MINUTES - VICTORIA CITY COUNCIL

September 6, 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 Thornton-Joe
Seconded By Councillor Coleman

That the agenda be approved as amended.

Amendment:

Moved By Councillor Isitt
Moved By Councillor Loveday

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

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Alto
Seconded By Councillor Loveday

That Douglas Curran, Bev Clifford, and Kari Michaels be added to the second Request to Address Council section of the meeting.

CARRIED UNANIMOUSLY

Main motion as amended:
CARRIED UNANIMOUSLY

B. READING OF MINUTES

Moved By Councillor Alto
Seconded By Councillor Isitt

That the following minutes be adopted:
1. Minutes from the daytime meeting held April 19, 2018
2. Minutes from the daytime meeting held August 2, 2018

CARRIED UNANIMOUSLY

C. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Coleman
Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

C.1 Chris Zmuda: Negligent of City Management

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

C.3 Mary Davies: Lack of Public Engagement

Outlined concerns with the lack of public engagement undertaken by the City in regards to the removal of the John A. MacDonald statue.

C.5 Norman Fiege: 2018 Gonzales Community Plan

Outlined concerns relating to the 2018 Gonzales Community Plan.

C.6 Pamela Grant: Transparency in Local Governance

Outlined concerns relating to transparency of government.

D. PROCLAMATIONS

D.1 "Prostate Cancer Awareness Month" - September 2018

Moved By Councillor Loveday
Seconded By Councillor Isitt

That the following proclamation be endorsed:
1. "Prostate Cancer Awareness Month" - September 2018

CARRIED UNANIMOUSLY

D.2 "Performance & Learning Month" - September 2018

Moved By Councillor Thornton-Joe
Seconded By Councillor Isitt

That the following proclamation be endorsed:
1. "Performance & Learning Month" - September 2018

CARRIED UNANIMOUSLY

D.3 "BC Thanksgiving Food Drive for the Food Bank Day" - September 15, 2018

Moved By Councillor Coleman
Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:
1. "BC Thanksgiving Food Drive for the Food Bank Day" - September 15, 2018

CARRIED UNANIMOUSLY

D.4 "United Way Day" - September 19, 2018

Moved By Councillor Coleman
Seconded By Councillor Loveday

That the following proclamation be endorsed:
1. "United Way Day" - September 19, 2018

CARRIED UNANIMOUSLY

E. PUBLIC AND STATUTORY HEARINGS

Councillor Madoff withdrew from the meeting at 6:50 p.m. due to a potential pecuniary conflict of interest with the following item, as she lives within the notification area.

E.1 Rezoning Application No. 00609 and Development Permit with Variances Application No. 00029 for 672 Niagara Street

Zoning Regulation Bylaw, Amendment Bylaw (No. 1164) No. 18-092:
To rezone the land known as 672 Niagara Street from the R3-2 Zone, Multiple Dwelling District to the R-88 Zone, Niagara & Thetis Multiple Dwelling District, to permit a three-storey, multi-family dwelling.

Development Permit with Variances Application:
The Council of the City of Victoria will also consider issuing a Development Permit with Variances Application for the land known as 672 Niagara Street, in Development Permit Area 16 for the purposes of approving the general form and character of the proposed building additions and alterations, and varying certain requirements of the Zoning Regulation Bylaw.

E.1.a Public Hearing & Consideration of Approval

Michael Angrove (Planner): *Advised that the application is to construct a four unit strata-titled multi family dwelling.*

Mayor Helps opened the public hearing at 6:56 p.m.

Richard Iredale (Applicant): Provided information regarding the application.

Ric No Houle (Pandora Avenue): Expressed concerns relating to the size of the application.

Mayor Helps closed the public hearing at 7:02 p.m.

Moved By Councillor Lucas
Seconded By Councillor Thornton-Joe

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1164) No. 18-092

Council discussed the following:

- *Neighbours' concerns regarding parking, and how those have been addressed by the applicant.*
- *The support that the application received at the neighbourhood meeting.*

CARRIED UNANIMOUSLY

Council withheld adoption of Zoning Regulation Bylaw, Amendment Bylaw (No. 1164) No. 18-092, pending receipt of confirmation that a 2.38m Statutory Right-of-Way over the Niagara Street frontage has been registered on the relevant property titles.

Moved By Councillor Lucas
Seconded By Councillor Loveday

That Council authorize the issuance of Development Permit Application No. 00029 for 672 Niagara Street, in accordance with:

1. Plans date stamped February 16, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    i. reduce required number of parking stalls from six to four
    ii. reduce the flanking street side yard setback from 1.5m to 0.72m
    iii. reduce the internal side yard setback from 3.00m to 1,03
    iv. reduce the front yard setback from 5.0m to 4.38
    v. increase the maximum site coverage from 40% to 46%.
3. The Development Permit lapsing two years from the date of this resolution.
4. Request the applicant reconsider the use of the slate grey veneer on the lower floor of the building.

CARRIED UNANIMOUSLY

Councillor Madoff returned to the meeting at 7:11 p.m.

E.2 Rezoning Application No. 00623 for 483/485 Garbally Road and 2960/2962 Bridge Street

Zoning Regulation Bylaw, Amendment Bylaw (No. 1163) No. 18-089:
To rezone the land known as 483-485 Garbally Road and 2960-2962 Bridge Street from the M-3 Zone, Heavy Industrial District, to the M-3-BP Zone, Heavy Industrial and Brew Pub District, to permit a Brew Pub and Liquor Retail Store as accessory uses to a Brewery.

E.2.a Public Hearing & Consideration of Approval

Michael Angrove (Planner): *Advised that the application is to allow for a tasting room and liquor retail sales area in a brewery.*

Mayor Helps opened the public hearing at 7:13 p.m.

Stephane (Applicant): Provided information regarding the application.

Ric No Houle (Pandora Avenue): Expressed concerns relating to the application, as he is in support of a brewery prohibition.

Mayor Helps closed the public hearing at 7:18 p.m.

Moved By Councillor Loveday
Seconded By Councillor Isitt

That the following bylaw **be given third reading:**
1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1163) No. 18-089

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Coleman

That the following bylaw **be adopted:**
1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1163) No. 18-089

CARRIED UNANIMOUSLY

E.3 Rezoning, Development Permit with Variances, and Development Variance Permit Application No. 00630 for 1418 Lang Street

Zoning Regulation Bylaw, Amendment Bylaw (No. 1159) No 18-083:
To rezone the land known as 1418 Lang Street from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, to permit the subdivision of the lot for the construction of a new single family dwelling at the rear of the existing property.

Development Permit with Variances and Development Variance Permit Application:
The Council of the City of Victoria will consider issuing a Development Permit with Variances and Development Variance Permit for the land known as 1418 Lang Street, in Development Permit Area 16 – General Form and Character, for the purposes of approving the exterior design and finishes for the proposed small-lot house, as well as the landscaping. Variances to the R1-S2 Zone, Restricted Small Lot (Two Storey) District.

E.3.a Public Hearing & Consideration of Approval

Michael Angrove (Planner): *Advised that the application is to subdivide the existing lot to two small lots and construct a new single family dwelling.*

Mayor Helps opened the public hearing at 7:22 p.m.

Shawn Wedick & Russ Collins (Applicants): Provided information regarding the application.

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

Mayor Helps closed the public hearing at 7:29 p.m.

Moved By Councillor Alto
Seconded By Councillor Coleman

That the following bylaw **be given third reading:**
1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1159) No. 18-083

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the following bylaw **be adopted:**
1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1159) No. 18-083

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Lucas

Development Permit with Variances:
That Council authorize the issuance of a Development Permit with Variances Application for the north portion of 1418 Lang Street (new house), in accordance with:
1. Plans date stamped April 23, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
   a. reduce the front yard setback from 6.0m to 1.98

b. reduce the rear yard setback from 6.0m to 2.07m permit a roof deck

3. The Development Permit lapsing two years from the date of this resolution.

Development Variance Permit:

That Council authorize the issuance of a Development Variance Permit Application for the south portion of 1418 Lang Street (existing house), in accordance with:

1. Plans date stamped April 23, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
   a. reduce the rear yard setback from 6.0m to 2.51m
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

E.4 Rezoning Application No. 00646, Heritage Alteration Permit Application No. 00228, and Heritage Designation Application No. 00176 for 502 Discovery Street

Zoning Regulation Bylaw, Amendment Bylaw (No. 1160) No. 18-084:
To rezone the land known as 502 Discovery Street from the S-3 Zone, Modified Limited Service District, to the MD-1 Zone, Discovery Light Industrial District, to permit an increase in density from 1.50:1 to 2.0:1 floor space ratio to allow for the construction of additional floor area for office uses in the existing building.

Heritage Alteration Permit Application:
The Council of the City of Victoria will also consider the issuance of a Heritage Alteration Permit for the land known as 502 Discovery Street to allow for alterations, including the addition of floor space to the second storey for office use.

Heritage Designation Application:
Under the provisions of the Local Government Act, the City of Victoria intends to designate the exterior of the industrial building (built 1901-1907), legally described as Lot A, Victoria City District, Plan EPP77949, as protected heritage property, under Heritage Designation (502 Discovery Street) Bylaw No. 18-079.

E.4.a Public Hearing & Consideration of Approval

Michael Angrove (Planner): *Advised that the application is to allow for an increase in floor area to the second storey for office use, as well as designate the exterior of the Heritage-Registered property.*

Mayor Helps opened the public hearing at 7:32 p.m.

Matthew Phillips (Applicant): Provided information regarding the application.

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

Mayor Helps closed the public hearing at 7:37 p.m.

Moved By Councillor Madoff
Seconded By Councillor Thornton-Joe

That the following bylaws **be given third reading:**
1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1160) No. 18-084
2. Heritage Designation (502 Discovery Street) Bylaw No. 18-079

CARRIED UNANIMOUSLY

Moved By Councillor Madoff
Seconded By Councillor Thornton-Joe

That the following bylaws **be adopted:**
1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1160) No. 18-084
2. Heritage Designation (502 Discovery Street) Bylaw No. 18-079

CARRIED UNANIMOUSLY

Moved By Councillor Madoff
Seconded By Councillor Alto

That Council authorize the issuance of the Heritage Alteration Permit Application No. 00228 for 502 Discovery Street, in accordance with:
1. Plans date stamped May 25, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements
3. Heritage Alteration Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

E.5 Heritage Alteration Permit with Variances Application No. 00008 for 727 Yates Street

Heritage Alteration Permit Application No. 00008:
The City of Victoria will be considering the issuance of a Heritage Alteration Permit with variances for the land known as 727 Yates Street and varying the Zoning Regulation Bylaw namely: the reduction of the east side yard setback from 4.5m to 0.851m; the reduction of vehicle parking from 8 stalls to 0 stalls; and the reduction of visitor vehicle parking from 1 stall to 0 stalls.

E.5.a Opportunity for Public Comment & Consideration of Approval:

Michael Angrove (Planner): *Advised that the application is to allow for the conversion of an existing vacant heritage-designated commercial building to a mixed-use building with a two-and-a-half story addition for residential rental suites, and ground floor retail use.*

Mayor Helps opened the opportunity for public comment at 7:41 p.m.

Jim Wong (Applicant): Provided information regarding the application.

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

Mayor Helps closed the opportunity for public comment at 7:46 p.m.

Moved By Councillor Madoff
Seconded By Councillor Thornton-Joe

That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00008 for 727 Yates Street in accordance with:

1. Plans, date stamped May 24, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance(s):
   a. reduce east side yard setback from 4.5m to 0.851m
   b. reduce vehicle parking from 8 stalls to 0 stalls
   c. reduce visitor vehicle parking from 1 stall to 0 stalls.
3. Council authorizing City of Victoria staff to execute an Encroachment Agreement in a form satisfactory to the City Clerk, for building encroachment(s) adjacent to 727 Yates Street.
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development.
5. Heritage Alteration Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

E.6 Development Permit with Variance Application No. 00087 for 727 and 733 Courtney Street

Development Permit with Variances Application No. 00087:
The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 727 and 733 Courtney Street, in Development Permit Area 2 (HC) to construct a two-storey vehicle rental office building.

E.6.a Opportunity for Public Comment & Consideration of Approval

Michael Angrove (Planner): *Advised that the application is to construct a two-storey vehicle rental office building.*

Mayor Helps opened the opportunity for public comment at 7:52 p.m.

Applicant: Provided information regarding the application.

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

Mayor Helps closed the opportunity for public comment at 7:54 p.m.

Moved By Councillor Lucas
Seconded By Councillor Thornton-Joe

That, subject to confirmation that lot consolidation has occurred to the satisfaction of the City, Council authorize issuance of Development Permit with Variances Application No. 00087 for 727 and 733 Courtney Street, in accordance with:

1. Plans date stamped June 4, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
   i. relaxation to accommodate offices on the ground floor
   ii. relaxation to allow rental vehicles to be stored outside the building
   iii. relaxation to allow motor vehicle parking outside the building
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Coleman
Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

F.1 Laurel Collins: Housing

Outlined concerns relating to the lack of affordable housing in the City of Victoria.

F.2 Sarah Potts: Housing Crisis

Outlined concerns relating to the lack of affordable housing in the City of Victoria, as well as support for an inclusionary housing policy.

F.3 Julia Grav: Housing Affordability

Outlined concerns relating to the lack of affordable housing in the City of Victoria, support for an inclusionary housing policy, and suggested consideration of co-op housing.

F.4 Ryan Painter: Affordable Housing

Outlined concerns relating to the lack of affordable housing in the City of Victoria, as well as support for an inclusionary housing policy.

F.6 Jordan Reichert: Affordable and Inclusive Housing

Outlined why Council should create a policy that will improve housing affordability in Victoria and advocate for pet friendly housing at the provincial level to reduce barriers for many residents.

F.7 Mary Doody Jones: Large Urban Village Designation for 1303 Fairfield Road
Outlined concerns relating to the Fairfield Neighbourhood being designated as a Large Urban Village.

F.8 Douglas Curran: Community Amenity Contributions
Outlined why Council should revise the best practices for Community Amenity Contributions, as found in other B.C. communities.

F.10 Kari Michaels: Housing
Outlined concerns relating to the lack of affordable housing in the City of Victoria, as well as support for the Inclusionary Housing Policy.

F.11 Leslie Robinson: Housing
Outlined concerns relating to the Inclusionary Housing Policy.

G. UNFINISHED BUSINESS

G.1 Letter from the Minister of Social Development and Poverty Reduction

Moved By Councillor Alto
Seconded By Councillor Isitt

That the correspondence dated August 14, 2018 from the Minister of Social Development and Poverty Reduction be received for information.

CARRIED UNANIMOUSLY

H. REPORTS OF COMMITTEES

H.1 Committee of the Whole

H.1.a Report from the September 6, 2018 COTW Meeting

H.1.a.a 515 Chatham Street – Development Permit with Variance Application Permit No. 00085 (Downtown)

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 Permit with Variance Application No. 00085 for 515 Chatham Street, in accordance with:

1. Plans date stamped July 16, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
   i. increase the height from 15m to 16.43m.

3. That Council authorize 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. Final plans to be in accordance with the plans date stamped July 16, 2018, to the satisfaction of City staff.
5. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council rescind the previously approved Development Permit Application No. 00034 for 515 Chatham Street approved May 24, 2018.

CARRIED UNANIMOUSLY

H.1.a.b CRD Arts and Culture Support Service Establishment Amendment Bylaw

Moved By Councillor Loveday
Seconded By Councillor Alto

That Council consent to the adoption of CRD Arts and Culture Support Service Establishment Bylaw No. 1, 2001 Amendment Bylaw No. 5, 2018.

CARRIED UNANIMOUSLY

H.1.a.c Bylaw Officers

Moved By Councillor Thornton-Joe
Seconded By Councillor Coleman

That Council approve the appointment of Barrie Cockle:
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

CARRIED UNANIMOUSLY

H.1.a.d **Attendance at the Global Climate Action Summit for Mayor Helps, San Francisco**

Moved By Councillor Coleman
Seconded By Councillor Thornton-Joe

That Council authorize the attendance and associated costs for Mayor Lisa Helps to attend the Global Climate Action Summit to be held in San Francisco, September 13-14, 2018.

CARRIED UNANIMOUSLY

H.1.a.e **Attendance at the UBCM Conference for Councillor Isitt, Whistler, BC**

Moved By Councillor Loveday
Seconded By Councillor Coleman

That Council authorize the attendance and associated costs for Councillor Isitt to attend the Union of BC Municipalities Conference to be held in Whistler, BC, in September 2018.

CARRIED UNANIMOUSLY

H.1.a.f **Attendance at the UBCM Conference for Mayor Helps, Whistler, BC**

Moved By Councillor Coleman
Seconded By Councillor Lucas

That Council authorize the attendance and associated costs for Mayor Lisa Helps to attend the Union of BC Municipalities Conference to be held in Whistler, BC, in September 11-13, 2018.

CARRIED UNANIMOUSLY

H.1.a.g **Attendance at the UBCM Conference for Councillor Coleman, Whistler, BC**

Moved By Councillor Loveday
Seconded By Councillor Alto

That Council authorize the attendance and associated costs for Councillor Chris Coleman to attend the UBCM Conference to be held in Whistler, September 11-14, 2018.

CARRIED UNANIMOUSLY

H.1.a.h Second Quarter 2018 Update

Moved By Councillor Thornton-Joe
Seconded By Councillor Coleman

Victoria Police Report:
That Council receive this report for information.

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

Operation Plan Progress Report:
That Council receive this report for information.

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Lucas

Beepers in the Downtown:
That Council direct that this item be considered as a part of the 2019 budget process.

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

CARRIED (8 to 1)

Moved By Councillor Loveday
Seconded By Councillor Alto

Residential Rental Zoning:
That Council receive this report for information.

CARRIED UNANIMOUSLY

Moved By Councillor Loveday
Seconded By Councillor Alto

Recommendations from Advisory Committees:
That Council forward this report with the recommendations from Accessibility Working Group to the 2019 budget process to receive the financial implications of all of these.

Amendment:

Moved By Mayor Helps
Seconded By Councillor Alto

That the motion be amended by adding the following:
"The unactioned recommendations."

CARRIED UNANIMOUSLY

Main motion as amended:
That Council forward this report with the recommendations from Accessibility Working Group to the 2019 budget process to receive the financial implications of all of the unactioned recommendations.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt
Seconded By Councillor Loveday

Adoption of Canadian Code of Advertising Standards:
That this report be received for information.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt
Seconded By Councillor Loveday

Cannabis Consumption Sites:

1. That staff be directed to investigate, beginning in the first quarter of 2019, regulations in other jurisdictions governing consumption sites for cannabis use.
2. That this review take into consideration the City and County of Denver, Colorado's Cannabis Consumption Pilot Program, as well as the regulatory context in the City of Victoria arising from regional, provincial and federal regulations.
3. That staff report back to Council on the advisability of initiating a Pilot Program or introducing regulations for consumption sites for cannabis use.

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Loveday

Fair Trade Policy:
That Council direct that this item be considered as a part of the 2019 budget process.

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

CARRIED (8 to 1)

H.1.a.i 210 Gorge Road- Development Permit with Variances Application No. 00076 (Burnside)

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council, after giving notice and allowing for an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00620, if it is approved, consider the following motion:
"That Council authorize the issuance of Development Permit with Variances Application No. 00076 for 210 Gorge Road East, in accordance with:

1. Plans date stamped August 17, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
   a. reduce the required number of visitor parking spaces from 8 to 4
   b. locate a gazebo in the front yard
   c. reduce the separation space between the gazebo and the principal building from 2.40m to 1.55m.
3. The Development Permit lapsing two years from the date of this resolution.
4. The applicant entering into an agreement with a local car share company to secure 20 car share memberships to the satisfaction of City Staff.
5. The applicant providing two bikes and bike share parking spaces on-site, to the satisfaction of City Staff."

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

CARRIED (7 to 2)

Councillor Young withdrew from the meeting at 8:47 p.m. due to a pecuniary conflict of interest with the following two items, as the applicant of 953 Balmoral Road is a client of his consulting firm and the applicant of 457 and 459 Kipling Street is a member of his extended family.

H.1.a.j 953 Balmoral Road – Rezoning Application No. 00598 and Development Permit with Variance Application No. 000506 (North Park)

Moved By Councillor Loveday
Seconded By Councillor Coleman

Rezoning Application No. 00598
That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00598 for 953 Balmoral 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 the following documents, executed by the applicant to the satisfaction of City Staff:
   a. Statutory Right-of-Way of 1.22m on Balmoral Road.
2. The applicant provide an amenity contribution in the amount of $76,694.69 toward the Local Amenities Reserve Fund in accordance with the *City of Victoria Density Bonus Policy* to the satisfaction of City Staff.
3. Following consideration of Rezoning Application No. 00487, if approved, that Council authorize staff to prepare and enter into an Encroachment Agreement for a fee of $750 plus $25 per m^2 of exposed shored face during construction, to the satisfaction of the City staff.

Development Permit with Variance Application No. 000506

That, subject to review by the Advisory Design Panel and report back to the Committee of the Whole, 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. 00598, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 000506 for 953 Balmoral Road, in accordance with:

1. Plans date stamped January 18, 2018
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
   i. reduce the required number of parking spaces from 12 to 5
   ii. Part 3.3(10): reduce the front yard setback from 10.50m to 2.00
   iii. Part 3.3 (10): reduce the side (east) yard setback from 6.10m to1.52m
   iv. Part 3.3(10): reduce the side (west) yard setback from 6.10m to 3.64m
   v. Part 3.3(4)(1): increase the site coverage from 30% to 43%
   vi. Part 3,3(4)(6)(1): reduce the open site space from 30% to 15.30%
3. Registration of legal agreements on the property's title to secure the MODO Car Share Vehicle and parking space, car share memberships, one monthly transit pass for each unit over a period of three years (396 monthly passes), and one bicycle for each unit to the satisfaction of City Staff.
4. Revise the landscape plan to indicate floating pavement where the proposed parking spaces overlap with the tree's critical root zone in accordance with the

arborist report prepared by Talbot Mackenzie & Associates.

5. The Development Permit lapsing two years from the date of this resolution."

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)

H.1.a.l 457 and 459 Kipling Street – Rezoning Application No. 00644 and Development Permit with Variance Application No. 00644 (Fairfield)

Moved By Councillor Coleman
Seconded By Councillor Alto

Rezoning Application No. 00644
That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00644 for 457 and 459 Kipling Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set.

Development Permit with Variance Application No. 00644
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. 00644, if it is approved, consider the following motion:
"That Council authorize the issuance of Development Permit Application No. 00644 for 457 and 459 Kipling Street in accordance with:

1. Plans date stamped July 3, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except to increase the combined floor area maximum from 380m^2 to 389.78m^2.
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Councillor Young returned to the meeting at 8:51 p.m.

H.1.a.k 505, 517, 519/521 Quadra Street and 931 Convent Place – Rezoning Application No. 00610 & Development Permit with Variance No. 00088 (Fairfield)

Moved By Councillor Coleman
Seconded By Councillor Lucas

Rezoning Application No. 00610

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00610 for 505, 517 and 519/521 Quadra Street and 931 Convent Place, 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 and execution of the following legal agreements:
    a. Statutory Right-of-Way to secure 1.59 metres of the site adjacent Southgate Street, to the satisfaction of the Director of Engineering and Public Works;
    b. Statutory Right-of-Way to secure 2.02 metres of the site adjacent Convent Place, to the satisfaction of the Director of Engineering and Public Works; and
    c. Housing Agreement to secure the residential units as rental for a 20 year period, to ensure that these units are not strata titled prior to the 20 year term of the agreement lapsing and to ensure that future strata bylaws cannot restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development.

Development Permit with Variances

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. 00610, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No, 00088 for 505, 517, 519/521 Quadra Street and 931 Convent Place, in accordance with:

1. Receipt of final plans generally in accordance with the plans date stamped August 20, 2018, with the following changes to the satisfaction of the Director of Sustainable Planning and Community Development:
    i. correct minor inconsistencies between plans
    ii. siting and design of the proposed fence and guardrail as shown on the landscape plan
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    i. reduce the required vehicle parking from 115 stalls to 95 stalls;

ii. reduce the required visitor parking from 9 stalls to 8 stalls

3. Receipt of a car share agreement that includes MODO car share memberships for 50% of the residential units to the satisfaction of the Director of Engineering and Public Works.
4. The Development Permit lapsing two years from the date of this resolution."

That Council refer the application back to Advisory Design Panel for comment whether their concerns were addressed and that this letter be added to the Public Hearing.

Council discussed the following:

- *Concerns relating to the loss of rental housing.*
- *Whether the City's Tenancy Relocation Program would be able to assist tenants at this location.*

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)

H.1.a.m Crystal Pool and Wellness Centre Replacement Project – Initial Parking Alternatives Review

Moved By Councillor Lucas
Seconded By Councillor Isitt

That Council;

1. Direct staff to consult with stakeholders and residents from the North Park neighbourhood on neighbourhood street parking options associated with a distributed parking approach; and
2. Approve $40,000 to be funded from 2018 Contingencies, to complete an investigation of underground parking options in Central Park and/or modular parking on the Save on Food Memorial Parking lot.

CARRIED UNANIMOUSLY

H.1.a.n Proposed Inclusionary Housing and Density Bonus Policy

Moved By Mayor Helps
Seconded By Councillor Isitt

That Council:

1. Approve the draft Inclusionary Housing and Density Bonus Policy with the following amendments:

   A cash contribution of $200,000 per affordable housing unit in lieu of the delivery of on-site affordable rental units, may be considered for the following project types: Projects delivering less than 20 net new strata units.

   That the Policy take effect March 31, 2019.

2. That staff report back twelve (12) months following adoption of the policy with information on: (a) the impacts on new developments; (b) total amenities received, identified by value and type; and (c) recommendations for any potential revisions to the policy.
3. That the Development Summit this year be called the Housing Summit
4. Flag for further discussion and research whether the 3 bedroom allocation at 5% is sufficient.

Council discussed the following:
- *That the draft policy is a good first step.*
- *The need for a Housing Summit to review the research conducted by all members of the public.*

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Loveday

That the amendments shown on Page 1 of the attached Inclusionary Housing and Density Bonus Policy be adopted, revising the section on "Policy Application".

Council discussed the following:
- *How the outcomes of the draft policy are different than the current policy.*
- *The importance of having the amendment discussed at the Housing Summit.*
- *The need for balance between encouraging affordable housing and the need for market housing.*

Moved By Councillor Coleman
Seconded By Councillor Alto

That Mayor Helps be allowed to speak a second time.

CARRIED UNANIMOUSLY

Amendment to the amendment:

Moved By Mayor Helps
Seconded By Councillor Alto

As part of the consultation, that staff be directed to consult on two options for calculating bonus density - from the base density in the OCP and from the current zoning - and the implications of each for the creation of the maximum amount of affordable housing through rezoning.

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)

On the amendment:
CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Loveday

That the "Effective Date" of the policy be amended to "January 1, 2019."

FOR (4): Mayor Helps, Councillor Isitt, Councillor Loveday, and Councillor Madoff
OPPOSED (5): Councillor Alto, Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young

DEFEATED (4 to 5)

Amendment:

Moved By Councillor Thornton-Joe
Moved By Councillor Alto

That the Policy take effect **no later than** March 31, 2019.

CARRIED UNANIMOUSLY

Council discussed the following:
- *The need for further public consultation.*
- *Ensuring the policy does not impede development that is needed within the City.*

Moved By Councillor Coleman
Seconded By Councillor Young

That Councillor Isitt be allowed to speak a second time.

CARRIED UNANIMOUSLY

Council discussed the following:
- *That the policy is needed so that the impacts of new development are adequately responded to.*

Moved By Councillor Thornton-Joe
Seconded By Councillor Coleman

That Councillor Young be allowed to speak a second time.

CARRIED UNANIMOUSLY

Councillor Young clarified an earlier remark, to note it was not related to taxation.

On the main motion as amended:

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

CARRIED (8 to 1)

J. BYLAWS

J.1 Bylaw for Rezoning Application for 2910 Shelbourne Street

Moved By Councillor Alto
Seconded By Councillor Coleman

That the following bylaw **be given first and second readings:**
1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1154) No. 18-067

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Coleman

That the following bylaw **be given first, second, and third readings:**
1. Housing Agreement (2910 Shelbourne Street) Bylaw No. 18-101

CARRIED UNANIMOUSLY

Moved By Councillor Alto
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. 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 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

J.2 Bylaw for Rezoning Application for 1202-1214 Wharf Street

Moved By Councillor Coleman
Seconded By Councillor Young

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

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

CARRIED UNANIMOUSLY

J.3 Bylaw for Rezoning Application for 356 Harbour Road

Moved By Councillor Coleman
Seconded By Councillor Lucas

That Council rescind second reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18- 055.

CARRIED UNANIMOUSLY

Moved By Councillor Coleman
Seconded By Councillor Lucas

That Council amend Schedule 1 of Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055, by adding brewery, distillery, and liquor retail store as permitted uses to Sub-Area D2, Amendment Bylaw (No. 1152) No. 18-055.

CARRIED UNANIMOUSLY

Moved By Councillor Coleman
Seconded By Councillor Lucas

That Council give second reading to Zoning Regulation Bylaw, Amendment Bylaw (No. 1152) No. 18-055, as amended.

CARRIED UNANIMOUSLY

Moved By Councillor Coleman
Seconded By Councillor Lucas

Further, following the Public Hearing for Rezoning Application No. 00619, if it is approved, consider the following updated motion:
"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

J.4 Bylaw for Rezoning Application for 3031 Jackson Street

Moved By Councillor Alto
Seconded By Councillor Young

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

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

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Coleman

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

1. Housing Agreement (3031 Jackson Street) Bylaw No. 18-076

CARRIED UNANIMOUSLY

J.6 Bylaw for Rezoning Application for 930 Fort Street

Moved By Councillor Alto
Seconded By Councillor Lucas

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

1. Housing Agreement (930 Fort Street) Bylaw No. 18-097

CARRIED UNANIMOUSLY

J.7 Bylaw for Development Cost Charges

Moved By Councillor Coleman
Seconded By Councillor Young

That the following bylaw **be adopted:**
1. Development Cost Charges Bylaw, Amendment Bylaw (No. 1) No. 18-078

CARRIED UNANIMOUSLY

Moved By Councillor Coleman
Seconded By Councillor Alto

That Council direct staff to amend the 2018 Financial Plan by adding $3 million for the Songhees Park (Adjacent to Johnson Street Bridge) Expansion with funding from Parks Acquisition and Development, Development Cost Charges.

CARRIED UNANIMOUSLY

J.8 Bylaw Land Use Procedures

Moved By Councillor Coleman
Seconded By Councillor Alto

That the following bylaw **be adopted:**
1. Land Use Procedures Bylaw, Amendment Bylaw (No. 9) No. 18-090

CARRIED UNANIMOUSLY

M. QUESTION PERIOD

A question period was held.

N. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Coleman

That the Council meeting adjourn.
TIME: 9:52 p.m.

CARRIED UNANIMOUSLY

CITY CLERK MAYOR