



REVISED AGENDA - COMMITTEE OF THE WHOLE

Thursday, November 7, 2024, 9:00 A.M. - 2:00 P.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

The City of Victoria is located on the homelands of the Songhees Nation and Xwsepsum Nation

Meeting will recess for a lunch break between 12:00 p.m. and 1:00 p.m.

Pages

A. TERRITORIAL ACKNOWLEDGEMENT

B. INTRODUCTION OF LATE ITEMS

C. APPROVAL OF AGENDA

D. CONSENT AGENDA

Proposals for the Consent Agenda:

- E.1- Minutes from the Committee of the Whole meeting held October 03, 2024
- E.2 - Minutes from the Committee of the Whole meeting held October 10, 2024
- F.1 - 1321 Yates Street: Amendment to Covenant No. FB004862 (Fernwood)
- F.2 - 1542 Despard Avenue and 1551 Montgomery Avenue: Development Variance Permit Application No. 00285 (Rockland)
- F.3 - 1535 and 1537 Despard Avenue: Development Variance Permit Application No. 00263 (Rockland)
- G.1 - Post-Event Review for Touchdown Pacific 2024

E. CONSIDERATION OF MINUTES

E.1 Minutes from the Committee of the Whole meeting held October 03, 2024 1

E.2 Minutes from the Committee of the Whole meeting held October 10, 2024 13

F. LAND USE MATTERS

F.1 1321 Yates Street: Amendment to Covenant No. FB004862 (Fernwood) 17

A report regarding a request to amend a restrictive covenant for the property located at 1321 Yates Street in order to remove a legal charge which restricts the hours of operation for a gas bar, convenience store and a carwash and recommending that the proposed changes to allow 24-hour of the gas bar and convenience store, but not the carwash, be approved.

F.2	<u>1542 Despard Avenue and 1551 Montgomery Avenue: Development Variance Permit Application No. 00285 (Rockland)</u>	32
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A report regarding a Development Variance Permit application for the property located at 1542 Despard Avenue and 1551 Montgomery Avenue in order to remove the requirement for the developer to construct sidewalks along the two frontages of the development and recommending that it be approved.

F.3	<u>1535 and 1537 Despard Avenue: Development Variance Permit Application No. 00263 (Rockland)</u>	43
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A report regarding the Development Variance Permit application for the property located at 1535 and 1537 Despard Avenue in order to remove the requirement for the developer to construct improvements along the frontage of the development and recommending that it be approved.

***G. STAFF REPORTS**

G.1	<u>Post-Event Review for Touchdown Pacific 2024</u>	49
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A report to provide Council with the details of a post-event review by City staff of Touchdown Pacific 2024, an event co-hosted by the City with the BC Lions football club, and recommending that it be received for information.

*G.2	<u>Update on 2024-2025 Emergency Winter Weather Response and Planning</u>	
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Addendum: New Item

Report to Follow

H. NOTICE OF MOTIONS

I. NEW BUSINESS

I.1	<u>Council Member Motion: Downtown Businesses and Parking</u>	54
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A Council Member Motion requesting that staff be directed to survey businesses within the Downtown Core Area to assess their parking and street use needs.

I.2	<u>Council Member Motion: New Location for Storage Facility for Unhoused Victorians</u>	56
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A Council Member Motion requesting that the storage facility located at 926/930 Pandora Avenue be relocated to prevent service disruptions during construction at its current location.

J. CLOSED MEETING, IF REQUIRED

K. ADJOURNMENT OF COMMITTEE OF THE WHOLE



MINUTES - COMMITTEE OF THE WHOLE

October 3, 2024, 9:15 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

The City of Victoria is located on the homelands of the Songhees Nation and Xwsepsum Nation

- PRESENT:** Mayor Alto in the Chair, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Loughton, Councillor Thompson
- PRESENT ELECTRONICALLY:** Councillor Kim
- STAFF PRESENT:** J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, C. Kingsley - City Clerk, S. Johnson - Director of Communications and Engagement, T. Zworski - City Solicitor, T. Soulliere - Deputy City Manager, B. Nicholls - Legislation and Policy Analyst, P. Rantucci – Head of Strategic Real Estate, S. Johnson - Director, Communications and Engagement, K. Moore - Director of Business and Community Relations, M. Palmer - Chief Information Officer, R. Kenny – Assistant Director of Transportation, K. Moore - Director of Business & Community Relations, S. Webb - Assistant Director of Corporate Planning and Project Support, R. Morhart - Manager of Building and Inspection Services, K. Stevenov - Senior Planner – Heritage, A. Johnston - Assistant Director of Development Services, R. Tooke - Manager, Sustainability, Assets and Support Services, L Monk - Manager of Revenue, R. Morhart - Manager, Building and Inspection Services, L. Berndt - Manager, Energy and Climate Action, M. Betanzo – Senior Planner - Urban Design, W. Doyle – Acting Director of Engineering and Public Works, K. Hoese - Director of Sustainable Planning and Community Development, G. Diamond - Senior Legislative Coordinator, A. Heimburger - Legislative Coordinator
- GUESTS:** B. Szabo, BDO Canada LLP

The meeting commenced at 9:15 a.m. due to technical issues.

A TERRITORIAL ACKNOWLEDGEMENT

Committee acknowledged that the City of Victoria is located on the homelands of the Songhees First Nation and Xwsepsum First Nation communities, expressing their gratitude for opportunities during Truth and Reconciliation Day on September 30th, such as the South Island Powwow hosted by the Songhees Nation, to connect with

indigenous culture and thanked them for allowing us to live, work and play on their lands as we continue to navigate and nurture our relationships together.

B. INTRODUCTION OF LATE ITEMS

There were no late items.

C. APPROVAL OF AGENDA

Moved and Seconded:

That the agenda be approved.

CARRIED UNANIMOUSLY

Committee recessed at 9:19 a.m. and reconvened at 9:33 a.m. due to technical issues.

D. CONSENT AGENDA

Committee requested that the following item be removed from the Consent Agenda:

- G.2 - 516 Fisgard Street: Liquor Primary License (Downtown)
- J.1 - Council Member Motion: Council Procedures Bylaw Update

Moved and Seconded:

That the following Consent Agenda items be approved:

E.1 Minutes from the Committee of the Whole meeting held September 12, 2024

That the minutes from the Committee of the Whole meeting held September 12, 2024 be approved.

CARRIED UNANIMOUSLY

E. CONSIDERATION OF MINUTES

E.1 Minutes from the Committee of the Whole meeting held September 12, 2024

This item was added to the Consent Agenda.

F. PRESENTATIONS

F.1 2024 External Audit Plan

Committee received a presentation regarding a report dated September 20, 2024 from the Deputy City Manager / Chief Financial Officer and B. Szabo, BDO Canada LLP providing Council with the audit plan from the City's external auditor (BDO Canada LLP) for the 2024 financial statement audit.

Committee discussed the following:

- *Changes to materiality from year to year*
- *The role of third-party reporting on a local government's operational and project performance*

G. LAND USE MATTERS

G.1 1885 Government Street: Rezoning Application No. 00870, Development Permit with Variances Application No. 000641, and Heritage Designation Application No. 000209 (Downtown)

Committee received a report dated September 19, 2024 from the Director of Planning and Development regarding the Rezoning Application No. 00870, Development Permit with Variances Application No. 000641, and Heritage Designation Application No. 000209 for the property located at 1885 Government Street in order to remove the site-specific regulations that only permit automotive repair uses within the Old Town District 1 Zone and to increase the permitted density to construct a proposed six-storey, purpose-built residential rental building with ground floor commercial uses with variances related to a reduction in vehicle parking stalls and an increase in building height, concurrently seeking retention and heritage designation of an existing building and recommending that the application proceed to bylaw readings.

Committee discussed the following:

- *Proposed use of the heritage designated building*
- *Transition timelines for new applications to comply with Family Housing Policy*
- *Availability, location, accessibility and protection of parking stalls*

Moved and Seconded:

Rezoning Application

1. That Council instruct the Director of Planning and Development to prepare the necessary Zoning Bylaw 2018 amendment that would authorize the proposed development outlined in the staff report dated September 19, 2024 for 1885 Government Street
2. That, after publication of notification in accordance with section 467 of the Local Government Act, first, second and third reading of the zoning regulation bylaw amendment be considered by Council
3. That following the third reading of the zoning amendment bylaw, the applicant prepare and execute the following legal agreements, with contents satisfactory to the Director of Planning and Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:
 - a. provision of a Housing agreement to secure all residential units within the building as rental in perpetuity
 - b. provision of Transportation Demand Management (TDM) agreement to secure the following TDM measures:
 - i. one electric Modo vehicle plus 70 car-share memberships and \$100 driving credits, to be located on-site
 - ii. eight extra-large bike parking spaces for cargo bikes at grade
 - iii. a single bike repair station

- iv. the equivalent of the BC Transit ECOpass value for four commercial retail units with one ECOpass per unit for five years at \$1000/pass
- v. transportation option information package for new residents
- c. provision of an access agreement over 610 Herald Street and 635 Chatham Street in favour of 1885 Government to provide access to the underground parking below 1885 Government Street for the purpose of a driveway, with the City as a party to ensure the agreement is not discharged without City approval
- d. provision of a public realm agreement to secure frontage improvements as illustrated on plans date stamped June 27, 2024
- 4. That subject to adoption of the zoning bylaw amendment, Council authorize the projecting encroachments over the City right of way on Government Street and Herald Street generally as shown on the plans submitted to the City and date stamped June 27, 2024 provided that the applicant enters into an encroachment agreement with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor at the time of building permit approval
- 5. That adoption of the zoning bylaw amendment will not take place until:
 - a. third reading of an associated heritage designation bylaw to designate the property known as 1885 Government Street, as described in the Statement of Significance attached as Attachment D, pursuant to Section 611 of the Local Government Act, to the satisfaction of the Director of Planning and Development
 - b. 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 Bylaw 2018 amendment, Council authorize the issuance of Development Permit with Variances No. 000641 for 1885 Government Street, in accordance with plans submitted to the Planning and Development department and date stamped on June 27, 2024, subject to:
 - a. proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the required number of vehicle parking stalls from 54 to thirteen

- ii. increase the building height from 15m to 19.51m; and
- b. plan changes to:
 - i. provide 50% of long-term bicycle parking stalls as horizontally mounted
 - ii. revise the proposed cargo bicycle stalls to have a minimum stall width of 0.9m, depth of 2.4m, and aisle width of at least 1.5m behind each stall
 - iii. revise the soil cells on the civil plan to match the layout and dimensions on the Landscape Plan
 - iv. add a note on the landscape plans identifying that the soil cells are to be irrigated and drained using an underdrain or an overflow, if required crossfall cannot be met
 - v. rectify the conflict between the proposed fire department connection location and the building access/ egress
- 2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

Heritage Designation Application

That Council:

- 1. Instruct staff to prepare a heritage designation bylaw to designate the property at 1885 Government Street, that first and second reading of the bylaw be considered by Council and that a Public Hearing date be set, and that the heritage designation bylaw provides for the following to the satisfaction of the Director of Planning and Development:
 - a. designate the exterior of the historic property, known as the Sam Kee Laundry building, at 1885 Government Street, in its future state
- 2. Approve the Statement of Significance for 1885 Government Street attached as Attachment D to this report recognizing the building exterior as the historic features of the property.

CARRIED UNANIMOUSLY

Committee recessed at 10:54 a.m. and reconvened at 11:06 a.m.

G.2 516 Fisgard Street: Liquor Primary License (Downtown)

Committee received a report dated September 19, 2024 from the Director of Planning and Development regarding an application for a liquor primary licence for the property located at 516 Fisgard Street in order to allow liquor service with proposed revised hours of service on Sunday to Thursday from 9:30 a.m. to 12:00 a.m. and Friday to Saturday from 9:30 a.m. to 1:00 a.m., with a total occupant load of 110 people with no exterior seating, and recommending approval.

Committee discussed the following:

- *Status and potential noise mitigation impacts of a municipal alcohol policy*
- *Neighbourhood noise concerns*
- *Potential for a future review of the Noise Bylaw and Good Neighbour Agreements*

Moved and Seconded:

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

1. That Council supports the application of Pinhalla Pinball Pizzeria located at 516 Fisgard Street for a new liquor primary licence conditional on the following.
 - a. The establishment having a total occupant load of 110 people with no exterior seating areas.
 - b. Revised hours of licenced service that are 9:30 am to 12:00 am Sunday through Thursday and 9:30 am to 1:00 am Friday and Saturday.
2. The following comments are provided regarding the prescribed considerations:
 - a. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business as a local employer.
 - b. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 862 owners and occupants, the City received 12 letters of correspondence. Of these letters, 10 expressed opposition and two expressed support for the proposal. A letter from the Downtown Residents Association requested that the hours of operation be reduced as there are residents living in the area.
3. Council recommends to the Province that the liquor primary licence be approved as recommended.

Amendment:

Moved and Seconded:

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

1. That Council supports the application of Pinhalla Pinball Pizzeria located at 516 Fisgard Street for a new liquor primary licence conditional on the following.
 - a. The establishment having a total occupant load of 110 people with no exterior seating areas.

- b. Revised hours of licenced service that are 9:30 am to ~~12:00 pm~~ **10:00 pm** Sunday through Thursday and 9:30 am to ~~1:00~~ **12:00** am Friday and Saturday.
2. The following comments are provided regarding the prescribed considerations:
- a. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business as a local employer.
 - b. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 862 owners and occupants, the City received 12 letters of correspondence. Of these letters, 10 expressed opposition and two expressed support for the proposal. A letter from the Downtown Residents Association requested that the hours of operation be reduced as there are residents living in the area.
3. Council recommends to the Province that the liquor primary licence be approved as recommended.

OPPOSED (7): Mayor Alto, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Kim, Councillor Loughton, and Councillor Thompson

DEFEATED (2 to 7)

On the main motion:

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

- 1. That Council supports the application of Pinhalla Pinball Pizzeria located at 516 Fisgard Street for a new liquor primary licence conditional on the following.
 - a. The establishment having a total occupant load of 110 people with no exterior seating areas.
 - b. Revised hours of licenced service that are 9:30 am to 12:00 am Sunday through Thursday and 9:30 am to 1:00 am Friday and Saturday.
- 2. The following comments are provided regarding the prescribed considerations:
 - a. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business as a local employer.
 - b. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 862 owners and occupants, the City received 12 letters of correspondence. Of these letters, 10 expressed

opposition and two expressed support for the proposal. A letter from the Downtown Residents Association requested that the hours of operation be reduced as there are residents living in the area.

3. Council recommends to the Province that the liquor primary licence be approved as recommended.

OPPOSED (3): Councillor Gardiner, Councillor Hammond, and Councillor Kim

CARRIED (6 to 3)

H. STAFF REPORTS

H.1 Corporate Plan Progress Update

Committee received a report dated September 27, 2024 from the Deputy City Manager regarding information on the implementation progress of the 2024 - 2026 Corporate Plan and recommending that Council receive the report for information.

Committee discussed the following:

- *Feasibility for provision of detailed budget status reports for individual projects*

Committee recessed for lunch at 11:59 a.m. and reconvened at 1:00 p.m.

Committee discussed the following:

- *Status, updates and scope on various projects within the Corporate Plan*

Moved and Seconded:

That Council receive the Corporate Plan Progress Update for information.

CARRIED UNANIMOUSLY

I. NOTICE OF MOTIONS

There were no notice of motions.

J. NEW BUSINESS

J.1 Council Member Motion: Council Procedures Bylaw Update

Committee received a Council Member Motion from Mayor Alto dated September 27, 2024 requesting that additional changes be made to the *Council Procedures Bylaw* to confirm Council procedures align with current practices, clarify clausal ambiguity, and ensure that efficient, effective, and transparent decision-making is a part of Council's procedures in conducting their business.

Committee discussed the following:

- *Public feedback on conduct and time management within Council meetings*
- *Ability to extend councillor speaking times in-meeting for extraordinary circumstances*

Moved and Seconded:

That Council direct Staff to prepare necessary amendments to the Council Procedures Bylaw as outlined in Appendix 1 and the necessary public notice requirements.

Section	Current Language	Proposed Language	Rationale
PART 3 – COUNCIL MEETINGS			
15(1)	N/A	Insert new subsection (d) “Consent Agenda”	To align with COTW agenda and efficient Council decision-making.
18(9)(d)	(d) a member may speak to an agenda item for a total of 15 minutes.	(d) a member’s questions and deliberations may total a maximum of 12 minutes on any agenda item;	To ensure Council is clear on speaking time and to ensure efficient Council decision-making.
19(1)	1. A member of Council must give notice of a motion that is to be introduced at a Council meeting, by depositing a written copy of the motion with the City Clerk: <ul style="list-style-type: none"> a. By noon on the Friday before that meeting to be included as an item of New Business for the meeting; or, b. After the time noted in section 19(1)(a) of this Bylaw but at least 48 hours before that meeting, the item will be placed in “Introduction of late items”. c. In order for a motion to be added to the agenda for that meeting as late item by the City Clerk, the report presenting it must include rationale 	(1) A member of Council may give notice of motion on a matter that is to be introduced at a Council meeting by depositing a written copy of the motion with the City Clerk: <ul style="list-style-type: none"> (a) By noon on the Friday before that meeting to be included as an item of New Business for the meeting; or, (b) After the time noted in section 19(1)(a) of this Bylaw but at least 48 hours before that meeting, the item will be placed in “Introduction of late items”. (c) In order for a motion to be added to the agenda for that 	Clarifies existing procedures for notices of motion.

	noting the reason for the time sensitivity for the matter to be considered at the meeting.	meeting as late item by the City Clerk, the report presenting it must include rationale noting the reason for the time sensitivity for the matter to be considered at that meeting. (d) In order for a motion to be considered for ratification the same day it is placed on the agenda, it must include rationale noting the reason for its time sensitivity. (2) A member of Council may give notice of motion for a future meeting by reading it into the record only if it is added to the agenda when the agenda is adopted.	
PART 5 – COMMITTEE OF THE WHOLE			
35(1)	1. Regular COTW meetings of COTW must adjourn at 2:00PM unless a motion for continuation is approved by 2/3 of the members present.	1. Regular COTW meetings of COTW must adjourn at 4:00PM unless a motion for continuation is approved by 2/3 of the members present.	To align with current practice.
37(1)(c)	(c) a member must not speak longer than a total of 15 minutes on any agenda item;	(c) a member's questions and deliberations may total a maximum of 12 minutes on any agenda item;	To ensure Council is clear on speaking time and to ensure efficient Council decision-making.

Amendment to Appendix 1:

Moved and Seconded:

Section	Current Language	Proposed Language	Rationale
PART 3 – COUNCIL MEETINGS			
18(9)(d)	(d) a member may speak to an agenda item for a total of 15 minutes.	(d) a member's questions and deliberations may total a maximum of 12 10 minutes on any agenda item;	To ensure Council is clear on speaking time and to ensure efficient Council decision-making.
PART 5 – COMMITTEE OF THE WHOLE			
37(1)(c)	(c) a member must not speak longer than a total of 15 minutes on any agenda item;	(c) a member's questions and deliberations may total a maximum of 12 10 minutes on any agenda item;	To ensure Council is clear on speaking time and to ensure efficient Council decision-making.

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

DEFEATED (4 to 5)

Amendment to Appendix 1:

Moved and Seconded:

Section	Current Language	Proposed Language	Rationale
PART 3 – COUNCIL MEETINGS			
18(9)(d)	(d) a member may speak to an agenda item for a total of 15 minutes.	(d) a member's questions and deliberations may total a maximum of 12 15 minutes on any agenda item;	To ensure Council is clear on speaking time and to ensure efficient Council decision-making.
PART 5 – COMMITTEE OF THE WHOLE			
37(1)(c)	(c) a member must not speak longer than a total of 15 minutes on any agenda item;	(c) a member's questions and deliberations may total a maximum of 12 15 minutes on any agenda item;	To ensure Council is clear on speaking time and to ensure efficient

			Council decision-making.
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OPPOSED (6): Mayor Alto, Councillor Dell, Councillor Hammond, Councillor Kim, Councillor Loughton, and Councillor Thompson

DEFEATED (3 to 6)

Committee requested that the proposed amendments to Appendix 1 under the main motion be considered in two parts.

On the number one:

That Council direct Staff to prepare necessary amendments to the Council Procedures Bylaw as outlined in sections 15(1), 19(1) and 35(1) of Appendix 1 and the necessary public notice requirements.

CARRIED UNANIMOUSLY

On the number two:

That Council direct Staff to prepare necessary amendments to the Council Procedures Bylaw as outlined in sections 18(9)(d) and 37(1)(c) of Appendix 1 and the necessary public notice requirements.

OPPOSED (3): Councillor Caradonna, Councillor Coleman, and Councillor Gardiner

CARRIED (6 to 3)

L. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved and Seconded:

That the Committee of the Whole Meeting be adjourned at 1:48 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - COMMITTEE OF THE WHOLE

October 10, 2024, 9:03 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

The City of Victoria is located on the homelands of the Songhees Nation and Xwsepsum Nation

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

PRESENT ELECTRONICALLY: Councillor Kim

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, C. Kingsley - City Clerk, S. Johnson - Director of Communications and Engagement, T. Zworski - City Solicitor, P. Rantucci - Director of Strategic Real Estate, T. Soulliere - Deputy City Manager, K. Hoese - Director of Sustainable Planning and Community Development, C. Mycroft - Manager of Intergovernmental & Media Relations, A. Johnston - Assistant Director of Development Services, S. Webb - Manager of Transportation, B. Roder - Senior Legislative Coordinator, A. Klus - Legislative Coordinator

A. TERRITORIAL ACKNOWLEDGEMENT

Committee acknowledged that the City of Victoria is located on the homelands of the Songhees First Nation and Xwsepsum First Nation communities, and thanked them for their friendship and guidance in making the decisions that reflect the values of stewardship and reconciliation.

B. INTRODUCTION OF LATE ITEMS

There were no late items.

C. APPROVAL OF AGENDA

Moved and Seconded:

That the agenda be approved.

CARRIED UNANIMOUSLY

D. CONSENT AGENDA

There were no consent agenda items.

E. STAFF REPORTS

E.1 Development Potential Tax Relief Pilot Program

Committee received a report dated September 27, 2024 from the Deputy City Manager/ Chief Financial Officer regarding the implementation of a pilot Development Potential Property Tax Relief Program for commercial and industrial properties that have experienced significant increases in assessed value due to their development potential.

Committee discussed the following:

- *Efficacy of the "highest and best use" methodology applied by BC Assessment*
- *Potential tax implications for businesses in other classes*
- *Determining measures of success for the pilot*

Moved and Seconded:

That Council:

1. Approve a pilot development potential tax relief (DPTR) program for eligible Light Industry (Class 5) and Business and Other (Class 6) properties in the Harris Green district of the Downtown neighbourhood in 2025 as authorized by s.198.1 of the *Community Charter*.
2. Approve that, for each eligible property in the Harris Green district, 20% of the Class 5 and Class 6 land value, up to a maximum of \$925,000, be taxed at the municipal tax rate that is 50% lower than the rates established for Classes 5 and 6 (tax rates to be finalized based on the 2025 Revised Assessment Roll).
3. Approve the additional City exclusions and additional eligibility criteria generally as outlined in Option 1 of this report.
4. Require that, subject to recommendation 1, upon receiving from BC Assessment the list of properties that meet the Provincial eligibility criteria for the 2025 tax year, the owners/agents of each property on the list within the Harris Green district provide a written declaration to the City, by February 7, 2025 that:
 - a. the property was in use from October 1 to December 31, 2024;
 - b. the primary use of the property does not fall into one or more of the City exclusions; and
 - c. the tenants of the property must be informed of any tax relief resulting from the 2025 DPTR Pilot Program
5. Require that properties whose owners/agents fail to provide such written declaration to the City by February 7, 2025 not be considered for the 2025 Pilot DPTR.
6. Include in the applicable bylaw that it is an offence, subject to a fine of up to \$10,000, to complete, file or provide a false declaration to the City.

7. Direct staff to bring forward the applicable bylaws in accordance with the above recommendations.

OPPOSED (1): Councillor Gardiner

CARRIED (8 to 1)

Motion arising:

Moved and Seconded:

As the bylaw is drafted, consider options to strengthen enforcement mechanisms and means of ensuring the property tax savings are passed on to the eligible tenants.

Committee recessed at 10:46 a.m. and reconvened at 10:56 a.m.

On the motion arising:

As the bylaw is drafted, consider options to strengthen enforcement mechanisms and means of ensuring the property tax savings are passed on to the eligible tenants.

OPPOSED (1): Councillor Gardiner

CARRIED (8 to 1)

F. NOTICE OF MOTIONS

There were no notice of motions.

G. CLOSED MEETING, IF REQUIRED

There was no closed meeting.

H. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved and Seconded:

That the Committee of the Whole Meeting be adjourned at 11:05 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

DRAFT



Committee of the Whole Report For the Meeting of November 7, 2024

To: Committee of the Whole **Date:** October 24, 2024
From: Karen Hoese, Director, Planning and Development
Subject: Request to Amend a Covenant Regarding 1321 Yates Street

RECOMMENDATION

That Council authorize amendment of the covenant FB004862 related to 1321 Yates Street (the “**Lands**”), with contents satisfactory to the Director of Planning and Development and form satisfactory to the City Solicitor to allow the 24-hour operation of the convenience store and gas bar, but not the carwash, on the Lands.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding the amendment of a document related to the property located at 1321 Yates Street (the “**Lands**”) to remove a legal charge. In order to amend the document or remove it from title, the authorization of Council is required. The document (covenant FB004862) is attached to this report as an appendix.

The Lands are occupied by a gas bar, convenience store, and a car wash all operated by Shell Canada Limited. All uses on the Lands are restricted via covenant to 6:00 a.m. to 11:00 p.m. Sunday through Thursday and from 6:00 a.m. to 12:00 a.m. Friday and Saturday. The owner has requested amendment of the covenant to allow the 24-hour operation of the convenience store and gas bar. The owner’s rationale for removing the covenant is to provide mitigation of vandalism, theft, and damage that Shell states has occurred during hours when the convenience store and gas bar are closed.

The covenant restricting the hours of operation is not required by zoning. Given other examples of similar 24-hour convenience stores (e.g. Circle K and 7-Eleven) that operate near the proposed location, the requested amendment is considered supportable. As the applicant has indicated the car wash could still be limited to existing hours of operation, amending the covenant to reflect changes to the gas bar and convenience store is recommended, though an alternate motion to discharge the covenant entirely is provided.

RELEVANT HISTORY

The Lands were rezoned in 2006 to permit the addition of a convenience store to an existing service station and car wash. At the time, it was recommended that the rezoning be declined, primarily on the basis that the proposed use did not comply with the since-rescinded *Service Station Policy (1985)* that was intended to limit the range of products that could be sold at service stations. Other rationale for decline was the proximity to other neighbourhood commercial centres (e.g. Fernwood Village and Stadacona Centre). Council opted to advance the application and approve the rezoning.

During the public hearing portion of the rezoning, Council heard concerns from members of the public about the impact of the convenience store to the neighbourhood (see Attachment D). The applicant indicated that the store would not be 24-hours. Council recommended that a covenant be required to restrict the hours of operation, to which the applicant agreed.

In July 2024, Shell Canada Limited wrote to the City to request changes to the covenant outlined in this report.

CONCLUSIONS

Restricting the twenty-four-hour operation of the Lands is not required by zoning but was a condition of rezoning added in response to community concerns. However, successful operation of other similar 24-hour convenience stores in the area suggests that this restriction is not required. Therefore, the amendment is considered supportable. As the owner has indicated that the car wash hours would still be limited to those in the covenant, it is recommended that the restrictions on car wash operation continue to apply.

ALTERNATE MOTION

Alternative recommendation – discharge covenant

1. That Council authorize the discharge of covenant FB004862 related to 1321 Yates Street (the “**Lands**”) that prohibits the twenty-four-hour operation on the Lands.

Respectfully submitted,

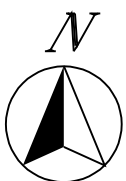
Geordie Gordon
Senior Planner
Planning and Development

Alec Johnston, on behalf of
Karen Hoese, Director
Planning and Development

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Aerial Map
- Attachment B: Letter to Mayor and Council, dated July 15, 2024
- Attachment C: Covenant No. FB004862
- Attachment D: Rezoning Public Hearing Minutes November 23, 2006



1321 Yates Street
 APF No.02433

Air Photo





Shell Canada Products
 Suite 4000, 500 Centre Street SE
 Calgary, Alberta T2G 1A6, Canada
 Tel (403) 691-3111
 Internet www.shell.ca

VIA REGULAR MAIL

July 15, 2024

The Corporation of The City of Victoria
 #1 Centennial Square
 Victoria, British Columbia
 V8W 1P6

Attention: Robert G. Woodland, Corporate Administrator

Dear Mr. Woodland:

RE: Land Titles Act, Form C (Section 233) Province of British Columbia, Restrictive Covenant Instrument Number FB004826 (the "Restrictive Covenant") registered on title to the lands municipally described as 1321 Yates Street, Victoria, British Columbia (the "Property")

Shell Location No. C01231

Shell would like to make an application to change the operating hours of its gas bar and convenience store located on the Property from limited hours to 24-hour 7 days a week operation.

The purpose of the change to a 24-hour operation is to provide needed services to the residents in the area of the gas bar and convenience store and to try to mitigate the vandalism, theft and damage that Shell has experienced at this location during its non-operating hours.

We note that in accordance with the terms of the Restrictive Covenant (copy attached for your ease of reference) the fixed operating hours for the Property are as follows:

- (a) Sunday through Thursday from 6:00 a.m. until 11:00 p.m.; and
- (b) Friday or Saturday from 6:00 a.m. until midnight.

Consequently, we are writing to ask whether The Corporation of the City of Victoria would consider revising the terms of the Restrictive Covenant to allow Shell to operate its gas bar and convenience store only on 24-hour 7 days a week basis?

Please note that it is Shell's intention that the car wash located on the Property would continue to operate based on the fixed operating hours as set out in the Restrictive Covenant.

We look forward to hearing from you once you have had an opportunity to consider Shell's request.

Should you have any questions or concerns, please do not hesitate to contact the undersigned at 403.691.4547 or alternatively phillip.paul@shell.com

Yours truly,

SHELL CANADA LIMITED

Per: 

Phillip Paul
Property Manager, Network Development

Encls.

c. Jorge Busca, *Shell Canada Limited (w/ encls.)*

17 JAN 2007 12 31

FB004826

LAND TITLE ACT
Form C (Section 233)
Province of
British Columbia

GENERAL INSTRUMENT - PART 1 (This area for Land Title Office Use) Page 1 of 5 pages

1C

1. Application: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)
~~STAPLES McDANNOLD STEWART SHELL CANADA LIMITED~~
~~2nd Floor, 637 Burrard Avenue~~ PO Box 100 Station "M" **DYE & DURHAM**
Victoria, B.C. V8W 1R3 Tel: (250)388-7744 **Calgary, AB**
File No. 206-987-P/44p Tel: (403)291-4481 *[Signature]*
Authorized Signatory ~~XXXX~~

2. Parcel Identifier(s) and Legal Description(s) of Land:
(PID) (Legal Description)
003-375-137 Lot A, Section 74, Victoria District, Plan 21955

3. Nature of Interest Description Section 219 Covenant Document Reference (page & paragraph) Entire Document Person Entitled to Interest Grantee

4. Terms: Part 2 of this instrument consists of (select one only)
(a) Filed Standard Charge Terms D.F. No. 01 07/01/17 12:31:29 01 VI 736930
(b) Express Charge Terms Annexed as Part 2 CHARGE \$65.20
(c) Release There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged on the Land described in Item 2.

5. Transferor(s)(Grantor(s)): **SHELL CANADA LIMITED** (Incorporation No. A48164)

6. Transferee(s)(Grantee(s)): (Including postal address(es) and postal code(s)) *
THE CORPORATION OF THE CITY OF VICTORIA, #1 Centennial Square, Victoria, B.C. V8W 1P6

7. Additional or Modified Terms: N/A

8. Execution(s): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)
[Signature]

COLLEEN GAIL HARTE
Analyst, Marketing Properties
Notary Public for Alberta
My Appointment Expires December 31, 2008
P.O. Box 100, Station "M"
Calgary, AB T2P 2H5

(As to both signatures)

Execution Date

Y	M	D
2006	12	12

Party(ies) Signature(s)
SHELL CANADA LIMITED by its authorized signatories:

[Signature]
Print Name: **DAVID R. BRINLEY**
Secretary

Print Name: _____

Officer Certification
Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996 c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

LAND TITLE ACT
Form D

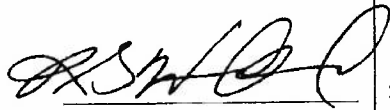
EXECUTIONS CONTINUED

Page 2

Officer Signature:

Execution Date:

Party(ies) Signature:



Y	M	D
2006	12	15

ROBERT G. WOODLAND
Corporate Administrator
City of Victoria
#1 Centennial Square
Victoria BC V8W 1P6

(as to both signatures)
AW

THE CORPORATION OF THE CITY OF VICTORIA by its authorized signatories:



Mayor Alan Lowe

Robert Woodland
Corporate Administrator

Officer Certification

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996 c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

TERMS OF INSTRUMENT - PART 2**WHEREAS:**

- A. The Grantor is the registered owner in fee simple of:
- PID 003-375-137
Lot A, Section 74, Victoria District, Plan 21955
(the "Land");
- B. The Grantee is The Corporation of the City of Victoria;
- C. The Grantor has applied to amend the Grantee's Zoning Regulations Bylaw No. 80-159 as it applies to the Land, and has agreed to enter into this Agreement with the Grantee and to register it as a restrictive covenant against title to the Land, pursuant to section 219 of the *Land Title Act* (British Columbia).

NOW THEREFORE, in consideration of the payment of the sum of Ten (\$10.00) Dollars by the Grantee to the Grantor and the premises and the covenants herein contained and for other valuable consideration, receipt and sufficiency of which is hereby acknowledged by the parties, the parties hereto covenant and agree with the other as follows:

1. The Grantor covenants and agrees that it shall only operate a service station and convenience store upon the Land during the following hours:
 - (a) on any day from and including Sunday to and including Thursday, from 6:00 a.m. until 11:00 p.m.; and
 - (b) on any day that is a Friday or Saturday, from 6:00 a.m. until midnight.
2. The Grantor and the Grantee agree that the enforcement of this Agreement shall be entirely within the discretion of the Grantee and that the execution and registration of this covenant against the title to the Land shall not be interpreted as creating any duty on the part of the Grantee to the Grantor or to any other person to enforce any provision or the breach of any provision of this Agreement.
3. Nothing contained or implied herein shall prejudice or affect the rights and powers of the Grantee in the exercise of its functions under any public or private statutes, bylaws, orders and regulations, all of which may be fully and effectively exercised in relation to the Land as if the Agreement had not been executed and delivered by the Grantor.

4. The Grantor hereby releases and forever discharges the Grantee, its officers, employees and agents, of and from any claim, cause of action, suit, demand, expenses, costs and legal fees whatsoever, which the Grantor can or may have against the said Grantee for any loss or damage or injury, including economic loss, that the Grantor may sustain or suffer arising out of a breach of this Agreement by the Grantor.
5. The Grantor covenants and agrees to indemnify and save harmless the Grantee, its officers, employees and agents, from any and all claims, causes of action, suits, demands, expenses, costs and legal fees whatsoever that anyone has or may have as owner, occupier or user of the Land, or by a person who has an interest in or comes onto the Land, or by anyone who suffers loss of life or injury to his person or property, including economic loss, that arises out of a breach of this Agreement by the Grantor.
6. It is mutually understood, acknowledged and agreed by the parties hereto that the Grantee has made no representations, covenants, warranties, guarantees, promises or agreements (oral or otherwise) with the Grantor other than those contained in this Agreement.
7. This Agreement shall be registered as a first charge against the Land and the Grantor agrees to execute and deliver all other documents and provide all other assurances necessary to give effect to the covenants contained in this Agreement.
8. The Grantor shall pay the legal fees of the Grantee in connection with the preparation and registration of this Agreement. This is a personal covenant between the parties.
9. The Grantor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions hereinbefore set out and they shall be binding upon the Grantor as personal covenants only during the period of its respective ownership of any interest in the Land.
10. The restrictions and covenants herein contained shall be covenants running with the Land and shall be perpetual, and shall continue to bind all of the Lands when subdivided, and shall be registered in the Victoria Land Title Office pursuant to section 219 of the *Land Title Act* as covenants in favour of the Grantee as a first charge against the Land.
11. This Agreement shall enure to the benefit of the Grantee and shall be binding upon the parties hereto and their respective heirs, executors, successors and assigns.

Page 5

12. Wherever the expressions "Grantor" and "Grantee" are used herein, they shall be construed as meaning the plural, feminine or body corporate or politic where the context or the parties so require.

IN WITNESS WHEREOF the parties hereto hereby acknowledge that this Agreement has been duly executed and delivered by the parties executing Form C (pages 1 and 2) attached hereto.

COUNCIL MINUTES – NOVEMBER 23, 2006 – Public Hearing (Note bylaw not adopted until December 14, 2006)

1. Rezoning Application No. 00049 and Development Permit Application No. 000048 for property known as 1321 Yates Street

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 788) – No. 06-67:

To amend the Zoning Regulation Bylaw.

- (a) to create a C-SY Zone, Yates Special Service Station District, which will permit the uses in the C-SS Zone, Special Service Station District and retail use accessory to a service station, and will apply the C-SS Zone's regulations except to limit the total floor area for retail use accessory to a service station;
- (b) to rezone land known as 1321 Yates Street to a new C-SY Zone, Yates Special Service Station District, to permit the land to be used for a retail gas station, car wash and convenience store.

New Zone:	C-SY Zone, Yates Special Service Station District
Legal Description:	Lot A, Section 74, Victoria District, Plan 21955
Existing Zone:	C-SS Zone, Special Service Station District

2. Development Permit Application

The City of Victoria will also be considering the issuance of a development permit for the land known as 1321 Yates Street, Development Permit Area 11, for the purpose of developing a retail gas station, car wash and convenience store and varying the parking requirements and the minimum required distance between a building and a boundary of its lot.

Mayor Lowe opened the public hearing at 7:35 p.m.

Greg Soucie Grass Ridge Consulting: Shell has owned the station since 1934 in various forms. The last major remodelling was in 1968 and it is now in need of redevelopment. This process began in March 2005 with consultations with the neighbours and neighbourhood association. The Advisory Design Panel (ADP) did not think the first design was appropriate with how the City would like to see the site developed. The redesign came back to ADP which was more expressive of the current structure shape and building materials and it received unanimous approval from the ADP. As part of the rezoning the applicant has committed to the Engineering Department they will construct off-site works and they will enter into an easement agreement with the City to permit a new sidewalk on Fernwood Road on Shell property. The retail store on the property will be convenience store in conjunction with retail gas sales. The retail portion will be limited to 1,180 sq. ft.

John Blair (1340 Harrison Street): He understands that the proposed use of the site will have a convenience store selling confectionary goods; this is beside a middle school. No ones health is served by that and it will create litter in the neighbourhood. There are already stores in the neighbourhood that sell similar items. Shell has been exemplary neighbours and have kept the property in order. He would prefer that there is no change to the site at the moment

Councillor Fortin asked if there is a bylaw preventing how close convenience can be located to a school?

Alison Meyer: No, there isn't.

Kathy Summer (1050 Joan Crescent Craigdarroch Castle): She agrees with the gentlemen regarding keeping the neighbourhood clean and safe. Convenience store would be open to 11 pm and there are security concerns in Rockland neighbourhood now. She is also concerned that the store would be next door to the middle school. The Castle also hopes to develop the area over the coming years and she is concerned about the heritage aspect being protected and a big glossy gas station does not fit; however, she does like the changes and design. It is nice to have a place close to have work done on your car.

Councillor Fortin said that evening operations would likely add to the safety of the neighbourhood with more traffic and lighting.

Kathy Summer: Asked if the car wash would be open late?

Doreen Mueller Rockland Neighbourhood Association: She supports Craigdarroch project. A visioning exercise for Rockland was done to determine how far downtown should go to and it was agreed that restoration along Rockland and entry points to Rockland and Craigdarroch and entry gates should be maintained. Concerns about modern gas station going into neighbourhood; the current building has historical value. It is nice to have somewhere that will repair your car that is close by. Convenience store is a concern and she would like commercial further away. The last design was approved as it was a reasonable friendly design. She asked that when implementation happens to ensure that Shell will stay within what was approved.

Mayor Lowe said that it is controlled by the Development Permit.

Kim (1091 Joan Crescent): She lives in area and Fort Street is a pipeline at night for inebriated people that are coming to get cigarettes and mixers at the 24 hour place at Oak Bay junction. She is concerned about the security being increased; she was at Freddie's when they were robbed and that is something they take on as part of making money in that area. The gas station where it is, is well lit and there is no where to hide or sleep off or shoot up; and that happens at night. She understands that the station needs to be updated. Small businesses need to be supported; it is an impressive landmark. There is not more security with self serve. There is a phone that can be used 24 hours and it is well lit. Will the phone be maintained when the station is remodelled? Don't know if it is such a good idea to have a retail store as that is not the service we are use to.

Councillor Thornton-Joe knows there is love for the Dunsmuir station as it is today. If the application is not approved will it continue as it is, or will there still be changes. Telus has contacted her about removing the phone as it is not well-used.

Mike Hannah (1049 Craigdarroch): He has a visual to the site from his house. It is not a good idea to put a convenience store next to the middle school. They are taking junk food out of schools and obesity is increasing; why put a convenience next to a school with impressionable youth next door. It would be a crime magnet which would continue into the Rockland neighbourhood. He asked if the lighting would be recessed in the gas bar ceiling so that it doesn't shine into the neighbourhood. Convenience store is not appropriate for this area.

Ian Atherton 1006 Chamberlain Street: He is a regular customer and opposes this application. He trusts Council for the public betterment and this is not given the typical product line of a convenience store. He opposes the exclusion of auto service bays; the service is needed. If you ignore the Shell at Fairfield and Cook, as they are also close to rezoning, the next closest is northwest of City Hall; that is a lot of distance for the general public to get their car repaired. If this application goes through this service is gone, the new station will have a convenience store, gas bar, auto car wash; there will be no service bays. Auto service bays are loosing out to slurpy drink dispensers. Put aside this application until a viable strata unit is permitted to be sold to the service bay operator.

Tom McVeigh (946 Fort Street): School is located at Yates and Fort and it is busiest. He use to get candy and cross those streets, but it is safer than going two blocks away; kids will be kids. Let's make it easier and they want to make money and they need to update. He wouldn't go to the gas station if there was no convenience store attached. That is the reality of modern living.

COUNCIL MINUTES – NOVEMBER 23, 2006 – Public Hearing (Note bylaw not adopted until December 14, 2006)

Lucy Waddell (1340 Harrison Street): Must think of the safety of students. The students are not allowed offer school property during the day, but with the convenience store so close, how many will receive suspensions for leaving and going to get candy.

Paul Huxtable (1401): Concerned about the junk food, night life, traffic, loss of jobs; people hired to pump gas and fix vehicles; now there will be one person inside. Currently there are seven people around. It is good for the young people to see people working not sitting and selling candy; show them a trade that is useful to the community. What about the construction noise; he works on weekends and not so much in the week; it would wake him up.

Marilyn McManus (4037 Glanford) 16 years ago a magazine listed Dunsmuir Shell as the best place to get your car fixed in town. She is very happy going there and they take good care of her.

Mayor Lowe asked Mr. Soucie what would happen if the rezoning did not happen.

Greg Soucie: Shell has not indicated what would happen if the application does not proceed; they may continue. One reason to redevelop is that the service bays are not economical to company anymore and it is more convenient for the public to go to Wal-Mart or Canadian Tire to shop while their vehicle is being worked on. Shell will maintain the gas sales and there is currently a small convenience store at this location. If the application is approved the convenience store would not just sell candy, but it could sell diapers, newspapers or other convenience items such as a coffee bar. The middle school is a closed campus, so students are not permitted off campus to shop for candy. Fernwood Community group did contact school officials and no concerns were expressed in writing or passed on to him. It will not be a 24 hour service; the demand will dictate the hours, but he did not think it would be open past 11 pm in the week and midnight at the weekends. Evening operations would add eyes in the night watching what is going on. The design was appropriate to the point where it was approved by the ADP; the hours of the car wash will run with the convenience store; when it is closed the bay doors will be locked.

Councillor Thornton-Joe asked if the City had control over the hours of opening.

The Corporate Administrator responded that business hours are not regulated by bylaw, but a covenant could be registered with the owner on the land to limit the hours of operation.

Alison Meyer (Planner): This has not been discussed with the applicant.

The Corporate Administrator said that Council could include it as a condition of their approval of the application.

Councillor Coleman asked if the lighting could be recessed rather than flush mounted.

Greg Soucie: There is decorative lighting on the building and there are probably lights at the pumps, which would be looked at to determine if they are recessed or flush.

Jill Picard (1286 Pembroke Street): Has been going to the station since 1969 when it was on Blanshard; she has been following them around and has always been satisfied with the service she has received. She would not go to Canadian Tire or Wal-Mart and it is convenient to leave her car there and walk home and walk back when it is ready.

Martin Bruce (1326 Yates): Best service and they always run to the car and fill tank and they have the best service bay around. They guys will push the car into the station; he doesn't need a tow truck. Night light around there would concern him; current they close at 6 p.m. or 7 p.m. which is nice; we don't need anything more. New gas stations are really bright in the dark, it is peaceful and don't want anything like Las Vegas.

Councillor Thornton-Joe asked if the gas station could change to self serve, keep the car wash and get rid of the service bays.

Alison Meyer: The only change is introducing a convenient store to the site.

Councillor Holland thought she understood that the Shell does not intend to keep the repair part of the station open. If this is not approved, what would Shell do next?

Greg Soucie: It is not economically viable to keep the bays open and the car wash needs a major renovation to meet CRD standards. If the application is turned down he would expect that Shell will close the service bays and car wash and maintain the gas bar and existing convenience store that is there.

Mayor Lowe closed the public hearing at 8:12 p.m.

3. Bylaw Motion – Consideration of Third Reading

It was moved by Councillor Holland, seconded by Councillor Hughes, that the following Bylaw **be given third reading**:
Zoning Regulation Bylaw, Amendment Bylaw, (No. 788) 06-067

Councillor Holland noted how exemplary the operators have been but Council can't tell owners to continue their operation as is. We have heard that if this application fails, the service bays will not remain in the future. If there is a security issue for Fort and Rockland area, she would like to hear about it.

Councillor Young said that Council is limited on what we can do, we have no power to require service station to remain open and provide service for brakes and oil changes; nor does Council have the power to stop kids from buying candy. Council has a say in what the gas station would look like and the amount of retail space provided. He also concluded that he was prepared to accept staff's advice that the site is better suited to uses other than a gas station.

Councillor Hughes noted that if the Fernwood Community Association Land Use Committee is comfortable with the design and wants to see it go forward then she will support the motion.

Councillor Madoff said that this is a prominent location and the gateway to the City, the east end, Oak Bay and access points into Rockland. The existing building is better than the proposed one; the detail is not there; the building should be a better neighbour.

Councillor Coleman said that this is a passing of an era. People may not take to their cars to Wal-mart; they are more likely to take them to where they purchased their cars. That is probably one of the reasons service bays going. The application won't make everyone happy, but it is what works in long run.

Councillor Thornton-Joe said the gas station will change whether this application is approved or not. She would not be able to approve this application if it was just for a convenience store, but as it has the gas bar she can support it. She would like to see a covenant on it to control the hours.

The Corporate Administrator advised that Council can withhold adoption of the bylaw and Development Permit pending the registration of a restrictive covenant on the title limiting its business hours.

Mayor Lowe said that the current car wash is not up to standards and the same is true with the tanks buried in the ground. The convenience store aspects are already there but are increasing by three-fold.

Carried

COUNCIL MINUTES – NOVEMBER 23, 2006 – Public Hearing (Note bylaw not adopted until December 14, 2006)

Councillors Chandler, Fortin, Madoff and Young voted against this motion

Motion:

It was moved by Councillor Holland, seconded by Councillor Fortin, that Council instruct staff to work with the applicant and the police to prepare a Restrictive Covenant on title with respect to the hours of operation and that a report be forwarded to the December 07, 2006 Committee of the Whole or the Council meeting of December 14, 2006.

Carried

Council meeting
November 23, 2006



Committee of the Whole Report For the Meeting of November 7, 2024

To: Committee of the Whole **Date:** October 22, 2024
From: William Doyle, Acting Director, Engineering and Public Works
Subject: Development Variance Permit Application No. 00285 for 1542 Despard Avenue and 1551 Montgomery Avenue (formerly 1540 Despard Avenue)

RECOMMENDATION

That Council authorize the issuance of Development Variance Permit Application No. 00285 for 1542 Despard Avenue & 1551 Montgomery Avenue (formerly 1540 Despard Avenue), in accordance with:

- a) Subdivision file SUB00412 (Subdivision of 1540 Despard Avenue).
- b) Offsite civil plans date stamped October 20, 2023.
- c) Development meeting all *Victoria Subdivision and Development Servicing Bylaw* requirements, except for the following variance:
 - 1) Remove the requirement to *construct a portion of the required frontage improvements* as described within the *Victoria Subdivision and Development Servicing Bylaw*.
- d) Provision of \$17,000 security equivalent to the costs of installing frontage improvements. The \$17,000 would be applied to sidewalk improvements on Despard Avenue and Montgomery Avenue, when capital projects for street improvements occur on these streets.
- e) The Development Variance Permit, if issued, expires two years from the date of this resolution.

Enabling Legislation

In accordance with Section 498 of the *Local Government Act (LGA)*, Council may consider and issue a Development Variance Permit that varies a Subdivision and Development Bylaw (s. 498 (1)(a)(ii) LGA) provided the permit does not vary the use or density of land from that specified in the bylaw or residential rental tenure. This consideration does not vary use or density.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council approval for a variance to the *Victoria Subdivision and Development Servicing Bylaw No. 12-042*, specifically to remove the requirement for the developer to construct sidewalks along the two frontages of the development.

In lieu of constructing frontage improvements, which are considered a portion of frontage improvements required by the *Victoria Subdivision and Development Servicing Bylaw*, the developer has offered an equivalent cash payment of \$17,000. This amount has been determined based on a

design and estimate provided by the Civil Engineer engaged for the project. The proposed works and their value have been reviewed by City staff and deemed satisfactory.

These funds will be allocated for future improvements along the property frontages, specifically for Despard Avenue and Montgomery Avenue. The implementation of these improvements will occur following further consultation with area residents and will be integrated with a future capital works program.

Signage regarding the variance has been posted and notifications distributed. Should staff receive any communications concerning the variance, staff will bring that forward to the meeting of Council.

Staff recommend that Council approve the consideration of this variance. Approving this request will allow for flexibility in the future use of the cash-in-lieu payment, ensuring that funds are effectively utilized for frontage improvements in conjunction with resident input and capital planning.

Respectfully submitted,

Brent Molnar
Supervisor, Land Development

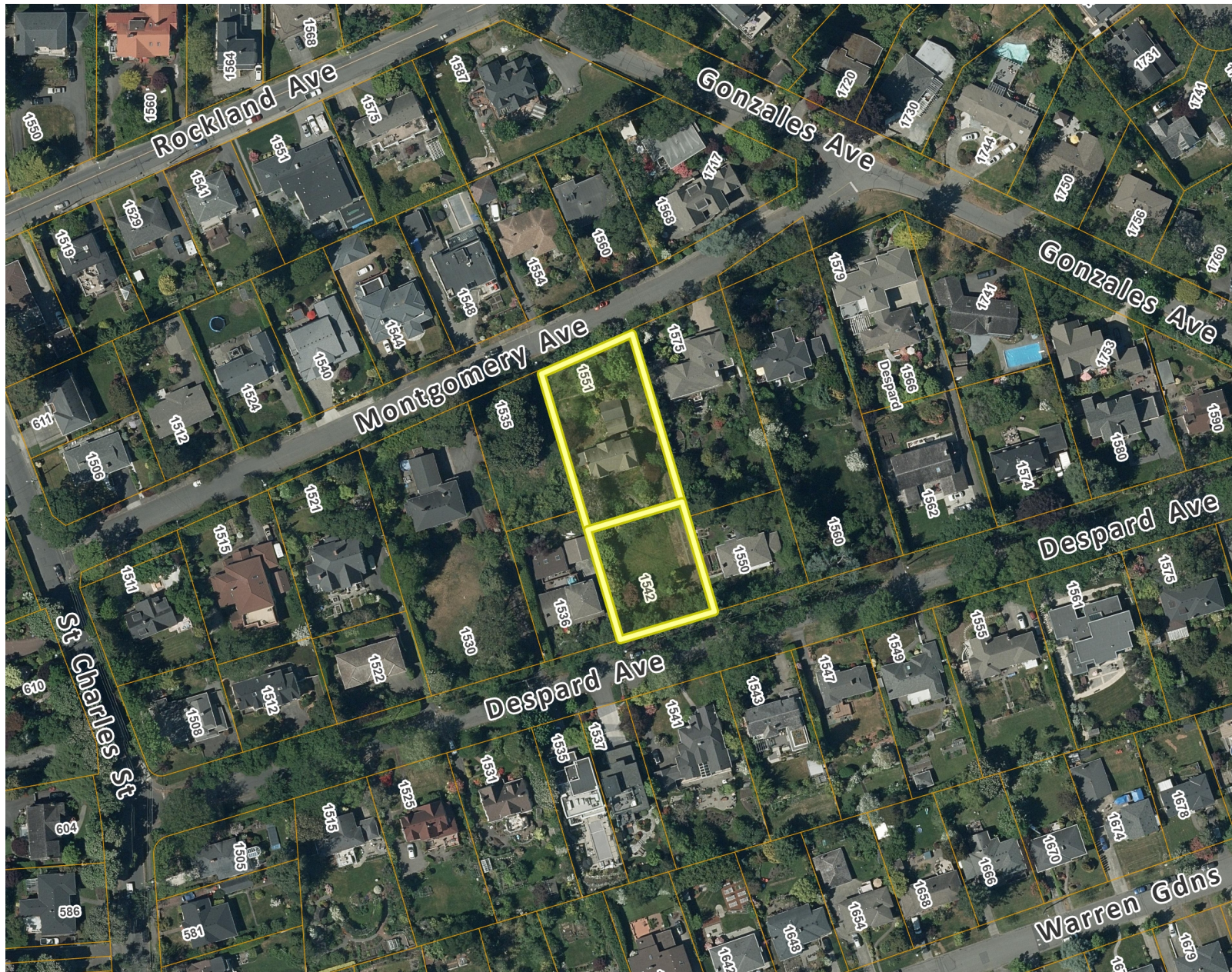
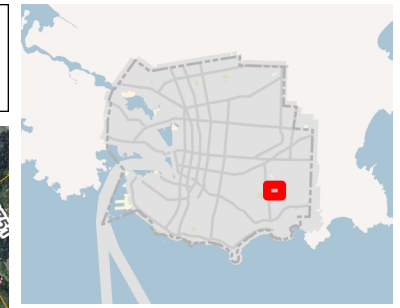
William Doyle
Acting Director, Engineering and Public Works

Report accepted and recommended by the City Manager.





List of Attachments

- Appendix A 1542 Despard 1551 Montgomery Location Plan
- Appendix B Plan of Subdivision SUB00512
- Appendix C Photos – Despard Avenue and Montgomery Avenue - Existing
- Appendix D Offsite Civil Plans

Location Plan 1542 Despard Ave & 1551 Montgomery Ave



Legend

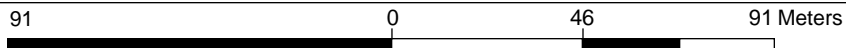
-  City Boundary
-  Parcels (Folio based)
-  Parcels (PID based)
-  Esquimalt Parcels

1: 1,800



Notes

1542 Despard Ave & 1551 Montgomery Ave



NAD_1983_CSRS_UTM_Zone_10N

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

**SURVEY PLAN CERTIFICATION
PROVINCE OF BRITISH COLUMBIA**

Your electronic signature is a representation that you are a British Columbia land surveyor and a subscriber under section 168.6 of the *Land Title Act*, RSBC 1996 c.250. By electronically signing this document, you are also electronically signing the attached plan under section 168.3 of the act.

Ryan Hourston
R2449Z
Digitally signed by Ryan Hourston R2449Z
Date: 2023.07.07 07:18:53 -07'00'

1. BC LAND SURVEYOR: (Name, address, phone number)

Ryan P. Hourston

JE Anderson & Associates

4212 Glanford Avenue

Victoria

BC V8Z 4B7

Phone: (250) 727-2214

Email: rhourston@jeanderson.com

File:34152

Surveyor General Certification [For Surveyor General Use Only]

2. PLAN IDENTIFICATION:

Control Number: **168-873-9533**

Plan Number: **EPP127006**

This original plan number assignment was done under Commission #: **887**

3. CERTIFICATION:

Form 9 Explanatory Plan Form 9A

I am a British Columbia land surveyor and certify that I was present at and personally superintended this survey and that the survey and plan are correct.

The field survey was completed on: 2023 July 05 (YYYY/Month/DD) The checklist was filed under ECR#:

The plan was completed and checked on: 2023 July 07 (YYYY/Month/DD) **272870**

None Strata Form S

None Strata Form U1 Strata Form U1/U2

Arterial Highway

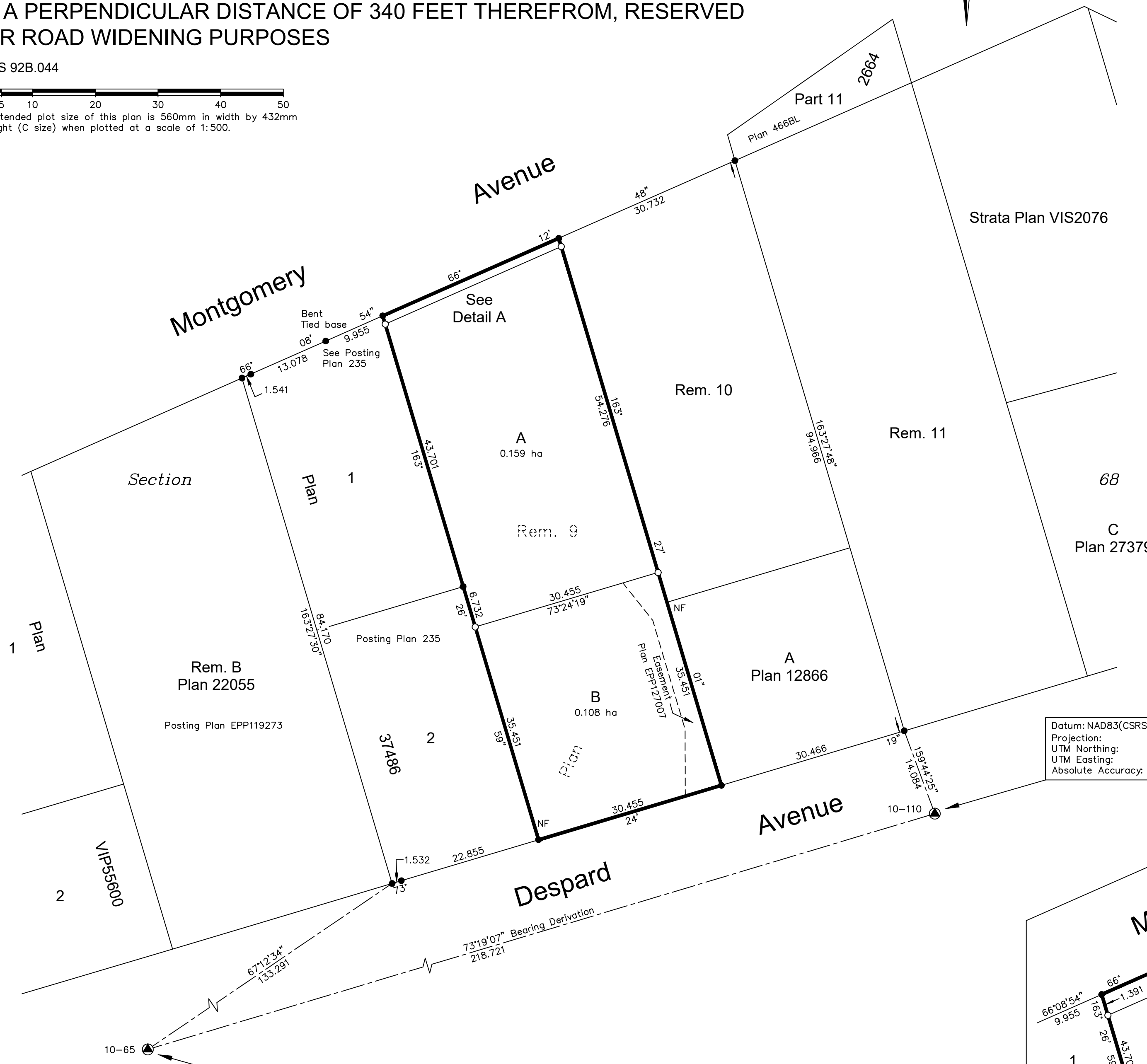
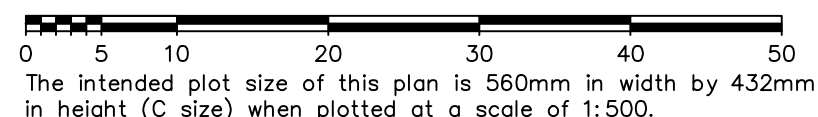
Remainder Parcel (Airspace)

4. ALTERATION:

SUBDIVISION PLAN OF LOT 9, SECTION 68, VICTORIA DISTRICT, PLAN 2664, EXCEPT THAT PART LYING NORTH OF A BOUNDARY PARALLEL TO THE SOUTH BOUNDARY OF ROCKLAND AVENUE AS SHOWN ON SAID PLAN AT A PERPENDICULAR DISTANCE OF 340 FEET THEREFROM, RESERVED FOR ROAD WIDENING PURPOSES

PLAN EPP127006

BCGS 92B.044



LEGEND

- | | | |
|-------|--------|--------------------|
| Found | Placed | |
| ● | ○ | Standard Iron Post |
| ⊙ | | Control Monument |

All distances are in metres and decimals thereof

This plan lies within Integrated Survey Area No. 17, Victoria, NAD83 (CSRS) 3.0.0.BC.1.CRD

Grid bearings are derived from observations between geodetic control monuments 10-65 and 10-110 and are referred to the central meridian of UTM Zone 10.

The UTM coordinates and estimated absolute accuracy achieved are derived from the MASCO published coordinates and standard deviations for geodetic control monuments 10-65 and 10-110.

This plan shows horizontal ground level distances, unless otherwise specified. To compute grid distances, multiply ground level distances by the average combined factor of 0.9996069. The average combined factor has been determined from control monument 10-110.

Datum: NAD83(CSRS) 3.0.0.BC.1.CRD
 Projection: UTM Zone10N
 UTM Northing: 5362913.290
 UTM Easting: 475224.482
 Absolute Accuracy: 0.011

Datum: NAD83(CSRS) 3.0.0.BC.1.CRD
 Projection: UTM Zone10N
 UTM Northing: 5362850.531
 UTM Easting: 475015.048
 Absolute Accuracy: 0.011

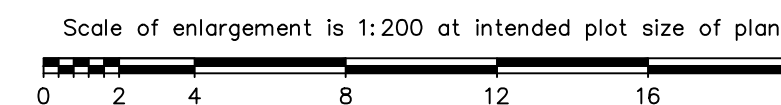
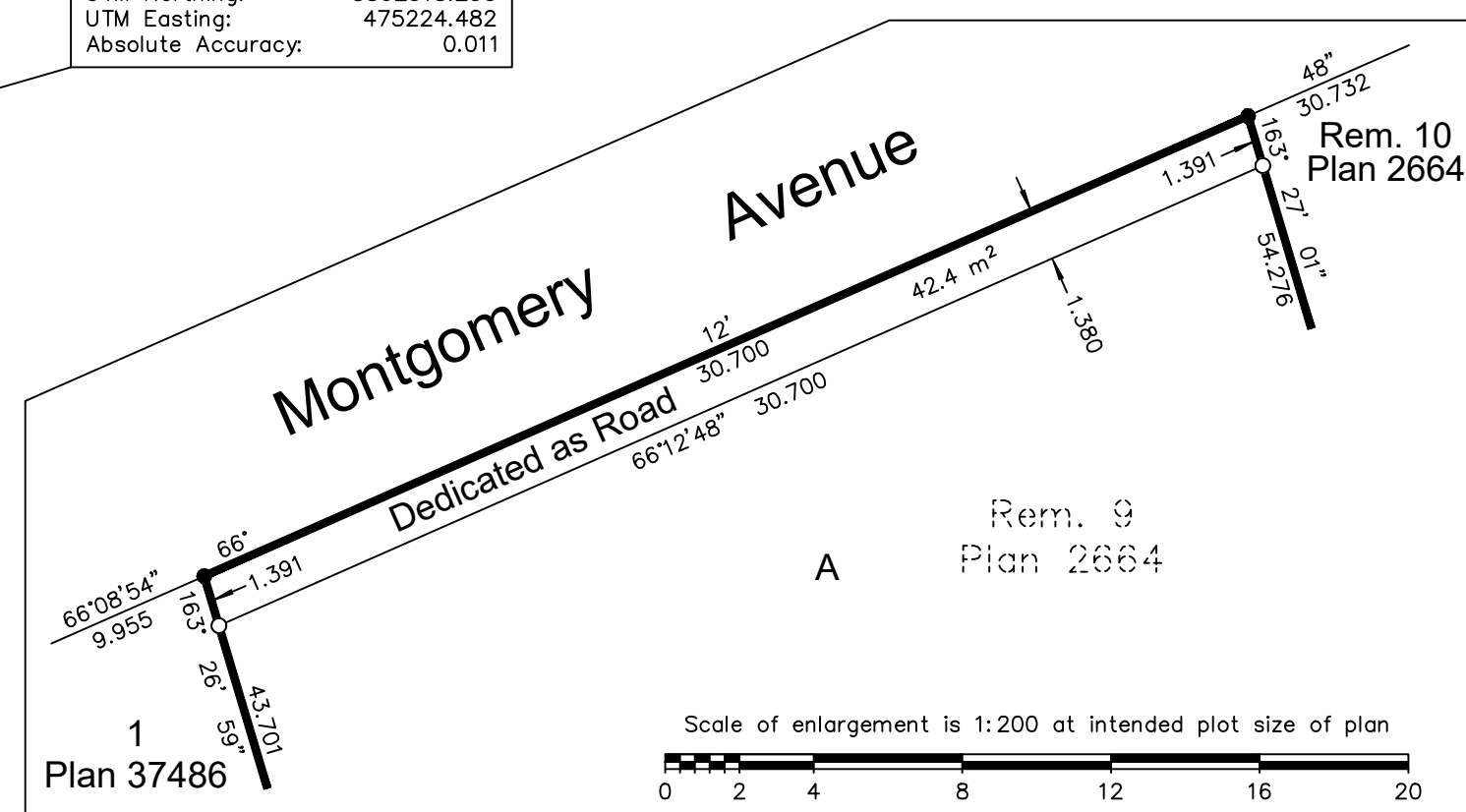
A covenant in the name of the City of Victoria pursuant to Section 219 of the Land Title Act is a condition of approval for this subdivision

This plan lies within the jurisdiction of the Approving Officer for the City of Victoria

J.E. ANDERSON & ASSOCIATES
 B.C. Land Surveyors - Consulting Engineers
 Victoria-Nanaimo-Parksville-Campbell River, B.C.
 File: 34152

V:_Projects\34152\08\02\Microsurvey\34152.dwg (Sub Plan)

Detail A



This plan lies within the Capital Regional District

The field survey represented by this plan was completed on the 5th day of June, 2023.

Ryan P. Hourston, BCLS 887

1551 Montgomery Ave - Looking East



1551 Montgomery Ave - Looking West

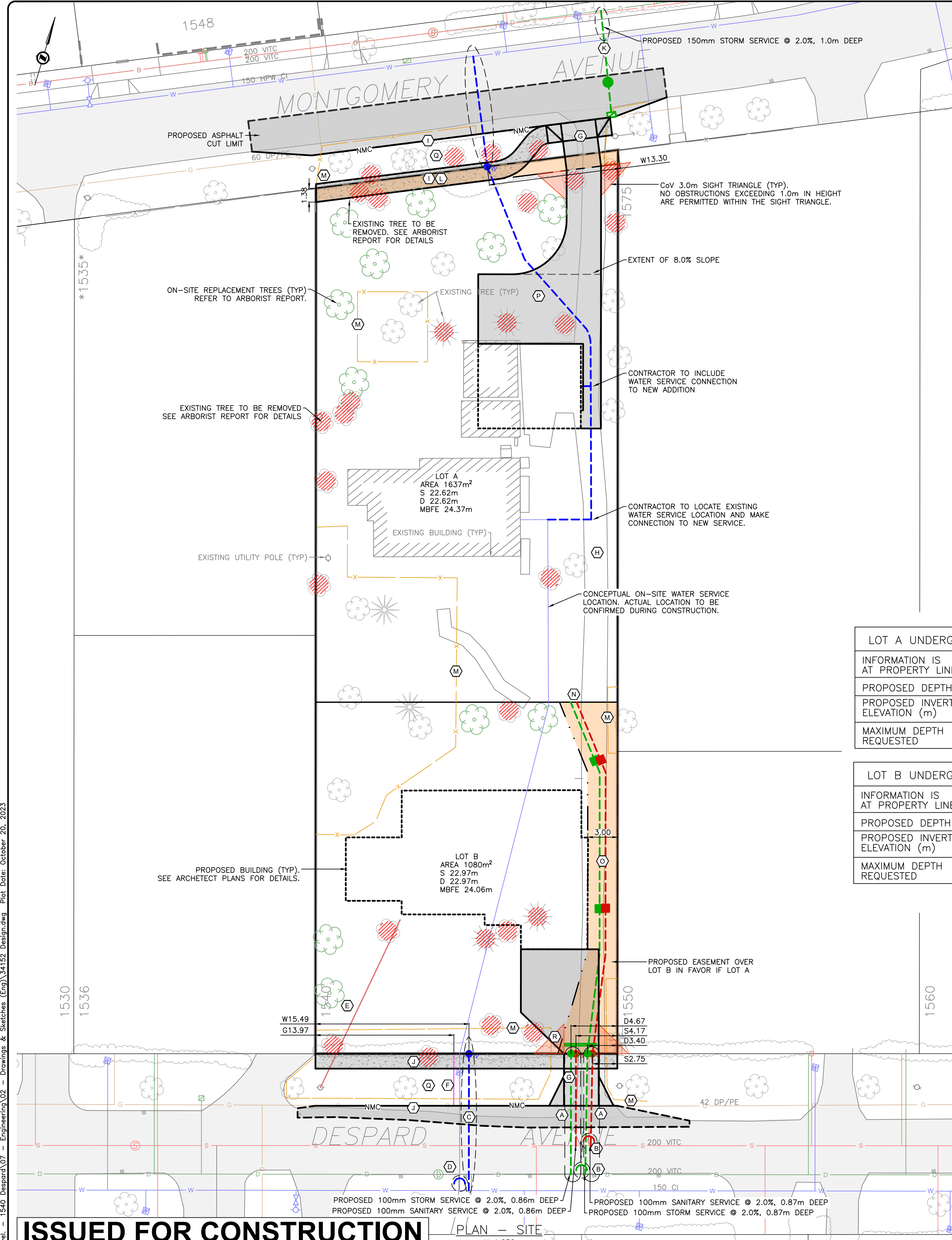


1542 Despard Ave - Looking West



1542 Despard Ave - Looking East





LOT A UNDERGROUND SERVICE INFORMATION		
INFORMATION IS AT PROPERTY LINE	STORM DRAIN	SANITARY SEWER
PROPOSED DEPTH (m)	0.92m	0.92m
PROPOSED INVERT ELEVATION (m)	22.62	22.62
MAXIMUM DEPTH REQUESTED	YES	NO

LOT B UNDERGROUND SERVICE INFORMATION		
INFORMATION IS AT PROPERTY LINE	STORM DRAIN	SANITARY SEWER
PROPOSED DEPTH (m)	0.93m	0.93m
PROPOSED INVERT ELEVATION (m)	22.67	22.67
MAXIMUM DEPTH REQUESTED	YES	NO

CITY OF VICTORIA PARKS NOTES:

- ALL PRIVATE BYLAW-PROTECTED TREES WITHIN ROAD DEDICATION WILL REQUIRE A TREE PERMIT PRIOR TO REMOVAL AND REPLACEMENT.
- ALL MUNICIPAL TREES WITHIN THE ROAD DEDICATION SHALL HAVE THEIR APPRAISED VALUE PAID AND ARE TO BE REMOVED AT THE DEVELOPER'S EXPENSE PRIOR TO THE CITY TAKING OWNERSHIP.

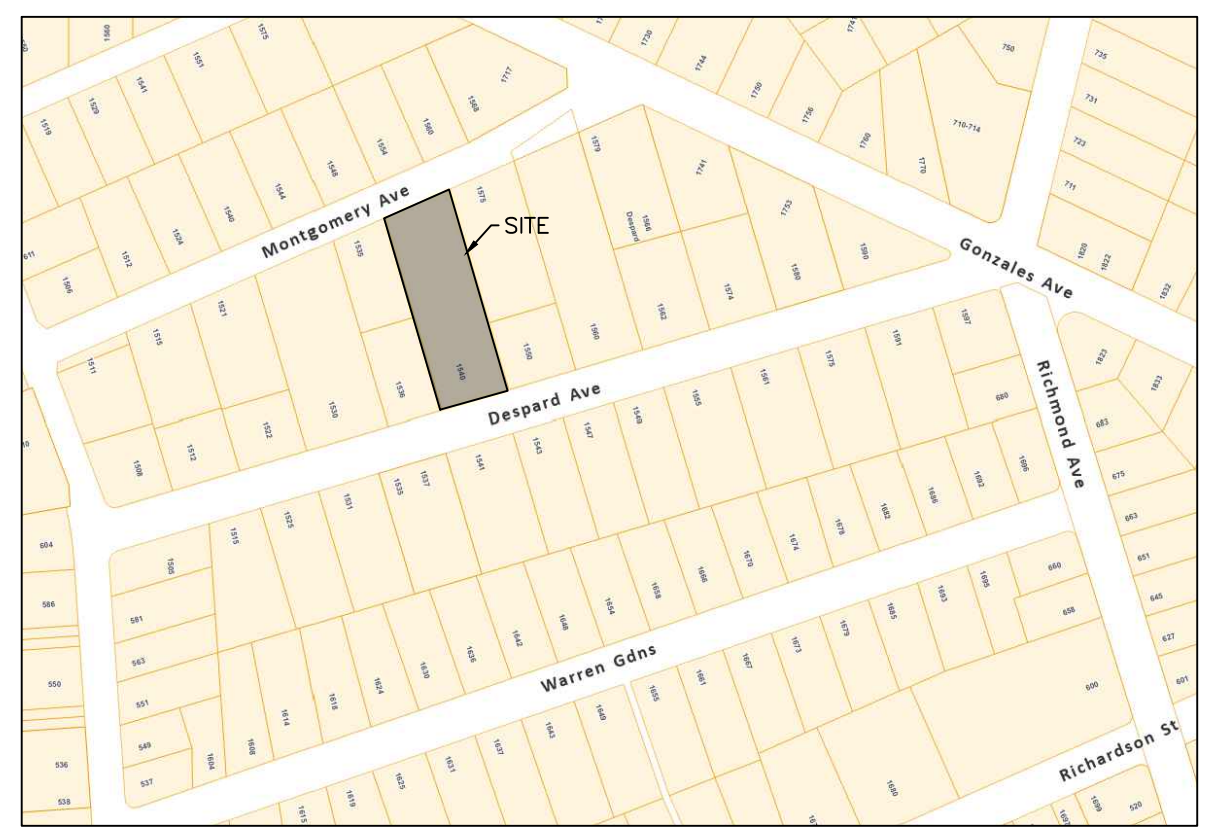
- 1. GENERAL NOTES**
- ALL FRONTAGE WORKS SHALL BE IN ACCORDANCE WITH THE CURRENT EDITION OF MMCD SPECIFICATIONS, AS WELL AS THE CITY'S SUBDIVISION AND DEVELOPMENT SERVICING BYLAW No. 12-042 SCHEDULE B "SUPPLEMENTARY SPECIFICATIONS". IF A DISCREPANCY OCCURS BETWEEN THE TWO DOCUMENTS, THE CITY'S SPECIFICATIONS SHALL TAKE PRECEDENCE, UNLESS OTHERWISE DIRECTED.
 - ALL WORKS ON PRIVATE PROPERTY (ONSITE) TO BE AS PER THE LATEST BC BUILDING CODE AND ARE TO BE INSPECTED BY THE MUNICIPAL PLUMBING OR BUILDING INSPECTOR. A PLUMBING PERMIT IS REQUIRED.
 - CONTRACTOR SHALL ACQUIRE THE REQUIRED PERMITS FROM THE CITY OF VICTORIA TO WORK IN THE CITY RIGHT-OF-WAY, INCLUDING, BUT NOT LIMITED TO, A CONTRACTOR'S PERMIT. THE CONTRACTOR MUST APPLY FOR, AND BE ISSUED, THE CONTRACTOR'S PERMIT PRIOR TO COMMENCING WORK. THE CONTRACTOR SHALL SUBMIT A COPY OF GENERAL LIABILITY INSURANCE, WITH THE CITY NAMED AS AN ADDITIONAL INSURED AND WITH NOT LESS THAN \$5,000,000 COVERAGE, AS WELL AS CURRENT WCB "WORKSAFE" DOCUMENTATION AND APPROPRIATE WCB COVERAGE.
 - CONTRACTOR SHALL SUBMIT EMERGENCY CONTACT NUMBERS TO THE MUNICIPALITY A MINIMUM OF 48 HRS PRIOR TO THE START OF CONSTRUCTION.
 - CONTRACTOR TO MAINTAIN AN UP-TO-DATE SET OF AS-CONSTRUCTED DRAWINGS. DRAWINGS TO BE DELIVERED TO THE ENGINEER PRIOR TO SUBSTANTIAL PERFORMANCE.
 - THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR CONSTRUCTION LAYOUT, MEANS, METHODS, TECHNIQUES, PROCEDURES, AND FOR COORDINATING THE VARIOUS PARTS OF THE WORK.
 - CONTRACTOR TO ENSURE EXISTING MONUMENTS AND IRON PINS ARE NOT DISTURBED DURING CONSTRUCTION. ANY MONUMENTS OR IRON PINS IN DANGER OF DISTURBANCE SHALL BE REFERENCED AND, IF DISTURBED, REPLACED BY A BCLS AT THE DEVELOPER'S EXPENSE.
 - CONTRACTOR TO PROVIDE A MINIMUM OF 24 HRS NOTICE PRIOR TO INSPECTION OR WITNESS TESTS.
 - CONTRACTOR IS RESPONSIBLE FOR ANY RESTORATION REQUIRED AS A RESULT OF DAMAGE DONE DURING CONSTRUCTION TO CITY INFRASTRUCTURE. THIS INCLUDES CURB, GUTTER, SIDEWALK, PAVEMENT, ROAD MARKING (LINE PAINTING AND CURB PAINTING) AND BOULEVARD RESTORATION AS REQUIRED.
 - THE APPLICANT SHALL CONTACT THE CITY'S REPRESENTATIVE WITH THE ENGINEERING DEPARTMENT, LAND DEVELOPMENT SECTION TO ARRANGE FOR A PRE-CONSTRUCTION MEETING FOR THE FRONTAGE WORKS. 10 WORKING DAYS ADVANCE NOTICE FOR THE MEETING IS REQUIRED. FOLLOWING THE PRE-CONSTRUCTION MEETING, THE CONTRACTOR WILL BE REQUIRED TO COMPLETE AND SUBMIT A CONTRACTOR'S PERMIT TO THE CITY'S REPRESENTATIVE, 5 DAYS PRIOR TO THE START OF CONSTRUCTION.
 - ALL THIRD-PARTY UTILITY COMPANIES EXCAVATING IN CITY RIGHT OF WAY MUST APPLY TO THE CITY FOR A UTILITY PERMIT.
- 2. TRAFFIC MANAGEMENT**
- THE CONTRACTOR SHALL SUBMIT A TRAFFIC MANAGEMENT PLAN FOR REVIEW BY STAFF, AS WELL, AS A STREET OCCUPANCY PERMIT MUST BE APPLIED FOR AND OBTAINED FOR ANY WORK OCCUPYING/IMPACTING CITY PROPERTY. THE APPLICANT SHALL SUBMIT THE TRAFFIC MANAGEMENT PLAN AND THE STREET OCCUPANCY PERMIT TO THE TRANSPORTATION DEPARTMENT (eng@victorias.ca) AT LEAST 10 WORKING DAYS IN ADVANCE OF STARTING CONSTRUCTION.
 - THE CONTRACTOR SHALL MAINTAIN TWO-WAY TRAFFIC AT ALL TIMES UNLESS OTHERWISE PERMITTED BY THE MUNICIPALITY.
 - ACCESS TO PRIVATE PROPERTY SHALL BE MAINTAINED. THE CONTRACTOR SHALL ACCOMMODATE FOOT ACCESS AT ALL TIMES. CONTRACTOR TO PROVIDE 24 HOURS NOTICE TO RESIDENCES IF VEHICULAR ACCESS CAN NOT BE MAINTAINED. VEHICLE ACCESS MUST BE RESTORED PRIOR TO THE END OF THE WORKING DAY.
- 3. PUBLIC IDENTIFICATION**
- THE PUBLIC NOTICE SHALL BE DISTRIBUTED A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCING OF CONSTRUCTION.
 - THE PUBLIC NOTICE IS TO BE PREPARED BY THE CONTRACTOR AND PRESENTED TO THE ENGINEER FOR REVIEW PRIOR TO THE DISTRIBUTION TO RESIDENCES.
 - THE PUBLIC NOTICE SHALL IDENTIFY THE PROJECT, EXPECTED CONSTRUCTION PERIOD AND PROVIDE CONTACT INFORMATION FOR THE CONTRACTOR, ENGINEER AND THE MUNICIPALITY.
 - THE PUBLIC NOTICE SHALL BE HAND DELIVERED TO ALL RESIDENTS AND BUSINESSES WITHIN ONE BLOCK OF THE PROJECT LIMITS.
- 4. ENVIRONMENTAL PROTECTION**
- TO PROTECT THE SOIL, WATER, AND VEGETATIVE RESOURCES OF THE DEVELOPMENT ONLY THOSE AREAS NECESSARY FOR CONSTRUCTION OF THE WORKS AND SERVICES CONTAINED IN THE ENGINEERING DRAWINGS ARE TO BE DISTURBED.
PRIOR TO AND DURING CONSTRUCTION, THE CONTRACTOR SHALL TAKE FULL RESPONSIBILITY FOR CONTROLLING EROSION AND SEDIMENT TRANSFER BY UTILIZING SUCH MEASURES AS CONSTRUCTION OF INTERCEPTOR DITCHES, SILT FENCES, HAY BALE STRUCTURES, SEDIMENT CONTROL PONDS, SEDIMENT TRAPS, STAGED GRAVEL FILTERS, OR OTHER METHODS HE MAY DEEM NECESSARY TO PREVENT DISCHARGE OF SEDIMENT INTO WATERCOURSES.
PRIOR TO SUBSTANTIAL COMPLETION THE CONTRACTOR SHALL PREPARE AND REVIEW WITH THE OWNER A PLAN WHEREBY THE OWNER WILL UPON FINAL COMPLETION ASSUME RESPONSIBILITY FOR ONGOING EROSION AND SEDIMENT CONTROL MEASURES ON THIS SITE.
THE CONSULTANT ASSUMES NO RESPONSIBILITY FOR DAMAGES RESULTING FROM IMPROPER EROSION AND SEDIMENT CONTROL MEASURES UNDERTAKEN BY THE CONTRACTOR.
 - ENVIRONMENTAL PROTECTION MEASURES TO BE IN PLACE PRIOR TO COMMENCING CONSTRUCTION.
 - CONTRACTOR TO OBTAIN PERMIT PRIOR TO REMOVAL OF ANY TREES ON PRIVATE OR PUBLIC PROPERTY.
- 5. HYDRO/TELEPHONE/CABLE/STREETLIGHTING**
- HYDRO/TEL/CABLE SERVICING ARE SHOWN SCHEMATICALLY ON THESE PLANS. REFER TO UTILITIES PLANS FOR DETAILED INSTRUCTIONS.

- 6. QUALITY ASSURANCE TESTING**
- 6.1. CONTRACTOR SHALL RETAIN AND PAY THE SERVICES OF A QUALIFIED INDEPENDENT GEOTECHNICAL ENGINEER FOR QUALITY ASSURANCE TESTING DURING CONSTRUCTION IN MUNICIPAL RIGHT-OF-WAY AND SHALL AT A MINIMUM PROVIDE:
- SIEVE ANALYSIS OF SANDS AND AGGREGATES TO BE USED IN THE WORK
 - STANDARD PROCTOR DENSITY CURVES FOR BACKFILL MATERIALS
 - STANDARD PROCTOR DENSITY CURVES FOR APPROVED BORROW MATERIALS
 - COMPACTION TESTS:
 - TRENCH BEDDING (MANLINE) - ONE FOR EVERY 75 M OF TRENCH
 - TRENCH BACKFILL (MANLINE) - ONE FOR EVERY 75 M OF TRENCH
 - TRENCH BEDDING (SERVICE) - ONE FOR EVERY 20 M OF TRENCH
 - TRENCH BACKFILL (SERVICE) - ONE FOR EVERY 20 M OF TRENCH
 - GRANULAR BASE (SIDEWALKS/CURBS/GUTTER) - MINIMUM TWO PER FRONTAGE
 - CONCRETE MIX DESIGN
 - CONCRETE STRENGTH TESTS
 - ONE PER 150m OF SIDEWALK AND/OR CURB AND GUTTER. MINIMUM OF ONE PER DAY DURING CONCRETE PLACING.
 - ASPHALT MIX DESIGN
 - ASPHALT TESTING
 - AGGREGATE GRADATION TESTS - ONE PER EACH 300 TONNES OF PRODUCTION (MINIMUM ONE PER DAY DURING ASPHALT PLACEMENT).
 - MARSHALL TEST - THREE BROUQUETTES FOR EVERY 300 TONNES OF PRODUCTION (MINIMUM ONCE PER DAY DURING ASPHALT PLACEMENT)
 - COMPACTION - ONE CORE FOR EACH 500 SQ. M.

- 7. TRENCHING, EXCAVATING AND BACKFILLING**
- EXISTING UTILITIES SHOWN ARE AS PER MUNICIPAL RECORDS. THE CONTRACTOR SHALL EXPOSE ALL CROSSINGS PRIOR TO COMMENCING CONSTRUCTION. SHOULD ANY CONFLICT OR DISCREPANCIES ARISE, THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY.
 - CONTRACTOR TO OBTAIN PERMIT PRIOR TO DEPOSIT OR REMOVAL OF MATERIALS ON THIS SITE.
 - ALL SERVICES SHALL BE INSPECTED BY THE ENGINEER AND/OR MUNICIPAL INSPECTOR PRIOR TO BACKFILLING.
 - CONTRACTOR TO ENSURE EXISTING SERVICES REMAIN IN SERVICE DURING CONSTRUCTION.

- B. WATER**
- ALL PIPE BEDDING AS PER MMCD STANDARD DETAIL DRAWING G4.
 - CONSTRUCTION SHALL NOT PROCEED WITHOUT FIRST OBTAINING CONSTRUCTION APPROVAL.
 - CONTRACTOR SHALL BE REGISTERED WITH WORK SAFE BC.
 - WATER MAINS TO BE DUCTILE IRON PRESSURE CLASS 350 TO AWWA C151 OR PVC PC 235 TO AWWA C900.
 - CONTRACTOR SHALL CONDUCT PRESSURE TEST IN ACCORDANCE WITH CRD WATER SERVICES ENGINEERING SPECIFICATIONS AND IN THE PRESENCE OF CRD PERSONNEL AND CONSULTING ENGINEER.
 - ALL PRIVATE DOMESTIC WATERWORKS CONSTRUCTION, TESTING AND MATERIALS TO BE IN ACCORDANCE WITH THE LATEST BC PLUMBING CODE SPECIFICATIONS (SECTION 2.3.7.2). PRIVATE WATERMAIN SYSTEMS SHALL BE WATER PRESSURE TESTED AT 150 PSI FOR 2 HOURS WITH NO MEASURABLE LEAKAGE.
 - ALL FIRE SYSTEM WATERWORKS CONSTRUCTION, TESTING AND MATERIALS TO BE IN ACCORDANCE WITH NFPA STANDARDS. PRIVATE FIRE WATER SYSTEMS SHALL BE WATER PRESSURE TESTED AT 200 PSI OR 1.5 TIMES THE WORKING PRESSURE FOR 2 HOURS WITH NO MEASURABLE LEAKAGE.
 - WATER MAINS TO BE DUCTILE IRON PRESSURE CLASS 350 TO AWWA C151 OR PVC PC 235 TO AWWA C900.
 - CONTRACTOR SHALL FLUSH AND DISINFECT WATER MAINS IN ACCORDANCE WITH AWWA STANDARDS AND AS APPROVED BY CRD. WATER SAMPLES FOR HEALTH TESTS TO BE COLLECTED AND PROCESSED BY CRD. WATERWORKS TO BE TESTED.
 - PROVIDE A MINIMUM OF 0.9m COVER FOR WATER MAINS.
 - WATER MAINS SHALL BE MARKED BELOW GRADE USING A METALLIC DETECTABLE REINFORCED UNDERGROUND UTILITY MARKING TAPE. THE TAPE SHALL BE MINIMUM 150mm WIDE, METALLIC BLUE IN COLOUR AND SHALL BE MARKED "CAUTION: WATER LINE BURIED BELOW". THE TAPE IS TO BE INSTALLED ON TOP OF THE PIPE CUSHION, A MINIMUM OF 300mm ABOVE THE TOP OF THE PIPE. MARKING TAPE SHALL BE "THORTEC" OR APPROVED EQUAL.
 - A MINIMUM OF 3.0m HORIZONTAL CLEAR SEPARATION AND 450mm CLEAR VERTICAL SEPARATION SHALL BE MAINTAINED BETWEEN WATER MAINS AND ALL SANITARY SEWERS/SERVICES AND DRAIN SEWERS/SERVICES EXCEPT WHERE NOTED AND APPROVED BY THE CRD WATER SERVICES. SANITARY SEWER MAINS SHALL NOT CROSS OVER WATER MAINS. FOR A SANITARY FORCEMAIN, WHERE THE ABOVE-NOTED SEPARATIONS CAN NOT BE ACHIEVED, THE FORCEMAIN SHALL BE GASKETED PIPE PRESSURE RATED PIPE WITH A MINIMUM DR (DIMENSION RATIO) OF 28.
 - CHLORINE SOLUTIONS SHALL BE NEUTRALIZED IN ACCORDANCE WITH THE MINISTRY OF ENVIRONMENT AND DEPARTMENT OF FISHERIES & OCEANS CANADA PRIOR TO DISCHARGE TO ANY DRAINAGE COURSE.
 - ALL FIRE HYDRANTS SHALL BE EQUIPPED WITH A 4" STORZ QUICK CONNECTOR PUMPER NOZZLES ON THE PUMPER PORT.
- 9. SEWER AND DRAIN**
- ALL PIPE BEDDING AS PER MMCD STANDARD DETAIL DRAWING G4.
 - ALL DRAIN AND SEWER MAINS SHALL BE PVC SDR 35 UNLESS NOTED OTHERWISE.
 - ALL DRAIN AND SEWER SERVICES SHALL BE PVC SDR 28 UNLESS NOTED OTHERWISE.
- 10. GAS**
- CALL BC ONE CALL MINIMUM 72 HOURS PRIOR TO EXCAVATION 1-800-474-6886.

- DETAILED CONSTRUCTION NOTES:**
- CITY OF VICTORIA CREWS TO INSTALL NEW 100mm SANITARY AND STORM SERVICES COMPLETE WITH INSPECTION CHAMBERS ON PROPERTY LINE AT DEVELOPERS EXPENSE.
 - CITY OF VICTORIA CREWS TO CAP AND ABANDON EXISTING DRAIN AND SANITARY SERVICE AT DEVELOPERS EXPENSE.
 - CITY OF VICTORIA TO INSTALL NEW 25mm WATER SERVICE TO PROPERTY LINE AT DEVELOPERS EXPENSE.
 - CITY OF VICTORIA CREWS TO CAP AND ABANDON EXISTING 19mm WATER SERVICE AT DEVELOPERS EXPENSE.
 - PROPOSED OVERHEAD HYDRO, TELUS AND SHAW SERVICE. CONTRACTOR TO COORDINATE WITH BC HYDRO AND COMMUNICATIONS PROVIDERS AT BUILDING PERMIT STAGE.
 - FORTIS BC CREWS TO INSTALL NEW GAS SERVICING. GAS SERVICE INSTALLATION TO BE COMPLETED AT BUILDING PERMIT STAGE.
 - CONTRACTOR TO INSTALL NEW 3.5m DRIVEWAY COMPLETE WITH 1.5m FLARES AS PER CITY OF VICTORIA SD C70. PROPOSED DRIVEWAY TO BE 1.2m (MINIMUM) FROM EXISTING UTILITY POLE.
 - CONTRACTOR TO REMOVE EXISTING DRIVEWAY AND REINSTATE WITH TOPSOIL AND SEED AS REQUIRED.
 - CONTRACTOR TO UPGRADE MONTGOMERY AVENUE ROAD FRONTAGE WITH NEW 1.8m SIDEWALK, BOULEVARD, NEW CURB/GUTTER, AND ASPHALT RESTORATION TO CENTERLINE AS REQUIRED.
 - CONTRACTOR TO UPGRADE DESPARD AVENUE ROAD FRONTAGE WITH NEW 1.5m SIDEWALK, BOULEVARD, 3.90m WIDE LANE, AND ASPHALT RESTORATION AS REQUIRED.
 - CITY OF VICTORIA CREWS TO PROVIDE CATCH BASIN LEAD STUB. CONTRACTOR TO INSTALL NEW OFFSET CATCH BASIN AND CATCH BASIN LEAD COMPLETE WITH MANHOLE AS PER CITY OF VICTORIA SD11C.
 - PROPOSED 1.38m ROAD DEDICATION. SEE LEGAL PLANS FOR DETAILS.
 - CONTRACTOR TO COORDINATE WITH ARBORIST TO INSTALL TREE PROTECTION FENCING AS PER CITY OF VICTORIA STANDARDS. SEE ARBORIST REPORT FOR DETAILS.
 - CONTRACTOR TO EXPOSE EXISTING WATER, SANITARY AND STORM SERVICES AND TRANSFER TO NEW SERVICING AS REQUIRED. ALL WORKS TO BE UNDER SUPERVISION AND GUIDANCE BY DEVELOPERS ARBORIST.
 - CONTRACTOR TO INSTALL 100mm STORM AND SANITARY SERVICES COMPLETE WITH CLEANOUTS TO LOT A AT A MINIMUM OF 1.0% AS PER BCPC STANDARDS.
 - FUTURE ASPHALT DRIVEWAY GRADING TO DIRECT DRAINAGE EAST AWAY FROM BUILDING, OR BE EQUIPPED WITH TRENCH DRAIN.
 - BOULEVARD TO BE RESTORED WITH SOIL AND SEED AS PER CANADIAN LANDSCAPE STANDARD.
 - CONTRACTOR TO INSTALL PROPOSED TRENCH DRAIN AND CONNECT TO LOT B STORM SERVICE ON-SITE. CLEANOUTS REQUIRED AS PER BC PLUMBING CODE.



LEGAL DESCRIPTION: REM. LOT 9, SECTION 88, VICTORIA DISTRICT, PLAN 2664
BENCHMARK: MONUMENT 918375
ELEV. 22.551m

ISSUED FOR CONSTRUCTION

PLAN - SITE
H 1:250



NO.	DESCRIPTION	YYYYMMDD	DE	DA	CK	NO.	DESCRIPTION	YYYYMMDD	DE	DA	CK	REVISION	
2	ISSUED FOR CONSTRUCTION	20231020	MP	JA	AM								
1	ISSUED FOR APPROVAL	20230817	MP	JA	AM								

LEGEND

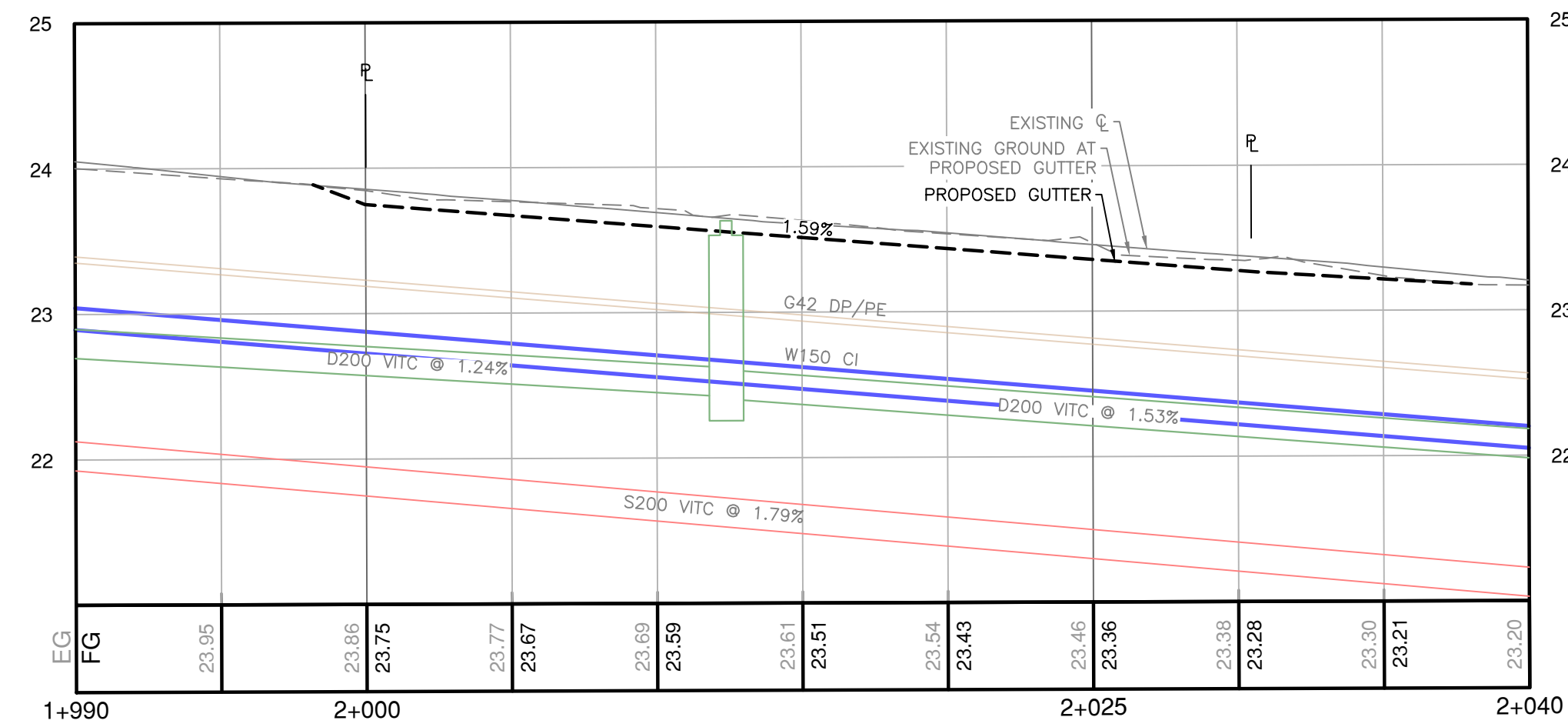
LAMP STANDARD	LS	CLEANOUT		DITCH	
POLE(Hydro, Tel.)	PP	CATCHBASIN		METER	
U/G WIRING	UE	MANHOLE		FLUSH VALVE	
GAS	G	SERVICE RISER		VALVE	
WATER	W	MOUNTABLE CURB	MC	REDUCER	
SEWER	S	NON-MOUNT. CURB	NMC	HYDRANT	
DRAIN	D	EDGE ASPHALT		AIR VALVE	

JEA J E ANDERSON & ASSOCIATES
SURVEYORS - ENGINEERS
VICTORIA NANAIMO PARKSVILLE CAMPBELL RIVER
PHONE: 250-727-2214 info@jeanderson.com

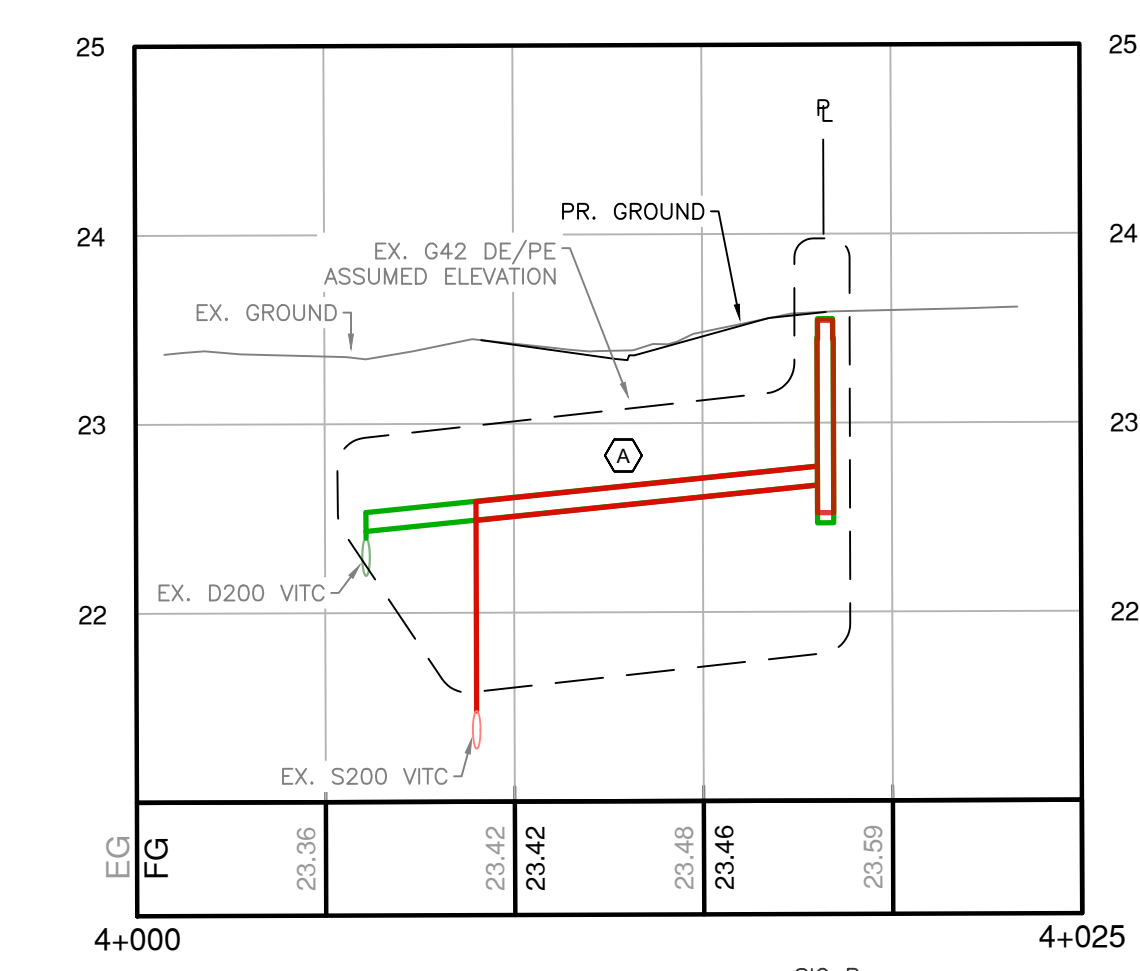
JURISDICTION: CITY OF VICTORIA
CLIENT: TURNBULL DEVELOPMENT GROUP
PROJECT: 1540 DESPARD AVENUE
SITE SERVICING PLAN, NOTES & KEY PLAN
34152 01 C1
ENGINEERS SEAL: MUN. FILE BP058441, BP058442, SHEET 1 OF 4

V:\Projects\34152 - Engineering\02 - Drawings & Sketches (Eng)\34152 Design.dwg Plot Date: October 20, 2023

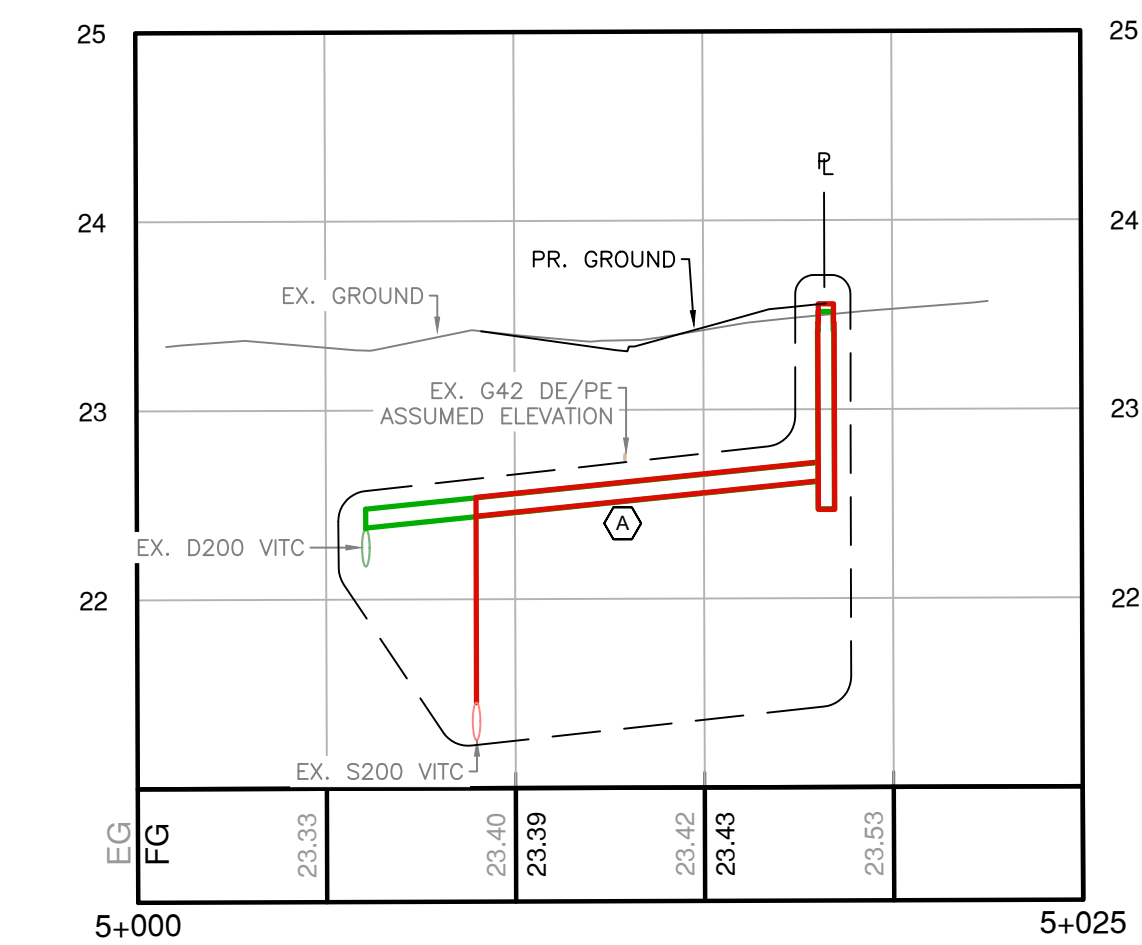
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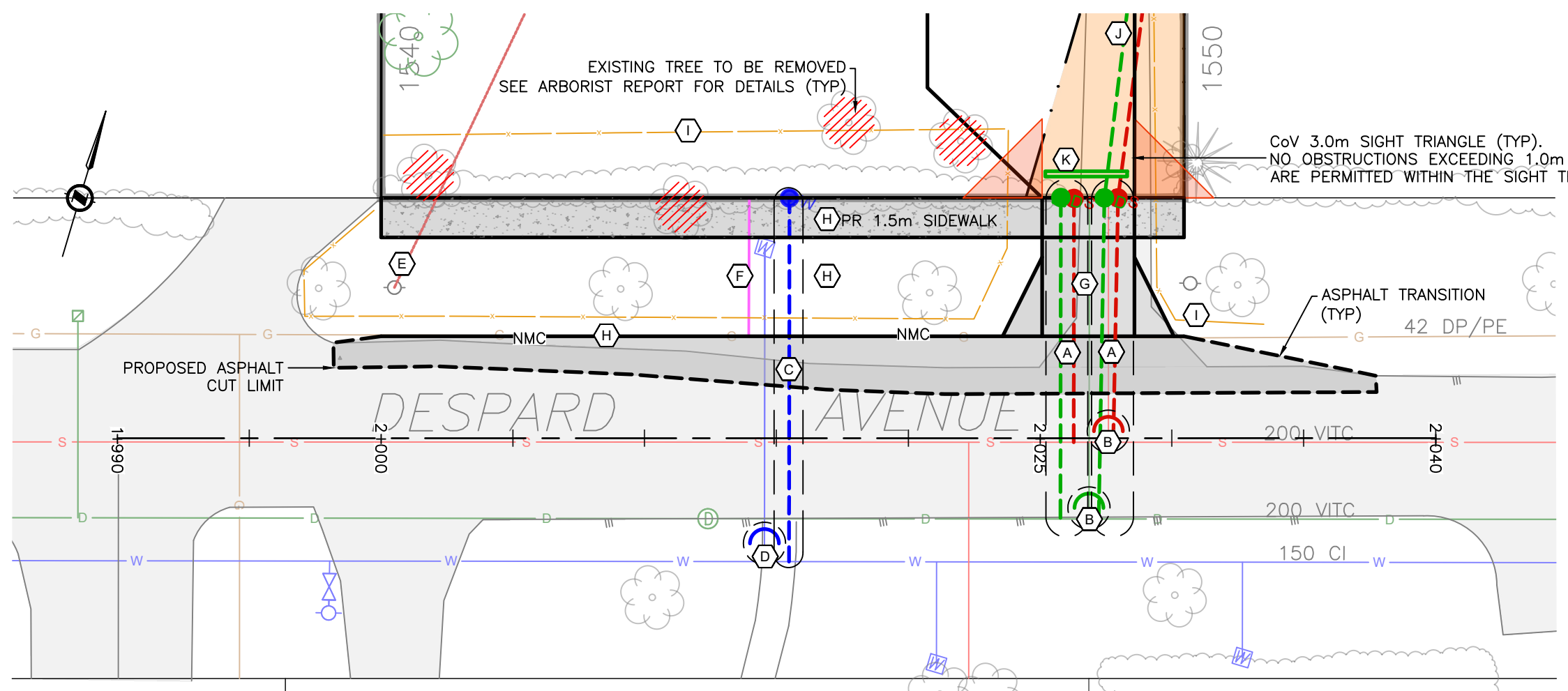
PROFILE - DESPARD AVENUE
H 1:200
V 1:40



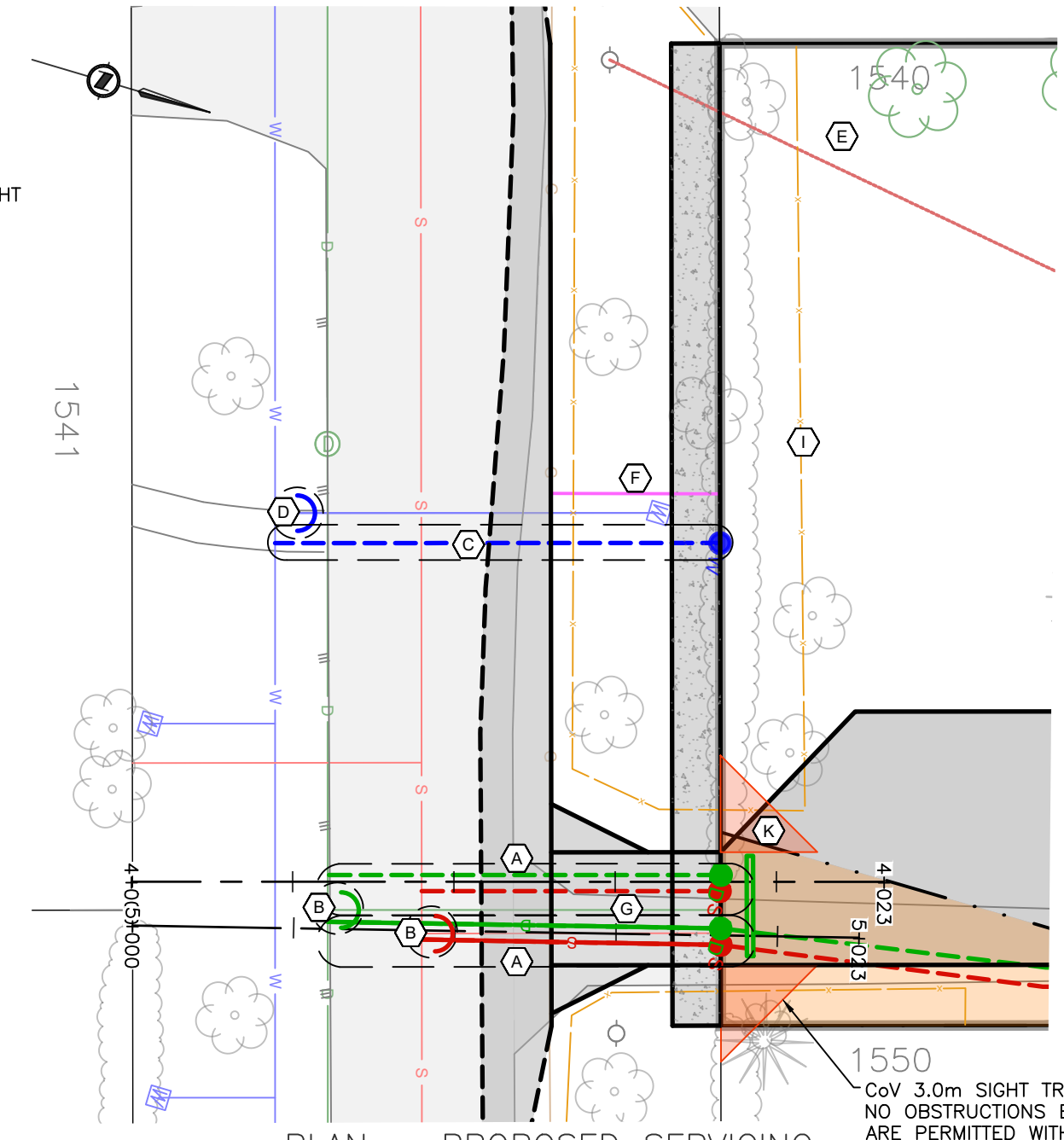
PROFILE - PROPOSED SERVICING
LOT B
H 1:200
V 1:40



PROFILE - PROPOSED SERVICING
LOT A
H 1:200
V 1:40



PLAN - DESPARD AVENUE
H 1:200



PLAN - PROPOSED SERVICING
H 1:200

DETAILED CONSTRUCTION NOTES:

- (A) CITY OF VICTORIA CREWS TO INSTALL NEW 100mm SANITARY AND STORM SERVICES COMPLETE WITH INSPECTION CHAMBERS ON PROPERTY LINE AT DEVELOPERS EXPENSE.
- (B) CITY OF VICTORIA CREWS TO CAP AND ABANDON EXISTING DRAIN AND SANITARY SERVICE AT DEVELOPERS EXPENSE.
- (C) CITY OF VICTORIA TO INSTALL NEW 25mm WATER SERVICE TO PROPERTY LINE AT DEVELOPERS EXPENSE.
- (D) CITY OF VICTORIA CREWS TO CAP AND ABANDON EXISTING 19mm WATER SERVICE AT DEVELOPERS EXPENSE.
- (E) PROPOSED OVERHEAD HYDRO, TELUS AND SHAW SERVICE. CONTRACTOR TO COORDINATE WITH BC HYDRO AND COMMUNICATIONS PROVIDERS AT BUILDING PERMIT STAGE.
- (F) FORTIS BC CREWS TO INSTALL NEW GAS SERVICING. GAS SERVICE INSTALLATION TO BE COMPLETED AT BUILDING PERMIT STAGE.
- (G) CONTRACTOR TO INSTALL NEW 3.5m DRIVEWAY COMPLETE WITH 1.5m FLARES AS PER CITY OF VICTORIA SD C7a. PROPOSED DRIVEWAY TO BE 1.2m (MINIMUM) FROM EXISTING UTILITY POLE.
- (H) CONTRACTOR TO UPGRADE DESPARD AVENUE ROAD FRONTAGE WITH NEW 1.5m SIDEWALK, BOULEVARD, 3.90m WIDE LANE, AND ASPHALT RESTORATION AS REQUIRED. BOULEVARD TO BE RESTORED WITH SOIL AND SEED AS PER CANADIAN LANDSCAPE STANDARD AS REQUIRED.
- (I) CONTRACTOR TO COORDINATE WITH ARBORIST TO INSTALL TREE PROTECTION FENCING AS PER CITY OF VICTORIA STANDARDS. SEE ARBORIST REPORT FOR DETAILS.
- (J) CONTRACTOR TO INSTALL 100mm STORM AND SANITARY SERVICES COMPLETE WITH CLEANOUTS TO LOT A AT A MINIMUM OF 1.0% AS PER BC PLUMBING CODE STANDARDS.
- (K) CONTRACTOR TO INSTALL PROPOSED TRENCH DRAIN AND CONNECT TO LOT B STORM SERVICE ON-SITE. CLEANOUTS REQUIRED AS PER BC PLUMBING CODE.

LOT A UNDERGROUND SERVICE INFORMATION

INFORMATION IS AT PROPERTY LINE	STORM DRAIN	SANITARY SEWER
PROPOSED DEPTH (m)	0.92m	0.92m
PROPOSED INVERT ELEVATION (m)	22.62	22.62
MAXIMUM DEPTH REQUESTED	YES	NO

LOT B UNDERGROUND SERVICE INFORMATION

INFORMATION IS AT PROPERTY LINE	STORM DRAIN	SANITARY SEWER
PROPOSED DEPTH (m)	0.93m	0.93m
PROPOSED INVERT ELEVATION (m)	22.67	22.67
MAXIMUM DEPTH REQUESTED	YES	NO

ISSUED FOR CONSTRUCTION



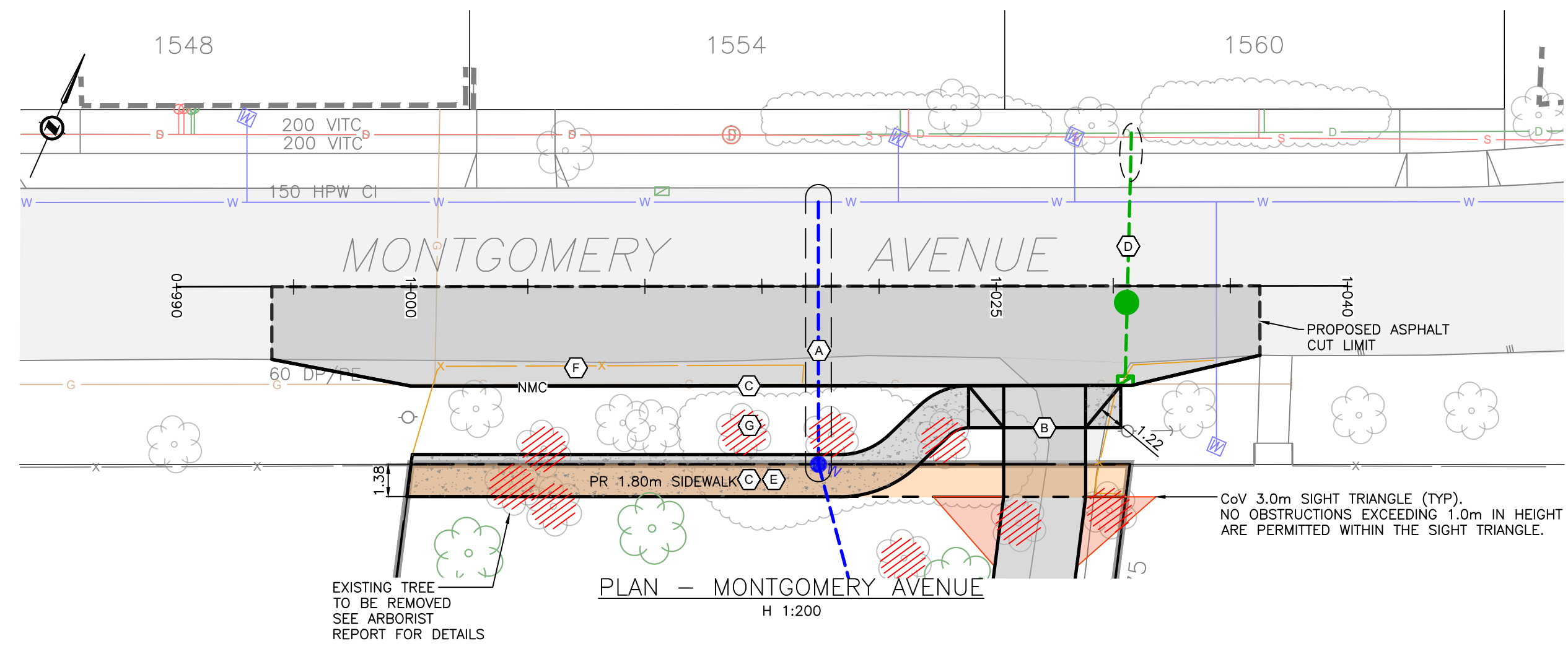
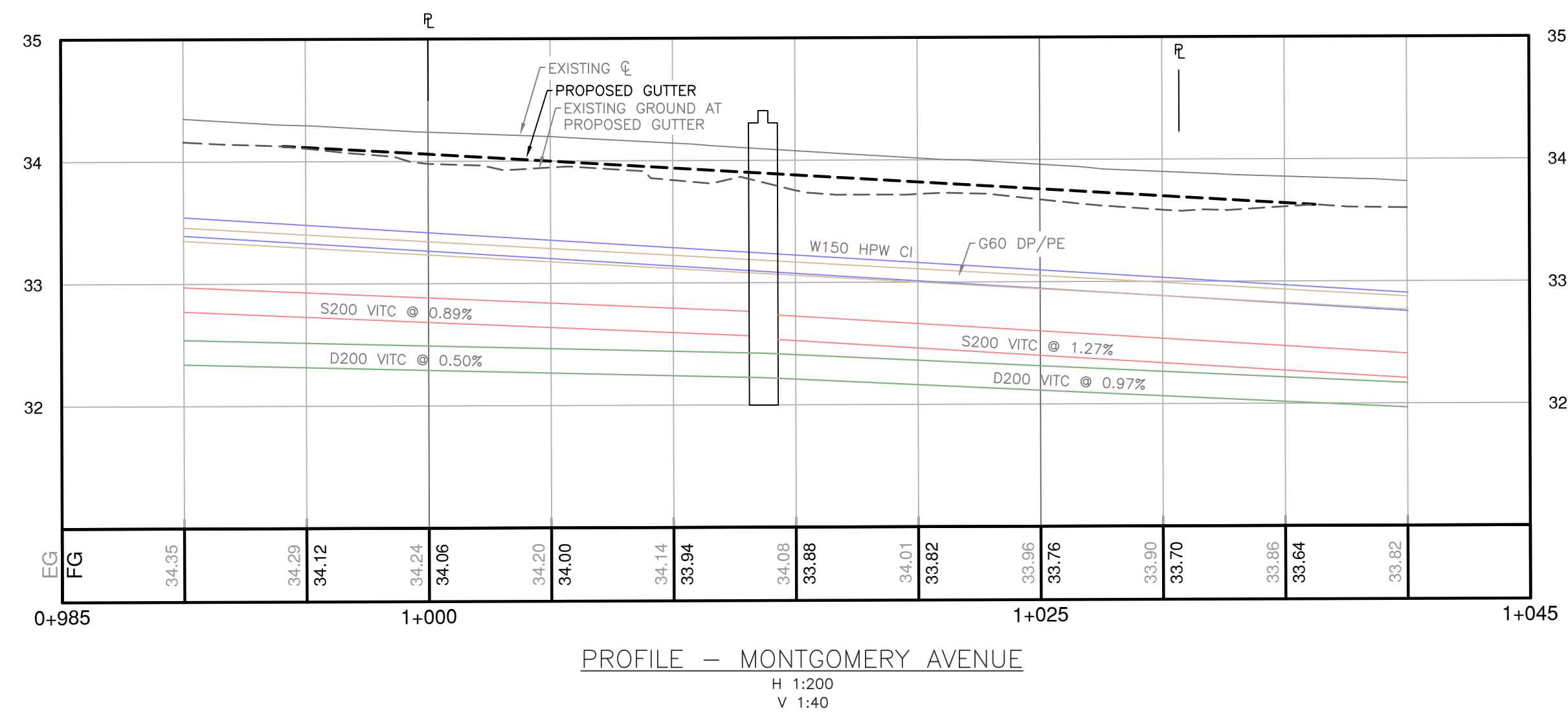
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DRAIN	D
CLEANOUT	CS
CATCHBASIN	CB
MANHOLE	MH
SERVICE RISER	SR
MOUNTABLE CURB	MC
NON-MOUNT. CURB	NMC
EDGE ASPHALT	EA
DITCH	DI
METER	M
FLUSH VALVE	FV
VALVE	V
REDUCER	R
HYDRANT	H
AIR VALVE	AV

JEA J E ANDERSON & ASSOCIATES
SURVEYORS - ENGINEERS
VICTORIA NANAIMO PARKSVILLE CAMPBELL RIVER
PHONE: 250-727-2214 info@jeanderson.com

JURISDICTION: CITY OF VICTORIA
CLIENT: TURNBULL DEVELOPMENT GROUP
PROJECT: 1540 DESPARD AVENUE
DESPARD AVENUE PLAN & PROFILE, PROPOSED SERVICING FOR LOT A & LOT B
34152 01 C2
ENGINEERS SEAL: MUN. FILE SHEET 2 OF 4

V:\Projects\34152 - Turnbull Devel. - 1540 Despard\07 - Engineering\02 - Drawings & Sketches (Eng)\34152 Design.dwg Plot Date: October 20, 2023



DETAILED CONSTRUCTION NOTES:

- (A) CITY OF VICTORIA TO INSTALL NEW 25mm WATER SERVICE TO PROPERTY LINE AT DEVELOPERS EXPENSE.
- (B) CONTRACTOR TO INSTALL NEW 3.5m DRIVEWAY COMPLETE WITH 1.5m FLARES AS PER CITY OF VICTORIA SD C7g. PROPOSED DRIVEWAY TO BE 1.2m (MINIMUM) FROM EXISTING UTILITY POLE.
- (C) CONTRACTOR TO UPGRADE MONTGOMERY AVENUE ROAD FRONTAGE WITH NEW 1.8m SIDEWALK, BOULEVARD, NEW CURB/GUTTER, AND ASPHALT RESTORATION TO CENTERLINE AS REQUIRED.
- (D) CITY OF VICTORIA CREWS TO PROVIDE CATCH BASIN LEAD STUB. CONTRACTOR TO INSTALL NEW OFFSET CATCH BASIN AND CATCH BASIN LEAD COMPLETE WITH MANHOLE AS PER CITY OF VICTORIA SD11c.
- (E) PROPOSED 1.38m ROAD DEDICATION. SEE LEGAL PLANS FOR DETAILS.
- (F) CONTRACTOR TO COORDINATE WITH ARBORIST TO INSTALL TREE PROTECTION FENCING AS PER CITY OF VICTORIA STANDARDS. SEE ARBORIST REPORT FOR DETAILS.
- (G) BOULEVARD TO BE RESTORED WITH SOIL AND SEED AS PER CANADIAN LANDSCAPE STANDARD.

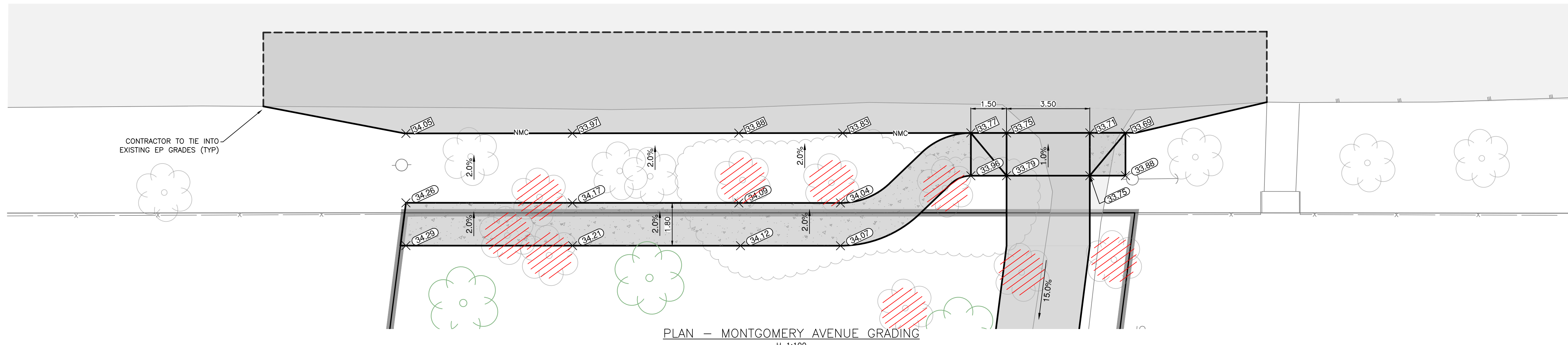
ISSUED FOR CONSTRUCTION

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1	ISSUED FOR APPROVAL	20230817	MP	JA	AM						

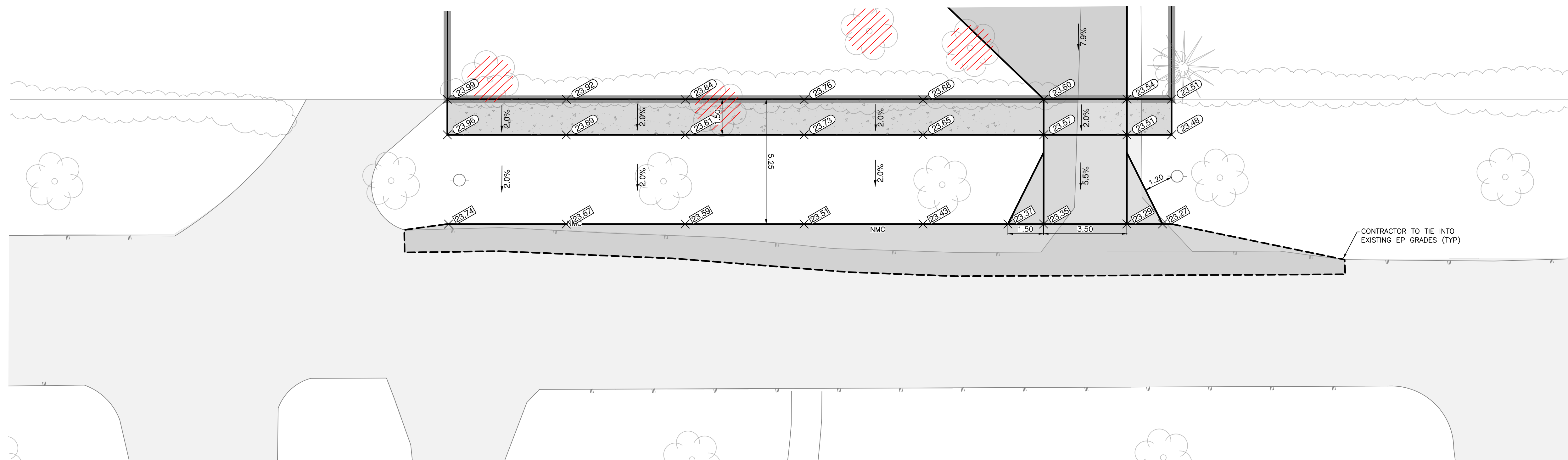
LEGEND	
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AIR VALVE	AV

J E ANDERSON & ASSOCIATES
SURVEYORS - ENGINEERS
VICTORIA NANAIMO PARKSVILLE CAMPBELL RIVER
PHONE: 250-727-2214 info@jeanderson.com

JURISDICTION: CITY OF VICTORIA
CLIENT: TURNBULL DEVELOPMENT GROUP
PROJECT: 1540 DESPARD AVENUE MONTGOMERY AVENUE PLAN & PROFILE
34152 01 C3
ENGINEERS SEAL: MUN. FILE SHEET 3 OF 4



PLAN - MONTGOMERY AVENUE GRADING
H 1:100



PLAN - DESPARD AVENUE GRADING
H 1:100

✕ 20.00 PROPOSED SIDEWALK ELEVATION
 ✕ 20.00 PROPOSED EDGE OF PAVEMENT (EP) & GUTTER ELEVATION

ISSUED FOR CONSTRUCTION



ISSUED				REVISION			
NO.	DESCRIPTION	DATE	BY	NO.	DESCRIPTION	DATE	BY
2	ISSUED FOR CONSTRUCTION	20231020	MP JA AM				
1	ISSUED FOR APPROVAL	20230817	MP AM JA				

LEGEND	
LAMP STANDARD	LS
POLE (Hydro, Tel.)	PP
U/G WIRING	UE
GAS	G
WATER	W
SEWER	S
DRAIN	D
CLEANOUT	C
CATCHBASIN	CB
MANHOLE	M
SERVICE RISER	R
MOUNTABLE CURB	MC
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DITCH	D
METER	M
FLUSH VALVE	FV
VALVE	V
REDUCER	R
HYDRANT	H
AIR VALVE	AV

JEA J E ANDERSON & ASSOCIATES
 SURVEYORS - ENGINEERS
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 PHONE: 250-727-2214 info@jeanderson.com

JURISDICTION
 CITY OF VICTORIA

CLIENT TURNBULL DEVELOPMENT GROUP
 PROJECT 1540 DESPARD AVENUE
 DESPARD AVENUE AND MONTGOMERY AVENUE
 GRADING PLAN
 34152 01 C4
 ENGINEERS SEAL MUN. FILE SHEET 4 OF 4

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Committee of the Whole Report For the Meeting of November 7, 2024

To: Committee of the Whole **Date:** October 22, 2024
From: William Doyle, Acting Director, Engineering and Public Works
Subject: Development Variance Permit Application No. 00263 for 1535 & 1537 Despard Avenue

RECOMMENDATION

That Council authorize the issuance of Development Variance Permit Application No. 00263 for 1535 & 1537 Despard Avenue, in accordance with:

- a) Subdivision file SUB00418 (Subdivision of 1535/37 Despard Avenue).
- b) Offsite civil plans date stamped June 22, 2021.
- c) Development meeting all *Victoria Subdivision and Development Servicing Bylaw* requirements, except for the following variance:
 - 1) Remove the requirement to *construct the required frontage* improvements as described within the *Victoria Subdivision and Development Servicing Bylaw*.
- d) Provision of \$17,285 security equivalent to the costs of installing frontage improvements. The \$17,285 would be applied to frontage improvements on Despard Avenue when capital projects for street improvements occur on these streets.
- e) The Development Variance Permit, if issued, expires two years from the date of this resolution.

Enabling Legislation

In accordance with Section 498 of the *Local Government Act (LGA)*, Council may consider and issue a Development Variance Permit that varies a Subdivision and Development Bylaw (s. 498 (1)(a)(ii) LGA) provided the permit does not vary the use or density of land from that specified in the bylaw or residential rental tenure. This consideration does not vary use or density.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council approval for a variance to the *Victoria Subdivision and Development Servicing Bylaw No. 12-042*, specifically to remove the requirement for the developer to construct improvements along the frontage of the development.

In lieu of constructing frontage improvements as noted in the *Victoria Subdivision and Development Servicing Bylaw*, the developer has offered an equivalent cash payment of \$17,285. This amount has been determined based on a design and estimate provided by the Civil Engineer engaged for this project. The proposed works and their value have been reviewed by City staff and deemed satisfactory.

These funds will be allocated for future improvements along the property frontages, specifically for Despard Avenue.

The implementation of these improvements will occur following further consultation with area residents and will be integrated with a future capital works program.

Signage regarding the variance has been posted and notifications distributed. Should staff receive any communications concerning the variance, staff will bring that forward to the meeting of Council.

Staff recommend that Council approve the consideration of this variance. Approving this request will allow for flexibility in the future use of the cash-in-lieu payment, ensuring that funds are effectively utilized for frontage improvements in conjunction with resident input and capital planning.

Respectfully submitted,

Brent Molnar
Supervisor, Land Development

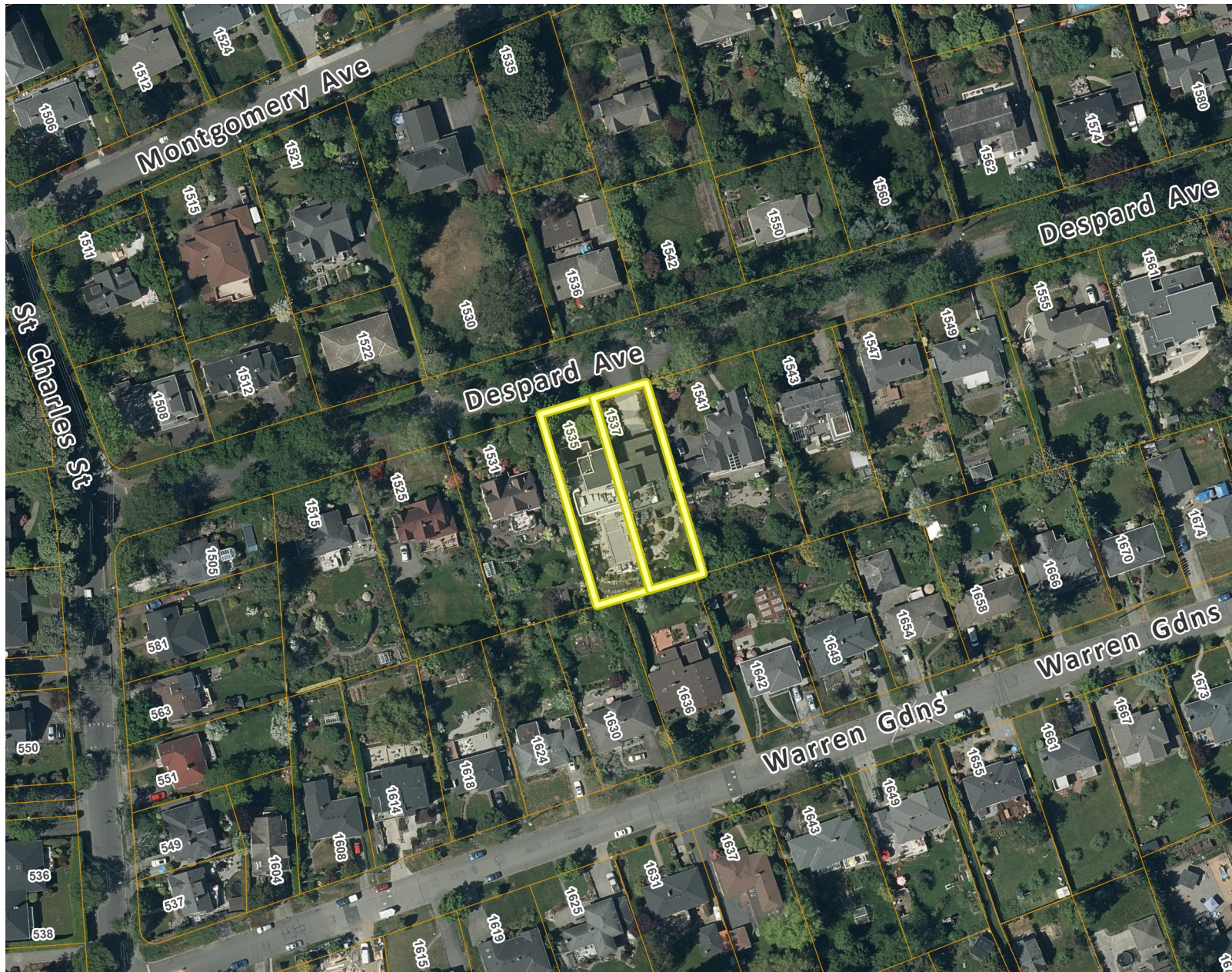
William Doyle
Acting Director, Engineering and Public Works

Report accepted and recommended by the City Manager.





List of Attachments

- Appendix A 1535 - 37 Despard Location Plan
- Appendix B Plan of Subdivision SUB00418
- Appendix C Photos - Despard Avenue - Existing Frontage
- Appendix D Design for which cash contribution is based

Location Plan 1535/37 Despard Ave



Legend

-  City Boundary
-  Parcels (Folio based)
-  Parcels (PID based)
-  Esquimalt Parcels

1: 1,600



Notes

1535 & 1537 Despard Ave



NAD_1983_CSRS_UTM_Zone_10N

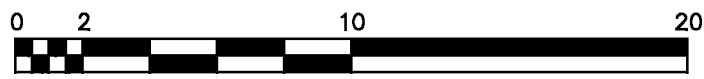
Public domain: can be freely printed, copied and distributed without permission.

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

Subdivision Plan of Lot A, Section 68, Victoria District, Plan EPP124000

PLAN EPP124001

BCGS 92B.044



All distances are shown in metres.

The intended plot size of this plan is 432mm in width by 560mm in height (C size) when plotted at a scale of 1:225.

LEGEND

Integrated Survey Area No. 17, City of Victoria, NAD83(CSRS)3.0.0.BC.1.CRD.

Grid bearings are derived from geodetic control monuments 10-65 and 10-110 and are referred to the central meridian of UTM Zone 10.

The UTM coordinates and estimated absolute accuracy achieved are derived from the MASCOT published coordinates and standard deviations for the geodetic control monuments 10-65 and 10-110.

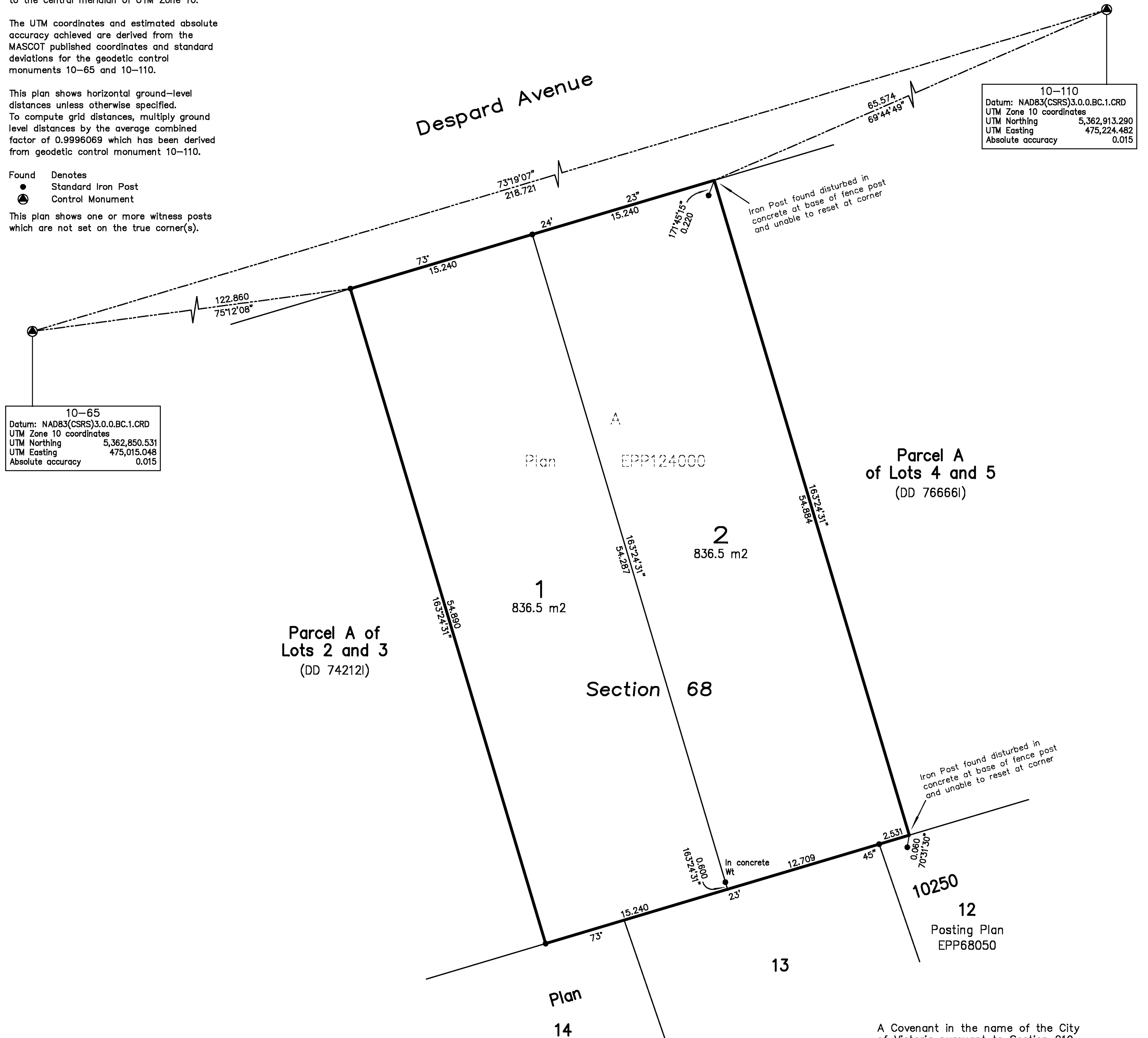
This plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances, multiply ground level distances by the average combined factor of 0.9996069 which has been derived from geodetic control monument 10-110.

Found Denotes
 ● Standard Iron Post
 ⊙ Control Monument

This plan shows one or more witness posts which are not set on the true corner(s).

10-65	
Datum:	NAD83(CSRS)3.0.0.BC.1.CRD
UTM Zone 10 coordinates	
UTM Northing	5,362,850.531
UTM Easting	475,015.048
Absolute accuracy	0.015

10-110	
Datum:	NAD83(CSRS)3.0.0.BC.1.CRD
UTM Zone 10 coordinates	
UTM Northing	5,362,913.290
UTM Easting	475,224.482
Absolute accuracy	0.015



**Parcel A
of Lots 4 and 5**
(DD 766661)

**Parcel A of
Lots 2 and 3**
(DD 742121)

A Covenant in the name of the City of Victoria pursuant to Section 219 of the Land Title Act is a condition of approval for this subdivision.

This plan lies within the jurisdiction of the Approving Officer for the City of Victoria.

This plan lies within the Capital Regional District.

The field survey represented by this plan was completed on the 12th day of September, 2022. Scott T. Pearce, BCLS 951

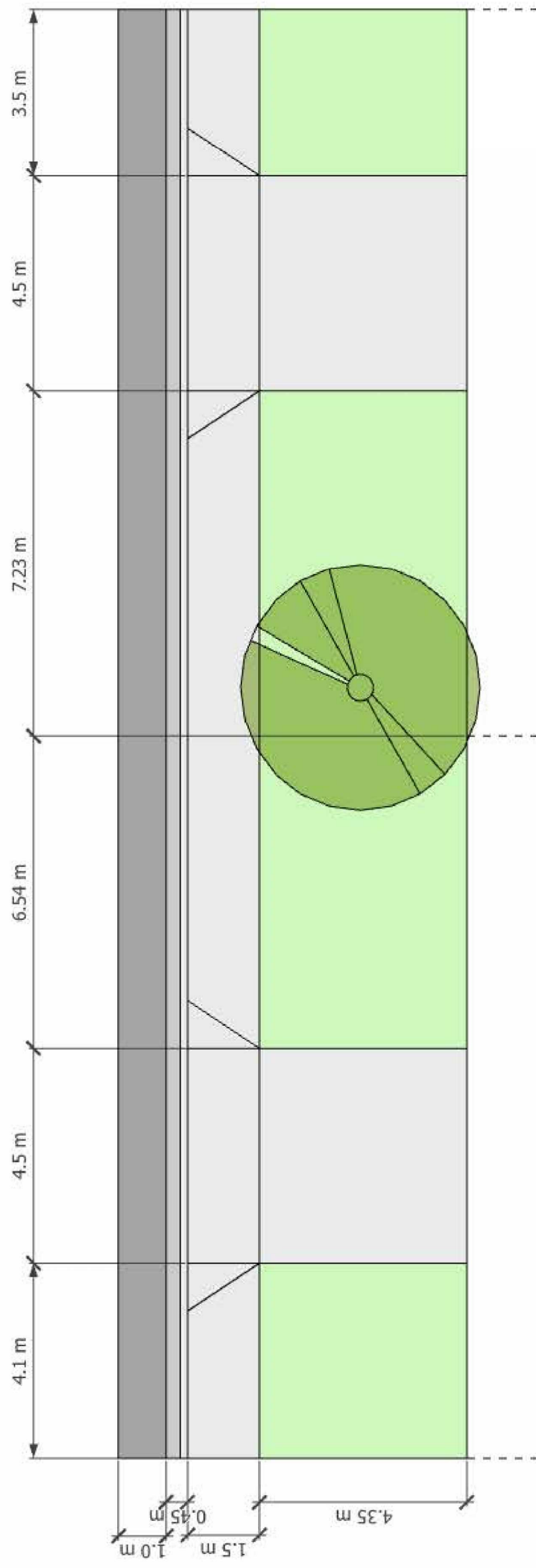
File	10,705 - 10
Drawing	0705 SUB PLAN
POWELL & ASSOCIATES B C Land Surveyors 250-2950 Douglas Street Victoria, BC V8T 4N4 Phone: (250) 382-8855	

1535/37 Despard Ave - Looking West



1535/37 Despard Ave - Looking East





On October 10, 2024, Council directed staff to report on the City resources associated with hosting Touchdown Pacific 2024.

ISSUES & ANALYSIS

The Touchdown Pacific event was unique and complex in comparison to recent events hosted at the City's stadium. The event offered several benefits to community members and partners. However, there were also impacts and risks that required mitigation.

The summary below is intended to provide information on several of the key aspects of the event, along with details relating to experiences that will inform the planning of future events of a similar nature.

Planning Process

The Touchdown Pacific event was a late addition to the City's workplan when it was announced in the fall of 2023. The planning process commenced in early 2024 with extensive efforts to define the scope for the parties involved. This was a similar approach to the preparations for the last major sport event hosted at RAP, the 2007 FIFA U20 World Cup. However, in the previous instance the organizers and staff had roughly two years to work through all the technical details and resource planning.

Staff were aware of the importance of clarifying the requirements for Touchdown Pacific as quickly as possible to ensure the facility was prepared in time. The Manager of Recreation Services was asked to play a lead coordination role given his detailed knowledge of the stadium, experience supporting major events and understanding of City operations. While maintaining his existing responsibilities, this manager facilitated discussions and decisions with partner representatives, colleagues, and other external parties between December 2023 and September 2024.

Stadium Preparation

Two major areas of planning were required to ensure the playing field, and the facility were able to meet the specifications from the BC Lions and CFL. It was determined that the City would retain primary responsibility for preparing the field, and the parties would collaborate on infrastructure adjustments, with the BC Lions taking the lead on all temporary structures.

The playing field at RAP has been utilized for a wide range of cultural, recreational, and sport activities over the decades. While the field is functional for many uses, it is not maintained at the standard required for professional football. Following detailed analysis of the existing condition, desired outcomes, and potential options, staff developed a turf management plan and began implementation of maintenance adjustments in March.

The stadium's permanent seating accommodates approximately 4,000. The target capacity for spectators was set at 14,000 by the BC Lions. This key detail helped to inform the overall site plan, including locations of temporary spectator space, food and beverage stations, portable toilets, and access points.

In the spring, staff determined that the full three weeks between the end of the HarbourCats season and the football game were required to set up the temporary grandstands and to convert the baseball diamond into the football field footprint. This was an unexpected and unfortunate consequence of the plan that resulted in the Victoria HarbourCats using a facility in Nanaimo for their playoff game in

mid-August.

The temporary build-out plan was developed collaboratively between City staff, representatives of the BC Lions, and CFL personnel. The BC Lions procured temporary grandstands for the north side of the property, infrastructure to support spectator zones on the east and west ends, additional concessions, amenities for ticket holders and team personnel, as well as media broadcasting structures.

During the process of inspecting and preparing the facility, staff noted several opportunities to improve safety and functionality within the aging stadium. As a result, the City advanced various minor projects to align with the event, rather than wait for a future date. For example, damaged surfaces in high traffic areas were repaired, technical assessments were completed, aging equipment (eg. concessions) was replaced and cosmetic issues (eg. painting) were addressed. These one-time investments helped to enhance the facility for future event organizers and visitors.

The responsibilities for safety and security relating to the event were distributed between the BC Lions, CFL, and the City. The City coordinated with Victoria Police for general oversight of the surrounding neighbourhood, including pedestrian and vehicular traffic routes. The police also liaised with the security team contracted by the BC Lions and CFL within the stadium to support crowd management.

Transportation

Finally, staff explored opportunities to assist patrons traveling to the game and reduce transportation concerns in the area around the stadium. Public communications and direct messages to ticket holders throughout August outlined a range of mobility options.

Below are some of the related usage statistics for August 31.

- ~18% higher than average number of people used the bus services from BC Transit
- City parkades were used approximately 10% more than in 2023
- 350 vehicles parked in the complimentary park-and-ride shuttle service with Wilson's Transportation in Saanich
- 207 bikes were stored in a complimentary bike valet hosted by Capital Bike in Central Park

It is worth noting that while the main event at RAP was the primary focus, City staff also assisted the BC Lions staff in planning a two-day free festival zone at Ship Point and *Watch Party* in Central Park.

Financial Summary

The BC Lions managed the overall budget for the Touchdown Pacific game, which was more than \$2 million. As noted above, the City allocated \$350,000 towards the event costs, through a combination of in-kind and cash contributions. From January to August, staff worked with the BC Lions and CFL representatives to identify the requirements, risks, and opportunities associated with this complex event.

The City categorized investments as either direct, including amounts required for the event, or indirect, which were expenses that supported the visitor experience for this and future stadium events. As outlined in the table below, most of the City's investments related to the field and facility preparations. There were direct expenses which exceeded the original projections, including resources needed for the playing field and facility, as well as costs associated with policing. The City

also generated net revenues of just under \$50,000 from the RAP concession operation.

Description	Total
Field preparation	\$150,000
Facility preparation	\$78,000
Police	\$38,500
Traffic control/transportation	\$15,000
Food/beverage net revenue	(\$47,670)
Direct Costs	\$233,830
Cash to BCL for Event Overhead	\$210,000
Total Cost	\$443,430
Funding:	
In-kind and Cash Commitment	\$350,000
Parks, Recreation and Facilities approved budget	\$93,430
Total Funding	\$443,430

When the event was announced staff estimated the \$350,000 commitment would cover the City’s costs and a portion would be provided as cash to support other event costs managed by the BC Lions. Following discussions with the BC Lions representatives and in consideration of the higher than anticipated costs, staff allocated \$140,000 of in-kind costs to the original \$350,000 commitment and funded the additional in-kind costs through the budget for Parks, Recreation and Facilities.

The indirect costs, including one-time facility repairs/improvements and equipment purchases totaled \$113,000. As noted above, these investments improved the facility for future events and were covered through capital and operating budgets within the approved Financial Plan.

The above information comprises the resource investments related to this major event. However, it does not account for the time spent by all City personnel who helped during the planning or execution of the event. The core planning team was supported by colleagues throughout the organization to ensure that the event was carried out safely and effectively.

Local Impact

One of the primary objectives of the City partnering with the BC Lions to host Touchdown Pacific was to support the local economy and provide a wide range of community benefits. The City also used the event as an opportunity to showcase the potential of RAP and future investments in this public amenity.

Based on the outputs of an assessment conducted by Destination Greater Victoria, the estimated economic impact that resulted from Touchdown Pacific 2024 is approximately \$16 million. The figure is the result of an analysis of direct and indirect inputs, including number of visitors, spending on local products and services, jobs supported, and other factors.

As with any major event, and particularly those hosted at RAP, there can be repercussions for the residents and property owners located in the immediate vicinity of the stadium. In the weeks leading up to August 31, there were temporary traffic disruptions and noise impacts relating to the installation of grandstands and movement of materials and equipment. On the day of the game, traffic control

measures including vehicle restrictions to certain roads were established to safely manage the large number of people who arrived in the neighbourhood in advance and then exited the area in the early evening.

Learnings

Reflections on the experience of planning and co-hosting this major event led staff to identify several opportunities for future reference. One critical area that was highlighted for future improvement relates to project management. The City does not typically (co)host large events of this kind and so special attention must be paid when this model is applied to mitigate potential risks to staff capacity and other City deliverables. The coordination for such a complex first-time event requires a long lead time (*i.e.* ideally 12 months or more), a well-defined scope, and dedicated project team to maximize effectiveness. Additional time and attention are particularly important when working with an aging facility like RAP.

CONCLUSIONS

The event met its primary objectives and set another example of the opportunities for Victoria's public facilities to be used for safe, family friendly, high-quality entertainment. Although the direct investment from the City was higher than anticipated, the event generated a local economic impact of approximately \$16 million. Overall, staff and representatives of the BC Lions, CFL and other partners have assessed Touchdown Pacific 2024 as a successful venture.

Respectfully submitted,

Thomas Soulliere
Deputy City Manager

Report accepted and recommended by the City Manager.



**Council Member Motion
For the Committee of the Whole Meeting of November 7, 2024**

To: Committee of the Whole **Date:** November 1st, 2024
From: Councillor Gardiner
Subject: Downtown businesses and parking

BACKGROUND

Over the past several years, we have heard comments from downtown businesses about the need for parking for their staff and clientele/customers. Comments focussed on loss of parking due to dedicated bike lanes, the dieting of roadways, and the rerouting of traffic.

Following this Council’s significant raise of parking fees, we have heard from business owners of the about the impact of increased parking rates on business employees and customers.

An excerpt from a recent email sent to Councillors speaks to the exodus of businesses from downtown and parking as both a problem and mitigative tool. The writer states: *“This exodus from the city core is not sustainable, and, if not countered, will result in a massive problem for years to come. Some of the reasons for this exodus, being the lower traffic caused by the work from home movement, as well as the high-level of street disorder are not easy to counter at the city level. . . . **Parking is, however.** In the face of all the challenges occurring with the core, to charge additional parking fees for people to come downtown is a puzzling decision. These fees have a very real impact on families and individual’s interest in coming into the core for dinners, events, and shopping. The result is simply lower traffic, which is a further burden on retailers and restaurateurs operating in the core . . . The writer goes on to suggest: **Parking is a small change that can hopefully help business while we sort through the larger issues facing the downtown.**”*

Another person suggests: *“Please consider bringing back free one hour parking or anything to get the good people back to visiting our neighborhood.”*

Last week, at the Mayor’s *Reimagining Inclusive Safety and Wellbeing* conference, a business owner challenged me with a question. **Has the City surveyed the downtown businesses about business parking and street use needs?** While a survey may have been done a few years ago, the reality for downtown businesses since Covid-19 came to our city has changed.

RECOMMENDATION:

That Council direct staff to survey businesses within the Downtown Core Area to assess their parking and street use needs.

Respectfully submitted,

A handwritten signature in blue ink, consisting of a stylized initial 'G' followed by a horizontal line.

Councillor Gardiner

