



MINUTES - VICTORIA CITY COUNCIL

September 20, 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 - City Manager, C. Coates - City Clerk , S. Thompson - Director of Finance, J. Tinney - Director of Sustainable Planning & Community Development, F. Work - Director of Engineering & Public Works, 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, M. Angrove – Planner, C. Royle – Deputy Fire Chief

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.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Alto

That Mary Doody Jones be added to the second Request to Address Council section of the agenda.

CARRIED UNANIMOUSLY

Main motion as amended

CARRIED UNANIMOUSLY

B. Poetry Reading by Youth Poet Laureate, Agartu Ali

Youth Poet Laureate, Agartu Ali, read a poem titled "On being a woman".

C. READING OF MINUTES

Moved By Councillor Coleman

Seconded By Councillor Thornton-Joe

That the following minutes be adopted:

1. Minutes from the daytime meeting held May 3, 2018
2. Minutes from the daytime meeting held September 6, 2018

CARRIED UNANIMOUSLY

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Coleman

Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 Martha Gerlach: Horse-Drawn Carriages in Victoria

Outlined why Council should continue to support the horse-drawn carriage industry in Victoria.

D.5 Dave Davies: Campaign Donors

Outlined why Council should consider corporate donations as a conflict in interest when voting.

D.6 Leslie Robinson: Standards of Maintenance Bylaw for Rental Housing

Outlined why Council should strengthen the standards of maintenance bylaw for rental housing to include health infractions, enforcement provisions, and consider the licensing of rental housing.

E. PROCLAMATIONS

E.1 "International Day of Sign Languages and Week of the Deaf" - September 23, 2018 and September 24 to 30, 2018

Moved By Councillor Coleman

Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "International Day of Sign Languages and Week of the Deaf" - September 23, 2018 and September 24 to 30, 2018

CARRIED UNANIMOUSLY

E.2 "Ride for Refuge Day" - September 29, 2018

Moved By Councillor Coleman

Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "Ride for Refuge Day" - September 29, 2018

CARRIED UNANIMOUSLY

E.3 "Wrongful Conviction Day" - October 2, 2018

Moved By Councillor Loveday

Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "Wrongful Conviction Day" - October 2, 2018

CARRIED UNANIMOUSLY

E.4 "Fire Prevention Week 2018" - October 7 to 13, 2018

Moved By Councillor Loveday

Seconded By Councillor Coleman

That the following proclamation be endorsed:

1. "Fire Prevention Week 2018" - October 7 to 13, 2018

CARRIED UNANIMOUSLY

E.5 "Occupational Therapy Month" - October 2018

Moved By Councillor Coleman

Seconded By Councillor Lucas

That the following proclamation be endorsed:

1. "Occupational Therapy Month" - October 2018

CARRIED UNANIMOUSLY

E.6 "Manufacturing Month" - October 2018

Moved By Councillor Loveday

Seconded By Councillor Young

That the following proclamation be endorsed:

1. "Manufacturing Month" - October 2018

CARRIED UNANIMOUSLY

F. PUBLIC AND STATUTORY HEARINGS

F.1 Rezoning Application No. 00599 and Development Permit with Variances Application No. 000507 for 2910 Shelbourne Street

Zoning Regulation Bylaw, Amendment Bylaw (No. 1154) No. 18-067:

To rezone the land known as 2910 Shelbourne Street from the R1-B Zone, Single Family Dwelling District, to the RT Zone, Traditional Residential Attached Dwelling District, to permit a six-unit townhouse development.

Development Permit with Variances Application:

The Council of the City of Victoria will also consider issuing a Development Permit with Variances for the land known as 2910 Shelbourne Street, in Development Permit Area 7A – Corridors, for the purposes of approving the exterior design and finishes for the six unit townhouse development as well as landscaping.

F.1.a Public Hearing & Consideration of Approval:

Michael Angrove (Planner): *Advised that the application is to permit the construction of a six-unit townhouse development.*

Mayor Helps opened the public hearing at 6:57 p.m.

Luke Mari (Applicant): Provided information regarding the application.

Council discussed the following:

- *The inclusion of the housing agreement and that some units will be sold at a percentage under rental market rates.*

Tavis Wetlo (Ryan Street): Expressed support for the application as it will be a benefit to the area.

Ric No Houle (Pandora Avenue): Expressed support for the application.

Lindsey Mitchell (Haultain Street): Expressed support for the application, as density is needed in this area.

James Need (Lily Avenue): Expressed support for the application, in relation to his history with Aryze.

Eric Swanson (Centre Road): Expressed support for the application due to the inclusion of affordable home ownership.

Courtney Woodland (Pandora Avenue): Expressed support for the application due to the inclusion of affordable of home ownership.

Mike Farley (Gladstone Avenue): Expressed support for the application, in relation to his employment with Aryze.

Resident (Walnut Street): Expressed support for the application, in relation to his history with Aryze.

Elizabeth Wilder (Ryan Street): Expressed support for the application due to the inclusion of affordable home ownership.

Dave Campbell (Rosemary Street): Expressed support for the application, as it will provide homes for new families.

Barry Walker (Jackson Street): Expressed concerns with the application, as a Garry Oak forest or community garden would be preferred.

Mary Davies (Fairfield Road): Expressed concerns relating to the use of the term "affordable housing" with this application.

Council discussed the following:

- *The species of trees that will be planted on the site.*
- *The construction techniques used to keep prices lower.*

Mayor Helps closed the public hearing at 7:47 p.m.

Moved By Councillor Lucas

Seconded By Councillor Alto

That the following bylaw **be given third reading**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1154) No. 18-067

CARRIED UNANIMOUSLY

Moved By Councillor Loveday

Seconded By Councillor Alto

That the following bylaw **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1154) No. 18-067
2. Housing Agreement (2910 Shelbourne Street) Bylaw No. 18-101

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Coleman

That Council authorize the issuance of Development Permit with Variances Application No. 000507 for 2910 Shelbourne Street in accordance with:

1. Plans date stamped July 3, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the lot width from 20.0m to 19.72m
 - ii. increase the number of units in an attached dwelling from 4 to 6

- iii. allow a roof deck
 - iv. reduce the setback to Shelbourne Street from 10.7m to 7.52m
 - v. reduce the north side setback from 4.0m to 1,38m
 - vi. reduce the south side setback from 4.0m to 1,58m
 - vii. reduce the required parking from 7 vehicle stalls including 1 visitor stall to 7 stalls with no visitor stalls.
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.2 Rezoning Application No. 00647 for 1202-1214 Wharf Street

Zoning Regulation Bylaw, Amendment Bylaw (No. 1165) No. 18-093:

To rezone the land known as 1202, 1208, 1214 Wharf Street from the IHF Zone, Inner Harbour Finlayson District, to the IHF-1 Zone, Inner Harbour Finlayson (Rental Business) District, to permit rental businesses.

F.2.a Public Hearing & Consideration of Approval

Michael Angrove (Planner): *Advised that the application is to permit rental business use in an existing building.*

Mayor Helps opened the public hearing at 8:05 p.m.

Applicant: Provided information regarding the application.

There were no persons present to speak to the proposed bylaw.

Mayor Helps closed the public hearing at 8:08 p.m.

Moved By Councillor Coleman

Seconded By Councillor Thornton-Joe

That the following bylaw **be given third reading:**

- 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1165) No. 18-093

CARRIED UNANIMOUSLY

Moved By Councillor Loveday

Seconded By Councillor Lucas

That the following bylaw **be adopted:**

- 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1165) No. 18-093

CARRIED UNANIMOUSLY

F.3 Rezoning Application No. 00619 and Development Permit Application No. 000520 for 356 Harbour Road

Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055:

To amend the existing CD-9 Zone, Dockside District, by adding a brewery, distillery and liquor retail store as permitted uses in the zone.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 356 Harbour Road, in Development Permit Area 13: Core Songhees for the purposes of constructing a four-storey brew-pub and distillery.

F.3.a Public Hearing & Consideration of Approval

Michael Angrove (Planner): *Advised that the application is to allow distillery, brewery, and accessory liquor retail store uses.*

Mayor Helps opened the public hearing at 8:10 p.m.

Ray Pipes & Adam Fox (Applicants): Provided information regarding the application.

Council discussed the following:

- *Work undertaken by the applicant to reduce aromas from the brewery.*

Alan Bell (Tyee Road): Expressed concerns with the application due to the hours of the business.

David Gaily (Tyee Road): Expressed concerns with the application due to the height of the proposed building and the potential noise from the patios.

Ric No Houle (Pandora Avenue): Expressed concerns relating to the allowance of a distillery and brewery.

Luke Mari (Fairfield Road): Expressed support for the application as it will be a benefit to the neighbourhood.

Council discussed the following:

- *Measures taken to reduce noise affects on neighbouring properties.*

Mayor Helps closed the hearing at 8:40 p.m.

Moved By Councillor Coleman

Seconded By Councillor Lucas

That the following bylaw **be given third reading:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Coleman

That the following bylaw **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Coleman

That Council authorize the issuance of Development Permit Application No. 000520 for 356 Harbour Road, in accordance with:

1. Plans date stamped January 25, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. The Development Permit lapsing two years from the date of this resolution.
4. Revised plans that provide bicycle parking in accordance with Schedule C of the Zoning Regulation Bylaw and the Dockside Green Master Development Agreement, to the satisfaction of the Director of Sustainable Planning and Community Development.

CARRIED UNANIMOUSLY

Council recessed from 8:49 p.m. until 8:56 p.m.

F.4 Rezoning Application No. 00627 and Development Permit with Variances Application No. 00063 for 3031 Jackson Street

Zoning Regulation Bylaw, Amendment Bylaw (No. 1158) - No. 18-075:

To rezone the land known as 3031 Jackson Street from the R1- B Zone, Single Family Dwelling District, the RJ-10 Zone, Jackson Street Townhouse District, to permit the construction of eight attached townhouse dwelling units.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 3031 Jackson Street in Development Permit Area 16 – General Form and Character for the purposes of approving the form, character, exterior materials and landscaping of the proposed townhouse development.

F.4.a Public Hearing & Consideration of Approval

Michael Angrove (Planner): *Advised that the application is to construct eight dwelling units within three buildings.*

Mayor Helps opened the public hearing at 8:57 p.m.

Brian Canfield (Applicant): Provided information regarding the application.

Barry Walker (Jackson Street): Expressed concerns in relation to the loss of green space, as well as concerns regarding the increased traffic.

Ric No Houle (Pandora Avenue): Expressed concerns in regards to the lack of electric vehicles.

Erin (Jackson Street): Expressed concerns with the application, in regards to the increased traffic.

Allison Bottomley (Jackson Street): Expressed concerns with the application, in regards to the increased traffic.

Grant Holly (Jackson Street): Expressed concerns with the application, in regards to the increased traffic.

Damien Grey (Jackson Street): Expressed concerns with the application, in regards to the increased traffic.

Mel Gallopin (Jackson Street): Expressed concerns with the application as it will not be a good fit for the neighbourhood.

Mayor Helps closed the public hearing at 9:27 p.m.

Moved By Councillor Young
Seconded By Councillor Coleman

That the following bylaw **be given third reading**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1158) No. 18-075

Council discussed the following:

- *Concerns relating to the vehicle and bicycle traffic.*

Amendment:

Moved By Councillor Young
Seconded By Councillor Coleman

Direct staff to examine the degree to which Jackson Street is being used for cut through traffic and determine any simple actions to mitigate this.

CARRIED UNANIMOUSLY

Main motion as amended:

That the following bylaw **be given third reading**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1158) No. 18-075

Direct staff to examine the degree to which Jackson Street is being used for cut through traffic and determine any simple actions to mitigate this.

Council discussed the following:

- *The lack of neighbourhood support for the application.*
- *That new Garry Oaks will be planted, to combat the loss of trees required for the development.*

FOR (6): Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, Councillor Young, and Mayor Helps
OPPOSED (3): Councillor Isitt, Councillor Loveday, and Councillor Madoff

CARRIED (6 to 3)

Moved By Councillor Coleman
Seconded By Councillor Lucas

That the following bylaws **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1158) No. 18-075
2. Housing Agreement (3031 Jackson Street) Bylaw No. 18-076

FOR (6): Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, Councillor Young, and Mayor Helps
OPPOSED (3): Councillor Isitt, Councillor Loveday, and Councillor Madoff

CARRIED (6 to 3)

Moved By Councillor Lucas
Seconded By Councillor Young

That Council authorize the issuance of Development Permit with Variances Application No. 00063 for 3031 Jackson Street, in accordance with:

1. Plans date stamped March 29, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances
 - i. reduce the lot width from 60.0m to 53.17m
 - ii. reduce the separation space between the building with units 1 & 2 and the building with units 3 & 4 from 7.50m to 4.90m
 - iii. reduce the separation space between the building with units 3 & 4 and the building with units 5, 6, 7 & 8 from 7.50m to 7.30m
 - iv. reduce the distance between the building with units 1 & 2 and the building with units 3 & 4 from 10.0m to 4.90m
 - v. reduce the distance between the building with units 3 & 4 and the building with units 5, 6, 7 & 8 from 10.0m to 6.68m
3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development, that state the 7.0m distance behind the visitor parking stalls 3, 12, & 13 does not exceed an 8% grade.
4. The Development Permit lapsing two years from the date of this resolution.

FOR (6): Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, Councillor Young, and Mayor Helps
OPPOSED (3): Councillor Isitt, Councillor Loveday, and Councillor Madoff

CARRIED (6 to 3)

G. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Coleman

Seconded By Councillor Isitt

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

G.1 Ric No Houle: Tobacco Prohibition

Outlined why Council should prohibit tobacco and guns in the City of Victoria.

G.2 Wayne Hollohan: CSV LAP

Outlined why Council should approve the recommendations laid out by the Cook Street Village steering committee.

G.3 Mary Doody Jones: Fairfield Neighbourhood Plan

Outlined further changes that should be considered for the Fairfield Neighbourhood Plan.

H. UNFINISHED BUSINESS

H.1 Letter from the Minister of Environment & Climate Change

Moved By Councillor Coleman

Seconded By Councillor Alto

That the correspondence dated July 31, 2018 from the Minister of Environment & Climate Change be received for information.

CARRIED UNANIMOUSLY

H.2 Letter from the Ministry of Families, Children, and Social Development

Moved By Councillor Coleman

Seconded By Councillor Alto

That the correspondence dated August 7, 2018 from the Ministry of Families, Children, and Social Development be received for information.

CARRIED UNANIMOUSLY

H.3 Letter from the Minister of Transport

Moved By Councillor Coleman

Seconded By Councillor Alto

That the correspondence dated August 21, 2018 from the Minister of Transport be received for information.

CARRIED UNANIMOUSLY

H.4 Letter from the Ministry of Municipal Affairs & Housing

Moved By Councillor Coleman
Seconded By Councillor Alto

That the correspondence dated August 22, 2018 from the Ministry of Municipal Affairs & Housing be received for information.

CARRIED UNANIMOUSLY

H.5 Letter from the Minister of Forests, Lands, Natural Resource Operations, and Rural Development

Moved By Councillor Coleman
Seconded By Councillor Alto

That the correspondence dated September 6, 2018 from the Minister of Forests, Lands, Natural Resource Operations, and Rural Development be received for information.

CARRIED UNANIMOUSLY

H.6 Update Report: Development Variance Permit Application No. 00213 for 1159 View Street

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

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 Variance Permit Application No. 00213 for 1159 View Street in accordance with:

1. Plans date stamped June 29, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce vehicle parking from 7 stalls to 3 stalls
 - ii. increase the site coverage from 30.00% to 45.56%
 - iii. increase the rear yard site coverage from 25.00% to 29.97%.
3. The applicant entering into an agreement with a car-share company to secure six car share memberships and car share usage credits in the amount of \$100 towards each car share membership, to the satisfaction of City Staff.
4. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

Council recessed from 10:12 p.m. until 10:17 p.m.

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the September 20, 2018 COTW Meeting

I.1.a.a 1284-1298 Gladstone - Rezoning Application No. 00640 (Fernwood)

Moved By Councillor Thornton-Joe
Seconded By Councillor Madoff

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00640 for 1284-1298 Gladstone Avenue and 2000-2004 Fernwood Road; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Preparation of a legal agreement to secure a statutory right-of-way of 3.90m on Fernwood Road, and executed by the applicant to the satisfaction of City Staff.

CARRIED UNANIMOUSLY

I.1.a.b Safeguarding Against Organized Crime and Money Laundering

Moved By Councillor Loveday
Seconded By Councillor Isitt

That Council request the Mayor write to the Office of the Attorney General and BCLC requesting an update on the results of the Dirty Money investigation and to seek assurances that issues of organized crime and money laundering will not occur in any potential new casinos in the City of Victoria.

AND THAT Council direct staff to refer any applications to build or operate a casino in the City of Victoria to the Victoria Police Department for comment.

CARRIED UNANIMOUSLY

I.1.a.c Support for Second Stage Housing

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council request that the Mayor write, on behalf of Council, to the Executive Director of the BC Housing Management Commission, expressing support for the

efforts of the Victoria Women's Transition House to establish second-stage housing in Victoria.

CARRIED UNANIMOUSLY

I.1.a.d Request for Auditor General for Local Government to Undertake Audit of Johnson Street Bridge Project

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

That Council request the Auditor General for Local Government to undertake an audit of the Johnson Street Bridge Project.

CARRIED UNANIMOUSLY

I.1.a.e 2019 Permissive Property Tax Exemptions

Moved By Councillor Coleman

Seconded By Councillor Loveday

That Council:

- a. Grant Fairfield United Church an exemption that correlates to 40% of the space being used for bible studies, congressional support groups and other administrative activities. Approving this application would exempt the organization for \$6,008 municipal taxes and \$8,714 in total taxes.
- b. Approve the applications for permissive property tax exemption detailed in Table 2 for the 2019 tax year:

Table 2:

Applicant	Property Address	Category	Amount
Victoria Women's Transition House Society	Confidential	Special Needs and Supportive Housing	\$2,872
Fresh Water Fisheries Correction (50 % exemption correction)	101 - 80 Regatta Landing	Recreation	\$9,103

CARRIED UNANIMOUSLY

**I.1.a.f 1249 Finlayson - Rezoning Application No. 00638 &
Development Permit with Variances Application No.
00075 (Hillside & Quadra)**

Moved By Councillor Alto
Seconded By Councillor Isitt

That Council refer this matter back to staff.

CARRIED UNANIMOUSLY

**I.1.a.g 430 Parry - Rezoning Application No. 00641 &
Development Permit Application No. 000528 (James
Bay)**

Moved By Councillor Thornton-Joe
Seconded By Councillor Madoff

Rezoning Application No. 00641

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw that would authorize the proposed development outlined in Rezoning Application No. 00641 for 430 Parry Street, that first and second reading of the Zoning Regulation Bylaw be considered by Council and a Public Hearing date be set once the following conditions are met:

- a. Preparation and execution of legal agreements to secure two studio units as affordable housing to the satisfaction of the City Solicitor.
- b. Preparation and execution of a Housing Agreement to ensure that future Strata Bylaws could not prohibit the rental of units (with the exception of the two affordable units).
- c. Submission of a Tenant Assistance Plan to the satisfaction of the Director of Sustainable Planning and Community Development.

That the community amenity funding be allocated to amenities in James Bay.

Development Permit with Variances Application No.
000528

That, subject to receipt of a signed agreement with a car share provider to secure a car share membership for all units to the satisfaction of the Director of Sustainable Planning and Community Design, 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. 00641, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 000528 for 430 Parry Street, in accordance with:

- a. Plans date stamped August 30, 2018.
- b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of parking stalls from sixteen to ten
 - ii. increase the maximum site coverage from 60% to 75%
 - iii. decrease the open site space from 20% to 10.5%
 - iv. reduce the front yard setback from 5.0m to 0m
 - v. Reduce the side yard setback (north) from 2.0m to 0m.
- c. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

I.1.a.h

**423 Edward - Development Variance Permit
Application No. 00207 (Victoria West)**

Moved By Councillor Alto

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 Variance Permit Application No. 00207 for 423 Edward Street, in accordance with:

1. Plans date stamped August 30, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required vehicle parking from four stalls to one stall
 - ii. reduce the rear yard setback from 7.5m to 3.25
 - iii. allow the addition of a roof deck
 - iv. allow exterior changes to the street facade to a proposed house conversion
 - v. reduce the separation distance for an accessory, building from the main building from 2.4m to 2.15
 - vi. allow an accessory building in the side yard.
3. The Development Permit lapsing two years from the date of this resolution.
4. Final issuance of the Development Variance Permit subject to:
 - i. a Statutory Right-of-Way of 1.8m on the Russell Street frontage being registered on title to the satisfaction of the Director of Engineering and Public Works.

- ii. revised plans addressing minor drafting errors to the satisfaction of the Director of Sustainable Planning and Community Development.”

CARRIED UNANIMOUSLY

I.1.a.i

Fairfield Neighbourhood Plan – Update

Moved By Councillor Lucas

Seconded By Councillor Coleman

1. That Council direct staff to amend the draft Fairfield Neighbourhood Plan based on the recommendations provided by the Gentle Density and Cook Street Village Steering Committees with the following adjustments:
 - a. That analysis and consideration of pre-zoning for gentle density be considered in conjunction with the Inclusionary Housing policy work and following approval of the Fairfield Neighbourhood Plan as part of implementation.
 - b. That the Traditional Residential designation permit gentle density up to three storeys around Cook Street Village west of Linden Avenue and along Fairfield Road; and up to two-and-a-half storeys east of Linden Avenue.
 - c. That gentle density not exceed 1:1 Floor Space Ratio (FSR), that conventional side and rear yard setbacks be respected, and that considerations be made for reduced front setbacks compatible with block context.
 - d. That gentle density destination zones, consistent with the Fairfield Neighbourhood Plan, be created to assist rezoning applicants.
 - e. That the plan include policies encouraging gentle density housing forms in the Urban Residential designation for properties adjacent to Traditional Residential and smaller lots.
 - f. That the maximum density of 2:5 FSR for Large Urban Villages be maintained in the Official Community Plan, but the plan be amended to reference the built form and place character policies for villages in the Fairfield Neighbourhood Plan.
 - g. That future buildings in Cook Street Village be setback an average of two metres (with a one metre minimum);
 - h. That development permit guidelines for Cook Street Village include one, five metre step-back, measured from the front property line for portions of buildings above the second-storey to accommodate boulevard tree canopies.

- i. That village gateway components be evaluated through design during plan implementation.
 - j. That a parking study be undertaken during plan implementation with the objective to maintain on-street parking capacity.
 - k. Direct staff to include amendments to the Official Community Plan that limit the height to four storeys in Cook Street Village
 - l. Direct staff to report back with an evaluation and recommendations on designating all trees in Cook Street Village as significant.
2. That Council:
- a. Consider consultation under Section 475(1) and 475(2) of the Local Government Act; and direct staff to undertake consultation with those affected by the proposed amendments to the Official Community Plan through online consultation, and one or more public open houses, concurrent with public review of the proposed Fairfield Neighbourhood Plan.
 - b. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff:
 - i. to refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, and the School District Board;
 - ii. that no referrals are necessary to the Capital Regional District Board, or the provincial or federal governments.
 - c. Direct staff to prepare Official Community Plan amendment bylaws following consultation, and in accordance with feedback received, as follows:
 - i. amend Section 6: Land Management and Development to permit three storeys west of Linden Avenue, and two-and-a-half storeys east of Linden Avenue, in the Traditional Residential designation (for Fairfield only);
 - ii. amend Figure 8: Urban Place Guidelines to reference the Fairfield Neighbourhood Plan in the Large Urban Village and Small Urban Village designations to provide built form and place character policies specific to Fairfield
 - iii. delete policy 6.20 and renumber accordingly
 - iv. amend Development Permit Area 5: Large Urban Villages to add new guidelines for Cook Street Village
 - v. amend Development Permit Area 6A: Small Urban Villages to add the areas of Five Points Village and Moss at May Village
 - vi. amend Development Permit Area 15F: Intensive Residential - Attached Residential

- Development to include the Traditional Residential areas of Fairfield and apply guidelines for gentle density
- vii. rename "Ross Bay Village" to "Fairfield Plaza".
- d. Refer the proposed Fairfield Neighbourhood Plan to the meeting of Council at which the Public Hearing be held for the above Official Community Plan amendments, for consideration of final approval.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Young

That this matter be referred back to staff to report back with a draft Fairfield Neighbourhood Plan.

Council discussed the following:

- *Whether it would be beneficial for Council to have the draft Fairfield Neighbourhood Plan before sending it to an opportunity for public comment.*
- *Whether it would be beneficial for staff to receive direction from Council before putting the work into the draft Fairfield Neighbourhood Plan.*

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

That Council postpone consideration of referral motion.

CARRIED UNANIMOUSLY

Council discussed the following:

- *Community Amenity Contributions that would be able to support items in the plan.*
- *That the amended plan would allow the opportunity for gentle density in the neighbourhood.*
- *That the referral motion allows staff to deal with the technical details.*

Moved By Councillor Isitt

Seconded By Councillor Madoff

That Council lift the postponement of consideration of the referral motion from table.

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

OPPOSED (1): Councillor Loveday

CARRIED (8 to 1)

Amendment to the amendment:

Moved By Mayor Helps

Seconded By Councillor Isitt

That the amendment be amended to include the following at the beginning:

"That council endorse the directions outlined above and"

CARRIED UNANIMOUSLY

Motion to extend:

Moved By Councillor Thornton-Joe

Seconded By Councillor Isitt

That the meeting be extended to 11:30 p.m.

CARRIED UNANIMOUSLY

Amendment to the amendment:

Moved By Mayor Helps

Seconded By Councillor Madoff

That the amendment be amended to the following:

That council asks staff to use the directions outlined above as the basis for reporting back to Council with the draft Fairfield Neighbourhood Plan and report back.

CARRIED UNANIMOUSLY

Amendment to amendment:

Moved By Councillor Isitt

Seconded By Councillor Madoff

That the amendment be amended to the following:

That Council direct staff to report back with a draft Fairfield Neighbourhood Plan based on the recommendations outlined in the report.

CARRIED UNANIMOUSLY

On the amendment:

FOR (6): Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Young, and Mayor Helps

OPPOSED (3): Councillor Alto, Councillor Coleman, and Councillor Thornton-Joe

CARRIED (6 to 3)

On the main motion as amended:

1. That Council direct staff to amend the draft Fairfield Neighbourhood Plan based on the recommendations provided by the Gentle Density and Cook Street Village Steering Committees with the following adjustments:
 - a. That analysis and consideration of pre-zoning for gentle density be considered in conjunction with the Inclusionary Housing policy work and following approval of the Fairfield Neighbourhood Plan as part of implementation.
 - b. That the Traditional Residential designation permit gentle density up to three storeys around Cook Street Village west of Linden Avenue and along Fairfield Road; and up to two-and-a-half storeys east of Linden Avenue.
 - c. That gentle density not exceed 1:1 Floor Space Ratio (FSR), that conventional side and rear yard setbacks be respected, and that considerations be made for reduced front setbacks compatible with block context.
 - d. That gentle density destination zones, consistent with the Fairfield Neighbourhood Plan, be created to assist rezoning applicants.
 - e. That the plan include policies encouraging gentle density housing forms in the Urban Residential designation for properties adjacent to Traditional Residential and smaller lots.
 - f. That the maximum density of 2:5 FSR for Large Urban Villages be maintained in the Official Community Plan, but the plan be amended to reference the built form and place character policies for villages in the Fairfield Neighbourhood Plan.
 - g. That future buildings in Cook Street Village be setback an average of two metres (with a one metre minimum);
 - h. That development permit guidelines for Cook Street Village include one, five metre step-back, measured from the front property line for portions of buildings above the second-storey to accommodate boulevard tree canopies.
 - i. That village gateway components be evaluated through design during plan implementation.

- j. That a parking study be undertaken during plan implementation with the objective to maintain on-street parking capacity.
 - k. Direct staff to include amendments to the Official Community Plan that limit the height to four storeys in Cook Street Village
 - l. Direct staff to report back with an evaluation and recommendations on designating all trees in Cook Street Village as significant.
2. That Council:
- a. Consider consultation under Section 475(1) and 475(2) of the Local Government Act; and direct staff to undertake consultation with those affected by the proposed amendments to the Official Community Plan through online consultation, and one or more public open houses, concurrent with public review of the proposed Fairfield Neighbourhood Plan.
 - b. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff:
 - i. to refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, and the School District Board;
 - ii. that no referrals are necessary to the Capital Regional District Board, or the provincial or federal governments.
 - c. Direct staff to prepare Official Community Plan amendment bylaws following consultation, and in accordance with feedback received, as follows:
 - i. amend Section 6: Land Management and Development to permit three storeys west of Linden Avenue, and two-and-a-half storeys east of Linden Avenue, in the Traditional Residential designation (for Fairfield only);
 - ii. amend Figure 8: Urban Place Guidelines to reference the Fairfield Neighbourhood Plan in the Large Urban Village and Small Urban Village designations to provide built form and place character policies specific to Fairfield
 - iii. delete policy 6.20 and renumber accordingly
 - iv. amend Development Permit Area 5: Large Urban Villages to add new guidelines for Cook Street Village
 - v. amend Development Permit Area 6A: Small Urban Villages to add the areas of Five Points Village and Moss at May Village
 - vi. amend Development Permit Area 15F: Intensive Residential - Attached Residential Development to include the Traditional

- Residential areas of Fairfield and apply guidelines for gentle density
- vii. rename "Ross Bay Village" to "Fairfield Plaza".
- d. Refer the proposed Fairfield Neighbourhood Plan to the meeting of Council at which the Public Hearing be held for the above Official Community Plan amendments, for consideration of final approval.

That Council direct staff to report back with a draft Fairfield Neighbourhood Plan based on the recommendations outlined in the report.

FOR (5): Councillor Isitt, Councillor Lucas, Councillor Madoff, Councillor Young, and Mayor Helps

OPPOSED (3): Councillor Alto, Councillor Coleman, and Councillor Thornton-Joe

CARRIED (5 to 3)

I.1.a.j City Employees Bylaw

Moved By Councillor Coleman
Seconded By Councillor Alto

That Council:

1. Direct staff to bring forward the new Officers Bylaw to the September 20, 2018 Council Meeting for introductory readings.

CARRIED UNANIMOUSLY

Moved By Councillor Coleman
Seconded By Councillor Alto

That Council:

1. Subject to the adoption of the Officers Bylaw the following Policies be approved:
 - a. Terms and Conditions of Employment - Officers and Exempt Employees
 - b. Compensation - Officers and Exempt Employees

Amendment:

Moved By Councillor Isitt

That consideration be postponed until the October 4, 2018 Council meeting.

DEFEATED DUE TO NO SECONDER

On the main motion:

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

CARRIED (8 to 1)

I.1.a.k Orange Shirt Day

Moved By Councillor Coleman
Seconded By Councillor Alto

That Council supports an expenditure of \$6,000 from the City's Reconciliation budget to hold Orange Shirt Day in Centennial Square on September 30th.

CARRIED UNANIMOUSLY

K. BYLAWS

K.1 Bylaws for Official Community Plan and Rezoning Application for 2732 Doncaster Drive

Moved By Councillor Alto
Seconded By Councillor Lucas

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

1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 26) No. 18-088
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1162) No. 18-086

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

CARRIED (8 to 1)

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

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

1. Housing Agreement (2732 Doncaster Drive) Bylaw No. 18-087

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

CARRIED (8 to 1)

Moved By Councillor Alto

Seconded By Councillor Lucas

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. 00635, if it is approved, consider the following updated motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive, in accordance with:

1. Plans date stamped May 17, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. reduce the site area from 920.0m² to 638.70m²
 - b. reduce the dwelling unit floor area from 33.0m² to 28.40m²
 - c. reduce the front yard setback from 7.50m to 4.50m
 - d. reduce the south side yard setback from 4.75m to 1.70m
 - e. reduce the north side yard setback from 4.75m to 4.0m
 - f. reduce the open site space from 30.0% to 22.22%
 - g. reduce the number of vehicle parking stalls from 10 to 8.
3. The Development Permit lapsing two years from the date of this resolution."

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

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

K.2 Bylaw for Rezoning Application for 356-360 Bay Street and 2520 Turner Street

Moved By Councillor Madoff

Seconded By Councillor Alto

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1169) No. 18-103

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

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Coleman

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 a Development Variance Permit Application for 356-360 Bay Street and 2520 Turner Street, in accordance with:

1. Revised plans with a reduced retail floor area.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:

- i. reduce the vehicle parking requirement for a storefront cannabis retailer from one stall per 37.5m² to one stall per 93m².
3. The Development Permit lapsing two years from the date of this resolution."

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

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

K.3 Bylaw for Rezoning Application for 210 Gorge Road East

Moved By Councillor Coleman

Seconded By Councillor Lucas

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1167) No. 18-095

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

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Madoff

Seconded By Councillor Coleman

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

1. Housing Agreement (210 Gorge Road) Bylaw (2018) No. 18-096

CARRIED UNANIMOUSLY

K.4 Bylaw for Permissive Tax Exemptions

Moved By Councillor Coleman

Seconded By Councillor Thornton-Joe

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

1. Tax Exemption (Permissive) Bylaw, 2019 No. 18-091

CARRIED UNANIMOUSLY

K.5 Bylaw for Officer Positions

Moved By Councillor Coleman

Seconded By Councillor Madoff

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

1. Officers Bylaw No. 18-106

CARRIED UNANIMOUSLY

K.6 Bylaws for Rezoning Application for 930 Fort Street

Moved By Councillor Thornton-Joe

Seconded By Councillor Coleman

That the following bylaws **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1156) No. 18-071
2. Housing Agreement (930 Fort Street) Bylaw No. 18-097

CARRIED UNANIMOUSLY

K.7 Bylaw for Rezoning Application for 3103 Washington Avenue

Moved By Councillor Coleman

Seconded By Councillor Lucas

That the following bylaw **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1146) No. 18-031

CARRIED UNANIMOUSLY

L. CORRESPONDENCE

L.1 Letter from the Green Communities Committee

Moved By Councillor Coleman

Seconded By Councillor Thornton-Joe

That the correspondence dated August 15, 2018 from the Green Communities Committee be received for information.

CARRIED UNANIMOUSLY

L.2 Letter from the Ministry of Public Safety and Solicitor General

Moved By Councillor Coleman

Seconded By Councillor Thornton-Joe

That the correspondence dated August 30, 2018 from the Ministry of Public Safety and Solicitor General be received for information.

CARRIED UNANIMOUSLY

N. QUESTION PERIOD

A question period was held.

O. **ADJOURNMENT**

Moved By Councillor Thornton-Joe
Seconded By Councillor Coleman

That the Council meeting adjourn.
TIME: 11:21 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR