



## MINUTES - VICTORIA CITY COUNCIL

**April 26, 2018, 6:30 P.M.**

**Council Chambers, City Hall, 1 Centennial Square**

**Located on the traditional territory of the Esquimalt and Songhees People**

**PRESENT:** Mayor Helps in the Chair, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

**STAFF PRESENT:** J. Jenkyns - Acting City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, S. Thompson - Director of Finance, J. Tinney - Director of Sustainable Planning & Community Development, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, P. Martin - Council Secretary, T. Zworski - City Solicitor, A. Johnston - Planner

### **A. APPROVAL OF AGENDA**

The City Clerk outlined amendments to the agenda.

**Moved By** Councillor Coleman

**Seconded By** Councillor Alto

That the agenda be approved as amended.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Isitt

**Seconded By** Councillor Alto

That Donald be added to the second Request to Address Council section of the meeting.

**CARRIED UNANIMOUSLY**

### **B. Poetry Reading by Yvonne Blomer, Poet Laureate**

Yvonne Bloomer, Poet Laureate read a poem titled "In the box from the World Wildlife fund".

Yvonne then introduced a guest poet, John Barton, who read a poem titled "Twentieth century roadmap to architecture".

**C. REQUESTS TO ADDRESS COUNCIL**

**Moved By** Councillor Coleman

**Seconded By** Councillor Loveday

That the following speakers be permitted to address Council.

**CARRIED UNANIMOUSLY**

**C.1 Wendy Pattenden: Canadian Sport Institute-Pacific**

Outlined for Council information regarding the Canadian Sport Institute-Pacific.

**C.3 Shellie Gudgeon: Citizens' Assembly**

Outlined why Council should adopt the principles presented for a citizens' assembly.

**C.4 Mark Bernhardt: BC Energy Step Code**

Outlined why Council should approve the BC Energy Step Code motion.

**C.5 Chris Zmuda: Negligent of City Management**

Outlined why Council should review the allowance of cannabis dispensaries in the City.

**C.6 D'arcy Jones: 2910 Shelbourne Street**

Outlined why Council should reconsider the motion regarding the rezoning application for 2910 Shelbourne Street.

**D. PROCLAMATIONS**

**D.1 "Earth Day" - April 22, 2018**

**Moved By** Councillor Coleman

**Seconded By** Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "Earth Day" - April 22, 2018

**CARRIED UNANIMOUSLY**

**D.2 "Huntington Awareness Month" - May 2018**

**Moved By** Councillor Coleman

**Seconded By** Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "Huntington Awareness Month" - May 2018

**CARRIED UNANIMOUSLY**

**D.3 "International Internal Audit Awareness Month" - May 2018**

**Moved By** Councillor Coleman

**Seconded By** Councillor Alto

That the following proclamation be endorsed:

1. "International Internal Audit Awareness Month" - May 2018

**CARRIED UNANIMOUSLY**

**D.4 "MS Awareness Month" - May 2018**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That the following proclamation be endorsed:

1. "MS Awareness Month" - May 2018

**CARRIED UNANIMOUSLY**

**D.5 "Neighbour Day" - May 6, 2018**

**Moved By** Councillor Loveday

**Seconded By** Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "Neighbour Day" - May 6, 2018

**CARRIED UNANIMOUSLY**

**D.6 "Highland Games Week" - May 14-21, 2018**

**Moved By** Councillor Young

**Seconded By** Councillor Alto

That the following proclamation be endorsed:

1. "Highland Games Week" - May 14 - 21, 2018

**CARRIED UNANIMOUSLY**

**D.7 "North American Occupational Safety and Health Week" - May 7-13, 2018**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Coleman

That the following proclamation be endorsed:

1. "North American Occupational Safety and Health (NOASH) Week" - May 7-13, 2018

**CARRIED UNANIMOUSLY**

**D.8 "Child Abuse Prevention Month" - April 2018**

**Moved By** Councillor Alto

**Seconded By** Councillor Coleman

That the following proclamation be endorsed:

1. "Child Abuse Prevention Month" - April 2018

**CARRIED UNANIMOUSLY**

**D.9 "Thank a Youth Worker Day" - May 10, 2018**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Coleman

That the following proclamation be endorsed:

1. "Thank a Youth Worker Day" - May 10, 2018

**CARRIED UNANIMOUSLY**

**D.10 "National Organ and Tissue Donation Awareness Week" - April 22-28, 2018**

**Moved By** Councillor Loveday

**Seconded By** Councillor Lucas

That the following proclamation be endorsed:

1. "National Organ and Tissue Donation Awareness Week" - April 22-28, 2018

**CARRIED UNANIMOUSLY**

**E. BYLAWS**

**E.1 Bylaw for Rezoning Application for 425 Oswego Street**

**Moved By** Councillor Loveday

**Seconded By** Councillor Lucas

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1153) No. 18-061

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Loveday

**Seconded By** Councillor Coleman

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning -Application No. 00567, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000514 for 425 Oswego Street in accordance with:

1. Plans dated February 6, 2018;
2. Development meeting all Zoning Regulation Bylaw requirements;
3. The Development Permit lapsing two years from the date of this resolution."

**CARRIED UNANIMOUSLY**

**E.2 Bylaw for Victoria West Neighbourhood Plan**

**Moved By** Councillor Loveday

**Seconded By** Councillor Coleman

1. That Council **give first and second readings** to Official Community Plan, Amendment Bylaw (No. 25) No. 18-056, concerning Urban Place Designations and Development Permit Areas in the Victoria West Neighbourhood;
2. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2018-2022 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
3. That Council consider approval of the Victoria West Neighbourhood Plan, 2018, at the same Council meeting at which the above Bylaws are considered and allow public comment.
4. That upon approval of the Victoria West Neighbourhood Plan, 2018, that Council rescind the Victoria West Neighbourhood Community Plan (1988).

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

**Amendment:**

That the last sentence of the first paragraph on page 13 be amended to say the following:

"Until 1911, the main Lekwungen village was located on the harbor near Songhees Point, and oral histories tell of other villages along the shore."

**CARRIED UNANIMOUSLY**

**Main motion as amended:**

1. That Council **give first and second readings** to Official Community Plan, Amendment Bylaw (No. 25) No. 18-056, concerning Urban Place Designations and Development Permit Areas in the Victoria West Neighbourhood;
2. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2018-2022 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.

3. That Council consider approval of the Victoria West Neighbourhood Plan, 2018, at the same Council meeting at which the above Bylaws are considered and allow public comment.
4. That upon approval of the Victoria West Neighbourhood Plan, 2018, that Council rescind the Victoria West Neighbourhood Community Plan (1988).
5. That the last sentence of the first paragraph on page 13 be amended to say the following:  
"Until 1911, the main Lekwungen village was located on the harbor near Songhees Point, and oral histories tell of other villages along the shore."

**CARRIED UNANIMOUSLY**

### **E.3 Bylaw for Checkout Bag Regulations**

*Councillor Lucas withdrew from the meeting at 7:07 p.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a retail store that supplies plastic bags to its customers.*

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

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

1. Checkout Bag Regulation Bylaw, Amendment Bylaw (No. 1) No. 18-064

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Madoff, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

**CARRIED (7 to 1)**

*Councillor Lucas returned to the meeting at 7:09 p.m.*

### **E.4 Bylaw for Financial Plan**

**Moved By** Mayor Helps

**Seconded By** Councillor Coleman

That the following bylaw **be adopted:**

1. Five Year Financial Plan Bylaw, 2018 No. 17-124

FOR (6): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe

OPPOSED (3): Councillor Isitt, Councillor Loveday, and Councillor Young

**CARRIED (6 to 3)**

**E.5 Bylaw for 2018 Tax Rate**

**Moved By** Councillor Coleman  
**Seconded By** Councillor Lucas

That the following bylaw **be adopted**:

1. Tax Bylaw, 2018 No. 18-057

FOR (6): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young

OPPOSED (3): Councillor Isitt, Councillor Loveday, and Councillor Madoff

**CARRIED (6 to 3)**

**E.6 Bylaw for 2018 Business Improvement Area**

**Moved By** Councillor Lucas  
**Seconded By** Councillor Thornton-Joe

That the following bylaw **be adopted**:

1. Business Improvement Area Rate Bylaw, 2018 No. 18-054

**CARRIED UNANIMOUSLY**

**E.7 Bylaw for 2018 Boulevard Tax**

**Moved By** Councillor Coleman  
**Seconded By** Councillor Loveday

That the following bylaw **be adopted**:

1. Boulevard Tax Bylaw, 2018 No. 18-053

**CARRIED UNANIMOUSLY**

**E.8 Bylaw for Vehicles for Hire Amendments**

**Moved By** Councillor Thornton-Joe  
**Seconded By** Councillor Coleman

That the following bylaw **be adopted**:

1. Vehicles for Hire Bylaw, Amendment Bylaw (No. 18) No. 18-059

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

OPPOSED (2): Councillor Isitt, and Councillor Loveday

**CARRIED (7 to 2)**

**Moved By** Councillor Thornton-Joe  
**Seconded By** Councillor Coleman

That Council approve the allocation of Parking Stands for a five year period until December 31, 2022 to:

1. Parking Stand 1, Black Beauty Line Victorian Carriage Tours Ltd.
2. Parking Stand 2, Capital City Tally Ho Sightseeing Company
3. Victoria Single Horse Drawn Carriage Tours Inc.

And further, that the annual fee payable for 2018 be \$1,170.00 for each Parking Stand.

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young  
OPPOSED (2): Councillor Isitt, and Councillor Loveday

**CARRIED (7 to 2)**

**E.9 Bylaw for Mobile Bicycle Miscellaneous Amendments**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Loveday

That the following bylaw **be adopted**:

1. Mobile Bicycle Vending Miscellaneous Amendments Bylaw No. 18-058

**CARRIED UNANIMOUSLY**

**E.10 Bylaw for Animal Responsibility**

*Mayor Helps withdrew from the meeting at 7:37 p.m. as she owns chickens. Councillor Young assumed the Chair in her absence.*

**Moved By** Councillor Thornton-Joe  
**Seconded By** Councillor Madoff

That the following bylaw **be adopted**:

1. Animal Control Bylaw, Amendment Bylaw (No. 4) No. 18-050

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Madoff

That staff be directed to prepare an amendment to expand the definition for keeping female chickens to include other poultry or fowl.

**CARRIED UNANIMOUSLY**

*Mayor Helps returned to the meeting at 7:47 p.m. and assumed the Chair.*



**F. REPORTS OF COMMITTEES (REORDERED)**

**F.1 Committee of the Whole**

**F.1.a Report from the April 19, 2018 COTW Meeting**

**1. Support in Principle for Francophone Games**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Coleman

That Council support the Francophone Games in principle and direct staff to explore opportunities for support of the games and report back to Council.

**CARRIED UNANIMOUSLY**

**2. Accessibility Projects - Options to Expedite in 2018**

**Moved By** Councillor Loveday

**Seconded By** Councillor Thornton-Joe

That Council approve the allocation of \$70,000 from the Accessibility Reserve Fund, for inclusion in the 2018 Financial Plan, in order to install audible/accessible pedestrian signals at the following locations:

1. Menzies/Superior
2. Government/Humboldt/Wharf
3. Quadra/Yates
4. Caledonia/Quadra
5. Fisgard/Quadra
6. Finlayson/Quadra

That Council recommits to expediting accessibility improvements in the City of Victoria and completing the City's Accessibility Framework in 2018.

And that Council direct staff to meet with the AWG to discuss the accessibility improvements of the two Douglas Street bus stops and other improvements, and report back to Council on a priority basis, including potential operational and capital requirement.

**CARRIED UNANIMOUSLY**

**3. 953 Balmoral Road - Rezoning Application No. 00598 & Development Permit with Variances Application No. 000506 (North Park)  
*An application to construct a four-storey multi-unit building consisting of approximately 11 rental units.***

**Moved By** Councillor Thornton-Joe  
**Seconded By** Councillor Alto

**Rezoning Application No. 00598**

That Council direct staff to work with the applicant to refine the proposal to encourage a better fit with the current neighbourhood context and to minimize potential negative impacts associated with a piecemeal approach to development in this area.

**Development Permit with Variances Application No. 000506**

That Council:

1. Direct staff to work with the applicant to revise the proposal to comply with the design guidelines and
  - i. minimize the impact of the east side yard setback by reducing the requested variance and by introducing additional design interventions to mitigate potential concerns related to privacy and overlook.
  - ii. reduce the site coverage and increase the open site space in order to provide private open space and high quality soft landscaping.
  - iii. provide a landscaping strip along the side and rear property lines to screen the parking.
  - iv. address Council's issue of the lack of affordability in this application and revisit discussions of entering into a housing agreement.
2. Refer the application to the Advisory Design Panel and report back to the Committee of the Whole following a review by the panel.

FOR (5): Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, and Councillor Thornton-Joe

OPPOSED (4): Mayor Helps, Councillor Isitt, Councillor Madoff, and Councillor Young

**CARRIED (5 to 4)**

**4. 2910 Shelbourne Street - Rezoning Application No. 00599 & Development Permit with Variances Application No. 000507 (Oaklands)**

***An application to allow the construction of a six-unit townhouse.***

**Moved By** Councillor Alto  
**Seconded By** Mayor Helps

**Rezoning Application No. 00599**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00599 for 2910 Shelbourne Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Receipt of an executed 7.0m Statutory Right-of-Way off Shelbourne Street to the satisfaction of the City Solicitor.
2. Receipt of a letter from Modo indicating willingness to partner with the Applicant in providing a car share vehicle and car share memberships for each unit.
3. Receipt of a car share agreement that includes the purchase of one car share vehicle and car share memberships for all units (six in total) to the satisfaction of the Director of Engineering and Public Works.

**Development Permit with Variances Application No. 000507**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00599, if it is approved, consider the following motion: "That Council authorize the issuance of Development Permit with Variances Application No. 000507 for 2910 Shelbourne Street in accordance with:

1. Plans date stamped February 23, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances: reduce the lot width from 20.0m to 19.72m increase the number of units in an attached dwelling from 4 to 6 allow a roof deck reduce the setback to Shelbourne Street from 10.7m to 7.52m reduce the north side setback from 4.0m to 1.38m reduce the south side setback from 4.0m to 1.58m reduce the required parking from 9 vehicle stalls with 1 visitor stall to 6 stalls with no visitor stalls.
3. The Development Permit lapsing two years from the date of this resolution."

**CARRIED UNANIMOUSLY**

5. **930 Fort Street - Rezoning Application No. 00593 & Development Permit with Variances Application No. 00502 (Downtown)**  
*An application to allow the construction of a 13-storey, mixed-use building containing 62 residential units and two ground-floor commercial units.*

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Coleman

**Rezoning Application No. 00593**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00593 for 930 Fort Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Registration of legal agreements to the satisfaction of the Director of the Sustainable Planning and Community Development, securing an amenity contribution in the amount of \$270,675.74 toward the Local

Amenities Reserve Fund in accordance with the *City of Victoria Density Bonus Policy*.

2. Registration of legal agreements to the satisfaction of the Director of the Sustainable Planning and Community Development to secure frontage improvements including: raised concrete median, mid-block cross walk, raised crossing of protected bike lane and associated signs and paint markings, bike racks, and bollards on the north side of Fort Street.

#### **Development Permit with Variance Application No. 00502**

That Council direct staff to work with the applicant to revise the proposal for consistency with the Design Guidelines, including the following specific items, and to bring the revised proposal back to a future Committee of the Whole meeting:

1. provision of distinct, well-defined retail bays, consistent with the context along Fort Street.
2. revisions to the tower to address the uniform appearance, with particular attention to the north and side elevations.
3. revisions to the scale and materials of the podium to provide a more sensitive response to the immediate context within the Heritage Conservation Area.
4. Address the concerns of the Downtown Residents Association regarding the lack of an overhead door for the visitor car park.

#### **CARRIED UNANIMOUSLY**

#### **6. 515 Chatham Street - Development Permit with Variances Application No. 00034 (Downtown)**

***An application to allow for construction of a five-storey, mixed-use building containing ground-floor commercial uses and residential units above.***

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Lucas

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00034 for 515 Chatham Street, in accordance with:

1. Plans date stamped March 13, 2018
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - i. increase the height from 15m to 16.43m to the top of roof, and 17.73m to the top of the parapet.
3. That Council authorizes the Mayor and City Clerk to execute encroachment agreements, to be executed at time of the building permit approval, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:

- a. building encroachment(s) adjacent to Chatham Street and Store Street
- b. anchor-pinning in the City Right-Of-Way.
4. Preparation and execution by the applicant of a Housing Agreement to ensure that a future strata corporation could not pass bylaws that would prohibit or restrict the rental of units to non-owners to the satisfaction of City Staff.
5. Final plans to be in accordance with the plans date stamped March 13, 2018 to the satisfaction of City staff.
6. The Development Permit lapsing two years from the date of this resolution."

**CARRIED UNANIMOUSLY**

#### **F.1.b Report from the April 26, 2018 COTW Meeting**

1. **2670 Fifth Street and 2625-2637 Quadra Street – Development Permit with Variance Application No. 00070**  
*An application to relocate the existing liquor retail store from a retail unit located towards the centre of the property, to a different unit located in the northeast portion of the property.*

**Moved By** Councillor Loveday

**Seconded By** Councillor Coleman

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00070 for 2670 Fifth Street and 2625-2637 Quadra Street in accordance with:

1. Plans date stamped March 21, 2018
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - ii. increase the maximum floor area of a liquor store from 200m<sup>2</sup> to 594m<sup>2</sup>
3. The Development Permit lapsing two years from the date of this resolution."

**CARRIED UNANIMOUSLY**

#### **2. Bylaw Officers**

**Moved By** Councillor Coleman

**Seconded By** Councillor Loveday

That Council approve the appointment of Adam Sheffield:

1. as a Bylaw Officer pursuant to section 2(a) of the Inspection Bylaw (06-061);
2. as a Business Licence Inspector for the City of Victoria

And further that council approve the appointment of Sam Tschritter and Garry McHady:

1. as Bylaw Officers pursuant to section 2(a) of the Inspection Bylaw (06-061).

**CARRIED UNANIMOUSLY**

**3. Downtown Victoria Business Association Presentation & Budget**

**Moved By** Councillor Lucas

**Seconded By** Councillor Thornton-Joe

That Council approve the Downtown Victoria Business Association budget for 2018, as presented.

**CARRIED UNANIMOUSLY**

**4. Johnson Street Bridge Quarterly Update**

**Moved By** Councillor Alto

**Seconded By** Councillor Coleman

That Council receive the report for information.

**CARRIED UNANIMOUSLY**

**5. 1007 Government Street and 604 Broughton Street – Rezoning Application No. 00631**

*An application to allow for the retail sale of cannabis in an existing building.*

**Moved By** Councillor Madoff

**Seconded By** Councillor Lucas

That Council decline Rezoning Application No. 00631 for the property located at 1007 Government Street and 604 Broughton Street.

FOR (6): Mayor Helps, Councillor Alto, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

OPPOSED (3): Councillor Coleman, Councillor Isitt, and Councillor Loveday

**CARRIED (6 to 3)**

## **6. Recommended Adoption of BC Energy Step Code**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

1. That Council adopt the following approach to the BC Energy Step Code, and direct staff to prepare the necessary building bylaw amendments as follows:
  - a. For new Part 9 buildings:
    - i. Step 1 building bylaw requirement starting on November 1st, 2018 for all new Part 9 buildings
    - ii. Step 3 building bylaw requirement starting on January 1st, 2020 for all new Part 9 buildings with the exception of small single family homes/garden suites
    - iii. Step 2 building bylaw requirement starting on January 1st, 2020 for all new small single family homes/garden suites
    - iv. The development of a tiered fee program to support Part 9 builders to use an energy advisor, conduct a mid-construction blower-door test, conduct a post-construction verification blower-door test, and obtain a home EnerGuide label.
  - b. For new Part 3 buildings:
    - i. Step 1 building bylaw requirement starting on November 1st, 201
    - ii. Step 3 building bylaw requirement starting on January 1st, 2020 for wood-frame midrise (under 6-storeys) residential building
    - iii. Step 2 building bylaw requirement starting on January 1st, 2020 for concrete highrise (over 6-storeys) residential buildings
    - iv. Step 2 building bylaw requirement starting on January 1st, 2020 for commercial office buildings.
2. That staff proceed with preparation of a sustainability checklist for rezoning and development permit application forms that reference Step Code requirements as well as other sustainable design elements that are reflective of City goals and policies.

### **Amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

And that Council direct staff to notify the CRD and member municipalities of this action.

### **CARRIED UNANIMOUSLY**

### **Main motion as amended:**

1. That Council adopt the following approach to the BC Energy Step Code, and direct staff to prepare the necessary building bylaw amendments as follows:
2. For new Part 9 buildings:

- i. Step 1 building bylaw requirement starting on November 1st, 2018 for all new Part 9 buildings
  - ii. Step 3 building bylaw requirement starting on January 1st, 2020 for all new Part 9 buildings with the exception of small single family homes/garden suites
  - iii. Step 2 building bylaw requirement starting on January 1st, 2020 for all new small single family homes/garden suites
  - iv. The development of a tiered fee program to support Part 9 builders to use an energy advisor, conduct a mid-construction blower-door test, conduct a post-construction verification blower-door test, and obtain a home EnerGuide label.
3. For new Part 3 buildings:
- i. Step 1 building bylaw requirement starting on November 1st, 2018
  - ii. Step 3 building bylaw requirement starting on January 1st, 2020 for wood-frame midrise (under 6-storeys) residential building
  - iii. Step 2 building bylaw requirement starting on January 1st, 2020 for concrete highrise (over 6-storeys) residential buildings
  - iv. Step 2 building bylaw requirement starting on January 1st, 2020 for commercial office buildings.
4. That staff proceed with preparation of a sustainability checklist for rezoning and development permit application forms that reference Step Code requirements as well as other sustainable design elements that are reflective of City goals and policies.
5. And that Council direct staff to notify the CRD and member municipalities of this action.

**CARRIED UNANIMOUSLY**

**7. Capital Regional District Royal McPherson Theatre Society Advisory Committee**

**Moved By** Councillor Lucas

**Seconded By** Councillor Coleman

That Council appoint Councillor Loveday and Councillor Alto to the Royal McPherson Theatre Society Advisory Committee.

**CARRIED UNANIMOUSLY**

**8. Mayors' Joint Report on Citizen's Assembly**

**Moved By** Mayor Helps

**Seconded By** Councillor Alto

That Saanich and Victoria hold a joint Committee of the Whole meeting to determine which question both local governments will place on the October 20, 2018 municipal election ballot in order to receive elector assent to explore the costs and benefits of the amalgamation between the District of Saanich and the City of Victoria.



**Amendment:**

**Moved By** Councillor Isitt

That Saanich and Victoria hold a joint Committee of the Whole meeting to determine whether to place a question on the October 20, 2018 ballot.

**On the amendment:**

**Defeated due to no seconder**

**On the main motion:**

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young  
OPPOSED (1): Councillor Isitt

**CARRIED (8 to 1)**

*Council recessed at 8:09 p.m. and reconvened at 8:14 p.m.*

**G. PUBLIC AND STATUTORY HEARINGS**

**G.1 1201 Fort Street and 1050 Pentrelew Place: Rezoning Application No. 00525, Development Permit with Variances Application No. 00035, and Associated Official Community Plan Amendment**

*Council continued the April 12, 2018 Public Hearing.*

Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 23) No. 18-014:

To change the urban place designation for 1050 Pentrelew Place and the south portion of 1201 Fort Street from Traditional Residential to Urban Residential, and to change the boundary of Development Permit Area 7B (HC) – Corridors Heritage to include the south portion of 1201 Fort Street.

Zoning Regulation Bylaw, Amendment Bylaw (No. 1140) No. 18-015:

To rezone land known as 1201 Fort Street and 1050 Pentrelew Place from the R1-B Zone, Single Family Dwelling District and the R3-AM-2 Zone, Mid-Rise Multiple Dwelling District, to the R3-AM-5 Zone, Mid-Rise Multiple Dwelling (Fort) District, to permit a six-storey multi-unit residential building, a four-storey multi-unit residential building and nine townhouse units.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a Development Permit for the land known as 1201 Fort Street and 1050 Pentrelew Place, in Development Permit Area 7B (HC) – Corridors Heritage, for the purposes of approving the form, character, exterior materials and landscaping of the proposed multi-unit residential and townhouse development.

*Councillor Isitt rejoined the meeting at 8:16 p.m.*

*Mayor Helps re-opened the public hearing at 8:16 p.m.*

Paul Pallon (Songhees Road): (Continued due to interruption at previous meeting) Expressed support for the application, due to the positive community consultation that was undertaken, and it will be a positive addition to the neighbourhood.

Hans Rodenburgh (St. Charles Street): Expressed support for the application as it will allow them to age in place, in the neighbourhood, and will be a positive addition to the area.

Damon Parr-Pearson(Rockland Avenue): Expressed support for the application as it will be a positive addition to the neighbourhood.

Keray Stott (Chapman Street): Expressed support for the application as the increased density is beneficial for the City.

Donald Hamilton (Pentrelew Place): Expressed concerns relating to the application as the rezoning of the property to a new zone would not be a good fit for the neighbourhood.

Dave Brown (Davie Street): Expressed support for the application as increased density is needed in the City.

Sally Hamilton (Pentrelew Place): Expressed concerns relating to the application, as the increased mass, height, and density on the site are not a good fit for the neighbourhood.

Julie Angus (Pentrelew Place): Expressed support for the application, as the proposed new zoning is preferable over what would currently be allowed, and as the proposal would be a positive addition to the neighbourhood.

Joan Peggs (St. Andrews Street): Expressed support for the application, as the proposal would be a good fit for the neighbourhood, due to the continued availability of greenspace.

Ryan Bicknell (Sickally Road): Expressed support for the application, due to the positive community consultation that was undertaken, and positive addition of availability to greenspace and the public walkway.

Jeff Nelson (Gorge Road): Expressed support for the application, as the increased density will assist with housing affordability in the neighbourhood and the City.

Janet Simpson (Richardson Street): Expressed concerns relating to the application, as it will not be a good fit for the neighbourhood or the immediate neighbours.

*Council recessed at 8:59 p.m. and reconvened at 9:05 p.m.*

Dustin McConnell (Fort Street): Expressed support for the application, in relation to his positive relationship with the developer, and as increased density will be a benefit for businesses in the area.

Derek Russell (Wellington Street): Expressed support for the application, as the architecture will be a benefit for the neighbourhood.

Kim Nemec (Johnson Street): Expressed support for the application, as the increased density and housing will be a benefit for the City.

Samantha Sherman (Fort Street): Expressed support for the application, as it will be a good addition to the neighbourhood.

Jason Sherman (Fort): Expressed support for the application, as the addition of the greenspace and affordable housing is a benefit.

Joe Calenda (Oswego Street): Expressed support for the application, as the proposal would be a good fit for this transitional area, and due to the need for increased density.

Geanine Robey (Ormond Street): Expressed concerns relating to the application, as the proposal will not assist with affordability or housing demand in the City.

Lynne Biberdorf (Oak Bay Avenue): Expressed support for the application, as the design and proposed development will be a good fit for the neighbourhood.

Ken Micbrath (Shasta Place): Expressed support for the application as it will help to continue the Pemberton Trail, and will provide new housing in the neighbourhood.

Hilary Harley (Linden Avenue): Expressed concerns relating to the application, as the increased density and height is not a good fit for the neighbourhood.

Ronald Bell (Pentrelew Place): Expressed concerns relating to the application, as the proposed development would not be a good fit for the neighbourhood.

Diana Smardon (Richardson Street): Expressed concerns relating to the application and affordable housing in the City.

Nancy McGregor (Moss Street): Expressed concerns relating to the application, due to the loss of trees on the site.

Michelle Dobie (Linden Avenue): Expressed concerns relating to the application, as the proposed development will have a negative effect on the neighbouring residents.

Eric Swanson (Centre Road): Expressed support for the application, as the increased density and the inclusion of affordable rental housing would be a benefit for the City and neighbourhood.

John Davison (Wilmer Street): Expressed support for the application, as the increased density and the inclusion of affordable rental housing would be a benefit for the City.

Jennifer Gabriel (Rockland Avenue): Expressed support for the application, as it will be a positive addition to the neighbourhood.

Jesse Kliman (Broughton Street): Expressed support for the application, as it will be a positive addition to the neighbourhood.

Brian Merth (Richardson Street): Expressed concerns relating to the application, as it will create a view corridor.

Geoffrey Carrington (Oak Bay Avenue): Expressed support for the application, as there is a high demand for new development in the City.

Patrick Hyde-Lay (Longview Drive): Expressed support for the application, as new development is needed in the City.

Colin Brown (Romney Avenue): Expressed support for the application, as new development is needed in the City.

Sean Rogers (Craigflower Road): Expressed support for the application, as there is a high demand for new development in the City.

Art Hamilton (Moss Street): Expressed concerns relating to the application, as the proposed development will have a negative effect on the neighbouring residents.

David Marshall (Fort Street): Expressed support for the application, as the revisions made to the design have addressed concerns and created a supportable and reasonable development.

Lynnette Kissoon (Pentrelew Place): Expressed concerns relating to the application, as the proposal is not in line with the City's Official Community Plan and would not be a benefit to the community.

Casey Edge (Carey Road): Expressed support for the application, as new development is needed in the City and in the neighbourhood.

Kaela Douglas (Pentrelew Place): Expressed concerns relating to the application, as affordable housing is needed in the City.

Chris Douglas (Pentrelew Place): Expressed concerns relating to the application, as it will negatively effect the neighbourhood.

Susanne Rautio (Richmond Avenue): Expressed concerns relating to the application, as the amendments to the zoning and Official Community Plan are not supportable.

Ian Sutton (Rockland Avenue): Expressed mixed feelings regarding the application, due to the lack of affordable housing and community contributions.

Verna Stone (Fort Street): Expressed concerns relating to the application, due to the increased mass and density, loss of trees, and lack of affordable housing.

**Moved By** Mayor Helps

**Seconded By** Councillor Isitt

**Motion to extend:**

That the meeting be extended to 1:00 a.m.

**CARRIED UNANIMOUSLY**

*Council recessed at 10:56 p.m. and reconvened at 11:08 p.m.*

Karen Ayers (Foul Bay Road): Expressed concerns relating to the application, due to the increased density, height, and massing.

Patricia Kidd (Moss Street): Expressed concerns relating to the application, due to the overdevelopment in the City and loss of trees.

Tony Sezza (Rockland Avenue): Expressed support for the application, as new development of condominiums is needed in neighbourhoods outside of the downtown core.

John Sherbet (Linden Avenue): Expressed concerns relating to the application, as the proposal is not a good fit for the neighbourhood.

Darlene Mueller (Rockland Avenue): Expressed concerns relating to the application, as the proposal is not a good fit for the neighbourhood, and due to the loss of trees.

John Kirk (Linden Avenue): Expressed support for the application, due to the design of the development and as it will be a good fit for the area.

Jennifer Travelbea (Lansdowne Road): Expressed support for the application, due to the inclusion of green space and the need for increased housing and density in the City.

Sandra Shore (Fort Street): Expressed concerns relating to the application, as the increased density and lack of affordable housing is not supportable.

Gloria Back (Joan Crescent): Expressed concerns relating to the application, as it would not be a good fit for the neighbourhood.

Wayne Guggachuck (Douglas Street): Expressed concerns relating to the application, as it does not provide any benefit for the community and due to the loss of trees.

Annette Rosenberg (St. Charles Avenue): Expressed support for the application, as the proposal will fit in with the diverse housing stock in the neighbourhood.

Catherine Clinton (Pentrelew Place): Expressed concerns relating to the application, as the proposal would not be a good fit for the neighbourhood.

Patrick Marshall (Gorge Road East): Expressed support for the application, due to positive community consultation that was undertaken and as it will be a good addition to the neighbourhood.

Barbara Bone (Fort Street): Expressed concerns relating to the application, as the proposal would not be a good fit for the neighbourhood, and due to the split support and opposition for the application.

Helen Loubardeas (Niagara Street): Expressed concerns relating to the application, as the proposal would not be a good fit for the neighbourhood and due to the loss of trees.

Bob June (Manner Road): Expressed concerns relating to the application, as the proposal is not in line with the Official Community Plan.

Kam Lidder (Will Spencer Place): Expressed concerns relating to the application, due to the loss of green space and lack of affordable housing.

Mike Palmer (Crescent Road): Expressed support for the application, as the proposed development will be a good fit for the neighbourhood.

Paul McAddam (Rockland Avenue): Expressed concerns relating to the application, due to the lack of affordable housing as well as the speed of development in the City.

Clark Hartwood (Craigdarroch Road): Expressed concerns relating to the application, as the proposed new zoning is not supportable.

Max Ithim (Cook Street): Expressed support for the application, as the proposed development would be a good fit for the neighbourhood.

David Addams (King George Terrace): Expressed support for the application, as the proposed development would be a good fit for the neighbourhood.

Don Cal (Pentrelew Place): Expressed concerns relating to the application, as the increased height, massing, and density is not supportable.

*Council discussed the following:*

- *The community amenity contribution that would be provided by the applicant.*
- *Whether the trees on the property would be negatively impacted by the development.*
- *What type of development the current zoning would allow.*

**Moved By** Mayor Helps  
**Seconded By** Councillor Isitt

**Motion to extend:**

That the meeting be extended to 1:15 a.m.

**CARRIED UNANIMOUSLY**

- *The developer's intention for 1010 Fort Street.*

*Mayor Helps closed the public hearing at 1:01 a.m.*

***Consideration of the application will be continued at the Special Council Meeting on May 3, 2018.***

**H. QUESTION PERIOD**

**I. ADJOURNMENT**

**Moved By** Councillor Loveday  
**Seconded By** Councillor Alto

That the Council meeting adjourn.  
TIME: 1:02 a.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR