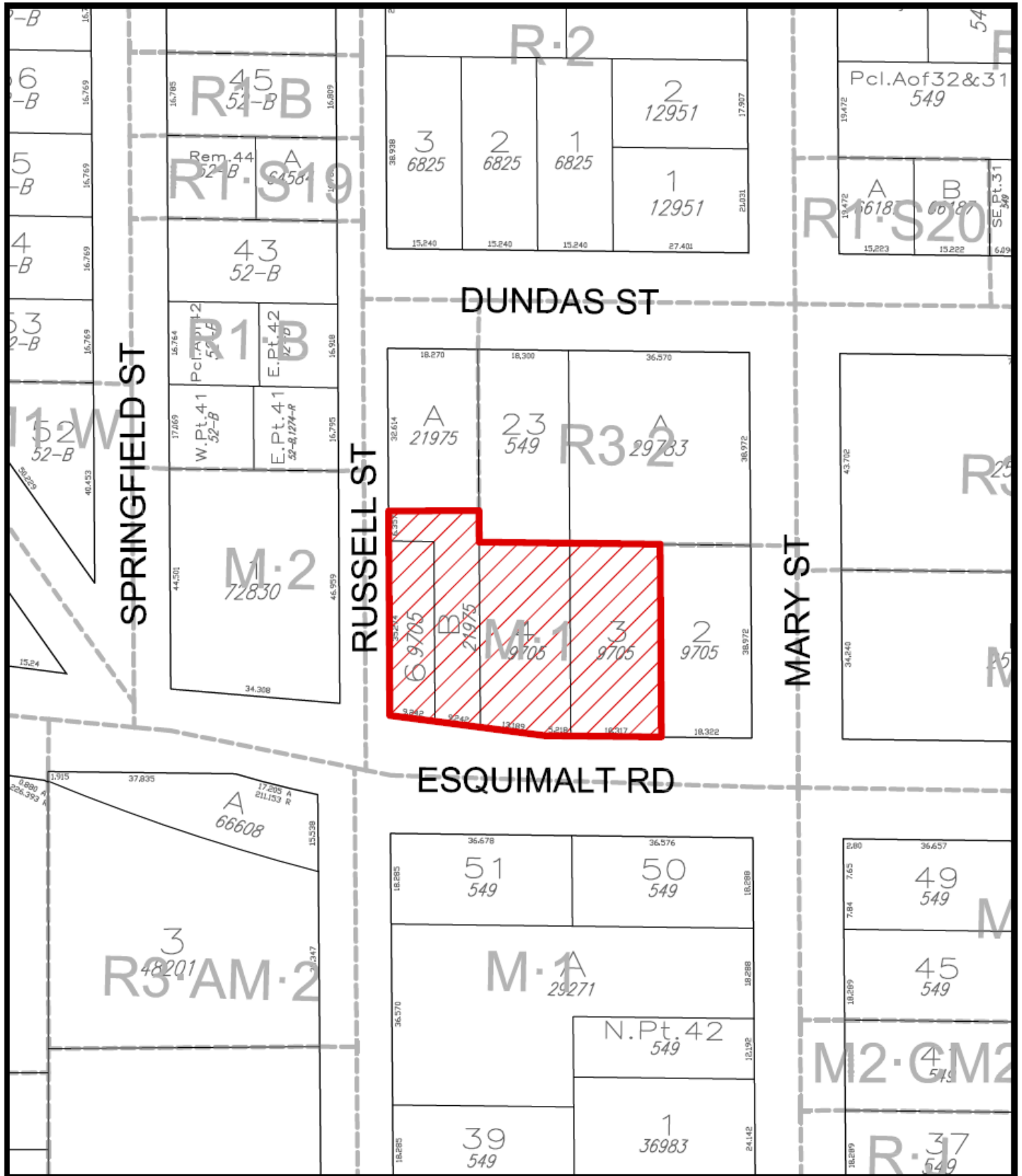
7.68.9 Vehicle and Bicycle Parking

- a. Vehicle and bicycle parking (minimum)

Subject to the regulations in Schedule “C” except as otherwise specified by the regulations in this Part

- b. Live-work unit (minimum)

Subject to the regulations in Schedule “C” except the number of vehicle spaces and bicycle parking spaces shall be calculated as per the multiple dwelling – apartment Class of Use in Schedule “C”



480 & 492 Esquimalt Road
Rezoning No.00794



Dear Victoria City Council Members,

In regard to: **“Zoning Regulation Bylaw, Amendment Bylaw (No. 1326)- No. 24-012”**

PID: 032-087-861

Lot A, Section 31, Esquimalt District, Plan EPP132813

We appreciate your letter dated April 12, 2024 advising of yet again another rezoning request by Aryze Developments.

We have lived in this community for over 24 years. Many neighbours in our community have been here much longer. The Dundas St, Russell St, Henry St. and Mary St. residents are a tight knit community. I would like to take this opportunity to respond to each rezoning/variance request made by Aryze Development as they continue to push for more leeway regardless of the impact on the community.

1. Increase the height from six stories to seven stories to accommodate the rooftop amenity access and mechanical room.

Response: If the Bylaw states 6 stories is the “Maximum” allowed height, why did Aryze not take that into consideration when designing the building. If you allow 7 stories, the next building they want to build will be 7 stories with another mechanical room on top and they’ll ask for 8 stories.

We contacted Aryze via email on Jan. 26, 2022 to ask about the height of the building because we noticed structures on top of the 6 stories. They responded via email on March 29, 2022 as follows: “The structures on the rooftop are mechanical rooms and elevator overruns. Yes, they are predominantly contributing to the additional height. The allowed height is 20m as per OCP / NP. We are at 22.97m. 2.4m of this is the mechanical room.”

They knew the bylaws and didn’t care.

We were provided with a shadow study from Aryze. If extra height is added, we will be directly impacted by this request. We bought our single level home over 24 years ago in mind for our retirement and aging years. Please do not allow a developer to force us into the literal shadows for our golden years. We’ve worked too long and hard to quietly allow this to happen to our home.

We do NOT support this request for changing it from 6 stories to 7 stories.

2. Decrease the rear yard setback from 3.0m to 0.12m.

Response: 0.12m is 4.72 inches. There is a property behind this building. This request shows an utter disrespect for the neighbours sharing a property line.

We do NOT support this request to change the set back from 3.0m (9.84 feet) to 0.12m (4.72 inches).

3. Decrease the residential vehicle parking from 95 stalls to 25 stalls.

Response: This request is absolutely troublesome. This is a 73% reduction request and will create havoc on the neighbourhood streets where parking is already an issue. Aryze is assuming that renters don’t drive cars. Actual Example: We have a rental home next door to us - last year 4 wonderful young adults (they really are wonderful) moved into this rental home and brought with them their 4 cars. Our neighbours on the other side of us have renters, they too brought a car.

According to the information I have, the Aryze building will have:

30 X 2 bedroom units = 2 people or more = 60 people
30 x 1 bedroom units = 1 person minimum = 30 people
25 x studio units = 1 person minimum = 25 people

That is a minimum of 115 people living in the building. 25 parking stalls is NOT sufficient.

Aryze wrote in a "Justification Letter":

"Reduced Parking: We are proposing to reduce the underground parking from 1.5 levels to a single level. This change is primarily to ensure that the parking spaces provided are in conjunction with the expected needs and the parking demand for rental buildings in this neighbourhood. This also aligns with the City's overall goals for decreased carbon-based mobility dependence."

Reducing the parking by this amount will do nothing but save in construction costs, adding to their profits. Yet Aryze is trying to convince you they are doing it because they know what's best for this neighbourhood, and are buying into the decreased carbon-based mobility dependence. While carbon reduction is very important, this 73% reduction request is beyond unreasonable. When all the units have been sold or rented and they've made their money, they will not care what negative impact this will have on the community. If they did care, they wouldn't be making such a unreasonable request in the first place. People are still buying cars - electric cars. That alone will reduce the carbon issues. People will always drive their cars.

We respectfully request that the bylaw is upheld and you do NOT allow a reduction of parking stalls.

4. Decrease the visitor vehicle parking from 10 stalls to 4 stalls.

Response: Where will visitors who are visiting the business' or the tenants park? The request is for a 60% reduction in currently required visitor parking stalls. According to the information I have, there are 85 accommodation units in this building along with commercial space. Where will visitors park? How will the overflow parking onto the neighbourhood streets be prevented? Where will the employees working in these commercial spaces park? Again, this request will do nothing but save the developer money and push the problem onto the surrounding residents.

We respectfully request you do NOT allow a reduction in visitor stalls from 10 to 4.

5. Decrease the commercial vehicle parking from 11 stalls to 5 stalls.

Response: Again, the envelope is being pushed to save in construction costs. Please do not roll over on the parking requests. They will do nothing but push the problem to the surrounding streets/homes - pushing the problems onto voting residents of Victoria who have lived and paid their taxes for years. Please consider us.

6. Permit long term bicycle parking to be in a stacked format.

Response: No response required.

In closing, we understand the need for more housing in Victoria and we're all for finding a way to do it, however it should not be at the expense of the existing residents/community. We're finding the negative impacts the community is expected to bear are as a result of cost savings and higher profits for the developer.

There is a big community living behind this building proposal at 480/492 Esquimalt Rd. Our area of Vic West is made up of quiet streets with yards, many of them still having apple trees from the old apple orchards that existed in this neighbourhood years ago. The renderings we've seen from Aryze have the surrounding properties looking like industrial areas. It is far from it.

As long time residents of this community, we thank you for your time and respectfully request you please take into consideration the concerns we've raised and put the existing community/residents before the higher profits to be made by the developer.

With much gratitude,

Monique Turgeon & Dawndra Tolsma
415 Dundas St.
Victoria, BC

[REDACTED]

From: Dan Hickman [REDACTED]
Sent: April 17, 2024 7:24 AM
To: Legislative Services email
Subject: Zoning Bylaw Amendment (No. 1326) - No. 24-012

To Victoria City Council,

Re: Development Permit with Variances Application No. 00183

I have two concerns regarding the proposed variances

1. 73% reduction in parking for the residential parking for this structure.
2. Increase in height from six to seven stories.

My home is at 409 Dundas Street - street parking is now quite dense due to the increase in occupancy at three of the four properties on the 400 block of Dundas*. A reduction in parking for this structure will increase the already congested parking problems on the 400 block of Mary Street as well as the 300 and 400 block of Dundas.

When the original permit was proposed, a shadow study indicated a significant winter shadowing of my residence as well as 415 and 421 Dundas all directly north of the proposed development. I felt that a 4 storey structure was acceptable but six stories is overshadowing. I protest a proposal to increase this to seven stories - So more winter days with no direct sunlight and more parking problems.

*The apartment building at 404 Dundas has off street parking, which is rarely full, with half a dozen vehicles on Dundas street for that residence. My wife and I host three tenants: one with a car. The property at 421 has tenants with at least two cars and 401 Dundas (502 Mary Street) that a tenant has at least one car parked on Dundas.

Please take these items into account when discussing the proposed changes.

Sincerely,
Dan Hickman
409 Dundas Street
[REDACTED]



April 17, 2024

Mayor Marianne Alto and Victoria City Council
1 Centennial Square
Victoria, BC V8W 1P6

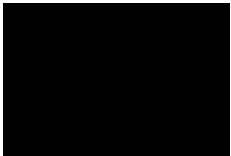
Dear Mayor and Councillors:

On behalf of the Victoria Conservatory of Music, I am pleased to express our support for the rezoning of land known as 854/858 and 880 Pandora Avenue to the R-116 Zone, to permit the proposed project near our property.

We continue to be eager supporters of neighbourhood renewal projects that advance shared civic priorities – not only public safety but also urgent items like housing supply, park space, nightlife, carbon neutrality, and physical accessibility to businesses including vehicle parking. We believe that this project will help advance some of these priorities, and after reviewing plans with the applicants, it has our full support.

As a 60 year-old charity, and the largest music school in western Canada, the Victoria Conservatory is proud to own and operate our city's downtown, multi-venue performing arts centre on this corner, including three live performance halls and more than 50 studios and classrooms. With an emphasis on lifelong learning, we welcome a diverse cross-section of Islanders to Harris Green through year-round programs in music education, performance and wellness. The Conservatory is also home to one of Canada's leading music therapy clinics, serving 1900 clients each week at 900 Johnson Street and around the region.

Thank you for your consideration of this proposal,



Nathan Medd
CEO, Victoria Conservatory of Music

[REDACTED]

From: Vanessa Kiley <[REDACTED]>
Sent: April 17, 2024 1:20 PM
To: Legislative Services email
Subject: Comment- ZRB No. 1326, No. 24-012 (480 & 490 Esquimalt Rd)

Dear Council,

Thank you for reading my comments and concerns regarding the proposed development of 480 & 490 Esquimalt road.

I am excited to see increased density along corridors such as Esquimalt road. It makes sense and is needed for our growing and flourishing community. What concerns me is the dramatic lack of parking. I live at 502 Russell street and our street, along with Henry and Dundas streets are already over max capacity for vehicles. Most of our neighbours (and us) have families and require two vehicles. Everyone on our street only has the parking capacity on their property for one vehicle, so parking on the street is packed after working hours every day. We often have to park some ways away from our home and haul our screaming toddlers because there is nowhere to park near our home. With Aryzes proposed lack of parking this will be even more of an issue.

Decreasing parking from 95 to 25 stalls, visitor parking from 10 to 4 stalls and commercial from 11 to 5 stalls is irresponsible for the council to approve and unfair to the people who live here. I wish we were set up for a 1 car or carless future, but we are not. The reality is that our small street will be crowded and there will be nowhere for us to park.

Please consider the negative impact this will have on our little community and how intensely frustrating it would be for all of us to deal with. I hope there is a solution that includes keeping existing parking or an underground parking amenity.

Vanessa

From: MacDonald, Amy E. [ISLH]
Sent: April 18, 2024 2:00 PM
To: Legislative Services email
Subject: Zoning Bylaw Amendment (No. 1326) - No. 24-012

Importance: High

Re: Zoning Regulation Bylaw, Amendment Bylaw (No. 1326)- No. 24-012.
PID: 032-087-861 Lot A, Section 31, Esquimalt District, Plan EPP132813.
Development Permit with Variances Application No. 00183

Dear Members of Victoria City Council,

I live at 418 Russell Street in a wonderful community-focused happy neighbourhood. My family has 2 concerns regarding the proposed variances that continue to be pushed by Aryze.

The first being the "Increase the height from 6 to 7 storeys to accommodate the rooftop amenity access and mechanical room". Aryze had originally proposed a 4 story building with an added rooftop area. They provided a shadow study that seemed within reason but would still create a winter shadow on many of the blocks residents. We do not support the increase in height to 7 stories. Many of the folks that would be dwelling in this proposed bigger winter shadow are retirees and have lived in this neighbourhood for decades. They do not deserve to live their winters in a cold menacing shadow that will 100% engulf them (Dundas St). In 2022, the last time we went through this process, Bylaw stated 6 stories was the "Maximum" allowed height... Aryze blatantly disregarded bylaws as the mechanical room was already over the allowable height. Why put rules in place if they are just bulldozed by Aryze?

Secondly, "Reduction in parking for the residential parking, commercial parking, and visitor parking for this structure". Street parking is already in very high demand and most days a struggle to find basic parking in front of our houses due to the increase in many occupancies along Russell street, Dundas Street, and Mary Street. There are Air B&Bs, multiple apartments, businesses, many houses with

multiple adults, and houses that do not have driveways. There are many elders who live in this neighbourhood who are already unable to park in front of their house due to parking overload. My mom for instance is turning 77 in May and has had to lug her groceries down the hill from her car due to others parking directly in front of the house. For Aryze to propose such limited parking availability for such a high occupancy building, along with businesses below will increase the already congested parking problems for everyone. To propose such a minimal amount of spaces is unreasonable. We were already shocked about the proposed limit of 95 stalls for residents for such a high occupancy apartment. From what I have been presented with, the Aryze building will have 30 2 bedroom units, 30 1 bedroom units, 25 studio units....If at capacity, there will be a minimum of 115 people living in the building. 25 parking stalls will not be adequate for all the occupants and their visitors...who are only provided 5 stalls!? I'm uncertain as to what the reduction in commercial vehicle parking entails, but why would they require more than the residents? If commercial vehicles means the business employees vehicles and patron vehicles, the proposed parking is not adequate. Not providing parking for that many residents is unreasonable and would cause our little neighbourhood to turn into the downtown sector. I understand the big idea is that people will bike/ scooter, but studies in this neighbourhood show that yes people bike but they also have 1-2 vehicles on the street.

Please consider these impending issues when discussing the proposed changes. I have lived in this neighbourhood for 42 years and I am terrified as to what the future holds. Nothing makes me feel more uneasy than knowing that space is in jeopardy and sunlight could be taken away. This neighbourhood is so beautiful and I fear that Aryze will bring it down under their guise of "Purpose-built designs not only increase livability provide better living environments for its residents, but also for the broader community as well". This proposed building project will be a monster to this neighbourhood and we couldn't disagree more with this proposal.

Thank you so much for your consideration,

Sincerely,
Amy MacDonald

418 Russell Street



[REDACTED]

From: Janice James [REDACTED]
Sent: April 19, 2024 9:28 AM
To: Legislative Services email
Subject: Zoning Regulation bylaw (No, 1326) - No 24-012

Good morning. I oppose the variance application No, 00183.

- There is a request to increase from six storeys to seven to accommodate rooftop amenities and access mechanical room. I would think that this vital access is already included in the six storey building, so do not see why the need to increase to seven stories.
- Decreasing the rear yard setback to 0.12m is a considerable change, placing the building very close to the apartment behind.
- Decreasing the parking to 25 stalls is considerable since there is a shortage of street parking available to tenants already.
- Decreasing the commercial parking will leave little space for vehicles to load and unload given that Esquimalt [Rd.is](#) single lane with no easement other than bike lanes which could potentially be blocked by commercial vehicles.
- Stacking bicycle storage would assume that a person can lift the bicycle into place, perhaps not realistic if the bicycle is electric.

Sincerely,
Janice James
303-404 Dundas St.
Victoria, BC
V9A3K2

[REDACTED]

[REDACTED]

From: Carlos MacDonald [REDACTED]
Sent: April 22, 2024 11:37 PM
To: Legislative Services email
Subject: Development Permit with Variances Application No. 00183, 480 and 492 Esquimalt Road

Dear Council of the City of Victoria,

Please accept this letter as my input on the above-noted development permit, which is being considered by City Council on April 25, 2024.

I am the owner of 509 and 507 Russell Street, which I have owned since 2003 and 2007, respectively. I reside at 509 Russell Street with my wife and toddler son, with another baby due in May.

I am supportive of this project. The City is in dire need of additional housing; the proposed development is a much better use of the parcels than their recent use as a used car lot and catering company. I take no issue with the increased height or reduced rear yard setback – having recently built a triplex in Victoria, I appreciate that the cost to build is such that it is financially imperative to maximize the square footage of the building. I also support long term bicycle parking to be in a stacked format as the current requirement for the size of bike stalls takes up an inordinate amount of space.

However, I have serious concerns about the requested reduction in the number of vehicle parking spaces. Parking on Russell Street and Dundas Street has been an increasing source of conflict with neighbours; it is currently at its worst in the 20+ years I've been here. I understand the desire of city planners and developers to wrest citizens away from their reliance on motor vehicles. Perhaps, in time, we will get there with car shares, bicycles and transit. We're not there yet, or even close. By way of example, I need a pickup truck for my construction and rental property management side job. My wife works remotely from home most days but is required to travel to Duncan and Langley as part of her work, so she has her own vehicle. One of my tenants is in the construction industry (an important occupation to address our housing shortage) and has a half ton work truck in addition to his personal vehicle. His wife works in Sidney and needs her own vehicle for the commute. These examples are not unique in the neighbourhood. Car shares and electric bicycles are not going to address these circumstances. The transit system will not meet these needs in the foreseeable future either. Reducing the number of required

1. residential parking stalls by 74% (from 95 to 25 stalls),
2. visitor vehicle parking by 60%, and
3. commercial vehicle parking by 55%
4. will only exacerbate tension in the area surrounding the development. It is unreasonable to expect the neighbourhood to assume and absorb the parking needs of the new development.

Sincerely,
Carlos MacDonald

[REDACTED]

From: Shelly Larson [REDACTED]
Sent: April 22, 2024 7:46 PM
To: Legislative Services email
Subject: Zoning Regulation Amendment No. 1326-No.24-012: 480-492 Esquimalt road
Attachments: Variance letter.pdf

To whom it may concern ,

I am the owner of 419 Russell Street located right up against the subject property. I am a business person and am not apposed to development, or some of the variance requests. However, the proposed reduction of the rear yard setback and the reduction of parking stalls are of concern for the operation of my business and property .

I was out of the country and just recently received a copy of the notice sent to my office by mail and unfortunately did not get an opportunity to review the new massing plans in advance of the deadline .

The original massing plan, approved by the city, allowed for a commercial loading dock adjacent to the rear of my property, allowing me full access to maintain and repair the back of my building .

I am unsure if the change to the rear yard setback of 3 meters to 0.12 meters affect's my rear property line . However, if the proposed variance includes the area behind my property, it would be impossible to repair and maintain my building which is constantly tagged and vandalized?

In addition, parking in the vicinity is already an issue as people randomly park in my gated property making it very uncomfortable. Reducing the required parking stalls by 70, would be a nightmare for the neighbourhood residents as well as the businesses in our community .

Respectfully submitted ,

Sheldon Larson
Benton and Overbury Ltd.
419 Russell Street
Victoria B.C.
V9A 3X4

Sent from my iPad

[REDACTED]

From: Brendan Kiley [REDACTED]
Sent: April 23, 2024 9:57 AM
To: Legislative Services email
Subject: Proposed changes to 480 & 492 Esquimalt Road

Hello,

I am a homeowner at 502 Russell Street and am concerned about some of the proposed changes to **480 & 492 Esquimalt Road - Development Permit with Variances Application No. 00183**.

Decreasing the parking stalls (residential parking from 95 stalls to 25 stalls, visitor stalls from 10 to 4, and stalls for commercial vehicles from 11 to 5) will have a negative impact on our street and neighbourhood.

There is already just barely enough parking on our street for current residents and it simply cannot accommodate the spill over parking from this development.

I am pro development and am happy to see more multi-family housing go up, but there needs to be adequate parking, however, **decreasing the overall parking from 116 stalls to 34 stalls, or by 71%**, is not adequate.

Please do not approve this part the developers application.

Thank you,
Brendan Kiley

April 22, 2024

Mr. Rob Bateman, MCIP, RPP
Senior Process Planner, Development Services
City of Victoria 1 Centennial Square
Victoria BC V8W 1P6

Dear Mr. Bateman:

Regarding Zoning Regulation Bylaw, Amendment Bylaw (No. 1326) – No. 24-012

To rezone the lands known as 480 & 492 Esquimalt Road. . . (and) removed from the M-1 Zone . . . and placed in M2-E Zone, Employment Residential District

PID: 032—87-861

Lot A, Section 31, Esquimalt District, Plan EPP132813

Development Permit with Variances Application No. 00183

This is my response, as requested by the City of Victoria in a PUBLIC NOTICE, delivered by mail to my residence at 404 Henry Street, Victoria West BC on April 17th 2024. I would appreciate my comments being forwarded to City Council to be included in the agenda for their perusal and consideration of this proposal.

To me, as a resident of the above address since the spring of 1964, the proposal is an outrageous display of arrogance; for one thing, to change the zoning to allow extra height will set a precedence for the future of all small scaled neighbourhoods in Victoria and surrounds.

To enlarge the footprint of this already massive structure will adversely affect the smaller residences to the west and north; it is physical bullying!

The decrease in parking for a) the residents of this development,
 b) visitors to the residences and businesses
 c) for commercial use,

will create an intolerable situation for all of us living alongside the local streets of this area. Already cars are left all day on Dundas and Henry Streets while the owners walk into town. A commendable, healthy habit I suppose, but not for us who must navigate crowded streets.

I think the stacking of bicycles for storage is the only reasonable change in the entire proposal.

As residents of this City of Victoria, we do have a right to light. The paltry sliver of winter sun light allowed between the two sections does not compensate for the winter gloom of overall shadow cast from the current design.

Regarding the finances of this project, I am sure we all can empathise with the plight of the developer, faced with rising costs. This neighbourhood is inhabited with middle class folk who must make difficult decisions every day as to where to put scanty dollars. But we are now being faced with a double burden of an intrusive, overbearing construct which will definitely and adversely affect our feeling of well being.

I can only hope that as neighbours, we will find some recompense amidst all the negativity that must be overcome.

Thank you for listening to me.

Yours sincerely,

Sheila C. Hodgson
404 Henry Street
Victoria BC V9A3J4

[REDACTED]

From: Sarah Patterson [REDACTED]
Sent: April 23, 2024 9:46 AM
To: Legislative Services email
Subject: CONCERNS - Zoning Regulation Bylaw, Amendment Bylaw (no.1326) - No.24-012
PID:032-087-861

City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P8

RE: Public Notice Public Regulation Bylaw, Amendment Bylaw (no.1326)-No.24-012
PID:032-087-861
Lot A, Section 31, Esquimalt District, Plan EPP 132813

Dear Mayor, Council and City of Victoria Staff,

We are writing today to voice our concerns about the above-mentioned project, specifically the reduction of on property parking. While we understand the City's desire to reduce cars and encourage green transportation, reducing parking for this project will lead to an increase in parking and vehicles on the surrounding city streets. We do not yet live in a car-free city, and removing parking does not encourage a change in behaviour. It moves the issue from the developer to the neighbours, which is unacceptable.

The neighbourhood directly behind the proposed new build (Russell, Henry, Mary and Dundas Steets) is a very family friendly neighbourhood where children play in the street. Neighbours are respectful and aware that there are likely to be kids on bikes, playing basketball, or playing street hockey. Our fear as we introduce more vehicles to the surrounding streets that we will lose the family friendly, child safe environment that has existed for the 14 years we have been homeowners raising our family. While our children are older, we do still enjoy listening to and watching the next generation of children growing up in a safe environment surrounded by neighbours looking out for them. It is a rare situation to have a neighbourhood community and we would hate to have that environment ruined by a lack of parking.

The neighbourhood at large is upset over this proposed change and has been increasingly active in group chats expressing concerns. My address was not sent this notice, but my neighbours shared it broadly within our community.


The Aryze purchase has not been a good addition to the neighbourhood and has been nothing but a dumping ground, and homeless camp. Neighbours have had to call, email and follow-up with Aryze and the police because of property maintenance concerns and homeless encampments. The neighbourhood rallied together to paint the entire building to stop graffiti, and vandalism when Aryze did nothing. We do not see Aryze as a good community addition. While there is nothing we can do about the ownership, we request the city not accept the proposed reduction of on-property parking, as when there are issues amongst the neighbours about parking concerns, we have no faith Aryze will be an active participant in managing disputes.

Aryze's initial plan was light on parking stalls, and their new proposal is not acceptable. As the city is reviewing proposals for new builds with minimal onsite parking, I would look to the city leadership to find a solution to managing on street parking. Other cities around the world have managed parking demand through a permitting

system which reduces the number of vehicles in a given area. In this situation I am asking the city to reject the reduced parking proposal.

Don't push this problem into the neighbourhood.

Thank you.

Sarah Patterson & Stanko Paleksic
515 Russell St, Victoria BC, V9A 3X5


[REDACTED]

From: Sol-A Wang [REDACTED]
Sent: April 23, 2024 11:07 AM
To: Legislative Services email
Subject: About new developing 480&492 Esquimalt Rd

Good morning;

My name is Sol-A and I live at 414 Russell St.

I have some few concerns for this new zoning at 480 & 492 Esquimalt Rd.

When I attended a meeting with Arzye, they mentioned about parking space in new building. They only have limited parking spaces for their residences (about 0.5 per house?). My house is the first house on Russell St. from Esquimalt Rd and it is going to affect a lot to our neighbour. The parking space now is crazy already but when the new building is built, it is going to be the worst. I want more parking spaces in new building so the neighbour is not going to lose our parking spaces. I have three young kids and can't lose our parking space in front of my property.

I hope you could consider my request and make better neighbourhood in our area.

Thank you!

Bistro Chi-Q
Sol-A



Council Report

For the Meeting of April 25, 2024

To: Council
From: C. Kingsley, City Clerk
Date: April 16, 2024
Subject: Bylaw for 854-880 Pandora Avenue: Rezoning Application No. 00849 and Development Permit with Variances Application No. 00239

RECOMMENDATION

That the following bylaw be given first, second, and third readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1329) No. 24-010

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-010.

The issue came before Council on April 4, 2024 where the following resolution was approved:

854-880 Pandora Avenue: Rezoning Application No. 00849 and associated Development Permit with Variances Application No. 00239 (Downtown)

Rezoning Application

1. That Council give first, second, and third readings to Zoning Regulation Bylaw, Amendment Bylaw (No. 1329) after publication of notification in accordance with section 467 of the Local Government Act.
2. That the applicant provides clearance from the Ministry of Environment and Climate Change Strategy in accordance with section 557 (2) of the Local Government Act prior to final adoption of Zoning Regulation Bylaw, Amendment Bylaw (No. 1329).

Development Permit with Variances

That Council, after giving notice, consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00239 for 854/858 and 880 Pandora Avenue, in accordance with plans submitted to the Planning department and date stamped by Planning on December 4, 2023, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce vehicle parking from 113 stalls to 103 stalls

- ii. reduce the visitor vehicle parking from 20 stalls to 10 stalls*
 - iii. reduce the commercial parking from 13 stalls to 11 stalls*
 - iv. reduce rear (north) setback for portion of building between 5m and 18m in height from 8.0m to 2.20m*
 - v. reduce rear (north) setback for portion of building greater than 18m in height from 10.0m to 5.50m*
 - vi. reduce east side setback for portion of building greater than 18m in height from 10.0m to 6.25m*
 - vii. reduce west side setback for portion of building less than 18m in height from 3.0m to 0.30m*
 - viii. reduce east side setback for portion of building less than 18m in height from 3.0m to 0.60m*
 - ix. permit long term bike parking to be located more than one level below finished grade.*
- 2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.*

Respectfully submitted,

Curt Kingsley
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 24-010

PART 3.155 – R-116 ZONE, 880 PANDORA AVENUE DISTRICT**3.155.1 Permitted Uses in this Zone**

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

- a. Multiple dwelling
- b. Home occupation subject to the regulations in Schedule “D”
- c. Accessory Buildings subject to the regulations in Schedule “F”
- d. Office
- e. Professional services
- f. Retail store
- g. Restaurant
- h. Theatre
- i. Club
- j. High Tech
- k. Cultural Facility
- l. Personal services
- m. Medical office
- n. Financial service
- o. Laundrette

3.155.2 Siting of Permitted Uses

- a. The uses listed in Part 3.155.1(d) to (o) must not be located above the first storey of a building.

3.155.3 Lot Area

- b. Lot area (minimum) 2,165m²

3.155.4 Height, Storeys

- a. Principal building height (maximum) 65.00m
- b. Storeys (maximum) 20
- c. Projections into height (maximum):
 - i. Parapets 1.0m

PART 3.155 – R-116 ZONE, 880 PANDORA AVENUE DISTRICT**3.155.5 Community Amenities**

- a. As a condition of additional density pursuant to Part 3.155.6 the following community amenities must be provided:
 - i. All dwelling units must be secured through a legal agreement as rental tenure in perpetuity

3.155.6 Floor Space Ratio

- a. Floor space ratio (maximum) 4.5:1
- b. Floor space ratio where the amenities have been provided pursuant to Part 3.155.5 (maximum) 6.14:1

3.155.7 Setbacks, Projections

- a. Front yard setback (minimum) 0.0m
- b. Rear yard setback (minimum)
 - i. For any portion of a building with an exterior wall up to 5.0m in height: 2.20m
 - ii. For any portion of a building with an exterior wall greater than 5.0m and up to 18.0m in height: 8.0m
 - iii. For any portion of a building with an exterior wall greater than 18.0m in height: 10.0m
- c. West side yard setback from interior lot lines (minimum)
 - i. For any portion of a building with an exterior wall up to 18.0m in height: 3.0m
 - ii. For any portion of a building with an exterior wall greater than 5.0m and up to 18.0m in height: 10.0m
- d. East side yard setback from interior lot lines (minimum)
 - i. For any portion of a building with an exterior wall up to 18.0m in height: 3.0m
 - ii. For any portion of a building with an exterior wall greater than 18.0m in height: 10.0m
- e. Any balcony or deck that faces a street boundary may project into a setback (maximum) 2.0m

PART 3.155 – R-116 ZONE, 880 PANDORA AVENUE DISTRICT

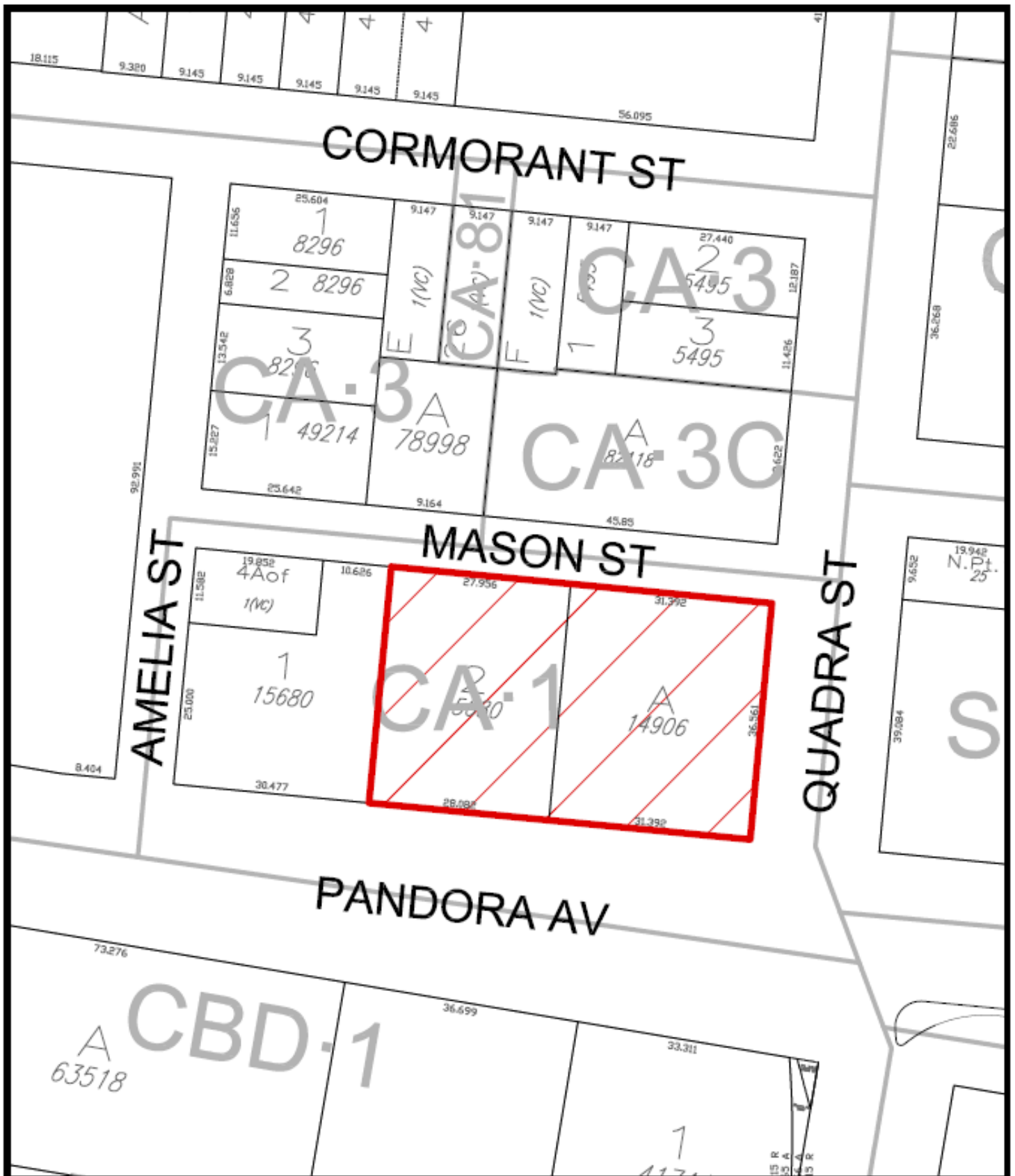
3.155.8 Site Coverage, Open Site Space

- | | |
|-----------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 91% |
|-----------------------------------|-----|

3.155.9 Vehicle and Bicycle Parking

- | | |
|-------------------------------------|---|
| a. <u>Vehicle parking</u> (minimum) | Subject to the regulations in
Schedule “C” |
| b. Bicycle parking (minimum) | Subject to the regulations in
Schedule “C” |

PART 3.155 – R-116 ZONE, 880 PANDORA AVENUE DISTRICT



854, 858 & 880 Pandora Avenue
Rezoning No.00849



[REDACTED]

From: Jim Hartshorne [REDACTED]
Sent: April 18, 2024 2:17 PM
To: Legislative Services email; Geordie Gordon
Subject: Central Baptist Church - Support for 854-880 Pandora Ave Project
Attachments: 854 858 and 880 Pandora Ave CULC Response.pdf

Hello,

We have been asked to forward you the attached comments of support provided by Central Baptist Church for the proposed project at 854-880 Pandora in advance of the 'Introduction to Bylaw Readings' scheduled for April 25th with City Council. This support was initially provided in March 2023 via the online portal for the Community Association Land Use Committee.

Regards,
Shannon

Shannon Russell
for

Jim Hartshorne
President

[REDACTED]
[REDACTED]



116-967 Langford Parkway | Victoria, BC | V9B 0A5

854, 858 and 880 Pandora Avenue

[City of Victoria Application Development Comments - 854, 858 and 880 Pandora Avenue](#)

Applicants are required to complete Application Consultation with the neighbourhood.

Comments and names and street addresses provided using this form are made public on the meeting agenda. E-mail addresses will not be published on the public meeting agenda. Please do not include any other personal information that you do not want to be made public.

Key Dates

Open for Comments

February 13 → March 15 2023

SURVEY

854, 858 and 880 Pandora Avenue

Voice your opinion here. Your comments will be provided to the applicant, CALUC, and City.

[Provide Feedback](#)

All fields marked with an asterisk (*) are required.

1. What is your position on this proposal? *

☒ Support

☐ Oppose

☐ Other (please specify)

2. Comments

On behalf of Central Baptist Church, we welcome the opportunity to be involved with and provide our support to Townline's Development and Rezoning Application proposal to provide affordable rental housing and street frontage retail on this site. With access to robust transportation options like transit, bike paths and general walkability, we also support their plan for parking density.

Central Baptist Church also appreciates Townline's concept of the architecture type, access and rejuvenation of the main street. We would be pleased to continue to be involved in this project as it progresses.

3. Your Full Name *

Jim Hartshorne

4. Street Address

833 Pandora Ave, Victoria, BC V8W 1P2

5. Email

[REDACTED]

[REDACTED]

From: Daniel Nowak [REDACTED]
Sent: April 19, 2024 12:59 PM
To: Georgie Gordon; Legislative Services email
Cc: Devin Spence
Subject: Support for Project at 854-880 Pandora
Attachments: Support for Project at 854-880 Pandora.pdf

Good Afternoon,

On behalf of the Palladian Strata Council, please see the attached letter with regard to the proposed development at 854-880 Pandora Avenue.

Kind regards,

Daniel Nowak

Strata President

The Palladian - VIS 6626

1600-1602 Quadra St

THE PALLADIAN - VIS 6626

1600-1602 Quadra St.
Victoria, BC

October 11, 2023

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

Re: Proposed Development at 854-880 Pandora Avenue

Dear Mayor and Council,

I am writing this letter on behalf of the Strata Council of 1600-1602 Quadra Street with regard to the proposed development at 854-880 Pandora Avenue. Our building is a 110-year old heritage conversion from a church to an upscale condominium complex, named The Palladian, with 29 condo units above 7000 sq. ft. of commercial space, located directly next to the proposed development.

As a group, we firmly believe that this project will contribute significantly to the revitalization of Pandora Avenue, and provide "more eyes on the street", thus mitigating unwanted activity and creating more security within the Pandora blocks. Its convenient location and the addition of 7000 sq. ft. of commercial space on the ground floor will assist with the development of this block.

The new sidewalks on Pandora Avenue, Quadra and Mason Streets and the improvements will be a welcome addition to ensure pedestrians feel comfortable and safe on the boulevards, while the building design resonates with the architectural themes of the surrounding environs.

We are pleased to see Townline and MCMP Architects, a developer and architect of high quality, behind the proposed development and appreciate their approach to add vibrancy and more security to this underutilized area of the city.

Having said that, we are greatly concerned about the implications of the sitting area at the corner of Quadra and Mason Streets ("custom wood bench at special paving" as per the drawings)—right next to our building—as the general area near Pandora and Quadra already struggles with anti-social behaviour, loitering and camping. We therefore think an alternative structure, or landscaping, in lieu of the benches would be more appropriate to prevent the aforementioned activities from occurring on Mason Street.

Thank you for your consideration.

Yours sincerely,

The Palladian - VIS 6626


Daniel Nowak, President

[REDACTED]

From: Cathy Brankston [REDACTED]
Sent: April 22, 2024 4:29 PM
To: Legislative Services email
Subject: 854-880 Pandora development

I am in support of height requested and also the many family sized units. The sidewalks, pedestrian walkability needs to be enhanced if we expect safety and comfort.

And the amenity room needs a washroom , plus a small kitchen area to be of any use.

I believe the developer is providing too many parking spots. This is a residential building, therefore a choice can be made to choose another with parking available. The walk score, bus routes, etc make this building an easy option to not have a car. Parking is expensive for a developer to supply and for residents.

Thank you

a Downtown/Harris Green resident for 28 years.

Catherine Brankston
314 999 Burdett Ave
Victoria BC
V8V 3G7

[REDACTED]

From: DARREN AUSMUS [REDACTED]
Sent: April 23, 2024 11:29 AM
To: Legislative Services email
Cc: Darren Ausmus
Subject: Development Permit with Variances Application No. 00239

RE: Notice of Zoning Bylaw Amendment for 854/858 and 880 Pandora Avenue, Victoria BC

To whom it may concern,

I am writing to express my sincere objection to the currently proposed development of this site.

I am an owner/resident of 1602 Quadra Street. The First Baptist Church Palladian building.

1. I do fully support the development of the downtown core especially as it relates to housing.
2. I understand that the development proposal in question should be able to move forward to meet my above point.
3. **However, I completely object to the scale of this project, the over height and density of this project. The scale of this project will completely obliterate the view lines, sight lines and lighting from the South onto our three story building. It will also completely obstruct the common outdoor space of our property on the roof top enjoyed by al 29 units in our building.**

I do not believe it is fair or reasonable for developers to build structures of this height right beside low rise heritage buildings. I am requesting that this project only be considered with significant set backs and height restrictions that are in keeping with the buildings surrounding it.

I am requesting confirmation that my written comments will be heard and submitted.

Sincerely,

Darren J. Ausmus
Unit 410, 1602 Quadra Street.
Victoria, BC

Under its statutory powers, including section 483 of the *Local Government Act*, the Council of The Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

**MARKET RENTAL BUILDING REVITALIZATION TAX EXEMPTION BYLAW,
AMENDMENT BYLAW (NO. 1)**

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the *Market Rental Building Revitalization Tax Exemption Bylaw* to expand the options under the greenhouse gas emissions stream for the necessary documentation required for applications and for demonstrating the revitalization work is complete.

Contents

- 1 Title
- 2 Amendments
- 3 Commencement

Under its statutory powers, including section 226 of the *Community Charter*, the Council of the Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

Title

- 1 This Bylaw may be cited as the “Market Rental Building Revitalization Tax Exemption Bylaw, Amendment Bylaw (No. 1)”.

Amendments

- 2 The Market Rental Building Revitalization Tax Exemption Bylaw No. 23-102 is amended as follows:
 - (a) in section 2:
 - i. by adding the following definition immediately after the definition for “BC Hydro Program”:
 - “c. “certified energy manager” means a person who holds a certified energy manager certificate from the Association of Energy Engineers.”;
 - ii. by renumbering current subsection c. as new subsection “d.”;
 - iii. by adding the following definition immediately after the definition for “Class B estimate”:
 - “e. “Class D estimate” means a Class D estimate as defined in budget guidelines for engineering consulting services by Association of Professional Engineers and Geoscientists of BC (EGBC) or successor in function.”; and

- iv. by renumbering current subsections d. to t. as new subsections “f.” to “v.”, respectively;
- (b) in section 13 by striking out subsection c.A.i. and replacing it with the following:
 - “i. completion of subsection 1. or 2. and subsection ii:
 - 1. completed application documents for a BC Hydro Program and a BC Hydro Agreement, or
 - 2. a Class D estimate and an energy or feasibility study by a professional engineer or certified energy manager outlining estimated energy and GHG savings resulting from rental building retrofits to at least one major mechanical system (space heating, domestic hot water or ventilation/makeup air); and”;
- (c) in section 14 A.:
 - i. by striking out subsection ii.a. and replacing it with the following:
 - “a. where the owner has participated in a BC Hydro Program, documentation from the BC Hydro Program verifying the work is complete,
 - b. a report in a form satisfactory to the Director of Sustainable Planning and Community Development and verified by a professional engineer or certified energy manager detailing the actual capital costs of the upgrade, accounting for any incentives provided by other levels of government or government agencies or corporations, mechanical equipment replacement (what was replaced, how many units, etc.) and estimated GHG emissions reductions,”;
 - ii. by renumbering current subsections ii.b. and ii.c. as new subsections “ii.c.” and “ii.d.”, respectively; and
 - iii. in newly renumbered subsection ii.c. by inserting “and” immediately after “Tenant Assistance Policy,”;
- (d) in section 14 B.ii.a. by inserting “and” immediately after “work,”;

Commencement

- 3** This Bylaw comes into force on adoption.

READ A FIRST TIME the	18th	day of	April	2024
READ A SECOND TIME the	18th	day of	April	2024
READ A THIRD TIME the	18th	day of	April	2024
ADOPTED on the		day of		2024

CITY CLERK

MAYOR