



MINUTES - VICTORIA CITY COUNCIL

March 14, 2019, 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 Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk , P. Bruce - Fire Chief, S. Thompson - Deputy City Manager / Director of Finance, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, A. Hudson - Acting Director of Sustainable Planning & Community Development, J. Paul – Assistant Director of Engineering, N. Sidhu – Assistant Director of Parks, C. Mycroft - Manager of Executive Operations, P. Martin - Council Secretary, A. Johnston - Planner

B. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Thornton-Joe
Seconded By Councillor Loveday

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Alto

That Rachele Dyer be added to the second request to address council section of the agenda.

CARRIED UNANIMOUSLY

C. READING OF MINUTES

Moved By Councillor Thornton-Joe
Seconded By Councillor Loveday

That the following minutes be adopted:

1. Minutes from the special council meeting held December 10, 2018

2. Minutes from the daytime council meeting held January 10, 2019

CARRIED UNANIMOUSLY

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 Vincent Gornall: Purchase of the Former Blanshard Elementary School at 950 Kings Road

Outlined why Council should purchase the property at 950 Kings Road and use it to provide community amenities, such as green spaces, wellness services, childcare spaces, and a library.

D.2 Jenn Neilson: Purchase of the Former Blanshard Elementary School at 950 Kings Road

Outlined why Council should purchase the property at 950 Kings Road and use it to provide community amenities, such as green spaces, wellness services, childcare spaces, and a library.

D.5 Ryan Armstrong: Bus Petition

Outlined why Council should relocate the bus stops located directly in front of the Hudson building on Douglas Street, and presented a petition to Council.

D.6 Ian Rye: Royal Theatre

Katherine Lauren, Stephen White, & Ian Rye outlined why Council should provide assistance to the Royal Theatre User Group to establish a collaborative process to address the sustainability of the Royal Theatre and align the mandate of the civic theatres with Victoria's Cultural Policy.

D.7 Tara Skobel: Community Space at 950 Kings

Tara Skobel and the Hillside/Quadra Youth Group outlined why Council should buy the property at 950 Kings Road for the community.

E. PROCLAMATIONS

E.1 "Purple Day" - March 26, 2019

Moved By Councillor Dubow

Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "Purple Day" - March 26, 2019

CARRIED UNANIMOUSLY

E.2 "World Kidney Day" - March 14, 2019

Moved By Councillor Loveday
Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:
1. "World Kidney Day" - March 14, 2019

CARRIED UNANIMOUSLY

E.3 "World Tuberculosis Day" - March 26, 2019

Moved By Councillor Collins
Seconded By Councillor Alto

That the following proclamation be endorsed:
1. "World Tuberculosis Day" - March 26, 2019

CARRIED UNANIMOUSLY

F. PUBLIC AND STATUTORY HEARINGS

Councillor Young withdrew from the meeting at 6:56 p.m. due to a potential pecuniary conflict of interest with the following item, as he lives in close proximity to the application.

F.1 1303 Fairfield Road (Unity Commons): Official Community Plan, Rezoning Application No. 00558, and Development Permit with Variances Application No. 000496

Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 24) No. 18-046:
To include all of the land known as 1303 Fairfield Road in the Large Urban Village Urban Place Designation.

Zoning Regulation Bylaw, Amendment Bylaw (No. 1150) No. 18-045:
To rezone the land known as 1303 Fairfield Road from the R1- B Zone, Single Family Dwelling District, to the C1-MF Zone, Moss & Fairfield Limited Commercial District, to permit a four-storey mixed-use building consisting of commercial uses and church sanctuary on the ground floor with residential above.

Development Permit Application:
The Council of the City of Victoria will also consider issuing a development permit for the land known as 1303 Fairfield Road in Development Permit Area 16 – General Form and Character for the purposes of approving the form, character, exterior materials and landscaping of the proposed mixed-use development.

F.1.a Public Hearing & Consideration of Approval

Alec Johnston (Senior Planner): *Advised that the application is for a new four storey mixed-use building, including rental apartments, retail space, and a church sanctuary.*

Council discussed the following:

- *That there were no procedural errors in relation to the Public Hearing and the information provided on the parking.*
- *The notification requirements laid out in the Local Government Act and the City's Land Use Procedures Bylaw.*

Mayor Helps opened the public hearing at 7:06 p.m.

Nicole Roberts and Christopher Rowe (Applicant): Provided information regarding the application.

Donna McLellan (Manner Road): Expressed support for the application due to the need for a permanent space for the Fairfield United Church, as well as the need for sustainably built rental housing in the City.

Christine Watkins (Barclay Terrace): Expressed support for the application due to the need for a permanent space for the Fairfield United Church and a community area.

Frank Keifer (Linden Avenue): Expressed support for the application due to the need for a permanent space for the Fairfield United Church.

Bruce Lemire-Elmore (Dunsmuir Road): Expressed support for the application due to the need for a permanent space for the Fairfield United Church.

Win Konijn (Sooke Resident): Expressed support for the application due to the need for a permanent space for the Fairfield United Church.

Suzanne Bradbury (Beachwood Avenue): Expressed support for the application as the building is no longer safe and the City's need to refresh aging rental stock in the neighbourhood.

Tracy Campbell (Pladding Street): Expressed support for the application due to the need for a permanent space for the Fairfield United Church.

Linda Mulhall (Eldersmith Place): Expressed support for the application due to the need for a permanent space for the Fairfield United Church.

Todd Babick (Denman Street): Expressed support for the application due to the need for a permanent space for the Fairfield United Church, as well as the need for sustainably built rental housing and community gathering area.

David Logan (Moss Street): Expressed support for the application due to the need for a permanent space for the Fairfield United Church, as well as the need for sustainably built rental housing and community gathering area.

Joan Kotarski (Resident): Expressed support for the application due to the need for a permanent space for the Fairfield United Church, as well as the need for sustainably built rental housing and community gathering area.

Chris Petter (McKenzie Street): Expressed concerns with the application, as the development may negatively affect parking on his street due to the lack of on-site parking.

Bruce Meikle (McKenzie Street): Expressed concerns with the application, as the development may negatively affect parking on his street due to the lack of on-site parking.

Meleah Witthoef (Eflam Drive): Expressed support for the application due to the increased space of the proposed cafe that will better fit their needs, as well as the need for sustainably built rental housing in the City.

Eva Pettinato (Linden Avenue): Expressed support for the application due to the need for a permanent space for the Fairfield United Church, as well as the need for sustainably built rental housing and community gathering area.

Ross Walker (Lavender Avenue): Expressed support for the application due to the need for a permanent space for the Fairfield United Church, as well as the need for sustainably built rental housing and community gathering area.

Mona McClelland (Vancouver Street): Expressed support for the application due to the need for a permanent space for the Fairfield United Church, as well as the need for sustainably built rental housing and community gathering area.

Avis Michalovsky (McKascal Street): Expressed support for the application due to the need for a permanent space for the Fairfield United Church, as well as the need for sustainably built rental housing and community gathering area.

Paul Latour (Vic Hostel Place): Expressed support for the application due to the need for a permanent space for the Fairfield United Church, as well as the need for sustainably built rental housing and community gathering area.

Mollie Jespersen (Dallas Road): Expressed support for the application due to the need for a permanent space for the Fairfield United Church.

Beth Hancox (Londale Avenue): Expressed support for the application due to the need for a permanent space for the Fairfield United Church, as well as the need for sustainably built rental housing in walk-able neighbourhoods and near transit.

Ben Black (Mayfair Drive): Expressed support for the application due to the need for a permanent space for the Fairfield United Church, as well as the need for sustainably built rental housing and community gathering area.

Ric Houle (Pandora Avenue): Expressed concerns with the application, as the building should be allowed to naturally grow.

Council recessed from 8:36 p.m. to 8:45 p.m.

Tom Carson (McKenzie Street): Expressed concerns with the application, as the development may negatively affect parking on his street due to the lack of on-site parking.

Gordon Miller (Esquimalt Road): Expressed support for the application due to the need for a permanent space for the Fairfield United Church, as well as the need for sustainably built rental housing and community gathering area.

Mark Mallet (Fairfield Road): Expressed support for the application due to the community consultation that was undertaken, as well as the need for sustainably built rental housing and a community gathering area.

Scott Glennie (Princess Avenue): Expressed support for the application due to the need for sustainably built rental housing.

Jon Norris (Earl Place): Expressed support for the application due to the need for sustainably built rental housing.

Phill Norris (Despard Avenue): Expressed support for the application due to the need for sustainably built rental housing.

Sean Leitenberg (Resident): Expressed concerns with the application, as the community gathering area will only be provided through a rental cost, the lack of on-site parking, and the lack of true affordability.

Ty Whittaker (St. Charles Street): Expressed support for the application as it will be a benefit to the community.

Eric Bramble (Ebert Street): Expressed support for the application due to the need for sustainably built rental housing.

Juan Rohon (Fairfield Road): Expressed concerns with the application, as the development may negatively affect parking on the street due to the lack of on-site parking.

Greg Abbott (Resident): Expressed concerns with the application, as the development may negatively affect parking on the street due to the lack of on-site parking.

Mary Doody Jones (Kipling Street): Expressed concerns with the application, due to safety concerns with traffic and the nearby school.

Annemieve Holthies (Gorge Road): Expressed support for the application due to the need for a permanent space for the Fairfield United Church, as well as the need for sustainably built rental housing and community gathering area.

David Roach (Moss Rock Place): Expressed support for the application due to the need for a permanent space for the Fairfield United Church, as well as the need for sustainably built rental housing and community gathering area.

Jon Newton (Mesher Place): Expressed support for the application due to the need for a permanent space for the Fairfield United Church, as well as the need for sustainably built rental housing and community gathering area.

Joan Waller (Fairfield Road): Expressed concerns with the application due to the massing of the proposed building and lack of on-site parking.

Livia Meret (Kipling Street): Expressed concerns with the application due to the busy traffic in the area and size of the proposed building.

Jenny Boulet (San Jose Avenue): Expressed support for the application due to the need for sustainably built rental housing.

Nancy Buchanan (Resident): Expressed support for the application as it will provide a benefit to the community.

Riga Godron (Mason Street): Expressed concerns with potential safety issues with traffic and the nearby school as well as support for the application due to the need for sustainably built rental housing.

Council discussed the following:

- *The arrangement the church has with the Fairfield/Gonzales Community Center for Sunday parking.*
- *That if this application is approved, it does not create a precedence in regards to parking for future applications by nearby properties.*

Mayor Helps closed the public hearing at 9:47 p.m.

Moved By Mayor Helps
Seconded By Councillor Collins

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1150) No. 18-045
2. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 24) No. 18-046

Council discussed the following:

- *The need for purpose-built rental housing during a housing crisis.*
- *The importance of building community gathering spaces.*
- *The changes that were made to the application to make it more supportable by the most immediate neighbour as well as compromises made to have it fit the needs of the whole community.*
- *Concerns over the demolition of the church and limited affordability.*

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Potts

That Council rescind third reading of the following bylaw:

1. Housing Agreement (1303 Fairfield Road) Bylaw (2019) No. 18-047

CARRIED UNANIMOUSLY

Moved By Councillor Isitt

Seconded By Councillor Alto

That Council amend the following bylaw, with revised Schedule A:

1. Housing Agreement (1303 Fairfield Road) Bylaw (2019) No. 18-047

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Collins

That the following bylaw **be given third reading**, as amended:

1. Housing Agreement (1303 Fairfield Road) Bylaw (2019) No. 18-047

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Loveday

That the following bylaws **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1150) No. 18-045
2. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 24) No. 18-046

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That Council authorize the issuance of Development Permit with Variances Application No. 00496 for 1303 Fairfield Road, in accordance with:

1. Plans date stamped July 20, 2018.

2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the height from 12.00m to 15.04m
 - ii. reduce the front setback (Moss Street) from 6.00m to 0.00m
 - iii. reduce the rear setback from 7.80m to 3.67m
 - iv. reduce the south side setback from 3.90m to 3.23m (to the building) and 0.00m (to the pergola)
 - v. reduce the flanking street setback (Fairfield Road) from 2.40m to 1.02m
 - vi. reduce the vehicle parking requirement from 44 stalls to 16 stalls.
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Councillor Young returned to the meeting at 10:22 p.m.

Council recessed from 10:22 p.m. to 10:32 p.m.

F.2 700 Government Street (Milestones Patio): Rezoning Application No. 00654

Zoning Regulation Bylaw, Amendment Bylaw (No. 1181) No. 19-025:

To amend the IH-PARK-R Zone, Inner Harbour Parks and Causeway Restaurant District to allow for a larger area of outdoor seating for restaurant use and update the format of the regulations to a current bylaw standard, and to rezone a portion of the land known as 700 Government Street, as shown on the attached map, from the IH-PARK Inner Harbour Parks and Causeway District, to the IH-PARK-R Zone, Inner Harbour Parks and Causeway Restaurant District, to add restaurant as a permitted use.

F.2.a Public Hearing & Consideration of Approval

Alec Johnston (Senior Planner): *Advised that the application is to expand an existing restaurant patio area.*

Mayor Helps opened the public hearing at 10:33 p.m.

Deane Strongitharm (Applicant): Provided information regarding the application.

Ric Houle (Pandora Avenue): Expressed concerns with the application.

Riga Godron (Mason Street): Questioned the boundary of the city-owned parcel of land.

Council discussed the following:

- *That the change of entrance to the patio was chosen to improve pedestrian traffic flow.*
- *Changes that could be made to the patio to improve pedestrian sights.*

Mayor Helps closed the public hearing at 10:52 p.m.

Moved By Councillor Thornton-Joe
Seconded By Councillor Dubow

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1181) No. 19-025

FOR (8): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young
OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

Moved By Councillor Thornton-Joe
Seconded By Councillor Collins

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1181) No. 19-025

FOR (8): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young
OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

Motion to extend:

Moved By Councillor Collins
Seconded By Councillor Dubow

That the meeting be extended to 12:00 a.m.

CARRIED UNANIMOUSLY

F.3 3147 Douglas Street (Mayfair Mall): Development Variance Permit Application No. 00214

Development Variance Permit Application No. 00214:

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 3147 Douglas Street (Mayfair Mall) for the purpose of varying certain requirements of the *Sign Bylaw*.

F.3.a Opportunity for Public Comment & Consideration of Approval:

Alec Johnston (Senior Planner): *Advised that the application is for a sign variance at Mayfair Mall.*

Mayor Helps opened the opportunity for public comment at 11:01 p.m.

Graeme Silvera (Applicant): Provided information regarding the application.

Ric Houle (Pandora Avenue): Expressed concerns with the application.

Mayor Helps closed the opportunity for public comment at 11:08 p.m.

Moved By Councillor Loveday

Seconded By Councillor Dubow

That Council authorize the issuance of Development Variance Permit Application No.00214 for 3147 Douglas Street, in accordance with:

1. Plans date stamped September 17, 2018.
2. The following variances to the Sign Bylaw:
 - i. Vary the size of the maximum permitted sign area from 9m² to:
 - a. 9m² for "Mayfair" sign (fronts Douglas Street)
3. The Development Permit lapsing two years from the date of this resolution.

Council discussed the following:

- *Whether the size of the sign is appropriate for the size of the building.*

FOR (8): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

F.4 Proposed Amendments to the Zoning Regulation Bylaw

Zoning Regulation Bylaw, Amendment Bylaw (No. 1177) No. 19-001:

To amend the Zoning Regulation Bylaw:

1. by replacing the term "ground floor" with the defined term "First Storey" within the definition of "Half Storey"; and
2. by modifying the wording in the R3-1 and R3-2 Zone, Multiple Dwelling District to clarify that, in order to achieve the additional site coverage and density outlined in the zone, all motor vehicle parking required by Schedule C of the Zoning Regulation Bylaw must be provided on-site and must be located in an enclosed space; and
3. by correcting minor drafting errors.

F.4.a Public Hearing & Consideration of Approval

Alec Johnston (Senior Planner): *Advised that the city-initiated item is to propose amendments to the Zoning Regulation Bylaw by amending the definition of half storey; amending the R3-1 and R3-2 Zone to clarify that in order to benefit from additional density and site coverage, motor vehicle parking must be provided consistent with Schedule C and must be entirely contained within an enclosed space; and amending the R1-A, R1-S1, R1-S2, R1-B-GS4-C1, R-76, CA-72 and M2-1 Zones to correct typographical and clerical errors.*

Mayor Helps opened the public hearing at 11:12 p.m.

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

Mayor Helps closed the public hearing at 11:13 p.m.

Moved By Councillor Young
Seconded By Councillor Alto

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1177) No. 19-001

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Young

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1177) No. 19-001

CARRIED UNANIMOUSLY

G. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

G.1 Ted Smith: Strategic Plan and Temporary Use Permit

Outlined the difficulties that the Cannabis Buyer Club is experiencing while trying to become approved under the new Federal regime.

G.3 Kelly Greenwell: The Need for Neighbourhood Spaces at 950 Kings

Outlined why Council should purchase 950 Kings Road to preserve the accessible neighbourhood green space and provide relevant neighbourhood amenities.

G.4 Ryan Taylor: Need for Community and City Assets to Increase with Growth

Outlined why Council should purchase 950 Kings Road as it is an opportunity to expand its assets for current and future generations.

H. UNFINISHED BUSINESS

H.1 Adoption of the 2019-2022 Strategic Plan

Moved By Mayor Helps
Seconded By Councillor Collins

1. That Council adopt the 2019-2022 Strategic Plan.
2. 2020 Action: Climate Leadership and Environmental Stewardship:
Increase protection for shoreline areas and Garry Oak ecosystem including the shoreline between Gonzales Bay and Ross Bay and the shoreline along Gorge Waterway.
3. Page 16, Objective 5 and Action 3:
Add: Develop and implement an accessibility framework
4. Page 17, Objective 5, No. 9:
Strike out “uniform and”.
5. Page 19, Objective 5, No. 21
After “Victoria” remove “barrier-free” and replace with “accessible”.
6. Page 8, item 22
Change target from 2019 to 2020 baseline
7. Page 5
Add: accessible information, facilities and services
8. Page 6
2019 Action: to deliver training to Council and senior staff on accessibility.
9. Add a star *before outcomes* as part of the Witness Reconciliation Program, these outcomes and actions will be shared with the Esquimalt and Songhees Nations for their input as witnesses to the process.

FOR (8): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the March 7, 2019 COTW Meeting

I.1.a.a Fourth Quarter 2018 Update

Moved By Councillor Alto
Seconded By Councillor Collins

1. That Council receive the Victoria Police Quarter Four report for information.
2. That Council:
 - a. Receive the Quarter Four report for information.

- b. Direct staff to report back at quarterly updates on new contracts awarded for external procurement of goods and services where the total anticipated contracted amount exceeds \$50,000.
- c. Direct staff to append the Statement of Financial Information to the first quarterly update after it is published.

CARRIED UNANIMOUSLY

I.1.a.b Letter from the Minister of Municipal Affairs and Housing

Moved By Councillor Isitt

Seconded By Councillor Dubow

That Council suggest the Mayor request on behalf of Council a meeting with the Minister to discuss the City and the Province's position on the matter of BC Assessment Authority's valuation of commercial, short term rental units.

CARRIED UNANIMOUSLY

I.1.a.c 1491 Edgeware Road & 2750 Gosworth Road - Rezoning Application No. 00659 & Development Permit with Variances Application No. 00090 (Oaklands)

Moved By Councillor Isitt

Seconded By Councillor Alto

Rezoning Application No. 00659

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00659 for 1491 Edgeware Road and 2750 Gosworth Road, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set.

Development Permit with Variances Application No. 00090

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. 00659, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00090 for 1491 Edgeware Road and 2750 Gosworth Road, in accordance with:

1. Plans date stamped January 15, 2019.
2. Prior to issuance of the Development Permit with Variances, refine plans to include detailed elevations of fences and landscape screens meeting all bylaws, and making revisions to the landscape plan in order to correct inconsistencies to the

Satisfaction of the Director of Sustainable Planning and Community Development.

3. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:

Proposed Lot 1

- i. decrease the lot width from 10.0m to 9.99m
- ii. decrease the front yard setback from 6.00m to 2.48 m
- iii. decrease the rear yard setback from 6.00m to 1.50m
- iv. decrease the front yard setback for an accessory building from 18.0m to 3.74m
- v. allow an accessory building to be located in the side yard.

Proposed Lot 2

- i. decrease the lot width from 10.0m to 9.99m
- ii. increase the site coverage maximum from 40% to 40.79%.

Proposed Lot 3

- i. decrease the lot width from 10.0m to 9.99m
- ii. increase the site coverage maximum from 40% to 40.4%.

Proposed Lot 4

- i. decrease the minimum side yard setback with a habitable window from 2.40m to 1.50m.

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

And that staff be directed to provide information and advice regarding traffic calming on Gosworth and provide this information in conjunction with the public hearing.

CARRIED UNANIMOUSLY

I.1.b Report from the March 14, 2019 COTW Meeting

I.1.b.a Mobile Bicycle Vending Pilot Review

Moved By Councillor Isitt

Seconded By Councillor Collins

That Council direct staff to:

1. Bring forward an amendment bylaw containing provisions for a mobile bicycle vending program.

CARRIED UNANIMOUSLY

**I.1.b.b 2708 Graham Street and 1050-1054 Hillside Avenue -
Development Permit with Variances Application No. 00043
(Hillside/Quadra)**

Moved By Councillor Isitt
Seconded By Councillor Alto

That, subject to the preparation and execution of a Statutory Right-of-Way for 3.57m off Hillside Avenue and a Housing Agreement to ensure a future strata cannot restrict the rental of the units, to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development, 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. 00043 for 2708 Graham Street and 1050-1054 Hillside Avenue, in accordance with:

1. Plans date stamped December 17, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the number of buildings from one to two
 - ii. decrease the site area from 920.0m² to 911.93m²
 - iii. decrease the rear (north) yard setback from 4.57m to 2.31m
 - iv. decrease the side (east) yard setback from the building from 4.57m to 2.42m
 - v. decrease the side (east) yard setback from the stairs from 3.0m to 0.0m
 - vi. increase the site coverage from 40.0% to 48.4%
 - vii. decrease the open site space from 60.0% to 51.6%.
3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development, to add canopies above the townhouse front doors, change the horizontal metal siding to wood, amend the landscape plan bicycle parking to be consistent with site plan, and change the garage door to wood.
4. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

I.1.b.c 506 Herald Street - Application for a Lounge Endorsement to a Manufacturer's License (brewing) for Herald Street Brew Works

Moved By Councillor Collins
Seconded By Mayor Helps

That Council direct staff to provide the following response to the Liquor Licensing Agency:

Council, after conducting a review with respect to noise and community impacts, does support the application of Herald Street Brew Works, located at 506 Herald Street, to have a lounge endorsement added to their manufacturing license, having hours

of operation from 9:00 am to 2:00 am daily, and an occupant load of 178 persons.

Providing the following comments on the prescribed considerations:

1. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request and assumptions are the noise impacts would be proportional to existing licence capacity in the vicinity. The applicant and operator does not expect the establishment will have negative impacts on neighbours due to the operational concept and a commitment to minimize impacts through monitoring of, and communication to guests. The requested hours of operation and occupant load are not expected to result in disproportionately high negative impacts to the community.
2. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan and long term viability of the establishment. The business model is seen to align well with recent changes made to zoning bylaws which encourage this type of development. The establishment contributes to the richness, and diversity of offerings in the area.
3. The views of residents were solicited via a mail out which included 284 letters to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received two letters in response to the request, both of which were opposed to the application.
4. Council recommends the license endorsements be approved.

Motion to refer:

Moved By Councillor Isitt

Seconded By Councillor Thornton-Joe

That this matter be referred to staff to work with the applicant to review the proposed operating hours and occupant load, in light of concerns expressed by downtown residents.

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Isitt

That the motion be amended by adding the following:

"and have this matter return back to Council at the Committee of the Whole meeting on March 28th."

CARRIED UNANIMOUSLY

On the motion to refer as amended:

That this matter be referred to staff to work with the applicant to review the proposed operating hours and occupant load, in light of concerns expressed by downtown residents, and have this matter return back to Council at the Committee of the Whole meeting on March 28th.

CARRIED UNANIMOUSLY

I.1.b.d 2558 Quadra Street - Victoria Housing Reserve Fund Application (Forest Heights)

Moved By Councillor Collins
Seconded By Councillor Isitt

That Council approve a Victoria Housing Reserve Fund grant application to the Greater Victoria Housing Society in the amount of \$330,000 to assist in the construction of 40 units of housing for low-income seniors, working adults, adults with disabilities and small families at Forest Heights located at 2558 Quadra Street, subject to the following conditions:

1. The applicant receives Council approval for the required rezoning and development permit applications for 2558 Quadra Street and the applicant executes a Housing Fund Agreement and Housing Agreement in the form satisfactory to the City Solicitor and the Director of Sustainable Planning and Community Development; and
2. The applicant fulfills the requirements of the Victoria Housing Reserve Fund Guidelines.
3. All existing tenants of 2558 Quadra are offered alternate rental housing at existing rent levels
4. No net loss of units at existing rent levels in the new building, subject to annual increases as permitted under the *Residential Tenancy Act*.

Motion to refer:

Moved By Councillor Collins
Seconded By Councillor Isitt

That the motion be referred to the next Committee of the Whole meeting.

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Collins

That the motion be amended by adding the following:

"and that staff request additional information from the applicant on the proposed unit mix and pricing under the original and revised scenario."

CARRIED UNANIMOUSLY

On the motion to refer as amended:

That the motion be referred to the next Committee of the Whole meeting and that staff request additional information from the applicant on the proposed unit mix and pricing under the original and revised scenario.

CARRIED UNANIMOUSLY

Motion to extend:

Moved By Councillor Isitt

Seconded By Councillor Loveday

That the meeting be extended to 12:30 a.m.

CARRIED UNANIMOUSLY

I.1.b.e 330 - 336 Michigan Street - Victoria Housing Reserve Fund Application (Michigan Square)

Moved By Councillor Isitt

Seconded By Councillor Alto

That Council approve a Victoria Housing Reserve Fund grant application from the Capital Region Housing Corporation in the amount of \$1,485,000 to assist in the construction of 98 units of affordable housing for seniors, adults with disabilities, working singles and small families at Michigan Square located at 330-336 Michigan Street, subject to the following conditions:

1. The applicant receives Council approval for the required development permit applications for 330-336 Michigan Street and the applicant executes a Housing Fund Agreement and Housing Agreement in the form satisfactory to the City Solicitor and the Director of Sustainable Planning and Community Development; and
2. The applicant fulfills the requirements of the Victoria Housing Reserve Fund Guidelines.
3. All existing tenants of 330-336 Michigan Street are offered alternate rental housing at existing rent levels
4. No net loss of units at existing rent levels in the new building, subject to annual increases as permitted under the Residential Tenancy Act.

Motion to refer:

Moved By Councillor Isitt

Seconded By Councillor Collins

That the motion be referred to the next Committee of the Whole meeting and that staff request additional information from the applicant on the proposed unit mix and pricing under the original and revised scenario.

CARRIED UNANIMOUSLY

I.1.b.f Motion Arising – Victoria Housing Strategy

Moved By Councillor Isitt

Seconded By Councillor Alto

That Council direct staff to report back in the context of the next update on the Victoria housing strategy on the following:
Incorporating the following provisions into the criteria for housing reserve fund applications.

1. all existing tenants are offered alternate rental housing at existing rent levels;
2. No net loss of units at existing rent levels in the new building, subject to annual increases as permitted under the Residential Tenancy Act;

And that staff report include considerations for viability of redevelopment projects.

And that staff be directed to do this work on a priority basis as part of the Victoria Housing Strategy.

FOR (8): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe
OPPOSED (1): Councillor Young

CARRIED (8 to 1)

I.1.b.g 778 Fort Street - Cannabis Provincial Licensing Referrals for Cloud Nine Collective

Moved By Councillor Isitt

Seconded By Councillor Collins

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

1. Council supports the application of Cloud Nine Collective located at 778 Fort Street to receive a provincial cannabis retail store license providing the following comments on the prescribed considerations:

2. The Council recommends that the LCRB issue a cannabis retail store license to Cloud Nine Collective located at 778 Fort Street, subject to the condition that this license not be issued until after Cloud Nine Collective obtains a Development Permit for any proposed alterations to the building exterior that are required to operate the business.
3. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are no site-specific comments in terms of impacts on the community.
4. The City solicited the views of residents by sending public notification letters to property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 485 letters and received 4 letters. 2 letters support the application and 2 letters oppose the application. The City did not receive correspondence from the neighbourhood association.
5. A Development Permit is required to ensure alterations to the building exterior don't diminish the pedestrian experience and create safety concerns by obstructing the view from the sidewalk or street into the store.
6. That the letter be provided subject to the applicant's compliance with relevant City Permits and Bylaws.

CARRIED UNANIMOUSLY

Councillor Collins withdrew from the meeting at 12:04 a.m.

I.1.b.h 851 Johnson Street - Local Government Recommendation for Clarity Cannabis

Moved By Councillor Potts

Seconded By Councillor Loveday

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

1. Council supports the application of Clarity Cannabis located at 851 Johnson Street to receive a provincial cannabis retail store license providing the following comments on the prescribed considerations:
2. The Council recommends that the LCRB issue a license to Clarity Cannabis located at 851 Johnson Street, subject to the condition that this license not be issued until after Clarity Cannabis obtains a Development Permit for any proposed alterations to the building exterior that are required to operate the business.
3. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are

- no site-specific comments in terms of impacts on the community.
4. The views of residents were solicited through a mail-out to neighbouring property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 951 letters and received 12 letters. 10 letters support the application and 2 letters oppose the application. The City did not receive correspondence from the neighbourhood association.
 5. A Development Permit is required to ensure alterations to the building exterior do not diminish the pedestrian experience and create safety concerns by obstructing the view from the sidewalk or street into the store.
 6. That the letter be provided subject to the applicant's compliance with relevant City Permits and Bylaws

FOR (7): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Young
OPPOSED (1): Councillor Thornton-Joe

CARRIED (7 to 1)

I.1.b.i 603 Gorge East Street - Local Government Recommendation for Clarity Cannabis

Moved By Councillor Potts
Seconded By Councillor Alto

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

1. Council supports the application of Clarity Cannabis located at 603 Gorge East Street to receive a provincial cannabis retail store license providing the following comments on the prescribed considerations:
 - a. The Council recommends that LCRB issue a cannabis retail store license to Clarity Cannabis located at 603 Gorge East Street.
 - b. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are no site-specific comments in terms of impacts on the community.
 - c. The views of residents were solicited through a mail-out to neighbouring property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 170 letters and received 7 letters. 7 letters support the application and one letter supports the application with some provisions. The City did not receive correspondence from the neighbourhood association.

2. That the letter be provided subject to the applicant's compliance with relevant City Permits and Bylaws.

CARRIED UNANIMOUSLY

I.1.b.j 1402 Douglas Street - Local Government Recommendation for The Original FARM

Moved By Councillor Dubow

Seconded By Councillor Alto

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

1. Council supports the application of The Original FARM located at 1402 Douglas Street to receive a provincial cannabis retail store license providing the following comments on the prescribed considerations:
 - a. The Council recommends that the LCRB issue a license to The Original FARM located at 1402 Douglas Street, subject to the condition that this license not be issued until after The Original FARM obtains a Heritage Alteration Permit for any proposed alterations to the building exterior that are required to operate the business if required.
 - b. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are no site-specific comments in terms of impacts on the community.
 - c. The views of residents were solicited through a mail-out to neighbouring property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 334 letters and received 1 letter. The letter supports the application. The City did not receive correspondence from the neighbourhood association.
 - d. A Heritage Alteration Permit may be required for properties listed on the Victoria Heritage Register that are either heritage-registered, heritage-designated, or subject to a heritage conservation Covenant to conserve and enhance the heritage value, special character and the significant historic buildings, features, and characteristics of the Core Historic Development Permit Area.
2. That the letter be provided subject to the applicant's compliance with relevant City Permits and Bylaws.

FOR (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, and Councillor Young

OPPOSED (2): Councillor Isitt, and Councillor Thornton-Joe

CARRIED (6 to 2)

I.1.b.k 3055A Scott Street - Local Government Recommendation for The Original FARM

Moved By Councillor Isitt

Seconded By Councillor Potts

That the matter be referred to an opportunity for public comment at a Council Meeting for Council's consideration and that the notification radius be 100 meters from the subject site.

FOR (7): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Young

OPPOSED (1): Councillor Thornton-Joe

CARRIED (7 to 1)

I.1.b.l Climate Emergency Declaration

Moved By Councillor Isitt

Seconded By Councillor Dubow

That Council:

1. Declares a climate emergency and commits to the objective of achieving carbon neutrality in the City of Victoria by 2030.
2. Directs staff to report back at the next update on the Climate Leadership Plan on the resource implications and potential amendments to the plan necessary to meet this objective.
3. Requests that the Mayor write, on behalf of Council, to the Capital Regional District Board Chair, as well as Mayors and Councils of the 12 others municipalities in the Capital Region, advising them of this action and encouraging them to respond favourably to the CRD Board Chair's request to declare a climate emergency and work toward carbon neutrality in each municipality and electoral area by 2030.
4. Requests that the Mayor write to the Provincial Minister of the Environment, assert the City's support to help the Province close the 25% emissions gap in the *CleanBC Plan*, and call on the Province to provide the powers and resources to local governments to make the Region's 2030 target possible as outlined in Appendix A.
5. Requests that the Mayor write to the Federal Minister of the Environment, assert the City's support to help Canada meet its Nationally Determined Contribution target made in the Paris Agreement and call on the federal government to provide the powers and resources to local governments to make the Region's 2030 target possible as outlined in Appendix A.

CARRIED UNANIMOUSLY

I.1.b.m 2019 Victoria Police Budget

Moved By Councillor Isitt

Seconded By Councillor Alto

Motion to refer:

That the matter be referred to next Thursday's COTW meeting and that Council receive any legal advice regarding the modification of the framework agreement as proposed in the motion and legal advice on the Director of Police Services' decision:

That Council:

1. *Requests that the Police Board pursues the following strategies to absorb the financial impact of two extraordinary new expenditures in 2019 (introduction of the Employer Health Tax and the decision of the Director of Police Services to mandate the hiring of 6 new officers):*
 - (a) *Pursue cost-savings and efficiencies in Non-Staffing Expenditures outlined in pages 5 and 6 of the March 14th report (\$212,000);*
 - (b) *Defer the proposed new Service Desk position until 2020 (\$75,000);*
 - (c) *Pursue savings through consolidation of Exempt Management positions where possible (amount to be determined);*
 - (d) *Authorize a one-time variation from the provision of the Framework Agreement respecting the allocation of VicPD's previous year's surplus funds, to allow for the one-time deployment of VicPD surplus funds in 2019 toward the unanticipated expenditures associated with introduction of the Employer Health Tax and the decision of the Director of Police Services to mandate the hiring of 6 new officers (up to \$503,000).*
 - (e) *Reduce the allocation to the Capital Replacement Reserve, and defer a portion of replacement of vehicles and equipment, to account for any remaining amount required to cover these extraordinary one-time expenditures in 2019 (amount to be determined, depending on [c] and [d] above).*
2. *Requests that the Police Board provide a final budget reflecting these adjustments for consideration by Victoria and Esquimalt Councils.*
3. *Requests that the Township of Esquimalt considers authorizing a one-time variation from the provision of the Framework Agreement respecting the allocation of VicPD's previous year's surplus funds, to allow for the one-time deployment of VicPD surplus funds in 2019 toward the unanticipated expenditures associated with introduction of the Employer Health Tax and the decision of the Director of Police Services to mandate the hiring of 6 new officers.*

FOR (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, and Councillor Potts

OPPOSED (2): Councillor Thornton-Joe, and Councillor Young

CARRIED (6 to 2)

K. BYLAWS

K.1 Bylaw for Rezoning Application for 430 Parry Street

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1174) No. 19-006

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

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

1. Housing Agreement (430 Parry Street) Bylaw (2019) No. 19-007

CARRIED UNANIMOUSLY

Mayor Helps recalled the vote on first and second readings of Zoning Regulation Bylaw, Amendment Bylaw (No. 1174) No. 19-006.

Councillor Isitt requested that first and second readings be voted upon separately.

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1174) No. 19-006

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Thornton-Joe

That an additional line be added to section 3.124.2.a allocating an additional \$20,000 towards the housing reserve fund.

FOR (6): Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (2): Mayor Helps, and Councillor Alto

CARRIED (6 to 2)

On the main motion as amended:

That the following bylaw **be given first reading as amended:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1174) No. 19-006

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1174) No. 19-006

CARRIED UNANIMOUSLY

K.2 Bylaw for Residential Rental Tenure

Moved By Councillor Isitt

Seconded By Councillor Loveday

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

1. Residential Rental Tenure Bylaw, Amendment Bylaw (No. 1183) and Amendment Bylaw (No. 3) No. 19-029

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Council discussed the following:

- *The benefit of the proposed bylaw amendments.*

K.3 Bylaw for Old Town Design Guidelines

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

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

1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 28) No. 19-019

CARRIED UNANIMOUSLY

Mayor Helps recalled first and second readings of Residential Rental Tenure Bylaw, Amendment Bylaw (No. 1183) and Amendment Bylaw (No. 3) No. 19-029.

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

1. Residential Rental Tenure Bylaw, Amendment Bylaw (No. 1183) and Amendment Bylaw (No. 3) No. 19-029

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

N. QUESTION PERIOD

A question period was held.

O. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Dubow

That the Council meeting adjourn.

TIME: 12:29 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR