



REVISED AGENDA - COMMITTEE OF THE WHOLE

Thursday, November 14, 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:

- F.2 - Interim Housing Needs Report
- F.3 - Development Cost Charge Grant Policy for Non-profit Affordable Housing Providers
- F.5 - Freedom of Information and Privacy Bylaw
- H.3 - Council Member Motion: 2025 Budget Input Extension

E. UNFINISHED BUSINESS

E.1 Council Member Motion: Sheltering in Parks and the Parks Regulation Bylaw 1

This item was postponed from the August 1, 2024 Committee of the Whole meeting.

A Council Member Motion requesting a staff recommended approach to sheltering in parks which suggests sanctioned parks and/or areas of parks.

F. STAFF REPORTS

F.1 Progress Report 2 on Provincial Housing Targets 2

A report presenting the second Progress Report on Victoria's Provincial Housing Targets, for the period of October 1, 2023 to September 30, 2024.

F.2 Interim Housing Needs Report 20

A report presenting Council with an Interim Housing Needs Report and seek direction related to transitioning the existing Tenant Assistance Policy to a

Tenant Protections Bylaw to explore the possibility of creating a new Tenant Protection Development Permit Area in the OCP to support the City's ability to protect displaced tenants.

F.3 Development Cost Charge Grant Policy for Non-profit Affordable Housing Providers 53

A report presenting a new grant program to offset the cost of the City's Development Cost Charges for non-government non-profit rental housing projects.

F.4 Other Guise Society Major Community Initiatives & Event Grant Referral Motion Response 65

A report providing options on how to protect the City's potential investment concerning the Other Guise Theatre Society's request for a grant of \$250,000 through the Major Community Initiatives and Events Grant program to refinance 716 Johnson Street.

F.5 Freedom of Information and Privacy Bylaw 76

A report presenting revisions of the City's Freedom of Information and Privacy bylaw to remove duplication with the provincial legislation and to ensure staff roles and responsibilities are clearly designated.

G. NOTICE OF MOTIONS

H. NEW BUSINESS

H.1 Council Member Motion: Inviting Neighbouring Jurisdictions to Adopt Caledonia Place ("Tiny Town") 88

A Council Member Motion regarding the future of "Tiny Town" by inviting neighbouring jurisdictions to take on hosting Caledonia Place.

H.2 Council Member Motion: Consultation on the Future of City-Owned Public Assets in the North Park Neighbourhood 90

A Council Member Motion regarding an opportunity for "community conversation" engagement in the North Park neighbourhood to focus on the future uses of the Caledonia parking lot and the Urbana-Romeo's site, excluding uses as sheltering or supportive housing.

H.3 Council Member Motion: 2025 Budget Input Extension 92

A Council Member Motion requesting more time for input from the public on the 2025 draft budget.

I. CLOSED MEETING, IF REQUIRED

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE



Council Member Motion
For the Committee of the Whole Meeting of August 1st, 2024

To: Committee of the Whole **Date:** April 18th, 2024
From: Councillor Gardiner
Subject: Sheltering in Parks and the Parks Regulation Bylaw

BACKGROUND

In 2008, Council began to designate parks in which sheltering would not be permitted. Over the past 15 years several parks have been added to the list, resulting in few parks left which permit sheltering. A “winners and losers” approach has not served our City well. Public comments on the selection of parks have created division among residents, businesses and neighbourhoods.

While the more recent changes to the Parks Regulation Bylaw, made in 2023, were purported to “*balance availability and prohibitions*” among neighbourhoods, the changes did not balance availability of prohibitions. Further, *balancing availability and prohibitions* has not been proven to be of benefit to the city at large or to the people who live within it, be they housed or sheltering.

Considerations should include proximity to service providers and impact on residents living near to select parks, especially to our vulnerable elderly, young residents and other residents who may be unable to protect themselves from physical assault.

RECOMMENDATIONS

That Council direct staff to:

1. Consider and recommend an approach to sheltering in parks which suggests sanctioned parks and/or areas of parks. Such considerations to include:
 - a. parks currently identified as providing the basic necessities for those sheltering,
 - b. park sizes,
 - c. areas within parks which are separated from playground areas by 10 meters,
 - d. proximity to established service providers, and
 - e. identifying a target number of maximum sheltering sites related to park size, and positioning of any playground, within each park.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "C. Gardiner", with a horizontal line extending to the right.

Councillor Gardiner

adopted the Affordable Rental Housing Revitalization Tax Exemption (RTE) Bylaw and the Family Housing Policy to encourage affordable and family-friendly housing options. Other key actions include on-going work to leverage City lands for affordable housing and the Development Process Review Project.

Additionally, 1,713 new homes were approved through rezoning and/or development permit by Council or delegated staff approvals, and building permits were issued for 805 homes (net-new) in the first 12-month period. Overall, Victoria is in good position to meet the five-year housing target of 4,902.

PURPOSE

The purpose of this report is to present Council with the second Progress Report on Victoria's Provincial Housing Targets, for the period of October 1, 2023 to September 30, 2024.

BACKGROUND

On September 26, 2023, the Government of British Columbia issued ministerial orders to ten local governments, including the City of Victoria, establishing five-year housing targets.

Housing targets outlined in these orders reflect 75 per cent of the estimated housing need for each municipality according to provincial analysis which took into consideration the existing unmet housing need as well as anticipated population growth. Annual targets for the first two years are initially lower with the targets increasing in years four and five. The Province also provided guidelines that accompany the targets that communicate provincial expectation that new housing is delivered for a range of income groups and household types. Municipalities are primarily assessed on the number of net-new homes completed (as per occupancy permits) over the five-year period.

The City is required to provide progress reports annually as per the requirements in the ministerial order. The progress reports must be received by council resolution within 45 days of the end of each reporting period and include completion of a housing target progress report form, which is appended to this report as Attachment A.

In addition to the five-year Provincial Housing Targets the Province also introduced new Housing Needs Report (HNR) legislation over the last year. The legislation identifies a standardized approach for all BC local governments to determine long-term housing needs (20-years). The City of Victoria is required to prepare an interim HNR that aligns with the provincial methodology before January 1, 2025, as well as a full update to the HNR before the end of 2028.

As part of the City's Official Community Plan (OCP) 10-Year Update, long-term housing needs were reviewed with OCP *Goal Posts* identifying long-term housing supply targets. The City's analysis to understand housing needs employed a similar methodology as the Province (i.e., latent demand, estimated population growth etc.), resulting in comparable understanding of the City's long-term housing needs. The OCP goal posts are guiding land use planning recommendations to ensure that the City's housing capacity can accommodate long-term (20-year) housing needs. In contrast, the five-year Provincial Housing Targets provide a near-term housing target to ensure the City is adding the necessary housing supply on an annual basis to catch up and keep up with local housing demand. In summary, these two scales of provincial targets demonstrate the need for both immediate and long-term action on housing supply to meet the acute need for housing in the region.

ISSUES & ANALYSIS

Progress Toward Achieving the Annual Cumulative Housing Target

Records indicate that a total of 1,477 net new dwelling units were completed in Victoria between October 1, 2023 and September 30, 2024. This represents 30 per cent of the 2028 cumulative target (4,902 units) and far exceeds the prescribed year one target of 659 units.

With respect to the housing composition guidelines, units constructed since October 1, 2023, are also demonstrating general alignment with the recommended unit breakdown, as shown in the table and chart below. It is worth noting that the City continues see fewer three-bedroom family-friendly and below-market (affordable rental) housing units than recommended in the housing unit composition guidelines. The unit composition guidelines are primarily referenced for tracking purposes, recognizing the City is using Housing Needs Reports and OCP analysis to determine if long-term housing capacity meets community need.

	Total Units Completed	Units by size			Units by tenure		Rental units by market rate		
		Studio / 1-bed	2-bed	3-bed +	Rental	Owned	Below-Market	Market	Supportive Rental Units (with on-site supports)
Completed	1536	944	511	81	930	550	183	747	56
Demolished	59	25	25	9	24	35	15	9	0
Net Completions	1477	919	486	72	906	515	168	738	56

Table 1: Housing Completion by Unit Composition

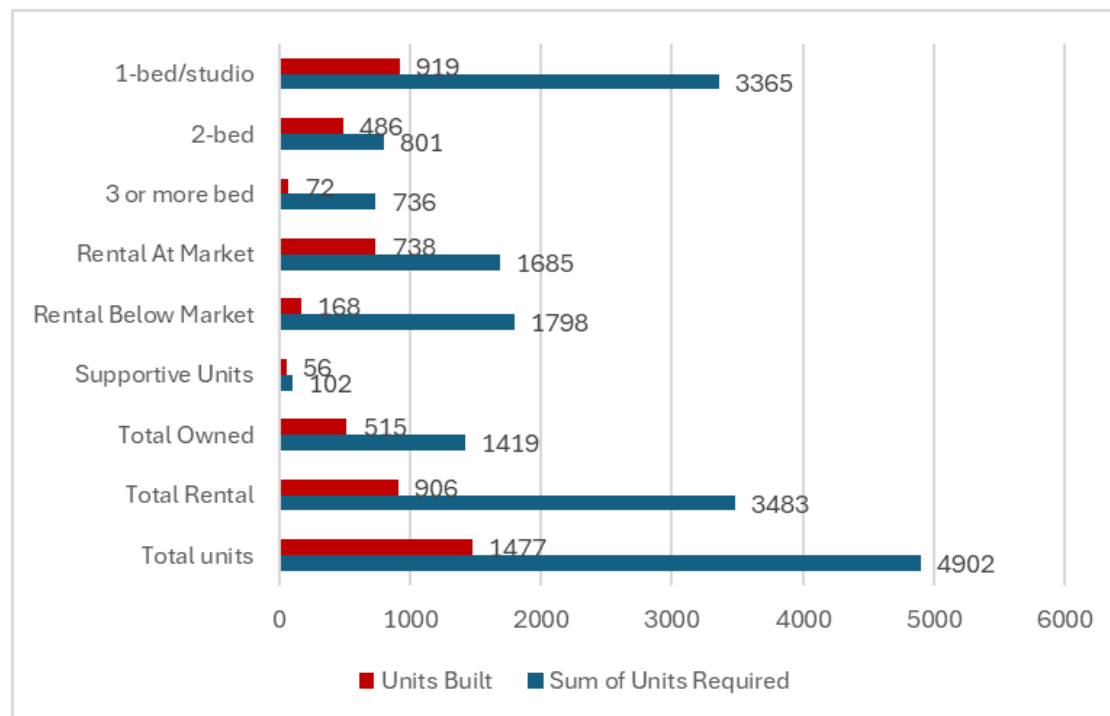


Figure 1: Units completed from October 2023 to September 30, 2024 versus 2028 targets

Municipal Actions Taken Toward Meeting the Housing Target Order

The following table summarizes actions taken to update land use planning policies, regulations, procedures, and other on-going work that will help the City achieve the provincial housing targets.

Housing Target Supportive Action	Description	Status
Missing Middle Housing Initiative	In late 2023, as part of a six-month review, Council approved changes to simplify the Missing Middle Regulations to support increased uptake from the development community . A 30% requirement for three-bedroom units was retained to support the delivery of housing options for families.	Completed
Updates to Victoria Housing Reserve Fund Guidelines	Also in late 2023, updates to the Victoria Housing Reserve Fund Guidelines provided additional financial support to non-market rental housing projects.	Completed
MOU re: HEART and HEARTH with BC Housing	In early 2024 a Memorandum of Understanding (MOU) between the Province and the City of Victoria affirmed a commitment to address homelessness in Victoria through the Homeless Encampment Action Response Teams (HEART) and the Homeless Encampment Action Response Temporary Housing (HEARTH) programs.	Ongoing
Rental Incentives	In June 2024, Council approved the Revitalization Tax Exemption (RTE) Bylaw to incentivize the development of non-market rental housing and support the inclusion of affordable units in market rental projects.	Completed
Family Housing Policy	In June 2024, the City introduced the Victoria Family Housing Policy and associated Advisory Design Guidelines for Family Friendly Homes. The policy establishes a minimum percentage of two and three-bedroom units in all new multi-unit residential buildings.	Completed
MOU re: HEART and HEARTH with BC Housing	In early 2024 a Memorandum of Understanding (MOU) between the Province and the City of Victoria affirmed a commitment to address homelessness in Victoria through the Homeless Encampment Action Response Teams (HEART) and the Homeless Encampment Action Response Temporary Housing (HEARTH) programs.	Ongoing
OCP Update and Zoning Bylaw Modernization	Work on updating Victoria’s Official Community Plan to meet housing supply needs for next 25 years has continued through 2024. The approach has focused on responding to the housing crisis while simultaneously aligning the City’s zoning regulation bylaw and other tools to help realize policy objectives. Public engagement was completed in September 2024.	Ongoing

Housing Target Supportive Action	Description	Status
Development Process Review	<p>The City is reviewing development processes to identify opportunities to reduce approval times with a focus on the following:</p> <ul style="list-style-type: none"> • Adding new support systems for applicants • Simplifying approvals and procedures • Introducing new application software • Developing staff capacity • Fostering a culture of continuous improvement through training and mentorship 	Ongoing
Fast Track for Affordable Housing Process	<p>The City has approved several affordable housing projects through the Fast Track for Affordable Housing Process. Under this program, eligible projects are exempt from rezoning with delegated approvals for development permits, resulting in reduced time to secure land use approvals.</p>	Ongoing
Leveraging City Lands for Housing	<p>The City is exploring opportunities to use City-owned land to support the delivery of affordable housing.</p>	Ongoing
Development Cost Charge Grants	<p>As part of the City’s Development Cost Charge (DCC) Bylaw review, staff will present Council with a grant program to offset DCCs for non-market rental housing projects.</p>	Ongoing

Rezoning, Development and Building Permit Approvals

In addition to the 1,477 net new units completed, the City has approved roughly 2518 new units across 112 applications through either combined rezoning and development permit or building permit approvals since October 1, 2023. It should be noted that new units approved through rezoning and development permits are estimates only, as project unit counts and composition often change as designs are refined before final building permit issuance.

Between October 1, 2023 and September 30, 2024 there were also fifteen applications, representing approximately 281 proposed units which were considered withdrawn and closed after a period of six to 12 months of inactivity by the applicant. There were no projects that were not approved by staff or Council during this reporting period.

OPTIONS & IMPACTS

Accessibility Impact Statement

There are no accessibility impacts associated with the adoption of this resolution.

2023 – 2026 Strategic Plan

This work aligns with the Council priorities related to Housing.

Impacts to Financial Plan

This report does not have any impacts to the Financial Plan.

Official Community Plan Consistency Statement

This report is consistent with the OCP, particularly Section 13: Housing and Homelessness.

CONCLUSIONS

At the end of year one of the five-year Provincial Housing Targets the City of Victoria is almost a third of the way to meeting the target of 4,902 homes. However, the City will need to continue to work closely with all housing providers to ensure housing supply efforts are sustained for the long-term and that new housing serves a range of incomes and household types. Currently, the delivery of three-bedroom units and below-market rentals is not on-pace with provincial guidelines; however, the recently adopted Family Housing Policy as well as the improved Missing Middle regulations are expected to encourage more family housing in the coming years. Also, the introduction of new financial incentives (e.g. Revitalization Tax Exemption) for affordable rental alongside efforts to leverage City-owned sites for affordable housing partnerships are expected to help the City meet below-market housing targets over the coming years.

Respectfully submitted,

Ross Soward
Manager of Housing
Citywide Planning

Karen Hoese, Director
Planning and Development

Report accepted and recommended by the City Manager

List of Attachments

- Attachment A: Interim Progress Report Form (Reporting Period 1.2)

**HOUSING TARGET PROGRESS REPORT FORM**

Housing Targets Branch
BC Ministry of Housing

PURPOSE

This reporting template presents the required and supplemental information that a municipality needs to provide to the Province under the [Housing Supply Act](#) (Act).

BACKGROUND

The objectives of the Act are to increase the supply of housing in communities with the greatest housing need and deliver more housing options for individuals and families in B.C. The Act allows the Province to set housing targets, establish progress reporting requirements, and undertake compliance measures for specified municipalities in the [Housing Supply Regulation](#).

Part 3 – Section 4 of the Act states that municipalities which have been issued a Housing Target Order (HTO) must prepare a housing target progress report, in the form required by the minister, for each period specified in the order. The housing target progress report must contain information about the progress and actions taken by the specified municipality toward meeting each housing target established in the HTO. Completing and submitting this progress report satisfies that requirement.

REPORT REQUIREMENTS

Part 3 – Section 4 of the Act and Section 5 of the Regulation requires that the progress report must be received in a meeting that is open to the public and by Council resolution 45 days after the end of the reporting period to which the report applies. If a municipality has not met the housing target for the reporting period, it must provide information about any actions that it intends to take toward meeting the housing target within the 2-year period with the progress report.

Please submit this report to the minister and post it to your municipal website as soon as practicable after Council receives it.

ASSESSMENT

Part 3 – Section 5 of the Act requires the Minister of Housing to review the progress report to assess if housing targets have been met and, if not, whether the municipality has made satisfactory progress toward meeting the housing targets.

Progress reports will be evaluated against the performance indicators described in Schedule B of the HTO. If satisfactory progress has not been made, compliance action may be taken in accordance with Part 4 of the Act.

INSTRUCTIONS

Please complete the attached housing target progress report for your municipality and ensure it is received by Council resolution within 45 days of the end of the reporting period and submit to the Minister of Housing Housing.Targets@gov.bc.ca

Section 1: MUNICIPAL INFORMATION	
Municipality:	Victoria
Housing Target Order Date:	September 23, 2023
Reporting Period:	October 1, 2023 – September 30, 2024
Date Received by Council Resolution:	
Date Submitted to Ministry:	
Municipal Website of Published Report:	
Report Prepared By:	<input checked="" type="checkbox"/> Municipal Staff <input type="checkbox"/> Contractor/External
Municipal Contact Info:	<i>Ross Soward, Manager of Housing rsoward@victoria.ca 250.361.0476</i>
Contractor Contact Info	<input checked="" type="checkbox"/> N/A (<i>name, position/title, email, phone</i>)

Section 2: NET NEW UNITS				
<p>This is a count of net new units during the reporting period, and cumulatively since the effective date of the HTO. Net new units are calculated as completions (occupancy permits issued) minus demolitions. Legalizing existing unpermitted housing units does not count towards completions.</p>				
	Completions (Reporting Period)	Demolitions (Reporting Period)	Net New Units (Reporting Period)	Net New Units (Since HTO Effective Date)
Total	1536	59	1477	1477

Section 3: UNIT BREAKDOWN (Supplemental Information as per Interim Guidelines)				
<p>Refer to the definitions provided at the end of the report and specify information below for the reporting period and cumulatively since the effective date of the HTO.</p>				
	Completions (Reporting Period)	Demolitions (Reporting Period)	Net New Units (Reporting Period)	Net New Units (Since Effective HTO Date)
Units by Size				
Studio	278	0	278	278
One Bedroom	666	25	641	641
Two Bedroom	511	25	486	486
Three Bedroom	67	8	59	59
Four or More Bedroom ¹	14	1	13	13
Units by Tenure				
Rental Units ² – Total	930	24	906	906

Rental – Purpose Built	893	24	869	869
Rental – Secondary Suite	31	0	31	31
Rental – Accessory Dwelling	6 (Garden Suites)	0	6	6
Rental – Co-op	0	0	0	0
Owned Units	550	35	515	515
Units by Rental Affordability				
Market	747	9	739	738
Below Market ³	183	15	168	168
Below Market Rental Units with On-Site Supports ⁴	56	0	56	56

Section 4: ACTIONS TAKEN BY MUNICIPALITY

Describe actions in the last 12 months that have been taken to achieve housing targets. This may include updated Official Community Plan bylaws, land use zoning, Housing Needs Report, new housing policies and initiatives, and/or partnerships (e.g., BC Housing, CMHC, First Nations and private and non-profit housing organizations). Each entry should include a description of how the action aligns with achieving the housing target, the date of completion, and links to any publicly available information.

Updates on Previously Reported Actions:

1. **Missing Middle Housing Initiative** – In late 2023, as part of a six-month review, Council approved changes to simplify the [Missing Middle Regulations](#) in the hopes of increasing applications. A 30% requirement for three-bedroom units was retained to support the delivery of housing options for families.
2. **Updates to Victoria Housing Reserve Fund Guidelines** - Also in late 2023, updates to the [Victoria Housing Reserve Fund Guidelines](#) provided additional financial support to non-market rental housing projects.
3. **MOU with BC Housing to address homelessness through HEART and HEARTH programs** – In early 2024 a [Memorandum of Understanding](#) between the Province and the City of Victoria affirmed a commitment to address homelessness in Victoria through the Homeless Encampment Action Response Teams (HEART) and the Homeless Encampment Action Response Temporary Housing (HEARTH) programs. The Province committed, through BC Housing, to provide support in the development of housing options for people experiencing homelessness or living in temporary supportive housing, and the City committed to identifying land and expedite land use decisions necessary for the rapid provision of such housing.
4. **10-year OCP Update and Zoning Modernization** – Work on updating Victoria’s Official Community Plan to meet housing supply needs for next 25 years has continued through 2024. The approach has focused on responding to the housing crisis while simultaneously aligning the City’s zoning regulation bylaw and other tools to help realize policy objectives. [Public engagement](#) for the

OCP update was completed in September 2024 and an interim report to Council is scheduled for the new year.

5. **Rental Incentives Project** – In June of 2024, Council approved the [Revitalization Tax Exemption \(RTE\) Bylaw](#) to incentivize the development of non-market rental housing and support the inclusion of affordable units in market rental projects. Eligible projects are exempted from increased property taxes arising from redevelopment for a period of 10 years, in exchange for 10% of the rental units secured as affordable to median income households – in alignment with provincial housing targets for below-market rental units. To date, two non-market rental projects have enrolled in the program.
6. **Development Process Review** – In 2023, the City undertook to review development processes and identify opportunities to reduce development approval times. The work is focuses on:
 - Adding new support systems for applicants
 - Simplifying approvals and procedures
 - Introducing new application software
 - Developing staff capacity
 - Fostering a culture of continuous improvement through training and mentorship
7. **Family Housing Policy** – In June 2024, the City introduced the Victoria [Family Housing Policy](#) and associated [Advisory Design Guidelines for Family Friendly Homes and Spaces](#). The policy requires a minimum percentage of two and three-bedroom units in all new multi-unit residential buildings. As part of the OCP update and zoning modernization work, the City is also looking at integrating these requirements into zoning regulations and updating the General Urban Design Guidelines to incorporate family friendly considerations.
8. **Fast Track for Affordable Housing** – In late 2023, the City approved its first affordable housing development through a delegated development permit review as part of the [Fast Track for Affordable Housing Process](#). Under this program, eligible projects have an average approval time of seven months.
9. **City-owned Sites for Affordable Housing** - The City is exploring opportunities to use City-owned land to support the delivery of affordable housing. This project is part of the City’s Housing Accelerator Fund Action Plan and aligns with provincial housing targets.

New Actions:

10. **Development Cost Charge Grants** – In Q4 2024, as part of the City’s Development Cost Charge (DCC) Bylaw review, staff will present Council with a grant program for paying DCCs for non-market rental housing projects. The Grants will cover the residential DCCs owed to the City of Victoria for affordable housing providers thereby supporting construction of new non-profit non-government affordable rental housing.

Section 5: APPROVED DEVELOPMENT APPLICATIONS

Provide the information below to establish the quantity of new housing currently proposed based on completed development applications. For each housing project in progress, please report on the most recent development approval which has been issued since the effective date of your Housing Target Order. Each housing project should only be captured once through the **most current** development application type, and units which have received occupancy permits should not be included (*see Section 2 above for occupancy permits*).

	Rezoning	Development Permit	Building Permit	Total
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Applications	2 (all approved Rezoning in this timeframe had an associated DP)	31	79	112
New Units	19 units (gross)	1694 units (gross)	805 (net)	2518

Section 6: WITHDRAWN OR NOT APPROVED DEVELOPMENT APPLICATIONS

A) Indicate the number of applications (and associated proposed units) that have been withdrawn by applicants, and the same information for applications not approved by staff or Council during this reporting period. Please capture rezoning applications, development permits, and building permits.

	Applications Withdrawn	Applications Not Approved
Applications	15 Rezoning & DP applications	0 Rezoning & DP applications
Proposed Units	281 units (gross)	N/A

B) For each project that was withdrawn or not approved, provide a summary of relevant project information, including application type and reasons why each project was withdrawn or not approved. Please capture rezoning applications, development permits, and building permits.

Reporting Period 1.1

- DDP00589 for 1048 Richmond Avenue:** Delegated Development Permit to convert existing accessory building to a garden suite (net +1 unit). File closed due to over 6 months of inactivity.
- DVP00253 for 1171 Rockland Avenue** - Development Variance Permit application to allow for multiple dwelling units in an existing heritage building with a variance (net +8 units). File closed due to over 12 months of inactivity.
- REZ00788/HAP00247 for 149 Rendall Street** - Rezoning and Heritage Alteration Permit application to allow for a triplex and addition at the rear of the heritage-designated building (net +1 unit). File closed due to over 12 months of inactivity.
- REZ00594 for 1663 Oakland Avenue** - Rezoning application for two new small lots while retaining the existing building on one of the lots (net +1 unit). File closed due to over 12 months of inactivity.
- REZ00760/HD000198 for 1734 Hollywood Crescent** - Rezoning application to convert a SFD to multiple dwellings and Heritage Designation of the existing building (net +3 units / gross +4 units). Applicant withdrew application to pursue Missing Middle application instead (net +7 units).
- REZ00587/DPV00041 for 1802 Chambers Street & 1147-1163 North Park Street** - Rezoning and Development Permit applications to construct a multiple dwelling and duplex on the subject property, as well as retain and convert the existing teacherage into dwelling units (net +25 units). Applicant withdrew application to explore alternate building forms (apartment instead of townhouses - no application received yet).
- DDP00680 for 431 Stannard Avenue** - Delegated Development Permit application to convert the existing garage to a garden suite (net +1 unit). File closed due to over 6 months of inactivity.

Reporting Period 1.2

1. **REZ00793/DPV00182 for 1030-1036 Fort Street** – Rezoning and Development Permit with Variance application for a new six-storey building containing rental residential units and commercial use at grade (30 units). Applicant withdrew application due to unfavorable financial conditions.
2. **REZ00800/DPV00188 for 1160 Oxford Street** – Rezoning and Development Permit with Variance application for a duplex with secondary suites (4 units). File closed due to over two years of inactivity.
3. **DDP00701 for 1228 Chapman Street** – Delegated Development Permit application to construct a garden suite in conjunction with a new dwelling (1 unit). File closed due to over two years of inactivity.
4. **DPV00203 for 1333 Pandora Avenue** – Development Permit with Variance application to facilitate the addition of approximately two storeys and 11 rental dwelling units onto the existing three-storey, 15 rental dwelling unit building (26 units). File closed due to over a year of inactivity.
5. **REZ00733/DPV00143 for 2580 & 2582 Vancouver Street** – Rezoning and Development Permit with Variance application for eight new townhouses (8 units). Applicant withdrew application to explore alternate building forms.
6. **REZ00853/DPV00242 for 2615 to 2629 Douglas Street** – Rezoning and Development Permit with Variance application to construct a 12-storey rental residential building with ground floor commercial units and a public courtyard (120 units). File closed due to over a year of inactivity.
7. **REZ00878/DP000644 for 2931 & 2937 Shelbourne Street** - Rezoning and Development Permit application for a new multifamily dwelling (10 units). Application cannot proceed before mandatory community meeting has taken place.
8. **DDP00680 for 431 Stannard Avenue** - Delegated Development Permit application to convert the existing garage to a garden suite (1 unit). File closed due to over six months of inactivity.

Section 7: OTHER INFORMATION

Provide any other information not presented above that may be relevant to your municipality's effort and progress toward achieving the housing target.

Re: unit breakdown information for Section 5: In the City's experience the unit mix, total number of units as well as tenure for development applications may change between development permit issuance and completion due to market demand fluctuations, shifts in financing or investment strategies, and unforeseen construction challenges or delays impacting project delivery. As a result, these characteristics have not been a part of the city's formal rezoning and development permit tracking system to date and the figures provided are estimated by staff based on available information. Further to this, and in order to meet the reporting deadline, staff have focused on providing the requested supplemental information based on completed units over the past twelve months.

Re: performance on Units by Affordability: As noted in Section 4, the City of Victoria has taken significant steps to support the delivery of below-market and supportive housing. However, as the City of Victoria does not build housing, urgent and on-going investments in the form of capital grants and operating subsidies for non-market housing from senior levels of government will be essential to ensure that these efforts translate into completed homes in the next four years. For the units counted as below-market the City has included all units secured as affordable or below-market and owned and operated by a public housing body.

¹ If needed due to data gaps, you may report “Three Bedroom” and “Four or More Bedroom” as one figure in the “Three Bedroom” row.

² **Rental Units** include purpose built rental and secondary rental (e.g., secondary suites, accessory dwellings, etc.).

³ **Below Market Units** are units rented at or below 30% of the local Housing Income Limits (HIL) per unit size or units where a legal agreement is securing that the housing will be owned and operated by a public housing body.

⁴ **Below Market Rental Units with On-Site Supports** are units rented at the Income Assistance Shelter rate providing permanent housing and on-site supports for people to transition out of homelessness.

Provincial Housing Targets

Progress Report for Reporting Period 1.2 (October 1, 2023 – September 30, 2024)

Committee of the Whole | November 14, 2024



Background

- Victoria one of 10 municipalities selected for provincial housing targets
- Ministerial orders issued in September 2023, targets through 2028 based on 75% of the identified housing need
- Annual progress reports due each November
- Completion of housing target progress report form required

Victoria Provincial Housing Targets



	Year 1	Year 2	Year 3	Year 4	Year 5
Net Completed Units	659	1,425	2,352	3,493	4,902
% of 5-year target	13%	29%	48%	71%	100%

Provincial Bedroom Composition Guidelines

	Total Units	Units by Size			Units by Tenure		Rental Units by Market		Supportive Rental
		Studio/ 1-bed	2-bed	3+ bed	Rental	Owned	Below-market	Market	w/ on-site supports
5-year	4,902	3,365	801	736	3,483	1,419	1,798	1,685	102

³ | Provincial Housing Targets Progress Report | November 14, 2024



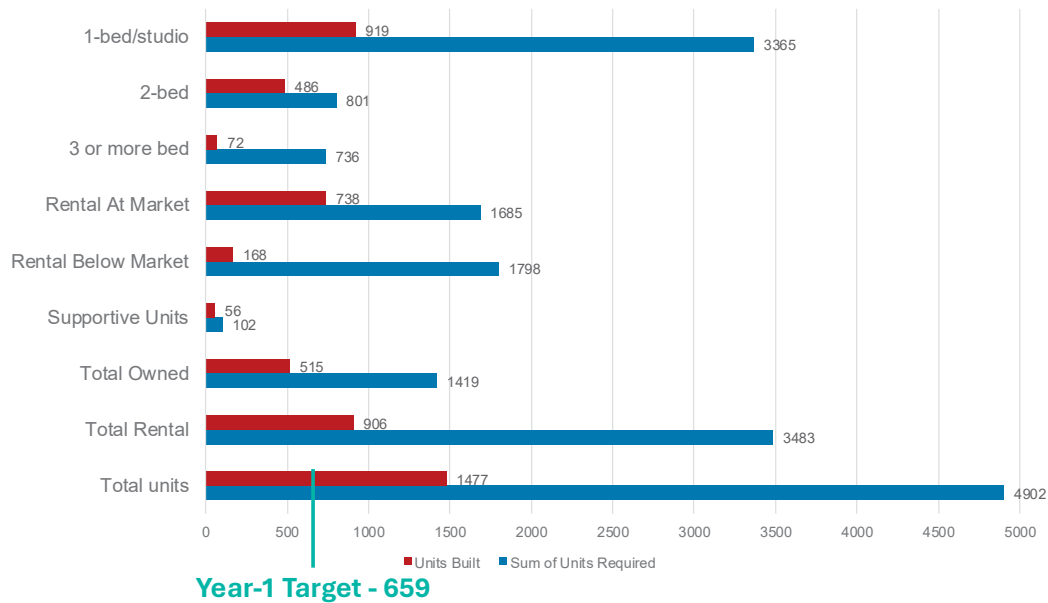
Year 1 Progress Unit Breakdown

	Total Units Completed	Units by size			Units by tenure		Rental units by market rate		Supportive Rental Units (with on-site supports)
		Studio/ 1-bed	2-bed	3-bed +	Rental	Owned	Below-Market	Market	
Completed	1536	944	511	81	930	550	183	747	56
Demolished	59	25	25	9	24	35	15	9	0
Net Completions	1477	919	486	72	906	515	168	738	56

⁴ | Provincial Housing Targets Progress Report | November 14, 2024



Year 1 Progress vs 5-year Target



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Actions Taken Towards Meeting Targets

1. Missing Middle Housing Initiative
2. Updates to Victoria Housing Reserve Fund Guidelines
3. MOU with BC Housing to address homelessness through HEART and HEARTH programs
4. 10-year OCP Update and Zoning Modernization
5. Rental Housing Tax Exemption
6. Development Process Review
7. Family Housing Policy
8. Fast Track for Affordable Housing
9. City-owned Sites for Affordable Housing
10. Development Cost Charge Grants

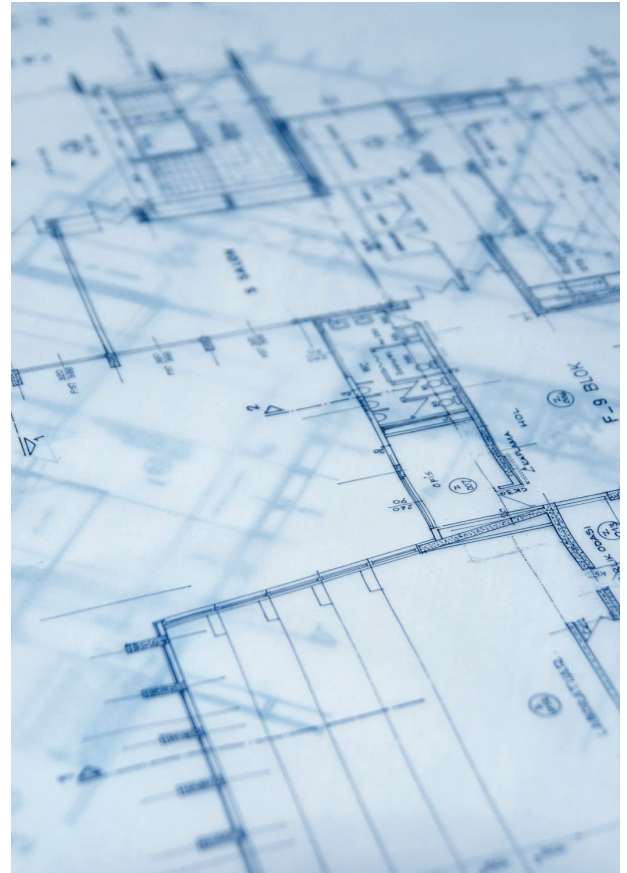
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New Homes in Development

- Approx. **2,518 new units across 112 applications** approved since October 2023 (rezoning/development permit or building permit issued).
- 281 units across 15 applications considered withdrawn & closed.

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Conclusion

- Exceeding Year 1 target
- Fewer 3+ bedroom and below-market rental units.
- City actions focused on priority housing types.
- Partnership with all housing providers critical to achieving 5-year targets.

Recommendation

In accordance with the Government of BC's Housing Target Order for Victoria, staff recommend that council:

- a. Receive the Provincial Housing Targets Progress Report for reporting period 1.2 (October 1, 2023 – September 30, 2024) for information.
- b. Request that the Mayor submit a copy of this report to the Provincial Minister of Housing.

And that this motion be brought forward for ratification at the November 14, 2024 daytime council meeting.

- Instruct the Director to report back to Council with a summary of the feedback received pursuant to the above consultation as part of the broader 10-year OCP Update reporting and seek direction to prepare a tenant protection bylaw as described in the Protecting Tenants section of this report.

EXECUTIVE SUMMARY

In 2023, the Province of British Columbia enacted changes to the *Local Government Act* (LGA), signifying a shift to a pro-active planning approach to enable a more rapid response to housing need that is less reliant on rezoning. This report fulfills one of the requirements of the pro-active planning legislation (to prepare and receive an Interim Housing Needs Report in accordance with provincial regulations).

The City of Victoria's 2024 Interim Housing Needs Report (Attachment 1) calculates five-year, and 20-year housing need based on the new provincial methodology referred to as the HNR Method. Using the HNR Method, the anticipated housing needed between 2021 and 2041 is 26,604 units.

The pro-active planning legislation further directs municipalities to update their Official Community Plan (OCP) and Zoning Bylaws to accommodate this need. The City has already been working toward accommodating long-term housing needs through the 10-year OCP Update and Zoning Modernization process. The methodology that was used to estimate housing need for the OCP (referred to as Goal Posts) followed a comparable approach and resulted in a similar understanding of housing need out to 2041. While the methodologies and identified housing needs are similar, the City's OCP update is considering a longer-term planning horizon (to 2050).

To help municipalities transition to a pro-active planning context, the Province subsequently introduced Bill 16 which provides local governments with new authorities. Specifically, updates to the *Community Charter* and the *Local Government Act* allow municipalities to establish Tenant Protection Bylaws (TPBs) and enable their application through a Development Permit Area (DPA). These new tools enable municipalities to support tenants that are displaced because of redevelopment to higher zoned housing capacity where rezonings are not required. The City's existing Tenant Assistance Policy (TAP) aligns with the intent of the new tenant protection authorities and can be transitioned to a bylaw that ensures tenant supports apply to a broader range of land use applications. A new DPA which can be established through the OCP 10-Year Update, would support the City's ability to enforce the bylaw.

This report reflects the City's on-going leadership in implementing a pro-active planning framework through the OCP 10-Year Update and Zoning Modernization process to increase housing capacity and respond to acute housing challenges in the community. It provides Council with the opportunity to align existing efforts with the new Provincial legislative framework.

PURPOSE

The purpose of this report is to present Council with an Interim Housing Needs Report to meet legislative requirements. In addition, staff are seeking direction related to transitioning the existing Tenant Assistance Policy to a Tenant Protections Bylaw, as authorized under new enabling legislation, and to explore the possibility of creating a new Tenant Protection Development Permit Area in the OCP to support the City's ability to protect displaced tenants.

BACKGROUND

The City of Victoria completed its first Housing Needs Assessment (HNA) in October 2020, in alignment with Provincial legislation at the time, as part of a joint project with other Capital Region District communities. The results of this report have informed the City's planning and policy decisions since.

In the fall of 2023, the provincial government introduced pro-active planning legislation as part of *Bill 44: Housing Statutes (Residential Development) Amendment Act, 2023* (Bill 44). Bill 44, in part, requires that, by January 1, 2025, municipalities prepare an Interim Housing Needs Report identifying the five- and 20-year housing need in their communities. The Interim Housing Needs Report (HNR) is intended to amend the City's current Housing Needs Assessment (HNA) based on key metrics of housing demand and population growth. The legislation also requires municipalities to update their official community plans and zoning bylaws by December 31, 2025 to accommodate the housing need identified in the interim report.

The City approved its *Tenant Assistant Policy* (TAP) in 2018 (most recently updated in 2023) to mitigate the impacts of tenant displacement due to redevelopment. As the City updates OCP and Zoning Bylaws concurrently to comply with provincial legislation and accommodate long-term housing needs there will be less reliance on site-specific rezoning and, consequentially, less opportunity to apply the TAP in support of tenants displaced by development. In response, the Province introduced new authorities for local governments to develop Tenant Protection Bylaws (TPBs) and Development Permit Areas to require tenant assistance outside of a rezoning process. For the City to make use of these new legislative authorities, a new bylaw is required. Creating a Development Permit Area (DPA) in the OCP to support the application of the new TPB will allow the City to require compliance with the TPB as a condition of development permits.

VICTORIA'S INTERIM HOUSING NEEDS REPORT

The Interim HNR is intended to amend and build on the current [Housing Needs Assessment](#) (HNA). Per provincial regulations, the interim report must include three new key items in addition to what was included in the most recent City Housing Needs Report:

- **Current and Future Need:** The number of housing units required to meet current and anticipated need for the next five and 20 years, as calculated using the Housing Needs Report Method (HNR Method) directed by regulation.
- **Housing Location:** A statement about the need for housing in close proximity to transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation.
- **Progress:** A description of the actions taken by the local government, since receiving the most recent Housing Needs Report, to reduce housing needs.

Upon Council's direction, the Interim HNR will be appended as a schedule to the current HNA and published on the City's website. According to the HNR Method, Victoria needs 8,254 net new units within five years and 26,604 net new units within 20 years, as described in detail in the Interim HNR (Attachment 1). The provincial legislation requires both OCPs and zoning bylaws to be updated by December 31, 2025, to accommodate 20-year housing needs.

COMPARING METHODOLOGIES FOR ESTIMATING HOUSING NEEDS

The Interim HNR identifies the housing units required over the next five and 20 years, based on the HNR Method. Independent of provincial direction and prior to the introduction of new HNR requirements and methodologies, the City initiated a response to housing needs through the 10-year OCP Update process. To inform OCP Goal Posts, the City also assessed long-term housing needs.

While the respective methods used to calculate housing needs for the Interim HNR and for proposed OCP Goal Posts were developed independent of each other, both are reasonably well aligned and have a similar approach to projecting growth and estimating latent demand. There is only a two per cent difference between the OCP Goal Post’s and the HNR Method’s estimated 20-year housing needs (see Table 1). This difference is the result of slightly higher population projections and slightly lower latent demand estimates in the OCP Goal Post Method.

Importantly, however, the City’s OCP Goal Posts look beyond the 20-year time horizon, to define 30-year housing need (to 2050) and speak to the diversity of those needs by specifying goals for rental units and family units.

	HNR Method	OCP Goal Post Method
20-year Housing Need (2021-2041)	26,604 units	26,060 units ¹
30-year Housing Need (2021-2050)		34,600 units

Table 1: Interim Housing Needs Report versus OCP Goal Posts (2021-2041)

In summary, the methodology used for both the Interim HNR and OCP Goals posts are well aligned and provide a strong foundation for addressing housing needs through a pro-active planning approach. The City continues to show leadership in pro-active planning by considering longer-term planning horizons and opportunities to realize both supply and diversity within that supply.

ADDRESSING HOUSING NEEDS THROUGH THE OCP UPDATE

In addition to identifying 20-year housing needs, the pro-active planning legislation requires local governments to provide capacity to meet those needs by updating their OCPs and zoning bylaws by December 31, 2025. The work is already well underway to update Victoria’s land use framework to address identified housing need.

In May 2023, prior to the introduction of pro-active planning legislation, Council directed the 10-year Official Community Plan Update. The process is intended to provide meaningful solutions to the housing crisis to enable sufficient housing capacity in both land use policy and zoning citywide, providing a simpler and more predictable development approvals process. The directed process is

¹ Technical Note: This figure differs slightly from the 2041 figure found in the OCP Update engagement materials where latent demand estimates are distributed over the three decades in the 2050 planning horizon. For meaningful comparison to the HNR Method, the figure in Table 1 distributes all latent demand over the two decades between 2021 and 2041.

well-aligned with the subsequently released pro-active planning legislation.

Assessing Housing Capacity

To understand how different land use scenarios influence the amount of housing need that can realistically be met, the OCP update has been informed by a residential capacity assessment. No regulations or guidance have yet been provided by the province to assess residential capacity. However, the City's methodology is rigorous relative to past assessments and appears to be an emerging best practice across the province.

As presented during the February 8, 2024, Committee of the Whole meeting, some of the scenarios tested identified potential paths to realizing housing need out to 2041, including those for which Council provided direction to consult; however, these scenarios had mixed results in achieving diversity of housing tenure. Further, based on the City's assessment of residential capacity, no clear path to satisfying the 2050 Goal Post for 34,600 units was evident in the land use scenarios tested.

Accounting for Changing Market Conditions

Over the past year, the market and regulatory conditions that informed the residential capacity analysis have shifted in notable and substantive ways. As such, the City is updating its assessment to better reflect current conditions including constraints (e.g., higher hard and soft development costs) and opportunities (e.g., single egress building forms now permitted in the BC Building Code). The findings from this assessment will be included in the forthcoming report on the OCP update in early 2025.

PROTECTING TENANTS AS WE ACCOMMODATE HOUSING NEED

In the context of a built-out city like Victoria, meeting future housing need requires a more efficient use of the land available and this often involves the loss of older, lower density housing to make room for newer, higher density forms. Through the course of redevelopment required to meet identified housing need, tenants may be displaced. Recognizing this challenge in a growing and urbanizing city, in 2018 Victoria adopted a *Tenant Assistance Policy (TAP)* (Attachment 2) that expects developers to support tenants being displaced because of redevelopment.

Legislative Context for Tenant Support

Historically, the TAP was a policy that laid out City expectations and can only be applied in the context of a rezoning. However, as part of the recent changes to provincial legislation, municipalities have been provided new authority to establish Tenant Protection Bylaws (TPBs) (as per sections 63.2 and 63.3 of the *Community Charter*) and the ability to apply them through a Development Permit Area (as per sections 488 (1)(k) and section 491 (11) of the *Local Government Act*). These legislative changes allow for tenant protections to be applied outside of the rezoning process and they can take the form of regulations, rather than just a policy. For example, this approach could allow for all development applications, or any application seeking a delegated development permit, to be required to provide tenant protection supports. The legislative changes recognize the need to support tenants in the context of significant new zoned capacity aimed at more rapid housing development.

Adapting Victoria’s Approach to Tenant Support

There is significant alignment between the description and intent of these new authorities and the City’s existing Tenant Assistance Policy (TAP), including the ability to establish requirements for financial assistance, moving assistance, help to find a new place to live, or the right to enter into a new tenancy agreement with the owner in the building once redevelopment is complete. It is recommended the City transition the existing policy to a bylaw to ensure these supports and protections continue to work as intended, but with the ability to apply to a broader range of land use applications and enhanced enforceability associated with a bylaw.

The following key components would be recommended for inclusion in the new TPB, in alignment with the current TAP and provincial legislation:

- integration of tenant protections for a broader range of development applications beyond just rezonings, including delegated development permit applications (e.g., Missing Middle).
- updated compensation based on length of tenancy (i.e. lump sum payments or free rent)
- updated moving expenses and assistance
- relocation assistance in finding alternate accommodation
- right of first refusal (if applicable) to return to the newly constructed building
- information about impacted tenants.

Creating a Development Permit Area (DPA) in the OCP to support the application of the new TPB would allow the City to require compliance with the TPB as a condition of development permits. As the current TAP is applied in all areas of the City, it is envisioned that if a new DPA were established to require tenant supports it would be applicable for development applications citywide.

Consulting on Tenant Support

DPAs are identified in the OCP and establishing a new DPA requires consultation. The OCP update underway is a good opportunity to establish a tenant protection DPA. With the general direction Council provided to consult on solutions to the housing crisis (and to update the DPA framework), the City heard significant feedback over the last seven months of engagement about the need to support tenants as the city continues to grow and densify. The City has also heard notable desire to support tenants through recent engagement processes related to housing and development.

To consider if a new tenant assistance bylaw and DPA could bolster the City’s tenant support processes and to satisfy the legislative requirement to consult, the following additional engagement is recommended:

- Consultation meeting with the development community to describe the new bylaw and process and to seek feedback on updated requirements for compensation, moving assistance and applying tenant protection supports to a broader range of development applications.
- Notification on the OCP Update engagement webpage inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.

This approach would ensure the updated tenant protection supports are in place as the City's land use framework is modernized.

OPTIONS & IMPACTS

Option 1: Receive and publish the Interim Housing Needs Report and advance consultation on a new Tenant Protection Bylaw and Development Permit Area (Recommended).

This report recommends that Council receive and publish the Interim HNR to comply with provincial requirements in advance of the January 1, 2025 deadline. The method used to prepare the Interim HNR is closely aligned with the method to prepare goal posts for the ongoing 10-year OCP Update, providing confidence that the City's long range planning efforts accurately reflect future housing needs.

This report further recommends that Council provide direction to advance tenant supports by seeking the necessary consultation in preparation of a new Tenant Protection Bylaw and the possibility of establishing an associated Development Permit Area for tenant protection, enabled through new provincial authorities. The recommended option reflects the City's efforts to be a provincial leader in moving toward a land use framework that enables the delivery of much needed housing, while supporting renters.

Option 2: Do not proceed with publishing the Interim Housing Needs Report and do not advance consultation on a new Tenant Protection Bylaw and Development Permit Area or provide alternative direction to staff.

Council may wish to provide alternative direction. Should Council not support the recommended motions related to the Interim HNR by the prescribed deadline, the City will not meet the provincially mandated requirements for the Interim HNR.

Should Council not support the recommended motions related to tenant protection, the City will be limited in its ability to assist tenants as it moves towards a pro-active planning framework. The existing Tenant Assistance Policy will continue to provide support, however, it's use would be limited to applicants seeking a rezoning. In contrast, a Tenant Assistance Bylaw and Tenant Assistance Development Permit Area would apply to a wider range of land use applications, offering broader support to tenants.

Accessibility Impact Statement

The current Housing Needs Assessment, to which the Interim HNR would be appended, identifies accessible housing needs and continues to inform ongoing policy work.

2023 – 2026 Strategic Plan

The Interim HNR supports housing goals by identifying diverse housing needs to inform current and long term planning.

A new tenant protection bylaw supports housing goals including increasing tenant protection within the City's authority and in partnership with other governments and agencies.

Impacts to Financial Plan

There are no impacts to the City’s *Financial Plan* associated with the recommendation in this report.

Official Community Plan Consistency Statement

Recommendations in this report are consistent with and advances OCP objectives and policies relating to assessing and identifying the range of housing needs and housing diversity suited to the community’s population and future housing demand.

CONCLUSIONS

The 2024 Interim Housing Needs Report, based on the new HNR Method, has identified a need for 26,604 housing units by 2041. Receiving the Interim Housing Needs Report enables the City to comply with the mandated provincial requirement to complete an interim report by January 1, 2025.

The approach to calculating housing needs using the HNR method differs slightly from, but is generally aligned with, the City’s approach to identifying housing needs. The key difference is the City’s approach to consider a longer-term planning horizon to 2050. Through the OCP 10-Year Update and Zoning Modernization process, significant progress has already been made to account for and accommodate the housing capacity identified in the Interim HNR.

Concurrently, the City has the opportunity to consider the new provincial authority to establish Tenant Protection Bylaws (TPBs) and Tenant Protection Development Permit Areas (DPAs). These tools support the shift towards pro-active planning and strengthen protections for tenants displaced through redevelopment. If Council approves the motions recommended in this report, consultation for a new TPB and Tenant Protection DPA will be initiated, with the goal of presenting the outcome of the consultation and seeking direction to prepare bylaws, when reporting back to Council on the OCP Update in early 2025.

In closing, the work being advanced as part of the OCP 10-Year Update and Zoning Modernization are foundational elements for the City to meet the long-term housing needs identified through the Interim HNR and will enable the shift to a pro-active planning framework that ensures the land use approvals process for housing is simpler, faster and more predictable.

Respectfully submitted,

Nadine Kawata
Senior Planner -
Housing Development
Planning and Development

Malcolm Maclean
Senior Planner
Planning and Development

Karen Hoese
Director
Planning and Development

Report accepted and recommended by the City Manager

List of Attachments

- Attachment 1: Interim Housing Needs Report
- Attachment 2: Tenant Assistance Policy

CITY OF VICTORIA | Planning and Development Department

Interim Housing Needs Report

October 2024

Background

The Interim Housing Needs Report (HNR) builds on the City of Victoria's 2020 Housing Needs Assessment by updating current and future housing needs over a 5-year and 20-year period. The interim report responds to key changes in the Housing Needs Report (HNR) legislation and supports a suite of legislation introduced by the Province of BC in 2023 to enable local governments to deliver housing supply in the right places more quickly.

Housing Needs Report legislation was amended with a new standardized methodology, new timelines for completing assessments, and requirements for additional content. The new standardized methodology, the HNR Method, creates a consistent and transparent approach to assess housing needs for all local governments in BC. The HNR Method includes six components to calculate housing needs over the next five and twenty years. Two of these components are crucial to expanding local government's understanding of housing needs - estimating existing unmet housing needs as well as housing needs associated with future population growth. The updated HNR timeline requirements align with the release of the National Census ensuring HNRs are based on the most up to date information. Additional requirements include statements about key areas of local need, expanded data on core housing need, and an account of a local government's progress toward reducing housing need. Overall, these updates will help local government and the province better understand and address housing needs.

Although local governments are not required to respond to these amendments until 2028, they are required to complete an Interim HNR by January 1, 2025, to provide support to other pro-active planning legislation.

The City's interim report is meant to supplement the existing 2020 Housing Needs Assessment, with the following three components:

- The number of housing units required to meet current and anticipated need for the next 5 and 20 years, as calculated using the HNR Method provided in the Regulation;
- A statement about the need for housing in close proximity to transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation; and,
- A description of the actions taken by the local government, since receiving the most recent Housing Needs Report, to reduce housing needs.

1.0 Interim Housing Need Estimates

The HNR Method uses a comprehensive approach to estimating a community’s current and anticipated housing needs for households across the housing spectrum.

The HNR Method consists of six components, which are added together to provide the total number of housing units needed in a municipality. The six components include the following:

- A. Supply of units to reduce extreme core housing need (those paying more than 50% of income for housing);
- B. Supply of units to reduce homelessness;
- C. Supply of units to address suppressed household formation;
- D. Supply of units needed to meet household growth over the next 5 or 20 years;
- E. Supply of units needed to meet at least a 3% vacancy rate; and,
- F. Supply of units needed to meet local demand.

Based on the HNR Method, the table below summarizes existing and anticipated housing needs for the City of Victoria over a five-year and twenty-year period.

Table 1: Five-Year and Twenty-Year Housing Need Estimates

Component	5-Year Housing Need (Units ¹)	20-Year Housing Need (Units ¹)
A. Extreme Core Housing Need	975	3,898
B. Persons Experiencing Homelessness	221	442
C. Suppressed Household Formation	406	1,625
D. Anticipated Growth	5,924	17,725
E. Rental Vacancy Rate Adjustment	155	619
F. Additional Local Demand	573	2,292
Total New Units – 5 years (Year 2026)	8,254	
Total New Units – 20 years (Year 2041)		26,604

¹Rounding to the nearest whole number was used to aid in readability. The 5-year and 10-year unit totals reflect calculated results using original numbers prior to rounding.

2.0 Statement on the Integration of Housing Near Transportation Infrastructure

The City of Victoria acknowledges the need for encouraging housing close to transportation infrastructure that supports walking, bicycling, public transit, or other alternative forms of transportation.

Walking, riding, rolling and taking public transit are all sustainable transportation options that contribute to a more vibrant and sustainable city. Integrating sustainable transportation with housing further supports the City's objectives for creating a diverse, livable community.

The City's Sustainable Mobility Strategy, GoVictoria, was adopted in 2019 and confirms our mobility values, policy positions, and key initiatives surrounding mobility. GoVictoria envisions a mobility future where all Victoria's neighborhoods have connected mobility systems that include a variety of convenient, and sustainable mobility choices. Our rapid and frequent transit network anchors corridors with increased housing and employment density.

Building on GoVictoria, the 10-Year Official Community Plan (OCP) Update that is currently underway, outlines the current and future direction for the City:

- Enable more housing density in and near Mobility Hubs and along transit priority corridors to strengthen the business case and rationale for more frequent and new forms of transit service. The active transportation and shared mobility networks will also converge in these locations, allowing all systems to reinforce each other.
- Proposes an Urban Structure Concept, a land use and transportation framework, that aligns where people live and work with ways to get around Victoria. This concept includes transit routes and frequency of service that responds to the concentrations of jobs and housing.
- Promotes active transportation with more housing options within a five-minute walk to services, amenities, and sustainable, affordable transportation options contributes to complete, low-carbon communities.

Overall, the integration of land use planning and transportation is a key component of the City's existing Official Community Plan and the 10-Year OCP Update affirms this direction with a continued emphasis on the creation of complete and connected communities.

3.0 Actions Taken to Address Housing Needs

The City's ongoing efforts to meet current and future housing needs have responded to the 2020 Housing Needs Assessment. The following table summarizes these actions that encourage and

enable a range of housing options that serve various household sizes, income levels and life stages.

Housing Action	Description	Status
Housing Strategy Annual Reviews	The Housing Strategy Annual Reviews provide a detailed summary of the annual as well as cumulative progress made to achieve the goals of the Victoria Housing Strategy (2020-2025) and describes the City’s ongoing efforts to meet current and future housing needs.	Completed (2020 to 2023)
Fast Track for Affordable Housing	In 2022, the Fast Track for Affordable Housing program was launched. The program aims to accelerate the delivery of new non-market affordable rental and non-profit cooperative housing projects. The streamlined regulatory pathway reduces development approval times and increases allowable residential densities - helping to advance the supply of housing that residents can afford. Since the program was initiated, the City has approved several affordable housing projects through the Fast Track process.	Completed
Local Area Planning	In 2022, after extensive community engagement, the City approved new local area plans for three areas (North Park, Fernwood and Hillside-Quadra) as well as associated amendments to the OCP. While each area has its own distinct traits and individual priorities, there was a general direction for addressing housing needs. Policies supported new housing capacity with an emphasis on expanding housing options with much of the new housing capacity in close proximity to frequent transit routes and existing amenities. A diverse range of housing near villages was also prioritized, helping to advance complete and walkable communities.	Completed
Missing Middle Housing Initiative	In late 2023, as part of a six-month review, Council approved changes to simplify the Missing Middle Regulations in the hopes of increasing uptake from the development community.	Completed

	A 30% requirement for three-bedroom units was retained to support the delivery of housing options for families.	
Victoria Housing Reserve Fund Guidelines Updates	Also in late 2023, updates to the Victoria Housing Reserve Fund Guidelines provided additional financial support to non-market rental housing projects.	Completed
Rental Protection and Revitalization: Energy & Seismic Retrofit Pilot	In 2023, Council approved a new tax incentive program focused on energy and seismic upgrades for market rental buildings built prior to the year 2000. The purpose of this program is to promote energy efficiency improvements, seismic upgrades and the electrification of mechanical equipment.	Completed
MOU re: HEART and HEARTH with BC Housing	In early 2024 a Memorandum of Understanding (MOU) between the Province and the City of Victoria affirmed a commitment to address homelessness in Victoria through the Homeless Encampment Action Response Teams (HEART) and the Homeless Encampment Action Response Temporary Housing (HEARTH) programs.	Completed
10 –Year Official Community Plan Update and Zoning Bylaw Modernization	Work on updating Victoria’s Official Community Plan to meet housing supply needs for next 25 years has continued through 2024. The approach has focused on responding to the housing crisis while simultaneously aligning the City’s zoning regulation bylaw and other tools to help realize policy objectives. Public engagement was completed in September 2024.	Underway
Rental Incentive: Affordable Housing Rental Tax Exemption Bylaw	In June of 2024, Council approved the Revitalization Tax Exemption (RTE) Bylaw to incentivize the development of non-market rental housing and support the inclusion of affordable units in market rental projects.	Completed
Family Housing Policy	In June 2024, the City introduced the Victoria Family Housing Policy and associated Advisory Design Guidelines for Family Friendly Homes. The policy establishes a minimum	Completed

	percentage of two and three-bedroom units in all new multi-unit residential buildings.	
City-owned Sites for Affordable Housing Partnerships	The City is exploring opportunities to use City-owned land to support the delivery of affordable housing. This project is part of the City’s Housing Accelerator Fund Action Plan.	Underway
Leveraging City Lands for Housing	In 2023, a 205-unit affordable housing development was approved for City-owned land in the 900-block of Pandora Avenue. This project – a partnership with BC Housing and the Capital Region Housing Corporation – highlights how the City can leverage land to facilitate affordable housing. This project is one of five active projects since 2020 where the City leveraged city-owned lands to facilitate affordable housing partnerships with non-profit and government partners.	Ongoing
Tenant Assistance Policy	The Tenant Assistance Policy was updated since the completion of the 2020 Housing Needs Assessment to help mitigate the potential impacts of displacement on tenants. The policy includes guidelines for developers and property owners to provide additional supports for tenants who are displaced as a result of redevelopment.	Ongoing



Tenant Assistance Policy

Victoria Housing Strategy 2016 – 2025

1.0 Introduction

1.1 Victoria Renters

Renters account for a significant portion of the City of Victoria's population and are an important part of the City's social fabric.

Many of the renters live in older and lower-density rental stock, where over 80% of which were built in the 1960s and 1970s¹. With a proportionally high percentage of renters in the City, (61% of the total population)² this rental stock is a vital component of the City's overall supply of rental housing, with rental rates that are often lower than market average.

Renting also allows for median income households to live in Victoria. The median annual income of renters is \$44,165, significantly lower than that of homeowners (\$80,986)³.

1.2 Rental Housing Challenges

A healthy vacancy rate for a city is considered to be between three to five percent. With Victoria's growing population, high demand for rental housing, and low vacancy rate (1.0%)⁴, combined with limited increases in income and limited new supply of purpose-built rental housing in recent decades, the cost of housing for renters is not sustainable and continues to increase. Not only has the cost of renting increased but so too has cost of home ownership, creating even more challenges for many households to purchase a home. The impact of higher home ownership costs is that households that would have previously sought to buy a home are opting to rent, putting additional pressure on the rental market. While renters at every income level have experienced a dramatic increase in rents over the past number of years, the impact has been felt most acutely by those on fixed or low incomes and single person households, such as seniors, low-income families, single parents, and low wage workers.

The demolition and replacement of rental buildings results in the displacement of tenants, an issue that is exacerbated by significantly higher rents in new buildings. Lack of affordable housing, especially affordable rental stock, is a significant factor that contributes to relatively high levels of homelessness in the city, with significant social and economic costs and impacts. Any loss of rental stock and displacement of existing tenants, especially tenants with additional assistance needs, is a serious challenge.

¹ Market Rental Revitalization Report 2018

² Statistics Canada Census 2016

³ Statistics Canada Census 2016

⁴ CMHC Rental Market Report 2021

1.3 Policy Intent

The Tenant Assistance Policy has been developed to help mitigate the potential impacts of displacement on tenants by providing guidelines for developers and property owners to provide additional supports for tenants who are displaced as a result of major renovations or redevelopment.

2.0 Role of British Columbia Residential Tenancy Act

British Columbia's Residential Tenancy Act (RTA) regulates all tenancy agreements in residential units across the province. The Tenant Assistance Policy and Guidelines are intended to augment the RTA and address challenges unique to Victoria. While these Guidelines outline some of the requirements for tenant support included in the RTA, they are not a comprehensive nor complete guide. In some instances, the RTA outlines penalties for non-compliance for items both included in these guidelines and omitted. It is important that both landlords and tenants understand their rights and responsibilities under the RTA.

For more information on residential tenancy policy and guidelines, please refer to the Provincial Government's [Tenancy Policy Guidelines](#).

2.1 Notice to End Tenancies

The RTA sets out minimum notice that a landlord must give tenants to move out in case of renovations to or demolition of an existing building. A landlord may issue a *Notice to End Tenancy* only after all necessary permits have been issued by the City. In addition, landlords must give four months' notice to end tenancies for renovation, demolition, and conversions. Tenants have 30 days to dispute the notice.

For more information, please refer to the [Landlord Notice to End Tenancy](#).

2.2 Renovations and Repairs

Under the RTA, renovations and repairs must be so extensive that they require the unit to be empty for them to take place, and the only way to achieve the necessary emptiness or vacancy is by terminating a tenancy. The RTA and associated guidelines provide specific guidance pertaining to whether a landlord may end a tenancy to undertake renovations or repairs to a rental unit.

For more information, please refer to [Ending a Tenancy for Landlord's use of Property](#).

2.3 Right of First Refusal

In instances of renovations or repairs requiring vacancy, the RTA requires tenants be offered the right of first refusal to enter into a new tenancy agreement at a rent determined by the landlord. This right of first refusal applies only to a rental unit in a residential property containing 5 or more units, and there are financial penalties for non-compliance.

For more information, please refer to [Tenant Notice: Exercising Right of First Refusal](#).

3.0 Policy Target

The application of the Tenant Assistance Policy are as follows:

- The Tenant Assistance Policy is applicable to rezoning applications to redevelop or demolish any building that will result in loss of existing residential rental units.
- This policy offers best practice guidelines that can also be used by all applicants who are seeking to renovate or redevelop existing residential rental units.
- This policy is intended to guide applicants and City staff as part of the application process, but it is not intended to fetter Council's discretion when dealing with individual applications, each of which will be evaluated on its own merits.

3.1 Applicable Housing Types

The applicable housing types are as follows:

- *Market Rental Housing* – private rental housing with rent determined by the market
- *Non-Market or Social Housing* – housing that is rented at a price that is not set by market forces but set and controlled over time by some other means

For *missing middle* housing types, refer to section 6.0, *Tenant Assistance Plans for Missing Middle Housing Development*.

3.2 Eligible Tenants

Eligible Tenants are tenants who should be included in the Tenant Assistance Plan and includes all tenants who have resided in the building for one year or more at the time a rezoning application is submitted.

A tenant who has not resided in the property long enough to be an eligible tenant, including a tenant that moves into the property after the rezoning or development permit application is submitted to the City, is not required to be included in the Tenant Assistance Plan (but may be included at the applicant's discretion).

In cases where an eligible tenant moves out prior to receiving a Notice to End Tenancy from the landlord, they are still entitled to full financial compensation and the additional support they are eligible for under the Tenant Assistance Policy.

3.3 Developing a Tenant Assistance Plan

For any renovation or redevelopment that requires relocation of existing tenants, the property owner must create a Tenant Assistance Plan that addresses the following issues:

- Early communication with the tenants
- Appropriate compensation
- Relocation assistance
- Moving costs and assistance
- Right of First Refusal.

The City has developed a Tenant Assistance Plan template that is available for applicant use. The template includes the required FOIPPA section 27(2) privacy notification which should be identified for tenants.

3.4 Communication with Tenants

Applicants should communicate their intention to renovate or redevelop with tenants prior to submitting any application to the City and continue to communicate throughout the process. The Tenant Assistance Plan should be developed with input from tenants, and once finalized, the full plan should be communicated to tenants. Communication with tenants could include:

- A written letter or email sent by the applicants to all tenants outlining the proposed project and expected timeline
- Providing a primary point of contact for tenants
- Providing the City’s *Frequently Asked Questions (FAQ)* handout sheet
- Providing a *Request for Tenant Assistance Form* to tenants to identify tenant assistance needs
- Informing tenants about the City’s Tenant Assistance webpage and the Residential Tenancy Branch webpage
- Ongoing communication regarding the process of the development and tenant assistance process at each stage of the process (prior, during, and at the conclusion of the project) in the form of a meeting, letter, email, etc.

4.0 Tenant Assistance Plan for Market Rental Housing Development

The guidelines in this section are intended to be used for renovation or redevelopment in Market Rental Housing developments, as defined in section 3.1 Applicable Housing Types.

4.1 Compensation

Compensation should be given to displaced tenants. Compensation may take the form of free rent, a lump sum payment, or a combination of both.

For market rental housing, compensation is recommended to be based on length of tenancy at either:

- (1) The higher of CMHC average rent for the City of Victoria (as identified in CMHC’s Annual Rental Market Report, adjusted annually and identified in Table 1 – *Rental Compensation*⁵, below) or the tenant’s existing rent; or
- (2) Free rent in a different building

Table 1 - Rental Compensation⁵

CMHC Average Rent ⁶	Length of Tenancy
<ul style="list-style-type: none"> • Bachelor: \$1,024 • 1BR: \$1,205 • 2BR: \$1,580 • 3BR+: \$1,975 	<ul style="list-style-type: none"> • Up to 5 years: 3 months’ rent • 5 to 9 years: 4 months’ rent • 10-19 years: 5 months’ rent • 20+ years: 6 months’ rent

⁵ Table 1 - Rental Compensation is provided for reference only. Applicants should consult the latest CMHC Rental Market Report for appropriate rent rates.

⁶ CMHC Rental Market Report 2021

For tenants receiving government or rental assistance where program eligibility is based on taxable income, such as BC Housing's Rental Assistance Program (RAP), Shelter Aid for Elderly Renters (SAFER), Income Assistance, Disability Assistance, etc., compensation in the form of free rent in a different building is preferable.

4.2 Moving Expenses and Assistance

One of two options should be provided to displaced tenants, at the discretion of the landlord:

- (1) An insured moving company may be hired by the applicant, with all arrangements and costs covered within Greater Victoria; or
- (2) Flat rate compensation (based on unit size) provided to the tenant at the rate of:
 - \$750 for bachelor and one-bedroom households
 - \$1,000 for two-bedroom households
 - \$1,250 for three or more -bedroom households

When a tenant is exercising the Right of First Refusal (Section 4.4), moving expenses should be provided for both the move out and return to the building.

Tenants may request moving compensation different than that proposed by the Landlord per item 7.0: Tenants Requiring Additional Assistance.

4.3 Relocation Assistance

Tenant Relocation Coordinator

An experienced Tenant Relocation Coordinator should be hired or appointed by property owner or landlord to assist tenants with finding alternative rental housing options. A roster of local Tenant Relocation Coordinators can be found on the City's webpage.

Once in place, the Tenant Relocation Coordinator's contact information should be posted within the building in a conspicuous location, and they should be contactable at regular and consistent hours.

Alternate Housing Options

At least three housing options should be presented to the tenant(s). The units should be:

- Comparable in terms of size, location, and rent amount (unless otherwise agreed to by tenant)
- Located in the Capital Regional District, with at least one in the same neighbourhood (unless the tenant has indicated preference for another location)
- Rent at no more than the Canadian Mortgage and Housing Corporation (CMHC) average rents for the City of Victoria, or at a rate comparable to the tenant's current rate if current rent is higher than CMHC average
- Tailored to the tenant wherever possible (e.g., pet friendly, accessible, smoke-free, etc.)

4.4 Right of First Refusal

Tenants should be offered the Right of First Refusal, which is the right for the tenant being displaced to return to the building once renovations or redevelopment is complete. Returning tenants should be offered rents at 20% below starting market rents for the new units, with the following considerations:

- If a tenant's current rent is higher than the proposed 20% below market rent level, the right of first refusal can be offered at the tenant's current rental rate
- Tenants should be offered to be moved back to the building with moving expenses covered per Section 4.2

5.0 Tenant Assistance Plan for Non-Market Rental Housing Development

The guidelines in this section are intended to be used for renovation or redevelopment in Non-Market Rental Housing developments, as defined in section 3.1 Applicable Housing Types.

5.1 Compensation

Compensation should be given to displaced tenants. Compensation may take the form of free rent, lump sum payment, or a combination of both.

Compensation is recommended to be based on length of tenancy:

- Up to 5 years: 3 months' rent
- 5 to 9 years: 4 months' rent
- 10 to 19 years: 5 months' rent
- 20+ years: 6 months' rent

In the case that compensation in the form of a lump sum payment may affect the tenants' eligibility for housing, then compensation in free rent in a different building is preferred.

These guidelines may be flexible for non-market or social housing developments, where negotiating for reduced compensation for tenants may be possible (for example when tenants are relocated in comparable accommodation within an organization's existing portfolio of affordable housing).

5.2 Moving Expenses and Assistance

Refer to Section 4.2.

5.3 Relocation Assistance

Tenant Relocation Coordinator

An experienced Tenant Relocation Coordinator should be hired or appointed by the property owner or landlord to assist tenants with finding alternative rental housing options. A roster of Tenant Relocation Coordinators can be found on the City's webpage.

Once in place, the Tenant Relocation Coordinator's contact information should be posted within the building in a conspicuous location and they should be contactable at regular and consistent hours.

Alternate Housing Options

At least three housing options should be presented to the tenant(s), where securing housing for the tenant(s) is recommended. The alternate units should be:

- Comparable in unit size and type (unless otherwise agreed by the tenant)
- Located in the Capital Regional District, with at least one in the same municipality
- For tenants paying Rent-Geared-to-Income, rents are to be no higher than what the tenant is eligible for under the current subsidy program
- For all other tenants, rents are to be no more than the higher of either 30% of household gross income or the tenant's current rent at the time of development application
- Tailored to the tenant wherever possible (e.g., pet friendly, accessible, smoke-free, etc.)

Preference should be given at the tenant's discretion to (in priority sequence):

- Phased renovations or redevelopment where tenants can be relocated in stages to other properties on the site without ending tenancies
- A unit within the non-profit's existing portfolio
- A unit within another non-profit's portfolio
- Other forms of subsidized housing (e.g., a portable rental supplement)

5.4 Right of First Refusal

Tenants should be offered the Right of First Refusal, which is the right for the tenant being displaced to return to the building once renovations or redevelopment is complete.

- Applicants should provide all residents with the right of first refusal to return to the new development at rents described in section 4.4
- Tenants offered to move back to the building should have moving expenses covered at rates described in Section 4.3
- Projects proposing new social housing, or in instances where rental units are replaced with social housing, returning tenants must meet eligibility requirements for the new social housing units and any criteria described in a Council-approved Housing Agreement

6.0 Tenant Assistance Plan for Missing Middle Housing Development

The guidelines in this section are intended to provide direction to Missing Middle housing projects in the Traditional Residential Urban Place Designation.

6.1 Compensation

Compensation should be given to displaced tenants and may take the form of free rent, a lump sum payment, or a combination of both.

For tenants displaced by missing middle development projects, compensation is recommended to be either:

- (1) a. For market rental – One months' rent at the higher of CMHC average rent for the City of Victoria (as identified in CMHC's Annual Rental Market Report, adjusted annually and identified in Table 2 – *Rental Compensation*⁷, below) or the tenant's existing rent; or

- (1) b. For non-market rental - One months' rent; or
- (2) Free rent in a different building

Table 2 - Rental Compensation ⁷

CMHC Average Rent⁸

-
- Bachelor: \$1,024
 - 1BR: \$1,205
 - 2BR: \$1,580
 - 3BR+: \$1,975

For tenants receiving government or rental assistance where program eligibility is based on taxable income, such as BC Housing’s Rental Assistance Program (RAP), Shelter Aid for Elderly Renters (SAFER), Income Assistance, Disability Assistance, etc., compensation in the form of free rent in a different building is preferable.

These guidelines may be flexible for non-market or social housing developments, where negotiating for reduced compensation for tenants may be possible (for example when tenants are relocated in comparable accommodation within an organization’s existing portfolio of affordable housing).

6.2 Moving Expenses and Assistance

Refer to Section 4.2.

6.3 Combined Compensation

To satisfy this policy, a developer is required to provide combined total compensation under sections 6.1 and 6.2 up to a total value of \$4,000.

Any additional compensation to displaced tenants, above \$4,000 will be at the developer’s discretion.

6.4 Relocation Assistance

While relocation assistance is not required as part of missing middle developments, the assistance in identification of alternative housing options for displaced tenants is considered best practice and should be undertaken whenever possible. See section 4.3 Alternate Housing Options for guidance.

6.5 Right of First Refusal

For missing middle housing developments, there are no Right of First Refusal requirements - which is the right for the tenant being displaced to return to the building once renovations or redevelopment is complete - beyond those included in the RTA.

⁷ Table 2 - Rental Compensation is provided for reference only. Applicants should consult the latest CMHC Rental Market Report for appropriate rent rates.

⁸ CMHC Rental Market Report 2021

7.0 Tenants Requiring Additional Assistance

This policy is particularly targeted towards tenants requiring additional assistance, for whom the impact of displacement may be more acute. Tenants requiring additional assistance may include (but not limited to):

- Long-term tenants who may be paying significantly below market-rent, and for whom entering the current market may present financial challenges
- Tenants with specific housing needs due to a disability (physical and/or mental health issues)
- Seniors, who may be long-term tenants and living on a fixed income
- Families with young children, who may have difficulty finding appropriate units
- Newcomers (recent immigrants and refugees)
- Households with very low (<\$19,999) to low (\$20,000 - \$34,999) income
- Self-reporting of additional assistance required by tenants (disclosure to the applicant on the reason for requiring assistance is NOT required)

The City may, at its discretion, request that additional financial compensation or support be provided to tenants requiring additional assistance. Additional supports could include:

- Providing additional compensation in the form of free rent, lump sum payments or a combination of both
- Hiring a Tenant Relocation Coordinator to assist individual tenants
- Providing professional movers (costs and arrangements covered) and additional funds for moving expenses
- Working with non-profit agencies to offer alternative accommodation
- Prioritizing rent-gear-to-income tenants for relocation assistance
- Continued support for housing search options above the relocation assistance requirements
- Identifying an alternative housing option that is within 10% of the tenant's current rent, if the tenant has a low income and is paying significantly lower than CMHC average rent for the area
- Offering right of first refusal rents at 30% below starting market rents for the new units
- For tenants in subsidized housing, right of first refusal units offered at existing rents in the new building

8.0 Vacant Units

Special requirements apply where the rental building is vacant at the time of a rezoning application as a consequence of:

- A vacant possession having been a condition of property purchase; or
- A Notice to Vacate issued without proper permits and necessary approvals in place.

In these cases, the rezoning application will need to be supplemented with additional information as requested by the City, which may include on request supporting documents and legal notices delivered to the tenants, so as to afford the City the ability to confirm and verify that the process by which the building was vacated was, to the best of their knowledge, carried out in compliance with this Policy and the RTA.

9.0 Procedure for Implementation, Documentation, and Final Report

Once the Tenant Assistance Plan has been approved by City staff and Council in a rezoning application, the applicant is responsible for communicating the plan to tenants, and for implementing the plan as described in this policy.

Throughout implementation, landlords should keep good records of communication with tenants, including housing options provided and offers and acceptances of alternate housing provided, and be able to produce these records to the City on request.

The City expects that applicants submit a [Final Tenant Assistance Report](#) prior to the issuance of an occupancy permit. The report helps the City to track, evaluate, and document the effectiveness of this policy. The Tenant Assistance Report includes:

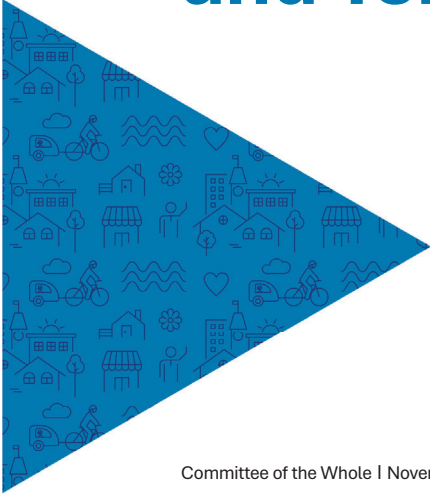
- Names of tenants eligible for the Tenant Assistance Plan
- A summary of the financial compensation and assistance given to each tenant (e.g. moving costs, rent, etc.)
- Outcome of their search for accommodation
- Tenants who have exercised the right of first refusal

10.0 Freedom of Information and Protection of Privacy Act

This policy recognizes that for the Tenant Assistance Plan to operate effectively, tenants' personal information will need to be collected, used, and disclosed. Therefore, every tenant assistance plan will be administered in compliance with the following privacy requirements contained in the *Freedom of Information and Protection of Privacy Act*:

- Personal information can only be collected, used and disclosed for the purposes described in this policy
- Personal information must be protected at all times from unauthorized collection, use, access and disclosure
- Tenants must be made aware that providing their personal information is voluntary and non-disclosure does not prevent them from participating in the Tenant Assistance Plan
- Tenants have the right to know how their personal information is being used
- Tenants have the right to access their personal information and to request corrections of it where applicable
- Tenants will not be asked to provide any personal information that is not necessary to assist them under the Tenant Assistance Plan
- Tenants' personal information will not be retained longer than is necessary to assist them under the Tenant Assistance Plan
- Tenant Assistance Plans should not be forwarded to anyone, City staff or otherwise, not directly involved in the completion, participation in, or evaluation of the plan.

Interim Housing Needs Report and Tenant Protection



Committee of the Whole | November 14, 2024



Purpose

Overview and recommendations for:

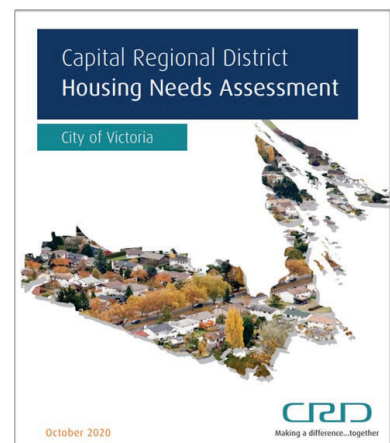
- 1. Interim Housing Needs:** Interim Housing Needs Report (Attachment 1) and addressing long term housing needs.
- 2. Advancing Tenant Protection:** Tenant Protection Bylaws and Development Permit Areas for tenant protection.

1. Interim Housing Needs Report



Background

- In the fall of 2023, the provincial government introduced pro-active planning legislation
 - Includes requirement for municipalities to prepare an **Interim Housing Needs Report** by January 1, 2025
 - Supplements the City's first Housing Needs Assessment (October 2020)



Interim Housing Needs Report

Current and Future Need:

- Housing Needs Report Method based on six components
- Estimate 5-year (8,254) and 20-year (26,604) housing unit needs

Key Actions Taken:

- Fast Track for Affordable Housing
- Missing Middle Initiative
- Affordable Housing Rental Tax Exemption Bylaw
- Family Housing

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Comparing Methods and Estimates

- Housing Needs Report Method and OCP Goal Posts Method:
 - Independently developed but well aligned
 - Similar Results: Only 2% difference (2041 estimates)
 - Key Difference: OCP Goal Posts consider longer-term planning horizon (to 2050)

	Housing Needs Report Method	OCP Goal Post Method
20-year Housing Need (2021-2041)	26,604 units	26,060 units
30-year Housing Need (2021-2050)	-	34,600 units

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Addressing Housing Needs through the OCP Update

- **Pro-active planning legislation:** Local governments must provide 20-year housing capacity by updating their OCPs and zoning bylaws by December 31, 2025
- **OCP update:** The City is well underway with updating Victoria’s land use framework (OCP & zoning) to address needed housing capacity



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2. Advancing Tenant Protection



Existing Tenant Assistance Policy

- Tenant Assistant Policy (TAP) was approved in 2018 to mitigate the impacts of tenant displacement due to redevelopment
- Applied in the context of a rezoning application

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New Tools to Support Tenants

- Proactive planning means fewer rezonings
- New authority to establish:
 - **Tenant Protection Bylaws**
 - **Tenant Protection Development Permit Areas**
- Key benefits:
 - Require tenant protections for any development permit application - not just rezoning applications
 - More tools for enforcement

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Transitioning the City's Approach to Tenant Protection

- **Transitioning the policy to a bylaw:**
 - Apply to a broader range of development applications
- **Considering a Development Permit Area for tenant protection:**
 - Require compliance as a condition of development permits
- **Reporting back to Council:**
 - Provide consultation summary and seek direction to prepare bylaws
 - Align with OCP Update report in early 2025

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Conclusion

- **2024 Interim Housing Needs Report:** estimates need for 26,604 housing units by 2041
- **OCP 10-Year Update and Zoning Modernization:** accommodating long-term housing needs from Interim Housing Needs Report
- **Tenant Protection Bylaw and Tenant Protection Development Permit Area:** supports shift towards pro-active planning and strengthens protections for tenants

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Recommendation

Interim Housing Needs Report:

- Recommend Council receive and publish the 2024 Interim Housing Needs Report (Attachment 1), to enable the City to comply with the mandated provincial requirement to complete an interim report by January 1, 2025

Advance Tenant Protection:

- Recommend Council direct staff to:
 - Conduct necessary consultation for a new Tenant Protection Bylaw and an associated Development Permit Area for tenant protection, enabled through new provincial authorities
 - Report back with a consultation summary and seek direction to prepare bylaws, when staff reports back to Council on the OCP Update in early 2025

¹³ Interim Housing Needs Report and Tenant Protection | November 14, 2024



Current and Future Need

Five- and twenty-year housing need estimates, calculated using the Housing Needs Report Method:

Component	5-Year Housing Unit Needs	20-Year Housing Unit Needs
A. Extreme Core Housing Need	975	3,898
B. Persons Experiencing Homelessness	221	442
C. Suppressed Household Formation	406	1,625
D. Anticipated Growth	5,924	17,725
E. Rental Vacancy Rate Adjustment	155	619
F. Additional Local Demand	573	2,292
Total New Units – 5 years (Year 2026)	8,254	
Total New Units – 20 years (Year 2041)		26,604

¹⁴ Interim Housing Needs Report and Tenant Protection | November 14, 2024





Committee of the Whole Report

For the Meeting of November 14, 2024

To: Committee of the Whole **Date:** October 31, 2024

From: Susanne Thompson, Deputy City Manager and CFO
Karen Hoese, Director, Planning and Development

Subject: **Development Cost Charge Grant Policy for Non-profit Affordable Housing Providers**

RECOMMENDATION

That Council approve the Development Cost Charge Grants Policy (Attachment 1) to provide grants of up to 50% of residential Development Cost Charges for non-profit non-government affordable housing providers.

EXECUTIVE SUMMARY

As part of the Development Cost Charge (DCC) Program update to Council on December 14, 2023, staff were directed to develop a new grant program to offset the cost of the City's DCCs for non-government non-profit rental housing projects. Staff have prepared a draft DCC Grant Policy for Council's consideration.

The proposed DCC Grant Policy is part of the City's on-going efforts to reduce costs and enable non-profit housing providers to respond to the need for more affordable rental housing. Currently, high construction costs and elevated interest rates are challenging the viability of affordable housing projects. To support non-profit non-governmental rental housing providers a new DCC Grant Policy is recommended to provide DCC Grants of 50% of total levies for residential DCCs.

Grant applications would be reviewed and approved by staff to ensure they meet key eligibility criteria. At the time of building permit issuance, authorized DCC grants would be applied as a credit to the total Development Cost Charges payable to the City.

Over the last five years, the City saw roughly two affordable rental housing projects reaching the building permit issuance milestone each year. If a similar level of activity were to carry forward over the next two years under the updated Development Cost Charge Bylaw staff estimate the City would require annual funding of \$900,000 if the DCC Grant Program covered 50% of the total levies for residential DCCs. The proposed grant program can be funded for the first two years through the Housing Accelerator Funding (HAF) as it aligns with the City's HAF Action Plan endorsed by Council and would allow staff to monitor the program and report back in early 2027 on alternative funding options going forward.

The proposed DCC Grant Program aligns with the City’s commitment to support non-profit non-governmental housing providers at a time when the viability of many projects is challenged by current market conditions.

PURPOSE

The purpose of this report is to present the Development Cost Charge Grant Policy for Non-Profit Housing for Council approval.

BACKGROUND

Both the Victoria Housing Strategy and the Council Strategic Plan identify the importance of enabling and supporting non-market housing and affordable housing partnerships. The Victoria Housing Strategy identifies an annual target of 350 non-market affordable rental housing units. At the same time, the City’s Housing Accelerator Fund (HAF) work plan includes a commitment to introduce rental housing incentives to achieve three-year targets for affordable housing with the ability to direct HAF funds to support the development of affordable housing. To achieve these goals, the City will need to use various strategies to reduce costs and enable the development of non-profit affordable housing projects.

On October 12, 2023, staff brought forward a report to Council describing incentives the City could provide to support the development of non-market rental housing. At the time, Council directed staff to explore a 50% reduction in Development Cost Charges (DCCs) for non-market rental housing projects through the 2023-2024 Development Cost Charge Program Review. Subsequently, on December 14th, 2023, as part of a policy direction report for the Development Cost Charge Program update, Council directed staff to develop a new grant program that would offset the cost of DCCs for non-government non-profit rental housing projects.

In recognition of the Provincial Inspector of Municipalities’ approval of the City’s DCC Bylaw staff have prepared a draft DCC Grant Policy for Council’s consideration.

ISSUES & ANALYSIS

To support non-profit rental housing the City continues to explore ways to enable affordable housing through improved processes and reduced costs. The development of affordable housing is generally comprised of both hard costs in the form of construction materials and labour costs as well as soft costs that include development fees, charges and consultant support. The hard costs account for most of the budget for building new housing, but soft costs are also considerable often totalling as much as 15 to 18 per cent of the hard costs of a project. The DCCs collected by the City are one component of soft costs that the City has direct control over at a time when non-profit housing providers are looking for all available supports to improve viability of projects.

Over the last several years, inflationary forces have contributed to a development environment where high construction costs and rising interest rates are making the viability of new and in-stream affordable rental housing projects extremely challenging. For this reason, the City is looking to create a DCC Grant Policy (“DCC Grant Program”) to address the urgent need to support non-profit non-government housing providers.

DCC Grant Policy Structure

The proposed policy recommends a DCC Grant of 50% of total levies for residential DCCs for affordable housing projects where the applicant is a non-profit non-governmental housing provider.

The proposed DCC Grant Policy (Attachment 1) would provide a DCC grant for projects in the City of Victoria based on meeting the following requirements:

- Applicants must be a non-government non-profit organization that delivers affordable housing for very low, low, median or moderate-income households.
- Applicants must demonstrate that they will be the long-term operator of the proposed housing.
- Applicants must have submitted a complete development permit application.

The recommended DCC Grant Policy would assist non-profit housing providers that are most challenged to advance projects under current market conditions. Non-profit non-government housing providers are very limited in their ability to raise capital to account for rising costs. Their main option to gain funding is to increase overall debt associated with long-term borrowing for the project, but this approach can often push projects beyond key funding program requirements, resulting in a project no longer being viable.

Non-profit housing providers are also mission-driven with their own internal commitments to serve priority populations, and they typically rely on senior government funding to build housing; therefore, there is little risk associated with providing flexibility around the level of affordability required for these groups to access the grant. Overall, this approach empowers non-profit non-governmental affordable housing providers to bring forward projects and leverage senior government funding to meet the urgent need for affordable housing in the region.

Applicants would also be required to demonstrate how their project aligns with at least one of the following City of Victoria housing priorities:

- *Projects targeting housing for very low, low, median or moderate-income households.*
- *Projects targeting youth, seniors, single-parent families, or other equity-seeking groups and individuals facing barriers based on factors such as race, gender or ability.*
 - *Examples could include Indigenous people, newcomers, members of the 2SLGBTQIA+ community, racialized people, persons with disabilities, and unhoused people.*
- *Projects for individuals who are either experiencing homelessness or are at risk.*
- *Projects that are targeting family-friendly units (three-bedrooms or greater).*
- *Projects that exceed accessibility requirements of the BC Building Code.*

Application Process

DCC Grant applications would be submitted to the Planning and Development Department at the time of or following a Development Permit application submission. Applicants would be required to provide three key items:

1. Application form confirming key project and applicant information.
2. A brief letter that summarizes how the project aligns with eligibility and housing priorities described in the City of Victoria DCC Grant Policy.
3. The most recent annual report prepared by the non-profit organization describing housing activities, operations and governance.

Applications that align with the eligibility criteria would be provided a comfort letter from the Director of Planning and Development after the application receives the following: introductory bylaw readings, preliminary approval by Victoria City Council or completion of staff technical review, if subject to a Delegated Development Permit approvals process.

At the time of building permit issuance, the authorized funding would be applied as a credit to the total Development Cost Charges payable to the City. To receive the credit at the time of building permit issuance the affordable housing provider must provide the comfort letter from the Director of Planning and Development confirming DCC grant approval.

Financial Implications

Because the City does not develop or build affordable housing it is challenging to estimate the exact number of units that would be applying for a DCC Grant on an annual basis. However, a review of affordable housing projects that were issued building permits between 2019 and 2023 provides a general understanding of the demand for the proposed DCC Grant Program. Over that five-year period the average DCCs received from affordable housing on an annual basis was approximately \$575,000. In this time the City issued building permits for 11 different projects with roughly two projects achieving final building permit issuance on an annual basis.

By looking at the activity over the five years in combination with the new DCC rates for the City of Victoria it is possible to estimate potential financial impacts of the proposed DCC Grant Program. For example, assuming roughly 180 units per year were applying for building permit and required to pay DCCs under the 2024 DCC Bylaw there would be a corresponding cost of roughly \$1.8M in DCCs on an annual basis. However, if Council approved a DCC Grant Policy that provided a 50% reduction in DCCs for non-profit housing providers that would equate to approximately \$900,000 per year in funding.

Overall, this summary provides a high-level estimate of the financial impacts based on a 50% reduction in residential DCCs assuming a similar level of housing activity continues over the next several years. If the City saw a significant increase or decrease in affordable housing applications the funding demands could be higher or lower.

OPTIONS & IMPACTS

Option 1: Approve the proposed DCC Grant Policy to provide grants covering 50% of total residential DCCs (Recommended).

This option would allow for the City to provide greater support to non-profit non-governmental affordable housing providers at a time when projects are facing challenging development conditions. Also, this level of support could be accommodated under work plan and anticipated funding from the Federal Housing Accelerator Fund (HAF). The City could introduce this new program without impacting property taxes over the next two years providing further support for non-profit housing through the end of the HAF program.

Option 2: Approve a DCC Grant Policy that provide grants up to 100% of the total residential DCCs.

Approve the Development Cost Charge Grants for Affordable Housing Policy (Attachment 1) that would provide grants to support up to 100% of residential Development Cost Charges for non-profit non-government affordable housing providers.

Should Council wish to support the alternative direction where the City provides a DCC grant of up to 100% total residential DCCs for non-profit non-governmental housing providers, the estimated annual impact is \$1.8 million and only one year of funding from the HAF would be available. Therefore, staff would need to report back on alternate funding options earlier based on the increased funding requirements.

Accessibility Impact Statement

The proposed DCC Grant Policy would support the development of housing for populations in core housing need including persons with disabilities. Moreover, the proposed policy encourages projects that exceed accessibility requirements of the *BC Building Code*.

2023 – 2026 Strategic Plan

The proposed policy aligns with several of the housing directions in the Strategic Plan specifically the goals related to enabling non-market housing and partnerships to create more non-market housing.

Impacts to Financial Plan

This new grant program proposed can be funded by the Housing Accelerator Funding through end of 2026 based on this action being part of the approved HAF Action Plan Initiatives endorsed by Council on June 1, 2023. As it is not known how much annual funding will be needed, this approach will allow staff to gather that information over the next two years. After that time, staff would bring forward alternative funding options going forward.

Official Community Plan Consistency Statement

OCP Policy 13.4 highlights the City's commitment to consider all available tools to encourage more affordable housing across the continuum, including but not limited to incentives and allowances such as property tax reductions, grants, bonus density provision and streamlined processes.

CONCLUSIONS

The proposed DCC Grant Policy is part of the City's on-going efforts to encourage affordable housing. The proposed program would allow the City to offer financial support to non-profit non-governmental housing providers at a time when many projects are challenged by various market conditions. Moreover, the new program aligns with the City's efforts to introduce policies and supports to encourage housing supply across the spectrum as part of the City's Housing Accelerator Fund commitments. In closing, the proposed DCC Grant Program would allow the City to respond to the acute challenges non-profit housing partners are facing, while limiting taxation impacts of the program over the next two years.

Respectfully submitted,

Ross Soward
Manager, Housing
Planning and Development

Karen Hoese
Director of Planning and
Development

Susanne Thompson
Deputy City Manager and Chief
Financial Officer

Report accepted and recommended by the City Manager

List of Attachments

Attachment 1 - Development Cost Charge Grant Policy



Planning and Development
1 Centennial Square
Victoria, BC V8W 1P6

T 250.361.0382
E housing@victoria.ca

City of Victoria DCC Grant Policy

Application and Intent

The program will provide grants to reduce the Development Cost Charges (DCCs) for affordable housing providers thereby supporting construction of new non-profit affordable rental housing.¹ The DCC Grants will cover residential DCCs owed to the City of Victoria for eligible non-profit housing providers.

This policy describes the management of the DCC Grant program, outlining eligibility and administration of the grants. The program looks to provide certainty for non-profit housing providers to reduce costs associated with the Building Permit application process.

The DCC grant program is administered by the Planning and Development Department.

Maximum Grant Funding

Grants may be provided to non-governmental non-profit housing providers up to a maximum of 50 per cent of the total residential DCCs owing to the City for the proposed non-market rental housing project and associated housing units.

The amount of funding provided per project will be determined based on the number of eligible housing units that are proposed and the applicable residential DCC rates.

Eligibility Criteria

To be eligible for the grant funding, affordable rental projects must be located within the City of Victoria and must meet the following requirements:

- Applicants must be a non-government non-profit organization that delivers affordable housing for very low, low, median or moderate-income households.
- Applicants must demonstrate that they will be the long-term operator of the proposed housing.
- Applicants must have submitted a complete development permit application.

Applications must demonstrate alignment with at least one of the following affordable rental housing priorities:

- Projects targeting housing for very low, low, median or moderate-income households.
- Projects targeting youth, seniors, single-parent families, or other equity-seeking groups and individuals facing barriers based on factors such as race, gender or ability.
 - Examples include Indigenous people, newcomers, members of the 2SLGBTQIA+ community, racialized people, persons with disabilities, and unhoused people.
- Projects for individuals who are either experiencing homelessness or are at risk.
- Projects that are targeting family-friendly units (three-bedroom or greater).
- Projects that exceed accessibility requirements of the BC Building Code.

¹For the purposes of this Policy, non-profit affordable rental housing could also include housing cooperatives where residents pay a monthly charge to a non-government non-profit housing cooperative pursuant to the Cooperative Association Act. Housing cooperatives would also be expected to meet other key eligibility criteria under the Policy.



Planning and Development
1 Centennial Square
Victoria, BC V8W 1P6

T 250.361.0382
E housing@victoria.ca

City of Victoria DCC Grant Policy

Application Process

DCC Grant applications must be submitted to the Planning and Development Department at the time of or following a Development Permit application submission. The Planning and Development Department will review applications in the order they are received and confirm that the applicant and associated project is eligible to receive a DCC grant.

Applications that align with the eligibility criteria, where the applicant demonstrates that they are an established non-profit affordable housing provider with a project that advances key City housing priorities, will be reviewed by Planning and Development staff with the Director of Planning and Development providing final approval.

The approval will be confirmed through a comfort letter disclosing the authorized DCC grant amount that will be provided to the applicant after the application receives the following: introductory bylaw readings, preliminary approval by Victoria City Council or completion of staff technical review, if subject to a Delegated Development Permit approvals process.

Consideration of each application for funding is contingent on there being a reasonable expectation that the eligible housing units will be under construction within two years of approval. Where a development is being phased, each distinct phase will be treated as a separate application.

Authorized DCC grant amounts will be subject to available funds. If dwellings authorized for funding under this policy do not reach the building permit stage within two years of the funding being authorized, a carryover request for up to an additional two years can be made to Planning and Development staff and will be evaluated based on available funds.

At the time of building permit issuance, the authorized funding will be applied as a credit from the total residential Development Cost Charge levies payable to the City. To receive the credit at the time of building permit issuance the affordable housing provider must provide the comfort letter from the Director of Planning and Development confirming DCC grant approval.

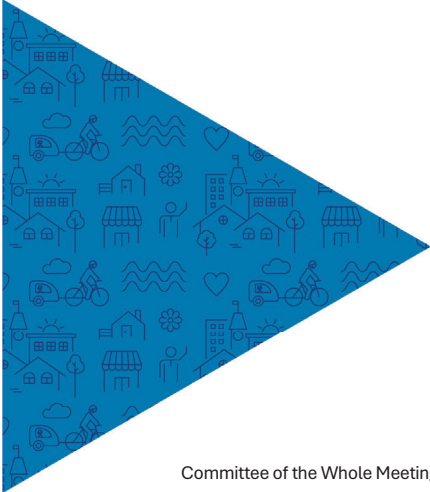
Application Requirements

1. Application form confirming key project and applicant information.
2. Brief letter that summarizes how the project aligns with eligibility and project priorities described in the City of Victoria DCC Grant Policy.
3. The most recent annual report prepared by the non-profit organization outlining affordable housing activities, operations and governance.

For additional information please contact, Housing@victoria.ca

DCC Grant Policy

Supporting Non-profit Affordable Housing Providers



Committee of the Whole Meeting - November 14, 2024



Purpose

- Present a Development Cost Charge Grant Policy for Non-profit Affordable Housing for Council approval.



Background

- Council Objective to enable non-market rental housing.
- Housing Accelerator Fund (HAF) workplan commits to rental incentives.
- Council direction for DCC Grant program:
 - **October 12, 2023:** Council directed staff to explore a **50% reduction in DCCs** for non-market rental housing projects through 2023-2024 DCC Program Review.
 - **December 14th, 2023:** Council directed staff to develop a new grant program that would offset the cost of DCCs for **non-government non-profit rental** housing projects.
- DCC Bylaw has Provincial approval, DCC Grant policy for council's consideration.

3 DCC Grant Policy | November 14, 2024



Rationale for DCC Grant Program

- Enable affordable housing via process changes and cost savings.
- High-cost environment impacting affordable housing viability.
- Use available levers to reduce City's share of softs costs.
- Help non-profit housing groups leverage senior government funding.

4 DCC Grant Policy | November 14, 2024

Higher interest rates resulted in 30,000 fewer housing starts last year: CMHC

Modelling suggests 2023 interest rates slashed housing starts by 10 to 15 per cent

Serah Louis

Published Oct 05, 2024 • Last updated Oct 05, 2024 • 2 minute read



Proposed DCC Grant Program

- DCC Grant of 50% of total levies for residential DCCs for non-profit non-governmental affordable rental housing.
- Projects must meet key requirements:
 - Applicants must be a non-government non-profit organization that delivers affordable housing for very low, low, median or moderate-income households.
 - Applicants must demonstrate that they will be the long-term operator of the proposed housing.
 - Applicants must have submitted a complete development permit application.
- Applicants to demonstrate alignment with City housing priorities.

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Financial Implications

- Challenging to estimate financial impact.
- 2019-2023 saw two affordable housing projects per year.
- Estimated impact of \$900,000 annually.
- Housing Accelerator Funds can support program through 2026.
- Monitor over next two years to understand financial impact.



*2022 Vancouver Island Housing Leadership Network
Call to Action Press Conference*

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Conclusion

- Proposed DCC Program expands supports for affordable housing.
- Responds to financial challenges non-profit housing partners are facing.
- Aligns with Action Plan under the Housing Accelerator Fund.
- Respond to acute need and limit immediate taxation impacts.



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Recommendation

- That Council approve the Development Cost Charge Grants Policy to provide grants of up to 50% of residential Development Cost Charges for non-profit non-government affordable housing providers.

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Committee of the Whole Report For the Meeting of November 14, 2024

To: Committee of the Whole **Date:** October 16, 2024
From: Kerri Moore, Director of Business and Community Relations
Subject: Other Guise Society MCIEG Referral Motion Response

RECOMMENDATION

That Council choose one of the five options set out below in response to the Other Guise Society MCIEG application.

EXECUTIVE SUMMARY

On August 1, 2024, Council directed staff to explore ways to safeguard the City’s investment in connection with The Other Guise Theatre Society’s refinancing and acquisition of 716 Johnson Street. The Society has requested \$250,000 through the Major Community Initiatives and Events Grant (MCIEG) to secure additional capital. This funding is needed to refinance the property and establish a new performing arts hub at 716 Johnson Street by December 31, 2024, in order to comply with the terms of an existing mortgage agreement with a current investor.

Staff conducted further research and review of the Society’s grant application and financial statements and have identified five options for Council’s review and decision-making which include:

1. Issue the grant monies as a forgivable loan.
2. Register a mortgage against 716 Johnson Street to secure use of the forgivable loan for certain purposes.
3. Secure the use of the monies for certain purposes through an Irrevocable Letter of Credit (“ILOC”).
4. Deny the grant request.
5. Approve the grant with conditions

Staff met with the applicant and reviewed these options to get their perspective on which options, if any, are viable and feasible. With all these options there is varying degrees of risk involved regarding protecting the City’s investment to support refinancing the redevelopment of 716 Johnson Street into an arts hub. Staff are seeking Council direction regarding which of the five options outlined in detail in this report to pursue regarding the Society’s grant application for \$250,000 through the MCIEG program.

As per the MCIEG guidelines, there are no staff recommendations regarding this application, and staff require Council direction on how to move forward.

Staff will review the MCIEG program prior to the next intake to improve the process to mitigate these challenges going forward. This may include a review of the criteria, eligibility and staff oversight to more closely align with other City grant processes.

PURPOSE

To provide options on how to protect the City's potential investment concerning the Other Guise Theatre Society's request for a grant of \$250,000 through the Major Community Initiatives and Events Grant program to refinance 716 Johnson Street.

BACKGROUND

In February 2024, during the 2024 budget discussions, City Council directed staff to create the Major Community Initiatives and Events Grant (MCIEG) program. The program intends to provide financial support for major community initiatives and events that align with the City's 2023-2026 Strategic Plan objectives and priorities, which are currently not eligible for funding through other City grant programs.

On August 1, 2024, Council referred to staff for further consideration of ways to protect the City's potential investment regarding the refinancing acquisition of 716 Johnson Street and the Society's request for \$250,000 through the MCIEG program. The Society needs additional capital to refinance the acquisition of 716 Johnson Street before December 31, 2024, to meet the terms of an existing investors' mortgage.

The vision for 716 Johnson includes a black box theatre, rehearsal, office, and food and beverage space to provide a hub for the performing arts downtown. This meets the objectives of Create Victoria and Council's Strategic Plan 2023-2026 to invest in artistic, theatrical, and music spaces.

This report is specific to the Society's grant request through the MCIEG and how the City can protect its potential investment in 716 Johnson as an arts hub. Staff have reviewed the grant application and consulted with colleagues in Finance and Real Estate to determine additional options for this specific grant request that could protect the interests of the City. In short, options 1-3 make any contribution to the Other Guise Theatre repayable to the City should the Society be concluded or its operations of an arts hub at 716 Johnson Street come to an end. Under option 4 no monies would issue. City staff also reviewed these options with the applicant to get their perspective on which options, if any, are viable and feasible; the Options Section below includes their perspective on each.

ISSUES & ANALYSIS

The City provided \$100,000 to the Other Guise Theatre Society in 2023 toward the acquisition of 716 Johnson Street. On January 10, 2023, the Society purchased 716 Johnson Street for \$2,394,000 and two mortgages were registered against the property. The July 2023 BC Assessment assessed value of 716 Johnson was \$1,824,000.

Based on the Society's December 31, 2023, Financial Statement, \$1,927,283 remains outstanding on the two mortgages. Each of these mortgages has a term that requires the consent of the mortgagee prior to another charge being registered on title to the property.

The holder of the second mortgage has required repayment of that mortgage, in the approximate

amount of \$1.3 million. If the second mortgage is not paid out by December 31, 2024, the mortgagee will trigger a sale of the property. The Society has approached other potential funding partners to try to obtain sufficient monies to pay out the second mortgage within the required timeframe. The amount that the Society has secured from other sources for this purpose is not known to the City.

Should the City release the requested funds without additional conditions included under this grant program, the monies could go toward paying out the second mortgage, there is a risk the building could still be sold by the mortgagee or by the Society without functioning as an arts hub for a reasonable period of time or at all.

Another challenge with this application, is the nature of debt repayment to other investors to acquire a commercial building. The City's Grant Policy stipulates that land purchase and land improvements, deficit or debt repayment are not eligible (Appendix B). The City does have an acquisition fund through the Cultural Infrastructure Grant program, which funded this project in 2023. Staff recognize that applicants need significant funding for major renovations and acquisition of real estate properties and are reviewing ways that we can increase the maximum funding asks within the Cultural Infrastructure Grant program.

In addition, the MCIEG program guidelines will be reviewed and recommend changes to mitigate these challenges going forward. The Cultural Infrastructure Grant is potentially the most appropriate City grant program to address these types of requests going forward.

A major concern raised during Create Victoria was the urgent need to upgrade, protect, and increase the availability of affordable arts and culture spaces. These space related challenges are a result of rapidly rising property values and lease rates, which are also spurring redevelopment of older spaces. These challenges have been exacerbated during the COVID-19 pandemic as several music and performing art related venues have permanently closed, further reducing the availability of cultural spaces in the city.

OPTIONS & IMPACTS

OPTION 1: Forgivable Loan

In addition to the terms and conditions normally included in the City's MCIEG grant program (see Appendix A to this report) the City could make it a condition of the grant that the Society enter into a contract with the City for a forgivable loan. The following terms have been discussed with the Society and appear to be feasible.

- The loan will only issue if and when the Society has provided evidence satisfactory to the City that it has secured the balance of the funds to pay out the second mortgage;
- The City will provide the monies directly to the Society's lawyer, in trust, to pay out the second mortgage,
- The loan will not bear interest;
- The loan will have a ten-year term, and 10% of the loan will be forgiven for each year that the Society:
 - o Remains in good standing
 - o Does not become insolvent or bankrupt
 - o Operates the building at 716 Johnson as an arts hub which hosts dance, theatre, and music events and programs on a regular and ongoing basis

- For the purposes of the loan agreement, "operating" includes periods of time pre-approved by the City in writing, where the venue is closed for renovations that contribute to the building's operation as an arts hub

This option ensures that monies are directed only to the purpose for which they were issued. It only requires agreement between the City and the Society. This option effectively operates as a grant if the conditions are complied with, but entitles the City to recover some, or all the monies issued if the Society is concluded or no longer operates 716 Johnson as an arts hub. The limitation of this option is that the loan is not secured. It can be difficult or impossible to collect on an unsecured loan.

A forgivable loan is the most favourable option for the applicant as it will meet the funding deadlines and commitments required by Other Guise Theatre to secure future investments from other funders.

OPTION 2: Register a mortgage to secure a forgivable loan

This option is like option one except it would involve the City registering a mortgage against title to the property to secure the forgivable loan, and include the additional condition that the loan will only be issued upon evidence satisfactory to the City that each of the existing mortgagees consent to the registration of a mortgage in favour of the City, on terms satisfactory to the City.

This ensures that monies are directed only to the purpose for which they were issued. The benefit of this option is that the City has a better chance of recovering monies issued if the Society concludes or stops operating the property as an arts hub. The drawback of this option is that it requires two third parties to consent to the registration of the City's mortgage. The City has little control over whether this agreement could be successfully negotiated. It would take considerably more staff time to facilitate this option than the other options identified in this report.

The applicant is not sure the two existing mortgage holders would agree to these terms.

OPTION 3: Agreement and Irrevocable Letter of Credit ("ILOC")

This option would require the Society to enter a contract with the City on the following terms, in addition to the terms and conditions normally included under this grant program:

- The Society will operate 716 Johnson Street as an arts hub which hosts dance, theatre, and music events and programmes on a regular and ongoing basis for a term of ten years.
- For the purposes of this agreement, "operating" includes periods of time pre-approved by the City in writing, where the venue is closed for renovations that contribute to the building's operation as an arts hub.
- Monies will only issue once the Society has provided
 - o Evidence satisfactory to the City that it has secured the balance of the funds required to pay out the second mortgage.
 - o An irrevocable letter of credit in the amount of \$250,000, redeemable by the City in the event of a breach of the promise to operate as an arts hub or the bankruptcy, dissolution, or failure to maintain good standing of the Society.
- The City will provide the monies directly to the Society's lawyer, in trust, to pay out the second mortgage.

This option ensures that monies are only directed to the purpose for which they are issued, and recoverable if the Society is in breach of the agreement. The drawback for the Society of this option

is that it requires the agreement of a bank which can also involve fees, charges and administrative resources for the Society to undertake. In speaking with the applicant, this option was not favourable due to the time and resources required to seek an ILOC.

OPTION 4: Decline the grant application

Council has the option to deny the grant request and hold the balance of the MCIEG grant at \$250,000 for future applications.

Declining the grant request would be in alignment with the City's overarching City Grant Policy, which identifies land purchases, deficits or debt repayment as ineligible.

OPTION 5: Approve the grant application

Council can approve the grant with or without any additional conditions they would like staff to consider. Please see Appendix A with existing terms and conditions for MCIEG applicants.

While there are existing terms and conditions for this grant program, they do not include securing the amount of the potential grant in any enforceable way.

Accessibility Impact Statement

Funding will provide the necessary support to increase opportunities for people with disabilities to participate in city-supported special events and initiatives (Accessibility Framework) and may reduce financial barriers to non-profit organizers.

2023 – 2026 Strategic Plan

Arts, Culture, Music, Sport and Entertainment:

Support arts programming, including public programming, live music and public art.

Support and simplify processes for creating murals, events, festivals and experiential activities.

Enhance supports and amenities for recreational, youth and professional sports in the city.

Impacts to Financial Plan

No impacts to the 2024 Financial Plan.

Official Community Plan Consistency Statement

The recommendation aligns with the following objectives in the Official Community Plan:

Section 14: Economy

14 (f) That the function of the Urban Core as the primary regional centre of employment, learning, arts, culture, entertainment, recreation, and specialty retail is maintained and enhanced with high quality facilities, services, and events.

Section 16: Arts and Culture

16.6 Encourage broad access to arts and culture facilities, events, and activities for people of all ages, incomes, backgrounds, and lifestyles.

16.7 Encourage education, training and informal learning opportunities in the arts, design, and culture.

16.20 Establish and maintain partnerships with professional artists and arts and cultural organizations to program the use of public space.

16.21 Continue to permit festivals, celebrations, and special events in public spaces, such as streets, parking lots, plazas, civic squares, and other open space.

16.22 Increase the use of parks for festivals, celebrations, and special events.

16.23 Continue to support and enable local, non-profit groups to host festivals, celebrations and special events through services, incentives, and regulations.

CONCLUSION:

The MCIEG program is designed for flexibility to support the City's 2023-2026 Strategic Objectives, and therefore staff are requesting direction from Council on this application. Staff have outlined several ways in which the City's financial interest can be safeguarded should Council wish to proceed with funding this application.

Respectfully submitted,

Nichola Reddington
Manager, Arts, Culture and Events

Kerri Moore
Director of Business and Community Relations

Susanne Thompson
Deputy City Manager and Chief Financial Officer

Report accepted and recommended by the City Manager.


List of Attachments:

Appendix A MCIEG Terms and Conditions
Appendix B City Grant Policy (2025)

MCIEG COTW Report – Standard Terms and Conditions

Included below are terms and conditions of grant funding, which your organization accepts and confirms as part of accepting the grant.

- A final report must be submitted within 30 days of project completion. Please find attached the final report template.
- Your project must be completed by month, date, year. In limited cases, subject to special conditions or extenuating circumstances extensions may be provided. Extensions must be approved in writing by the Senior Cultural Planner.
- Any changes to the project details, scope or budget as presented in the application, must be discussed, and receive approval in writing in advance of implementation.
- All required permits and approvals are secured and meet all Federal, Provincial and Municipal legislation, guidelines, and by-laws prior to commencing your project. The award of this grant may in no way be construed as providing for other City approval(s).
- The City of Victoria's support must be acknowledged in any promotional or public materials related to funded activities, including all print and online media. To request a digital copy of the City's logo for use in your materials, please contact: engage@victoria.ca
- Your organization must keep proper accounts of all receipts and expenditures related to the grant project and make available to the City upon request all expenses and documents reporting actual revenue and expenses signed off by the Board of Directors.
- The organization agrees that the City shall not be liable for any incidental, indirect, special or consequential damages, injury or any loss of use, revenue or profit arising out of or in any way related to the project.

	POLICY	
	No.	Page 1 of 4
SUBJECT: Grant Policy		
PREPARED BY: Finance		
AUTHORIZED BY:		
EFFECTIVE DATE: June 11, 2015		REVISION DATE: January 2022
REVIEW FREQUENCY:		

1. Purpose

The purpose of the Grant Policy is to guide the City in managing grants with the exception of Housing, Festival Investment, My Great Neighbourhood and *Growing in the City* Grants which are guided under separate policies.

2. Objective

The objectives are:

- Support not-for-profit organizations serving the City of Victoria
- Enhance the quality of life for residents, businesses and visitors
- Deliver services on behalf of the City
- Complement or extend the reach of City service
- Provide a service the City would otherwise deliver given adequate resources
- Meet evolving strategic and community priorities
- Provide opportunity to a diverse group of applicants
- Promote sound financial management
- Provide a fair, consistent, effective and efficient evaluation process
- Promote transparency and accountability

3. Grant Definitions

The City Grant Programs will consist of two grant streams: Direct Award Grants and Strategic Plan Grants.

Direct Award Grants:

- For eligible organizations delivering a service or program on behalf of the City on an ongoing basis, including a service to operate City-owned facilities

Direct Award Grants are:

- a) Community and senior centre operating grants
- b) Neighbourhood base grants and insurance
- c) Heritage grants
- d) Recreation Integration Victoria
- e) Youth Council

Strategic Plan Grants:

- For eligible organizations working on a project or program basis that supports the actions and outcomes of the City’s 2019-2022 Strategic Plan Objectives

4. **Eligibility**

Common Criteria

The organization must meet all the following criteria to apply for a grant:

- Registered non-profit organization in good standing in the Province of BC or registered charitable organization in good standing with the Canada Revenue Agency
- Organization resides within the Capital Regional District and the services and activities benefit residents of the City of Victoria
- Complement or extend the reach of the City services
- Evidence of clear mandate and competent administration
- Evidence of ongoing, active volunteer involvement
- Not in arrears with the City of Victoria
- Not in bankruptcy or seeking creditor protection
- Demonstrate financial stability and accountability
- Evidence of diversity of funding sources and/or increasing financial self-sufficiency
- Applicants must apply for funding on an annual basis
- Projects or programs must be substantially completed within the grant time period
- Monitoring and reporting requirements

The grant must be leveraged to create additional financial value by securing one or more of the following:

- Funding from other governments or other organizations
- Corporate sponsorships
- Matching funds
- In-kind contributions
- Waived fees and charges

The following activities and costs are *ineligible* for grant funding:

- Commercial activities and related costs
- Religious activities and related costs
- Land purchase and land improvements
- Activities and costs that are the responsibility of other governments
- Costs not directly associated with approved project, program or service
- Fundraising costs for the operations of the organization
- Travel costs
- Conference, workshop, training or professional development costs
- Deficit or debt repayment
- Re-investment of unused grant revenue by funded organization
- Festivals
- Impact to public space
- Capital requests

Specific Criteria

Direct Award Grants:

- Fund the operation of City-owned facilities and/or
- Deliver services on behalf of the City

• **Strategic Plan Grants:**

- Projects or programs must be based in the City of Victoria, or the portion of the activity that takes place in the City of Victoria
- Projects or programs must be substantially completed within July 1 to June 30 each year
- The final report will be a prerequisite for ranking subsequent requests
- Administrative costs are capped at a maximum of 18% of total budget
- Organizations can be funded up to 75% of project or program costs
- Operating funding up to 50%

The grant must support the outcomes of at least one of the following City Strategic Plan Objectives:

- Good Governance and Civic Engagement
- Affordable Housing
- Prosperity and Economic Inclusion
- Climate Leadership and Environmental Stewardship
- Reconciliation and Indigenous Relations
- Strong, Liveable Neighbourhoods
- Health, Well-Being and a Welcoming City
- Sustainable Transportation

Council has weighted the strategic plan objectives as follows:

• Affordable Housing	2.75
• Prosperity and Economic Inclusion	5.00
• Climate Leadership and Environmental Stewardship	4.00
• Reconciliation and Indigenous Relations	3.50
• Strong, Liveable Neighbourhoods	3.50
• Health, Well-Being and a Welcoming City	4.75
• Sustainable Transportation	4.50

The External Grant Review Committee will assess each application based on the following assessment criteria:

- Capacity of an organization to deliver the project (20%)
Project aligns and advances organization mission and mandate; organization has experience and capacity to undertake project successfully; the people who will lead and implement the project have relevant experience; and strong leadership is evident.
- Evidence of Need (20%)
Demonstrated strong evidence of need for the project, project addresses a City Strategic Plan Objective.

- **Project Builds Community Resilience (30%)**
Project increases community resiliency to withstand significant community changes; Project benefits a priority target population (or environmental area); expected results are well-considered and will have significant impact; applicant identifies appropriate methods for evaluating project results; project will involve appropriate partners/amplify impact through collaboration; community impacts are reasonable, well-considered and are applicable to the project.
- **Project Feasibility (30%)**
Work plan is detailed and feasible with stated timelines; budget expenses are appropriate and well considered amounts are identified for proposed activities; budget revenues include adequate funding sources to meet project expenses; other sources of funding are identified as potential or confirmed, including in-kind sources.

5. The Grant Review Process

There is one intake period per year. All grants are awarded using a competitive process and/or performance-based process.

The process of reviewing the grants would include the following steps:

1. Applications submitted by deadline
2. Staff review applications for eligibility
3. Applications that impact public space will be directed to the My Great Neighbourhood grants
4. Staff report eligible applications to External Grant Review Committee
5. External Grant Review Committee assesses each application and make recommendations to Council
6. Council awards and approves the grants
7. Grants distributed in July
8. Recipients report on grant use and deliverables as specified by the City
9. External Grant Review Committee reviews the final reports for the prior year

6. Decision Making

Staff will review all applications and evaluate based on the eligibility requirements. All eligible grant applications will be provided to the External Grant Review Committee for review. The review committee will assess each eligible application and will make recommendations to Council.

City Council awards and approves all the grant allocations. Eligible applicants applying for the Strategic Plan Grants may be required to respond to enquiries by the External Grant Review Committee.

7. Grant Limitations

- Not all applicants meeting the Grant Program requirements will necessarily receive a grant
- Based on the number of applications, groups may not receive the full grant that they request
- Approval of a grant in any one year is not an automatic ongoing source of annual funding

8. Monitoring and Reporting

Each grant recipient will be required to submit an annual or post-program report as specified by the City. This includes the recipients who have received a Per Capita Grant, or a Strategic Plan Grant.

9. Repayment of Grant

If the grant will not be used for the stated purpose, the full amount must be returned to the City.

Fees

The current Bylaw sets the City's processing fees as the maximum allowable under Provincial regulation. In 2021, the Province amended the *FIPPA* to allow public bodies to require an application fee for non-personal FOI requests, in addition to the processing fees currently allowed.

As more public bodies implement application fees, the need for the City to maintain consistency with its FOI process with jurisdictions that our departments work and interact with is of increasing importance. If an applicant is seeking records on a topic that the City and another public body have interacted on, but the other public body requires an application fee, the applicant would be more inclined to submit their request to the City to avoid the respective fee, which would then increase the volume of requests for the City.

In addition, implementing an application fee will create an incentive for applicants to first determine if information they are seeking is already publicly available, which allows staff to better allocate resources on FOI requests for information that must be produced under *FIPPA*. Since requests are trending upwards, with 157 received in 2022, 178 in 2023, and 198 as of October 31 in 2024, it is important to ensure that time and resources are spent on our legislative requirements of the *FIPPA* as we are receiving approximately one new request every day.

IMPACTS

Accessibility Impact Statement

An application fee could create a financial barrier for an FOI applicant. Staff are working with departments to make more records available without the need of an FOI request.

2023 – 2026 Strategic Plan

The recommendation has no impact on the Strategic Plan.

Impacts to Financial Plan

The proposed \$10 application fee would minimally offset some costs of administering FOI requests. An incentive for the public to first seek information from already available sources before resorting to the FOI process may help ensure the City can continue to administer its responsibilities under *FIPPA* with current resources.

CONCLUSIONS

The City's FOI and Privacy bylaw needs revision to remove duplication with the provincial legislation and to ensure staff roles and responsibilities, as required by the *FIPPA*, are clearly designated. Introducing an application fee would help the City continue to administer FOI requests with current resources. For the reasons outlined, staff respectfully submit the above recommendation.

Respectfully submitted,

Bradley Cranwell
Information Access & Privacy Analyst

Curt Kinglsey
City Clerk

Susanne Thompson
Deputy City Manager/CFO

Report accepted and recommended by the City Manager

List of Attachments:

Attachment A: Freedom of Information Administration Bylaw, Bylaw No. 94-193



FREEDOM OF INFORMATION ADMINISTRATION BYLAW

BYLAW NO. 94-193

This consolidation is a copy of a bylaw consolidated under the authority of section 139 of the *Community Charter*. (Consolidated on January 1, 2015 up to Bylaw No. 03-043)

This bylaw is printed under and by authority of the Corporate Administrator of the Corporation of the City of Victoria.

BYLAW NO. 94-193

(Consolidated to include Bylaw No. 03-043)

a bylaw of the City of Victoria to provide for the administration of the Freedom of Information and Protection of Privacy Act.

Under section 76.1 of the Freedom of Information and Protection of Privacy Act, a local government:

- (a) must designate a person or group of persons as the head of the municipality for the purposes of the Act; and
- (b) may authorize any person to perform any duty or exercise any function under the Act of the person or group of persons designated as the head of the municipality; and
- (c) may set any fees the local public body requires to be paid under section 75 of the Act.

The Municipal Council of the Corporation of the City of Victoria enacts the following provisions:

1 This Bylaw may be cited as the "FREEDOM OF INFORMATION ADMINISTRATION BYLAW."

2.0 Definitions and Interpretation

2.1 In this Bylaw:

"Act"

means the Freedom of Information and Protection of Privacy Act, S.B.C. 1992,c.61;

"City"

means The Corporation of the City of Victoria;

"Commercial"

means a person who makes a Applicant request for access to a record to obtain information for use in connection with a trade, business, profession or other venture for profit;

"Coordinator"

means the person designated in section 3.2 as the Information and Privacy Coordinator;

"Council"

means the Council of the City;

"Head"

means the person designated as the Head of the City under section 3 of this Bylaw;

"request"

means a request under section 5 of the Act.

3.0 Administration

3.1 The City's Director of Administration is designated as the Head for the purposes of the Act.

3.2 The City's Manager, Administration, Legislative Services Division is designated as the Information and Privacy Coordinator.

4.0 Powers of Coordinator

The Council authorizes the Coordinator to perform the following duties and exercise the following functions:

Responding to Requests

- (a) the Coordinator must respond to requests except where the Head has the discretion under the Act to determine whether a record will be released or withheld from disclosure;
- (b) the Coordinator must create a record from a machine readable record in the custody or under the control of the City using its normal computer hardware and software and technical expertise if creating the record would not unreasonably interfere with the operations of the City;
- (c) the Coordinator must respond to a request after the Head has made a decision regarding the disclosure or non-disclosure of a record;
- (d) the Coordinator may refuse in a response to confirm or deny the existence of:
 - (i) a record containing information described in section 15 of the Act (information harmful to law enforcement); or
 - (ii) a record containing personal information of a third party if disclosure of the existence of the information would be an unreasonable invasion of that party's personal privacy;

- (e) the Coordinator must:
 - (i) provide an applicant with a copy of a record or part of a record with a response where the record can reasonably be reproduced; or
 - (ii) give reasons for the delay in providing the record;

Extension of Time

- (f) the Coordinator may extend the time for responding to a request for up to 30 days;
- (g) the Coordinator may apply to the Information and Privacy Commissioner for a longer period of time for response to a request where:
 - (i) the applicant does not give enough detail to enable the City to identify a requested record;
 - (ii) a large number of records is requested or must be searched and meeting the time limit would unreasonably interfere with the operations of the City;
 - (iii) more time is needed to consult with a third party or other public body before the Head can decide whether or not to give the applicant access to a requested record; or
 - (iv) a third party asks for a review under section 52(2) or 62(2) of the Act;
- (h) the Coordinator must tell the applicant the reason for an extension, when a response can be expected and that the applicant may complain about the extension under section 42(2)(b) or 60(1)(a) of the Act where the time for a response to a request has been extended under section 10(1) of the Act;

Transfer Request

- (i) the Coordinator may transfer a request and, if necessary, the records to another public body if:
 - (i) the record was produced by or for the other public body;
 - (ii) the other public body was the first to obtain the record; or
 - (iii) the record is in the custody or under the control of the other public body;
- (j) the Coordinator must notify the applicant of the transfer;
- (k) the Coordinator may refuse to disclose information that is available for purchase by the public under section 20(1)(a) of the Act;

Information to be released within 60 days

- (l) the Coordinator must notify an applicant under section 20(1)(b) of the Act of the publication or release of information that the Head has refused to disclose on the basis that the information is to be published or released to the public, within 60 days after the applicant's request is received;

Business interests

- (m) the Coordinator must refuse to disclose to an applicant information:
- (i) that would reveal
 - (A) trade secrets of a third party; or
 - (B) commercial, financial, labour relations, scientific or technical information of a third party;
 - (ii) that is supplied, implicitly or explicitly, in confidence; and
 - (iii) the disclosure of which could reasonably be expected to
 - (A) harm significantly the competitive position or interfere significantly with the negotiating position of the third party;
 - (B) result in similar information no longer being supplied to the public body when it is in the public interest that similar information continue to be supplied;
 - (C) result in undue financial loss or gain to any person or organization; or
 - (D) reveal information supplied to, or the report of, an arbitrator, mediator, labour relations officer or other person or body appointed to resolve or inquire into a labour relations dispute;
- (n) the Coordinator must refuse to disclose to an applicant information that was obtained on a tax return or gathered for the purpose of determining tax liability or collecting a tax;
- (o) the provisions of paragraphs (m) and (n) are subject to the application of section 21(3) of the Act which provides that the duty to refuse disclosure does not apply if a third party consents to the disclosure or the information is in a record that is in the custody or control of the British Columbia Archives and Records Service or the archives of a public body and that has been in existence for 50 or more years;

Notification

- (p) the Coordinator must notify a third party that the City intends to give access to a record that the Coordinator has reason to believe contains information that might be excepted from disclosure under section 21 (information harmful to business

interests of a third party) or section 22 (information harmful to personal privacy) of the Act;

- (q) the Coordinator may give notice under section 23(1.2) of the Act where the Coordinator does not intend to give access to a record that contains information excepted from disclosure under section 21 (information harmful to business interests of a third party) or section 22 (information harmful to personal privacy) of the Act;
- (r) the Coordinator may give written notice of the decision whether or not to give access to a record that the Coordinator has reason to believe contains information that might be excepted from disclosure under section 21 or 22 of the Act to the applicant and a third party;

Public Interest

- (s) the Coordinator must disclose information in accordance with section 25 of the Act to the public, to an affected group of people or to an applicant:
 - (i) about a risk of significant harm to the environment or to the health or safety of the public or a group of people; or
 - (ii) the disclosure of which is, for any other reason, clearly in the public interest;
- (t) where information is to be disclosed under paragraph (s) the Coordinator must give notice as required under section 25 of the Act.

Information Protection

- (u) the Coordinator must protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal;
- (v) the Coordinator must refuse to disclose information to an applicant if the disclosure is prohibited or restricted by or under another Act;

Commissioner's Orders

- (w) the Coordinator must comply with an order of the Information and Privacy Commissioner;

5.0 Fees

An applicant making a request must pay to the City the fees set out in Schedule A for the purpose of:

- (1) locating, retrieving and producing the record;
- (2) preparing the record for disclosure;

- (3) shipping and handling the record;
- (4) providing a copy of the record.

6.0 General Provisions

- 6.1 Nothing in this Bylaw shall be construed so as to require the City to preserve any document beyond the time when it is normally destroyed.
- 6.2 The production of information pursuant to this Bylaw shall not constitute a warranty of its accuracy or completeness.
- 6.3 The Access to Information Bylaw is repealed.

Passed and received third reading by the Municipal Council the 10th day of November 1994

Adopted by the Municipal Council the 24th day of November 1994

“MARK JOHNSTON”
CITY CLERK

“BOB CROSS”
MAYOR

SCHEDULE A

SCHEDULE OF MAXIMUM FEES

1. For applicants other than Commercial Applicants:

(1)	For locating and retrieving a record	\$7.50 per ¼ hour after the first 3 hours
(2)	For producing a record manually	\$7.50 per ¼ hour
(3)	For producing a record from a machine readable record	\$16.50 per minute for cost of use of central mainframe processor and all locally attached devices plus \$7.50 per ¼ hour for developing a computer program to produce the record
(4)	For preparing a record for disclosure and handling a record	\$7.50 per ¼ hour
(5)	For shipping copies	Actual costs of shipping method chosen by applicant
(6)	For copying records:	
	(a) Photocopies and computer printouts	\$0.25 per page (8.5" x 11"; 8.5" x 14") \$0.30 per page (11" x 14")
	(b) Floppy disks	\$10.00 per disk
	(c) Computer tapes	\$40.00 per tape, up to 2,400 feet
	(d) Microfiche	\$10.00 per fiche
	(e) 16 mm microfilm duplication	\$25.00 per roll
	(f) 35mm microfilm duplication	\$40.00 per roll
	(g) Microfilm to paper duplication	\$0.50 per page
	(h) Photographs (colour or black and white)	\$5.00 to produce a negative \$12.00 each for 16" x 20" \$9.00 each for 11" x 14" \$4.00 each for 8" x 10" \$3.00 each for 5" x 7"
	(i) Photographic print of textual, graphic or cartographic record (black and white)	
	- 5" x 7"	\$8.00 each
	- 8" x 10"	\$13.40 each
	- 11" x 14"	\$25.65 each
	- 16" x 20"	\$38.20 each

SCHEDULE A con't

(j)	Hard copy laser print, B/W, 300 dots/inch	\$0.25 each
(k)	Hard copy laser print, C/W, 1,200 dots/inch	\$0.40 each
(l)	Hard copy laser print, colour	\$1.65 each
(m)	Photomechanical reproduction of 105 mm cartographic record/plan	\$3.00 each
(n)	Slide duplication	\$0.95 each
(o)	Plans	\$1.00 per square metre
(p)	Audio cassette duplication	\$10.00 plus \$7.00 per ¼ hour of recording
(q)	Video cassette (¼" or 8 mm) duplication	\$11.00 per 60 minute cassette plus \$7.00 per ¼ hour of recording \$20.00 per 120 minute cassette plus \$7.00 per ¼ hour of recording
(r)	Video cassette (½") duplication	\$15.00 per cassette plus \$11.00 per ¼ hour of recording
(s)	Video cassette (¾") duplication	\$40.00 per cassette plus \$11.00 per ¼ hour of recording

2. For Commercial Applicants for each service listed in section 1, the Applicants must pay the actual cost of providing that service.



Council Member Motion For the Committee of the Whole Meeting of November 14th, 2024

To: Committee of the Whole **Date:** November 14th, 2024
From: Councillor Jeremy Caradonna and Councillor Stephen Hammond
Subject: Inviting Neighbouring Jurisdictions to Adopt Caledonia Place ("Tiny Town")

Background

Caledonia Place, formerly known as "Tiny Town," is a modular supportive housing facility that is currently located inside the City of Victoria at 940 Caledonia Avenue. This 30-unit facility has its origins in the pandemic, when the City enabled rapid housing solutions for those experiencing homelessness. The hard assets are owned by BC Housing and the facility is operated by Our Place Society.

The original residents of the facility have now moved on to permanent housing. The current residents have "moved up" to Caledonia Place, after having been stabilized in area shelters for several years. According to VicPD statistics, and community input, the current incarnation of the facility has caused minimal disruptions to the neighbourhood, and is now widely viewed as a successful facility, and is home to a high-barrier population.

The problem is that the facility can no longer remain at 940 Caledonia, as the City will have exhausted the use of its Temporary Use Permits (TUPs) for this site by October of 2025. Further, the original agreement with the neighbourhood was that the facility would be temporary and would eventually wind down or relocate.

Finding a new home for Caledonia Place is crucial for the wellbeing of the vulnerable residents currently living in the facility. By finding a new location for it, the facility could continue to serve as a "flow-through" for those moving up from shelters and into permanent housing. BC Housing has nominally agreed to continue funding the facility, which needs a hardscape of approximately 20,000 square feet, as well as access to plumbing and electrical hookups. Many parking lots and other hardscapes across the region would be suitable for the facility.


Moreover, neighbouring jurisdictions are under growing pressure to take on some of the sheltering and supportive housing responsibilities of the region. Currently, Victoria possesses nearly all of the shelter capacity (~420 people) and 87% of the supportive housing units (over 720 units) across the region. Meanwhile, the Province of BC has given supportive housing targets to numerous CRD jurisdictions (see below; note that Victoria has already approved 216 units of supportive housing since 2023, and therefore is on track to meet and exceed its target). By accepting the facility, which can be easily moved, a neighbouring jurisdiction would make headway towards meeting its provincially imposed targets, and in the case of some jurisdictions, would exceed its target.

City	Housing Target	Supportive Housing Target
Colwood	940	17
View Royal	585	11
North Saanich	419	11
Victoria	4902	102
Saanich	4610	131
Oak Bay	664	20

It is crucial that the planning for the future of Caledonia Place begin now, so that there can be certainty for its residents about its next location. The future move must be done responsibly and in ways that minimize disruptions for vulnerable populations.

Recommendation

That Council direct the Mayor to write to the Mayors and Councils of the 12 neighbouring CRD municipalities, as well as to the leadership of the 3 electoral areas of the Region, and invite their jurisdictions to take on hosting Caledonia Place (“Tiny Town”) and, if there is interest in doing so, that the Mayor and City Manager work with BC Housing and Our Place Society on the logistics of relocating the residents and modular assets of the facility in a safe and supportive way prior to October of 2025.


 Coun. Jeremy Caradonna


 Coun. Stephen Hammond



Council Member Motion For the Committee of the Whole Meeting of November 14th, 2024

To: Committee of the Whole **Date:** November 14th, 2024
From: Councillor Jeremy Caradonna and Councillor Stephen Hammond
Subject: Consultation on the Future of City-Owned Public Assets in the North Park Neighbourhood

Background

There are two key City-owned public assets located in the North Park neighbourhood that would benefit from public consultation and engagement related to their future uses: 1) the Caledonia parking lot (940 Caledonia Avenue) and 2) the Urbana-Romeo's site (1703-1745 Blanshard Street), the latter of which is intended as the site of a future park.

The Caledonia lot is currently being used partly for parking, including for Royal Athletic Park (RAP) and the VicPD, and partly as the location of Caledonia Place, a 30-person modular housing facility. The current temporary use permit (TUP) for the site allows the facility to remain in place until fall of 2025. At that point, the facility will need to relocate. Assuming that Caledonia Place is relocating, this large urban site could be reimagined as some type of mixed-land development to meet diverse community needs. Public input would help clarify the path ahead.

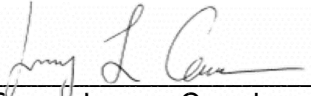
The Urbana-Romeo's site was purchased with the intention of eventually transforming it into a public park. It will likely take a few years before a park can be built, due to competing priorities, but the visioning should start now. Community feedback could focus on the assets and amenities that the community would like to see installed at the future park site, to ensure that neighbourhood needs are met, and that community safety is prioritized.

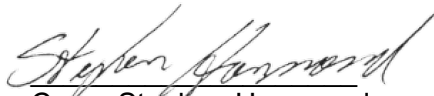
Recommendation

That Council direct staff to organize a "community conversation" engagement in the North Park neighbourhood to focus on the future uses of the following sites, excluding uses as sheltering or supportive housing:

- The Caledonia parking lot (940 Caledonia Ave);
- The Urbana-Romeo's site (1703-1745 Blanshard Street), focusing on assets and amenities for a future park;

And that staff report back on key takeaways from the engagement, with the hopes of informing the City's 2025 Official Community Plan (OCP) update and/or area planning more generally for the North Park neighbourhood.


Coun. Jeremy Caradonna


Coun. Stephen Hammond



Council Member Motion
For the Committee of the Whole Meeting of November 14th, 2024

To: Committee of the Whole
From: Mayor Alto
Subject: 2025 Budget Input Extension

Date: November 14th, 2024

Background

To provide more time for public input, recognizing that the draft budget is now public and the possibility of additional information forthcoming from the Victoria Esquimalt Police Board, it would be helpful to extend the deadline for the opportunity public input on the 2025 budget.

Recommendation

Council directs staff to extend the opportunity for public input on the 2025 budget to 11:59pm on Sunday, December 1, 2024.

That, to be effective, this extension needs to be applied immediately, this item be added to the daytime Council meeting of November 14, 2024, for same day consideration.

Respectfully Submitted



Mayor Marianne Alto